

# **Metro**

*Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza  
3rd Floor Board Room*



**Metro**<sup>®</sup>

## **Agenda - Final Revised**

**Thursday, October 15, 2015**

**9:00 AM**

**One Gateway Plaza, Los Angeles, CA 90012,  
3rd Floor, Metro Board Room**

### **Construction Committee**

*Don Knabe, Chair*

*Jacquelyn Dupont-Walker, Vice Chair*

*Mike Bonin*

*Diane DuBois*

*Ara Najarian*

*Carrie Bowen, non-voting member*

*Phillip A. Washington, Chief Executive Officer*

## **METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)**

### **PUBLIC INPUT**

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

The public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

**CONDUCT IN THE BOARD ROOM** - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

**REMOVAL FROM THE BOARD ROOM** The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

### **INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD**

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded on CD's and as MP3's and can be made available for a nominal charge.

### **DISCLOSURE OF CONTRIBUTIONS**

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

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### **LIMITED ENGLISH PROFICIENCY**

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Internet Access to Agendas - [www.metro.net](http://www.metro.net)  
TDD line (800) 252-9040

**NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA**

**CALL TO ORDER****ROLL CALL****34. APPROVE Consent Calendar Items: 35, 36, 37 and 38.**

Consent Calendar items are approved by one motion unless held by a Director for discussion and/or separate action.

35. RECEIVE AND FILE ~~the monthly~~ report on Crenshaw/LAX safety. [2015-1108](#)

Attachments: [Attachment A - Safety Report on CrenshawLAX Project - October 2015 FINAL](#)

36. RECEIVE AND FILE Program Management Executive Director's report. [2015-1483](#)

Attachments: [Program Management Executive Director's report - October 2015](#)

37. RECEIVE AND FILE status report on the Project Labor Agreement and Construction Careers Policy (PLA/CCP) programs on the Crenshaw/LAX Transit Corridor, Regional Connector Transit Corridor and Westside Subway Extension - Section 1 projects for activity through the August 2015 reporting period. [2015-1374](#)

Attachments: [Girls Build LA](#)

(ALSO ON EXECUTIVE MANAGEMENT COMMITTEE)

38. RECEIVE AND FILE this quarterly status report on the Airport Metro Connector (AMC) 96th Street transit station in response to the June 2014 Board motion (Attachment A). [2015-0900](#)

Attachments: [Attachment A - June 26 2014 Board Motion](#)

(ALSO ON PLANNING AND PROGRAMMING COMMITTEE)

**NON-CONSENT ITEMS**

39. RECEIVE report by the Caltrans District Director on Delivery of Projects on I-5. [2015-1542](#)

Attachments: [Presentation Handout 0770](#)

40. AUTHORIZE the Chief Executive Officer to execute the list of Change Orders by Caltrans in Segment 2 construction contract of the **I-5 North Capacity Enhancements from SR-134 to SR-118** under the Funding Agreement No. MOU.P0008355/8501 A/A5, in the amount of \$2,969,831 without an increase in the project budget or contract value. The contract value of this project remains \$119,688,319 [2015-1327](#)
41. **MODIFY Funding Agreements for Expo and Foothill Construction Authorities** to allow for an increase in authorized betterment funding amounts of \$600,000 for Expo Phase 2 and \$900,000 for Foothill Extension Phase 2A. [2015-1376](#)  
This increase will be used for ADA improvements and for additional Metro Betterments that are enhancements to the requirements of the 2010 Metro Design Criteria used at the time of bid for these two projects.
59. CONSIDER Motion by Director Najarian that \$150,000 in Measure R 3% be transferred to the City of Glendale to be used for quiet zone implementation through the three crossings; and, [2015-1577](#)  
FURTHER MOVE that the CEO work with the City of Glendale to execute the necessary agreements as expeditiously as possible.
62. RECOMMEND approval of the attached agreement referred to as "Contract Modification", including partial close-out of the I-405 Sepulveda Pass Widening Project ("Project"), in the amount of \$103M and modifications to the schedule of the Arbitration Agreement. This recommendation is an interim increase to the Life-of-Project (LOP) budget by \$103M, increasing the LOP budget from \$1,205.4M to \$1,308.4M and amend the FY16 budget by \$103M. [2015-1556](#)  
Attachments: [Attachment A - Draft Contract Modification -Resolution of Hearings.pdf](#)
25. AUTHORIZE the Chief Executive Officer to: [2015-1328](#)  
A. APPROVE programming \$50.111 million in supplemental funding for the I-5 Carmenita Road Interchange project, consistent with the attached Unified Cost Management Process and Policy for Measure R Projects analysis in Attachment A, and an increase in project funding from \$369.770 million to \$419.881 million; and

- B. ENTER into a Local Advance Construction (AC) agreement (Attachment B) with the California Department of Transportation (Caltrans) for the use of up to \$97 million in local funds to finance the construction of the I-5 South Segment 2 project until such time that federal funds already programmed to the project become available.

**Attachments:**      [ATTACHMENT A Analysis of Unified Cost Management Process and Policy f](#)  
[ATTACHMENT B Local AC Form 3-I](#)  
[ATTACHMENT C Letter from Caltrans August 21 2015](#)  
[ATTACHMENT D Letter from Caltrans September 15 2015](#)

42. RECEIVE oral report of the Chief Executive Officer.

[2015-1563](#)

## Adjournment

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.



## Board Report

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**File #:** 2015-1108, **File Type:** Informational Report

**Agenda Number:** 35.

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**CONSTRUCTION COMMITTEE  
OCTOBER 15, 2015**

**SUBJECT: SAFETY REPORT ON CRENSHAW/LAX PROJECT**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE the **monthly report on Crenshaw/LAX safety.**

**ISSUE**

The Metro Board of Directors at its April 30, 2015 meeting directed Metro Staff to report monthly on safety-related matters on the Crenshaw/LAX project. This report is responsive to the Board directive, and represents the fifth of such reports, with the latest report submitted in September 2015.

**DISCUSSION**

This monthly report provides an update on safety related issues and activities on the Crenshaw/LAX project for the months of August and September 2015. The details of these issues and activities can be found in Attachment A.

**ATTACHMENTS**

Attachment A - Safety Report on Crenshaw/LAX Project - October 2015

Prepared by: James Brown, Director, Construction Safety, (213) 922-4223

Reviewed by: Greg Kildare, Executive Director, Risk, Safety and Asset Management, (213) 922-4971



Phillip A. Washington  
Chief Executive Officer

# WSCC's Safety Update on Crenshaw/LAX Project

Construction Committee Meeting  
October 15, 2015

Greg Kildare, Executive Director  
Risk, Safety and Asset Management



**Metro**



# Injury Incidents – Aug/Sept 2015

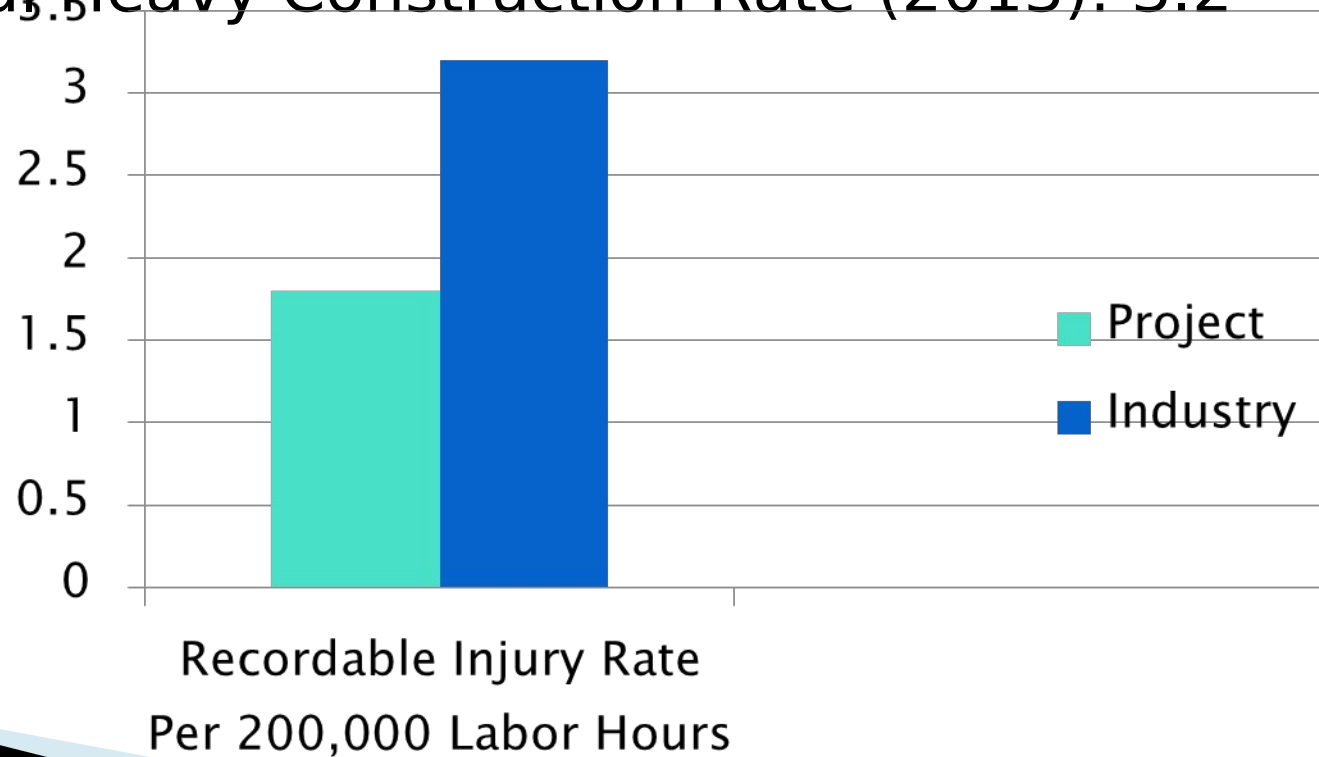
- Project-to-Date Total Recordables as of September 15<sup>th</sup> = 14
- Six (6) of the fourteen (14) recordable incidents were restricted/modified duty
- WSCC reported zero (0) injury incidents in August
- WSCC reported one (1) recordable incident in September (pinched pinky finger)

# Metro/WSCC Joint Safety Activities

- WSCC's Project Manager and Metro's Executive of Risk, Safety and Asset Management conducted safety audits on August 2<sup>nd</sup> and 14<sup>th</sup>.
- Metro participated in WSCC's Tool-Box Safety meetings on August 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, 31<sup>st</sup> and on September 8<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup> and 28<sup>th</sup>.
- Metro participated in WSCC's Executive Safety meeting on September 2<sup>nd</sup>.
- Metro Safety staff conducted field inspections on September 4<sup>th</sup>, 11<sup>th</sup> and 25<sup>th</sup>.
- WSCC's Executive Management participated in Metro's All Hands Safety meetings on August 17<sup>th</sup> and on September 24<sup>th</sup>.

