

**Metropolitan Transportation Commission  
Administration Committee**

**November 10, 2021**

**Agenda Item 2b - 21-1143**

**Contract – Vehicle Miles Traveled (VMT) Policy Adoption Technical Assistance: Fehr & Peers (\$240,000) and Nelson/Nygaard Consulting Associates, Inc. (\$240,000)**

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**Subject:**

Staff requests the Committee's approval to enter into separate contracts with Fehr & Peers and Nelson/Nygaard Consulting Associates, Inc. in an amount not to exceed \$240,000 each for the Vehicle Miles Traveled (VMT) Policy Adoption Technical Assistance Project.

**Background:**

The VMT Policy Adoption Technical Assistance Project (Project) is part of the Priority Development Area Planning Grants & Technical Assistance program (PDA Program). Since its inception, the PDA Program has funded more than 60 plans for cities throughout the Bay Area and enabled nearly 50 technical assistance projects to facilitate implementation of adopted PDA plans. The program is one of the primary tools for linking regional and local planning and for integrating land use and transportation planning.

In November 2020, staff released a Call for Letters of Interest from local jurisdictions for PDA Planning and Technical Assistance grants, together with a Call for Letters of Interest for Regional Early Action Planning (REAP) grants. Proposals were evaluated by MTC/ABAG staff using objective criteria. For Technical Assistance grants, preference was given to proposals that demonstrated innovation and regional replicability, increased pedestrian and bicyclist safety, and updated transportation impact review standards to assess Vehicle Miles Traveled (VMT) rather than Level of Service (LOS), as required by Senate Bill 743. Based upon the success of a multi-city pilot project in the most recent round of the PDA Program that resulted in VMT reduction policies in each participant jurisdiction, proposals were also analyzed to identify areas of shared need.

Staff received a high volume of proposals to assist with adopting VMT policies. To accommodate the requests within the budget available, staff formulated a new regional VMT Policy Adoption Technical Assistance program to deliver the resources necessary for every Bay Area jurisdiction to adopt a VMT policy, using a working group approach with a curriculum and

collaborative learning experience. It is expected that participating cities will have the tools they need to comply with SB 743 and formally adopt thresholds, screens and other VMT supportive policies either during, or shortly after the end of the working group period. The approach will begin with working groups comprised of North Bay jurisdictions and county transportation agencies (CTAs), as well as applicants for VMT-related Technical Assistance. Building on staff's experience implementing SB743 and a successful, recently completed, multi-jurisdiction PDA Technical Assistance grant, this approach will achieve significant cost savings and deliver a much-needed resource to the 70 percent of Bay Area cities that have yet to adopt a VMT policy a year after the state deadline. The working groups will also be an opportunity to deliver resources that will help to address inconsistencies between the state's direction to focus on reducing greenhouse gas emissions/VMT and LOS monitoring conducted through county Congestion Management Programs. A second phase will expand working groups region-wide to ensure VMT policies are adopted in advance of Housing Elements.

To fund the program, MTC, through the PDA Planning and Technical Assistance Program, is contributing \$480,000. ABAG, through the REAP Program, is funding the remaining \$470,000. In May 2021, the MTC Commission approved adoption of Resolution No. 4202, Revised to allocate \$480,000 of PDA Planning and Technical Assistance Program budget for the VMT Policy Adoption Technical Assistance program. Also in May, the ABAG Executive Board approved adoption of Resolution No. 06-2021, to allocate \$470,000 of REAP funds for the regional VMT Policy Adoption Technical Assistance program.

**Procurement Process:**

To develop and administer the working group approach, MTC issued a Mini-Request for Proposal (Mini-RFP) for VMT Policy Adoption Technical Assistance on July 27, 2021.

Because the working groups will require active participation by the selected consultants, particularly to teach the curriculum and provide localized assistance to cities needing assistance to comply with SB 743, MTC sought to award to up to two firms to meet the goals, scope, and schedule of the TA effort. The Mini-RFP also specified that the selected consultant teams would collaborate and coordinate with each other and MTC to develop and deploy the curriculum,

create curriculum resources and templates, provide localized assistance and evaluate the approach.

The Mini-RFP was sent to firms that were pre-qualified for the 2021 Regional Planning Bench for Service Category 5: Transportation Policy and Implementation and for Service Category 6: Transportation Program Development and Administration. All eligible firms were notified by an email advertising the opportunity. On August 3, 2021, MTC hosted a virtual Proposers' Conference to describe the project that was attended by ten individuals representing nine different firms.

