



Board Report

File #: 2017-0311, File Type: Budget

Agenda Number: 20.

CONSTRUCTION COMMITTEE JUNE 15, 2017

SUBJECT: WESTSIDE PURPLE LINE EXTENSION PROJECT - SECTION 3

ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the CEO to execute Contract Modification No. 62 to Contract No. PS43502000 with WSP USA Inc. (WSP), formerly Parsons Brinckerhoff (PB) Inc., to provide continued engineering support services during solicitation processes and design support services during construction for Section 3 of the Westside Purple Line Extension Project, from July 2017 through June 2019, in an amount not-to-exceed \$15,028,122, increasing the total contract value from \$199,649,637 to \$214,677,759.

ISSUE

On February 24, 2016, the Metro Board of Directors approved to advance the project delivery of the Westside Purple Line Extension Project - Section 3 (Century City to Westwood/VA Hospital) as part of a larger package of the Shovel Ready Program of Projects which included the advancement of other Measure R Projects. The “shovel-ready” state allowed Metro to take advantage of opportunities to advance into the Project design and construction stage to expedite project delivery.

Advancement of the Section 3 Project allowed WSP to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support services during solicitation processes, and design support services during construction, as staff continued to pursue local, state and federal funding sources to move the Project forward. Included within the scope of services, was a commitment by WSP to meet or exceed Disadvantage Business Enterprise (DBE) goals and adopt a formal mentor protégé program as part of enhanced business participation. Current DBE participation on the contract value of \$199,649,637 is 25.57%, which exceeds the goal by 9.2%. WSP’s current commitment for Contract Modification No. 62, Section 3 Project scope of work is 32.90%.

DISCUSSION

The advancement of the Section 3 Project preliminary engineering and the design for advanced relocation of utilities, coupled with the passage of Measure M, have allowed staff to solicit the procurements of two construction contracts - (1) Advanced Utility Relocations and (2) Tunnels. Staff has also solicited the procurement of a Construction Management Support Services (CMSS) consultant, and plans to solicit the procurement of the Stations, Trackwork, and Systems design-build contract later this year.

On April 28, 2017, the CEO requested approval, from the Federal Transit Administration (FTA), to enter into the Engineering Phase, which is one of the initial steps towards receiving a Full Funding Grant Agreement (FFGA). Prior to receiving the FFGA, the CEO will be requesting approval, from the FTA, of a Letter of No Prejudice (LONP), which will allow advancing the award of the Tunnels Contract.

The recommended Board action will provide sufficient contract funding for WSP services through June 2019, when the Project is anticipated to be transitioning into the final design and construction stage of the Stations, Trackwork, and Systems design-build contract. Approval of the recommended action will enable the designs to be advanced to a sufficient level for procurement and to provide critical design support throughout the procurement process and start of design build work for the selected contractors. Retaining the services of this consultant will also provide continuity and consistency in design.

An important lesson learned on previous projects including section 1 of the Purple Line is that an upfront investment in design pays dividends in fewer change orders and issues with unknown utilities. It also enables Metro to address stakeholder concerns prior to award of a construction contract when it is more difficult to implement changes. The recommended action is consistent with that lesson learned.

Future work will be funded on a 12 to 24 month basis, depending on the phase of the project. This approach will result in more accurate budgeting in future years, while providing better control over the management of consultant services.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funds are included in the FY18 budget under Project 865523 Westside Purple Line Extension Project - Section 3, in Cost Center 8510 (Construction Project Management), and Account No. 50316 (Professional and Technical Services). Since this is a multi-year project, the Chief Program Management Officer and the Project Manager will be responsible for budgeting costs in future years.

Impact to Budget

The sources of funds for the recommended action are Measure R 35% and Measure M 35%. The approved FY18 budget is designated for the Westside Purple Line Extension Project - Section 3 and does not have an impact to operations funding sources. These funds were assumed in the Long Range Transportation Plan for the Westside Purple Line Extension Project. 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 recommended Contract Modification. This is not recommended because the extension of WSP's services will provide the continuity of engineering services involving qualified and knowledgeable personnel that are part of the Westside Purple Line Extension Integrated Project Management Office.

