



## Board Report

File #: 2021-0224, File Type: Contract

Agenda Number: 18.

### PLANNING AND PROGRAMMING COMMITTEE MAY 19, 2021

**SUBJECT: METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT CONTRACT MODIFICATION**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

- A. AUTHORIZE the Chief Executive Officer to execute Modification No. 8 to Contract No. AE275020011497 for ExpressLanes Program Management Support services with WSP USA, Inc. to prepare Plans, Specifications, and Estimates (PS&E) for the I-405 to Central Avenue segment of the I-105 ExpressLanes project in the amount of \$18,788,594, inclusive of one optional task to provide post-PS&E support in the amount of \$1,413,641, increasing the Total Contract Value from \$14,147,001 to \$32,935,595.
- B. INCREASE Contract Modification Authority (CMA) specific to Contract No. AE275020011497 in the amount of \$2,000,000 increasing the total CMA amount from \$770,000 to \$2,770,000 to support potential additional services needed to complete the PS&E for the I-405 to Central Avenue segment of the I-105 ExpressLanes project.

#### **ISSUE**

Board action is requested to execute a contract modification to complete PS&E for the I-405 to Central Avenue segment of the I-105 ExpressLanes project to meet the funding and timeline requirements of the State Solutions for Congested Corridors Program (SCCP) grant the project received.

#### **BACKGROUND**

In June 2015, the Metro Board approved the Metro ExpressLanes Program Management Support Contract valued at \$7,700,000 to provide professional services in support of ExpressLanes project planning and development. Work conducted in this contract include preparation of the I-105 ExpressLanes Project Approval/Environmental Document (PA/ED) and I-105 Concept of Operations. This contract has a 25% Small Business Enterprise (SBE) participation goal and, as of March 2021, approximately 29% of funds spent have been paid to SBE firms.

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In October 2019, the Board approved contract Modification No. 7 for \$5,677,001 to prepare additional geotechnical and structure reports and traffic modeling that were required to complete the PA/ED. In addition, this modification included preparation of 30% design, field surveys, and utility design and coordination.

In December 2020, the I-105 ExpressLanes project received a \$150 million SCCP grant from the California Transportation Commission (CTC). The SCCP grant requires the project to request a funding allocation from CTC by June 2023 and issue a Notice to Proceed (NTP) for construction by December 2023. To meet this deadline, the project must complete PS&E no later than Summer 2023 which would include 100% design of all project elements including roadway widenings, structures, signage, retaining walls, soundwalls, Roadside Toll Collection System (RTCS), and Intelligent Transportation Systems (ITS) elements including new ramp metering. The RTCS will be designed, constructed, operated, and maintained by a contractor that will be procured separately from PS&E.

## **DISCUSSION**

The I-105 ExpressLanes project will construct dual ExpressLanes on the I-105 between I-405 and Studebaker Road in the City of Norwalk which is sixteen miles long. This project is included in the Measure M expenditure plan and has been allocated \$175 million. The I-105 ExpressLanes Final Environmental Impact Report/Environmental Assessment was signed by Caltrans on April 21, 2021. The next step in project development is to begin PS&E. Metro and Caltrans are currently working on the PS&E cooperative agreement, which staff expects to bring to the Board in June 2021 for consideration. The cooperative agreement is needed in addition to the recommended contract modification.

The SCCP grant which is limited to construction costs requires a construction NTP to be issued by December 2023. To meet the SCCP grant requirements and maximize the benefits of the grant, staff intends to apply the grant funding to construct the first segment of the project between I-405 and Central Avenue which is approximately seven miles long. This segment was chosen to be constructed first due to the fact that it is a high volume segment which directly connects to Los Angeles International Airport, no right of way acquisition is required and there are fewer structure widenings compared to the rest of the corridor. Furthermore, the construction cost is estimated to be approximately \$150 million so the entire SCCP grant can be applied to construct this segment.

It should be noted that staff is seeking a contract modification for PS&E only for the I-405 to Central Avenue segment of the project to meet SCCP grant requirements. For the remainder of the corridor between Central Avenue and Studebaker Road, the PS&E will be procured via an open solicitation. The length of the Central Avenue to Studebaker Road segment is approximately nine miles, so the majority of PS&E for the project will be prepared by a contractor selected via an open solicitation. Staff expects to release the Request for Proposals for PS&E for this segment in Summer 2021. Meanwhile, Congestion Reduction staff will continue to work with the Government Relations and Planning departments to identify additional grant opportunities for the project.

