



Board Report

File #: 2017-0298, **File Type:** Contract

Agenda Number: 25

**CONSTRUCTION COMMITTEE
JULY 20, 2017**

**SUBJECT: ENVIRONMENTAL WASTE HANDLING AND
ENVIRONMENTALLY RELATED CONSTRUCTION
SERVICES**

ACTION: AWARD PROFESSIONAL SERVICES CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to negotiate and execute:

- A. a five-year indefinite quantity/indefinite delivery cost plus fixed fee Contract No. PS20655 to TRC Solutions, Inc., for Environmental Waste Handling and Environmentally Related Construction Services on Task Orders, for a base term of three (3) years, plus two one-year options, in an amount not to exceed \$42,274,495 (Base Contract: \$35,100,495; Option Year 1: \$5,037,000 and Option Year 2: \$2,137,000), subject to the resolution of any timely protest; and
- B. all individual Task Orders and changes within the Board approved contract value.

RATIONALE

Nearly every capital project and all transit projects undertaken by Metro, require evaluation of hazardous substances, contamination, or a need for regulatory compliance under federal, state and local law. Metro must comply with all environmental laws to avoid fines, and civil or criminal liability. The **Environmental Waste Handling and Environmentally Related Construction Services** Contract assist with emergency response for evaluation, hazardous substances abatement, transport and disposal of encountered hazardous and non-hazardous classified soil and liquid wastes which also includes asbestos and lead based paint. The Contract also includes environmental demolition services for Metro owned properties in addition to environmentally related construction services which includes fuel storage tank system upgrades, repairs, removals, replacements in order to remain in regulatory compliance with local, state and federal regulatory requirements. Additional contract requirements include permit assistance, remediation system construction, implementation, and installation; as well as maintenance and operation.

As the need for specific environmental waste handling and construction services arises, staff will

issue Contract Work Orders, Task Orders and changes, from their associated project-specific budgets, considering the information available and applicable time constraints on performance of the work. Most of the work will be negotiated and paid on a fixed price or cost plus fixed fee. Staff will closely monitor the Contractor's budget and schedule using existing project management controls. No funds are obligated until a Task Order is awarded against a valid project. This Contract will replace the existing Environmental Engineering contract, EN077, which expires on December 31, 2017.

Attachment A summarizes the projected costs and associated Projects this contract will be supporting in the next five years. Since this is a multi-year contract, budgeting for future year expenditures that reflect an increase to the award value, will be brought back to the Board for approval.

IMPACTS TO OTHER CONTRACTS

The Contract will continue to support the Metro Purple Line Extension, Crenshaw, Regional Connector and will also be supporting the upcoming Measure M; Large Capital, Highway, Regional Rail and Large Capital Projects in addition to smaller capital projects and the UST/AST Capital Program. The Contract will also support existing projects that because of changed and/or unforeseen site conditions would require the services that are within the scope of work of this Contract.

FINANCIAL IMPACT

As specific environmental waste handling and environmentally related construction services needs arise, Task Orders will be issued and funded from their associated project budgets, upon approval by the responsible Project Managers. The forecasted project efforts from FY18 through FY22 includes support on Environmental Capital Projects related to the environmental demolition of Division 20 Rail Buildings for PLE Section 1 track welding, demolition and remediation of Bus Division 6 TOD and AAA Building for PLE Section 2. In addition this Contract will also be used for the continued management (upgrades due to new regulatory requirements and/or major maintenance repairs) of the Underground Storage Tank systems to current code requirements at all bus and rail divisions and facilities (Project Number 202212). Emergency and Non-Emergency waste handling, transport and disposal services that may be required for the Crenshaw and Regional Connector, Location 61S (Red Line Maintenance of Way), Link US, Redline Portal Widening Projects, and on various capital bus division expansion projects funded through the Site Remediation Project No. 300012.

ALTERNATIVES CONSIDERED

If Contract No. PS20655 is not awarded then Metro could experience increased liability for Contractor claims for delay to schedule completion milestones or risk fines due to violation of order by a regulatory agency. The Metro Board may reject the recommended action and direct staff to do all environmental waste handling and construction support work in house. Metro would have to hire additional staff with expertise in many different subjects, such as waste profiling, trucking and construction crews and laboratory science. Metro would also need to purchase specialized equipment such as loaders, excavators and drill rigs which are not practical or cost effective to acquire or maintain. Metro, in effect, would incur more cost to do the work internally than by employing consultants.

