

PROCUREMENT SUMMARY

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

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

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|--|------------|
| • 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

	Points Possible	Amoroso	Clark
Experience and Qualifications of Firms on the Team (5%)			
Proposer’s Skill and Experience	5	4.17	4.40
SUBTOTAL	5	4.17	4.40
Skills and Experience of Project Personnel (10%)			
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
SUBTOTAL	10	9.63	7.15
Project Management Approach (25%)			
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

SUBTOTAL	25	21.43	23.23
Project Understanding and Technical Approach (40%)			
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
SUBTOTAL	40	35.52	37.45
TECHNICAL TOTAL	75.00	70.75	72.23
Price Proposal (20%)			
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
PRICE TOTAL	20	17.94	19.00
TECHNICAL & PRICE TOTAL	100	88.69	91.23
CP-5A Voluntary Subcontractor Payment Initiative (5 Point Bonus)	5	5	5
EVALUATION TOTAL	105	93.69	96.23

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.

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

Note¹: The Total Price Proposal includes the Base Work, Provisional Sums, Delay Compensation, Life Cycle Costs and Options.

Note²: The Independent Cost Estimate (ICE) amounts are submitted before the due date and opened concurrently with the other Proposals.

Note³: 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.