



November 14, 2019

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Consultant Selection for On-Call Materials Testing and Inspection Services for Facilities Projects

Overview

On July 25, 2019, the Orange County Transportation Authority issued a request for proposals for on-call materials testing and inspection services for facilities projects. Proposals were solicited in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested for the selection of the firm to perform the required work.

Recommendations

- A. Approve the selection of Ninyo & Moore Geotechnical & Environmental Science Consultants as the firm to provide on-call materials testing and inspection services for facilities projects.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1356 between the Orange County Transportation Authority and Ninyo & Moore Geotechnical & Environmental Science Consultants, in the amount of \$461,465, for a three year initial term, with one, two-year option term, to provide on-call materials testing and inspection services for facilities projects.

Discussion

The Orange County Transportation Authority (OCTA) owns, operates, and maintains five maintenance and operations bus bases, two park-and-ride facilities, and five transportation centers. The facilities are comprised of 56 buildings and structures totaling over 400,000 square feet. The structures are situated on approximately 89 acres of property throughout Orange County. During execution of capital improvement, maintenance, and facility modification projects at OCTA's facilities, quality is managed through quality assurance

activities, including routine testing and inspection of materials and tasks to verify that deliverables meet specified project requirements. Typical inspection and testing activities include performing testing of soils, concrete, asphalt concrete, masonry, structural steel, asbestos containing materials, and lead containing materials. In addition, special deputy inspection services (inspections) are utilized for welding, reinforcing steel, masonry, concrete placement, and roofing as required. This contract will replace services currently being provided by another consultant for which the contract expires on January 31, 2020.

Procurement Approach

This procurement was handled in accordance with Board of Directors-approved procedures for professional and technical services that conform to both federal and state laws. In addition to cost, many other factors are considered in an award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as staffing and project organization, prior experience with similar projects, work plan, as well as cost and price.

On July 25, 2019, Request for Proposals (RFP) 9-1356, was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on July 25 and August 1, 2019. A pre-proposal conference was held on August 8, 2019, with 13 attendees representing 13 firms. Two addenda were issued to make available the pre-proposal conference registration sheets and presentation materials, provide responses to questions received, and address administrative issues related to the RFP.

On August 27, 2019, ten proposals were received. An evaluation committee consisting of staff from the Contracts Administration and Materials Management, Facilities Engineering, Maintenance-Specialty Shops, Project Controls, and Real Property departments met to review all submitted proposals. The proposals were evaluated on the following evaluation criteria and weights:

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|-------------------------------------|------------|
| • Qualifications of the Firm | 30 percent |
| • Staffing and Project Organization | 20 percent |
| • Work Plan | 20 percent |
| • Cost and Price | 30 percent |

The evaluation criteria and weightings are consistent with those developed for the previous procurements for the same services. High importance was given to qualifications of the firm, as well as cost and price. Qualifications of the firm and experience in work of a similar nature are critical to the success of the consultant

performing the required services. Cost and price is weighted high as well to ensure OCTA receives value for the work provided. Staffing and project organization and work plan were each weighted at 20 percent as the firm must have an adequate pool of qualified and experienced staff to perform the required services. The work plan covers the various tests as required by OCTA.

The evaluation committee reviewed and discussed all proposals based on the evaluation criteria and found three firms most qualified to perform the required services. The most qualified firms are listed below in alphabetical order:

Firms and Location

MTGL, Inc. (MTGL)
Anaheim, California

Ninyo & Moore Geotechnical & Environmental Science Consultants (Ninyo)
Irvine, California

SCST, LLC (SCST)
Newport Beach, California

On September 30, 2019, the evaluation committee interviewed the three short-listed firms. The interviews consisted of a presentation allowing each team to discuss its qualifications, proposal, and respond to evaluation committee questions. Questions were asked relative to the team's experience, experience of key personnel, approach to work plan execution, quality assurance/quality control procedures, and tracking and reporting. Finally, each team was asked specific clarification questions related to its proposal.

After considering the presentations and responses to questions asked during the interviews, the evaluation committee adjusted the preliminary scores for two firms. However, Ninyo remained as the top-ranked firm with the highest cumulative score.

Based on the evaluation of the written proposals, information obtained from the interviews, and proposed price, staff recommends Ninyo as the firm to provide on-call materials testing and inspection services for facilities projects. Ninyo ranked highest because the firm's proposal was the most responsive to the RFP requirements. Ninyo demonstrated the most extensive, relevant experience, presented the most qualified and experienced team, with experience working together, and provided a comprehensive work plan and competitive proposed price. The following is a brief summary of the proposal evaluation results.

Qualifications of the Firm

All three firms are qualified to perform the services. Each firm received positive references.

