



## Board Report

File #: 2024-0498, File Type: Contract

Agenda Number: 9.

### CONSTRUCTION COMMITTEE NOVEMBER 20, 2024

**SUBJECT: NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT PROJECT -  
CONSTRUCTION MANAGER/GENERAL CONTRACTOR**

**ACTION: AWARD CONTRACT**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer or designee to:

- A. AWARD Contract No. PS118736000 to Myers-Shimmick, a Joint Venture, for the North Hollywood to Pasadena Bus Rapid Transit Project (Project) Construction Manager/General Contractor (CM/GC) Phase 1 in the amount of \$8,260,253 for Preconstruction Services, subject to the resolution of protest(s), if any;
- B. ESTABLISH a Preconstruction Budget for the Project in an amount of \$135,183,738; and
- C. NEGOTIATE and EXECUTE all project-related agreements and modifications within the authorized Preconstruction Budget.

#### **ISSUE**

Staff is seeking the Board's approval for two items: (1) to award CM/GC contract; and (2) to establish a Preconstruction Budget. The Preconstruction Budget is inclusive of this and all previously awarded contracts, incurred expenses to date, and anticipated additional preconstruction activities performed by the CM/GC and existing architectural and engineering (A&E) and professional services contracts for the Project, all as summarized in the expenditure and funding plan for the Preconstruction Budget as shown in Attachment A.

#### **BACKGROUND**

The Project is a 19-mile Bus Rapid Transit (BRT) corridor with 22 stations. The Project serves as a key regional connection between the San Fernando and San Gabriel Valleys and traverses the communities of North Hollywood, Burbank, Glendale, Eagle Rock, and Pasadena. Each community

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has dense residential populations and many cultural, entertainment, shopping, and employment areas throughout, including the NoHo Arts District, Burbank Media District, Glendale Galleria, Americana at Brand, Eagle Rock Plaza, and Old Pasadena.

The Project goals are to:

- Advance a premium transit service that is more competitive with private automobile travel;
- Improve accessibility for disadvantaged communities;
- Improve transit access to major activity and employment centers;
- Enhance connectivity to Metro and other regional transit services;
- Provide improved passenger comfort and convenience; and
- Support community plans and transit-oriented community goals

Following the completion of the environmental phase in April 2022, the Board certified the Final Environmental Impact Report (FEIR) and approved the Project. The approved Project entered Advanced Preliminary Engineering (APE), which includes advancing design work and continued coordination with the cities and communities along the corridor, and the Preliminary Engineering (PE) phase was completed in December of 2023.

A Program Management Support Services Contract was awarded in March 2024 and the Contract for final design services was awarded in May 2024. Development of 30% design packages for the Project is ongoing.

The CM/GC approach will be used to deliver and construct the Project. Utilizing CM/GC provides the benefit of construction contractor input during the design phase before the start of construction.

In order to move into this phase of preconstruction services, the Project will utilize the CM/GC contract that is the subject of this action and will continue to utilize support from Metro staff and previously awarded and existing contracts and agreements, as listed below and reflected in Attachment A.

- Program Management Support Services provided by Ramos CS (Contract No. AE107697000);
- Final design services provided by HDR Engineering, Inc. (Contract No. AE112357000)
- Project Controls Support Services from KTJV (Contract No. PS89856000).

## **DISCUSSION**

Staff selected CM/GC for the Project's Phase 1 as it enables Metro to engage a General Contractor to act as the "Construction Manager" consultant and collaborate with Metro and the design consultant. The CM/GC process provides the ability to effectively integrate benefits from the early engagement of construction experts that will enable Metro to make informed decisions during the design process and provide substantive benefits to the project. Further, the CM/GC delivery method

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for this project will also improve construction quality, encourage value engineering, provide higher certainty on the final construction cost and delivery schedule, and minimize risks related to construction change orders, disputes, and third-party delays during construction.

