



## Board Report

File #: 2020-0860, File Type: Contract

Agenda Number: 21.

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### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MARCH 18, 2021

**SUBJECT: ENGINEERING SUPPORT FOR BUS AND RAIL MAINTENANCE SERVICES**

**ACTION: APPROVE CONTRACT MODIFICATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 5 to Contract No. PS46172000, with Gannett Fleming Transit & Rail Systems, for engineering support of rail maintenance to exercise the second-year option extending the period of performance through April 26, 2022 and increasing the total contract not-to-exceed amount by \$5,000,000 from \$21,000,000 to \$26,000,000.

#### **ISSUE**

The first-year option performance period for Contract No. PS46172000 ends on April 26, 2021. A contract modification is required to exercise the second-year option to continue providing engineering support from April 27, 2021 through April 26, 2022.

Metro Maintenance and Engineering has limited scope and depth of engineering and technical resources to develop and execute capital projects and meet the day-to-day engineering needs necessary to maintain and improve transit infrastructure assets and systems. Contract No. PS46172000 has been providing engineering support that enables Metro to augment internal resources on an on-call basis in situations where either Metro does not have sufficient capacity or expertise necessary to perform the required task.

#### **BACKGROUND**

In April 2018, the Board of Directors approved the award of Contract No. PS46172000 for Maintenance and Engineering support in a total not-to-exceed amount of \$31,000,000 (\$16,000,000 for the initial two-year base period, and \$15,000,000 for the three, one-year options at \$5,000,000 per year). This task order based contract provides for a range of engineering services for train control, traction power, communications, track, mechanical, electrical, plumbing, civil design, and fare collection. Also included are support services for project management, construction management, and computer aided design and drafting (CADD).

For a list of previous modifications to Contract No. PS46172000, please see Attachment C.

## **DISCUSSION**

The State of Good Repair (SGR) for the Maintenance of Way and Facilities Maintenance work program is approximately \$39.2 million for combined fiscal years 2021 and the projected 2022 budget. Maintenance and Engineering has determined that a support cost of 10 - 15% is reasonable in order to deliver capital projects on time and on budget. To date, Contract No.PS46172000 has awarded task orders totaling \$18,016,796. Work has entailed performing assessments for rail corrosion, radio communication coverage, bus and rail facilities, CCTV security enhancements; pantograph condition monitoring, Expo geotechnical surveys, vertical transportation survey, OCS inspection system development, signal standardization, emergency trip system; and augmentation for the engineering disciplines.

A Disadvantaged Business Enterprise (DBE) commitment of 25% was established as part of this contract. The DBE participation is based on the aggregate of all task orders awarded. To date, Gannett Fleming Transit & Rail Systems has 49.39% DBE participation by subcontracting to DBE certified firms.

This contract continues to support the planning, implementation, and execution of SGR projects. Refer to Attachment A for a list of SGR projects this contract is supporting.

## **DETERMINATION OF SAFETY IMPACT**

The engineering support services for rail maintenance are not directly related to a specific safety issue. However, the services provided via this contract will contribute to maintaining the transit system in a state of good repair as recommended by Metro's Transit Asset Management (TAM) Plan, which is essential to providing a safe and reliable service for riders who use the Metro rail system daily.

## **FINANCIAL IMPACT**

The total for the second-year option is \$5,000,000 of spending authority. For FY21, \$5,352,834 in funding was included under the various capital project budget(s) in cost center 3960 - Rail Transit Engineering, Account 50316 -Professional and Technical Services. As additional task orders become necessary to execute, they will be funded through the appropriate capital projects.

Since this is a multi-year contract, the Project Manager will ensure that the balance of funds is budgeted in future fiscal years.

### **Impact to Budget**

The source of funds for this action include TDA, Measure R, & Measure M. Allocation of these funds to this effort maximizes their intended use given approved funding guidelines and provisions. The source of funds will be dependent on the specific capital project funding.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Approval of this recommendation supports the following Metro Strategic Plan Goals:

1. Provide high-quality mobility options that enable people to spend less time traveling.
2. Deliver outstanding trip experiences for all users of the transportation system.

