

**Metro**Los Angeles County  
Metropolitan Transportation AuthorityOne Gateway Plaza  
Los Angeles, CA 90012-2952213.922.2000 Tel  
metro.net**CONSTRUCTION COMMITTEE  
JUNE 19, 2014****SUBJECT: REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT****ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE  
CONTRACT MODIFICATION****RECOMMENDATION**

Authorize the CEO to execute Contract Modification No. 21 to Contract No. E0119 with The Connector Partnership Joint Venture (CPJV) Inc. to continue providing Design Support Services During Construction through December 2014 for the Regional Connector Transit Corridor Project, for a not-to-exceed amount of \$3,661,804, increasing the total contract value from \$47,447,377 to \$51,109,181. This action does not increase Life of Project Budget.

**ISSUE**

On October 28, 2010, the Board authorized the CEO to negotiate and execute Contract E0119, Advanced Conceptual Engineering (ACE) and Preliminary Engineering (PE) for The Regional Connector Transit Corridor Project, with an initial not-to-exceed amount of \$21,500,000, and options for Design Support During Construction and System Activation Support. The executed contract is a cost-plus, fixed fee contract with provisions for Board approval of the contract value every fiscal year by Contract Modification. Accordingly, this report requests approval for FY15.

The ACE phase (Phase I) encompassed all design activities and products (including all necessary data collection, coordination, and design studies) to fully document environmental impacts, respond to comments from FTA in the Administrative Draft EIS/EIR, and to develop a detailed cost estimate sufficient for advancement to later stages of project delivery. The PE phase (Phase II) established the design of the basic structural, mechanical, electrical, communication systems, trackwork, automatic train control, traction power, third rail contact system, fare collection, and other systemwide

interfaces. At the completion of PE, CPJV prepared contract documents for the design/build contracting delivery method.

The Board approved the project definition for the Regional Connector Transit Corridor Project on April 26, 2012. As a result of CPJV's work on the Project, Metro received a Record of Decision from the Federal Transit Administration (FTA) on June 29, 2012, and the Full Funding Grant Agreement (FFGA) on February 20, 2014.

In 2013, in accordance with CPJV's scope of work for Phase III, the Board authorized the CEO to exercise Contract Modification No. 20 for CPJV to provide design support services related to advanced utility relocations (Metro Contract C0981R and third party construction contracts), and to the procurement phase of the Design/Build Contract (Contract C0980) during FY14. Contract C0981R was awarded on January 13, 2014, and the award of the Design-Build Contract No. C0980 was approved by the Board on April 24, 2014.

Metro's Project Management staff requires continuation of services to provide Design Support Services During Construction to oversee the design-builder's final design, to ensure compliance with Metro's technical requirements, and other technical services during construction. Execution of the recommended Contract Modification No. 21 will provide: 1) continuity of engineering services; 2) Design Support Services During Construction for the Advanced Utility Relocations Contract C0981R and third party utility contractor work; 3) design support services during the final design phase and construction of the Project under the C0980 Design/Build Contract; and, 4) continued third party coordination with the City, County, and major stakeholders and property owners.

The recommended Board action will provide sufficient contract funding for CPJV services through December 31, 2014. Future work will be funded on a six-month basis. This approach will result in more accurate budgeting for each year, while providing better control over consultant services.

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on established safety standards for Metro's construction projects.

### **FINANCIAL IMPACT**

Funds are included in the FY15 budget for this action under Project 860228 – Regional Connector Transit Corridor in Cost Center 8510 (Construction Project Management), and Account Number 50316 (Professional and Technical Services). Because this is a multi-year project, the Executive Director of Engineering and Construction and the Project Manager will be accountable for budgeting costs for future years.

## Impact to Budget

The sources of funds for this report's Recommendation are Federal 5309 New Starts, and TIFIA Loan Proceeds. The approved FY15 budget is designated for the Regional Connector Transit Corridor Project and does not have an impact to operations funding sources. These funds are part of the Life-of-Project (LOP) Budget for the Regional Connector Transit Corridor Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project.