The CM/GC will deliver the Project in two distinct contract phases. The Preconstruction Budget establishes Phase 1, the Preconstruction Phase (Design), which allows the contractor to work with the design contractor and Metro to identify risks, provide cost estimates, and refine the project schedule. During Phase 1, Metro will work with the CM/GC Contractor to explore opportunities to accelerate the delivery schedule, as well as leverage their expertise to drive the completed design in a direction that remains within approved project budgets. As the design approaches completion, the CM/GC contractor and Metro negotiate the contract price for Phase 2, the Construction Phase.

If both the CM/GC and Metro reach an agreement on the Construction Phase costs, staff will return to the Board with a recommendation to approve the Life of Project (LOP) budget and authorize the Phase 2 Contract Supplement. With Board approval, Metro will execute a Contract Supplement and issue a Notice to Proceed (NTP) for Phase 2 and then the second contract phase (Final Construction Phase) will begin.

At any stage during the Preconstruction design period, Metro can exercise an “off-ramp” and seek another contractor by competitively bidding on the Project’s final design, while still benefitting from the previous work performed by the CM/GC Contractor. The CM/GC Phases are described in more detail below:

- Phase 1 Preconstruction Services expressly sets out the work that the Contractor will perform, such as design review, cost estimating, schedule and Early Works Packages.
- Upon issuance of NTP for Phase 1, the Contractor, design consultant, PMSS, and Metro will work side by side to review constructability, undertake value engineering, conduct site investigations, assess market conditions, and provide current contractor price estimates, risk assessments, and construction schedules at each successive prescribed design interval to finalize the design.
- Throughout Phase 1, the Contractor will provide Metro with Opinion of Probable Costs (OPCs), which are detailed cost estimates that will enable staff to evaluate the projected Project costs against the Project budget and make necessary adjustments to the scope or schedule.
- If both parties agree to a final OPC, staff will seek Board approval to award Phase 2 construction to the Contractor and establish an LOP budget. If not, Metro will have the option to terminate the contract with the Contractor and package the design documents into a separate bid package. This off-ramp will be available for Metro throughout Phase 1 as staff evaluates each OPC.
- Throughout Phase 2 negotiations, Metro will maintain the following parameters to mitigate

discrepancies and to increase the likelihood of project success:

- ✦ the Contractor's fee and margin initially proposed will be retained in all OPCs;
- ✦ the Phase 1 specification sets out the form and frequency of OPCs to provide for multiple checkpoints for Metro;
- ✦ the CM/GC contract sets out the conditions of the price proposal for Phase 2 and the information that the Contractor is required to submit;
- ✦ the CM/GC contract sets out a clear governance structure for managing Phase 1, including the establishment of working groups that include members from Metro, the contractor team, and any relevant third parties; and
- ✦ the process for establishing all OPCs will employ transparent open-book methods and the use of independent cost estimates to validate pricing.

By utilizing the CM/GC approach to deliver and construct the Project, the construction contractor will provide feedback during the design development phase before the start of construction. The design team will work collaboratively with the CM/GC staff and incorporate input on constructability, Project phasing, and value engineering ideas as the design progresses.

The Project alignment runs through four municipalities and is built entirely within the public right-of-way. The design for the Project will be packaged in five (5) segments (North Hollywood, Burbank, Glendale, Eagle Rock, and Pasadena - both the North Hollywood and Eagle Rock segments are within the City of Los Angeles) to facilitate phasing the design and construction of the project to optimize the schedule while accommodating the different design review and approval processes applicable to each of the four municipalities. Metro anticipates issuing Early Works Package(s) to allow construction to begin prior to design being complete on all segments.

### **DETERMINATION OF SAFETY IMPACT**

The recommended Board action will have no detrimental impact on safety.

### **FINANCIAL IMPACT**

The funds required in FY25 for the Phase 1 Preconstruction Services are included in the adopted budget under Cost Center 8510 Project number 871401, under various accounts, including professional and technical services. Annual budgeting within the approved preconstruction budget for the future fiscal years will be the responsibility of the Project Manager, Cost Center Manager, and the Chief Program Management Officer.

