



Board Report

File #: 2023-0281, File Type: Budget

Agenda Number: 12.

PLANNING AND PROGRAMMING COMMITTEE SEPTEMBER 20, 2023

SUBJECT: LONE HILL TO WHITE DOUBLE TRACK PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATIONS

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Contract Modification No. 4 to Contract No. AE73891000 with Moffatt & Nichol for professional services and extend the period of performance from October 31, 2023, to December 31, 2024, in the amount of \$3,685,694, increasing the Total Contract Value from \$7,049,780 to \$10,735,474; and
- B. APPROVE programming an additional \$8,023,736 from \$10,500,000 to \$18,523,736 for professional services, Metro related expenses, and third-party services using Measure R 3% funds to achieve a shovel ready level.

ISSUE

Staff is advancing the Lone Hill to White Double track project from inception through the final design phase with extensive changes to the existing conditions that have not been accounted for in the current project programming. Board approval of the staff recommendations will allow the continuation of final design services for this capital project to achieve a shovel ready level. This capital project is on the priority list of the 2028 Games Mobility Concept Plan and has been endorsed by Infrastructure LA.

BACKGROUND

The Lone Hill to White Double Track project runs along the San Gabriel subdivision and merges with the Pasadena subdivision at White Avenue, where the Gold Line Phase project will operate. The proximity between both rail subdivisions results in three railroad crossings being less than 300 feet apart. These railroad crossings include San Dimas Canyon Road, White Avenue, and Fulton Road. The Gold Line Authority has been a collaborative partner through the design development process for the Lone Hill to White Double track. As existing conditions change with the construction of the Gold

Line project, the Lone Hill project shall incorporate design changes based on the installation of new railroad signal houses, field condition adjustments, street infrastructure, traffic loops, and further operational analysis to address the ultimate project conditions.

This double tracking project is the building block for future network integration, on-time performance, and improved line reliability for the Metrolink San Bernardino Line. The Lone Hill to White Double Tack project is shown in the Metrolink Southern California Optimized Rail Expansion (SCORE) program as a vital line reliability project for the rail corridor to upgrade the existing Metrolink system

At its October 24, 2013 meeting, the Board approved \$3M in programming to begin environmental and preliminary engineering work for the four miles of double tracking. Then at its December 05, 2019 meeting, the Board approved \$7.5M for final design work inclusive of all third-party and professional service related costs. In July 22, 2021, a design phase LOP was approved to start the final design services for \$8.2M. However, the design phase LOP does not include Metro labor related expenses, and the approving action continues to be addressed through an annual programming process. Upon review, a design phase LOP is not consistent with other Program Management capital projects without identified construction funding. Given this information, staff will shift from design phase LOP to programming authorization to account for all project expenditures to achieve a shovel ready level. A shift to programming authorization alone allows for staff to refine funding needs and prepare grant applications to fund the construction improvements ahead of the 2028 Olympic and Paralympic Games.

On July 22, 2021 Moffat and Nichol received notice to proceed to perform engineering services for the Lone Hill to White final design phase to prepare approved plans, specifications and estimates. Then two additional contract modifications were approved on April, 12, 2022 and March 10, 2023 for new scope of work that was unforeseen at the time of contract development within the original period of performance. The new scope of work includes surveying and mapping, right-of-way, drainage, hydrology and hydraulics, water quality, geotechnical investigation, and track design for areas outside of the Metro right-of-way. A third contract modification for a no cost extension of the period of performance was required to continue coordination efforts for the necessary contract modification four staff anticipated for consideration for the September Board regular meeting which will allow Moffatt & Nichol to finalize and complete the project deliverables.

This capital project is supported by the City of San Dimas and La Verne with the quiet zone ready improvements this project will bring to enable the silencing of train horns within the project limits after construction is completed. This project is also endorsed by Infrastructure LA with their initiative to maximize LA County's share of infrastructure funding. This capital project is included under the Metro rail capital projects for Infrastructure LA and as a priority project in Metro's 2028 Games Mobility Concept Plan. This critical regional rail project will demonstrate project readiness with the completion of the final design phase make this project more competitive for grant construction funding.

..Discussion

DISCUSSION

With the project stakeholders fully engaged, an extensive amount of subsurface utility location

services is required to determine utility positions of potential conflicts that were unforeseen prior to the development of the 60% final design plans by August 2022. At the same time, the advance design work increases the right-of-way service needs by 36% to address temporary and permanent right-of-way impacts for the project. The double track improvements require a complex bridge design at Marshall Canyon Channel and Walnut Creek that was not considered during the feasibility phase to obtain design approvals from the Los Angeles County Flood Control District and the US Army Corps of Engineers. This work will require supplemental geotechnical investigation in support of the advanced structural design work and new third party agreements.

