



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 6 June 2018 <i>Robert M. Pomeroy</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 5/29/2018		BOARD INITIATED ITEM: No		
Originator/Prepared by: Robert Mitroff Dept: Extensions <i>Robert Mitroff</i> Signature/Date: 6/4/2018	General Counsel <i>[Signature]</i> 6/5/18 [ ]	Controller/Treasurer <i>[Signature]</i> 6/4/18 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> for R.D. 6/4/2018 [ ]

### PROFESSIONAL SERVICES AGREEMENTS NO. 6M8132, 6M8133, 6M8134, 6M8135, 6M8136, 6M8137, 6M8150, AND 6M8151 CONSTRUCTION MANAGEMENT SERVICES FOR BART PROJECTS

**PURPOSE:** Request the Board to Authorize the General Manager to award Agreement No. 6M8132 to ACm, AECOM Technical Services, Inc./Cooper Pegueda Management, Inc., a Joint Venture; Agreement No. 6M8133 to Ghirardelli Associates, Inc; Agreement No. 6M8134 to HDR Construction Control Corporation, Agreement No. 6M8135 to Jacobs Project Management Company; Agreement No. 6M8136 to Parsons Transportation Group, Inc.; Agreement No. 6M8137 to PGH Wong Engineering, Inc.; Agreement No. 6M8150 to PreScience Corporation; and Agreement No. 6M8151 to The Allen Group, LLC/Vali Cooper & Associates, Inc., a Joint Venture; to provide Construction Management Services for BART Projects

**DISCUSSION:** The six \$15,000,000 Construction Management Services agreements that the District awarded in 2015 are reaching the limits of the commitment authority allowed in their scope. New agreements are needed to provide the District with the essential Construction Management Services needed to implement the District's Capital Improvement Program. As a result, the District issued Request for Proposals (RFP) No. 6M8132 on January 31, 2018 to engage up to eight consulting firms or joint ventures to provide Construction Management services in an amount not to exceed \$25,000,000 per agreement, each with a five-year term.

On January 25, 2018, an Advance Notice to Proposers was sent out to 524 prospective proposers as well as to 23 plan rooms. The RFP was advertised on January 31, 2018 in local publications. The Request for Proposal documents were posted to the District's Procurement Portal and available to Proposers electronically on January 31, 2018 and also in

hardcopy form. A total of one hundred forty (140) firms downloaded the Request for Proposal documents from the Procurement Portal. A pre-proposal meeting was held on February 22, 2018 with one hundred-fifty nine (159) prospective Proposers in attendance. On March 27, 2018 proposals were received from the following 11 firms (in alphabetical order):

1. ACm, AECOM Technical Services, Inc./Cooper Pegueda Management, Inc., a Joint Venture, Oakland, CA
2. C<sup>2</sup>PM, San Ramon, CA
3. F.E. Jordan Associates, Inc./ABA Global, Inc., a Joint Venture, Oakland, CA
4. Ghirardelli Associates, Inc., Oakland, CA
5. HDR Construction Control Corporation, Walnut Creek, CA
6. Jacobs Project Management Co., Oakland, CA
7. Parsons Transportation Group, Inc., Oakland, CA
8. PGH Wong Engineering, Inc., San Francisco, CA
9. PreScience Corporation, Oakland, CA
10. S&C Engineers, Inc., Oakland CA
11. The Allen Group, LLC/Vali Cooper & Associates, a Joint Venture, San Francisco, CA

The proposals were reviewed by a Selection Committee ("Committee") consisting of BART staff from Planning, Development & Construction, Maintenance and Engineering, the Office of Civil Rights, and Contract Administration. Proposals were first reviewed to determine if the proposals were responsive to the requirements of the RFP. One of the proposals, from F.E. Jordan Associates, Inc./ABA Global, Inc., a Joint Venture, was determined to be non-responsive to the requirements of the RFP due to major omissions in the proposal.

Subsequently, the remaining 10 proposals were evaluated and scored on the basis of the criteria contained in the RFP with respect to the qualifications of the proposing firms and the qualifications of the project teams. As a result, the following nine firms (in alphabetical order) were shortlisted and selected for oral interviews which were conducted by the Committee between April 24, 2018 and April 27, 2018:

1. ACm, AECOM Technical Services, Inc./Cooper Pegueda Management, Inc., a Joint Venture, Oakland, CA

2. Ghirardelli Associates, Inc., Oakland, CA
3. HDR Construction Control Corporation, Walnut Creek, CA
4. Jacobs Project Management Co., Oakland, CA
5. Parsons Transportation Group, Inc., Oakland, CA
6. PGH Wong Engineering, Inc., San Francisco, CA
7. PreScience Corporation, Oakland, CA
8. S&C Engineers, Inc., Oakland CA
9. The Allen Group, LLC/Vali Cooper & Associates, a Joint Venture, San Francisco, CA

Based on the combined scores for the oral interviews and written statement of qualifications for RFP No. 6M8132, the Committee determined that the eight highest scoring proposers were the most qualified proposers for this RFP. These firms are listed below in alphabetical order:

