

**Board Report**

File #: 2024-0526, **File Type:** Contract**Agenda Number:** 32.

**REGULAR BOARD MEETING
SEPTEMBER 26, 2024****SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2 PROJECT****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to execute Modification No. 8 to Contract No. AE51242000 with Cordoba HNTB Design Partners, a Joint Venture, in the amount of \$74,869,029 to advance to 30% Preliminary Engineering (PE) for the Initial Operating Segment (IOS), increasing the contract value from \$35,514,357 to \$110,383,386 and extending the period of performance from December 31, 2024, to August 30, 2026.

ISSUE

On May 23, 2024, the Metro Board approved the full 9-mile Eastside Transit Corridor Phase 2 Project, with a 4.6-mile Initial Operating Segment (IOS) to Greenwood Station and a Maintenance and Storage Facility in the City of Montebello and certified the Final Environmental Impact Report (Final EIR) of this Project. Metro filed the Notice of Determination (NOD) under the California Environmental Quality Act (CEQA) with the Los Angeles County Clerk and CA State Clearinghouse on May 24, 2024. Metro anticipates reinitiating the National Environmental Policy Act (NEPA) clearance process and continuing project design development in Summer/Fall 2024.

Staff is seeking Board approval for a contract modification to continue project design from 15% advanced conceptual engineering to 30% PE design for the 4.6-mile IOS to the Greenwood Station for the Eastside Transit Corridor Phase 2 Project. The execution of Modification No. 8 is necessary for the advancement of the design through the Project Development phase. This phase will progress the design to continue designing complex elements (tunnel, cut and cover stations, cross passages, transitions structures, maintenance storage facility, etc.), geotechnical analysis of the underground alignment, and further design of conflicting utilities requiring relocation.

BACKGROUND

Eastside Transit Corridor Phase 2 Project is a nine-mile light rail transit (LRT) extension from the existing Metro E (formerly Gold) Line serving the cities and communities of Commerce, Montebello, Pico Rivera, Santa Fe Springs, Whittier, and unincorporated East Los Angeles and West Whittier-Los Nietos. At the December 2022 Board meeting, the Board approved the Locally Preferred Alternative

(LPA), a 4.6-mile extension of the E-Line to Greenwood Station via the IOS with design options for Atlantic/Pomona (open underground station) and Greenwood Station (at-grade) and a Maintenance and Storage Facility located in the City of Montebello.

On May 23, 2024, the Board certified the full nine-mile Project alignment to Whittier in the Final Environmental Impact Report (EIR) per the California Environmental Quality Act (CEQA). Certification of the Final EIR also includes approval of the Mitigation Monitoring and Reporting Plan and the Findings of Fact and Statement of Overriding Conditions.

The Project is a Measure R and Measure M project that is included in the 2020 Long Range Transportation Plan (LRTP) and the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

The Measure M Ordinance identifies \$3 billion (2015 \$) in Measure M and other local, state, and federal funding for the Project. The Board previously directed staff to reinstate the NEPA environmental clearance process for the IOS to pursue federal funding for this project segment.

On October 25, 2018, the Board awarded firm fixed price Contract No. AE51242000 to Cordoba HNTB Design Partners, a Joint Venture, to provide the advanced conceptual engineering (ACE) design and urban design services for the Eastside Transit Corridor Phase 2 Project for work in support of the reinstated environmental clearance study. Seven modifications have been issued to date to add scoping meetings, proceed with one build alternative including additional refinements, as well as extend the period of performance (reference Attachment B).

DISCUSSION

Since the Contract was approved in 2018, Metro has modified the Contract to focus on high-risk project elements benefiting early design and coordination, including coordination with program management and operations, at-grade geotechnical analysis, identification of utility conflicts along with potholing, hazardous material evaluation, and right-of-way updates. Modification No. 8 includes further technical analysis for the options identified in the EIR design work to align with updates to the Metro Rail Design Criteria (MRDC), sustainability measures, systems design, and development of early work packages. Based on lessons learned from other rail projects and to identify high-risk cost items earlier in the planning process, the Contract Modification increases the level of geotechnical investigation at the underground structures, real estate rights, and utility relocation to identify and manage future cost/schedule impacts.

