



**Metro**

Metropolitan Transportation Authority

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**CONSTRUCTION COMMITTEE  
APRIL 17, 2008**

**PROJECT: METRO GOLD LINE EASTSIDE EXTENSION PROJECT  
CONTRACT: MC067, CONSTRUCTION MANAGEMENT SUPPORT  
SERVICES CONSULTANT, JACOBS CARTER BURGESS**

**ACTION: EXECUTE MODIFICATION NO. 4 FOR CONTINUATION OF  
CONSTRUCTION MANAGEMENT SUPPORT SERVICES**

**RECOMMENDATION**

- A. Authorize the Chief Executive Officer to execute Modification No. 4 to Contract No. MC067 with Jacobs Carter Burgess, 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 \$2,507,307 increasing the Total Contract Value from \$22,065,005 to \$24,572,312; and
- B. Authorize the Chief Executive Officer to negotiate and execute contract modifications to Contract No. MC067, CWO No. 4, for the Metro Gold Line Eastside Extension in the amount not-to-exceed \$250,730.

Within Construction Committee authority:       Yes     No       N/A

**RATIONALE**

On May 22, 2003, the Board authorized the Chief Executive Officer to negotiate and execute Contract No. MC067, with Carter & Burgess, Inc., (now known as Jacobs Carter Burgess) 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, the 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. Subsequent Board actions have authorized the Chief Executive Officer to negotiate and execute contract modifications to CWO No. 4 for the continuation of Construction Management Support Services on a fiscal year-to-year basis for the Metro Gold Line Eastside Extension Project. This approach has resulted in more accurate budgeting for each fiscal year, while providing better control over consultant support services. Contract Modifications issued to date total \$13,674,232.

Since the project is nearing completion, this request includes continuation of services up to the Revenue Operations Date and services beyond that date for support to project closeout.

The recommended Board authorization in the amount of \$2,507,307 is based upon manpower requirements, as developed by our 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 us in providing construction management support services for the C0803 Tunnel, Stations, Trackwork and Systems contract on the Metro Gold Line Eastside Extension Project. The current value of services for the Metro Gold Line Eastside Extension Project is \$17,427,113. Also, the CMSS contract provided construction management services to the San Fernando Valley Metro Rapidway Project in the amount of \$4,637,892.

### FINANCIAL IMPACT

Original Contract Award	\$7,959,487
Current Cumulative Contract Value	\$22,065,005
This Action	\$2,507,307
New Cumulative Contract Value	\$24,572,312

The funding for this action is included in the proposed FY09 budget in Cost Center 8510 (Construction Contracts/Procurement) under Project 800088 (Metro Gold Line Eastside Extension) Line Item No. 50316 (Professional & Technical Services) and under Project 800288 (Metro Gold Line Eastside Extension – Enhancements and Mitigations), Line Item No. 50316 (Professional & Technical Services). Since this action will extend into FY10, the cost center manager and Chief Capital Management Officer will be accountable for budgeting that cost in the future, including any option exercised.

### ALTERNATIVES CONSIDERED

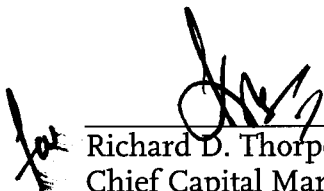
The Board may reject the recommendation. Rejection will require the hiring of additional staff to fill the required construction management positions. The time required for the recruitment and hiring process will not support the immediate staffing needs, since the

Project is well into construction and soon to enter into Systems Integration Testing. 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, Senior Project Control Manager  
Dennis S. Mori, Executive Officer, Project Director



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Richard D. Thorpe  
Chief Capital Management Officer



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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. 4		
2.	Recommended Vendors: Jacobs Carter Burgess		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$2,507,307.00	Recommended Price: \$2,507,307.00	
	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: Jacobs 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. Note: Jacobs Engineering acquired Carter & Burgess Inc. on November 2, 2007 and is now known as Jacobs Carter Burgess.

