



Board Report

File #: 2024-0397, File Type: Contract

Agenda Number: 10.

**CONSTRUCTION COMMITTEE
SEPTEMBER 18, 2024**

SUBJECT: CONSTRUCTION MANAGEMENT SUPPORT SERVICES (CMSS) FOR BATTERY ELECTRIC BUS CHARGER INFRASTRUCTURE

ACTION: AWARD AND EXECUTE CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a cost plus fixed fee Contract No. AE120406MC083, to Anser Advisory, to provide Construction Management Support Services for Battery Electric Bus (BEB) Charging Infrastructure Projects located at our bus operation divisions, transit centers, as well as opportunity chargers along current BEB routes for a term of 3 years at a not to exceed total contract value of \$6,012,319, subject to the resolution of any properly submitted protest(s), if any.

ISSUE

In June 2021, Metro’s Board of Directors approved a Life of Project (LOP) budget of \$50 million to commence in FY22 for Phase 1 for the charging infrastructure needed to electrify the J Line. In February 2024, Metro released an Invitation for Bid (IFB) for the lowest responsive and responsible bidder to construct the infrastructure required to install BEB charging equipment at Division 9 and the El Monte Transit Center (EMTC). This action authorizes a contract award to Anser Advisory to provide Construction Management Support Services initially for the Division 9 and EMTC project, as well as other BEB Charger Infrastructure projects during the term of the contract authorized through a Task Order, subject to the availability of funds.

BACKGROUND

In July 2017, the Metro Board of Directors approved Motion #50 by Directors Bonin, Garcetti, Najarian, Hahn, and Solis, which endorsed a Zero Emission Bus (ZEB) Strategic Plan to transition Metro’s bus fleet to zero emission by 2030, contingent on envisioned cost and performance equivalence with compressed natural gas (CNG) buses and continued advancements in charging infrastructure. In 2018, the California Air Resources Board’s (CARB) Innovative Clean Transit (ICT) regulation mandated that all transit agencies in the State operate zero emission fleets by 2040. In addition, ICT ZEB purchase requirements for large transit agencies require 25% of bus purchases to be zero emission by 2023, 50% beginning in 2026, and 100% beginning in 2029. Metro must install charging infrastructure at several locations to support full electrification of the J

Line. These locations include Division 9, EMTC, Division 18, and the Harbor Gateway Transit Center (HGTC). Construction at HGTC is nearing completion and will provide the J Line with 8 opportunity chargers. Division 18 has mobile charging equipment and is part of a solicitation package that will be advertised in early 2025. Phase 1 of Division 9 will result in the addition of 120 depot chargers and 4 opportunity chargers. In addition, the EMTC will include 4 opportunity chargers.

DISCUSSION

The CMSS will provide review support of the technical bid documents, administration, inspection services, and technical support during the bid period, and construction and close out phases of the project. The CMSS will provide skilled individuals to assist Metro with the construction management of the projects. The consultant team will reside in an integrated project field office with Metro staff and will work with the contractors, Southern California Edison (SCE), and division staff to ensure the project is delivered on time and on budget while minimizing disruption to current division bus operations. The selected proposer has the experience and competence in construction support services, design bid-build, and integrated team structures on some of the most challenging and complex projects in Los Angeles County.

The CMSS Contract is for a base term of three (3) years and will be a cost plus fixed fee contract, meaning the consultant services will be performed within the cost constraints of an Advanced Cost Agreement (ACA). The ACA will include negotiated direct labor rates, indirect cost rates, general and administrative expenses (if applicable), fixed fee, and negotiated labor hours for the level of effort to match the work. The contract will be funded on a task order basis from project budgets with consideration given to information available at the time of planning and applicable time constraints on the performance of the work. Metro Program Management shall ensure that strict project controls are in place so that Metro may closely monitor the expenditure of the contract not-to-exceed amount and schedule. No funds are obligated until negotiations for each task order are finalized within the total not-to-exceed amount approved by the Board. Further background regarding the recommended firm is included in Attachment A - Procurement Summary.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

The CMSS consultant will be managed by the Program Management Office Project Manager, and it will use available project funds budgeted as professional services under project 201061 - Infrastructure J/Silver Line and shall remain within the authorized budget(s). Since this is a multi-year project, the Cost Center Manager, Project Manager(s), and Sr. Executive Officer of Vehicle Engineering and Acquisition, in coordination with the Program Management Office Project Manager, will be responsible for budgeting the costs in future years.

Impact to Budget

There are no impacts to the FY25 budget. All action under this contract will be funded within the LOP budget. Currently, \$1,000,000 is allocated in the FY25 budget under project 201061 - Infrastructure J/Silver Line, account 50316 Professional Services. The current source of funds for this action are Low Carbon Transit Operations Program (LCTOP) and Transportation Development Act (TDA).

EQUITY PLATFORM

The J Line provides bus services to Equity Focus Communities (EFC's) and serves the following ridership (Fall 2019 Silver Line Rider Survey):

- 48% below \$25K household income (42.5% below poverty line)
- 68.3% had no car available
- 74% use transit 5+ days a week
- Rider Ethnicity: Latino 58.3%; Black 15.2%; White 10.6%; Asian/Pacific Islander 9.8%; Other 6.1%

It is recognized that BEBs provide improved air quality and quieter services compared to current Renewable Natural Gas (RNG) bus fleet. Division 9 is located within an EFC and CalEnviroScreen Disadvantaged Community (DAC). 59% of communities served are designated DACs.

Program Management presented at the Transportation Business Advisory Council and attended meetings with the Small Business Community to further define the experience and background for this solicitation. Contract No. AE120406MC083 includes a twenty-seven percent (27%) goal for Small Business Enterprise (SBE), as well as a three percent (3%) Disabled Veteran Business Enterprise requirement of the Total Contract Price. Anser Advisory made a commitment of 30% SBE and a 3% DVBE commitment. DEOD will actively monitor the consultant and their subcontracting plan to ensure the awarded party will uphold their commitment to the SBE and DVBE goals during the Contract term

IMPLEMENTATION OF STRATEGIC PLAN GOALS

These recommendations support Goal #3, Enhance communities and lives through mobility and access to opportunity and 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

Upon Board approval of this recommended action, staff will execute Contract No. AE120406MC083 with Anser Advisory to provide construction management support services for the Battery Electric Bus

Charging Infrastructure Project.

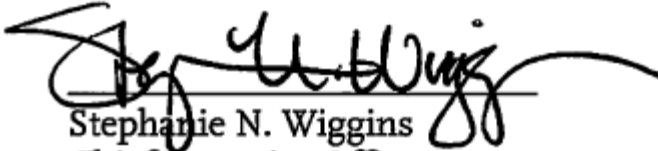
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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