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July 21, 2015

TO: BOARD OF DIRECTORS

THROUGH: PHILLIP A. WASHINGTON *PAW*
CHIEF EXECUTIVE OFFICER

FROM: BRYAN PENNINGTON *Bup*
EXECUTIVE DIRECTOR, ENGINEERING & CONSTRUCTION

SUBJECT: RESPONSE TO QUESTION, ITEM #41, CONTRACT NO.
PS84203243, SUSTAINABILITY PROGRAM ASSISTANT SERVICES
CONTRACT

ISSUE

Staff has developed a Board Report recommending authorization of the Board for the Chief Executive Officer to award and execute a five year contract, Contract No. PS84203243 with Cumming Construction Management, Inc. for Sustainability Program Assistance Services on Task Orders for a total amount not-to-exceed \$12,481,230 inclusive of three base years (not to exceed \$7,339,981) with two one-year options (year one =\$2,545,173 and year two = \$2,596,076). On July 20, 2015, Director Diane DuBois' office requested response to four questions related to the following paragraph of the original Item #41 of the Board Report as follows:

"This Contract No. PS84203243 is the third contract award being presented to the Board for approval. Earlier contract award include Contract No. PS84203244, Energy and Renewable Energy Consultant Services and Contract No. PS84203245, Solid Waste and Natural Resource Management Consultant Services. A fourth consultant contract for climate change mitigation/adaptation implementation will be released in the summer of 2015."

The Director's questions specifically include:

- "What is the cumulative amount of contracts previously issued and the \$24 million+ that is up for approval in reports 41 and 42?
- What were these previous contracts about and how do these contract scopes differ?
- What are the specific tasks that have (sic) make up the need for \$12.5 million
- The report indicates that there are "the number of initiatives and projects related to these themes has evolved resulting in significant cost savings and operational

efficiencies...” Can we have a report back to these efficiencies and cost savings?”

BACKGROUND

In June 2007, the Board adopted the Energy and Sustainability Policy to control energy consumption and embrace energy efficiency, energy consumption and sustainability. Additional environmental and sustainability-related policies and plans have been approved by the Board since then. Metro’s Environmental Compliance and Sustainability Department (ECSD) implements a full service environmental and operational sustainability program by providing:

1. Environmental services (i.e., technical studies, CEQA/NEPA Environmental Assessments, environmental remediation, noise and vibration environmental compliance, air quality monitoring, etc.);
2. Sustainability services including policy implementation, environmental management system, energy management, and carbon credit administration.
3. Project management of infrastructure and sustainability-related infrastructure projects including soil and groundwater clean-up, storm water treatment units, lighting retrofits, and renewable energy and alternative fuel infrastructures.

Since inception, Metro’s sustainability program has produced more than \$2.5 million a year in cost-savings primarily in energy management, operational efficiency, as well as resource and water recycling and conservation efforts. These cost savings are annually reported to the Board at the end of every single fiscal year since 2009 in either the Annual Energy and Resource Report (formerly called Metro Sustainability Report) or the Metro Energy Management Program Update. The 2015 version of these reports are in the process of being sent to the Board through a Board Box.

Metro’s existing Environmental Engineering Consultant Services (EN076 Contract) contract supports numerous sustainability projects, such as planning for recycled water irrigation lines, deployment of a water recycling system, design of lighting retrofits and energy efficiency measures, engineering of renewable energy systems, other resource reduction initiatives at Metro facilities and alignments, and the implementation of Metro’s Environmental Management System (EMS).

Instead of procuring for one contract to replace the existing EN076 Contract, staff divided the current scope of environmental engineering and sustainability-related work into five new individual scopes of work to increase participation of firms that work in the environmental and sustainability industry.

DISCUSSION

Attachment A provides information on the sustainability-related contracts that have been in procurement, their general scope of work, contract value, and status of procurement.

Staff has implemented programs environmental and sustainability related activities through a five year plan that include, for example, the following:

- Construction Phase expansion of two additional major capital projects (Purple Line and Regional Connector Projects);
- Environmental and sustainability compliance support for the Crenshaw Light Rail Project;
- Environmental Clearance (and eventually, environmental compliance monitoring during construction) of New Major and Small Capital Projects, the Union Station Master Plan, and Capital Improvement Projects, Joint Development;
- Support of the Regional Rail and Highway Programs;
- New consulting management strategy (five contracts instead of one for Environmental Engineering and Sustainability Support Services);
- Public Private Partnership (along with our Planning Department) for Sustainability-Related Infrastructure such as renewable energy, lighting retrofits, electric vehicle chargers, and new materials use for operations (e.g., bus and rail car cleaning), and low impact development strategies;
- Implementation of Projects for agency resiliency (to extreme weather events and emergencies) and Integrated all Hazards Security Planning and Implementation (in partnership with Metro Risk Management and Operations Strategic Planning);
- Continued implementation of the FTA endorsed agency-wide Environmental Management System at all Operating Divisions;
- Electric Vehicle Charger Program Expansion at Park and Rides Lots;
- Biomethane Plan Implementation;
- Carbon Credit Generation Administration;
- Implementation of Metro's Water Action Plan;
- Resource Conservation and Management Oversight;
- Reduction of Environmental Vulnerabilities and Liabilities through Training, Gap Assessments,
- Development and Implementation of New and Innovative Technologies in the Fields of Energy, Water, and Resource Conservation and Reuse, and
- Operations and Maintenance coordination of Green and Renewable Energy infrastructure projects (in coordination with Metro Operations and Maintenance).

