

**Metropolitan Transportation Commission
Operations Committee**

January 14, 2022

Agenda Item 4b

**Contract Amendment – Vehicle Occupancy Detection (VOD) Phase 2 Construction
Management: WSP USA INC (Formerly DBA Parsons Brinkerhoff) (‘WSP’) (\$50,000)**

Subject:

Request for approval of an amendment to the WSP contract for VOD Phase 2 construction management services.

Background:

MTC is in the process of deploying the VOD Phase 2 pilot at the San Francisco Oakland Bay Bridge (SFOBB) toll plaza. The goal of the project is to test camera-based technology that measures vehicle occupancy in a High-Occupancy Vehicle (HOV) toll lane, for the purposes of verifying if motorists qualify for the HOV bridge toll discount. This work requires the construction of new foundations, poles, fiber communications and electrical infrastructure at the SFOBB toll plaza site. A civil contractor was selected in April 2021 to construct these improvements. WSP was contracted to provide construction management, including a resident engineer, field oversight and administrative support, and to coordinate with the technology vendor. Civil construction is underway and unanticipated delays and effort in the work necessitate adding budget to the WSP contract. Neither WSP nor their subcontractor is a small business or disadvantaged business enterprise.

Consultant Selection:

WSP’s construction management contract was approved with executive director authority via a sole source. The sole source was documented and approved due to the firm’s qualifications and ongoing role in providing similar services for a concurrent Bay Area Toll Authority (BATA) civil construction project that was also at the SFOBB toll plaza site. The contract, as amended, currently has a not to exceed amount of \$195,000.

Construction Delays:

Civil construction is underway and substantially completed in many areas, but unanticipated delays have increased the amount of time assumed for the WSP work and created significant additional construction administration work. Discrepancies between the documented and actual design of SFOBB Toll Plaza electrical systems required a new design and for staff to put the

contractor under WSP supervision within a force account to complete the electrical work. A force account is payment method used when the contractor and client cannot agree on a lump sum price for extra work; it was used in this case to produce a more cost-effective design and implementation. Additionally, two newly installed pole foundations have failed structural integrity tests required by Caltrans. These two failed test results have been attributed to unlogged buried manmade objects and contractor method, respectively. Alternative options are limited by the subsurface conditions and constraints of the site. WSP has been working to formulate options for mitigation of the foundation conditions and obtain required approvals from the designer of record and Caltrans. The new budget estimate provides additional time for WSP to oversee the construction of the remaining elements of the project.

Issues:

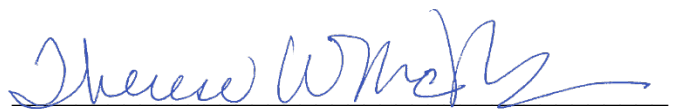
None identified.

Recommendations:

Authorize the Executive Director or designee to negotiate and enter into a contract amendment with WSP USA INC. (Formerly DBA Parsons Brinkerhoff) for Vehicle Occupancy Detection (VOD) Phase 2 construction management services in an amount not to exceed \$50,000.

Attachments:

- Attachment A: Disadvantaged Business Enterprise and Small Business Enterprise Status



Therese W. McMillan

Attachment A

Disadvantaged Business Enterprise and Small Business Enterprise Status

	Firm Name	Role on Project	DBE* Yes / No	If DBE Yes, List #	SBE** Yes / No	If SBE Yes, List #
Prime Contractor	WSP USA INC	Prime	No		No	
Subcontractor	Kleinfelder	Testing	No		No	

*Denotes certification by the California Unified Certification Program (CUCP).

**Denotes certification by the State of California.

Request for Committee Approval

Summary of Proposed Contract Amendment

Work Item No.: 6861

Consultant: WSP USA INC.
Dallas, TX

Work Project Title: Vehicle Occupancy Detection (VOD) Phase 2 Construction Management Services

Purpose of Project: To oversee construction of civil improvements for the VOD Phase 2 Pilot

Brief Scope of Work: To provide construction management for the VOD Phase 2 pilot, including a resident engineer, field oversight and administrative support.

Project Cost Not to Exceed: Original Contract: \$176,000
Initial Amendment: \$19,000
This Amendment: \$50,000
New Contract Amount: \$245,000

Funding Source: BATA Rehab 8940

Fiscal Impact: Funding is included in the Fiscal Year 2021-22 Budget

Motion by Committee: That the Executive Director or designee is authorized to negotiate and enter into a contract amendment with WSP USA INC. for VOD Phase construction management services described above and in the Operations Committee Summary Sheet dated January 14, 2022 and that the Chief Financial Officer is authorized to set aside \$50,000 for such amendment.

Operations Committee: _____
Carol Dutra-Vernaci, Chair

Approved: January 14, 2022