

**Board Report**

File #: 2019-0661, **File Type:** Contract**Agenda Number:** 14.

**PLANNING AND PROGRAMMING COMMITTEE
NOVEMBER 20, 2019****SUBJECT: GRANT ASSISTANCE****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award and execute a 36-month, firm fixed price Contract No. PS63023000 to WSP USA, Inc. in the amount of \$6,372,356 for preparing 84 grant applications and 40 additional grant applications as well as optional tasks, such as greenhouse gas analysis, drone and aerial photography, and simulations. This will support Metro and local jurisdiction grant applications to discretionary federal and state funding opportunities, subject to resolution of protest (s), if any.

ISSUE

In September 2019, the Metro Board of Directors (Board) received and filed a report on federal and state funding opportunities and strategies which communicated the approach Metro staff will take to evaluate and select projects for application to discretionary grant funding programs (File #: 2019-0601). In October 2019, the Metro Board approved the Active Transportation Program (ATP) Cycle 5 Priorities Framework to establish the eligibility and project selection process for Metro's ATP Grant Assistance Program (File #: 2019-0671). Both of these efforts to maximize discretionary grant funding for Metro and Los Angeles County projects require grant assistance services. This report recommends that the Board authorize the Chief Executive Officer to approve a contract for these services.

BACKGROUND

In November 2017, the Metro Board approved Contract No. PS44597-0000 in the amount of \$2,170,485 for grant writing services to prepare up to 93 grant applications and perform greenhouse gas analysis. While the period of performance is through December 2020, the remaining contract capacity only allows for completion of up to 35 more grant applications. Staff is exploring ways to optimize this remaining capacity by directing it to upcoming time-sensitive opportunities and other strategic initiatives.

To date, grant assistance under Contract No. PS44597-0000 supported grant awards of over \$1.8 billion to Metro projects and, through the Metro ATP Grant Assistance Program, local jurisdictions'

projects. Grant assistance services provided under previous contracts specifically targeted for the ATP Grant Assistance Program supported grant awards of over \$161.8 million to Metro's and local jurisdictions' bicycle and pedestrian projects. Staff anticipates similar positive impacts with services funded by the recommended contract.

DISCUSSION

On June 26, 2019, Metro staff released a Request for Proposals for a consultant to provide grant assistance services for federal and state discretionary grant programs including the Better Utilizing Investments to Leverage Development program (BUILD), the Infrastructure for Rebuilding America program (INFRA), ATP, Transit and Intercity Rail Capital Program, Road Repair and Accountability Act of 2017 (SB 1) Programs, and other programs to be identified. The Scope of Services sought a consultant team with experience and knowledge in various project types and modes in order to secure a team with the capability to prepare applications for any of the various projects identified through the Evaluative Criteria Framework for which Metro may pursue funding.

Required tasks include: managing grant development process, supporting project selection, reviewing program and project documents, and developing draft and final applications. Optional tasks include: conducting greenhouse gas analysis; performing photography, videography, and/or simulation; and preparing application support collateral.

Equity Platform

This report supports the third pillar of the Equity Platform: Focus and Deliver. The projects that will be supported by the recommended grant assistance services will be identified through Metro's Evaluative Criteria Framework or ATP Cycle 5 Grant Assistance Framework. Both frameworks include equity considerations. Therefore, the resources that would be approved under this contract will be focused on and delivered to projects selected through an equity lens.

DETERMINATION OF SAFETY IMPACT

The recommendations in this report will provide resources to seek funding to improve safety, comfort, and convenience to Metro customers who would benefit from federal- and state-supported investments including active transportation, public transit, and goods movement projects.

FINANCIAL IMPACT

The FY20 budget includes \$750,000 under Cost Center 4420 (Federal/State Policy and Programming), Project 405510 (Other P&P Planning) for grant assistance services under this Contract. Because this is a multi-year contract, the Cost Center Manager and the Chief Planning Officer will be responsible for budgeting funds for grant writing services in future years.

Impact to Budget

Funding sources for this contract are Proposition A, Proposition C, Transportation Development Act (TDA) administration funds and State Transportation Improvement Program (STIP) Program and

Project Management (PPM) funds, which are not eligible for bus and rail operations and capital.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports the Metro Vision 2028 Strategic Plan Goal #1: Provide high-quality mobility options that enable people to spend less time traveling. Approval of this recommendation would secure resources that will help obtain funding to provide high-quality mobility options that enable people to spend less time traveling.

ALTERNATIVES CONSIDERED

The Board may consider not approving the contract and requiring staff to prepare Metro's discretionary federal and state grant applications and Metro ATP Grant Assistance Program applications using existing contracted grant writing services. This is not recommended as there is only enough capacity to complete 35 applications. This is not sufficient to address the numerous Metro and local jurisdiction projects seeking funding from multiple discretionary opportunities.

