



## Board Report

File #: 2016-0021, File Type: Contract

Agenda Number: 32.

### PLANNING AND PROGRAMMING COMMITTEE

FEBRUARY 17, 2016

~~CONSTRUCTION COMMITTEE~~

~~FEBRUARY 18, 2016~~

**SUBJECT: PURPLE LINE EXTENSION SECTION 3 (OPERATION SHOVEL READY)**

**ACTION: APPROVE RECOMMENDATIONS**

### RECOMMENDATION

#### CONSIDER:

- A. AUTHORIZING staff to begin the necessary steps to **advance the project delivery of the Westside Purple Line Extension Project - Section 3** (Century City to Westwood/VA Hospital) as part of a the larger package of the Shovel Ready Program of Projects which includes the advancement of other Measure R projects;
- B. AUTHORIZING the Chief Executive Officer (CEO) to execute Contract Modification No. 58 to Contract No. PS43502000 with **Parsons Brinckerhoff (PB) Inc. to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during solicitation processes, and design support services during construction for Section 3 of the Westside Purple Line Extension Project**, in an amount not to exceed \$28,085,033, increasing the total contract value from \$161,785,321 to \$189,870,354; and
- C. AMENDING the **Fiscal Year 2016 (FY16) Budget for the Westside Purple Line Extension Project - Section 3** by \$8,000,000.

### ISSUE

Metro will aggressively move forward in bringing transit, highway and regional rail projects closer to the implementation stage. Bringing these projects to a “shovel-ready” state allows Metro to take advantage of potential opportunities that may develop and allow the projects to advance into the design and construction stage sooner rather than later.

“OPERATION Shovel Ready” potential opportunities may include those related to funding, grants, private sector participation and local community support. If these projects are not advanced to a shovel ready state, Metro may not be able to take advantage of future, unexpected opportunities. Moving these projects closer to a shovel-ready state, does not necessarily mean that they will all

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move immediately into the construction stage. However, they will get done sooner when funding becomes available and are ready to start quickly.

Metro will take care to assure that any projects moving forward will only incorporate work that would need to be done in any case and will still be useful even if the project does not immediately move ahead. In addition, the funds needed to advance these shovel-ready projects would not impact funding for currently approved projects.

Experience has shown that aggressively moving forward is more likely to advance projects quicker towards completion. We have often moved projects through planning before complete funding commitments are received, and have ultimately been successful.

Attached is a list of projects, along with corresponding maps, that can be advanced towards shovel-ready status. These include a wide range of transit and highway projects throughout the region. We appreciate the support from the Board in moving projects forward to put them in position to take advantage of future opportunities.

## **DISCUSSION**

The LRTP includes the Metro Westside Purple Line, which is a 9-mile project that was environmentally cleared (CEQA/NEPA); adopted by the Board and received a Record of Decision from the Federal Transit Administration (FTA) in 2012. The Westside Purple Line is divided into three phases as follows:

- Section 1 (Wilshire/Western to Wilshire/La Cienega) 3.92 miles of twin bored tunnels with three subway stations; FTA Full Funding Grant Agreement \$2.82 Billion; Revenue Service Date October 31, 2024.
- Section 2 (Wilshire/La Cienega to Century City Constellation) 2.55 miles of tunnels with two subway stations; seeking FTA Full Funding Grant Agreement \$2.47 Billion; planned Revenue Service Date August 2025.
- Section 3 (Century City Constellation to Westwood/VA Hospital) 2.50 miles of tunnels with two subway stations; 30 Year LRTP Revenue Service Date 2035.

Metro submitted an expression of interest in participation in the FTA Expedited Delivery Pilot Program on September 8, 2015 which includes a Section 3 Acceleration Plan for a Revenue Service Date in 2024. Metro received a letter from Terese McMillan (FTA Acting Administrator) on December 22, 2015, with an offer from the FTA to discuss the new Expedited Delivery Pilot Program provisions with Metro and our interest in pursuing the program. Metro is currently seeking approval of a Full Funding Grant Agreement for the Westside Purple Line Project - Section 2 (Wilshire/La Cienega to Century City).

Should the Board approve the staff recommendation to begin the necessary steps to advance the project delivery of the Westside Purple Line Extension Project - Section 3 (Century City to

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Westwood/VA Hospital), as part of a the larger package of the Shelf Ready Program of Projects which includes the advancement of other Measure R projects, staff will formally explore the possibility of securing an Early Systems Work Agreement (ESWA) for the Westside Purple Extension Project - Section 3. An ESWA is a statutory mechanism available to the Federal Transit Administration to make a commitment to a transit project and provide funding, after a Record of Decision but prior to the negotiation and execution of a Full Funding Grant Agreement. Language will be included for an ESWA in the FFGA for the Westside Purple Line Project - Section 2 (Wilshire/La Cienega to Century City).

