



Board Report

File #: 2019-0657, File Type: Contract

Agenda Number: 33.

CONSTRUCTION COMMITTEE SEPTEMBER 19, 2019

**SUBJECT: SUSTAINABILITY ENGINEERING SERVICES FOR WATER RESOURCES,
CONSERVATION AND COMPLIANCE**

ACTION: AWARD CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD a Cost Reimbursable Contract for a base period of performance of three (3) years, Contract No. AE58845, to Geosyntec Consultants Inc., for Sustainability Engineering Services for Water Resources, Conservation and Compliance, for total contract amount of not-to-exceed \$17,714,849 with \$7,714,849 not-to-exceed value for the first three years, and exercise two one (1) year options in the amount of not-to-exceed value of \$5,000,000 for each option year; and,
- B. EXECUTE changes and modifications within the Board approved not-to-exceed contract amount.

ISSUE

Metro's sustainability program is nationally recognized as one of the leading programs in the transit industry. Sustainability principles such as climate, energy, water, resource conservation and management are integrated into Metro's transportation infrastructure and facilities activities. As a result, Metro has effectively reduced resource consumption, decreased air pollutant emissions, including greenhouse gas emissions, improved efficiency, reduced solid and liquid waste generation, and increased recycling and diversion from landfill.

To ensure the continued success of Metro's sustainability program and further achieve operational sustainability, we have solicited and recommend the award of a professional services contract for water resource management, conservation and compliance consulting services. These services will ensure the protection of human health and the environment, addressing the challenge of operational sustainability while ensuring resiliency and a state of good repair.

Metro's existing Environmental Engineering Consultant Services contract includes consultant support for Metro's sustainability program. This recommended contract was solicited to increase participation of firms that work in the sustainability industry in Metro's programs, especially those which are

involved in the fields of water conservation, resource efficiency and environmental compliance.

The recommended action will provide contracting authority for Task Orders issued during the initial three years, FY19 thru FY21. Attachment B provides examples of projects that this contract will support per fiscal year: FY19 through FY24.

DISCUSSION

As Metro's sustainability program has matured, Environmental Compliance Sustainability Department (ECSD) has a need for several specialty contracts to provide technical expertise and support to advance agency-wide sustainability initiatives and projects. The services provided through the Sustainability Engineering Services for Water Resources, Conservation and Compliance contract include the preparation of analyses, studies, surveys, investigations, modeling, predictions, recommendations and/or reports related to water resource conservation and compliance related to the operation and maintenance of Metro's transportation system, facilities and support activities. The consultant is expected to support a wide range of water initiatives, including water conservation, water quality, environmental management system (EMS), stormwater management, industrial water and wastewater management, low impact development and emerging sustainability-related and cleantech technologies. These services will also support Metro with identifying, designing and implementing the next phase of drought response measures, while fulfilling all compliance obligations.

To accomplish the assigned tasks, the consultant will provide necessary staff, sub-consultants, equipment, software, supplies and services. The consultant shall employ or sub-contract as necessary with diverse professionals such as Professional Engineers, Sustainability Engineers, Water Resource Engineers/Specialists, Water Conservation Specialists, Water Quality Specialists and other such professional practitioners as may be needed to support the required water resource conservation and compliance programs, projects and initiatives.

The process to procure for such specialty contracts is consistent with ECSD's short- and long-term goals and aligns with Metro's Vision 2028 Strategic Plan. The Board approved 2008 Metro Sustainability Implementation Plan is currently used to guide the nature of water related projects in our agency. That plan is currently being revised with strategies and metrics. The Sustainability Strategic Plan is scheduled for Board approval in Spring 2020.

DETERMINATION OF SAFETY IMPACT

This Board action will help ensure the long-term safety and security of Metro's operations by improving the management and efficiency of our use of natural resources, advancing agency resiliency and contributing to state of good repair.

FINANCIAL IMPACT

Contract No. AE58845 will be a Cost Reimbursable contract, i.e. Cost Plus Fixed Fee (CPFF). No MTA funds are obligated until a Contract Work Order (CWO) is issued by an MTA authorized Contracting Officer against a valid project budget. No expenditures are authorized until a Task Order is awarded by an MTA authorized Contracting Officer for a specific package of work within the CWO.

