



Board Report

File #: 2017-0070, File Type: Contract

Agenda Number: 36.

CONSTRUCTION COMMITTEE FEBRUARY 16, 2017

SUBJECT: DIVISION 16: SOUTHWESTERN YARD PROJECT

ACTION: APPROVE CONTRACT MODIFICATIONS FOR ACCOMMODATING POTENTIAL LOS ANGELES WORLD AIRPORTS AUTOMATED PEOPLE MOVER

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer (CEO) to negotiate and execute Modification(s) to Contract No. C0991 with Hensel Phelps/Herzog JV, for the **column bent construction for the potential Los Angeles World Airports (LAWA) Automated People Mover accommodations** in an amount not-to-exceed \$3,220,000 increasing the total contract value from \$170,573,106 to \$173,793,106;
- B. APPROVING an increase in Contract Modification Authority (CMA) for Contract No. C0991 in the amount of \$3,220,000 increasing the total CMA from \$17,231,269 to \$20,451,269; and
- C. AUTHORIZING the CEO to enter into a funding agreement with Los Angeles World Airports.

ISSUE

A Notice-to-Proceed was issued to Hensel Phelps/Herzog JV on June 29, 2015 for the design and construction of the Division 16 Southwestern Yard maintenance facility. The design-builder has substantially completed final design for the Division 16 maintenance facility, has commenced construction of the maintenance building, and is in the process of constructing the track facility as part of the C0991 Contract. Los Angeles World Airports (LAWA) has requested Metro to construct an accommodation for the potential Automated People Mover (APM) foundations at one location between the Metro maintenance yard lead track and the main line tracks (see Attachments D and E).

DISCUSSION

Metro and LAWA have been coordinating the planning of the Airport Metro Connector (AMC) 96th

Street Transit Station Project to provide regional transit connectivity to the Los Angeles International Airport (LAX) and the LAWA Landside Access Modernization Program (LAMP) program. Subject to the outcome of LAWA's environmental clearance processes, various alternatives are under consideration.

LAWA completed an update to its Master Plan, General Plan and Specific Plan known as SPAS. While the SPAS has local approval on a programmatic basis, LAWA is currently in a project-level review for California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) as part of the LAMP program. The LAWA LAMP program contemplates connection of LAWA facilities with the LAX Central Terminal Area (CTA) via an Automated People Mover (APM) system. LAWA is currently in a procurement process for design and construction of the fixed facilities for the LAX APM.

Through the coordination of the Metro AMC project and the LAWA LAMP program, staff has coordinated a passenger interface at the future 96th St station, which will be located on the Crenshaw/LAX Line and adjacent to Metro's Division 16 maintenance facility. By having the interface at this location, the LAWA APM system is proposed to cross over the Crenshaw/LAX Line main line tracks and the south yard lead that will access the Metro Division 16 maintenance facility.

To minimize disruption to the operating Metro maintenance facility during construction of the potential APM, LAWA has requested Metro to construct a column bent that is located between the maintenance facility south yard lead and the main line tracks. It is critical that construction is authorized in March 2017 so as to not impact the ongoing construction associated with the Crenshaw/LAX main line and Division 16 Southwestern Yard maintenance facility contracts.

An environmental analysis was conducted to determine the potential environmental impacts associated with the construction of the bent column between the maintenance facility south yard lead and main line tracks. This analysis indicates that identified potential environmental impacts would have no adverse effects resulting from the action. Metro would continue to implement the mitigation measures identified in the Record of Decision for the overall project to ensure significant impacts are continually mitigated.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards.

FINANCIAL IMPACT

This is a multi-year effort; the project manager and Chief Program Management Officer is responsible for budgeting for future year costs.

Impact to Budget

The funding for the accommodations will be provided by Los Angeles World Airports, as such there are no impacts to Metro's bus and rail operations eligible funding sources.

ALTERNATIVES CONSIDERED

The Board may choose not to move forward with approving the accommodations to execute the Contract Modifications at this time. This is not recommended as construction of the LAWA APM in the future would either impact the construction of the Crenshaw/LAX Transit Project or increase the impacts to Metro Rail Operation of the Crenshaw /LAX line and access to the Division 16 maintenance facility. Metro's design-builder is on schedule and progressing the base construction work for the maintenance facility as required by its contract, and will commence track construction in June 2017. Once track construction progresses, subsequent construction contract modifications will significantly impact the design-builder's contract cost and completion schedule.

NEXT STEPS

Upon approval of the recommendations, staff will execute the Contract Modification.

ATTACHMENTS

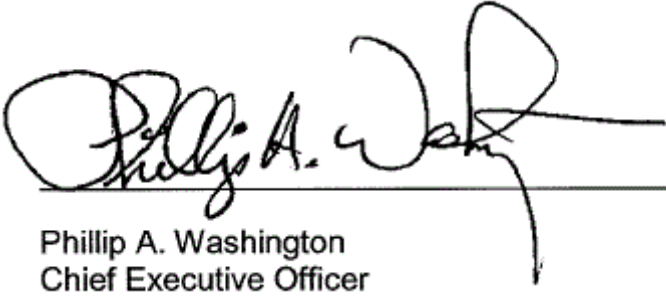
Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary
Attachment D - Potential LAWA APM Plan View
Attachment E - Potential LAWA APM Cross Section

Prepared by:

Charles H. Beauvoir, DEO, Project Management (323) 903-4113
Kimberly Ong, Interim DEO, Project Management (323) 903-4112
Frederick Origel, Director, Contract Administration (213) 922-7331
Rick Meade, Executive Officer, Project Management (213) 922-7917
Dave Mieger, Executive Officer, Countywide Planning and Development (213) 922-3040

Reviewed by:

Richard Clarke, Executive Director, Program Management (213) 922-7557
Debra Avila, Executive Officer, Chief Vendor/Contract Management Officer
(213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

1.	Contract Number: C0991		
2.	Contractor: Hensel Phelps Herzog Joint Venture		
3.	Mod. Work Description: Column Bent Construction Work for Future LAWA Automated People Mover Accommodation		
4.	Contract Work Description : Construction and reinforcement of concrete column bent within the Southwestern Yard to accommodate the potential future LAWA automated people mover. The work consists of three circular reinforced concrete columns (approximately 8ft diameter, 40ft height), where each column will be supported on a single Cast-In-Drill-Hole (CIDH) pile (approximately 10ft diameter, 100ft depth).		
5.	The following data is current as of: February 6, 2017		
6.	Contract Completion Status:		
	Bids/Proposals Opened:	Five (5) Bids were received – 1Bid was withdrawn	% Completion \$s: 17%
	Contract Awarded:	June 3, 2015	% Completion Time: 44%
	NTP:	July 1, 2015	Original Contract Days: 1219
	Original Complete Date:	October 31, 2018	Change Order Days: 91
	Current Est. Complete Date:	January 29, 2019	Suspended Days: 0
			Total Revised Days:
7.	Financial Status:		
	Contract Award:		\$ 172,312,695.00
	Total Contract Modifications Approved:		
	Current Contract Value:		\$ 170,573,105.91
	Contract Administrator: Deneise Glover Principal Contract Administrator		Telephone Number: 818-446-2797
8.	Project Manager: Robert Rincon Senior Director, Construction Transit Project Delivery		Telephone Number: 818-435-7759

A. Procurement Background

This Board Action is to approve contract Modification in support of the construction of Column Bent Construction Work for Future LAWA Automated People Mover Accommodation.

Due to location and physical constraint, the bent cannot be reasonably or efficiently constructed during or after completion of Division 16-Southwestern Yard. The Metro

Crenshaw/LAX line operation would also be extremely impacted if the bent construction occurs after commencement of revenue service.

Contract No. C0991 is a firm-fixed price type contract awarded June 3, 2015, to Hensel Phelps Herzog Joint Venture, in the amount of \$172,312,695. Hensel Phelps Herzog Joint Venture was the lowest price responsive and responsible bidder.

A total of eighteen (18) contract modifications have been approved totaling \$(1,329,609.91), three (3) change orders totaling \$25,400.00, and four (4) contract modifications estimated at \$3,043,799.00 are pending, including the recommended contract modification in this board item. The approved and pending contract modifications are listed in Contract Modification/Change Order Log–Division 16: Southwestern Yard - Attachment B.

B. Cost/Price Analysis

The price for the proposed Contract Modification has yet to be determined; however it would not exceed \$3,220,000. The disparity between the price bid received and the ICE may be attributed to current construction market and inherent risks associated with a project of this size, location, and complexity, and will be resolved through fact-finding, clarifications, independent cost estimates, cost analysis, price analysis, technical evaluation, negotiations, and subject to audit.

Item No.	Modification	Proposal Amount	Metro ICE	Negotiated or NTE Amount
	Column Bent Construction Work for Future LAWA Automated People Mover Accommodation	\$ 2,680,344.00	\$ 1,669,028.00	\$ 3,220,000

ATTACHMENT B

**CONTRACT MODIFICATION/CHANGE ORDER LOG-
DIVISION 16: SOUTHWESTERN YARD/C0991**

Modification #	Description	Status	Cost
N/A	Initial Award		
1	Inclusion of Schedules D and E	Approved	NO COST
2	Contract Time	Approved	NO COST
3	Schedule of Quantities and Prices – Schedule "C" Provisional Sums – Line Item No. 10	Approved	NO COST
4	Contract Compliance Manual	Approved	NO COST
5	Utility Investigation Potholes	Approved	\$25,960.00
6	Shifting of Rain Delay Days In Baseline Schedule	Approved	NO COST
7.3	Contract Compliance Manual Updates	Approved	NO COST
8	Replace Johnson Controls	Approved	\$17,621.02
9	Delete Wheel Boring Machine Plan	Approved	(\$1,676,756.20)
10	Bellanca Revocable Permit Support	Approved	\$45,000.00
11	Main Shop Blowdown Safety Railing	Approved	\$130,000.00
12	Addition of Break Room at Paint and Body Shop Building	Approved	\$57,000.00
13	Concrete Footing Under Curb	Approved	\$6,200.00
14	Underground Loading Dock	Approved	\$27,000.00
15	9.5" vs. 7" AC on Bellanca Street	Approved	\$13,700.00
16	Concrete Pad Under Asphalt	Approved	\$31,300.00
17	Miscellaneous Facility Modifications	Approved	\$55,565.27
18	Roof Mounted Equipment	Pending	\$98,000.00
19	Owner Furnished/Contractor Installed - WCH Bumping Post	Approved	(\$62,200.00)
20	Main Storm Drain Bridging Plan	Pending	\$226,500.00
21	Neutrogena 6" Fire Water Line	Pending	\$38,955.00
TBD	Column Bent Construction Work for Future LAWA Automated People Mover Accommodation	Pending	\$3,220,000.00

Change Orders	Description	Status	Cost
CO-1.1	Yard Area Reduction Plan	NTE	\$0
CO-5.1	Design Street Lights and City ROW Improvements	NTE	\$25,400.00
CO-7	Facilities Equipment Revision	NTE	\$0
Subtotal – Approved Modifications and Change Orders			(\$1,329,609.91)
Subtotal – Pending Changes/Modifications			\$3,289,199.00
Total Modifications and Pending Changes (including this Change)			\$1,959,589.09
Prior CMA Authorized by the Board (including Base Award and other Modifications)			\$17,231,269.00

DEOD SUMMARY

**DIVISION 16: SOUTHWESTERN YARD PROJECT/
CONTRACT NO. C0991**

A. (1) Small Business Participation - Design

Hensel Phelps/Herzog Joint Venture (HP/H JV) made a 20.93% Disadvantaged Business Enterprise (DBE) commitment for Design. Design is currently 70% complete. Eight (8) DBE commitments were made at the time of award, and three (3) additional DBE subcontractors have been added to-date. Current DBE participation is 18.31%, a shortfall of 2.62%. HP/H JV explained that the shortfall is directly attributable to delays in Design approvals. The Project Manager confirmed that final Design approvals are anticipated in February of 2017, and with subsequent payments to DBE subcontractors, HP/H JV is expected to meet its DBE contract commitment.

DISADVANTAGED BUSINESS ENTERPRISE COMMITMENT	20.93%	DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION	18.31%
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	Design DBE Subcontractors	Ethnicity	% Committed	Current Participation¹
1.	Bobby Knox	Subcontinent Asian American	0.29%	0.35%
2.	ICI Engineers, Inc.	Asian-Pacific American	1.52%	0.00%
3.	JCE Structural Engineering Group	Hispanic American	2.06%	2.20%
4.	JCE Structural Engineering Group. (Site Rep)	Hispanic American	5.37%	0.00%
5.	Nexus Consulting and Management Services, Inc.*	Hispanic American	Added	2.20%
6.	Okapi Architecture, Inc.*	Asian-Pacific American	Added	0.31%
7.	RAW International	Hispanic American	0.88%	0.00%
8.	RSE Associates,	Asian-Pacific	0.27%	0.00%

	Inc.	American		
9.	SKA Design	Hispanic American	0.37%	0.44%
10.	Soteria Company, LLC*	Hispanic American	Added	0.24%
11.	V&A, Inc.	Hispanic American	10.17%	12.57%
	Total		20.93%	18.31%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime
 *DBE added after contract award

A. (2) Small Business Participation – Construction

HP/H JV made a 16% Disadvantaged Business Enterprise (DBE) commitment for Construction at the time of contract award. Ten (10) DBE subcontract commitments were made at the time of award. After the start of Construction, 26 DBE subcontractors were added. HP/H JV is currently achieving 13.56% of their proposed 16% DBE subcontract commitment for Construction. It is expected that DBE commitments will continue to increase as Construction progresses.

Based on the total amount paid-to-date to HP/H JV, and the total actual amount paid-to-date to DBE subcontractors, current participation is 10.26%. HP/H JV is expected to continue ongoing outreach and good faith efforts to meet their DBE contract commitment.

DISADVANTAGED BUSINESS ENTERPRISE COMMITMENT	16%	DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION	10.26%
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Item No.	Construction DBE Subcontractors	Ethnicity	% Commitment	Current ¹ Participation
1.	A. Baros Trucking*	Hispanic American	0.00%	0.00%
2.	AJK Communications	Subcontinent Asian American	3.86%	0.00%
3.	AZ Construction, Inc.*	Asian-Pacific American	0.02%	0.12%
4.	Blackgold	Hispanic	0.01%	0.00%

	Development*	American		
5.	C Bermudez Trucking*	Hispanic American	0.00%	0.13%
6.	C.P.R. Trucking, Inc.*	Hispanic American	0.02%	0.36%
7.	Certified Air Balance Company, Inc.	Hispanic American	0.02%	0.00%
8.	Coast Surveying*	Hispanic American	0.06%	0.44%
9.	Coleman Construction Inc.*	African American	0.36%	0.92%
10.	DSG Mechanical Corporation	Hispanic American	0.51%	0.00%
11.	EW Corporation	Hispanic American	2.66%	1.04%
12.	Excelsior Elevator Corp*	Asian–Pacific American	0.52%	0.00%
13.	Fine Grade Equipment, Inc.*	Native American	0.65%	3.22%
14.	Floyd’s Trucking, LLC*	African American	0.00%	0.00%
15.	Fs3, Inc.*	Hispanic American	0.25%	0.43%
16.	G&C Equipment Corporation (HVAC Equip.)	African American	0.11%	0.54%
17.	G&C Equipment Corporation (Lighting Materials)	African American	1.28%	0.00%
18.	Gaines Trucking*	African American	0.11%	0.00%

19.	Global Electric	Hispanic American	0.06%	0.00%
20.	Global Transloading, LLC*	Hispanic American	0.00%	0.01%
21.	Growth Development Marketing, Inc.*	African American	0.04%	0.04%
22.	JLE Broker Inc. dba Anaya's Trucking*	Hispanic American	0.26%	1.94%
23.	JoJo's Trucking, Inc.*	Hispanic American	0.00%	0.00%
24.	Kroner Environmental Services, Inc.*	Caucasian Female	0.04%	0.04%
25.	LB Trucking Services, LLC*	African American	0.00%	0.00%
26.	Lejend Corporation*	African American	0.00%	0.00%
27.	Lumas Air, Inc.	African American	0.20%	0.00%
28.	Morgner Technology Management*	Hispanic American	0.44%	0.52%
29.	MTGL Inc.*	Hispanic American	0.52%	0.28%
30.	NRW Trucking*	African American	0.00%	0.00%
31.	Perez Construction	Hispanic American	0.83%	0.00%
32.	Sand Materials & Aggregate Sales, Inc.*	Caucasian Female	0.07%	0.00%
33.	Superior Fire, Inc.	Hispanic American	0.57%	0.00%
34.	TMM Enterprises	African	0.00%	0.00%

	Group, Inc.*	American		
35.	TSG Enterprises Group, Inc.*	Hispanic American	0.09%	0.23%
36.	Vision Trucking*	African American	0.00%	0.00
	Total Commitment		13.56%	10.26%

Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime
**DBE added after contract award*

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

The Contractor has committed to complying with PLA/CCP requirements for this project. This project is 8.29% complete (based on total construction labor hours expended, divided by the total estimated construction labor hours in the approved Employment Hiring Plan) and the contractor is achieving the 40% Targeted Worker Goal at 49.82%, and the 20% Apprentice Worker Goal at 21.33%, but not achieving the Disadvantaged Worker Goal at 9.12%. Prime Contractor has submitted an Employment Hiring Plan which states compliance with the PLA/CCP workforce goals will be met by mid-2017. Staff will continue to monitor and report the contractor's progress toward meeting the goals of the PLA/CCP. This contract falls under the U.S. DOT's Local Hire Pilot Program.

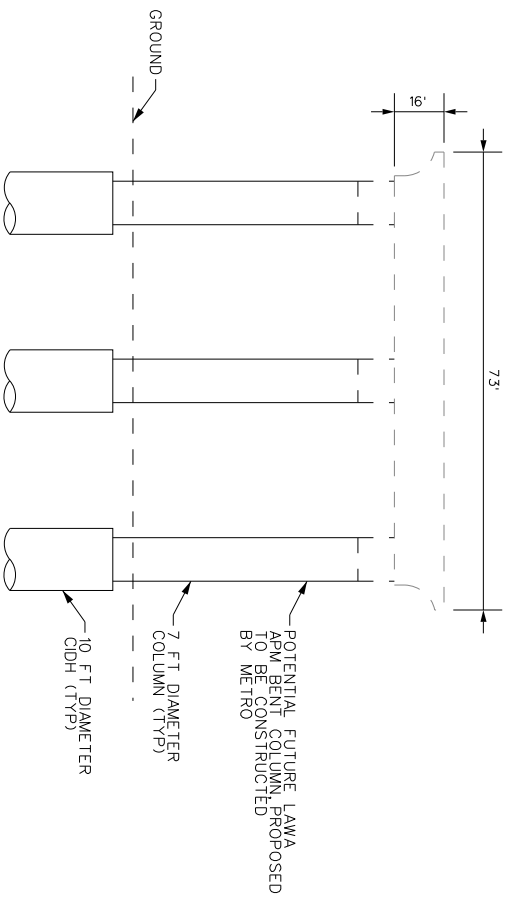
C. Prevailing Wage Applicability

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). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Living Wage Service Contract Worker Retention Policy Applicability

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

**ATTACHMENT E: POTENTIAL LAWVA
APM CROSS SECTION**



CROSS-SECTION A
NOT TO SCALE

JANUARY 31, 2017