Ninyo was established in 1986 and provides construction inspection, materials testing, and other related services. The firm has 500 employees in 19 offices in six states. Ninyo best demonstrated its overall experience providing material testing and inspection services. Under three previous OCTA on-call agreements, Ninyo has performed inspection and testing services for projects at numerous facilities, such as construction, renovation, and improvements at the Garden Grove Bus Base, Irvine Sand Canyon Bus Base, and Laguna Beach Transportation Center. As the on-call consultant for materials testing and inspection services for John Wayne Airport since 2003, Ninyo has completed over 120 task orders for more than 12 million dollars. Some of these services included testing and inspection for construction of Terminal C. Ninyo has also done work for the Port of Long Beach (Port) as the on-call consultant since 2004. Port projects have involved the demolition of existing facilities, such as buildings and utility systems, and construction and improvements to yards and industrial buildings, amongst other facilities. Ninyo's proposal includes two subconsultants to provide support in the areas of roofing and analytical testing.

SCST has been in operation since 1959 and provides special inspection and materials testing, along with other related services. The firm has seven offices and 192 employees in three states. SCST demonstrated experience on a majority of the inspection and testing services identified in the scope of work. Recent relevant firm experience includes testing and inspection services for the construction of the County of Riverside Economic Development Agency John J. Benoit Detention Center (Benoit Detention Center), construction of the San Diego International Airport Terminal 2 Parking Plaza, and demolition and construction project for the United States General Services Administration's San Ysidro Port of Entry Phase 2 (San Ysidro Port). SCST has been providing on-call materials testing and inspection services to the City of Carlsbad for ten years and the City of Del Mar for seven years for various construction, renovation, and improvement facilities projects. SCST did not propose the use of any subconsultants.

MTGL has provided material testing and inspection services, and other related services, since 1993. The firm has 55 employees with three offices in California. MTGL demonstrated experience on many of the inspection and testing services identified in the scope of work. MTGL is currently providing testing and inspection services to OCTA as a subconsultant on the Interstate 405 Improvement project. Previously MTGL provided services to OCTA on the Laguna Niguel/Mission Viejo

Metrolink Station Improvements project. The firm is currently providing materials testing and inspection services on Los Angeles Metropolitan Transportation Authority's Willowbrook Rosa Parks Station Improvement Project (Willowbrook), and the City of Brea for the renovation of a school yard. MTGL did not propose the use of any subconsultants.

Staffing and Project Organization

Each firm proposed qualified key personnel and support staff with relevant experience.

Ninyo proposed an experienced project team, including key personnel that have worked together at the firm in similar capacities for over 20 years. The proposed principal in charge is a licensed civil and geotechnical engineer and has overseen hundreds of soils and materials testing and inspection projects for public agencies in the past 24 years. The proposed project manager is a registered professional and geotechnical engineer with 33 years of experience. The proposed technical advisor and quality assurance/quality control (QA/QC) personnel is a registered civil engineer and licensed quality engineer with 50 years of experience. The proposed technical advisor/QA/QC's extensive experience relevant to the role for this project includes development of the firm's accredited quality systems manual and oversight of specialty laboratory testing services, and the proposed construction services manager has 33 years of experience. These proposed personnel are the same personnel that provided services on previous OCTA on-call materials testing and inspection agreements. Ninyo's key personnel have also worked on the firm's on-call contracts for materials testing and inspection services for California Department of Transportation, District 12, John Wayne Airport, Riverside Transit Authority, Riverside County Transportation Commission, and San Bernardino County Transportation Authority, amongst others. The team includes qualified task managers and certified field and laboratory technicians with a range of certifications and services. The team's availability is adequate for provision of services under an on-call agreement.

SCST's proposed key personnel have worked on some projects together. The proposed project manager/laboratory manager has over 20 years of experience in the geotechnical, and testing and inspection industry, including two years with SCST. Demonstrated project management experience includes the ongoing Anaheim Elementary School District's Roosevelt Elementary School construction project and the completed City of Hawthorne Municipal Airport North Side Development project. The proposed technical advisor/principal engineer has 25 years of experience, including as principal engineer during testing and inspection for the construction of the Benoit Detention Center and

various other public agency construction projects, and the proposed director of laboratory services has 14 years of experience, including testing and inspection for the construction of the Benoit Detention Center and San Ysidro Port. The director of field services has 35 years of experience in testing and inspection for the construction of the Benoit Detention Center and the County of San Diego Assessor/Recorder/County Clerk East County Branch Office and Archives. Key personnel also includes a registered roofing employee with 24 years of relevant experience. The team also includes field technicians and inspectors with a range of certifications and experience. Personnel would be committed to providing services as needed to meet project requirements.

