



Board Report

File #: 2021-0279, **File Type:** Contract

Agenda Number:

**REVISED
CONSTRUCTION COMMITTEE
JUNE 17, 2021**

SUBJECT: CONSTRUCTION SUPPORT SERVICES FOR SOUNDWALL CONSTRUCTION

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE a cost-plus fixed fee Contract No. PS68345MC079 with Prescience Corporation to provide Construction Support Services for I-210 Soundwall Package 10 and I-710 Soundwall Packages 2 and 3, in an amount Not-to-Exceed \$6,614,868 for a period of performance of 3 years, plus two (2) one-year options (\$826,000 each year) that may be exercised in the future subject to resolution of properly submitted protest(s); and
- B. NEGOTIATE and execute individual Contract Work Orders and Contract Modifications up to the authorized Not-to-Exceed amount.

ISSUE

A Construction Support Services Consultant (CSSC) is required to assist Metro Program Management staff's direct oversight of I-210 Soundwall Package 10 and I-710 Soundwall Packages 2 and 3 (respectively known as Early Action Improvement Project (EAIP) I-710 South Corridor projects). These projects include new soundwalls and aesthetic treatments to existing soundwalls to match the new walls. Construction support services will be provided from final design through pre-construction activities, construction, contract close out, and administration of the construction contracts, and will help to ensure compliance with contract requirements and government regulations.

BACKGROUND

Soundwalls are noise barriers built between a noise generator and a sensitive receptor, such as a residential community, to reduce the level of noise transmitted from the generator to the receptor. The soundwall projects are located within Caltrans and City right of way and generally consist of construction of a 14 -foot tall masonry block wall supported on CIDH pile foundations or occasionally

on spread footing foundations, grade beams or barrier rail concrete sections. Additionally, these projects may include retaining walls, drainage systems, concrete deck slab placement and paving, striping, elevated signage poles, utility relocation, traffic control and landscaping. The stated objectives of the projects are to reduce or eliminates outside noise, create a quieter, calm, composed environment inside an enclosed environment.

DISCUSSION

I-210 SOUNDWALL PACKAGE 10 - This project consists of constructing soundwalls along I-210 freeway from west of Marengo Avenue Overcrossing to Wilson Avenue in the City of Pasadena, constructing soundwalls from Baldwin Avenue to Santa Anita Avenue in the City of Arcadia, and constructing soundwalls on SR-134 East of Cahuenga Blvd near Arcola Street. This construction project consists of approximately 8,690 linear feet of sound wall. Soundwall installation attenuate high noise levels in neighborhoods adjacent to the freeway.

I-710 SOUNDWALL PACKAGE 2 - This project consists of constructing new and improving existing soundwalls within Caltrans' right of way in the Cities of Bell Gardens, Commerce, Compton, East Los Angeles, and Long Beach. This project consists of approximately 2,713 linear feet of new soundwalls and 19,367 linear feet of aesthetic treatment of existing soundwalls.

I-710 SOUNDWALL PACKAGE 3 - This project consists of constructing 4,131 linear feet of new soundwalls, 4,750 linear feet of aesthetic treatment of existing soundwalls and 13,376 linear feet of existing soundwalls to be replaced. Soundwall Package 3 is located south of SR-91 in Caltrans' right of way in the City of Long Beach. The existing walls will be aesthetically treated to match the new soundwalls being constructed.

The projects within the scope of this contract are all design-bid-build projects. As such, it is beneficial to have additional reviews of the technical bid documents by a consultant team to minimize risks to Metro during construction. The CSSC consultant will provide review support of the technical bid documents, administration, oversight and inspection services during construction and technical support during the close out phases of the project. The CSSC 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 Metro staff.