Another major design change for consideration is at the temporary Metrolink Pomona Fairplex Station Platform. The initial design accounted for a five-car train set. Through design development and ADA compliance oversight, the platform is required to be replaced to accommodate a six-car train set with a locomotive to avoid substantial delays on the local traffic circulation. Other design changes for consideration include project impacts outside of the Metro owned right-of-way that require improvement, off-site drainage, relocation of underdrains, and additional retaining wall locations to reduce right-of-way impacts.

Given the above, the additional programming of Measure R 3% funds requested in the amount of \$8.02M is summarized below in Table 1. It should be noted the \$8.6M programmed for professional services consists of \$6.5M for the final design and \$2.1M for preliminary engineering and environmental clearance phase work.

Lone Hill to White Double Track Project			
Use of Funds	Approved Programming	Requested Programming	Revised Programming
Professional Services	8,600,000.00	4,235,474.00	12,835,474.00
Agency - Metro	0.00	1,545,763.00	1,545,763.00
Outreach	0.00	253,302.00	253,302.00
Real Estate/ Acquisition of Land	0.00	56,000.00	56,000.00
Project Controls	0.00	289,962.00	289,962.00
Project Reserve/Contingency (10%)	650,000.00	423,547.00	1,073,547.00
3rd Party Agreements - City/County/Others	1,250,000.00	1,219,688.00	2,469,688.00
Total Project Cost	10,500,000.00	8,023,736.00	18,523,736.00

Table 1: Lone Hill to White Double Track Programming

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on safety. The Lone Hill to White Double Track Project is being designed in accordance with Metro and SCRRRA standards, state and federal requirements, and in compliance with the Americans with Disabilities Act.

FINANCIAL IMPACT

Regional Rail staff have included the recommended \$4,000,000 in FY24 programming as part of the adopted FY24 budget for this project. This is a multi-year capital project, and the Deputy Executive Officer of Regional Rail and Chief Program Management Officer will be accountable and responsible for budgeting the cost of future fiscal year commitments in department 2415, Regional Rail, for project number 460068 as shown in Attachment D, Lone Hill to White Funding and Expenditure Plan. If approved, the total revised programming amount in order to achieve a shovel ready level for the Lone Hill to White Double Track project with Measure R 3% funds will be \$18,523,736 for project number 460068.

Impact to Budget

The source of funds for FY24 and future fiscal year programming through final design for this project is Measure R 3% Transit Capital. These funds are not eligible to be used for Metro bus/rail operating or capital budget expenses.

EQUITY PLATFORM

The Lone Hill to White Double Track project operates on the San Bernardino Line. The median income is \$60,913 on the San Bernardino Line, according to a 2022 Metrolink Rider Survey. 39% of all current Metrolink riders report household incomes below \$50,000. The average age of Metrolink riders in 2022 has increased to 51 years. The same data shows rider demographics at 38% Hispanic or Latino, 31% White, 17% Asian or Pacific Islander, 10% African American and 4% Other.

The Lone Hill to White project will improve line reliability, network integration, on-time performance and lead to more frequent commuter rail service. This capital improvement is within and indirectly supports Equity Focus Communities (EFC) by providing more frequent service and better transit options through the Metrolink SCORE program that proposes 30-minute bi-directional service throughout the day and evening along the San Bernardino Line. For the Lone Hill to White capital projects, communities located in the vicinity of the project are comprised of 48.1% to 75.1% low-income households, 4.7% to 14.9% households with no access to a car, and up to 99.9% Black, Indigenous, and other People of Color (BIPOC) residents.

In addition to the project improvements, this project will improve American with Disabilities Act (ADA) compliance. The Lone Hill to White Double track project includes full reconstruction of the Pomona Fairplex Station per the SCRRRA standards with a mini-high platform for easier access for passengers with disabilities.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed recommendations support strategic plan goals 1, 3 and 4. The Lone Hill to White improvements improve service reliability and mobility, provide better transit connections throughout the network, and implement the following specific strategic plan goals:

- Goal 1.2: Improve LA County's overall transit network and assets;

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- Goal 3.3: Genuine public and community engagement to achieve better mobility outcomes for the people of LA County; and
 - Goal 4.1: Metro will work with partners to build trust and make decisions that support the goals of the Strategic Plan

ALTERNATIVES CONSIDERED

The Board could choose not to approve the authorization to execute the contract modification, amend the programming, and execute necessary third-party agreements for this project. This is not recommended since this project is identified as a key project to provide line reliability to support Metrolink's 30-minute bi-direction service along the San Bernardino Line. In addition, this capital project is on the priority list for the 2028 Games Mobility Concept Plan and has been endorsed by Infrastructure LA. Another alternative is to cancel the professional service contract for Metrolink to lead and complete the final design phase of the Project instead of Metro. This is not advised since the Metro Board previously directed staff to lead and complete the final design phase for Lone Hill to White Double Track Project and will not result in any project cost or schedule savings.