### **CONTRACT MODIFICATION TO CONTRACT NO. PS43502000 - PARSONS BRINCKERHOFF (PB) INC.**

In anticipation of receiving notification from the FTA, Metro requested a cost and schedule proposal from Parsons Brinckerhoff for continued engineering services to complete Advanced Preliminary Engineering and Request for Proposal (RFP) solicitation documents. Negotiations have been completed for a total agreed upon amount of approximately \$28 million. The Contract Modification to the existing multi-year contract will include a commitment by PB to meet or exceed DBE goals and the adoption of a formal mentor protégé program as part of enhanced business participation. Current DBE participation on the contract value of \$161,765,321 is 21.35%. Their current commitment is 23.41%.

If the Contract Modification of \$28 million is approved by the Board, the total value of the PB contract for Westside Purple Line would grow from \$161,785,321 to \$189,870,354. PB has a total of 10 active contracts with Metro. Current value of all active contracts is \$193,425,620. The Contract Modification of \$28 million will increase it to \$221,510,653.

In February 2015, the Board approved Contract Modification No. 52 to Contract No. PS43502000 with PB to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during the design-build solicitation process, design support services during construction for Section 2 of the Westside Purple Line Extension Project, in an amount not to exceed \$20,820,226. As part of the award, the Board directed staff to conduct an audit by the Office of the Inspector General (OIG). The OIG audit of the PB contract modification to support Section 2 will be completed by the end of this month.

The Section 2 Request for Qualifications/Request for Proposals (RFQ/RFP) was issued in September 2015. Statements of Qualifications (SOQs) were received from three Design/Build teams in October 2015 and Price Proposals are due in May 2016. Approval of the Full Funding Grant Agreement from the FTA is anticipated in July 2016. Contract award is anticipated in January 2017.

Authorization of the contract modification to Parsons Brinckerhoff for \$28 million does not immediately result in deferring any projects in the LRTP. However, accelerated adoption of the

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Westside Purple Line Extension Section 3 Project LOP may impact available funding to other third decade projects in consideration of Recommendation A. The 2009 LRTP will require an update to reflect all current Measure R project costs and available funding options to deliver the remaining transit projects contained in the Measure R Ordinance.

### **DETERMINATION OF SAFETY IMPACT**

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

### **FINANCIAL IMPACT**

The source of funds for the recommended actions is Measure R 35%. The FY16 Budget will be amended in the amount of \$8,000,000 under Project 865523, Westside Purple Line Extension Project - Section 3 in Cost Center 8510 (Construction Project Management), and Account Number 50316 (Professional and Technical Services). Since this is a multi-year project, the Executive Director of Program Management and the Westside Purple Line Extension Project - Section 3 Project Manager will be responsible for budgeting costs in future years.

#### **Impact to Budget**

These funds were assumed in the LRTP for the Westside Purple Line Extension Project and do not have an impact to operations fund sources. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

### **ALTERNATIVES CONSIDERED**

The Board could decide to not approve the recommendations. This is not recommended given that this work could possibly help secure an Early Systems Work Agreement with the FTA for Section 3 of the Westside Purple Extension Project.

### **NEXT STEPS**

After Board approval, staff will direct the Consultant to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during the design-build solicitation process, and design support services during construction for Section 3 of the Westside Purple Line Extension Project.

### **ATTACHMENTS**

Attachment A - Current Status of Measure R Transit Projects

Attachment B - Procurement Summary

Attachment C - Contract Modification/Change Log

Attachment D - DEOD Summary

Prepared by:

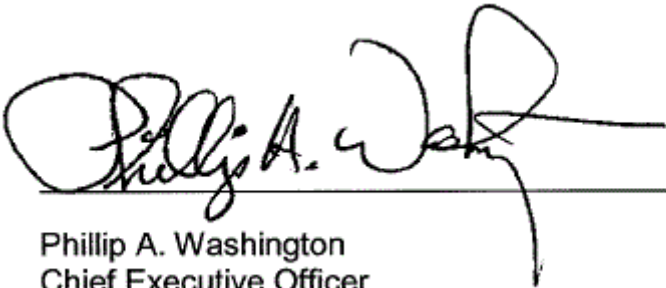
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Phillip A. Washington  
Chief Executive Officer