## **ALTERNATIVES CONSIDERED**

The Board could decide not to approve the recommended contract modification. This is not recommended because there are major elements of design support services work that are required to support this design-build project, and Metro does not have sufficient staff with the required expertise to ensure a timely review of the design-build contractor's Final Design. The recommendation by staff will provide continuity of the staff from CPJV that developed the technical requirements for the design-build contract to successfully deliver the project on schedule and within budget.

## **NEXT STEPS**

After Board approval and execution of the contract modification, staff will direct the consultant to continue providing design support services, and continue to manage its contract for the Regional Connector Transit Corridor project through FY15.

## **ATTACHMENTS**

- A – Procurement Summary
- B – Contract Modification Authority (CMA) Summary

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Arthur T. Leahy  
Chief Executive Officer

## PROCUREMENT SUMMARY

**ADVANCED CONCEPTUAL ENGINEERING AND  
PRELIMINARY ENGINEERING FOR THE  
REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT (E0119)  
MODIFICATION NO. 21**

1.	<b>Contract No.: E0119</b>		
2.	<b>Contractor: Connector Partnership Joint Venture (CPJV)</b>		
3.	<b>Mod. Work Description:</b> Provide design support services during construction for Advanced Utility Relocations (IFB No. C0981R) and Design-Build contract (RFP No. C0980) for the Regional Connector Transit Corridor Project.		
4.	<b>The following data is current as of: 5/08/14</b>		
5.	<b>Contract Completion Status –</b>		<b>Financial Status -</b>
	Award Date	12/02/10	Award Amount
	NTP	12/03/10	Total Contract Modifications Approved
	Orig. Complete Date	03/2018	Current Total Contract Value
	Current Est. Comp Date	03/2019	
6.	<b>Contract Administrator:</b> Joseph Lemon	<b>Telephone Number:</b> 213-922-3980	
7.	<b>Project Manager:</b> Girish Roy	<b>Telephone Number:</b> 213-893-7119	

**A. Contract Action Summary**

This contract change was handled in accordance with the Metro approved procedures for contract modifications.

On December 2, 2010, Contract No. E0119 was awarded to The Connector Partnership Joint Venture (CPJV) Inc. in the amount of \$21,500,000 to perform Phase I, Advanced Conceptual Engineering and Phase II, Preliminary Engineering as the most highly qualified offeror.

Attachment B shows that 20 modifications have been issued to date to add and/or delete work, and this recommended modification is currently pending authorization.

The proposed modification is for an amount of \$3,661,804 and will continue necessary design support services during construction as part of Phase III as listed in the work completion schedule in the contract.

**B. Cost/Price Analysis**

The negotiated amount of \$3,661,804 complies with all requirements of Metro Procurement policies and procedures and was determined to be fair and reasonable through fact-finding, technical analysis and cost analysis. An independent cost estimate (ICE) was obtained as part of the cost analysis. Upon further fact finding, a revised independent cost estimate was prepared prior to final negotiations.

<b>Bid/Proposal Amount</b>	<b>MTA Estimate</b>	<b>Negotiated Amount</b>
\$3,661,804*	\$3,471,185*	\$3,661,804*

\* To maintain consistency with recent board actions, funding for this project will be granted on a six month basis. This board action is for half of the funding originally negotiated for FY15. A recommendation for continued funding through the second half of FY15 will be presented to the Board in December.

**c. Disadvantaged Business Participation**

CPJV made a Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment of 35.01%. Current DALP participation is 31.32%. CPJV is not meeting its DBE commitment due to Metro schedule delays and scope changes, however, CPJV has committed to modifying DBE scopes of work to increase DALP participation. CPJV will assign additional scopes of work for DBE subcontractors that include architecture, traffic engineering, project scheduling, estimating, IT support, and environmental compliance in FY15.

