



CONSTRUCTION COMMITTEE
MAY 19, 2005

PROJECT: METRO GOLD LINE EASTSIDE EXTENSION ENHANCEMENT PROJECT (800288)

CONTRACT: C0803, EASTSIDE LRT CONSTRUCTORS, JV WASHINGTON GROUP INTERNATIONAL, OBAYASHI CORPORATION, & SHIMMICK CONSTRUCTION CORPORATION

ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE CONTRACT MODIFICATION NO. 10 IN THE AMOUNT OF \$4,334,269 FOR URBAN DESIGN ENHANCEMENTS

RECOMMENDATION

Authorize the Chief Executive Officer to execute Contract Modification No. 10 to Contract No. C0803, with Eastside LRT Constructors, for Urban Design Enhancements for the Metro Gold Line Eastside Extension Enhancement Project (800288) in the amount of \$4,334,269; increasing the Total Contract Value from \$600,606,700 to \$604,940,969.

Within Construction Committee authority: Yes No N/A

RATIONALE

At its September 23, 2004 meeting, the Board of Directors approved a motion directing the Chief Executive Officer to report back regarding the availability of funding to reprogram the deferred project elements for the Metro Gold Line Eastside Extension Project. These elements had been deferred at the time that the project budget was established in early 2004, due to higher than anticipated construction bids. The Board of Directors subsequently directed that the deferred items be restored as funding became available.

Available funding was identified and the Board approved an action in March 2005 to restore the deferred items. A separate project (800288) was established to distinguish this work from the original scope.

Under Contract Modification No. 10, the limits of the scope of work involving landscaping, sidewalks and crosswalks will be increased from 500' to 1000' within the limits immediately adjacent to the stations and around the tunnel portals. Included are street trees/tree grates, pedestrian lights, stamped concrete sidewalks, stamped concrete crosswalks, and color stamped concrete for the entire trackway.

IMPACTS TO OTHER CONTRACTS

None

FINANCIAL IMPACT

The funding for this action is included in the FY05 and proposed FY06 budgets in Cost Center 8510 (Construction Contracts/Procurement) under Project 800288 (Metro Gold Line Eastside Extension Enhancement Project), Line Item No. 53101 (Acquisition Building & Structure). The adopted life of project budget of \$18,000,000 is not impacted by this action. Since this is a multi-year contract, the cost center manager and Chief Capital Management Officer will be accountable for budgeting the cost in future years, including any option exercised.

ALTERNATIVES CONSIDERED

The Board of Directors may reject the recommendation. Staff is not recommending this option, for it is cost-effective to have the existing construction contractor perform this work. Rejection will require procuring another contractor to perform this work, which would increase costs to the project.

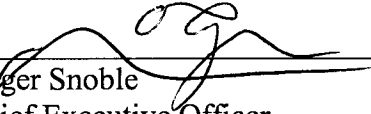
ATTACHMENTS

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

Prepared By: Rick Wilson, Project Control Manager
Dennis S. Mori, Executive Officer, Project Director



Richard D. Thorpe
Chief Capital Management Officer



Roger Snoble
Chief Executive Officer

**BOARD REPORT ATTACHMENT A
PROCUREMENT SUMMARY**

**AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE CONTRACT
MODIFICATION NO. 10 IN THE AMOUNT OF \$4,334,269
FOR URBAN DESIGN ENHANCEMENTS**

1.	Contract Number: C0803		
2.	Design-Builder: Eastside LRT Constructors		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$4,334,269	Recommended Price: \$4,334,269	
	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: 04/20/05		
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	Bid/Proposal Amount: See Attachment A-1.C	Best and Final Offer Amount: N/A
	B. Evaluation Methodology: Cost Analysis		
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: Tim Clark	Telephone Number: 922-7246	
11.	Project Manager: Eli Choueiry	Telephone Number: 922-4982	

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

**AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE CONTRACT
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A. Background on Contractor

Eastside LRT Constructors is a joint venture of Washington Group International, Obayashi Corporation, and Shimmick Construction Company. All three firms are experienced in design-build construction projects as well as various types of heavy construction work. All three firms have had prior contracts with Metro with satisfactory past performance. Washington Group International was involved in the design-build Pasadena Gold Line project. Both Obayashi Corporation and Shimmick Construction Company were previously involved in the construction of the Metro Red Line and are currently joint ventured on the design-build Metro Orange Line.

B. Procurement Background

The procurement of Contract No. C0803 was for a design-build system, in accordance with Public Utilities Code §130242, issued as a two-step Invitation for Bid (IFB) for a fixed price contract.

The Bid Evaluation Team reviewed all bids received in response to IFB No. C0803 and the Best and Final Offer from Eastside LRT Constructors for the Work of C0803. All bids were responsive and all Bidders were determined to be responsible. Following the evaluation, staff recommended and the CEO approved award of a firm fixed price contract, Contract No. C0803 Tunnel and Station Excavations; Stations, Trackwork, and Systems, to Eastside LRT Constructors, the technically acceptable, lowest-priced responsive and responsible bidder, for the design and construction the Metro Gold Line Extension Project; for the period of 1,795 calendar days from Notice to Proceed, in the Total Contract Amount of \$600,449,000, the sum of Schedule A – Base Work and Schedule F – Provisional Sums.

C. Evaluation of Proposals

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

D. Cost/Price Analysis Explanation of Variances

The recommended price has been determined to be fair and reasonable as it was based upon an independent cost estimate, audit and cost/price analysis.