MTGL's proposed principal/managing engineer has 33 years of experience as a geotechnical engineer, including three years with MTGL. Cited experience includes efforts as a material engineer providing testing and inspection on various projects, including the Willowbrook project. The proposed assistant project manager has 17 years of experience with the firm and would be responsible for overseeing materials testing and inspection services. Key personnel demonstrated limited experience working together on referenced projects. Qualifications and experience of the assistant project manager were general and non-project specific. The proposed laboratory manager has 13 years of experience, including two with MTGL. The proposed laboratory manager's most notable experience includes performance of dozens of third-party accreditation audits with relevant agencies and design and set up of onsite laboratories. The proposed lead inspector is multi-certified with eight years of experience, including three with the firm. Project experience includes the role of multi-certified inspector on a variety of facility improvement projects. The team includes field technicians and inspectors with a range of certifications and experience providing services on an extensive list of facility projects. Personnel would be committed to providing services as needed to meet project requirements.

Work Plan

All three short-listed firms proposed a work plan that conformed to the scope of work identified in the RFP, including testing performed in accordance with the required test methods.

Ninyo's proposed work plan demonstrated an understanding of the on-call process. The proposal includes a typical scope of services for soils and materials testing and special inspection services with a logical sequence of events. Ninyo presented the sequential activities to be implemented for each assignment beginning with development of the scope of work upon receipt of OCTA's request through project closeout. Each activity included the firm's assigned personnel, a

description of the work to be performed, and the expected outcome. The proposed work plan included independent technical reviews by technical advisors as part of the quality assurance program. The proposal included a concise discussion of proposed methods for providing quality, budget, and schedule control for every project. Though Ninyo does not anticipate issues with regard to materials testing or inspection services, the work plan addressed unanticipated conditions and situations, and that the firm would provide recommendations for alternative options. Ninyo's proposed response timelines meet scope of work requirements. Ninyo's proposal was supported by a cohesive interview where the team provided well organized, detailed, and thorough responses to interview questions.

SCST's proposed work plan demonstrated an understanding of the on-call process. The plan emphasized communication with stakeholders and the development of a communication plan to share with all parties for use throughout the project. Some specific quality assurance and quality control practices were discussed, including the review of all test results by the proposed project manager and the review of all reports by a professionally licensed engineer. A sample budget tracking chart was presented to demonstrate SCST's ability to obtain real-time accounting of resources. A high-level overview was provided to address the approach to QA/QC and budget control. The firm's work plan includes providing recommendations on any special issues that occur. The firm's proposed response timelines meet scope of work requirements. SCST's proposal was supported by a cohesive interview where the team provided well-organized, detailed, and thorough responses to interview questions.

MTGL's proposed work plan also demonstrated an understanding of the on-call process. The plan met project requirements but was brief and general overall, repeating the requirements of the RFP without elaborating on the approach. The firm provided a scope of work for a number of the most common tests and inspections expected to be completed for the project. The team was responsive to all interview questions with most responses by the assistant project manager and limited input from the laboratory manager and lead inspector. MTGL's proposal included response times that were longer than project requirements. MTGL clarified that the firm would be able to submit final reports within one day if requested.

Cost and Price

Cost and Price was weighted at 30 percent. All firms proposed the required pricing for the various tests and labor pricing for all inspection personnel. Since there are two types of services covered, pricing scores were based on a formula which assigned the highest score to the firm with the lowest total price for all

services for the term of the contract, and scored the other proposals' total prices based on its relation to the lowest total price. While Ninyo's total evaluated price for services of \$461,465 is the highest amongst the short-listed firms, it is only slightly higher than the independent cost estimate of \$447,616, which is representative of similar testing and inspection services previously performed and thus is considered fair and reasonable. The actual test services and inspection services will be project specific.

Procurement Summary

Based on the evaluation of the written proposals, the firms' qualifications, staffing, work plan, and information obtained from the interviews, the evaluation committee recommends the selection of Ninyo as the top-ranked firm to provide on-call materials testing and inspection services for facilities projects. Ninyo submitted a comprehensive proposal that was responsive to the requirements of the RFP and presented a cohesive interview highlighting the firm's experience, staffing, and the technical approach to the work plan.

Fiscal Impact

The project is included in OCTA's Fiscal Year 2019-20 Budget, Capital Programs Division, Account 1722-7629-D3107-2BW, and will be funded through local transportation funds.

Summary

Staff requests Board of Directors' approval for the Chief Executive Officer to negotiate and execute Agreement No. C-9-1356 to Ninyo & Moore Geotechnical & Environmental Science Consultants, in the amount not to exceed \$461,465, for a three year initial term, with one, two-year option term, as the firm to provide on-call materials testing and inspection services for facilities projects.

Attachments

- A. Review of Proposals, RFP 9-1356 On-Call Materials Testing and Inspection Services for Facilities Projects
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 9-1356 On-Call Materials Testing and Inspection Services for Facilities Projects
- C. Contract History for the Past Two Years, RFP 9-1356 On-Call Materials Testing and Inspection Services for Facilities Projects

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