

PROCUREMENT SUMMARY

**LINK UNION STATION PHASE A
CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC)
CONTRACT NO. PS120069000**

1.	Contract Number: PS120069000	
2.	Recommended Vendor: Flatiron West, 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: August 30, 2024	
	B. Advertised/Publicized: August 30, 2024	
	C. Pre-Proposal Conference: September 10, 2024	
	D. Proposals Due: October 29, 2024	
	E. Pre-Qualification Completed: February 20, 2025	
	F. Ethics Declaration Forms submitted to Ethics: October 30, 2024	
	G. Protest Period End Date: March 25, 2025 (Estimated)	
5.	Solicitations Downloaded: 174	Proposals Received: 3
6.	Contract Administrator: Robert Romanowski	Telephone Number: (213) 922-2633
7.	Project Manager: Scott McConnell	Telephone Number: (213) 922-4980

A. Procurement Background

This Board Action is to approve Contract No. PS120069000 issued in support of the Construction Manager/General Contractor (CM/GC) project delivery method for the Link Union Station Phase A CM/GC Project. Board approval of contract awards are subject to resolution of any properly submitted protest(s), if any.

Prior to the release of the solicitation, a hybrid in-person/virtual Metro Connect Industry Forum was conducted on February 16, 2024. The event was attended by 81 registered individuals. This event was held to inform the small business community of the upcoming Link Union Station Phase A contracting opportunities, and to promote increased small business participation.

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 Contract is subject to the California High-Speed Rail Authority's Small Business Program Plan (HSR SB Program Plan) which includes Small Business (SB) (inclusive of Micro Business (MB)), Disabled Veteran Business Enterprise (DVBE), and race-neutral Disadvantaged Business Enterprise (DBE) goals and requirements. The

Diversity & Economic Opportunity Department (DEOD) recommended the following goals, all of which apply across the total value for Phase 1 – Pre-Construction Services:

- A SB goal of 25% (with 3% designated for MBs),
- A separate 3% DVBE goal, and
- A separate 10% DBE goal.

The SB/DVBE and DBE goals for Phase 2 Work will be established in accordance with the provisions of the contract, should Phase 2 Work proceed.

Two (2) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on October 15, 2024, added two sentences inadvertently omitted from Section 600 of the SB/DVBE/DBE Instructions to Proposers and included minor clarifications to RFP Appendices.
- Amendment No. 2, issued on October 18, 2024, revised Contract Exhibit 4, Regulatory Requirements and also revised Contract Exhibit 5, Subcontracting, to add required contract language that had been made final after the RFP was initially released.

A virtual pre-proposal conference was held on September 10, 2024, and was attended by 116 participants. Three sets of questions and responses were released before the proposal due date.

A total of 174 downloads of the RFP were recorded in the planholders' list. Three proposals were received on the due date of October 29, 2024.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of a representative from Metrolink Project Delivery and staff from Metro's Environmental Services and Regional Rail units within the Program Management Office, Program Control, and Countywide Planning & Development was convened and conducted a comprehensive technical evaluation of the proposals received.

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

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|-----------------------------|------------------|
| • Capability and Experience | 35 Points |
| • Project Understanding | 10 Points |
| • Project Approach | 30 Points |
| • Cultural Competency | 5 Points |
| • Price | <u>20 Points</u> |
| | 100 Points |

Several factors were considered when developing these point values, giving the greatest importance to Capability and Experience. Additionally, a criterion of 5 points was allocated for proposers to demonstrate their approach to Cultural Competency.

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 Pre-Construction Lump Sum Fee would be used for the awarded Contract Value (subject to clarification and/or negotiations). The price elements stated in the RFP are as follows:

1. Phase 1 Pre-Construction Lump Sum Fee
2. Delay Compensation Rate (daily) for Phase 1 with an assumed estimated quantity of 120 days of Compensable Delay during Phase 1 (for evaluation purposes only)
3. Phase 2 Management Lump Sum Fee, assuming a 60-month period of performance for Phase 2 work (for evaluation purposes only)
4. Phase 2 Margin Percentage, assuming a construction cost of \$520,000,000 (for evaluation purposes only)

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

1. Flatiron West, Inc. (Flatiron)
2. Kiewit Infrastructure West Co. (Kiewit)
3. Skanska USA Civil West (Skanska)

During December 2024 and January 2025, the PET reviewed and scored each proposal. Concurrently, DEOD staff requested and received clarifications on the HSR SB Program Plan forms from all Proposers. On January 15, 2025, the PET met and received Oral Presentations from the three Proposers. The Proposers' project managers and key team members were asked to present each team's capability and experience, and their understanding and approach to completing the Project. Each team was asked questions regarding their previous experience working with multiple stakeholders, minimizing impacts, and commitment to partnering with Metro to ensure the success of the Project. Following oral presentations, the PET completed consensus scoring.

