File #: 2019-0050, **File Type:** Contract **Agenda Number:**

CONSTRUCTION COMMITTEE
FEBRUARY 21, 2019

SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 3 PROJECT

ACTION: APPROVE LIFE OF PROJECT BUDGET AND CONTRACT AWARD

RECOMMENDATION

CONSIDER:

A. AMENDING the Life-of-Project (LOP) Budget of $1,374,826,466 to $3,223,623,255 to include the Stations, Trackwork, Systems and Testing portion of the Westside Purple Line Extension Section 3 Project (Project), consistent with previous actions taken by the Board in February 2016, January 2017, and June 2018;

B. AUTHORIZING the Chief Executive Officer (CEO) to award an 89-month firm fixed price contract under Request for Proposal (RFP) No. C45161C1152 to Tutor Perini/O&G, JV, the responsive and responsible Proposer determined to provide Metro with the best value for the final design and construction of the Westside Purple Line Extension Section 3 Project Stations, Trackwork, Systems and Testing, in the amount of $1,363,620,000, subject to the Federal Transit Administration (FTA) approval of a Full Funding Grant Agreement (FFGA) and resolution of protest(s), if any;

C. AUTHORIZING the withholding of funds, pursuant to the provisions of the Measure M Ordinance, from the Local Return/Regional Rail Subfund to pay for the 3% local agency contributions to the Project should no agreement with the local jurisdictions be approved or upon default of payment by a local jurisdiction; and

D. APPROVING an additional 12 full time Metro staff for FY19 to strengthen the existing project management and support team.

ISSUE

In February 2016, the Board authorized staff to begin the necessary steps to advance the project delivery of the Westside Purple Line Extension Section 3 Project (Project) as part of the Shovel Ready Program of Projects, which included the advancement of other Measure R Projects. In

January 2017, the Board approved the Project delivery methodology of design-build.

In consideration of advancing the Project, three procurement packages were established to meet the desired project delivery schedule. The major project work was separated into two discrete design/build procurements: 1) C4043C1151, Tunnels and 2) C45161C1152, Stations, Trackwork, Systems and Testing. The third, the Advanced Utility Relocations contract, was awarded in October 2017 under the FTA pre-award authority.

In June 2018, the Board authorized the CEO to award the C1151 Tunnels contract, subject to the FTA approval of the Letter of No Prejudice (LONP), and to establish the LOP Budget for the Tunnels portion of the Project. The Contract was awarded on November 30, 2018 after receiving a Letter of No Prejudice (LONP) from the FTA. The LONP permitted Metro to award the contract, but not issue the Notice to Proceed (NTP) until the completion of the 23 CFR §771.130 (c) environmental review, which was received on December 21, 2018. The NTP was issued to Frontier-Kemper/Tutor Perini, JV on January 15, 2019. This action to award the Stations, Trackwork, Systems and Testing contract is subject to receiving an FFGA from the FTA. Staff has been working diligently with the FTA to secure an FFGA for the Project.

The recommended actions to amend the LOP Budget for the final phase of the Project and to award Contract C45161C1152 are consistent with the approval actions taken by the Board in February 2016, January 2017, and June 2018. The funding plan is outlined in Attachment C.

Amending the LOP Budget for the Stations, Trackwork, Systems and Testing portion of the Project at the time of contract award is consistent with the recommendations in the Office of the Inspector General (OIG) Construction Management Best Practices Study Report and lessons learned regarding establishing final budgets, when adequate information (such as the recommended price) is available.

As part of the approval process of the FFGA, staff was required to produce a Westside Purple Line Extension Section 3 Project Management Plan (PMP) and sub plans that would ensure that Metro has the capacity and capability to manage and oversee the Project safely, on-time and within budget. As part of the Metro budget process, to strengthen the existing project management and support team, staff will be requesting the need for additional Metro staff. These staff will support engineering, design, construction management, project controls, safety, third party coordination, community relations, and real estate, in accordance with the PMP and the needs of the Project.

BACKGROUND

The Westside Purple Line Extension Section 3 Project consists of approximately 2.56 miles of twin-bored tunnels and two underground stations located at Westwood/UCLA and Westwood/VA Hospital. Advanced utility relocation work has begun and is approximately 70% complete. That work began

under pre-award authority that was granted by the FTA in 2012 upon approval of the Record of Decision. The major design and construction work will be performed under two contracts; C1151 for the twin bore tunnels and C1152 for the stations, trackwork, systems and testing.

In January 2017, the Board authorized staff to use a design/build contracting delivery approach to complete the final design and construction of the Project and to solicit two contracts for the 2.56-mile dual track heavy rail extension and two new underground stations. The Board authorized the procurement under Public Utilities Code (PUC) Section 130242(a) and Public Contract Code Sections 22160 - 22169 to reduce project costs, expedite project completion and allow for an award to the lowest responsive and responsible bidder, or the negotiation and award of a design/build contract to a responsible proposer whose proposal is determined to be the best value to Metro.

A Request for Qualifications (RFQ)/Request for Proposals (RFP) two-phase negotiated procurement was implemented for the C1152 design/build delivery approach. An open procurement was advertised on September 15, 2017, which culminated with five firms meeting the RFQ requirements and subsequently invited to submit proposals in response to the second phase of the solicitation, the RFP. Additional details for the procurement process, including the evaluation results, are in Attachment A.

DISCUSSION

The recommended action to award the contract to the most advantageous proposer, Tutor Perini/O&G,JV, is based on a “Best Value” selection process. In accordance with Public Contract Code Sections 22160 - 22169, the RFP defined Best Value as a value determined by objective criteria and may include, but is not limited to price, features, functions, life-cycle costs, and other criteria deemed appropriate by Metro; and the Best Value Proposal as the most advantageous Proposal to Metro when evaluated in accordance with the Evaluation Criteria defined in the RFP.

