



## Board Report

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File #: 2019-0195, File Type: Contract

Agenda Number: 31.

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### CONSTRUCTION COMMITTEE MAY 16, 2019

**SUBJECT: PATSAOURAS BUS PLAZA STATION PROJECT**

**ACTION: APPROVE LIFE-OF-PROJECT BUDGET INCREASE**

#### **RECOMMENDATION**

INCREASE the Life of Project Budget for Patsaouras Bus Plaza Station Project (CP Number 202317) by \$11,120,000, increasing the Life of Project Budget from \$39,793,000 to \$50,913,000.

#### **ISSUE**

The Patsaouras Bus Plaza Station Project (PBPS) Life of Project (LOP) budget requires an increase of \$11,120,000 in order to pay for project staff and consultants during a 384 calendar day construction suspension due to archaeological and Native American issues and compensate the construction contractor for a negotiated settlement regarding such delays and completion of project construction.

#### **BACKGROUND**

The PBPS project is among the most complex design, construction and construction management activities undertaken by Metro. It is being built in a small, congested area with ongoing street, freeway and transit operations. This was exacerbated by the fact that PBPS scope, schedule, cost and quality were strongly influenced by historical and archeological discoveries to the extent not experienced in recent memory on a Metro project. Monthly reporting to the Board indicated the potential for impact to the LOP budget and project schedule, which are now being submitted to the Board for approval.

#### **DISCUSSION**

As with the design project environment, construction uncertainty and complexity shaped the PBPS project environment leading to significant time and cost overruns due to discovering thirty-seven (37) archaeological features, including numerous human and Native American remains, within the project site (see Attachment A). Some important discoveries are not only within the confines of the PBPS project site but also part of an extension of a significant adjacent archaeological site at Metropolitan

Water District and Union Station (CA-LAN-1575/H). Examples of PBPS discoveries include:

- Masonry foundation that might have been associated with the Aliso Mill, (1830s to 1850s)
- Historic period ground surface exposed, likely from the Spanish-Mexican period (predating the 1850s)
- A segment of one of the Los Angeles Zanja branches from the Spanish-Mexican Period, late 1700s or early 1800s
- Foundations of the Los Angeles Cracker Company, late 19th century
- Foundation of the University Medical College and associated artifacts from the 1880s and 1890s
- Two locations of Human Remains (one location of Native American remains; one location of historic period non-Native American remains associated with University Medical College)

This resulted in a work stoppage of construction at 60% completion status on April 24, 2018, triggered by the various federal, State and Native American consulting party's interests, priorities and objectives responsible for the investigation, evaluation and treatment of these discoveries. Consulting Parties concerns leading to the suspension of construction work included:

- Proximity of construction to discoveries of human remains
- Construction moving ahead without an evaluation/treatment plan
- Manner in which the consultation and notification process was being carried out, including inconsistencies in the notification process
- Considering discoveries as individual resources rather than considering features holistically as part of site CA-LAN-1575/H

This constructive suspension of work by the various stakeholders was simply to investigate, evaluate and protect the discovered archaeological resources and human remains; however, the PBPS project did not have the space for construction to work around. Additionally, there were limited contingency resources to support the consulting parties order to stop work, and contractual time constraints resulting in a Letter of Suspension on August 2, 2018 to the contractor directing suspension of work in accordance with the C0970 Contract, General Condition 39 - Suspension, as was previously communicated to the Board on August 6, 2018 (see Attachment B). This directive subjected Metro to schedule delays, cost overruns, rework and disputes. Therefore, the PBPS project team engaged in proactive conflict management to minimize the negative schedule and budget effects on the project.

The differing site/changed conditions resulting in Metro's action to suspend construction work was the

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sole proximate cause of the delay, which at that time was uncertain, but assumed construction would resume January 7, 2019. This delay extended the contract period of performance by a minimum of 258 calendar days and Metro requested that certain contractor staff remain during the suspension period to complete construction related submittals, entitling the contractor to an adjustment to increase the contract time and price.

