



## Board Report

File #: 2022-0139, File Type: Contract

Agenda Number: 27.

### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE APRIL 21, 2022

**SUBJECT: BUS ENGINEERING AND ACQUISITION, PROGRAM MANAGEMENT AND TECHNICAL SUPPORT SERVICES**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a six (6) year cost reimbursable contract, Contract No. PS81062000, to WSP USA, Inc. for as-needed professional consultant support services that will be utilized for bus engineering and acquisition, program management and technical support services, in the total not-to-exceed amount of \$10,930,917.43, subject to resolution of protest(s), if any.

#### **ISSUE**

Maintaining Metro's Bus Fleet in a State of Good Repair (SGR) is essential to provide Metro's patrons with safe and reliable service through the buses' design life. Metro's approach to maintain the Bus Fleet in a State of Good Repair requires that the legacy fleet be subject to a comprehensive preventive and predictive maintenance program, and that the aging buses be replaced with state of the art, zero emission buses in accordance with the Metro Board's motions and California Air Resources Board's (CARB) mandates.

Professional consultant support is required to assist Metro with the procurement and delivery of Zero Emission Buses, chargers, & charging infrastructure, and with the development and implementation of preventive and predictive maintenance programs to ensure that the delivered equipment is maintained in a State of Good Repair (SGR) for its intended lifespan.

#### **BACKGROUND**

In April 2016, Metro's Board of Directors approved a motion to develop plans to convert Metro's bus fleet to Zero Emission Buses (ZEB). In July 2017, the Board endorsed the strategic plan for ZEB conversion and established a 2030 target for conversion completion. Further, in December 2018, CARB approved the Innovative Clean Transit (ICT) Regulation that sets a statewide goal for public agencies to gradually transition to 100% ZEB fleet by 2040. The ICT Regulation includes the following purchase requirement timeline:

- 2023 - 2025: 25% of buses purchased in this period must be ZEB

- 2026 - 2028: 50% of buses purchased in this period must be ZEB
- 2029 - onward: 100% of buses purchased in this period must be ZEB

Metro has been working to comply with the Metro Board directive and CARB's ICT Regulation. Furthermore, to ensure that the fleet is maintained in a State of Good Repair (SGR) and sufficient vehicles are available for service, Metro has several on-going procurements to support these activities.

Given the technical challenges and significant capital and operational costs associated with transitioning to ZEB operations, Metro will require professional consultant support services to supplement internal resources by having available a wide range of Subject Matter Experts (SMEs) with specialized engineering, technical and program management experience, and expertise.

## **DISCUSSION**

### Findings

WSP USA, Inc. has demonstrated the depth and breadth of technical and engineering experience and capacity to support Metro with the anticipated tasks and projects. On an as-needed basis, Statements of Work (SOW) will be developed defining the type and level of support required for each specific task(s) and project(s). The Work will be released to the Consultant through Task Orders (TOs).

Subject to Metro's direction, the Consultant shall apply appropriate engineering resources that include but are not limited to developing vehicle specifications, identifying potential suppliers, conduct studies of fleet performance, documentation control, and assist with inspection activities. Program management and technical support services shall include but are not limited to specification and design criteria for new facility and infrastructure, planning and design of infrastructure strategies, redesign and rework of existing facilities, analyzing existing fleet reliability and performance issues. The Consultant shall dedicate resources to facilitate the timely execution and associated deliverables of Metro's current and future bus capital and operating projects, i.e., existing bus procurements from Build Your Dream (BYD), El Dorado National (ENC), and New Flyer (NF), division charging infrastructure work with Southern California Edison (SCE) and Los Angeles Department of Water and Power (LADWP) and future transit projects.

Staff advertised this procurement on the LA Sentinel, LA Daily News, and La Opinion. Staff had also reached out to various Consulting firms to provide them with information on this procurement based upon prior experience to encourage more competition. There were two (2) Proposers that submitted a bid: 1) WSP and 2). Ricardo Inc. Proposers were evaluated based upon Qualifications of the Proposer/Team, Project Manager and Key Staff's, Qualifications and Experience, Effective Scheduling/Cost Management Plan, and Cost Proposal. WSP was ranked number one (1) in score based upon the evaluation criteria; further details can be found on Attachment A: Procurement Summary.

### Considerations

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It is staff's recommendation to award the Contract to WSP USA, Inc. to provide the engineering and program management expertise and support to achieve the transition to a ZEB fleet.

### **DETERMINATION OF SAFETY IMPACT**

There is no impact to safety. The recommendation will allow Metro to efficiently manage the professional consultant support services through defined SOW and Task Orders.

### **FINANCIAL IMPACT**

Upon recommendation approval, the contract will allow for project related task orders to be issued and funded by projects utilizing approved and available LOP budget(s). Task orders shall be requested and reviewed by the affected Project Manager and will use available project funds budgeted as professional services under account 50316 and shall remain within the authorized LOP and FY budgets. Since this is a multi-year contract, the Cost Center Manager, Project Manager(s) and Sr. Executive Officer of Vehicle Engineering and Acquisition will be responsible for budgeting the costs in future years.

