

## PROCUREMENT SUMMARY

ENVIRONMENTAL WASTE HANDLING AND ENVIRONMENTALLY RELATED  
CONSTRUCTION SERVICES/ EN077

1.	<b>Contract Number:</b> EN077		
2.	<b>Contractor:</b> Arcadis U.S. Inc. (ARCADIS)		
3.	<b>Mod. Work Description:</b> Continuation of environmental waste handling and environmentally related construction services.		
4.	<b>Contract Work Description:</b> Environmental waste handling and environmentally related construction services.		
5.	<b>The following data is current as of:</b> 6/26/15		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	8/15/11	<b>Contract Award (Funding) Amount:</b> \$ 21,200,000 NTE
	<b>Notice to Proceed (NTP):</b>	9/26/11	<b>Total of Task Orders Approved:</b> \$18,049,152
	<b>Original Complete Date:</b>	8/14/14	<b>Pending Modifications (including this action):</b> \$ 0
	<b>Current Est. Complete Date:</b>	8/15/16	<b>Current Contract Value (Funding with this action):</b> \$ 38,000,000 NTE
7.	<b>Contract Administrator:</b> Daniel A. Robb		<b>Telephone Number:</b> (213) 922-1304
8.	<b>Project Manager:</b> Emmanuel Liban		<b>Telephone Number:</b> (213) 922-2471

**A. Procurement Background**

This Board Action is to approve Modification No. 08 issued in support of Contract No. EN077 to provide continued Environmental Waste Handling and Environmentally Related Construction Services as set forth in Contract EN077 currently in effect between Metro and ARCADIS.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a cost reimbursable fixed fee, Indefinite Delivery/Indefinite Quantity Contract.

Contract EN077 with Arcadis US, Inc. is for a five (5) year term covering the period between August 15, 2011 through August 15, 2016. (inclusive of two un-priced one-year options, based on the Consultant's satisfactory performance). This Contract was approved by the Board of Directors on June 16, 2011, with approved expenditure up to \$21.2 Million for FY12 through FY14, of the \$38 Million in total contract value, inclusive of sales tax and the two (2) one-year options. Seven (7) contract modifications have been executed and approved by the Board over the life of the Contract. Modifications 1 through 3 were issued to update the Terms and Conditions

of the Agreement to include the Memorandum of Costs. Modification 4 extended the Contract term from August 14, 2014, to September 30, 2014. Modification 5 extended the Contract term from September 30, 2014, to March 31, 2015. Modification 6 extended the Contract term from March 31, 2015, to June 30, 2015 and Modification 7 extended the Contract term from June 30, 2015, to December 31, 2015. Modification 8 shall extend the Contract term from December 31, 2015, to August 15, 2016.

Additional information regarding all the modifications to EN077 can be found in Attachment B – Contract Modification/Change Log.

## **B. Evaluation of Proposals/Bids**

A Proposal Evaluation Team (PET) was previously convened in 2011 and determined ARCADIS to be the most qualified proposer. Contract award was made to the highest qualified Proposer.

This is an Architect and Engineers, qualifications based Contract. Price was not used as an evaluation factor pursuant to state and federal law.

## **C. Cost/Price Analysis**

A fair and reasonable price for all future Contract Work Orders “CWOs” and Task Orders “TO’s” shall be determined based upon a cost analysis, technical evaluation, fact finding, and negotiations, before issuing a CWO or Task Order to the Consultant. An audit to finalize the overhead rate for the first three years of the Contract and to set the provisional overhead rate for FY 15 and FY16 has been completed by the Metro Audit Services Department (MASD). Actual Overhead rates between 2011 through 2013 will be applied per Audit Report 15-CON-A05, as an equitable adjustment to the Contract, within the total authorized funding of \$38 Million.

## **D. Background on Recommended Contractor**

ARCADIS is an international company providing consultancy, design, engineering and management with emphasis on the following fields: environmental, infrastructure, water, and buildings. The company is ranked in the top ten (10) management and engineering consultancies in the world and top three (3) in the global environmental market.

The company’s primary areas of competence include waste management, soil, groundwater, air-quality, geo-technical information services, urban and rural development projects, and real estate projects.

## **E. Disadvantaged Business Participation**

ARCADIS made a Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment of 40%. The project is 73.33% complete and the current DALP participation is 28.66%. In order to address the 11.34% shortfall, ARCADIS confirmed that they are actively seeking DBE firms for future task order awards in the following scope areas: hazardous materials abatement and management; regulatory interaction; soil, water and other hazardous materials disposal; underground tank upgrade work, as well as other nonspecific tasks. DEOD will continue to monitor ARCADIS' efforts to meet their DBE commitment.

<b>DISADVANTAGED BUSINESS ENTERPRISE ANTICIPATED LEVEL OF PARTICIPATION COMMITMENT</b>		<b>40% DALP</b>	<b>DISADVANTAGED BUSINESS ENTERPRISE ANTICIPATED LEVEL OF PARTICIPATION</b>		<b>28.66% DALP</b>
	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Commitment</b>	<b>Current Participation<sup>1</sup></b>	
1.	J.C. Palomar Construction	Hispanic American	CWO	19.05%	
2.	Advanced Technology Laboratories	Hispanic American	CWO	0.59%	
3.	Jet Drilling	Hispanic American	CWO	0.51%	
4.	Alliance Environmental Group <sup>2</sup>	Hispanic American	CWO	0.21%	
5.	Tri Span <sup>2</sup>	Hispanic American	CWO	2.96%	
6.	Insight EEC Inc. <sup>2</sup>	Subcontinent Asian American	CWO	3.15%	
7.	Bradley Tank <sup>2</sup>	Asian Pacific American	CWO	2.18%	
8.	AHTNA Government Services <sup>2</sup>	Native American	CWO	0.00%	
<b>Total DBE Commitment</b>			<b>40%</b>	<b>28.66%</b>	

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

<sup>2</sup>DBE Subcontractor added after contract award.

## **F. Living Wage and Service Contract Worker Retention Policy**

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

## **G. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

**H. All Subcontractors Included with Recommended Contractor's Proposal**

<b>Subcontract List</b>
21st Century Lock & Key
ACCO Engineered Systems
Ahtna Government Services
Alliance Environmental Group, Inc.
AWS Construction, Inc.
BC2 Environmental
Belshire Environmental Services
BTI Environmental Services, Inc.
CA Hazardous Services
Century Sweeping
CI Services, Inc.
Coastal Traffic Systems
El Capitan Environmental Services
EMSL Analytical
Hydro Engineering
Insight Environmental Engineering & Construction, Inc.
J.C. Palomar, Inc.
JET Drilling
KOPPL
Ninyo & Moore
Pacific Coast Locators
Presidio Systems
Siemens Industry, Inc.
Specialized Industrial Services, Inc.
Spectrum Geophysics
TEG/LVI Environmental Services, Inc.
Traffic Management, Inc.
Tri Span, Inc.
TRL Systems
WWT Tunnel, LLC