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**Agenda - Final**

**Thursday, April 21, 2022**

**11:00 AM**

To give written or live public comment, please see the top of page 4

## **Construction Committee**

*Tim Sandoval, Chair*

*Fernando Dutra, Vice Chair*

*Jacquelyn Dupont-Walker*

*Janice Hahn*

*Paul Krekorian*

*Tony Tavares, non-voting member*

*Stephanie Wiggins, 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 must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

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 one (1) minute during this Public Comment period or at the discretion of the Chair. Speakers will be called according to the order in which their requests are submitted. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

Notwithstanding the foregoing, and in accordance with the Brown Act, this agenda does not provide an opportunity for members of the public to address the Board on any Consent Calendar agenda item that has already been considered by a Committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, and which has not been substantially changed since the Committee heard the 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.

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**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.

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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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**Live Public Comment Instructions:**

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The Committee Meeting begins at 11:00 AM Pacific Time on April 21, 2022; you may join the call 5 minutes prior to the start of the meeting.

Dial-in: 888-251-2949 and enter  
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Los comentarios publicos en vivo solo se pueden dar por telefono.

La Reunion de la Junta comienza a las 11:00 AM, hora del Pacifico, el 21 de Abril de 2022. Puedes unirse a la llamada 5 minutos antes del comienzo de la junta.

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**Written Public Comment Instruction:**

Written public comments must be received by 5PM the day before the meeting. Please include the Item # in your comment and your position of "FOR," "AGAINST," "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."

Email: BoardClerk@metro.net

Post Office Mail:

Board Administration

One Gateway Plaza

MS: 99-3-1

Los Angeles, CA 90012



**CALL TO ORDER****ROLL CALL**

APPROVE Consent Calendar Items: 29 and 30.

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

**CONSENT CALENDAR****29. SUBJECT: METRO SMALL BUSINESS BONDING ASSISTANCE PROGRAM**[2022-0186](#)**RECOMMENDATION****CONSIDER:**

- A. AUTHORIZING the Chief Executive Officer to execute Modifications to Contract No. PS137313000 with Merriwether and Williams Insurance Services, Inc. to continue to provide Small Business Bonding Assistance Program services and Contractor Finance Assistance Program (CFAP) administration in the amount of \$450,000, increasing the total contract price from \$2,197,870 to \$2,647,870, and extend the period of performance from June 1, 2022, through November 30, 2022;

This Contract Modification also includes an as-needed option to extend the contract period of performance up to an additional six (6) months or through May 31, 2023, and increase the total contract price up to an additional \$450,000, for a total not-to-exceed contract price of \$3,097,870.

- B. AUTHORIZING the Chief Executive Officer to approve budget for the Contractor Finance Assistance Program (CFAP) loan fee which provides financial relief for certified small businesses performing on a Metro contract for an amount not to exceed \$300,000; and
- C. ADOPTING a resolution, Attachment A, authorizing the Chief Executive Officer and other Authorized Officers to continue the \$4,000,000 line of credit with Bank of America for six months at a cost of \$8,000 with the option to extend for an additional six months at a cost of \$8,000, and to execute as needed, individual standby letters of credit at a cost of \$2,000 each or 2% of the value of each letter of credit executed, whichever is greater, for a six-month period in the amount of \$37,500 with an option for an additional six-month period for \$37,500 for a not-to-exceed amount of \$71,000 if the option is exercised.

(REQUIRES SEPARATE, SIMPLE MAJORITY VOTE OF THE FULL BOARD)



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\$115,989,173 to \$143,284,173;

- B. REVISING the project funding plan to accept \$27,295,000 in funding contributions by the City of Los Angeles;
- C. DELEGATING authority to the Chief Executive Officer to accept up to \$15 million in American Rescue Plan Act funds from the County of Los Angeles and program them to the Rail to Rail project; and
- D. AUTHORIZING the Chief Executive Officer to negotiate and execute Project related agreements, including contract modifications, up to the authorized Life-of-Project Budget.

Attachments:      [Attachment A - Sources and Uses](#)

33. **SUBJECT:      METRO DIVISION 1 INDUSTRIAL STREET VACATION AND CITY OF LOS ANGELES 7TH STREET STREETScape IMPROVEMENTS NEGOTIATED FUNDING AGREEMENT**      [2022-0152](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a Funding Agreement with the City of Los Angeles for the 7th Street Streetscape Improvements project in the negotiated amount of \$3,500,000.

Attachments:      [Attachment A - Deleted Conditions](#)  
                                 [Attachment B - Industrial Street Vacation from Alameda to Central](#)

34. **SUBJECT:      TRACK AND TUNNEL INTRUSION PROJECT**      [2022-0195](#)

**RECOMMENDATION**

INCREASE the Life of Project (LOP) Budget on the Track and Tunnel Intrusion Project by \$1,948,680, from \$8,873,092 to \$10,821,772.

Attachments:      [Attachment A - TTIDS Funding and Expenditure Plan](#)

35. **SUBJECT:      3% CONTRIBUTION MOTION**      [2022-0258](#)

**RECOMMENDATION**

APPROVE Motion by Directors Hahn, Garcetti, Butts, and Dutra that the Board direct the CEO to update the Measure M Guidelines and First-Last Mile Guidelines in accordance with the following:

- A. Revise the Measure M Guidelines 3% Contribution calculation to be consistent with the Measure M ordinance;
- B. In cases where Metro withholds 15 years of Measure M Local Return, clarify that Metro will allow withheld funds to satisfy the 3% contribution via

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an agreement with the jurisdiction, that jurisdictions may spend withheld funds on First-Last Mile investments, and that those expenses shall be eligible to credit toward a jurisdiction's 15-year total Measure M Local Return obligation in accordance with established Metro procedures, such as the First-Last Mile Guidelines and Measure M Guidelines;

- C. Confirm that the cost of First-Last Mile improvements delivered by local jurisdictions shall not be included in the "total project cost" from which Metro calculates the 3% Contribution;
- D. Consistent with precedent from the Purple Line Extension, confirm that jurisdictions along segments of a larger transit corridor will incur a 3% Contribution obligation only for project segments that include station construction within their jurisdiction; and,
- E. Reaffirm that in-kind contributions and subregional investments that support a Metro transit corridor may count toward a project's total 3% Contribution under existing provisions of the Measure M Guidelines.

WE FURTHER MOVE that the Board direct the CEO to report back on all the above to the Construction Committee in June 2022.

**36. SUBJECT: FISCAL YEAR 2023 PROGRAM MANAGEMENT ANNUAL PROGRAM EVALUATION DESCRIPTION**

[2022-0168](#)

**RECOMMENDATION**

RECEIVE AND FILE status report on FY23 Program Management Annual Program Evaluation.

**Attachments:** [Attachment A FY23 APE](#)

**37. SUBJECT: PROGRAM MANAGEMENT QUARTERLY CHANGE REPORT**

[2022-0159](#)

**RECOMMENDATION**

RECEIVE AND FILE status report on Program Management Quarterly Change Report.

**Attachments:** [Attachment A - Change Order Log for April 2022](#)  
[Attachment B - IG Spot Check CEO Delegated Authority Delays Avoided](#)

38. **SUBJECT: OFFICE OF THE INSPECTOR GENERAL CHANGE ORDER  
CONSTRUCTION SPOT CHECKS** [2022-0145](#)

**RECOMMENDATION**

RECEIVE AND FILE Office of the Inspector General Change Order Construction Spot Check Report for the period December 1, 2021, to February 28, 2022.

**Attachments:** [Attachment A - Change Order Details for Spot Checks](#)  
[Attachment B - Tracking Sheet of OIG Recs. and Responses to Last Quarter](#)  
[Attachment C - PowerPoint for April 2022 Construction Spot Checks](#)

39. **SUBJECT: PROGRAM MANAGEMENT MAJOR PROJECT STATUS  
REPORT** [2022-0146](#)

**RECOMMENDATION**

RECEIVE oral report on the Major Project Status by the Chief Program Management Officer.

**Attachments:** [Presentation](#)

- SUBJECT: GENERAL PUBLIC COMMENT** [2022-0236](#)

RECEIVE General Public Comment

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.

**COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S  
SUBJECT MATTER JURISDICTION**

**Adjournment**



## Board Report

File #: 2022-0186, File Type: Contract

Agenda Number: 29.

### CONSTRUCTION COMMITTEE APRIL 21, 2022

**SUBJECT: METRO SMALL BUSINESS BONDING ASSISTANCE PROGRAM**

**ACTION: APPROVE CONTRACT MODIFICATIONS**

#### **RECOMMENDATION**

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to execute Modifications to Contract No. PS137313000 with Merriwether and Williams Insurance Services, Inc. to continue to provide Small Business Bonding Assistance Program services and Contractor Finance Assistance Program (CFAP) administration in the amount of \$450,000, increasing the total contract price from \$2,197,870 to \$2,647,870, and extend the period of performance from June 1, 2022, through November 30, 2022;

This Contract Modification also includes an as-needed option to extend the contract period of performance up to an additional six (6) months or through May 31, 2023, and increase the total contract price up to an additional \$450,000, for a total not-to-exceed contract price of \$3,097,870.

