

**Board Report**

File #: 2022-0017, **File Type:** Contract**Agenda Number:** 6.

**PLANNING AND PROGRAMMING COMMITTEE
APRIL 20, 2022****SUBJECT: FIRST/LAST MILE ON-CALL CONSULTING SERVICES****ACTION: APPROVE RECOMMENDATIONS****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 1 to Contract No. PS61079000, with Deborah Murphy dba Deborah Murphy Urban Design and Planning (DMUDP) for First/Last Mile On-Call Consulting Services in the amount of \$500,000, increasing the total contract value from \$475,000 to \$975,000, to support the early project development phases for four (4) first/last mile (FLM) projects of the Metro Active Transport (MAT) Program.

ISSUE

The existing FLM on-call contractor was procured to address a variety of as-needed FLM program needs, including early phase work on projects funded through Cycle 1 of the Measure M Metro Active Transport Program. Board action is required to increase the total contract value as the number of recipients who requested Metro to perform early phase work was more than anticipated. Note that this consultant work is cost neutral to Metro as it will draw from the grant awards.

BACKGROUND

In September 2019, following a competitive Small Business Set-Aside procurement, a three-year Contract No. PS61079000, First/Last Mile On-Call Consulting Services, was awarded to DMUDP. This contract is intended to support various program needs as they arise, such as assessments for grant applications, FLM planning methodology and tool updates and/or early phase work on MAT-funded projects. Staff has executed 2 task orders to date:

- Development of a project prioritization methodology prompted by the adopted FLM Guidelines, and
- Development of standardized Pathway Map Template and style guide for future FLM plans.

The contract was awarded in the amount of \$475,000. The request to increase the total contract value is substantially driven by activities under the MAT program, described as follows:

MAT Program

Included in the Measure M Expenditure Plan, the MAT Program will allocate \$857 million (2015 dollars) for investment in active transportation infrastructure over 40 years. In January 2021, the Metro Board approved the Cycle 1 project selection and programming of the MAT Program. A core component of Cycle 1 is to test different partnership and project delivery models, including for Metro to lead early project phases. The on-call contractor will be tasked with supporting the early phases of four (4) of the MAT FLM projects. Funding for this option for Metro to lead early phase work will draw from the grant awards programmed for the recipient jurisdictions and is not an additional financial commitment from Metro. This option was selected by five (5) out of the eleven (11) MAT FLM projects selected for funding (noting that one of the five will be contracted separately): Culver City, East LA Civic Center, LAX/Aviation, Sepulveda G Line Station, and Western/Slauson. Cooperative agreements were fully executed with the City of Los Angeles and Los Angeles County in September 2021 for these projects.

Other anticipated near-term task orders include:

Transit to Parks Summit

Staff will convene a Transit to Parks Summit. The approach consists of a one-to-two-day virtual event which will leverage the agency's role as a regional convenor to advance community-supported Transit to Parks projects. Staff anticipates tasking the on-call contractor with developing materials and assisting with logistics for the summit.

Environmental Review

In May 2021, the Metro Board adopted the FLM Guidelines (Guidelines). The Guidelines provide an option for Metro to prepare environmental review documentation for FLM projects. Staff anticipates tasking the on-call contractor with developing a consistent approach for these reviews and may further utilize contractor services to prepare documentation.

DISCUSSION

MAT Program Structure & Intent

The MAT program encourages partnerships with local jurisdictions in order to initiate projects that emphasize Metro policies and objectives and that allow for close coordination of project elements which can be either on Metro property or in public right of way. As such, Cycle 1 as approved by the Board, provided an option, at the request of project recipient cities, for Metro to lead early phase work (up to the 15%-level design phase) preceding a handoff for completion of design and construction. Leading this work will allow for consistency with Metro's FLM program goals and approach, including partnering with community-based organizations and piloting implementation and partnership models. This approach for MAT projects will inform and improve future project collaboration to be applied to the larger portfolio of FLM program work which will also be initiated by Metro and handed off to jurisdictions for implementation, as envisioned in Board-adopted FLM Guidelines.

Schedule and Efficiency

Increasing the total contract value will allow staff to execute task orders to the FLM on-call contractor to support this work, which will allow for flexibility and responsiveness necessary to maintain the

schedule for each project. Completing the early phases for these projects expeditiously is critical for several reasons, including:

- Facilitating an efficient handoff to jurisdictions for implementation as funds are programmed for Cycle 1 projects through FY25.
- Project locations have time sensitive coordination requirements and needs relating to other projects, including Rail to River Active Transportation Corridor Project - Segment A (Western/Slauson) and Airport Metro Connector (LAX/Aviation).
- Based on recent crash data, project locations have higher rates of severe injury or fatal pedestrian-involved crashes compared to Countywide, demonstrating the need for targeted and timely safety interventions.

Total Contract Value Increase

This work requires a larger need for consultant services than initially anticipated due to the number of projects opting for Metro to lead the early project phases and cost uncertainty related to community engagement as a result of the ongoing COVID-19 pandemic.

