

**Board Report**

File #: 2022-0485, **File Type:** Contract**Agenda Number:** 37.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
SEPTEMBER 15, 2022****SUBJECT: ENGINEERING SUPPORT FOR TRANSIT INFRASTRUCTURE MAINTENANCE****ACTION: APPROVE CONTRACT MODIFICATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 7 to Contract No. PS46172000, with Gannett Fleming Transit & Rail Systems, for engineering support of transit infrastructure maintenance to increase the total contract not-to-exceed spending authority by \$5,000,000 from \$26,000,000 to \$31,000,000.

ISSUE

Contract No. PS46172000 has been providing key engineering support that enables Metro to augment internal resources on an on-call basis in situations where Metro lacks the capacity or expertise necessary to perform the required task. Staff is currently working on the re-procurement for these services and anticipates issuing a competitive solicitation in the next couple of months. A contract modification is required to increase the funding portion of the remaining contract term to continue providing engineering support through April 26, 2023.

BACKGROUND

In April 2018, the Board of Directors approved the award of Contract No. PS46172000 for Maintenance and Engineering Department 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). In December 2019, the Board approved exercising the first option year to increase the contract value from \$16,000,000 to \$21,000,000 and extended the performance period from April 27, 2020, to April 26, 2021. In March 2021, the Board approved exercising the second option year to increase the contract value from \$21,000,000 to \$26,000,000 and extend the performance period from April 27, 2021, to April 26, 2022. In March 2022, the Board approved exercising the 3rd and final option year to only extend the performance period from April 2022 to April 2023. This Board action is to approve the increase of the contract value from \$26,000,000 to \$31,000,000. Please see Attachment B for a summary of the procurement history. Staff is actively working on the procurement of a new contract.

This task order-based contract provides a range of engineering services for train control, traction

power, communications, track, mechanical, electrical, plumbing, and civil design. 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 transit infrastructure maintenance work program is approximately \$47M for the adopted 2023 budget. Maintenance and Engineering have determined that a support cost of 10% is reasonable to execute the delivery of capital projects. In addition to SGR projects support, Maintenance & Engineering (M&E) utilizes this contract for maintenance support for major repair, unplanned emergency maintenance work, and other technical support activities. Work has entailed performing assessments and design for items such as rail corrosion, radio communication coverage, bus and rail facilities, CCTV security enhancements; Cyber Security implementation, pantograph condition monitoring, Expo geotechnical surveys, vertical transportation survey, OCS inspection system development, signal standardization, emergency trip system; OCS/substations failure incidents, Rail & Bus Divisions emergency backup power system modification, research/analysis of new ROC/BOC locations and augmentation for the engineering disciplines.

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

DETERMINATION OF SAFETY IMPACT

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 transit system daily.

FINANCIAL IMPACT

The total for the third-year option is \$5,000,000 of spending authority. For FY23, \$14,894,300 in funding was provided from the various capital project budget(s) in cost centers 3929 Operations Engineering and 3960 - Infrastructure Renewal Program, 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 Cost Center Manager and Project Manager will be responsible for allocating and budgeting the overall expenditure across subsequent years until project completion, including any options exercised.

Impact to Budget

The source of funds for this action includes the Federal, State, Transportation Development Act (TDA), Measure R, and 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.

EQUITY PLATFORM

The benefits of this action are to ensure that transit infrastructure assets are maintained in a state of good repair countywide, including assets that provide transit service for disadvantaged communities. The effectiveness of providing reliable transit services relies on maintaining assets. This allows Metro to deliver safe, affordable, and dependable transit services that connect marginalized groups with jobs, housing, education, food services, family, and health care.

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 achieved 45.08% DBE participation by subcontracting to DBE-certified firms. To date, Contract No. PS46172000 has awarded task orders totaling \$24,623,667.

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 systems safety, service, reliability, and cleanliness standards to provide a world-class transportation system that enhances the quality of life for all who live, work, and play within Los Angeles County.

ALTERNATIVES CONSIDERED

Soliciting competitive bids for each individual task order as it becomes required 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.

NEXT STEPS

Upon Board approval, staff will execute Modification No. 7 to Contract No. PS46172000 with Gannett Fleming Transit & Rail Systems to provide engineering support for transit infrastructure maintenance on an as-needed, task-orders basis.

