



## Board Report

File #: 2020-0179, File Type: Contract

Agenda Number: 41.

### REGULAR BOARD MEETING APRIL 23, 2020

**SUBJECT: METRO CENTER PROJECT (FORMERLY ESOC)**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Project (Project), in the amount of \$129,365,128.00;
- B. Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant Program funds awarded to the Project by the State;
- C. Execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering Inc. to provide Design Support During Construction in the amount of \$1,976,222 increasing the Total Contract Value from \$6,528,181 to \$8,504,403 and increase the Contract Modification Authority (CMA) for HDR Engineering Inc. in the amount of \$400,000; and,
- D. Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

#### **ISSUE**

In March 2016, the Metro Board established the Life of Project budget (LOP) in the amount of \$112.7 million based on the grant funds awarded to the Project. Since then - four years later, the preliminary engineering design, environmental work and selection of the design/build contractor have been completed. This Board action will award the design/build contract to S.J. Amoroso Construction Co., Inc. deemed to provide the best value for the design and construction of the Project (See Attachment A -1, Procurement Summary) and align the LOP budget to \$206 million to the current market conditions and fund the design and construction of the Metro Center Project.,

#### **DISCUSSION**

The Metro Center project comprises of the co-location of four operations centers: Emergency Operations Center (EOC), Security Operations Center (SOC), Rail Operations Center (ROC), and Bus Operations Center (BOC) to centralize communications and coordination, improve day-to-day operations, and enhance Metro's security, disaster and terrorism response capability. Metro's current Emergency Operations Center is operating at capacity, and needs to be expanded to accommodate Metro's new rail lines and upcoming special events including the World Cup, National Championships, and Olympics.

In addition, Metro does not have a Security Operations Center. The new SOC is needed to provide 24/7 security surveillance of Metro's transit system by security professionals with specialized training to improve overall rider safety on Metro's rail and bus lines. The Project will be constructed in two phases with the first phase consisting of the full build out of the EOC, SOC, at-grade parking, and infrastructure to accommodate the future ROC and BOC. The second phase will consist of the construction of the tenant improvements for the ROC and BOC on one entire floor of the Metro Center project building. The Project will achieve a LEED Gold certification with the capability to be in operations continuously for 72 hours in case of loss of water, power, and gas due to a natural disaster.

#### Life of Project Budget

With the base contract and provisional sum award to S.J. Amoroso in the amount of \$129,365,128.00, staff is requesting approval of the LOP in the amount of \$206 million to accurately realign and reflect the design and construction costs, infrastructure provisions to accommodate the ROC/BOC, third party costs, design support during construction, construction support services, and other agency support costs including a 20% construction contingency as shown in Attachment B - Funding/Expenditure Plan.

In March 2016, the Board established the LOP budget for the Project in the amount of \$112.7 million and awarded HDR Engineering Inc. a contract for preliminary engineering design. At the time, the \$112.7 million LOP included \$57.67 million for design and construction of the Project based on conceptual planning phase. Since then, the preliminary engineering work and the evaluation of the design builders' proposals based on current market conditions have been completed.

The current market conditions in Southern California are very challenging. California markets are inundated with work especially with the passage of Senate Bill 1 which provides approximately \$5 billion in infrastructure improvements each year, combined with Measure R and Measure M programs and other private, state and local programs including LAX airport, which have flooded the construction market with several public works projects ongoing around the same time period. Therefore, fewer contractors are available to bid on jobs and bids have been trending higher. Additionally, a number of factors have driven up the prices of construction materials, beyond the average inflation rates in the four-year period since 2016.

#### HDR Engineering Contract Modification

In March 2016, the Board awarded HDR Engineering, Inc. \$5,936,638 to prepare preliminary engineering design for the Metro Center Project. Due to the changes to the project, Staff

recommended action also include \$1,976,222 million to HDR Engineering Inc. to provide design support during construction for the emergency and security operations centers.

Project Status

Metro has received California State Prop 1B grant in the amount of \$109.5 million since 2011 and the State has requested that Prop 1B grant funds be expended by 2022. Therefore, early environmental and demolition work began in August 2019 and will be completed in April 2020 in preparation for the design builder’s work. The approval of the staff recommended actions will enable to Project to expend the Prop 1B funds by 2022.

**DETERMINATION OF SAFETY IMPACT**

The Project will be designed and constructed consistent with Metro’s design and construction safety standards. This Board action will not impact established safety standards for Metro’s design and construction projects.

**FINANCIAL IMPACT**

In FY 11, Metro received a Proposition 1B California Transit Security Grant Program (CTSGP) California Transit Assistance Fund (CTAF) grant to fund the design and construction of an Emergency Operations Center (EOC). The CTAF grant was subsequently reduced to \$109.5 million due to less available funds from bond sales. Funding Sources are shown on Table 1 below.

<b>Funding Source</b>	<b>Amount (\$ millions)</b>
Prop 1B California Transit Security Grant Program	\$109.5
Eligible State or/and Local Funds based on availability at time of expenditure	\$96.5
<b>TOTAL</b>	<b>\$206.0</b>

Staff is requesting to establish the new LOP budget of \$206 million for the Project, in cost center 2610 System Security and Law Enforcement, project number 212121 to accommodate the costs. Since this is a multi-year project, the Chief System Security and Law Enforcement Officer and Chief Program Management Officer, Program Management will be accountable for budgeting the costs in future years.

Impact to Budget

The Prop 1B California Transit Security Grant Program funds are specific for this project as designated in the Grant award to this project. Additional funding for this project may have to come from other federal, state or local eligible Bus and Rail Operating funds and SGR funds.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the

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transportation system. The Project will be designed and constructed to support future ROC and BOC operations within the building. The Project will enhance Metro's ability to plan and respond to special events. The Project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. The Project is one of the few consolidated transit operation centers in the nation that will house emergency, security, rail, and bus operations within the same facility for efficiency of operations. Lastly, the Project supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the LA Metro organization. The Project is being designed and constructed in close coordination with the community and third party stakeholders as well as internal stakeholders within Metro to streamline Metro's systems and processes for efficient operations.

### **ALTERNATIVES CONSIDERED**

The alternative would be to not approve the recommended actions to advance the design and construction of the Project. This is not recommended as Metro will need to return \$109.5 million to the State including over \$18 million that has already been expended if the Project does not move forward.

### **NEXT STEPS**

Execution of the design-build contract is subject to the resolution of any timely and properly submitted protest. A Notice to Proceed (NTP) to the Design/Build Contractor after execution of the contract and meeting all other contract requirements for an NTP. The Project is estimated to be complete by Winter 2023. Upon Board approval, staff will also execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering, Inc.

### **ATTACHMENTS**

Attachment A-1 - Procurement Summary, S.J. Amorosa Construction Co., Inc.

Attachment A-2 - Procurement Summary, HDR Engineering, Inc.

Attachment B - Funding/Expenditure Plan

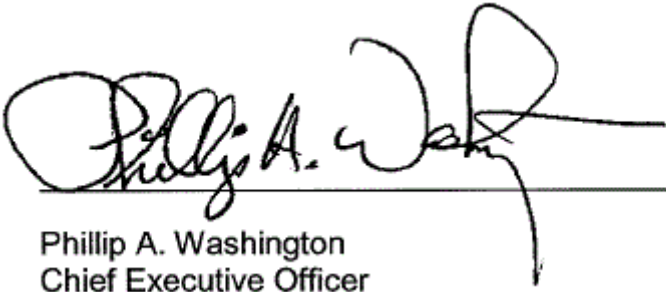
Attachment C - Contract Modification/Change Order Log, HDR Engineering, Inc.

Attachment D-1 - DEOD Summary, TBA Construction Firm

Attachment D-2 - DEOD Summary, HDR Engineering, Inc.