- B. AUTHORIZING the Chief Executive Officer to approve budget for the Contractor Finance Assistance Program (CFAP) loan fee which provides financial relief for certified small businesses performing on a Metro contract for an amount not to exceed \$300,000; and
- C. ADOPTING a resolution, Attachment A, authorizing the Chief Executive Officer and other Authorized Officers to continue the \$4,000,000 line of credit with Bank of America for six months at a cost of \$8,000 with the option to extend for an additional six months at a cost of \$8,000, and to execute as needed, individual standby letters of credit at a cost of \$2,000 each or 2% of the value of each letter of credit executed, whichever is greater, for a six-month period in the amount of \$37,500 with an option for an additional six-month period for \$37,500 for a not-to-exceed amount of \$71,000 if the option is exercised.

(REQUIRES SEPARATE, SIMPLE MAJORITY VOTE OF THE FULL BOARD)  
**ISSUE**

Metro identified the need to provide bonding assistance to certified small businesses pursuing work on Metro construction projects. Metro partnered with the City of Los Angeles and participated in their

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Request for Proposal (RFP) process to identify a consultant capable of providing bonding assistance to small businesses. Metro subsequently executed a memorandum of understanding (MOU) with the City to partner and share resources and certain cost for the consultant services. Metro also issued a contract with Merriwether and Williams Insurance Services (MWIS) to administer Metro's Contractor Development Assistance and Bonding Program (CDABP) for a total of three-years. This three-year contract is scheduled to expire on May 31, 2022.

## **BACKGROUND**

Metro initiated a pilot CDABP program in 2018, and renewed the program with a three-year contract with MWIS that became effective June 1, 2019. Metro also renewed its MOU with the City of Los Angeles for this same period. Metro established a \$4,000,000 program line of credit with Bank of America for its CDABP program. The program provides bonding assistance to small businesses for a maximum amount of \$250,000 or 40% of the bond (whichever is lower) per bond transaction cap dollar amount. The City of Los Angeles' program has the same established limits. Metro assembled a bonding Task Force consisting of the Diversity & Economic Opportunity Department, Risk Management, Treasury, Vendor/Contract Management and Project Construction Management.

MWIS provides bonding education and business development services to contractors through capacity building classes held at Metro, throughout the county (virtually and in-person). MWIS provides technical assistance on preparing small businesses to become bondable, strengthening their companies financially, strategically pursuing work and instructed on best practices in preparing proposals. Some of the tasks performed by MWIS are listed below.

- Assess small business work plans
- Conduct enrollment meetings and contractor consultations
- Refer contractors to resource providers and prime contractors for opportunities
- Consult small businesses on CDABP program services
- Process small business bond requests
- Issue bonds for small businesses
- Refer small businesses to Metro Certification, Pre-Qualification or Vendor Portal
- Provide contract monitoring, project support or contract review for small business
- Develop contractor profiles for marketing small businesses
- Participate in Council District workshops to promote the CDABP program

Approximately 241 small businesses have graduated from various MWIS' training academies in the last three years. Of these 241 small business graduates, 120 graduated from Metro sponsored training academies. MWIS provides Metro staff with several monthly metrics including three specific measures used as key performance indicators. The three key performance indicators below reflect activity from June 1, 2019, through February 28, 2022.

- MWIS has completed over 650 assessments of small businesses and completed workplans to increase their capacity.
- MWIS has referred over 450 small businesses to Metro's Vendor Portal, Certification or Pre-

Qualification.

- MWIS has completed or enhanced over 500 contractor profiles to assist small businesses in strengthening their marketing efforts.

Metro has issued five bonds to date for an aggregate amount of \$1.25 million dollars to assist certified small businesses to bond and acquire over \$15 million dollars in contract awards. The contract details are listed in the table below.

Small Business Name	Assistance Amount	Metro Project	Cert.Type	Small Business Contract Award
G&F Concrete	\$250,000	Rosa Parks Willowbrook Station	DBE SBE	\$1,253,850
SJN Builders, Inc.	\$250,000	Rosa Parks Willowbrook Station	SBE	\$5,091,101
KPA Constructors, Inc.	\$250,000	Regional Connector Transit Corridor	DBE SBE	\$3,691,555
Global Electric	\$250,000	Westside Purple Line Section 1	DBE SBE	\$3,192,000
KPA Constructors, Inc.	\$250,000	Westside Purple Line Section 1	DBE SBE	\$1,850,000
				\$15,078,506

Metro staff implemented a 7% SBE Goal and 4.33% DVBE goal for this CDABP contract. MWIS committed to 19.06% SBE and has achieved 15%, and MWIS achieved 19% towards the 4.33% DVBE commitment to date. Metro staff is requesting the board to approve a six-month extension of the CDABP program contract with an option to extend for an additional six-months while the City prepares, issues and awards a new contract.

**DISCUSSION**

Findings

The CDABP program has proven to be a tremendous help to small businesses for three years and staff has received positive feedback from businesses who have benefited from the program. As Metro staff was preparing to participate in the City’s RFP process to renew the CDABP program, staff learned that the City was not prepared to issue an RFP at this time. In addition, the City has approved a six-month extension of the current contract with MWIS, with an additional six-month extension while an RFP is prepared and issued. Staff intends to participate in the RFP process when the City is ready to issue the RFP and piggy-back on the City’s contract as done previously with the other agency partners. The agencies partnering in the CDABP program include the City of Los Angeles, Metro, Los Angeles World Airports, Department of Water and Power, the Port of Los Angeles, SCM Public Works, and as of October 2021 the County of Los Angeles. Metro staff received a draft of the City’s RFP on March 21, 2022 and provided feedback and input to City staff by



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the March 31, 2022 deadline. Metro staff will continue to work with City staff to get the RFP issued and a new contract procured.

### Contractor Finance Assistance Program

Metro staff recently implemented the contractor finance assistance program which was included in the original scope of work of the CDABP. At the time of the contract award to MWIS, the CFAP program was not ready for implementation although the language for the CFAP program was included in the scope of work as a resource to small businesses. The CFAP program makes financial resources immediately available to small businesses by using their contract as collateral. This can provide relief to small businesses that have to float delays in payments resulting from invoices waiting to be processed and paid or change orders to be approved. The CFAP program provides loans to the small businesses at 6.75% interest with an upfront fee of 1% of the amount of the loan (or \$1,500 minimum fee). Metro staff is requesting budget to cover the 1% fee to assist small businesses. The small business can request up to 25% of the amount of their contract and is responsible for the repayment of the loan. There is no risk to Metro. The CFAP program includes a third-party funds administrator to manage the CFAP transactions for the small business to ensure appropriate use of funds. MWIS recently informed Metro staff that the CFAP program was ready for implementation and staff was able to assist a certified small business (Global Electric) in securing a Metro contract in February 2022. Global Electric is also a recipient of Metro's CDABP program and is performing on the Westside Purple Line Section 1 project. With the assistance of the CFAP program, Global Electric is now working on two Metro contracts, the second also on the Westside Purple Line Section 1 project as a subcontractor to LK Comstock for a 2.6-million-dollar contract. The CDABP and CFAP programs both use third-party funds administrators to manage transactions for small businesses. Funds from the current CDABP contract were used to assist Global Electric to secure this additional Metro contract through the CFAP program.

Staff intends to promote and advertise the CFAP program through its robust Metro Connect outreach in-person and on-line events. If approved, the program will be advertised in How to do Business with Metro, lunch and learn events, CDABP training classes, Transportation Business Advisory Council meetings, council district outreach events and other industry events. Staff also intends to promote the program on the Metro.net/connect webpage. Staff is requesting a budget of \$300,000 to support small businesses who can benefit from the program. This budget would provide CFAP support to ten small businesses borrowing \$500,000 against their contract value of \$2.5 million by Metro covering the 1% upfront fee.

### **DETERMINATION OF SAFETY IMPACT**

No safety impact.

### **FINANCIAL IMPACT**

Adoption of this contract extension and options would impact the agency's budget by \$1,271,000 through May 31, 2023.

### Impact to Budget

The MWIS contract and the Line of Credit fees will be added to Cost Center 2130. Funding will come from General Funds, which are eligible for Metro Bus and Rail operations and capital expenses. Costs for individual letters of credit will be paid by the projects for which the contractors are providing services.

### **EQUITY PLATFORM**

Staff recommendations are to implement programs that support local small, disadvantaged, minority, women and veteran owned businesses to become more sustainable, financially stable and have access to capital like larger companies. The CDABP and CFAP programs have assisted certified small businesses in capturing over \$15 million dollars in Metro contracts. These SBE and DBE contract dollars were reflected in the appropriate fiscal years towards Metro's annual percentage goals. The CDABP and CFAP support provided by MWIS has provided immeasurable capacity building support to small business and resulted in contract awards through the program.

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

The recommendation supports strategic plan goal 5.5: Metro will expand opportunities for businesses and external organizations to work with us. The CDABP program expands Metro's capability to contract with construction companies on our projects, and also expands small businesses' ability to qualify for larger construction contract opportunities that have increased bonding requirements.

### **ALTERNATIVES CONSIDERED**

The Metro Board could choose to not extend the CDABP program, however, that would not provide small businesses the bonding, financial and capacity building support they might need to perform on Metro construction projects.

### **NEXT STEPS**

- Upon Board approval, staff will execute Contract Modification No. 1 to extend the MWIS contract for 6 months, with the option to extend for an additional 6 months;
- Extend the terms of the line of credit with Bank of America for 6 months, with the option to extend for an additional 6 months;
- Implement the CFAP program to small businesses as funds are available.

