

**Board Report**

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**File #:** 2016-0885, **File Type:** Contract**Agenda Number:** 22

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**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

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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**

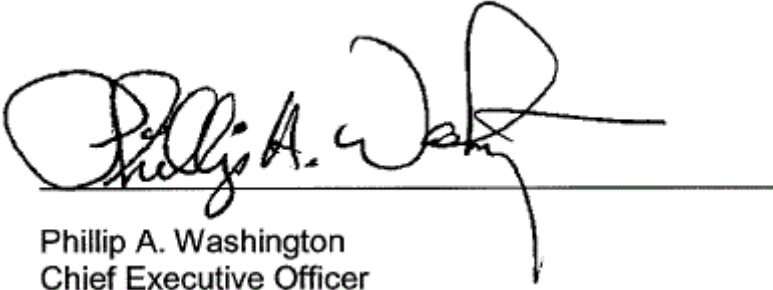
After the recommended Board Action is approved, staff will complete the process to negotiate and award Contract No. PS20109.

### **ATTACHMENTS**

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

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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

CLIMATE CHANGE AND ADAPTATION AND GREENHOUSE GAS EMISSIONS  
CONSULTANT SERVICES/PS20109

1.	<b>Contract Number:</b> PS20109	
2.	<b>Recommended Vendor:</b> LSA Associates, Inc.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input checked="" type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> March 4, 2016	
	<b>B. Advertised/Publicized:</b> March 11, 2016	
	<b>C. Pre-proposal/Pre-Bid Conference:</b> March 17, 2016	
	<b>D. Proposals/Bids Due:</b> April 14, 2016	
	<b>E. Pre-Qualification Completed:</b> November 30, 2016	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> September 14, 2016	
	<b>G. Protest Period End Date:</b> 1/23/2017	
5.	<b>Solicitations Picked up/Downloaded:</b> 98	<b>Bids/Proposals Received:</b> 6
6.	<b>Contract Administrator:</b> Tamara Reid	<b>Telephone Number:</b> (213) 922-7215
7.	<b>Project Manager:</b> Emmanuel Liban	<b>Telephone Number:</b> (213) 922-2471

**A. Procurement Background**

This Board Action is to approve the award of Contract No. PS20109, for sustainability engineering services for climate change and adaptation and greenhouse gas emissions services. The scope of the Contract is to support 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. Board approval of contract awards are subject to resolution of all properly submitted protests.

The Request for Proposal (RFP) was issued in accordance with Metro's Acquisition Policy and California Government Code §4525 – 4529. The contract type is a five year cost-plus fixed fee, base year of three years and two one-year options.

Three amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on March 19, 2016 to revise technical specifications and submittal requirements;
- Amendment No. 2, issued on April 1, 2016 to change the proposal due date from April, 7, 2016 to April 14, 2016; and
- Amendment No. 3, issued on April 11, 2016 to remove redundant sections and documents.

On March 17, 2016, a pre-proposal conference was held with 26 firms in attendance. A total of six proposals from the following firms were received on April 14, 2016:

1. AECOM Technical Services, Inc. (AECOM)
2. AMEC Foster Wheeler (AMEC/FW)
3. ATC Group Services, LLC (ATC)
4. ICF International (ICF)
5. LSA Associates, Inc. (LSA)
6. WSP/Parsons Brinckerhoff (WSP/PB)

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Environmental Compliance and Transportation Planning was convened and conducted a comprehensive technical evaluation of the proposal received.

The proposals were evaluated based on the following evaluation criteria and weights:

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|--|-----|
| • Degree of Skills and Experience                                      | 30% |
| • Understanding of Work Appropriateness of Approach for Implementation | 25% |
| • Innovative Climate Change/Greenhouse Gas Practices & Experience      | 25% |
| • Effectiveness of Management Plan                                     | 20% |

This is an Architecture and Engineering (A&E), qualifications based procurement. Price cannot be and was not used as an evaluation factor as governed by California Government Code §4525 - 4529. The evaluation criteria was appropriate and consistent with criteria developed for other, similar A&E solicitations.

During the week of August 1, 2016, the evaluation committee conducted oral presentations with the firms. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. In general, each team's presentation addressed the requirements of the RFP, experience with all aspects of the required tasks, and stressed each firm's commitment to the success of the project. Also highlighted were staffing plans, work plans, and perceived project issues. Each team was asked questions relative to each firm's proposed alternatives and previous experience.

### **Qualification Summary of Recommended Firm:**

The evaluation performed by the PET, in accordance with evaluation criteria set forth in the RFP, determined LSA Associates, Inc. (LSA) as the most qualified firm to provide the required services.

LSA has provided relevant environmental experience working on Metro projects such as Interstate 710 (I-710) and Countywide Planning Bench. LSA provided a very detailed report on Metro's current resiliency and vulnerability and strategies to mitigate these issues. A detailed presentation of the staffing level requirements as well as the necessary software tools was submitted which demonstrated a clear understanding of the proposed scope of work.