Proposal Amount	MTA Estimate	Recommended/Negotiated Amount
\$4,334,269	\$4,199,198	\$4,334,269

**BOARD REPORT ATTACHMENT A-2
LIST OF SUBCONTRACTORS**

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SMALL BUSINESS PARTICIPATION (Contract #C0803 – Tunnel portion)

This Contract has a Disadvantaged Business Enterprise (DBE) participation commitment of 13.11%. The contract was awarded to Eastside LRT Contractors on June 1, 2004 and is 11% complete. Current DBE attainment¹ based on the current contract amount² is 1.82%. Current DBE participation³ based on total actual amount paid-to-date to Contractor and total actual amount paid-to-date to DBE firms is 10.53%. Eleven of the listed DBE subcontractors are performing on the Contract as listed. Also, the Contractor has demonstrated Good Faith Efforts by utilizing six additional DBE firms not listed with the original team.

Original Award Amount	\$212,563,757
Current Contract Amount²	\$212,563,757
Total Actual Amount Paid to Date to Prime	\$36,686,395

Subcontractor's Name	Commitment	Current Attainment¹	Current Participation³	Current Status
Abratique and Associates	0.14%	0.11%	0.65%	Performing
Ace Fence Company	0.48%	0.05%	0.29%	Performing
Anthony Marmolejo Construct.	2.97%	0.75%	4.31%	Performing
CGO Construction	0.28%	0.24%	1.40%	Performing
G&C Equipment	2.26%	0.27%	1.57%	Performing
Ghazi Precast	0.86%	0.00%	0.00%	To Perform
Island Environmental Services	1.07%	0.00%	0.00%	To Perform
Medlin & Associates	0.38%	0.00%	0.00%	Substituted
RMD Rebar	1.38%	0.00%	0.00%	To Perform
RT Construction	2.45%	0.00%	0.00%	To Perform
Seville Group	0.47%	0.21%	1.19%	Performing
Sudhakar Company	0.06%	0.01%	0.08%	Performing
Sullivan Concrete Textures	0.11%	0.00%	0.00%	To Perform
W. C. Goolsby, Inc.	0.20%	0.00%	0.00%	To Perform
MBI Media, Inc.	N/A	0.00%	0.00%	To Perform
Antich Consulting	N/A	0.08%	0.44%	Performing
Mariman Security	N/A	0.06%	0.33%	Performing
VSA and Associates	N/A	0.03%	0.19%	Performing
Morgner Tech. Management	N/A	0.00%	0.00%	To Perform

Ultrasystems Environmental	N/A	0.01%	0.08%	Performing
TOTAL	13.11%	1.82%	10.53%	Performing

¹Current Attainment = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Current Contract Amount

²Current Contract Amount = Original Contract Amount + Contract Cost Modifications

³Current Participation = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Actual Amount Paid-to-Date to Prime

C0801 Design

This Design Build contract has a Disadvantaged Business Enterprise (DBE) participation commitment of 21.76%. The contract was awarded to Eastside LRT Contractors on June 1, 2004 and is 24.39% complete. Current DBE attainment¹ based on the current contract amount² is .69%. Current DBE participation³ based on total actual amount paid-to-date to Contractor and total actual amount paid-to-date to DBE firms is 2.83%. Five of the listed DBE subcontractors are currently performing on the contract as listed. Also, the Contractor has demonstrated Good Faith Efforts by utilizing six additional DBE firms not listed with the original team.

Original Award Amount	\$30,000,000
Current Contract Amount²	\$30,000,000
Total Actual Amount Paid to Date to Prime	\$ 7,317,000

Subcontractor Name	% Commitment	% Current Attainment	% Current Participation
Abratique and Associates (DMJM)	2.55%	.04%	.16%
Abratique and Associates (ESLRT)	.64%	0%	0%
GC Tech	0.54%	.06%	.24%
William J. Yang & Associates	2.17%	0%	0%
Richard Chong	2.88%	.06%	.24%
MCE	0.44%	0%	0%
MHI Group	5.20%	0%	0%
ACEx Technology	2.83%	.14%	.57%
Melendrez	1.44%	.30%	1.62%
Cornerstone	0.72%	0%	0%
D'Leon	2.29%	0%	0%
GTS, Inc.	0.05%	0%	0%
IK Curtis, Inc.	0.01%	0%	0%
TOTAL	21.76%	.69%	2.83%

C0801 Construction

The DBE goal for Construction will be determined upon completion of each Design Package. The Prime has committed to a DBE goal ranging between 20% and 30% of the total construction base. The only commitment to date for construction is 30% DBE commitment for Option D – Tail Track. The current DBE attainment¹ based on the current contract amount² is 59.87%. Current DBE participation³ based on total actual amount paid-to-date to Contractor and total actual amount paid-to-date to DBE firms is 66.4%.

Original Award Amount	\$68,000
Relevant Contract Amount²	\$68,000
Total Actual Amount Paid to Date to Prime	\$61,200

Subcontractor Name	% Commitment	% Current Attainment	% Current Participation
Anthony Marmolejo Construction	30%	59.8%	66.4%
TOTAL	30%	59.8%	66.4%

¹Current Attainment = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Relevant Contract Amount

²Current Contract Amount = Original Contract Amount + Contract Cost Modifications

³Current Participation = Total Actual Amount Paid-to-Date to DBE Subs ÷ Total Actual Amount Paid-to-Date to Prime