Per the contract, suspending construction work results in an excusable, compensable delay and entitles the contractor to field and home office overhead costs, not including profit. During settlement negotiations, the contractor provided sufficient evidence to Metro's Vendor Contract Management satisfaction per the contract:

- contractor and subcontractor wage rates
- construction escalation incurred
- global construction contractor and subcontractor impacts and inefficiencies
- construction field, as well as extended home office (as a percentage of costs), overhead directly related to the suspension in the amount of \$9,314 per day

At the time Metro suspended contract work, there were outstanding contractual conflicts, including a preconstruction delay request and thirty-eight (38) construction changes and claims (see Attachments C and D). The PBPS project team initiated a global settlement negotiation and partnered with the contractor to solve all open conflicts rather than at Substantial Completion, focusing on project success for solutions to reach the following negotiated settlement, as shown below.

**Metro/Contractor Negotiated Settlement Summary**

**Contractor's Position - \$7,486,406**

**Settled - \$5,375,000**

**Difference - <\$2,111,407>**

As a result of the extensive settlement negotiations, Metro and the contractor reached a tentative global settlement agreement in the amount of \$5,375,000, subject to Board approval. Also, it is important to note that Metro maintained a good working relationship with the contractor and the contractor's cooperative position to reach a negotiated settlement that was 28% less than their original request.

Concurrently, the PBPS project team worked with the Federal Transit Administration to complete the investigation, evaluation and treatment of the discovered cultural resource features and human remains. Additional investigation of Feature 27 in early March 2019 resulted in discovering a new

Feature (36), a segment of two parallel stone masonry walls of the Zanja Madre. Although the consulting parties agreed to an expedited process, the investigation, evaluation and treatment extended one-hundred and twenty-six (126) calendar days beyond the original schedule moving construction resumption from early January 2019 to the anticipated date of May 13, 2019.

**PBPS Section 106 Process Timeline**

<b>April 24, 2018</b>	Order to Stop Construction Work
<b>June 5, 2018</b>	Programmatic Agreement Initiated
<b>November 7, 2018</b>	Programmatic Agreement Approved
<b>November 12, 2018</b>	Archaeological Testing and Treatment Begin
<b>April 12, 2019</b>	Archaeological Testing and Treatment End
<b>May 10, 2019</b>	Forecasted Consulting Parties Concurrence
<b>May 13, 2019</b>	Forecasted Construction Suspension Lifted

Accordingly, this request also includes a project cost/LOP budget increase in the amount of \$5,745,000 to support the completion of the project:

- \$3,875,000 for Metro overhead charges, construction and professional services costs on the project by an additional 729 calendar days (384 calendar days during the suspension and 345 calendar days to complete construction)
- \$870,000 for potential contractor's Request for Change on the additional 87 calendar days delay related to archaeological Features 27 and 36 beyond the negotiated settlement agreement presumed construction resumption date of February 15<sup>th</sup>, yet to be negotiated
- \$1,000,000 for construction project contingency based on remaining construction expense cost (10%)

The suspension of construction clearly shifted the burden and Metro's position regarding the compensable delay in the settlement negotiation. The PBPS project team worked with the contractor to not only reach a better understanding of their concerns, but their interests in settling to enable Metro to develop mutually beneficial solutions. Based on objective criteria, staff reached a settlement negotiation that was clearly better off than Metro's best alternative to a negotiated agreement. During the extensive negotiation effort, the PBPS project team worked to improve Metro's outcome throughout the settlement negotiations.

### Lessons Learned

During construction, the PBPS project team implemented Lessons Learned from past projects, including the following:

- Encouraging the contractor to file change notices and schedule delays to identify potential claims and disputes as early as possible and then focus on an issues resolution in a timely manner.
- Engaging on timely delay notices and acted aggressively to resolve any time extension and delay damages as soon as they occurred.

