



Board Report

File #: 2021-0082, File Type: Contract

Agenda Number: 47.

CONSTRUCTION COMMITTEE APRIL 15, 2021

SUBJECT: PROGRAM MANAGEMENT SUPPORT SERVICES

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE:

- A. An increase in authorized funding for Contract No. AE35279 with Kal Krishnan Consulting Services/Triunity Engineering and Management Joint Venture (KTJV), for pending and future Contract Work Orders to provide Program Management Support Services (PMSS) in an amount not-to-exceed \$8,000,000, increasing the current authorized funding limit for the base contract from \$63,347,705 to \$71,347,705 through FY22;
- B. The exercise of the two-year option in the amount not-to-exceed \$27,461,365, increasing the authorized funding limit from \$71,347,705 to \$98,809,070 for FY23 and FY24;
- C. The CEO or designee to execute individual Contract Work Orders (CWOs) and Contract Modifications within the Board authorized contract funding amount; and
- D. Authorize the CEO or direct staff to work with KTJV to develop a plan to achieve the 73.31% DBE commitment for this contract, and to meet this commitment by the end of calendar year 2021. If approved, the two-year option shall only be executed upon meeting the 73.31% commitment.

ISSUE

In June 2017, the Board approved awarding a five-year cost reimbursable fixed fee Contract No. AE35279, plus one two-year option, to KTJV, a DBE Prime Joint Venture, for Program Management Support Services for not-to-exceed \$90,809,070. This created the largest small business led consultant services contract at Metro. The Board action provided initial funding not-to-exceed \$24,970,960 through the end of FY19 as part of a multiyear contract with an anticipated five-year base contract value of \$63,347,705 plus \$27,461,365 for one two-year option, for a combined total amount not-to-exceed \$90,809,070 for seven years.

In April 2019, the Board approved two additional years of funding increasing the total not-to-exceed

amount to \$51,306,204 for the first four years of the contract. In May 2020, the Board approved an increase authorized funding of the Contract by \$12,041,501, for a new funding limit not-to-exceed \$63,347,705. To date, staff has awarded CWO/Modifications totaling \$60,219,175 and has \$3,128,530 of the authorized funding remaining. Attachment B lists the PMSS contract CWO/Modifications executed to date. Each of the CWOs are funded from the associated projects' budget within the limits of Board authorization. Use of the Contract has exceeded staff expectation due in part to Board directed acceleration of projects. Additional funding authorization is now required to facilitate extending current work orders through FY22. With only 5% in current authorization remaining uncommitted, this additional funding authorization is required to execute work order period of performance extensions beyond June 2021.

As a result of the financial impacts to Metro due to COVID-19, in FY21 Metro staff has evaluated opportunities to reduce consultant support across all projects and are proposing a decrease in the current rate of consultant spending on the PMSS contract in comparison to prior years. We have a balance of \$3,128,530 and are now seeking to increase authorized funding of the base Contract by \$8,000,000, Therefore, the funding limit will not exceed \$71,347,705 for the base contract through FY22.

In addition, for ongoing future project support Metro wants to ensure continuity of the professional services. Therefore, we request authorization to exercise the two-year option in the amount not-to-exceed \$27,461,365, for total authorized Contract funding not-to-exceed \$98,809,070. Extending the contract duration to include the option period is beneficial to ensure consistent, reliable consultant services without interruption through the conclusion of the PMSS contract.

DISCUSSION

Metro is continuing to undertake the largest transportation construction program in the nation. This creates an unprecedented challenge to project delivery. Recognizing that staffing is a key factor in project delivery, Program Management is committed to developing strengths in its capacity and capability to ensure the multi-billion-dollar capital program can be successfully managed. Attachment E lists the projects that the Contract currently supports and those we anticipate it will support over the duration of the PMSS contract.

Metro staff works with KTJV to scale staff up or down depending on Metro's transit, highway, regional rail and other capital improvement program needs. With the volume of work that accompanies Metro's fast-paced Capital program, the PMSS Contract utilization to assist Program Management in securing enough qualified, flexible resources across a broad spectrum of disciplines in a timely manner needed to manage and support delivery of Board approved projects has increased significantly. Therefore, as the needs of the projects increase to allow Metro efficient and effective staff augmentation and technical expertise, the needs of the authorized funding increase as well.