Small Business Enterprise and Team Composition

The recommendations will benefit SBEs as the FLM on-call contractor is a Small Business Prime and two (2) out of the five (5) subcontractors are SBEs. The contract was procured under the Small Business Set-Aside Program. In March 2019, staff issued a request for proposal and six (6) firms responded with proposals. They were evaluated based on several factors including cross-team capability, approach to project management, and breadth of experience across all needed specialties. DMUDP and their team of five (5) subcontractors were selected for several reasons, including:

- Experience in all phases of project delivery (planning through final design).
- Excellence in all needed specialties (planning, engineering, environmental).
- Track record of producing high quality work product.
- Track record of collaboration with local agencies and community-based organizations.

Other FLM Projects

FLM plans for specific stations will be procured separately through near-term new competitive procurements. Of note during FY22, the development of an FLM plan for the three (3) Regional Connector Project stations and one (1) K Line station will be procured by a new Request for Proposals.

DETERMINATION OF SAFETY IMPACT

There is no direct safety impact associated with the recommended action. However, the FLM on-call contractor will support the advancement of near-term FLM projects that are intended to improve safety conditions for pedestrians, people using bicycles and other rolling modes, and transit riders.

FINANCIAL IMPACT

For FY22, staff activity for applicable projects are included in the adopted budget. For future years, cost center managers are responsible for budgeting.

Impact to Budget

For the MAT Program, the source of funds is Measure M 2% Active Transportation, and will draw from grant awards programmed for the recipient jurisdictions. There is no impact to the adopted FY22 budget.

EQUITY PLATFORM

The range of activities facilitated by this recommendation will improve equity outcomes for a variety of marginalized or vulnerable groups and broadly benefit pedestrians, bicyclists, people using other rolling modes, and transit riders, the latter of which are more likely to be people of color, lower-income, and people with disabilities. Specific groups are more likely to be disadvantaged within the project areas and on nearby transit lines. Notably:

- Three out of four project areas (East LA Civic Center, LAX/Aviation, and Western/Slauson) have a median household income less than the median household income Countywide.
- Western/Slauson has a greater proportion of Black, Indigenous, and People of Color (99.33%) compared with Countywide (72.02%).
- East LA Civic Center has a greater proportion of households with Limited English Proficiency (25.04%) compared with Countywide (14.70%).
- Transit riders on Metro Local 108 (Western/Slauson) are more likely to be disadvantaged than riders systemwide, with 71.10% of riders living below the poverty line and 91.82% of riders without an available car (i.e., transit dependent)
- Transit riders of the Metro C (Green), E (Expo), and L (Gold) lines are slightly less likely to be disadvantaged across multiple metrics than riders systemwide, however they are more likely to be disadvantaged compared with Countywide.

This recommendation will also benefit minority or women owned businesses, as this work will be directed to the existing FLM on-call contractor. The FLM on-call contractor is a woman owned business and several of the subcontractors on the team are also either minority or women owned businesses.

Strategies to mitigate any potential negative consequences of this recommendation are robust community engagement and partnerships with community-based organizations (CBOs). Staff will deploy multiple strategies to ensure our target audience, particularly those commonly excluded from traditional engagement methods, are engaged throughout the planning process. These strategies include bilingual (English and Spanish) engagement materials, online surveys, online workshops and meetings, door-to-door flyering, and opportunities for individuals who may not own a computer or mobile device to provide input. To address potential gentrification and displacement impacts, local jurisdictions also have the option to apply for grant writing and technical assistance through Metro to assist with and mitigate gentrification and displacement pressures.

With substantial input from the Metro Policy Advisory Committee (PAC), Cycle 1 of the MAT Program

was designed around equity by targeting high-need areas through a streamlined application process. Of note, the program developed a list of eligible project locations and a ranking methodology. This methodology uses a composite metric, based on the CalEnviroScreen Disadvantage Communities Score, California Healthy Places Index, SCAG's Communities of Concern, Metro's Equity Focus Communities, and transit ridership, to identify high-need locations eligible for funding. Jurisdictions associated with highly ranked project locations were invited to submit a Letter of Interest (LOI). This decision will allow staff to initiate the planning process, including a robust community engagement strategy, for four (4) of the MAT FLM projects selected to receive funding. Upon completion of projects, local agencies will be required to collect and submit data for project closeout, including collision counts and pedestrian/bicyclist counts, which can be used to track impacts to vulnerable groups over time.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation advances several Strategic Plan Goals including:

- Goal #2: Outstanding trip experiences for all. MAT FLM projects will result in outstanding trip experiences by improving the time getting to and from the transit stations and making trip experiences safer, more comfortable, and more accessible.
- Goal #4: Transform LA County through collaboration and leadership. By Metro leading the early project development phases of several MAT project, this prompts new partnership models with agencies to deliver projects.