The PBPS project team also identified the following new Lessons Learned from the PBPS project:

- Establishing and prioritizing an adequate risk factor and probability of occurrence in the Risk Management Plan/Risk Register for subsurface conditions, including cultural resources and human remains.
- Performing detailed cultural resource investigations and entering into a Programmatic Agreement with the appropriate consulting parties prior to construction.
- Obtaining a Cooperative Agreement with Caltrans developed specifically for the Design/Build project delivery method in Caltrans right-of-way prior to the award of a contract.
- Applying the appropriate delivery method for each project by evaluating permitting and regulatory status, land site control, owner priorities, Geotechnical and subsurface analysis, degree of risk and potential for changes.
- Developing an index of issues from Change Orders on previous Metro projects and reviewing during new capital project's design and engineering phases to reduce the need for rework during their construction.
- Evaluating risk transfer in Metro Design/Build bid specifications relative to "Project Definition Documents" and assigning risk to the party best able to control and manage the risk.
- Using independent bidding constructability, operability and claims prevention reviews before issuing bidding documents.
- Reviewing contract document's terms, specifications and conditions for each project and ensuring the proper administration of the contract's terms, specifications and conditions.
- Revising Metro's Contract General Conditions to require a contractor to not only prove any delay to the critical path and extended duration was not their responsibility but that there was

also no concurrent delay during the same period.

These Lessons Learned are not an exhaustive list of factors nor “silver bullets” guaranteeing a project’s success; however, staff believes that when properly implemented by a project team, they will reduce a project’s risk exposure and increase the potential for a project’s success.

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on established safety standards for Metro’s construction projects.

### **FINANCIAL IMPACT**

Funding for this project is currently in Cost Center 8510 (Construction Contracts/Procurement), Project 202317 - Patsaouras Plaza Busway Station. If the recommendation is approved, the LOP budget for this project would increase from \$39,793,000 to \$50,913,000. Approximately \$2,600,000 remains of the \$6,500,000 FY19 annual budget in Cost Center 8510. If the settlement is executed in FY19, the annual budget will have to be increased by \$2,780,000 to fund the \$5,375,000 settlement payment and pay for construction work performed through the end of June 2019. Since the construction contract and professional services contracts needed to support the PBPS project are multi-year contracts, the Project Manager and the Chief Program Management Officer will be responsible for budgeting in future fiscal years.

#### **Impact to Budget**

Construction will resume in May 2019 and the project should complete in May 2020. As a result, funding will be expended in fiscal years FY19 and FY20, and close-out will be in FY21. Project 202317 has been funded with five funding sources: a Bus Livability Section 5309 grant, Federal Section 5307 (CRD) funds, Prop C 40%, Prop C 25% Highway, and an escrow account for the Ramirez Flyover. Four of the five sources have been spent (see Attachment E), Prop C 25% will be used to fund the additional costs.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

By supporting the recommendation to increase the LOP budget of the PBPS Project, the Board is supporting Metro’s Strategic Plan Goal 2, “*Deliver outstanding trip experiences for all users of the transportation system.*” The PBPS Project is in line with Goal 2 by improving the transit user experience. The primary objectives of the PBPS Project were to:

- improve safety and security - such that the transit journey on the existing Express Lanes feels safe and secure for all riders
- improve efficiency - by providing a more direct path between the Express Lanes and Union

Station

- improve accessibility - as PBPS Project has an unobstructed path and boarding area for customers of all abilities and the variety of ways in which they travel

**ALTERNATIVES CONSIDERED**

The Board has the option to reject the LOP increase, which will result in leaving insufficient funds to complete the project. Staff does not recommend this option as it would dismiss the extensive collaborative, negotiated settlement process with the contractor conducted in good faith and definitely evolve the conflict into a legal dispute requiring third-party intervention and resolution. More importantly, rejection of this request will further delay PBPS project's Substantial Completion.

**NEXT STEPS**

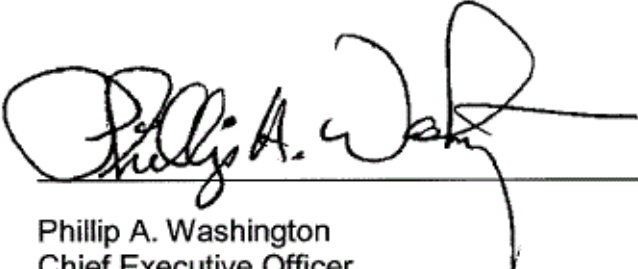
In accordance with the negotiated settlement, Metro will issue a Notice-to-Proceed letter directing the contractor to resume construction and complete Substantial Completion in 345 calendar days with the remaining April 2019 Progress Billing expense balance. Barring the unforeseen, the forecast values for the completion of construction work appear to be achievable with the LOP budget increase presented.

