



## Board Report

File #: 2022-0441, File Type: Contract

Agenda Number: 28.

### CONSTRUCTION COMMITTEE AUGUST 18, 2022

**SUBJECT: METRO EXPRESSLANES PROJECTS - PROGRAM MANAGEMENT SUPPORT SERVICES**

**ACTION: AWARD CONTRACT**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. AWARD task order-based Contract No. AE83974000 for Program Management Support Services (PMSS) to HNTB Corporation, in the amount of \$66,913,860 for a seven (7) year base period and \$6,142,748 for a two-year option, for a total of nine (9) years and a maximum total of \$73,056,608, subject to resolution of protest(s), if any;
- B. ESTABLISH Contract Modification Authority (CMA) for \$7,305,660 (10%) of the not-to-exceed contract award value and authorizing the CEO to execute individual Contract Modifications within the CMA and within the respective project budget authorizations.

#### **ISSUE**

PMSS services are required to assist Metro Program Management staff with program and construction management support for Metro ExpressLanes projects currently in project development, including the I-105, I-405, and I-10. This work will include program and project management services, preconstruction activities through construction management services, tolling operations testing, and contract closeout.

#### **BACKGROUND**

In January 2017, the ExpressLanes Strategic Plan was presented to the Board. The Strategic Plan analyzed all existing, in construction, and planned High Occupancy Vehicle (HOV) lanes in the county for potential conversion to ExpressLanes and identified three tiers of corridors, with Tier 1 being the highest. Tier 1 projects include I-105, I-405, I-605, and an extension of the existing I-10 ExpressLanes. At its January 2017 Board meeting, the Board directed staff to initiate planning studies for Tier 1 projects.

The Project Approval/Environmental Document (PA/ED) phase for I-105 ExpressLanes Project (I-105 Project) began in March 2018 and was completed in May 2021. The I-105 is currently in the Plans,

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Specifications, and Estimates (PS&E) phase. PS&E for segment 1 between I-405 and Central Avenue is scheduled to be completed in Spring 2023 and PS&E for segment 2 between Central Avenue and Studebaker Road is scheduled to be completed in Fall 2024. The I-105 is a Measure M project and has also received a \$150 million State Solutions for Congested Corridors (SCCP) grant.

The I-405 ExpressLanes Project (I-405 Project) between US-101 and I-10 is currently in the PA/ED phase and is a Measure M project. The I-10 ExpressLanes Project (I-10 Project) between I-605 and the Los Angeles/San Bernardino County line is also currently in the PA/ED phase. The ExpressLanes Projects will provide multi-modal travel options and mobility benefits to all users in the corridor. Metro transit, vanpool, and high-occupancy vehicle users are eligible to continue to use the lanes without a toll. Revenues from ExpressLanes can support Metro rail and Metro and municipal bus operators through direct subsidies to transit programs on the ExpressLanes. Local cities and agencies benefit from the ExpressLanes Net Toll Revenue Grant program which supports transit and active transportation programs and adds a tool to help close the first/ last mile gap. Local streets and arterials will have fewer cars congesting their intersections which will offset the vehicle miles travelled figures while improving air quality in the neighborhoods. Moreover, Metro's Low Income Assistance Plan and Transit Rewards programs will help lower the financial costs of opening and maintaining an ExpressLanes account while providing reliability benefits to all users. These programs, along with dynamic pricing for solo drivers using the ExpressLanes, will help ensure the facility operates as efficiently as possible while maintaining reliable and equitable travel for all.

The PMSS contractor will be responsible for providing oversight and completion of ongoing and future work associated with the planning and management of Metro's ExpressLanes Capital Program. The PMSS Contractor shall serve as advisors, managers, and support as an extension of Metro technical staff.

For the I-105 Project, the SCCP grant requires issuing a construction contract by December 2023. To meet this deadline, Metro intends to apply the grant funds to construct segment 1 first. In addition to the PMSS, this will require procuring the Construction Management/General Contractor (CM/GC) and Roadside Toll Collection (RTCS) contract that Metro staff is seeking Board approval for. Because the I-105 Project is the furthest along and is moving into the construction process, as well as the SCCP grant deadline, we anticipate that 88% of the PMSS contract work will be applied to the I-105 Project for project and construction management services, while the remaining 12% will be utilized for project management services on the I-10 and I-405 Projects when those projects advance into the next phases of project development.

## **DISCUSSION**

The proposed PMSS contract would generally support Program Management and Shared Mobility departments by providing highly skilled and qualified individuals to support Metro staff with program and construction management and by co-locating with Metro staff to establish an Integrated Project Management Office. The PMSS consultant will provide administration, inspection services, and technical support during the design, construction, tolling operations, and closeout phases of the

Project(s).