# Project To Date Recordable Injury Rate – Aug/Sept 2015

- ▶ Project-to-Date Work Hours as of Sept. 15<sup>th</sup> (1,527,008)
- ▶ Rate per 200,000 Labor Hours: 1.8
- ▶ National Heavy Construction Rate (2013): 3.2





# Metro Safety Efforts

- Metro is currently working to fill additional Metro Safety staff positions approved in the FY16 budget.
- In the interim, consultant safety staff are being used to augment contract compliance activities.
- Consultant safety staff will be released as each vacancy is filled via the on-going recruitment process.



**Board Report**

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**File #:** 2015-1483, **File Type:** Oral Report / Presentation

**Agenda Number:** 36.

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**CONSTRUCTION COMMITTEE  
OCTOBER 15, 2015**

RECEIVE AND FILE **Program Management Executive Director's report.**

**DISCUSSION**

**Program Management Executive Director's report.**

**ATTACHMENTS**

Attachment A - **Program Management Executive Director's report - October 2015**

Prepared by:

- **Crenshaw/LAX** - Charles Beauvoir, Deputy Executive Officer, Project Mgmt., (213)299-3095
- **Regional Connector** - Girish Roy, Deputy Executive Officer, Project Mgmt., (213)893-7119
- **Westside Purple Line Ext 1 and 2-** Dennis Mori, EO Project Mgmt., (213)922-7238
- **I-405** - Nazem Moussa, Deputy Executive Officer, Project Mgmt. (213)922-7221
- **Division 13** - Timothy Lindholm, EO Project Engr., (213)922-7297
- **Patsaouras Plaza Busway Station** - Timothy Lindholm, EO Project Engr., (213)922-7297
- **MRL - MOL North Hollywood Station** - Timothy Lindholm, EO Project Engr., (213)922-7297
- **Universal Pedestrian Bridge** - Timothy Lindholm, EO Project Engr., (213)922-7297
- **Metro Blue Line Station** - Samuel Mayman, EO Project Engr., (213)922-7289
- **Presentation** - Yohana Jonathan, Departmental System Analyst, (213)922-7592

Reviewed by:

Richard Clarke, Executive Director, Program Management, (213) 922-7449



Phillip A. Washington  
Chief Executive Officer

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# Program Management -- Transit Status Report

Significant Issues

## Significant Issues

Presented By

**Bryan Pennington**

Deputy Executive Director,  
Program Management



# CRENSHAW/LAX TRANSIT PROJECT

## SIGNIFICANT HIGHLIGHTS

- Overall completion 36% complete. Design-builder's design is 95% complete. Design-builder is behind schedule but discussion underway with design-builder regarding expediting work efforts
- Expo Station – Tier three struts installed and total station box excavation nearing completion
- I-405 Bridge – Three of four concrete foundations under construction
- Aviation/Century Station – Falsework largely complete with rebar placement ongoing



LEIMERT PARK STATION – Excavation and lagging



I-405 BRIDGE –  
Bent 2 cast-in-  
drilled-hole column  
cage placement

# REGIONAL CONNECTOR TRANSIT CORRIDOR

## SIGNIFICANT HIGHLIGHTS

### Design Build Contract (DB)

- Overall DB contract is 22% complete and Final Design is 78% complete
- Metro/RCC are working with LADWP on Advance Utility Relocation and construction opportunities to mitigate overall schedule impact
- Advance Utility Relocation work continued at 1<sup>st</sup>/Alameda, Flower and 2<sup>nd</sup>/Broadway
- Major street closures are being coordinated with LABOE, LADOT and CD14
- 2<sup>nd</sup>/Broadway intersection partial closure started in mid-September 2015
- Supplemental Environmental Impact Statement was issued on June 12, 2015, public comments resolved and are incorporated in the finalized report in September 2015
- Life of Project Budget contingency is being reviewed by Executive Management and preparing for November/December 2015 Board Report



2<sup>nd</sup>/Broadway intersection Partial Closure

# WESTSIDE PURPLE LINE – SECTION 1

## SIGNIFICANT HIGHLIGHTS

Overall Section 1 Advanced Utility Relocations work is 60% complete.

- The Wilshire/Fairfax Advanced Utility Relocations Contractor is on schedule to complete in October 2015.
- The Wilshire/La Cienega Advanced Utility Relocations Contractor continues with the Southern California Edison (SCE) power relocation work and the City of Beverly Hills sanitary sewer, water and storm drain relocations.



**Soundwall Construction at North Wilshire/La Brea**

Tunnels, Stations, Trackwork and Systems Design-Build Contract is 4% complete.

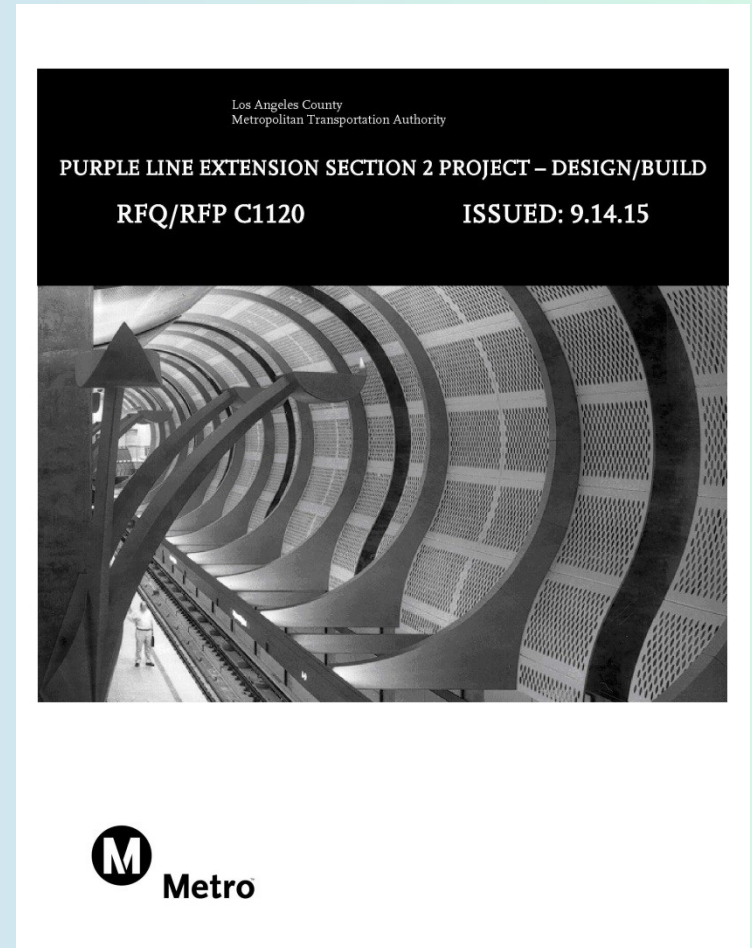
- Following the Notice to Proceed in January 2015, the Design/Builder for Tunnels, Stations, Trackwork, Systems and Systems Integration Testing has submitted 60% to 85% final design submittals for the underground stations and tunnels. The North Wilshire/La Brea construction staging area is nearing completion in preparation for the Tunnel Boring Machines launch site.



# WESTSIDE PURPLE LINE – SECTION 2

## SIGNIFICANT HIGHLIGHTS

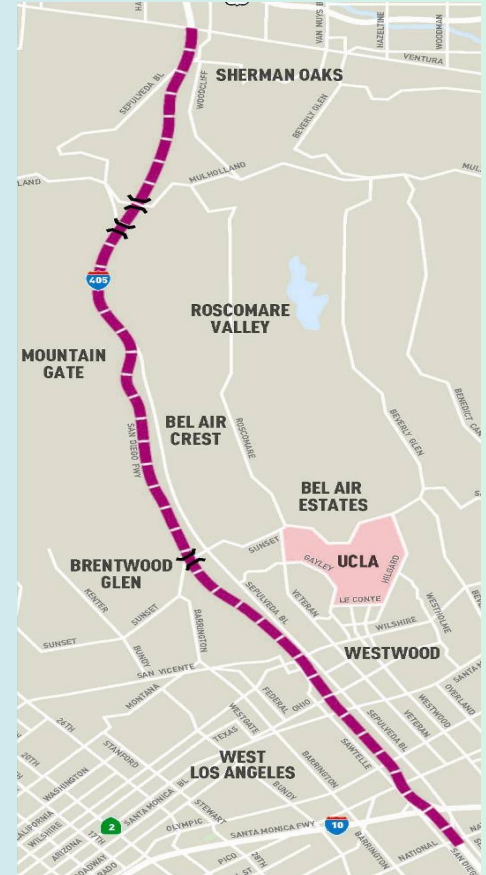
- Contract C1120 – Design/Build Request for Qualifications/Request for Proposal was released on September 14, 2015.
- Qualifications are due on October 23, 2015.
- Price Proposals are due on May 16, 2016
- The City of Beverly Hills approved the geotechnical investigation and utility potholing work permits at their City Council meeting on August 18, 2015. – Fieldwork is ongoing and scheduled to be completed in November 2015.



# I-405 SEPULVEDA PASS IMPROVEMENTS PROJECT

## SIGNIFICANT HIGHLIGHTS

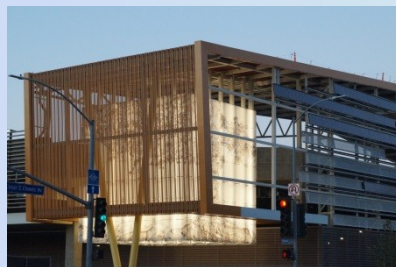
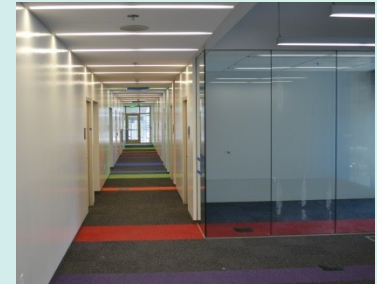
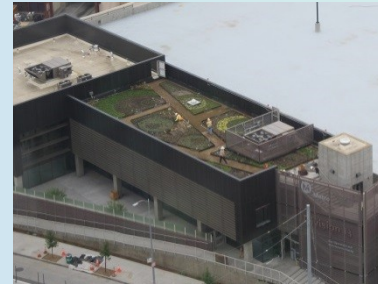
- Punch list items 99% complete
- Substantial completion was granted on September 18, 2015, and remaining Errors and Omissions items and deficiencies missed by Kiewit will be addressed during the Punch list period
- Board approved increase in LOP budget at September 2015 Board meeting, not inclusive of Non Claim 86 or Claim 86 issues



# DIVISION 13 BUS O&M FACILITY

## SIGNIFICANT HIGHLIGHTS

- Project 97% complete. Project completion delayed two months due to issues with lower level ventilation system. Mitigation is complete. Substantial completion now scheduled for November 2, 2015
- Primary work at present includes commissioning, CNG testing, startup activities, punch list, final landscape, and furnishing



October 2015

Construction Committee  
Los Angeles County Metropolitan Transportation Authority





# PATSAOURAS PLAZA BUSWAY STATION

## SIGNIFICANT HIGHLIGHTS

- Project approximately 5% complete, construction start has slipped to January 2016
- Pending issues include timely approval of 100% design package with Caltrans, Caltrans permits and ROW certifications to start construction and resolution of change order for Red Line tunnel foundation conflicts
- LOP increase required to address the above cost issues is planned for Board consideration in November 2015
- Project completion scheduled for Spring/Summer 2017



October 2015

**Construction Committee**  
Los Angeles County Metropolitan Transportation Authority



# CIP PROJECTS

## MRL-MOL N. Hollywood Station West Entrance:

### Progress:

- Construction is 44% complete and scheduled for completion by May 2016
- Knockout Panel (KOP) removed
- Base Foundation Poured
- Side wall Construction ongoing
- Escalators delivered at site
- Walls/ Bulkheads/Water-stops in progress
- CMC Rebar installation ongoing



October 2015

Construction Committee  
Los Angeles County Metropolitan Transportation Authority





# CIP PROJECTS

## Universal Pedestrian Bridge:

### Progress:

- Construction 46% complete. First phase completion targeted by early February 2016 to meet Universal's requirements. Second phase completion targeted by April 2016
- Transformer Foundation and conduit installation ongoing
- Structural Steel for elevator shaft at Station #1, Station # 2, and Station # 3 ongoing
- Bridge structural steel under fabrication
- Escalator and Elevator are currently being manufactured
- Cost Risk: Potential shortfall in CMA and possibly in LOP Budget



October 2015

Construction Committee  
Los Angeles County Metropolitan Transportation Authority



# CIP PROJECTS

## MBL Stations Refurbishment:

- Punch List items resolved
- Project in final closeout phase



October 2015

Construction Committee  
Los Angeles County Metropolitan Transportation Authority





Board Report

File #: 2015-1374, File Type: Informational Report

Agenda Number: 37.