**ATTACHMENTS**

- Attachment A - PBPS Archaeological Feature Locations Map
- Attachment B - August 2018 Board Box regarding *PBPS Archaeological and Native American Issues*
- Attachment C - Procurement Summary
- Attachment D - Contract Modification/Change Order Log
- Attachment E - LOP Budget and Funding Plan

Prepared by: Manuel Gurrola, Director, Engineering, (213) 922-8889  
Timothy Lindholm, Executive Officer, (213) 922-7297  
Bryan Pennington, Senior Executive Officer, (213) 922-7449

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



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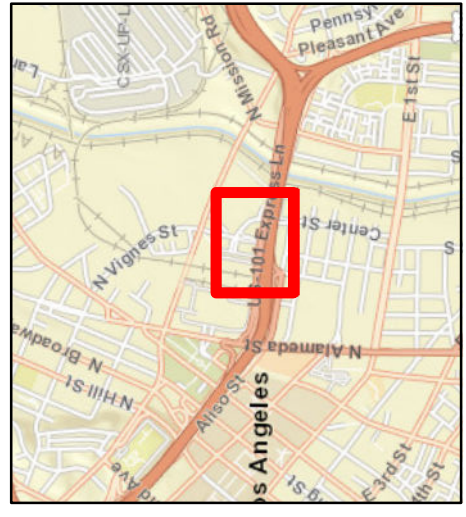
Phillip A. Washington  
Chief Executive Officer



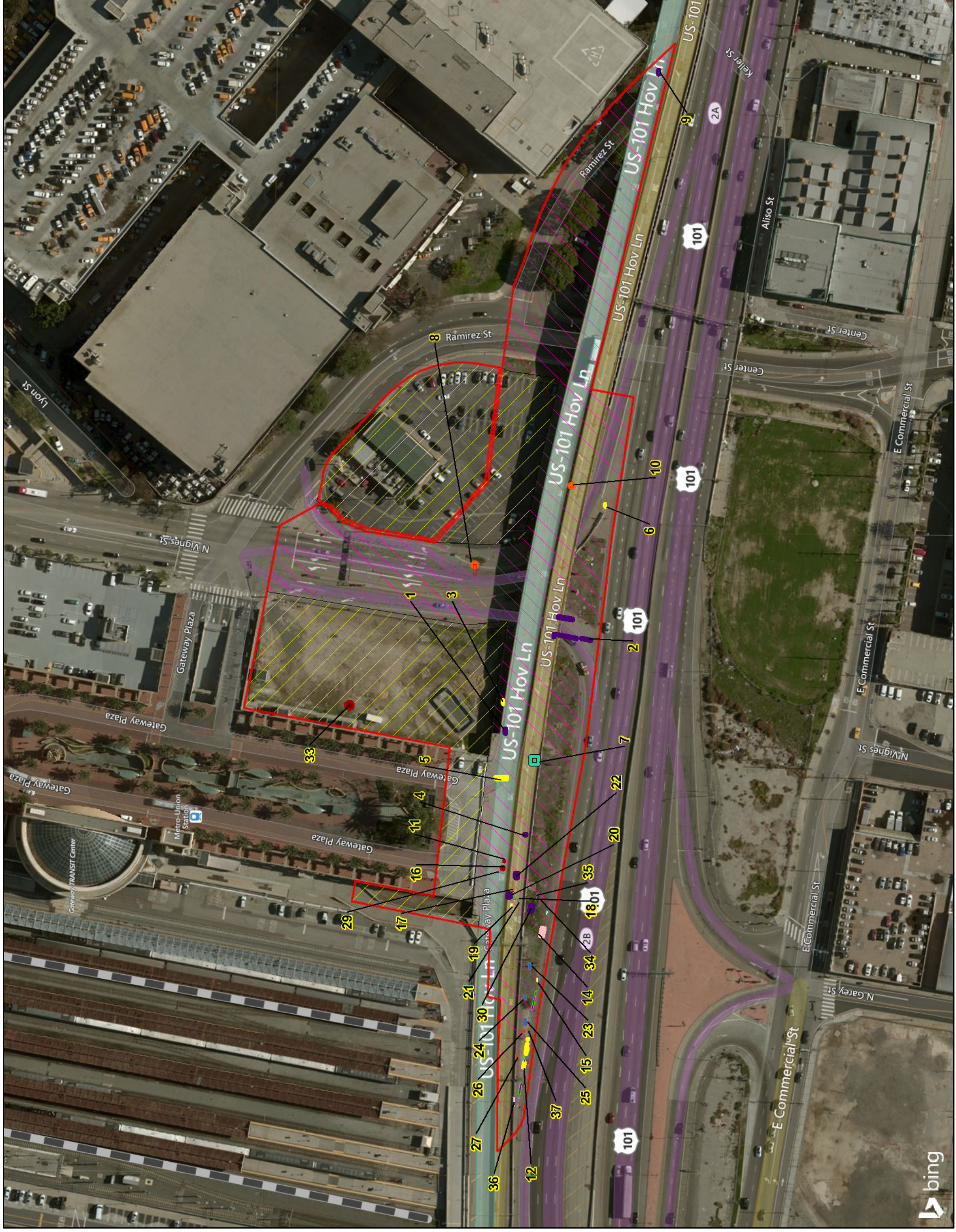
Union Station / Patsaouras Plaza  
El Monte Busway Station Project  
Feature Locations  
3/25/2019