Qualifications Summary of Firms within the Competitive Range

Flatiron West, Inc. (Flatiron)

Flatiron West, Inc. (Flatiron) effectively demonstrated extensive experience with similar projects and proposed a highly qualified team with a strong background in

public transportation, and viaduct construction. Flatiron's proposal articulated a comprehensive understanding of the project and their approach to performing the Phase 1 work. Their proposal achieved the top scores across four of the five evaluation criteria, including the highest in Capability and Experience. Flatiron took no exceptions to the terms and conditions of the CM/GC Contract. Furthermore, Flatiron's proposal contained two innovative features:

- Flatiron included their foundation subcontractor on their Phase 1 team, instead of waiting until after award and submittal of the Subcontractor Bidding and Selection Plan to start to identify a foundation subcontractor; and
- Flatiron included an environmental specialist as value added to their Phase 1 personnel, to acknowledge and assist with the sensitivities of adjacent and interfacing Projects.

Flatiron scored the highest in both the technical and price proposal evaluations.

Skanska USA Civil West (Skanska)

Skanska's Proposal demonstrated strong qualifications and experience in their proposal, supported by a highly capable team and a clear understanding of the project requirements. The Proposal presented a solid approach to executing similar projects.

Kiewit Infrastructure West Co. (Kiewit)

Kiewit presented a qualified team with an acceptable understanding of the project's scope and a reasonable approach to the project. Their proposed cost was the highest among the three proposers. This, combined with the lowest technical proposal evaluation, placed Kiewit's proposal score lowest in the competitive range.

After a thorough evaluation review of proposals and the oral presentations, the PET's recommendation in the order of ranking is shown in the table below:

1	Proposer Name	Average Score	Factor Weight	Weighted Average Score	Rank
2	Flatiron				
3	Capability and Experience	90.20	35%	31.57	
4	Project Understanding	90.60	10%	9.06	
5	Project Approach	80.92	30%	24.28	
6	Cultural Competency	68.00	5%	3.40	
7	Price	100.00	20%	20.00	
8	Total		100%	88.31	1

9	Skanska				
10	Capability and Experience	85.24	35%	29.83	
11	Project Understanding	83.00	10%	8.30	
12	Project Approach	75.80	30%	22.74	
13	Cultural Competency	71.00	5%	3.55	
14	Price	84.40	20%	16.88	
15	Total		100%	81.30	2
16	Kiewit				
17	Capability and Experience	76.31	35%	26.71	
18	Project Understanding	72.00	10%	7.20	
19	Project Approach	61.55	30%	18.47	
20	Cultural Competency	66.30	5%	3.32	
21	Price	78.20	20%	15.64	
22	Total		100%	71.34	3

C. Cost/Price Analysis

The recommended Phase 1 Lump Sum Fee and Delay Compensation Rate, and Phase 2 Management Lump Sum Fee and Margin Percentage have all been determined to be fair and reasonable based upon review of an Independent Cost Estimate (ICE), cost analysis, technical evaluation, additional fact finding, and negotiations with the highest ranked Proposer.

Proposer Name	Proposed Amount	Metro ICE	Award Amount
Flatiron West, Inc.	\$7,042,000 (Phase 1 Lump Sum Fee)	\$10,868,000 (Phase 1 Lump Sum Fee)	\$7,000,000 (Phase 1 Lump Sum Fee)
	\$10,000/day (Phase 1 Delay Compensation Rate)	A Minimum of \$10,00/day (Phase 1 Delay Compensation Rate)	\$10,000/day (Phase 1 Delay Compensation Rate)
	\$245,876/month (Phase 2 Management Lump Sum Fee)	A Range of \$160,000 - \$450,000 per month	\$245,876/month (Phase 2 Management Lump Sum Fee)

	8% (Phase 2 Margin Percentage)	A Range of 8% -12% (Phase 2 Margin Percentage)	8% (Phase 2 Margin Percentage)
Skanska	\$9,061,258 (Phase 1 Lump Sum Fee)		
	\$10,000/day (Phase 1 Delay Compensation Rate)		
	\$336,955/month (Phase 2 Management Lump Sum Fee)		
	8.5% (Phase 2 Margin Percentage)		
Kiewit	\$10,300,000 (Phase 1 Lump Sum Fee)		
	\$10,000/day (Phase 1 Delay Compensation Rate)		
	\$339,400/month (Phase 2 Management Lump Sum Fee)		
	9% (Phase 2 Margin Percentage)		

The price evaluation criteria included in the RFP consisted of price elements with pre-established parameters to reflect the phases of the project. All price proposals received were determined to be within the pre-established parameters.

The final recommended Phase 1 Lump Sum Fee is lower than Metro's ICE due to the following factors:

- The ICE was initially developed with several full-time key personnel allocated to support the Phase 1 effort, in contrast, Flatiron's proposal incorporated part-time staff to support Phase 1 and the associated scope of work, which is considered reasonable.

- Flatiron and their Subcontractors proposed lower overhead rates compared to those included in Metro's ICE.

Staff successfully negotiated a reduction in the Phase 1 Lump Sum Fee for a cost savings of \$42,000.

D. Background on Recommended Contractor

Flatiron West, Inc. (Flatiron)

Flatiron West, Inc. (Flatiron) is based in Chino, California and has 75 years of experience in delivering complex civil and transit projects. Flatiron has worked on 745 projects in California since 1991. Of these, 138 are located in the Los Angeles area, including the current G-Line Bus Rapid Transit Improvements and I-105 Express Lanes projects.

Flatiron has demonstrated expertise in the alternative project delivery method of CM/GC and brings innovative solutions to build a successful project.