EXECUTIVE MANAGEMENT COMMITTEE  
CONSTRUCTION COMMITTEE  
OCTOBER 15, 2015

**SUBJECT: PROJECT LABOR AGREEMENT /CONSTRUCTION CAREERS POLICY (PLA/CCP)  
REPORT ON THE FOLLOWING MEGA PROJECTS:**

**CRENSHAW/LAX TRANSIT CORRIDOR PROJECT**

**REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT**

**WESTSIDE SUBWAY EXTENSION PROJECT, SECTION 1**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE status report on the **Project Labor Agreement and Construction Careers Policy (PLA/CCP) programs on the Crenshaw/LAX Transit Corridor, Regional Connector Transit Corridor and Westside Subway Extension - Section 1** projects for activity through the August 2015 reporting period.

**ISSUE**

In January 2012, the Board approved the Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council and the Metro Construction Careers Policy. One Benefit of the PLA is to encourage construction employment and training opportunities in economically disadvantaged geographic areas throughout the United States. Another benefit of the PLA is that work stoppages are prohibited.

Consistent with the Board approved PLA/CCP, prime contractors are required to provide monthly reports detailing progress towards meeting the targeted worker hiring goals. Additionally, consistent with Metro's Labor Compliance policy and federal Executive Order 11246, the prime contractors provide Metro with worker utilization data by ethnicity and gender.

The attached report provides the current status on the two mega projects identified above that are

subject to the PLA/CCP.

**DISCUSSION**

| Project Name:                       | Prime Contractor:                   | Targeted Worker Goal (40%) | Apprentice Worker Goal (20%) | Disadvantaged Worker Goal (10%) | * Percentage of Disadvantaged Workers that are in the Criminal Justice System Category |
|-------------------------------------|-------------------------------------|----------------------------|------------------------------|---------------------------------|--|
| Crenshaw/LAX Transit Corridor       | Walsh/Shea Corridor Constructors    | 59.19%                     | 17.59%                       | 10.19%                          | 41.09%   |
| Regional Connector Transit Corridor | Regional Connector Constructors, JV | 58.64%                     | 15.54%                       | 13.88%                          | 58.01%   |

\*Percentage of Disadvantaged Workers that are in the Criminal Justice System Category: One of the nine criteria for a Disadvantaged worker is “having a criminal record or other involvement with the criminal justice system”. The data shown above is the percentage of Disadvantaged Workers (based on hours worked) that have criminal records or involvement with the criminal justice system and were given the opportunity to work in Metro’s PLA/CCP project sites.

**Crenshaw/LAX Transit Corridor Project**  
**Prime: Walsh/Shea Corridor Constructors**

Major construction for the Crenshaw/LAX Transit Corridor project is underway and 30.80% of the estimated construction work hours for this project have been performed. The contractor is currently exceeding the Targeted Worker at 59.19%, Disadvantaged Worker at 10.19% and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal at 17.59% and the 6.90% Female Participation goal at 2.47%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor has submitted a plan and schedule indicating that the apprentice goal for this project should be achieved in the middle of 2017. Staff will continue to work closely with the contractor towards meeting all worker goals for this project. No work stoppages have occurred on this contract.

**Regional Connector Transit Corridor Project**  
**Prime: Regional Connector Constructors, Joint Venture**

The Regional Connector Transit Corridor Project is underway and only 1.49% of the estimated construction work hours for this project have been performed. The contractor is currently exceeding the Targeted Worker at 58.64%, Disadvantaged Worker at 13.88% and the minority participation percentage goals, but the contractor is not meeting the 20% Apprentice Worker goal at 15.54% and the 6.90% Female Participation goal at 5.03%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. This project is still in the design-phase with limited construction activities and attainment is in line with the contractor’s submitted Employment Hiring Plan which states that the Apprentice Worker goal will be met in mid-2016. No work stoppages or grievances have occurred on this contract.

**Westside Subway Extension Project, Section 1**  
**Prime: Skanska-Traylor-Shea, a Joint Venture (STS)**

The Westside Subway Extension Project, Section 1 is underway with approximately 0.03% of the estimated construction work hours performed through the reporting period. The scope of work performed so far is limited to surveying. Staff will report on PLA/CCP attainments upon receipt of the monthly report that is more representative of the hours and trades.

**Completed Contracts:**

| Completed Projects:  | Prime Contractor:   | Targeted Worker Goal (40%) | Apprentice Worker Goal (20%) | Disadvantaged Worker Goal (10%) | *Percentage of Disadvantaged Workers that are in the Criminal Justice System Category |
|--|---------------------|----------------------------|------------------------------|---------------------------------|---|
| Crenshaw Advanced Utility Relocations Project                | Metro Builders      | 61.41%                     | 13.84%                       | 21.08%                          | 2.90%   |
| Regional Connector Transit Corridor Adv. Utility Relocations | Pulice Construction | 51.61%                     | 21.37%                       | 22.83%                          | 28.39%  |

**Crenshaw/LAX Advanced Utility Relocations**  
**Prime: MetroBuilders**

The Crenshaw Advanced Utility Relocation project is 100% complete as of September 2014. Final



reporting shows that the Targeted Worker at 61.41%, Disadvantaged Worker at 21.08% and the minority participation percentage goals were attained, but the contractor did not meet the goal for the Apprentice Worker at 13.84% and the 6.90% Female Participation goal at 0.52%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. Metro staff met with the contractor in January 2015, and executed a special assessment for not meeting the apprentice goal for this project. The contractor complied with Metro’s special assessment and this issue is closed.

**Regional Connector Advanced Utilities Relocation Project**  
**Prime: Pulice Construction**

The Regional Connector Transit Corridor Advanced Utilities Relocation project was terminated for convenience in April 2015 and is now closed. Final reporting shows that the Targeted Worker at 51.61%, Apprentice Worker at 21.37% Disadvantaged Worker at 22.83% and the minority participation percentage goals were attained but the contractor did not meet the 6.90% Female Participation goal at 2.57%.

**FEMALE UTILIZATION UPDATE:**

At the July 2015 Board Meeting, Director Dupont-Walker requested a female utilization participation report on Metro’s PLA/CCP projects to track progress. Shown below is a chart of the number of cumulative female workers on the two mega projects within the last three months.

| Project Name:                       | Prime Contractor:                   | No. of Female Workers<br>June 2015 | No. of Female Workers<br>July 2015 | No. of Female Workers<br>August 2015 |
|-------------------------------------|-------------------------------------|------------------------------------|------------------------------------|--------------------------------------|
| Crenshaw/LAX Transit Corridor       | Walsh/Shea Corridor Constructors    | 35                                 | 43                                 | 49                                   |
| Regional Connector Transit Corridor | Regional Connector Constructors, JV | 5                                  | 6                                  | 7                                    |

In an effort to increase female participation within Metro’s PLA/CCP projects which has averaged 2.49% on the Crenshaw/LAX Transit Corridor and 4.97% on the Regional Connector Transit Corridor during June through August 2015 period, staff is currently coordinating the following efforts.

- Metro has convened a Women Build METRO LA Committee to develop strategies and

outreach activities to highlight the need for women in the construction industry, with emphasis on the opportunities and assistance that is available. The taskforce membership includes: LA/OC Building Trade Council Executive Secretary, Ron Miller, IBEW Vice President Jane Templin, UNITEHERE President, Maria Elena Durazo, Women in Non-Traditional Employment Roles (WINTER), National Association of Women in Construction (NAWIC), Prime Contractors, Jobs Coordinators and others. Latest meeting was held on September 16, 2015. The group has agreed to present a female-centric event, featuring women in the Trades and women in managerial ranks. The main target audience will be women who have demonstrated an interest in construction and are actively pursuing a career. Training coordinators will be on hand to accept applications and to speak directly to women who attend the event. Young men who attend will be welcome to participate, as will people seeking information about construction as a career option. The event will be titled "Women Building Metro L.A." and is scheduled to take place in November 2015.

- Metro staff has convened a taskforce to develop an Apprenticeship Prep training program in conjunction with Los Angeles Trade Technical College. The most recent meeting held on August 14, 2015, included the Vice President of Academic Affairs & Workforce Development of Los Angeles Trade Technical College, Prime Contractor representatives and Metro staff.
  - Prime Contractors have committed to assist in providing employment opportunities to graduates of this Apprenticeship Prep training program.
  - The 1<sup>st</sup> Apprenticeship Prep training program is scheduled to take place during the Fall of 2015.
  - Recruitment for this training program will be focused primarily on women interested in starting a career in the construction industry.
- As part of a continuing effort to introduce the entire gamut of the construction industry to young girls, DEOD will host a group as part of a larger program, entitled Girls Build LA. This is part of a Metro-wide team effort and we have committed to present a panel of women who are successful Tradeswomen to discuss the benefits of being part of a construction related union. Further, the panel will include women who have chosen a career in project management, engineering and other areas of interest.

The focus of the panel will be to impart to the young women what it takes to be successful in the industry, and what things the women wish they had known when they were the age of the members of Girls Build LA. The session will include a question and answer period and a site tour, as appropriate. See Attachment B - Girls Build LA Ad.

Staff will provide updates as these programs are further developed.