Legend

- Area of Potential Effects
- Land Ownership**
- Caltrans
- LACMTA
- Features**
- Basement Floor
- Bedrock Outcrop
- Cobble / Bitumen
- Cut
- Debris / slumping wall
- Demo Debris
- Footings
- Foundations
- Loose stone
- Manhole
- Masonry Zanja Channel
- Pipe
- Pit - Human Remains
- Pit in Basement Floor
- Refuse Pit
- Stone / Adobe Structure
- Structural Remains
- Vault
- Wall



Date: 3/25/2019





**Metro**Los Angeles County  
Metropolitan Transportation AuthorityOne Gateway Plaza  
Los Angeles, CA 90012-2952213.922.2000 Tel  
metro.net

August 6, 2018

**TO:** BOARD OF DIRECTORS

**THROUGH:** PHILIP WASHINGTON *PAW*  
CHIEF EXECUTIVE OFFICER

**FROM:** RICHARD CLARKE *RFC*  
CHIEF PROGRAM MANAGEMENT OFFICER

**SUBJECT:** PATSAOURAS BUS PLAZA STATION ARCHAEOLOGICAL AND  
NATIVE AMERICAN ISSUES

**ISSUE**

This report is to update the Metro Board of Directors on the status of the Patsaouras Bus Plaza Station (PBPS) project. As previously reported to the Board, the project has discovered numerous archaeological features and Native American remains within the project site. It is becoming clear during daily conference calls with Federal Transit Administration (FTA) and the consultants that the current Section 106 process will take additional time delaying construction beyond what was originally anticipated by the project team. As of August 6<sup>th</sup>, project construction has ceased for 104 calendar days due to these issues, subjecting Metro to overhead costs of \$4,000 per calendar day, at a minimum. The PBPS project is approximately 60% complete as of this writing.

**DISCUSSION**

Metro performed extensive initial Section 106 consultation in the planning stages with the consulting parties and was commended by the State Office of Historic Preservation (SHPO) in 2012 in their concurrence of the *Cultural Resources Mitigation and Discovery Plan (CRMDP)*. However, recent unexpected archaeological and Native American remains discoveries caused the consulting parties to question the adequacy of the CRMDP due to:

- 1) The number of archaeological features and human remains encountered;

- 2) The consulting parties, primarily SHPO and the American Council for Historic Preservation (ACHP), raised concerns about the potential discovery of a historic site and recommended work stop;
- 3) The consulting parties felt that the CRMDP was insufficient to guide the evaluation and treatment of the potential site in accordance with Section 106.

As background, the PBPS project site has been extensively disturbed in the past by the Southern California Gas Company's Manufactured Gas Plant, Caltrans 101 freeway, El Monte Busway Bridge, the Metro Red Line, and Patsaouras Plaza, among others. The previous construction activities mentioned have disturbed or removed intact sediments and the probability of cultural resources being preserved was considered low. The historical disturbance was not only extensive, but intensive within the PBPS site and made discovery of any cultural resources likely to be from previously disturbed contexts and to consist of single isolated items.