## Operation Shovel Ready: Transit Projects

### Measure R Projects

- A. Airport Metro Connector 96<sup>th</sup> Street Transit Station - Preparing Draft EIR for Board consideration in Summer 2016, developing Station Design in coordination with LAWA, working with Crenshaw/LAX and Southwest Yard teams on design and construction of AMC accommodations to Crenshaw/LAX line; continue coordination with LAWA.
- B. East San Fernando Valley Transit Corridor - Preparing Administrative Draft EIS/EIR for FTA review.
- C. West Santa Ana Branch Transit Corridor - Scope of work to prepared to complete environmental document working on separate scope of work for Outreach Consultant. Environmental Contract and task order for Outreach Contract scheduled to be awarded in summer 2016.
- D. South Bay Metro Green Line Extension - Administrative Draft EIS/EIR has been reviewed by FTA; update 2012 environmental document for any changed conditions.
- E. Metro Gold Line Eastside Transit Corridor Phase II - Conducting technical study and outreach as directed by the Board in November 2014; anticipate study recommendations to be presented to the Board in winter 2016/2017. Staff is conducting on-going community and stakeholder outreach.

West Santa Ana Branch-Metro Gold Eastside Transit Corridor Phase II Connection Study - As directed by the Board in November 2015, staff has undertaken this study which will explore opportunities to connect these two corridors.

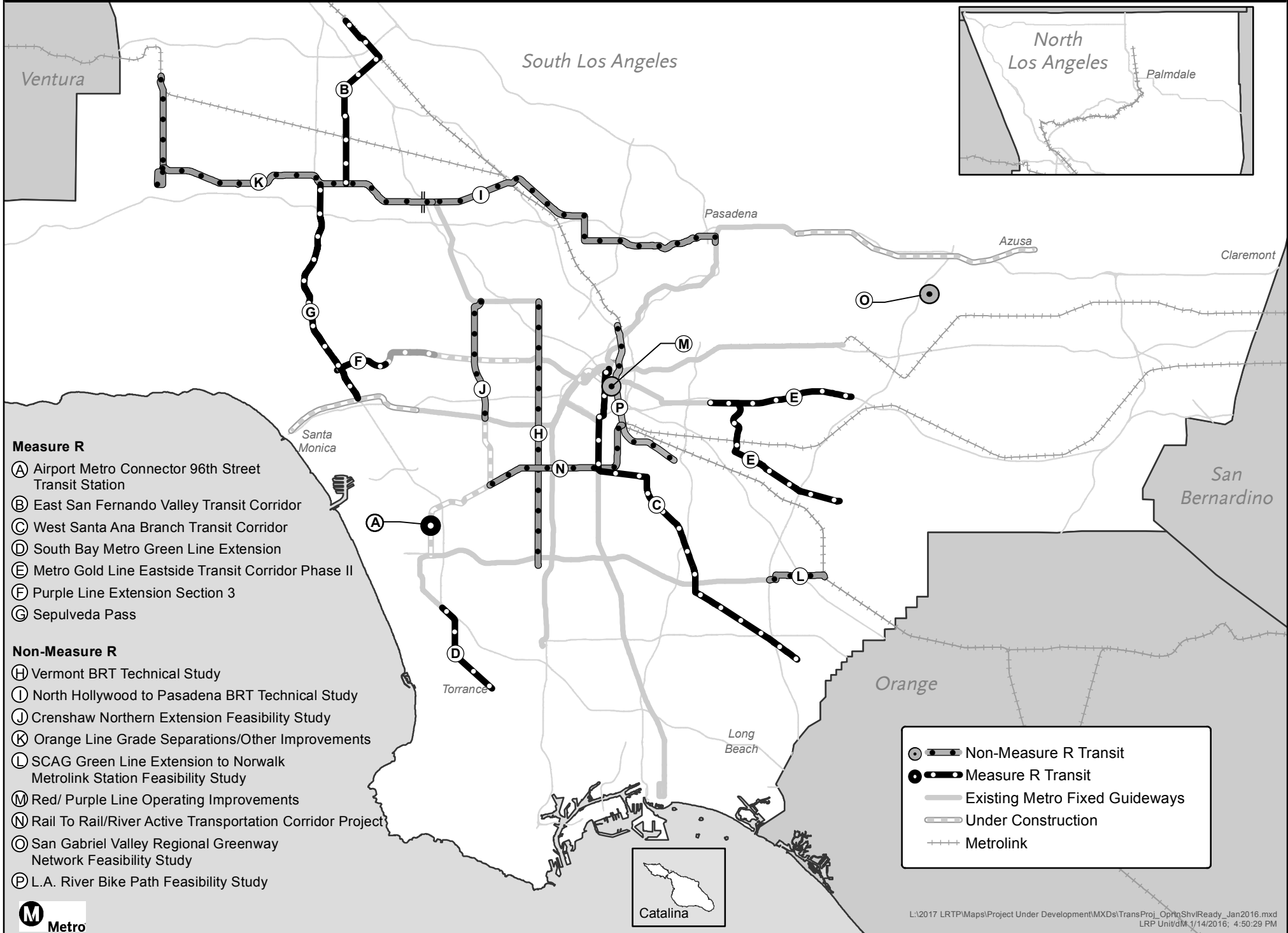
- F. Purple Line Extension Section 3 - Award contract modification to continue design; following Board approval, update 2012 environmental document for any changed conditions, as necessary.
- G. Sepulveda Pass - Continuing feasibility studies