NEXT STEPS

After Board approval and execution of the Contract Modification, staff will direct the consultant to continue providing engineering support services during solicitation processes and design support services during construction of the Westside Purple Line Extension Project - Section 3.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - Contract Modification/Change Order Log

Attachment C - DBE Participation

Prepared by:

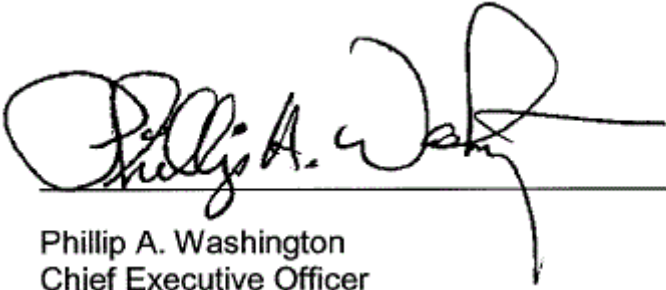
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Reviewed by:

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

WESTSIDE PURPLE LINE EXTENSION PROJECT – SECTION 3
PS43502000

1.	Contract Number: PS43502000		
2.	Contractor: WSP USA Inc.		
3.	Mod. Work Description: Continue engineering support services during solicitation processes and final design, and design support services during construction for Section 3 of the Westside Purple Line Extension Project		
4.	Contract Work Description: Engineering support services during solicitation processes and final design, and design support services during construction		
5.	The following data is current as of: May 3, 2017		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	6/8/07	Contract Award Amount: \$3,654,061
	Notice to Proceed (NTP):	7/16/07	Total of Modifications Approved: \$195,995,576
	Original Complete Date:	9/16/08	Pending Modifications (including this action): \$15,028,122
	Current Est. Complete Date:	6/30/19	Current Contract Value (with this action): \$214,677,759
7.	Contract Administrator: Zachary Munoz		Telephone Number: (213) 922-7301
8.	Project Manager: Michael McKenna		Telephone Number: (213) 312-3132

A. Procurement Background

This Board Action is to approve Contract Modification No. 62 to be issued in support of Westside Purple Line Extension Section 3 Project to provide continued engineering support services during solicitation processes, and design support services during construction.

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 and Engineering (qualification-based) procurement process. This method requires that each of the responding firm's qualifications be evaluated, and the most qualified firm selected, 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 Parsons Brinkerhoff WSP (recent name change to WSP USA Inc. (WSP)) 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 for the entire Westside Purple Line Project. 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 WSP to enter the next phase of work, design support during construction. In April 2014, the Board authorized WSP to provide continued design support during construction for Section 1. In February 2015, the Board authorized WSP to provide continued advanced preliminary engineering, design for advanced relocation of utilities, engineering support service during the design-build solicitation process, and design support services during construction for Section 2. In December 2015, the Board authorized WSP to provide continued design support services during construction for Section 1. In February 2016, the Board authorized WSP to provide advanced preliminary engineering, design for advanced relocation of utility, engineering support services during solicitation processes, and design support services during construction for Section 3. In October 2016, the Board authorized WSP to provide continued design support services during construction for Section 2.

Refer to Attachment B for modifications issued to date and proposed modifications pending authorization.

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/price 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 the required level of effort, and corresponding rates that were determined to be required after a technical evaluation of the Contractor’s proposal was performed approved by Metro’s Project Management.

Proposal Amount	Metro ICE	Negotiated Amount
\$16,930,000	\$15,647,000	\$15,028,122

CONTRACT MODIFICATION/CHANGE ORDER LOG
WESTSIDE PURPLE LINE EXTENSION PROJECT/
PS43502000

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

Mod. No.	Description	Status	Date	Amount
58	Advanced Preliminary Engineering, Design for Advanced Relocation of Utilities, Engineering Support Section 3	Approved	3/24/16	\$28,085,033
59	Period of Performance Extension	Approved	7/13/16	\$0
60	Design Support Services During Construction Section 2	Approved	11/29/16	\$9,551,411
61	Design Support Services During Construction Section 1	Negotiating		
62	Engineering Support Services During Solicitation and Design Support Services During Construction Section 3	Pending		\$15,028,122
63	Re-Applying Demand Model for WPLE	Approved	4/6/17	\$227,872
	Modification Total:			\$195,995,576
	Original Contract:			\$3,654,061
	Total:			\$214,677,759

DEOD SUMMARY

WESTSIDE PURPLE LINE EXTENSION PROJECT – SECTION 3
PS43502000**A. Small Business Participation**

Parsons Brinckerhoff (recent name change to WSP USA Inc. (WSP)) made a 23.41% Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment. The project is 86% complete and the current DBE participation is 25.57%. WSP is currently exceeding their DBE commitment.

Small Business Commitment	DBE 23.41%	Small Business Participation	DBE 25.57%
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	DBE Subcontractors	Ethnicity	% Committed	Current Participation¹
1.	Intueor Consulting	Subcontinent Asian American	2.28%	2.02%
2.	Kal Krishnan Consulting	Subcontinent Asian American	5.58%	0.99%
3.	LKG-CMC	Caucasian Female	7.27%	0.78%
4.	Terry A. Hayes	African American Female	2.99%	0.24%
5.	Wagner Engineering	Caucasian Female	5.29%	0.70%
6.	A Cone Zone (2nd Tier w/AMEC)	Caucasian Female	Added	0.83%
7.	Abadi–Abadi Consulting (ABCS)	Caucasian Female	Added	0.99%
8.	Advanced Technologies Lab. (2nd Tier w/AMEC)	Hispanic American	Added	0.16%
9.	Advantec Consulting Engineering	Asian Pacific American	Added	1.49%
10.	AP Engineering (2nd Tier w/AMEC)	Asian Pacific American	Added	0.16%

11.	Atlas Teknology Group	Asian Pacific American Female	Added	0.06%
12.	Atwell Consulting	Caucasian Female	Added	0.26%
13.	Barrio Planners	Hispanic American	Added	1.34%
14.	Capitol Government Contract Specialists	Hispanic American	Added	0.06%
15.	C&L Drilling (2nd Tier w/AMEC)	Caucasian Female	Added	0.65%
16.	Cogstone Resource	Caucasian Female	Added	0.17%
17.	Del Richardson	African American	Added	0.20%
18.	Diana Ho Consulting	Asian Pacific American	Added	0.01%
19.	Diaz Consultants	Hispanic American	Added	0.32%
20.	D'Leon Consulting	Hispanic American	Added	2.92%
21.	E.W. Moon	African American	Added	0.53%
22.	FPA Underground	Asian Pacific American Female	Added	0.64%
23.	Green Clean Water (2nd Tier w/AMEC)	Asian Pacific American	Added	0.48%
24.	IDC Consulting	Asian Pacific American Female	Added	0.44%
25.	J M Diaz, Inc.	Hispanic American	Added	0.09%
26.	JAD & Associates	Asian Pacific American	Added	0.82%
27.	Jet Drilling (2nd Tier w/AMEC)	Hispanic American	Added	0.19%
28.	Lenax Construction	Caucasian Female	Added	0.83%
29.	Martini Drilling (2nd Tier w/AMEC)	Hispanic American	Added	0.92%

30.	Melendrez (RELM)	Caucasian Female	Added	0.01%
31.	Parikh Consultants (2nd Tier w/AMEC)	Asian Pacific American	Added	0.74%
32.	RAW International	African American	Added	2.41%
33.	Roy Willis	African American Female	Added	0.01%
34.	Safe Utility Exposure	Caucasian Female	Added	1.26%
35.	Safeprobe	Asian Pacific American	Added	0.63%
36.	Universal Reproductions Inc.	Caucasian Female	Added	0.40%
37.	V&A Inc.	Hispanic American	Added	0.38%
38.	W2 Design	Asian Pacific American	Added	0.44%
39.	Wiltec (2 nd Tier 2/Fehr & Peers)	African American	Added	0.00%
	Total		23.41%	25.57%

¹Current 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

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

C. 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).

D. Living Wage Service Contract Worker Retention Policy

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