

## PROCUREMENT SUMMARY

## METRO EXPRESSLANES OPERATIONS AND MAINTENANCE

1.	<b>Contract Number:</b> PS092210233		
2.	<b>Contractor:</b> Atkinson Contractors, LP		
3.	<b>Mod. Work Description:</b> Exercise Option 4.4: Additional Year of O&M - Year 4; Additional O&M Support Costs for Option Year 4; Additional Transponders		
4.	<b>Contract Work Description:</b> Design, Build, Operate and Maintain the Metro ExpressLanes		
5.	<b>The following data is current as of:</b> September 6, 2016		
6.	<b>Contract Completion Status:</b>		
	<b>Bids/Proposals Due:</b>	8/31/10	<b>% Completion \$s:</b> 86.4%
	<b>Contract Awarded:</b>	12/16/10	<b>% Completion time:</b> 97%
	<b>NTP:</b>	01/11/11	<b>Original Contract Days:</b> 990
	<b>Original Complete Date:</b>	09/28/13	<b>Change Order Days:</b> 1,244
	<b>Current Est. Complete Date:</b>	02/23/16	<b>Suspended Days:</b> 0
	<b>Total Revised Days:</b>		2,234
7.	<b>Financial Status:</b>		
	<b>Contract Award:</b>		\$72,363,702
	<b>Total Contract Modifications Approved:</b>		\$63,872,954
	<b>Current Contract Value:</b>		\$136,236,656
	<b>Contract Administrator:</b> Joe O'Donnell	<b>Telephone Number:</b> 213-922-7231	
8.	<b>Project Manager:</b> Shahzad Amiri	<b>Telephone Number:</b> 213-922-3061	

**A. Contract Action Summary**

This Board Action is to approve Contract Modification No. 71 issued in support of Contract Option 4.4: Operations and Maintenance of the ExpressLanes - Year 4, Contract Modification No. 72, for Additional O&M Support Costs for Option Year 4, and Contract Modification No. 73, for Additional Transponders.

These Contract Modifications will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed priced price.

On December 16, 2010, Contract No. PS0922102333 was awarded to Atkinson Contractors, LP in the amount of \$72,363,702, to Design, Build, Operate and Maintain the Metro ExpressLanes Project.

Attachment B shows that 66 Contract Modifications/change orders have been issued to date to add and/or delete work, and shows the exercise of Option Years 1 through 3 for Operations and Maintenance. Nine Contract Modifications are currently pending or in negotiations.

The recommended Contract Modifications are for a total amount of \$27,933,000.

**B. Cost/Price Analysis**

The recommended price for Contract Modification No. 71 is at the amount originally bid for Option Year 4. A market survey was performed that confirmed the Option price is fair and reasonable.

The recommended price for Contract Modification No. 72 has been determined to be fair and reasonable based upon an independent cost estimate, cost analysis, technical evaluation, fact finding, and negotiations. An audit of Option Year 3 rates was conducted and found no issues with those additional O&M support costs. The Contractor has agreed to maintain all Option Year 3 rates for Option Year 4, except those that were increased due to collective bargaining agreements, therefore it was determined and agreed with MASD that an audit of the proposed amount for Option Year 4 was not necessary.

The amount shown for Contract Modification No. 73, is a not-to-exceed amount for additional transponders. A pre-negotiation plan is prepared. The final value for this Modification will be determined, based unit prices, to be fair and reasonable based upon an independent cost estimate, cost analysis, technical evaluation, fact finding, and negotiations.

<b>Mod No.</b>	<b>Changes</b>	<b>Proposal amount</b>	<b>Metro ICE</b>	<b>Negotiated or NTE amount</b>
71	Additional Year of O&M – Option Year 4	\$3,096,000	N/A*	\$3,092,000
72	Additional O&M Support Costs for Option Year 4	\$12,636,920	\$12,593,590	\$12,636,000
73	Additional Transponders	N/A*	N/A*	\$12,200,000

\* Mod. No. 71 price was a bid rate. Mod. No. 72 pricing is based OY3 rates with affected rates escalated per 2016 collective bargaining agreements. Pricing for Mod No. 73 is an estimated NTE amount.