



Board Report

File #: 2022-0529, File Type: Contract

Agenda Number: 25.

REVISED
CONSTRUCTION COMMITTEE
OCTOBER 20, 2022

SUBJECT: SEPULVEDA TRANSIT CORRIDOR PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD AND EXECUTE Contract No. AE82658000 to Anser Advisory Management, LLC for Program Management/Pre-Development Agreement (PDA) Oversight Services for the Sepulveda Transit Corridor Project in the amount of \$26,221,895 for the four-year base term, and \$14,440,545 for the two-year option term, for a total contract value of \$40,662,440, subject to resolution of protest(s), if any; and
- B. APPROVE Contract Modification Authority in the amount of 10% of the contract award value and authorize the CEO to execute individual Contract Modifications within the Board-approved Contract Modification Authority.

ISSUE

On January 18, 2022, Metro issued a Request for Proposals (RFP No. AE82658) seeking a Program Management/Pre-Development Agreement Oversight Services Contractor (PM/PDAOSC) to assist the Program Management Department in managing and supporting the delivery of the Sepulveda Transit Corridor Project (Project). The performance period shall be a period of four (4) years, with an option for an additional two (2) years. Board approval is needed to award Contract No. AE82658000 to allow the contractor to begin work and provide oversight over the two PDA contractors. Approval of this contract supports the advancement of the Pre-Development Agreement (PDA) process.

BACKGROUND

Metro is environmentally clearing a new fixed-guideway transit project running between the San Fernando Valley ("Valley") and Los Angeles International Airport ("LAX"), through the Westside of Los Angeles ("Westside"). The section of Interstate 405 ("I-405") between these high-demand areas

remains one of the most congested urban freeway corridors in the United States. More than 400,000 people move through this area every weekday. Much of this crowding is a result of the geography of the area and the limited number of roads and public transport options running north-south through the Santa Monica Mountains.

To address the need for additional transportation capacity, the initial phase of the Project, if approved, would connect the San Fernando Valley to West Los Angeles (“Valley to Westside”) and ultimately extend a final project phase south to LAX (“Westside-LAX Extension”). Each project phase is included in Metro’s Measure M Expenditure Plan, which specifies delivery of the Valley to Westside project phase by 2033-35 and delivery of the Westside to LAX project phase by 2057-59.

Pre-Development Agreement Approach

A pre-development agreement (PDA) is a form of early contractor involvement where a private project developer participates in early project definition and design in partnership with the project owner. PDA contractors provide technical work products, including cost estimates, constructability reviews, technical analyses, etc. that support the ongoing development of a project as it progresses through the environmental review and approval processes.

In July 2019, the Board approved a finding that using a PDA approach pursuant to Public Utilities Code Section 130242 will achieve certain private sector efficiencies in the integration of the planning, design, and construction of the Project (file 2019-0490).

The PDA project development period includes clear phases and milestones, which occur in parallel with, but separate from, the preparation of environmental documents to satisfy the requirements of NEPA and CEQA. In each phase, a PDA contractor advances the design of its proposed alternatives at Metro’s direction, considering public and stakeholder feedback received by Metro through the environmental process.

Metro is currently considering six project alternatives in addition to the No Build alternative. These alternatives are:

- Alternative 1: Monorail with aerial alignment in Interstate 405 (I-405) corridor and electric bus connection to UCLA
- Alternative 2: Monorail with aerial alignment in Interstate 405 (I-405) corridor and aerial automated people mover connection to UCLA
- Alternative 3: Monorail with aerial alignment in Interstate 405 (I-405) corridor and underground alignment between the Getty Center and Wilshire Bl
- Alternative 4: Heavy rail with underground alignment south of Ventura Bl and aerial alignment generally along Sepulveda Bl in the San Fernando Valley
- Alternative 5: Heavy rail with underground alignment, including along Sepulveda Bl in the San Fernando Valley
- Alternative 6: Heavy rail with entirely underground alignment, including along Van Nuys Bl in the San Fernando Valley and southern terminus station on Bundy Dr

The PDA contractors are designing alternatives 1 through 5, and Alternative 6 is being designed by the environmental consultant’s design team under a separate contract.