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Phillip A. Washington  
Chief Executive Officer

**PROCUREMENT SUMMARY**

**METRO CENTER PROJECT- DESIGN/BUILD  
CONTRACT NUMBER C52151C1169-2**

1.	<b>Contract Number:</b> C52151C1169-2	
2.	<b>Recommended Vendor:</b> S. J. AMOROSO CONSTRUCTION CO., INC.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> 10/19/18	
	<b>B. Advertised/Publicized:</b> 10/19/18	
	<b>C. Pre-Proposal Conference:</b> 10/30/18	
	<b>D. Proposals Due:</b> 9/5/19	
	<b>E. Pre-Qualification Completed:</b> 11/15/19	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> 04/20/19	
	<b>G. Protest Period End Date:</b> 1/20/20	
5.	<b>Solicitations Picked up:</b> 45	<b>Bids/Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Rafael Vasquez	<b>Telephone Number:</b> (213) 418-3036
7.	<b>Project Manager:</b> Jeanet Owens	<b>Telephone Number:</b> (213) 418-3189

**A. Procurement Background**

This Board Action is to approve the award of a contract for a design/build delivery, based on a best value solicitation issued in support of the Metro Center Project (formerly known as the Emergency Security Operations Center). The Contractor for Contract No. C52151C1169-2 will provide management, coordination, design, professional services, labor, equipment, materials and all other services necessary to perform the final design and construction of the Metro Center Project. Board approval of the contract award is subject to resolution of any properly submitted protest(s). The contract type is a firm fixed price.

A Request For Qualifications (RFQ)/Request For Proposals (RFP) was issued on October 19, 2018. A pre-proposal conference was held on October 30, 2018, in the Union Station Conference Room with representatives from approximately 49 firms in attendance.

The RFQ/RFP implemented a two-step negotiated best value procurement process in accordance with California Public Contract Code §22160-22169 and in accordance with Metro’s Acquisition Policy. The first phase of the procurement was an RFQ asking for Statement of Qualifications (SOQ) to be submitted. Three responsive SOQs were received on November 19, 2018. A prequalification evaluation team evaluated the SOQs. All three firms met the RFQ requirements, were designated as qualified parties, and were invited to submit proposals in response to the second phase of the solicitation, the RFP. The three firms, in alphabetical order, were:

- Clark Construction Group-California, LP (Clark).
- S.J. Amoroso Construction Co., Inc (Amoroso).
- Webcor Builders (Webcor)

The prequalified firms submitted technical and commercial questions which were recorded and reviewed by Metro staff. Formal written answers to 65 questions were provided to the prequalified firms and other planholders.

Ten (10) amendments were issued during the solicitation and evaluation process:

- Amendment No. 1, issued on October 9, 2018, extended the SOQs due date to November 27, 2018; revised the Formal Proposals due date to March 28, 2019; and revised Section 2 Request for Qualifications and percentage of work performed by the Contractor;
- Amendment No. 2, issued on January 18, 2019, revised Formal Proposals due date to April 12, 2019 and revised the Performance Requirements;
- Amendment No. 3, issued on February 6, 2019, extended the Alternative Technical Concepts (ATCs) due date from 30 days to 40 days and revised the Design Requirements and Performance Requirements;
- Amendment No. 4, issued on March 4, 2019, revised Formal Proposals due date to April 26, 2019 and revised Performance Requirements and Schedule of Quantities (SOQs);
- Amendment No. 5, issued April 11, 2019, revised the SOQs and Performance Specifications;
- Amendment No. 6, issued on April 19, 2019, revised Submittal Requirements, SOQs, and Design Requirements;
- Amendment No. 7, issued on May 9, 2019, updated Bidder's Industrial Safety Record Pro-Form 063;
- Amendment No. 8, issued on July 15, 2019, revised Design Requirements Documents and added Early Demolition Work by another Contract;
- Amendment No. 9, issued on August 16, 2019, requested Best and Final Offers (BAFO) and established due date of September 3, 2019 (due date was extended to September 5, 2019), revised SBV/DVBE Forms, SOQS Forms and revised General Requirements, and Performance Specifications;
- Amendment No. 10, issued October 24, 2019, requested Final Revised Proposal and established due date of October 29, 2019.

Proposals were received on April 26, 2019 from the following firms:

1. Clark Construction Group-California LP (Clark).
2. S.J. Amoroso Construction Co., Inc. (Amoroso)

Only two of the three pre-qualified firms submitted proposals. Webcor Builders did not submit a proposal. Among the reasons cited were complexity and time consuming in

filling Metro forms, expensive insurance coverage requirements for subcontractors, and many unknown risks associated with construction.

Final Revised Proposals were received on October 29, 2019, from both Proposers:

1. Amoroso
2. Clark

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro Project Management/Regional Rail, Project Management/Construction Management and Operations Liaison and Planning department conducted a comprehensive and robust evaluation of the proposals received, in accordance with the factors and sub-factors set forth in the RFP to assign a score and ranking.

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

- |  |            |
|--|------------|
| • Experience and Qualifications of Firms on the Team     | 5 percent  |
| • Skills and Experience of Project Personnel             | 10 percent |
| • Project Management Approach                            | 25 percent |
| • Project Understanding and Technical Approach           | 40 percent |
| • Price  | 20 percent |
| • A Prompt Payment to Subcontractors Initiative (Bonus)* | 5 points   |

\*The Proposers could opt for prompt payment initiative and earn bonus points for the prime Contractor to pay its first-tier subcontractors for work completed prior to submitting its monthly billing to Metro.

Each proposing team was invited to make an oral presentation to the PET for the purpose of clarifying their proposal and demonstrating their understanding of Metro's requirements. The presentation meeting format, the amount of time allowed, and general questions asked were standardized. Oral presentations were scheduled on June 12, 2019 and July 12, 2019.

Following a review of the initial proposals and oral presentations both proposals were determined to be within the competitive range. The PET held discussions with each Proposer between June 21, 2019, and July 16, 2019, to address potential deficiencies, understand concerns about risk, and review assumptions taken in relation to their price proposal. The discussions confirmed Proposers' understanding of the scope and appropriate approaches and plans to complete the scope of work. Based on discussions, Proposers were requested to submit Final Revised Proposals.

After receipt of the Final Revised Proposals, and multiple clarifications during the process, it was determined that the SBE/DVBE Forms submitted by Clark were non-responsive to the RFP requirements. Staff was unable to determine the level of Clark's Design and Construction commitments. A Proposer must meet or exceed the goal at



time of the proposal due date and a Proposer that does not meet the goal will be determined non-responsive and not be eligible for award.

### **Qualifications Summary**

Proposers were qualified and technically capable of performing the design and construction of the Project. Amoroso’s Proposal was rated higher for Skills and Experience of Project Personnel. Amoroso explained in detail, their intent and approach to the Project and the various elements of risk in their Proposal. Amoroso’s Proposal demonstrated strengths in factors and sub-factors under Project Management and Technical Approach of Proposer’s capabilities, skill and experience, management approach, risk management, staffing plan, safety and quality management and quality control.

Notwithstanding, the scoring of both proposals, Clark’s final proposal was determined non-responsive. In accordance with the specified evaluation factors and sub-factors and the SBE/DVBE goal requirements of the RFP Amoroso offers the Best Value, and is advantageous to Metro.