### **ATTACHMENTS**

Attachment A - MOU

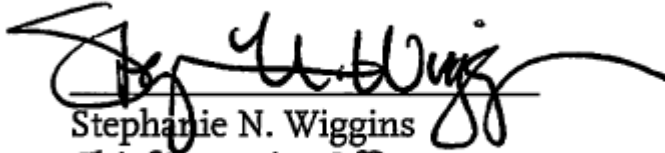
Attachment B - Procurement Summary

Attachment C- Contract Modification/Change Order Log

Attachment D - DEOD Summary

Prepared by: Keith A. Compton, Director, DEOD  
(213) 922-2406

Reviewed by: Debra Avila, Deputy Chief, Vendor/Contract Management Officer (213) 418-3051



Stephanie N. Wiggins  
Chief Executive Officer

**CONTRACTOR DEVELOPMENT AND BONDING PROGRAM**

**MEMORANDUM OF UNDERSTANDING**

**BY AND BETWEEN**

**CITY OF LOS ANGELES**

**AND**

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION  
AUTHORITY**

ATTACHMENT - A

**CONTRACTOR DEVELOPMENT AND BONDING PROGRAM  
MEMORANDUM OF UNDERSTANDING**

**INDEX**

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## ATTACHMENT - A

THIS MEMORANDUM OF UNDERSTANDING (MOU), is made and entered into by and between the CITY OF LOS ANGELES (CITY) and the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO). Each party joining this MOU will be responsible for its own activities as defined in this MOU.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this MOU on the 1st day of June, 2022 to be effective immediately for a twelve month term.

### RECITALS:

- A METRO is extending an agreement with the CITY to participate and access the CITY's Contractor Development Assistance and Bonding Program (CDABP). METRO will utilize existing CDABP program administration services, as needed provided through the CITY and its contracted broker, Merriwether & Williams Insurance Services (BROKER).
- B. The CITY and METRO require contractors to obtain bid, payment, and performance bonds when working on CITY or METRO projects.
- C. It has come to the attention of CITY and METRO that some small businesses are unable to compete for CITY or METRO work due to their difficulty obtaining the required surety bonds.
- D. The CITY'S RISK MANAGEMENT Office possesses certain requisite knowledge and resources to coordinate and assist in the administration of the CDBP. As such, METRO seeks to continue accessing the CITY's and their Broker/Service Provider's assistance in implementing and administering a comparable program on behalf of METRO.
- E. BROKER competed in a Request for Proposal process, and was selected by the CITY to be the BROKER on the CDABP.

Now, therefore, the parties do agree as follows:

### 1.0 CITY OF LOS ANGELES

The CITY will:

- 1.1 Assist in the coordination and implementation of the CDABP between BROKER, CITY and METRO to replicate a similar program on behalf of METRO.
- 1.2 Work with BROKER and METRO to design and structure a "shared resource – shared cost" arrangement between the parties.

## **ATTACHMENT - A**

- 1.3 Share with METRO, CITY's experience and work product in implementing CDABP for the purpose of METRO's desire to sponsor a comparable program on behalf of METRO.
- 1.4 Assist METRO in developing the Broker/Service Provider's Scope of Services.
- 1.5 Coordinate with METRO in developing the BROKER Request for Proposal and Contract. Advise METRO on the administration of the Broker Contract to confirm Broker activities are in compliance with Contract terms.
- 1.6 Assist in establishing CDABP cost controls.
- 1.7 Conduct periodic reviews to verify compliance with MOU terms and conditions.
- 1.8 Develop rationale to allocate shared CDABP costs for consideration and acceptance by METRO.
- 1.9 Provide administrative services support as necessary.
- 1.10 Provide additional services as deemed necessary.
- 1.11 Administer the CDABP through the Office of the City Administrative Officer, Risk Management (RISK MANAGEMENT).

## **2.0 LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

METRO will:

- 2.1 Implement contract with BROKER and administer CDABP for METRO contracting activities.
- 2.2 Review and pay monthly invoices directly to BROKER. Invoices will reflect costs for monthly BROKER services, third-party funds administration, financial analysis, etc.
- 2.3 Provide timely and accurate information to CITY when requested.
- 2.4 Attend meetings with CITY and BROKER, as necessary.

- 2.5 Participate in the Request For Proposal (RFP) selection process with the CITY for BROKER.
- 2.6 Establish and maintain a line of credit or other collateral instrument which allows for the issuance of program bond guarantees.

**3.0 CDABP PROVISIONS:**

- 3.1 At METRO, the program will only be available to Small Business Enterprises (SBE), Disadvantaged Business Enterprises (DBE) and Disabled Veteran Business Enterprises (DVBE) contractors and subcontractors interested in bidding on METRO contracts.
- 3.2 The program will provide for the use of financial guarantees to obtain bid, payment and performance bonds.
- 3.3 BROKER invoicing will be submitted monthly to METRO and will only reflect actual services rendered.
- 3.4 METRO must notify CITY prior to making any material changes to the CDBP components.
- 3.5 The allocated percentages used to calculate the indirect CDABP costs for the next three fiscal years are included in the contract. This allocation percentage will be based upon each program agency's contract value as proportionately compared to the total of all program members' contract values combined. An alternative allocation methodology may be utilized if agreed upon by all CDABP members. Indirect percentages will be fixed for the term of the contract unless a member(s) contract amount changes during the course of the contract.
- 3.6 Prior to the CDABP, program members must complete the following:
  - 1. Establish and/or identify account(s) to cover the costs for monthly BROKER invoices (amounts based on annual contract limits) and any future CDABP contractor defaults within that program members construction program (amount may need to be increased based upon higher levels of outstanding letters of credit or collateral).
  - 2. Assign a primary staff authority and a designee (in case of absence of the primary staff authority) to authorize letters of credit or collateral issuance in an expeditious manner.
  - 3. Sign and date the CDABP MOU.



**ATTACHMENT - A**

4. Assign staff to assist RISK MANAGEMENT in coordinating the CDABP.
5. Receive METRO Board approval of CDABP, including the use of Letters of Credit or other collateral instruments to serve as guarantees to program sureties.

**4.0 INDEMNIFICATION**

- 4.1 All parties to this agreement agree to hold each other harmless for all causes of actions, claims, charges or other demands of any nature, arising from the acts or omissions of the indemnifying party in regard to services provided under and during the term of this MOU, in accordance with California Government Code 895.4 and 895.6.

**5.0 TERMINATION**

- 5.1 This agreement may be canceled by any member of this MOU with or without cause on thirty (30) days written notice and payment in full of all proportioned CDABP fees, costs and expenses for services already rendered. Said notice, on the CITY's behalf, will be given by the City Administrative Officer or the Director of Risk Management as designee.

**6.0 TERM OF MEMORANDUM OR UNDERSTANDING**

- 6.1 The term of this MOU is coterminous with the CDABP Member's contract with the BROKER.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Memorandum Of Understanding to be effective on the 1<sup>st</sup> day of June, 2022

By \_\_\_\_\_  
RICHARD LLEWELLYN, JR  
City of Los Angeles Administration Officer

By \_\_\_\_\_  
DEBRA AVILA  
Deputy Chief Vendor/Contract Management Officer METRO

APPROVED AS TO FORM:

MICHAEL N. FEUER, City Attorney

By: \_\_\_\_\_  
DANIEL KREINBRING  
Deputy City Attorney

MARY C. WICKHAM  
County Counsel

By \_\_\_\_\_  
MARY REYNA  
Principal Deputy County Counsel

**GLOSSARY OF TERMS**

1. Broker – The person or company who works on behalf of the Program Members to assist small, MBE/WBE/OBE contractors in obtaining the required surety bonding. Must have a Broker’s license to be a Broker.
2. Surety Bonds – The financial instrument, required by the CDABP to bid on projects, that is written for a specific amount and for a specific project. The dollar amount of the bond is the amount which the surety is willing to pay in case a CDABP contractor defaults on the project.
  - a. Bid Bond – A guarantee that, if awarded, the contractor will enter into a contract under the same terms and conditions as bid.
  - b. Performance Bond – A bond issued by a surety company guaranteeing to complete a construction contract if the contractor defaults.
  - c. Payment Bond - Guarantees that subcontractors of the prime contractor will be paid for labor and materials. These are often required in conjunction with performance bonds.
3. Surety – The bond company or guarantor that provides the bond on a specific project.
4. CDABP Contractor – The contractor or subcontractor who uses the CDABP to establish or increase their bonding capacity.
5. Third Party Funds Administrator – Manages progress payments from the CITY or METRO to a CDABP prime contractor or the CITY’s or METRO ’s prime contractor payments to a CDABP subcontractor, ensuring all subcontractors and material suppliers are appropriately paid.
6. Irrevocable Letter of Credit – A financial instrument that is used by a surety to drawdown from the Line of Credit as a form of a guarantee. It is irrevocable because the letter of credit cannot be modified unless all parties agree.
7. Line of Credit –A source of credit provided by a financial institution that is used for financial guarantees.
8. Underwriting Data – Data gathered by the BROKER and Surety to help assess the risks and make a determination on whether to provide a bond. Usually requires bank statements, tax statements, company financials, application data, etc.