Completion of PS&E for the I-405 to Central Avenue segment is expected to take approximately 24 months. Therefore, if PS&E for this segment begins in June 2021 then it can be completed by June 2023. This should provide sufficient time to issue a construction NTP by December 2023. Staff

believes this is the best approach to minimizing the risk of losing the SCCP grant funds.

The proposed contract modification also includes an optional task for post-PS&E support for the construction phase of the project and additional surveys. The SBE commitment is \$6,555,304, inclusive of the optional task, which is approximately 34.9% of the contract modification value. This significantly exceeds the contract SBE goal of 25%.

If, in lieu of this action, Metro pursues an open solicitation for PS&E, the earliest a PS&E contractor could begin work is January 2022. However, given the time required to complete PS&E, the high level of coordination required between the PS&E and RTCS contractors as well as Caltrans and Metro, and the time needed to issue a construction NTP, there is significant risk that the construction NTP will not be issued by December 2023 if PS&E for the I-405 to Central Avenue segment does not begin until January 2022. If Metro does not issue a NTP for construction by December 2023, Metro could lose \$150 million in SCCP grant funding.

### **DETERMINATION OF SAFETY IMPACT**

These actions will not have any impact on the safety of our customers and/or employees because this Project is at the study phase and no capital or operational impacts result from these Board actions.

### **FINANCIAL IMPACT**

The FY 2021-22 budget includes \$5,044,312 in Cost Center 2220 (Congestion Reduction), Project 475004 for I-105 ExpressLanes PS&E. Since this is a multi-year contract, the Cost Center Manager and Executive Officer, Congestion Reduction will be responsible for budgeting in future years.

#### **Impact to Budget**

The funding for this Project is from Measure M. As these funds are earmarked for the I-105 ExpressLanes project, they are not eligible for Metro bus and rail capital and operating expenditures.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The I-105 Express Lane project supports Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The proposed Express Lanes would increase regional highway capacity and improve the Level of Service for both the Express Lanes as well as the general purpose lanes. The project also supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system. The proposed project would result in shorter trip time for both the Express Lane and the general purpose lanes. Lastly, the project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. This project will require extensive collaboration with Caltrans, corridor cities, Los Angeles County, and regulatory agencies.

### **ALTERNATIVES CONSIDERED**

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The Board could decide not to approve the recommended contract modification. This alternative is not recommended, as this could jeopardize the \$150 million SCCP grant funding the project received.

**NEXT STEPS**

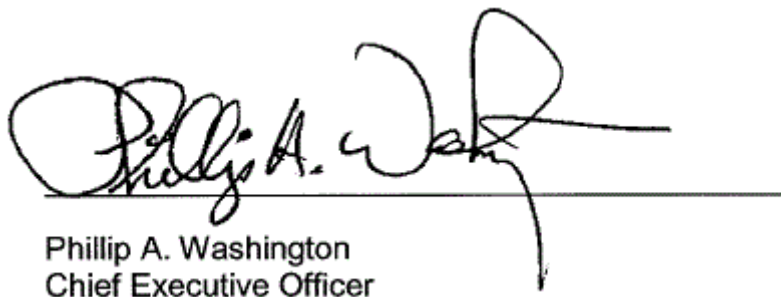
Upon Board approval, staff will execute the contract modification with WSP and issue a NTP to WSP to begin PS&E work.

**ATTACHMENTS**

- A. Procurement Summary
- B. Contract Modification /Change Order Log
- C. DEOD Summary

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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT/AE275020011497

1.	<b>Contract Number:</b> AE275020011497		
2.	<b>Contractor:</b> WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.)		
3.	<b>Mod. Work Description:</b> I-105 High Occupancy Toll Lanes Conversion preparation of final design plans, specifications, and estimates.		
4.	<b>Contract Work Description:</b> ExpressLanes Program Management Support		
5.	<b>The following data is current as of:</b> May 3, 2021		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	06/25/2015	<b>Contract Award Amount:</b> \$7,700,000
	<b>Notice to Proceed (NTP):</b>	06/25/2015	<b>Total of Modifications Approved:</b> \$6,447,001
	<b>Original Complete Date:</b>	09/13/2018	<b>Pending Modifications (including this action):</b> \$18,788,594
	<b>Current Est. Complete Date:</b>	09/13/2023	<b>Current Contract Value (with this action):</b> \$32,935,595
7.	<b>Contract Administrator:</b> Ernesto DeGuzman		<b>Telephone Number:</b> (213) 922 - 7267
8.	<b>Project Manager:</b> Philbert Wong		<b>Telephone Number:</b> (213) 418 - 3137