After the Board establishes a Locally Preferred Alternative (LPA) for the Project, which is anticipated to occur at the end of PDA Phase 3, Metro may elect to continue pre-development work with a PDA contractor if the Board selects its proposed alternative as the LPA. At that point, the other PDA contract would expire. Alternatively, Metro could terminate both PDA contracts and proceed with the alternative developed by the design team of the environmental consultant or approve the no-build alternative.

If the Board selects as the LPA a PDA team's alternative, then during PDA Phase 4, the selected PDA contractor will advance the engineering of the selected mode, configuration, and alignment to a level of detail necessary to submit an Implementation Proposal.

DISCUSSION

With the significant size and aggressive implementation schedule for delivering Metro's Sepulveda Transit Corridor Project, Metro requires a Contractor to assist the Program Management Department in managing and supporting the delivery of the Project.

The Contractor shall serve as advisors, managers, and support as an extension of Metro technical staff, as needed. The Contractor will assist in the oversight and completion of ongoing and future work associated with the planning and management of the Project. Metro will provide overall direction for the Project and assign its personnel to perform specific job responsibilities. The Contractor shall be able to scale its workforce to accommodate the estimated needs of this highly dynamic Project on an annual basis.

Due to the potential variability in program requirements, the scope and labor hours for the Contractor shall be based on each Task Order. Metro shall have the sole discretion in defining and making changes in positions and tasks assigned to the Contractor. Given the need to oversee two large PDA contractor teams, the oversight services team may need to scale up or down and exercise flexibility and agility in its approach. Also, additional oversight and review needs may arise, given the innovative approaches proposed by the two PDA contractors.

EQUITY PLATFORM

The Sepulveda Transit Corridor is consistent with the Metro Equity Platform in that the alternatives help address accessibility for residential and employment centers, support for transit-oriented communities' policies, support for first/last-mile connections, and investment in disadvantaged communities. The project will provide a much needed connection from the underserved area of the San Fernando Valley to employment opportunities in Westside. Going forward, the Project will use the 2022 working definition of Equity Focus Communities neighborhood designation along with other metrics as appropriate to guide analyses and to conduct robust community engagement.

The selected firm made an SBE commitment of ~~25.09~~22.52% and a DVBE commitment of 3.96%. This commitment exceeds the DEOD goal of 22% SBE and 3% DVBE included in the RFP.

DETERMINATION OF SAFETY IMPACT

These actions will not have any impact on the safety of Metro customers and/or employees because this project is in the planning process phase and no capital or operational impacts result from this Board action.

FINANCIAL IMPACT

The amount of \$5,950,000 was requested in the FY23 budget in Project 460305 (Sepulveda Transit Corridor) in Cost Center 8510 to assist the Program Management Department in managing and support the Program Management/Pre-Development Agreement Oversight Services for the Sepulveda Transit Corridor Project. This is a multi-year project requiring expenditure authorizations in fiscal year increments until a Board Authorized Life of Project Budget is adopted. It is the responsibility of the Cost Center Manager, Project Manager, and Chief Program Management Officer to budget for this project in the future fiscal years and within the cumulative contract limits.

Impact to Budget

The Sepulveda Transit Corridor Project is included in Metro's current Long Range Transportation Plan (LRTP), as approved by the Metro Board in 2020, which is consistent with the Measure M expenditure plan approved by LA County voters in 2016. Funding for the Project in the Expenditure Plan is divided into three phases with approximately \$9.7 billion in total funding (2015 dollars). Phase 1, with \$260 million in funding, includes the implementation of Metro ExpressLanes on the I-405 between the 10 and 101 Freeways with an opening date of Fiscal Year (FY) 2026. Phase 2, with approximately \$5.7 billion in funding, includes a fixed-guideway transit service between the San Fernando Valley and the Westwood area of Los Angeles, with an opening year of FY 2033 to 2035. Phase 3, with approximately \$3.8 billion in funding, involves extending the Phase 2 project southward to LAX, with an opening year of FY 2057 to 2059.

These funds are earmarked for the Sepulveda Transit Corridor project and are not eligible for Metro bus and rail capital and operating expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Sepulveda Transit Corridor Project will support the first goal of the Vision 2028 Metro Strategic Plan by providing high-quality mobility options that enable people to spend less time traveling. Travel times are forecast to be less than 30 minutes for Valley-Westside (from the Ventura County Metrolink Line in the north to the Expo Line in the south), and less than 40 minutes for Valley-Westside-LAX (from Metrolink to the Crenshaw/LAX Line). This performance is highly competitive with travel by car on the I-405 freeway.

