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**PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 19, 2005**

PROJECT: SR-134 DESIGN-BUILD SOUNDWALL

**CONTRACT: C0729, SR-134 SOUNDWALL,
D.W. POWELL CONSTRUCTION, INC.**

**ACTION: AWARD DESIGN-BUILD CONTRACT TO D.W. POWELL
CONSTRUCTION, INC.**

RECOMMENDATION

Authorize the Chief Executive Officer to award a firm fixed price design-build contract, Contract Number C0729, to D.W. Powell Construction, Inc., for design and construction of Soundwalls on State Route 134 between Louise Street and Harvey Drive in City of Glendale, in an amount of \$9,777,000.

RATIONALE

On March 24, 2005, the Board approved the solicitation of a design-build contract and the Life-of-Project-Budget of \$11.423 million for this soundwall project on State Route 134. Subsequent to the Board approval, staff worked with Caltrans and executed the Cooperative Agreement between Metro and Caltrans in April 2005. The Invitation for Bids was issued in June 2005.

The service that Metro is receiving from this contract will be to design and construct approximately 1.4 miles of soundwalls on State Route 134 between Louise Street and Harvey Drive in City of Glendale. The service is essential to Metro because the project has been designated as a "Design-Build" demonstration project to explore, among other things, potential time and cost savings in implementation of the Metro Post 1989 Retrofit Soundwall Program. The project is scheduled to begin in November 2005 and construction should be completed in September 2007. (Under the contract, the landscaping would be monitored for an additional three years following construction to ensure plant establishment.) This project will mitigate traffic noise in the affected residential area.

The procurement of the project is a two-step process to determine a technically acceptable and lowest-responsive and responsible bidder. Metro received the technical proposals and price bids on August 30, 2005. A Technical Committee consisting of representatives from Metro, Caltrans, and City of Glendale reviewed the technical proposals. The price bids were publicly opened on September 13, 2005. D.W. Powell Construction, Inc, is the lowest responsive and responsible bidder. The Procurement Summary, Procurement History, and List of Subcontractors are attached as Attachments A, A-1, and A-2.

FINANCIAL IMPACT

The funding of \$2,751,400 in Proposition C 25% funds is included in FY 2005-06 budget in Cost Center 4370, San Fernando Valley/North County Area Team, under Project Number 405516, Task Number 1.01. This award is within the previously approved Life-of-Project-Budget of \$11,423,000. Since this is a multi-year project, the cost center manager and the Chief Planning Officer will be responsible for budgeting the costs in future years.

ALTERNATIVES CONSIDERED

The alternative considered was to not award this design-build contract. However, this alternative is not recommended because of the immediate need for traffic noise mitigation in the affected residential areas, and because the Board approved the solicitation of such a design-build contract and expressed its intent to explore the effectiveness of the design-build contracting process.

NEXT STEPS

The following is the tentative schedule of the project:

October 2005	Award Design-Build Contract
November 2005	Issue Notice to Proceed
September 2007	Complete construction (Landscaping will be monitored for an additional three years to ensure plant establishment.)

ATTACHMENTS

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

Prepared by:

Kevin Michel, Director, San Fernando Valley/North County Area Team
David Z. Wang, Project Manager, San Fernando Valley/North County Area Team
Ben Mendoza, Contract Administrator