#### **Impact to Budget**

The Project has capital funding programmed into the Metro financial forecast based on the cost estimate prepared for the Measure M Expenditure Plan of \$267 million with an additional \$50 million

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in SB1 funds, for a total of \$317 million.

The source of funds for this action is Measure M 35%, which is not eligible for bus and rail operations.

### **EQUITY PLATFORM**

The Diversity and Economic Opportunity Department (DEOD) established a 17% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for the Phase 1 Work. Myers-Shimmick, a Joint Venture, exceeded the SBE and DVBE goals for Phase 1 work by making a 43.26% SBE commitment and a 3.49% DVBE commitment. Myers-Shimmick, a Joint Venture subcontracted at least 30% of its contract value with Local Small Business Enterprise (LSBE) firms, making it eligible to receive the LSBE preference bonus.

The CM/GC proposal evaluation criteria allocated a possible 40 points out of 800 total points to the proposing firm's demonstration of a well-defined approach to ensure that Cultural Competency is considered and executed in the performance of the Scope of Services. Proposers were instructed to reference policies and practices at the organizational level as well as values and behaviors at the individual level that will establish reciprocal relationships that support trustworthy communication between the Project team and the community.

In performance of the Scope of Services, the CM/GC is required to conduct an assessment focused on economic, social, environmental, racial, and other inequities to inform the overall project approach. The results of the assessment will inform the development of a multi-year Cultural Competency plan to be implemented and maintained by the CM/GC. The CM/GC will also convene a cultural competency working group to meet on a quarterly basis for the purpose of considering issues, potential issues, and proposed solutions and opportunities related to the development and implementation of the Cultural Competency Plan.

The Project area includes several Equity Focus Communities (EFCs) in North Hollywood, Burbank, Glendale and Pasadena and will provide the benefits of enhanced mobility and regional access for transit riders within those communities. The Project will allow people living in EFCs along the corridor to connect with the greater regional transportation network and key destinations, via the 10 planned stations located in EFCs. Improvements to bicycle and pedestrian facilities are also included as part of the Project, which were added in response to feedback received from the community. These project elements improve the safety and convenience of biking and walking which provides a benefit to people living in EFCs who may not have access to an automobile.

Additionally, any potential impacts to existing bicycle and pedestrian facilities along the Project within these communities will be addressed by proposed mitigations during both the construction and operation phases to ensure safe and easily navigable options.

The outreach strategy for the Project (during the completed planning and environmental phase) was designed to engage with historically marginalized groups through the use of multilingual outreach

materials (English, Spanish, Armenian, and Tagalog), live-translation during meetings, accessible meeting times and locations, regular updates via a mailing list, and transit-intercept surveys to reach current riders who were otherwise unable to attend meetings. The Project team provided robust stakeholder engagement and focused outreach activities to better engage transit riders and EFCs to inform the planning and environmental review and will continue this robust outreach during design and construction activities.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Recommendation supports:

- Strategic Plan Goal 1: Provide high quality mobility options that enable people to spend less time traveling;
- Strategic Plan Goal 2: Deliver outstanding trip experience for all users of the transportation system; and
- Strategic Plan Goal 3: Enhance communities and lives through mobility and access to opportunity.

## **ALTERNATIVES CONSIDERED**

The Board may choose not to move forward with awarding the contract and establishing the Preconstruction Budget. This is not recommended as Metro will incur undesirable schedule delays and cost increases. If award of the CM/GC contract is not approved, Metro would seek another contractor by competitively bidding on the Project's final design once design is completed and approved.

## **NEXT STEPS**

Upon Board approval, staff will execute CM/GC Contract No. PS118736000 with Myers-Shimmick, a Joint Venture. Metro staff will engage the CM/GC contractor to initiate Phase 1 Preconstruction Services in coordination with the design consultant and PMSS consultant to advance completion of the final design. Staff will return to the Board to seek approval of the Life of Project (LOP) budget and authorization to advance the corresponding Phase 2 Contract Supplement in FY26.

