



VIA 

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UPCOMING PROCUREMENTS AND CONFLICTS

AUGUST 2023

This document serves as a summary regarding conflicts of interest for firms pursuing VIA contracts related to the Construction Manager at Risk (CMAR), Real Estate Support Services, and Final Design for ART North/South (VIA Greenline).

A complete listing of the applicable solicitations are found on page 9 of this document. Note that the solicitation of these contracts are subject to change based on the needs of VIA.

UPCOMING/CURRENT PROCUREMENTS - ART

Project/Contract	Typical Scope	Typical Vendors
<p>Advanced Rapid Transit N/S: Final Design</p>	<p>Prepare complete and final drawings, technical specifications, permit sets, assists w/ public engagement, prepare contract documents to advertise and obtain competitive construction, equipment, and materials bids, coordination with CMAR contractor, & provide design services during construction</p>	<p>Architects, Engineers, Cost estimators, Specification writers, Public/stakeholder engagement Project Support</p>
<p>Advanced Rapid Transit (ART) – N/S: Real Estate Support Services</p>	<p>Staff Augmentation /Contract Management/ Project Management, Invoice Prep, Right of Way (ROW) Support Consultants to VIA, Real Estate Surveys, Appraisals, Title Services, Property Usage Agreements</p>	<p>Surveyors, Appraisal Companies, Title Companies, or ROW Consultants who may have subs for Surveys, Appraisals, Title Companies</p>

UPCOMING/CURRENT PROCUREMENTS – VIA & KSAM

Project/Contract	Typical Scope	Typical Vendors
Keep San Antonio Moving (KSAM): Public Engagement Support Services	Strategic Advisory / Project Management / Staff Augmentation Services for projects during the planning and development phases – Communications, Website and Outreach Support, Public/Stakeholder Engagement	An agency having expertise in outreach, developing educational materials, large capital projects, and planning projects

Upcoming Procurements and Conflicts

- ❖ **VIA reserves the right to determine in its sole discretion whether a conflict that is detrimental to VIA exists. So, firms with existing, active tasks/contracts related to KSAM Capital Contracts (e.g. ART and 2nd Maintenance Facility) need to closely review their tasks/contracts as they may be conflicted out of proposing/working on upcoming solicitations.**
- ❖ **Upcoming procurements may also have conflict limitations that may prevent a contractor/consultant from proposing/working on more than one at the same time**
 - For example, firms (primes and subs) cannot work on both the upcoming Construction Manager at Risk and the Final Design Contracts

Upcoming Procurements and Conflicts

- ❖ **Sub-consultants who have contracts with a Prime listed on page 8, but have not yet performed any services, need to determine if any conflicts exist. To be considered by VIA, a Sub-consultant will need to determine how best to eliminate any such conflict prior to the due date of the various proposals to prevent the Sub-consultant's preclusion.**
 - For example, the Sub-Consultant may want to contact their respective Prime Contractor to discuss their removal from the Prime's contract. If this avenue is followed, to confirm it, VIA will need the Prime Contractor to provide VIA with a letter on its company letterhead attesting to the fact that the sub-consultant has not performed any work under their respective contract and that the Prime is willing to terminate its contract with the Sub-consultant. Provided VIA and the Sub-consultant agree, this action will prompt VIA to issue a Contract Modification removing the Sub-Consultant from the Prime's contract. At this point VIA would consider the conflict resolved.
- ❖ **Sub-Consultants with any doubt should reach out to VIA's Procurement Department for clarification.**