DETERMINATION OF SAFETY IMPACT

Approval of this contract modification will not impact the safety of Metro's customers or employees.

FINANCIAL IMPACT

The adopted Fiscal Year 2025 budget includes approximately \$32.4 million total between Project 860232 (Program Management) and Project 460232 (Countywide Planning Department) for professional services and support for the Eastside Transit Corridor Phase 2 Project. Since this is a

multi-year contract, the Cost Center Manager, Project Manager, and Chief Program Management Officer will be responsible for budgeting in future years.

Impact to Budget

Funding for this action comes from Measure R 35% Transit Capital and TIRCP (Transit and Intercity Rail Capital Program: Cycle 6), which is not eligible for bus and rail operations.

EQUITY PLATFORM

The Board's approval of the contract modification for the Project will help advance equitable access to opportunity as the Project traverses through six Equity Focus Communities (EFCs) along the eastern portion of Los Angeles County. There are 2,281 transit-dependent households along the project alignment and 1,828 transit-dependent households along the LPA. This Project will benefit these EFCs and other communities along the eastern portion of Los Angeles County by providing access to a reliable light rail system and filling a gap in high-quality transit services that currently exist. When the eventual build-out of the project occurs, communities along the corridor will have access to the Metro regional network and to activity centers and job opportunities along the corridor that include but are not limited to, Whittier College, East Los Angeles College, Citadel Outlets, Historic Whittier Boulevard retail, and Presbyterian Intercommunity Hospital.

Cordoba HNTB Design Partners made a 54.91% Disadvantaged Business Enterprise (DBE) commitment on this contract and is exceeding with 59.12% DBE participation. See Attachment C.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Project supports the following strategic plan goals identified in Vision 2028:

- Goal 1: Provide high-quality mobility options that enable people to spend less time traveling,
- Goal 3: Enhance communities and lives through mobility and access to opportunity, and
- Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization.

ALTERNATIVES CONSIDERED

The Board could choose not to approve the contract award. Delaying this contract modification to a future date would pose significant delays to the overall project schedule and the risk that the project would be unable to meet its Measure M schedule.

NEXT STEPS

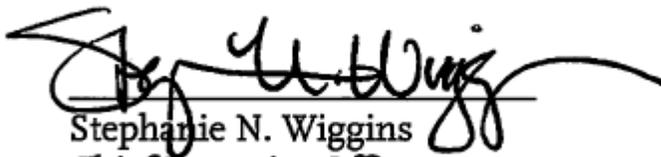
Upon Board approval, staff will execute Modification No. 8 to the Eastside Transit Corridor Phase 2 Project Contract No. AE51242000 with Cordoba HNTB Design Partners, a Joint Venture, to advance to 30% PE for the IOS and extend the period of performance from December 31, 2024, to August 30, 2026. This effort will include advancing design and technical analysis, including value engineering and updating cost estimates to seek federal funding opportunities.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary

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Reviewed by: Tim Lindholm, Interim Chief Program Management Officer (213) 922-7297