It was determined that Metro would discover cultural resources known to occur in the area immediately adjacent to the project, including Native American and both Prehistoric and Historic Period resources. Any impact from this project would be confined to the project foundation locations. Metro included mitigation that any discovery would be protected and the find reported to the FTA. So far, Metro has discovered 13 archaeological features, human remains and Native American remains. Several key actions from other agencies have now severely impacted the project:

- On April 24, the Native American monitor stopped work on micropiles for the pedestrian overcrossing due to the vicinity of Native American remains.
- On May 11, Caltrans taped a major portion of the site off as an "Environmental Sensitive Area" due to concerns expressed by the Native American monitor.
- On May 16, the SHPO and ACHP requested to the FTA that all ground level work be halted until the consulting parties were reengaged and Section 106 (Protection of Historic Properties) process was completed.
- On May 22, the contractor demobilized all field workers from the project site as no more construction work was possible.
- On June 5, the consulting parties recommended entering into a Programmatic Agreement (PA), amending the 2012 CRMDP and preparing an *Archaeological Identification, Evaluation and Treatment Plan* (AIETP) in order to restart construction.
- On July 25, FTA opined that the nature of the PBPS site was unique and considered it one of the most archaeological resource rich sites in Los Angeles County requiring oversight by specialized government agencies and Native American tribes.
- As of August 1, the PA, CRMDP and AIETP are still in draft form and being reviewed by the consulting parties.

Currently, Metro halted construction to consult with parties and formulate new plans and agreements to fulfill the requirements of Section 106 in order to move the project forward. These agreements, consultations, plans, and studies are currently in process,

and it is expected that after investigations, approvals, and reports are complete, construction can re-start in approximately January 2019. In order to avoid further delays and incur further price increases, Metro staff prepared a Technical Memorandum to continue *Construction Activities in Areas of Low Sensitivity for Historic Resources and Activities Not Requiring Excavation*. Based on this, SHPO and ACHP approved Metro proceeding with very limited construction work within non-sensitive areas. This work is not on the critical path for the project, but was started July 16<sup>th</sup> and expected to be completed by August 31<sup>st</sup>. After that, there is no possibility of construction proceeding until the plans and investigations referenced above are complete and approved.

The PBPS project LOP budget will be impacted to pay for the archaeological and Native American issues described above and will require an increase. At this time, the additional fee Metro will incur due to this work stoppage is unclear as the length of the delay is unknown. Discussions with the contractor are ongoing. Currently, increased costs are being absorbed by the remaining contingency budget.

### **NEXT STEPS**

Metro suspended the PBPS contractor on August 3<sup>rd</sup> with a construction resumption date of January 7, 2019. Metro staff will, however, make every reasonable effort to resume construction as soon as possible. Upon completion of the requirements laid out in the Programmatic Agreement, Revised CRMDP and AIETP, Metro staff will tabulate all of the additional direct and indirect costs related to all of the archaeological and Native American issues, including claims related to such by the contractor, to determine the full impact to the PBPS LOP budget. Once the delay to the project is determined, costs for this issue will be negotiated and quantified.

Once we have determined the full extent of these impacts to the schedule and budget, currently expected be on or before December 2018, staff will present to the Board a request for additional LOP budget to cover costs for these issues.



## PROCUREMENT SUMMARY

## PATSAOURAS BUSWAY PLAZA STATION/CONTRACT C0970

1.	<b>Contract Number:</b> C0970		
2.	<b>Contractor:</b> OHL USA, Inc.		
3.	<b>Mod. Work Description:</b> Settlement negotiated to cover all cost associated with the work stoppage triggered by archaeological findings within the project site		
4.	<b>Contract Work Description:</b> Patsaouras Busway Plaza Station		
5.	<b>The following data is current as of:</b> April 12, 2019		
3	<b>Contract Completion Status:</b>		
6.			
	<b>Bids/Proposals Opened:</b>	4	<b>% Completion \$s:</b> 74%
	<b>Contract Awarded:</b>	2/26/2014	<b>% Completion time:</b> TBD%
	<b>NTP:</b>	3/31/2014	<b>Original Contract Days:</b> 900
	<b>Original Complete Date:</b>	9/16/2016	<b>Change Order Days:</b> 441
	<b>Current Est. Complete Date:</b>	5/24/2020	<b>Suspended Days:</b> 384
	<b>Total Revised Days:</b>		825
7.	<b>Financial Status:</b>		
	<b>Contract Award:</b>	\$19,832,000.00	
	<b>Total Contract Modifications Approved:</b>	\$5,895,819.35	
	<b>Current Contract Value:</b>	\$25,727,819.35	
	<b>Contract Administrator:</b> Helen Gates-Bryant	<b>Telephone Number:</b> 213-922-1269	
8.	<b>Project Manager:</b> Manuel Gurrola	<b>Telephone Number:</b> 213-922-8889	

**A. Contract Action Summary**

This Board Action is to approve an increase in the Life of Project Budget (LOP) to provide for a Settlement Agreement and other pending Modifications/Changes for the Patsaouras Busway Plaza Station Project.

The Settlement Agreement has been negotiated in accordance with Metro's Acquisition Policy. The contract type is Firm Fixed Price. The award of the Patsaouras Busway Plaza Station (PBPS) was presented to and approved by the Metro Board on January 16, 2014. The PBPS project is a component of the overall Los Angeles Congestion Relief Demonstration (CRD) Project to enhance and expand transit service and create High Occupancy Toll lanes in the I-10 and I-110 freeway corridors. During preliminary engineering it was found that the PBPS would have significant positive impact for Metro patrons and service delivery on the Silver Line system. The PBPS will relocate the patron boarding island currently situated at the corner of North Alameda to the east side of Patsaouas Plaza and will provide a direct connection to Patsaouras Plaza and Union Station for buses running on the EI

Monte Busway. The project includes widening of the existing Caltrans Los Angeles River Busway Bridge and Overhead, providing new vertical and horizontal pedestrian circulation elements (Pedestrian Ramp/Walkway, Pedestrian Overcrossing, elevators, and stairs) and closing all vehicular traffic access between the El Monte Busway and Union Station at Patsaouras Plaza.

The contract was awarded February 26, 2014, to OHL USA, Inc., in the amount of \$19,832,000.00

Refer to Attachment D, Contract Modification/Change Order Log for modifications to date.

**B. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon thorough fact-finding, clarifications, cost analysis, price analysis, technical evaluation, and negotiations

<b>Item No.</b>	<b>Changes</b>	<b>Proposal amount</b>	<b>Metro ICE</b>	<b>Negotiated or NTE amount</b>
TBD	Settlement Agreement	\$7,486,406.00	\$4,767,987.96	\$5,375,000.00

**CONTRACT MODIFICATION/CHANGE LOG  
PATSAOURAS BUSWAY PLAZA STATION - C0970**

<b>Mod. No.</b>	<b>Description</b>	<b>Status</b>	<b>Contract Value (A)</b>	<b>Mod/CO Value (B)</b>
N/A	Initial Award		\$19,832,000.00	
1	Modify Volume 1: GE Section 01310 – DB, Cost/Schedule Integration System. Appendix A: Schedule Template Guideline	Approved		No Cost
2	Update SP-27 and Section 01200	Approved		No Cost
3	Revised Contract Compliance Manual	Approved		No Cost
4	Development of Supplemental Fact Sheet and PSR/PR	Approved		\$93,450.42
5	Emergency Power to Lightings Fixtures	Approved		\$79,424.00
6	Replace base contract light fixtures with LED fixtures	Approved		\$8,876.65
7	Changes to Electrical Power Source	Approved		\$173,151.00
8	Ramirez Street Realignment Study	Approved		\$60,900.00
9	Reconfigure to 2-Lanes West (Construction)	Approved		\$614,968.07
10	Issues Associated with Construction Costs	Approved		3,505,769.89
11	Reconfigure to 2 Lanes West (Design)	Approved		\$51,570.05
12	Issues Associated with New Design	Approved		\$188,925.60
13	Addition of Tactile Pathway into Patsaouras	Approved		\$57,000.00
14	Protection of Bus Platform	Approved		\$190,000.00
15	New Design Proposed Revised SD Alignment	Approved		\$31,732.68
16	Compensable Delays	Approved		\$547,999.99
17	Denny's Signage	Approved		\$2,846.00
18	Obstructions at Bent 9LT & Bent 8LT	Approved		\$95,217.00
19	Obstructions at Bent 5 Pedestrian Bridge	Approved		\$7,203.00
20	Obstructions at Bent 6	Approved		\$7,620.00



