



Board Report

File #: 2016-0885, File Type: Contract

Agenda Number: 22

CONSTRUCTION COMMITTEE JANUARY 19, 2017

**SUBJECT: CLIMATE CHANGE ADAPTATION AND GREENHOUSE GAS EMISSIONS
CONSULTANT SERVICES**

**ACTION: EXECUTE PROFESSIONAL SERVICES CONTRACT FOR CLIMATE CHANGE
ADAPTATION AND GREENHOUSE GAS EMISSIONS**

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to execute:

- A. a five year cost-plus fixed fee Contract No. PS20109 to **LSA Associates, Inc. for sustainability climate change adaptation and greenhouse gas emissions reduction (GHG)** services on task orders, with an initial amount not-to-exceed \$6,365,000 inclusive of three base years (not to exceed \$3,742,143) with two one-year options (year one = \$1,274,468 and year two = \$1,348,109), subject to resolution of protest(s), if any; and
- B. individual Task Orders and changes within the Board approved contract amount.

ISSUE

Metro's operational sustainability program is recognized nationally as one of the leading programs in the transit industry. Under this program, reductions in Metro's operations costs have been achieved through greenhouse gas emission reductions, climate adaptation, and other sustainability projects and initiatives within our construction and operational activities. To continue the success of Metro's sustainability program and further achieve operational cost saving and associated benefits, we have solicited and recommend the execution of a professional services contract for climate change adaptation and greenhouse gas emission reduction services design and implementation.

Metro's current Environmental Compliance Services contract included consultant support for Metro's sustainability program. This 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 climate change adaptation and greenhouse gas emission reductions space.

DISCUSSION

Metro's current Environmental Compliance Services contract supports numerous sustainability projects, such as researching and preparing sustainability and greenhouse gas emission reduction measures and best practices for use in Metro's system and facilities, recommending policies, procedures, and actions that encourage and promote sustainability and greenhouse gas emission reductions throughout the organization, and identifying and measuring the agency's sustainability and emissions reduction activities.

Staff divided the current scope of sustainability-related work into four new individual scopes of work to increase participation of firms that work in the sustainability industry, specifically in the climate adaptation and greenhouse gas emission reduction industries. This Contract, No. PS20109, is the last of the four, three of which were approved in earlier years: Contract No. PS84203244, Engineering Services for Energy Efficiency and Renewable Energy, was issued on May 20, 2015; Contract No. PS84203245, Water Conservation, Solid Waste and Recycling contract, was issued on May 20, 2015; and Contract No. PS325890084203243, Sustainability Program Assistance Services contract, was issued on May 22, 2015.

Contract No. PS20109 would be an indefinite delivery/indefinite quantity contract. The consultant is not guaranteed any work because as the need for specific climate change/GHG-related design and consulting services arises, only then will staff be able to issue Contract Work Orders from which Task Orders or changes are drawn. These Task Orders and changes can be funded from an existing project's budget with consideration of any information available at the time of planning and applicable time constraints on performance of the work.

All of the work under this framework are negotiated on a not-to-exceed basis, and can only be performed and paid based on agreed upon rates negotiated at the onset of the project. Staff applies strict project controls in the execution of each of these Task Orders to closely monitor the Consultant's budget and Task Order schedules. No funds are obligated until a Contract Work Order/Task Order is awarded against a valid project.

The Contract No. PS20109 includes a 28% Race Conscious Disadvantaged Business Enterprise (RC DBE) goal. DBE attainment is based on the aggregate value of all task orders issued.

The success of Metro's sustainability program has resulted in its significant expansion over the last few years, prompting the diversification and focus of Metro's sustainability consultant support into several disciplines. The anticipated level of effort required to address climate change adaptation and greenhouse gas emissions reduction include the assistance in the preparation of design and construction documents and specifications, analyses, studies, surveys, investigations, modeling, predictions, and/or reports related to the operation and maintenance of Metro's transportation system, facilities, and support activities.