ATTACHMENTS

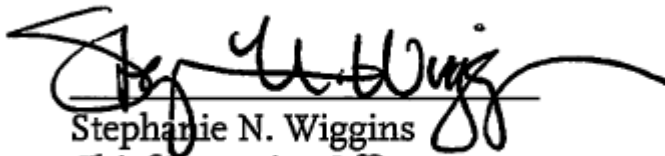
Attachment A - List of Supported Project Uses
Attachment B - Procurement Summary
Attachment C - Contract Modification/Change Order Log
Attachment D - List of Task Orders and Values
Attachment E - DEOD Summary

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Stephanie N. Wiggins
Chief Executive Officer

LIST OF FY 23 SUPPORTED PROJECT USES
ENGINEERING SUPPORT FOR TRANSIT INFRASTRUCTURE MAINTENANCE
PS46172000

Description
Support for the Rail Radio System Upgrades and Refurbishments
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 Metro Headquarters Building Projects
Support for Fire Alarm / Fire Suppression / Fire Life Systems
Support for Bus and Rail Facility Maintenance Projects
Support for Expo Line Train Control Signal Standardization
Support for Regional Connector SIT-2 Test Procedures
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 Elevator and Escalator Infrastructure Elements
Assessments and Inspections of Building Use for Rail and Bus Operations Control Center (ROC/BOC)

PROCUREMENT SUMMARY

ENGINEERING SUPPORT FOR TRANSIT INFRASTRUCTURE MAINTENANCE SERVICES / PS46172000

1.	Contract Number: PS46172000		
2.	Contractor: Gannett Fleming Transit & Rail Systems		
3.	Work Description: Increase funding for On-Call Engineering Support Services in support of transit infrastructure maintenance projects.		
4.	Contract Work Description: On-Call Engineering Support Services in support of transit infrastructure maintenance projects.		
5.	The following data is current as of: August 1, 2022		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	April 26, 2018	Contract Award Amount: \$16,000,000
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: \$10,000,000
	Original Complete Date:	April 26, 2020	Pending Modifications (including this action): \$5,000,000
	Current Est. Complete Date:	April 26, 2023	Current Contract Value (with this action): \$31,000,000
7.	Contract Administrator: Victor Zepeda		Telephone Number: (213) 922-1458
8.	Project Manager: Kelvin Zan		Telephone Number: (213) 617-6264

A. Procurement Background

This Board Action is to approve Contract Modification No. 7 to increase the not to exceed contract value by \$5,000,000, from \$26,000,000 to \$31,000,000 to continue providing engineering support for transit infrastructure maintenance services.

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 amount not-to-exceed \$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). In March 2021, the Board approved exercising the second

option year that extended the period of performance from April 2021 to April 2022 and increased the not to exceed Contract Value from \$21,000,000 to \$26,000,000 (File #2020-0860, Agenda Number 21).

Refer to Attachment C, Contract Modification/Change Order Log and Attachment D, List of Task Orders and Values.

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 TRANSIT INFRASTRUCTURE MAINTENANCE
SERVICES / PS46172000

Mod. No.	Description	Status (approved or pending)	Date	Amount
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	Exercise Option Year 2 extending Period of Performance from April 2021 to April 2022	Approved	3/18/21	\$5,000,000
6	Exercise Option Year 3 extending Period of Performance from April 2022 to April 2023 (time portion only)	Approved	3/24/22	\$0
7	Increase contract funding authority	PENDING	9/22/22	\$5,000,000
	Modification Total:			\$15,000,000
	Original Contract:		4/26/18	\$16,000,000
	Total:			\$31,000,000