	Pedestrian Bridge			
21	Obstructions at Bent 4 Pedestrian Bridge	Approved		\$9,197.00
22	Additional Obstructions at Bent 4 Pedestrian Bridge	Approved		\$70,952.00
23	Additional Drainage Protection	Approved		\$4,016.00
24	60" Steel Line Relocation	Approved		\$95,000.00
	<b>Subtotal Approved Modifications</b>			<b>\$5,895,819.35</b>
25	Additional Removal at Retaining Wall	Pending		\$45,234.00
26	Concrete Slab & Steel Pipe at SD	Pending		\$11,154.00
27	Frame 2 and 3 FW Certification	Pending		\$17,047.00
28	Falsework Requirements for Frame 1 & 2 L	Pending		\$1,414.00
29	Bent 4, 6, 7, L Obstructions *& Differing Site Conditional B5R	Pending		\$141,545.00
30	Settlement Agreement	Pending		\$5,375,000.00
	<b>Subtotal Pending</b>			<b>\$5,591,394.00</b>
	<b>Subtotal – Pending and Approved Modifications</b>			<b>\$11,487,213.35</b>
	<b>Subtotal Claims</b>			<b>\$0.00</b>
	<b>Total Modifications and Pending Changes/Modifications and Possible Claims</b>			<b>\$11,487,213.35</b>
<b>Total Contract Value (including Approved Modifications)</b>			<b>\$25,727,819.35</b>	
<b>Total Approved Mods and Pending Modifications (including this change)</b>				<b>\$11,487,213.35</b>
<b>Approved Modifications</b>				<b>\$5,895,819.35</b>
<b>Pending Modifications</b>				<b>\$5,591,394.00</b>

**ATTACHMENT E - LOP FUNDING AND EXPENDITURE PLAN**

<b>Use of Funds</b>	<b>Inception – March 2019</b>	<b>Remaining FY19</b>	<b>FY20</b>	<b>FY21+</b>	<b>Total</b>
Design Consultant through award of C0970	1,250,000	-	-	-	1,250,000
Construction Contract	18,342,000	7,375,000	5,778,000	-	31,495,000
Design Support During Construction	96,000	-	-	-	96,000
Construction Management	2,584,000	350,000	300,000	27,000	3,261,000
Environmental	3,629,000	669,000	482,000	-	4,780,000
Other Professional Services	217,000	42,000	24,000		283,000
Special Conditions (3rd Party)	1,117,000	350,000	350,000	100,000	1,917,000
Agency Costs: Project Control, Procurement, Safety, Communications, etc.	4,782,000	600,000	1,194,000	255,000	6,831,000
Contingency	-			1,000,000	1,000,000
<b>Total</b>	<b>32,017,000</b>	<b>9,386,000</b>	<b>8,128,000</b>	<b>1,382,000</b>	<b>50,913,000</b>
<b>Source of Funds</b>	<b>Inception – March 2019</b>	<b>Remaining FY19</b>	<b>FY20</b>	<b>FY21+</b>	<b>Total</b>
Federal - Bus Livability Section 5309	9,679,000	-	-	-	9,679,000
Federal - Section 5307 (CRD)	1,200,000	-	-	-	1,200,000
Prop C 40%	300,000	-	-	-	300,000
Prop C 25%	17,623,000	9,386,000	8,128,000	1,382,000	36,519,000
Ramirez Flyover (Union Station Escrow)	3,215,000	-	-	-	3,215,000
<b>Total</b>	<b>32,017,000</b>	<b>9,386,000</b>	<b>8,128,000</b>	<b>1,382,000</b>	<b>50,913,000</b>