ALTERNATIVES CONSIDERED

The Board could elect not to approve the Contract Modification. However, this is not recommended as this would impair and/or delay the MAT program, which is a funding commitment in the Measure M Expenditure Plan.

NEXT STEPS

Upon Board approval, staff will execute Contract Modification No. 1 and work with the FLM on-call contractor to issue task orders for the early project development phases for the four (4) Metro-led MAT FLM projects.

In the future, staff will limit lead work on behalf of grantee local jurisdictions to within available contracting capacity.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary

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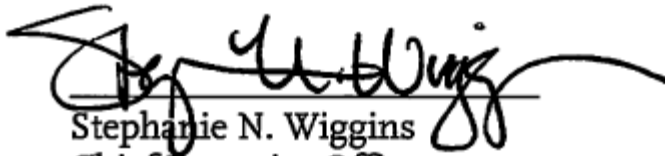
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Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

FIRST/LAST MILE ON-CALL CONSULTING SERVICES/PS61079000

1.	Contract Number: PS61079000		
2.	Contractor: Deborah Murphy dba Deborah Murphy Urban Design and Planning		
3.	Mod. Work Description: Increase contract value for additional work		
4.	Contract Work Description: First/Last Mile On-Call Consulting Services		
5.	The following data is current as of: 4/8/22		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	9/16/19	Contract Award Amount: \$475,000
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: \$0
	Original Complete Date:	9/18/22	Pending Modifications (including this action): \$500,000
	Current Est. Complete Date:	9/18/22	Current Contract Value (with this action): \$975,000
7.	Contract Administrator: Samira Baghdikian		Telephone Number: (213) 922-1033
8.	Project Manager: Jacob Lieb		Telephone Number: (213) 922-4132

A. Procurement Background

This Board Action is to approve Contract Modification No. 1 issued in support of first/last mile (FLM) on-call consulting services to support the early project development phases for four FLM projects of the Metro Active Transport (MAT) Program, activities related to the Transit to Parks Summit, and environmental review of projects included in Metro FLM Plans.

Contract modification(s) will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

On September 16, 2019, a 3-year firm fixed price Contract No. PS61079000 in the amount of \$475,000 was awarded to Deborah Murphy dba Deborah Murphy Urban Design and Planning for first/last mile on-call consulting services.

No modifications have been issued to date.

B. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon technical evaluation and cost analysis.

Proposal Amount	Metro ICE	Negotiated Amount
\$500,000	\$500,000	\$500,000

CONTRACT MODIFICATION/CHANGE ORDER LOG
FIRST/LAST MILE ON-CALL CONSULTING SERVICES
PS61079000

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Additional level of effort	Pending	Pending	\$500,000
	Modification Total:			\$500,000
	Original Contract:	Approved	9/16/19	\$475,000
	Total:			\$975,000

DEOD SUMMARY

FIRST/LAST MILE ON-CALL CONSULTING SERVICES/PS61079000

A. Small Business Participation

Deborah Murphy Urban Design + Planning, a Small Business Prime, made a 30.00% Small Business Enterprise (SBE) commitment. The project is 14% complete and the current SBE participation is 100.00%, exceeding the SBE commitment by 70.00%.

Small Business Commitment	SBE 30.00%	Small Business Participation	SBE 100.00%
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Deborah Murphy Urban Design + Planning (SB Prime)	30.00%	34.49%
2.	City Works Design	N/A	65.51%
3.	Terry A. Hayes Associates, Inc.	N/A	0.00%
	Total	30.00%	100.00%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this modification.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.



We're supporting thriving communities.

FIRST/LAST MILE ON-CALL CONSULTING SERVICES

Item # 2202-0017

Planning and Programming Committee

April 20, 2022



Metro

Recommendation

- > AUTHORIZE the Chief Executive Officer to execute Modification No. 1 to Contract No. PS61079000, with Deborah Murphy dba Deborah Murphy Urban Design and Planning (DMUDP) for First/Last Mile On-Call Consulting Services in the amount of \$500,000, increasing the total contract value from \$475,000 to \$975,000, to support the early project development phases for four (4) first/last mile (FLM) projects of the Metro Active Transport (MAT) Program.



Background

- > On-Call Contractor procured through a competitive process in September 2019
- > Intended to assist with FLM program activities on as-needed basis
- > Current needs exceed contract limit
- > Current needs associated with initiating 4 FLM projects awarded through MAT program



MAT Projects

- > Awarded as part of grant program, per Board-adopted setup
- > Program allows option for Metro to lead early project phases preceding a handoff for design/construction
- > Metro-led activities draw from grant awards
- > Benefits to Metro lead role
 - Assures projects integrate key concepts, (e.g., CBO partnership)
 - Informs upcoming FLM activities for transit corridor projects



Contracting Considerations

- > Scale of work determined by number of projects requesting Metro lead
- > Maintain schedule and efficiency
- > SBE participation
 - Procured under Small Business Set-Aside Program
 - Prime contractor
 - Subcontractors
- > Other FLM work to be procured separately



Questions