## **OUTREACH**

In effort to attain the highest percentages of Targeted, Apprentice and Disadvantaged Workers on PLA/CCP projects, and to keep the community informed of the opportunities, the contractors and DEOD participates and/or coordinated the following outreach efforts during this reporting period:

- Updated Metro's Federal Legislative Programs to request more stringent rules and local enforcement capabilities regarding employment of women and under-represented minorities in construction.
- Daily/Weekly/bi-weekly meetings with outreach team, contractor, elected staffers and/or community representatives.
- Presentation at the Los Angeles County Jail on Metro's PLA/CCP workforce initiatives held on June 2, 2015.
- "10,000 Strong" Veterans Career Summit held on July 14, 2015.
- Flintridge Center Apprenticeship Preparatory Graduation Ceremony held on August 6, 2015.
- 3<sup>rd</sup> Annual Veterans Economic Summit Job Fair held on August 7, 2015.
- Inaugural Career and Resources Fair for Veterans held on August 21, 2015.
- Women Build METRO LA event scheduled on November 17, 2015.

## **NEXT STEPS**

Staff will continue to monitor the contractors' efforts to increase the participation of apprentices, targeted workers, and females on the Crenshaw/LAX construction and Regional Connector Transit Corridor projects.

## **ATTACHMENTS**

Attachment A - Crenshaw/LAX Transit Corridor and Regional Connector Projects  
PLA/CCP Report, Data Through August 2015


Attachment B - Girls Build LA Ad

Prepared by:

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Keith Compton, Interim Director, Project Labor Agreement/Construction  
Careers Policy, Compliance & Administration, (213) 922-2406  
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Reviewed By: Ivan Page, Interim Executive Director, Vendor/Contact Management  
(213) 922-6383





Phillip A. Washington  
Chief Executive Officer

(ATTACHMENT B)

**We're building LA.**

**Join us!  
Take part at  
[metro.net/  
girlsbuidla.](https://metro.net/girlsbuidla)**

**M Metro**

**#gometro**

**GIRLS BUILD LA**

**Board Report**

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**File #:** 2015-0900, **File Type:** Informational Report

**Agenda Number:** 38.

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**PLANNING AND PROGRAMMING COMMITTEE**

**OCTOBER 14, 2015**

**CONSTRUCTION COMMITTEE**

**OCTOBER 15, 2015**

**SUBJECT: AIRPORT METRO CONNECTOR**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE **quarterly status report on the Airport Metro Connector (AMC) 96th Street transit station** in response to the June 2014 Board motion (Attachment A).

**ISSUE**

At the June 26, 2014 meeting, the Board directed that quarterly status reports be provided on the AMC 96<sup>th</sup> Street transit station in coordination with Los Angeles World Airport (LAWA) staff. The report provides updates on the status of the AMC project including: (1) environmental review process; (2) architectural and engineering design services; and (3) Crenshaw/LAX design accommodations for the future AMC transit station. The report responds to the Board directive.

**DISCUSSION**

Staff continues in coordination with LAWA to advance the AMC 96<sup>th</sup> Street Transit Station. Over this past quarter, work continued on the environmental review, station design and on the Crenshaw/LAX Line accommodations to allow for the construction of the station. LAWA continues its environmental clearance of its Los Angeles International Airport (LAX) Landside Access Modernization Program (LAMP) including the Automated People Mover (APM) system.

The AMC 96<sup>th</sup> Street transit station is receiving interest by the Federal Transit Administration (FTA). On August 26<sup>th</sup>, FTA Acting Administrator Therese McMillan along with Leslie Rogers, FTA Region 9 Administrator and other high ranking FTA staff toured LAX and both the LAMP and AMC project areas. LAWA staff joined the tour and provided a briefing on their LAMP.

On September 8<sup>th</sup>, Metro submitted an expression of interest for the AMC 96<sup>th</sup> Street transit station for FTA's pilot project for expedited project delivery. This \$77 million expression of interest, if approved for funding, will help Metro to accelerate the project to a 2023 opening date, consistent with

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the Board direction to deliver this project earlier than the 2028 revenue operations date in the 2009 Long Range Transportation Plan.

### Environmental Review Process

Staff continues to work with LAWA representatives to coordinate the environmental efforts for both the AMC transit station and LAMP project, which are on parallel schedules. Metro and LAWA staff have been meeting bi-weekly to confirm project definitions, baseline traffic data, ridership model assumptions and bicycle and pedestrian connectivity. This will help ensure that both separate and independent projects are fully synchronized.

In addition to exchanging data with LAWA representatives, Metro staff has been attending bi-weekly multi-agency ground access technical coordination meetings led by LAWA with Caltrans, the Southern California Association of Governments (SCAG) and the Los Angeles Department of Transportation (LADOT) to discuss roadway concepts, freeway access, traffic modeling, and details of the LAMP project.

### Architectural and Engineering Design Services

In July, the Board awarded the architectural and engineering design services contract for the station. A kick-off meeting was held on August 25<sup>th</sup> with the design team to present the project objectives, discuss the Board directed transit station design considerations as well as the Crenshaw/LAX construction schedule, accommodations for the 96<sup>th</sup> Street station and the Southwest Yard design and construction schedule. On August 26<sup>th</sup>, the design team received a detailed briefing by the Crenshaw/LAX Transit Project, Southwestern Maintenance Yard and LAWA's LAMP design teams and toured the project area. Staff reinforced that the Crenshaw/LAX and Southwest Yards' construction schedules cannot be impacted by the AMC 96<sup>th</sup> Street Transit station. Work progresses on defining the station's program elements.

### Crenshaw/LAX Design Accommodations

Staff issued a limited change order with Walsh-Shea Corridor Constructors for the design of the accommodations. Staff has also informed the affected property owners that additional property acquisition is no longer needed on the east side of the Metro ROW for the accommodations.

## **NEXT STEPS**

Staff in close coordination with LAWA staff will continue to work on the environmental document, station design and the Crenshaw/LAX design accommodations.

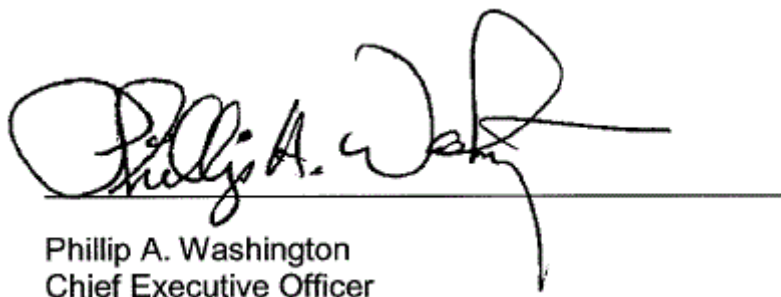
## **ATTACHMENTS**

Attachment A - June 26, 2014 Board Motion

Prepared by: Meghna Khanna, Transportation Planning Manager (213) 922-3931  
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Rick Clarke, Executive Director, Program Management, (213) 922-7557



Phillip A. Washington  
Chief Executive Officer

June 26, 2014 Board Motion

**MTA Board Meeting  
June 26, 2014**

**Relating to Item 65**

**MOTION BY  
MAYOR ERIC GARCETTI, COUNCILMEMBER MIKE BONIN, SUPERVISOR  
DON KNABE & SUPERVISOR MARK RIDLEY-THOMAS**

For decades, the biggest missing piece of the transportation puzzle in Los Angeles has been a quick, convenient, and viable option for the traveling public to connect to our airport using our mass transit system. Making that connection has been a high priority for all Angelenos, who clearly made their position known by overwhelmingly supporting the construction of a direct airport connection as part of Measure R.

Several criteria are essential in evaluating the various alternatives that have been proposed for the Airport Metro Connector including cost, travel time, and interoperability with the regional network. However, given the considerable importance that the transit riders have placed on a seamless and robust airport connection, the final project will be judged largely by its ability to deliver on one critical aspect: passenger convenience.

The desire to provide an exceptional passenger experience should guide the Metro Board in designing this project. This airport connection will only be as good as the passenger experience it delivers, and the ridership numbers will largely reflect our ability to anticipate, meet, and exceed the expectations of the traveling public.

Done right, Alternative A2 (96<sup>th</sup> Street Station) could be the airport rail connection that Angelenos have longed for. It would provide a direct rail connection that will not only help address the ground transportation challenges at LAX, but also continue to expand MTA's regional transportation network, and has the potential to provide a world-class passenger experience to the traveling public.

The 96<sup>th</sup> Street Station can be the new "front door" to LAX for transit riders, and MTA and LAWA should work together and think imaginatively to meet and exceed the needs of the traveling public, and create a robust, visionary transit facility.

WE THEREFORE MOVE THAT the MTA Board of Directors adopt and direct the Chief Executive Officer to do the following:

1. Develop the 96<sup>th</sup> Street Station, in consultation with LAWA, using the following design guidelines:
  - a. Enclosed facility
  - b. Integrated APM/Light Rail station, minimizing walk distances
  - c. Concourse areas
  - d. LAX airline check-in with flight information boards
  - e. Station restrooms
  - f. Free public WiFi & device charging areas
  - g. Private vehicle drop-off area, and taxi stand
  - h. Pedestrian plaza with landscaping and street furniture
  - i. Metro Bike Hub with parking, a bike repair stand and bike pump, showers, lockers, controlled access and 24-hour security cameras
  - j. Retail (food/beverage and convenience)
  - k. L.A. visitor info and LAX info kiosk
  - l. Connectivity to Manchester Square and surrounding areas, including walkways
  - m. At a minimum, LEED Silver certification
  - n. Public art installation
  - o. Other amenities for airport travelers, including currency exchange and bank/ATM machines
  - p. Passenger safety

2. Report back at the September 2014 MTA Board meeting, in consultation with LAWA, with a review of baggage check amenities that are available at other transportation centers that serve major airports, including an assessment of the feasibility of offering baggage check at the proposed 96<sup>th</sup> Street Station.
3. Procure a qualified architectural firm to design the station as described under no. 1 above.
4. Provide quarterly updates, in coordination with LAWA staff, including, but not limited to, on the development of the 96<sup>th</sup> Street Station, the Intermodal Transportation Facility and Automated People Mover, of the following:
  - a. Design
  - b. Schedule
  - c. Cost Estimates
5. Report back at the September 2014 MTA Board meeting with a conceptual and station design approach plan as described above, and provide quarterly updates on implementation progress thereafter; and
6. Instruct the CEO to work with LAWA and the Board of Airport Commissioners to obtain their written commitment to construct and operate an automated people mover connecting the airport's central terminal area to a planned Metro Rail Station, and to report back at next month's (July 2014) Planning and Programming and Construction Committees, and at Committees each month thereafter until this written commitment is obtained, in order to ensure that the light rail connection to LAX that was promised to the voters in Measure R becomes a reality.





Metro

Los Angeles County  
Metropolitan Transportation  
Authority  
One Gateway Plaza  
3rd Floor Board Room  
Los Angeles, CA

## Board Report

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**File #:** 2015-1542, **File Type:** Oral Report / Presentation

**Agenda Number:** 39.

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**CONSTRUCTION COMMITTEE  
OCTOBER 15, 2015**

RECEIVE report by the **Caltrans District Director on Delivery of Projects on I-5.**

# Caltrans District 7 - Corridor Report for I-5 North Projects

October 2015, Metro Construction Committee by Shirley Choate, Caltrans District 7 Chief Deputy Director



- Four projects, Segments 1-4, from SR 134 to SR 118, a total of ≈ 12 miles.
- Four lanes each direction. The freeway is being widened to add one HOV lane in each direction.
- Total I-5 North corridor budget is about \$884 million, \$434 million for Const Cap. Construction is within budget.
- All four segments are in the construction phase. **Segments 1 and 2 are substantially complete, and the NB HOV lane opened March 2015 and the SB HOV lane opened May 27, 2015.** Segments 3 and 4 will be open to traffic Winter 2018.
- Empire IC Segment 3 and Southernmost Segment 4 HOV lane open-to-traffic target dates are for Winter 2018.
- Empire project has incentive provisions for the contractor to finish early.
- On Segment 3 and 4, on-going outreach and coordination efforts is continuing to lessen the impacts on the neighboring business and residents.

