



Board Report

File #: 2021-0572, File Type: Contract

Agenda Number: 30.

CONSTRUCTION COMMITTEE OCTOBER 21, 2021

SUBJECT: CONSTRUCTION MANAGEMENT SUPPORT SERVICES FOR CAPITAL PROJECTS

ACTION: AWARD AND EXECUTE CONTRACT FOR CONSTRUCTION MANAGEMENT SUPPORT SERVICES

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. AWARD AND EXECUTE a three-year cost plus fixed fee contract, Contract No. AE76301MC081 with Zephyr Rail, to provide Construction Management Support Services for Capital Projects, in an amount not-to-exceed \$3,519,211.94 for the three-year base period, plus two (2) one-year options if deemed appropriate, subject to resolution of any properly submitted protest(s); and
- B. EXECUTE individual Task Orders within the Board approved not-to-exceed amount.

ISSUE

The Los Angeles County Metropolitan Transportation Authority (Metro) requires professional services from a qualified Construction Management Support Services (CMSS) firm to support the design review, construction management, and administration of construction contracts for various Metro capital projects and adjacent/joint development projects to ensure compliance with Metro's safety and security policies, contract requirements, and government regulations.

Construction management support services will be provided for final design, pre-construction activities, administration of construction, and contract close out. In general, projects supported by this CMSS will include smaller construction projects at bus and rail facilities, Metro right-of-way, and adjacent/joint development projects. A few examples of Metro projects this contract may support are: small capital project construction oversight / safety inspections at Metro Operating Divisions such as repair/replacement of bus washes, bus bays or replacement of large equipment; and adjacent project inspection and safety for construction related activities adjacent to the alignment that may have an impact on operations such as work on private property that is within a certain distance from our OCS Lines along the L (Gold) Line. Additionally, this contract supports constructability and pre-construction activities for projects in the planning phase that are in the process of transitioning to Program Management.

BACKGROUND

Metro's construction management support services philosophy envisions that the primary role of the CMSS is to provide highly skilled and qualified individuals to assist and support Metro in the construction management and administration of construction projects. This role also entails ensuring that the construction of projects is completed with a high level of quality and safety. The CMSS staff are fully integrated into the construction project team with Metro staff. CMSS staff have the specialized technical and administrative expertise to assist and support project delivery and implementation and to perform the necessary project reporting requirements and control procedures established by Metro. In the performance of work, CMSS staff adhere to and comply with all Metro policies and procedures.

DISCUSSION

On June 2, 2021, requests for proposals were issued for CMSS services to assist Metro in managing the construction of capital projects and adjacent/joint development projects. The CMSS contract is a cost-plus fixed fee contract for a term of three (3) years with two one-year options. If the Board approves staff to exercise the additional option years in the CMSS contract, rates for the option years will be negotiated prior to the end of the base contract period. Option 1 will be to extend the CMSS services and option 2 will be for contract closeout.

Since the CMSS contract is a cost-plus fixed fee contract, consultant services will be performed using Annual Work Plans (AWP). Each AWP will include negotiated direct labor, overhead rates, general and administrative expenses, fee, and negotiated hours for the level of effort to match the work. The AWPs will be funded from the existing project budgets and take into consideration all information available at the time of planning plus applicable time constraints on the performance of the work.

Metro shall ensure that strict project controls are in place prior to approving each AWP to closely monitor the CMSS's budget and AWP schedules. No funds will be obligated until the AWP is approved against each particular capital project or adjacent/joint development project.

Metro staff will begin onboarding of CMSS consultants immediately following contract execution.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

The funding for this contract is included under various capital project or adjacent/joint development project numbers within cost center 8510, Construction Management. AWP's under this contract will be funded within life of-project (LOP) budgets or the approved annual budgets for each individual capital project or adjacent/joint development project. As such, approval of this action will not increase

the LOP budgets or approved annual budgets of any individual capital project or adjacent/joint development project. Since this is a multi-year contract, respective project managers, the cost center manager, and Chief Program Management Officer will be accountable for budgeting the contract cost in future years, including any options exercised.

Impact to Budget

There are no impacts to the FY22 budget. All action under this contract will be funded within the LOP budget or the approved annual budget for each individual capital project or adjacent/joint development project

EQUITY PLATFORM

Proper safety and inspection construction management support services reduce the potential impact for interruption to service which would negatively affect our ridership. Further, this contract is being awarded to a company that qualifies as a Small Business within the Small Business Enterprise Program. To ensure maximum opportunity for participation on this contract, Metro staff performed extensive outreach to the small business community, including those within the Disadvantaged Veterans Business Enterprise and the Small Business Enterprise programs. The solicitation was advertised through periodicals of general circulation, posted on Metro's Vendor Portal, and an e-mail notice to small businesses with applicable NAICS codes. The Construction Management Team presented at TBAC and attended meetings with the Small Business Community to further define the experience and background for this solicitation. The Proposal Evaluation Team was comprised of department personnel that were age, race, and gender diverse. DEOD established a goal of 27% SBE and 3% DVBE. The selected firm committed to achieving a 69% SBE goal and 5% DVBE (Attachment B). f

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Project is consistent with the following Metro Vision 2028 Goals and Objectives:

Goal 1: Providing high-quality mobility options that enable people to spend less time traveling.

Goal 3: Enhance communities and lives through mobility and access to opportunity.

Goal 4: Transform LA County through regional collaboration and national leadership.

ALTERNATIVES CONSIDERED

The Board may reject the recommendations. Staff does not recommend this, as rejection will require an extensive hiring effort to provide permanent staff to fill the required positions, several of which are anticipated to be temporary. This would not be cost effective and could cause delays, since many of the CMSS staff are only required on a periodic basis for peak workloads and specific tasks over the life of the project.

NEXT STEPS

After Board approval of this CMSS Contract, the Contracting Officer will award Contract No. AE76301MC081 in accordance with Metro Procurement Policies and Procedures.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

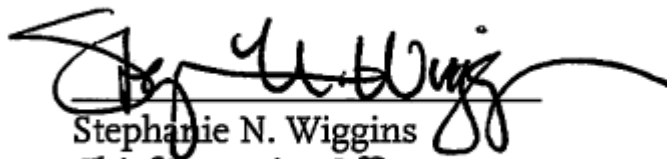
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