**ENGINEERING SUPPORT FOR TRANSIT INFRASTRUCTURE MAINTENANCE
LIST OF TASK ORDERS AND VALUES**

ATTACHMENT D

Task Order #	Project Description	Total Task Order
1	PM services (staff augmentation)	\$643,299.41
2	Train Control (staff augmentation)	\$344,270.00
3	Traction Power (staff augmentation)	\$256,231.00
4	Project Control (staff augmentation)	\$307,849.00
5	CAD Services (staff augmentation)	\$290,033.00
6	Track Engineer (staff augmentation)	\$247,101.47
7	CM/Comm support services (staff augmentation)	\$258,485.33
8	Comm Engineers (staff augmentation)	\$659,122.70
9	Train Control 2 (staff augmentation)	\$562,296.53
10	El Nido (assessment)	\$19,401.78
11	Pantograph Assessment	\$133,918.75
12	Traction Power 2 (staff augmentation)	\$245,935.81
13	move coordinator (staff augmentation)	\$227,461.44
14	AsstPM Blue Line (staff augmentation)	\$214,402.67
15	Blue Line Cathodic Documents (services)	\$43,377.55
16	Proj Mgmt Support (staff augmentation)	\$963,011.53
17	Signal Standards (services)	\$507,590.83
18	Electrical Engineering Support Staff	\$174,436.51
19	CurveNoise Expo Line Northvale (assessment)	\$7,450.89
20	Switches (assessment) - cancelled	\$370,925.50
21	Blue Light Call Stations Supt	\$413,397.13
22	New Blue Oversight Staff Augmentation	\$130,020.00
23	Construction Management Support	\$820,549.39
24	Train Control Support Staff	\$1,946,066.32
25	Electrical Engineering Support Staff	\$291,148.71
26	CAD Services (staff augmentation)	\$670,941.28
27	Traction Power Support (staff augmentation)	\$277,326.99
28	Track Engineer (staff augmentation)	\$240,140.15
29	Comm Engineers (staff augmentation)	\$528,803.68
30	Project Management Team (staff augmentation)	\$2,187,826.77
31	ECOS PM Support (staff augmentation)	\$231,430.67
32	Radio Assessment	\$304,777.00
33	Tunnel Intruder Detection (assessment)	\$353,892.55
34	Short Term Staff	\$60,000.00
35	Transformer Specs (services)	\$147,702.00
36	BL ETS (assessment)	\$243,467.52
37	Red/Purple TWC Comm System (assessment)	\$310,673.00
38	Eval effectiveness of rail frogs (assessment)	\$109,556.78
39	CAD Civil Mechanical Engineering (staff augmentation)	\$146,226.91
40	Door System Assessment	\$42,645.94

DEOD SUMMARY

**ENGINEERING SUPPORT FOR TRANSIT INFRASTRUCTURE MAINTENANCE
SERVICES / PS46172000**

A. Small Business Participation

Gannett Fleming made a 25.00% DBE commitment for this task order contract. The overall DBE participation is based on the cumulative value of all task orders issued. To date, sixty-nine (69) task orders have been awarded. Based on payments reported, the contract is 79.36% complete and Gannett Fleming's cumulative DBE participation is 45.08%, exceeding the commitment by 20.08%.

Gannett Fleming stated that NBA Engineering (NBA) has not be utilized because Metro has not issued a task order for the specialized work (tunnel ventilation engineering) that NBA is listed to perform. Gannett Fleming contends that NBA will be utilized once the need arises.

Small Business Commitment	25.00% DBE	Small Business Participation	45.08% DBE
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	DBE/SBE Subcontractors	Ethnicity	Current Participation¹
1.	Acumen Building Enterprise (Added)	African American	1.30%
2.	Armand Consulting	Caucasian Female	6.72%
3.	Birdi Systems, Inc.	Subcontinent Asian American	0.38%
4.	C2PM, Inc.	Asian Pacific American	10.76%
5.	Colmena Engineering (Added)	Hispanic American	5.55%
6.	GC Tech, Inc.	African American	4.35%
7.	JM Diaz	Hispanic American	1.06%
8.	Mammoth Associates, LLC (Added)	Caucasian Female	3.30%
9.	NBA Engineering, Inc.	Caucasian Female	0.00%
10.	Pacific Railway Enterprises	Caucasian Female	2.78%
11.	PacRim Engineering Inc. (Added)	Asian Pacific American	4.46%
12.	PBS Engineers, Inc. (Added)	Subcontinent Asian American	1.14%
13.	Rani Engineering, Inc.	Hispanic American	0.43%
14.	Triunity Inc. (Added)	Black American	1.74%
15.	Wagner Engineering & Survey	Caucasian Female	1.11%
	Total		45.08%

¹Current 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 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).

D. Project Labor Agreement/Construction Careers Policy

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