The Source Selection Plan and the RFP established the weighted value assigned to the major evaluation criteria:

·	Project Management	45%
·	Technical Approach	20%
·	Price	35%
	Subtotal	100%

· A Prompt Payment to Subcontractors Initiative 5% (bonus scoring)

Total 105%

After a thorough and extensive competitive procurement process, staff recommends Tutor Perini/O&G, JV as the contractoring team for the final design and construction of the Westside Purple Line Extension Section 3 Project Stations, Trackwork, Systems and Testing.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Cumulative funds required through fiscal year 2019, in the amount of $268,275,191, 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 fiscal years.

On June 15, 2017, the Board authorized the Chief Executive Officer to enter into a stipend agreement with the unsuccessful responsive proposers for the Project, in the amount of $1,250,000. A stipend is a common construction industry practice to compensate unsuccessful responsive and responsible proposers for the high cost of producing a competitive and comprehensive proposal. Both AECOM Westside Partners and Healy Dragados PL3S JV will receive a stipend in exchange for their work products, which entitles Metro's use of any such products.

Impact to Budget

The FY19 sources of funds for the recommended actions includes Section 5309 New Starts Funds advanced for FY19, Measure R 35% and Measure M 35%. The approved FY19 budget is designated for the Westside Purple Line Extension Project and does not have an impact to operations funding sources. The Project is not eligible for Propositions A and C funding due to the tunneling element of the Project. No other funds were considered.

Multiyear Impact

The sources of funds to support the $3.224 Billion Project LOP are capital funds identified in the recommended Funding/Expenditure Plan as shown in Attachment C. Federal sources are identified with Measure R 35%, Measure M 35% and Local Returns funding the balance of project costs. The project cost was included and funded in the 2017 Long Range Transportation Plan Financial Forecast.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports Strategic Plan Goal #3 - Plan and deliver capital projects on time and budget while increasing opportunities for small business development and innovation. The recommendation supports the plan to deliver the Project in time to support the 2028 Olympic and Paralympic Games while broadening small business opportunities.

ALTERNATIVES CONSIDERED

The Board may choose to not move forward with the contract award and amending the LOP Budget for the second and final project phase. This is not recommended as this is an adopted project within the Long Range Transportation Plan, and not moving forward with the recommendations will delay the schedule, increase the cost of the Project, and jeopardize $1.3 billion in New Starts funding from the FTA, as well as jeopardize completion of the Westside Purple Line Extension Section 3 Project by 2027.

NEXT STEPS

Upon approval by the Board and the receipt of an FFGA, Metro will issue a Notice-of-Award, execute a contract with the recommended Design/Build Contractor and once bonds, insurance, and project labor agreement requirements are met; issue a Contract Notice-to-Proceed. Thereafter, the LOP Budget will be amended accordingly per Recommendation A.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Funding /Expenditure Plan
Attachment D - Request for Project Staff Positions

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Phillip A. Washington
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PROCUREMENT SUMMARY

WESTSIDE PURPLE LINE EXTENSION SECTION 3 STATIONS PROJECT-DESIGN/BUILD
CONTRACT NO. C45161C1152

1.	**Contract Number**: C45161C1152	
2.	**Recommended Vendor:** Tutor Perini/O&G, JV, a Joint Venture	
3.	**Type of Procurement (check one):** ☐ **IFB** ☒ **RFP** ☐ **RFP–A&E** ☐ **Non-Competitive** ☐ **Modification** ☐ **Task Order**	
4.	**Procurement Dates**:	
	A. Issued: 9-15-2017	
	B. Advertised/Publicized: 9-15-2017	
	C. Pre-Proposal Conference: 10-9-2017	
	D. Proposals Due: 08-22-2018	
	E. Pre-Qualification Completed: 1-23-2018	
	F. Conflict of Interest Form Submitted to Ethics: 8-24-2018	
	G. Protest Period End Date: 3-2-2019	
5.	**Solicitations Picked up**: 66	**Bids/Proposals Received**: 3
6.	**Contract Administrator**: Albert Soliz	**Telephone Number**: 213-418-3110
7.	**Project Manager**: Kimberly Ong	**Telephone Number**: 213-312-3143

A. Procurement Background

This Board Action is to approve the award of a design-build "Best Value" procurement issued in support of the Westside Purple Line Extension Section 3 Stations Project (Project). This Project will extend the existing heavy rail subway Purple Line approximately 2.59 miles from the future Century City Constellation Station site and includes two stations - the Westwood/UCLA Station and Westwood/VA Hospital Station. The Section 3 alignment extends beneath the City of Los Angeles, Caltrans (I-405), County of Los Angeles, and Veterans Affairs (VA) Hospital property. Board approval of the contract award is subject to resolution of any properly submitted protest(s).

The Work under this contract includes, but is not limited to, furnishing all management, coordination, professional services, labor, equipment, materials and other services to perform the final design and construction of Stations, Trackwork, Utilities and Systems of the Project. The contract type is a firm fixed price.

A Request for Qualification (RFQ)/Request for Proposal (RFP) was issued on September 15, 2017. A pre-proposal conference was held on October 9, 2017, in the Board Room with representatives of approximately 200 firms in attendance. A networking event was held for the subcontracting community, including DBEs immediately after the conference.

The RFQ/RFP implemented a two-phase negotiated procurement in accordance with California Public Contract Code § 22160-22169 and in accordance with Metro's Acquisition Policy. The first phase of the procurement was a request for Statement of Qualifications (SOQ), where a qualification evaluation team determined the entities pre-qualified to proceed to the second phase, submitting a proposal. Five SOQs were received on November 13, 2017.

On January 11, 2018, the qualification evaluation team determined all five respondents qualified to participate in the second phase of the procurement process and submit proposals. The firms were:

- AECOM Westside Partners
- Healy Dragados PL3S, JV
- Skanska-Obayashi, JV
- Tutor Perini/O&G, JV
- Walsh-Traylor JV

The second phase of the procurement process sought Request for Proposals (RFP), due on August 22, 2018. Proposers were required to provide the following:

Administrative Submittal - Providing licensing, certifications, disclosure of litigation, Disadvantaged Business Enterprise (DBE) and subcontractor information, past performance, organizational documents, and insurance requirements.

