

**Metro**Los Angeles County
Metropolitan Transportation AuthorityOne Gateway Plaza
Los Angeles, CA 90012-2952213.922.2000 Tel
metro.net**SYSTEMS SAFETY AND OPERATIONS COMMITTEE
APRIL 18, 2013****SUBJECT: DIVISION 11 WATER MITIGATION****ACTION: APPROVE CONTRACT MODIFICATION****RECOMMENDATION**

- A. Authorize the Chief Executive Officer to negotiate and execute a contract modification for Change Order No. 2 to Contract No. C0966R with TRC Solutions, Inc., to perform additional water mitigation services that are not covered in the base contract for a period of one month in the amount not-to-exceed \$286,114 and increasing the total contract value from \$842,548 to \$1,128,662.
- B. Increase the Contract Modification Authority (CMA) by 15% of the recommended not-to-exceed Contract Modification in the amount of \$42,917 increasing the total Contract Modification Authority from \$100,000 to \$142,917.

ISSUE

Division 11 Water Mitigation was approved in FY12 as part of the budget adoption to mitigate drainage problems at Division 11 in Long Beach. Subsequently, a contract was awarded to TRC Solutions, Inc., to perform water mitigation services by installing a new drainage system to move storm waters off Metro's property to an existing 18" Reinforced Concrete Pipe (RCP) storm drain system. While performing work under this base contract, the vendor discovered impediments that were unknown at the time of contract award requiring Metro to execute a contract modification to remediate these issues.

DISCUSSION

The scope of work for this design/build project is to install a retaining wall, drainage ditch, infiltration trenches and related storm drain utilities within Metro's property along the east property line adjacent to our neighbor, Universal Logistics, and tie it into Metro's existing 18" RCP storm drain system located west of Metro's access road. During the course of executing this work, issues were discovered that impact the performance of this project. Remediation of these discoveries are not included as part of the base contract.

Metro's existing storm drain system, west of the project improvement and Metro's access road, is comprised of a v-ditch at the surface, an 18" RCP underground pipe, and an open channel. These areas are currently filled with dirt and sediments, which will hinder the performance of the new drainage system to discharge the storm water. A recent storm verified this problem. If not mitigated, flooding towards the east property line and new catch basin area will occur during rainy weather thus making the work performed thus far under the base contract null and void. Additionally, the footing of light poles and other structures adjacent to the road have been partially exposed through erosion which is a safety hazard. The vendor will need to remove the dirt and sediment from the existing drainage structure as well as apply a minimum of 3" thick shotcrete slope protection material on the west property line to protect the slope.

The new drainage improvement along Metro's east property line is approximately 15 feet from the Metro Blue Line. Loose material and sediments in these areas will eventually erode, thus creating conditions similar to what is occurring on the west side. Similarly, the vendor will need to apply shotcrete slope protection material on the east property line to protect the slope.

The vendor will also install an 1800 foot long chain link fence in addition to the new retaining wall (east property line) that is being built under the base contract to further deter vandals from trespassing.

DETERMINATION OF SAFETY IMPACT

This proposed contract modification improves safety to Metro and neighboring personnel by reducing the risk of injury and reducing the risk of flooding.

FINANCIAL IMPACT

The total contract modification is \$286,114. Funding of \$595,000 for this project is included in the FY13 budget in cost center 3960, Rail Transit Engineering, item 50316, Professional and Technical Services, project 204124, Division 11 Water Mitigation.

Since this is a multi-year project, the cost center manager, project manager, and Executive Officer, Wayside Systems will ensure that this effort will be funded in future years. The work to be performed under this contract modification will not require an increase to the life-of-project budget for CP 204124 Division 11 Water Mitigation.

Impact to Budget

The source of funds for this project is Prop A 35% Rail. These funds are eligible to be used for rail operating and capital projects. No other sources of funds were considered for this project because these are the designated funds available for rail operations.

ALTERNATIVES CONSIDERED

The Division 11 water mitigation project requires the removal of the impediments discovered after the project began in order to effectively prevent storm waters from impacting the facility and neighboring property. The performance of the base contract project will be greatly impacted if the additional remediation work does not occur. Staff considered performing the work in-house utilizing facilities maintenance labor; however, this option is not recommended due to lack of manpower and resources.

NEXT STEPS

Upon board approval, Metro Procurement will issue a contract amendment in April 2013.