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

EASTSIDE TRANSIT CORRIDOR PHASE 2 – A.C.E. DESIGN/URBAN
DESIGN SERVICES/AE51242000

| | | | |
|----|--|------------|--|
| 1. | Contract Number: AE51242000 | | |
| 2. | Contractor: Cordoba HNTB Design Partners, a Joint Venture | | |
| 3. | Mod. Work Description: Advance from 15% conceptual engineering to 30% preliminary engineering design for the 4.6 miles of the initial operating segment (IOS) to the Greenwood Station for the Eastside Transit Corridor Phase 2 Project. | | |
| 4. | Contract Work Description: Advanced conceptual engineering design/urban design services for the Eastside Transit Corridor Phase 2 Project. | | |
| 5. | The following data is current as of: 06/18/2024 | | |
| 6. | Contract Completion Status | | Financial Status |
| | Contract Awarded: | 10/25/2018 | Contract Award Amount: \$15,365,829 |
| | Notice to Proceed (NTP): | 11/07/2018 | Total of Modifications Approved: \$20,148,528 |
| | Original Complete Date: | 11/06/2021 | Pending Modifications (including this action): \$74,869,029 |
| | Current Est. Complete Date: | 08/30/2026 | Current Contract Value (with this action): \$110,383,386 |
| 7. | Contract Administrator: Samira Baghdikian | | Telephone Number: (213) 922-1033 |
| 8. | Project Manager: Alice Hsu | | Telephone Number: (213) 418-3113 |

A. Procurement Background

This Board Action is to approve Contract Modification No. 8 issued to advance from 15% conceptual engineering to 30% preliminary engineering design for the 4.6 miles of the initial operating segment (IOS) to the Greenwood Station for the Eastside Transit Corridor Phase 2 Project. This Contract Modification also extends the period of performance from December 31, 2024 through August 30, 2026.

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

On October 25, 2018, the Board awarded firm fixed price Contract No. AE51242000 to Cordoba HNTB Design Partners, a Joint Venture, to provide the advanced conceptual engineering (ACE) design and urban design services for the Eastside Transit Corridor Phase 2 Project for work in support of the reinstituted environmental clearance study.

A total of seven modifications have been executed 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 on the Independent Cost Estimate (ICE), cost analysis, technical analysis, fact finding, and negotiations. Staff successfully negotiated a savings of \$23,688,535.

| Proposal Amount | Metro ICE | Negotiated Amount |
|------------------------|------------------|--------------------------|
| \$98,557,564 | \$67,323,750 | \$74,869,029 |

The variance between the ICE and negotiated amount is due to additional design needed based on the complexity of the underground structure (tunnels, cut-cover stations, cross passages, transition structures), additional options from the EIR (crossovers, aerial yard leads, center platform station), and advancement of the geotechnical design. The findings from these tasks will support the PE design and the NEPA process.

**CONTRACT MODIFICATION / CHANGE ORDER LOG
EASTSIDE TRANSIT CORRIDOR PHASE 2 – A.C.E. DESIGN/URBAN
DESIGN SERVICES / AE51242000**

| Mod. No. | Description | Status (approved or pending) | Date | \$ Amount |
|-----------------|--|-------------------------------------|----------------|----------------------|
| 1 | Additional scoping meetings and associated work. | Approved | 03/12/2020 | \$24,909 |
| 2 | Proceed with one build alternative including additional refinements, reallocation of tasks no longer required due to withdrawal of SR60 and combined alternative from further study and extend period of performance (POP) through 11/7/12. | Approved | 02/11/2021 | \$2,165,365 |
| 3 | No cost POP extension through 12/30/22. | Approved | 08/25/2022 | \$0 |
| 4 | No cost POP extension through 2/28/23. | Approved | 11/28/2022 | \$0 |
| 5 | Continuation of advanced conceptual engineering for high-risk project elements and extend POP through 6/30/24. | Approved | 01/26/2023 | \$17,958,254 |
| 6 | Reallocation of budget from Task 9 (System Design & Maintenance Facility) to: Task 4.8.2 (First/Last Mile Station Plans, Task 4.8.2.4 (Recommendations, Prioritization, Final Plan & Station Packages) and Task 4.8.2.5 (Community Engagement Events/Community Input). | Approved | 04/11/2024 | \$0 |
| 7 | No cost POP extension through 12/31/24. | Approved | 06/05/2024 | \$0 |
| 8 | Advance to 30% Preliminary Engineering for the Initial Operating Segment and POP extension through 8/30/26. | Pending | Pending | \$74,869,029 |
| | Modification Total: | | | \$95,017,557 |
| | Original Contract: | | 10/25/2018 | \$15,365,829 |
| | Total: | | | \$110,383,386 |

