OCTA

January 9, 2025

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Approval of Short-Listed Design-Build Teams and Release of Request for Proposals for Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base

Overview

On September 23, 2024, the Orange County Transportation Authority Board of Directors approved the release of a request for qualifications to initiate a competitive procurement process to retain a contractor for design-build services to deliver the hydrogen fueling station and facility modifications at the Garden Grove Bus Base. As part of the two-step, best value design-build procurement process, staff request Board of Directors' approval of the short-listed design-build teams and approval to release the request for proposals for this project.

Recommendations

A. Approve the short-listing of the three design-build teams: Clean Energy, Wayne Perry, Inc., and Messer, LLC for the design and construction of the hydrogen fueling station and facility modifications at the Garden Grove Bus Base.

B. Approve the evaluation criteria, weightings, and best-value selection process for Request for Proposals 4-2683 for design and construction of the hydrogen fueling station and facility modifications at the Garden Grove Bus Base through a design-build contract.

C. Approve the release of the Request for Proposals 4-2683 for design and construction of the hydrogen fueling station and facility modifications at the Garden Grove Bus Base to the three short-listed design-build teams.

Discussion

The Orange County Transportation Authority (OCTA) initiated a pilot program to test zero-emission bus (ZEB) technology to obtain operational performance information to determine which ZEB technology, or mix of technologies, best meets OCTA service requirements. The ZEB pilot program was implemented in early 2020 with the introduction of ten hydrogen (H_2) fuel-cell electric buses (FCEB) and an H_2 fueling station at the Santa Ana Bus Base. The pilot was expanded in 2023 with the introduction of ten battery electric buses operating from the Garden Grove Bus Base. OCTA is now underway with expanding the ZEB fleet with the addition of 40 new FCEBs along with the installation of an H_2 fueling station at the Garden Grove Bus Base. H_2 fueling infrastructure at the Garden Grove Bus Base will provide fueling for OCTA's FCEBs along with operational redundancy similar to that of OCTA's compressed natural gas fueling infrastructure. The project will install a liquid H_2 fueling station, FCEB de-fueling appurtenances, H_2 detection in bus maintenance facilities, metered electrical infrastructure, a standby power generator, FCEB maintenance platform, and related work.

As allowed by California Public Contract Code Section 22160 et seq. (PCC 22164), this type of project typically lends itself to being implemented using design-build (DB) delivery methodology. The DB method differs from the design-bid-build method by allowing the same entity to both design and build the project. The DB process is more desirable due to the highly specialized nature of fueling stations which include complex systems and unique components and specifications. All OCTA existing fueling stations have been delivered using this method, including the liquified natural gas, compressed natural gas, and H_2 fueling stations. Having a single entity responsible for the design and construction of the H_2 fueling station helps protect OCTA from the design and construction risk of this complex project by allowing a single entity to design and build the facility. Combining the construction team with the designer minimizes risk, shortens overall delivery time, and helps to control cost.

A two-step, best-value procurement method is required by the Public Contract Code (PCC) for selecting a DB team for the project.

Procurement Approach

The selection of a DB team to design and construct the H_2 fueling station and facility modifications at the Garden Grove Bus Base will be accomplished through a two-step procurement process. The first step, the request for qualifications (RFQ), is used to solicit detailed information about each teams' qualifications and experience related to similar projects and to develop a

short-list of qualified teams. The second step, the request for proposals (RFP), is issued to the short-listed teams to solicit proposals for OCTA's evaluation and selection of a "best value" DB team for the project. Due to the nature of the services needed for the project, the teaming relationships are generally joint ventures as opposed to prime-subcontractor relationships. Following is a more detailed discussion of the two steps.

Step 1 – RFQ

The first step consisted of the issuance of the RFQ, receipt of statements of qualifications (SOQs) by OCTA, and the development of a short list in accordance with PCC 22164 requirements and OCTA's procurement policies and procedures. Approval of the recommended short-listed DB teams included in this staff report will conclude with the first step of the two-step best-value award process. The SOQ scoring will not be carried over into the technical proposal evaluation process or any future stage of the procurement process.

On September 23, 2024, the Board of Directors (Board) authorized the release of RFQ 4-2448, which was electronically issued on CAMM NET. The project was advertised on September 23 and September 30, 2024, in a newspaper of general circulation. An RFQ conference was held on October 2, 2024, with 13 attendees representing seven firms. Three addenda were issued to make available the RFQ conference registration sheets, provide responses to questions received, and handle administrative issues related to the RFQ.

On October 22, 2024, five responsive SOQs were received. The process of evaluating the five SOQs was done in two parts, a compliance review and technical evaluation, as follows:

1. Compliance review of the SOQs was conducted using pass/fail criteria in the areas of minimum requirements, legal structure, and financial capability described in the RFQ. The submittals were reviewed by a team of legal and procurement professionals and all five submittals were found responsive to the requirements of the RFQ in these areas and determined to be a 'pass'. The five submittals were then advanced to the technical evaluation.