A Contract Work Order (CWO) will be issued for each project. Each CWO will include negotiated direct labor, indirect cost rates, general and administrative expenses (if applicable), fixed fee, and negotiated hours for the level of effort to match the work. The CWOs will be funded from the existing project budgets. Staff shall ensure that strict project controls are in place prior to approving and issuing each CWO, and will closely monitor the Consultant's budget, incurred costs, and schedules. No funds are obligated until the CWO is approved.

Prescience Corporation, a Prime, exceeded the goal by making a 64.06% SBE goal and 3.95% DVBE commitment, see Attachment B. DEOD will actively monitor the consultant and their subcontracting plan to ensure the awarded party will uphold their commitment to the SBE/DVBE goals during the Contract.

DETERMINATION OF SAFETY IMPACT

Approval of this item will have no impact on safety

FINANCIAL IMPACT

The projects under this scope are funded on a fiscal year basis. I-210 Soundwall Package 10, I-710 Soundwall Package 2 and I-710 Soundwall Package 3 projects are funded under project numbers 460323, 463416 and 463516, respectively, within Cost Center 8510. The I-210 Soundwall Package 10 project has a 2015 board approved LOP. The CSSC contract work scope would be planned and funded on an annual basis within Board approved project budgets until Life of Project Budgets are established for each project.

Since this is a multi-year contract/project, the Project Manager, Cost Center Manager and the Executive Officer, Program Management will be responsible for budgeting costs in future fiscal years.

IMPACT TO BUDGET

The source of funds for this recommendation is Measure R Highway Capital (20%) Funds, which are not eligible for bus or rail operations. No other funds were considered.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Project is consistent with the following Metro Vision 2028 Goals and Objectives:

Goal 1: Providing high-quality mobility options and improve transit efficiency;

Goals 4 and 5: Transforming LA County through regional collaboration with Caltrans and the corridor cities by contributing funds and providing resources to assist Caltrans in completion of these projects

ALTERNATIVES CONSIDERED

The Board could direct Metro staff to perform construction support tasks with current in-house resources. However, this alternative is not recommended, as it would require diversion of staff resources from on-going projects and would require the hiring of 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. PS68345MC079.

ATTACHMENTS

Revised Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared _By

Prepared by:

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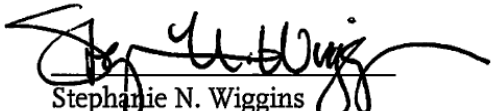
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Stephanie N. Wiggins
Chief Executive Officer

DEOD SUMMARY

**CONSTRUCTION SUPPORT SERVICES FOR SOUNDWALL CONSTRUCTION /
CONTRACT NO. PS68345MC079**

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 27% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. Prescience Corporation, a Small Business Prime, exceeded the goal by making a 64.06% SBE and 3.95% DVBE commitment.

Small Business Goal	27% SBE 3% DVBE	Small Business Commitment	64.06% SBE 3.95% DVBE
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	SBE Subcontractors	% Committed
1.	Prescience Corporation (SBE Prime)	43.89%
2.	SouthStar Engineering & Consulting, Inc.	12.20%
3.	ZT Consulting Group, Inc.	7.97%
	Total SBE Commitment	64.06%

	DVBE Subcontractors	% Committed
1.	Leland Saylor Associates	3.95%
	Total DVBE Commitment	3.95%

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).

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.

PROCUREMENT SUMMARY

**CONSTRUCTION SUPPORT SERVICES
CONTRACT NUMBER PS68345MC079**

1.	Contract Number: PS68345MC079	
2.	Recommended Vendor: Prescience Corporation	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: Feb 26, 2020	
	B. Advertised/Publicized: February 26, 2020 (Vendor Portal) / February 28, 2020 (Periodicals of General Circulation)	
	C. Pre-Proposal Conference: March 24, 2020 – Conference Cancelled	
	D. Proposals Due: April 16, 2020	
	E. Pre-Qualification Completed: June 25, 2020	
	F. Conflict of Interest Form Submitted to Ethics: April 21, 2020	
	G. Protest Period End Date: June 22, 2021	
5.	Solicitations Picked up/Downloaded: 92	Proposals Received: 3
6.	Contract Administrator: Vanessa Vingno	Telephone Number: 213-922-7574
7.	Project Manager: Sapana Shah	Telephone Number: 818-435-7759

