

**Board Report**

File #: 2015-0961, **File Type:** Contract**Agenda Number:** 37.

REVISED
CONSTRUCTION COMMITTEE
JULY 16, 2015

SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 1 PROJECT**ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE CONTRACT MODIFICATION****RECOMMENDATION**

CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer (CEO) to execute Change Modification No. 2 to Contract No. MC071, Westside Extension Support Team (WEST), to continue providing **Construction Management Support Services (CMSS) for six months of FY16 for the Westside Purple Line Extension Section 1 Project**, in an amount not-to-exceed \$6,487,628, increasing the total contract value from \$14,513,451 to \$21,001,079.

ISSUE

On July 25, 2013, the Board approved and awarded, to WEST, the Construction Management Support Services contract for this project. Construction management support services are required to oversee and manage the construction and assist in closeout of the Westside Purple Line Extension Section 1 Project. Metro Project Management requires the continuation of construction management support services to provide the expertise to oversee the construction of the advanced utility relocations at the three station areas, Division 20 Maintenance-of-Way/Non-Revenue Vehicle Maintenance Building, the Design/Builder's construction operations and assist Metro with the management of the Project. On May 22, 2014, the Board authorized annual funding for WEST to continue to provide construction management support services through FY15, for a total contract value in an amount not-to-exceed \$14,513,451.

The recommended Board action will provide sufficient contract funding for six months of FY16, pending the CEO's mid-year cost budgeting exercise. Future work will be funded on an Annual Work Program, year-to-year basis. This approach will result in more accurate budgeting for each year, while providing better control over consultant services costs.

DISCUSSION

The primary role of the CMSS is to provide highly skilled and qualified individuals to assist Metro with the construction management of the Project by becoming part of a fully-integrated construction management team residing in the construction field office, under the oversight of Metro Project Management. The CMSS consultant will provide administration, maintenance, inspection services and technical support during the construction, pre-revenue operations and closeout phases of the Project.

In a parallel process under a separate board report, staff is recommending a total of ~~37~~ 33 new non-contract Metro Engineering and Construction (E&C) positions for FY16 by converting ~~32~~ 28 new Construction Management Support Services (CMSS)/Consultant positions. ~~Six~~ Five of the ~~32~~ 28 CMSS/Consultant positions proposed for conversion to new Metro non-contract positions fall under the WEST's scope of work under Contract Modification No. 2. If the Board approves the new non-contract Metro E&C positions, a reduction of up to ~~\$1,264,787~~ \$1,093,070 may be deducted from Contract Modification No. 2 for these ~~six~~ five new non-contract Metro positions ~~provided that these Metro positions are in place at the Westside Purple Line Extension Section 1 Project on July 1, 2015.~~ ~~Otherwise,~~ a A prorated rate of ~~\$17,567~~ \$18,218 per month (per position) may be deducted from Contract Modification No. 2 for every CMSS/Consultant position that is converted to new non-contract Metro position and placed on the project.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards for Metro's construction projects. The CMSS contract will provide services that support Metro's internal safety staff on the Westside Purple Line Extension Section 1 Project. The scope of services for the CMSS contract includes provisions for staff members to ensure that safety is the highest priority during oversight of all phases of construction.

FINANCIAL IMPACT

Funds are included in the FY16 budget for this action under Project 865518 - Westside Purple Line Extension Section 1 Project in Cost Center 8510 (Construction Project Management), and Account Number 50316 (Professional Services). Since this is a multi-year project, the Executive Director of Engineering and Construction and the Project Manager will be accountable to budget the cost for future years on an annual basis, including the exercise of any options for future phases.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts, Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan proceeds and Measure R 35%. The approved FY16 budget is designated for the Westside Purple Line Extension Section 1 Project and does not have an impact to operations funding sources. These funds were assumed in the Long Range Transportation Plan (LRTP) for the Westside Purple Line Extension Section 1 Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may elect to discontinue using WEST for CMSS in FY16. Staff does not recommend this alternative as the construction projects they are assigned are in various degrees of completion and loss of experienced staff would be a detriment to the completion of these projects. There is insufficient time to hire all Metro staff required or to solicit a new CMSS consultant. Therefore, this action will extend the services of all the existing FY15 CMSS positions including approximately 30% DBE. Furthermore, a portion of CMSS positions are needed on an as-needed basis only and not on a full-time basis. Some of the CMSS positions also provide specialty work on an as-needed basis of which is not representative of Metro's core functions.

In a parallel process under a separate board report, staff is proposing to convert ~~six~~ five new CMSS positions to new non-contract Metro positions. However, due to the uncertainty of the hiring of new Metro positions in a timely manner, new CMSS positions are added as an interim measure.

NEXT STEPS

1. After Board approval and execution of the contract modification, staff will direct the consultant to continue providing construction management support services for the Westside Purple Line Extension Section 1 Project for six months of FY16.
2. Staff will report back by December 2015 on the actual number of non-contract Metro positions hired and placed on the project with the corresponding reduction in the CMSS contract value.

ATTACHMENTS

- A. Procurement Summary
- B. Contract Modification Authority/Change Order Log

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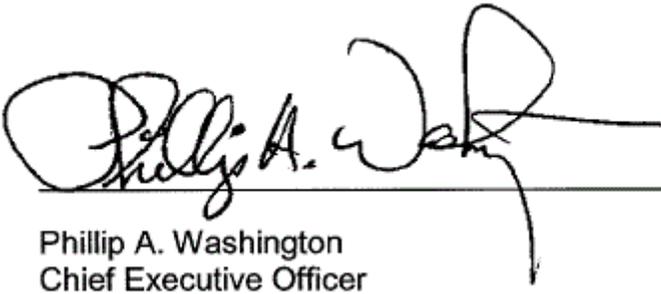
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