



**Metro**

Metropolitan Transportation Authority

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**CONSTRUCTION COMMITTEE  
FEBRUARY 19, 2004**

**PROJECT: ALL TRANSIT CORRIDOR AND CAPITAL PROJECTS**

**CONTRACT: EN068, ENVIRONMENTAL ENGINEERING SERVICES,  
MACTEC ENGINEERING AND CONSULTING, INC.**

**ACTION: CONTRACT MODIFICATION NO. 11 IN AN AMOUNT NOT TO  
EXCEED \$1,705,507**

**RECOMMENDATION:**

Authorize the Chief Executive Officer (CEO) to execute Amendment No. 11 to Contract EN068 with MACTEC Engineering and Consulting, Inc., (formerly, Harding Lawson ESE) to provide Environmental Engineering Services through fiscal year 2005 in an amount not-to-exceed \$1,705,507, increasing the total contract value from \$5,637,493 to \$7,343,000

Within Construction Committee authority: Yes  No  N/A

**RATIONALE**

In December 1999, the Board awarded a five-year contract, inclusive of three one-year options, to Harding Lawson ESE under Contract EN068 for environmental engineering services. At that time the Board funded the Contract Value of \$3,637,493 based on the first two years of the five-year period of performance. Previous modifications have exercised options to extend the period of performance by one-year increments. Modification No. 7, issued in March 2003, increased the contract value by \$2,000,000 from the original award of \$3,637,493. Staff is now requesting additional funding in the amount of \$1,705,507 based on MTA's Environmental Compliance and Services Department's (ECSD) estimated projection of required services through fiscal year 2005.

Nearly every capital project and all transit projects undertaken by the MTA, require evaluation of hazardous substances, contamination, or a need for regulatory compliance under federal, state and local law. MTA must comply with all environmental laws to avoid fine, and civil or criminal liability. The Environmental Engineering contract, EN068, assists with geo-technical investigation, Phase I and Phase II Site Investigation, asbestos, lead paint, construction or

operations waste classification, soil and groundwater sampling, permit assistance, monitoring and reporting requirements and other regulatory coordination requirements.

As the need for specific environmental engineering services arise, ECSD staff will issue Task Orders, funded from their associated project's budget, considering the 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 Time-and-Materials basis in order to be practically expedient. ECSD staff will closely monitor the Contractor's budget and schedule using existing project management controls. No funds are obligated until a Task Order is awarded against a valid project budget.

### **IMPACTS TO OTHER CONTRACTS**

If Contract EN068's contract value is not increased, then support to other MTA contracts will be limited. The project managers would have to competitively procure environmental compliance services for their individual projects, including the Orange Line and the Eastside LRT. For example, the Orange Line Project, Contract No. C0675 Design/Build, which is in design and construction, may be impacted if MTA cannot provide timely environmental engineering services. Any delay in an MTA response may increase MTA's liability for Contractor claims of delay to schedule completion milestones.

For example, Contract EN068 will be used to sample and test locations along the Orange Line for contaminated and hazardous materials. If and when such materials are found, MTA will use Contract EN069, Environmental Waste Handling, with CH2MHill to remove or otherwise remediate these materials. Depending on the quantities of materials involved and other demands for waste handling services, staff may need to present a Board Report requesting a contract value increase for Contract EN069 at a subsequent meeting.

### **FINANCIAL IMPACT**

The funds for this contract amendment are available in the FY04 budget in Cost Center 8510 (Construction Contracts). In FY'01-04, \$4,726,952 was expended on various transit corridor and capital projects as shown in Attachment B. This work is budgeted in project numbers 200015 (Rail Division Tank Upgrades and Management), 200025 (Bus Division Tank Upgrades and Management), and 200026 (Bus Division Site Remediation), or in the specific transit corridor or capital program project budget. Since this is a multi-year contract, budgeting for future year expenditures will be brought back to the Board for approval.

### **ALTERNATIVES CONSIDERED**

The MTA could decline to increase the funding for this contract, and a new Environmental Engineering Services contract could be solicited, competitively selected, and procured. However, the EN068 contract is scheduled to expire in December 2004, and it would take staff until late 2004 to solicit and award a new contract. Environmental Compliance and Services would only be able to provide limited in-house support from expertise available from staff. Project Managers would be without critically needed support until MTA could award a new

contract. Continuing efforts under existing or new Contract Work Orders will eliminate technical and administrative lag while the new Environmental Engineering services are procured.

