

**Board Report**

File #: 2015-0864, **File Type:** Contract

Agenda Number: 22.

**PLANNING AND PROGRAMMING COMMITTEE
SEPTEMBER 16, 2015**

SUBJECT: DORAN STREET AND BROADWAY/BRAZIL SAFETY AND ACCESS PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATIONS

AUTHORIZING the Chief Executive Officer to:

- A. execute Contract Modification No. 2 for Contract No. PS2415-3046, **Doran Street Crossing Grade Separation, with HNTB, Inc., in the amount of \$94,954 to complete the necessary signal engineering for the interim one-way west bound movement at Doran Street at grade crossing**, increasing the total contract value from \$5,688,892 to \$5,783,846; and
- B. increase Contract Modification Authority (CMA) specific to Contract No. PS2415-3046, Doran Street Crossing Grade Separation, in the amount of \$125,000, increasing the total CMA amount from \$523,620 to \$648,620.

ISSUE

In May 2011, the Metro Board programmed \$6.6 million for the Doran Street intersection safety improvement. In April 2013, the Metro Board approved a cost plus fixed fee contract for project engineering services with HNTB, Inc. for \$5,236,205 inclusive of two one-year options. Board approval for the contract modification is needed due to insufficient contract modification authority remaining to complete the necessary project signal engineering.

In addition, staff is requesting to increase the contract modification authority by \$125,000 using previously approved Measure R 3% funds.

The additional engineering required for this project is for railroad signal engineering related to the one-way westbound improvements at the Doran Street intersection mandated by the Administrative Law Judge (ALJ) of the California Public Utilities Commission (CPUC) in December 2012. The signal engineering is additional scope to the current contract with HNTB, Inc. This work was originally to be performed by Metrolink. However, Metrolink does not have the contracting capacity through their existing bench contracts to complete this work without delaying the project.

DISCUSSION

Metro is working towards improving safety, mobility and quality of life for the Glendale and Los Angeles communities by closing the Doran Street at-grade crossing. As with any at-grade railroad crossing, safety is of significant importance. A unique combination of limited access, high traffic volumes, adjacent industrial uses, and residential interests, make mobility improvements important to this Project. Doran Street has 13 incidents on record resulting in two fatalities and one injury. These safety statistics have made the Doran Street crossing the subject of safety hearings and arbitrations by the California Public Utilities Commission (CPUC). The at-grade crossing of Doran Street with the Metro owned right-of-way operated by Metrolink has been the subject of concern for several years. Additionally, this crossing has significant truck and vehicle traffic as well as 90 passenger and freight trains per day.

Due to the urgent need to improve safety at this crossing, an ALJ ruled in December 2012 that the Doran Street at-grade crossing be closed permanently. However, there is a requirement to provide two points of access for emergency responders into the area west of the railroad corridor during an emergency. To accomplish this requirement, the ALJ required that Doran Street be converted to a one-way westbound movement until the crossing can be closed permanently.

In May 2011, the Metro Board authorized \$6.6 million for improving the safety of the intersection of Doran Street and the Metro owned right-of-way. A portion of these funds is being used to fund the engineering and environmental work necessary for the grade separation of this intersection. Since the Board motion was passed, additional funding has been obtained that will fund the construction of the grade separation of this roadway.

Since the Metro Board action, staff has been working towards the advancement of a solution to the challenges related to this crossing. This has included examining several grade separation alternatives that will provide the maximum safety benefit while minimizing impacts to the communities. This analysis has included existing and proposed future uses of the railroad corridor. The first phase of the project was completed in April 2015 and the key deliverable was the Project Study Report Equivalent highlighting three alternatives to close Doran Street and/or Broadway/Brazil crossings.

The ALJ decision that Doran Street be converted to a one-way westbound movement until the crossing can be closed permanently necessitated a re-negotiation of the initial engineering design contract with HNTB, Inc. Modification No. 1 was issued for the one-way westbound movement design. Metrolink has been involved with the project since the inception and will approve all designs associated with the interim and final conditions.

DETERMINATION OF SAFETY IMPACT

The proposed crossing improvements for the interim one-way westbound movement at Doran Street will require railroad signal engineering. These improvements will improve safety at the intersection.

The purpose is to avoid collisions between vehicles and/or pedestrians with trains at the Doran Street at-grade crossing.

FINANCIAL IMPACT

The Board approved \$6.6 Million in Measure R 3% funds for this project. The current contract value is \$5,688,892. Although the contract has not exceeded the budgeted amount, we are requesting \$125,000 to increase the contract value to \$5,783,846.

A. Source of funds:

Funding Source	Amount
Local Measure R 3%	\$6,600,000
State Proposition 1A	\$45,000,000
Federal American Recovery and Reinvestment Act	\$15,800,000
CHSRA and other sources	\$19,600,000
Total	\$87,000,000

Table 1: Summary of Funding Sources

Measure R 3% funds are designated for Metrolink commuter rail capital improvements in Los Angeles County. These funds are not eligible to be used for Metro bus/rail operating or capital budget expenses. This programming action has no impact to the Proposition A and C, TDA or Measure R administration budgets.

ALTERNATIVES CONSIDERED

The Board could choose not to execute the contract modification to complete railroad signal engineering for the Doran Street intersection. This alternative is not recommended. The railroad signal engineering is necessary to comply with the ALJ decision to convert Doran Street to a one-way movement for vehicles in the interim condition while the grade separation is under design and construction. The railroad signal engineering is required to maintain the full functionality of the roadway and railroad at-grade crossing and avoid the possibility of vehicle/pedestrians-train collisions.

NEXT STEPS

Upon approval by the Board, staff will execute Contract Modification No. 2 for the signal engineering.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Modification Log

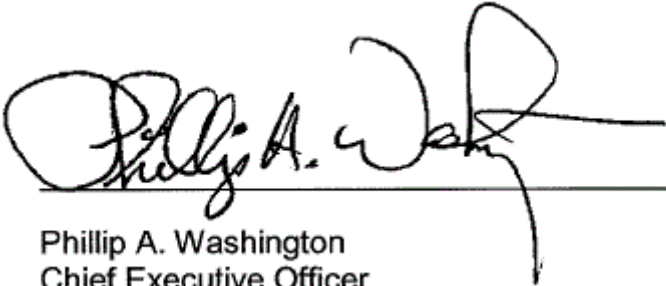
Prepared by: Kunle Ogunrinde, P.E., Transportation Planning Manager
(213) 922-8830

Don A. Sepulveda, P.E., Executive Officer, Regional Rail
(213) 922-7491

Reviewed by:

Bryan Pennington, Program Management
(213) 922-7449

Ivan Page, Interim Executive Director, Vendor / Contract Management, (213) 922-6383



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

DORAN STREET CROSSING GRADE SEPARATION PROJECT

1.	Contract Number: PS2415-3046		
2.	Contractor: HNTB, Inc.		
3.	Mod. Work Description: Additional Signal Engineering Services		
4.	Contract Work Description: Engineering and Support Services		
5.	The following data is current as of: August 5, 2015		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	7/24/13	Contract Award Amount: \$5,236,205
	Notice to Proceed (NTP):	7/24/13	Total of Modifications Approved: \$452,687
	Original Complete Date:	7/24/17	Pending Modifications (including this action): \$94,954
	Current Est. Complete Date:	7/24/17	Current Contract Value (with this action): \$5,783,846
7.	Contract Administrator: Samira Baghdikian		Telephone Number: (213) 922-1033
8.	Project Manager: Kunle Ogunrinde		Telephone Number: (213) 922-8830

A. Procurement Background

This Board Action is to approve Modification No. 2 to complete the necessary signal engineering for the interim one-way west bound movement at the Doran Street at-grade crossing.

This contract modification has been processed in accordance with Metro's Acquisition Policy and the contract type is Cost Plus Fixed Fee.

On April 24, 2013, the Board authorized staff to negotiate and execute a five-year Contract No. PS2415-3046 with HNTB, Inc. in the amount of \$5,236,205 for Doran Street Crossing Grade Separation Project engineering services.

A total of one modification has been executed to date. Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

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

Proposed Amount	Metro ICE	Negotiated Amount
\$94,954	\$125,000	\$94,954

C. Small Business Participation

HNTB made a 26.45% Small Business Enterprise (SBE) commitment. HNTB's current SBE participation is 16.59%, a shortfall of 9.86%. HNTB confirmed that they remain committed to meeting their SBE commitment, and will have significant SBE participation during Phases 2 and 3, which is anticipated to commence in late 2015, early 2016. Metro's project management confirmed that Phases 2 and 3 are environmental and preliminary engineering, and final engineering respectively. The work to date has been the Alternative Analysis phase of the project. The SBE involvement in this phase was limited. However, with the commencement of the environmental work and engineering, the SBE involvement will significantly increase.

SMALL BUSINESS COMMITMENT	26.45% SBE	SMALL BUSINESS PARTICIPATION	16.59% SBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Arellano	2.87%	4.20%
2.	BA, Inc.	8.77%	3.33%
3.	Chris Nelson	2.54%	3.59%
4.	Earth Mechanics	2.72%	0.60%
5.	Lynn Capouya	2.71%	0.40%
6.	Safeprobe	0.66%	0.00%
7.	Sapphos	2.30%	2.61%
8.	Terry Hayes	3.87%	1.44%
9.	Lin Consulting	Added	0.41%
	Total	26.45%	16.59%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

D. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this modification.

E. Prevailing Wage Applicability

Prevailing wage is not applicable to this modification.

CONTRACT MODIFICATION/CHANGE ORDER LOG

DORAN STREET CROSSING GRADE SEPARATION PROJECT/PS2415-3046

Mod. No.	Original Contract	7-23-14	\$5,236,205
1	Inclusion of evaluation of additional alternatives, the interim at-grade improvements at Doran Street and additional outreach efforts.	9-5-14	\$452,687
2	Pending Board Approval Necessary signal engineering for the interim one-way west bound movement at Doran Street at grade crossing.	TBD	\$94,954
	Total:		\$5,783,846