

M E M O

Alameda Corridor Transportation Authority

To: Governing Board

Meeting Date: June 20, 2024

From: Graham M. Christie, Chief Operating Officer *Graham M. Christie*

Subject: APPROVE Agreement No. C0923 with Jenkins, Gales & Martinez, Inc. for a term of 6 months and compensation not-to-exceed \$132,000 to provide environmental services

Recommendation:

Approve the proposed Agreement No. C0923 with Jenkins Gales & Martinez, Inc. (JGM) for Environmental Services in an amount not-to-exceed \$132,000 for a 6-month term and authorize the Chief Executive Officer or his designee to execute said agreement.

Discussion:

ACTA's core competency and capabilities of employed staff are related to contract administration, accounting and accounts payable activities. ACTA relies on contracted services to provide engineering and technical support. Prior to the subject agreement, the Alameda Corridor Engineering Team (ACET), a Joint Venture of four engineering firms, provided various engineering, environmental, property disposition and IT services. As the sunset of the ACET agreement term approached, the Governing Board directed that the contract for the services provided by ACET should be renewed using competitive selection procedures.

As directed by the Governing Board, over the past months ACTA staff has undertaken several competitive selection procedures to replace the services provided by the ACET firms, including engineering, environmental, property disposition and information technology services. The services that had previously been provided by ACET were broken down into several components to be contracted for separately. On-call Engineering and IT services were procured through two Request for Proposals (RFP). ACTA advertised seeking well-qualified and experienced firms to be available to provide on-call services in support of Alameda Corridor operations and maintenance. The on-call engineering and the IT services are to be provided on an as-needed basis through Contract Task Orders (CTO) issued by ACTA to the two consultants during the term of the Agreement.

While the selections for replacement of ACET services are substantially complete, the selection process for environmental services has not been concluded.

Selection Process:

ACTA staff explored several options to solicit the environmental services including contracting with one of the Ports (Port of Los Angeles or Port of Long Beach) using their internal staff or selecting a consulting firm that has similar a contract with one of the Ports. Using Port staff was not found to be viable, and while we found a firm under contract to the Port of Los Angeles that was capable and willing to perform all the required environmental

services for ACTA, we have not validated a “piggyback” on the port contract. The preferred option that may be employed is an open RFP process.

The ACET agreement will expire on June 30, 2024, which does not leave sufficient time for ACTA staff to complete a competitive selection process for the environmental services required by ACTA. JGM is one of the engineering firm members of the ACET joint venture and the purpose of the proposed agreement is to provide a short-term bridge for continued services until a firm can be engaged through a competitive selection process.

Budget Impact:

The contract value for the proposed JGM agreement is \$132,000 over 6 months. This budget amount is based on ACTA’s proposed “Hybrid Organization,” as presented to the Governing Board on April 6, 2023, which transitions from the past budgets for ACET to a combination of on-call services and in-house staffing.

Funds of approximately \$345,000 for the first year of Environmental services, to be provided by JGM initially and then a longer-term contract subsequently, are included in the FY25 Operating Budget under the *Professional Services* line item plus the *Non-Rail Support Service* in the Operations & Maintenance budget. Funds for future fiscal years will be brought to the Governing Board as part of the Operating Budget for approval each year.

Co-General Counsel Review:

ACTA’s Co-General Counsel has reviewed and approved the proposed Agreement as to form.

Transmittals:

Transmittal 1 – Agreement Scope of Work

Transmittal 2 – Agreement No. C0923 with JGM