### **EVALUATION CRITERIA WEIGHTING AND SCORING SUMMARY**

Table 1- Score Summary by Evaluation Criteria

	<b>Points Possible</b>	<b>Amoroso</b>	<b>Clark</b>
<b>Experience and Qualifications of Firms on the Team (5%)</b>			
Proposer’s Skill and Experience	5	4.17	4.40
<b>SUBTOTAL</b>	<b>5</b>	<b>4.17</b>	<b>4.40</b>
<b>Skills and Experience of Project Personnel (10%)</b>			
Project Manager	2	1.97	1.30
Deputy Project Manager	1	0.97	0.68
Quality Assurance and Control Manager	1	0.98	0.68
Principal Engineer	2	1.87	0.57
Lead Architect	1	0.93	0.97
Safety Manager	1	0.97	0.99
MEP Engineer(s)	1	0.97	0.98
Systems Engineer	1	0.97	0.98
<b>SUBTOTAL</b>	<b>10</b>	<b>9.63</b>	<b>7.15</b>
<b>Project Management Approach (25%)</b>			
Design Management Approach	5	4.17	4.80
Construction Management	10	8.23	9.60
Project Controls and Schedule	2.5	2.08	2.08
Risk Management Approach	2.5	2.33	2.50
Safety Record	2.5	2.29	2.50
Quality Assurance/Quality Control	2.5	2.33	1.75

<b>SUBTOTAL</b>	<b>25</b>	<b>21.43</b>	<b>23.23</b>
<b>Project Understanding and Technical Approach (40%)</b>			
General (Understanding of technical issues, ATCs, Design Approach, 30% Design Development)	15	13.40	14.30
Fixed Facilities (Architectural, Civil, Utilities, etc.,)	15	12.95	13.65
Systems (Communication, Systems Integration Testing, and Startup, System Safety, Security, and Assurance)	10	9.17	9.50
<b>SUBTOTAL</b>	<b>40</b>	<b>35.52</b>	<b>37.45</b>
<b>TECHNICAL TOTAL</b>	<b>75.00</b>	<b>70.75</b>	<b>72.23</b>
<b>Price Proposal (20%)</b>			
Price	17	15.04	17.00
Delay Compensation Rates	1	0.93	1.00
Life Cycle Costs	1	0.97	1.00
Exceeds SBE/DBE Goal	1	1.00	0.0
<b>PRICE TOTAL</b>	<b>20</b>	<b>17.94</b>	<b>19.00</b>
<b>TECHNICAL &amp; PRICE TOTAL</b>	<b>100</b>	<b>88.69</b>	<b>91.23</b>
CP-5A Voluntary Subcontractor Payment Initiative (5 Point Bonus)	5	5	5
<b>EVALUATION TOTAL</b>	<b>105</b>	<b>93.69</b>	<b>96.23</b>

### C. Cost/Price Analysis

The recommend award price is determined to be fair and reasonable based on adequate price competition and comparison to the independent cost estimate which was submitted concurrently with the proposals. The recommended award price to Amoroso, the only responsive proposer, is 8.7% higher than the ICE and only 6.7% higher than Clark's price.

<b>PRICE SUMMARY</b>	<b>Amoroso Construction Base</b>	<b>Clark Construction Base</b>	<b>Independent<sup>2</sup> Cost Estimate</b>
<b>Total Evaluated Price <sup>(1)</sup></b>	<b>\$175,026,485</b>	<b>\$157,733,995</b>	<b>\$144,143,417</b>
<b>Negotiated Price</b>			
<b>Award Price<sup>3</sup></b>	<b>\$129,365,128</b>	<b>\$121,272,213</b>	<b>118,906,063</b>

Note<sup>1</sup>: The Total Price Proposal includes the Base Work, Provisional Sums, Delay Compensation, Life Cycle Costs and Options.

Note<sup>2</sup>: The Independent Cost Estimate (ICE) amounts are submitted before the due date and opened concurrently with the other Proposals.

Note<sup>3</sup>: The Award Price only includes Base Work and Provisional Sums.

### D. Background on Recommended Contractor

Amoroso is the Design-Builder and General Contractor, and Owen Group is the Principal Engineer and Architect of Record. Amoroso was founded in 1939 in San Francisco, CA and was incorporated in 1959 as S.J. Amoroso Construction Co., Inc. In June of 2008,

Amoroso completed a 221,000 sq. ft. Emergency Operations Center that included a Medical Services Division, a Central Fire Station and parking structure for the City of Los Angeles in June of 2008.

In addition, Amoroso has completed two design build projects for Metro. The first was the Blue Line Station Refurbishments and Improvements project that involved the renovation of 21 stations along the Metro Blue Line corridor. The second project was the Bauchet Street Storage and Facilities Maintenance project that included a design-build of a two-story 62,398 sq. ft. pre-engineered metal building. Other design build projects that Amoroso has completed include LA City College Student Union, a multi-story 60,000 sq. ft. building, a LEED Silver certified building.

Amoroso has partnered with the Owen Group to provide architectural and engineering services. The Owen Group, Inc. is a multidisciplinary design and construction services firm. Founded in 1981 and has been ranked by ENR as a Top 500 Engineering firm and as a Top 100 Construction Management for Fee firm. Owen Group provided design/build services for Metro Division 3 Parking Structure Expansion project. Owen Group is providing full-service architecture and engineering energy efficient and sustainable designs, energy audits, Facility Condition Assessments (FCA), ADA accessibility compliance evaluations and design upgrades at the Union Station Gateway Building Engineering Management Services.

## PROCUREMENT SUMMARY

## METRO CENTER PROJECT/AE451150019779

1.	<b>Contract Number:</b> AE451150019779		
2.	<b>Contractor:</b> HDR Engineering, Inc.		
3.	<b>Mod. Work Description:</b> Construction Support Services of the Metro Center Project (formerly Emergency Security Operations Center (ESOC))		
4.	<b>Contract Work Description:</b> Architectural and engineering (A&E) design services for the Center Street Project.		
5.	<b>The following data is current as of:</b> 3/27/20		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	3/24/16	<b>Contract Award Amount:</b> \$5,936,638
	<b>Notice to Proceed (NTP):</b>	4/06/16	<b>Total of Modifications Approved:</b> \$591,543
	<b>Original Complete Date:</b>	4/05/17	<b>Pending Modifications (including this action):</b> \$1,976,222
	<b>Current Est. Complete Date:</b>	12/30/22	<b>Current Contract Value (with this action):</b> \$8,504,403
7.	<b>Contract Administrator:</b> Erica Rodriguez		<b>Telephone Number:</b> (213) 922-1064
8.	<b>Project Manager:</b> Kate Amissah		<b>Telephone Number:</b> (213) 418-3224

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 9 issued for construction support services of the Metro Center Project (formerly ESOC). This Contract Modification also extends the period of performance through December 30, 2022.

This Contract Modification was processed in accordance with Metro's Acquisition Policy and the contract type is firm fixed price.

On March 24, 2016, the Board awarded a 36-month firm fixed price Contract No. AE451150019779 to HDR Engineering, Inc. in the amount of \$5,936,638 for architectural and engineering design services for the Metro Center Project, formerly known as Emergency Security Operations Center (ESOC).

A total of eight modifications have been issued to date.

Refer to Attachment C – Contract Modification/Change Order Log.

**B. Cost Analysis**

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), technical analysis, cost analysis, fact finding, and negotiations. Some direct labor rates were re-negotiated to current market rates and fee remained unchanged.

