



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>20 Feb 2019</i> <i>Th M. Poon</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 2/1/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Franklin Wong Dept: Extensions <i>Franklin Wong</i> Signature/Date: <i>2/13/2019</i>	General Counsel <i>[Signature]</i> <i>2/13/19</i> []	Controller/Treasurer <i>[Signature]</i> <i>2/20/19</i> []	District Secretary []	BARC <i>[Signature]</i> <i>2.20.2019</i> []
Status: Approved		Date Created: 2/1/2019		

PROFESSIONAL SERVICES AGREEMENTS NO. 6M8142, 6M8143, 6M8144, 6M8145, 6M8146, 6M8147, 6M8148, AND 6M8149 ARCHITECTURAL AND GENERAL ENGINEERING SERVICES FOR BART PROJECTS

PURPOSE: To authorize the General Manager to award Agreement No. 6M8142 to AECOM Technical Services, Inc.; Agreement No. 6M8143 to HDR Engineering, Inc.; Agreement No. 6M8144 to HNTB Corporation/FMG Architects, a Joint Venture; Agreement No. 6M8145 to Jacobs Engineering Group Inc.; Agreement No. 6M8146 to Parsons Transportation Group, Inc.; Agreement No. 6M8147 to PGH Wong Engineering, Inc.; Agreement No. 6M8148 to T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture; and Agreement No. 6M8149 to WSP USA Inc.; to provide Architectural and General Engineering Services for BART Projects.

DISCUSSION: Architectural and General Engineering Services Consultants have a lead role in the design, engineering, and construction of projects within the District's capital program. Recent awards of Architectural and General Engineering Services Agreements were made as follows:

- April 2014: \$15 million in contract commitment authority each to the following six teams: Acumen/Parsons, a Joint Venture; B&C/URS Joint Venture; Kal Krishnan Consulting Services (KKCS), Inc.; PGH Wong Engineering, Inc.; STV Incorporated; and Transit Modernization Partners, a Joint Venture (Parsons Brinckerhoff, Inc. and Robin Chiang & Company, Inc.)
- December 2016: a change order was approved by the Board of Directors which increased the contract commitment authority available in each of the six 2014 Agreements by an additional \$4 million.

- July 2017: \$25 million in contract commitment authority each to the following six teams: AECOM/TSE, a Joint Venture; HNTB/FMG Joint Venture; Parsons Transportation Group, Inc.; PGH Wong Engineering, Inc.; STV Incorporated; and WSP USA Inc. (formerly Parsons Brinckerhoff, Inc.).

These recent Agreements for Architectural and General Engineering Services are now reaching the limits of the permitted compensation. New agreements are required to ensure the District will have the essential Facilities and Systems Engineering Services needed to implement the District's Capital Improvement Program, including the Measure RR Expenditure Plan Program. On October 5, 2018, the District issued Request for Proposals (RFP) No. 6M8142 to engage up to eight consulting firms or joint ventures to provide Architectural and General Engineering Services in an amount not to exceed \$40,000,000 per agreement, or \$320,000,000 in total. Each of these agreements would have a five-year term.

Advance Notice to Proposers was sent to 427 prospective proposers. The RFP was also posted to the District's Procurement Portal and was made available to proposers to download electronically. The RFP was also advertised in local publications. A total of 164 firms downloaded the RFP through the Procurement Portal. A pre-proposal meeting was conducted on October 23, 2018, with 163 prospective proposers in attendance.

A total of eleven proposals were submitted to the District on November 20, 2018. These proposals are listed in alphabetical order below:

1. ABA Global Inc., San Francisco, CA
2. AECOM Technical Services, Inc., Oakland, CA
3. HDR Engineering, Inc., Walnut Creek, CA
4. HNTB Corporation/FMG Architects, a Joint Venture, Oakland, CA
5. Jacobs Engineering Group, Inc., Oakland, CA
6. Parsons Transportation Group, Inc., Oakland, CA
7. PGH Wong Engineering, Inc., San Francisco, CA
8. Stantec Consulting Services, Inc., San Francisco, CA
9. STV Inc., Oakland, CA
10. T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture, Oakland, CA
11. WSP USA Inc., San Francisco, CA

The written proposals were reviewed by a Selection Committee ("Committee") consisting of four members from Planning, Development, & Construction, two members from Maintenance & Engineering, and one member from the Office of Civil Rights. Proposals were first reviewed to determine if the proposals were responsive to the requirements of the RFP. Subsequently, the proposals were evaluated, reference-checked, 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 proposed project teams. All proposers were determined to be responsive to the requirements of the RFP; however, a significant gap in scores emerged

from this evaluation between the lower-ranked and higher-ranked proposals. As a result, the following ten firms and joint ventures (in alphabetical order) were shortlisted and selected for the oral interviews:

