



**OPERATIONS COMMITTEE  
SEPTEMBER 15, 2005**

- PROJECT: METRO BLUE LINE, DIVISION 11 FACILITY EXPANSION**
- CONTRACT: C0717 DIVISION 11 FACILITY EXPANSION WITH STACY AND WITBECK, INC.**
- ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE CONTRACT MODIFICATION FOR THE DESIGN, ENGINEERING AND CONSTRUCTION REQUIRED TO FURNISH 750 VOLTS DIRECT CURRENT (VDC) POWER TO THE SI-4 BUILDING**

**RECOMMENDATION**

Authorize the Chief Executive Officer to negotiate and execute Modification No. 3 to Contract No. C0717 with Stacy and Witbeck, Inc. for the design, engineering and construction of Metro Blue Line Division 11 Project required to furnish 750 Volts Direct Current (VDC) power to the SI-4 Building in an amount not-to-exceed \$280,000.

**RATIONALE**

Contract No. C0717 is a fixed price, federally funded procurement. The project includes the upgrade and expansion of the following areas at the Division 11 Maintenance Facility: Service and Inspection Building (SI-4), employee parking, rail car vehicle wash, rail car cleaning platform, yard support facility, and addition of Overhead Catenary System (OCS) to three existing yard storage tracks.

On November 8, 2005 Contract No. C0717 was awarded to Stacy and Witbeck, Inc. in the amount of \$13,455,000. The Notice-to-Proceed was issued on November 15, 2005 with a completion date of March 14, 2005.

The contracted design stipulated that a rectifier and transformer would be supplied by "others" to transform 480 Volts Alternating Current (VAC) power to 750 VDC power at the SI-4 Building. The rectifier/transformer is in fact a Mini-Traction Power Substation that would be required to be enclosed in a separate module. The contract has no provision to supply the rectifier/transformer to the project. Since no rectifier/transformer was provided and the estimated cost for the Contractor to furnish the equipment is approximately \$500,000 with a 6-month lead-time for equipment delivery, an alternative source of power was sought on site.

The new design incorporates pulling 750 VDC and neutral cables from the Wheel Truing Shop, where a contactor is available, to the SI-4 building. To run the cable requires the purchase of materials, labor, and equipment to excavate an 800-foot trench, install 1,600 feet of conduit, 1,600 feet of 750 VDC cable, and 6 pull boxes.

The contract has had two previous modifications. Modification No. 1 (CN/CO 2.00) is for the SI-4 Building continuous inspection pit in the amount of \$ 20,888 and Modification No. 2 (CN/CO 5.00) is for the relocation of SI-4 Utilities under pit in the amount of \$ 44,136.

Contract Modification No. 3 provides for the design, engineering, construction and procurement of all required materials to furnish 750 VDC power to the SI-4 Building in the not – to - exceed amount of \$280,000.

### **IMPACTS TO OTHER CONTRACTS**

This action has no impact to other contracts at this time.

### **FINANCIAL IMPACT**

The funding of \$280,000 for this action is included in the FY06 approved budget in Cost Center 3960, Transit Systems Engineering under Project 204009 (Division 11, Facility Expansion). The adopted life of project budget of \$ 17,395,500 will not be impacted by this action.

### **ALTERNATIVES CONSIDERED**

The first alternative considered is to move forward with the original plan to purchase and build a SI-4 Traction Power Sub Station. This option is not recommended because it is at a substantial increase in cost.


The second alternative considered is to use the Yard Overhead Catenary System to supply the 750 VDC power for SI-4. This alternative is not recommended since it is a safety concern. For safety reasons, Shop power and Yard power are on a separate grounds planes that cannot be traversed.

The third alternative considered is to not have 750 VDC supply in the SI-4 Building. This alternative defeats the purpose of the SI-4 Building Expansion Project to make the SI-4 into a shop to repair and inspect Blue Line Light Rail Vehicles.

### **ATTACHMENT**

- A. Procurement Summary
- A-1 Procurement History
- A-2 List of Subcontractors

Prepared by: Gerald Francis, General Manager, Rail Operations  
Brian Rydell, Rail Project Manager

*For*   
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John B. Catoe, Jr.  
Deputy Chief Executive Officer

  
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Roger Snoble  
Chief Executive Officer

**BOARD REPORT ATTACHMENT A  
PROCUREMENT SUMMARY**

**DIVISION 11 FACILITY EXPANSION**

1.	Contract Number: C0717 - Change Notice 4.00		
2.	Design-Builder: Stacy and Witbeck Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$276,085.08	Recommended Price: TBD	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Firm Fixed Price		
5.	Procurement Dates:		
	A. Issued: N/A		
	B. Advertised: N/A		
	C. Pre-Bid Conference: N/A		
	D. Proposals Due: N/A		
	E. Pre-Qualification Completed: N/A		
	F. Conflict of Interest Form Submitted to Ethics:		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: See Details in Attachment A-2	Date Small Business Evaluation Completed:	
	Small Business Commitment: See Details are in Attachment A-2		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent:  N/A	Bids/Proposals Picked up: N/A	Bids/Proposals Received:  N/A
8.	Evaluation Information:		
	A. Bidders/Proposers Names: See Attachment A-1.A	<u>Bid/Proposal Amount:</u> See Attachment A-1.D	<u>Best and Final Offer Amount:</u> N/A
	B. Evaluation Methodology: The recommended price is in compliance with Procurement Policies and Procedures		
9.	Protest Information:		
	A. Protest Period End Date: N/A		
	B. Protest Receipt Date: N/A		
	C. Disposition of Protest Date: N/A		
10.	Contract Administrator: Charles Fitzsimmons	Telephone Number: 922-7301	
11.	Henry Fuks DEO, Project Management	Telephone Number: 922-7282	