2. Technical evaluation of the SOQs that passed the compliance review was conducted using the technical scored categories and weightings described in the RFQ and listed below:

- Design-Build Entity and Design-Build Team Experience 30 percent
- Key Personnel Experience 30 percent
- Organizational and Management Approach and Quality Management Program 40 percent

An evaluation committee consisting of members from OCTA's Contracts Administration and Materials Management, Facilities Engineering, Transportation Modeling, Safety and Environmental, and Maintenance departments met to review the submittals.

The evaluation committee reviewed the SOQs based on the above-mentioned Board-approved evaluation criteria and weightings and short-listed three DB teams, listed below in alphabetical order:

Clean Energy
Headquarters: Newport Beach, California
Project Office: Newport Beach, California

Messer, LLC (Messer)
Headquarters: Bridgewater, New Jersey
Project Office: Bridgewater, New Jersey

Wayne Perry, Inc. (WPI)
Headquarters: Buena Park, California
Project Office: Buena Park, California

The SOQ evaluation process as described herein is not utilized to compare the submittals. It is used to develop a short list of the responsive teams deemed most qualified per the pass/fail and technical requirements of the RFQ. The make-up of each of the DB teams is contained in Attachment A.

Step 2 – RFP

To initiate the second step of the DB procurement process, each of the short-listed DB teams will receive a copy of the RFP following Board approval of the recommended evaluation criteria and weightings.

Evaluation of Proposals

The proposals submitted in response to the RFP will be evaluated to determine the proposal that offers the best value to OCTA, considering the technical and

price proposal. The intent of OCTA in this evaluation process is to create a fair and uniform basis for the evaluation of the proposals.

The proposal evaluation process will include responsiveness and qualitative evaluation of the technical proposal, a responsiveness and qualitative evaluation of the financial proposal, and a best-value determination.

Technical Proposal Responsiveness and Evaluation

Each technical proposal will be evaluated to determine that the requirements of the RFP have been met and scored based on the following recommended criteria and weightings as follows:

- Qualifications of the Firm 35 percent
- Staffing and Project Organization 30 percent
- Technical and Project Delivery Approach 35 percent

Several factors were considered in developing the evaluation criteria weightings. The qualifications of the firm criterion is weighted at 35 percent as the DB teams must demonstrate technical experience with the design and construction of a fueling station of similar scope and scale. The staffing and project organization criterion is weighted at 30 percent as the DB teams must demonstrate the level of expertise, resource availability, and involvement of the roles required for the proposed project team. The technical and project delivery approach criterion is weighted at 35 percent as the DB teams must demonstrate an understanding of OCTA's requirements and present a competitive general and design management approach, project delivery schedule, proposed facility design plan, and construction approach, including aspects such as mobilization strategy, construction staging, risk mitigation, safety plan, and quality management plan.

After the evaluation and scoring of the technical proposals are completed, the price proposals will be opened and evaluated for responsiveness and to obtain the price submitted by each offeror.

Best-Value Determination

The best-value determination will use a formula that includes a component for technical score and a component for price score to arrive at a total score for the offeror's proposal. The DB team with the highest total score will be recommended to the Board as the best-value offeror.

The best value determination will be based on a 100-point scale. The technical score will represent up to 70 points of the total score, and the price score will represent up to 30 points of the total score. The apparent best value will be represented by the highest total proposal score.

OCTA may, at any time after receipt of proposals and prior to final award and execution of the contract, determine that it is appropriate to request changes or clarifications to the proposals. If changes or clarifications to the proposals are required, OCTA may request the DB teams submit a Best and Final Offer to assist with the final evaluation of the proposals.

Procurement Summary

Based on the evaluation of the SOQs, the evaluation committee recommends short-listing three DB teams, Clean Energy, Messer, and WPI. The three DB teams will be issued the RFP and have an opportunity to submit proposals for the design and construction of the H_2 fueling station and facility modifications at the Garden Grove Bus Base.

Fiscal Impact

The project is included in OCTA's Fiscal Year 2024-25 Budget, Capital Programs Division, Account No. 1722-9022-D2157-TTW, and is funded with local transportation funds.

Summary

Board of Directors' approval is requested to approve short-listing three design-build teams, Clean Energy, Messer LLC, and Wayne Perry Inc., and the release of Request for Proposals 4-2683 for the design and construction of the hydrogen fueling station and facility modifications at the Garden Grove Bus Base, as well as the proposed evaluation criteria, weightings and best-value determination.

Attachments

A. Request for Qualifications 4-2448, List of Short-Listed Design-Build Teams
B. Draft Request for Proposals (RFP) 4-2683, Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base

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