Project Management Submittal – Providing information that addressed skill and experience, approach to management, design and construction, DBE Contracting Outreach, risk, safety, quality and schedule.

Technical Approach Submittal – Requesting proposer's understanding of the technical issues, scope and approaches to develop and effectively execute appropriate and efficient solutions to technical issues for utilities, traffic engineering, drainage, trackwork, general civil works, station design, geotechnical, environmental compliance, traffic management, jurisdictional coordination, track electrification, signaling, communications, ventilations, and system integration.

Pricing Submittal – Providing the proposer's price for the following: Base Proposal (base work), Provisional Sums, Unit Prices, Delay Compensation, and Life Cycle Costs.

During the solicitation, Proposers and subcontractors submitted technical and commercial questions that were recorded, reviewed, and responses issued by Metro staff. Formal written answers to 212 questions were provided to the 70 planholders.

Twelve amendments were issued to the RFQ/RFP during the solicitation process:

- Amendment No. 1, issued on October 13, 2017, clarified the Key Personnel years of experience and the Disadvantaged Business Enterprise (DBE) Program requirements;
- Amendment No. 2, issued on November 3, 2017, clarified Metro's Local Hire Initiative and replaced a duplicate question on the past performance questionnaire;
- Amendment No. 3, issued on December 15, 2017, provided RFP Reference Documents and revised reference drawings;
- Amendment No. 4, issued on December 29, 2018, revised portions of the Project Definition Documents;
- Amendment No. 5, issued on January 23, 2018, announced the firms which met the minimum pre-qualification requirement to submit Proposals;
- Amendment No. 6, issued on February 7, 2018, revised portions of the Project Definition Documents and drawings;
- Amendment No. 7, issued on March 23, 2018, revised portions of Project Definition Documents, Reference Documents and schedules;
- Amendment No. 8, issued on April 2, 2018, added additional Reference Documents and Definition Drawings;
- Amendment No. 9, issued on April 5, 2018, revised the Proposal Due date to June 22, 2018;
- Amendment No. 10, issued on April 25, 2018, revised portions of the Project Definition Documents and Reference Documents;
- Amendment No. 11, issued on May 15, 2018, revised the Proposal Due date to August 22, 2018 and;
- Amendment No. 12, issued on June 6, 2018, revised the General Condition for Subcontractor Costs and revised portions of the Project Definition Documents, Reference Documents and schedules.

Three proposals were received on August 22, 2018, from the following firms:

- AECOM Westside Partners, comprised of AECOM Energy & Construction, Inc., of Los Angeles; California, Shimmick Construction Company, Inc., of Irvine, California, an AECOM company; Tishman Construction Corporation of Los Angeles, California, an AECOM company; and a joint venture of AECOM Technical Services Inc., of Los Angeles, California and FMG Architects Design, of Los Angeles.

- Healy Dragados PL3S JV, a joint venture of S.A. Healy Company of Henderson, Nevada and Dragados USA, Inc., of Costa Mesa, California.

- Tutor Perini/O&G, JV, a joint venture of Tutor Perini Corporation of Sylmar, California and O&G Industries, Inc. of Torrington, Connecticut.

Two pre-qualified firms, Skanska-Obayashi, JV and Walsh-Traylor JV, elected to not submit proposals, citing commitments to other projects.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of one representative each from Metro Program Management, Systems Engineering, and Transportation Planning conducted a comprehensive evaluation of the proposals received, in accordance with the factors and sub-factors set forth in the RFP and Source Selection Plan to assign a score and ranking. Additionally, the PET was supported by 15 subject matter experts (SME) in key areas of the evaluation criteria, who reviewed those portions of the proposals and provided written reports to the PET to aid in the evaluation. Only members of the PET scored the Proposals.

The proposals were evaluated based on the following major evaluation criteria and weights:

- Project Management 45 percent
- Technical Approach 20 percent
- Price 35 percent
- A Prompt Payment to Subcontractors Initiative 5 percent (bonus scoring)

The Proposers could opt for the prompt payment initiative, noted above, that requires the prime contractor to pay its first tier subcontractors for work completed prior to submitting its monthly billing to Metro. This triggers the cascading of earlier payments where each subcontractor must make payment to their subcontractors of undisputed amounts within 7 days of having received payment. In return, Metro provides terms of Net 21 days payment of undisputed amounts to the Contractor.

Proposers received written Requests for Clarification from the PET regarding topics, such as, work experience, key personnel assignments, management approach, design approach, schedule, risk management approach and organizational documents. DEOD also sought clarification on the DBE participation forms submitted in the proposals.

During the period of November 6, 2018 to November 18, 2018, each proposing team provided an oral presentation to the PET for the purpose of highlighting certain aspects of their written proposals, enhance the PET's understanding of the Proposals and facilitate the evaluation process. The agenda of the presentation was standardized in duration and topics for each Proposer that was followed by standardized questions asked by the PET. Each of the Proposer's responses to those questions were followed by formal written responses to provide each team the best opportunity to highlight strengths within their Proposal.

Upon the conclusion of oral presentations and the receipt of all clarifications, the PET finalized the Technical Approach and Project Management evaluation scoring.

Price Proposals were evaluated for price reasonableness and scored in compliance with the methods set forth in the RFP and Source Selection Plan, see Section C, Cost/Price Analysis. The results of the weighted scoring were then added to arrive at the cumulative total score for each Proposal.

Each of the three proposals were responsive to the requirements of the RFP, including evidence of bonding capability, insurability, current contract licenses, appropriate and duly notarized joint venture agreements, as well as disclosure of litigation.

Based upon the final scoring of the Evaluation Criteria weightings, the PET determined that a recommendation for Award could be made without further Discussions or Best and Final Offer (BAFO).

A summary of the of the final evaluation criteria scores for each Proposal is provided below:

Firm	Average Score	Factor Weight	Weighted Average Score	Rank
Tutor Perini/O & G, JV				
Project Management	86.69	45.00%	39.01	
Technical Approach	87.20	20.00%	17.44	
Price	98.57	35.00%	34.50	
*Voluntary Payment to Subcontractors Initiative	100.00	5.00%	5.00	
Total		**105.00%**	**95.95**	**1**
Healy Dragados PL3S, JV				
Project Management	83.27	45.00%	37.47	
Technical Approach	81.50	20.00%	16.30	
Price	89.14	35.00%	31.20	
*Voluntary Payment to Subcontractors Initiative	100.00	5.00%	5.00	
Total		**105.00%**	**89.97**	**2**
AECOM Westside Partners				
Project Management	83.38	45.00%	37.52	
Technical Approach	82.10	20.00%	16.42	
Price	87.37	35.00%	30.58	
*Voluntary Payment to Subcontractors Initiative	100.00	5.00%	5.00	
Total		**105.00%**	**89.52**	**3**

Scores rounded to the second decimal
** All Proposers received full credit.*

Evaluation Outcome

Each of the proposals was determined to have met or exceeded the minimum requirements of the evaluation scoring standards. While all proposers are capable of performing the work, the PET's evaluation determined that it need not consider any tradeoff factors in determining the Best Value.

Based on the assessment of all proposals, the Proposal Evaluation Team determined, in accordance with the specified evaluation factors and sub-factors, that the Tutor Perini/O&G, JV Proposal offers the Best Value overall, and is the most advantageous to Metro.

Significant strengths of Tutor Perini/O&G, JV's Proposal included their understanding of attaining approval of project plans from agencies and jurisdictions involved in the Project; the ability to transition subcontractors from the Section 2 project; and the lowest responsive price.

C. Cost/Price Analysis

A line by line proposal pricing evaluation for price reasonableness was performed and is documented in the procurement file. Each price proposal was evaluated for price reasonableness to determine if the proposer's price fully contemplated the required work; unbalanced pricing that evaluates, despite an acceptable total evaluated price, the price of one or more line items is significantly overstated or understated; and the proposer's ability to perform the work for the stated pricing compared to Project Management and Technical Approach submittal.

The price of the recommended award is determined to be fair and reasonable based on Metro's budget, corresponding funding levels, adequate price competition, and comparison to the independent cost estimate which was submitted concurrently with the proposals.

Proposer Name	Total Price Proposal[1]	Total ICE[2] Price Proposal	Award Price[3]	ICE[2] Award Price[3]
AECOM Westside Partners	$1,673,015,004	$1,328,583,699	$1,591,840,500	$1,241,176,270
Healy Dragados PL3S, JV	$1,554,333,297		$1,428,892,540	
Tutor Perini/O&G, JV	$1,450,424,058		$1,363,620,000	

Note[1]: The Total Price Proposal includes the Base Work, Provisional Sums, Unit Prices, Delay Compensation, and Life Cycle Costs.
Note[2]: The Independent Cost Estimate (ICE) amounts are submitted before the due date and opened concurrently with the other Proposals.
Note[3]: The Award Price includes Base Work and Provisional Sums only.

Tutor Perini/O&G, JV is also the contractor for the Purple Line Section 2 work and a part of the joint venture awarded the Section 3 Tunnels work, as such, Tutor Perini/O&G, JV offered LACMTA within its Proposal a simplified solution to integrating and coordinating this Contract with the other two existing Purple Line contracts. The declaration was not considered in the evaluation by the PET, but was further confirmed and clarified by the LACMTA Contracting Officer and affirmed as to be added to the Contract requirements, if the Proposer was the successful Proposer.

This added provision provides for integration of the Purple Line contracts, as if the Contractor is managing one contract, without combining Key Personnel or other key resources, to significantly reduce the risks of Delay and cost overruns between the Contracts due to the contractor's actions or inactions.

D. Background of Recommended Contractor

Tutor Perini/O&G, JV is a fully integrated joint venture between Tutor Perini Corporation (Tutor Perini), the Managing Partner with 75% equity, and O&G Industries, Inc. (O&G) with 25% equity.

Tutor Perini Corporation, headquartered in Sylmar, California, is ranked 10th on Engineering News-Record (ENR)'s Top 400 Contractors list for 2018. Tutor Perini Corporation has performed work on very large projects in the City of Los Angeles, throughout California, and the US, including more than 20 separate projects for LACMTA's underground system. Recent major project experience includes Purple Line Extension Section 2, the Third Street Light Rail Program Phase 2, Gold Line Eastside Extension and California High Speed Rail Construction Package 1.

O&G Industries, Inc. is a privately held company, is ranked 321st on Engineering News-Record (ENR)'s Top 400 Contractors list for 2018 and is one of the largest heavy civil contractors in the Northeast. O & G has worked with Tutor Perini on large projects in the past. Locally, Tutor Perini and O & G delivered the D-B Alameda Corridor Project in south Los Angeles.

STV is the lead design firm and is currently ranked 7th among ENR's Top 25 in Mass Transit and Rail and 9th among the Top 50 in the Transportation category. STV has worked with Tutor Perini on design-build transportation projects throughout the United States since 1997, as well as on Section 2.

DEOD SUMMARY

WESTSIDE PURPLE LINE EXTENSION SECTION 3 PROJECT – DESIGN/BUILD
CONTRACT NO. C45161C1152
Stations, Trackwork, Systems and Testing

A. (1) Small Business Participation - Design

The Diversity and Economic Opportunity Department (DEOD) established a 17% Disadvantaged Business Enterprise (DBE) goal for Design. Tutor Perini/O&G, JV exceeded the goal by making a 19.25% DBE commitment.

Small Business Goal	17% DBE	Small Business Commitment	19.25% DBE

	DBE Subcontractors	Ethnicity	% Committed
1.	Coast Surveying, Inc.	Hispanic American	0.74%
2.	Colmena Engineering	Hispanic American	0.58%
3.	Cornerstone Studios, Inc.	Asian Pacific American	0.35%
4.	Electrical Building Systems, Inc.	Hispanic American	1.64%
5.	Hinman Consulting Engineers, Inc.	Non-Minority Female	0.10%
6.	LIN Consulting, Inc.	Asian Pacific American	1.68%
7.	NUVIS	Hispanic American	0.87%
8.	OptiTrans	Asian Pacific American	0.79%
9.	Pacific Railway Enterprises	Non-Minority Female	0.33%
10	PacRim Engineering, Inc.	Asian Pacific American	4.92%
11.	Sanchez/Kamp & Associates dba SKA Design	Hispanic American	0.47%
12.	Ted Tokio Tanaka Architects	Asian Pacific American	4.94%
13.	The Morcos Group, Inc.	Non-Minority Female	0.96%
14.	V&A, Inc.	Hispanic American	0.88%
		Total DBE Commitment	19.25%

A. (2) Small Business Participation - Construction

DEOD established a 21% DBE goal for Construction. Tutor Perini/O&G, JV exceeded the goal by making a 21% DBE commitment. To be responsive to DBE requirements, Tutor Perini/O&G, JV was required to identify all known DBE subcontractors at the time of proposal. Tutor Perini/O&G, JV listed two (2) known DBE firms as noted below, with commitments totaling 21%. In addition, Tutor

Perini/O&G, JV is required to submit a DBE Contracting Plan within sixty (60) days after Notice to Proceed (NTP), identifying construction opportunities to meet its DBE commitment of 21%. Tutor Perini/O&G, JV must update the Contracting Plan monthly as contract work is bid and awarded to DBE firms.

Small Business Goal	**21% DBE**	**Small Business Commitment**	**21% DBE**

	DBE Subcontractors	**Ethnicity**	**% Committed**
1.	Modern Times, Inc.	Hispanic American	0.03%
2.	Valverde Construction, Inc.	Hispanic American	1.87%
3.	To Be Determined at Time of Final Design	TBD	19.10 %
		Total DBE Commitment	21.00%

B. Contracting Outreach and Mentoring Plan (COMP)

To be responsive, Proposers were required to submit a Contracting Outreach and Mentoring Plan (COMP) including strategies to mentor for protégé development two (2) DBE firms for Design and four (4) DBE firms for Construction. Tutor Perini/O&G, JV selected PacRim Engineering and LIN Consulting, Inc. as protégés for Design and committed to identify the four (4) Construction protégés after the start of Construction.

C. 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:

Federally Funded Projects		
Extremely / Economically Disadvantaged Worker Goal	Apprentice Worker Goal	Disadvantaged Worker Goal
40%	20%	10%

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 U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

E. Living Wage Service Contract Worker Retention Policy Applicability

The Living Wage / Service Contract Worker Retention Policy is not applicable to this design/build contract.

FUNDING / EXPENDITURE PLAN
WESTSIDE PURPLE LINE EXTENSION SECTION 3 PROJECT
LIFE OF PROJECT BUDGET (LOP)

ATTACHMENT C

(DOLLARS IN MILLIONS)

Capital Project 865523	Prior	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28 to FY31	LOP Total	% of Total	Previously Appr'd LOP for Phase 1	Request Balance of LOP
Uses of Funds															
Guideway & Track Elements	0.0	26.5	46.4	81.5	102.7	103.1	82.6	48.0	0.0	0.0	0.0	490.7	15.2%	362.6	128.1
Stations, Stops, Terminals, Intermodal	0.0	0.1	48.6	89.9	114.6	124.1	117.3	151.4	147.2	0.6	0.0	793.9	24.6%	6.4	787.5
Sitework & Special Conditions	3.1	52.0	59.4	56.4	75.7	82.3	75.7	57.5	29.6	0.0	0.0	491.8	15.3%	187.3	304.5
Row, Land, Existing Improvements	0.0	100.0	209.6	95.5	61.7	0.0	0.0	0.0	0.0	0.0	0.0	466.9	14.5%	465.9	1.0
Professional Services	49.5	28.2	72.7	72.7	72.7	72.7	52.3	41.2	27.6	15.1	0.0	504.5	15.6%	212.3	292.2
Unallocated Contingency	0.0	8.0	14.0	82.0	87.8	79.5	69.5	64.1	46.9	12.3	0.0	464.1	14.4%	128.6	335.5
Section 3 LOP Budget (FFGA) Subtotal:	**52.6**	**214.8**	**450.7**	**478.0**	**515.2**	**461.6**	**397.5**	**362.2**	**251.4**	**28.0**	**0.0**	**3,211.9**	**99.6%**	**1,363.1**	**1,848.8**
Sitework & Special Condition	0.0	0.0	0.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	6.0	0.2%	6.0	0.0
ROW Acquisition (Lost of Good Will)	0.0	0.5	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0%	1.0	0.0
Professional Services	0.0	1.0	1.0	1.0	0.6	0.0	0.0	0.0	0.0	0.0	0.0	3.6	0.1%	3.6	0.0
Planning / Environmental	0.8	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.1	0.04%	1.1	0.0
Concurrent Non-FFGA Subtotal:	**0.8**	**1.8**	**1.5**	**7.0**	**0.6**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**11.7**	**0.4%**	**11.7**	**0.0**
Total Life of Project Budget (LOP):	**53.4**	**216.6**	**452.2**	**485.0**	**515.8**	**461.6**	**397.5**	**362.2**	**251.4**	**28.0**	**0.0**	**3,223.6**	**100%**	**1,374.8**	**1,848.8**
Source of Funds															
Federal Sources															
Section 5309 New Starts	0.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	400.0	1,300.0	40.3%	283.8	1,016.2
Surface Transportation Block Grant Program	0.0	0.0	0.0	0.0	0.0	0.0	0.0	93.0	0.0	0.0	0.0	93.0	2.9%	0.0	93.0
Congestion Mitigation & Air Quality Program	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.1	25.0	14.9	0.0	45.0	1.4%	0.0	45.0
Total Federal Funds	**0.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**198.1**	**125.0**	**114.9**	**400.0**	**1,438.0**	**44.6%**	**283.8**	**1,154.2**
Non-Federal Sources															
Local Funds	53.4	116.6	352.2	385.0	433.8	379.6	333.6	167.2	207.1	13.0	0.0	2441.5	75.7%	1,091.0	1,350.5
Reimbursement of Local Funds from New Starts *	0.0	0.0	0.0	0.0	(18.0)	(18.0)	(36.1)	(34.9)	(80.7)	(100.0)	(400.0)	(687.8)	(0.2)	0.0	(687.8)
Regional Improvement Program Funds (RIP)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	31.8	0.0	0.0	0.0	31.8	0.0	0.0	31.8
Total Non-Federal Funds	**53.4**	**116.6**	**352.2**	**385.0**	**415.8**	**361.6**	**297.5**	**164.1**	**126.4**	**(87.0)**	**(400.0)**	**1,785.6**	**0.6**	**1,091.0**	**694.6**
Total Life of Project Budget Funding:	**53.4**	**216.6**	**452.2**	**485.0**	**515.8**	**461.6**	**397.5**	**362.2**	**251.4**	**28.0**	**0.0**	**3,223.6**	**100%**	**1,374.8**	**1,848.8**