ATTACHMENTS

- A. Procurement Summary
- B. Vicinity Map of Proposed Work

Prepared by: Michael Harris Gifford, Executive Officer, Rail Wayside Systems
Jim Yang, Senior Engineer

Questions: Michelle Stewart, Assistant Administrative Analyst
(213) 922-7270

Michelle Lopes Caldwell

Michelle Lopes Caldwell
Chief Administrative Officer

Frank Alejandro
Chief Operations Officer

Arthur T. Leahy

Arthur T. Leahy
Chief Executive Officer

PROCUREMENT SUMMARY

DIVISION 11 WATER MITIGATION

1.	Contract Number: C0966R, Modification No. 2	
2.	Recommended Vendor: TRC Solutions, Inc.	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input checked="" type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: December 29, 2011	
	B. Advertised/Publicized: January 9, 2012	
	C. Pre-proposal/Pre-Bid Conference: January 25, 2012	
	D. Proposals/Bids Due: April 9, 2012	
	E. Pre-Qualification Completed: May 3, 2012	
	F. Conflict of Interest Form Submitted to Ethics: May 16, 2012	
	G. Protest Period End Date: June 1, 2012	
5.	Solicitations Picked up/Downloaded: 20	Bids/Proposals Received: 3
6.	Contract Administrator: Deneise Glover	Telephone Number: 213-922-7302
7.	Project Manager: Jim Yang	Telephone Number: 213-922-3277

A. Procurement Background

On June 20, 2012, the Board approved Contract C0966R to TRC Solutions, Inc., to perform Water Mitigation at Division 11. This Board action is to approve Modification No. 2 to Contract C0966R to add additional work in support of the Division 11 Water Mitigation.

B. Evaluation of Proposals/Bids

The contractor's cost proposal will be evaluated in compliance with Metro Procurement policies and procedures.

C. Cost/Price Analysis

The final negotiated amount will comply with all requirements of Metro Procurement policies and procedures, including fact-finding, clarifications, cost analysis and legal to determine a fair and reasonable price before the contract modification is executed. An Independent Cost Estimate (ICE) will be obtained as part of the cost analysis before negotiating the final value and execution of the contract modification.

	Bidder/Proposer Name	Bid/Proposal Amount	Not-To-Exceed Amount
1.	TRC Solutions, Inc.	\$286,114	\$286,114

D. Background on Recommended Contractor

The recommended firm, TRC Solutions, Inc., has been successfully performing on this effort since August 6, 2012. In business since the late 1960s TRC Solutions, Inc., is a national engineering, consulting and construction management firm, providing integrated services to transportation, energy, environmental, and infrastructure markets. TRC Solutions, Inc., provided environmental engineering services to Metro under Contract No.ENO76. In addition to executing previous Metro projects, TRC has recently managed large and small construction projects for clients throughout the Los Angeles area including the Kwilset Plant Closure in Anaheim, Del Monte Cannery in the Port of Los Angeles, and the Xerox Plant Closure in Los Angeles.

E. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 20% Disadvantaged Business Enterprise (DBE) Anticipated Level of Participation (DALP) for this solicitation. TRC made a Small Business Enterprise (SBE) commitment of 40.6%. Current SBE participation is 44.2%. TRC is expected to continue to meet their commitments.

SMALL BUSINESS GOAL	DALP 20%	SMALL BUSINESS COMMITMENT	DALP 40.6%
----------------------------	-----------------	----------------------------------	-------------------

DBE Subcontractor	Status	% Committed	Current Participation
B & D Construction, Co. Inc.	Performing	22.8%	42.1%
Wagner Engineering & Survey, Inc.	Not Performing	2.7%	0.0%
AESCO, Inc.	Not Performing	3.4%	0.0%
R Industrial & Healthcare Supplies	Performing	11.7%	2.1%
Total Commitment		40.60%	44.20%

F. All Subcontractors Included with Recommended Contractor's Proposal

	Subcontractor	Services Provided
1.	B & D Construction, Co. Inc.	Construction
2.	Wagner Engineering & Survey, Inc.	Survey, Mapping and ROW Engineering as required
3.	AESCO, Inc.	Materials Testing and Inspection
4.	R Industrial & Healthcare Supplies	Safety products
5.	Engineering & Environmental Construction, Inc.	Jobsite and construction activities oversight

DIVISION 11 WATER MITIGATION - VICINITY MAP

