

PROCUREMENT SUMMARY

EAST SAN FERNANDO VALLEY (ESFV) LIGHT RAIL TRANSIT LINE PROJECT
PS89616000

1.	Contract Number: PS89616000	
2.	Recommended Vendor: San Fernando Transit Constructors (SFTC)	
3.	Type of Procurement (check one): ☐ IFB ☒ RFP ☐ RFP-A&E ☐ Non-Competitive ☐ Modification ☐ Task Order	
4.	Procurement Dates:	
	A. Issued: July 29, 2022	
	B. Advertised/Publicized: July 18 and August 3, 2022	
	C. Pre-Proposal Conference: August 8, 2022	
	D. Proposals Due: November 2, 2022	
	E. Pre-Qualification Completed: December 21, 2022	
	F. Conflict of Interest Form Submitted to Ethics: November 9, 2022	
	G. Protest Period End Date: February 24, 2023	
5.	Solicitations Picked up/Downloaded: 327	Proposals Received: 3
6.	Contract Administrator: Robert Romanowski	Telephone Number: (213) 922-2633
7.	Project Manager: Monica Born	Telephone Number: (562) 524-0597

A. Procurement Background

This Board Action is to approve Contract No. PS89616000 issued in support of the progressive design-build project delivery method (approved for use on October 28, 2021, Board Report File No. 2021-0543) for construction of the East San Fernando Valley (ESFV) Light Rail Transit Line Project. Board approval of contract awards are subject to resolution of any properly submitted protest.

Prior to the release of the solicitation, starting June 10, 2022, Metro conducted an Industry Review (IR) process by releasing the draft Request for Proposals (RFP) and Progressive Design-Build Contract to the transportation construction industry. The IR was conducted in order to solicit comments on the terms and conditions of the contract and request one-on-one meetings with Metro to discuss the proposed project delivery approach in an effort to increase the likelihood that Metro would receive proposals for this solicitation. The one-on-one meetings were held virtually on June 27 and 28, 2022, in which four firms participated. Metro responded to the 115 consolidated comments by posting the publicly available responses on the Vendor Portal on July 28, 2022.

The Request for Proposals (RFP) was issued on July 29, 2022, in accordance with Metro's Acquisition Policy and the contract type for Phase 1 is firm fixed price. The RFP was issued with an 18% DBE goal for Phase 1, a range of 15-35% DBE goal for Phase 2 Final Design and Early Works Packages, and a range of 15-30% DBE

goal for Phase 2 Construction Supplement. The final DBE goal for Phase 2 will be set during negotiation of the Opinion of Probable Cost (OPC) for Phase 2.

Seven (7) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on August 23, 2022, updated Project Requirements and Reference Documents;
- Amendment No. 2, issued on September 1, 2022, updated additional Project Requirements and Reference Documents;
- Amendment No. 3, issued on September 7, 2022, updated additional Project Requirements to include revised statutory language including for Build America, Buy America Act and the Russia-Ukraine Certification;
- Amendment No. 4, issued on September 19, 2022, clarified professional licensing requirements for the Maintenance and Storage Facility (MSF) Design Lead;
- Amendment No. 5, issued on September 22, 2022, extended the Proposal Due Date;
- Amendment No. 6, issued on October 4, 2022, revised various Contract Articles; and
- Amendment No. 7, issued on November 7, 2022, revised the DBE Contract Compliance Manual for this project delivery type, revised the instructions for Form 60 and Form 70 (Phase 2 Management Lump Sum Fee and Phase 2 Margin percentage) and finalized RFP and Contract revisions.

A virtual pre-proposal conference was held on August 8, 2022, that was attended by 139 participants. Seven sets of questions and responses were released by Metro to all plan holders prior to the proposal due date.

A total of 327 firms downloaded the RFP and were registered in the plan holder's list. A total of three proposals were received by the due date of November 2, 2022.

Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of Metro staff from Countywide Planning, Operations, Project Controls, Project Management, Systems Engineering, and the San Diego Association of Governments (SANDAG) was convened and conducted a comprehensive technical evaluation of the proposals received.

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

1. Capability and Experience	400 Points
2. Project Understanding	75 Points
3. Project Approach	325 Points
4. Price	<u>200 Points</u>
	1000 Points

Several factors were considered when developing these weights, giving the greatest importance to Capability and Experience, and Project Approach.

In addition, the price evaluation criteria consisted of three 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 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 – Pre-Construction Lump Sum Fee;
2. Phase 2 – Management Lump Sum Fee per month, converted to an aggregate total cost based on a 48-month construction period (construction duration established in the RFP for evaluation purposes only);
3. Phase 2 Margin Percentage – for an estimated construction cost of \$1,500,000,000.00 (construction cost established in the RFP for evaluation purposes only).

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

1. San Fernando Transit Constructors (SFTC), a Joint Venture (JV) of Skanska USA Civil West California District, Inc. (Skanska) and Stacy and Witbeck, Inc.
2. Tutor Perini Corporation (TPC)
3. Valley Transit Constructors (VTC), a Joint Venture of Flatiron West, Inc. and Herzog Contracting Corporation

On December 7, 2022, oral presentations were conducted. During each proposer's oral presentation, project managers and key personnel discussed their proposed response to Project Understanding and Project Approach including its seven sub criteria identified in the RFP, and other technical questions. Each proposer was asked clarifying questions relevant to each firm's proposal and presentation.