NEXT STEPS

Upon Board approval staff will execute Modification No. 4 to Contract No. AE73891000 with Moffatt & Nichol to continue providing professional services in order to complete the final design phase work in order to prepare for pre-construction activity and then return to the board for a project LOP to approve construction award.

ATTACHMENTS

Attachment A- Procurement Summary AE73891000
Attachment B- Contract Modification/Change Order Log AE73891000
Attachment C- DEOD Summary AE73891000
Attachment D - Lone Hill to White Funding and Expenditure Plan

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Reviewed by: Sameh Ghaly, Chief Program Management Officer (Interim), (213) 418-3369



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

LONE HILL TO WHITE DOUBLE TRACK PROJECT FINAL DESIGN PS&E
AE73891000

1.	Contract Number: AE73891000		
2.	Contractor: Moffatt and Nichol		
3.	Mod. Work Description: Work to address comment resolution meetings with project stakeholders as a result of the 60% final design submittal and period of performance extension through 12/31/24.		
4.	Contract Work Description: Engineering services for the Lone Hill to White final design plans, specifications and estimates (PS&E).		
5.	The following data is current as of: 8/3/23		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	07/22/21	Contract Award Amount: \$6,498,899
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: \$550,881
	Original Complete Date:	08/04/23	Pending Modifications (including this action): \$3,685,694
	Current Est. Complete Date:	12/31/24	Current Contract Value (with this action): \$10,735,474
7.	Contract Administrator: Samira Baghdikian		Telephone Number: (213) 922-1033
8.	Project Manager: Vahid Haghdoust		Telephone Number: (213) 922-2196

A. Procurement Background

This Board Action is to approve Contract Modification No. 4 issued in support of work to address comment resolution meetings with project stakeholders as a result of the 60% final design submittal for the Lone Hill to White (LHW) Double Track project. This Contract Modification also extends the period of performance from October 31, 2023 through December 31, 2024.

This Contract Modification was processed in accordance with Metro's Acquisition Policy and the contract type is firm fixed price.

On July 22, 2021, the Board awarded firm fixed price Contract No. AE73891000 to Moffatt and Nichol in the amount of \$6,498,899 for engineering services for the LHW Final Design Plans, Specifications and Estimates (PS&E).

A total of 3 modifications have been issued to date.

Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost Analysis

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

Metro staff successfully negotiated a cost savings of \$407,307 resulting from a reduction of level of effort under project management, survey and mapping, utilities, grade crossings and bridges/structures while discussing level of effort and earned value.

Proposal Amount	Metro ICE	Negotiated Amount
\$4,093,001	\$2,190,100	\$3,685,694

The difference between the ICE and negotiated amount is due to:

- Additional level of effort for environmental permitting support to coordinate with regulatory agencies such as Army Corps of Engineers and Regional Water Quality Control Board;
- Increase in coordination efforts required with the Los Angeles Bureau of Engineering and Department of Transportation and Army Corps of Engineers;
- Additional level of effort to validate soil parameters at additional locations along the project limits for retaining walls;
- Additional structural support for designing non-standard retaining walls under the railroad live load influence line and data collection adjacent to existing buildings along the right-of-way;
- Additional alternative/value analysis for certain structures over major channels.