All task orders will be individually negotiated, and level of effort will be 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 MTA budget for this particular fiscal year. Specific funding for this contract will parallel the project approved by the Board under separate actions. The Chief Program Management and Executive Officer, Environmental Compliance and Sustainability will coordinate with the Project Managers of each of the projects and will be responsible for providing appropriate budgets.

This contract will be use on projects that are identified as part of the annual budgeting process. The Metro Environmental, Water Conservation and Reuse Policies and Metro Water Action Plan (http://media.metro.net/projects_studies/sustainability/images/Water_Plan2010_0825.pdf) and February 2016 Motion 57 Action Items are used to guide the specific projects.

Impact to Budget

There will be no net impact to Bus and Rail Operating Budgets. The initial source of funds for this contract is included in the FY20 budget under Project Number 450003 - Sustainability Environment, Cost Center 8420 Environmental Compliance and Services, Account 50316 Professional and Technical Services. Future task orders are to be individually negotiated and level of effort fully defined prior to the authorization of any project specific funds from the projects that would use these services.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This professional services contract will support the implementation of Metro's Strategic Plan Goals, with specific alignment to Initiative 5.2 - Exercise good public policy judgement and sound fiscal stewardship; and Initiative 5.4 - Apply prudent commercial business practices to create a more effective agency.

The Sustainability Engineering Services for Water Resources, Conservation and Compliance contract will support these strategic goals by: 1) Ensuring compliance with State and local water regulations; 2) Generating cost savings and reducing the prevalence and cost of retroactive sustainability upgrades; and 3) Improving organizational efficiency and reducing reliance on scarce natural resources.

ALTERNATIVES CONSIDERED

Contract AE58845 is designed to strategically advance Metro's existing water resource conservation and compliance efforts, while establishing the next generation of initiatives and best practices. If this contract is not awarded, Metro could experience a delay in implementing critical compliance and

efficiency initiatives as well as compliance to current and emerging statutes and regulations.

During the last five years, the Metro Board has approved various plans to achieve reductions in operational greenhouse gas emissions, implement innovative approaches and strategies to enhance customer experience, reduce limited natural and energy resource use, investigate public-private partnerships to supplement limited funds to design, build, operate and maintain sustainability related infrastructure and increase operational efficiency. Metro's operational sustainability program, administered through the Environmental Compliance and Services Department, has executed significant portions of that mandate and will continue to do so using all the sustainability-related consulting contracts (including Contract No. AE58845) as an expert supplement for current staff's expertise. We have seen the effectiveness of this management style (i.e., as-needed combination of internal staff and expert consultants), especially in the implementation of the Environmental Management System.

The Metro Board may reject the recommended action and direct staff to do all water conservation and compliance services work in-house. To support the large volume of technical tasks associated with this program, Metro would have to hire additional staff with specific technical expertise, which staff currently do not have. These would include Professional Engineers, Sustainability Engineers, Water Resource Engineers/ Specialists, Water Conservation Specialists, Water Quality Specialists and such other professional practitioners as may be needed to support the required water resource, conservation and compliance programs, projects and initiatives.

While cost efficiencies may be achieved by having some of these credentialed and highly skilled staff hired full-time, this alternative is not recommended as it would be financially challenging to support these specialized, highly skilled resources in-house for the next five years as regular employees. The specific tactical tasks of the water program are currently projected to be for short-term, defined, and sequential assignments. Staff will, however, need to revisit the need for augmenting in-house sustainability-related skills every three years as our portfolio of these types of programs increase alongside the expansion of our transit system.

Another alternative would be to solicit and award individual contracts for each water conservation and compliance expert consulting services task, as the need arises. This alternative is not recommended. Individually procuring these CWO's and Task Orders result in product and service inconsistencies across the program and will result in cumulative higher administrative and execution costs. As many of these projects overlap with one another, having multiple consultants will cause delays and administrative inefficiencies.

NEXT STEPS

After the recommended Board Action is approved, staff will execute the conformed contract and proceed with issuing Task Orders and Contract Work Orders.

ATTACHMENTS

Attachment A - Procurement Summary


Attachment B - Total Value of Estimates of Projects/Tasks - FY20 to FY25

Attachment C - DEOD Summary

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