This engineering support services contract will help maintain safety, service and reliability standards in an effort to provide a world-class transportation system that enhances quality of life for all who live, work, and play within Los Angeles County.

### **ALTERNATIVES CONSIDERED**

1) Solicit competitive bids for each individual task order as it becomes required. This is not recommended as it would require extensive additional staff time to process each request and result in project delays due to the lead time required to complete each procurement cycle.

2) Utilize existing Engineering staff to provide the required technical support. This is not feasible as the current budgeted MOW Engineering capacity is fully utilized to maintain Metro's existing systems and oversee the acceptance of the new rail lines. Also, there would not be sufficient existing staff to re-assign to provide technical support to the various capital projects concurrently.

### **NEXT STEPS**

Upon Board approval, staff will execute Modification No. 5 to Contract No. PS46172000 with Gannett Fleming Transit & Rail Systems to provide engineering support for Rail Maintenance and Engineering on an as needed, task-orders basis.

### **ATTACHMENTS**

- Attachment A - List of Supported Project Uses
- Attachment B - Procurement Summary
- Attachment C - Contract Modification/Change Order Log
- Attachment D - DEOD Summary

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Phillip A. Washington  
Chief Executive Officer

**LIST OF FY 21 SUPPORTED PROJECT USES**  
**ENGINEERING SUPPORT FOR BUS AND RAIL MAINTENANCE SERVICES**  
**PS46172000**

<b>Description</b>
Support for the Rail Fiber Optic Installations
Project to implement an Overhead Catenary System (OCS) Monitoring System
Support for various TPSS/COM/TP/UPS Battery Replacement Projects
Computer Aided Design (CAD) Support to Capture System Configuration
Support for Corrosion Control and Protection
Support for System Security and Law Enforcement Projects
Support for MGL Train Control and TWC Replacement Project
Support for Bus and Rail Facility Maintenance Projects
Support for MRL Train to Wayside Communication (TWC) Rehabilitation Project
Support for Radio Replacement Project
Support for various Rail Maintenance and Engineering Initiatives
Support for Rail Maintenance and Engineering Acceptance of Various Mega Projects
Support for Rail Maintenance and Engineering Project Construction Management
Support for various Safe-7 projects
Assessments and Inspections of Critical Fire/Life/Safety Elements and Infrastructure
Assessments and Inspections of Critical Wayside Control and Power Systems

## PROCUREMENT SUMMARY

ENGINEERING SUPPORT FOR BUS AND RAIL MAINTENANCE SERVICES /  
PS46172000

1.	<b>Contract Number:</b> PS46172000		
2.	<b>Contractor:</b> Gannett Fleming Transit & Rail Systems		
3.	<b>Work Description:</b> Exercise Option Year 2 for On-Call Engineering Support Services in support of Maintenance of Way projects.		
4.	<b>Contract Work Description:</b> On-Call Engineering Support Services in support of Maintenance of Way projects.		
5.	<b>The following data is current as of:</b> February 16, 2021		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	April 26, 2018	<b>Contract Award Amount:</b> \$16,000,000
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> \$5,000,000
	<b>Original Complete Date:</b>	April 26, 2020	<b>Pending Modifications (including this action):</b> \$5,000,000
	<b>Current Est. Complete Date:</b>	April 26, 2021	<b>Current Contract Value (with this action):</b> \$26,000,000
7.	<b>Contract Administrator:</b> Victor Zepeda		<b>Telephone Number:</b> (213) 922-1458
8.	<b>Project Manager:</b> Rudy Loera		<b>Telephone Number:</b> (213) 617-6225

**A. Procurement Background**

This Board Action is to authorize the CEO to execute Contract Modification No. 5 to Contract No. PS46172000, with Gannett Fleming Transit & Rail Systems, to exercise option year two to continue providing engineering support for bus and rail maintenance services, extending the period of performance through April 26, 2022.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is task order-based/firm fixed price.

