

Committee Report

Transportation Committee



Committee Meeting Date: September 12, 2022

For the Metropolitan Council: September 14, 2022

Business Item: 2022-237 SW

METRO Gold Line Bus Rapid Transit Contract Award for Gold Line Contaminated Materials, Contract 22P005

Proposed Action

That the Metropolitan Council (“Council”) authorize the Regional Administrator to execute Contract 22P005 with KLJ Engineering, LLC for construction contaminated materials services for the METRO Gold Line Bus Rapid Transit Project (“Project”) in an amount not to exceed \$1,313,226.43, contingent upon approval by the Gold Line BRT Executive Change Control Board (ECCB).

Summary of Transportation Committee Discussion/Questions

Metro Transit Interim Project Director Gold Line Alicia Vap introduced Metro Transit Gold/Purple Line Environmental Compliance Lead Lisa Elliott who presented this item. Gonzalez asked if there is an expectation that there are could be additional unidentified contamination found. Elliott responded that there is always that risk in an area with a developmental history but there are contingency plans in the contract if something were to be found, the contractor would stop work and formulate a plan for safe removal. Cummings asked if there was concern there were only two proposers. Vap responded that the two proposers were well qualified and that KLJ Engineering, LLC has several sub-contractors as well as this is very specialized work.

Moved by Gonzalez, seconded by Cummings. Motion carried.

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District(s), Member(s):	District 12 (Gonzalez), District 11 (Vento), District 13 (Lee)
Policy/Legal Reference:	FM14-2 - Expenditures for the Procurement of Goods, Services, and Real Estate Policy
Staff Prepared/Presented:	Wes Kooistra, General Manager, 612-349-7510 Nick Thompson, Deputy General Manager, 612-349-7507 Alicia Vap, Acting Gold Line Project Director, 612-349-7079 Lisa Elliott, Gold Line Environmental Compliance Lead, 651-602-1983
Division/Department:	Metro Transit Capital Programs – METRO Gold Line Project Office

Proposed Action

That the Metropolitan Council (“Council”) authorize the Regional Administrator to negotiate and execute Contract 22P005 with KLJ Engineering, LLC for construction contaminated materials services for the METRO Gold Line Bus Rapid Transit Project (“Project”) in an amount not to exceed \$1,313,226.43, contingent upon approval by the Gold Line BRT Executive Change Control Board (ECCB).

Background

This contractor awarded Contract 22P005 will be responsible for handling and monitoring contaminated materials encountered during construction and implementing the Response Action Plan (RAP) for the Project. Specifically, the contractor will provide support services including field sampling of contaminated materials, completing RAP implementation reports describing how contaminated soil and/or ground water or regulated waste is managed during construction activities, and assisting with regulatory agency liaison work.

A Request for Proposals was issued on June 7, 2022. A pre-proposal meeting was hosted by Council staff that outlined the solicitation requirements, discussed project specifications, and responded to plan holder inquires. There were sixteen registered plan holders, thirteen consultants, one subcontractor, two plan rooms, and five plan holders identified as minority, woman, small, veteran, or disadvantaged business enterprises. The Council received two proposals.

In accordance with the Brooks Act, the evaluation of proposals followed a two-step process. An evaluation panel, consisting of Council staff, project partners, and subject matter experts, reviewed the proposals and ranked the technical merits of each proposer. Following the evaluation panel making its findings, conclusions, and recommendation, the cost proposal of the highest ranked proposer was reviewed by a negotiation panel that negotiated pricing. The negotiation panel agreed that the final prices have been determined to be fair and reasonable and recommend the

proposal submitted by KLJ Engineering, LLC as the most advantageous to the Council.

Rationale

The Council is required by state and federal law to ensure that contaminated materials encountered during Project construction are properly handled. Council approval is sought based upon the findings that KLJ Engineering, LLC had the most advantageous proposal. The execution of a professional service contract exceeding \$500,000 requires Council approval.

Thrive Lens Analysis

Investment in high-quality transportation options will advance the Thrive outcome of prosperity by making the region more economically competitive through increased workers' access to employment, and support to employers by increasing available workforce with affordable, convenient transportation.

The Project advances the Equity outcome by distributing transit resources throughout the region and improving access to jobs, educational opportunities, and health services to diverse communities.

Funding

Local funding is fully provided through an executed Capital Grant Agreement with the Gold Line Joint Powers Board and incorporated into the Council's Authorized Capital Budget under Project #61402.

Small Business Inclusion

The Office of Equity and Equal Opportunity (OEEO) assigned a Disadvantaged Business Enterprise (DBE) goal of 10% for the contract. OEEO has determined that the recommended proposer has met the Council's DBE contract requirements for the Project.