## **ATTACHMENTS**

Attachment A - Expenditure and Funding Plan

Attachment B - Procurement Summary

Attachment C - DEOD Summary

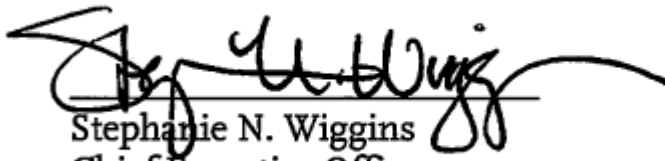
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Chief Executive Officer

**Attachment A - Expenditure and Funding Plan**  
**NoHo to Pasadena BRT Phase 1 Preconstruction Budget**

Use of Funds	Total	Inception Thru FY 24	FY 25	FY 26
Planning, Enviromental and Preliminary Engineering Services	\$ 19,806,000	\$ 19,806,000	\$ -	\$ -
<b>Phase 1 - Preconstruction Services</b>				
CM/GC Preconstruction Services	\$ 8,260,253		\$ 4,130,127	\$ 4,130,127
Final Design Services	\$ 27,459,000		\$ 18,902,000	\$ 8,557,000
PMSS Services	\$ 14,638,000		\$ 6,282,000	\$ 8,356,000
Ealy Works Packages	\$ 44,500,000		\$ -	\$ 44,500,000
Other Professional Services	\$ 2,220,000		\$ 1,332,000	\$ 888,000
Third Party (LA, Burbank, Glendale, Pasadena & Utility Relocations, etc)	\$ 3,009,600		\$ 1,805,760	\$ 1,203,840
Agency Costs	\$ 4,802,000		\$ 2,401,000	\$ 2,401,000
<b>Contingency</b>				
Contingency (10%)	\$ 10,488,885		\$ 3,485,289	\$ 7,003,597
<b>Total Preconstruction Services Budget</b>	<b>\$ 135,183,738</b>	<b>\$ 19,806,000</b>	<b>\$ 38,338,175</b>	<b>\$ 77,039,563</b>
Source of Funds	Total			
LACMTA Measure M Funds	\$ 267,000,000	\$ 19,806,000	\$ 38,338,175	\$ 77,039,563
SB1 Grant	\$ 50,000,000	\$ -	\$ -	\$ -
<b>Total Project Funding</b>	<b>\$ 317,000,000</b>	<b>\$ 19,806,000</b>	<b>\$ 38,338,175</b>	<b>\$ 77,039,563</b>



## PROCUREMENT SUMMARY

**NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT (BRT) PROJECT  
CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC)  
PS118736000**

1.	<b>Contract Number:</b> PS118736000	
2.	<b>Recommended Vendor:</b> Myers-Shimmick, a Joint Venture	
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> January 24, 2024	
	<b>B. Advertised/Publicized:</b> January 24, 2024	
	<b>C. Pre-Proposal Conference:</b> February 20, 2024	
	<b>D. Proposals Due:</b> April 17, 2024	
	<b>E. Pre-Qualification Completed:</b> July 24, 2024	
	<b>F. Ethics Declaration Forms submitted to Ethics:</b> April 17, 2024	
	<b>G. Protest Period End Date:</b> November 27, 2024	
5.	<b>Solicitations Downloaded:</b> 195	<b>Proposals Received:</b> 4
6.	<b>Contract Administrator:</b> Fred Leung	<b>Telephone Number:</b> (213) 922-8914
7.	<b>Project Manager:</b> Anthony Defrenza	<b>Telephone Number:</b> (213) 922-7107

**A. Procurement Background**

This Board Action is to approve Contract No. PS118736000 issued in support of the Construction Manager/General Contractor (CM/GC) project delivery method for Metro's North Hollywood to Pasadena Bus Rapid Transit (BRT) Project. Board approval of contract awards are subject to resolution of any properly submitted protest(s), if any.

The Request for Proposals (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is Construction Manager/General Contractor (CM/GC). The RFP was issued with 17% SBE and 3% DVBE goals for Phase 1, and a 17% to 32% range for SBE goal and 3% DVBE goal for Phase 2 work.

Three (3) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on February 22, 2024, revised RFP Sections and Exhibits, extended the deadline for submission of RFP comments from February 23, 2024 to April 1, 2024, and extended the proposal due date from March 27, 2024 to April 17, 2024.

- Amendment No. 2, issued on March 18, 2024, updated the contract administrator contact information and revised various sections of the contract and contract exhibits.
- Amendment No. 3, issued on April 4, 2024, revised Appendix D – Section 4.11 of the RFP and revised various contract exhibits.

A virtual pre-proposal conference was held on February 20, 2024, and was attended by 52 participants representing 38 firms. Two sets of questions and responses were released prior to the proposal due date.

A total of 195 downloads of the RFP were recorded in the planholders' list. A total of four proposals were received on April 17, 2024.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro's Project Management Office, Planning & Development, and Program Control was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on the following weighted evaluation criteria:

• Capability and Experience	360 Points
• Project Understanding	80 Points
• Project Approach	360 Points
• Price	<u>200 Points</u>
	1000 Points
• LSBE Preference Program ( <i>BONUS</i> )	50 Bonus Points

Several factors were considered when developing these point values, giving the greatest importance to Capability and Experience, and Project Approach. Project Approach included a subcriterion worth 40 points for Proposers to demonstrate their approach to Cultural Competency.

This solicitation was subject to the Local Small Business Enterprise (LSBE) Preference Program effective August 25, 2022. This pilot program, approved by the Board, awards a 5% bonus to the Proposer(s) who commit to subcontract at least 30% of the Contract Value to Local Small Business Enterprises. The LSBE bonus points are added to the Proposer(s)' total point score if DEOD determines the Proposer(s) earned the LSBE bonus points.

In addition, the price evaluation criteria consisted of the following price elements with pre-established parameters to reflect the phases of the project, designed to establish a level playing field and to arrive at one price formula that would be evaluated with the understanding that only the amount listed under Phase 1 would be used for the awarded Contract Value (subject to clarification and/or negotiations) as follows:

1. Phase 1 Work Not-To-Exceed (NTE) Amount; and
2. Phase 2 Margin Percentage with an assumed construction cost of \$190,000,000 (for evaluation purposes only)

Of the proposals received, all four were determined to be within the competitive range and are listed below in alphabetical order:

1. Flatiron West, Inc. (Flatiron)
2. Myers-Shimmick, a Joint Venture (Myers-Shimmick JV)
3. Skanska Sully Miller, a Joint Venture (Skanska Sully Miller JV)
4. Stacy Witbeck Griffith Company, a Joint Venture (SWGC JV)

During May and June 2024, the PET reviewed and scored each technical proposal. On June 25, 2024, the PET met and received Oral Presentations from all four firms. The Proposer's project manager and key team members had an opportunity to present each team's Project Understanding and Project Approach. Each team was asked questions regarding their previous experience related to delivering a BRT or similar Project.

In September 2024, Metro held detailed discussions with each of the four Proposers regarding their technical and price proposals.

At the conclusion of discussions, Metro issued Amendment No. 4 requesting Best and Final Offers (BAFO) from all the firms. All four Proposers submitted written BAFOs on October 3, 2024. The BAFOs were found to be responsive to the requirements and instructions set forth in Amendment No. 4.

After a thorough evaluation review of proposals, oral presentations, and BAFOs, the highest ranked firm was Myers-Shimmick JV.