## **ATTACHMENT - A**

9. Drawdown – A withdrawal against a specific Letter of Credit or other collateral instrument following a default and surety paid claim to complete the contracted public work.
10. Financial Guarantees – An amount of money stated in dollars, that the CITY or METRO is willing to guarantee to the Surety in case of a default by a CDABP contractor against the bond.
11. Indirect Costs – Those costs of the CDABP that are not directly chargeable to a Department, Agency or project and are shared by each member of this MOU. These costs are typically all costs that occur prior to successfully bonding a contractor for a specific bid or contract. These costs would include CDABP outreach and administration, member consultation and technical assistance, financial statement preparation and review, review of application data, tax statements and company financials, and post award contract monitoring. It includes time spent working with CDABP broker, surety and CPA partners.
12. Direct Costs – Once a CDABP contractor identifies a CITY or METRO contract that they want to bid on, those subsequent third-party costs directly associated with securing the required bonds are considered direct costs. Unlike indirect costs, these costs are not shared by all MOU members but are charged directly to the contracting Department or agency. These costs typically include letter of credit fees for financial guarantees and TPFA fees. These costs are only incurred if the contractor is the successful low bidder.
13. CDABP Contractor Default – A CDABP contractor default occurs when a surety is obligated for payment under the guaranteed bond following a CDABP contractor nonperformance or nonpayment.
14. CDABP Member Agency – Agencies that are members of this MOU. Currently, there are two CDABP Member Agencies, the City of Los Angeles and the Los Angeles County Metropolitan Transportation Authority.

## PROCUREMENT SUMMARY

## METRO SMALL BUSINESS BONDING ASSISTANCE PROGRAM / PS137313000

1.	<b>Contract Number:</b> PS137313000		
2.	<b>Contractor:</b> Merriwether and Williams Insurance Service, Inc.		
3.	<b>Mod. Work Description:</b> Increase in contract authority and up to 12-month extension		
4.	<b>Contract Work Description:</b> Provide bonding assistance to small businesses under the Small Business Bonding Assistance Program.		
5.	<b>The following data is current as of:</b> 03/24/22		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	6/1/19	<b>Contract Award Amount:</b> \$ 2,197,870
	<b>Notice to Proceed (NTP):</b>	8/8/19	<b>Total of Modifications Approved:</b> \$ 0
	<b>Original Complete Date:</b>	5/31/22	<b>Pending Modifications (including this action):</b> \$ 900,000
	<b>Current Est. Complete Date:</b>	5/31/22	<b>Current Contract Value (with this action):</b> \$ 3,097,870
7.	<b>Contract Administrator:</b> Marc Margoni		<b>Telephone Number:</b> (213) 922-1304
8.	<b>Project Manager:</b> Keith Compton		<b>Telephone Number:</b> (213) 922-2406

**A. Procurement Background**

This Board Action is to approve Contract Modification Nos. 1 and 2 to Contract No. PS13731300 with Merriwether and Williams Insurance Services, Inc. to continue to administer the Contractor Development and Bonding Assistance Program (CDABP) aka Metro's Small Business Bonding Assistance Program and the Contractor Finance Assistance Program (CFAP).

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

In May 2019, the Board awarded a three-year contract to Merriwether & Williams Insurance Services (MWIS) to provide bonding assistance to small businesses under Metro's Small Business Bonding Assistance Program.

**B. Cost/Price Analysis**

The recommended monthly CDABP and CFAP administration fees for the extended term have been determined to be fair and reasonable based on price analysis, independent cost estimate (ICE), technical analysis, and fact-finding. Pass-through fees [e.g. CPA cost subsidy fee, Irrevocable Letter of Credit (ILOC), and Funds Control] were estimated based on historical data and the anticipated level of bonding assistance required by small businesses.

<b>Option Years Amount</b>	<b>Metro ICE</b>	<b>Modification Amount</b>
\$900,000	\$900,000	<b>\$900,000</b>

**CONTRACT MODIFICATION / CHANGE ORDER LOG  
METRO SMALL BUSINESS BONDING ASSISTANCE PROGRAM  
PS137313000**

<b>Mod. No.</b>	<b>Description</b>	<b>Date</b>	<b>Amount</b>
1.	Increase contract authority to continue to provide bonding assistance to small businesses under Metro's Small Business Bonding Assistance Program and extend the period of performance by six months	<b>PENDING</b>	\$ 450,000
2.	Increase contract authority to continue to provide bonding assistance to small businesses under Metro's Small Business Bonding Assistance Program and extend the period of performance by six months	<b>PENDING</b>	\$ 450,000
	<b>Modification Total:</b>		<b>\$ 900,000</b>
	<b>Original Contract:</b>	<b>6/1/19</b>	<b>\$ 2,197,870</b>
	<b>Total Contract Value:</b>		<b>\$ 3,097,870</b>

DEOD SUMMARY

METRO SMALL BUSINESS BONDING ASSISTANCE PROGRAM, MERRIWETHER AND WILLIAMS INSURANCE SERVICES, INC. PS137313000

**A. Small Business Participation**

Merriwether & Williams Insurance Services, Inc. (MWIS) made a 19.01% Small Business Enterprise (SBE) and 4.33% Disabled Veteran Business Enterprise (DVBE) commitment. The contract is 76% complete and the current participation is 14.97% SBE and 19.14% DVBE, which represents a 4.04% SBE shortfall, while the DVBE commitment is exceeded by 14.71%.

MWIS indicated that there are shared costs associated with 3D Networks, an SBE, that have not been reported. DEOD requested a shortfall mitigation plan to address the SBE participation. MWIS indicated that they will increase the task assignments to 3D Network during the contract extension period to mitigate the shortfall and achieve the 19.01% commitment. Assignments will include, but not be limited to, assisting with outreach events, training classes, informational events, creating promotional materials and other tasks.

DEOD will continue to monitor MWIS participation to ensure that the firm is on track to meet and/or exceed the commitment.

<b>Small Business Commitment</b>	<b>19.01% SBE 4.33% DVBE</b>	<b>Small Business Participation</b>	<b>14.97% SBE 19.14% DVBE</b>
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	<b>SBE Subcontractor</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	3D Networks	19.01%	14.97%
	<b>Total</b>	<b>19.01%</b>	<b>14.97%</b>

	<b>DVBE Subcontractor</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	G&C Equipment Corp.	4.33%	19.14%
	<b>Total</b>	<b>4.33%</b>	<b>19.14%</b>

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

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

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.



**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

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

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



## Board Report

File #: 2022-0147, File Type: Contract

Agenda Number: 30.

### CONSTRUCTION COMMITTEE APRIL 21, 2022

**SUBJECT: FUND ADMINISTRATOR FOR METRO PILOT BUSINESS INTERRUPTION FUND (BIF)**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 6 to the Business Interruption Fund (BIF) Administration Services Contract No. PS56079000 with Pacific Coast Regional Small Business Development Corporation (PCR) to exercise the second, one-year option in the amount of \$650,306, increasing the total contract value from \$2,754,855 to \$3,405,161, to continue to serve as the fund administrator for Metro's Pilot BIF and extending the period of performance from May 1, 2022 to April 30, 2023.

#### **ISSUE**

On February 28, 2019, Metro Board of Directors approved the award of Metro's BIF Administration Services Contract program in the amount of \$3,348,010, inclusive of a two-year base term, plus two (2), one-year options.

Board authorization is requested to exercise the second, one-year option to continue support of the ongoing implementation of the BIF as approved by Metro's Board of Directors.

#### **BACKGROUND**

Metro's Board of Directors authorized the Pilot Business Interruption Fund (Program) in October 2014 to provide financial assistance to small "mom and pop" businesses directly impacted by Metro's transit rail construction located along the alignment of the Crenshaw/LAX Transit Project, the Little Tokyo area of the Regional Connector, and Section 1 of the Purple Line Extension. In December 2015 Metro's Board of Directors authorized the expansion of the BIF to include "mom and pop" businesses directly impacted by unprecedented full street closures with duration greater than six continuous months, such as the 2nd/Broadway segment of the Regional Connector. In December 2016 Metro's Board of Directors authorized the expansion of the BIF to include eligible businesses along Section 2 of the Purple Line Extension and in February 2019 Metro's Board of Director's authorized the expansion of the BIF to include eligible businesses along Section 3 of the Purple Line

Extension.

Businesses eligible for assistance are those located immediately adjacent to the transit rail corridors (above) that can demonstrate a loss of revenue directly related to the period of Metro construction disruption as compared to the same time in the previous year. Businesses must also have 25 or fewer full-time employees and be in continuous operation for at least two years along their respective transit rail corridor.

## **DISCUSSION**

Metro has continued to provide financial assistance to directly impacted eligible businesses through the contracted professional services of PCR, a Community Development Financial Institution (CDFI) and Small Business Development Center (SBDC) serving as the BIF fund administrator.

The second one-year option period of the professional services for the Business Interruption Fund allows PCR to continue to serve as administrator for Metro's Pilot BIF. The Business Interruption Fund has provided financial assistance to over 430 small businesses and has awarded over \$33.7 million dollars in BIF grant awards. Continuation of services will allow the BIF to provide ongoing financial assistance to the small "mom and pop" businesses impacted by the construction of the Purple Line Extension Sections 1, 2 and 3, and the Little Tokyo Area of the Regional Connector and for the close-out of construction along the Crenshaw/LAX Transit Project.

