



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

CON4

**CONSTRUCTION COMMITTEE
NOVEMBER 18, 2010**

SUBJECT: C0882,I-405 SEPULVEDA PASS WIDENING PROJECT

**ACTION: CONTRACT CHANGE MODIFICATION NO. 8 TO WIDEN
SEPULVEDA BOULEVARD BETWEEN STATIONS 1719+75 AND
1756+50**

RECOMMENDATION

Authorize the Chief Executive Officer to execute Contract Modification No. 8 to Contract No. C0882, with Kiewit Infrastructure West Company, for design revisions to widen Sepulveda Boulevard between Stations 1719+75 and 1756+50, Montana Avenue and Church Lane, and modify the 1720 and 1730 Retaining Walls, in the amount not-to-exceed \$1,800,000, increasing the Total Contract Value from \$721,332,000 to \$723,132,000.

Within Construction Committee authority: Yes No N/A

RATIONALE

Contract No. C0882 is a firm fixed price, federally funded contract, for Design Build of the I-405 Sepulveda Pass Widening Project. The scope of work consists of adding a northbound 10-mile HOV lane and supporting infrastructure improvements such as ramps, bridges and sound walls on the San Diego Freeway (I-405) from the Santa Monica Freeway (I-10) to the Ventura Freeway (U.S. 101).

This modification addresses City of Los Angeles requirements to widen Sepulveda Boulevard between Montana and Church lane that were not addressed in the pre-bid planning phase between the City of Los Angeles and Caltrans. As part of Sepulveda widening the redesign of Walls 1720 and 1730 will also address noise impacts to 23 residents not resolved prior to the bid.

BACKGROUND

On April 29, 2009, Contract No. C0882, I-405 Sepulveda Pass Widening Project, was awarded to Kiewit Infrastructure West Company in the amount of \$720,922,000. The

Notice to Proceed was issued on June 2, 2009 with Contract Commencement date of August 31, 2009 and Substantial Completion date of May 31, 2013.

This modification originated during conceptual engineering for the project, when the City of Los Angeles requested that Sepulveda Boulevard be widened from Montana Avenue to north of Church Lane (STA 1719+75 to 1756+50) to provide wider lanes, shoulders and add a bike path. This proposed alignment was not included in the bid documents because of unresolved issues between the City of Los Angeles and Caltrans. In addition, proposed Sepulveda Boulevard modifications at this location impacted the Westwood Hills Community and walls 1720 and 1730, which was opposed by some residents.

This modification, along with noise mitigation measures for 23 residents, resolves potential law suit with the Westwood Hills Task Force, addresses City of Los Angeles concerns for width of Sepulveda Boulevard and avoids a 45 foot retainingwall/soundwall on Caltrans Right of Way.

Authorization is hereby requested for the Chief Executive to execute a Contract Modification in a total estimated value Not to Exceed \$1,800,000 for Design.

IMPACTS TO OTHER CONTRACTS

There are none that can be identified at this time.

FINANCIAL IMPACT

The funds for this action are available within the Board approved I-405 Sepulveda Pass Widening Project budget for Contract C0882 in the amount of \$757,872,700. The recommended action will increase the Contract No. C0882 Total Contract Value as follows.

Original Contract Award	\$720,922,000
Current Cumulative Contract Value	\$721,332,000
<u>This Action</u>	<u>\$ 1,800,000</u>
New Cumulative Contract Value	\$723,132,000

ALTERNATIVES CONSIDERED

The Board may reject this change, but denial could cause delay of the project and the Contractor to seek other contractual or legal remedies.

ATTACHMENT(S)

- A – 1 Procurement History
- A – 2a Small Business Participation (Design)
- A – 2b Small Business Participation (Construction)

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**BOARD REPORT ATTACHMENT A-1
PROCUREMENT HISTORY
I-405 SEPULVEDA PASS WIDENING PROJECT**

**CONTRACT MODIFICATION TO WIDEN SEPULVEDA BOULEVARD
BETWEEN STATIONS 1719+75 AND 1756+50**

A. BACKGROUND ON CONTRACTOR

Kiewit Infrastructure West Company has years of experience in design-build construction projects, various types of heavy construction work, and transportation management, and has been prime contractor on highway projects nationwide. Kiewit also has firsthand knowledge of the unique southern California environment, with district offices located in Santa Fe Springs, California.

B. PROCUREMENT BACKGROUND

Procurement of Contract No. C0882 was a two-step procurement process required under Public Contract Code Section 20209.20-20209.44. The first step was the issuance of a Request for Qualifications (RFQ) to ensure qualified bidders work on the I-405 Project. Two firms were determined to be qualified on September 11, 2008. The second step was the issuance of the Invitation for Bid (IFB) to the pre-qualified firms on October 10, 2008. The Kiewit Pacific Co. bid was received February 20, 2009. The evaluation was in compliance with Metro Procurement policies and procedures for lowest price responsive and responsible design-build procurements. The CEO awarded Contract No. C0882 to Kiewit Pacific Co. in the amount of \$720,922,000 including \$537,098,000 in base Contract Work, \$157,057,000 in Provisional Sum amounts to cover specified additional work that may be necessary during the performance of the work, and \$26,767,000 in Options. The Notice to Proceed was issued on June 2, 2009 with commencement of contract time on August 31, 2009 and a Substantial Completion date of May 31, 2013.