On April 26, 2018, the Board approved a two-year base, and three, one-year options, Contract No. PS46172000 (File #2018-0061, Agenda Number 30) to provide on-call engineering support services on a task order basis with Gannett Fleming Transit & Rail Systems, in the total base not-to-exceed amount of \$16,000,000.

Further, in December 2019, the Board approved exercising the first option year that extended the period of performance from April 2020 to April 2021 and increased the

not to exceed Contract Value from \$16,000,000 to \$21,000,000 (File #2019-0728, Agenda Number 23).

Refer to Attachment C, Contract Modification/Change Order Log.

**B. Cost/Price Analysis**

All future task orders and contract modifications will be determined to be fair and reasonable in accordance with Metro's Acquisition Policy at the time of issuance and award.

## CONTRACT MODIFICATION/CHANGE ORDER LOG

ENGINEERING SUPPORT FOR BUS AND RAIL MAINTENANCE SERVICES /  
PS46172000

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>Amount</b>
1	Revise the Approved Subcontractors (SP-04), revise the insurance requirements to minimize Metro's risk, and revise the approved unit rates for the newly added Subcontractors.	Approved	10/22/18	\$0
2	Revise the Approved Subcontractors and revise the approved unit rates for the newly added Subcontractors.	Approved	2/11/19	\$0
3	Revise the approved unit rates for Year 2 and adjust the retention rate	Approved	6/11/19	\$0
4	Exercise Option Year 1 extending Period of Performance from April 2020 to April 2021.	Approved	12/5/19	\$5,000,000
5	<b>Exercise Option Year 2 extending Period of Performance from April 2021 to April 2022</b>	<b>PENDING</b>	<b>3/25/21</b>	<b>\$5,000,000</b>
	<b>Modification Total:</b>			<b>\$10,000,000</b>
	<b>Original Contract:</b>		4/26/18	<b>\$16,000,000</b>
	<b>Total:</b>			<b>\$26,000,000</b>



## DEOD SUMMARY

ENGINEERING SUPPORT FOR BUS AND RAIL MAINTENANCE SERVICES /  
PS46172000**A. Small Business Participation**

Gannett Fleming made a 25% DBE overall commitment for this contract. The overall DBE participation is based on the cumulative value of all task orders issued. To date, forty-five (45) task orders have been awarded. Based on payments reported, Gannett Fleming is exceeding its commitment with a DBE participation of 49.39%.

<b>Small Business Commitment</b>	<b>25% DBE</b>	<b>Small Business Participation</b>	<b>49.39% DBE</b>
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	<b>DBE/SBE Subcontractors</b>	<b>Ethnicity</b>	<b>Current Participation<sup>1</sup></b>
1.	Acumen Building Enterprise	African American	1.74%
2.	Armand Consulting	Caucasian Female	7.56%
3.	Birdi Systems, Inc.	Subcontinent Asian American	0.51%
4.	C2PM, Inc.	Asian Pacific American	12.12%
5.	Colmena Engineering	Hispanic American	6.31%
6.	GC Tech, Inc.	African American	5.76%
7.	JM Diaz	Hispanic American	1.36%
8.	Mammoth Associates, LLC	Caucasian Female	3.92%
9.	Pacific Railway Enterprises	Caucasian Female	3.72%
10.	PacRim Engineering Inc.	Asian Pacific American	4.77%
11.	PBS Engineers, Inc. (Added)	Subcontinent Asian American	0.00%
11.	Rani Engineering, Inc.	Hispanic American	0.58%
12.	Wagner Engineering & Survey	Caucasian Female	1.04%
		<b>Total</b>	<b>49.39%</b>

<sup>1</sup>Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

**B. Living Wage and Service Contract Worker Retention Policy Applicability**

A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

### **C. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this project. DEOD will continue to 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).