NEXT STEPS

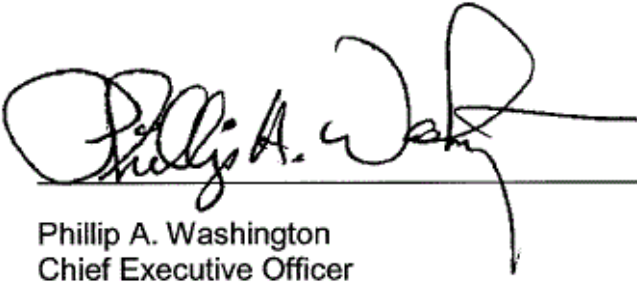
Upon Board approval of these recommendations, staff will execute Contract No. PS63023000 with WSP USA, Inc. for grant assistance. Staff will also manage and coordinate grant assistance services to pursue federal and state discretionary funds for Metro and Los Angeles County projects.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY
GRANT ASSISTANCE/PS63023000

| | | |
|----|---|--|
| 1. | Contract Number: PS63023000 | |
| 2. | Recommended Vendor: WSP USA, Inc. | |
| 3. | Type of Procurement (check one): <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order | |
| 4. | Procurement Dates: | |
| | A. Issued: 6/26/19 | |
| | B. Advertised/Publicized: 6/26/19 | |
| | C. Pre-Proposal Conference: 7/10/19 | |
| | D. Proposals Due: 8/05/19 | |
| | E. Pre-Qualification Completed: 10/21/19 | |
| | F. Conflict of Interest Form Submitted to Ethics: 8/20/19 | |
| | G. Protest Period End Date: 11/25/19 | |
| 5. | Solicitations Picked up/Downloaded: 41 | Bids/Proposals Received: 4 |
| 6. | Contract Administrator: Gina Romo | Telephone Number: (213) 922-7558 |
| 7. | Project Manager: Shelly Quan | Telephone Number: (213) 922-3075 |

A. Procurement Background

This Board Action is to approve Contract No. PS63023000 issued to prepare 84 grant applications and 40 additional grant applications and optional tasks, such as greenhouse gas analysis, drone and aerial photography and simulations, to support Metro and local jurisdiction grant applications for discretionary federal and state funding opportunities. Board approval of contract awards are subject to resolution of any properly submitted protest.

Request for Proposals (RFP) No. PS63023 was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

One amendment was issued during the solicitation phase of this RFP to clarify the scope of services, price schedule and to extend the proposal due date.

A pre-proposal conference was held on July 10, 2019 and was attended by 10 participants representing 9 firms. There were 21 questions submitted and responses were released prior to the proposal due date.

A total of 41 firms downloaded the RFP and were included on the plan holders list. A total of four proposals were received by the due date of August 5, 2019.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Countywide Planning and Development Department was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Project Understanding 40 percent
- Degree of Project Experience and Staff Skill 40 percent
- Price 20 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar grant writing procurements. Several factors were considered when developing these weights, giving the greatest importance to project understanding and degree of project experience and staff skill.

From August 7, 2019 through August 20, 2019 the PET completed its independent evaluation of proposals. On August 21, 2019 the PET interviewed 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 grant writing, revising grant applications, ability to manage requirements, deadlines of the various types of grants, and stressed each firm's commitment to the success of each grant application. Also highlighted were each firm's experience and knowledge base with both federal and state grant programs.

As part of the RFP, firms were required to meet the established SBE/DVBE goal of 27% (24% SBE and 3% DVBE). Of the four proposals received, three met the required SBE/DVBE goal, and were considered responsive. One firm did not meet the SBE/DVBE goal of the RFP and was deemed non-responsive; and as a result, received no further consideration for award.

The firms considered responsive and within the competitive range, are listed below in alphabetical order:

1. Infra Associates
2. KOA Corporation
3. WSP USA, Inc.

Qualifications Summary of Firms within the Competitive Range:

WSP USA Inc.

WSP USA Inc. (WSP) is a New York based firm with offices throughout the nation, including the Los Angeles area. They are a multi-faceted transportation company with a full team of planners, engineers and advisors. WSP has over 40 years of experience in grant writing. WSP's proposal communicated their understanding of the nuances involved in grant development, writing and management for the various grants offered at the state and federal level, including Road Repair and Accountability Act of 2017 (SB 1), Transit and Intercity Rail Capital Program (TIRCP) and Active Transportation Program (ATP) programs by the State of California and BUILD and INFRA offered by the federal government. The WSP proposal demonstrated how the firm intends to grow upon their previous grant writing success by bringing to Metro grant development methodologies and also implementing newer technologies such as drone and simulation presentations to help with greenhouse emissions and corridor visibility.

KOA Corporation

KOA Corporation (KOA) is a southern California based firm, founded in 1987, which specializes in civil engineering, traffic engineering, transportation planning and construction management services. KOA provides on-call grant writing and administration services for Port of Long Beach and several cities including Pasadena, Long Beach, Rialto, San Bernardino, Indio and Menifee. While KOA's price proposal was lower than the highest ranked firm, their proposed implementation plan seemed to rely on a process developed and used for the ATP grant and therefore, did not represent a thorough understanding of the nuances between all the programs included in the scope of services (scope). In addition, the team demonstrated limited experience with the SB 1 Programs.

