

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement



COUNCIL CONTRACT SUMMARY

Pursuant to section 202(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §2-352.02), the following contract summary is provided:

(A) The proposed contractor, contract amount, unit and method of compensation, contract term, and type of contract:

Contractor:	Ratp Dev McDonald Transit (RDMT) Operation & Maintenance of DC Streetcar System
Contract Number:	DCKA-2011-C-0121
Present Contract Amount:	\$22,014,173.20
Modification Amount:	\$ 9,018,187.00-Ceiling Increase
Proposed Contract Amount:	\$31,032,360.20
Unit and Method of Compensation:	Payment to the contractor is on a fixed-price based on an hourly rate
Term of Contract:	Five (5) Years
Type of Contract:	Fixed Price with a Cost Reimbursement Component Contract and Not-To-Exceed Amount for Subcontractor Costs

(B) The goods or services to be provided, the methods of delivering goods or services, and any significant program changes reflected in the proposed contract:

The District Department of Transportation (DDOT) required the services under the proposed contract for Streetcar operations and maintenance which shall include responsibility for all day-to-day functions associated with the operation of the line: streetcar operation, service dispatch and management, hiring and training of staff, safety programs, maintenance of vehicles, maintenance of way, maintenance of facilities and systems, support for emergency response, customer service, provision of special services as required, assistance and participation in system testing and start-up activities, and administrative and recordkeeping functions. The Original Contract was approved by Council under Resolution No. PR20-0138.

(C) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including the price and technical components:

A request for Proposals was posted to both the DDOT and OCP Websites on August 12, 2011. The due date for submissions was Wednesday, October 12, 2011. However, upon issuance of eleven (11) amendments to the solicitation, the receipt of proposals due date was ultimately changed to Thursday, December 29, 2011. Although nineteen (19) firms attended a pre-proposal conference on August 30, 2011 DDOT only received one (1) responsive offeror for the Request for Proposals (RFP).

The selection committee panel evaluated the sole offeror and upon discussions and a subsequent BAFO, Ratp Dev McDonald Transit was determined qualified to operate and maintain DC's Streetcar System.

During processing of the contract it was determined that a Letter Contract was necessary to begin services on the H Street/Benning Line as soon as possible. The Letter Contract was awarded on June 29, 2012 and was definitized on March 30, 2013 upon approval by the DC City Council. The contract has been modified as follows:

<u>Action</u>	<u>Description</u>	<u>Amount</u>
Definitized Contract Award	5-Year Base Period	\$20,984,557.00
Mod 01 (formerly Mod 6A)	Approval of Subcontractors: Kensington Consulting LLC The Midtown Group	\$0.00
Mod 01A	Renumbering of Mod #6A to Mod 01 (Definitized Contract numbering)	\$0.00
CO 02	Change in Sections B, C, and F to Definitized Contract (advance operations to Anacostia Initial Line (AILS))	\$813,369.00
Mod 03	Approval of Subcontractors: Perval Medical LLC M. C. Dean Inc.	\$0.00
Mod 04	Potomac Springs Landscape Approval of Subcontractors: Rail Plan International Inc. Trapeze Entérprise Asset Management	\$0.00
Mod 05	Approval of Subcontractors: Voestalpine Nortrak	\$0.00
Mod 06	Extension of start-up period by 2 months to allow for H/Benning delays that affected the AILS commissioning track work	\$216,247.20
Mod 07	Approval of Subcontractor Daniel's Upholstery	\$0.00
Mod 08	Approval of Subcontractor Nextbus, Real-Time Passenger Information System	\$0.00
Mod 09	Approval of Subcontractor Securitas-Security Services @ H/Benning Road	\$0.00
Mod 10	Designation of William P Teague as New Contracting Officer for Operations and Maintenance of Streetcar System Contract	\$0.00
Mod 11	Extension of start-up period (CLINS 0001, 0003, 0005, and 0006) thru January 31, 2014 (Reallocation of	\$0.00

