

PROCUREMENT SUMMARY

METRO I-105 EXPRESSLANES – CONSTRUCTION MANAGER/GENERAL CONTRACTOR/PS84667000

1.	Contract Number: PS84667000	
2.	Recommended Vendor: Flatiron-Myers, Joint Venture	
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: February 16, 2022	
	B. Advertised/Publicized: February 17, 18, 19, 22, 23, and 24, 2022	
	C. Pre-Proposal Conference: February 28, 2022	
	D. Proposals Due: April 26, 2022	
	E. Pre-Qualification Completed: June 13, 2022	
	F. Conflict of Interest Form Submitted to Ethics: April 28, 2022	
	G. Protest Period End Date: August 22, 2022	
5.	Solicitations Picked up/Downloaded: 67	Proposals Received: 2
6.	Contract Administrator: Victor Zepeda	Telephone Number: (213) 922-1458
7.	Project Manager: James Wei	Telephone Number: (213) 922-2313

A. Procurement Background

This Board Action is to approve Contract No. PS84667000 issued in support of the construction manager/general contractor project delivery method (approved for use on June 12, 2021, Board Report No. 2021-0306) for Metro's ExpressLanes on Interstate 105 (I-105). Board approval of contract awards are subject to resolution of any properly submitted protest.

Prior to the release of the solicitation, two virtual Metro Connect Industry Forums were conducted for the I-105 projects on June 3, 2021 and July 23, 2021. The June 3rd event was attended by 138 individuals and the July 23rd event was attended by 88 individuals. The events were held to inform the DBE community of the upcoming I-105 contracting opportunities and to increase 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 RFP was issued with a 12% DBE goal for Phase 1 and 19% DBE goal for Phase 2.

Four (4) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on March 10, 2022, replaced a safety form, allowed with limitations the use of 11"x17" paper, and clarified instructions for certain sections of the RFP;

- Amendment No. 2, issued on March 25, 2022, revised various sections of the RFP and Contract documents;
- Amendment No. 3, issued on April 5, 2022, revised the Contract by the addition of a Term and Condition; and,
- Amendment No. 4, issued on April 13, 2022, revised various sections of the RFP and Contract.

A virtual pre-proposal conference was held on February 28, 2022, and was attended by 38 participants representing 22 companies. There were five sets of questions and responses were released prior to the proposal due date.

A total of 67 firms downloaded the RFP and were registered in the plan holder's list. A total of two proposals were received by April 26, 2022.

Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Countywide Planning, Construction Management, and Caltrans 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	35 Points
2. Project Understanding	10 Points
3. Project Approach	35 Points
4. Price	<u>20 Points</u>
	100 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 four sections 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 Contract Value (subject to clarification and/or negotiations) as follows:

1. Phase 1 – Pre-Construction Lump Sum Fee;
2. Delay Compensation Rate for Phase 1 (for evaluation purposes only) with a quantity of 100 days established as a parameter;
3. Phase 2 – Management Lump Sum Fee – (for evaluation purposes only) with a 50-month construction period and a cost of \$507,257,686.00;
4. Phase 2 Margin Percentage – (for evaluation purposes only).

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

1. Flatiron-Myers Joint Venture (FMJV)
2. Skanska USA Civil West California District, Inc. (Skanska)

On May 26, 2022, oral presentations were conducted. During each firm’s interview, project managers and key team members discussed their proposed response to various traffic and economic conditions, prior experience with alternate delivery methods, and other technical questions. In general, each team’s presentation addressed the requirements of the RFP, experience with all aspects of the required tasks, and stressed each firm’s commitment to the success of the project. Each team was asked questions relative to each firm’s proposal and previous experience.

After a thorough review of proposals and interviews, the PET’s recommendation in the order of ranking is shown in the table below:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	FMJV				
3	Capability and Experience	92.31	35%	32.31	
4	Project Understanding	90.60	10%	9.06	
5	Qualifications of Contractor	86.57	35%	30.30	
6	Price	100.00	20%	20.00	
7	Total		100%	91.67	1
8	Skanska				
9	Capability and Experience	88.22	35%	30.87	
10	Project Understanding	92.70	10%	9.27	
11	Qualifications of Contractor	85.94	35%	30.08	
12	Price	92.25	20%	18.45	
13	Total		100%	88.67	2

Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), price analysis, technical evaluation, fact finding, and negotiations.

Proposer Name	Proposal Amount	Metro ICE	Award Amount
Flatiron-Myers JV	\$8,319,958 (Phase 1)	\$9,871,431	\$7,997,461 (Phase 1)
	Phase 1 Delay Compensation Rate \$9,000/day		Phase 1 Delay Compensation Rate \$9,000/day
	Phase 2 Management Lump Sum Fee \$840,000/month		Phase 2 Management Lump Sum Fee \$840,000/month
	Phase 2 Margin Percentage 8.0%		Phase 2 Margin Percentage 8.0%
Skanska	\$7,500,000 (Phase 1)		
	Phase 1 Delay Compensation Rate \$8,500/day		
	Phase 2 Management Lump Sum Fee \$1,000,000/month		
	Phase 2 Margin Percentage 8.0%		

The final amount is lower than Metro’s original ICE as a result of the following factor:

- The ICE was originally developed based on a period of performance of 36 months for Phase 1. However, the final Request for Proposal was issued with a period of performance of 30 months for Phase 1.

Staff successfully negotiated \$322,497 in cost savings from FMJV’s proposal.

D. Background on Recommended Contractor

Flatiron-Myers, Joint Venture

The recommended firm, Flatiron, has a local office in Chino, CA and was originally founded in Boulder, Colorado in 1974. Flatiron is a subsidiary of German-based HOCHTIEF, an international construction service firm and operates throughout the United States and Canada.

Flatiron has experience in bid-build, CM/GC, construction-manager-at-risk, design-build, progressive design-build, and P3 delivery methods.

Myers & Sons Construction (Myers) is a heavy (bridge and roadway projects) construction company based in Sacramento, CA that was established in 2010. Myers has experience in alternative delivery projects such as design build and CM/GC.

Flatiron-Myers formed a joint venture specifically for this endeavor and bring together their experience in alternate delivery methods as well as heavy construction.