



CALIFORNIA
High-Speed Rail Authority

**Program Delivery Support Services
Agreement Annual Update
Regarding Small Business and
Conflict-of-Interest Compliance**

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December 6, 2023

Program Delivery Support (PDS) Services Agreement

- The Board's October 20, 2022, Resolution #HSRA 22-23 approved the contract award to AECOM-Fluor Joint Venture (AECOM-Fluor) and directed the Authority to "report on conflict-of-interest compliance and small business compliance to the full Board on an annual basis."
- PDS Agreement No. HSR21-17 (Agreement) was executed in November of 2022, and Exhibit A, Section 3.7 requires that the consultant prepare "a Conflict Mitigation Plan identifying mitigation measures it will put in place to avoid actual or potential organizational conflicts of interest for the Consultant and staff throughout the duration of the Agreement."
- Exhibit D, Section 22 of the Agreement requires compliance with Small Business (SB), Disabled Veteran Business Enterprise (DVBE) and Disadvantaged Business Enterprise (DBE) participation goals. The Agreement is subject to the Authority's prior Revised Small and Disadvantaged Business Enterprise Program (August 2012, updated 2022), which establishes a 30 percent SB utilization goal, that is inclusive of a 10 percent DBE goal 3 percent DVBE participation goal.

PDS Services Agreement Small Business Compliance

- The Authority's Small Business Team ensures Small Businesses (SB), including Micro Business (MB), and Small Business Public Works (SB-PW), Disabled Veteran Business Enterprises (DVBEs), and Disadvantaged Business Enterprises (DBEs), are afforded every practicable opportunity to participate on the High-Speed Rail Project.
- Monitoring compliance is the method by which the SB Team tracks the efforts of Prime contractors/consultants on the project. The PDS must comply with Authority's prior Revised Small and Disadvantaged Business Enterprise Program (August 2012, updated 2022), which established a 30 percent SB utilization goal, that is inclusive of a 10 percent DBE goal 3 percent DVBE participation goal and is not subject to the new SB/DVBE/DBE goal structure approved by the Board on November 2, 2023.

PDS Services Agreement Small Business Compliance

Primary Focus Areas of Compliance:

- Payment
 - Compliance Management System
 - Monthly Compliance Form Submittal

- Utilization
 - Bi-weekly meeting with SB Officer
 - Monthly Narrative



PDS SB/DBE/DVBE Totals

Overall SB Goal Attainment 30%

PDS SB Goal Progress	Actual Value to Date	Status SB Goal Progress
All SB Totals Expended (SB/DBE/DVBE)	\$10,972,790.57	30.1%

DBE Goal Attainment 10%

PDS DBE Goal Progress	Actual Value to Date	Status DBE Goal Progress
DBE Total Expended	\$6,695,714.97	18.3%

DVBE Goal Attainment 3%

PDS DVBE Goal Progress	Actual Value to Date	Status DVBE Goal Progress
DVBE Total Expended	\$186,989.32	.50%

PDS Services Agreement Conflict-of-Interest Compliance

In accordance with the Agreement, a Conflict Mitigation Plan (Plan) was developed by AECOM-Fluor, negotiated, and approved by the Authority. The Plan requires:

1. Identification of the consultant's key personnel and additional expertise resources, their respective companies, and their proposed locations for the duration of the Agreement to ensure required physical separation, if necessary, as a mitigation measure.
2. A description of the reporting relationships of each of the consultant staff.
3. A description of methods to prevent, restrict and disassociate consultant staff from other projects outside of the Authority's program that may create a potential or actual organizational conflict of interest.
4. A description of how the consultant will control the information relative to the Authority's operations and strategy in accordance with the terms of the Agreement.
5. The Consultant's process to promote awareness and to instruct Consultant staff in the importance of impartiality and its role in preventing bias, fraud, waste and abuse, including ethics training.
6. The Consultant's process to assess the effectiveness of the Conflict Mitigation Plan and address issues.

PDS Services Agreement Conflict-of-Interest Compliance

The Authority and AECOM-Fluor are committed to ensuring that all potential and/or actual conflict-of-interest issues are immediately addressed as they are identified during the term of the Agreement.

Once identified, the Authority and AECOM-Fluor staff and attorneys will continue to work collaboratively to implement mitigation measures that will sufficiently address potential and/or actual conflict-of-interest issues.

To date, the Authority and AECOM-Fluor have agreed to mitigation measures for certain key personnel and additional expertise resources on the project and have not conflicted out any individual from working on the project.



Thank You