

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 18, 2018

Supplemental



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12-AE. STATE HIGHWAY ADMINISTRATION
Architecture/Engineering Contract

Contract ID: Programmatic Owner's Representative General Engineering Consultant Services for the I-495 and I-270 Public Private Partnership (P3); *BCS 2018-04*
ADPICS Nos.: SBCS1804

Contract Description: This contract is a program specific contract to provide fully integrated support, guidance and oversight to the Maryland Department of Transportation State Highway Administration (MDOT SHA) Public-Private Partnership (P3) Office in delivering the I-495 and I-270 P3 "Traffic Relief Plan".

Awards: HNTB/Johnson, Mirmiran & Thompson/Parsons Team (JV)
(HNTB/JMT/Parsons)
Hunt Valley, MD

Contract Term: 04/19/2018 – 12/31/2020 (Base)
01/01/2021 – 12/31/2024 (Option 1) *(*anticipated dates*)
01/01/2025 – 04/18/2028 (Option 2) *(*anticipated dates*)

MDOT SHA anticipates seeking Board of Public Works (BPW) approval for at least two optional renewal periods, the first of which shall not exceed four years in duration, and the second of which shall not exceed three years. The precise term of the options has not been determined at this time. The total term of this Contract is not to exceed ten years in length.

Amount: \$68,510,000 NTE (Base)

The cost of each optional renewal period shall be based upon a price proposal submitted by the Consultant and accepted by MDOT SHA. The funding for these renewal periods can come from the Consolidated Transportation Program, revenues captured from previous Contract periods, or a combination of sources – the adequacy and availability of which shall be demonstrated at the time the renewal option is presented to the BPW for approval.

Procurement Method: Quality Based Selection (QBS) The State Procurement Law allows the Secretary of Transportation to waive certain requirements of the typical Architectural and Engineering (A/E) selection process if, among other things, the BPW agrees that the circumstances warrant an alternative approach. Expedited consultant selection is done through an innovative approach designed by MDOT SHA upon approval of a waiver of the formal competitive selection process as contemplated under Maryland State Finance and Procurement Article § 13-112(K)(1)(i).

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Rationale for the Procurement Method: The Maryland Department of Transportation (MDOT) is undertaking the largest ever proposed highway P3 in North America and the first highway P3 in Maryland as part of the I-495 and I-270 corridor congestion relief improvements. This project is estimated at \$7.6 billion encompassing over 75 miles of roadway. Combined, these roadways carry over 500,000 people daily, are congested more than 7-10 hours daily, and are in some of the most densely populated areas of the State. It is this “first of” nature project that has caused MDOT to look at innovative ways to bolster its ability to oversee and manage a project so large and complex.

The Secretary of Transportation determined that the engineering services for this P3 cannot be so completely defined as to carry out all the requirements of Maryland State Finance and Procurement Article § 13-112 (b), (e), (f), (g), and (j). While it is true that MDOT qualifies for a waiver because it cannot completely define the scope of work, it is also the aggressive schedule and the “first of” nature issues that require this unique approach. To meet the demands of the public, address and reduce the rising traffic congestion in Maryland’s most heavily traveled roads, to offer a more advantageous environment which attracts new businesses such as Amazon, and to control expenditures by innovatively using performance-based design and contracting methods for the design and construction phases of the project, an expedited selection outweighs the benefits of a formal competitive process for the selection of the Programmatic Owners Representative General Engineering Consultant (GEC).

Proposals:

	<i>Letter of Interest Rating</i>	<i>Presentation/ Interview Ranking</i>	<i>Award</i>
HNTB/JMT/Parsons (JV) Hunt Valley, MD	2	Exceptional	Selected
RS&H/Louis Berger (JV) Baltimore, MD	1	Good	Not Selected
P3 Innovators (AECOM/RK&K JV) Baltimore, MD	3	Acceptable+	Not Selected
Jacobs Baltimore, MD	4	Acceptable	Not Selected

MBE Participation: 22%

VSBE Participation: 1%

Requesting Agency Remarks: On February 12, 2018, the request for letters of interest was advertised on MDOT SHA’s web page and eMaryland Marketplace. MDOT SHA received four letters of interest in response to the request on March 2, 2018.

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Agency Remarks: (cont'd)

As MDOT's Secretary waived the formal competitive process for A/E contracts as previously noted, MDOT SHA and the MDOT Secretary's Office worked closely to develop an expedited process for selecting the best qualified consultant/team in the framework of the competitive process, while greatly reducing the time to procure. The amount of information typically garnered in the standard Expression of Interest phase was greatly reduced, as was the time typically allotted for review of the letters of interest submitted as a result of the advertised solicitation. As four letters of interest were submitted, each was reviewed and ranked, and all four were moved forward for the technical presentation/interview portion of the process. As the basis of the waiver was the lack of ability for MDOT SHA to adequately define the scope of services required, the technical proposal phase was eliminated. The award intending to be made to the firm submitting the best letter of interest rank combined with the best technical presentation/interview rating, with a greater weight being given for the technical presentation/interview.

The firms were rated on the following criteria:

- vision and alignment with MDOT's high-level goals;
- innovation of approach in delivering the program as a whole in line with the stated MDOT high-level goals;
- resources, expertise, and capacity to provide the necessary full Scope of Services, including MBE and SBR approach;
- qualifications of the Team(s) and individual(s); and
- past performance.

In the case of the recommended awardee, HNTB/JMT/Parsons, their letter of interest was ranked second out of four, but their technical presentation/interview was exceptional – demonstrating a complete understanding of MDOT's objectives and best addressing the criteria used to score the technical presentation/interviews. Combined they represented to MDOT the best qualified team to undertake such a monumental program.

The consultant shall function as the general engineering consultant supporting the I-495 & I-270 "Traffic Relief Plan." The scope of services will include developing and implementing a new and innovative P3 project delivery strategy driven by continuous market collaboration and feedback to ensure best value and that the I-495 and I-270 "Traffic Relief Plan" is delivered at a "net-zero" cost to the Transportation Trust Fund. Other elements of the scope will include procurement support, tolling development related services, development of technical engineering performance specifications, communication strategies, environmental planning and permitting oversight, and verification and compliance oversight for the P3 delivery for design and construction.

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***Agency Remarks:* (cont'd)**

In addition, HNTB/JMT/Parsons, provided the best MBE/VSBE participation plan; not only planning to meet but to exceed the stated goal. In addition, the tri-venture committed to instituting a program to assist in developing firms not already certified through MDOT, and plan outreach to existing MBE and VSBE firms to build capacity and support the MBE and small business community in Maryland. Although an MBE goal of 22% and a VSBE participation goal of 1% has been established for this contract, HNTB/JMT/Parsons has committed to meeting the VSBE goal and exceeding the MBE goal by 3.0%.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J02B0101

Resident Business: Yes

MD Tax Clearance: 18-0951-1111

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION