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Metropolitan Transportation Authority

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**CONSTRUCTION COMMITTEE
APRIL 20, 2006**

**PROJECT: METRO GOLD LINE EASTSIDE EXTENSION PROJECT (800088)
CONTRACT: MC067, CONSTRUCTION MANAGEMENT SUPPORT
SERVICES CONSULTANT, CARTER & BURGESS, INC.**

**ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE
MODIFICATION NO. 2 FOR CONTINUATION OF
CONSTRUCTION MANAGEMENT SUPPORT SERVICES IN THE
AMOUNT OF \$7,527,729**

RECOMMENDATION

- A. Authorize the Chief Executive Officer to execute Modification No. 2 to Contract No. MC067 with Carter & Burgess, Inc., Contract Work Order (CWO) No. 4, for continuation of Construction Management Support Services (CMSS) for the Metro Gold Line Eastside Extension Project in the amount of \$7,527,729, increasing the Total Contract Value from \$13,975,276 to \$21,503,005; and
- B. Authorize the Chief Executive Officer to execute contract modifications to Contract No. MC067, CWO No. 4, for the Metro Gold Line Eastside Extension in the amount not-to-exceed \$752,773.

Within Construction Committee authority: Yes No N/A

RATIONALE

On May 22, 2003, the Board of Directors authorized the Chief Executive Officer to negotiate and execute Contract No. MC067, with Carter & Burgess, Inc., for CMSS for the San Fernando Valley Metro Rapidway, Metro Gold Line Eastside Extension and other major capital projects as required. The contract was executed on September 15, 2003.

On December 04, 2003 Metro Board authorized the Chief Executive Officer to negotiate and execute CWO No. 4 to provide Construction Management Support Services to the Metro Gold Line Eastside Extension Project in the amount not to exceed \$3,726,283. On May 26, 2005 Metro Board authorized the Chief Executive Officer to negotiate and execute Modification No. 1 to CWO No.4 for the continuation of Construction Management Support Services to the Metro Gold Line Eastside Extension Project during fiscal year 2006 in the amount not to exceed

\$6,146,503. For CWO No. 4, Carter & Burgess, Inc. has billed \$6,084,664 through February 2006.

Although CMSS is required throughout the entire construction period, the support effort has been negotiated with Carter & Burgess, Inc., on a fiscal year-to-year basis. This has allowed Metro to better define discrete elements of work, negotiate and control consultant support services, as needed each fiscal year for the life of the project. This approach has resulted in more accurate budgeting for each fiscal year.

The construction phase of the Project is being managed by using an Integrated Project Management Office (IPMO) structure, which requires certain construction management support functions to be performed by the CMSS consultant under Metro's direction. The use of the CMSS consultant allows the flexibility in augmenting Metro staff to meet the dynamic needs of construction, including multiple shifts, nighttime work and anticipated (but unplanned) contractor work schedules. The location of the Metro and the CMSS staff is in the Project field offices in order to function in a manner that ensures safe, efficient, effective and community responsive day-to-day management during construction of the Metro Gold Line Eastside Extension Project.

The recommended Board authorization in the amount of \$7,527,729 is based upon manpower requirements, as developed by Metro Project management, and the negotiated value is based upon pre-negotiated rates and factors contained in the baseline contract.

IMPACTS TO OTHER CONTRACTS

The CMSS contract is required to assist Metro in providing construction management support services for the C0803 Tunnel, Stations, Trackwork and Systems contract.

FINANCIAL IMPACT

The funding for this action is included in the proposed FY07 budget in Cost Center 8510 (Construction Contracts/Procurement) under Project 800088 (Metro Gold Line Eastside Extension) Line Item No. 50316 (Professional & Technical Services). 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.

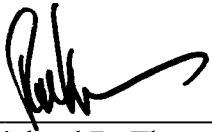
ALTERNATIVES CONSIDERED

The Board of Directors may reject the recommendation. Rejection will require the hiring of additional Metro staff to fill the required construction management positions. The time required for the recruitment and hiring process will not support the immediate staffing needs, since the Project is well into construction. This would cause a void in construction management staffing support for a period of time, creating insufficient oversight and the potential for delays and additional costs to the project.

