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Los Angeles County
Metropolitan Transportation Authority

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**CONSTRUCTION COMMITTEE
APRIL 16, 2015**

SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 1 PROJECT

ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE A CONTRACT MODIFICATION AND APPROVE AN INCREASE IN CONTRACT MODIFICATION AUTHORITY

RECOMMENDATION

- A. Authorize the CEO to execute Contract Modification No.3 to Contract C1056, Advanced Utility Relocations (Wilshire/La Cienega Station) with Steve Bubalo Construction Co. for additional compensation to comply with the requirements of the City of Beverly Hills (COBH), as identified in the executed Memorandum of Agreement (MOA), for all work being done within the jurisdiction of the COBH in the amount of \$1,983,179, increasing the total contract value from \$20,250,000 to 22,233,179; and
- B. Approve an increase in Contract Modification Authority (CMA) to Contract C1056 to provide funding to implement the changes required by the COBH Memorandum of Agreement approved by the Board on October 23, 2014, in the amount of \$1,983,179, increasing the current CMA from \$2,025,000 to \$4,008,179.

ISSUE

Contract C1056 is a firm fixed price contract to re-locate utilities in advance of the Westside Purple Line Extension Section 1 Project Design/Build Contract (C1045). Approval of additional CMA will allow staff to continue to process contract modifications made necessary by the executed MOA, in a timely manner and avoid costly delays to the Westside Purple Line Extension Section 1 Project, which requires the advanced utility work included in this contract to be completed by January 31, 2017.

DISCUSSION

Section 1 of the Westside Purple Line Extension Project is the first of three sections to be designed and constructed as part of the Los Angeles County Metropolitan Transportation Authority (LACMTA) Measure R Program.

The program was approved by Los Angeles County voters in November 2008, and provides a half-cent sales tax to finance new transportation projects. In April 2012, the three sections of the Project were environmentally cleared and adopted by LACMTA Board of Directors.

Section 1 will extend the existing Purple Line by 3.92 miles beginning at the Wilshire/Western Station. From this station, the twin tunnel alignment will travel westerly within the existing Wilshire Boulevard right-of-way. Stations will be located at the intersections of Wilshire/La Brea, Wilshire/Fairfax, and Wilshire/La Cienega. All three of the station boxes will be located within the Wilshire Boulevard right-of-way with station portals extending to off-street entrances.

Contract C1056 provides for advanced utility relocations of water lines, power lines, storm drains and sewer at the Wilshire/La Cienega Station location. The Wilshire/La Cienega Station box is within the City of Beverly Hills and will be located under the center of Wilshire Boulevard between La Cienega Blvd and Tower Drive. The utilities are being relocated to allow for construction of the station by the Westside Purple Line Extension Section 1 Project Design/Build Contractor.

Contract C1056 was Issued For Bid on February 21, 2014. Bids were received on May 21, 2014. Metro awarded the contract to Steve Bubalo Construction Co., on October 13, 2014, with a contract award value of \$20,250,000 and a contract timeline of 696 calendar days from contract Notice To Proceed (NTP). NTP for the C1056 was issued on January 12, 2015.

The draft MOA for utility work within the COBH was presented to city staff for review and comment in early June 2014. The MOA was subsequently negotiated by Metro staff and the COBH. The COBH City Council approved the MOA on August 19, 2014, and the MOA was adopted and approved by the Board on October 23, 2014.

Due to the timing of the development of the MOA with the City of Beverly Hills, which was adopted by the Metro Board after the C1056 Wilshire/La Cienega AUR Contract was awarded, any changed scope of work identified in the MOA (not currently in the C1056 Scope of Work) are changes to the C1056 contract. These include:

- Majority of the Work is prohibited from occurring between 4:00 PM and 7:00 AM, (now mostly daytime work instead of night work),
- Work restrictions on Saturdays, Sundays and Holidays,
- No work on 13 holidays
- Increased Travel time from Site to Laydown Yard outside of COBH during daytime traffic hours for Crew, Materials and Spoils.

- Requirement for Restoration of full street access at the end of each day, trench places to be recessed on City streets, and hauling restrictions.
- Require more restrictive Traffic Detour Plans
- Require Additional Noise mitigation measures
- Reduced the available effective work hours due to Saban Theater events

Staff is requesting additional CMA to cover cost increases associated with complying with the requirements of the MOA. There has been no prior increase to CMA for this contract.

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 865518 – Westside Purple Line Extension Section 1 Project in Cost Center 8510 (Construction Project Management), and Account Number 53101 (Acquisition of Building and Structure). Since this is a multi-year project, the Executive Director of Engineering and Construction and the Project Manager will be responsible for budgeting costs in future years.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts, Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan proceeds and Measure R 35%. The approved FY15 budget is designated for the Westside Purple Line Extension Project and does not have an impact to operations funding sources. These funds were assumed in the LRTP for the Westside Purple Line Extension Section 1 Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may decline to approve the recommended action. This is not recommended as it will delay the completion of the advanced relocation of utilities for the Project. This will directly impact the completion of Westside Purple Line Extension Section 1 Project.