Staff, along with PCR, continues to implement various outreach activities and methods to inform and educate small businesses about the BIF, provide direct support throughout the application process and link businesses to other small business support services such as Metro's Crenshaw/LAX Transit Business Solution Center (BSC), Metro's Little Tokyo Community Relation Office and/or the Little Tokyo Small Business Solution Center co-located at Metro's Community Relations office including PCR's Small Business Development Corporation; and Metro's Eat-Shop-Play program.

## **DETERMINATION OF SAFETY IMPACT**

The approval of the recommendations above will have no negative impact on the safety of Metro employees or passengers.

## **FINANCIAL IMPACT**

The administrative cost for the implementation of the program is allocated from Measure R Administration funds. Funds for FY22 are currently budgeted in Cost Center 0691 Non-Departmental Procurement Project Number 100055, Project Name - Admin-Measure R Task 06.02. Furthermore, Office of Civil Rights, Racial Equity & Inclusion has requested the necessary funds in the submitted FY23 budget request, which is currently under review, in support of program activities within the aforementioned cost center, project and task.

### Impact to Budget

Measure R Administration funds were previously identified as eligible for this expense through prior Board of Directors authorization and approval. The annual appropriation of the funding source does not impact transit operations and/or capital projects/programs.

### EQUITY PLATFORM

This action will ensure Metro staff have the funding and tools required to continue the implementation of Metro's Pilot Business Interruption Fund and provide financial assistance to the small "mom and pop" businesses impacted by the construction of the Purple Line Extension Sections 1, 2 and 3, and the Little Tokyo Area of the Regional Connector and for the close-out of construction along the Crenshaw/LAX Transit Project. These construction areas traverse through Equity Focused Communities (EFCs) in South Los Angeles, Little Tokyo, and parts of the Westside of the City of LA.

This action will ensure that PCR staff will have the funding needed to exercise necessary outreach to the small business community via door-to-door outreach, community presentations and through collaborative referrals from Metro's Business Solution Center, Metro's Eat, Shop, Play program and Metro's Construction Relations department. Furthermore, PCR's outreach will continue to be inclusive of small "mom and pop" business owners from diverse backgrounds, as exemplified by BIF marketing materials provided in multiple languages. As of Quarter 4 of 2021, 69% of BIF Grants were disbursed to small "mom and pop" business owners from minority backgrounds.

The Diversity and Economic Opportunity Department (DEOD) did not recommend an SBE/DVBE goal for this procurement due to lack of subcontracting opportunities. Pacific Coast Regional is a minority owned business and is expected to perform the work with its own workforce.

### IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this item aligns to Metro strategic goal 3 - enhance communities and lives through mobility and access to opportunity, and goal 5 - provide responsive, accountable, and trustworthy governance within the Metro organization.

### ALTERNATIVES CONSIDERED

Staff considered utilizing Metro staff to perform the fund administration services for BIF. This alternative is not recommended, because Metro does not have the required staffing availability, dedicated resources or expertise to serve as a financial administrator such as those possessed by a community development financial institution.

### NEXT STEPS

Upon Board approval, staff will execute Modification No. 6 to exercise the second option year of the BIF Administration Services Contract No. PS56079000 with PCR.

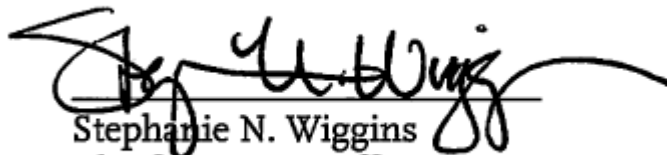
**ATTACHMENT**

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

Prepared by: Sidney Urmancheev, DEOD Representative, Diversity and Economic Opportunity  
Department, (213) 922-5574

Reviewed by: Jonaura Wisdom, Acting Deputy Chief Office of Civil Rights,  
Racial Equity & Inclusion, (213) 418-3618

Debra Avila, Deputy Chief Vendor/Contract Management Officer, (213) 418-3051



Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

## BUSINESS INTERRUPTION FUND ADMINISTRATION SERVICES/PS56079000

1.	<b>Contract Number:</b> PS56079000		
2.	<b>Contractor:</b> Pacific Coast Regional Small Business Development Corporation (PCR)		
3.	<b>Mod. Work Description:</b> Exercise Second, One-Year Option Term		
4.	<b>Contract Work Description:</b> Business Interruption Fund Administration Services		
5.	<b>The following data is current as of:</b> 3/7/22		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	2/28/19	<b>Contract Award Amount:</b> \$1,585,246
	<b>Notice to Proceed (NTP):</b>	3/12/19	<b>Total of Modifications Approved:</b> \$1,169,609
	<b>Original Complete Date:</b>	3/11/21	<b>Pending Modifications (including this action):</b> \$650,306
	<b>Current Est. Complete Date:</b>	4/30/23	<b>Current Contract Value (with this action):</b> \$3,405,161
7.	<b>Contract Administrator:</b> Lily Lopez		<b>Telephone Number:</b> (213) 922-4639
8.	<b>Project Manager:</b> Sidney Urmancheev		<b>Telephone Number:</b> (213) 922-5574

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 6 issued to exercise the second, one-year option term of the Metro Business Interruption Fund (BIF) Administration Services Contract No. PS56079000 to PCR.

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

On February 28, 2019, the Board awarded firm fixed price Contract No. PS56079000 to PCR for a two-year base period in the amount of \$1,585,246 with two, one-year options, with an optional start-up for the inclusion of future new rail lines in this pilot.

Five contract modifications have been issued to date.

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

**B. Cost Analysis**

The recommended price has been determined to be fair and reasonable based on pricing that was evaluated as part of the competitive contract award in 2019. Pricing remains unchanged.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Modification Amount</b>
\$918,730	\$653,850	\$650,306

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## BUSINESS INTERRUPTION FUND ADMINISTRATION SERVICES/PS56079000

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Reallocated unused funds from year 1 to year 2.	Approved	10/5/20	\$0
2	Additional level of effort required and extension of period of performance (POP) through 4/30/21.	Approved	3/4/21	\$100,000
3	Exercise One-Year Option extending POP through 4/30/22.	Approved	4/22/21	\$720,882
4	Continuation of the Work (inclusive of Operational Start Up #1)	Approved	7/23/21	\$195,788
5	Additional level of effort to continue services as construction on Crenshaw/LAX Transit Project ongoing	Approved	12/20/21	\$152,939
6	Exercise One-Year Option extending POP through 4/30/23.	<b>Pending</b>	<b>Pending</b>	<b>\$650,306</b>
	<b>Modification Total:</b>			<b>\$1,819,915</b>
	<b>Original Contract:</b>	<b>Approved</b>	<b>2/28/19</b>	<b>\$1,585,246</b>
	<b>Total:</b>			<b>\$3,405,161</b>



**DEOD SUMMARY**

**FUND ADMINISTRATOR FOR METRO PILOT BUSINESS INTERRUPTION FUND  
(BIF)/PS56079000**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not recommend an SBE/DVBE goal for this procurement due to lack of subcontracting opportunities. Pacific Coast Regional did not make an SBE/DVBE commitment and is expected to perform the work with its own workforce.

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

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

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this modification.

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

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

**Board Report**

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**File #:** 2022-0170, **File Type:** Informational Report

**Agenda Number:** 31.

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**CONSTRUCTION COMMITTEE  
APRIL 21, 2022**

**SUBJECT: METRO I-105 EXPRESSLANES FINAL SEGMENTS 2 AND 3 DESIGN PLANS  
SPECIFICATIONS AND ESTIMATES CONTRACT**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award and execute Contract No. AE77613000 with WSP USA, Inc. to prepare Plans, Specifications, and Estimates (PS&E) for the I-105 Segments 2 and 3 in the amount of \$39,935,928, subject to resolution of protests, if any.

**ISSUE**

Board action is requested to execute the contract to complete PS&E for the I-105 ExpressLanes Project Segments 2 and 3 between Central Avenue and Studebaker Road. PS&E is the next phase in the project development process and must be completed before construction can begin.

**BACKGROUND**

The I-105 ExpressLanes project will convert the existing High Occupancy Vehicle (HOV) lane to ExpressLanes and add a second Express Lane in each direction on the I-105 between I-405 and Studebaker Road in the City of Norwalk. This project is included in the Measure M expenditure plan and has been allocated \$175 million. In addition, the project was awarded a \$150 million State Solutions for Congested Corridors Program (SCCP) grant in December 2020.

The Final Environmental Impact Report/Environmental Assessment (EIR/EA) for the I-105 ExpressLanes project was completed in May 2021 and the project is proceeding to the next phases of project development, including PS&E.

For PS&E and construction, the I-105 is being segmented into three segments: Segment 1 is between the I-405 to Central Avenue, Segment 2 is between Central Avenue and I-710, and Segment 3 is between I-710 and Studebaker Road. In May 2021, File Number 2021-0224 Board Item No. 18, the Board approved a contract modification to prepare PS&E for Segment 1 in the amount of \$18,788,594. Segment 1 was advanced ahead of Segments 2 and 3 to meet the funding and timeline requirements of the State Solutions for Congested Corridors Program (SCCP) grant. Segments 2 and 3 do not have the same timeline constraint associated with Segment 1, so an open solicitation was conducted to prepare PS&E for Segments 2 and 3. In addition to the contract

modification approved by the Board in May 2021, on June 24, 2021, the Metro Board approved utilizing two separate delivery methods to deliver the I-105 ExpressLanes project. The first is a Construction Manager/General Contractor (CM/GC) contractor to construct the civil elements of the project (structures, retaining walls, soundwalls, etc.) and the second is a Design-Build-Operate-Maintain (DBOM) Roadside Toll Collection System (RTCS) contractor that will design, install, and operate the toll collection system.