* Does not include finance costs

* Timing of funding sources is subject to change

REQUEST FOR PROJECT STAFF POSITIONS **ATTACHMENT D**
WESTSIDE PURPLE LINE EXTENSION SECTION 3 PROJECT

No. FTE	Cost Center	Position Title	Job Description	QTR Needed
1	6510	Principal Real Estate Officer (Acquisitions)	The Principal Real Estate Officer (Acquisitions) serves in a lead capacity performing highly complex real estate functions, including property acquisition and other specific tasks, and may supervise subordinate staff in support of the Project needs.	FY19, Q3
1	**Subtotal 6510**			
1	6810	Director Construction (Safety)	The Director of Construction (Safety) provides direction and leadership to individuals inside and outside of Metro, and ensures construction contract compliance, as well as compliance with applicable federal, state, and local safety regulations in support of the Project. This position is also responsible for overseeing the implementation of the Corporate Construction Safety Goals and Objectives at the line supervision level.	FY19, Q3
1	**Subtotal 6810**			
1	7120	Sr. Manager Transportation Planning	The Senior Manager, Transportation Planning will work closely with the Project Manager, engineers, design professionals and community members to ensure holistic integration of art and design into the Project, as well as the required removal and/or demolition of third party artworks is addressed with sensitivity. Will engage significant art, design and cultural organization stakeholders, non-profits, schools and community members in the project area to develop community arts and cultural resource guides and ensure early input into the process and application of industry best practices. Will host artist workshops, develop scopes of work, issue calls to artists, respond to RFIs, review technical submittals, participate in design resolution, cost estimating, value engineering, construction management, manage art design development, fabrication, installation and other related project delivery activities.	FY19, Q3
1	**Subtotal 7119**			
1	7160	Sr. Construction Relations Officer	The Sr. Community Relations Officer's primary responsibilities are to conduct public outreach, stakeholder communications and construction impact coordination and mitigation in partnership with project management and contractors.	FY19, Q3
1	**Subtotal 7160**			

No. FTE	Cost Center	Position Title	Job Description	QTR Needed
1	8010	Sr. Director Construction (Systems)	The Sr. Director Construction (Systems) oversees, manages, and coordinates design and construction activities related to systems final design, design support during construction and testing/startup of the Project. This position has the day-to-day responsibility of directing Metro Engineering staff assigned to the Project to review work performed by the contractor's design consultants.	FY19, Q3
1	8010	Director Construction (Systems)	Director of Construction (Systems) reports to the Sr. Director Construction (Systems) oversees the day-to-day engineering and construction management services staff assigned to the Project.	FY20, Q1
1	8010	Director Construction	Director of Construction reports to the D.E.O., Program Management and oversees the day-to-day activities of the construction management support services staff assigned to the Project.	FY19, Q3
1	8010	Sr. Administrative Analyst	The Sr. Administrative Analyst provides administrative and analytical support, and interacts with Metro staff, consultants and outside agencies and coordinates administrative functions. Coordinates work efforts for new projects/contracts, sets up preliminary project management plans and other requirements in support of the departmental Directors.	FY19, Q3
1	8010	Engineering Associate	The Engineering Associate performs intermediate-level engineering technical work in support the Project.	FY19, Q3
5	**Subtotal 8010**			
1	8430	Third Party Administrator	The Third Party Administrator plans and coordinates the multi-disciplined and complex work associated with the Project construction activities involving public agencies, public/private utilities, and other third parties.	FY19, Q3
1	**Subtotal 8430**			
1	8610	Director Cost Estimating	The Director of Cost Estimating provides cost estimating oversight and direction to the Project estimating staff that provide independent project specific cost estimates and analysis.	FY19, Q3
1	8610	Sr. Configuration Management Analyst	The Sr. Configuration Management Analyst processes request for information, change notices, contract modifications, submittals, drawings, claims, and project correspondence for compliance with laws, regulations and requirements.	FY19, Q3
2	**Subtotal 8610**			

No. FTE	Cost Center	Position Title	Job Description	QTR Needed
12	Total			

Westside Purple Line Extension Stations Project - Section 3
C1152 Recommendation for Award – Board Meeting
February 28, 2019