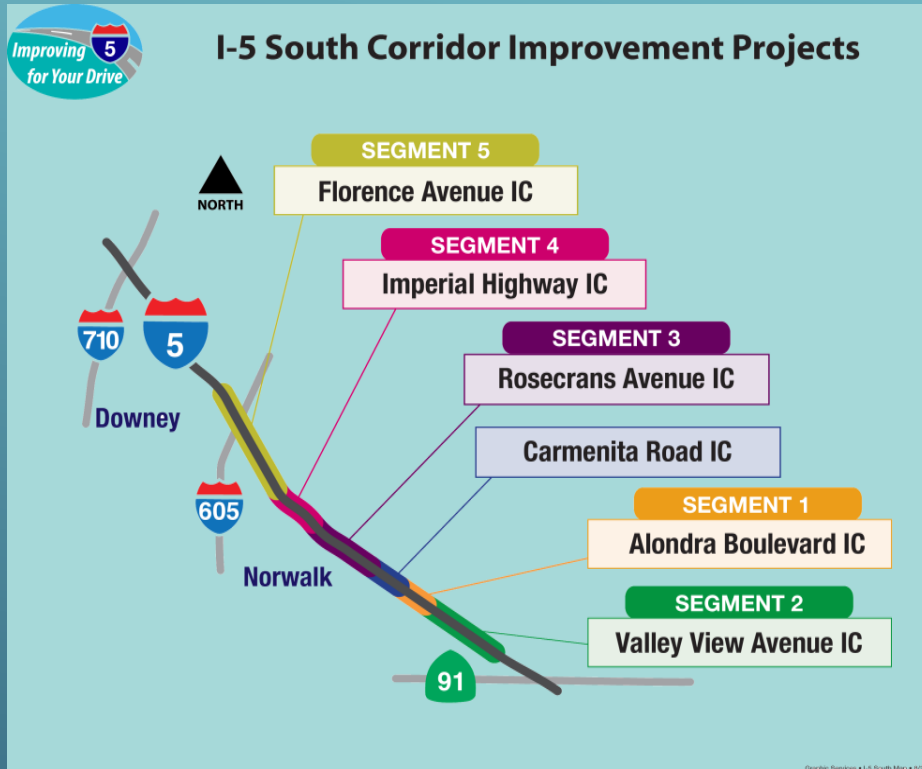
## North I-5 Corridor

| Segment | EA    | Phase | Phase % Complete | Description   | Project Length/<br>Miles | Construction Award Amount | Contract Start Date | Open to Traffic |
|---------|-------|-------|------------------|---|--------------------------|---------------------------|---------------------|-----------------|
| 1       | 1219U | Const | 91%              | Add HOV from Route 170 to Route 118   | 3.4mi                    | \$121 M                   | 5/06/2010A          | 2015            |
| 2       | 1218V | Const | 99%              | Add HOV lanes from Buena Vista Street to Route 170                                  | 4.4mi                    | \$59 M                    | 10/14/2010A         | 2015            |
| 3       | 1218W | Const | 29%              | Empire Interchange from south of Magnolia Blvd. to just north of Buena Vista Street | 2.2mi                    | \$196 M                   | 12/20/2012A         | Winter 2018*    |
| 4       | 12184 | Const | 65%              | Add HOV lane from Route 134 to south of Magnolia Blvd.                              | 2.7mi                    | \$58 M                    | 12/6/2010A          | Winter 2018 *   |

\*These will be opened jointly

# Caltrans District 7 - Corridor Report for I-5 South Projects

October 2015, Metro Construction Committee by Shirley Choate, Caltrans District 7 Chief Deputy Director



- Six projects including Carmenita Interchange and Segments 1 through 5, from OC County line to Interstate 605 and makes a total of approximately 7 miles.
- Three lanes in each direction. The freeway is being widened to add one general purpose lane and one HOV lane in each direction.
- The total I-5 South corridor budget is about \$1.8 billion with construction capital budget at \$649 million.
- 5 of 6 projects are in the construction phase, including Carmenita Interchange and Segments 1, 3, 4 and 5. (Segment 5 utility relocations are underway).
- Segment 1, Processing paperwork.
- Segment 2, is expected to start construction in Summer 2016.
- Segment 3, Rosecrans UC pile driving on weekdays/weekends.
- Segment 4, Work on city streets & frontage roads will continue.
- Segment 5, Bridge demolition at Orr & Day OH.
- Carmenita, work on all four connecting on and offramps continue
- HOV lane will not be opened until all segments are complete in Winter 2019.

## South I-5 Corridor

| Segment   | EA    | Phase  | Phase % Complete | Description  | Project Length/Miles | Construction Award Amount | Contract Start Date | Open to Traffic |
|-----------|-------|--------|------------------|--|----------------------|---------------------------|---------------------|-----------------|
| 1         | 21591 | Const  | 98%              | Add HOV and mix flow lanes, Alondra Blvd. Interchange    | 0.9mi                | \$45 M                    | 12/21/2011A         | Winter 2019     |
| 2         | 21592 | Design | 100%             | Add HOV and mix flow lanes, Valley View Ave. Interchange | 1.4mi                | N/A                       | Summer 2016         | Winter 2019     |
| 3         | 21593 | Const  | 63%              | Widen and Realign Freeway, Rosecrans Ave. Interchange    | 1.3mi                | 89 M                      | 9/18/2012A          | Winter 2019     |
| 4         | 21594 | Const  | 57%              | Add HOV and mix flow lanes, Imperial Highway Interchange | 1.8mi                | \$142 M                   | 9/18/2012A          | Winter 2019     |
| 5         | 21595 | Const  | 14%              | Add HOV and mix flow lanes, Florence Ave. Interchange    | 1.7mi                | \$96 M                    | 5/13/2014A          | Winter 2019     |
| Carmenita | 2159C | Const  | 73%              | Carmenita Interchange                                    | 1.2mi                | \$102 M                   | 9/13/2011A          | Winter 2019     |



**Board Report**

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**File #:** 2015-1556, **File Type:** Budget

**Agenda Number:** 62.

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**CONSTRUCTION COMMITTEE  
OCTOBER 15, 2015**

**SUBJECT: I-405 SEPULVEDA PASS IMPROVEMENTS PROJECT**

**ACTION: AUTHORIZATION FOR LIFE-OF-PROJECT BUDGET INCREASE**

**RECOMMENDATION**

CONSTRUCTION COMMITTEE FORWARDED DUE TO ABSENCES AND CONFLICTS the approval of the attached agreement referred to as “Contract Modification”, including partial close-out of the **I-405 Sepulveda Pass Widening Project** (“Project”), in the amount of \$103M and modifications to the schedule of the Arbitration Agreement. This recommendation is an interim increase to the Life-of-Project (LOP) budget by \$103M, increasing the LOP budget from \$1,205.4M to \$1,308.4M and amend the FY16 budget by \$103M.

**ISSUE**

In order to initiate the close-out process for the Project, Metro staff is requesting an increase in the LOP of \$103M for partial close-out of the Project in accordance with the Contract Modification.

**DISCUSSION**

The 2006 California State Senate Bill 1026 authorized Metro to conduct a demonstration program to enter into a design-build contract for the construction of the northbound high-occupancy vehicle (HOV) lane and related improvements on Interstate 405 freeway through the Sepulveda Pass that would complete the final link in one hundred miles of HOV lanes stretching from Orange County to North Los Angeles County. The strategy to proceed with a design-build contract arrangement was undertaken as a means to facilitate acceleration of the Project, reducing the duration of impact to adjacent communities and returning the corridor to full utility a number of years earlier, including significant improved safety with interchange improvements, wider shoulders, ramps and bridges.

On April 23, 2009, the Board awarded Contract C0822 for the design and construction of the I-405 Sepulveda Pass Widening Project to Kiewit Infrastructure West, Co. and established an original LOP budget of \$1,034M for the Project.

A report prepared in 2014, found the improvements had provided the following benefits:

- Reduced peak-period congestion by 2 hours.
- Reduced daily vehicle delays by 37%.
- Increased northbound vehicle capacity by 15%.
- Reduced arterial flow volumes on adjacent major streets by 20-50%.
- Improved safety - 25% fewer Freeway Service Patrol (FSP) requests and 35% fewer incidents on I-405.

On May 15, 2015, Metro and Kiewit signed an Alternative Dispute Resolution Contract Modification (“Arbitration Agreement”), which amended the Contract to resolve the issues between them by a binding arbitration process established and defined by the Arbitration Agreement. The Arbitration Agreement specifically identified which issues were to be addressed in Hearing 1 and Hearing 2.

Substantial Completion was issued by Metro to Kiewit on September 18, 2015. In order to expedite Project close-out, the attached Contract Modification would resolve all of the Hearing 1 issues that otherwise would have to be decided in the arbitration. This agreement comprises the \$103M and closes out Hearing 1 completely. The terms of the Contract Modification provide additional details and information in this regard. The Contract Modification does not resolve any Hearing 2 issues which will still proceed in the arbitration under a new schedule culminating in a hearing in February 2017 pursuant to the Contract Modification.

### **DETERMINATION OF SAFETY IMPACT**

The changes identified in this board report will have no impact on safety of the overall I-405 at completion.

## **FINANCIAL IMPACT**

### **Impact to Budget**

Funding for the \$103.0M action was not included in the FY16 budget for Project 405523. In order to execute the payment of partial close-out, the FY16 budget will need to be amended by \$103.0M. The funding sources for the payment are a combination of previously obligated federal Regional Surface Transportation Program funds (approximately \$26M) and Proposition C 25% cash/bonds, approximately \$77M. We will seek to maximize the use of federal grants and use the Proposition C 25% funds as the funds of last resort. Since this is a multi-year project, the project manager and cost center manager will be responsible for budgeting future fiscal years.

The Proposition C 25% funds are not eligible for bus and rail operations. The Regional Surface Transportation Program funds are broadly eligible for any transportation capital purpose, including transit preventative maintenance and contracted-out paratransit services.

## **ALTERNATIVES CONSIDERED**

Metro could reject the Contract Modification and increase in LOP and continue with arbitration of the Hearing 1 issues.

## **NEXT STEPS**

Subject to Board approval, as requested above, the Chief Executive Officer will execute the Contract Modification closing out Hearing 1 issues. At the next Board meeting, staff will request authorization for soft costs to close out the Project and continue to provide support for the arbitration of Hearing 2 issues.