ATTACHMENTS

Attachment A - Forecasted Work, FY18-22

Attachment B - Procurement Summary

Attachment C - DEOD Summary

Prepared by:

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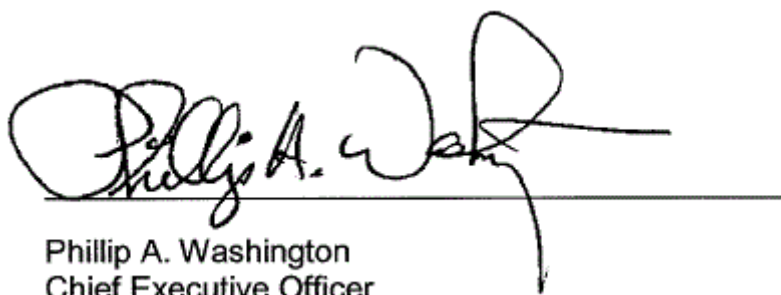
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Phillip A. Washington
Chief Executive Officer

Attachment A. Forecasted Work, FY18-FY22

Contract No. PS20655, Environmental Waste Handling and Construction Services Contract

Future Projects	FY18	FY19	FY20	FY21	FY22	Total Estimated Contract Value
	Total FY Value	Total FY Value	Total FY Value	Total FY Value	Total FY Value	
Contractor Consultancy Only						
a. UST						
1. D1 - UST Upgrades/Repairs			\$ 150,000		\$ 150,000	\$ 300,000
2. D2 - UST Upgrades/Repairs		\$ 249,000		\$ 20,000		\$ 269,000
3. D3 - UST Upgrades/ 1 EG AST Installation	\$ 25,000	\$ 123,495				\$ 148,495
4. D5 - UST Upgrades/Repairs			\$ 100,000	\$ 250,000	\$ 50,000	\$ 400,000
5. D7 - UST Upgrades/Repairs	\$ 200,000		\$ 500,000		\$ 50,000	\$ 750,000
6. D8 - UST Upgrades/Lid Replacements	\$ 974,000			\$ 200,000		\$ 1,174,000
7. D9 - UST Upgrades/OWS repairs		\$ 460,000		\$ 250,000	\$ 20,000	\$ 730,000
8. D10 - UST Upgrades/Repairs	\$ 150,000		\$ 450,000			\$ 600,000
9. D11 - UST Upgrades/Repairs			\$ 200,000			\$ 200,000
10. D15 - UST Upgrades/Repairs			\$ 190,000		\$ 250,000	\$ 440,000
11. D18 - UST Removals	\$ 750,000	\$ 750,000		\$ 500,000		\$ 2,000,000
12. D20,D22,D61 - AST Installs				\$ 500,000		\$ 500,000
13. D99 - UST Upgrades		\$ 50,000	\$ 100,000			\$ 150,000
14. Permitting & CNG Tank	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000
15. Waste Antifreeze& CNG tank replacements (AST)	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 400,000	\$ 800,000
16. Emergency Task Order	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
b. Compliance						
1. AST SPCC Inspections	\$ 100,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 700,000
2. AST repairs	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000
3. SPCC development/review	\$ 10,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 70,000
4. Third Party Testing	\$ 10,000	\$ 77,000	\$ 77,000	\$ 77,000	\$ 77,000	\$ 318,000
5. Division 6 Abatement and Demo	\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000
6. PLE 1 waste handling remediation	\$ 500,000	\$ 500,000	\$ 400,000	\$ 300,000	\$ 300,000	\$ 2,000,000
7. PLE D20 Abatement and Demo	\$ 3,000,000	\$ 2,000,000				\$ 5,000,000
8. General METRO Haz Waste Handling	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,250,000
9. Waste Water and Vault Water Pump Outs	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 375,000
10. Crenshaw	\$ 100,000	\$ 100,000	\$ 100,000			\$ 300,000
11. Regional Connector	\$ 100,000	\$ 100,000	\$ 100,000			\$ 300,000
12. Regional rail		\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 400,000
13. D4 Decommissioning			\$ 2,000,000	\$ 2,000,000		\$ 4,000,000
14. I710		\$ 250,000	\$ 250,000			\$ 500,000
15. D1 Improvements	\$ 2,000,000	\$ 2,000,000				\$ 4,000,000
16. El Monte Busway	\$ 250,000					\$ 250,000
17. Pavement Replacements D7,D8, CMF	\$ 400,000	\$ 250,000	\$ 250,000			\$ 900,000
18. Bus Facilities Deferred Maintenance	\$ 250,000	\$ 250,000				\$ 500,000
19. Div 3 Master Plan		\$ 200,000				\$ 200,000
20. Metro Redline to OL Underpass		\$ 100,000				\$ 100,000
21. 7th and Metro BLOC	\$ 75,000					\$ 75,000
22. d22 Paint and Body Shop		\$ 100,000				\$ 100,000
23. Highways		\$ 100,000	\$ 100,000			\$ 200,000
24. PLE 2 – 8 properties with 6 buildings - ACM/LBP abatement & Foreseen/unforeseen investigation & remediation	\$ 2,500,000	\$ 2,000,000				\$ 4,500,000
25. PLE 3 – 2 properties with 2 buildings - ACM/LBP abatement & Foreseen/unforeseen investigation & remediation		\$ 650,000				\$ 650,000
26. Metro Facilities Roof Replacement Program		\$ 250,000				\$ 250,000
27. Pavement Improvements Phase 2		\$ 200,000				\$ 200,000
28. A13 HVAC System Replacement		\$ 25,000				\$ 25,000
29. New Central Cash Counting Office (Cash Room)		\$ 75,000				\$ 75,000
30. Red/Purple Line Portal Widening		\$ 1,000,000				\$ 1,000,000
31. Expo Supplemental Building		\$ 500,000				\$ 500,000
32. Red Line/Purple Line Warehouse Expansion High Density Storage Equipment		\$ 75,000				\$ 75,000
33. Airport Metro Connector		\$ 750,000				\$ 750,000
Overall ROM	\$ 15,069,000	\$ 14,124,495	\$ 5,907,000	\$ 5,037,000	\$ 2,137,000	\$ 42,274,495

