

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

2/22/16

2. Department

High-Speed Rail Authority

3. Organizational Placement (Division/Branch/Office Name)

Financial Office

4. CEA Position Title

Director of Contract Administration

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The High-Speed Rail Authority (Authority) proposes to redirect the vacant Senior Transportation Engineer position in order to establish a CEA B position for the Authority. The Authority is a state agency with a highly visible, unique and specific transportation purpose, which does not currently mirror the function and structure of other state agencies. As such, the Authority has a critical need for a subject-matter expert with specialized experience in order to oversee the Authority's contract management processes as well as the Authority's Rail Delivery Partner (RDP) contract. The RDP supports the Authority by assuming responsibility for managing and delivering the high-speed rail program as defined by the Authority.

6. Reports to: (Class Title/Level)

Will directly report to the Authority's Chief Financial Officer.

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The Director of Contract Administration will play a vital role within the Authority by planning, organizing and directing the Authority's contract management processes:

- Plans, organizes and directs the Authority's contract management processes. Directs and develops policies and procedures to implement the contract management process and to ensure cost-effective expenditures of contract resources. This position sets direction to ensure that contract managers effectively administer and manage Authority contracts and understand their obligations relative to their contract management responsibilities.
- Plans, organizes and directs the Authority's RDP contract. Provides overall contract management and oversight of the RDP contract and works in conjunction with Authority leadership in the administration and management of the RDP contract. Oversees policies and procedures related to the RDP contract, including project design, plans, specifications, cost estimating/effectiveness and schedules. Leads initiatives to improve processes and productivity between the Authority and the RDP to optimize production and service level agreements. Ensures that short- and long-term service and cost objectives are met. Recommends sourcing goals and strategies to meet the objectives of the contract and to balance cost effectiveness.
- Provides direction and oversight to staff on RDP contract management issues, and program concerns in order to ensure that all services are acquired in accordance with current laws, and policies and procedures. Provides direction and consultation to program staff and vendors on a variety of contracting issues and takes a proactive approach in finding innovative solutions to their contracting needs. Resolves contract issues by identifying the individual and systemic programs and develops creative alternatives.
- Responsible for defining work plan tasks, keeping the tasks on schedule, maintaining the work plan budget, evaluating the quality of deliverables, and approving payments. Anticipates likely deviations from RDP contract scope, schedule or quality parameters. Maintains a program-wide perspective on RDP performance.
- Manages and monitors the RDP performance incentives regime, which includes selection of performance milestones and deliverables, sets qualitative and quantitative evaluation criteria and trains tasks managers to apply consistent standards to evaluation. Holds regular meetings with the RDP to assess and improve performance measures and the relationship between the Authority and the RDP.
- Implements a claims strategy prior to the execution phase and evaluates and handles all claims received. Reports of RDP progress against agreed upon tasks and milestones. Verifies RDP contract invoices to ensure that the invoiced work is correctly reported and that the work has been completed to an acceptable standard. Ensures that invoices are correctly paid. Acquires independent estimates of RDP-related costs for disputed invoices and facilitates periodic audits of invoices. Sets a process for the receipt, evaluation and implementation of change orders. Properly documents any changes to scope, schedule and budget.
- Serves as an expert advisor to the Authority and provides recommendations regarding the Authority's contract management processes and the RDP contract to the executive team. Represents the Authority at meetings with the federal government, local governments, Department of Finance, the Legislative Analyst's Office, client state agencies, and during legislative hearing and conferences as needed.
- Exercises political acumen to enable sound independent political judgments and to work effectively with diverse internal and external constituencies including the Authority's Board of Directors, the executive team and other top administrators, community and business leaders, opinion leaders, and elected officials at all levels and their staff.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: To maintain a lean organization, the Authority manages and oversees development and operation processes while obtaining extensive private sector expertise from contractors to achieve lower costs and greater efficiency. As such, the Authority is responsible for managing contracts totaling \$4.6 billion. The Authority's RDP contract is a \$700 million contract over a period of seven years. The RDP contract brings a team with proven experience in large scale program management and international high-speed rail technology delivery to support the Authority by providing strategic advice, business planning, continued development and management assistance.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

To maintain a lean organization, the Authority manages and oversees development and operation of processes while obtaining extensive private sector expertise from contractors to achieve lower costs and greater efficiency. As such, the Authority is responsible for managing contracts totaling \$4.6 billion.

The RDP succeeded the former Program Management Team, whose contract was managed by the Authority's Chief Engineer. The RDP contract was awarded in July 2015 and it greatly expanded the role of this contractor. The RDP's role is to oversee program management, support for strategic advice, business planning, continued development and management assistance. Additional areas that were expanded included program delivery, systems and project integration, and specialized technical expertise for the next steps in the project. RDP services enhance accountability for program delivery and project execution while also focusing on future high-speed rail related needs with expanded contract capabilities. The Authority continues to maintain oversight and primary responsibility for strategic planning, including setting program policies and direction, project planning and determining key delivery strategies and phasing. This new expanded role of the Authority's primary contractor created a critical need for a CEA position to manage this contract from a departmental perspective.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The Director of Contract Administration develops and oversees policies and procedures related to contract management.

Specifically, policies and procedures related to the following responsibilities will be developed and managed by this position:

- Monitoring the services being provided pursuant to the terms and conditions defined in the contract;
- Comparing measured performance of the contractor to contractually agreed upon standards;
- Communicating concerns and taking corrective action with the contractor, as necessary, to ensure the successful completion of all the terms and conditions of the agreement;
- Ensuring the Authority receives the intended benefit from the contract;
- Evaluating and documenting the delivery of the contracted services;
- Reviewing and approving contractor invoices to verify work performed and costs claimed are in accordance with the contract;
- Timely dispute or approve invoices for payment to avoid late payment penalties as provided for in the California Prompt Payment Act;
- Monitor availability of funds to ensure that all work is performed within the contracted amount;
- Scrutinize the use of Small Business (SB)/Disabled Veteran Business Enterprise (DVBE) subcontractors and suppliers to ensure attainment of applicable contract participation goal;
- Initiate amendments in a timely manner if needed to provide ample time to process contract amendments prior to the expiration of the original contract; and,
- Complete the Contractor Evaluation Form for contracts of \$5,000 or more.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Director of Contract Administration will have full management responsibility for planning, organizing and directing the Authority's contract management processes. This position is responsible for directing and developing policies and procedures to implement the contract management process and to ensure cost-effective expenditures of resources. This position sets direction to ensure that contract managers effectively administer and manage Authority contracts. In addition, the Director of Contract Administration is responsible for ensuring that the RDP fulfills its strategic and contractual obligations to the Authority to enable the delivery of the high-speed rail project on schedule and within budget. This position provides overall contract management and oversight of the RDP contract and works in conjunction with Authority leadership in the administration and management of the RDP contract.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The Director of Contract Administration will be required to develop and implement new policies for the Authority while also interpreting and implementing existing State and Federal policy requirements.

This position directs and develops policies and procedures to implement the contract management process and to ensure cost-effective expenditures of resources. This position also sets direction to ensure that contract managers effectively administer and manage Authority contracts and understand their obligations relative to their contract management responsibilities.

The CEA will also have responsibility for developing, standardizing, administering and evaluating policy and objectives related to the RDP contract for the Authority.