### **Qualifications Summary of Recommended Firm:**

Myers-Shimmick JV demonstrated past BRT experience for similar projects and proposed a highly qualified team with public transportation experience. Their proposal thoroughly understood the project and their approach to performing the Phase 1 work. Myers-Shimmick JV received the highest scores on both technical and price proposals. Their proposal achieved the highest scores for Capability and Experience as well as Project Understanding. Additionally, their Project Approach shown below includes a score of 36.13 out of 40 for Cultural Competency. Furthermore, Myers-Shimmick JV exceeded the goals by making a 43.26% SBE commitment and a 3.49% DVBE commitment. Myers-Shimmick JV is also committed to subcontracting more than 30% of the Contract Value to LSBE firms.

The PET's recommendation in the order of ranking is shown in the table below:

<b>Proposer Name</b>	<b>Maximum Points</b>	<b>Earned Points</b>	<b>Total Points</b>	<b>Rank</b>
<b>Myers-Shimmick JV</b>				
Capability and Experience	360	339.73		
Project Understanding	80	77.07		
Project Approach	360	335.87		
Price	200	200.00		
<b>LSBE Preference Program (5%) (BONUS POINTS)</b>	50	50.00		
<b>Total</b>			1002.67	<b>1</b>
<b>Skanska Sully Miller JV</b>				
Capability and Experience	360	326.13		
Project Understanding	80	75.73		
Project Approach	360	335.20		
Price	200	189.89		
<b>LSBE Preference Program (5%) (BONUS POINTS)</b>	50	50.00		
<b>Total</b>			976.95	<b>2</b>
<b>Flatiron</b>				
Capability and Experience	360	311.87		
Project Understanding	80	75.47		
Project Approach	360	335.87		
Price	200	198.07		
<b>LSBE Preference Program (5%) (BONUS POINTS)</b>	50	50.00		
<b>Total</b>			971.28	<b>3</b>
<b>SWGC JV</b>				
Capability and Experience	360	327.47		
Project Understanding	80	75.47		
Project Approach	360	324.80		
Price	200	183.66		
<b>LSBE Preference Program (5%) (BONUS POINTS)</b>	50	50.00		
<b>Total</b>			961.40	<b>4</b>

### C. Cost/Price Analysis

The recommended Not-to-Exceed (NTE) award amount and Phase 2 Margin Percentage have been determined to be fair and reasonable based upon review of an Independent Cost Estimate (ICE), cost analysis, technical evaluation, and fact finding.

<b>Proposer Name</b>	<b>BAFO Amount</b>	<b>Metro ICE</b>	<b>Award Amount</b>
Myers-Shimmick JV	<b>\$8,260,253 (Phase 1)</b>	<b>\$13,477,453 (Phase 1)</b>	<b>\$8,260,253 (Phase 1)</b>
	<b>Phase 2 Margin Percentage 8.75%</b>	<b>Phase 2 Margin Percentage 10%</b>	<b>Phase 2 Margin Percentage 8.75%</b>
Skanska Sully Miller JV	\$9,992,677 (Phase 1)		
	Phase 2 Margin Percentage 8.50%		
Flatiron	\$8,025,106 (Phase 1)		
	Phase 2 Margin Percentage 9.00%		
SWGC JV	\$8,488,106 (Phase 1)		
	Phase 2 Margin Percentage 9.70%		

The price evaluation criteria included in the RFP consisted of price elements with pre-established parameters to reflect the phases of the project. All firms proposed pricing within the pre-established parameters.

The ICE was originally developed with staffing that included five (5) Segment Superintendents needed for Phase 1. Myers-Shimmick proposed a staffing plan with fewer Segment Superintendents resulting in the final award amount being lower than Metro's original ICE.

#### **D. Background on Recommended Contractor**

##### **Myers-Shimmick, a Joint Venture (Myers-Shimmick JV)**

The managing partner of the Joint Venture (JV), Myers and Sons Construction (Myers) is a heavy civil infrastructure construction company based in Sacramento, California with local office in Los Angeles, that was established in 2010. Myers has experience in alternative delivery projects such as design-build and CM/GC, including as the non-managing partner of the Metro I-105 Express Lanes CM/GC.

