

**METROLINK.**

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

[metrolinktrains.com/meeting](http://metrolinktrains.com/meeting)**ITEM ID:** 2020-75-0**TRANSMITTAL DATE:** September 04, 2020**MEETING DATE:** September 25, 2020**TO:** Board of Directors**FROM:** Stephanie Wiggins, Chief Executive Officer**SUBJECT:** Contracts No. JO134-21, JO135-21, and JO136-21 - Tie Rehabilitation Services - Recommendation to Award - Transdev Rail, Inc. and RailWorks Track Services**Issue**

Track and Tie rehabilitation services are required to replace aged track and worn rail ties to prevent deterioration of existing track structure and assist in maintaining the railroad in a State of Good Repair.

**Recommendation**

CONTRACTS, OPERATIONS, MAINTENANCE, AND SAFETY COMMITTEE RECOMMENDED (5-0) the Board authorize the Chief Executive Officer to:

1. Award the following three Job Order Contracts (JOCs) for Track & Tie Rehabilitation Services to the lowest responsive and responsible bidders:
  - JO134-21- Transdev Rail, Inc.
  - JO135-21- RailWorks Track Services
  - JO136-21- Transdev Rail, Inc.
2. Approve a not-to-exceed contract funding authorization amount of \$4,900,000 for each JOC.

**Strategic Goal Alignment**

This report aligns with the strategic goal to *ensure a safe operating environment and invest in people and assets* by replacing aged and worn rail ties and preventing further deterioration of existing track structures and rail ties.

## **Background**

Work under Contracts No. JO134-21, JO135-21, and JO136-21 will include rehabilitation and replacement of rail, cross ties, crossings, and turnouts on the Orange, Olive, Valley, San Gabriel, Perris Valley, River, and the Ventura Subdivisions. In addition to rehabilitating rail, and crossties, work includes removing and replacing various sized turnouts, grade crossings, undercutting muddy ballast sections, replacing existing fasteners, de-stressing track sections, installing new fasteners, and surfacing and stabilizing track per the Authority's standards. Work under the contract may be authorized and performed anywhere on the system. Each of the 3 JOC's will be targeted for different areas of the Authority's system, and will be utilized during work windows that are planned in advance with Operations and coordinated with on-going Capital and 3rd Party projects across the Authority's system.

Job Order Contracts are essentially "on-call contracts," where individual Job Orders are issued by the Authority to support rehabilitation projects as the need arises.

The Authority has awarded several JOCs in the past in accordance with Public Contract Code Section 20128.5, which permits the Authority to enter into individual contracts for repair, remodeling, and other repetitive work. Individual Job Orders must be executed within one year from the Notice to Proceed (NTP), and work under each Job Order must be completed within one year of the execution date. Public Contract Code Section 20128.5 permits the Authority to issue job orders for a cumulative maximum value of \$4,900,000.

## **Discussion**

### **Procurement Approach**

#### **1. JO134-21:**

The Authority issued Invitation for Bids (IFB) No. JO134-21 on June 2, 2020. The solicitation was posted on Authority's e-procurement website, advertised in publications in the five-member counties, and notices were sent directly to firms registered on Authority's website. Thirty-eight firms downloaded the solicitation and four bids were received on July 9, 2020 as follows:

<b>Bidder</b>	<b>Bid Amount</b>
Transdev Rail, Inc.	\$8,942,678.10
Veterans Engineering	\$8,958,000.00

RailWorks Track Services	\$9,881,684.00
Herzog Contracting	\$17,053,830.00

## 2. JO135-21:

The Authority issued IFB No. JO135-21 on July 2, 2020. The solicitation was posted on Authority's e-procurement website, advertised in publications in the five-member counties, and notices were sent directly to firms registered on Authority's website. Thirty-seven firms downloaded the solicitation and three bids were received on July 23, 2020 as follows:

<b>Bidder</b>	<b>Bid Amount</b>
RailWorks Track Services	\$6,797,002.00
Veterans Engineering	\$6,860,827.00
Transdev Rail, Inc.	\$7,887,136.45

## 3. JO136-21:

The Authority issued IFB No. JO136-21 on July 10, 2020. The solicitation was posted on Authority's e-procurement website, advertised in publications in the five-member counties, and notices were sent directly to firms registered on Authority's website. Thirty-three firms downloaded the solicitation and two bids were received on August 3, 2020 as follows:

<b>Bidder</b>	<b>Bid Amount</b>
Transdev Rail, Inc.	\$7,487,318.47
RailWorks Track Services	\$8,554,137.00

### **Discussion:**

Bids were submitted on the basis of typical work, which is a hypothetical estimated work description for a list of representative tasks (bid items) established by the Authority. The unit prices submitted by a bidder establish the pricing that the bidder will be held to when performing work on individual Job Orders on an as-needed basis.

Bids received represent the aggregate of the unit prices required. Work under this contract will be authorized by specific Job Orders. Actual funding commitments for those projects handled through the Job Order process are encumbered on a per project basis at the time the individual Job Order is approved and issued.

The Engineer's estimates were prepared using data from similar Job Orders that were previously issued by the Authority, and these estimates were used to determine whether the

bid prices received were fair and reasonable. Individual Job Orders will only be issued up to the \$4,900,000 capacity.

<b>Solicitation No.</b>	<b>Engineering Cost Estimate</b>
JO134-21	\$9,244,270
JO135-21	\$5,194,720
JO136-21	\$7,307,800

After analysis of the bids received, it was determined that the bid results from: (1) Transdev Rail, Inc for JO134-21, RailWorks Track Services for JO135-21, and Transdev Rail, Inc. for JO136-21 were fair and reasonable. The lowest bid received for JO135-21 is about 30% higher than the Engineer's Estimate; however, upon further review and analysis the majority of the price differential was due to the mobilization costs being much higher for turnout and crossing replacements due to the cost associated with moving equipment and materials across Metrolink's large territory. Staff plans on mitigating this cost differential by grouping these scope items together so that no more than one mobilization would be paid for these related scope items per Contract, regardless of where the work is performed on the territory.

#### **Disadvantaged Business Enterprise (DBE) Requirements:**

DBE contract goal of 13% was established for these Federally-assisted contracts. Transdev Rail, Inc. and RailWorks Track Services committed to 13% DBE participation.

#### **Budget Impact**

The amounts for which contract authority is requested are included in the Adopted Capital Budgets for FY2018-19 and FY2019-20 (\$12,700,000); Third Party Recollectable (\$2,000,000). Funding for subsequent years will be requested through the annual budget or an equivalent process. There is no financial commitment with respect to subsequent years and work will be authorized only if funding is approved.

#### **Alternatives Considered**

The Board may reject all bids received for these three solicitations and direct staff to issue three new IFBs. However, this is not recommended as it would delay critical track and tie rehabilitation projects.

#### **Next Steps**

As authorized by California Public Contract Code Section 20128.5, under these JOC contracts, the Authority will issue individual job order tasks on an as-needed basis subject to the maximum contract authorization of \$4,900,000 to the lowest and responsible bidders for a

one-year term to repair and/or replace track and rail ties or other repetitive work. Compensation for the work will be based on the unit prices reflected in the bids received for JO134-21, JO135-21, and JO136-21.

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