



**February 1, 2021**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Amendment to Agreement for Program Management Consultant Services for Highway Programs

### **Overview**

On April 11, 2016, the Orange County Transportation Authority Board of Directors approved an agreement with Mott MacDonald, LLC (formerly known as Hatch Mott MacDonald, LLC) to provide program management consultant services for the Highway Programs Department, for a term of five years, with one, two-year option term. An amendment to the existing agreement to exercise the two-year option term is requested for continued program management consultant services.

### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-5-3767 between the Orange County Transportation Authority and Mott MacDonald, LLC, to exercise the two-year option term for program management consultant services for the Highway Programs Department, in the amount of \$14,900,000, and extend the term of the agreement through August 23, 2023. This will increase the maximum obligation of the agreement to a total contract value of \$39,680,661.

### **Discussion**

The current program of highway projects is an aggressive endeavor to deliver more than \$5,000,000,000 of improvements included in the Measure M2 (M2) freeway program. The Next 10 Delivery Plan Update, adopted by the Orange County Transportation Authority (OCTA) Board of Directors (Board) in November 2019, advanced additional projects through construction, resulting in \$4,300,000,000 of freeway improvements that will be complete or nearing completion by 2026. To meet this commitment, OCTA's Highway Programs Department (HPD) continues implementation of numerous freeway projects in

the environmental, final design, right-of-way (ROW), utility relocation, and construction phases.

The HPD maintains a small core staff of program and project management professionals to oversee the highway program, which is supplemented by program management consultant (PMC) personnel to assist with providing the appropriate level of management oversight needed for the 30 projects included in the M2 freeway program. The PMC personnel assist and support the delivery of projects in the environmental, design, ROW acquisition, utility relocation, and construction phases to meet scope, cost, and schedule commitments by providing full-time staff, as well as part-time services and technical expertise, as needed for each project.

To ensure continued support by the PMC personnel to the HPD to meet delivery commitments, approval is requested for an amendment to exercise the option term to continue the PMC services. The proposed amendment will enable the PMC staff to continue providing project management, project controls, utilities, ROW management, scheduling, cost estimating, and claims support services for the design-build (DB) Interstate 405 (I-405) Improvement Project as identified in the table below.

The proposed amendment will also continue PMC services in the areas of project management and ROW services for the State Route 55 (SR-55) Improvement Project from I-405 to Interstate 5 (I-5), which was advanced to construction through Next 10 Delivery Plan updates and Board actions. OCTA is the lead agency for design, ROW acquisition, and utility relocations for this project. The November 2019 Board-approved update to the Next 10 Delivery Plan also resulted in advancing an additional eight projects through construction on State Route 91 (SR-91) from SR-55 to State Route 57 (SR-57), I-5 from I-405 to SR-55, SR-55 from I-5 to SR-91, SR-57 from Orangewood Avenue to Katella Avenue, and the Interstate 605/Katella Avenue interchange. The proposed amendment includes PMC support for the design and ROW phases of these projects. If any of these advanced projects are slowed down or deferred through a future update to the Next 10 Delivery Plan, the level of effort of this time and expense contract will be adjusted accordingly. The total amount of continued support services for the two-year option term is estimated at \$14,900,000, which correlates to an increase in the level of support that was not originally anticipated under this contract. The breakdown of the proposed amendment by project and by category of continued services through August 2023 is provided in the following table:

|                | Scope              | Description  |
|----------------|--------------------|--|
| I-405          | Project Management | Extending the current project management support to near substantial completion                              |
|                | ROW                | Additional program management support to the Real Property Department to near substantial completion         |
|                | Project Controls   | Extending the current project controls support to near substantial completion                                |
| SR-55          | Project Management | Additional project management support, including person most qualified (PMQ) and utilities support           |
|                | ROW                | Additional ROW support to the Real Property Department   |
|                | Project Controls   | Additional part-time project controls support  |
| SR-91          | Project Management | Additional project management support, including PMQ, utilities, and support to the project manager          |
|                | ROW                | Additional ROW project manager to support the Real Property Department                                       |
|                | Utilities          | Additional utility support   |
|                | Project Controls   | Additional project controls support  |
| I-5            | Project Management | Additional project management support, including PMQ, utilities, and support to the project manager          |
|                | ROW                | Additional ROW support to the Real Property Department   |
|                | Project Controls   | Additional project controls support  |
| Other Projects | Project Management | Additional project management support. Includes ROW support, utilities, and support to the project managers. |

Mott MacDonald, LLC, has been providing technical expertise and staff augmentation to assist in the delivery of highway and railroad grade separation projects for the highway program, under this contract since 2016, and under previous contracts as Hatch Mott MacDonald, LLC since 2008. This specialized support has included the development, procurement, and oversight of the I-405 DB contract. Services include project management and administration,

design services and preliminary project development, ROW support services, DB procurement, toll procurements and contracts, third-party agreements, funding, and oversight of DB construction. Continued support is needed from Mott MacDonald, LLC, to maintain successful delivery of the M2 freeway program during the two-year option term, as described above.

### ***Procurement Approach***

The procurement was handled in accordance with OCTA's Board-approved procedures for architectural and engineering services which conform to both state and federal laws. On April 11, 2016, the Board approved an agreement with Mott MacDonald, LLC, for a term of five years. The contract maximum obligation of the initial five-year term was issued in the amount of \$19,451,043. This agreement has been previously amended as shown in Attachment A.

Staff requested a cost proposal from Mott MacDonald, LLC for the level of effort required for continued program management support services. The cost proposal was reviewed by OCTA project staff and found to be fair and reasonable for the tasks to be performed.

Proposed Amendment No. 11 to Agreement No. C-5-3767, in the amount of \$14,900,000, is to provide additional funding and to exercise the two-year option term for the continued level of effort needed. Amendment No. 11 will bring the total contract value to \$39,680,661.

### **Fiscal Impact**

Funding is included in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, accounts 0017-7519-FK101-HGL, 0037-9017-A9510-HGL, and 0017-7519-FF101-HGL, and is funded with a combination of federal, state, and local funds.

### ***Summary***

Staff recommends Board of Directors' authorization for the Chief Executive Officer to negotiate and execute Amendment No. 11 to Agreement No. C-5-3767, between the Orange County Transportation Authority and Mott MacDonald, LLC, to exercise the two-year option term for program management consultant services for the Highway Programs Department, in the amount of \$14,900,000, and extend the term of the agreement through August 23, 2023. This amendment will increase the maximum obligation of the agreement to a total contract value of \$39,680,661.

***Attachment***

A. Mott MacDonald, LLC, Agreement No. C-5-3767 Fact Sheet

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