Shimmick Construction (Shimmick), the other JV partner, is one of the nation's largest heavy civil contractors which began in 1990 and its headquarters office is located in Irvine, California. Shimmick has performed more than \$2 billion of alternative delivery projects, including the Gerald Desmond Bridge Replacement Design-Build for the Port of Long Beach.

Myers-Shimmick JV formed a joint venture specifically for this endeavor, which brings together their CM/GC expertise and resources in alternative project delivery methods.

## DEOD SUMMARY

**NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT (BRT) PROJECT –  
CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC)  
RFP NO. PS118736**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 17% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for Phase 1 – Pre-Construction. Myers-Shimmick, a Joint Venture (MSJV), exceeded the goals by making a 43.26% SBE and 3.49% DVBE commitment.

<b>Small Business Goal</b>	<b>17% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>43.26% SBE 3.49% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>	<b>LSBE</b>	<b>Non-LSBE</b>
1.	A1 Management & Inspection Inc.	7.66%	X	
2.	Quest Project Controls, Inc. dba CM Solutions	6.59%	X	
3.	Costin Public Outreach Group, Inc.	4.29%		X
	Guida Surveying Inc.	0.89%		X
4.	Morgner Technology Management dba Morgner Construction Management	18.01%	X	
5.	STC Traffic, Inc	4.28%		X
6.	Steiner Consulting	1.54%		X
	<b>Total SBE Commitment</b>	<b>43.26%</b>		

	<b>DVBE Subcontractors</b>	<b>% Committed</b>	<b>LSBE</b>	<b>Non-LSBE</b>
1.	Antich Consulting Inc.	2.47%	X	
2.	Leland Saylor & Associates dba Leland Saylor Associates	1.02%		X
	<b>Total DVBE Commitment</b>	<b>3.49%</b>		

## **Phase 2**

The SBE/DVBE goal for Phase 2 Work will be established in accordance with the provisions of the Contract. Prior to submittal of the Phase 2 Work Proposal, DEOD will notify the MSJV of the SBE/DVBE goal established. MSJV will be required to meet or exceed the SBE/DVBE goal and list its SBE and DVBE subcontractors, with dollar values committed for each, at the time of submission of its Phase 2 Work Proposal.

### **B. Small Business Engagement and Outreach Plan (EOP)**

Proposers were required to submit a small Business Engagement Outreach Plan (EOP) as part of its proposal, evidencing how it will engage and outreach to the small and disadvantaged business community on contracting opportunities for all phases of the contract work. MSJV met the requirements.

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

The COMP is not applicable to Phase 1 of this project. For Phase 2 – Work (including Early Works Packages), the Contractor will be required to identify two (2) SBE/DVBE firms for protégé development in its detailed COMP submittal with its Phase 2 – Work Proposal.

### **D. Local Small Business Preference Program (LSBE)**

MSJV, a non-LSBE prime, listed four (4) LSBE firms and subcontracted at least 30% of its contract value with LSBE firms, and is eligible to receive the LSBE preference.

### **E. Living Wage and Service Contract Worker Retention Policy Applicability**

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

### **F. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this contract. 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).

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

PLA/CCP is not applicable on Phase 1- Pre-Construction (Design) portion of the contract wherein construction work is very limited. However, PLA/CCP is applicable



on the Phase 2 – Work (Construction) portion of this contract to include all Early Work Packages that have contract value more than \$2.5 million and above.



**Provide a new way to ride between the  
San Fernando and San Gabriel Valleys**

**NORTH HOLLYWOOD TO PASADENA BUS RAPID TRANSIT PROJECT**



**Metro**

# NoHo to Pas BRT Project

## RECOMMENDATION:

Authorize the CEO or designee to:

- A. AWARD Contract No. PS118736000 to Myers-Shimmick, a Joint Venture, for the North Hollywood to Pasadena Bus Rapid Transit Project Construction Manager/General Contractor (CM/GC) Phase 1 in the amount of \$8,260,253 for Preconstruction Services, subject to the resolution of protest(s), if any; and
- B. ESTABLISH a Preconstruction Budget for the Project in an amount of \$135,183,738; and
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# NoHo to Pas BRT Project