#### **Impact to Budget**

The anticipated task orders will be funded by the respective project(s). Since the project task orders are funded with existing LOP budgets and annual funds, the funding sources will vary according to established funding plans for the respective projects. No task order(s) shall be issued which increases a capital project LOP. Staff continually reassesses project funding sources and will apply other applicable funding sources as they become available to the respective projects.

### **EQUITY PLATFORM**

The approval of professional consultant support services will ensure that the ZEB transition bus fleet will continue to serve Los Angeles County, including many under-served communities, and to provide vital transportation services safely and reliably to neighborhoods where disparities within the region can exist between residents' access to jobs, housing, education, health, and safety. Public transportation provides an important lifeline for the residents in underserved communities, and this procurement ensures the safety of passengers and provides a high level of customer service for these underserved communities through the transition from Renewable Natural Gas (RNG) to a ZEB fleet while ensuring that the fleet is maintained in a State of Good Repair (SGR) and sufficient vehicles are available for service.

It is recognized that Battery Electric Buses (BEBs) provide improved air quality and quieter services compared to current Renewable Natural Gas (RNG) bus fleet. However, RNG compared to BEB ranges are not at the point where 1 for 1 service replacement can be provided without increasing risks to the quality of service. Staff will provide options for further electrified services as BEB range performance is improved and/or additional charging infrastructure installations are completed.

The Diversity & Economic Opportunity Department (DEOD) has completed its initial evaluation of the Proposer's commitment to meet the thirty percent (30%) Race Conscious Disadvantage Business

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Enterprise (RC DBE) goal established for this project. WSP USA, Inc. has exceeded the goal by making more than thirty percent (30.06%) DBE commitment and is deemed responsive to the DBE requirements.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This recommendation will support Strategic Goal #1 to provide high-quality mobility options that enable people to spend less time traveling. This Contract will support Metro in maintaining the SGR for the existing bus fleet while ensuring that our customers can arrive at their destinations with less disruptions. It will also support Goal #3, Enhance communities and lives through mobility and access to opportunity and Goal #4 Transform LA County through regional collaboration and national leadership by achieving the Board's motion and CARB's goal for a 100% Zero Emission bus fleet by 2030 and 2040, respectively.

### **ALTERNATIVES CONSIDERED**

Staff has considered using in-house Metro resources to perform this work; however, this approach is not recommended as Metro does not have sufficient resources and Subject Matter Experts (SMEs) available to perform this work, especially considering that the zero-emission bus and charging technologies are continuing to evolve.

The Board of Directors may choose not to authorize the Contract award for this project; however, this alternative is not recommended as this professional consultant support services contract is critical to facilitate the timely execution and associated deliverables of Metro's ZEB fleet goals and operating projects.

### **NEXT STEPS**

Upon Board approval, staff will execute the Contract with WSP USA, Inc. and issue a Notice-To-Proceed (NTP). Staff will continue to thoroughly manage and issue individual task orders, on an as-needed basis, for engineering, technical, and program management support services.

### **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Cop Tran, Director, Project Control (213) 922-3188  
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Debra Avila, Deputy Chief Vendor/Contract Management Officer, (213) 418-3051



Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

BUS ENGINEERING AND ACQUISITION, PROGRAM MANAGEMENT AND  
TECHNICAL SUPPORT SERVICES/PS81062000

1.	<b>Contract Number: PS81062000</b>	
2.	<b>Recommended Vendor:</b> WSP USA, Inc.	
3.	<b>Type of Procurement (check one):</b> <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.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> October 27, 2021	
	<b>B. Advertised/Publicized:</b> October 26, 2021	
	<b>C. Pre-Proposal Conference:</b> November 9, 2021	
	<b>D. Proposals Due:</b> December 21, 2021	
	<b>E. Pre-Qualification Completed:</b> February 16, 2022	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> December 22, 2021	
	<b>G. Protest Period End Date:</b> April 25, 2022	
5.	<b>Solicitations Picked up/Downloaded:</b> 36	<b>Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Greg Baker	<b>Telephone Number:</b> (213) 922-7577
7.	<b>Project Manager:</b> Cop Tran	<b>Telephone Number:</b> (213) 922- 3188

**A. Procurement Background**

This Board Action is to approve the award of Contract No. PS81062000 to WSP USA Inc. (WSP), to provide as-needed professional consultant support services that will be utilized for bus engineering and acquisition, program management and technical support services. Board approval of contract award is subject to resolution of all properly submitted protest(s).

On October 27, 2021, Request for Proposals (RFP) No. PS81062 was issued as a competitive procurement in accordance with Metro's Acquisition Policy. The proposed contract type is cost reimbursable. The Diversity and Economic Opportunity Department (DEOD) recommended a 30% Disadvantaged Business Enterprise (DBE) goal.

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

- Amendment No. 1, issued on November 3, 2021, extended the proposal due date, and amended the critical dates;
- Amendment No. 2, issued on December 3, 2021, deleted and replaced the Advanced Memorandum of Cost exhibit to expand the maximum number of personnel per category.