The project will also support the strategic plan's goals by enhancing communities and lives through mobility and access to opportunity by adding a new high-quality mobility option, closing a gap in the rail network that provides outstanding trip experiences and enhances communities and lives through mobility and access to opportunity.

ALTERNATIVES CONSIDERED

The Board could choose not to approve any or all of the recommendations. This is not recommended as this work is necessary to provide oversight over the two PDA contractor teams and maintain the Measure M delivery schedule.

NEXT STEPS

Upon Board approval, staff will execute Contract No. AE82658000 with Anser Advisory Management, LLC to provide Program Management/Pre-Development Agreement (PDA) Oversight Services for the Sepulveda Transit Corridor Project.

ATTACHMENTS

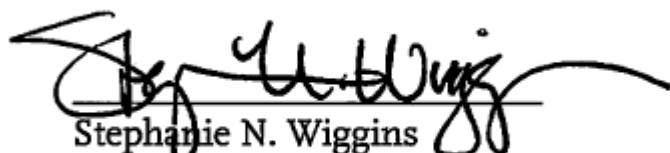
Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Kavita Mehta, Deputy Executive Officer, Program Management, (213) 435-5047
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Reviewed by:

Bryan Pennington, Chief Program Management Officer, Program Management, (213) 922-7449



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

PROGRAM MANAGEMENT/PRE-DEVELOPMENT AGREEMENT OVERSIGHT
SERVICES FOR SEPULVEDA TRANSIT CORRIDOR PROJECT / AE82658000

1.	Contract Number: AE82658000	
2.	Recommended Vendor: Anser Advisory Management, LLC	
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: January 18, 2022	
	B. Advertised/Publicized: January 18, 2022	
	C. Pre-Proposal Conference: February 1, 2022	
	D. Proposals Due: March 28, 2022	
	E. Pre-Qualification Completed: August 10, 2022	
	F. Conflict of Interest Form Submitted to Ethics: March 31, 2022	
	G. Protest Period End Date: October 25, 2022	
5.	Solicitations Picked up/Downloaded: 204	Bids/Proposals Received: 4
6.	Contract Administrator: Manchi Yi	Telephone Number: (213) 418-3332
7.	Project Manager: Kavita Mehta	Telephone Number: (562) 524-0521

A. Procurement Background

This Board Action is to approve Contract No. AE82658000 for Program Management/Pre-Development Agreement (PDA) Oversight Services for the Sepulveda Transit Corridor Project. The Contractor shall serve as advisors, managers, and support as an extension of Metro technical staff. The Contractor will assist in the oversight and completion of ongoing and future work associated with the planning and management of the Sepulveda Transit Corridor Project. Board approval of contract award is subject to resolution of all properly submitted protest(s).

The Request for Proposal (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is a Firm Fixed Unit Rate. The RFP was issued with an SBE goal of 22% and DVBE goal of 3%.

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

- Amendment No. 1, issued on January 21, 2022, revised the virtual pre-proposal conference date.
- Amendment No. 2, issued on February 3, 2022, provided revisions related to the Letter of Invitation.
- Amendment No. 3, issued on February 22, 2022, provided revisions related to the Scope of Services and extended the proposal due date and other critical dates.

- Amendment No. 4, issued on March 2, 2022, provided revisions related to the Letter of Invitation, Submittal Requirements and Scope of Services.
- Amendment No. 5, issued on March 14, 2022, extended the proposal due date and other critical dates.
- Amendment No. 6, issued on March 17, 2022, provided revisions related to the Scope of Services.

A virtual pre-proposal conference was held on February 1, 2022, attended by 143 participants representing 81 firms. A total of 73 questions were asked and responses were released prior to the proposal due date.

