



## Board Report

File #: 2017-0828, File Type: Contract

Agenda Number: 32.

### CONSTRUCTION COMMITTEE JANUARY 18, 2018

**SUBJECT: DIVISION 20 PORTAL WIDENING TURNBACK PROJECT**

**ACTION: APPROVE CONTRACT MODIFICATION**

#### **RECOMMENDATION**

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to execute Contract Modification No. 4 to Contract No. AE66758000 with T.Y. Lin International (TYLIN) to provide additional final design engineering services for the Division 20 Portal Widening Turnback Project, in an amount not-to-exceed \$3,449,949, increasing contract value from \$12,225,661 to \$15,675,610;
- B. AUTHORIZING an increase in Contract Modification Authority from \$2,053,132 to \$3,053,132 for potential design modifications due to Third Party coordination and extended design services during construction; and
- C. AMEND the FY18 budget for an amount not to exceed \$25M to support recommendations A, B and for the acquisition of real property and related costs including loss of good will and relocation for properties required for the Division 20 Portal Widening Turnback Project.

#### **ISSUE**

Per the Full Funding Grant Agreement (FFGA) for the Westside Purple Line Extension (WPLE) Section 1, Metro committed to make appropriate infrastructure modifications to allow the Red and Purple Lines to operate at reduced headways. These requirements were carried forward as like provisions under the terms of the FFGA for WPLE Section 2. The current design contract for the Division 20 Portal Widening Turnback Project as approved in a March 2017 Board Action included the widening of the existing tunnel portal and construction of a turnback facility.

As preliminary engineering has progressed, modeling for achievement of 4-minute headways and modifications to the turnback layout have produced significantly improved turnback and additional storage capacity for the Red and Purple Line, necessitated by the increased capacity needs generated by completion of WPLE Section 3 in addition to Sections 1 and 2, as well as system wide transit operations. In addition to improved track and storage facility layout, these proposed changes,

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identified in the preliminary engineering phase, include improved access to a future Arts District station at 6<sup>th</sup> Street and accommodating potential future alignments for Link Union Station and High Speed Rail.

## **BACKGROUND**

On March 23, 2017, the Metro Board of Directors certified the Final Initial Study/Mitigated Negative Declaration (IS/MND) and approved the award of a design contract for the Division 20 Portal Widening Turnback Project. The project is required to support four-minute service on the Westside Purple Line Extension (WPLE) per the project's Full Funding Grant Agreement which requires the ability to support two-minute headways east of the Wilshire Vermont Station where the Red and Purple Lines share tracks. The scope of the project was to construct a turnback facility on the west side of the Red and Purple Line yard (Division 20) with the turnback facility terminating east of the One Santa Fe residence and within Metro property located between First Street and Third Street. It also included widening the existing tunnel portal to accommodate the additional tracks. The adopted Initial Study/Mitigated Negative Declaration (IS/MND) environmental analysis prepared for the project included full acquisition of the Tow Yard property.

On April 27, 2017, the Board received an update (File #2017-0130) on Metro's long-term needs at Division 20 in the Downtown Los Angeles Arts District and the accommodations necessary for a potential future Arts District passenger rail station (the majority of public comments on the certified IS/MND showed a strong preference for a station to be located in the Arts District vicinity of 6<sup>th</sup> Street). The report also addressed increased storage capacity for Metro's growing rail fleet including accommodations for storage of WPLE trains in the Red Line Yard. With the passage of Measure M, Sections 2 and 3 of WPLE are slated to be delivered as early as FY24 and no later than 2026, accelerating the need for expanded storage capacity in the yard.

Subsequently, the Division 20 Portal Widening Turnback Project has been revised to include storage tracks for WPLE as well as a modified turnback facility that not only meets operational requirements and flexibility, but minimizes significant future infrastructure modifications if a future project for a 6<sup>th</sup> Street Station is approved and funded. The combination of portal widening and turnback tracks/signaling to support a two minute headway, additional storage tracks and accommodation for a potential, future station at 6<sup>th</sup> St - all within a constrained footprint of an active rail maintenance and storage site - have significantly increased the size and complexity of this project.

With this more holistic approach, staff has identified additional real estate impacts and other critical work including: civil and trackwork improvements, structural modifications to the First Street Bridge, demolition, and installation of a new power substation. The project is also coordinating with the Emergency Security Operations Center (ESOC), the proposed Link Union Station, and High Speed Rail projects, and incorporating needed "not to preclude" design elements of these projects to

minimize potential conflicts during the turnback project's construction and reduce throw away work, including the addition of a ventilation facility. See Attachment D.

Due to these changes in scope, an Environmental Impact Report (EIR) has been initiated for the modified project with the Notice of Preparation filed in October 2017 and the required public scoping meetings held over the past two months in October and November of 2017.