## **ATTACHMENTS**

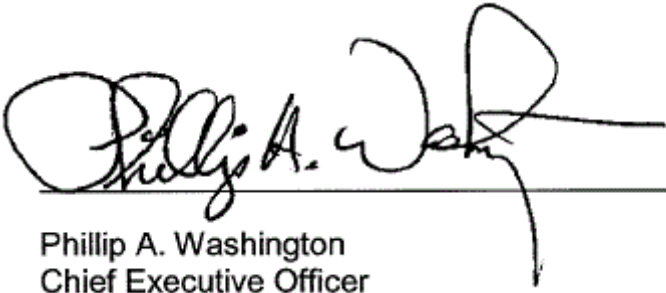
Attachment A - Contract Modification

Prepared by: Nazem Moussa, DEO, Project Management (213) 922-7221

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Richard Clarke, Executive Director of Program Management (213) 922-7557

Phillip A. Washington, Chief Executive Officer (213) 922-7555



Phillip A. Washington  
Chief Executive Officer

## **Contract Modification – Resolution of Hearing 1 Disputes**

This Contract Modification resolves the Disputes identified as Hearing 1 issues in the May 15, 2015 Alternative Dispute Resolution Contract Modification (“Arbitration Agreement”). This Contract Modification is entered into on this [REDACTED] day of October, 2015 (“Effective Date”), by and between the Los Angeles County Metropolitan Transportation Authority (“LACMTA”) and Kiewit Pacific Co., n/k/a Kiewit Infrastructure West, Co. (“Kiewit”) (collectively, the “Parties”), relating to the I-405 Sepulveda Pass Widening Project (“Project”). All provisions of the April 23, 2009 Design Build Contract (“Contract”) and the Arbitration Agreement not amended or modified herein shall remain in full force and effect. The Parties agree as follows:

1. On May 15, 2015 Kiewit and LACMTA executed the Arbitration Agreement which amended the Contract to resolve the disputes between them by a binding arbitration process established and defined by the Arbitration Agreement.
2. Kiewit and LACMTA specifically identified all of their disputes relating to the Project (“Disputes”). Attachment B to the Arbitration Agreement clearly spells out that the only Disputes (other than Excepted Claims such as latent defects) the Parties may assert against each other are those listed in Attachments C and D.
3. The Arbitration Agreement established two separate hearings (“Hearing 1” and “Hearing 2”) to address the Disputes. Attachments C and D specifically identified which Disputes were to be addressed in Hearing 1 and Hearing 2.<sup>1</sup> For purposes of this Contract Modification, the “Hearing 1 Disputes” include all claims or issues that Kiewit reserved the opportunity to incorporate into Attachment C pursuant to numbered paragraphs 2 and 3 on the first page of Attachment C.
4. The Arbitration Agreement expressly contemplates the amicable resolution of both the Hearing 1 and Hearing 2 Disputes. This Contract Modification implements the contemplated resolution of the Hearing 1 Disputes. The Parties confirm their intent to continue working toward resolution of the Hearing 2 Disputes.
5. Kiewit and LACMTA have fully and finally resolved all Hearing 1 Disputes (subject to footnote 4 of Attachment C to the Arbitration Agreement - i.e., delay and disruption caused by Hearing 1 issues), including interest, costs or attorneys’ fees thereon.
  - a. By December 31, 2015, LACMTA will pay Kiewit the total net amount of \$103,000,000 (One Hundred and Three Million Dollars) as full, final and complete resolution of all Hearing 1 Disputes consisting of the following amounts:

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<sup>1</sup> Attachment D identified the ADR Disputes as “Phase I” or “Phase II” disputes instead of “Hearing 1” or “Hearing 2”. For the purposes of the Arbitration Agreement and the Settlement Agreement, the term “Phase I” is synonymous with “Hearing 1” and the term “Phase II” is synonymous with “Hearing 2.”



- i. Kiewit Attachment C Hearing 1 Disputes: \$113,000,000 (One Hundred and Thirteen Million Dollars).
    - ii. LACMTA Attachment D Hearing 1 Disputes: (\$10,000,000) (Ten Million Dollars) credit to LACMTA.
  - b. These payments will increase the Contract Price to \$1,000,871,095 (One Billion Eight Hundred Seventy One Thousand and Ninety Five Dollars).
  - c. By December 31, 2015, in addition to the amount to be paid above, LACMTA shall authorize the release from escrow to Kiewit, of all outstanding retention except for \$10,000,000.00 (Ten Million Dollars) which will remain in escrow in accordance with the terms of the Contract.
6. This Contract Modification is conditioned on approval of the LACMTA Board ("Board"). LACMTA will advise the Board about this Contract Modification on or before September 24, 2015, and seek final Board approval at the October 22, 2015 Board meeting. In the event that the Board does not approve this Contract Modification by December 1, 2015, this Contract Modification shall be rendered null and void.
7. The Effective Date of this Contract Modification is deemed the date of the written resolution of all Hearing 1 issues of LACMTA and Kiewit.
8. The date of April 15, 2015 in the definition of Excepted Claims and as referenced in footnote 2 in Attachment C to the Arbitration Agreement is modified to September 18, 2015.
9. Based on this resolution of all Hearing 1 Disputes and subject to the terms of this Contract Modification, Kiewit and LACMTA each release and waive any unpaid amounts which were sought by either of them for any of the Hearing 1 Disputes, including but not limited to any amounts that were stated, estimated or to be determined (TBD) for such disputes, and shall not seek or include in Hearing 2 any of the amounts sought by either of them for any of the Hearing 1 Disputes. Both Parties expressly reserve the right to tender evidence regarding the Hearing 1 Disputes in Hearing 2 if relevant to the Hearing 2 Disputes.
10. The Arbitration Agreement is further modified as follows:
  - a. By December 31, 2015, LACMTA will provide Kiewit with any existing schedule analysis prepared by or for the use of LACMTA's project personnel evaluating the impacts on the Project and any determination whether Kiewit is or is not entitled to any further extension of time; provided, that this does not require LACMTA to provide Kiewit with any analysis subject to protection as attorney work product or disclosed to Kiewit only as part of confidential settlement discussions, and does not require LACMTA to prepare any such analysis that is not already existing. Subject to the foregoing, this obligation includes, but is not limited to, LACMTA providing: (i) the existing details and electronic schedules for the 2013 Metro analysis for the 149 day extension; (ii) the existing details and

electronic schedules performed thereafter by LACMTA showing the MSE Walls were on the critical path; and (iii) the existing details and electronic schedules of the “independent” analysis referenced in LACMTA’s October 2013 letter or a statement that this analysis was never performed.

- b. By January 15, 2016,
  - i. Records / ESI production by both parties completed;
  - ii. The parties will exchange updated pricing for the Hearing 2 Disputes.
- c. The subsection for Hearing 2 set forth in Attachment B of the Arbitration Agreement is modified as follows:
  - i. *Hearing 2: The Hearing 2 issues identified on Attachments C and D as Hearing 2 issues.*
    - *On June 1, 2016, Parties to exchange schedule analysis and reasonable and meaningful supporting information for Hearing 2 issues reflecting their then-current evaluation of the impacts on the Project and their determination as to the amount of any extension of time (including the number of compensable days) to which Kiewit is entitled, or any liquidated damages for delay to which LACMTA is entitled; provided, that such analysis may be later amended or updated based on discovery including expert opinions.*
    - *Written discovery by both parties for Hearing 2 completed on July 1, 2016.*
    - *Depositions of non-expert witnesses by both parties for Hearing 2 completed on September 15, 2016.*
    - *Hearing 2 Expert Witnesses:*
      - *Initial expert disclosures for Hearing 2 (including expert reports with (i) a complete statement of all opinions the witness will express and the basis and reasons for them; (ii) the facts or data considered by the witness in forming them; and (iii) any accompanying exhibits summarizing or supporting them) by any party seeking affirmative relief (including both parties’ expert disclosures and report regarding both parties’ schedule analysis) exchanged on September 1, 2016.*
      - *Expert rebuttal disclosures for Hearing 2 (including rebuttal reports meeting the same content requirements as the initial expert disclosures) exchanged on November 1, 2016.*
      - *Depositions of expert witnesses for Hearing 2 completed on December 15, 2016.*
    - *Begin on February 14, 2017.*
    - *Receive final, binding and enforceable award (subject to confirmation, correction or vacation) within forty-five (45) days after closure of Hearing 2.*

- 11. LACMTA granted Kiewit Substantial Completion as of September 18, 2015, pursuant to the terms of LACMTA’s letter CO882-OUT-04964 dated September 18, 2015. Kiewit shall perform the punch list work described in the attachment to LACMTA’s letter CO882-OUT-04964 dated September 18, 2015. Kiewit shall not be required to perform any new or additional punch list items before Punch List Completion and/or Final Acceptance. LACMTA and Kiewit agree that any additional or new work items identified by LACMTA and directed by LACMTA will be considered warranty work under the Contract.
- 12. LACMTA reserves the right to seek indemnification from Kiewit under the Contract for all currently pending property owner claims.
- 13. Kiewit shall indemnify LACMTA and Caltrans for (1) any breach of the Contract by Kiewit regarding survey and (2) any failure by Kiewit to comply with any applicable statute, regulation or ordinance by any government entity regarding survey. With respect to indemnity claims regarding survey, no claim for such indemnification shall be deemed to accrue, and the statute of limitations for any such claim shall not begin, until LACMTA or Caltrans incur any damages based on future events or third party claims notwithstanding and regardless of whether Kiewit was previously or is presently (1) in breach of the Contract regarding survey, or (2) has failed to comply with any applicable statute, regulation or ordinance by any government entity regarding survey.

**AGREED AND ACCEPTED**

Kiewit Infrastructure West Co.

Los Angeles County Metropolitan  
Transportation Authority

By: \_\_\_\_\_  
Scott L. Cassels  
President

By: \_\_\_\_\_  
Phillip Washington  
Chief Executive Officer

**APPROVED AS TO FORM**

Kiewit Infrastructure West Co.

Mary C. Wickham  
Interim County Counsel

By: \_\_\_\_\_

By: \_\_\_\_\_  
Charles M. Safer  
Assistant County Counsel



## Board Report

File #: 2015-1328, File Type: Program

Agenda Number: 25.

### ~~PLANNING AND PROGRAMMING COMMITTEE~~

~~OCTOBER 14, 2015~~

### CONSTRUCTION COMMITTEE

OCTOBER 15, 2015

**SUBJECT: I-5 SOUTH CORRIDOR IMPROVEMENTS**

**ACTION: APPROVE PROGRAMMING RECOMMENDATIONS**

#### RECOMMENDATION

CONSTRUCTION COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:

- A. APPROVE programming \$50.111 million in supplemental funding for the **I-5 Carmenita Road Interchange project**, consistent with the attached Unified Cost Management Process and Policy for Measure R Projects analysis in Attachment A, and an increase in project funding from \$369.770 million to \$419.881 million; and
- B. ENTER into a Local Advance Construction (AC) agreement (Attachment B) with the California Department of Transportation (Caltrans) for the use of up to \$97 million in local funds to finance the construction of the I-5 South Segment 2 project until such time that federal funds already programmed to the project become available.