**BOARD REPORT ATTACHMENT A-1  
PROCUREMENT HISTORY**

**DIVISION 11 FACILITY EXPANSION**

**A. Background on Contractor**

Stacy and Witbeck, Inc. (SWI), is headquartered at 1320 Harbor Bay Parkway, Suite 240 in Alameda, California. SWI began providing heavy civil construction in 1981. The company has approximately 150 employees serving clients through a network of offices in the Western United States. SWI is recognized as one of the leading contractors in light rail, cable car, and trolley line construction. Their experience and expertise include substantial design/build and construction management for other transit/government agencies for at risk or fully operational facilities such as the \$79 million Ruby Junction Maintenance Facility; the \$140 million Salt Lake City Commuter Rail Project; and Portland Streetcar Phases I, II and III. SWI has not provided services for Metro before Contract C0717.

**B. Procurement Background**

The procurement of Contract No. C0717 is a design-build contract in accordance with Public Utilities Code 13024, issued as a two-step Invitation for Bids (IFB) for a fixed price contract. As the result of receiving only one response, a negotiated procurement was conducted. On August 12, 2004, final negotiations were completed with the contractor. SWI's original proposed price of \$16,485,000 was reduced to \$13,455,000 or within 9% of the Metro Independent Estimate. On October 7, 2004, Contract No. C0717 was approved by the Chief Executive Officer and the Notice To Proceed (NTP) was issued on November 8, 2004 for the period of performance of 450 days from NTP.

To date, two modifications have been issued for this Contract for a total of \$65,023.93.

**C. Evaluation of Proposals**

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

**D. Cost/Price Analysis Explanation of Variances**

The recommended price will be determined to be fair and reasonable based upon estimate, audit, and cost/price analysis.

Proposal Amount	Independent Cost Estimate	Recommended/Negotiated Amount
\$276,085	TBD	TBD

## BOARD REPORT ATTACHMENT A-2

### METRO GREEN LINE CONTRACT CO717 DIVISION 11 FACILITY EXPANSION

#### LIST OF SUBCONTRACTORS

This Contract has a 2.01% Design and 14.5 % Construction Disadvantaged Business Enterprise (DB E) participation commitment. The Contract was awarded November 8, 2004 to Stacy and Witbeck, Inc., and is 30 % complete. DBE attainment <sup>1</sup> based on the relevant contract amount<sup>2</sup> is 1.99 %. DBE participation<sup>3</sup> based on the total actual amount paid-to-date to prime and total actual amount paid-to-date to DBE is 12.72 %. The DBE scope of work was completed in June 2005. The listed DBE Subcontractor performed on the contract as listed.

Original Award Amount	\$13,455,000
Relevant Contract Amount <sup>2</sup>	\$13,455,000
Total Actual Amount Paid to Date to Prime	\$2,099,548

Subcontractor Name	% Commitment	% Current Attainment	% Current Participation	Current Status
Electrical Bldg. Sys. Inc.	\$59,449	0.18 %	1.17 %	Performing
Wagner Engineering & Survey	\$16,064	0.03 %	0.17 %	Performing
Anil Verma Associates	\$55,237	0.25 %	1.61 %	Performing
Storm & Lowe	\$52,505	0.28 %	1.78 %	Performing
J.L. Patterson & Associates	\$83,329	0.77 %	4.92 %	Performing
Diaz Yourman & Associates	\$4,016	0.03 %	0.19 %	Performing
Reyes & Sons Electric Company	\$1,453,000	0.02 %	0.16 %	Performing
Ramirez Masonry, Inc.	\$197,618	0.27 %	1.72 %	Performing
Haley Industrial Coating & Lining	\$95,969	0.00 %	0.00 %	Performing
Luis R. Ryna Painting	\$58,500	0.00 %	0.00 %	Performing
Western Paving Contractor	\$30,059	0.04 %	0.25 %	Performing
Tri-Star Transport	\$116,000	0.12 %	0.75 %	Performing
<b>TOTAL</b>	<b>\$2,221,746</b>	<b>1.99%</b>	<b>12.72%</b>	Performing

<sup>1</sup> Current Attainment = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Current Contract Amount

<sup>2</sup> Relevant Contract Amount = Original Contract Value + Contract Cost Modifications affecting DBE scope of work

<sup>3</sup> Current Participation = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Actual Amount Paid-to-Date to Prime