A virtual pre-proposal conference was held on November 9, 2021. Thirty-six firms downloaded the RFP and were included on the planholders' list. Forty questions were received, and Metro provided responses prior to the proposal due date.

Two proposals were received by the due date of December 21, 2021 and are listed below in alphabetical order:

1. Ricardo, Inc.
2. WSP

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of diverse staff from Vehicle Engineering and Acquisition, and Bus Operations was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Qualifications of the Proposer/Team 10 percent
- Project Manager and Key Staff's Qualifications and Experience 50 percent
- Effective Scheduling/Cost Management Plan 10 percent
- Cost Proposal 30 percent

The proposal evaluation criteria are appropriate and consistent with criteria developed for other, similar vehicle consultant services procurements. Several factors were considered when developing these weights, giving the greatest importance to the qualifications of the proposer/team and project manager and key staff's qualifications and experience.

On December 28, 2021, the PET met to review the evaluation criteria package, process confidentiality and conflict of interest forms and take receipt of the two proposals to initiate the evaluation phase. Evaluations were conducted from December 28, 2021 through January 10, 2022.

On January 11, 2022, the PET reconvened and determined that WSP was the highest rated firm.

### **Qualifications Summary of Firms within the Competitive Range:**

#### **WSP**

WSP has provided vehicle engineering and acquisition, program management, and technical support services for multiple high volume transit agencies for more than 20 years. Existing customers include LACMTA, San Bernardino County Transportation

Authority (SBCTA), the Indianapolis Public Transportation Corporation (IndyGo), King County Metro, DART, and MassDOT/MBTA.

**Ricardo, Inc.**

Ricardo, Inc. (Ricardo) was founded over 100 years ago and is based in Belleville, Michigan, with offices and staff worldwide. Ricardo’s experience includes automotive and rail, including zero emission bus (ZEB) projects. Existing clients include Edinburgh Trams, Transport for West Midlands and Brighton & Hove Buses.

The following is a summary of the PET scores:

<b>1</b>	<b>Firm</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>WSP</b>				
<b>3</b>	Qualifications of the Proposer/Team	78.80	10.00%	7.88	
<b>4</b>	Project Manager and Key Staff’s Qualifications and Experience	79.26	50.00%	39.63	
<b>5</b>	Effective Scheduling/Cost Management Plan	86.30	10.00%	8.63	
<b>6</b>	Cost Proposal	82.63	30.00%	24.79	
<b>7</b>	<b>Total</b>		<b>100.00%</b>	<b>80.93</b>	<b>1</b>
<b>8</b>	<b>Ricardo, Inc.</b>				
<b>9</b>	Qualifications of the Proposer/Team	56.80	10.00%	5.68	
<b>10</b>	Project Manager and Key Staff’s Qualifications and Experience	53.76	50.00%	26.88	
<b>11</b>	Effective Scheduling/Cost Management Plan	68.80	10.00%	6.88	
<b>12</b>	Cost Proposal	100.00	30.00%	30.00	
<b>13</b>	<b>Total</b>		<b>100.00%</b>	<b>69.44</b>	<b>2</b>

**C. Cost/Price Analysis**

The recommended cost reimbursable rates have been determined to be fair and reasonable based upon adequate price competition, cost analysis, technical analysis, and fact-finding. The recommended price is higher than Metro’s independent cost estimate (ICE) by \$262,917 or 2%.



	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated or NTE amount</b>
1.	WSP	\$13,595,599	\$10,668,000	\$10,930,917
2.	Ricardo	\$11,233,447		

**D. Background on Recommended Contractor**

The recommended firm, WSP, was founded in 1885 and is based in New York, New York, with offices and staff worldwide, including Los Angeles. WSP provides engineering and professional services in the areas of building, transportation, and environment sectors, including zero emission vehicles and transit battery electric bus (BEB) fleets. The firm has completed more than 85 ZEB projects throughout the world, including multiple projects in North America.

WSP's proposed Project Manager has more than 41 years of experience and has led the team that developed Metro's California Air Resources Board (CARB) rollout plan, and, currently, its ZEB Master Plan.

WSP has worked on Metro projects and has performed satisfactorily.

## DEOD SUMMARY

**BUS ENGINEERING AND ACQUISITION, PROGRAM MANAGEMENT AND  
TECHNICAL SUPPORT SERVICES / PS81062000**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 30% Disadvantaged Business Enterprise (DBE) goal for this solicitation. WSP USA, Inc., exceeded the goal by making a 30.06% DBE commitment.

<b>Small Business Goal</b>	<b>30% DBE</b>	<b>Small Business Commitment</b>	<b>30.06% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	3COTECH, Inc.	Caucasian Female	2.72%
2.	Advantec Consulting Engineers, Inc.	Asian Pacific American	3.17%
3.	Arellano Associates	Hispanic American	2.91%
4.	Capitol Government Contract Specialist	Caucasian Female	13.63%
5.	Elcon Associates, Inc.	Asian Pacific American	2.49%
6.	LKG-CMC, Inc.	Caucasian Female	2.76%
7.	Virginkar & Associates, Inc.	Asian Pacific American	2.38%
<b>Total Commitment</b>			<b>30.06%</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 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. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.