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

1	Firm	Maximum Points	Earned Points	Total Points	Rank
2	San Fernando Transit Constructors (SFTC)				
3	Capability and Experience	400.00	368.83		
4	Project Understanding	75.00	69.66		
5	Project Approach	325.00	294.62		
6	Price	200.00	191.73		
7	Total	1000		924.84	1
8	Valley Transit Constructors (VTC)				
9	Capability and Experience	400.00	345.75		
10	Project Understanding	75.00	65.71		
11	Project Approach	325.00	285.72		
12	Price	200.00	200.00		
13	Total	1000		897.18	2
14	Tutor Perini Corporation (TPC)				
15	Capability and Experience	400.00	321.38		
16	Project Understanding	75.00	60.38		
17	Project Approach	325.00	256.28		
18	Price	200.00	191.97		
19	Total	1000		830.01	3

Note: All scores rounded to the second decimal.

The proposal from SFTC demonstrates the best value to Metro because it documents the largest number of successfully completed directly comparable alternative delivery projects, coupled with competitive pricing for the Phase 1 – Pre-Construction Lump Sum Fee and very competitive pricing for the monthly Phase 2 – Management Lump Sum Fee.

Additionally, SFTC scored the highest points under all evaluation criteria and subcriteria outlined in the RFP. Their designer, AECOM, will be a partner during Phase 1. The PET determined that SFTC demonstrated the greatest understanding of the risks, challenges and also opportunities of the Project, having provided tangible, specific examples of where equivalent or comparable risks, challenges, and opportunities have been solved on their past projects. Innovative approaches include the use of allowances, incentives, reverse incentives, and constructing dual purpose Train Control & Communications structures to reduce the quantity of piles that will need to be drilled adjacent to existing underground utilities. SFTC proposed innovative approaches towards cost savings measures including approaches that will minimize impacts to the community during construction as well as improve future

operational activities. Highlighting two subcriteria from the Project Approach criteria, SFTC has the best Safety record during the 2017-2022 sample years and the most comprehensive, community-centered Cultural Competency Plan.

VTC is technically capable to construct the project and also has experience with alternative project delivery methods. One of their JV partners, Flatiron, was the third JV partner on the Mid-Coast Transit Corridor Project. However, the details of VTC's Project Approach, including proposed innovations and cost savings measures, did not demonstrate meeting a realistic schedule.

TPC is technically capable and is a known entity with multiple, current heavy rail projects currently under construction with Metro. Their proposal scored lower than the others, primarily for having presented far fewer directly comparable examples of completed at-grade or street running light rail transit line projects using an alternative project delivery method.

Cost/Price Analysis

The recommended Award Amount has been determined to be fair and reasonable based upon fact finding, comparison with an independent cost estimate (ICE), and cost and price analysis.

Proposer Name	Proposal Amount	Metro ICE	Award Amount
SFTC	\$31,632,405.70 (Phase 1)	\$27,574,000.00	\$30,979,750.00 (Phase 1)
	Phase 2 Management Lump Sum Fee \$400,582.94/month		Phase 2 Management Lump Sum Fee \$400,582.94/month
	Phase 2 Margin Percentage 8.5%		Phase 2 Margin Percentage 8.5%
VTC	\$30,958,558.57 (Phase 1)		
	Phase 2 Management Lump Sum Fee \$423,375.00/month		
	Phase 2 Margin Percentage 8.0%		
TPC	\$30,874,485.00 (Phase 1)		
	Phase 2 Management Lump Sum Fee \$568,425.57/month		
	Phase 2 Margin Percentage 8.0%		

Metro's ICE inadvertently did not include Other Direct Costs (ODCs) such as vehicles, bonds, and insurance, nor fee; the ICE only included direct labor and direct labor overhead costs. In addition, the ICE did not include the cost of Phase 1, Task 6 – Permits, Licenses, and Agreements Management.

V/CM staff held discussions with the top ranked Proposer and successfully negotiated a cost savings of \$652,656 for Phase 1 Preconstruction Lump Sum Fee.

D. Background on Recommended Contractor

San Fernando Transit Constructors (SFTC) is a Joint Venture of Skanska USA Civil West California District, Inc. (Skanska) and Stacy and Witbeck, Inc. (S+W) with Skanska as the managing JV partner.

Skanska has past experience as Construction Manager/General Contractor (CM/GC) JV partner for the \$1.49B Mid-Coast Corridor Project completed in San Diego, experience on Metro's Regional Connector Project, SFO AirTrain Extension Project, and I-5 North Coast Corridor Phase 1 in San Diego. Skanska is part of a JV on existing transit projects in progress including Metro's Westside Purple Line Extension Segment 1 and is currently the Prime Contractor for the Lynnwood Link light rail transit line extension for Central Puget Sound Regional Transit Authority.

The recommended Joint Venture has a local office in Riverside California. Skanska has been an active Corporation in California since March 30, 1953, was originally licensed by Contractor's State License Board on August 03, 1953, and holds a valid class A – General Engineering license.

Stacy and Witbeck (S+W) has directly comparable past experience as the managing JV partner of the CM/GC JV for the \$1.49B Mid-Coast Corridor Project completed in San Diego and the recently completed Sixth Street Viaduct Replacement for the City of Los Angeles as the Prime Contractor. They also have experience as the Prime for multiple above ground light rail transit line projects including on-call maintenance contract for Utah Transit Authority and multiple light rail transit line projects for Valley Metro in Phoenix, Arizona.

S+W is currently the Prime for in-progress transit projects including Anaheim Canyon Metrolink Station, East Link Extension light rail extension in Portland Oregon, and the Brightline Zone 4 High Speed Rail Orlando to Cocoa Beach in Florida.

S+W has been an active California Corporation since November 19, 1981, has been licensed by the contractor's State License Board since November 24, 1981, and holds a valid class A - General Engineering license.

Skanska and Stacy + Witbeck formed a joint venture specifically for this endeavor and brings together their experience in alternative project delivery methods as well as heavy infrastructure construction.