

South Bay Cities Council of Governments

May 13, 2013

TO: SBCCOG Measure R Oversight Committee – May 13, 2013 Meeting
SBCCOG Board of Directors – May 23, 2013 Meeting

FROM: Jacki Bacharach, Executive Director
Steve Lantz, Transportation Consultant

SUBJECT: SBHP Technical Consultant Procurement Status Report

BACKGROUND

In June 2010, the SBCCOG Board approved a contract to provide technical assistance in the development and implementation of the South Bay Highway Program (SBHP). The contract is for a three year term (through June 30, 2013) with an aggregate value not to exceed \$2,000,000. The contract was awarded to Iteris, Inc. as prime contractor with the following sub-contractors:

- InfraConsult, LLC
- Jacobs
- System Metrics Group, Inc.
- Sharon Greene + Associates

The contract is being implemented in two phases. Phase I scope was awarded on a cost plus fixed fee basis for \$784,035 with an approved completion date no later than June 30, 2011. The scope included multiple tasks to develop an implementation plan with a list of eligible projects, funding strategies, policies and an administrative structure for project/program management. Phase 1 was completed on June 30, 2011 at a total cost of \$772,824, resulting in a cost savings of \$11,211.

The balance of the contract, known cumulatively as Phase II, has contract authority not-to-exceed \$1,215,965. The Phase II work is being awarded via task orders as needed for SBHP program oversight, program development, non-Measure R funding identification and technical support to lead agencies, if so requested by the lead agencies, in development of their SBHP-funded projects.

At the beginning of Phase II, SBCCOG determined it might from time to time need to contract for SBHP Phase II services directly with sub consultants rather than using the Iteris, Inc. contract for said services in order to avoid perceived, potential, or actual conflicts of interest that might result from any of the Project Consultants having their own contract with a lead agency for project management, design, engineering or construction technical assistance on an SBHP project. To date, the SBCCOG has executed two task orders with InfraConsult, LLC under a direct contract to oversee SBHP projects for which Iteris, Inc. has been contracted by a lead agency to perform project-related tasks. Although the direct contracts are being implemented in substantial conformity with the SBHP Phase II scope of work in the Iteris Contract and will terminate on June 30, 2013, the two task orders have been scoped to allow InfraConsult to

continue to provide project oversight through the duration of the project if their direct contract is extended or succeeded by a new SBHP Bench contract.

In February 2013 the Measure R Oversight Committee reviewed staff options for procurement of technical consultant resources after the conclusion of the current contracts on June 30, 2013. Since that time, SBCCOG staff has been pursuing a Bench Contract approach to procuring technical and program management assistance rather than continuing the complex management approach of one prime contractor with sub-contractors and parallel direct contracts. Under the Bench Contract approach, the SBCCOG will issue a Request for Proposals to procure a qualified list of consultants that would each be awarded direct as-needed contracts. Work will be awarded on a task order basis. The needed technical and program assistance areas are described in the attached draft Scope of Work (Exhibit A).

Each of the current Consultants will be offered a non-competitive task-order-based bench contract using the same agreement that will be used to procure additional technical bench resources. Staff hopes to execute these agreements before the end of the current contract to ensure no interruption in technical support after the current Iteris Contract and the Direct Contracts with the sub consultants expire on June 30, 2013. This approach is intended to reduce the risk of transitional interruptions by allowing the SBCCOG to issue task orders to current Iteris team consultants. In addition, the SBCCOG will issue the RFP to other consultants that have expressed interest in participating in SBHP program development and project oversight thus enabling a more competitive procurement process due to potential differences in consultant approaches, fees and overhead costs.

The FY 14-19 Metro Budget Request, approved by the SBCCOG Board on November 15, 2012 and by the Metro Board on January 24, 2013, was developed with the assumption that the SBCCOG Transportation Consultant and SBCCOG staff will assume more of the program management and administrative functions currently being provided by the consultants on the Iteris team. The recently-executed funding agreement between Metro and the SBCCOG also reflects areas of technical assistance consistent with the draft scope of work.

RECOMMENDATION

Receive and file

Draft Bench Technical Consultant RFP Scope of Work

III. POTENTIAL SBHP-RELATED TASK ORDER SCOPES OF WORK

The SBCCOG expects that as-needed task orders for technical assistance support may be needed in the following four general areas (the actual task orders may combine specified tasks and consultant services):

Service Category #1: SBHP Program Development Activities

It is critical that SBHP Implementation Plan Updates result in identification and implementation of specific projects within high-priority South Bay corridors on an accelerated schedule. This corridor approach may require separate technical-support task orders for components of the Implementation Plan including, but not limited to, the SBHP ITS Work Plan elements, the Strategic Transportation Element, and the SBHP Procedures Manual.

