

**Board Report**

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**File #:** 2015-1229, **File Type:** Contract**Agenda Number:** 37.

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**CONSTRUCTION COMMITTEE  
SEPTEMBER 17, 2015****SUBJECT: PATSAOURAS BUS PLAZA PAVER RETROFIT****ACTION: AWARD CONTRACT C1110 FOR PATSAOURAS BUS PLAZA PAVER RETROFIT****RECOMMENDATION**

AUTHORIZING the Chief Executive Officer to award a 270 calendar day, firm fixed price contract under Bid Number C1110 to AP Construction, Inc., the lowest responsive and responsible bidder for the **Patsaouras Bus Plaza Paver Retrofit Project** (design-build) for an amount of \$5,526,018 inclusive of sales tax and options.

**ISSUE**

On October 17, 2013, the Board approved adopting the use of the design/build delivery method for the replacement of the paver and drainage systems on the Patsaouras Transit Plaza. Metro issued the Invitation for Bid (IFB) No. C1110 on March 12, 2015, under California Public Utilities Code (CPUC) 130242(a). Bids were received on May 18, 2015. Under CPUC 130242 (e) the contract shall be awarded to the lowest responsive and responsible bidder. Board approval of the Recommendation is required to award Contract No. C1110.

**DISCUSSION**

Patsaouras Plaza serves as a key bus station for many of our bus routes and is a popular passenger drop-off and pick-up hub, resulting in congestion and travel delays. The paver and drainage systems on the Patsaouras Bus Plaza are failing. Several remediation measures to address the pavers, including use of asphalt in damaged areas, have been ineffective. The continued collapse of the paver surface has resulted in damage to the drainage system. This improper drainage results in water intrusion that threatens the structural integrity of the garage below. The current condition is not acceptable and a permanent fix is required. The scope of work of Contract No. C1110 includes repairing the paving drainage system and replacing the existing paving with a more stable and long lasting system to endure significant bus traffic volume. The scope of work also includes modifying a portion of the P-1 parking area in order to relocate the passenger drop-off and pick-up area to the P-1 parking area.

In August 2014, oversight of the Patsaouras Bus Plaza Pavers Retrofit project was transferred from the General Services Department to the Engineering and Construction Department. Staff completed

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preliminary engineering for the project in early 2015, and issued IFB C1110 on March 12, 2015 under CPUC 130242(a). Bids were received on May 18, 2015. Under CPUC 130242 (e) the contract shall be awarded to the lowest responsive and responsible bidder. Staff selected AP Construction, Inc. as the lowest price responsive and responsible bidder.

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on established safety standards for Metro's construction projects.

### **FINANCIAL IMPACT**

The FY16 budget includes \$4,645,000 for the Patsaouras Bus Plaza Paver Retrofit project in Cost Center 8510 (Construction Contracts/Procurement), Project 210137 (Patsaouras Bus Plaza Paver Retrofit). The Life-of-Project (LOP) budget for this project is \$9,093,000. Since Contract No. C1110 is a multi-year contract, the cost center manager and Executive Director, Engineering and Construction, will be accountable for budgeting the cost of the annual work program for each fiscal year for the term of the contract, including any option(s) exercised.

#### **Impact to Budget**

The source of funds used for the Life of Project funding plan is a combination of funds eligible for bus and rail operating and capital funds. The FY16 Adopted Budget includes \$5.1M for this project using Proposition C40% funds. No other sources were considered.

### **ALTERNATIVES CONSIDERED**

The Board could decide to reject the staff recommendation to award Contract No. C1110. However, this alternative is not recommended because the cost for this project has been determined to be fair and reasonable and it is well within the LOP budget. Several remediation measures to address the pavers, including use of asphalt in damaged areas, have been ineffective. The continued collapse of the paver surface has resulted in damage to the drainage system. Improper drainage results in water intrusion that threatens the structural integrity of the garage below. Staff also believes that it is important for the success of this project for the engineering contractor to work in conjunction with the construction contractor to determine the best solution to the existing issue.

### **NEXT STEPS**

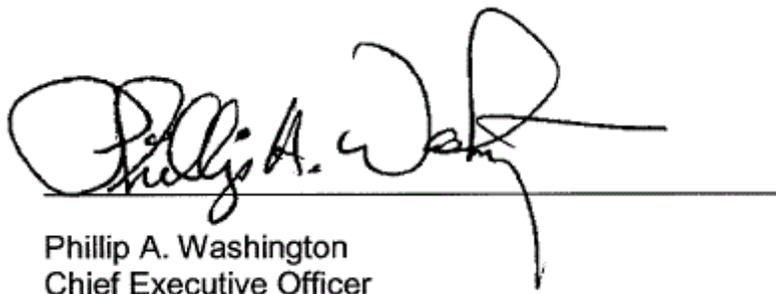
Project staff will issue a Notice of Award, and execute a contract with the recommended contractor; and once bonds, insurance, and project labor agreement requirements are met, issue a Notice to Proceed.

### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - DEOD Summary

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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## PATSAOURAS BUS PLAZA PAVER RETROFIT/C1110

1.	<b>Contract Number:</b> C1110	
2.	<b>Recommended Vendor:</b> AP Construction	
3.	<b>Type of Procurement</b> (check one) : <input checked="" type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP – A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> March 12, 2015	
	<b>B. Advertised/Publicized:</b> March 12, 2015 and March 14, 2015	
	<b>C. Pre-proposal/Pre-Bid Conference:</b> March 23, 2015	
	<b>D. Proposals/Bids Due:</b> May 18, 2015	
	<b>E. Pre-Qualification Completed:</b> June 9, 2015	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> July 30, 2015	
	<b>G. Protest Period End Date:</b> September 22, 2015	
5.	<b>Solicitations Picked up/Downloaded:</b> 15	<b>Bids/Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Noelle Valenzuela	<b>Telephone Number:</b> (213) 922-3647
7.	<b>Project Manager:</b> Andi Wang	<b>Telephone Number:</b> (213) 922-4722

**A. Procurement Background**

This Board Action is to approve Contract No. C1110 issued in support of Patsaouras Plaza - Privately-Owned Vehicle Relocation, Pavers, and Storm Drain Repairs project.

IFB No. C1110 was issued in accordance with LACMTA's Acquisition Policy and the contract type is a Firm Fixed Price.

Seven amendments were issued during the solicitation phase of this IFB:

- Amendment No. 1 was issued to revise the Instructions to Bidders regarding the Pre-qualification procedure;
- Amendment No. 2 was issued to make modifications to seven pages of drawings;
- Amendment No. 3 was issued to add a list of Certified SBE firms;
- Amendment No. 4 was issued to extend to due date and make modifications to five pages of the drawings;
- Amendment No. 5 was issued to add a Concrete Coring Plan, Concrete Coring Test Samples, and Concrete Base Specifications;
- Amendment No. 6 was issued to extend to bid due date to May 18, 2015;
- Amendment No. 7 was issued to delete three pages of drawings referencing the Stage Construction and to revise the Period of Performance to 270 calendar days as opposed to 380 calendar days.

Metro held a pre-bid conference on March 23, 2015, in the Gateway Conference Room on the 3<sup>rd</sup> floor of the Gateway Building. There were nine representatives from seven firms that signed in at the pre-bid conference. Fifteen individuals from various firms picked up the IFB package. The firms that obtained the package from Metro asked a total of 50 questions.

A total of two bids were received on the May 18, 2015 due date.

**B. Evaluation of Bids**

The lowest responsive and responsible bidder, AP Construction, Inc. was found to be in full compliance with the bid requirements and is subsequently recommended for award.

**C. Cost/Price Analysis Explanation of Variances**

The recommended price of \$5,526,018, inclusive of options, is determined to be fair and reasonable based on adequate price competition and comparison with Metro's Independent Cost Estimate. The recommended price is 11.3% lower than the only other Bidder and 40.6% lower than Metro's Independent Cost Estimate.

<b>Bidder Name</b>	<b>Bid Amount</b>
Icon West, Inc.	\$ 6,228,710
AP Construction, Inc.	\$ 5,526,018
Metro Estimate	\$ 9,308,829

**D. Background on Recommended Contractor**

AP Construction, Inc. is a family business located in Gardena, CA and was established in 1989. AP Construction, Inc. has completed similar projects for the United States Air Force, Army & Air Force Exchange Services. AP Construction Inc. has successfully completed multiple projects for LACMTA including C0949-Design Build of ATMs Computer Room Modifications, C1023-Division 1 and 3 Bus Washer Replacements, and C1090-Heater Upgrades at Division 3 and 7. Experience/Performance Questionnaires were completed to determine the past performance of AP Construction and all indicated that AP Construction, Inc. is a satisfactory contractor.

DEOD SUMMARY

PATSAOURAS BUS PLAZA PAVER RETROFIT/C1110

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 20% Small Business Enterprise (SBE) goal for this solicitation. AP Construction, a SBE Prime, exceeded the goal by making a 76.73% SBE commitment.

<b>Small Business Goal</b>	<b>20% SBE</b>	<b>Small Business Commitment</b>	<b>76.73% SBE</b>
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	<b>DBE/SBE Subcontractors</b>	<b>% Committed</b>
1	AP Construction, Inc. (SBE Prime)	67.29%
2	Robnett Electric	4.25%
3	VCA Engineering	3.26%
4	MCM Integrated Systems	1.93%
<b>Total Commitment</b>		<b>76.73%</b>

**B. Project Labor Agreement/Construction Careers Policy (PLA/CCP)**

The PLA/CCP requires that contractors commit to meet the following hiring goals for select construction contracts over 2.5 million dollars:

<b>Project Goals</b>		
Community / Local Area Worker Goal	Apprentice Worker Goal	Disadvantaged Worker Goal
40%	20%	10%

**C. Living Wage Service Contract Worker Policy**

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

**D. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and if federally funded the US Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

