



Board Report

File #: 2023-0495, File Type: Contract

Agenda Number: 22.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE FEBRUARY 15, 2024

SUBJECT: A650 HEAVY RAIL VEHICLE (HRV) REFURBISHMENT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to award a fixed price contract, Contract No. A650-2022 to Woojin IS America for the refurbishment of 74 heavy rail vehicles (HRVs), in the amount of \$213,587,543 for 70 base HRVs (\$201,221,103), and exercise one contract option for an additional 4 HRVs (\$12,366,440), totaling 74 HRVs; subject to the resolution of any properly submitted protest(s); and
- B. APPROVING the Life of Project (LOP) budget of \$264,662,611.20.

ISSUE

Metro's Rail Fleet Management Plan FY2023-FY2042 anticipates a need to refurbish the A650 Option vehicles to ensure the fleet is maintained in a State of Good Repair.

BACKGROUND

The A650 Option Buy fleet consists of 74 HRVs originally manufactured by Breda Costruzioni Ferroviarie. It has an average age of nearly 25 years with many obsolete components, requiring refurbishment to maintain State of Good Repair through the 2028 Olympics and beyond.

In September 2016, the Board authorized a contract for the midlife overhaul of 74 A650 Option Buy HRVs. In the Spring 2022 this contract was terminated for non-performance after work was initiated on 14 HRVs.

To comply with Metro's Rail Fleet Management Plan and to meet future service needs it is necessary to proceed with a new refurbishment program for the A650 Option Buy Fleet. However, of the 14 partially refurbished HRVs, 4 HRVs are in a significantly disassembled state, requiring additional inspection and inventory work and the risk of missing components, which may require additional lead time to order. Therefore, these 4 HRVs are included as a separate proposal option in order to allow

for different pricing to account for the different scope of work required to complete refurbishment of these vehicles. Staff is recommending proceeding with a base order of 70 HRVs; with these remaining 4 disassembled HRVs included as an Option order to be executed immediately in order to ensure these vehicles are refurbished on schedule.

DISCUSSION

Unless refurbished the A650 Option Buy fleet will reach the end of its planned useful life by 2027. The fleet is already experiencing multiple system obsolescence issues, reducing its service reliability and availability. By refurbishing these HRVs, the A650 Option fleet can be kept in service through the Olympics at which time sufficient HR5000 vehicles will be delivered to replace the A650 fleet. Staff's recommendation presents the firm that is most advantageous to Metro. During the RFP process, staff issued the RFP and held a pre-proposal conference with rail car manufacturers and system suppliers throughout the industry. In addition, a letter requesting feedback on potential changes to the RFP was issued to 12 registered TVMs (Transit Vehicle Manufacturers registered with the Federal Transit Authority), including those who did not participate in the pre-proposal conference, to generate additional interest and participation. As a result of the RFP process, Woojin IS America was the only firm to submit a proposal to perform the refurbishment of the 74 A650 Option HRVs.

Metro's Source Selection Committee (SSC) reviewed the proposal by Woojin IS America and evaluated five (5) key factors: 1) Experience and Past Performance, 2) Price, 3) Technical Compliance, 4) Project Management, and 5) U.S. Employment Plan. Through this evaluation, the SSC found the proposal to be in compliance with the RFP requirements. An Independent Cost Estimate was also developed and found the proposal to be within the Competitive Range. This Procurement complies with Buy America and Metro's Manufacturing Careers Policy.

The delivery of all 70 HRVs is required to be completed by no later than fifty-six (56) months from Notice to Proceed (NTP), ensuring the majority of the 70 HRVs are in service by the 2028 Olympics and Paralympics in July 2028. The contract includes provisions to impose liquidated damages for late deliveries.

To review the vehicle design and to ensure timely delivery of the vehicles, staff recommends engaging the services of professional service consultants. The estimated cost for the professional services is included in Attachment C - Funding & Expenditure Plan.

DETERMINATION OF SAFETY IMPACT

The approval of this Contract award will have a direct and positive impact to system safety, service quality, system reliability, maintainability and overall customer satisfaction. The A650 Refurbishment Program will permit Metro to maintain the "State of Good Repair" of the A650 Option Buy fleet.