Westside Purple Line Extension Stations Project - Section 3
C1152 Recommendation for Award
Board Item 2019-0050 - Recommended Actions

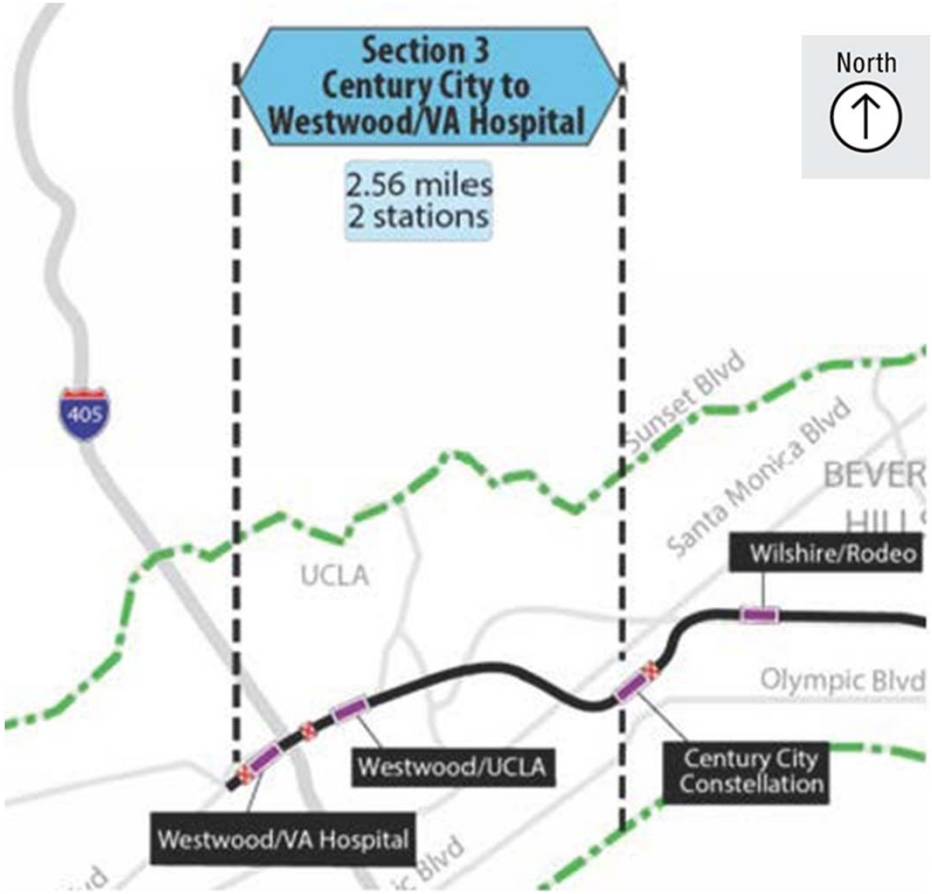
A. AMENDING the Life-of-Project (LOP) Budget of $1,374,826,466 to $3,223,623,255 to include the Stations, Trackwork, Systems and Testing portion of the Westside Purple Line Extension Section 3 Project (Project), consistent with previous actions taken by the Board in February 2016, January 2017, and June 2018;

B. AUTHORIZING the Chief Executive Officer (CEO) to award an 89-month firm fixed price contract under Request for Proposal (RFP) No. C45161C1152 to Tutor Perini/O&G, JV, the responsive and responsible Proposer determined to provide Metro with the best value for the final design and construction of the Westside Purple Line Extension Section 3 Project Stations, Trackwork, Systems and Testing, in the amount of $1,363,620,000, subject to the Federal Transit Administration (FTA) approval of a Full Funding Grant Agreement (FFGA), and resolution of protest(s), if any;

C. AUTHORIZING the withholding of funds, pursuant to the provisions of the Measure M Ordinance, from the Local Return/Regional Rail Subfund to pay for the 3% local agency contributions to the Project should no agreement with the local jurisdictions be approved or upon default of payment by a local jurisdiction; and

D. APPROVING an additional 12 full time Metro staff for FY19 to strengthen the existing project management and support team.

Westside Purple Line Extension Section 3 Project (Century City Constellation to Westwood/VA Hospital) Project Description



- The WPLE Section 3 Project is a 2.56 mile alignment from the future Century City Constellation Station to the future Westwood/VA Hospital Station. The Project includes 16 heavy rail vehicles, twin-bored tunnels and two (2) new subway stations:
  - Westwood/UCLA
  - Westwood/VA Hospital
- Requested LOP Budget
  - $3.22 Billion
- Revenue Service Date:
  - Forecast – 2027
- Daily Project Transit Trips: 42,903
- Daily New Transit Trips: 9,386

Westside Purple Line Extension Stations Project - Section 3
C1152 Recommendation for Award
Basis of Award/Procurement Method

LACMTA used a competitive negotiated procurement process to select the contractor for the design-build delivery, as follows.

Request for Qualifications to establish a listing of pre-qualified teams. On September 15, 2017, five teams submitted Statements of Qualifications..

Request for Proposal – On August 22, 2018, three of the five pre-qualified teams submitted proposals:

AECOM Westside Partners
Healy Dragados PL3S, JV
Tutor Perini/O&G, JV

Two pre-qualified firms, Skanska-Obayashi, JV and Walsh-Traylor JV, elected to not submit proposals, citing commitments to other projects.

The basis for award is to a responsive and responsible Proposal determined by LACMTA, based on the evaluation factors set forth in the RFP, to provide the best value.

Notice of Intent to Award was issued on February 15, 2019.