On October 28, 2021, File Number 2021-0417 Board Item No. 6, the Metro Board also approved executing a Cooperative Agreement with Caltrans for the I-105 ExpressLanes project. The Cooperative Agreement was required and defined Metro and Caltrans' roles and responsibilities, including Caltrans Quality Management Assessment review and approval of the I-105 ExpressLanes PS&E documents.

Consistent with Metro ExpressLanes policy, Metro intends to reinvest net toll revenue to enhance transit service on the I-105 corridor. Currently, Metro provides approximately \$8 million annually to multiple Transit operators for incremental additional services on the I-10/I-110 ExpressLanes.

## **DISCUSSION**

For the PS&E phase, Metro's role will be to prepare design plans for all civil elements of the project including structures, soundwalls, retaining walls, and signage, as well as the RTCS. The RTCS will be designed, constructed, operated, and maintained by a contractor that will be procured separately from PS&E.

This contract for PS&E is to complete the final design for Segments 2 and 3 of the Interstate 105 (I-105) ExpressLanes corridor improvements between Central Avenue in the City of Los Angeles and Studebaker Road in the City of Norwalk. This task requires managing resources and coordinating staff to monitor the progress of the contract, taking corrective action when necessary, and establishing controls and assuring quality to ensure the objectives of the PS&E phase of the project are met. The services provided include the initiation, planning, execution, control, and closeout of the PS&E process. The Contractor will ensure all the managerial requirements outlined in the task and subsequent subtasks are met.

This work will require extensive coordination with Metro, Caltrans, and two other contracts that are either in progress or in the procurement process including:

- RTCS contract to install, test, and integrate the tolling system for this project.
- Construction Manager/General Contractor (CM/GC) to construct the civil improvements

Staff intends to seek Board approval of the above listed services in Summer/Fall 2022.

The Environmental Impact Report/Environmental Assessment identified the possible partial acquisition of four parcels of vacant land located along Imperial Highway in the City of Lynwood and unincorporated Los Angeles County. Between Watts Avenue and Fernwood Avenue, the westbound I-105 will be widened by eleven feet to the north over Imperial Highway. This widening is needed for

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safety reasons because it will maintain existing ten foot left shoulders and sight distance. As a result, Imperial Highway may need to be realigned and shifted to the north, which in turn will require partial ROW acquisition. Attachment C provides maps of the ROW needed for the project. Parcels 1, 2, and 4 are privately owned, and parcel 3 is owned by the City of Lynwood.

As part of this contract, Metro and Caltrans will work collaboratively to design this widening to minimize or eliminate the need to acquire these parcels. However, should acquisitions and TCEs be required for the project, Metro will work with Caltrans to appraise and compensate property owner(s) as specified by Federal and Caltrans guidelines.

### **DETERMINATION OF SAFETY IMPACT**

The I-105 Express Lane Project is being planned and designed in accordance with Caltrans standards and requirements. Approval of the plans, specifications and estimates contract will have no impact on safety.

### **FINANCIAL IMPACT**

The FY 2021-22 budget includes \$5,044,312 in Cost Center 2220 (Congestion Reduction), Project 475004 for I-105 ExpressLanes PS&E. Since this is a multi-year contract, the Cost Center Manager, Project Manager, and Acting Deputy Chief Operations Officer, Shared Mobility will be responsible for budgeting in future years.

#### **Impact to Budget**

The funding for this Project is from Measure M. As these funds are earmarked for the I-105 ExpressLanes project, they are not eligible for Metro bus and rail capital and operating expenditures.

### **EQUITY PLATFORM**

The Diversity and Economic Opportunity Department (DEOD) established a 22% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. The proposed contractor team exceeded Metro's small business goals by making a 24.01% Small Business Enterprise and 3.06% Disabled Veteran Business Enterprise (DBVE) commitment.

Equity Focus Communities (EFCs) comprise approximately six miles of the sixteen-mile long corridor. EFCs are located in the cities of Hawthorne, Los Angeles, Lynwood, and Paramount, and the Los Angeles County unincorporated communities of Lennox, Athens, West Athens, and Willowbrook. In the one-mile area around the I-105, about 94% of the total population of 536,000 is minority based on 2018 data. Of the 142,000 households living in this area, 22% earned below poverty level and 26% earned less than \$25,000 annually.

To ensure all groups have opportunity to access and use the ExpressLanes, Metro has a Low-Income Assistance Plan (LIAP). The LIAP provides a \$25 credit and waives the monthly \$1 account maintenance fee, thus relieving financial stress caused by the requirement to have a transponder for

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discounted travel. In addition, Metro provides the option of opening a cash account for those who do not have a credit card. Furthermore, frequent transit riders can also take advantage of the Transit Rewards Program to earn monetary credits toward ExpressLane tolls and the Carpool Loyalty Program allows carpoolers the opportunity to earn toll credits for future SOV travel on the ExpressLanes.

A mitigation measure identified in the EIR/EA is to ensure communities along the corridor are made aware of these policies. This will occur through continued outreach to local stakeholders, a media campaign comprised of various types of advertisement such as digital, radio, and out of home advertisements in both English and Spanish that are geographically targeted to low-income areas, targeted digital advertisements to broaden audience reach, and advertisements in more languages in addition to English and Spanish. Furthermore, Metro ExpressLanes will work with Metro Marketing to coordinate agency-wide low-income outreach tactics to supplement the efforts mentioned above.

This project is expected to reinvest net toll revenue for additional transit service along the corridor such as the C line, as is currently done on the 10/110 corridors. On those corridors, about \$8 million annually is granted to the Metro Silver Line and Foothill, Gardena, and Torrance transit providers. In addition, Metro expects that a net toll grant for the I-105 will occur in the future and that the guidelines will be similar to the 2016 net toll grant for the 10/110 ExpressLanes. For the 2016 net toll grant, all projects were required to be within 3 miles of the 10 or 110 and improve mobility. The grant funds were split 40% for transit improvements, 40% for system connectivity/active transportation, and 20% to roadway improvements.

In addition to these policies, outreach efforts, and net toll revenue reinvestment, the EIR/EA also includes mitigation measures that will reduce impacts to Equity Focus Communities (EFCs) along the corridor, such as new soundwalls and measures to reduce temporary construction impacts.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The I-105 ExpressLanes project supports Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The proposed Express Lanes would increase regional highway capacity and improve the Level of Service for both the Express Lanes as well as the general-purpose lanes. The project also supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system. The proposed project would result in shorter trip time for both the Express Lane and the general-purpose lanes. Lastly, the project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. This project will require extensive collaboration with Caltrans, corridor cities, Los Angeles County, and regulatory agencies.

## **ALTERNATIVES CONSIDERED**

The Board could decide not to approve the recommended PS&E contract for I-105 Segments 2 and 3. This is not recommended because use of an experienced PS&E contractor for the I-105 Express Lane project will improve design quality, enhance plans, specifications and estimates, and create schedule and project efficiencies.

## **NEXT STEPS**

Upon Board approval, staff will execute the contract with WSP USA, Inc. and issue a Notice to Proceed to WSP to begin work.

## **ATTACHMENTS**

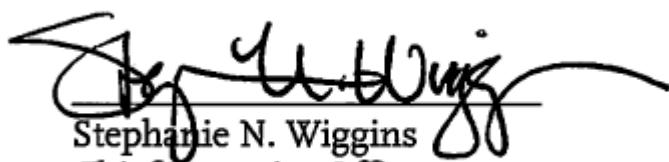
Attachment A - Procurement Summary  
Attachment B DEOD Summary  
Attachment C - Right-of-Way Diagrams

Prepared by:

Manuel Gurrola, Director, Program Management, (213) 922-8889  
James Wei, Deputy Executive Officer, Project Management, (213) 922-7528  
Philbert Wong, Senior Director, Countywide Planning, (213) 418-3137  
Timothy Lindholm, Deputy Chief Program Management Officer, (213) 922-7297

Reviewed by:

Bryan Pennington, Chief Program Management Officer, (213) 922-7449  
Debra Avila, Deputy Chief Vendor/Contact Management Officer, (213) 418-3051

  
Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

I-105 EXPRESSLANES FINAL SEGMENTS 2 AND 3 DESIGN PLANS  
SPECIFICATIONS AND ESTIMATES/AE77613000

1.	<b>Contract Number:</b> AE77613000	
2.	<b>Recommended Vendor:</b>	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input checked="" type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> August 18, 2021	
	<b>B. Advertised/Publicized:</b> August 19 and 30, 2021	
	<b>C. Pre-Proposal Conference:</b> September 9, 2021	
	<b>D. Proposals Due:</b> October 19, 2021	
	<b>E. Pre-Qualification Completed:</b> February 25, 2022	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> February 23, 2022	
	<b>G. Protest Period End Date:</b> April 25, 2022	
5.	<b>Solicitations Picked up/Downloaded:</b> 152	<b>Proposals Received:</b> 3
6.	<b>Contract Administrator:</b> Victor Zepeda	<b>Telephone Number:</b> (213) 922-1458
7.	<b>Project Manager:</b> Philbert Wong	<b>Telephone Number:</b> (213) 418-3137

**A. Procurement Background**

This Board Action is to approve Contract No. AE77613000 for the preparation of Plans, Specifications, and Estimate (PS&E) Segments 2 and 3 issued in support of the Interstate 105 (I-105) ExpressLanes implementation. Board approval of contract awards are subject to resolution of any properly submitted protest.