<u>Action</u>	<u>Description</u>	<u>Amount</u>
	Funding/Tasks-no increase in funding)	
M012	Approval of Subcontractor Sunbelt Rentals-Climate Control Services	\$0.00
M013	Extension of the Start-Up Period from 18.5 months to 20.5 months (2/1/13 through 3/31/14) (Reallocation of Funding totaling \$1,013,773.29)	\$0.00
M014	Approval of Subcontractor Kensington Consulting	\$0.00
M015	Reallocation of Funds from Revenue Year No. 4 to Start-up Period (7,469,360.20 with no increase in contract ceiling)	\$0.00
M016	Extension of Start-Up Period (4/1/14 thru 4/14/14)	\$0.00
M017	Increase in Contract Ceiling	9,018,187.00
	Total Ceiling	\$31,032,360.20

This contract modification is necessary due to project delays affecting construction and ultimately the ability to issue RDMT notice-to-proceed (NTP) to enter revenue operations per the original contract schedule, DDOT has extended the start-up period from 15 months to 27 months. This extension has resulted in the elimination of Revenue Year 4 and reduction of Revenue Year 3 from twelve months to nine months. The new revenue period duration is 33 months.

Per the terms of the original contract, certain revenue period cost assumptions were made without full knowledge of the final infrastructure design and operating plan. Furthermore, as construction of the H/Benning streetcar line has progressed and delays have been encountered, conditions have changed that impact RDMT's operating environment during the revenue period. In anticipation of these changes, DDOT is proactively seeking to increase the ceiling of this contract to allow for a seamless transition to revenue operations.

This modification is not intended to be a detailed scope and fee submittal, but a summary of the changed conditions and anticipated modifications which will require equitable adjustment. A general order-of-magnitude estimate of the contract capacity increase has been provided. Prior to issuing NTP2 to begin revenue operations, DDOT and RDMT will negotiate the adjusted fixed-rate per vehicle revenue hour and any additional incremental fixed costs at which RDMT will invoice DDOT for its services during the revenue period.

(D) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and prior performance on contracts with the District government:

RDMT has the necessary organization, experience, technical skills and accounting and operational controls needed to perform the requirements of the contract as demonstrated by their satisfactory performance on the following contracts:

- Florence, Italy Streetcar (Line 1)
- Gautrain, South Africa Train and Bus Feeder Service
- Charlotte, NC Area Transit System

- Citibus in Lubbock, TX
- Bloomington, IN Bus and Paratransit System

RDMT is a privately owned company and has not previously performed operation and maintenance contracts with the District. However, this company has prior knowledge of streetcar operation and maintenance in other cities in the United States' bus and paratransit transportation systems and abroad on streetcars and bus systems. Most notably is the system they maintain in Florence, Italy where they have received satisfactory performance ratings from customers and have a 30 year contract to operate and maintain the system.

(E) Performance standards and the expected outcome of the proposed contract:

The contractor is required to make delivery as set forth in the scope of work as denoted in the contract. Adherence to these performance standards have and will continue to result in safe delivery of services.

(F) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§ 47-392.01 and 47-392.02:

The Agency Chief Fiscal Officer has certified that funding is available.

(G) A certification that the proposed contract is legally sufficient, including whether the proposed contractor has any currently pending legal claims against the District:

The Office of the Attorney General has determined the proposed actions to be legally sufficient.

(H) A certification that the proposed contractor is current with its District and federal taxes or has worked out and is current with a payment schedule approved by the District or federal government:

Contractor is in compliance with both District and Federal taxes per their Office of Tax and Revenue as well as Department of Unemployment Services tax clearances attached to this clearance package.

(I) The status of the proposed contractor as a certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*):

The contractor is not a certified local, small or disadvantaged business enterprise.

(J) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:

N/A

- (K) A statement indicating whether the proposed contractor is currently debarred from providing services or goods to the District or federal government, the dates of the debarment, and the reasons for debarment:**

RDMT is not debarred by either the District or Federal governments.

- (L) Where the contract, if executed, will be made available online:**

http://app.ocp.dc.gov/RUI/information/scf/online_index.asp.