#### ISSUE

##### A. I-5 South/Carmenita Road Interchange Cost Increase

In a letter dated August 21, 2015, the California Department of Transportation (Caltrans) requested that the Los Angeles County Metropolitan Authority (LACMTA) program \$50.111 million in supplemental funding for the I-5 South/Carmenita Road Interchange project. The request for supplemental funding is attributed to the following:

The Carmenita Road Interchange project was originally programmed for \$379,730,000 per Funding Agreement Number MOU.P0006376A-02. However, due to the awarded bid being lower than the Engineering Estimate, construction capital funds were reduced by \$9,960,000 at the time of award to reflect the bid amount. The current budget for the project is \$ 369,770,000.

The project is in construction, and is 68 percent complete. The anticipated cost at completion for the project is \$ 419,881,000 based on a Caltrans cost estimate dated in September 2015. Please see Attachments C and D, the letters from Caltrans for the supplemental fund request and the project

cost estimate.

This is an increase of \$50,111,000 over the current budget. Please see Attachment A, the Unified Cost Management Process and Policy for Measure R Projects analysis, for more information about the funding strategy to be employed to meet this increased cost.

#### B. I-5 South Segment 2 Local Advanced Construction (AC)

Following the state funding allocation Caltrans proceeded to seek the required federal obligation of the \$97 million in CMAQ funds programmed to the project. However, due to the concurrent authorization of several other large federal projects in Los Angeles County there is insufficient federal obligation authority this year for Caltrans to immediately access the \$97 million in CMAQ funds. In the near term, Caltrans staff is recommending the use of Local Advance Construction (AC) to maintain the current project delivery schedule.

### **DISCUSSION**

#### A. I-5 South/Carmenita Road Interchange Cost Increase

The cost increases by components are as follows:

1. \$29,415,000 for right of way capital, and \$6,029,000 for right of way support.
2. \$667,000 for Project Approval and Environmental Document (PAED) and Plans, Specifications and Estimates (PS&E).
3. \$14,000,000 for construction support.

The increase in right of way capital is due to many parcels going through condemnation, resulting in full acquisitions for some parcels, which were originally budgeted for partial acquisition. Relocation of businesses was also extremely complicated and resulted in many months of delay in the relocation of utilities. Also, there were many complicated and difficult utility relocations on this project that required more time and coordination than anticipated.

The increases in right of way support and construction support were due to delays in acquiring properties and relocating businesses. These delays had a domino effect on the utility relocations and the construction of the project.

Also, additional geotechnical drilling had to be done during the construction phase because access to properties was not available during the design phase. The increases in the cost of the PAED and PS&E phases were due to underestimating the effort required to complete these phases, and inadequate contingencies to address delivery risks in these phases.

Caltrans recommends programming the project cost increase of \$35.444 million in Right of Way Capital and Right of Way Support with future Regional Improvement Program (RIP) County Shares, the project cost increase of \$14.667 million in Construction Support, PAED and PS&E with State

fund.

B. I-5 South Segment 2 Local Advanced Construction (AC)

Advanced Construction for federal highway projects is analogous to a Letter of No Prejudice (LONP) that Metro has employed for federal transit projects. Advanced Construction would commit the use of local funds in place of federal funds to finance the cost of work until such time that the programmed federal funds become available. In this specific situation it is highly unlikely that any local funds in addition to those already committed to the project would be needed prior to the availability of the federal funds. Nevertheless, the paperwork required by Caltrans stipulates that this is a possibility.

The construction and construction support of the I-5 South Segment 2 project is fully funded as follows:

- \* \$52 million in local Proposition C 25%;
- \* \$20 million in state Regional Transportation Improvement Program (RTIP);
- \* \$28 million in State Highway Operational and Protection Program (SHOPP); and,
- \* \$97 million in federal Congestion Mitigation and Air Quality (CMAQ) funds.

The AC arrangement is a temporary measure for the CMAQ funds. As of June 2015 all of the state STIP and SHOPP funds have been allocated by the California Transportation Commission to allow Caltrans, as the lead agency and construction manager for the project, to advertise and award the construction contract. Metro budgets the Proposition C 25% funds each year as necessary.

## **DETERMINATION OF SAFETY IMPACT**

There is no impact to safety by approving this action.

## **FINANCIAL IMPACT**

A. I-5 South/Carmenita Road Interchange Cost Increase

Of the \$50.111 million in supplemental funding recommended for programming, \$35.444 will be provided from the future Regional Improvement Program (RIP) County Shares and \$14.667 million will be from the State Highway Account (SHA).

B. I-5 South Segment 2 Local Advanced Construction (AC)

Fully obligating and expending available federal highway funds makes the Los Angeles County Metropolitan Transportation Authority eligible for a share of additional obligation authority awarded to regions that support Caltrans in accessing obligation authority unused by other states each year. Additionally, LA Metro receives new obligation authority every year that over the construction period of the I-5 South Segment 2 project is sufficient to meet the \$97 million CMAQ commitment and all other federal projects programmed in LA Metro's Transportation Improvement Program (TIP). Absent the use of Local AC, the construction of the I-5 South Segment 2 project could be delayed for up to 6 months, triggering escalation and support cost increases not now budgeted for the project.

### Impact to Budget

#### A. I-5 South/Carmenita Road Interchange Cost Increase

The funding of \$15,000,000 Measure "R" Highway Capital (20%) Fund for FY16 for the I-5 South/Carmenita Road Interchange project is included in Account 54001 - Subsidies to Others, in cost center 0442, under project number 460341, Task 01. The recommendation will not impact the project budget for the current fiscal year. Since this is a multi-year contract/project, the Managing Executive Officer will be accountable for budgeting the cost in future years for LACMTA's share within the updated project budget. The source of funds for this project is Measure R 20% Highway, which is not eligible for bus or rail operations.

#### B. I-5 South Segment 2 Local Advanced Construction (AC)

The funding of \$52,900,000 of Measure R 20% Highway for FY15 for the I-5 South HOV Widening project is included in Account 54001 - Subsidies to Others, in cost center 0442, under project number 460336, Task 01. The recommendation will not increase the project budget for the current fiscal year. Since this is a multi-year contract/project, the Managing Executive Officer will be accountable for budgeting the cost in future years for LACMTA's share within the updated project budget. The source of funds for this project is Measure R 20% Highway, which is not eligible for bus or rail operations.

### **ALTERNATIVES CONSIDERED**

#### A. I-5 South/Carmenita Road Interchange Cost Increase

The Board may choose not to approve the supplemental funds. This alternative is not recommended as the completion of the project will be further delayed and the total cost of buttoning-up the project into a safe condition for a period of suspended construction will increase the cost to Metro even further.

The Board may also elect to fund the supplemental funds request with Measure "R" Highway Capital (20%) Fund instead. This alternative is not recommended as it will prevent us from maximizing our ability to deliver other projects that might have relatively low cost and high benefits.

#### B. I-5 South Segment 2 Local Advanced Construction (AC)

If the MTA Board does not authorize this recommendation, the construction of the I-5 South Segment 2 project could be delayed for up to 6 months, triggering escalation and support cost increases not now budgeted for the project.

### **NEXT STEPS**

#### A. I-5 South/Carmenita Road Interchange Cost Increase

Upon Board approval of the recommendation for supplemental project funding, an amendment to the funding agreement with Caltrans will then be executed.

B. I-5 South Segment 2 Local Advanced Construction (AC)

Upon Board approval of the recommendation, the agreement will be amended with Caltrans.

**ATTACHMENTS**

Attachment A - Analysis of Unified Cost Management Process and Policy for Measure R Projects

Attachment B - Local AC Form 3-I

Attachment C -Letter from Caltrans August 21, 2015, "Informing Project Cost Increase and Recommended Course of Action for I-5 South/Carmenita Road Interchange project"

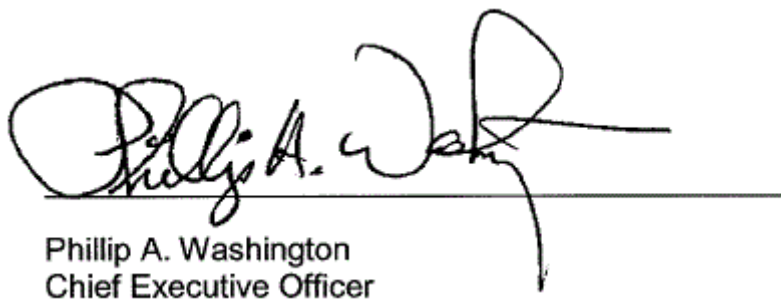
Attachment D -Letter from Caltrans September 15, 2015, "I5 South/Carmenita Road Interchange Project"

Prepared by: Victor Gau, Senior Engineering Manager, Highway Program (213) 922-3031  
Aline Antaramian, Deputy Executive Officer, Highway Program (213) 922-7589  
Aziz Elattar, Executive Officer, Highway Program (213) 922-4715  
David Yale, Managing Executive Officer, Countywide Planning and Development (213) 922-2469

Reviewed by:

Bryan Pennington, Deputy Executive Director, Program Management (213) 922-7449

Richard Clarke, Executive Director, Program Management (213) 922-7557



Phillip A. Washington  
Chief Executive Officer



## ANALYSIS OF UNIFIED COST MANAGEMENT PROCESS AND POLICY FOR MEASURE R PROJECTS

### Introduction

The Measure R Cost Management Process and Policy (the Policy) was adopted by the Metro Board of Directors in March 2011. The Policy caps Measure R project funding at the amounts in the Expenditure Plan approved by voters. The intent of the Policy is to inform the Metro Board of Directors regarding potential cost increases to Measure R-funded projects and the strategies available to close any funding gaps.

The I-5 Carmenita Road Interchange Life-of-Project budget requires an increase in cost of \$50.11 million, from \$369.77 million to \$419.88 million. This Measure R project is subject to this policy analysis. To increase the I-5 South Carmenita Road Interchange Life-of-Project budget, the Board's Policy calls for approval of an action plan to address the increase at the project level, i.e. with value engineering, scope reductions, local contributions, corridor and/or sub-regional contributions, prior to using countywide resources, as described below.

### Measure R Cost Management Policy Summary

The adopted Policy stipulates the following: If a project increase occurs the LACMTA Board of Directors must approve a plan of action to address the issue prior to taking any action necessary to permit the project to move to the next milestone. Increases will be measured against the 2009 Long Range Transportation Plan (LRTP) as adjusted by subsequent actions on cost estimates taken by the LACMTA Board of Directors. With certain exceptions, shortfalls will first be addressed at the project level prior to evaluation for any additional resources using these methods in this order:

- 1) Value engineering and/or scope reductions;
- 2) New local agency funding resources;
- 3) Shorter segmentation;
- 4) Other cost reductions within the same transit corridor or highway corridor;
- 5) Other cost reductions within the same sub-region; and finally,
- 6) Countywide transit and highway cost reductions and/or other funds will be sought using pre-established priorities.