Prior to the release of the solicitation, two virtual Metro Connect Industry Forums were conducted for the I-105 projects on June 3, 2021 and July 23, 2021. The June 3<sup>rd</sup> event was attended by 138 individuals and the July 23<sup>rd</sup> event was attended by 88 individuals. The events were held to inform the SBE/DBE/DVBE community of the upcoming I-105 contracting opportunities and to increase SBE/DBE/DVBE participation.

The Request for Proposals (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is firm fixed price. The RFP was issued with a total SBE/DVBE goal of 25% (SBE 22% and DVBE 3%).

Two (2) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on August 27, 2021, provided a link to supporting documentation referenced in the Statement of Work;

- Amendment No. 2, issued on September 24, 2021, corrected exhibit form names;

A virtual pre-proposal conference was held on September 9, 2021 and was attended by 55 individuals representing 31 companies. There were four sets of questions and responses were released prior to the proposal due date.

A total of 152 firms downloaded the RFP and were registered in the plan holder's list. A total of three (3) proposals were received on October 19, 2021.

### **Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro's Alternative Delivery/Construction Management, ExpressLanes, and Capital Projects Engineer, and California Department of Transportation was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on the following evaluation criteria and weights:

1. Firm/Team Qualifications	20 Points
2. Project Manager, Key Staff, and Subconsultant Qualifications	25 Points
3. Project Understanding and Approach	35 Points
4. Work Plan	<u>20 Points</u>
	100 Points

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architect and Engineers (A&E) procurements. Several factors were considered when developing these weights, giving the greatest importance to qualifications.

This is an A&E, qualifications-based procurement; therefore, price cannot be used as an evaluation factor pursuant to state and federal law.

Of the three proposals received, all three were determined to be within the competitive range and are listed below in alphabetical order:

1. AECOM
2. Parsons Transportation Group
3. WSP USA

On December 10, 2021, the evaluation committee met and interviewed the firms. The firms' project managers and key team members presented their team's qualifications and responded to the evaluation committee's questions. In general, each team's presentation addressed the requirements of the RFP, experience with all aspects of the required tasks, and stressed each firm's commitment to the



success of the project. Each team was asked questions relative to each firm's proposal and previous experience.

**Qualifications Summary of Recommended Firm:**

**WSP USA, Inc.**

WSP USA, Inc. (WSP) demonstrated past similar PS&E experience, proposed a team that possesses transportation experience and will be dedicated 100% to this project, and demonstrated the importance of coordination with all entities involved in this project and time frames.

After a thorough review of proposals and interviews, the PET's recommendation in the order of ranking is shown in the table below:

<b>1</b>	<b>Firm</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>WSP USA, Inc.</b>				
<b>3</b>	Firm/Team Qualifications	94.33	20.00%	18.87	
<b>4</b>	Project Manager, Key Staff and Subconsultant Qualifications	92.95	25.00%	23.24	
<b>5</b>	Project Understanding and Approach	94.34	35.00%	33.02	
<b>6</b>	Work Plan	94.80	20.00%	18.96	
<b>7</b>	<b>Total</b>		<b>100.00%</b>	<b>94.09</b>	<b>1</b>
<b>8</b>	<b>Parsons Transportation Group</b>				
<b>9</b>	Firm/Team Qualifications	90.25	20.00%	18.05	
<b>10</b>	Project Manager, Key Staff and Subconsultant Qualifications	92.45	25.00%	23.11	
<b>11</b>	Project Understanding and Approach	93.00	35.00%	32.55	
<b>12</b>	Work Plan	95.93	20.00%	19.19	
<b>13</b>	<b>Total</b>		<b>100.00%</b>	<b>92.90</b>	<b>2</b>
<b>14</b>	<b>AECOM</b>				
<b>15</b>	Firm/Team Qualifications	91.75	20.00%	18.35	
<b>16</b>	Project Manager, Key Staff and Subconsultant Qualifications	91.56	25.00%	22.89	

17	Project Understanding and Approach	91.17	35.00%	31.91	
18	Work Plan	93.53	20.00%	18.71	
19	<b>Total</b>		<b>100.00%</b>	<b>91.86</b>	<b>3</b>

**C. Cost Analysis**

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

Proposer Name	Proposal Amount	Metro ICE	Award Amount
WSP USA, Inc.	\$41,587,012.88	<b>\$44,674,560</b>	<b>\$39,935,928.06</b>

Staff successfully negotiated \$1,651,084.82 in cost savings from WSP’s proposal.

**D. Background on Recommended Contractor**

The recommended firm, WSP USA, Inc., has a local office in Los Angeles, CA with its headquarters in Montreal, Canada. Established 130 years ago in New York, WSP specializes in transportation, bridges, wind energy, commercial and mixed-use type projects. WSP has provided services to Metro for over 20 years as a transportation (such as ExpressLanes/toll projects) consultant and has performed satisfactorily.

## DEOD SUMMARY

**I-105 EXPRESSLANES FINAL SEGMENTS 2 AND 3 DESIGN PLANS  
SPECIFICATIONS AND ESTIMATES/AE77613000**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 22% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. WSP USA, Inc. exceeded the goal by making a 24.01% SBE and 3.06% DVBE commitment.

<b>Small Business Goal</b>	<b>22% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>24.01% SBE 3.06% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Advanced Civil Technologies	1.70%
2.	Advantec Consulting Engineers	2.98%
3.	Diaz Yourman & Associates	9.61%
4.	FPL and Associates	0.81%
5.	Kelly McNutt Consulting LLC	3.82%
6.	Kal Krishnan Consulting Services	0.44%
7.	LIN Consulting, Inc.	3.66%
8.	Tatsumi & Partners, Inc.	0.99%
	<b>Total SBE Commitment</b>	<b>24.01%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	MA Engineering	0.91%
2.	OhanaVets, Inc.	2.15%
	<b>Total DVBE Commitment</b>	<b>3.06%</b>

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

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

**C. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

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

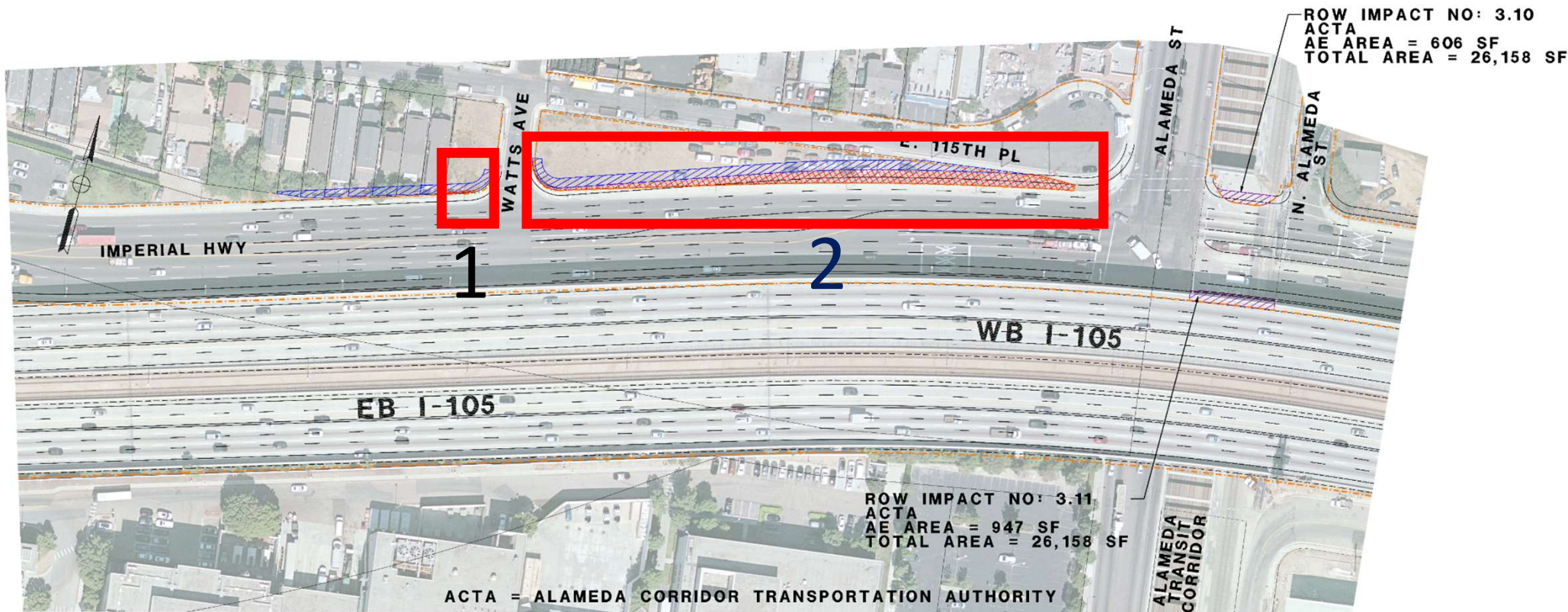
Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.