CONTRACT MODIFICATION/CHANGE ORDER LOG

LONE HILL TO WHITE DOUBLE TRACK PROJECT FINAL DESIGN PS&E
AE73891000

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Additional work to prepare and complete the final engineering design necessary for the double track project	Approved	04/12/22	\$474,223
2	Additional level of effort (design submittals to Union Pacific Railroad and addition of subcontractor.	Approved	03/10/23	\$76,658
3	No cost extension of period of performance (POP) through 10/31/23.	Approved	07/11/23	\$0
4	Work to address comment resolution meetings with project stakeholders as a result of the 60% final design submittal and POP extension through 12/31/24.	Pending	Pending	\$3,685,694
	Modification Total:			\$4,236,575
	Original Contract:		07/22/21	\$6,498,899
	Total:			\$10,735,474

DEOD SUMMARY

**LONE HILL TO WHITE DOUBLE TRACK PROJECT FINAL DESIGN PS&E
AE73891000**

A. Small Business Participation

Moffatt & Nichol, Inc. (MNI) made a 27.19% Small Business Enterprise (SBE) and a 3.18% Disabled Veterans Business Enterprise (DVBE) commitment. Based on payments, the project is 60% complete and the current SBE/DVBE participation is 20.59% and 3.67%, respectively, representing a 6.60% SBE shortfall. MNI is exceeding the DVBE commitment by 0.49%.

MNI contends that the shortfall is due to the bulk of the work scheduled to be performed by Pacific Railway Enterprises, Inc. (PRE) taking place later in the project. MNI stated that PRE has ramped up production in the past couple of months and anticipates PRE's level of participation to increase accordingly. MNI projects that its shortfall will be mitigated within the next six (6) months.

MNI listed 15.18% SBE and 3.43% DVBE participation for the proposed modification. Staff will continue to monitor MNI's efforts to meet and/or exceed its commitment.

Small Business Commitment	27.19% SBE 3.18% DVBE	Small Business Participation	20.59% SBE 3.67% DVBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Pacific Railway Enterprises, Inc.	16.93%	10.08%
2.	Rail Surveyors and Engineering, Inc.	6.13%	5.51%
3.	Wagner Engineering	4.13%	5.00%
	Total	27.19%	20.59%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	MA Engineering	3.18%	3.67%
	Total	3.18%	3.67%

¹Current 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

A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

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).

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.

Lone Hill to White Funding and Expenditure Plan

Lone Hill to White Double Track Project					
Project Number: 460068					
Project Programming for preliminary engineering, environmental and final design work					
Use of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Capital Costs through Final Design Phase
Professional Services	6,700,000.00	2,500,000.00	3,635,474.00	0.00	12,835,474.00
Agency - Metro	850,000.00	295,763.00	400,000.00	0.00	1,545,763.00
Outreach	184,000.00	44,000.00	25,302.00	0.00	253,302.00
Real Estate/ Acquisition of Land	30,000.00	0.00	26,000.00	0.00	56,000.00
Project Controls	100,000.00	104,237.00	85,725.00	0.00	289,962.00
Project Reserve/Contingency (10%)	0.00	406,000.00	667,547.00	0.00	1,073,547.00
3rd Party Agreements - City/County/Others	700,000.00	650,000.00	1,119,688.00	0.00	2,469,688.00
Total Project Cost through Final Design Phase	8,564,000.00	4,000,000.00	5,959,736.00	0.00	18,523,736.00
Source of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Project Funding through Final Design Phase
Measure R 3%	8,564,000.00	4,000,000.00	5,959,736.00	0.00	18,523,736.00