Infra Associates

Infra Associates (Infra) is an infrastructure development, financial and technical advisory firm located in Manhattan Beach, CA. Infra was awarded a contract by the High Desert Corridor Joint Power (HDCJP) to submit a TIRCP grant for \$1 billion in support of LA County Measure-M and Measure-R in late 2017. In response to Metro's RFP, Infra's proposal did not demonstrate a full understanding of the scope. The proposed plan did not account for approaches required for applications of different levels of rigor, and lacked detail on the implementation of each task, including identification of key milestones. The firm demonstrated only surface-level understanding of the grant programs identified in the scope.

The following table summarizes the following scores:

| 1 | Firm | Average Score | Factor Weight | Weighted Average Score | Rank |
|----|--|---------------|----------------|------------------------|----------|
| 2 | WSP USA Inc. | | | | |
| 3 | Project Understanding | 86.67 | 40.00% | 34.67 | |
| 4 | Degree of Project Experience and Staff Skill | 85.00 | 40.00% | 34.00 | |
| 5 | Price | 20.40 | 20.00% | 4.08 | |
| 6 | Total | | 100.00% | 72.75 | 1 |
| 7 | KOA Corporation | | | | |
| 8 | Project Understanding | 78.33 | 40.00% | 31.33 | |
| 9 | Degree of Project Experience and Staff Skill | 75.00 | 40.00% | 30.00 | |
| 10 | Price | 56.90 | 20.00% | 11.38 | |
| 11 | Total | | 100.00% | 72.71 | 2 |
| 12 | Infra Associates | | | | |
| 13 | Project Understanding | 63.33 | 40.00% | 25.33 | |
| 14 | Degree of Project Experience and Staff Skill | 58.33 | 40.00% | 23.33 | |
| 15 | Price | 100.00 | 20.00% | 20.00 | |
| 16 | Total | | 100.00% | 68.66 | 3 |

C. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), cost analysis, technical analysis, fact finding, and negotiations.

| | Proposer Name | Proposal Amount | Metro ICE | Negotiated Amount |
|----|------------------|-----------------|--------------------|--------------------|
| 1. | WSP USA Inc. | \$16,601,502 | \$3,841,690 | \$6,372,356 |
| 2. | KOA Corporation | \$5,948,152 | \$3,841,690 | N/A |
| 3. | Infra Associates | \$3,385,273 | \$3,841,690 | N/A |

The primary reason for the disparity between Metro's ICE and the negotiated amount is due to the difference between application pricing. In particular, there is difference in the pricing of the new and revised applications within each application type (e.g., moderate, high, and rigorous). The ICE assumed that revised applications would require only half the level of effort of the cost of a new application. However, proposed costs for revised applications are between 55 percent and 68 percent of new applications. In WSP's initial price proposal, the firm

included significant project scope, major program changes and costs that were not required for this effort.

D. Background on Recommended Contractor

The recommended firm, WSP USA Inc. has been in business for over 85 years. WSP is an international architectural and design firm. The organization has divisions specializing in environmental and remediation, highway and road design, economic and market analysis, planning strategy and grants, project development and finance, technology and innovation, among many others. WSP currently provides grant assistance services as a subconsultant under Metro Contract No. PS44597-0000. Under that contract, grant assistance services successfully supported over \$1.8 billion in grant awards.

The proposed Project Manager was the lead for a TIRCP and Local Partnership Program (LPP) grant under Metro's current contract and brings strong leadership and grant strategy skills to maximize the best grant opportunities. The proposed Deputy Project Manager brings to the team 14 years of transportation and infrastructure planning experience. WSP has assembled a team of seven subcontractors, three of which are SBEs and two are DVBEs, including Chen Ryan Associates, Deborah Murphy Urban Design + Planning, Evan Brooks Associates, Leland Saylor, OhanaVets, Redman Consulting, and Safe Routes to Schools Partnership. The assembled team has a proven track record and has successfully secured grants for Metro.

DEOD SUMMARY

GRANT ASSISTANCE/PS63023000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 24% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. WSP USA, Inc. exceeded the goal by making a 24% SBE and 3.61% DVBE commitment.

| | | | |
|----------------------------|----------------------------|----------------------------------|-------------------------------|
| Small Business Goal | 24% SBE 3% DVBE | Small Business Commitment | 24% SBE 3.61% DVBE |
|----------------------------|----------------------------|----------------------------------|-------------------------------|

| | SBE Subcontractors | % Committed |
|----|--|--------------------|
| 1. | Chen Ryan Associates | 7.40% |
| 2. | Deborah Murphy Urban Design + Planning | 5.86% |
| 3. | Evan Brooks Associates | 10.74% |
| | Total SBE Commitment | 24.00% |

| | DVBE Subcontractors | % Committed |
|----|------------------------------|--------------------|
| 1. | Leland Saylor | 0.69% |
| 2. | OhanaVets Inc. | 2.92% |
| | Total DVBE Commitment | 3.61% |

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.