LSA demonstrated they are well-skilled in providing the scope of services at the level required by this contract, and has the capabilities to provide staffing for task order assignments that may be issued under this contract.

The PET ranked the proposals and assessed strengths, weaknesses and associated risks of each of the Proposers to determine the most qualified firm.

<b>1</b>	<b>FIRM</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>LSA</b>				
<b>3</b>	Degree of Skills and Experience	78.50	30%	23.55	
<b>4</b>	Understanding of Work and Appropriateness of Approach for Implementation	91.60	25%	22.90	
<b>5</b>	Innovative Climate Change/Greenhouse Gas Practices & Experience	90.40	25%	22.60	
<b>6</b>	Effectiveness of Management Plan	90.50	20%	18.10	
<b>7</b>	<b>Total</b>		<b>100%</b>	<b>87.15</b>	<b>1</b>
<b>8</b>	<b>ICF</b>				
<b>9</b>	Degree of Skills and Experience	75.40	30%	22.62	
<b>10</b>	Understanding of Work and Appropriateness of Approach for Implementation	84.00	25%	21.00	
<b>11</b>	Innovative Climate Change/Greenhouse Gas Practices & Experience	86.80	25%	21.70	
<b>12</b>	Effectiveness of Management Plan	85.00	20%	17.00	
<b>13</b>	<b>Total</b>		<b>100%</b>	<b>82.32</b>	<b>2</b>



<b>14</b>	<b>ATC</b>				
<b>15</b>	Degree of Skills and Experience	69.33	30%	20.80	
<b>16</b>	Understanding of Work and Appropriateness of Approach for Implementation	80.00	25%	20.00	
<b>17</b>	Innovative Climate Change/Greenhouse Gas Practices & Experience	81.60	25%	20.40	
<b>18</b>	Effectiveness of Management Plan	82.00	20%	16.40	
<b>19</b>	<b>Total</b>		<b>100%</b>	<b>77.60</b>	<b>3</b>
<b>20</b>	<b>AECOM</b>				
<b>21</b>	Degree of Skills and Experience	66.33	30%	19.90	
<b>22</b>	Understanding of Work and Appropriateness of Approach for Implementation	75.64	25%	18.91	
<b>23</b>	Innovative Climate Change/Greenhouse Gas Practices & Experience	74.00	25%	18.50	
<b>24</b>	Effectiveness of Management Plan	76.50	20%	15.30	
<b>25</b>	<b>Total</b>		<b>100%</b>	<b>72.61</b>	<b>4</b>
<b>26</b>	<b>WSP/PB</b>				
<b>27</b>	Degree of Skills and Experience	63.53	30%	19.06	
<b>28</b>	Understanding of Work and Appropriateness of Approach for Implementation	75.64	25%	18.91	
<b>29</b>	Innovative Climate Change/Greenhouse Gas Practices & Experience	74.00	25%	18.50	
<b>30</b>	Effectiveness of Management Plan	76.50	20%	15.30	
<b>31</b>	<b>Total</b>		<b>100%</b>	<b>71.77</b>	<b>5</b>
<b>32</b>	<b>AMEC/FW</b>				
<b>33</b>	Degree of Skills and Experience	60.66	30%	18.20	
<b>34</b>	Understanding of Work and Appropriateness of Approach for Implementation	69.32	25%	17.33	

<b>35</b>	Innovative Climate Change/Greenhouse Gas Practices & Experience	72.00	25%	18.00	
<b>36</b>	Effectiveness of Management Plan	70.00	20%	14.00	
<b>37</b>	<b>Total</b>		<b>100%</b>	<b>67.53</b>	<b>6</b>

**C. Cost/Price Analysis**

The cost analysis included: (1) a comparison with cost historical data of other firms offering similar services; (2) an analysis of prior audited and overhead rates, and factors for labor, and other direct costs, and (3) compliance with Federal Acquisition Regulation (FAR) Part 31 guidelines. Metro has rates for direct labor and negotiated provisional overhead rates, and negotiated fixed fee factor for the Contract. The negotiated amount has been determined to be fair and reasonable.

An audit request has been submitted to the Metro Management Audit Services Department (MASD). In order to prevent any unnecessary delay in contract award, provisional overhead rates have been established subject to retroactive Contract adjustments. In accordance with FTA Circular 4220.1.f, if an audit has been performed by any other cognizant agency within the last twelve month period, Metro will receive and accept that audit report for the above purposes rather than perform another audit.

<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Recommended NTE Amount</b>
LSA Associates	\$10,061,346	\$6,365,000	\$6,365,000

Note: This is a five year cost-plus fixed fee Contract 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).

**D. Background on Recommended Contractor**

LSA, was founded in 1976. LSA is an employee owned environmental, transportation, and community planning firm. LSA has provided services in environmental analysis, transportation planning and engineering, biology, wetlands, habitat restoration, natural resource management, water quality, global climate change, geographic information systems (GIS), community and land planning, cultural and paleontological resources, and air quality assessments for both public and private agencies.