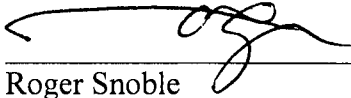
ATTACHMENTS

- 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
METRO GOLD LINE EASTSIDE EXTENSION PROJECT
CONSTRUCTION MANAGEMENT SUPPORT SERVICES**

1.	Contract Number: MC067 CWO-4 MODIFICATION NO. 2		
2.	Recommended Vendors: Carter & Burgess Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$7,527,729.00	Recommended Price: \$7,527,729.00	
	B. Details of Significant Variances: None		
4.	Contract Type: Labor Hour		
5.	Procurement Dates: Not Applicable To CWO's For An Existing Contract		
	A. Issued: N/A		
	B. Advertised: N/A		
	C. Pre-proposal Conference: N/A		
	D. Proposals Due: N/A		
	E. Pre-Qualification Completed: N/A		
	F. Conflict of Interest Form Submitted to Ethics: YES		
6.	Small Business Participation:		
	A. Bid Goal: 29%	Date Small Business Evaluation Completed: N/A	
	B. Small Business Commitment: 29%		
7.	Invitation for Bid/Request for Proposal Data: Not Applicable for a Change Orders to an existing Contract		
	Notifications Sent: N/A	Bids/Proposals Picked up: N/A	Bids/Proposals Received: N/A
8.	Evaluation Information:		
	A. Bidders/Proposers Names: Carter & Burgess Inc.	Proposal Amount: N/A	Best and Final Offer Amount: N/A
	B. Evaluation Methodology: Cost/Price 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: John K. Doidge	Telephone Number: 922-1034	
11.	Project Director: Dennis Mori	Telephone Number: 922-7238	

BOARD REPORT ATTACHMENT A-1 PROCUREMENT HISTORY ACTION

BACKGROUND ON CONTRACTOR

Carter & Burgess Inc. was established in 1939 as a two-man partnership providing civil engineering and landscape architecture services, and has since grown into a full-service, multidiscipline-consulting firm with more than 2,500 employees in major metropolitan areas across the nation. Carter & Burgess has extensive experience providing engineering and management service under alternative delivery methods as well as traditional methods in the transportation arena. Carter & Burgess has served as members of design-build teams as well as owner's representatives for program/construction management oversight of the general contractor's work.

PROCUREMENT BACKGROUND

The solicitation for the baseline Contract was a qualification-based procurement. This method is based on each of the responding firms qualifications being evaluated, and the most qualified firm selected, followed by a cost proposal.

On May 22, 2003, Metro Board authorized the Chief Executive Officer to negotiate and execute Contract No. MC067 with Carter & Burgess Inc., for providing Construction Management Support Services for the San Fernando Valley Metro Orange Line, Metro Gold Line Eastside Extension and other major capital projects, as required; and upon successful completion of negotiations to execute Contract Work Order (CWO) 1 for an amount not to exceed four million (\$4.0M) for the San Fernando Valley Metro Rapidway Project.

On December 04, 2003 Metro Board authorized the Chief Executive Officer to negotiate and execute Contract Work Order (CWO) No. 4 to provide Construction Management Support Services to the Metro Gold Line Eastside Extension Project in the amount not to exceed \$3,726,283. On May 26, 2005 Metro Board authorized the Chief Executive Officer to negotiate and execute Modification No. 1 to CWO-4 for the continuation of Construction Management Support Services to the Metro Gold Line Eastside Extension Project during FY 06 in the amount not to exceed \$6,146,503.

Negotiations for the baseline Contract and Contract Work Order (CWO) 1 were completed August 25, 2003. On September 3, 2003, the labor hour contract, Contract No. MC067, was awarded for a Construction Management Support Services Consultant, to Carter & Burgess, Inc. and Contract Work Order (CWO) No. 1 was issued for an amount not to exceed three million, nine hundred eighty nine thousand, one hundred twenty five dollars (\$3,989,125).

EVALUATION OF PROPOSAL

Contract No. MC067 is a labor hour contract utilizing fixed labor rates for each calendar year. Overhead rates, escalation and fee have been negotiated for the entire six (6) year period of the

contract. Base labor rates for newly assigned personnel are reviewed to ensure actual labor rates are utilized. A written proposal for the Modification No. 2 was submitted by Carter and Burgess and reviewed by Metro Procurement staff and Project Management. The proposal was determined to be acceptable due to the use of previously negotiated fixed rates established in the Contract and the hours proposed were consistent with Project Management requirements

COST PRICE ANALYSIS

The recommended price has been determined to be fair and reasonable based on cost/price analysis and technical review, and the use of negotiated all up labor rates including overheads and fee that are included in the Basic Contract

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

PRIME CONTRACTOR – CARTER & BURGESS INC.