PROCUREMENT SUMMARY

ENVIRONMENTAL WASTE HANDLING AND ENVIRONMENTALLY RELATED
CONSTRUCTION SERVICES / PS20655

1.	Contract Number: PS20655	
2.	Recommended Vendor: TRC Solutions, Inc.	
3.	Type of Procurement (check one): <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.	Procurement Dates:	
	A. Issued: 2/03/17	
	B. Advertised/Publicized: 2/03/17	
	C. Pre-Proposal Conference: 2/15/17	
	D. Proposals Due: 3/29/17	
	E. Pre-Qualification Completed: 6/27/17	
	F. Conflict of Interest Form Submitted to Ethics: 4/04/17	
	G. Protest Period End Date: 7/24/17	
5.	Solicitations Picked up/Downloaded: 71	Proposals Received: 4
6.	Contract Administrator: Daniel A. Robb	Telephone Number: (213) 922-7074
7.	Project Manager: Emmanuel Liban	Telephone Number: (213) 922-2471

A. Procurement Background

This Board Action is to approve the award of Contract No. PS20655 issued in support of professional engineering services for environmental waste handling and environmentally related construction services projects. Board approval of contract awards are subject to resolution of any properly submitted protest.

The RFP was issued on February 3, 2017, in accordance with Metro's Acquisition Policy and California Government Code §4525 - 4529.5.

The Contract is a Cost Plus Fixed Fee. The Contract period of performance is three years plus two one-year options.

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

- Amendment No. 1, issued on February 27, 2017, extended the proposal due date.
- Amendment No. 2, issued on March 21, 2017, clarified submittal requirements.

Metro advertised the RFP in the Los Angeles Daily News on February 3, 2017, and, in the Los Angeles Sentinel, Rafu Shimpo, World Journal and La Opinion on February 9, 2017. Metro's Client/Vendor Relations sent out post card notices through

either regular mail or e-mail to firms listed in Metro’s vendor database, notifying them of this procurement. Additionally, the RFP was listed on Metro’s internet website.

On February 15, 2017, a pre-proposal conference was held with 36 representatives from 33 firms in attendance. Seventy one individuals from various firms picked up the RFP.

Metro received four proposals on the March 29, 2017 due date.

1. TRC Solutions, Inc.
2. Burns and McDonnell
3. Arcadis- US., Inc.
3. Parsons Transportation Group, Inc.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET), consisting of staff from Metro’s Environmental Compliance and Sustainability Department (ECSD), was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- | | |
|---|------------|
| • Proposer teams capabilities and experience | 26 percent |
| • Role and relevant experiences and capability of the firms on the Prime contractors team | 25 percent |
| • Staff positions identified in the Scope of Services | 25 percent |
| • Project management approach | 20 percent |
| • SBE/DVBE or DBE Contracting Outreach and Mentor Protégé Approach | 4 percent |

The evaluation criteria are appropriate and consistent with criteria developed for other similar Architect and Engineers (A&E) procurements. Several factors were considered when developing the weights, giving the greatest importance to the Proposer team’s capabilities and experience.