LSA has been the primary consultant with Metro on the interstate 710 (I-710) Corridor Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS). As the lead subcontractor to AECOM, LSA has been managing the

environmental team preparing the EIR/EIS and leading preparation of the technical studies. LSA is currently on Metro's Countywide Planning Bench for GIS services.

## DEOD SUMMARY

**CLIMATE CHANGE ADAPTATION AND GREENHOUSE GAS EMISSIONS  
CONSULTANT SERVICES/PS20109**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 28% Disadvantaged Business Enterprise (DBE) goal for this solicitation. LSA Associates, Inc. exceeded the goal by making a 30.36% DBE commitment.

<b>Small Business Goal</b>	<b>28% DBE</b>	<b>Small Business Commitment</b>	<b>30.36% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	GlobalASR Consulting	Asian Pacific American	5.47%
2.	Katherine Padilla & Associates	Hispanic American	2.98%
3.	PacRim Engineering	Asian Pacific American	1.99%
4.	Pika Environmental	Caucasian Female	4.02%
5.	Sapphos Environmental	Hispanic American	15.90%
<b>Total Commitment</b>			<b>30.36%</b>

**B. Project Labor Agreement/Construction Careers Policy**

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract.

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to the Contract.

**D. Living Wage Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy is not applicable to this Contract.

**Attachment C. Forecasted GHG Emissions Reduction Work**

Climate Action/Adaptation & GHG Reduction/Monitoring	FY17	FY18	FY19	FY20	FY21
<b>a. Green Infrastructure and Resiliency Program</b>	<b>\$385,448.02</b>	<b>\$375,980</b>	<b>\$383,500</b>	<b>\$391,170</b>	<b>\$411,145</b>
1. Life Cycle Analysis/Monitoring	\$199,068.71	\$194,682.15	\$198,575.79	\$202,547.31	\$212,518.33
2. Sustainability/Leadership Council	\$50,411.50	\$48,994.78	\$49,974.68	\$50,974.17	\$53,709.24
3. Climate Resiliency Planning, Implementation and Monitoring	\$135,967.82	\$132,303.01	\$134,949.07	\$137,648.05	\$144,917.63
<b>b. EMS Integration</b>	<b>\$197,752.15</b>	<b>\$192,618</b>	<b>\$196,470</b>	<b>\$200,400</b>	<b>\$210,838</b>
1. Initiation	\$45,689.04	\$148,456.68	\$151,425.81	\$154,454.32	\$162,246.47
2. On-going support	\$152,063.12	\$44,161.27	\$45,044.49	\$45,945.38	\$48,591.62
<b>c. Green Construction Policy Tracking</b>	<b>\$73,351.11</b>	<b>\$72,001.00</b>	<b>\$73,441.02</b>	<b>\$74,909.84</b>	<b>\$78,401.08</b>
<b>d. Climate Change Tools' Development &amp; Management</b>	<b>\$34,300.61</b>	<b>\$31,988.95</b>	<b>\$32,628.73</b>	<b>\$33,281.30</b>	<b>\$36,067.70</b>
<b>e. GHG Mitigation, Tracking &amp; Verification</b>	<b>\$54,892.24</b>	<b>\$53,514.05</b>	<b>\$54,584.33</b>	<b>\$55,676.02</b>	<b>\$58,541.26</b>
1. GHG Mitigation Strategy Support/Implementation	\$27,192.50	\$26,533.61	\$27,064.28	\$27,605.57	\$29,008.58
2. GHG Tracking & Verification	\$27,699.74	\$26,980.44	\$27,520.05	\$28,070.45	\$29,532.68
<b>f. Climate Action/Adaptation Program</b>	<b>\$473,595.46</b>	<b>\$452,331.86</b>	<b>\$461,378.50</b>	<b>\$470,606.07</b>	<b>\$501,762.70</b>
1. Climate Action & Adaptation Plan	\$170,268.06	\$163,687.98	\$166,961.74	\$170,300.97	\$180,771.41
2. Design Criteria/Specifications Update	\$70,021.52	\$68,023.79	\$69,384.27	\$70,771.96	\$74,591.49
3. Climate Adaptation Pilot Studies	\$233,305.88	\$220,620.09	\$225,032.49	\$229,533.14	\$246,399.79
<b>g. Climate Change/GHG Policy Tracking &amp; Support</b>	<b>\$48,347.29</b>	<b>\$46,544.82</b>	<b>\$47,475.72</b>	<b>\$48,425.23</b>	<b>\$51,353.02</b>
<i>Yearly Total</i>	<b>\$1,267,686.88</b>	<b>\$1,224,978.56</b>	<b>\$1,249,478.13</b>	<b>\$1,274,467.70</b>	<b>\$1,348,109.04</b>
ROM Amount	<b>\$6,364,720.31</b>				
Contingency (15%)*	\$954,708				
Total with Contingency	\$7,319,428				

\*Contract shall be managed to the awarded amount of \$6,365,000 which excludes CMA/Contingency