



Board Report

File #: 2019-0885, File Type: Contract

Agenda Number: 34.

**CONSTRUCTION COMMITTEE
JANUARY 16, 2020**

SUBJECT: ENVIRONMENTAL CONSTRUCTION WASTE HANDLING SERVICES

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE:

- A. An increase to the total authorized funding for Contract No. PS20655 with TRC Solutions Inc. to increase Environmental Construction and Waste Handling Services contract value in the amount of \$20,600,000, increasing the Total Contract Value from \$46,200,000 to \$66,800,000, and
- B. The Chief Executive Officer (CEO) to execute all individual Task Orders and changes within the new Board approved contract funding amount.

ISSUE

Nearly every capital project and all transit projects undertaken by Metro require evaluation of hazardous substances, contamination, or a need for regulatory compliance under federal, state and local law. Metro must comply with all environmental laws to avoid fines, and civil or criminal liability.

The passing of Measure M and continuation of Measure R projects in the last four years has increased the number of projects that have been developed; many of which have been awarded and executed such as Purple Line Extension 2, Purple Extension 3, and West Santa Ana Branch.

While there have been due diligence efforts to anticipate unforeseen environmental conditions at the project sites, procuring for project specific environmental services contracts to address unforeseen circumstances determined during project development or design could significantly delay schedule. Specifically, such delay will likely result in increased liability for Contractor claims for delay to schedule completion milestones or risk fines due to violation of order by a regulatory agency. Metro staff does not have the internal resources to do all environmental waste handling and environmental compliance support work in house. To complement and supplement limited resources, Metro has hired consulting staff and used vendors with specialized environmental equipment. Metro, in effect, would incur more cost to do the work internally than by employing consultants and specialized

2021 2020 LOP	Fuel Storage Tank Program	Various Upgrades to Existing Fueling Systems- Agency Wide	\$7,500,000
460 Mar	Rail to River	Environmental Demolition	\$8,000,000
212	ESC	Environmental Demolition	\$1,100,000
865	Cre	Environmental Demolition	\$4,000,000

At least an additional \$38M for known programmed environmental services activities will be included in the new procurement. Details are as follows:

Project Number	Project Title	Task Order Description	Anticipated TO Amount
202213 FY 24 to 27 LOP	Fuel Storage Tank Program	Various Upgrades to Existing Fueling Systems- Agency Wide	\$27,500,000
405509	Rail to River	Environmental Remediation	\$10,000,000

Additional environmental services are currently being programmed in support of all capital projects and agency-wide environmental compliance.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an adverse impact on safety standards for Metro.

FINANCIAL IMPACT

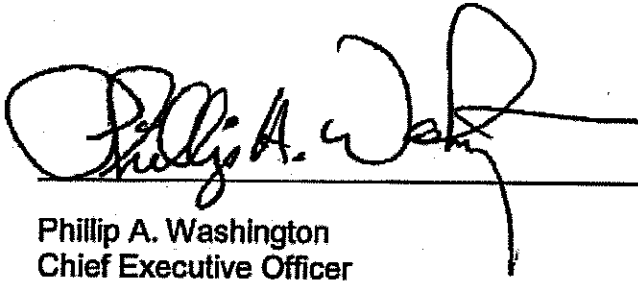
Contract No. PS20655 is an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. All task orders are individually negotiated, and level of effort fully defined prior to the authorization of any project specific funds. The Chief Program Management Officer, Chief Sustainability Officer, and Project Managers are responsible for providing appropriate budgets and following task order award process protocols during the execution of each task order.

Impact to Budget

There will be no net impact to Bus and Rail Operating or Capital Budgets. The source of funds for this contract is included in the department’s budget under Project Number 300012 Site Remediation, 202213 Fuel Storage Tanks, Cost Center 8420 Environmental Compliance and Services, Account 50316 Professional and Technical Services. The project funds to be used to support capital project environmental services work are within the LOP of the respective capital project budgets.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This consultant contract supports Strategic Goal 2 by optimizing the delivery and performance of Metro’s transportation system by incorporating environmental compliance through environmental



Phillip A. Washington
Chief Executive Officer