This is an A&E, qualifications based procurement; therefore, price cannot be used as an evaluation factor pursuant to state and federal law.

Of the four proposals received, all four were determined to be within the competitive range. The four firms within the competitive range are listed below in alphabetical order:

1. Arcadis - US.,Inc.
2. Burns and McDonnell

3. Parsons Transportation Group, Inc.
4. TRC Solutions, Inc.

On April 26, 2017, the PET 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 PET'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.

Qualifications Summary of Recommended Firm:

The evaluation performed by the PET, in accordance with the criteria set forth in the RFP, determined TRC Solutions, Inc. to be the most qualified firm to provide the services. TRC Solutions, Inc. proposal demonstrated the necessary competence and professional qualifications for the satisfactory performance of the services required.

TRC Solutions, Inc. showed a thorough understanding of Metro's processes and demonstrated the capability to perform the services as reflected by their technical training and education. TRC Solutions, Inc. provided a management plan that demonstrated a thorough approach, and comprehensive understanding of the implementation of the Scope of Services.

TRC Solutions, Inc. demonstrated an experienced tank team that shall substantially benefit the agency in installing and managing storage tanks. The proposed tank subcontractor has extensive experience and demonstrated superior capability in the installation and removal of tanks.

TRC Solutions, Inc. demonstrated an established working relationship with subcontractors and emphasized their contributions by explaining in their Management Plan the strong subcontractor integration into the team. TRC Solutions, Inc. provided examples of past teaming efforts with the proposed subcontractors, showing the capability to work well together.

The PET ranked the proposals and assessed strengths, weaknesses and associated risks of each of the Proposers and recommends TRC Solutions, Inc. as the most qualified firm.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	TRC Solutions, Inc.				
3	Proposers Team Capabilities and Experience.	86.67	26%	22.53	
4	Role and Relevant Experience and Capability of the firms on the Prime Contractors Team.	85.00	25%	21.25	
5	Staff Positions Identified in the Scope of Services.	84.00	25%	21.00	
6	Project Management Approach	79.33	20%	15.87	
7	SBE/DVBE or DBE Contracting Outreach and Mentor Protégé Approach.	34.43	4%	1.38	
8	Total		100.00%	82.03	1
9	Burns and McDonnell				
10	Proposer's Team Capabilities and Experience.	76.33	26%	19.85	
11	Role and Relevant Experience and Capability of the Firms on the Prime Contractors Team.	76.67	25%	19.17	
12	Staff Positions Identified in the Scope of Services.	73.67	25%	18.42	
13	Project Management Approach	75.00	20%	15.00	
14	SBE/DVBE or DBE Contracting Outreach and Mentor Protégé Approach.	91.89	4%	3.68	
15	Total		100.00%	76.12	2
16	Arcadis-US				
17	Proposers Team Capabilities and Experience.	73.33	26%	19.07	
18	Role and Relevant Experience and Capability of the Firms on the Prime Contractors Team.	75.00	25%	18.75	
19	Staff Positions Identified in the Scope of Services.	73.00	25%	18.25	
20	Project Management Approach	73.33	20%	14.67	
21	SBE/DVBE or DBE Contracting Outreach and Mentor Protégé Approach.	62.16	4%	2.49	
22	Total		100.00%	73.23	3

23	Parsons				
24	Proposers Team Capabilities and Experience.	73.33	26%	19.07	
25	Role and Relevant Experience and Capability of the Firms on the Prime Contractors Team.	73.00	25%	18.25	
26	Staff Positions Identified in the Scope of Services.	71.67	25%	17.92	
27	Project Management Approach.	70.00	20%	14.00	
28	SBE/DVBE or DBE Contracting Outreach and Mentor Protégé Approach.	62.16	4%	2.49	
29	Total		100.00%	71.73	4

C. Cost/Price Analysis

A cost analysis of labor rates, indirect rates and other costs was completed in accordance with Metro's Procurement Policies and Procedures to negotiate a fair and reasonable price. The analysis includes among other things, (1) a comparison with similar firms offering the same services; (2) an analysis of audited rates and factors for labor, equipment and other prices that will comprise the rates upon which the Contractor will base its invoices, and (3) compliance with both the Federal Acquisition Regulation (FAR) guidelines and Generally Accepted Accounting Principles (GAAP). Metro negotiated and established direct labor rates plus provisional indirect rates and a factor for calculating a fixed fee. The pricing for each task order will utilize the rates, plus the negotiated fixed fee factor, to establish a lump sum price or a not-to-exceed cost reimbursable amount plus a fixed fee.