Lone Hill to White Double Track Project

Finance, Budget and Audit Committee
September 20, 2023

Lone Hill to White Double Track Project

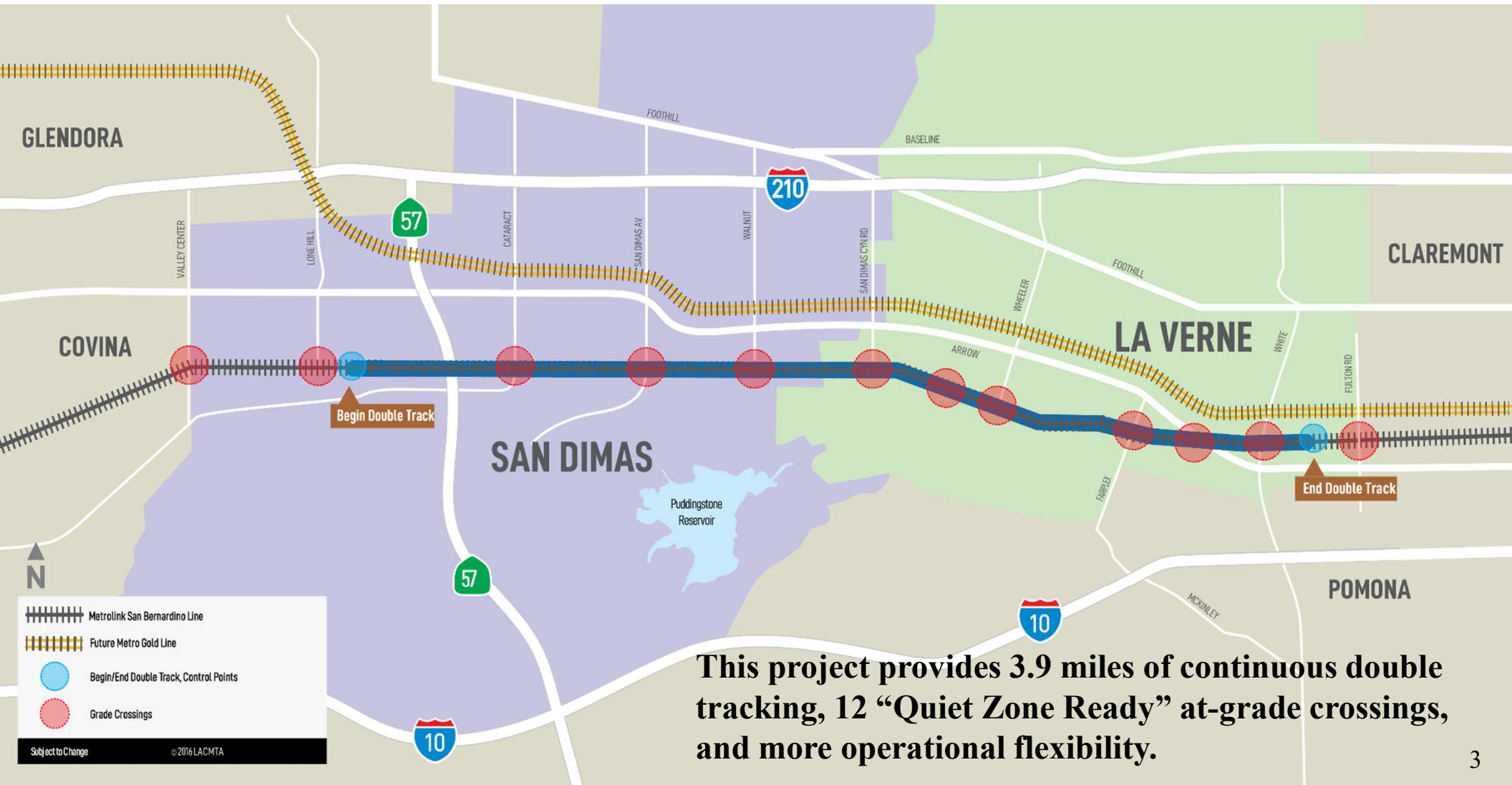
Staff is requesting Board Approval to:

- A. EXECUTE Contract Modification No. 4 to Contract No. AE73891000 with Moffatt & Nichol and extend the period of performance from August 4, 2023, to December 31, 2024, in the amount of \$3,685,694 increasing the Total Contract Value from \$7,049,780 to \$10,735,474; and
- B. APPROVE programming an additional \$8,023,736 from \$10,500,000 to \$18,523,736 for professional services, Metro related expenses and third-party services using Measure R 3% funds to achieve a shovel ready level.

Lone Hill to White Double Track Project

Background:

1. The Metrolink San Bernardino Line is the busiest commuter rail line of the Metrolink system.
2. This corridor spans 58 miles from Los Angeles to San Bernardino, serving 14 stations, plus a Redlands extension.
3. This capital project is on the 2022 Prioritized Mobility Concept Plan Project listing under Regional Rail due to line reliability in order to prepare for the arrival of the 2028 Games.



Final Design Phase Programming

Approval of the contract modification, extending the period of performance, and the additional programming will allow the following funding and expenditure plan.

Lone Hill to White Double Track Project					
Project Number: 460068					
Project Programming					
Use of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Capital Costs
Professional Services	6,700,000.00	2,500,000.00	3,635,474.00	0.00	12,835,474.00
Agency - Metro	850,000.00	295,763.00	400,000.00	0.00	1,545,763.00
Outreach	184,000.00	44,000.00	25,302.00	0.00	253,302.00
Real Estate/ Acquisition of Land	30,000.00	0.00	26,000.00	0.00	56,000.00
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Total Project Cost	8,564,000.00	4,000,000.00	5,959,736.00	0.00	18,523,736.00
Source of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Project Funding
Measure R 3%	8,564,000.00	4,000,000.00	5,959,736.00	0.00	18,523,736.00

It should be noted, of the \$18,523,736 for programming will come from Measure R 3% funds to achieve a shovel ready level.

Lone Hill To White Double Track Project

QUESTIONS?