Many of these have emerged as a result of new statutory or regulatory requirements resulting from AB32, SB375, and other climate change, clean air, resource conservation, water conservation, and energy management related statutes. Inherent in these include Metro's commitments to human health and environmental protection as a consequence of our agency's adopted policies. Expert consultant support is needed for staff to fulfill all of Metro's obligations.

NEXT STEPS

Staff will provide additional information as needed to support the recommendation to award Contract No. PS84203243.

ATTACHMENT

- A. Sustainability Consultant Contract - Contract Disciplines and Rough Order of Magnitude

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Attachment A.

Sustainability Consultant Contract - Contract Disciplines and Rough Order of Magnitude

1. Sustainability Project Assistance Services	Purpose	No. of Units (yrs., projs., etc.)	Consultant Svcs per Unit	Est. Consult. Svcs. Amount
a. EMS Program Maintenance Support	Maintain agency-wide environmental management system and provide oversight in the implementation of frontline innovative projects; include state of good repair and climate resiliency coordination	5 years	\$1,500,000	\$7,500,000
b. Environmental Training Institute	Maintain and implement over 70 training curricula to reduce training gaps identified as a result of regulatory requirements or to catch-up with the maintenance of newly implemented cost-saving technologies.	5 years	\$500,000	\$2,500,000
c. Sustainability Policies, Programs, and Guidance	Oversight and implementation of all Board adopted sustainability-related policies; prepare annual Energy and Resource Report.	5 years	\$320,000	\$1,600,000
d. EMS & Training Plans, Studies, Reports	Compliance assessment and strategy implementation of emerging legal and other requirements	3 reports	\$50,000	\$150,000
e. Innovative Sustainability Initiatives/Solutions	Assist in the coordination and implementation of new cost-saving initiatives and needs assessments	5 years	\$50,000	\$250,000

Contract Amount: \$12,000,000

2. Energy Efficiency and Renewable Energy (Awarded as Contract No. PS84203244)	Purpose	No. of Units (yrs., projs., etc.)	Consultant Svcs per Unit	Est. Consult. Svcs. Amount
a. Energy Conservation & Management Plan Implementation	Expert assistance in the implementation of energy program specifically in the dealing with energy entities such as the utilities, potential public-private partners, and similar entities; Expert participation into Metro Energy Blue Ribon Energy Collaborative	5 years	\$470,000	\$2,350,000
b. Energy Efficiency Projects	Provide design services and construction support for various energy retrofits and energy efficiency projects	17 projects	\$640,000	\$2,090,000
c. Renewable Energy and Distributed Generation Projects	Provide design services, construction support, and expert financing reports for various renewable energy projects	5 projects	\$420,000	\$660,000
d. LEED certification	Provide LEED Accredited Professional support for all LEED projects (new and retrofits) as required by Metro Energy and Sustainability Policy; provide commissioning services for all projects	8 facilities	\$75,000	\$600,000
e. Energy & Renewable Energy Plans, Studies, Reports	Provide renewable energy planning services and studies to support Metro's 2020 Renewable Energy Goal.	4 reports	\$50,000	\$200,000
f. Innovative Sustainability Initiatives/Solutions	Provide expertise in the development, planning, and execution of new innovative energy projects	5 years	\$100,000	\$500,000

Contract Amount: \$6,400,000

3. Water Conservation, Solid Waste and Recycling (Awarded as Contract No. PS84203245)	Purpose	No. of Units (yrs., projs., etc.)	Consultant Svcs. per Unit	Est. Consult. Svcs. Amount
a. Water Conservation and Management Projects	Expert assistance in the implementation of industrial and wastewater reduction strategies, including but not limited to all of the cost and water saving strategies in Metro's Water Action Plan	20 projects	\$800,000	\$3,000,000
b. Solid Waste Reduction	Provide expertise in the development, planning and execution of strategies to increase Metro's reduction of solid waste generation	5 facilities	\$150,000	\$750,000
c. Recycling	Provide expertise in the development, planning and execution of strategies to increase Metro's diversion rate (reducing the amount of generated waste going to landfill)	5 facilities	\$150,000	\$750,000
d. Water, Solid Waste, & Recycling Plans, Studies, Reports	Provide expert water and resource conservation planning services and studies to support Metro's initiatives not already otherwise included in other scopes	6 reports	\$50,000	\$300,000
e. Innovative Sustainability Initiatives/Solutions	Provide expertise in the development, planning, and execution of new innovative water and resource conservation and management projects	5 years	\$100,000	\$500,000

Contract Amount: \$5,300,000

Note: These are all estimated services. These contracts are indefinite delivery/indefinite quantity contracts. No consultant is guaranteed any work. Any task order is subject to development and price negotiations prior to award.