**A. Procurement Background**

This Board Action is to approve Modification No. 8 to Contract No. AE275020011497 issued to continue program management support services in support of Interstate 105 (I-105) High Occupancy Toll Lanes Conversion Final Design Plans, Specifications, and Estimates (PS & E) preparation. The work will cover the final design phase for the I-105 Express Lane corridor improvements between I-405 and Central Avenue.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

On June 25, 2015, the Board awarded a 36-month firm fixed price Contract No. AE275020011497 to Parsons Brinckerhoff (now WSP USA, Inc.) for ExpressLanes Program Management Support Services for \$7,700,000 effective on September 14, 2015.

Refer to Attachment B – Contract Modification/Change Order Log.

## B. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon a technical analysis, independent cost estimate (ICE), cost analysis, and fact finding of the work to be performed.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$21,523,722	\$15,456,000	\$18,788,594

**ATTACHMENT B**

**CONTRACT MODIFICATION/CHANGE ORDER LOG**

**METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT**

**AE275020011497**

<b>Mod No.</b>	<b>Description</b>	<b>Status (Approved or Pending)</b>	<b>Date</b>	<b>\$ Amount</b>
<b>1</b>	Modification to Attachment A and Schedule 1 to Attachment A	Approved	5/24/16	\$0.00
<b>2</b>	Modification to A.2, Schedule 1b to Attachment A.2, and extend Period of Performance	Approved	2/3/17	\$0.00
<b>3</b>	Modification to add Schedule 1.c to Attachment A.2	Approved	4/17/17	\$0.00
<b>4</b>	Modification to increase contract value	Approved	8/10/17	\$165,865.18
<b>5</b>	Modification to increase contract value	Approved	10/18/17	\$499,928.00
<b>6</b>	Modification to increase contract value	Approved	8/16/19	\$104,206.82
<b>7</b>	Modification for Interstate 105 ExpressLanes Project, 30% Design and PA/ED	Approved	10/16/19	\$5,677,001.00
<b>8</b>	Modification for PS&E services for I-105 Segment A ExpressLanes Project	Pending	Pending	\$18,788,594.00
	<b>Modification Total:</b>			<b>\$25,235,595.00</b>
	<b>Original Contract:</b>			<b>\$7,700,000.00</b>
	<b>Total</b>			<b>\$32,935,595.00</b>





## DEOD SUMMARY

EXPRESSLANES PROGRAM MANAGEMENT SUPPORT  
SERVICES/AE275020011497**A. Small Business Participation**

DEOD established a 25% Small Business Enterprise (SBE) goal for this Task Order contract for the participation of SBE certified firms. WSP USA made a 25% SBE overall commitment for this contract. The overall SBE participation is based on the cumulative value of all task orders issued.

To date, seven (7) task orders, and subsequent modifications, have been awarded. Based on payments reported, contract is 73.64% complete and the cumulative SBE participation of all task orders awarded is 29.18% which exceeds the commitment by 4.18%.

<b>Small Business Commitment</b>	<b>25% SBE</b>	<b>Small Business Participation</b>	<b>29.18% SBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	AFSHA Consulting, Inc.	TBD	1.77%
2.	Arellano Associates	TBD	0.11%
3.	Diaz Yourman & Associates	TBD	3.61%
4.	Epic Land Solutions	TBD	0.40%
5.	FPL and Associates, Inc.	TBD	TBD
6.	Galvin Preservation (GPA)	TBD	TBD
7.	Intueor Consulting	TBD	1.58%
8.	Kal Krishnan Consulting	TBD	0.12%
9.	Noble Insight, Inc.	TBD	TBD
10.	Redhill Group, Inc.	TBD	0.15%
11.	System Metrics Group, Inc.	TBD	7.02%
12.	Terry Hayes & Associates	TBD	TBD
13.	VCS Environmental	TBD	0.01%
14.	Value Management Strategies, Inc.	TBD	0.37%
15.	WKE, Inc.	TBD	14.04%
	<b>Total</b>	<b>25%</b>	<b>29.18%</b>

<sup>1</sup>Current Participation = Total Actual amount Paid-to-Date to SBE/DVBE 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 is not applicable to this modification.

**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.