Metro staff successfully negotiated a cost savings of \$9,778.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$1,986,000	\$2,059,560	<b>\$1,976,222</b>

METRO CENTER PROJECT  
FUNDING/EXPENDITURE PLAN

ATTACHMENT: B

CATEGORY: SMALL/LARGE CAPITAL  
TYPE: LIFE OF PROJECT BUDGET (LOP)  
VERSION: AMENDMENT 1  
TOTAL LOP BUDGET \$

206.00 Million

(Dollars in Millions)

PROJECT#	212121	Prior (Up to FY 19)	Fiscal Year				Total	% of Total	
			FY 20	FY 21	FY 22	FY 23			
<b>Uses of Funds:</b>									
<b>FINAL DESIGN AND CONSTRUCTION</b>									
<b>Summary of Design/Build Cost Proposal</b>									
	General Requirements	\$ -	\$ -	\$ 10.12	\$ 10.12	\$ 2.56	\$ 22.80	11%	
	Mobilization/Demobilization	\$ -	\$ -	\$ 5.20	\$ -	\$ 0.10	\$ 5.30	3%	
	Final Design Services	\$ -	\$ -	\$ 9.46	\$ 0.92	\$ 0.26	\$ 10.64	5%	
	Other General Items (Training, QA/QC, Safety, Warranty, LEED Gold, etc)	\$ -	\$ -	\$ -	\$ 2.02	\$ 0.50	\$ 2.52	1%	
	Site Conditions/Earthwork	\$ -	\$ -	\$ 1.40	\$ -	\$ -	\$ 1.40	1%	
	Building Structure including Finishes	\$ -	\$ -	\$ 11.67	\$ 19.50	\$ 4.50	\$ 35.67	17%	
	Systems (HVAC, Electrical, Communication, Safety&Security)	\$ -	\$ -	\$ 9.00	\$ 31.00	\$ 4.24	\$ 44.24	21%	
	Exterior Improvements	\$ -	\$ -	\$ -	\$ 1.00	\$ 0.33	\$ 1.33	1%	
	Utilities	\$ -	\$ -	\$ 2.43	\$ 1.00	\$ -	\$ 3.43	2%	
	Provisional Sums	\$ -	\$ -	\$ 1.30	\$ 0.80	\$ 0.33	\$ 2.43	1%	
	<b>Design/Build Contractor Subtotal</b>	\$ -	\$ -	\$ 50.58	\$ 66.36	\$ 12.82	\$ 129.76	63%	
	Stipend for unsuccessful responsive proposer	\$ -	\$ 0.20	\$ -	\$ -	\$ -	\$ 0.20	0%	
	Early Demolition	\$ -	\$ 9.00	\$ -	\$ -	\$ -	\$ 9.00	4%	
	Street Vacation	\$ -	\$ 0.02	\$ 1.00	\$ 0.48	\$ -	\$ 1.50	1%	
	Public Art	\$ -	\$ -	\$ 0.21	\$ 0.13	\$ 0.07	\$ 0.41	0.20%	
	Design Support During Construction	\$ -	\$ 0.10	\$ 2.00	\$ 0.80	\$ 0.10	\$ 3.00	1%	
	Construction Support Services	\$ -	\$ -	\$ 2.40	\$ 2.40	\$ 1.20	\$ 6.00	3%	
	Agency Costs (Metro/City of Los Angeles, other agencies)	\$ -	\$ 0.30	\$ 3.20	\$ 2.40	\$ 0.90	\$ 6.80	3%	
	<b>Subtotal (Other Construction Costs)</b>	\$ -	\$ 9.62	\$ 8.81	\$ 6.21	\$ 2.27	\$ 26.91	13%	
	Contingency (20%)	\$ -	\$ 1.92	\$ 11.88	\$ 14.51	\$ 3.02	\$ 31.33	15%	
	<b>SUBTOTAL PROJECT CONSTRUCTION COST</b>		\$ 11.54	\$ 71.27	\$ 87.08	\$ 18.11	\$ 188.00	91%	
<b>PRELIMINARY ENGINEERING DESIGN/PROPERTY ACQUISITION</b>									
	Environmental/Preliminary Engineering Design	\$ 7.10	\$ -	\$ -	\$ -	\$ -	\$ 7.10	3%	
	ROW/Land Existing Improvements	\$ 7.40	\$ -	\$ -	\$ -	\$ -	\$ 7.40	4%	
	Agency Costs (PE Design)	\$ 3.50	\$ -	\$ -	\$ -	\$ -	\$ 3.50	2%	
	<b>SUBTOTAL ENV./PE.ROW.OTHER COSTS</b>	\$ 18.00	\$ -	\$ -	\$ -	\$ -	\$ 18.00	9%	
<b>TOTAL PROJECT COST</b>		\$ 18.00	\$ 11.54	\$ 71.27	\$ 87.08	\$ 18.11	\$ 206.00	100%	
<b>Sources of Funds:<sup>1</sup></b>									
	State	P1B: California Transit Security Grant Program Funds <sup>2</sup>	\$ 18.00	\$ 11.54	\$ 70.98	\$ -	\$ -	\$ 100.52	48.8%
		Eligible State or/and Local Funds based on availability at time of expenditure	\$ -	\$ -	\$ 0.29	\$ 87.08	\$ 18.11	\$ 105.48	51.2%
	State/Local		\$ -	\$ -	\$ 0.29	\$ 87.08	\$ 18.11	\$ 105.48	51.2%
<b>Total Life of Project Budget Funding:</b>		\$ 18.00	\$ 11.54	\$ 71.27	\$ 87.08	\$ 18.11	\$ 206.00	100.0%	

1) Timing of funding sources is subject to change based on eligibility/availability at time of expenditure.

2) Metro would have to reimburse the State funds of \$ 109.5 million including \$18 million already expended if the funding is not approved, and if the Project does not move forward.

**CONTRACT MODIFICATION/CHANGE ORDER LOG  
METRO CENTER PROJECT/AE451150019779**

<b>Mod. No.</b>	<b>Description</b>	<b>Status</b>	<b>Date</b>	<b>\$ Amount</b>
1	BOC/ROC Risk Assessment & Future Implementation	Approved	01/26/17	\$370,558
2	Extension of Period of Performance (POP) through 10/31/17	Approved	07/31/17	\$0
3	Supplemental Scope of Work (SOW) and extension of POP through 2/24/21	Approved	10/12/17	\$220,985
4	Adding subcontractor DBH Consulting	Approved	11/21/17	\$0
5	Supplemental SOW for Div. 20 Portal Widening Project Coordination - No Cost	Approved	03/01/18	\$0
6	Adding subcontractors Amheart and Kimley-Horn	Approved	02/27/19	\$0
7	Funding reallocated from Task 6 to Task 5	Approved	05/23/19	\$0
8	Adding subcontractor Birdi & Associates	Approved	09/09/19	\$0
<b>9</b>	<b>Construction Support Services and extension of POP through 12/30/22</b>	<b>Pending</b>	<b>Pending</b>	<b>\$1,976,222</b>
	<b>Modification Total:</b>			<b>\$2,567,765</b>
	<b>Original Contract:</b>		3/24/16	<b>\$5,936,638</b>
	<b>Total:</b>			<b>\$8,504,403</b>

## DEOD SUMMARY

**METRO CENTER PROJECT / DESIGN & BUILD  
C52151C1169-2**

**A. Small Business Participation - Design**

The Diversity and Economic Opportunity Department (DEOD) established a 13% Small Business Enterprise (SBE) goal and a 3% Disabled Veteran Business Enterprise (DVBE) goal for Design. S.J. Amoroso Construction Co., Inc. (SJA) exceeded both goals by making a 13.70% SBE commitment and a 3.02% DVBE commitment for Design.

<b>Small Business Goal</b>	<b>13% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>13.70% SBE 3.02% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Verdical Group	1.29%
2.	A/E Tech	0.78%
3.	Safe Utility Exposure, Inc. (SUE Corp)	0.36%
4.	Faith Group, LLC	11.27%
	<b>Total SBE Commitment</b>	<b>13.70%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Pierce/Cooley	3.02%
	<b>Total DVBE Commitment</b>	<b>3.02%</b>

**B. Small Business Participation - Construction**

The Diversity and Economic Opportunity Department (DEOD) established a 16% SBE goal and a 3% DVBE goal for Construction. SJA exceeded both goals by making a 16.19% commitment and a 3.17% DVBE.