# Procurement Evaluation

Proposer Name	Maximum Points	Myers-Shimmick JV	Skanska Sully Miller JV	Flatiron	SWGC JV
Capability and Experience	360	339.73	326.13	311.87	327.47
Project Understanding	80	77.07	75.73	75.47	75.47
Project Approach	360	335.87	335.2	335.87	324.8
Price	200	200	189.89	198.07	183.66
<b>Total</b>	<b>1000</b>	<b>952.67</b>	<b>926.95</b>	<b>921.28</b>	<b>911.4</b>
LSBE Preference Program (5%) (BONUS POINTS)	50	50	50	50	50
<b>Total</b>	<b>1050</b>	<b>1002.67</b>	<b>976.95</b>	<b>971.28</b>	<b>961.4</b>
Phase 1 NTE		\$ 8,260,253	\$ 9,992,677	\$ 8,025,106	\$ 8,488,106
Phase 2 Margin Percentage		8.75%	8.50%	9.00%	9.70%

# Equity Platform

- > 17% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for Phase 1 – Pre-Construction
- > Myers-Shimmick (MSJV) exceeded the goals by making a 43.26% SBE and 3.49% DVBE commitment
- > MSJV listed 4 Local Small Business Enterprise (LSBE) firms and subcontracted at least 30% to LSBE firms, and is eligible to receive the LSBE preference
- > Proposal Evaluation Criteria allocated points to the proposing firm's demonstration of a well-defined approach to Cultural Competency.
- > Project area includes several Equity Focus Communities (EFC) in North Hollywood Burbank, Glendale and Pasadena and will provide benefits of enhanced mobility and regional access to transit riders living in EFCs

# Phase 1 Preconstruction Budget

Use of Funds	Total	Inception Thru FY 24	FY 25	FY 26
Planning, Environmental and Preliminary Engineering Services	\$ 19,806,000	\$ 19,806,000	\$ -	\$ -
Phase 1 - Preconstruction Services				
CM/GC Preconstruction Services	\$ 8,260,253		\$ 4,130,127	\$ 4,130,127
Final Design Services	\$ 27,459,000		\$ 18,902,000	\$ 8,557,000
PMSS Services	\$ 14,638,000		\$ 6,282,000	\$ 8,356,000
Early Works Packages	\$ 44,500,000		\$ -	\$ 44,500,000
Other Professional Services	\$ 2,220,000		\$ 1,332,000	\$ 888,000
Third Party (LA, Burbank, Glendale, Pasadena & Utility Relocations, etc)	\$ 3,009,600		\$ 1,805,760	\$ 1,203,840
Agency Costs	\$ 4,802,000		\$ 2,401,000	\$ 2,401,000
Contingency				
Contingency (10%)	\$ 10,488,885		\$ 3,485,289	\$ 7,003,597
<b>Total Preconstruction Services Budget</b>	<b>\$ 135,183,738</b>	<b>\$ 19,806,000</b>	<b>\$ 38,338,175</b>	<b>\$ 77,039,563</b>
Source of Funds	Total			
LACMTA Measure M Funds	\$ 267,000,000	\$ 19,806,000	\$ 38,338,175	\$ 77,039,563
SB1 Grant	\$ 50,000,000	\$ -	\$ -	\$ -
<b>Total Project Funding</b>	<b>\$ 317,000,000</b>	<b>\$ 19,806,000</b>	<b>\$ 38,338,175</b>	<b>\$ 77,039,563</b>



# Next Steps

- > Execute CM/GC contract and issue NTP for Phase 1 Preconstruction services
- > CM/GC to conduct constructability reviews to support ongoing design development activities
- > CM/GC to develop construction cost estimate and construction schedule based on each design phase submittal
- > Execute Early Works Package for utility investigation activities (potholing, GPR, etc)