1. AECOM Technical Services, Inc., Oakland, CA
2. HDR Engineering, Inc., Walnut Creek, CA
3. HNTB Corporation/FMG Architects, a Joint Venture, Oakland, CA
4. Jacobs Engineering Group, Inc., Oakland, CA
5. Parsons Transportation Group, Inc., Oakland, CA
6. PGH Wong Engineering, Inc., San Francisco, CA
7. Stantec Consulting Services, Inc., San Francisco, CA
8. STV Inc., Oakland, CA
9. T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture, Oakland, CA
10. WSP USA Inc., San Francisco, CA

The oral interviews were conducted between January 15, 2019 and January 18, 2019, by the same Selection Committee members as those who evaluated the written proposals. Based on the combined scores for the oral interviews and written statement of qualifications for RFP No. 6M8142, the Committee determined that the eight highest scoring proposers and therefore the most qualified firms (in alphabetical order) were:

1. AECOM Technical Services, Inc., Oakland, CA
2. HDR Engineering, Inc., Walnut Creek, CA
3. HNTB Corporation/FMG Architects, a Joint Venture, Oakland, CA
4. Jacobs Engineering Group, Inc., Oakland, CA
5. Parsons Transportation Group, Inc., Oakland, CA
6. PGH Wong Engineering, Inc., San Francisco, CA
7. T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture, Oakland, CA
8. WSP USA Inc., San Francisco, CA

After making these determinations, negotiations were entered into with these eight most qualified firms. BART Contract Administration, with support from Internal Audit and Planning, Development, & Construction, evaluated and discussed the rates and mark-ups (for a cost-plus fixed-fee rate agreement) received from the eight Proposers. These discussions were concluded on terms favorable to BART and each of the Proposers. Staff determined that the recommended rate structures are fair and reasonable and that the eight above-listed firms are responsible organizations.

This Agreement was advertised pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program requirements. The Office of Civil Rights reviewed the scope of work for this Agreement and determined that there were Small Business Entity (SBE) subconsulting opportunities; therefore, an SBE participation goal of 30% was set for this Agreement. All of the Proposers committed to meeting the 30% SBE participation goal. AECOM Technical

Services, Inc. committed to meeting a 30% SBE participation goal; HDR Engineering, Inc. committed to meeting a 30% SBE participation goal; HNTB Corporation/FMG Architects, a Joint Venture, committed to meeting a 30% SBE participation goal; Jacobs Engineering Group, Inc. committed to meeting a 31% SBE participation goal; Parsons Transportation Group, Inc. committed to meeting a 30% SBE participation goal; PGH Wong Engineering, Inc. committed to meeting a 30% SBE participation goal; T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture, committed to meeting a 32% SBE participation goal; and WSP USA, Inc. committed to meeting a 30% SBE participation goal. The Office of Civil Rights will monitor the actual SBE participation attained based on individual task orders issued and amounts actually paid to SBE firms. The Agreements require the Consultants to ensure that SBE firms have an equal opportunity to compete for and participate in the performance of the Agreements.

Accordingly, staff recommends the following eight awards under RFP No. 6M8142, each in an amount not to exceed \$40,000,000 for a five-year performance period as follows (in alphabetical order):

1. AECOM Technical Services, Inc., Oakland, CA
2. HDR Engineering, Inc., Walnut Creek, CA
3. HNTB Corporation/FMG Architects, a Joint Venture, Oakland, CA
4. Jacobs Engineering Group, Inc., Oakland, CA
5. Parsons Transportation Group, Inc., Oakland, CA
6. PGH Wong Engineering, Inc., San Francisco, CA
7. T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture, Oakland, CA
8. WSP USA Inc., 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 \$40,000,000. 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. Controller/Treasurer issues fund codes based on grant awards for allocation to capital projects. Grant Compliance/Capital Management will certify the eligibility of identified funding sources prior to incurring project costs against these Agreements and the execution of each WP.

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 the below listed Agreements to provide Architectural and General Engineering Services for BART Projects in an amount not to exceed \$40,000,000 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 protests.

1. 6M8142 to AECOM Technical Services, Inc., Oakland, CA
2. 6M8143 to HDR Engineering, Inc., Walnut Creek, CA
3. 6M8144 to HNTB Corporation/FMG Architects, a Joint Venture, Oakland, CA
4. 6M8145 to Jacobs Engineering Group, Inc., Oakland, CA
5. 6M8146 to Parsons Transportation Group, Inc., Oakland, CA
6. 6M8147 to PGH Wong Engineering, Inc., San Francisco, CA
7. 6M8148 to T.Y. Lin International/Transit Systems Engineering, Inc., a Joint Venture, Oakland, CA
8. 6M8149 to WSP USA Inc., San Francisco, CA