<b>Small Business Goal</b>	<b>16% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>16.19% SBE 3.17% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Global Installation & Maintenance, Inc. DBA Global Electric	3.44%
2.	TBD – SBE Subcontractors	12.75%
	<b>Total SBE Commitment</b>	<b>16.19%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	CB Procurement	2.58%
2.	TBD – DVBE Subcontractors	0.59%
	<b>Total Commitment</b>	<b>3.17%</b>



**C. Contracting Outreach and Mentoring Plan (COMP)**

To be responsive, Proposers were required to submit a Contracting Outreach and Mentoring Plan (COMP) to mentor three (3) SBEs and one (1) DVBE firm for protégé development. SJA submitted a COMP and has committed to identify the required protégés after award.

**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:

Non-Federally Funded Projects		
Community / Local Area Worker Goal	Apprentice Worker Goal	Disadvantaged Worker Goal
40%	20%	10%

**E. 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 US Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

**F. Living Wage Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this contract.

DEOD SUMMARY

METRO CENTER PROJECT/AE451150019779

**A. Small Business Participation**

HDR Engineering, Inc., (HDR) made a 30.25 % SBE commitment and a 3.04% DVBE commitment. The project is 80% complete. HDR is exceeding its SBE commitment with an SBE participation of 38.01%. HDR's current DVBE participation is 2.97% representing a slight shortfall of .07%. HDR explained that one of its added DVBE subconsultants, Amheart Solutions, is scoped to provide extensive support during Task 6, which is projected to eliminate the DVBE shortfall. HDR anticipates meeting or exceeding its SBE and DVBE commitments by the completion of contract.

<b>Small Business Commitment</b>	<b>30.25% SBE</b>	<b>Small Business Participation</b>	<b>38.01% SBE</b>
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	<b>SBE Subcontractors</b>	<b>% Commitment</b>	<b>Current Participation<sup>1</sup></b>
1.	Intueor Consulting	1.78%	0.78%
2.	Jacobus & Yuang	2.69%	4.15%
3.	MBI Media	1.94%	2.30%
4.	Pacific Coast Locaters	0.20%	0.13%
5.	Premier Management Corporation	1.29%	0.11%
6.	Quinn Williams	1.01%	3.57%
7.	SAA Associates	0.34%	0.39%
8.	S&K Engineers	10.10%	9.62%
9.	Spectrum Video	7.33%	7.04%
10.	W2 Design	3.57%	4.38%
11.	Birdi, Inc.	Added	0.00%
12.	Claris Strategy	Added	4.62%
13.	DBH Consulting Group	Added	0.92%
	<b>Total SBE Commitment</b>	<b>30.25%</b>	<b>38.01%</b>

<sup>1</sup>Current Participation = Total Actual amount Paid-to-Date to SBE firms ÷ Total Actual Amount Paid-to-date to Prime.

<b>Small Business Commitment</b>	<b>3.04% DVBE</b>	<b>Small Business Participation</b>	<b>2.97% DVBE</b>
----------------------------------	-------------------	-------------------------------------	-------------------

	<b>DVBE Subcontractors</b>	<b>% Commitment</b>	<b>Current Participation<sup>1</sup></b>
1.	Calvada Surveying	0.42%	0.36%
2.	Schwab Engineering	2.62%	2.49%
3.	Amheart Solutions	Added	0.12%
	<b>Total DVBE Commitment</b>	<b>3.04%</b>	<b>2.97%</b>

<sup>1</sup>Current Participation = Total Actual amount Paid-to-Date to DVBE 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 monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection and other support trades.

**D. Living Wage**

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

# METRO CENTER PROJECT



Concept Rendering – subject to change



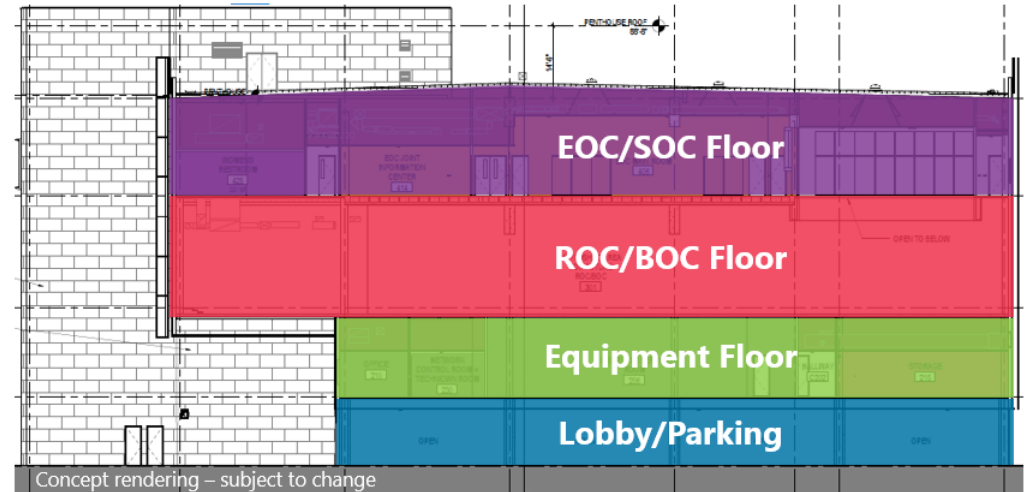
**Metro Board Meeting**  
**April 23, 2020**

# Metro Center Project Overview

1 In FY 11, Metro received a \$112.7 million Proposition 1B California Transit Security Grant Program (CTSGP) California Transit Assistance Fund (CTAF) grant to fund the design and construction of an Emergency Operations Center (EOC) and a Security Operations Center (SOC).

2 The Metro Center Project will consolidate and co-locate four primary functions:

- a. Emergency Operations Center (EOC)
- Phase 1 { b. Security Operations Center (SOC)
- c. Rail Operations Center (ROC)
- Phase 2 { d. Bus Operations Center (BOC)



3 The existing EOC/ROC are at capacity. New operation theaters are needed to support current operations, and to accommodate Metro’s planned and future transit system up to 2070.

4 The facility will have the ability to operate for 72 hours of continuous operations during a catastrophe event with the loss of water, power, gas, and sewer.

# Emergency and Security Operations Overview



- 1** There is no Security Operations Center (SOC) today to support the agency's current and disparate security systems and functions.
  - a. Limited Interoperable communications for Security to respond to various incidents in a coordinated fashion consistent with the National Incident Management System (NIMS)
  - b. Emergency calls such as 911 on the bus and rail lines at local Law Enforcement Agencies. Metro Security only finds out if local law enforcement informs them or when notified by ROC & BOC
- 2** To meet current conditions facing Metro's expansion, an EOC/SOC will provide total enterprise system security and situational awareness to be proactive in enhancing the customer experience for all Metro's patrons.
  - a. Enhanced Prevention, Protection, Mitigation Response & Recovery
  - b. Improved Surveillance from a common operating picture
  - c. Ability to Detect, Deter, Delay & Deny significant security threats
  - d. Provide for increase agency-wide resiliency with professional response & recovery systems
  - e. Support Security Business Intelligence Cycle & functions to optimize the customer experience daily



**Metro**

# Metro Center Project Recommendations (Item No. 2020-0179)

- A** Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Street Project (Project), in the amount of \$129,365,128.00;
- B** Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant Program funds awarded to the Project by the State;
- C** Execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering Inc. to provide Design Support During Construction in the amount of \$1,976,222 increasing the Total Contract Value from \$6,528,181 to \$8,504,403 and increase the Contract Modification Authority (CMA) for HDR Engineering Inc. in the amount of \$400,000; and,
- D** Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

# Metro Center Project Funding

<b>Funding Source</b>	<b>Amount</b>
Prop 1B California Transit Security Grant Program	\$ 109.50 M
Eligible State or/and Local Funds based on availability at time of expenditure	\$ 96.50 M
<b>TOTAL</b>	<b>\$ 206.0 M</b>

1. The \$112.7 million CTAF grant awarded by the State in FY 11 was subsequently reduced to \$109.5 million due to less available funds from bond sales. State Prop 1B grant funds must be expended by 2022.
2. LOP budget increase is due to:
  - a. High design and construction bids due to current competitive market conditions with several ongoing public works projects ongoing around the same period.
  - b. Previous LOP established in 2016 based on conceptual design with limited information.
  - c. Provisions to accommodate the future ROC/BOC.
  - d. Designed for redundancy to support Metro operations for up to 72 hours during a catastrophe event with the loss of water, power, gas, and sewer.
  - e. Updates to third party and support services costs.