FINANCIAL IMPACT

Upon Board approval, this action will establish a LOP Budget of \$264,662,611.20 for Refurbishment of 74 HRV's. The Project LOP not only includes resources for the Base Order Refurbishment of 70 HRVs (\$201,221,102.63), there are also resources necessary for Professional Services (\$19,621,538.46), Metro administration (\$7,666,020.00), and Project Contingency which includes a

10% Contract Modification Authority (CMA) (\$23,787,510.11), and the Option Order for the Refurbishment of 4 additional HRVs (\$12,366,440.00). These resources will be programmed during the annual budget process.

The FY24 planned expenditure of \$12,000,000 is included in the combined annual budgets for this A650-2022 project under CP 206038 which will be moved to a new CP once the Board approves the requested LOP. Both CPs are under Cost Center 3043, Rail Vehicle Acquisition. Additional funds for this project will be transferred from other capital projects.

Since this is a multi-year contract, the cost center manager will be responsible for ensuring that Project costs are budgeted in future fiscal years.

Impact to Budget

The current source of funds for this action is Local Prop A Rail Set Aside 35%. This funding is eligible for Rail Capital and Operating Projects. Staff is also pursuing additional Federal, State, and Local funding sources such as Cap and Trade and similar sources as they become available to meet the funding needs for the project.

EQUITY PLATFORM

The A650 Option vehicles will be used on the B Line, D Line, and upcoming D (Purple) Line Extension. Approving the decisions in this board report will improve the service reliability and ride comfort on these lines that serve a majority of Equity Focus Communities who rely on public transportation for their daily trips. Based on the 2019 Customer Survey, the B and D heavy rail lines serve the following ridership:

- 27.7% below the poverty line
- 56.4% had no car available

Rider Ethnicity:

- Latino 38.9%;
- Black 13.1%;
- White 25.8%;
- Asian/Pacific Islander 15.2%;
- Other 6.5%

In addition, Areas included Union Station to Downtown LA, Koreatown (Wilshire/Western), Hollywood, Universal City, and North Hollywood. Attachment D depicts Metro's current rail line map showing the areas of Metro's Equity Focus Communities (EFCs) that will benefit from this board decision.

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this procurement as it is not applicable (please refer to Attachment B). This procurement falls under the Federal Transit Administration's (FTA) Transit Vehicle Manufacturer (TVM) goal in accordance with 49 Code of Federal Regulations (CFR) Part

26.49. However, Woojin IS America has an established DBE goal of 3.47% with the FTA.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

These recommendations support Metro Strategic Plan Goal No. 5) to “provide responsive, accountable, and trustworthy governance within the Metro organization”. This goal strives to position Metro to deliver the best possible mobility outcomes and improve business practices so that Metro can perform more effectively and adapt more nimbly to the changing needs of our customers.

ALTERNATIVES CONSIDERED

The Board of Directors may choose not to authorize the contract award for this project; however, this alternative is not recommended as this project is critical to support the D Line Extensions, committed level of service to the Federal Transit Administration (FTA), and upcoming Olympic and Paralympic service needs.

NEXT STEPS

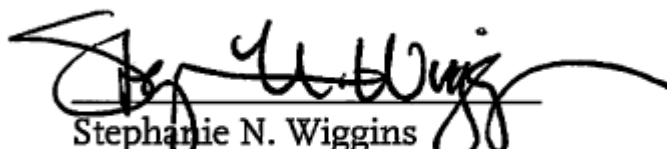
Upon Board award approval, a Contract will be executed and a Notice-to-Proceed will be issued to Woojin IS America once all insurance and bonding requirements are met. Metro and Woojin IS America will then mobilize the required resources to ensure the timely completion of deliverables by the Vehicle Contractor.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Funding & Expenditure Plan
Attachment D - Metro 2022 EFC Map

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Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

A650-2022 HEAVY RAIL VEHICLE (HRV) REFURBISHMENT

1.	Contract Number: A650-2022	
2.	Recommended Vendor: Woojin IS America, 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: 10/12/23	
	B. Advertised/Publicized: 10/12/23	
	C. Pre-Proposal Conference: 10/24/23	
I	D. Proposals Due: 11/21/23	
	E. Pre-Qualification Completed: 12/22/23	
	F. Ethics Declaration Forms submitted to Ethics: 11/21/23	
	G. Protest Period End Date: 01/31/24	
5.	Solicitations Picked up/Downloaded: 89	Bids/Proposals Received: 1
6.	Contract Administrator: Elizabeth Martin-Maldonado, Sr. Manager, Contract Administration	Telephone Number: 213-922-1041
7.	Project Manager: Annie Yang	Telephone Number: 213-922-3254

