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## Alameda Corridor Transportation Authority

February 12, 2020

<b>To:</b>	Governing Board
<b>From:</b>	James P. Preusch, Chief Financial Officer
<b>Subject:</b>	<i>Alameda Corridor Engineering Team (ACET) FY21 Support Services (APPROVAL)</i>

### Recommendation:

As set forth herein, it is recommended that the Board authorize staff to include the engagement of the Alameda Corridor Engineering Team (ACET) in the FY21 budget preparation process for ACTA's continued use of ACET's engineering and specialized services.

### Discussion:

At its February 13, 2014 meeting, ACTA staff presented the Governing Board with four options for various support services provided by ACET. These options included: 1) re-competing the ACET contract, 2) extending the ACET contract, 3) adding ACTA employee positions to perform some or all of the ACET duties, or 4) replacing the single contract with multiple contracts. At this meeting, advantages and disadvantages were presented for each option as summarized in the Background Section below. At that time, the Board directed that the ACET contract be extended on a year-by-year basis while unfinished activities remained.

In keeping with the Board's past approval of one-year extensions, it is recommended that the Board approve the continued use of ACET's engineering and specialized services for FY21. The ACET contract extension will be presented to the Board for approval at the June 2020 Board meeting. However, if the Board seeks to implement a different approach for FY21 rather than extend ACET's contract, staff requests Board direction regarding an alternative approach so that ACTA staff may bring forth a request for Board approval at a public meeting prior to July 1, 2020.

### Background:

ACET is a joint venture (JV) that has been providing program management support to ACTA since January 1996. The JV is comprised of four firms: AECOM Technical Services, Inc.; Moffatt & Nichol, Inc.; Jenkins/Gales & Martinez, Inc.; and TELACU Construction Management, Inc. together with several sub-consultants. The selection of ACET was based on a competitive process.



Services provided throughout the years have included project planning, engineering, environmental support, ROW acquisition and management, utility coordination, project controls, contract and construction management, and various other special functions. At the peak of Corridor construction in FY2000, over 170 full-time-equivalent (FTE) ACET positions provided support to ACTA's \$2.4 billion program. That FTE number is now less than 10. The scope and value of ACET services for each upcoming year is approved annually by the Board.

The original ACET contract term was 10 years, expiring December 31, 2005. With Board approval, the contract was extended three times: for 3 years through December 31, 2008; for 5 years through December 31, 2013; and for 6 months through June 30, 2014 to coincide with the end of FY14 and the expiration of ACTA's then current office lease.

In January 2015, March 2016, February 2017, February 2018 and March 2019 the Board directed that the ACET contract be extended for FY16, FY17, FY18, FY19 and FY20 respectively.

### **Current ACET Staff and Involvement**

The following full-time ACET staff work is performed at the ACTA office, for which ACET pays half the rent:

1. *Technical Manager* – vacant – oversees ACET staff and coordinates all engineering activities.
2. *Project Coordinator* – performs coordination tasks including ACTA's obligations to Caltrans under cooperative agreements.
3. *Environmental Engineer* – coordinates ongoing regulatory reporting functions for pump stations and other environmental matters.
4. *IT Manager* – maintains office, revenue collection, and railroad safety, security and communications systems.
5. *Reports Coordinator/Administrative Assistant* – provides graphics and statistical analysis/support for all presentations, operations performance data (train counts, revenue, and container counts), information requests and exhibits.
6. *Maintenance/Construction Coordinator* – oversees activities of the Corridor Maintenance Contractor.

Additional engineering resources are also available on an as-needed basis from the JV home offices, which invoice only for services performed upon request. In addition, several sub-consultants provide services through the ACET contract for ACTA's obligations under the SR-47 Caltrans cooperative agreements, as well as remaining right-of-way services required for property transfers for the original project.

### **Contracting Options for Support Services**

**Option #1 and #4 (now combined) – Conduct a new competitive selection process for the services and issue one or more new contracts**

This option involves conducting a competitive selection process and issuing a new contract for the required services to a single firm, a joint venture or multiple firms.

One disadvantage to a new competitive process is the possibility that with a new firm selection, higher expenditures may result in the event existing uncompleted tasks are performed by personnel less familiar with the work than the current ACET team.

Another disadvantage, should it be considered, would be if more than one contract was awarded, additional staff time would be required to manage multiple contracts. This could be more costly and complex than managing a single contract.

**Option #2 – Extending the existing ACET contract year-to-year until the remaining SR-47 support, property transfer and close-out functions are completed.**

In the opinion of ACTA staff, continuing to renew the current ACET agreement remains the most advantageous option because the current ACET team is in the best position to carry out the remaining work to complete the SR-47 Caltrans cooperative agreements, property transfers and project close-out functions. These projects are all in their final stages and it would not be practical or advantageous to assign new firms and staff to step in at this time to complete the work.

**Option #3 – Converting some of the ACET positions to ACTA staff positions.**

ACTA will need at least four of the six ACET-provided positions described above over the long term, after the current projects are complete. These include the Environmental Engineer, IT Engineer, Reports Coordinator/Administrative Assistant, and Maintenance Coordinator. ACTA could perform these functions with direct hires at a cost of about half the amount paid to ACET.

As a variation of this option, the ports' staff could provide some of these functions on a part-time, as-needed basis, but availability could be limited due to each port's project priorities and cost reimbursement for staff time and resources would be necessary.

Based on the foregoing information, ACTA staff recommends that the Board continue to approve Option #2, extending the ACET contract for an additional year.

**Budget Impact:**

There is no budget impact regarding this approval at this time. Should the Board recommend that the existing ACET contract be extended, the contract amendment will be brought to the Board in June 2020 for approval and inclusion in the FY21 Program Budget.

**Co-General Counsel:**

ACTA's Co-General Counsel has reviewed this Board Report and there are no legal issues at this time.