A total of 204 firms downloaded the RFP and were included on the planholders list. A total of four proposals were received by the due date of March 28, 2022, from the following firms, listed in alphabetical order:

- Anser Advisory Management, LLC
- Cordoba Corporation
- EXP U.S. Services Inc.
- Jacobs Engineering Group Inc.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Countywide Planning & Development, Office of Strategic Innovation, Program Management, Major Capital Project Engineering, and Program Control was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- | | |
|---|-----|
| • Experience, Qualifications, and Capabilities of Firms on the Team | 30% |
| • Experience, Qualifications, and Capabilities of Personnel | 40% |
| • Understanding and Approach to Service Delivery | 30% |

The evaluation criteria are appropriate and consistent with criteria development for other, similar Architectural and Engineering (A&E) procurements. Several factors were considered when developing these weights, giving the greatest importance to experience, qualifications, and capabilities of personnel. The PET evaluated the proposals according to the pre-established evaluation criteria. This is an A&E, qualifications-based procurement; therefore, price cannot be used as an evaluation factor pursuant to state and federal law.

Beginning April 18, 2022, the PET members independently evaluated and scored the technical proposals. All four proposals were determined to be within the competitive range and were invited for an interview/oral presentation from May 19 to

May 25, 2022. Each firm had the opportunity to present each team's qualifications and respond to the PET's questions.

Following the interviews, the PET finalized the technical scores based on the written proposals and the interview/oral presentation. On June 2, 2022, the PET agreed that the final ranking of proposals scored Anser Advisory Management, LLC's proposal as the highest technically qualified firm.

Qualifications Summary of Recommended Firm:

Anser Advisory Management, LLC (Anser) is a national capital program and project advisory firm offering solutions to public and private sector clients implementing capital projects and programs. Anser has a diverse team of professionals, including architects, engineers, construction managers, inspectors, project managers, estimators, certified professional accountants, management consultants, financial analysts, procurement specialists, system configuration specialists, and construction auditors. The Anser team has provided program management support services, including various P3 advisory services, to numerous campuses within the University of California system, including the UC Merced 2020 Project, UC Santa Cruz Student Housing West and UC Riverside design-build program. Anser's proposed subconsultants have also provided engineering, design, and program management services on international projects in Canada and Australia. The Anser team also has construction management and advisory services experience working on the Los Angeles World Airport's (LAWA) Automated People Mover and Consolidated Rent-A-Car Facility projects. Additionally, the team demonstrated their experience working and coordinating with third parties, such as FTA, FHWA, and CalTrans.

Anser is supported by 20 subcontractors that possess extensive experience in various project management and program management services, as well as technical areas such as tunneling, architecture, traffic engineering, utilities, geotechnical, civil engineering, mechanical, electrical, and plumbing, among others.

Anser's proposed key positions have significant experience in all phases of project development, from planning studies and conceptual design; to environmental clearance, funding and delivery strategy; and program management, risk management and construction administration and have experience managing delivery of large transportation infrastructure projects including design-build, design-bid-build, and projects built to Caltrans, Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Railroad Administration (FRA) standards and requirements. Additionally, the proposed key personnel have global experience in organizational development, alternative delivery, finance, and project delivery to bridge the gap between public and private sector interests.

A summary of the PET scores is provided below:

		Average Score	Factor Weight	Weighted Average Score	
1	Firm				Rank
2	Anser Advisory Management, LLC				
3	Experience, Qualifications, and Capabilities of Firms on the Team	84.67	30%	25.40	

4	Experience, Qualifications, and Capabilities of Personnel	83.25	40%	33.30	
5	Understanding and Approach to Service Delivery	87.68	30%	26.30	
6	Total		100%	85.00	1
7	Jacobs Engineering Group, Inc.				
8	Experience, Qualifications, and Capabilities of Firms on the Team	82.17	30%	24.65	
9	Experience, Qualifications, and Capabilities of Personnel	79.25	40%	31.70	
10	Understanding and Approach to Service Delivery	81.00	30%	24.30	
11	Total		100%	80.65	2
12	Cordoba Corporation				
13	Experience, Qualifications, and Capabilities of Firms on the Team	77.50	30%	23.25	
14	Experience, Qualifications, and Capabilities of Personnel	79.63	40%	31.85	
15	Understanding and Approach to Service Delivery	82.00	30%	24.60	
16	Total		100%	79.70	3
17	EXP US Services, Inc.				
18	Experience, Qualifications, and Capabilities of Firms on the Team	71.50	30%	21.45	
19	Experience, Qualifications, and Capabilities of Personnel	73.25	40%	29.30	
20	Understanding and Approach to Service Delivery	69.80	30%	20.94	
21	Total		100%	71.69	4

C. Cost/Price Analysis

The recommended price of \$40,662,440 has been determined to be fair and reasonable based upon Project Manager's technical analysis, a cost analysis, fact finding, and negotiations.