### 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, the 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) No. 1 for an amount not to exceed four million (\$4.0M) for the San Fernando Valley Metro Rapidway Project. Negotiations for the baseline Contract and Contract Work Order CWO No. 1 were completed August 25, 2003, and the contract was awarded on September 3, 2003 in the amount of \$3,989,125.

On December 04, 2003, the 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, the 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 FY 06 in the amount not to exceed \$6,146,503. On April 27, 2006, the Board authorized the Chief Executive Officer to execute Modification No. 2 to CWO No. 4 for the continuation of Construction Management Support Services to the Metro Gold Line Eastside Extension Project during FY 07 in the amount not to exceed \$7,527,729. Since certain services during FY07 were required later than what had been planned, Modification No. 3 was issued to extend the period of performance through June 2008 under the previously authorized funding.

## 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-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. 4 was submitted by Jacobs Carter Burgess and reviewed by 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 – JACOBS CARTER BURGESS**

**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, Jacobs Carter Burgess committed to a DBE participation goal of 29%. The Contract was awarded on September 2, 2003 and is approximately 88% complete. Current DBE attainment<sup>1</sup> based the relevant contract amount<sup>2</sup> is 14.1%. Current DBE participation<sup>3</sup> 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 No. 1)	\$ 3,989,125
Relevant Contract Amount <sup>2</sup>	\$22,065,005
Total Actual Amount Paid to Date to Prime	\$19,254,049



### Small Business Participation

Subcontractor Name	Cumulative Commitment %	Current Attainment %	Current Participation %	Current Status
Cabrinha Ass, Hearn &C	12.3%	8.4%	9.7%	Performing
E.W. Moon	3.9%	2.2%	2.6%	Performing
J.L. Patterson & Associates	6.2%	3.7%	4.2%	Performing
LKG-CMC, Inc*	2.2%	1.3%	1.4%	Performing
Safeway, Inc.	6.4%	5.1%	5.8%	Performing
Frank Cardenas & Assc *	2.2%	1.2%	1.4%	Performing
Lenax Construction *	1.0%	0.7%	0.8%	Performing
Gateway Science & Engr*	1.4%	1.4%	1.6%	Performing
<b>TOTAL</b>	<b>35.6%</b>	<b>24.0 %</b>	<b>27.5%</b>	<b>Meeting the DBE Commitment</b>

\* DBEs added after contract award

<sup>1</sup>Current Attainment = Total Actual Amount Paid-to-Date to DBE Subcontractor ÷ Total Current Contract Amount  
 Contract Amount = Original Contract Value + CWOs +Contract Cost Modifications

<sup>3</sup>Current Participation = Total Actual Amount Paid-to-Date toDBE Subs ÷ Total Actual Amount Paid-to-Date to March 13, 2008

## 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 NO. MC067 - Construction Management Support Services Consultant - To provide continued Construction Management Support Services to the Metro Gold line Eastside Extension Project under Modification 4.

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:**

<b>Prime Contractor:</b>	Name of firm: Jacobs Carter Burgess Name(s) of principal(s): Lisa Maurath, Unit Mgr.	<b>Subcontractor(s):</b> Name of firm Booz Allen Hamilton Name(s) of principal(s): Gary Schulman, VP
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<b>Subcontractor(s):</b>	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(s) of principal(s): Jim Johnson, Commercial VP	Name of firm: Safework Inc. Name(s) of principal(s): Rebecca Jones, CEO	Name of Firm Jacobs Associates Name(s) of principal(s): William W. Edgerton, Pres.
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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): (Continued)	Name of firm: Gateway Science & Engineering Inc.	Name of firm: J.L. Patterson and Associates
	Name(s) of principal(s): Christine G. Valenzuela	Name(s) of principal(s): Jacqueline L. Patterson, Pres.
	Name of firm: LKG-CMC	Name of firm: Ninyo & Moore
	Name(s) of principal(s): P. Joie Koenders, Technical Manager	Name(s) of principal(s): Peter R. Supko, GM.