With the significant size and aggressive implementation schedule for delivering the Projects, close coordination and expertise across multiple disciplines are specifically required in Program Management, including Project Management, Project Delivery and Contract Development/Compliance, and Construction Management services.

The I-105 Project is also a highly technical and unique project for Metro and is one of Metro's first projects to use the CM/GC delivery method to deliver and construct the project. With CM/GC, Metro will hire the construction contractor to provide feedback during the design phase before the start of construction. The PMSS team will work with the PS&E and CM/GC contractors to provide strategic guidance and direction to achieve effective coordination of the design and construction of the Project. Furthermore, the PMSS Contractor team, working in conjunction with Metro Project Controls, will provide the independent cost estimates for Metro to work with the CM/GC to establish the final cost for the construction of the Project. The PMSS will also provide extensive coordination with the RTCS contractor that will install, test, and integrate the tolling system for this Project. Metro will manage the Task Orders to assure overall coordination, collaboration, and efficiency between the PMSS, PS&E, CM/GC, and RTSC contractors.

The procurement and deployment timeframe for the I-105 Project, including the design and construction phases, will last approximately six years. The performance period for the PMSS contract shall be seven years, with one option for an additional two years for a total of nine years that would provide for program and construction management staff augmentation necessary to efficiently provide resources and technical expertise as necessary during this timeframe.

### **DETERMINATION OF SAFETY IMPACT**

The Board action is not anticipated to have an impact on the safety of Metro's patrons or employees. The PMSS contract will provide services that support Metro's internal safety staff on the Project. The Project is being planned, designed, and constructed per Caltrans Standards

### **FINANCIAL IMPACT**

The FY 23 budget includes \$2.4 million in Cost Center 2220 (Shared Mobility), Project 475004 for the Project PMSS. Since this is a multi-year contract, the Deputy Chief Operations Officer, Shared Mobility, and Deputy Chief Program Management Officer will be responsible for budgeting in future years.

#### **Impact to Budget**

The funding source for I-105 and I-405 Express Lanes is Measure M Highway 17%, which is not eligible for Metro Bus/Rail capital or operating expenditures. I-10 Express Lanes project is not an Ordinance-identified project and is currently funded by toll revenue.

### **EQUITY PLATFORM**

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The Diversity and Economic Opportunity Department (DEOD) established an 18% Disadvantaged Business Enterprise (DBE) goal for this solicitation. The proposed contractor team exceeded Metro's goal by making a 21.89% DBE commitment. Before the release of the solicitation for this contract, Metro conducted two virtual Metro Connect Industry Forums on June 3, 2021, and July 23, 2021. The June 3<sup>rd</sup> event was attended by 138 individuals, and the July 23<sup>rd</sup> event was attended by 88 individuals. The events were held to inform the DBE community of the upcoming I-105 contracting opportunities and to increase small business participation.

In 2019, Equity Focus Communities (EFCs) comprised approximately six miles of the I-105 Project's sixteen-mile-long corridor. In the one-mile area around the I-105, about 94% of the total population of 536,000 is non-white. Of the 142,000 households in this area, 26% earned less than \$25,000 annually.

On the I-10 corridor, EFCs are in the cities of Pomona, Baldwin Park, Covina, West Covina, El Monte, and South El Monte. On the I-405 corridor, EFCs are in the vicinity of the 10/405 interchange, by UCLA, and in Van Nuys just north of US-101. The analysis will incorporate the updated (2022) EFC maps in future updates to the Board.

Metro has established its Low-Income Assistance Plan (LIAP) program to ensure low-income households' equitable access to the ExpressLanes. Metro ExpressLanes also reinvests a substantial portion of its toll revenues back into the respective corridors in the form of incremental transit service funding and net toll revenue reinvestment grants.

Additional strategies cited in the I-105 Project EIR/EA to help mitigate negative Project impacts on EFCs include sound walls, best management practices, and a traffic management plan (TMP) to reduce construction-related impacts. Mitigation measures, if required, for the I-10 and I-405 Projects will be identified as part of the PA/ED phase. Metro anticipates that CM/GC delivery method will improve public outreach on the Project's design and implementation by having the CM/GC on board during design development feedback.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports Strategic Goal 1, providing high-quality mobility options that enable people to spend less time traveling, by increasing regional highway capacity and offering travelers on the corridor a new, faster, more reliable, and convenient travel mode alternative.