Scope

To support the aggressive project implementation schedule for delivering Metro's Capital Program, close coordination and expertise across multiple disciplines are required in the following eight key functions: project management, program management, project delivery development support, project control, estimating, configuration management, project management and other technical training, and

Project Management Information System (PMIS) support services. In addition, the scope has allowed for contract administration and small business contract compliance support assisting Vendor/Contract Management (V/CM) to efficiently provide sufficient staffing needed to perform V/CM support activities.

Combining all the above functions together into one contract has allowed for a better coordinated and more efficient allocation of resources for Metro than would be possible under a series of separate contracts. To date, the PMSS contract has succeeded in fulfilling the consultant staffing demand on a program-wide level on various multiple transit, regional rail, highway, and other capital improvement projects.

Contract funds are authorized by issuing separate CWOs for various projects using labor classifications and rates set forth in the contract, with funding solely supported through the Life of Project budget. This method of contracting results in more efficient cost and schedule management, since CWOs and modifications to existing CWOs are negotiated and issued as additional work is identified. For each CWO or modification, Metro prepares a scope of work and an estimate of hours, and KTJV subsequently provides a proposal. Metro and KTJV will fact-find and negotiate the hours if there is a discrepancy. After agreement, the CWO is issued and the work proceeds.

Consultant Services

To date, KTJV has completed and is continuing staff augmentation assignments on major transit construction projects, miscellaneous capital project, security and safety projects, rail and bus facility improvements, wayside systems, soundwalls, Regional Rail, Highway, and Environmental projects; Metro Gateway staff augmentation for program-wide support; specialty assignments such as constructability review, risk assessment support, procedure writing and training, Project Management Information System (PMIS), Lessons Learned/Best Management Practices implementation, WIN LA, DBE Commercially Useful Functions, and P3 capability development support; and other projects as necessary (see Attachments B and E). KTJV has been responsive and works with Metro staff to provide the qualified resources necessary for Program Management to meet the aggressive implementation schedule for delivering Metro's Capital Program. KTJV will meet the committed DBE participation of 73.3% per their obligation by prioritizing DBE participation on task orders by December 2021. They will work with Metro and the CEO to achieve this commitment.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

The not-to-exceed award value is based on the anticipated level of services. Each individual CWOs will be funded from the associated projects' budget, within the limits of Board authorization. The project managers, cost managers and Chief Program Management Officer will be accountable for budgeting the cost in future years, including cost associated with exercising the option.

Impact to Budget

There will be no additional impact beyond the approved annual budget or respective project's authorized LOP amounts, where applicable. Most of the projects are funded with multiple sources of funds: federal and state grants, federal loans, bonds and local sales taxes. Much of local sales taxes are eligible for bus and rail operations and capital improvements. These funds are programmed to state of good repair projects and to augment the costs of mega projects, where eligible and appropriate.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports Strategic Plan Goal #1 - Provide high-quality mobility options that enable people to spend less time traveling. This will be accomplished by providing program-wide support services to assist in delivering multiple capital projects on time and on budget while increasing opportunities for small business development and innovation.

ALTERNATIVES CONSIDERED

The Board may elect to discontinue using KTJV for PMSS. Staff does not recommend this alternative as the Program Management capital projects are in various degrees of completion and the loss of staff would cause these projects to be significantly impacted.

Another alternative would be to hire Metro staff to perform the required services. This alternative is also not recommended since the intent of the PMSS is to augment Metro staff in terms of technical expertise and availability of personnel. PMSS are typically required on a periodic or short-term basis to accommodate for peak workloads or specific tasks over the life of the projects. Further, for some projects, the specific technical expertise required may not be available within the ranks of Metro staff, whereas the KTJV consultant can provide the technical expertise on an as-needed basis.

NEXT STEPS

Upon Board approval, staff will continue to issue Contract Work Orders, as needed.


ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Work Order/Modification Log
- Attachment C - DEOD Summary
- Attachment D - Current Support Provided by Project Category
- Attachment E - Current and Anticipated List of Projects

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