### Non-Measure R projects

- H. Vermont BRT Technical Study - Conducting technical study as directed by the Board to identify and recommend BRT alternatives for further evaluation including potential environmental clearance. Stakeholder outreach being initiated in January 2016.

- I. North Hollywood to Pasadena BRT Technical Study - Conducting technical study as directed by the Board to identify and recommend BRT alternatives for further evaluation including potential environmental clearance. Stakeholder outreach being initiated in January 2016.
- J. Crenshaw Northern Extension Feasibility Study - In consultant procurement process with task orders for both the technical and urban design/outreach contracts scheduled for award in February 2016.
- K. Grade Separation for Orange Line/Other improvements - Procure consultant services to identify and environmentally clear improvements including grade separations and other BRT upgrades.
- L. SCAG Green Line Extension to Norwalk Metrolink Station Feasibility Study - SCAG will be leading an intercounty feasibility study which will examine alignments, economic development and transit oriented community opportunities. Participants in the study include: SCAG, OCTA, Metro and City of Norwalk. SCAG anticipates awarding a contract summer 2016.
- M. Red/Purple Line Operating Improvements - Conduct environmental studies and engineering design for Division 20 Rail Yard portal widening, turn back facility, and station.
- N. Rail to Rail/River Active Transportation Corridor Project - Procuring consultant services to complete environmental document/preliminary engineering for Segment A, Alternatives Analysis for Segment B and separate Outreach contract to support both Segments A and B. All three contracts are anticipated to be awarded in May 2016.
- O. San Gabriel Valley Regional Greenway Network Feasibility Study - The San Gabriel Valley COG received ATP funding for an initial feasibility study, which is in the early stages of development. The study will look at developing protected class I bicycle paths and pedestrian pathways along as much as 135 miles of riverways, streams, and channels in the San Gabriel Valley.
- P. L.A. River Bike Path Feasibility Study - Feasibility study being conducted to develop conceptual designs and evaluate various alternatives for addressing an 8 mile bike path gap of the Los Angeles River. The 8 mile stretch is between Riverside Drive in the City of Los Angeles and Atlantic Blvd with access points along the segment within the cities of Los Angeles, Vernon, and Maywood.

# OPERATION Shovel Ready: Transit Projects



## PROCUREMENT SUMMARY

## WESTSIDE PURPLE LINE EXTENSION PROJECT/PS 43502000

1.	<b>Contract Number:</b> PS 43502000		
2.	<b>Contractor:</b> Parsons Brinkerhoff (PB)		
3.	<b>Mod. Work Description:</b> Continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during solicitation processes, and design support services during construction for Section 3 of the Westside Purple Line Extension Project.		
4.	<b>Contract Work Description:</b> Engineering Support Services		
5.	<b>The following data is current as of:</b> January 14, 2016		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>		<b>Contract Award Amount:</b>
	6/8/07		\$3,654,061
	<b>Notice to Proceed (NTP):</b>	7/16/07	<b>Total of Modifications Approved:</b>
			\$158,131,260
	<b>Original Complete Date:</b>	9/16/08	<b>Pending Modifications (including this action):</b>
			\$28,085,033
	<b>Current Est. Complete Date:</b>	6/30/17	<b>Current Contract Value (with this action):</b>
			\$189,870,354
7.	<b>Contract Administrator:</b> Zachary Munoz		<b>Telephone Number:</b> (213)922-7301
8.	<b>Project Manager:</b> Dennis Mori		<b>Telephone Number:</b> (213)312-3109

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 58 issued in support of Westside Purple Line Extension Section 3 Project to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during solicitation processes, design support services during construction for Section 3 of the Westside Purple Line Extension Project.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a cost plus fixed fee.