The Project supports Strategic Goal 2, delivering outstanding trip experiences for all users of the transportation system, by improving trip times and travel speeds for both the ExpressLanes and the general-purpose lanes.

The Project supports Strategic Goal 4, transforming LA County through regional collaboration and national leadership, by strengthening Metro's relationships with Caltrans, the Federal Highway Administration, Los Angeles County, local cities/jurisdictions, and several other agencies.

## **ALTERNATIVES CONSIDERED**

The Board may elect not to award and execute the Contract. This alternative is not recommended because the Project requires PMSS for core program, project, and construction management functions. The use of PMSS consultant staff provides flexibility with appropriate experience and background that are needed for specific activities and durations throughout the life of the Project.

### **NEXT STEPS**

Upon Board approval, staff will execute Contract No. AE83974000 with HNTB Corporation for program management support services.

### **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared\_by

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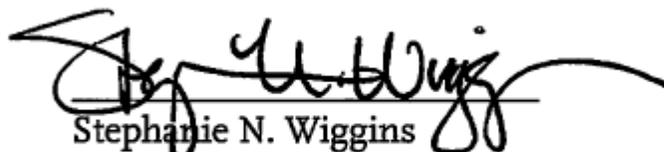
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Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

## EXPRESSLANES PROGRAM MANAGEMENT SUPPORT SERVICES/AE83974000

1.	<b>Contract Number:</b> AE83974000	
2.	<b>Recommended Vendor:</b> HNTB Corporation	
3.	<b>Type of Procurement (check one):</b> <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.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> January 25, 2022	
	<b>B. Advertised/Publicized:</b> January 25, 26, 27, February 1, 2, and 3, 2022	
	<b>C. Pre-Proposal Conference:</b> February 8, 2022	
	<b>D. Proposals Due:</b> March 10, 2022	
	<b>E. Pre-Qualification Completed:</b> April 28, 2022	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> March 15, 2022	
	<b>G. Protest Period End Date:</b> August 22, 2022	
5.	<b>Solicitations Picked up/Downloaded:</b> 161	<b>Proposals Received:</b> 5
6.	<b>Contract Administrator:</b> Victor Zepeda	<b>Telephone Number:</b> (213) 922-1458
7.	<b>Project Manager:</b> James Wei	<b>Telephone Number:</b> (213) 922-7528

**A. Procurement Background**

This Board Action is to approve Contract No. AE83974000 issued in support of the ExpressLanes Program & Construction Management Support Services (PMSS) for various ExpressLanes projects. Board approval of contract awards are subject to resolution of any properly submitted protest.

Prior to the release of the solicitation, two virtual Metro Connect Industry Forums were conducted for the ExpressLanes projects on June 3 and July 23, 2021. The June 3<sup>rd</sup> event was attended by 138 individuals and the July 23<sup>rd</sup> event was attended by 88 individuals. The events were held to inform the DBE community of the upcoming I-105 contracting opportunities and to increase small business participation.

The Request for Proposals (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is task order based. The RFP was issued with a DBE goal of 18%.

Three (3) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on February 4, 2022, notified vendors that no DBE Contract Outreach and Mentoring Plan was required;
- Amendment No. 2, issued on February 11, 2022, provided maps and Quality Management Oversight Plan and Procedures referenced in the Statement of Work, and extended the due date from March 1 to March 10, 2022; and,

- Amendment No. 3, issued on February 17, 2022, revised the Statement of Work and increased the pagination count for Section III Proposal Requirements/Forms from 25 to 50.

A virtual pre-proposal conference was held on February 8, 2022 and was attended by 107 individuals. There were five sets of questions and responses were released prior to the proposal due date.

A total of 161 firms downloaded the RFP and were registered in the plan holder's list. A total of five (5) proposals were received on March 10, 2022.

### **Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro's Project Management and Transportation Planning department and a Transportation Engineer from Caltrans was convened and conducted a comprehensive technical evaluation of the proposals received.

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

1. Experience/Capabilities of the Firms	30 Points
2. Key Personnel Skills and Experience	40 Points
3. Project Understanding and Approach	<u>30 Points</u>
	100 Points

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architectural and Engineering (A&E) procurements. Several factors were considered when developing these weights, giving the greatest importance to Key Personnel Skills and Experience.

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 proposals received, all five were determined to be within the competitive range and are listed below in alphabetical order:

1. 3D Built
2. HNTB Corporation
3. Jacobs Engineering Group, Inc.
4. Parsons Transportation Group, Inc.
5. TRC Solutions, Inc.

During the week of May 16<sup>th</sup>, the evaluation committee met and interviewed the firms. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's

questions. 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. Each team was asked questions relative to each firm’s proposal and previous experience.