A. Procurement Background

This Board Action is to approve Contract No. PS68345MC079, Construction Support Services Contract, for multiple Highway improvement projects that involves new construction and improvement of Soundwalls at various locations along the I-210 and I-710 freeway. The Work will be authorized by individual Contract Work Order by individual projects. Award of the Contract is subject to the resolution of any timely protest.

The RFP was issued in accordance with Metro’s Acquisition Policies and Procedures. The contract type is a Cost Plus Fixed Fee (CPFF) for a term of three (3) years plus 2 one year options. A pre-proposal conference was scheduled on March 24, 2020 and was cancelled in accordance with the California Governor Executive Order N-33-20 related to COVID-19. Ninety two (92) individuals from various firms picked up or downloaded the RFP Package.

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

- Amendment No. 1, issued on March 3, 2020, to revise the percentage in the Evaluation Criteria, add additional Scope of Service, and delete an outdated Reporting and Invoicing instruction.
- Amendment No. 2, issued on March 10, 2020, to revise SP-19 Right to Review Clause. Adding the paragraph from the Scope of Services to the correct section.

- Amendment No. 3, issued on March 16, 2020, to cancel the Pre-proposal Conference due to Covid-19.
- Amendment No. 4, issued March 19, 2020, to revise Letter of Invitation and Submittal Requirements, allowing electronic submission and removing the notary requirement.
- Amendment No. 5, issued April 7, 2020, to revise Letter of Invitation adding detailed proposal by email instructions.

A total of three (3) proposals were received on April 16, 2020, from the following firms, in alphabetical order:

1. ABA Global, Inc.
2. Biggs Cardosa and Associates
3. Prescience Corporation

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro Program Management 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 Firms on the Team..... (20%)
 - Experience and Capabilities of Individuals in The Team (20%)
 - Effectiveness of Management Plan..... (20%)
 - Project Understanding and Approach..... (25%)
 - Cost Proposal (15%)
- Total 100%

The evaluation criteria are appropriate and consistent with criteria developed for other professional services procurements. Several factors were considered when developing the weightings, giving the greatest importance to the Project Understanding and Approach.

During the months of April and May 2020, the PET evaluated the three (3) written proposals. Of the three (3) proposals received, two (2) were determined to be within the competitive range. The two (2) firms within the competitive range are listed below in alphabetical order:

1. Biggs Cardosa and Associates
2. Prescience Corporation

The Proposals from ABA Global, Inc was outside the competitive range and excluded from further consideration because (1) its initial overall score was marginal (63.72); (2) ABA Global did not meet the mandatory SBE/DVBE goals and was deemed non-responsive. ABA Global, Inc. intended to propose as an SEB Prime, however they were not SBE certified.

On May 13, 2020, Metro held a virtual Oral Presentations with two (2) proposing firms. In the interest of time, oral presentations were held before the determination of whether or not the proposers were responsive to the SBE/DVBE goals.

This procurement was subject to Metro's Medium-Sized Business Enterprise (MSZ) Program and was solicited as such. ABA Global, Inc. and Biggs Cardosa Associates identified themselves as MSZ firms. Only Biggs Cardosa was responsive to the mandatory SBE/DVBE goal. Prescience is the certified SBE firm. According to Letter of Invitation (LOI), LACMTA will consider bids/proposals from other size firms that non-MSZ only in the event LACMTA does not receive more than one responsive and responsible MSZ bid/proposal.