ATTACHMENTS

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

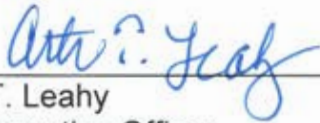
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PROCUREMENT SUMMARY

**WESTSIDE PURPLE LINE EXTENSION SECTION 1 PROJECT
ADVANCED UTILITY RELOCATIONS (WILSHIRE/LA CIENEGA STATION)
/CONTRACT NO. C1056**

1.	Contract Number: C1056		
2.	Contractor: Steve Bubalo Construction Co.		
3.	Mod. Work Description: Impacts due to compliance with the requirements of the City of Beverly Hills (COBH) Memorandum of Agreement (MOA), for all work being done within the jurisdiction of the COBH.		
4.	Contract Work Description: Advance Utility Relocation for Power, Water, Storm Drain and Sewer at future La Cienega station.		
5.	The following data is current as of: 3/19/15		
6.	Contract Completion Status:		
	Bids/Proposals Opened:	5/21/14	% Completion \$s: 5%
	Contract Awarded:	10/13/14	% Completion time: 8%
	NTP:	1/12/15	Original Contract Days: 696 calendar days
	Original Complete Date:	12/8/16	Change Order Days: 0 calendar days
	Current Est. Complete Date:	12/8/16	Suspended Days: 0 calendar days
		Total Revised Days:	0 calendar days
7.	Financial Status:		
	Contract Award:	\$ 20,250,000	
	Total Contract Modifications Approved:	\$0	
	Current Contract Value:	\$ 20,250,000	
	Contract Administrator: Zachary Munoz	Telephone Number: (213)922-7301	
8.	Project Manager: James Cohen	Telephone Number: (213) 922-7911	

A. Contract Action Summary

This Board Action is to approve modification no.3 issued in support of the relocation of utilities in advance of the Westside Purple Line Extension Section 1 Project Design/Build Contract (C1045) at the future La Cienega station.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

History of the original procurement include:

Invitation for Bid (IFB) No. C1056 was issued on February 21, 2014. The Notice requesting bids was published in several newspapers of general circulation on February 22, 2014, and February 23, 2014. The IFB was also posted on Metro's website and notice of availability postcards were mailed to potential bidders. A Pre-Bid conference was held on March 12, 2014, with fifteen firms in attendance. A total of 6 Amendments were issued.

- Amendment No. 1 issued on February 26, 2014, revised Appendix A of the Technical Specifications;
- Amendment No. 2 issued on March 20, 2014, revised the List of DBE Certified Firms;
- Amendment No. 3 issued on April 3, 2014, revised, added, and deleted various technical drawings, specification, and appendices;
- Amendment No. 4 issued April 16, 2014, revised the bid due date;
- Amendment No. 5 issued April 30, 2014, revised, added, and deleted various technical drawings, specifications, and appendices, and revised the Schedule of Quantity and Prices;
- Amendment No. 6 issued on May 8, 2014, revised various technical drawings, Schedule of Quantity and Prices, and the bid due date.

Forty-two firms purchased the IFB package. Metro responded to fifty-five clarification inquiries from the plan holders. Metro received five bids at a public bid opening, held on May 21, 2014. On October 13, 2014, Metro awarded the contract to Bubalo Construction Co. in the amount of \$20,250,000.

See Attachment B for modifications issued to date to add/delete work, and the proposed modification currently pending authorization.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon, an independent cost estimate, cost analysis, technical evaluation, fact finding, and negotiations. A cost analysis has been performed, taking into consideration the completed Independent Cost Estimate and technical evaluation, pending a completed audit. MASD is in the process of completing an audit and it is anticipated that the MASD audit should be completed within 45 days. Upon completion, staff will include that data in its final cost analysis finalizing the negotiated price based on any costs found to be unallowable or not allocable for the executed modification.

Item No.	Proposal amount	Metro ICE	Negotiated amount
1	\$2,424,775	\$1,432,400	\$1,983,179

C. Small Business Participation

Steve Bubalo Construction made a 15.30% Disadvantaged Business Enterprise (DBE) commitment. Construction work is expected to begin in April 2015.

Small Business Commitment	DBE 15.30%	Small Business Participation	DBE 0.0%
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	DBE Subcontractors	Ethnicity	% Committed	Current Participation ¹
1.	Bradley Tanks Inc.	Asian Pacific	1.23%	0.0%
2.	Landmark Surveying Solutions Inc.	Asian Pacific	1.74%	0.0%
3.	G&C Equipment Corporation	African American	2.79%	0.0%
4.	Langford & Carmichael, Inc.	Asian Pacific	0.10%	0.0%
5.	Morgner Construction	Hispanic American	1.89%	0.0%
6.	California Testing & Inspection	Hispanic American	1.63%	0.0%
7.	Coleman Construction	African American	3.95%	0.0%
8.	Savala Equipment Company, Inc.	Hispanic American	1.98%	0.0%
Total			15.30%	0.0%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms + Total Actual Amount Paid-to-date to Prime.

D. Project Labor Agreement / Construction Careers Policy (PLA/CCP)

Construction activities have not started on this project. Therefore, no reports are available regarding PLA/CCP Targeted Worker goal, Apprentice goal and Disadvantage Worker goal.

CONTRACT MODIFICATION/CHANGE LOG

**WESTSIDE PURPLE LINE EXTENSION SECTION 1 PROJECT
ADVANCED UTILITY RELOCATIONS (WILSHIRE/LA CIENEGA STATION)
/CONTRACT NO. C1056**

Mod. No.	Description	Status	Cost
1	Revised Traffic Control Drawings	Approved	\$0
2	Contract Drawings signed By City of Beverly Hills	Approved	\$0
3	Incorporate City of Beverly Hills Memorandum of Agreement	Pending	\$1,983,179
Subtotal – Approved Modifications			\$0
Subtotal – Pending Changes/Modifications			\$1,983,179
Total Mods and Pending Changes (including this change)			\$1,983,179
Prior CMA Authorized by the Board (including base award & other mods)			\$2,025,000
Increased CMA for this recommended action			\$1,983,179
Remaining CMA for Future Changes			\$4,008,179