	Proposer	Proposal Amount	Metro ICE	Negotiated Amount
1.	Anser Advisory Management LLC	\$45,789,741	\$34,328,393	\$40,662,440
		Base: \$29,314,821	Base: \$22,885,595	Base: \$26,221,895
		Option: \$16,474,920	Option: \$11,442,798	Option: \$14,440,545

The Independent Cost Estimate (ICE) inadvertently did not include overhead rates as part of the estimate. Therefore, the ICE is lower than the negotiated amount.

Staff successfully negotiated a cost savings of \$5,127,301 for the Agency.

D. Background on Recommended Contractor

The recommended firm, Anser Advisory Management, LLC (Anser), is headquartered in Santa Ana, California, with a local office in LA County, and has been in business for 26 years. Anser has project experience in project management, program management, project controls, and a variety of project

delivery methods. Anser has experience working with a variety of public sector agencies, including Metro. Anser has worked on Metro projects including Regional Connector and Division 20.

Of the 20 subcontractors who are members of the proposed team, 8 are Metro certified SBEs and one is DVBE certified; and 7 are located in Los Angeles County.

DEOD SUMMARY

PROGRAM MANAGEMENT/PRE-DEVELOPMENT AGREEMENT OVERSIGHT SERVICES FOR SEPULVEDA TRANSIT CORRIDOR PROJECT / AE82658000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 22% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. Anser Advisory Management, LLC exceeded the goal by making a ~~25.09~~22.52% SBE and 3.96% DVBE commitment.

Small Business Goal	22% SBE 3% DVBE	Small Business Commitment	25.09<u>22.52</u>% SBE 3.96% DVBE
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	SBE Subcontractors	% Committed
1.	Akima Consulting	1.96%
2.	Costin Public Outreach Group	1.67%
3.	DC Engineering Group	2.26%
4.	Enterris Associates	8.70 <u>11.41</u> %
5.	Pacific Railway Enterprises, Inc.	5.28 <u>1.88</u> %
6.	Pacifica Services, Inc.	1.88 %
76.	Spurlock Landscape Architects	1.34%
87.	UltraSystems Environmental, Inc.	2.00%
	Total SBE Commitment	25.09<u>22.52</u>%

	DVBE Subcontractors	% Committed
1.	Casamar Group	3.95 <u>6</u> %
	Total DVBE Commitment	3.95<u>6</u>%

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy 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.



Next stop: exploring alternatives to the 405.

SEPULVEDA TRANSIT CORRIDOR PROJECT

**RFP No. AE82658 Program Management/Pre-
Development Agreement (PDA) Oversight Services for
Sepulveda Transit Corridor Project
Recommendation for Award**