1. ACm, AECOM Technical Services, Inc./Cooper Pegueda Management, Inc., a Joint Venture, Oakland, CA
2. Ghirardelli Associates, Inc., Oakland, CA
3. HDR Construction Control Corporation, Walnut Creek, CA
4. Jacobs Project Management Co., Oakland, CA
5. Parsons Transportation Group, Inc., Oakland, CA
6. PGH Wong Engineering, Inc., San Francisco, CA
7. PreScience Corporation, Oakland, CA
8. The Allen Group, LLC/Vali Cooper & Associates, a Joint Venture, San Francisco, CA

The Office of Civil Rights reviewed the scope of work for this Agreement and determined that there were DBE and SBE subcontracting opportunities; therefore, a DBE subcontracting goal of 22% and a SBE participation goal of 30% were set for this Agreement. The participation by DBE subcontractors counted towards the DBE subcontracting goal is also counted towards the SBE participation goal. Five of the eight Proposers (ACm, AECOM Technical Services, Inc./Cooper Pegueda Management, Inc., a Joint Venture; Jacobs Project Management Co.; Parsons Transportation Group, Inc.; PGH Wong Engineering, Inc.; and

The Allen Group, LLC/Vali Cooper & Associates, a Joint Venture) committed to meeting both the 22% DBE subcontracting goal and the 30% SBE participation goal.

Proposer Ghirardelli Associates, Inc. committed to meeting a 22% DBE subcontracting goal and a 85% SBE participation goal. Proposer HDR Construction Control Corporation committed to meeting a 24% DBE subcontracting goal and a 32% SBE participation goal. Lastly, proposer PreScience Inc. committed to meeting a 25% DBE subcontracting goal and a 75% SBE participation goal. The Office of Civil Rights will monitor the actual DBE and SBE participation attained based on individual work plans issued and amounts actually paid to DBE and SBE firms. The Agreements require the Consultants to ensure that DBE and SBE firms have an equal opportunity to compete for and participate in the performance of the Agreements.

Accordingly, staff recommends, upon completion of negotiation of fair and reasonable cost reimbursement rates and fees, eight cost-plus-fixed-fee awards each in an amount not to exceed \$25,000,000 for a five-year performance period as follows:

1. ACm, AECOM Technical Services, Inc./Cooper Pegueda Management, Inc., a Joint Venture, Oakland, CA
2. Ghirardelli Associates, Inc., Oakland, CA
3. HDR Construction Control Corporation, Walnut Creek, CA
4. Jacobs Project Management Co., Oakland, CA
5. Parsons Transportation Group, Inc., Oakland, CA
6. PGH Wong Engineering, Inc., San Francisco, CA
7. PreScience Corporation, Oakland, CA
8. The Allen Group, LLC/Vali Cooper & Associates, a Joint Venture, San Francisco, CA

Work Plans (WP's) under each Agreement will define individual assignments in each case subject to funding availability. Each WP will have its own scope, schedule, and budget.

The Office of General Counsel will approve the Agreements as to form.

**FISCAL IMPACT:** Each of the Agreements has a not-to-exceed limit of \$25,000,000. District obligations will be subject to a series of WP's. Each WP will have a defined scope of services, and separate schedule and budget. Any WP assigned for funding under a State or Federal grant will include State or Federal requirements. The Controller/Treasurer issues fund codes based on grant awards for allocation to capital projects. Capital Budget and

Funds Management will certify the eligibility of identified funding sources prior to incurring project costs against these Agreements and the execution of each WP. The Office of the Controller/Treasurer will certify that funds are available to meet this obligation prior the execution of each WP. This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

**ALTERNATIVES:** The District could reject all proposals and re-solicit new proposals. Reissuing these RFP's would adversely impact the implementation of BART's Capital Improvement Program and would not likely result in better quality bids.

**RECOMMENDATION:** It is recommended that the Board adopt the following motion:

**MOTION:** The General Manager is authorized to award, subject to the negotiation of fair and reasonable cost reimbursement rates and fees, the below listed Agreements to provide Construction Management Services for BART Projects in an amount not to exceed \$25,000,000 each, pursuant to notification to be issued by the General Manager. The awards are subject to the District's protest procedures and Federal Transit Administration (FTA) requirements related to protest procedures.

1. Agreement No. 6M8132 to ACm, AECOM Technical Services, Inc./Cooper Pegueda Management, Inc., a Joint Venture, Oakland, CA
2. Agreement No. 6M8133 to Ghirardelli Associates, Inc., Oakland, CA
3. Agreement No. 6M8134 to HDR Construction Control Corporation, Walnut Creek, CA
4. Agreement No. 6M8135 to Jacobs Project Management Co., Oakland, CA
5. Agreement No. 6M8136 to Parsons Transportation Group, Inc., Oakland, CA
6. Agreement No. 6M8137 to PGH Wong Engineering, Inc., San Francisco, CA
7. Agreement No. 6M8150 to PreScience Corporation, Oakland, CA
8. Agreement No. 6M8151 to The Allen Group, LLC/Vali Cooper & Associates, a Joint Venture, San Francisco, CA