

**Metro**Los Angeles County  
Metropolitan Transportation AuthorityOne Gateway Plaza  
Los Angeles, CA 90012-2952213.922.2000 Tel  
metro.net**CONSTRUCTION COMMITTEE  
NOVEMBER 21, 2013****SUBJECT: CRENSHAW/LAX TRANSIT PROJECT****ACTION: APPROVE CONTRACT AWARD FOR CONCRETE TIES****RECOMMENDATION**

Award and execute a firm-fixed-Price (FFP) Contract under Bid No. C0992 with Rocla Concrete Tie, Inc., single responsive and responsible bidder for the procurement of 19,936 concrete ties and assembly items to support the Crenshaw/LAX Transit Project for firm-fixed-price of \$2,161,297.

**ISSUE**

Concrete ties are required by Summer of 2014 for the construction of the Crenshaw/LAX Transit Project. The ties are considered a long lead item and it is critical that they be available when the Design Build contractor is ready for installation.

**DISCUSSION**

This procurement includes the long lead items such as concrete ties and assembly items, standard and head hardened rail, and bumping posts. Bidders had the ability to bid on one, two or all long lead items within the bid package. During the evaluation of the bids it was determined that Rocla Concrete Tie, Inc., single bid was responsive and responsible for the concrete ties and assembly items. The bid price of concrete ties and assembly items is \$421,382 less than the Engineer's estimate.

**DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on established safety standards.

## **FINANCIAL IMPACT**

The funding of \$2,161,297 is included in the FY14 budget under Project 865512 (Crenshaw/LAX Transit Corridor Project), in Cost Center 8510 (Construction Project Management). Since this is a multi-year capital project, the Executive Director, Transit Project Delivery, will be responsible for budgeting in future years.

### **Impact to Budget**

The sources of funds for this project are capital funds identified in the adopted Long Range Transportation Plan and updated by Board action in June 2013. One source of funding is Proposition A 35%, which is eligible for rail operations. The other funds are not eligible for bus and rail operating expenditures.

## **ALTERNATIVES CONSIDERED**

The Board may decline to approve the recommended actions. This is not recommended as the award price is less than Metro's Independent Cost Estimate for the long lead items. If the award is not approved, the alternative is to request a proposal from the Crenshaw/LAX Design Build Contractor for the supply of the concrete ties and negotiate a change to their contract. However, price may be higher.

## **NEXT STEPS**

The contract will be executed with Rocla Concrete Tie, Inc.

## **ATTACHMENTS**

A. Procurement Summary

Prepared by: Henry Fuks, Executive Officer Project Management (213) 922-7282

*Michelle Lopes Caldwell*

---

Michelle Lopes Caldwell  
Chief Administrative Services Officer

*Krishnia N. Murthy*

---

Krishnia N. Murthy  
Executive Director, Transit Project Delivery

*Arthur T. Leahy*

---

Arthur T. Leahy  
Chief Executive Officer

## PROCUREMENT SUMMARY

## CRENSHAW/LAX TRANSIT PROJECT

1.	Contract Number: C0992	
2.	Recommended Vendor: Rocla Concrete Tie, Inc.	
3.	Type of Procurement (check one): <input checked="" type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: June 3, 2013	
	B. Advertised/Publicized: June 3, 2013	
	C. Pre-proposal/Pre-Bid Conference: Not Applicable	
	D. Proposals/Bids Due: August 26, 2013	
	E. Pre-Qualification Completed: September 3, 2013	
	F. Conflict of Interest Form Submitted to Ethics: August 30, 2013	
	G. Protest Period End Date: (15 Calendar Days after Notification of Intent to Award)	
5.	Solicitations Picked up/Downloaded: 27	Bids Received: 2
6.	Contract Administrator: Tiffany Smith	Telephone Number: (213) 922-7216
7.	Project Manager: Henry Fuks	Telephone Number: (213) 922-7282

**A. Procurement Background**

Procurement of Concrete Ties and Assembly Items was conducted as a formal sealed bid, competitive acquisition. IFB C0992 was issued and advertised on June 3, 2013. Contract Type is Firm-Fixed Price (FFP).

Five amendments were issued during the solicitation phase of this IFB:

- Amendment No. 1 issued on June 27, 2013, amended Bid Due Date, Bid Opening, General Terms and Conditions, Contract Requirements, Technical Specifications, and Attachment C, Co-Operative Purchasing Among Government Agencies, and Bid Forms.
- Amendment No. 2 issued on July 18, 2013, amended and removed the Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) requirements, because of a lack of subcontracting opportunities.
- Amendment No.3 issued on July 19, 2013 extended Bid Due Date.

- Amendment No.4 issued on August 1, 2013 amended Technical Specifications and Bid Forms.
- Amendment No. 5 issued on August 14, 2013, extended Bid Due Date.

A total of 2 bids were received on August 26, 2013. There were a total of thirty-six questions and answers logged.

## **B. Evaluation of Bids**

A total of two bidders responded to this solicitation. The firm recommended for award, Rocla Concrete Tie, Inc., was found to be responsive and responsible, and in full compliance with the bid requirements.

The second bid submitted was determined to be non-responsive and was not included for further consideration. The bidder was deemed non-responsive for failing to comply with Metro's sealed bidding requirements and including exceptions to the solicitation in its bid.

Bid was evaluated based on the following responsibility criteria:

- A. Adequate financial resources to perform the contract.
- B. Capability to comply with the required or proposed delivery or performance schedule.
- C. Satisfactory performance record, no current terminations.
- D. Satisfactory record of integrity and business ethics.
- E. Bidders organization, manufacturing and/or distribution facilities, experience, accounting/operational controls and technical skills are adequate to perform the contract.

The responsibility criteria are appropriate and consistent with criteria developed for similar types of procurements.

The following clarifications were conducted:

- Metro sent a Request for Clarification on September 5, 2013 to Progress Rail Services seeking clarification for exceptions included in bid submission. Bidder responded on September 6, 2013. Metro determined Progress Rail Services non-responsive and issued notice on September 16, 2013.
- Metro sent Request for Clarification on September 5, 2013 to Rocla Concrete Tie, Inc. seeking clarification on bid minor informality. Rocla responded with appropriate documents in compliance to bid requirements on September 6, 2013.

**C. Cost/Price Analysis**

The recommended price of \$2,161,297 is determined to be fair and reasonable when compared to Metro's Independent Cost Estimate of \$2,582,679 for these items. In addition, the bid was submitted with the expectation of competition since there were several bidders capable of submitting bids and there was no reason for a bidder to believe that other bids would not be submitted. A market survey was conducted to support the above statement. Prospective bidder, LB Foster prepared bid but submitted a "late bid." Other bidders made business decisions to bid as a subcontractor.

	<b>Bidder/Proposer Name</b>	<b>Proposal Amount</b>	<b>Independent Cost Estimate</b>
1.	Rocla Concrete Tie, Inc.	\$2,161,297	\$2,582,679

**D. Background on Recommended Contractor**

The recommended firm, Rocla Concrete Tie, Inc. located in Denver, CO, incorporated in 1987 has been in business for 26 years manufacturing pre-stressed concrete cross ties. Rocla Concrete Tie, Inc. has experience with various transit and government companies including Sacramento Regional Transit, Dallas Area Rapid Transit, Bay Area Rapid Transit, Washington Metropolitan Area Transit Authority and Maryland Transit Administration.

**E. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this solicitation due to the lack of subcontractors available to supply quantities needed and perform railcar delivery method. Rocla Concrete Tie, Inc. did not list any SBE subcontractor(s) nor commit to any SBE participation.