



Board Report

File #: 2016-0887, **File Type:** Contract

Agenda Number: 25

**CONSTRUCTION COMMITTEE
JANUARY 19, 2017**

SUBJECT: CEQA/NEPA ENVIRONMENTAL SERVICES AND SUPPORT

ACTION: AWARD PROFESSIONAL SERVICES CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute:

- A. a five-year cost-plus fixed fee Contract No. PS20111, with **ICF International for CEQA/NEPA Environmental Services and Support** on Task Orders, inclusive of two one-year options with an initial amount not-to-exceed \$25,604,000, inclusive of three base years (not to exceed \$15,076,003) with two one-year options (year one = \$5,211,497 and year two = \$5,315,727), subject to resolution of protest(s)subject to resolution of protest(s), if any; and
- B. individual Task Orders and changes within the Board approved contract amount.

ISSUE

Environmental analysis and clearance of Los Angeles County Metropolitan Transportation Authority (Metro) projects is conducted under the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), and Section 4(f) of the Department of Transportation Act (DOTA) of 1966, and other appropriate federal, state, and local laws, regulations, and guidelines related to the impact that Metro projects may have on the environment.

These Metro projects normally include rail development projects, bus service projects, and Metro facilities projects that have been planned and environmentally cleared through the use of federal Major Investment Study, Alternative Analysis/ Draft and Final Environmental Impact Statement processes or through a CEQA Draft and Final Environmental Impact Report. These projects may also have been evaluated with various supplemental or subsequent environmental documents.

DISCUSSION

The existing Environmental Compliance contract is a five year contract that expired on December 31, 2016. The environmental compliance services that the existing contract provides were in support of the major projects and various other bus and rail capital projects and this work needs to be continued. While existing Task Orders executed prior to the expiration of the previous contract provide continued support until the end of the period of performance for the specific Task Order, there is a need for a new environmental compliance services contract to execute new Task Orders that will support additional project needs to ensure Metro's continued compliance to NEPA, CEQA, and related statutes. The new environmental compliance services solicitation for the Contract that is to be awarded through this Board Report was initiated in mid-2016 and the evaluation has now been completed to ensure continuation of these services. The new Contract is for three years with two one-year options for a total of five years. The Procurement Summary for this contract is documented in Attachment A.

The services that this Contract provides include the preparation of studies, surveys, investigations, modeling, predictions, data analyses and reporting related to the categories of impact found in the CEQA/NEPA guidelines, or as required by conditions identified during the planning, development, and design stages of a project and/or during the construction, operation or close-out phases of a project. This work also includes the engineering and design of mitigation measures necessary to comply with the above listed requirements.

To accomplish the assigned tasks, the Contractor will provide necessary staff, sub-consultants, equipment, software, supplies, and services. They shall employ or subcontract as necessary with such diverse professionals like Acoustical Engineers, Air Quality Engineers, Biologists, Botanists, Arborists, Historians, Archeologists, Paleontologists, Legal Counsel, Environmental and Sustainability Scientists and Engineers and such other professional practitioners as may be needed to support Metro's environmental compliance programs.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards for Metro's Construction projects.

FINANCIAL IMPACT

As specific environmental compliance needs arise, Task Orders will be issued and funded from their associated project budget, upon approval by the responsible Project Manager. Board approved and forecasted budgets within the FY17 to FY21 timeframe include, for example, major Bus and Rail Construction Projects, Metro Crenshaw Light Rail Project, Metro Regional Connector, and Metro Westside Extension Project, Bus Division Expansion Projects, Energy Conservation and Management (450001), Policy Development and Implementation (450002), Environmental Management System Implementation (450003), and Greenhouse Gas Emissions and Climate Change Management (450004). Anticipated services that will be used by these projects are provided

in Attachment C.

Contract No. PS20111 is an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. No Metro funds are obligated until a Contract Work Order (CWO) is issued by a Metro authorized Contracting Officer against a valid project budget. No expenditures are authorized until a Task Order is awarded by a Metro authorized Contracting Officer for a specific package of work within the CWO. In other words, all task orders are to be individually negotiated and level of effort fully defined prior to the authorization of any project specific funds. Execution of work under those Task Orders within those CWO awards can continue beyond the contract end date.

Obligations and authorizations made within the total Contract Amount will be against specific project or operations budgets which make up the Board-approved Metro budget for this particular fiscal year. Specific funding for this contract will parallel the project approved by Board under separate actions. The Chiefs of the business units and Project Managers overseeing these projects will be responsible for providing appropriate budgets.

Impact to Budget

The Bus and Rail Operating and Capital Budgets are not impacted by this action.

ALTERNATIVES CONSIDERED

If Contract No. PS20111 is not awarded, Metro could experience increased liability for Contractor claims for delay to schedule completion milestones, incur opportunity costs, or risk fines and lawsuits resulting from inaction to comply with regulatory agency, local government, or community group requirements.

The Metro Board may reject the recommended action and direct staff to do all environmental compliance services support work in house. Under such situation, Metro would have to hire additional staff with expertise in many different subjects, such as acoustical engineering, archeology, paleontology, biology, botany, traffic engineering, environmental science and engineering; as well as purchase specialized equipment such as sound monitors, traffic counters, bio-monitors, etc. and related equipment. Such an action is not practical or cost-effective. Metro would incur more cost to do the work internally compared to employing consultants.

NEXT STEPS

After the recommended Board Action is approved, staff will complete the process to award PS20111.

ATTACHMENTS


Attachment A - Procurement Summary, Environmental Compliance Services
Attachment B - DEOD Summary
Attachment C - Forecasted Environmental Compliance Services Work FY17-FY22

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