



## Legislation Details (With Text)

**File #:** ID17-616      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Passed

**File created:** 4/19/2017      **In control:** City Council

**On agenda:** 4/27/2017      **Final action:** 4/27/2017

**Title:** Approve the acquisition of Federal Transit Administration (FTA) oversight and compliance consultant services in an amount not to exceed \$250,000 from the LeFlore Group, LLC, in accordance with purchasing procedures from cooperative agreements as set forth in Administrative Order 3-1.

**Sponsors:** Department of Transportation

**Indexes:**

**Code sections:**

**Attachments:** 1. CMAS Contract 2015 to 2020.pdf, 2. CMAS pricing schedule .pdf, 3. LeFlore Uniquely Qualified Memo.pdf, 4. Scope of Services Exhibit A.pdf, 5. LeFlore Agreement 041917.pdf

Date	Ver.	Action By	Action	Result
4/27/2017	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**April 27, 2017**

**FROM:** BRIAN MARSHALL, Director  
Department of Transportation

**BY:** JIM SCHAAD, Assistant Director  
Department of Transportation

### SUBJECT

Approve the acquisition of Federal Transit Administration (FTA) oversight and compliance consultant services in an amount not to exceed \$250,000 from the LeFlore Group, LLC, in accordance with purchasing procedures from cooperative agreements as set forth in Administrative Order 3-1.

### RECOMMENDATION

It is recommended Council approve FTA oversight and compliance consultant services from the LeFlore Group, LLC, in an amount not to exceed \$250,000. In accordance with Administrative Order 3-1, pricing from the California Multiple Award Schedule (CMAS) would be utilized to acquire these services.

### EXECUTIVE SUMMARY

The Department is in need of technical assistance to provide oversight and ensure compliance of

several Federal Transit Administration (FTA) funded projects. The Department has an unprecedented amount of federally funded capital projects in progress totaling approximately \$74 million. It is critical the City comply with federal mandates in areas of construction procurement, project management, and quality assurance in accordance with a variety of FTA regulations and reporting standards. The criticality of these projects and potential grant compliance violations that can occur requires specialized knowledge in federal grant administration and compliance. Mr. Rudy LeFlore of The Leflore Group LLC is recommended because of his uniquely qualifications due to his many years of experience in managing federal contract compliance for other transit agencies. .

## BACKGROUND

The Department of Transportation/FAX has pursued an unprecedented number of capital projects that are expected to significantly improve service to its customers. These projects include Bus Rapid Transit (BRT), Downtown Bus Livability, Courthouse Park and Manchester Transit Center (MTC) rehabilitations, and other capital projects totaling approximately \$74 million. Since all of these projects utilize different FTA funding sources; and as such, must comply with numerous federal mandates in areas of construction procurement, project management, and quality assurance. Not complying with these FTA requirements can potentially result in loss of funding.

The Department is utilizing a combination of existing City staff and newly hired construction and information technology experts to deliver these projects. Mr. Leflore will work with internal staff, architects, engineers, general contractors, to ensure the delivered projects meet FTA requirements, and that project activities will yield compliance to FTA triennial audits. Mr. Leflore has extensive knowledge and experience with Federal contract compliance and oversight of various transit projects including:

- Owner's representative for similar FTA-funded capital projects including an \$18 million maintenance facility for the City of Glendale and a \$16 million construction project for the SunLine Transit Agency.
- Participated in federal triennial reviews and procurement audits for various transit agencies, including SunLine Transit, City of Tracy, and the City of Manteca.
- Instructs Caltrans sponsored FTA compliance courses for the University of the Pacific.
- Subject matter expert for Santa Clara VTAs legal department.

Mr. Leflore is also experienced with Fresno City policy and procedures through his involvement in various activities as outlined below:

- Successfully addressed findings, proposed corrective actions and helped draft/revise policies, procedures, and forms in order to satisfy the federal requirements for FTA triennial review audit conducted in April of 2012.
- Supported the Department for a subsequent triennial audit by performing a pre-audit of the Departments files.
- Assisted in development of procurement file documentation, solicitation, and change orders for numerous federally funded projects.
- Reviewed and made recommendations related to the BRT project for establishment and/or ongoing management of the following:
  - Value engineering of the Teichert construction contract
  - Establishing the Genfare ticket vending machine contract
  - Oversight of the Parsons Brinckerhoff, Kimley-Horn, and VSCE BRT contracts

- Provided compliance and Quality Assurance review for several other Department capital projects, including Courthouse Park transit improvements, Manchester Transit Center remodel, the downtown station area (Livability) project.

Mr. LeFlore is recommended because of his familiarity with the Department's projects as well as existing City policies, and procedures, as well as his specialized knowledge in federal compliance. The LeFlore contract would provide needed oversight and guidance for project compliance, as well as allow the Department to properly prepare for the next triennial review in 2018.

The Department recommends the City utilize pricing from the California Multiple Award Schedule (CMAS). The Leflore Group, LLC. is a CMAS contractor and CMAS provides a cost-effective and expeditious means of contracting products and services. The State of California establishes CMAS contracts in accordance with Public Contract Code Sections 10290 and 12101.5. The CMAS offers a variety of products and services at prices which have been assessed to be fair, reasonable and competitive. State and local government agencies are able to take advantage of these CMAS contracts.

## **ENVIRONMENTAL FINDING**

By the definition in the California Environmental Quality Act (CEQA) Guidelines Section 16378, the amendment of a service contract does not qualify as a "project" as defined by CEQA.

## **LOCAL PREFERENCE**

Local preference was not implemented because The LeFlore Group is uniquely qualified.

## **FISCAL IMPACT**

There is no impact to the General Fund from this action. This contract is federally funded by the FTA.

### **Attachments:**

Uniquely Qualified Memo

Standard Agreement for Federal Consultant Services Over 100K

Scope of Services

CMAS Pricing Schedule

CMAS Contract