MTA could prepare individual contracts for each environmental support task needed. To date 62 Task Orders have been issued for Contract No. EN068. It would not be time or cost-effective to have staff make individual procurements for each task required.

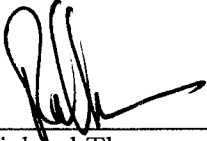
MTA could do all the environmental engineering support work in-house. MTA does not have sufficient staff, expertise, equipment and supplies to perform the work in-house. MTA would have to hire additional staff with expertise in many different subjects, such as drilling, laboratory science, and risk assessment, as well as purchase specialized equipment such as drill rigs. MTA would incur more cost to do the work internally than by employing consultants.

This action will allow MACTEC to proceed with performing environmental engineering services for the proposed projects as described above. An increase for this contract will provide a timely method for MTA's qualified consultant to continue to provide engineering solutions to contaminated and hazardous materials issues.

**ATTACHMENT(S)**

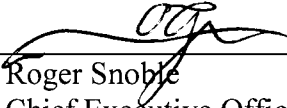
- A. Procurement Summary
- A-1. Procurement History
- A-2. List of Subcontractors
- B. Contract EN068 Budgeted Funds
- C. Tasks to Support Major Transit & Capital and Regulatory Change Compliance

Prepared by: Kathleen Sweet, Environmental Specialist III  
James L. Sowell, Environmental Compliance & Services Manager



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Richard Thorpe  
Chief Project Management Officer



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Roger Snoble  
Chief Executive Officer

**BOARD REPORT ATTACHMENT A  
PROCUREMENT SUMMARY**

**EN068 ENVIRONMENTAL COMPLIANCE SERVICES**

1.	Contract Number: EN068		
2.	Recommended Vendor: MACTEC Inc.		
3.	Cost/Price Analysis Information: N/A		
	A. Bid/Proposed Price: \$ N/A	Recommended Price: \$ N/A	
	B. Details of Significant Variances are in Attachment A-1.D N/A		
4.	Contract Type: Time and Materials		
5.	Procurement Dates:		
	A. Issued: December 10, 1999		
	B. Advertised: N/A		
	C. Pre-proposal Conference: N/A		
	D. Proposals Due: N/A		
	E. Pre-Qualification Completed: N/A		
	F. Conflict of Interest Form Submitted to Ethics: N/A		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: 25% DBE Goal	Date Small Business Evaluation Completed: N/A	
	B. Small Business Commitment: N/A		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: N/A	Bids/Proposals Picked up: N/A	Bids/Proposals Received: N/A
8.	Evaluation Information:		
	A. Bidders/Proposers Names: N/A	Bid/Proposal Amount: N/A	Best and Final Offer Amount: N/A \$
	B. Evaluation Methodology: N/A Details are in Attachment A-1.C		
9.	Protest Information:		
	A. Protest Period End Date:		
	B. Protest Receipt Date:		
	C. Disposition of Protest Date:		
10.	Contract Administrator: Michael T. Holguin	Telephone Number: 922-7365	
11.	Project Manager: James Sowell	Telephone Number: 922-7306	

**BOARD REPORT ATTACHMENT A-1  
PROCUREMENT HISTORY**

**EN068 ENVIRONMENTAL COMPLIANCE SERVICES**

A. Background on Contractor

MACTEC Engineering and Consulting, Inc. is located in Irvine California. They were previously known as Harding Lawson Associates. MACTEC has provided continuous engineering services from U.S. Offices dating from 1873. They are a full service engineering solutions firm. MACTEC provides the MTA with permitting, monitoring, investigation and remediation of hazardous substances.

B. Procurement Background

N/A

C. Evaluation of Proposals

N/A

D. Cost/Price Analysis Explanation of Variances

N/A

**PRIME CONTRACTOR –**

N/A

Small Business Commitment

N/A

Other Subcontractors

N/A

Total Commitment 25% this must match % listed in item 6b.

## LIST OF SUBCONTRACTORS

### ENVIRONMENTAL ENGINEERING SERVICES

This CWO Contract has a DBE participation of 25%. At the time of award, the Contractor designated DBE subcontractors to be utilized without schedules or expenditures specified. As such, there are no specific dollar commitments made to the designated DBEs. A total of 62 CWOs have been issued since contract award. The Prime Contractor made Good Faith Efforts by adding two (2) DBE firms, Calvada Surveying and Belshire Environmental.

Current DBE attainment<sup>1</sup> based on relevant contract amount<sup>2</sup> is 13.38%. Current DBE participation based on the total actual amount paid-to-date to prime is 21.35%.

#### PRIME CONTRACTOR – MACTEC (Formerly, Harding ESE), Contract ENO68

DBE Subcontractor	Commitment	Current Attainment <sup>1</sup>	Current Participation <sup>3</sup>	Current Status
BC2 Environmental	CWO	1.19%	2.89%	Performing
Calscience Environmental Lab	CWO	7.71%	11.67%	Performing
Dean Ryan Consultants	CWO	2.54%	3.85%	Performing
Calvada Surveying	N/A	.41%	.62%	Performing
Belshire Environmental	N/A	1.53%	2.32%	Performing
<b>TOTAL</b>	<b>25%</b>	<b>13.38%</b>	<b>21.35%</b>	

<sup>1</sup>Current Attainment = Total Actual Amount Paid-to-Date to Subs ÷ Total Relevant Contract Amount

<sup>2</sup>Relevant Contract Amount = Original Contract Value + Contract Cost Modifications

<sup>3</sup>Current Participation = Total Actual Amount Paid-to-Date to Subs ÷ Total Actual Amount Paid-to-Date to Prime

**BOARD REPORT ATTACHMENT B**

**CONTRACT EN068 SUMMARY OF PRIOR AND CURRENT WORK**

(approximate distribution among projects)

**CURRENT WORK (IN PROGRESS/COMPLETED)**

<u>Various Capital Projects</u>	\$ 149,374
<u>200015 – Rail Facility Tank Program</u>	\$ 183,000
<u>200025 - Bus Facility Tank Program</u>	\$ 388,788
<u>200026 – Site Remediation &amp; Tank Upgrade</u>	\$1,863,101
<u>800112 – The Orange Line</u>	\$ 124,807
<u>800082 – Metro Red Line, North Hollywood</u>	\$ 475,000
<u>800083 – Mid-City Extension Well Abandonment</u>	\$ 441,230
<u>800088 – Metro Gold Line East Side</u>	\$ 709,672
<u>Real Estate Staff Augmentation</u>	\$ 372,000

**VALUE OF CURRENT WORK**

**\$4,726,952**

**PENDING CWO AWARDS**

**\$ 456,000**

**TOTAL CURRENT AND PENDING WORK**

**\$5,182,952**

**Say \$5,183,000**



## BOARD REPORT ATTACHMENT C

### EN068 PROPOSED FUTURE WORK TO SUPPORT MAJOR TRANSIT AND CAPITAL PROJECTS AND REGULATORY CHANGE COMPLIANCE PROJECTS

#### BUS DIVISION EXPANSION

200027 – Division 6 - Phase I/II, Site Assessment and Remedial Action Plan \$300,000  
(Coordination with Regulatory Agency for Approval)  
Oversight of Remedial Action Plan, at Division 6 \$ 50,000

Division 9 - Geotechnical & Environmental Site Assessment \$ 50,000

200350 - Division 4 - Phase I/II, Site Assessment and Remedial Action Plan \$100,000

#### 200015 – RAIL FACILITY TANK PROGRAM

Design support for Division 60 (Rail Operations Center) \$ 20,000  
Underground Storage Tank Replacement

#### 200025 – BUS FACILITY TANK PROGRAM

Design support during construction replacement of tanks \$ 20,000  
at Divisions 2,3,5 & 9

#### 200026 - SITE REMEDIATION

Underground Storage Tank & Piping Upgrades at Several \$150,000  
Divisions

Implement of Remedial Action Plan, Continue Groundwater \$450,000  
Monitoring Program at Divisions 1 & 7

Continue Groundwater Monitoring Program at Division 6 & 10 \$200,000

Stormwater Monitoring \$ 50,000

#### 800112 – The Orange Line

Continue Storm Water Compliance Audit \$120,000  
Hazardous Materials Response \$500,000

#### 800084 - Former East Side Extension

Monitoring Well Abandonment \$ 50,000

#### REAL ESTATE DEPARTMENT STAFF AUGMENTATION

\$100,000

#### TOTAL PROPOSED FUTURE WORK

\$2,160,000

PLUS CURRENT AND PENDING WORK (Attachment B)

\$5,183,000

#### **VALUE OF CURRENT AND PROPOSED WORK**

**\$7,343,000**

LESS PRESENT VALUE OF CONTRACT

\$5,637,493

#### **ADDITIONAL VALUE REQUIRED**

**\$1,705,507**