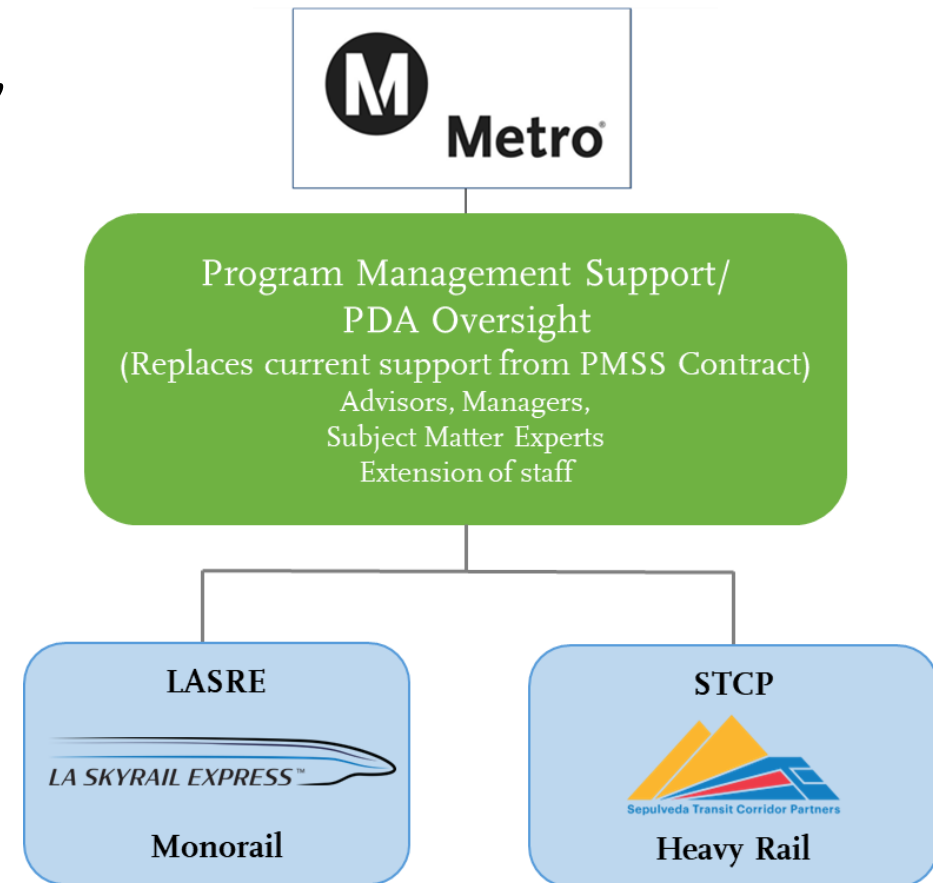


Metro®

October 2022

Program Management/PDA Oversight Services

- > With the significant size and aggressive implementation schedule for delivering the Sepulveda Transit Corridor Project, Metro requires a Contractor to assist the Program Management Department in managing and supporting delivery of the Project
- > Contractor serve as advisors, managers, and support as an extension of Metro technical staff; will assist in the oversight and completion of ongoing and future work associated with the Sepulveda PDAs
- > Given the need to provide oversight over two large PDA contractor teams, the oversight services team may need to scale up or down and exercise flexibility and agility in their approach
- > Additional oversight and review needs may arise given the innovative approaches proposed by the two PDA contractors



Evaluation Criteria and Final Evaluation Scores

Proposer	Experience, Qualifications, and Capabilities of Firms on the Team (30%)	Experience, Qualifications, and Capabilities of Personnel (40%)	Understanding and Approach to Service Delivery (30%)	Technical Score
Anser Advisory Management, LLC	25.40	33.30	26.30	85.00
Jacobs Engineering Group, Inc.	24.65	31.70	24.30	80.65
Cordoba Corporation	23.25	31.85	24.60	79.70
EXP US Services, Inc.	21.45	29.30	20.94	71.69

A Proposal Evaluation Team (PET) consisting of staff from Metro's Countywide Planning & Development, Office of Strategic Innovation, Program Management, Major Capital Project Engineering, and Program Control was convened and conducted a comprehensive technical evaluation of the proposals received

Recommended Proposer – Anser Advisory

Proposal Highlights

- > The Anser Team brings a very qualified team of professionals and subconsultants that align with the innovative approaches from the PDA Teams to provide meaningful oversight of the PDA Teams; and demonstrated experience with a variety of program management, alternative delivery, and/or P3 projects.
- > The Anser Team has experience working on Metro projects (Regional Connector, Division 20)
- > Anser has provided P3 advisory services to numerous campuses within the University of California system, and construction management and advisory services to LAWA
- > Anser's proposed subconsultants have provided engineering, design, and program management services on international P3 projects in Canada and Australia

SBE and DVBE Goals and Commitment

	Goal	Anser Commitment
SBE	22%	22.52%
DVBE	3%	3.96%

Recommendation

- > **AWARD AND EXECUTE** Contract No. AE82658000 to Anser Advisory Management, LLC for Program Management/Pre-Development Agreement (PDA) Oversight Services for the Sepulveda Transit Corridor Project in the amount of \$26,221,895 for the four-year base term, and \$14,440,545 for the two-year option term, for a total contract value of \$40,662,440, subject to resolution of protest(s), if any; and
- > **APPROVE** Contract Modification Authority in the amount of 10% of the contract award value and authorize the CEO to execute individual Contract Modifications within the Board-approved Contract Modification Authority.

Thank You

QUESTIONS?