

Business Item

Transportation Committee



Committee Meeting Date: July 24, 2023

For the Metropolitan Council: July 26, 2023

Business Item: 2023-171 SW

Contract 21P172 - Equity Evaluation of Regional Transportation Investment - Amendment One

District(s), Member(s): All

Policy/Legal Reference: FM 14-2 Expenditures for the Procurement of Goods, Services, and Real Estate Policy

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Division/Department: Metropolitan Transportation Services

Proposed Action

That the Metropolitan Council authorize the Regional Administrator to execute an amendment increasing the contract amount for contract 21P272 with Bolton and Menk Inc. by \$308,500 to conduct the Equity Evaluation of Regional Transportation Investment, resulting in a total project amount not to exceed \$718,500.

Background

The purpose of the project *Equity Evaluation of Regional Transportation Investment* is to conduct an equity evaluation of regional processes used for transportation planning, funding and project selection. The evaluation will consider how transportation projects are planned, funded, and implemented and develop a prioritized set of strategies and actions to reduce inequities in the implementation of the processes and in the distribution of the benefits and burdens from the selected transportation projects. This project is in the Transportation Policy Plan Work Program and the annual Unified Planning Work Program as a project to be accomplished using a consultant.

The project was awarded Council equity initiative funding in an amount of \$420,000. The project went out for solicitation in early 2022 and a consulting team led by Bolton and Menk and partnered with the Center for Economic Inclusion(CEI) and Bellwether as a DBE firm was selected as the winning proposal. The project has been underway since spring of 2022.

One of the major project tasks was to select community members to serve on an Equity Policy Group (EPG) to provide input and develop the project recommendations. The EPG consists of 16 community members and two ex-officio members representing the Council and MnDOT. The project work is about half complete and is on schedule to be complete as originally planned in June 2024. The EPG has met on seven occasions out of a total planned fifteen meetings. The EPG has discussed transportation equity and created a working definition for their use and has selected three project type investment processes to evaluate. The EPG members are paid a stipend for their expertise and time commitment for the meetings.

Unfortunately, both the Council staff and the consulting team significantly underestimated the level of time and effort required for completion of the proposed project work. More specifically, the

consultant effort needed to manage the EPG process, prepare for meetings, review agendas and presentations, communicate with members and accomplish the technical work is well beyond what was originally scoped and included in the contract. In addition, the consultant team was asked to add effort during the initial formation of the EPG and has added a number of review and briefing meetings with Council staff and the EPG co-chairs. A task is also being added at the conclusion of the project for additional effort with the co-chairs and consultants presenting the project findings and recommendations to the Council and regional partners.

The consultant has prepared a revised work plan and budget and the new total estimate to complete the project is \$718,500, a \$308,500 increase over the original project budget of \$410,000. The project cost share allocated to Bellwether as the project DBE firm has increased slightly from 29% to 30% of the total budget. The contract amendment also been approved as a sole source contract amendment by the Acting Regional Administrator, meaning that it would not be possible to solicit this work out as a new contract.

Rationale

FM 14-2 authorizes the Regional Administrator to amend this contract and increase the contract price as delegated by the Council. FM 14-2 also requires the Council approve of a contract for goods or services that exceeds \$500,000.

The Equity Evaluation of Regional Transportation Investment is important work for advancing transportation equity in the region. The project will pilot the use of an equity evaluation tool and make recommendations for changing how we plan, fund and select transportation projects. The project is about half completed and the EPG members are dedicated to continuing this important work. It will not be possible to continue the project contract work without he added funding.

Thrive Lens Analysis

This work advances the Thrive outcome of Equity by creating a tool and process to evaluate our long-standing transportation planning and decision-making processes and implement changes recommended by the project Equity Policy Group.

Funding

This contract amendment requires an additional \$308,500 in funds that will come from MTS Planning reserves.

Small Business Inclusion

The Office of Equity and Equal Opportunity (OEEO) set a Metropolitan Council Underutilized Business (MCUB) goal of 20%. At the time of award the selected consultant committed to 28.9% DBE participation. When there is an increase in the contract value, the awarded vendor must make continual good faith efforts to achieve/exceed the MCUB commitment at time of award. OEEO will determine the final MCUB achievement on the final contract amount, including any amendments.