Carol Inge
Interim Chief Planning Officer
Countywide Planning and Development



Roger Snoble
Chief Executive Officer

**ATTACHMENT A
PROCUREMENT SUMMARY**

SOUNDWALL ON STATE ROUTE 134

1.	Contract Number: C0729		
2.	Recommended Vendor: D.W. Powell Construction, Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$9,777,000	Recommended Price: \$9,777,000	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Firm Fixed Price		
5.	Procurement Dates:		
	A. Issued 6/15/05		
	B. Publicized: 6/15/05		
	C. Pre-proposal Conference: 6/28/05		
	D. Proposals Due: 8/30/05		
	E. Pre-Qualification: 9/15/05		
	F. Conflict of Interest Form Submitted to Ethics: September 2005		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: 0.97% VALP Goal	Date Small Business Evaluation Completed: September 2005	
	B. Small Business Commitment: VALP Details are in Attachment A-2		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: 6/15/05	Bids/Proposals Picked up: 8/30/05	Bids/Proposals Received: 3
8.	Evaluation Information:		
	A. Bidders Name: Brutoco Engineering Peterson-Chase Engineering D.W. Powell Const, Inc.,	<u>Bid / proposal Amount:</u> \$15,952,000 \$13,276,700 \$9,777,000	<u>Best and Final Offer Amount:</u> N/A
	B. Evaluation Methodology: Explicit Factors. Details are in Attachment A-1.C		
9.	Protest Information: N/A		
	A. Protest Period End Date: October 3, 2005		
	B. Protest Receipt Date: N/A		
	C. Disposition of Protest Date: N/A		
10.	Contract Administrator: Ben Mendoza	Telephone Number: 922-7329	
11.	Project Manager: David Wang	Telephone Number: 922-3082	

**ATTACHMENT A-1
PROCUREMENT HISTORY
SOUNDWALL ON STATE ROUTE 134**

A. Background on Contractor

D.W. Powell Construction, Inc., headquartered in Fontana, California, has been in business for 20 years. D.W. Powell Construction, Inc., is a general contractor that specializes in Public Sector jobs.

D.W. Powell Construction, Inc., has not done any work on MTA projects, however they have a twenty-year history of providing satisfactory services to Private/ Government Agencies. D.W. Powell Construction, Inc., currently has six Caltrans projects under construction, of which, five are soundwall projects. Powell has completed 28 projects in the last three years, and 71% of this work was for Caltrans. The Caltrans work performed by Powell, had twelve soundwall projects, all completed satisfactorily.

B. Procurement Background

Contract No. C0729, Soundwall on State Route 134, is a Capital Project authorized by the Board, awarded on March 24, 2005. The award price of \$9,777,000

In accordance with Public Utilities Code §130232, sealed bidding requirements, a firm fixed price contract was selected because the construction requirements were clearly defined and two or more bidders are able to provide the services. No protests for this procurement have been filed.

The scope of work required the contractor for a Design-Build Soundwall on State Route 134 between Louise Street and Harvey Drive in the City of Glendale.

C. Evaluation of Proposals

Contract No. C0729 is a design-build project that requires a Two-Step procurement process to determine a technically acceptable and lowest-responsive bidder whose bid is responsive to the criteria set forth in the invitation for Bid. Contract award will be made on a Firm Fixed Price basis to the company rated technically acceptable and submits the lowest priced responsive bid.

D. Cost/Price Analysis Explanation of Variances

The recommended price has been determined to be fair and reasonable based upon receipt of competitive bids, comparison with an independent cost estimate, price analysis, fact finding, and engineering clarification.

Bid/Proposal Amount	MTA Estimate	Recommended/Negotiated Amount
\$9,777,000	\$10,030,122	\$9,777,000

E. VALP Goal

The Diversity & Economic Opportunity Department (DEOD) recommended a Minority Owned/Women Owned Business Enterprise (MBE/WBE) Voluntary Anticipated Levels of Participation (VALP) of eleven percent (11%) MBE and eleven percent (11%) WBE. The prime contractor, D.W. Powell Construction, Inc. identified two WBE certified firms, Tri-County Drilling and Jennie Chamber Trucking and plans to utilize the firms to perform part of the required scope of work for this project. Therefore, D.W. Powell Construction., Inc. voluntarily listed 0.98% WBE participation. No MBE firms were identified. The VALP program is strictly voluntary.

**ATTACHMENT A-2
LIST OF SUBCONTRACTORS**

STATE ROUTE 134 SOUNDWALL

PRIME CONTRACTOR: D.W. Powell Construction, Inc

Small Business Commitment			Other Subcontractors
Subcontractor	Description	% Goal	
Tri-County Drilling	Geo Technical Drilling	0.72%	ACL Construction Co, Inc
Jennie Chamber Trucking	Trucking	0.26%	L. Johnson Construction, Inc
			R&D Steel, Inc
			Ruper Construction Supply, LLC
Total VALP Commitment		0.98%	