Procurement Conflict Matrix as Perceived/Determined by VIA

Upcoming Project/Contract	Contracts (existing and future) that will be Conflicted Out from Proposing	Notes
<p>Advanced Rapid Transit N/S: Real Estate Support Services</p>	<ul style="list-style-type: none"> • Project Management /Construction Management (PM/CM) Contract (Hill/HNTB)* • WSP* 	<p>The existing PM/CM Contract may provide support and oversight to all activities, including Real Estate Support. WSP’s conflict is due to the current work and open task orders on ART N/S.</p>
<p>Advanced Rapid Transit N/S: Final Design</p>	<ul style="list-style-type: none"> • WSP* • PM/CM Contract (Hill/HNTB)* • CMAR Team** • KSAM Public Engagement Support** 	<p>WSP’s conflict is due to the current work and open task orders on ART N/S; CMAR and FD contracts will be mutually exclusive; Oversight to be provided by the current PM/CM contract and the Public Engagement Support contract (specific to Public Engagement activities).</p>
<p>Keep San Antonio Moving (KSAM): Public Engagement Support Services</p>	<ul style="list-style-type: none"> • WSP (PI Sub Consultants)* • ART N/S CMAR** • Final Design** • Gen. Planning Consultant (HDR)* 	<p>The contracts conflicted out will have responsibilities and tasks assigned to them to provide direct public engagement activities or provide support to public engagement activities through, for example, the development of exhibits, meeting with stakeholders/public, etc.</p>

* - Current Contract

** - Future Contract

Conflicts*

As determined in its sole discretion, VIA identifies the following conflicts:

Project and Construction Management Consultants	Project and Construction Management Consultants	ART N/S 30% Design + NEPA	HDR
<p>Hill International - Prime</p> <ul style="list-style-type: none"> • Mendez Engineering (DBE) • Straight Line Management, LLC (DBE) • CM Foster (DBE) • Quality Principles, LLC <p>This prime and these subs are conflicted from proposing on the following solicitations: Final Design, CMAR, Real Estate Support Services, and Public Engagement Support Services.</p>	<p>HNTB (H) - Prime</p> <ul style="list-style-type: none"> • Alamo Architects • Atkins International • Blended Events • Boothe Transit • Economic Planning Systems • Gonzalez, Kypuros, White, Inc. • ICMS • Infrastrategies, LLC • The Solis Group • Ximenes & Associates <p>This prime and these subs are conflicted from proposing on the following solicitations: Final Design, CMAR, Real Estate Support Services, and Public Engagement Support Services.</p>	<p>WSP - Prime</p> <ul style="list-style-type: none"> • Nelson Nygaard Consulting • Poznecki-Camarillo, Inc. • MIG, Inc. • Maestas • Arias • TRG • KAI Design • Stantec/Cox McLain Environmental, LLC • KGB • Pape Dawson Engineers • AECOM • Economic Planning Systems • Gonzales-De La Garza & Associates <p>This prime and these subs are conflicted from proposing on the following solicitations: Final Design, CMAR, Real Estate Support Services, and Public Engagement Support Services.</p>	<p>HDR – Prime</p> <ul style="list-style-type: none"> • Foursquare • Kimley-Horn and Associates • McCann Adams Studio, PLLC • Astelle LLC dba Work5hop • Economic & Planning Systems, Inc. (EPS) • KGB Texas Marketing/Public Relations, Inc. (KGB) • Cross-Spectrum Acoustics, Inc. (CSA) • Rifeline, LLC <p>This prime and these subs are conflicted from proposing on the following solicitations: Public Engagement Support Services.</p>

* - While this listing represents the latest comprehensive listing of sub-consultants under contract with respective Prime Contractors, it is the responsibility of all firms interested in proposing to ensure no conflict exists.

- ❖ **RFPs out for advertisement or expected to be released in the next 30-60 days:**
 - ART N/S Final Design
 - Real Estate/ROW Support Services
 - KSAM Public Engagement Support

A futuristic VIA bus is shown driving through a city street. The bus is white with a red stripe and has the VIA logo and the number 520 on its front. The license plate reads "TEXAS VIA-VIA". The background features modern skyscrapers, including one with a distinctive tower, and digital overlays of light blue and purple lines. The overall scene is set during sunset or sunrise, with a warm, orange glow.

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