The solicitation for Contract No. PS43502000 was an Architectural & Engineering (qualification-based) procurement process. This method requires that each of the responding firm's qualifications be evaluated, and the most qualified firm selected for the entire Westside Purple Line Extension Project, followed by analysis of the selected firm's cost proposal and successful negotiations to enter in to the contract with the selected firm.

In June 2007, the Board authorized award of this Contract to PB for alternative analysis with three options for Draft EIS/EIR/Advanced Conceptual Engineering, Final EIS/EIR, and Preliminary Engineering, in the amount of \$3,654,061. In January 2009, the Board exercised

the option for Draft EIS/EIR/Advanced Conceptual Engineering. In October 2010, the Board exercised options for Final EIS/EIR and Preliminary Engineering. In October 2011, the Board authorized PB to enter the next phase of work, design support during final design and/or construction. In April 2014, the Board authorized PB to provide continued design support during final design and/or construction. In February 2015, the Board authorized PB to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support service during the design-build solicitation process, design support services during construction. In December 2015, the Board authorized PB to provide continued design support services during construction.

## **B. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon fact-finding, clarifications of the scope of work, quantitative technical analysis, independent cost estimate, and cost analysis. This Contract Modification includes provisional indirect rates subject to adjustment upon completion of MASD's final year-end incurred cost audit. The difference between the negotiated price and Metro's ICE is the result of an increased level of effort, and corresponding hourly rates that were determined to be required after a technical evaluation of the Contractor's proposal was performed and approved by Metro's Project Management. Negotiations resulted in a reduction of \$3,068,805 from the contractor's proposed amount.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
<b>\$31,153,838</b>	<b>\$27,774,320</b>	<b>\$28,085,033</b>

**CONTRACT MODIFICATION/CHANGE ORDER LOG**  
**WESTSIDE PURPLE LINE EXTENSION PROJECT/PS 43502000**

<b>Mod. No.</b>	<b>Description</b>	<b>Date</b>	<b>Amount</b>
1-8	Alternatives Analysis	9/1/09	\$27,515
9-20	Advanced Conceptual Engineering/Draft EIS/ EIR	9/16/10	\$18,590,710
21	Preliminary Engineering	11/1/10	\$43,632,826
22	Final EIS/EIR	11/1/10	\$4,761,377
23	Close-out Alternative Analysis	1/12/11	(\$31,300)
24	Additional Fault investigation – Transect 2	5/6/11	\$480,250
25	Risk Management Support	2/28/11	\$208,417
26	Additional Fault Investigation Transec 4	7/5/11	\$453,264
27	Century City Refined Ridership Forecast	4/13/11	\$22,985
28	Additional Rail Simulation Study	4/20/11	\$72,646
29	Revisions to Safety Security Manual	3/31/11	\$0
30	Oil Well Investigation Program	5/4/11	\$107,165
31	Additional Fault Investigation Transec 3	6/2/11	\$411,949
32	Additional Fault Investigation Transec 7	7/5/11	\$310,754
33	Historic Property Survey	5/13/11	\$46,442
34	Additional Fault Investigation Transec 6	8/9/11	\$102,054
35	Additional Station Entrance Report	8/9/11	\$119,074
36	Advance Preliminary Engineering	11/1/11	\$16,996,740
37	LADWP Utility Relocations	4/27/12	\$84,659
38	Title V1 Service Equity	4/17/12	\$51,185
39	Design Services for Exploratory Shaft	7/5/12	\$0
40	Period of Performance Extension	10/31/12	\$0
41	Bid Period Services	3/25/13	\$18,816,205
42	CANCELLED		
43	Advance Preliminary Engineering (Section 2)	4/22/13	\$8,836,296
44	Additional Borings	8/16/13	\$439,292
45	Additional Capacity Study	10/9/13	\$24,030
46	Ventilation Study	12/18/13	\$470,527
47	Additional AUR Work	2/11/14	\$493,563
48	Design Support Services During Construction FY 15	5/30/14	\$11,657,611
49	Period of Performance Extension	6/26/14	\$0
50	New Starts Support Section 2	8/11/14	\$357,054
51	Section 2 Station Area Planning	8/21/14	\$126,728
52	Continued Advanced Preliminary Engineering Section 2	3/30/15	\$20,820,226
53	Utility Engineer Support	12/23/14	\$358,798
54	Period of Performance Extension	12/23/14	\$0
55	Period of Performance Extension	12/23/14	\$0
56	Period of Performance Extension	12/24/14	\$0
57	Design Support Services During Construction Section 1	12/21/15	\$9,282,218
58	<b>Pending Board Approval</b>		\$28,085,033
	<b>Total:</b>		<b>\$186,216,293</b>