The policy was amended in January 2015 to establish Regional Facility Areas at Ports, airports and Union Station; and states that any:

*"...capital project cost increases to Measure R funded projects within the boundaries of these facilities are exempt from the corridor and subregional cost reductions. Cost increases regarding these projects will be addressed from the regional programs share."*

While the I-5 Carmenita Road Interchange Project does not fall within a Regional Facility Area, the same motion requires that Measure R highway projects be considered on a case-by-case basis. This is the case analysis required by the policy and motion.

Value Engineering and/or Scope Reductions

There were a significant number of parcels that were identified as partial acquisitions that settled as full-takes due to exacerbating part-take impacts to businesses. In addition, thirty five out of thirty nine commercial parcels have to go through condemnation. Consequently, the high number of court settlements exceeded the programmed estimates.

New Local Agency Funding Resources

Per a letter dated August 21, 015, Caltrans recommended using a combination of Regional Improvement Program (RIP) Future County Share, and State Highway Account (SHA) funds to close the funding gap. Metro staff is in concurrence with this approach as it maximizes the amount of available local funds to maintain the delivery schedules for other Measure R Projects while also utilizing funds available only to Caltrans. The funding share attributable to Caltrans is the IPP and SHA funds shown below:

| <b>Fund Source</b>              | <b>State/Local</b> | <b>Phase</b>         | <b>Amount</b>           |
|---------------------------------|--------------------|----------------------|-------------------------|
| SHA                             | State              | PAED & PS&E          | \$00.667 million        |
| SHA                             | State              | Construction Support | \$14.000 million        |
| <b>Total State Contribution</b> |                    |                      | <b>\$14.667 million</b> |

Of the \$50.111 million need to complete the project, the staff recommendation indicates that approximately \$35.444 million is needed from Metro's County Share of the STIP, (Regional Improvement Program funds) as further discussed in the Countywide Cost Reductions and/or Other Funds section below.

Shorter Segmentation

Since this project links to other projects to the immediate north and south, has completed the design phase, and is under construction, shorter segmentation is not possible.

Other Cost Reductions within the Same Highway Corridor

The I-5 South Carpool and Mixed Flow Lanes I-605 to Orange County Line is the only other project within this corridor. All segments of this project are either under

construction or are about to enter procurement. There is no feasible way to reduce project costs on the I-5 South Carpool and Mixed Flow Lanes I-605 to Orange County Line Project without jeopardizing the completion of the project, a critical link between Orange County and Los Angeles County.

#### Other Cost Reductions within the Same Sub-region

The 2015 Short Range Transportation Plan identifies the following Measure R-funded projects within the Gateway Cities sub-region in Fiscal Years 2016 and 2017: BNSF Grade Separations (\$31.5 million), I-605 Hot Spots (\$29.6 million), I-710 South (\$20 million), I-710 South Early Action Projects in Long Beach (\$35.3 million)<sup>1</sup>.

Of these projects, the BNSF Grade Separations Project is fully funded through construction. Diverting funding from this project to the I-5 Carmenita Road Interchange Project would delay a critical goods movement and safety project. For this reason, staff does not recommending delay of this project.

The remaining projects, I-605 Hot Spots, I-710 South, I-710 South Early Action Projects in Long Beach are in the planning or design phases. The Board could elect to defer all or portions of these projects to full fund the I-5 Carmenita Road Interchange Project. Staff however recommends not deferring these projects. The I-605 Hot Spots and I-710 South Early Action Projects identify and fund discreet and actionable projects as funding becomes available. Reprogramming Measure R 20% from these projects to the I-5 Carmenita Road Interchange Project would unnecessarily delay advancement of critical improvements to two major north-south freeways in Los Angeles County.

The I-710 South Project is currently in the environmental review process. It is imperative that all funding be available once this project has secured environmental clearance to advance to the design and right-of-way phases. Deferral of this project would further delay a critical project to improve regional mobility and goods movement.

Staff recommends moving to the final step, consistent with the approach recommended by Caltrans.

#### Countywide Cost Reductions and/or Other Funds

As the local agency partner, Metro can program \$35.444 million in Measure R 20% Highway Capital Subfunds. Staff does not recommend using Measure R 20% as this approach will limit our ability to deliver other highway projects in the near term.

Instead, Metro staff recommends using future County Share of Regional Improvement Program (RIP) to cover the cost increases in the Right-of-Way phase. In this situation, committing future RIP shares indicates that Metro will debit its RIP County Share when available. While the 2016 State Transportation Improvement Program (STIP) did not include any new funding, Caltrans and Metro staff are confident that future STIP cycles

---

<sup>1</sup> Dollar amounts indicated here is the Measure R 20% portion of these projects.

will have sufficient programming capacity to deliver this project. Using future RIP County Share now allows Metro to preserve Measure R 20% to maintain the delivery schedule of other Measure R Highway Projects.

| <b>Fund Source</b>              | <b>State/Local</b> | <b>Phase</b>         | <b>Amount</b>           |
|---------------------------------|--------------------|----------------------|-------------------------|
| Regional Improvement Program    | Local              | Right-of-Way         | \$29.415 million        |
| Regional Improvement Program    | Local              | Right-of-Way Support | \$06.029 million        |
| <b>Total Metro Contribution</b> |                    |                      | <b>\$35.444 million</b> |

**EXHIBIT 3-I REQUEST FOR LOCAL ADVANCE CONSTRUCTION AUTHORIZATION**

To: \_\_\_\_\_  
District Local Assistance Engineer

Date: \_\_\_\_\_  
FTIP/FSTIP ID: \_\_\_\_\_  
EA: \_\_\_\_\_  
Project Description: \_\_\_\_\_  
\_\_\_\_\_

Re: Request for Advance Construction Authorization for \_\_\_\_\_ for \_\_\_\_\_ at \_\_\_\_\_

Dear: \_\_\_\_\_

The \_\_\_\_\_ requests federal Advance Construction authorization for the \_\_\_\_\_ phase(s) of work for the above referenced project.

The \_\_\_\_\_ understands that currently there are insufficient federal transportation funds (and/or Obligational Authority (OA)) to obligate the appropriate funds for the proposed work.

The \_\_\_\_\_ agrees to use local funds in lieu of federal funds to finance the cost of work until such time that federal funds (and/or OA) become available for obligation and subsequent reimbursement of the federal share of work. It is understood that an FTIP amendment may be required when the Advance Construction Authorization is converted to a real obligation of federal funds. It also is understood that federal reimbursement is **not** guaranteed.

The \_\_\_\_\_ understands that work performed prior to federal authorization is ineligible for federal reimbursement and that advertising the construction contract prior to federal authorization will deem the construction and construction phases of work ineligible for federal funds

For questions regarding this request you may contact \_\_\_\_\_.

\_\_\_\_\_  
Local Agency Representative Authorized to Commit Local Funds

\_\_\_\_\_  
Title

**Distribution:** 1) DLAE 2) DLA 3) MPO

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7

100 S. MAIN STREET, SUITE 100

LOS ANGELES, CA 90012

PHONE (213) 897-0362

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TTY 711

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*Serious drought.  
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August 21, 2015

Mr. Phil Washington  
Chief Executive Officer  
Metro  
1 Gateway Plaza  
Los Angeles, CA 90012

Dear Mr. Washington:

The California Department of Transportation (Caltrans) appreciates the opportunity to partner with Los Angeles County Metropolitan Transportation Authority (Metro) on the Interstate 5/ Carmenita Interchange project. We want to bring to your attention project cost increases and recommended course of action.

The Interstate 5/Carmenita Interchange project was originally programmed for \$379,700,000 per Funding Agreement Number MOU.P0006376A-02. However, due to the awarded bid being lower than the Engineering Estimate, the State construction capital funds were reduced at the time of award to reflect the bid amount. The current budget for the project is \$ 367,825,000 after the reduction.

The project is in construction, and is 68 percent complete. The anticipated cost at completion for the project is \$ 417,936,000. This is an increase of \$50,111,000 over the current budget. The cost increase by component are as follows: \$29,415,000 for right of way capital, \$6,029,000 for right of way support, \$14,000,000 for construction support, and Project Approval and Environmental Document (PAED) and Plans, Specifications and Estimates (PS&E) for \$667,000.

The increase in right of way capital is due to many parcels going to condemnation, and some parcels becoming full acquisitions, which were originally partial acquisition. The business relocations were also extremely complicated and resulted in many months of delay that impacted utility relocation. Also, there were many complicated and difficult utility relocations on this project that required much more coordination than anticipated.

The increases in right of way support and construction support were due to delays in acquiring properties and relocating businesses. These delays had a domino effect that delayed the utility relocations and the construction of the project. Also, additional geotechnical drilling had to be done during construction because access to properties were not available during design.

Mr. Phil Washington  
August 21, 2015  
Page 2

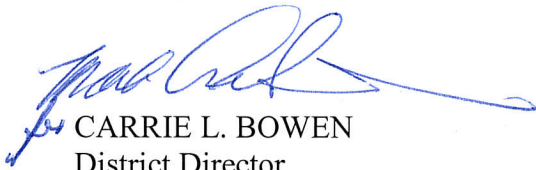
The increases in PAED and PS&E were due to underestimating the effort required to complete these phases, and inadequate contingencies to address delivery risks in these phases.

Caltrans recommends the following to address the project cost increases:

1. Fund Right of Way Capital increase of \$29,415,000 with future Regional Improvement Program (RIP) County Shares.
2. Fund Construction Support increase of \$14,000,000 with State Transportation Improvement Program (STIP).
3. Fund Right of Way Support increase of \$6,029,000 with future RIP County Shares.
4. Fund PAED and PS&E increase of \$667,000 with \$132,000 with IIP and \$535,000 with STIP.

If you have any questions regarding this matter, please contact Robert So, Deputy District Director, Program and Project Management, at (213) 897-0362.

Sincerely,



CARRIE L. BOWEN  
District Director

c: Gregg Magaziner, Metro, Executive Officer  
Robert So, Caltrans, Deputy District Director, Program/Project Management  
Mary Payyappilly, Caltrans, District Division Chief, Externally Funded Projects  
Nancy Pe, Caltrans, I-5 Corridor Project Manager



**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7

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*Serious drought.  
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September 15, 2015

Mr. Victor Gau  
Project Manager  
LAMTA  
1 Gateway Plaza  
Los Angeles, CA 90012

Subject: Interstate 5 / Carmenita Interchange Project

Dear Mr. Gau:

On August 21, 2015 Caltrans sent a letter to Metro regarding the status of the Carmenita Interchange budget. The letter stated that the current budget for the project is \$367,825,000 and the anticipated cost at completion for the project is \$417,936,000. These amounts were based on the SLPP fund of \$12,980,000 which was used to award the project.

However, since then, Caltrans HQ Programming has confirmed that the programmed amount of \$14,925,000 for SLPP will be available for the project, and only for construction capital. Therefore, we request to adjust the project current budget to \$369,770,000 and anticipated budget to \$419,881,000.

Also, we would like to clarify that the reference to STIP for item #2 and 4 in the August 21, 2015 letter should be State Highway Account (SHA).

If you have any questions regarding this matter, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nancy Pe".

Nancy Pe  
Office Chief  
Project/Program Area Manager

c:

Robert So, Deputy District Director for Program/Project Management  
Mary Payyappilly, District Division Chief for Externally Funded Projects