



Metro

Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000
metro.net

33

**CONSTRUCTION COMMITTEE
FEBRUARY 19, 2009**

PROJECT: ALL TRANSIT CORRIDOR AND CAPITAL PROJECTS
CONTRACT: EN076 ENVIRONMENTAL ENGINEERING CONSULTANT SERVICES
ACTION: AWARD PROFESSIONAL SERVICES CONTRACT

RECOMMENDATION

Authorize the Chief Executive Officer to:

1. Execute a five-year Indefinite Quantity/Indefinite Delivery contract, Contract No. EN076, with TRC Solutions, Inc. for Environmental Engineering Services on Contract Work Orders in an amount not-to-exceed \$19,947,500, inclusive of two one-year options; and
2. Execute individual Contract Work Orders and Modifications within the Board approved contract value.

Within Construction Committee authority: Yes No N/A

RATIONALE

Every capital project and many ongoing facilities maintenance or restoration activities undertaken by the Los Angeles County Metropolitan Transportation Authority (LACMTA) require environmental consulting and engineering services. We must comply with all environmental laws to avoid fines, and civil or criminal liability. To ensure such compliance, we have solicited and awarded contracts for environmental consulting and engineering services.

Previous environmental engineering contract's scopes were limited to assistance with geotechnical investigations, Phase 1 and Phase 2 Site Assessment investigations, asbestos and lead paint assessment and removal services, construction or operations waste

classification, storm water management, soil and groundwater sampling, permit assistance, monitoring and reporting requirements and other regulatory coordination requirements.

Due to additional environmental challenges we now face, the EN076 scope has been expanded to also include services on two new major LACMTA initiatives. The first one includes the assessment and quantification of our environmental liabilities to comply with the new financial reporting requirements specified under Governmental Accounting Standards Board (GASB) Statement No. 49: *Accounting and Financial Reporting for Pollution Remediation Obligations*. In addition, due to the recent Board Action adopting our Metro Sustainability Implementation Plan and the adoption of our FY '09 Goal No. 9 relating to energy conservation and sustainability, support for various sustainability projects that include greenhouse gas emissions reduction management, energy-conservation and reduction and renewable energy projects, sustainability design criteria implementation, and other sustainability-related efforts has also been added to the EN076 scope.

As the need for specific environmental engineering and consulting services arises, staff will issue Task Orders and changes from their associated project's budget, considering information available and applicable time constraints on performance of the work. Most of the work will be negotiated on a not-to-exceed basis, and will be performed and paid on a unit rate basis. Staff will closely monitor the Contractor's budget and Contract Work Orders and schedule using existing project management controls. No funds will be obligated until a Task Order is awarded against a valid project.

Contract No. EN076 will replace the existing Environmental Engineering contract, Contract EN073 that will expire on March 31, 2009. Attachment A summarizes the EN076 Procurement Summary. Attachment B summarizes the current FY '09 and forecasted and proposed FY '10 to '13 expenditures. Since this is a multi-year contract, budgeting for future year expenditures beyond FY '13 that reflect an increase in award value will be brought back to the Board for approval.

FINANCIAL IMPACT

The funding of \$2.1 million has been included in the FY '09 budget in Project 300012 and Cost Center 8510 for environmental activities not associated with capital projects. As specific environmental engineering consultant service needs arise for the capital projects, task orders will be issued and funded from their associated project budget, upon approval by the responsible Project Manager. Since this is a multi-year project, the Chief Capital Management Officer and Environmental Compliance and Services Manager will be responsible for budgeting for future years.

ALTERNATIVES CONSIDERED

If Contract No. EN076 value is not awarded; staff's ability to support our current and anticipated environmental and sustainability-related projects would be limited. Consequently, we would not be able to immediately address our potential and existing environmental liabilities, increase the likelihood of non-compliance, resulting in fines or orders to comply issued by regulatory or oversight agencies.