Qualifications Summary of the responsive firm within the Competitive Range:

Prescience Corporation

- The Proposal demonstrate an excellent level of experienced personnel that significantly exceeds the RFP requirements. Key personnel demonstrate experience on highway and freeway projects, has sufficient commitment and availability for the project.
- The Proposal demonstrate an excellent schedule and cost control implementation methods on carrying out their management plan.
- The Prime consultant and Subconsultants have a wide range of construction management experience on Caltrans projects. Each firm demonstrates a thorough understanding and knowledge of the complexity of similar projects.
- The Proposal demonstrate a complete understanding of the scope of services in accordance with the requirements of RFP. The project team shows a comprehensive understanding of the project goals, resources, schedules, project challenges and issues.

The Proposal Evaluation Team (PET) ranked (2) proposals within the competitive range. The evaluation was based on the evaluation criteria in the RFP, and assessed major strengths, weaknesses, and associated risks of each of the

proposers to determine the most advantageous firm. The final scoring was based on evaluation of the written proposal, as supported by an oral presentation, and clarifications received from the Proposer. The result of the final scoring is shown below:

1	Firm	Average Score	Factor Weight	Weighted Average Score*	Rank
2	Prescience Corporation				
3	Experience and Capabilities of Firms on the Team	95.11	20%	19.02	
4	Experience and Capabilities of Individuals on the Team	94.33	20%	18.87	
5	Effectiveness of Management Plan	97.11	20%	19.42	
6	Project Understanding and Approach	90.53	25%	22.63	
7	Cost Proposal**	100.00	15%	15.00	
8	Total		100.00%	94.94	1
9	Biggs Cardoso and Associates				
10	Experience and Capabilities of Firms on the Team	92.33	20%	18.47	
11	Experience and Capabilities of Individuals on the Team	95.44	20%	19.09	
12	Effectiveness of Management Plan	93.44	20%	18.69	
13	Project Understanding and Approach	93.07	25%	23.27	
14	Cost Proposal**	79.47	15%	11.92	
15	Total		100.00%	91.43	2

* Weighted scores are rounded to the nearest second decimal point.

**Cost proposals were based on the Proposers' rates for the provided level of effort of 64,690 hours in the Staffing Plan. Scores shown above for the cost proposals are based on formula in the RFP highest score going to the lowest cost proposal.

C. Cost/Price Analysis

Metro staff performed a cost analysis of the responsive proposals, establish a negotiation plan, and commence with negotiations. The final negotiated amounts complied with all requirements of Metro Procurement Policies and Procedures, including fact-finding, clarifications, and cost analysis. To prevent delay in contract

award, provisional indirect cost rates will be established subject to retroactive adjustments upon completion of any necessary audits. The negotiated costs were determined to be fair and reasonable.

Proposer: Prescience Corporation			
Contract Duration	Proposal Amount	Metro ICE	NTE Funding Amount
Base Period – 3 Years	\$6,614,868 ⁽¹⁾	\$14,385,260 ⁽²⁾	\$6,614,868
Option Year 1	\$2,114,742 ⁽¹⁾		
Option Year 2	\$842,481 ⁽¹⁾		

- (1) The proposal amount is based on the Metro established staffing plan. The Consultant’s overall cost for labor, overhead, fees, and other elements were lower for the three years.
- (2) The amount \$14,385,260 is the Independent Cost Estimate (ICE) for 3-year base Period of the Contract. After the RFP was issued, Project Management determined that the Level of Effort will be reduced by approximately 25% because Metro will be utilizing Metro employees.

D. Background on Recommended Contractor

Prescience Corporation, is located at Aliso Viejo, CA, and was established 2013. A certified Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE), Prescience has coordinated and managed the construction of more than \$40 million in public works and capital improvement projects over the past five years. Prescience’s key personnel have over two decades in experience in construction support services and highway projects. A number of these projects being similar in scope to the soundwall includes: I-580 Corridor Widening, Edinger Bridge Replacement, SR-210: Segments 9, 10 and 11 (New 6-Lane Freeway Construction), I-10 EB Truck Lane and I-10 WB Median Lane Widening.