A. Procurement Background

This Board Action is to approve Contract No. A650-2022000 to refurbish, modernize, and replace critical components on the Option Buy AC propulsion Heavy Rail Vehicle (HRV) fleet and spare trucks; subject to the resolution of any properly submitted protest(s), if any. The Option Buy fleet will consist of a Base quantity of thirty-five (35) married-pairs (70 HRVs) to be refurbished, along with ten (10) spare truck assemblies, and an Option for an additional two (2) married-pairs (4 HRVs). The contract type is a Firm Fixed Price and is expected to be completed in 5 years after the issuance of Notice to Proceed.

The Request for Proposal (RFP) document (A650-2022) was initially issued on December 9, 2022, downloaded by 89 interested firms, and responded to by one (1) proposer; Woojin IS America, Inc. After receipt of the proposal, additional A650 Option Buy HRVs were made available for refurbishment. By including these additional HRVs into the refurbishment campaign it was determined to be in Metro's best interest, therefore Metro modified the original requirements by increasing the number of HRVs to be refurbished from 60 HRVs to 74 HRVs, and issued the solicitation amendment on October 12, 2023. To ensure full and open competition, this RFP amendment requested complete and new proposals and was distributed to the entire list of potential proposers initially notified of this procurement. The amended RFP was responded to by one (1) proposer; Woojin IS America, Inc. A

total of seven (7) amendments and five (5) clarifications were issued to ensure clear requirements and compliant submission from the proposers, answering a total of fifty-seven (57) questions received from the prospective proposers. There was an original pre-proposal and vehicle inspection meeting held on January 5, 2023, and a subsequent meeting on October 24, 2023, to allow for discussion and inspection of the additional HRVs that were added to the scope.

A clarification meeting was conducted after the proposal review and site visit. The price was within the competitive range and discussions ensured Woojin is aware and compliant with all the contract requirements.

While only a single proposal was received, the offer was developed and submitted in a competitive environment. The original RFP was downloaded by 89 firms. The amended RFP was distributed to the entire list of proposers initially identified. Woojin IS America, Inc. is the only company that responded and submitted a proposal to perform the work. Metro proactively contacted other eligible Transit Vehicle Manufacturers (TVM) railcar manufacturers to explore interest in the refurbishment project. The responses to the survey indicated no other companies were interested in participating in the project. Further, the vehicles that are the subject of the procurement are essential to Metro's mission and time is of the essence to proceed with the required refurbishment of the railcars in order to meet Metro's service needs.

B. Evaluation of Proposals

This procurement was conducted in accordance with Metro's Acquisition Policy and Procedure. A Proposal Evaluation Team (PET) consisting of staff from Rail Fleet Services, Rail Vehicle Acquisition and Rail Fleet Services Warranty / Quality Assurance was convened and conducted a comprehensive technical evaluation of the proposal received.

The proposal was evaluated based on the following evaluation criteria and weights:

- | | |
|--|------------|
| • Past Experience and Past Performance | 300 Points |
| • Technical Compliance | 250 Points |
| • Project Management Experience | 200 Points |
| • U.S. Employment Plan | 50 Points |
| • Price | 200 Points |

The evaluation criteria are appropriate and consistent with criteria developed for other similar rail vehicle overhaul solicitations. Several factors were considered when developing these weights, giving the greatest importance to Past Experience and Past Performance. The final evaluation scoring for the single proposer Woojin IS America, Inc. is as follows:

	Evaluation	Average Score	Weight Factor	Weighted Score	Rank
1	Past Experience and Past Performance	75.0	300	225.0	
2	Technical Compliance	78.5	250	196.3	
3	Project Management Experience	78.8	200	157.6	
4	Price	100.0	200	200.0	
5	U.S. Employment Plan	100.0	50	50.0	
	Total		1000	828.9	1

The single proposal received by Woojin IS America, Inc. for this solicitation was found to be responsive to the RFP requirements and within the competitive range; therefore, the firm is being recommended for award.

As part of the evaluation the evaluation committee visited the proposed manufacturing site on December 14, 2023. The firm’s proposed key team members were present and had an opportunity to respond to the evaluation team’s questions regarding the manufacturing facility.