On the closing date of August 19, 2021, MTC received two qualified proposals from Fehr & Peers and Nelson\Nygaard Consulting Associates, Inc. Each proposal was supported by a team of subconsultants. The proposals were evaluated by a panel of MTC staff against the following evaluation criteria:

- Qualifications and Team Experience (40%)
- Understanding and preliminary approach to completing the Project (30%)
- Cost effectiveness, including hourly rates, reasonableness and appropriateness of preliminary task budget (25%)
- Presentation, as evidenced in the written proposal, and interviews, if held (5%)

After a thorough review of the proposals, the evaluation panel recommends the selection of both Fehr & Peers and Nelson\Nygaard Consulting Associates, Inc., without interviews. The panel identified several strengths in both Fehr & Peers and Nelson\Nygaard Consulting Associates, Inc.'s proposals that led to both their recommendations, including their clear understanding of the technical assistance needed for local agencies and desired outcomes. Both firms have experience designing, implementing and facilitating working groups. Both firms have experience with helping cities in the Bay Area with VMT policy adoptions, as well as throughout California. The firms take different approaches to assisting cities and together will create a comprehensive Vehicle Miles Traveled (VMT) Policy Adoption Technical Assistance Project that will respond to the varied needs of the cities participating in the working groups.

The evaluation panel is confident that both Fehr & Peers and Nelson\Nygaard Consulting Associates, Inc. will meet MTC's expectations for delivering VMT Policy Adoption Technical Assistance.

Attachment A includes a summary of Fehr & Peers and Nelson\Nygaard Consulting Associates, Inc. and their subconsultants' small business and disadvantaged business enterprise status related to the work described in this memorandum.

**Funding:**

The total VMT Policy Adoption Technical Assistance budget is \$950,000. As mentioned, MTC, through the PDA Planning and Technical Assistance Program, is contributing \$480,000. ABAG, through the REAP Program, is funding the remaining \$470,000. REAP funds in the ABAG budget will be transferred to MTC for this project through a budget amendment. To get started and initiate the project, staff requests entering into contract with the available \$480,000 currently in the MTC budget, and that the amount be split equally between the two recommended firms, or \$240,000 for each consultant. Following the budget amendment, staff will return to the committee to amend both consultant contracts to add the remaining \$470,000.

**Issues:**


None identified.

**Recommendations:**

Staff recommends that the Committee authorize the Executive Director or designee to negotiate and enter into separate contracts with both Fehr & Peers and Nelson\Nygaard Consulting Associates, Inc., in an amount not to exceed \$240,000 for each consultant for consultant services to deliver the VMT Policy Adoption Technical Assistance.

**Attachments:**

- Attachment A: Small Business and Disadvantaged Business Enterprise Status
- Request for Committee Approval – Summary of Proposed Contract – Fehr & Peers
- Request for Committee Approval – Summary of Proposed Contract – Nelson\Nygaard Consulting Associates, Inc.



Therese W. McMillan

Attachment A

Disadvantaged Business Enterprise and Small Business Enterprise Status

	Firm Name	Role on Project	DBE * Yes	If DBE Yes, List #	DBE No	SBE* * Yes	If SBE Yes, List #	SBE No
Prime Contractor	Fehr & Peers	Project Lead			X			X
Subcontractor	PlaceWorks,	Project Support			X			X
Subcontractor	Gray-Bowen-Scott	Project Support			X			X
Subcontractor	Davis & Associates	Stakeholder Engagement	X	26344				X
Prime Contractor	Nelson\Nygaard Consulting Associates, Inc.	Project Lead			X			X
Subcontractor	Ann Cheng Consulting	Project Support	X	50250		X	2021866	

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

\*\*Denotes certification by the State of California.

## **Request for Committee Approval**

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### **Summary of Proposed Contract**

Work Item No.: 1611

Consultant: Fehr & Peers, Walnut Creek, California

Work Project Title: Vehicle Miles Traveled (VMT) Policy Adoption Technical Assistance Project

Purpose of Project: The goal of the VMT Policy Adoption Technical Assistance Project is to help cities formally pass VMT policy and comply with SB 743.

Project Cost Not to Exceed: \$240,000

Funding Source: STP

Fiscal Impact: \$240,000 is included in the FY 2021-22 MTC budget.

Motion by Committee: That the Executive Director or designee is authorized to negotiate and enter into contract with Fehr & Peers in an amount not to exceed \$240,000 for consultant services for delivering VMT Policy Adoption Technical Assistance as described above and in the Administration Committee Summary Sheet dated November 10, 2021.

Administration Committee:

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Federal D. Glover, Chair

Approved: Date: November 10, 2021

## **Request for Committee Approval**

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### **Summary of Proposed Contract**

Work Item No.: 1611

Consultant: Nelson\Nygaard Consulting Associates, Inc., Oakland, California

Work Project Title: Vehicle Miles Traveled (VMT) Policy Adoption Technical Assistance Project

Purpose of Project: The goal of the VMT Policy Adoption Technical Assistance Project is to help cities formally pass VMT policy and comply with SB 743.

Project Cost Not to Exceed: \$240,000

Funding Source: STP

Fiscal Impact: \$240,000 is included in the FY 2021-22 MTC budget.

Motion by Committee: That the Executive Director or designee is authorized to negotiate and enter into contract with Nelson\Nygaard Consulting Associates, Inc., in an amount not to exceed \$240,000 for consultant services for delivering VMT Policy Adoption Technical Assistance as described above and in the Administration Committee Summary Sheet dated November 10, 2021.

Administration Committee:

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Federal D. Glover, Chair

Approved: Date: November 10, 2021