After a thorough review of proposals and interviews, the PET’s recommendation in the order of ranking is shown in the table below:

1	Firm	Weighted Average Score	Factor Weight	Average Score	Rank
2	<b>HNTB Corporation</b>				
3	Experience/Capabilities of the Firms	90.56	30.00%	27.17	
4	Key Personnel Skills and Experience	90.56	40.00%	36.22	
5	Project Understanding and Approach	88.46	30.00%	26.54	
6	<b>Total</b>		<b>100.00%</b>	<b>89.93</b>	<b>1</b>
7	<b>Jacobs Engineering Group, Inc.</b>				
8	Experience/Capabilities of the Firms	87.44	30.00%	26.23	
9	Key Personnel Skills and Experience	87.44	40.00%	34.98	
10	Project Understanding and Approach	86.13	30.00%	25.84	
11	<b>Total</b>		<b>100.00%</b>	<b>87.05</b>	<b>2</b>
12	<b>Parsons Transportation Group, Inc.</b>				
13	Experience/Capabilities of the Firms	86.11	30.00%	25.83	
14	Key Personnel Skills and Experience	87.22	40.00%	34.89	
15	Project Understanding and Approach	84.67	30.00%	25.40	
16	<b>Total</b>		<b>100.00%</b>	<b>86.12</b>	<b>3</b>
17	<b>TRC Solutions, Inc.</b>				
18	Experience/Capabilities of the Firms	85.33	30.00%	25.60	
19	Key Personnel Skills and Experience	84.12	40.00%	33.65	
20	Project Understanding and Approach	85.96	30.00%	25.79	
21	<b>Total</b>		<b>100.00%</b>	<b>85.04</b>	<b>4</b>
22	<b>3D Built</b>				
23	Experience/Capabilities of the Firms	46.67	30.00%	14.00	

24	Key Personnel Skills and Experience	67.78	40.00%	27.11	
25	Project Understanding and Approach	52.71	30.00%	15.81	
26	<b>Total</b>		<b>100.00%</b>	<b>56.92</b>	<b>5</b>

**C. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), cost analysis, technical evaluation, fact finding, and negotiations with the most highly qualified firm in accordance with A&E qualifications-based procurement process.

<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Award Amount</b>
HNTB Corporation	\$73,686,796	<b>\$85,869,018</b>	<b>\$73,056,608</b>

The final amount is lower than Metro’s original ICE as a result of the following factors:

- Metro’s ICE was more conservative on risk factors; and
- The ICE overestimated quality control material testing work based on previous projects

Staff successfully negotiated \$630,188 in cost savings from HNTB’s proposal.

**D. Background on Recommended Contractor**

**HNTB Corporation**

HNTB Corporation was established in 1914, headquartered in Kansas, and has a local office in Los Angeles. The firm has project experience in highways, intelligent transportation, bridges, construction and program management, as well as architecture. HNTB has over 5,000 employees nationwide and has completed 120 Project Management Support Services type contracts. Furthermore, HNTB has experience working with similar express lane projects as well as environmental review and advanced conceptual engineering design services for the Sepulveda Transit Corridor.

DEOD SUMMARY

**EXPRESSLANES PROGRAM MANAGEMENT SUPPORT SERVICES/AE83974000**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established an 18% Disadvantaged Business Enterprise (DBE) goal for this solicitation. HNTB Corporation exceeded the goal by making a 21.89% DBE commitment.

<b>Small Business Goal</b>	<b>18% DBE</b>	<b>Small Business Commitment</b>	<b>21.89% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	Arellano Associates, LLC	Hispanic American	0.37%
2.	Cabrinha, Hearn & Associates	Hispanic American	2.71%
3.	Construction Quality Management Solutions, Inc.	Caucasian Female	1.04%
4.	D'Leon Consulting Engineers	Hispanic American	4.24%
5.	Fountainhead Consulting Corporation	Hispanic American	3.48%
6.	Lenax Construction Services, Inc.	Caucasian Female	0.70%
7.	LKG-CMC, Inc.	Caucasian Female	0.22%
8.	Mammoth Associates, LLC	Caucasian Female	0.27%
9.	Ramos Consulting Services, Inc.	Hispanic American	4.13%
10.	SafeworkCM	Caucasian Female	4.73%
<b>Total DBE Commitment</b>			<b>21.89%</b>

**B. Contractor Outreach and Mentoring Plan (COMP)**

COMP is not applicable to this A&E contract.

**C. Living Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

**D. 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).

**E. 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.