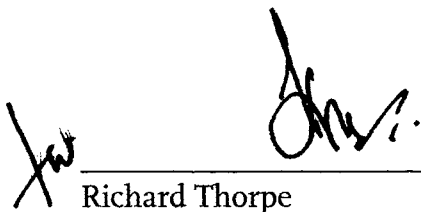
Each of our project managers would also have to competitively procure environmental services for their individual projects. Any delay in provision of environmental support will significantly increase our liability for environmental regulatory compliance and contractor monetary claims of delay.

As another alternative, our Board may also direct staff to do all environmental engineering support work in house. If directed in this manner, we would have to hire new staff with expertise in varied but very specialized skill sets such as drilling, laboratory science, risk assessment, energy efficiency, environmental management systems, greenhouse gas management, as well as purchase equipment as tools for use by these specialized staff. This alternative is both impractical and not cost-effective. We would thus incur more cost to do the work internally than by employing consultants.

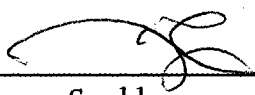
ATTACHMENT

- A. Procurement Summary
- B. Current FY '09 and Forecasted and Proposed FY '10 to FY '13 Expenditures

Prepared by: Cris B. Liban, Manager, Environmental Compliance and Services Department



Richard Thorpe
Chief Capital Management Officer



Roger Snoble
Chief Executive Officer

**BOARD REPORT ATTACHMENT A
PROCUREMENT SUMMARY**

EN076, ENVIRONMENTAL ENGINEERING SERVICES

1.	Contract Number: EN076		
2.	Recommended Vendor: TRC Solutions, Inc. (TRC)		
3.	Cost/Price Analysis Information:		
	<i>A. Proposed Price:</i> N/A	<i>B. Recommended Price:</i> NTE \$19,947,500.00	
	<i>C. Details:</i> Are in Attachment A-1 D		
4.	Contract Type: Labor Hour/Indefinite Delivery-Indefinite Quantity		
5.	Procurement Dates:		
	<i>A. Issued:</i> September 5, 2008		
	<i>B. Advertised:</i> September 4, 2008		
	<i>C. Pre-proposal Conference:</i> September 22, 2008		
	<i>D. Proposals Due:</i> November 7, 2008		
	<i>E. Pre-Qualification Completed:</i> January 7, 2009		
	<i>F. Conflict of Interest Form Submitted to Ethics:</i> November 17, 2008		
6.	Small Business Participation:		
	<i>A. Proposal Goal:</i> 20% Voluntary DALP	<i>B. Date Small Business Evaluation Completed:</i> December 31, 2008	
	<i>C. Small Business Commitment:</i> 20 %, Details are in Attachment A-2		
7.	Request for Proposal Data:		
	Notifications Sent: 328	RFPs Picked up: 153	Proposals Received: 6
8.	Evaluation Information:		
	<i>A. Bidders/Proposers Names:</i> TRC Solutions, Inc. Arcadis ATC Associates, Inc. MACTEC Tetra Tech, Inc. URS Corp.	<u>Proposal Amount:</u> Burdened Labor Rates only	<u>Negotiated Amount:</u> \$NTE \$19,947,500
	<i>B. Evaluation Methodology:</i> Best Qualified; details are in Attachment A-1.C		
9.	Protest Information:		
	<i>A. Protest Period End Date:</i> February 24, 2009		
	<i>B. Protest Receipt Date:</i> N/A		
	<i>C. Disposition of Protest Date:</i> N/A		
10.	Contract Administrator: DonCosta E. Seawell	Telephone Number: 922-1056	
11.	Project Manager: KN Murthy	Telephone Number: 922-3084	

BOARD REPORT ATTACHMENT A-1

PROCUREMENT HISTORY

EN076, ENVIRONMENTAL ENGINEERING SERVICES

A. Background on the recommended Contractor

- TRC is an Irvine, CA based firm that has been providing environmental engineering services for 40 years to clients nationwide.
- TRC is the oldest listed environmental firm on the New York Stock Exchange and has over 2300 employees with 75 offices across the United States.
- TRC is the current provider of environmental engineering services to Metro, in addition to such clients as BNSF Railway, ConocoPhillips Petroleum, Sempra Energy and Kinder Morgan Energy Partners

B. Procurement Background

- Architectural & Engineering services procurement, a qualifications-based selection, without price as a factor. Pricing was negotiated with the selected most qualified proposer.
- The Indefinite Delivery/Indefinite Quantity type contract for five years, inclusive of two one-year options.