<b>SMALL BUSINESS COMMITMENT</b>	35.01%	<b>SMALL BUSINESS PARTICIPATION</b>	31.32%
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Commitment</b>	<b>Current Participation'</b>
1.	Barrio Planners	Hispanic American	3.90%	3.93%
2.	BA, Inc	African American	3.90%	6.41%
3.	Dakota Communications	African American	1.02%	0.55%
4.	D'Leon Engineers	Hispanic American	2.40%	1.88%
5.	E2 Consulting Engineers, Inc.	Subcontinent Asian American	2.70%	3.60%
6.	Intueor Consulting, Inc.	Asian Pacific American	3.70%	2.37%
7.	LKG-CMC, Inc.	Caucasian	1.65%	1.92%
8.	Ted Tokio Tanaka Architects	Asian Pacific American	5.70%	3.69%
9.	Tierra West Advisors, Inc.	Asian Pacific American	0.90%	0.74%
10.	Wagner Engineering & survey	Caucasian	3.00%	1.39%
11.	Raw International, Inc.	African American	2.10%	1.67%
12.	Roy Willis & Associates	African American	0.50%	0.02%
13.	Universal Reprographics, Inc.	Caucasian	0.63%	0.67%
14.	Kal Krishnan Consulting Services	Subcontinent Asian American	0.22%	2.48%
	<b>Total Commitment</b>		<b>35.01%</b>	<b>31.32%</b>

*Current Participation = Total Actual Amount Paid-to-Date to Subs Total Actual Amount Paid-to-Date to Prime*

**ATTACHMENT B**

**Contract Modification Authority (CMA) / Change Order Log**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (Approved or Pending)</b>	<b>Contract Value</b>	<b>Mods</b>	<b>Board Approved CMA</b>
<b>N/A</b>	<b>Initial Award</b>	<b>Approved</b>	<b>\$21,500,000(A)</b>		<b>\$3,225,000</b>
1	Risk Management Support	Approved		\$203,059	
2	Revisions to Technical Scope of Services	Approved		\$0	
3	Additional Geotechnical Borings	Approved		\$256,215	
4	Upgrade Division 20 Generator & Tie-In	Approved		\$108,937	
5	Increased Level of Effort for Design Services	Approved		\$444,742	
6	Increased Level of Cost Estimating	Approved		\$299,241	
7	Additional Specification Preparation Efforts	Approved		\$219,707	
8	Constructability Design Changes	Approved		\$139,197	
9	Flower Street Landscape Design	Approved		\$138,696	
10	No Cost Extension	Approved		\$0	
11	Advanced Preliminary Engineering	Approved		\$8,796,669*	\$1,429,668
12	2 <sup>nd</sup> & Broadway Second Entrance Design	Approved		\$367,771	
13	Advanced Utility Final Design	Approved		\$455,474	
14	Cost Savings Station Designs	Approved		\$470,612	
15	No Cost APE Extension	Approved		\$0	
16	Additional Geotechnical Services	Approved		\$365,972	
17	Bid Period Services	Cancelled		\$0	
18	No Cost APE Extension	Approved		\$0	
19	Bid Period Services	Approved		\$5,828,270*	\$1,050,000
20	Bid Period Services / Design Support Services During Construction (Phase III)	Approved		\$7,852,815*	
21	Design Support Services During Construction (1 <sup>st</sup> Half - FY15)	Pending		\$3,661,804	\$0
<b>Subtotal – Board Approved Modifications*</b>				<b>\$22,477,754</b>	
<b>Subtotal – Approved Modifications within CMA (B)</b>				<b>\$3,469,623</b>	
<b>Subtotal – All Approved Modifications</b>				<b>25,947,377</b>	
<b>Pending Changes/Modifications</b>				<b>\$ 3,661,804</b>	
<b>Total Mods and Pending Changes (C)</b>				<b>\$29,609,181</b>	
<b>Total Contract Value (including Approved and Pending Mods (A+C))</b>			<b>\$51,109,181</b>		
<b>Board Approved Cumulative CMA (D)</b>					<b>\$5,704,668</b>
<b>Less: Mods within CMA</b>					<b>\$3,469,663</b>
<b>Remaining CMA (excludes Board Approved Mods*) (D-B)</b>					<b>\$2,235,045</b>