DEOD SUMMARY

EASTSIDE TRANSIT CORRIDOR PHASE 2 – A.C.E DESIGN/URBAN
DESIGN SERVICES/AE51242000**A. Small Business Participation**

Cordoba HNTB Design Partners, A Joint Venture (CHDP), made a 54.91% Disadvantaged Business Enterprise (DBE) commitment. Based on payments, the project is 60% complete and the current level of DBE participation is 59.12%, exceeding the commitment by 4.21%. CHDP explained that the under-utilization of J&H Drilling Co., Inc. and Synergy was due to the work being descoped from the project, as confirmed by Metro's Project Manager.

| | | | |
|----------------------------------|-------------------|-------------------------------------|-------------------|
| Small Business Commitment | 54.91% DBE | Small Business Participation | 59.12% DBE |
|----------------------------------|-------------------|-------------------------------------|-------------------|

| | DBE Subcontractors | Ethnicity | % Committed | Current Participation¹ |
|-----|---|-------------------|--------------------|--|
| 1. | Cordoba Corporation | Hispanic American | 35.78% | 37.92% |
| 2. | D'Leon Consulting Engineers Corporation | Hispanic American | 4.02% | 5.89% |
| 3. | Diaz Consultants, Inc. | Hispanic American | 4.29% | 3.59% |
| 4. | Environmental Treatment and Technology dba Advanced Technology Laboratories | Hispanic American | 0.60% | 0.04% |
| 5. | J&H Drilling, Co., Inc. | Hispanic American | 0.42% | 0.00% |
| 6. | Lenax Construction Services, Inc. | Caucasian Female | 2.35% | 1.73% |
| 7. | MLA Green, Inc. dba Studio-MLA | Hispanic American | 1.11% | 0.43% |
| 8. | V&A, Inc. | Hispanic American | 4.19% | 2.61% |
| 9. | Wagner Engineering & Survey, Inc. | Caucasian Female | 2.15% | 2.99% |
| 10. | Vicus LLC | Caucasian Female | Added | 3.92% |
| 11. | Synergy Traffic Control, Inc. (formerly E-NOR Traffic Control) | Black American | Added | 0.00% |

| | | | | |
|--|--------------|--|---------------|---------------|
| | Total | | 54.91% | 59.12% |
|--|--------------|--|---------------|---------------|

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

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

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to 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, field, soils and materials testing, 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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.

Next stop: further east.

GOLD LINE EASTSIDE TRANSIT CORRIDOR PHASE 2
(E LINE)



CONSTRUCTION COMMITTEE

SEPTEMBER 18, 2024



PROJECT UPDATE

- Final EIR: Certification and Project Approval by Metro Board on May 23, 2024
- Continued FTA Coordination regarding the NEPA process
- Geotechnical and Utility Surveys on going



PRELIMINARY ENGINEERING

- Coordinate the start of a 2-year Project Development Phase (Preliminary Engineering)
- Utilizing existing design consultant team will expedite the process due to their experience on the project and with the corridor
- The existing design consultant Cordoba HNTB Design Partners, a Joint Venture, will add 11 new subconsultants (8 of which are DBE's) to team to accommodate the additional design scope within this contract modification.
- Cordoba HNTB Design Partners made a 54.91% Disadvantaged Business Enterprise (DBE) commitment on this contract and is exceeding with 59.12% DBE participation
- Scope includes additional upfront due diligence by increasing the geotechnical investigations within the tunnel segment as recommended by Metro Engineering and Tunnel Advisory Panel (TAP).

RECOMMENDATION

CONSIDER:

AUTHORIZE the Chief Executive Officer (CEO) to execute Modification No. 8 to Contract No. AE51242000 with Cordoba HNTB Design Partners, a Joint Venture, in the amount of \$74,869,029 to advance to 30% Preliminary Engineering (PE) for the Initial Operating Segment (IOS), increasing the contract value from \$35,514,357 to \$110,383,386 and extending the period of performance from December 31, 2024, to August 30, 2026.