## DEOD SUMMARY

## WESTSIDE PURPLE LINE EXTENSION PROJECT/PS 4350-2000

**A. Small Business Participation**

Parsons Brinckerhoff, Inc. (PB) made a 23.41% DALP commitment, listing five (5) DBE subcontractors, and has added 32 DBE subcontractors to date. The project is currently 87% complete. Current DALP participation is 21.35%, representing a 2.06% shortfall, an improvement from the 2.85% DBE shortfall reported in November 2015. DALP participation has increased by approximately 0.79%, since November 2015.

In November 2015, PB confirmed that they will meet their 23.41% DBE commitment in Fall 2016. PB expressed that they will accomplish their DBE commitment with the addition of Modification No. 52, which includes a 41.6% DBE participation on current Section 2 scope, inclusive of a 50% DBE participation on Section 2 Geotechnical work. Currently, PB has achieved 49.67% DBE participation on Modification No. 52 and is on pace to meeting their DBE commitment. In addition, PB also made a 33.25% DBE commitment for Modification No. 58, pending Board approval of the recommended action for Section 3.

On January 13, 2016, PB reaffirmed that DBE participation anticipated on the current proposal for Continuation of Section 1, Design Support During Construction, along with the Section 2 DBE participation, and Modification No. 58 for Section 3 will result in PB meeting its DBE commitment in fall 2016.

<b>Small Business Commitment</b>	<b>DALP 23.41%</b>	<b>Small Business Participation</b>	<b>DALP 21.35%</b>
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	<b>DBE Subcontractor</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	Intueor	2.28%	1.67%
2.	Terry A. Hayes	2.99%	0.30%
3.	Wagner Engineering	5.29%	0.70%
4.	Kal Krishnan Consulting	5.58%	1.23%
5.	LKG-CMC	7.27%	0.99%
6.	A Cone Zone (2nd Tier w/Mactac)	Added	0.77%

7.	Abadi Bouhier Consulting	Added	0.92%
8.	Advanced Technologies	Added	0.13%
9.	Advantec	Added	0.80%
10.	AP Engineering (2nd Tier w/AMEC)	Added	0.13%
11.	Atlas Teknology Group	Added	0.07%
12.	Atwell Consulting	Added	0.33%
13.	Barrio Planners	Added	1.20%
14.	C&L Drilling (2nd Tier w/Mactec)	Added	0.70%
15.	Cogstone Resource	Added	0.17%
16.	Del Richardson	Added	0.17%
17.	Diana Ho	Added	0.01%
18.	Diaz Yourman	Added	0.28%
19.	D'Leon Consulting	Added	2.46%
20.	E.W. Moon	Added	0.50%
21.	FPA Underground	Added	0.61%
22.	Green Clean Water (2nd Tier w/AMEC)	Added	0.04%
23.	IDC Consulting	Added	0.35%
24.	Jad & Associates	Added	0.70%
25.	Jet Drilling (2nd Tier w/Mactec)	Added	0.24%
26.	Lenax Construction	Added	0.87%
27.	Martini Drilling	Added	0.50%
28.	Melendrez (2nd Tier w/Torti Gallas)	Added	0.01%
29.	Parikh Consultants (2nd Tier w/AMEC)	Added	0.22%
30.	Raw International	Added	2.24%
31.	Roy Willis	Added	0.01%

32.	Safe Utility Exposure	Added	0.53%
33.	Safeprobe	Added	0.23%
34.	Universal Reprographics	Added	0.41%
35.	V&A Inc.	Added	0.47%
36.	W2 Design	Added	0.39%
37.	Wiltec (2nd Tier w/Fehr & Peers)	Added	0.00%
<b>Total DBE Commitment</b>		<b>23.41%</b>	<b>21.35%</b>

*Current Participation = Total Actual amount Paid-to-Date to DBE firms + Total Actual Amount Paid-to-date to Prime.*

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

The Project Labor Agreement/Construction Careers Policy is not applicable to this modification.

**C. Living Wage/Service Contract Worker Retention Policy Applicability**

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

**D. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection and other support trades.