This technical assistance and support area may include task orders such as:

- Building on previous work by the SBCCOG, South Bay cities, Metro, and Caltrans, provide the SBCCOG with technical services to support SBHP Implementation Plan Updates and related procedures, identification of candidate projects, candidate project evaluation criteria and performance assessment, and prioritization/selection/scheduling of the candidates and their implementing lead agency within the SBHP funding plan.
- Provide technical support to the collaborative process used by the SBCCOG, South Bay cities, Caltrans, and Metro for selecting projects for inclusion in the SBHP, including determining the lead agency for specific projects.
- Develop and maintain Candidate Projects List, Funded Projects List, Call for Projects List, and other prioritized lists of SBHP projects.
- Prepare project readiness analyses, including: nexus assessment, lead agency confirmation, project scope, schedule, costs, right-of-way needs, implementation status, corridor sequencing/prioritization, risks, availability of matching funds, and other factors described in the South Bay Highway Implementation Plan Update.
- Provide technical assistance to incorporate project-level, corridor-level, and SBHP program-wide Funding Plans into Metro-adopted Short and Long Range Transportation Plans and related annual revenue estimates.
- Assist the SBCCOG to ensure that the SBHP Program and its projects are properly documented in the required regional, state and federal planning documents (e.g.: Metro LRTP, TIP, RTIP, FTIP, etc.)
- Provide technical assistance to update the SBHP funding plan and develop a strategy that leverages Measure R funds to the extent possible so as to secure

additional federal, state, regional, and private sector funding in cooperation with Metro, Caltrans, SCAG, the SBCCOG, and cities.

- Assist the SBCCOG with local, regional, state, federal and private grants development, grant application preparation, and grants management.
- Provide technical assistance to explore SBHP project-acceleration strategies through bonding and other innovative financing techniques.
- Evaluate the possibility, merits, policies, and procedures of establishing reimbursement agreements with local jurisdictions to deliver projects earlier using local funds.
- Provide technical support for development of the Annual SBHP Metro Budget and schedule by evaluating and recommending adjustments to SBHP project schedules, budgets and scopes, and by providing coordination between the lead agency and other affected jurisdictions, agencies or stakeholders, as well as with consultants and/or contractors working on SBHP projects.
- Provide technical assistance in a review of the appropriate uses of MAP-21 era federal funds for candidate projects in the South Bay Measure R Expenditure Plan. Identify the pros and cons of using federal funds for Caltrans projects and projects that would be implemented by South Bay lead agencies which are eligible federal transportation funding recipients.
- Provide technical support in the development of new laws, regulations, policies, and procedures that may require inter-governmental collaboration between the SBCCOG and its members, Metro, SCAG, state and federal agencies, or legislative advocacy by the SBCCOG.
- Prepare, monitor, and update a meeting-action-item-log documenting issues to be incorporated into future SBHP Implementation Plan Updates, follow-up actions, responsible parties, and resolutions reached.

Service Category #2: Project Development Activities

This technical assistance and support area may include task orders such as:

- Provide technical support (e.g., cost estimates, preliminary designs, traffic, environmental and safety data, etc.) to the SBCCOG and lead agencies to support the preparation of funding applications and grants.
- Prepare PSRs / PSREs, environmental documentation, preliminary designs, schedules and cost estimates, and assist lead agencies in completing the lead agency funding agreements with Metro.
- Provide technical support in implementing the SBCCOG policy and procedures related to SBHP project-cost over-runs and requests for additional SBHP funding made by lead agencies to the SBCCOG and Metro Board of Directors.
- Provide training and/or professional development to SBCCOG lead agencies on topics such as, but not limited to, project management, risk management, Caltrans and Metro planning processes, and federal planning requirements.

Service Category #3: Project and Program Monitoring Activities

This technical assistance and support area may include task orders such as:

- Provide technical support in the ongoing development and use of Metro's web-based Project Management Information System (PMIS)
- Review monthly SBHP project reports submitted to Metro's PMIS System by lead agencies and prepare a monthly progress summary for the SBCCOG on the individual SBHP projects so as to identify, in a timely fashion, when projects are encountering technical or process difficulties that may warrant special attention and assistance by the SBCCOG.
- Provide ongoing technical/process assistance to implementing agencies for projects which are "red flagged" as a result of the project monitoring process. When such a "red flag" emerges, the SBCCOG may issue a task order for the Consultant to become more deeply involved so as to resolve the identified problems quickly and cost-effectively.
- Provide technical support to lead agencies related to invoicing, federal/state/Metro procedural requirements, staging of projects, and other related tasks to move projects forward as required and requested.
- Provide technical support in the investigation of lead agency requests-for- funding increases.
- Track and prepare quarterly SBHP progress and funding reports for the SBHP program as a whole, using data gathered for all active SBHP-related funding agreements. Sources may include data from submittals into the PMIS, from consultant narratives that accompany invoices, and from SBCCOG staff.

Service Category #4: SBHP Program Administration Assistance:

This technical assistance and support area may include task orders such as:

- Provide SBHP-related technical assistance to the SBCCOG Board and Committees including, but not limited to, the Measure R Oversight Committee, the Infrastructure Working Group, and the South Bay Signal Forum.
- Assist the SBCCOG with SBHP-related public outreach. Task orders may be issued for community event management, media and press relations and events, preparation of educational materials, website development and content management, social media development, signage, and community outreach related to SBHP projects and the SBHP program as a whole.