Westside Purple Line Extension Stations Project - Section 3
C1152 Recommendation for Award
Price Analysis

Proposer Name	Total Price Proposal[1]	Total ICE[2] Price Proposal	Award Price[3]	ICE[2] Award Price[3]
AECOM Westside Partners	$1,673,015,004	$1,328,583,699	$1,591,840,500	$1,241,176,270
Healy Dragados PL3S, JV	$1,554,333,297		$1,428,892,540	
Tutor Perini/O&G, JV	$1,450,424,058		$1,363,620,000	

Note[1]: The Total Price Proposal includes the Base Work, Provisional Sums, Unit Prices, Delay Compensation, and Life Cycle Costs.
Note[2]: The Independent Cost Estimate (ICE) amounts are submitted before the due date and opened concurrently with the other Proposals.
Note[3]: The Award Price includes Base Work and Provisional Sums only.

A line by line detailed price comparison of all Price Proposals with the Independent Cost Estimate (ICE) was performed. The one line item which represented a significant component of lower costs than other Proposers for Tutor Perini/O&G, JV was the General Requirements line Item.

An evaluation for price reasonableness was performed for each Proposal, to determine: 1) If the proposer's price fully contemplates the required work; 2) Unbalanced pricing, which despite an acceptable total evaluated price, the price of one or more line items is significantly overstated or understated; and 3) The proposer's ability to perform the work for the stated pricing compared to their Management and Technical Approach submittal.

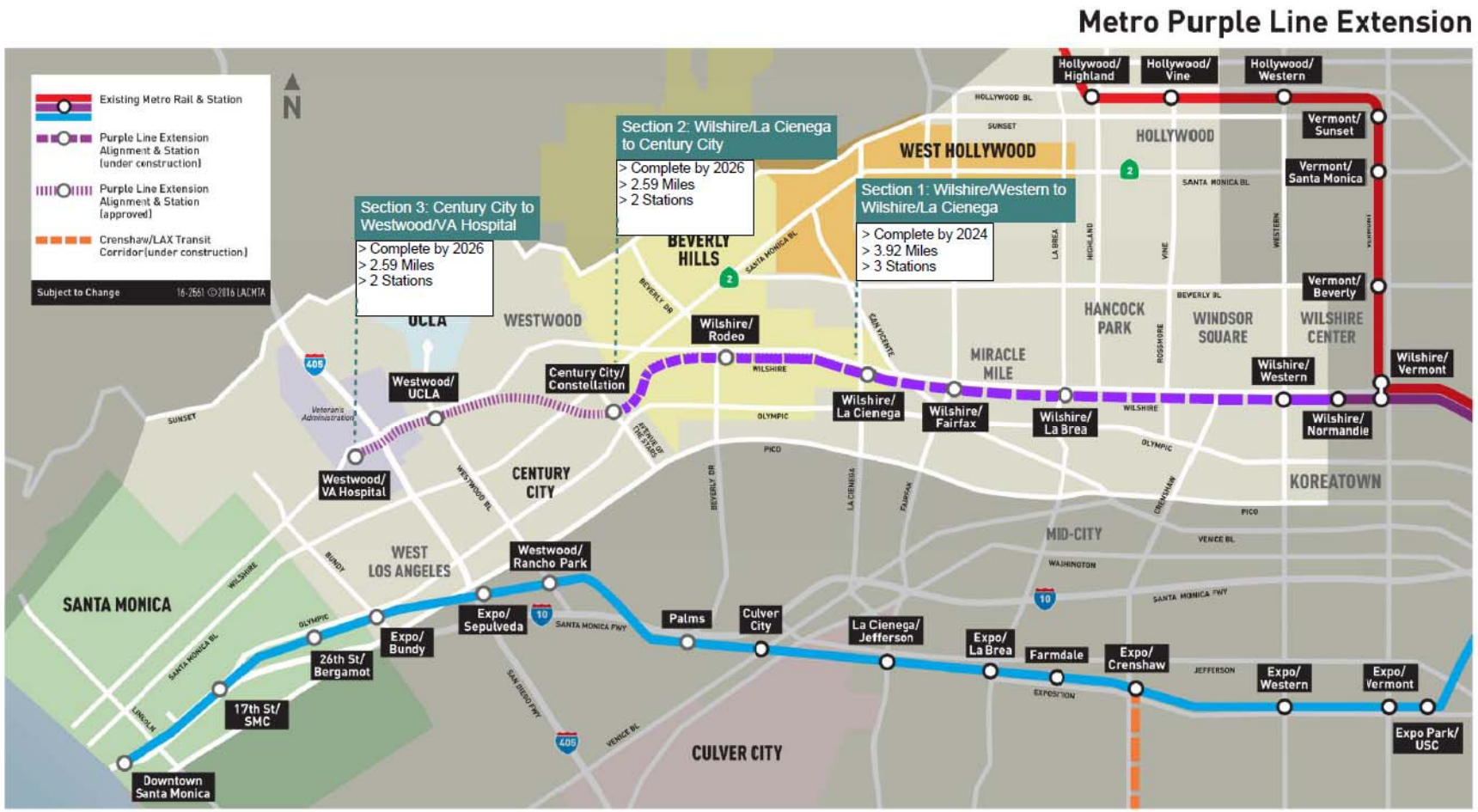
The price of the recommended award is determined to be fair and reasonable based on Metro's budget, corresponding funding levels, adequate price competition, and comparison to the Independent Cost Estimate which was submitted concurrently with the proposals

Westside Purple Line Extension Stations Project - Section 3
C1152 Recommendation for Award
Disadvantage Business Enterprise Determination

The Diversity & Economic Opportunity Department (DEOD) Disadvantaged Business Enterprise (DBE) subcontractor goals for the project were established at 16% for Design and 21% for Construction. Proposers were required to identify DBE subcontractors for Design and provide a DBE Contracting Plan detailing their plan to achieve their DBE commitment for Construction.

Tutor Perini/O&G, JV's proposal committed to a DBE subcontractor goal of 19.25% for Design and 21.00% for Construction.

Westside Purple Line Extension Stations Project - Section 3
C1152 Recommendation for Award
Questions



Metro