# Next Steps

## METRO CENTER PROJECT

No.	Description	Date
1	Early Demolition and Environmental Abatement	August 2019 – April 2020
2	Board Approval of LOP budget, Award of Design/Build Contract, and HDR Contract Modification	April 2020
3	Board Approval of Award of Construction Support Services (CSS cost is included in LOP budget)	May 2020
4	Design/Build Contractor Initiates Design	Spring 2020
5	Construction Begins	Summer 2020
6	Anticipated Construction Complete	Winter 2023



## Board Report

File #: 2020-0179, File Type: Contract

Agenda Number: 41.

### REGULAR BOARD MEETING APRIL 23, 2020

**SUBJECT: METRO CENTER PROJECT (FORMERLY ESOC)**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Project (Project), in the amount of \$129,365,128.00;
- B. Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant Program funds awarded to the Project by the State;
- C. Execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering Inc. to provide Design Support During Construction in the amount of \$1,976,222 increasing the Total Contract Value from \$6,528,181 to \$8,504,403 and increase the Contract Modification Authority (CMA) for HDR Engineering Inc. in the amount of \$400,000; and,
- D. Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

#### **ISSUE**

In March 2016, the Metro Board established the Life of Project budget (LOP) in the amount of \$112.7 million based on the grant funds awarded to the Project. Since then - four years later, the preliminary engineering design, environmental work and selection of the design/build contractor have been completed. This Board action will award the design/build contract to S.J. Amoroso Construction Co., Inc. deemed to provide the best value for the design and construction of the Project (See Attachment A -1, Procurement Summary) and align the LOP budget to \$206 million to the current market conditions and fund the design and construction of the Metro Center Project.,

#### **DISCUSSION**

The Metro Center project comprises of the co-location of four operations centers: Emergency Operations Center (EOC), Security Operations Center (SOC), Rail Operations Center (ROC), and Bus Operations Center (BOC) to centralize communications and coordination, improve day-to-day operations, and enhance Metro's security, disaster and terrorism response capability. Metro's current Emergency Operations Center is operating at capacity, and needs to be expanded to accommodate Metro's new rail lines and upcoming special events including the World Cup, National Championships, and Olympics.

In addition, Metro does not have a Security Operations Center. The new SOC is needed to provide 24/7 security surveillance of Metro's transit system by security professionals with specialized training to improve overall rider safety on Metro's rail and bus lines. The Project will be constructed in two phases with the first phase consisting of the full build out of the EOC, SOC, at-grade parking, and infrastructure to accommodate the future ROC and BOC. The second phase will consist of the construction of the tenant improvements for the ROC and BOC on one entire floor of the Metro Center project building. The Project will achieve a LEED Gold certification with the capability to be in operations continuously for 72 hours in case of loss of water, power, and gas due to a natural disaster.

#### Life of Project Budget

With the base contract and provisional sum award to S.J. Amoroso in the amount of \$129,365,128.00, staff is requesting approval of the LOP in the amount of \$206 million to accurately realign and reflect the design and construction costs, infrastructure provisions to accommodate the ROC/BOC, third party costs, design support during construction, construction support services, and other agency support costs including a 20% construction contingency as shown in Attachment B - Funding/Expenditure Plan.

In March 2016, the Board established the LOP budget for the Project in the amount of \$112.7 million and awarded HDR Engineering Inc. a contract for preliminary engineering design. At the time, the \$112.7 million LOP included \$57.67 million for design and construction of the Project based on conceptual planning phase. Since then, the preliminary engineering work and the evaluation of the design builders' proposals based on current market conditions have been completed.

The current market conditions in Southern California are very challenging. California markets are inundated with work especially with the passage of Senate Bill 1 which provides approximately \$5 billion in infrastructure improvements each year, combined with Measure R and Measure M programs and other private, state and local programs including LAX airport, which have flooded the construction market with several public works projects ongoing around the same time period. Therefore, fewer contractors are available to bid on jobs and bids have been trending higher. Additionally, a number of factors have driven up the prices of construction materials, beyond the average inflation rates in the four-year period since 2016.

#### HDR Engineering Contract Modification

In March 2016, the Board awarded HDR Engineering, Inc. \$5,936,638 to prepare preliminary engineering design for the Metro Center Project. Due to the changes to the project, Staff

recommended action also include \$1,976,222 million to HDR Engineering Inc. to provide design support during construction for the emergency and security operations centers.

Project Status

Metro has received California State Prop 1B grant in the amount of \$109.5 million since 2011 and the State has requested that Prop 1B grant funds be expended by 2022. Therefore, early environmental and demolition work began in August 2019 and will be completed in April 2020 in preparation for the design builder’s work. The approval of the staff recommended actions will enable to Project to expend the Prop 1B funds by 2022.

**DETERMINATION OF SAFETY IMPACT**

The Project will be designed and constructed consistent with Metro’s design and construction safety standards. This Board action will not impact established safety standards for Metro’s design and construction projects.

**FINANCIAL IMPACT**

In FY 11, Metro received a Proposition 1B California Transit Security Grant Program (CTSGP) California Transit Assistance Fund (CTAF) grant to fund the design and construction of an Emergency Operations Center (EOC). The CTAF grant was subsequently reduced to \$109.5 million due to less available funds from bond sales. Funding Sources are shown on Table 1 below.

<b>Funding Source</b>	<b>Amount (\$ millions)</b>
Prop 1B California Transit Security Grant Program	\$109.5
Eligible State or/and Local Funds based on availability at time of expenditure	\$96.5
<b>TOTAL</b>	<b>\$206.0</b>

Staff is requesting to establish the new LOP budget of \$206 million for the Project, in cost center 2610 System Security and Law Enforcement, project number 212121 to accommodate the costs. Since this is a multi-year project, the Chief System Security and Law Enforcement Officer and Chief Program Management Officer, Program Management will be accountable for budgeting the costs in future years.

Impact to Budget

The Prop 1B California Transit Security Grant Program funds are specific for this project as designated in the Grant award to this project. Additional funding for this project may have to come from other federal, state or local eligible Bus and Rail Operating funds and SGR funds.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the

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transportation system. The Project will be designed and constructed to support future ROC and BOC operations within the building. The Project will enhance Metro's ability to plan and respond to special events. The Project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. The Project is one of the few consolidated transit operation centers in the nation that will house emergency, security, rail, and bus operations within the same facility for efficiency of operations. Lastly, the Project supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the LA Metro organization. The Project is being designed and constructed in close coordination with the community and third party stakeholders as well as internal stakeholders within Metro to streamline Metro's systems and processes for efficient operations.

### **ALTERNATIVES CONSIDERED**

The alternative would be to not approve the recommended actions to advance the design and construction of the Project. This is not recommended as Metro will need to return \$109.5 million to the State including over \$18 million that has already been expended if the Project does not move forward.