C. Price Analysis

In accordance with Metro’s Acquisition Policy and Procedures for a competitive acquisition, a price analysis is required. Therefore, staff performed a Price Analysis that consisted of a comparison of the proposed price against the Independent Cost Estimate (ICE). The proposed price of \$213,587,542.63 is 13.8% lower than the ICE. It has been determined that the proposed price from Woojin IS America, Inc. is fair and reasonable, based on the technical evaluation and price analysis using the ICE.

	Item Name	Metro ICE	Proposal Amount
1.	Base Qty MP (70 cars)	218,582,790.81	179,541,053.32
2.	Spare Parts	5,399,824.24	14,941,638.39
3.	Special Tools	1,290,000.00	791,523.18
4.	Diagnostic Test Equip.	400,000.00	145,000.00
5.	Training	505,806.22	0.00*
6.	Manuals	1,532,570.76	0.00*
7.	Performance Bond	336,281.00	3,046,400.00
8.	All for Unknown Base	500,000.00	1,081,000.00
9.	Spare Trucks	292,711.65	1,674,487.74
10.	Option Price (4 cars)	12,943,943.24	11,285,440.00

11.	All for Unknown Option	1,405,442.33	1,081,000.00
	Total	243,189,370.25	213,587,542.63

*Included in Proposal Price

D. Background on Recommended Contractor

The recommended firm, Woojin IS America, Inc., located in Santa Fe Springs, CA, has been in business for 12 years and is a leader in providing transportation equipment specializing in rail vehicle electronic and electric systems. The proposed project manager and system integrator meet the minimum years of experience and will be onsite in Santa Fe Springs from Notice-To-Proceed to project completion. The local Los Angeles area manufacturing will allow Metro resources convenient site access to monitor the refurbishment program. Woojin has also worked successfully with other transit agencies such as TriMet, Massachusetts Bay Transportation Authority (MBTA), and UTA Transit Authority to replace different systems and equipment for their older generation vehicles.

DEOD SUMMARY

A650 HEAVY RAIL VEHICLE (HRV) REFURBISHMENT / CONTRACT NO. A650-2022

A. Small Business Participation

Woojin IS America, a Transit Vehicle Manufacturer (TVM), is on the Federal Transit Administration's (FTA) list of eligible TVMs. Woojin IS America has submitted its overall Disadvantaged Business Enterprise (DBE) goal of 3.47% to FTA, in compliance with 49 Code of Federal Regulations (CFR) Section 26.49(a)(1). TVMs submit overall DBE goal methodology and semi-annual reports directly to FTA.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy 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.

ATTACHMENT C
Funding Expenditure Plan
A650 74 HRV Refurbishment Project

ATTACHMENT C - Funds Uses and Sources Tables

	From Inception to Date (ITD) thru FY23 Jun	7/1/23 - 6/30/24	7/1/24 - 6/30/25	7/1/25 - 6/30/26	7/1/26 - 6/30/27	7/1/27 - 6/30/28	7/1/28 - 6/30/29	7/1/29 - 6/30/30	7/1/30 - 6/30/31		
1 Use of Funds		FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	Total	% of Project
2 Refurbishment: 70 Vehicles	\$0	\$16,097,688	\$22,134,321	\$52,317,487	\$15,494,025	\$48,494,286	\$46,683,296	\$0	\$0	\$201,221,103	76.0%
3 OPTION: Refurbishment: 4 Vehicles	\$0						\$12,366,440			\$12,366,440	4.7%
4 Professional Services	\$0	\$2,297,930	\$3,795,860	\$3,895,860	\$3,695,860	\$2,317,102	\$1,547,930	\$619,172	\$619,172	\$18,788,887	7.1%
5 OPTION: Professional Services						\$308,389	\$308,389	\$154,195	\$61,678	\$832,651	0.3%
6 MTA Administration	\$0	\$540,763	\$1,081,526	\$1,109,430	\$1,362,085	\$1,529,480	\$1,543,955	\$246,311	\$252,469	\$7,666,020	2.9%
7 Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$23,787,510	\$23,787,510	9.0%
6 Base Order Total	\$0	\$18,936,381	\$27,011,707	\$57,322,777	\$20,551,970	\$52,649,258	\$62,450,011	\$1,019,678	\$24,720,829	\$264,662,611	100.0%

Metro 2022 EFC Map (Web App)