C. Evaluation of Proposals

The evaluation was in compliance with Metro Procurement policies and procedures for Architectural & Engineering procurements and was based upon the most qualified firm.

D. Cost/Price Analysis

The analysis included, among other things, a comparison with similar firms offering the same services, a detailed analysis of rates and factors that will comprise the labor hour billing rates upon which the Contractor will base its invoices, and compliance with both Federal Acquisition Regulation (FAR) guidelines and Generally Accepted Accounting Principles (GAAP). The recommended price was negotiated, based upon a forecast of labor hours for the base and option periods of performance. Metro negotiated fixed, fully burdened labor hour billing rates plus factor to establish a fixed fee for each CWO Task Order. The pricing for each Task Order will utilize the fixed negotiated labor rates plus the fee factor to establish either a lump sum price or a Not-To-Exceed amount for each Task Order.

BOARD REPORT ATTACHMENT A-2

LIST OF SUBCONTRACTORS

EN076, ENVIRONMENTAL ENGINEERING SERVICES

PRIME CONTRACTOR – TRC Solutions, Inc.

Disadvantaged Business Enterprise (DBE) Commitment

Lee Andrews Group	TBD
Martini Drilling Corporation	TBD
Global Probe, Inc.	TBD
Advanced Technology Laboratories	TBD

Other Subcontractors

Ninyo & Moore
Calvada Surveying, Inc.
Belshire Environmental Services, Inc.
Environmental and Engineering Solutions
Goss Engineering, Inc.
Moffatt & Nichols
Global Environmental Consulting Co.

Total Commitment 20 %

Attachment B. Current FY '09 and Forecasted and Proposed FY '10 to '13 Expenditures

	FY '09	FY '10-'13	TOTAL
SITE REMEDIATION			
Various Sites (300012): Division 7 and 10	\$1,350,000	\$4,050,000	\$5,400,000
TANK UPGRADES AND REPAIRS (202028 and 202029)			
Includes Design Specifications and UST Operator Program	\$1,500,000	\$7,500,000	\$9,000,000
METRO GOLDLINE EASTSIDE EXTENSION			
800288	\$300,000	\$100,000	\$400,000
METRO ORANGE LINE EXTENSION			
800119	\$0	\$300,000	\$300,000
SUSTAINABILITY ENERGY CONSERVATION INITIATIVES	\$100,000	\$1,300,000	\$1,400,000
450001			
SUSTAINABILITY DESIGN GUIDELINES IMPLEMENTATION	\$15,000	\$500,000	\$515,000
450002			
ENVIRONMENTAL MANAGEMENT SYSTEMS	\$75,000	\$630,000	\$705,000
450003			
GREENHOUSE GAS EMISSIONS MANAGEMENT	\$60,000	\$560,000	\$620,000
450004			
VARIOUS BUS FACILITIES	\$50,000	\$200,000	\$250,000
Division 20 204047	\$7,500	\$10,000	
LAX Division (202220)	\$80,000	\$50,000	\$130,000
Union Division (202001)	\$150,000	\$50,000	\$200,000
RAIL FACILITY	\$50,000	\$200,000	\$250,000
Division 21 204053	\$10,000	\$0	\$10,000
Vault Liquid Hazardous Materials Removal and Repairs	\$100,000	\$400,000	600,000
MID-CITY WELLS	\$50,000	\$200,000	\$250,000
TOTAL	\$3,897,500	\$16,050,000	\$19,947,500