Staff is recommending approval of this Board action to provide sufficient contract funding for Metro's Design Consultant, TYLIN, to address all of the needed modifications and complete services through final design, bid support services, and design services during construction. In addition to the increased design costs which are directly related to the changes described in this report, including updated track layout, increased power capacity, vehicle storage and "not to preclude" improvements for coordination with Link US and High Speed Rail, staff is recommending an increase of \$1,000,000 in contract modification authority to address any further changes that may be required for final design of the project. Overall schedule of the project will remain unchanged. TYLIN will continue to meet or exceed the Disadvantaged Business Enterprise goal of 27%.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will have no impact on safety.

### **FINANCIAL IMPACT**

This project is funded on a fiscal year basis under Project number 865519 Division 20 Portal Widening Turnback Facility, cost center 8510, under various accounts including Professional/Technical Services and ROW acquisitions. The project is authorized to expend up to a cumulative amount of \$76.9M through the FY18 period. However an FY18 funding amendment is required to allow for recommendations A, B and C. Upon approval of the recommendations, the FY18 budget authority will be increased by \$25.0M, to \$101.9M. This is a multi-year project requiring expenditure authorizations in fiscal year increments until a Board Authorized Life of Project Budget is adopted. It is the responsibility of the Project Manager and Chief Program Management Officer to budget for this project in future fiscal years.

#### **Impact to Budget**

Through FY18, the sources of funds for the recommended actions are Measure R 35% and Cap & Trade Transit and Intercity Rail Capital Program (TIRCP). Due to the underground nature of the project work scope, Proposition A or Proposition C funds were not considered and are not included in this authorization request. There is no impact to Operations eligible funding. No other funds were considered.

### **ALTERNATIVES CONSIDERED**

The Board could decide not to approve the recommended Contract Modification. This course would

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delay completion of final design and is not recommended due to potential impacts to construction and thereby jeopardizing completion of the project and requirements of the FFGA for WPLE Section 1.

### **NEXT STEPS**

After Board approval and execution of the Contract Modification, staff will direct the consultant to continue providing final design engineering services and design support services during construction of the Division 20 Portal Widening Turnback Project. Staff will proceed with purchase agreement with the property owner.

An overall LOP has not been established for this project pending completion of design. However, these changes to the original scope will generate an increase in the original cost estimates. Staff expects to return to the Board for authorization and funding to acquire additional properties impacted by the project and award of contracts for:

- Construction Management Support Services
- Traction Power Sub Station
- Early Demolition
- Construction

In addition staff will request Board certification of the Environmental Impact Report.

### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - Contract Modification/Change Order Log  
Attachment C - DBE Summary  
Attachment D - Revised Project Layout

Prepared by:

Rick Meade, Senior Executive Officer (213) 922-7917

Reviewed by:

Richard Clarke, Chief Program Management Officer (213) 922-7557  
Debra Avila, Chief Vendor/Contract Management Officer (213) 418-3051



Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

DIVISION 20 PORTAL WIDENING TURNBACK PROJECT/  
AE66758000

1.	<b>Contract Number:</b> AE66758000		
2.	<b>Contractor:</b> T.Y. Lin International		
3.	<b>Mod. Work Description:</b> (1) Additional final design engineering services for Division 20 Portal Widening Turnback Project ; (2) Acquisition of real property and related costs for properties required for the Project; and (3) Increase Contract Modification Authority (CMA) for pending modifications to support ongoing project.		
4.	<b>Contract Work Description:</b> Architectural and Engineering Design Services for Division 20 Portal Widening Turnback Project and Design Support during Construction.		
5.	<b>The following data is current as of:</b> December 18, 20117		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	3/23/17	<b>Contract Award Amount:</b> \$10,265,661
	<b>Notice to Proceed (NTP):</b>	3/23/17	<b>Total of Modifications Approved:</b> \$1,960,000
	<b>Original Complete Date:</b>	Fall 2023	<b>Pending Modifications (including this action):</b> \$3,449,949
	<b>Current Est. Complete Date:</b>	Fall 2023	<b>Current Contract Value (with this action):</b> \$15,675,610
7.	<b>Contract Administrator:</b> Dianne Sirisut		<b>Telephone Number:</b> (213) 922-2737
8.	<b>Project Manager:</b> June Susilo		<b>Telephone Number:</b> (213) 922-2532

**A. Procurement Background**

This Board action is to approve Modification No. 4 issued in support of the design interface and coordination with the adjacent Metro Emergency Security Operations Center (ESOC) Project, preservation and optional restoration of impacted historic building, development of an early demolition procurement, ventilation facility, environmental clearance design support, and an increase in Contract Modification Authority (CMA).

The Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a cost plus fixed fee contract.

History of the original procurement:

Core Capacity Enhancements at Division 20 for a Portal Widening and Turnback Facility (Project) was presented to and approved by the Metro Board on March 23,

2017, as Item #26. The Project is a component of the overall Metro commitment to make appropriate infrastructure modifications to allow the Red and Purple Lines to operate at reduced headways per the Full Funding Grant Agreement (FFGA) for the Westside Purple Line Extension (WPLE) Section 1.

T.Y. Lin International was determined to be the most qualified firm to provide the required services and was awarded this Architecture and Engineering Contract on March 23, 2017. T.Y Lin International's price of \$10,265,661 was determined to be fair and reasonable. The CMA of \$2,053,132 was established per Metro Board approval at twenty percent (20%) of the Contract Price.

Refer to Attachment B for modifications issued to date to add work, and the proposed modification currently pending authorization.

**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, fact finding, and negotiations.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$ 3,553,991	\$ 3,356,893	\$ 3,449,949

## CONTRACT MODIFICATION/CHANGE LOG

DIVISION 20 PORTAL WIDENING TURNBACK PROJECT  
CONTRACT NO. AE66758000

Mod/CO No.	Description	Status	Contract Value (A)	Mod/CO Value (B)	Board Approved CMA (C)
N/A	Initial Award		\$10,265,661		\$2,053,132
Mod No. 1	Revision to Turnback Facility, Addition of Storage Tracks, and New Traction Power Substation (CN No. 2)	Approved (in-process)		\$670,000	
Mod No. 2	First Street Bridge Modifications (CN No. 3)	Approved (in-process)		\$550,000	
Mod No. 3	Link Union Station Accommodations (CN No. 4)	Approved (in-process)		\$740,000	
<b>Subtotal Approved Changes</b>				<b>\$1,960,000</b>	
Mod No. 4	Early Demolition Ventilation (CN No. 5)	Pending		\$3,500,000	
<b>Subtotal Approved and Pending Changes</b>				<b>\$5,460,000</b>	
<b>Total Contract Value(Including Approved and Pending Changes)</b> <b>\$12,225,661 + \$3,500,000 =</b>			<b>\$15,725,661</b>		
<b>Prior CMA Authorized by the Board</b>					<b>\$2,053,132</b>
<b>Approved (in-process) Changes</b>					<b>\$1,960,000</b>
<b>Remaining CMA for Future Changes</b>					<b>\$93,132</b>
<b>Pending Changes</b>					<b>\$3,500,000</b>
<b>Increased CMA for this Recommended Action</b>					<b>\$3,500,000</b>
<b>Additional CMA Requested for Future Changes</b>					<b>\$1,000,000</b>



## DEOD SUMMARY

**DIVISION 20 PORTAL WIDENING TURNBACK PROJECT/  
AE66758000**

**A. Small Business Participation**

T.Y. Lin International (T.Y. Lin) made a 27.01% Disadvantaged Business Enterprise (DBE) commitment. The project is 4% complete and the current DBE participation is 16.40%, representing a shortfall of 10.61%. T.Y. Lin explained that the first few months of the project included track work design, general site layout and track plan, which were scopes assigned to the Prime (T.Y. Lin). Several DBE subcontractors had scopes that required the alignment to be set and approved by Metro, which occurred in mid-August 2017. Other DBE subcontractors have begun work, but have yet to be invoiced for payment. In addition, Metro approved changes to the original project resulting in a significant reduction in Anil Verma Associates' scope of work that was included in T.Y. Lin's overall DBE commitment (a condition of award).

DEOD has requested a detailed recovery plan, including a time-based, cumulative forecast showing planned versus actual attainment of DBE achievement throughout the project for review by Metro staff. In the interim, T.Y. Lin confirmed its plan to meet or exceed its DBE commitment during the term of contract.

<b>Small Business Commitment</b>	<b>27.01% DBE</b>	<b>Small Business Participation</b>	<b>16.40% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	Anil Verma Associates	Subcontinent Asian American	7.69%	0.00%
2.	Earth Mechanics, Inc.	Asian Pacific American	2.18%	0.00%
3.	Kal Krishnan Consulting Services Inc.	Subcontinent Asian American	2.80%	3.37%
4.	LIN Consulting, Inc.	Asian Pacific American	12.30%	5.73%
5.	Safeprobe, Inc.	Asian Pacific American	0.40%	0.00%
6.	Wagner Engineering & Survey, Inc.	Caucasian Female	1.64%	7.30%
7.	Triunity Engineering & Management, Inc.	African American	Added	0.00%
<b>Total</b>			<b>27.01%</b>	<b>16.40%</b>

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

**B. Living Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this Contract.

**C. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U.S. Department of Labor (DOL) Davis-Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

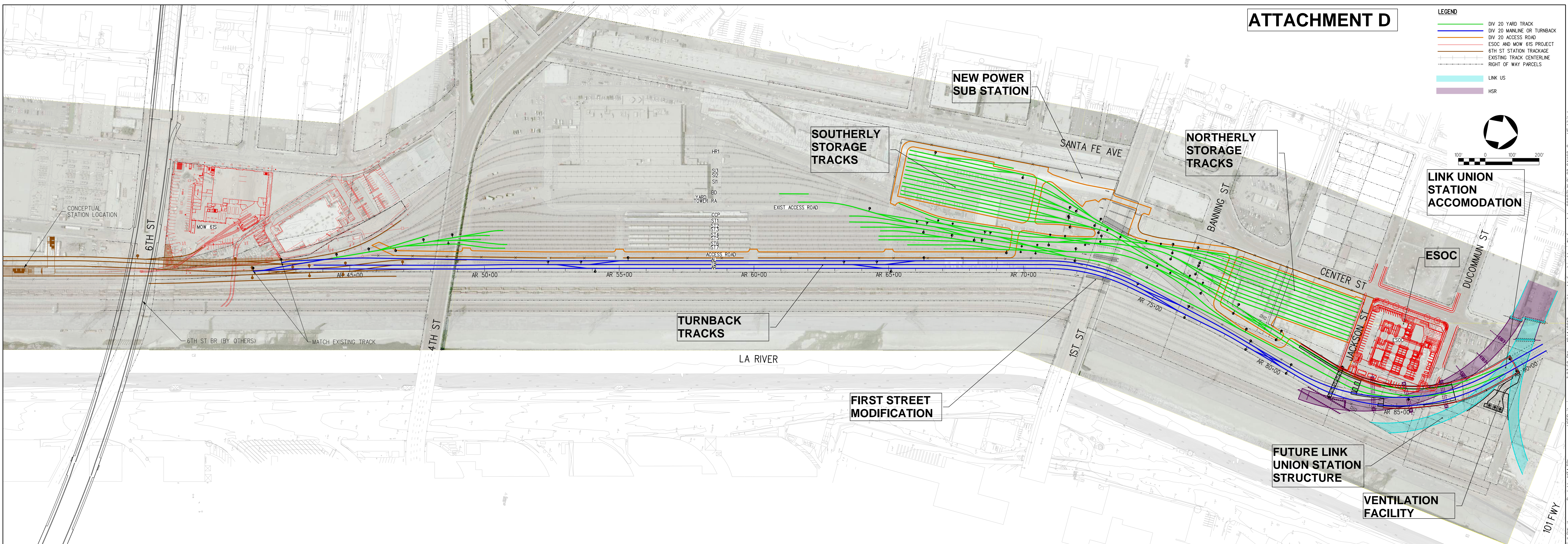
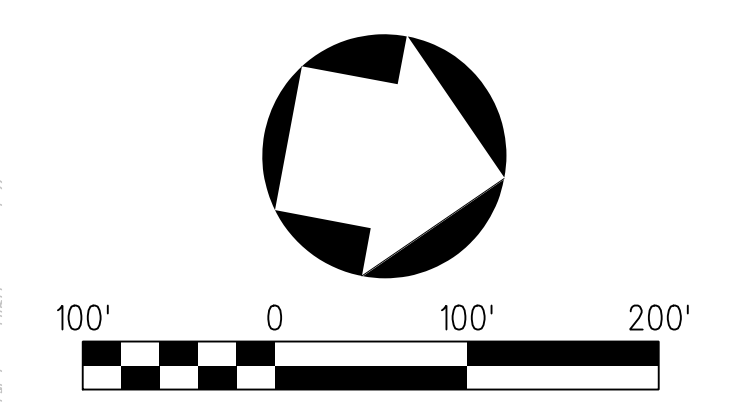
**D. Project Labor Agreement/Construction Careers Policy**

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract.



# ATTACHMENT D

- LEGEND**
- DIV 20 YARD TRACK
  - DIV 20 MAINLINE OR TURNBACK
  - DIV 20 ACCESS ROAD
  - ESOC AND MOW 61S PROJECT
  - 6TH ST STATION TRACKAGE
  - EXISTING TRACK CENTERLINE
  - RIGHT OF WAY PARCELS
  - LINK US
  - HSR



**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

**TYLIN INTERNATIONAL**

707 Wilshire Boulevard, Suite 4900  
Los Angeles, CA 90017

**DIVISION 20 PORTAL WIDENING TURNBACK  
HSR, MOW 61S, ESOC, LINK US AND HSR PROJECTS**

EXHIBIT  
SUBJECT TO CHANGE  
NOT FOR DISTRIBUTION

EXHIBIT: A1  
DATE: 12/4/17

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