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 rates have been established, subject to retroactive adjustments upon completion of any necessary audits. 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.

Proposer Name		Proposal Amount*	Metro ICE*	Recommended NTE Amount
TRC Solutions	Base Contract for Years 1-3	N/A	\$35,100,495.00	\$35,100,495.00
	Option for Years 4-5	N/A	\$7,174,000.00	\$7,174,000.00
	Total Contract Value (Base + Option)	N/A	\$42,274,495.00	\$42,274,495.00

***Note:** A proposal amount was not applicable. This is a Cost Plus Fixed Fee (CPFF) Task Order Contract with no definable level of effort for the Scope of Work. As described in the cost analysis section one, hourly labor rates, overhead and fee, were negotiated and determined to be fair and reasonable. The total contract amount shall not be greater than the recommended NTE amount.

D. Background on Recommended Contractor

The recommended firm, TRC Solutions, Inc. is a publicly-traded Irvine, CA based consulting firm that has been providing environmental consulting services for over forty years to clients nationwide. TRC has successfully worked for Metro in the past on projects of a similar size and scope. In addition, TRC provides environmental services to such clients as BNSF Railway, ConocoPhillips Petroleum, Sempra Energy and Kinder Morgan Energy Partners.

DEOD SUMMARY

**ENVIRONMENTAL WASTE HANDLING AND ENVIRONMENTALLY RELATED
CONSTRUCTION SERVICES/ PS20655**

A. Small Business Participation

The Diversity & Economic Opportunity Department established a SBE goal of 30%, inclusive of a 27% SBE and 3% DVBE goal, and a 25% DBE goal. TRC Solutions, Inc.'s (TRC) proposal included Small Business Enterprise (SBE), Disabled Veteran Business Enterprise (DVBE) and Disadvantaged Business Enterprise (DBE) firms without schedules or specific dollar commitments prior to the establishment of the this on-call contract. TRC Solutions exceeded the goal by making a 32% SBE, 3% DVBE and 30% DBE commitment.

This on-call contract has federal, state, and Measure M funding. Overall SBE/DVBE and DBE participation for this on-call contract will be determined based on the funding source and the aggregate of all Task Orders awarded.

Small Business Goal	27% SBE 3% DVBE 25% DBE	Small Business Commitment	32% SBE 3% DVBE 30% DBE
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Prime: TRC Solutions, Inc.

	SBE Subcontractors	% Committed
1.	Acoustics Group	TBD
2.	A-Tech Consulting, Inc.	TBD
3.	Calvada Surveying	TBD
4.	GCAP Services, Inc.	TBD
5.	HTS Environmental Services	TBD
6.	Martini Drilling Corp.	TBD
7.	SunWest Engineering Constructors	TBD
8.	The R.E.M. Engineering Co., Inc.	TBD
9.	The Sanberg Group	TBD
10.	The Sierra Group	TBD
	Total SBE Commitment	32%

	DVBE Subcontractors	% Committed
1.	Calvada Surveying	TBD
2.	The R.E.M. Engineering Co., Inc.	TBD
3.	The Sanberg Group	TBD
	Total DVBE Commitment	3%

	DBE Subcontractors	Ethnicity	% Committed %
1.	A-Tech Consulting	Caucasian Female	TBD
2.	GCAP Services, Inc.	Hispanic American	TBD
3.	Global Probe, Inc.	Hispanic American	TBD
4.	Martini Drilling Corp.	Hispanic American	TBD
5.	SunWest Engineering Constructors	Caucasian Female	TBD
6.	The Sanberg Group	Caucasian Female	TBD
7.	The Sierra Group	Hispanic American Female	TBD
	Total DBE Commitment		30%

B. Contracting Outreach and Mentoring Plan

TRC Solutions, Inc. submitted a Contracting Outreach and Mentoring Plan (COMP) and committed to mentor four (4) firms as required to be responsive.

C. Living Wage and Service Contract Worker Retention Policy Applicability

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

D. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

E. Project Labor Agreement/Construction Careers Policy

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