SMALL BUSINESS SUBCONTRACTORS

1. Cabrinha Hearn & Associates
2. E.W. Moon, Inc.
3. Frank Cardenas & Associates
4. J.L. Patterson
5. Safework
6. Frank Cardenas & Associates
7. Lenax Construction

OTHER SUBCONTRACTORS

1. Booz Allen Hamilton
2. DMJM Harris
3. Gateway Science & Engineering
4. Jacobs Associates
5. Kellogg Brown Root
6. LKG-CMC, Inc.
7. Ninyo Moore

SMALL BUSINESS PARTICIPATION (Contract # MC067)

For this Contract Work Order (CWO) contract, Carter & Burgess committed to a DBE participation goal of 29%. The Contract was awarded on September 2, 2003 and is approximately 64% complete. Current DBE attainment¹ based the relevant contract amount² is 14.1%. Current DBE participation³ based on total actual amount paid-to-date to the Contractor and total actual amount paid-to-date to DBEs is 26.2%.

Original Award Amount (CWO 1)	\$ 3,989,125
Relevant Contract Amount²	\$ 14,105,990
Total Actual Amount Paid to Date to Prime	\$ 7,595,838

Small Business Participation

Subcontractor Name	% Commitment	% Current Attainment	% Current Participation
CABRINHA, HEARN & ASSOCIATES	5.40%	3.5%	6.5%
E.W. MOON	9.20%	1.0%	1.9%
J.L. PATTERSON & ASSOCIATES	11.20%	5.2%	9.6%
LKG-CMC, INC	2.80%	.6%	1.1%
SAFEWAY, INC.	3.91%	3.0%	5.5%
FRANK CARDENAS & ASSOCIATES *	0.00%	.8%	1.5%
LENAX CONSTRUCTION *	0.00%	.04%	.7%
TOTAL	29.0%	14.1%	26.2%

* DBEs added after contract award

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

²Relevant Contract Amount = Original Contract Value + Contract Cost Modifications

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

POSSIBLE CONFLICT OF INTEREST FORM FOR AGENDA ITEMS

THIS FORM MUST BE SUBMITTED WITH THE BOARD REPORT.

To: Ethics & Lobby Registration Department

From: John K. Doidge

Telephone: (213) 922-1034

Contract N0. MC067 - Construction Management Support Services Consultant - To provide continued Construction Management Support Services to the Metro Gold line Eastside Extension Project under Modification 2 for FY 07.

Check all that apply:

- IFB RFP/RFQ Amendment Exercise of option Sole source Increase in AFE
 Change Order Subcontractor Substitution Settlement agreement
 Other (please specify):

Please list all (Recommended & Other) proposers/bidders:

Prime Contractor:	Name of firm: Carter & Burgess, Inc Name(s) of principal(s): Lawrence D. Hazzard, Senior VP	Subcontractor(s):	Name of firm Booz Allen Hamilton Name(s) of principal(s): Gary Schulman, VP
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Subcontractor(s):	Name of firm: Cabrinah, Hearn & Associates Name(s) of principal(s): Neil J. Hearn, VP	Name of firm DMJM+HARRIS Inc.: Name(s) of principal(s): Stephen J. Polechronis, Senior VP
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Name of firm: Kellogg Brown & Root Inc.	Name of firm: Safework Inc.	Name of Firm Jacobs Associates
Name(s) of principal(s): Jim Johnson, Commercial VP	Name(s) of principal(s): Rebecca Jones, CEO	Name(s) of principal(s): William W. Edgerton, Pres.

Name of firm: E.W. Moon, Inc Name(s) of principal(s): Elvin W. Moon, Owner	Name of firm Frank Cardenas & Associates Name(s) of principal(s): Frank Cardenas, Owner
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Subcontractor(s): Name of firm:
(Continued) Gateway Science & Engineering Inc.
Name(s) of principal(s):
Christine G. Valenzuela

Name of firm:
LKG-CMC
Name(s) of principal(s):
P. Joie Koenders, Technical Manager

Name of firm:
J.L. Patterson and Associates
Name(s) of principal(s):
Jacqueline L. Patterson, Pres.

Name of firm:
Ninyo & Moore
Name(s) of principal(s):
Peter R. Supko, GM.