To accomplish the assigned tasks, the consultant will provide necessary staff, sub-consultants, equipment, software, supplies, and services. The consultant shall employ or subcontract as

necessary with such diverse professionals as Climate Change Scientists; Climate Adaptation Specialists; Risk Management Specialists; Climate Resiliency Specialists; GIS Operators; CADD/Microstation Operators; Greenhouse Gas Specialists; Grants Managers; Technical Experts; Professional Engineers; Sustainability Engineers; Sustainability Planners; Coastal Engineers; Transportation Specialists; and such other professional practitioners as may be needed to support the required climate adaptation and GHG emission reduction related initiatives/projects.

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.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an adverse impact on safety standards for Metro. It will however increase safety as projects become more resilient and adaptive to climate change.

FINANCIAL IMPACT

Contract No. PS20109 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. Completion 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 Department Chiefs and Project Managers overseeing these projects will be responsible for providing appropriate budgets.

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 FY17 budget under Project Number 450004 - Climate Adaptation Initiative, Cost Center 8420 Environmental Compliance and Sustainability, 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 funds from the projects that would use these services.

ALTERNATIVES CONSIDERED

If Contract No. PS20109 is not awarded, then Metro could experience a delay in the implementation of sustainability projects, which will result in missed opportunities for achieving operational cost savings and system-wide resilience. During the last five years, the Metro Board has approved

various policies and plans (as well as provided direction to staff through several climate change related Motions) 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 Sustainability Section has executed significant portions of that mandate; and will continue to do so using all of the sustainability-related consulting contracts (including Contract No. PS20109) as an expert supplement for current staff's expertise.

The Metro Board may reject the recommended action and direct staff to do all climate change adaptation, GHG emission reduction, and related projects in house. Under such situation, Metro would have to hire additional staff that has specific expertise, which staff currently does not have. These would include Climate Change Scientists; Climate Adaptation/Resiliency Specialists; Risk Management Specialists; GIS Operators; CADD/Microstation Operators; Greenhouse Gas Specialists, and other related specialized disciplines.

While there are cost efficiencies that may be achieved by having some of these credentialed and highly skilled staff hired full-time, current Metro staff determined that it would be financially challenging to maintain these specialized highly skilled resources for the next five years (as regular employees) since they are currently projected to be needed only for short-term defined assignments. However, staff will need to revisit the need for long-term sustainability-related skills needs (that can potentially be hired full-time) every three years as our portfolio of these types of infrastructures increase (in-step with the expansion of our transit system).

Staff can solicit and award individual contracts for each climate change/GHG emission reduction expert consulting need, as the need arises. Staff does not recommend this alternative. Individually procuring these CWO's and Task Orders have associated inconsistent and most likely cumulative higher administrative and execution costs. As many of these types of projects overlap with one another in a single major capital project or facility, having multiple consultants with overlapping skills will cause delays and resulting administrative inefficiencies.

NEXT STEPS

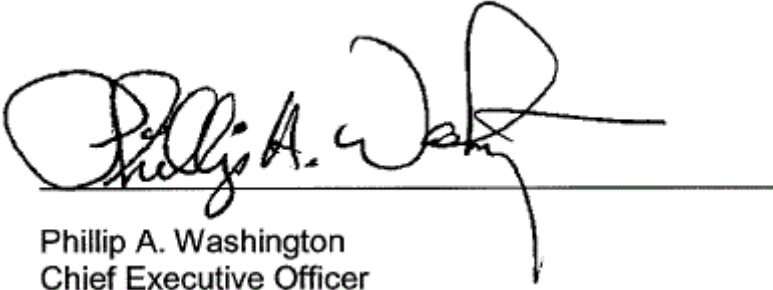
After the recommended Board Action is approved, staff will complete the process to negotiate and award Contract No. PS20109.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Forecasted GHG Emissions Reduction Work

Prepared by: Cris B. Liban, Executive Officer Environmental Compliance and Sustainability
(213) 922-2471

Reviewed by: Richard Clarke, Chief Program Management Officer (213) 922-7557
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer