



Board Report

File #: 2018-0285, **File Type:** Contract

Agenda Number: 47.

**CONSTRUCTION COMMITTEE
JUNE 21, 2018**

**SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 3
PROJECT**

**ACTION: APPROVE CONTRACT MODIFICATION AND INCREASE CONTRACT
MODIFICATION AUTHORITY**

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the CEO to execute Modification No. 2 to Contract C1153, Advanced Utility Relocations (Westwood/UCLA Station), with Steve Bubalo Construction Company for supply and installation of equipment for a traffic Video Detection System (VDS) required by Los Angeles Department of Transportation (LADOT), in the amount of \$567,554, increasing the total contract value from \$11,439,000 to \$12,006,554; and

- B. APPROVING an increase in Contract Modification Authority (CMA) to Contract C1153, Advanced Utility Relocations (Westwood/UCLA Station), increasing the current CMA from \$1,143,900 to \$2,287,800.

ISSUE

Contract C1153 is a firm fixed price contract to re-locate underground LADWP Power and Water utilities in advance of the Westside Purple Line Extension Section 3 Project (Project) Design/Build Contracts C1151 Tunnels and C1152 Stations, Trackwork, Systems and Testing.

A VDS is required by LADOT to be installed to facilitate traffic management while work on this Contract is performed on heavily traveled streets in the Westwood/UCLA area.

The approval of additional CMA will allow staff to continue to process contract modifications to Contract C1153 in a timely manner and avoid costly construction delays to the Design/Builders for the Project, which is dependent on the timely completion of the advanced utility relocation work.

BACKGROUND

The Project consists of approximately 2.59 miles of twin-bored tunnels and two underground stations located at Westwood/UCLA and Westwood/VA Hospital.

Contract C1153 provides for advanced utility relocations where existing water and power utilities are in conflict with the construction of the future Westwood/UCLA Station. The future station is to be constructed utilizing the cut and cover construction method, with the station structural box decked over for maintaining traffic during construction. The VDS must be operational prior the installation of piles and traffic decking during station construction because it will replace the loop detectors embedded in the existing pavement for controlling traffic signals.

During the preparation of Contract C1153 bid documents, it was anticipated that LADOT would require a VDS to be supplied and installed by the C1151 Tunnel Contractor ahead of the Westwood/UCLA Station end-wall piling work, rather than ahead of the advanced utility relocation work currently being performed under Contract C1153. LADOT requested this change to the requirement after Contract C1153 had been awarded because of the number of loop detectors that would be impacted by trenching for the utility work. The VDS will be used, not only during the duration of Contract C1153, but also for the next eight years during construction of the Project. Therefore, this action is to move the installation earlier, enabling the benefits of the system to be in place at an earlier time.

Contract C1153 was awarded to Steve Bubalo Construction Company on October 25, 2017 at a value of \$11,439,000. The standard CMA of 10% was applied to the award value. Staff is requesting an increase to the CMA of an additional 10% of the contract award value, in the amount of \$1,143,900 to cover potential contract modifications likely to occur resulting from differing underground site conditions related to work on existing underground utilities and possible changes requested by utility companies. CMA will be utilized until such time that a Life-of-Project (LOP) Budget is established by the Board, at which point the CEO will have authority to negotiate and execute contract modifications up to the LOP Budget, in accordance with authority delegated by the Board in January 2018 for all transit and regional rail capital projects program-wide.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funds required in fiscal year 2018 and fiscal year 2019 for the Board actions are included in Project 865523 Westside Purple Line Extension Section 3 Project, in Cost Center 8510 (Construction Project Management), and Account Number 53101 (Acquisition Building and Structure).

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 actions are Measure R 35% and Measure M 35%. The approved FY18 and FY19 budget is designated for the Westside Purple Line Extension Project 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 Section 3 Project. The 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 may decline to approve the recommended actions. This is not recommended as it may prevent and delay the completion of the advanced utility relocations required for the timely execution of the Project.

NEXT STEPS

After the recommended Board actions are approved, Contract Modification No. 2 will be executed with the Steve Bubalo Construction Company.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Modification Authority (CMA) Summary
- Attachment C - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

WESTSIDE PURPLE LINE EXTENSION SECTION 3 (WPLE3)
ADVANCED UTILITY RELOCATION (AUR) / C1153

1.	Contract Number: C42807C1153		
2.	Contractor: Steve Bubalo Construction Company		
3.	Mod. Work Description: Board approval for Contract Modification to install Video Detection System (VDS) per LADOT.		
4.	Contract Work Description: Advanced Utility Relocations		
5.	The following data is current as of May 10, 2018		
6.	Contract Completion Status:		
	Bids/Proposals Opened:	7/17/17	% Completion \$s: 0%
	Contract Awarded:	10/2/17	% Completion time: 26%
	NTP:	1/2/18	Original Contract Days: 490
	Original Complete Date:	5/7/19	Change Order Days: 0
	Current Est. Complete Date:	5/7/19	Suspended Days: 0
	Total Revised Days:		
7.	Financial Status:		
	Contract Award:	\$11,439,000	
	Total Contract Modifications Approved:	\$0	
	Current Contract Value:	\$11,439,000	
	Contract Administrator: John Tor		
	Telephone Number: (213) 922-1031		
8.	Project Manager: Michael McKenna		Telephone Number: (213) 312-3132

A. Contract Action Summary

This Board action is to authorize the CEO to execute Contract Modification No. 2 with Steve Bubalo Construction Company (SBCC) for supply and installation of equipment for a traffic Video Detection System (VDS), and approve an increase in Contract Modification Authority (CMA).

The pending Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a Firm Fixed Price performing to supply and install equipment for a Video Detection System (VDS) required by Los Angeles Department of Transportation.

Metro Chief Executive Officer approved the recommendation for award to Steve Bubalo Construction Company (SBCC), a General Engineering Contractor located in Monrovia, California, on October 2, 2017, in accordance with Public Utilities Code

(PUC) §130051.9c. SBCC was determined to be the lowest priced responsive responsible bidder and was awarded the DBB Contract on October 2, 2017. SBCC's price of \$11,439,000 was determined to be fair and reasonable, based on adequate price competition. The CMA of \$1,143,900 was established per Metro policy and procedures at ten percent of the awarded Contract Price.

Notice to Proceed was issued to Steve Bubalo Construction Company on Jan 2, 2018, with a Period of Performance of 490 Calendar Days.

Refer to Attachment B for modifications issued to date to add/delete work, and the proposed modification currently pending authorization.

B. Cost/Price Analysis

The recommended pricing for the pending changes has been determined to be fair and reasonable based upon an independent cost estimate, cost analysis, technical evaluation, fact finding, and negotiations, in accordance with Metro policy and procedures. SBCC's proposed amount does not exceed the Metro independent cost estimate more than 5% and pursuant to Metro Administrative Code, Chapter 4-15, Section 4-15-030 D, the price proposed by the contractor shall be recommended to the Board of Directors.

Item No.	Changes	Proposal amount	Metro ICE	Recommended amount
Mod 2	VDS & TCP	\$567,554	\$538,532	\$567,554

CONTRACT MODIFICATION/CHANGE ORDER LOG

**WESTSIDE PURPLE LINE SECTION 3 (WPLE3)
ADVANCED UTILITY RELOCATION (AUR)
CONTRACT NO. C1153**

Mod. no.	Description	Status (approved or pending)	Cost		
			Contract Value	Mods.	Board Approved CMA
N/A	Initial Award		\$11,439,000		\$1,143,900
1	Administrative- Typo Correction	Approved		\$0	
2	Video Detection Software and Hardware Installation and Traffic Control Plan	Pending		\$567,554	
Subtotal – Approved Modifications				\$0	\$
Subtotal – Pending Changes/Modifications				\$567,554	\$
Subtotal Totals: Mods. + Pending Changes/Modifications				\$567,554	\$
Subtotal – Pending Claims				\$0	\$
Total: Mods + Pending Changes/Mods + Possible Claims				\$567,554	\$
Previous Authorized CMA					\$1,143,900
CMA Necessary to Execute Pending Changes/Mods + Possible Claims					\$1,143,900
Total CMA including this Action					\$2,287,800
CMA Remaining for Future Changes/Mods after this Action					\$2,287,800

DEOD SUMMARY

**WESTSIDE PURPLE LINE EXTENSION SECTION 3 (WPLE3)
ADVANCED UTILITY RELOCATION (AUR) / C1153**

A. Small Business Participation

Steve Bubalo Construction Co. made an 18.48% Disadvantaged Business Enterprise (DBE) commitment. The project is 1% complete and the current DBE participation is 0%. The Notice to Proceed for this project was issued January 2, 2018, and subcontractors began working on the project in May of 2018. The Prime has committed to meeting or exceeding their DBE commitment.

Small Business Commitment	DBE 18.48%	Small Business Participation	DBE 0%
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	DBE Subcontractors	Ethnicity		% Committed	Current Participation¹
1.	Blackgold Development, Inc.(DBA AC Paving Company)	Hispanic American		3.93%	0%
2.	California Testing & Inspections, Inc.	Hispanic American Female		1.31%	0%
3.	G & C Equipment Corporation	African American		2.62%	0%
4.	Infra-Structure Aggregates, Inc.	Caucasian Female		0.88%	0%
5.	KLP Commercial, LLC	Native American Female		2.62%	0%
6.	Michael Bonsangue Jr. Trucking	Hispanic American		2.19%	0%
7.	Morgner Construction Management	Hispanic American Female		3.50%	0%
8.	Precision Engineering Surveyors, Inc.	Hispanic American		1.43%	0%
	Total			18.48%	0%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

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

The PLA/CCP requires that contractors commit to meet the following targeted hiring goals for select construction contracts over 2.5 million dollars: This Contract falls under the United States Department of Transportation's (U.S. DOT) Local Hire Pilot Program.

Community / Local Area Worker Goal	Apprentice Worker Goal	Disadvantaged Worker Goal
40%	20%	10%