The Design-Builder began preparation of Design drawings based on the Contract's preliminary engineering plans. During this phase of design City of Los Angeles staff requested changes to the base line city improvements because they did not resolve issues with Caltrans prior to bidding the project. Metro directed the Design-Builder to proceed with the base Contract work in order to mitigate potential schedule impacts, but informed the Design-Builder that the City of Los Angeles had requested widening of Sepulveda Boulevard widened from Montana Avenue to Church Lane (STA 1719+75 to 1756+50) to provide standard lanes, shoulders and a bike path.

Staff is requesting authorization to allow the Chief Executive Officer to negotiate and execute a change modification in an amount not to exceed \$1,800,000 for Design.

C. EVALUATION OF PROPOSAL

The recommended price is in compliance with Metro Procurement Policies and Procedures.

D. COST / PRICE ANALYSIS

The recommended amount will be determined fair and reasonable based on fact-finding, independent cost estimate and pre-negotiation cost analysis.

ATTACHMENT 2A SMALL BUSINESS PARTICIPATION I-405 Sepulveda Pass Widening Project (Design)

This Contract has a Disadvantaged Business Enterprise (DBE) Anticipated Level of Participation (DALP) of 14% for Design and 25% for Construction. Current DBE attainment¹ for Design based on the current Design contract amount² is 20.46%. Current DBE participation³ based on total actual amount paid-to-date to Contractor and total actual amount paid-to-date to DBE firms is 30.33%. The eight (8) DBE Design subcontractors have performed as listed below. Kiewit Infrastructure West Company, Inc. has demonstrated Good Faith Efforts (GFE) by adding additional design subcontract work.

Original Award Amount (Design and Construction)	\$720,922,000
Current Contract Amount² (Design Only)	\$58,128,469
Total Actual Amount Paid to Date to Prime³ (Design Only)	\$39,221,432

DESIGN Subcontractor's Name	Current Commitment	Current Attainment ¹	Current Participation ³	Current Status
Bullock & Associates	4.16%	6.53%	31.90%	Performing
Earth Mechanics	3.79%	2.80%	13.70%	Performing
FPL & Associates, Inc.	7.49%	4.47%	21.84%	Performing
Valle & Associates	3.83%	5.93%	28.99%	Performing
C2PM, Inc.	0.15%	0.15%	0.71%	Complete
AP Engineer. & Testing	0.13%	0.13%	0.65%	Performing
Jet Drilling, Inc.	0.18%	0.18%	0.87%	Performing
IDS Consulting Engineers	0.35%	0.27%	1.34%	Performing
TOTAL	19.73%	20.46%	30.33%	Performing

¹Current Attainment = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Current Contract Amount

²Current Contract Amount = Original Contract Amount + Contract Cost Modifications

³Current Participation = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Actual Amount Paid-to-Date to Prime

**ATTACHMENT 2B
SMALL BUSINESS PARTICIPATION
I-405 Sepulveda Pass Widening Project
(Construction)**

This Contract has a Disadvantaged Business Enterprise (DBE) Anticipated Level of Participation (DALP) 25% for Construction. Current DBE attainment¹ for Construction based on the current Construction contract amount² is 0.18%. Current DBE participation³ based on total actual amount paid-to-date to Contractor and total actual amount paid-to-date to DBE firms is 0.90%. The nine (9) DBE Construction subcontractors have performed as listed below. Kiewit has demonstrated Good Faith Efforts (GFE) by adding additional construction subcontract work.

Original Award Amount (Design and Construction)	\$720,922,000
Current Contract Amount² (Construction Only)	\$521,266,000
Total Actual Amount Paid to Date to Prime³ (Construction Only)	\$105,662,587

CONSTRUCTION Subcontractor's Name	Current Commitment	Current Attainment¹	Current Participation³	Current Status
Allied Environmental	0.04%	0.04%	0.19%	Performing
Axiom	0.01%	0.01%	0.03%	Performing
G&F (Mobiliz'n Sawcutg)	0.06%	0.06%	0.31%	Performing
(Concrete Cutting)	0.01%	0.00%	0.01%	Performing
Global Business Solutions	0.01%	0.01%	0.06%	Performing
Morgner Construction,	0.08%	0.02%	0.12%	Performing
National Group Security	0.05%	0.02%	0.12%	Performing
Pac Rim Engineering	0.01%	0.00%	0.01%	Performing
Ultrasystems	0.01%	0.01%	0.03%	Performing
Safework	0.01%	0.01%	0.03%	Performing
TOTAL	0.29%	0.18%	0.90%	Performing

¹Current Attainment = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Current Contract Amount

²Current Contract Amount = Original Contract Amount + Contract Cost Modifications

³Current Participation = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Actual Amount Paid-to-Date to Prime