### **NEXT STEPS**

Execution of the design-build contract is subject to the resolution of any timely and properly submitted protest. A Notice to Proceed (NTP) to the Design/Build Contractor after execution of the contract and meeting all other contract requirements for an NTP. The Project is estimated to be complete by Winter 2023. Upon Board approval, staff will also execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering, Inc.

### **ATTACHMENTS**

Attachment A-1 - Procurement Summary, S.J. Amorosa Construction Co., Inc.

Attachment A-2 - Procurement Summary, HDR Engineering, Inc.

Attachment B - Funding/Expenditure Plan


Attachment C - Contract Modification/Change Order Log, HDR Engineering, Inc.

Attachment D-1 - DEOD Summary, TBA Construction Firm

Attachment D-2 - DEOD Summary, HDR Engineering, Inc.

Prepared by: Jeanet Owens, Senior Executive Officer, Regional Rail, (213) 418-3189  
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Reviewed by: Richard Clarke, Chief Program Management Officer, (213) 922-7557  
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051  
Aston Greene, Chief Sys Sec & Law Enforcement Officer (Interim), (213) 922-3604



Phillip A. Washington  
Chief Executive Officer



## Board Report

File #: 2020-0179, File Type: Contract

Agenda Number: 41.

### REGULAR BOARD MEETING APRIL 23, 2020

**SUBJECT: METRO CENTER PROJECT (FORMERLY ESOC)**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Project (Project), in the amount of \$129,365,128.00;
- B. Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant Program funds awarded to the Project by the State;
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- D. Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

#### **ISSUE**

In March 2016, the Metro Board established the Life of Project budget (LOP) in the amount of \$112.7 million based on the grant funds awarded to the Project. Since then - four years later, the preliminary engineering design, environmental work and selection of the design/build contractor have been completed. This Board action will award the design/build contract to S.J. Amoroso Construction Co., Inc. deemed to provide the best value for the design and construction of the Project (See Attachment A -1, Procurement Summary) and align the LOP budget to \$206 million to the current market conditions and fund the design and construction of the Metro Center Project.,

#### **DISCUSSION**

The Metro Center project comprises of the co-location of four operations centers: Emergency Operations Center (EOC), Security Operations Center (SOC), Rail Operations Center (ROC), and Bus Operations Center (BOC) to centralize communications and coordination, improve day-to-day operations, and enhance Metro's security, disaster and terrorism response capability. Metro's current Emergency Operations Center is operating at capacity, and needs to be expanded to accommodate Metro's new rail lines and upcoming special events including the World Cup, National Championships, and Olympics.

In addition, Metro does not have a Security Operations Center. The new SOC is needed to provide 24/7 security surveillance of Metro's transit system by security professionals with specialized training to improve overall rider safety on Metro's rail and bus lines. The Project will be constructed in two phases with the first phase consisting of the full build out of the EOC, SOC, at-grade parking, and infrastructure to accommodate the future ROC and BOC. The second phase will consist of the construction of the tenant improvements for the ROC and BOC on one entire floor of the Metro Center project building. The Project will achieve a LEED Gold certification with the capability to be in operations continuously for 72 hours in case of loss of water, power, and gas due to a natural disaster.

#### Life of Project Budget

With the base contract and provisional sum award to S.J. Amoroso in the amount of \$129,365,128.00, staff is requesting approval of the LOP in the amount of \$206 million to accurately realign and reflect the design and construction costs, infrastructure provisions to accommodate the ROC/BOC, third party costs, design support during construction, construction support services, and other agency support costs including a 20% construction contingency as shown in Attachment B - Funding/Expenditure Plan.

In March 2016, the Board established the LOP budget for the Project in the amount of \$112.7 million and awarded HDR Engineering Inc. a contract for preliminary engineering design. At the time, the \$112.7 million LOP included \$57.67 million for design and construction of the Project based on conceptual planning phase. Since then, the preliminary engineering work and the evaluation of the design builders' proposals based on current market conditions have been completed.

The current market conditions in Southern California are very challenging. California markets are inundated with work especially with the passage of Senate Bill 1 which provides approximately \$5 billion in infrastructure improvements each year, combined with Measure R and Measure M programs and other private, state and local programs including LAX airport, which have flooded the construction market with several public works projects ongoing around the same time period. Therefore, fewer contractors are available to bid on jobs and bids have been trending higher. Additionally, a number of factors have driven up the prices of construction materials, beyond the average inflation rates in the four-year period since 2016.

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**DETERMINATION OF SAFETY IMPACT**

The Project will be designed and constructed consistent with Metro’s design and construction safety standards. This Board action will not impact established safety standards for Metro’s design and construction projects.

**FINANCIAL IMPACT**

In FY 11, Metro received a Proposition 1B California Transit Security Grant Program (CTSGP) California Transit Assistance Fund (CTAF) grant to fund the design and construction of an Emergency Operations Center (EOC). The CTAF grant was subsequently reduced to \$109.5 million due to less available funds from bond sales. Funding Sources are shown on Table 1 below.

<b>Funding Source</b>	<b>Amount (\$ millions)</b>
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Eligible State or/and Local Funds based on availability at time of expenditure	\$96.5
<b>TOTAL</b>	<b>\$206.0</b>

Staff is requesting to establish the new LOP budget of \$206 million for the Project, in cost center 2610 System Security and Law Enforcement, project number 212121 to accommodate the costs. Since this is a multi-year project, the Chief System Security and Law Enforcement Officer and Chief Program Management Officer, Program Management will be accountable for budgeting the costs in future years.

Impact to Budget

The Prop 1B California Transit Security Grant Program funds are specific for this project as designated in the Grant award to this project. Additional funding for this project may have to come from other federal, state or local eligible Bus and Rail Operating funds and SGR funds.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the

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transportation system. The Project will be designed and constructed to support future ROC and BOC operations within the building. The Project will enhance Metro's ability to plan and respond to special events. The Project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. The Project is one of the few consolidated transit operation centers in the nation that will house emergency, security, rail, and bus operations within the same facility for efficiency of operations. Lastly, the Project supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the LA Metro organization. The Project is being designed and constructed in close coordination with the community and third party stakeholders as well as internal stakeholders within Metro to streamline Metro's systems and processes for efficient operations.

### **ALTERNATIVES CONSIDERED**

The alternative would be to not approve the recommended actions to advance the design and construction of the Project. This is not recommended as Metro will need to return \$109.5 million to the State including over \$18 million that has already been expended if the Project does not move forward.

### **NEXT STEPS**

Execution of the design-build contract is subject to the resolution of any timely and properly submitted protest. A Notice to Proceed (NTP) to the Design/Build Contractor after execution of the contract and meeting all other contract requirements for an NTP. The Project is estimated to be complete by Winter 2023. Upon Board approval, staff will also execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering, Inc.

### **ATTACHMENTS**

Attachment A-1 - Procurement Summary, S.J. Amorosa Construction Co., Inc.

Attachment A-2 - Procurement Summary, HDR Engineering, Inc.

Attachment B - Funding/Expenditure Plan

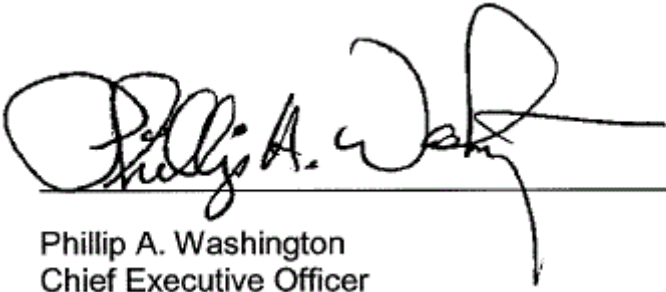
Attachment C - Contract Modification/Change Order Log, HDR Engineering, Inc.

