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**CONSTRUCTION COMMITTEE
APRIL 17, 2008**

PROJECT: I-405 SEPULVEDA PASS CARPOOL LANE PROJECT

**ACTION: APPROVE ACTIONS RELATED TO THE I-405 SEPULVEDA PASS
CARPOOL LANE PROJECT**

RECOMMENDATION

- A. Authorize the Chief Executive Officer to enter into a Cooperative Agreement with the California Department of Transportation (Caltrans) for the funding, development and implementation of the I-405 Sepulveda Pass Carpool Lane Project; and
- B. Authorize the Chief Executive Officer to execute Modification No. 1 to Contract PS-8510-0430 with Jacobs Carter Burgess, for the continuation of project management support services for the I-405 Sepulveda Pass Carpool Lane Project in the amount of \$362,395, increasing the contract value from \$260,000 to \$622,395.

Within Construction Committee authority: Yes No N/A

RATIONALE

Cooperative Agreement

The Sepulveda Pass Carpool Lane Project (Project) consists of a 10-mile carpool lane on the northbound I-405 freeway, from I-10 to US 101. Senate Bill 1026, as chaptered in Public Contract Code Section 20209, authorized us to use a design build procurement process for the design and construction of the Project. Pursuant to Streets and Highways Code Sections 114 and 130, we and Caltrans are authorized to enter into a Cooperative Agreement for the funding, development and implementation of the Project.

The Cooperative Agreement is necessary to establish the funding, roles and responsibilities between us and Caltrans on the Project. While the Cooperative Agreement is still being negotiated, some of the key areas that are being addressed are as follows:

- The funding available for the Project is \$950 million, which consists of \$730 million in State Corridor Management Improvement Account funds, \$90 million of State Traffic Congestion Relief funds, \$117 million in Federal SAFETEA-LU funds and \$13 million in Metro local funds.
- Caltrans is responsible for obtaining environmental clearance and completing preliminary engineering.
- We, with Caltrans assistance, will develop and award the design build contract.
- We, with Caltrans assistance, will develop the Project Management Plan which shall include procedures for establishing the lines of authority, coordination and communication, schedule and cost control, reporting, document control, deliverables, safety, quality and public communications.
- We will be primarily responsible for third party coordination and utility relocations.
- Caltrans will be primarily responsible for right-of-way activities.
- An Integrated Project Office (IPO) will be established and staffed by us and Caltrans staff and consultants in order to allow most approvals to occur at the IPO level.
- We will appoint the Project Director, who shall have overall responsibility for the management of the Project.

Contract Amendment

On May 7, 2007, we entered into a \$200,000 contract with Jacobs Carter Burgess to assist with the Project in structuring the preliminary design build organization, developing the design build contract terms, conditions, and technical specifications and related duties. The initial contract was set to expire on December 31, 2007, but was subsequently extended to June 2008 for an additional cost of \$60,000.

Since award of the design build contract is not scheduled to occur until the later part of FY 09, continued assistance in FY 09 is required from Jacobs Carter Burgess to complete the Project Management Plan, finalize the design build contract technical provisions, conduct industry reviews, develop an independent cost estimate, issue the Information for Bids and assist in the bid evaluations. The estimated cost for this work is \$362,395, and is based on pre-negotiated rates and factors contained in the baseline contract.

IMPACT TO OTHER CONTRACTS

The Jacobs Carter Burgess contract is required to assist us in developing the design build contract for the I-405 Sepulveda Pass Carpool Lane Project.

FINANCIAL IMPACT

The funding for this action is included in the proposed FY 09 Budget in Cost Center 8510 (Construction Contracts/Procurement) under Project 405523 (I-405 Sepulveda Pass Carpool Lane Project) 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.

ALTERNATIVES CONSIDERED

The Board of Directors may reject the recommendation. The Construction Division does not currently have sufficient amount of qualified staff to perform the activities covered under the proposed Jacobs Carter Burgess contract amendment. The time required for the recruitment and hiring of qualified staff will not support the Project schedule, thereby resulting in potential delay in award of the design build contract.

ATTACHMENTS

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

Prepared by: Brian Boudreau, DEO Project Control & Administration

for



Richard D. Thorpe
Chief Capital Management Officer



Roger Snoble
Chief Executive Officer

**BOARD REPORT ATTACHMENT A
PROCUREMENT SUMMARY
I-405 HOV LANE
PROFESSIONAL CONSULTING ENGINEERING SERVICES**

1.	Contract Number: PS-8510-0430 MODIFICATION NO. 1		
2.	Recommended Vendors: Jacobs Carter Burgess		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$422,395.00	Recommended Price: \$422,395.00	
	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: N/A	Date Small Business Evaluation Completed: N/A	
	B. Small Business Commitment: N/A		
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.	<u>Proposal Amount:</u> 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: K. N. Murthy	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 single source procurement authorized by Capital Management based on the Contractor's experience related to Design Build Highway Projects.

Negotiations for the baseline Contract were completed April 26, 2007, and the contract was awarded on May 7, 2007 in the amount of \$200,000.

EVALUATION OF PROPOSAL

Contract No. PS-8510-0430 is a labor hour contract utilizing fixed labor rates. Overhead rates, escalation and fee have been negotiated for the 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. 1 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 were established for the Basic Contract.

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

PRIME CONTRACTOR - JACOBS CARTER BURGESS

SUBCONTRACTORS

All work as currently defined will be accomplished solely by Jacobs Carter Burgess. The current work scope does not require the use of subcontractors.

ORIGINAL AWARD AMOUNT	\$200,000
RELEVANT CONTRACT AMOUNT	\$200,000
TOTAL AMOUNT PAID TO DATE TO PRIME	\$143,771