Attachment D-1 - DEOD Summary, TBA Construction Firm

Attachment D-2 - DEOD Summary, HDR Engineering, Inc.

Prepared by: Jeanet Owens, Senior Executive Officer, Regional Rail, (213) 418-3189  
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Phillip A. Washington  
Chief Executive Officer



## Board Report

File #: 2020-0179, File Type: Contract

Agenda Number: 41.

### REGULAR BOARD MEETING APRIL 23, 2020

**SUBJECT: METRO CENTER PROJECT (FORMERLY ESOC)**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Project (Project), in the amount of \$129,365,128.00;
- B. Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant Program funds awarded to the Project by the State;
- C. Execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering Inc. to provide Design Support During Construction in the amount of \$1,976,222 increasing the Total Contract Value from \$6,528,181 to \$8,504,403 and increase the Contract Modification Authority (CMA) for HDR Engineering Inc. in the amount of \$400,000; and,
- D. Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

#### **ISSUE**

In March 2016, the Metro Board established the Life of Project budget (LOP) in the amount of \$112.7 million based on the grant funds awarded to the Project. Since then - four years later, the preliminary engineering design, environmental work and selection of the design/build contractor have been completed. This Board action will award the design/build contract to S.J. Amoroso Construction Co., Inc. deemed to provide the best value for the design and construction of the Project (See Attachment A -1, Procurement Summary) and align the LOP budget to \$206 million to the current market conditions and fund the design and construction of the Metro Center Project.,

#### **DISCUSSION**

The Metro Center project comprises of the co-location of four operations centers: Emergency Operations Center (EOC), Security Operations Center (SOC), Rail Operations Center (ROC), and Bus Operations Center (BOC) to centralize communications and coordination, improve day-to-day operations, and enhance Metro's security, disaster and terrorism response capability. Metro's current Emergency Operations Center is operating at capacity, and needs to be expanded to accommodate Metro's new rail lines and upcoming special events including the World Cup, National Championships, and Olympics.

In addition, Metro does not have a Security Operations Center. The new SOC is needed to provide 24/7 security surveillance of Metro's transit system by security professionals with specialized training to improve overall rider safety on Metro's rail and bus lines. The Project will be constructed in two phases with the first phase consisting of the full build out of the EOC, SOC, at-grade parking, and infrastructure to accommodate the future ROC and BOC. The second phase will consist of the construction of the tenant improvements for the ROC and BOC on one entire floor of the Metro Center project building. The Project will achieve a LEED Gold certification with the capability to be in operations continuously for 72 hours in case of loss of water, power, and gas due to a natural disaster.

#### Life of Project Budget

With the base contract and provisional sum award to S.J. Amoroso in the amount of \$129,365,128.00, staff is requesting approval of the LOP in the amount of \$206 million to accurately realign and reflect the design and construction costs, infrastructure provisions to accommodate the ROC/BOC, third party costs, design support during construction, construction support services, and other agency support costs including a 20% construction contingency as shown in Attachment B - Funding/Expenditure Plan.

In March 2016, the Board established the LOP budget for the Project in the amount of \$112.7 million and awarded HDR Engineering Inc. a contract for preliminary engineering design. At the time, the \$112.7 million LOP included \$57.67 million for design and construction of the Project based on conceptual planning phase. Since then, the preliminary engineering work and the evaluation of the design builders' proposals based on current market conditions have been completed.

The current market conditions in Southern California are very challenging. California markets are inundated with work especially with the passage of Senate Bill 1 which provides approximately \$5 billion in infrastructure improvements each year, combined with Measure R and Measure M programs and other private, state and local programs including LAX airport, which have flooded the construction market with several public works projects ongoing around the same time period. Therefore, fewer contractors are available to bid on jobs and bids have been trending higher. Additionally, a number of factors have driven up the prices of construction materials, beyond the average inflation rates in the four-year period since 2016.

#### HDR Engineering Contract Modification

In March 2016, the Board awarded HDR Engineering, Inc. \$5,936,638 to prepare preliminary engineering design for the Metro Center Project. Due to the changes to the project, Staff

recommended action also include \$1,976,222 million to HDR Engineering Inc. to provide design support during construction for the emergency and security operations centers.

Project Status

Metro has received California State Prop 1B grant in the amount of \$109.5 million since 2011 and the State has requested that Prop 1B grant funds be expended by 2022. Therefore, early environmental and demolition work began in August 2019 and will be completed in April 2020 in preparation for the design builder’s work. The approval of the staff recommended actions will enable to Project to expend the Prop 1B funds by 2022.

**DETERMINATION OF SAFETY IMPACT**

The Project will be designed and constructed consistent with Metro’s design and construction safety standards. This Board action will not impact established safety standards for Metro’s design and construction projects.

**FINANCIAL IMPACT**

In FY 11, Metro received a Proposition 1B California Transit Security Grant Program (CTSGP) California Transit Assistance Fund (CTAF) grant to fund the design and construction of an Emergency Operations Center (EOC). The CTAF grant was subsequently reduced to \$109.5 million due to less available funds from bond sales. Funding Sources are shown on Table 1 below.

<b>Funding Source</b>	<b>Amount (\$ millions)</b>
Prop 1B California Transit Security Grant Program	\$109.5
Eligible State or/and Local Funds based on availability at time of expenditure	\$96.5
<b>TOTAL</b>	<b>\$206.0</b>

Staff is requesting to establish the new LOP budget of \$206 million for the Project, in cost center 2610 System Security and Law Enforcement, project number 212121 to accommodate the costs. Since this is a multi-year project, the Chief System Security and Law Enforcement Officer and Chief Program Management Officer, Program Management will be accountable for budgeting the costs in future years.

Impact to Budget

The Prop 1B California Transit Security Grant Program funds are specific for this project as designated in the Grant award to this project. Additional funding for this project may have to come from other federal, state or local eligible Bus and Rail Operating funds and SGR funds.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the

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transportation system. The Project will be designed and constructed to support future ROC and BOC operations within the building. The Project will enhance Metro's ability to plan and respond to special events. The Project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. The Project is one of the few consolidated transit operation centers in the nation that will house emergency, security, rail, and bus operations within the same facility for efficiency of operations. Lastly, the Project supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the LA Metro organization. The Project is being designed and constructed in close coordination with the community and third party stakeholders as well as internal stakeholders within Metro to streamline Metro's systems and processes for efficient operations.

### **ALTERNATIVES CONSIDERED**

The alternative would be to not approve the recommended actions to advance the design and construction of the Project. This is not recommended as Metro will need to return \$109.5 million to the State including over \$18 million that has already been expended if the Project does not move forward.

### **NEXT STEPS**

Execution of the design-build contract is subject to the resolution of any timely and properly submitted protest. A Notice to Proceed (NTP) to the Design/Build Contractor after execution of the contract and meeting all other contract requirements for an NTP. The Project is estimated to be complete by Winter 2023. Upon Board approval, staff will also execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering, Inc.

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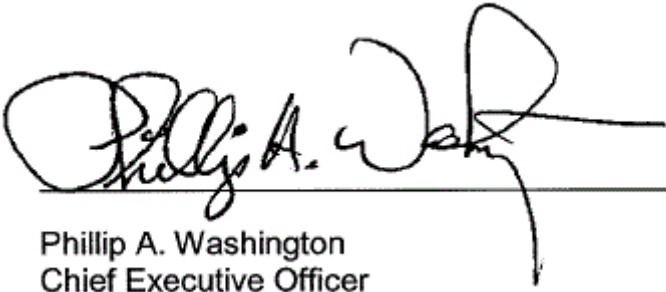
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