# I-105 ExpressLanes Potential Right of Way Impacts



- ROW Impact parcels 1 and 2
  - > Imperial Highway (Watts Ave to N. Alameda St)
  - > Realigning of Imperial Hwy to accommodate WB I-105 widening of I-105/Alameda Viaduct
  - > Blue - Temporary Construction Easement
  - > Red – Partial Acquisition

## ATTACHMENT C

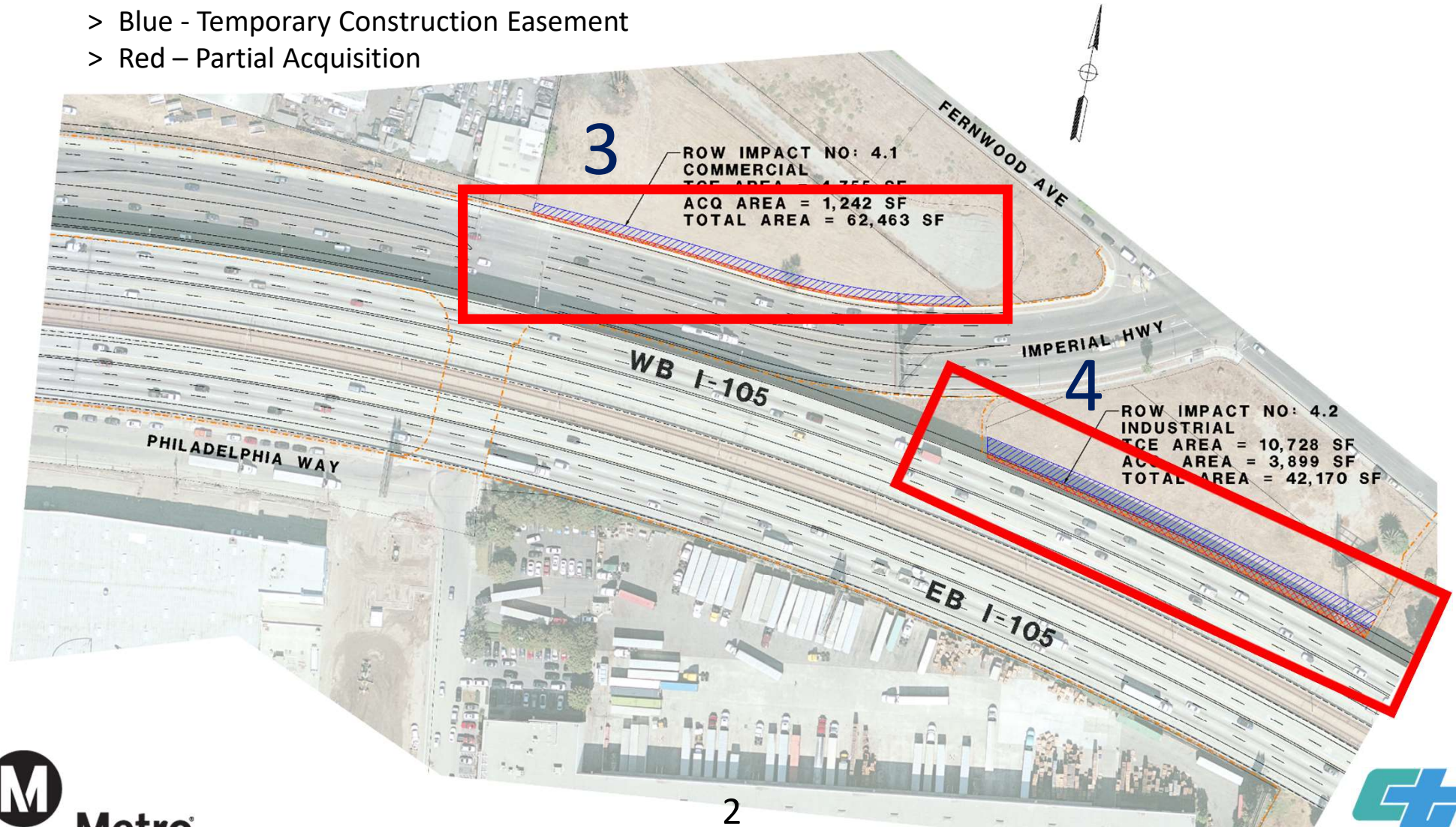




# ROW Impact Parcels 3 and 4



- ROW Impact parcels 3 and 4
  - > Southwest/Southeast Quadrant of Imperial Hwy/Fernwood Ave Intersection
  - > Realigning of Imperial Hwy to accommodate WB I-105 widening of I-105/Alameda Viaduct
  - > Blue - Temporary Construction Easement
  - > Red – Partial Acquisition





## Board Report

File #: 2022-0063, File Type: Informational Report

Agenda Number: 32.

### CONSTRUCTION COMMITTEE APRIL 21, 2022

**SUBJECT: RAIL TO RAIL ACTIVE TRANSPORTATION CORRIDOR PROJECT**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

CONSIDER:

- A. INCREASING the life-of-project budget for the Rail-to-Rail Active Transportation Project (Project) in the amount of \$27,295,000, from \$115,989,173 to \$143,284,173;
- B. REVISING the project funding plan to accept \$27,295,000 in funding contributions by the City of Los Angeles;
- C. DELEGATING authority to the Chief Executive Officer to accept up to \$15 million in American Rescue Plan Act funds from the County of Los Angeles and program them to the Rail to Rail project; and
- D. AUTHORIZING the Chief Executive Officer to negotiate and execute Project related agreements, including contract modifications, up to the authorized Life-of-Project Budget.

#### **ISSUE**

The board approved a Life of Project (LOP) budget for the Project in January 2022. The approved LOP amount of \$115,989,173 assumed that the City of Los Angeles (City) would complete all construction work within the public right-of-way, and assumed that Metro and the City would execute a Memorandum of Understanding memorializing this arrangement. Since the approval of the January 2022 Board item, Metro and the City have mutually agreed to instead pursue a direct financial contribution from the City, with Metro and its contractor completing all work within the public right-of-way and the City paying for the cost of the work. This report describes this new arrangement, with associated recommendations to revise the funding plan, accept the City funds, and subsequently increase the LOP budget to accomplish the work.

#### **BACKGROUND**

On October 5, 2021, City Councilmembers Price and Martinez introduced a motion to the City Transportation and Public Works Committees, which directed City staff, in part, as follows:

INSTRUCT the City Administrative Officer (CAO), working with the Bureau of Engineering (BOE), StreetsLA, Los Angeles Department of Transportation (LADOT), Bureau of Street Lighting (BSL), and any other relevant City departments to:

- a. Review the work plan for the Segment A of the Rail-to-Rail Project scope elements in the City's right-of-way to verify the funding amount necessary to complete the work.
- b. Prepare a multi-year funding plan that includes a comparison of the cost and availability of using City forces versus contractors to construct the necessary improvements and a recommendation whether to fulfill the City's contribution via in-kind work or a cash payment.
- c. Negotiate an MOU with Metro, with the final MOU to be presented to Council for approval, which effectuates the above recommendations, memorializes the City's contribution, valued at up to \$30 million, and highlights the roles and responsibilities of the City's construction and that of Metro and their contractor.

The Public Works Committee approved the motion on October 13, 2021, the Transportation Committee approved the motion on October 15, 2021, and the full City Council approved the item on October 20, 2021.

## **DISCUSSION**

Metro and the City have now negotiated a mutually acceptable Funding Agreement governing the scope of work and financial contributions for this Project. In April 2022, it is expected that the City Council will approve the Funding Agreement between the City and Metro that documents a contribution of \$30,000,000 to the Rail to Rail project, as follows:

- \$27,295,000 in direct cash contributions from the City for Metro to complete all work within the public right-of-way
- \$2,705,000 of in-kind service for the City to complete all required work in the Public ROW for safe ADA pedestrian and bicycle access from the 67<sup>th</sup> Street / 11<sup>th</sup> Avenue intersection, west on 67<sup>th</sup> street to West Boulevard, and south on West Boulevard to Redondo Boulevard where the Project terminates at the future Crenshaw/Fairview Heights Station.

Given that the City will be conducting the \$2,705,000 of Rail to Rail project with their own forces and at no impact to Metro, this action raises the LOP budget by \$27,295,000 and amends the funding plan to add in an equivalent \$27,295,000 in revenue from the City.

In addition, Metro was notified on March 17, 2022, that the County of Los Angeles (County) intends to award \$15 million in American Rescue Plan Act (ARPA) funds to the Rail to Rail project. Staff continues to finalize the agreements with the County to effectuate the award. This report requests the delegation of authority to the Chief Executive Officer to accept and program these funds for the Rail to Rail project when finalized.



### Equity Platform

This recommendation reassigns construction work on the Project from the City of Los Angeles to Metro's contractor and delegates authority to accept funds from the County. The action does not change the impact or equity benefits of the Project in any way.

### DETERMINATION OF SAFETY IMPACT

This recommendation would significantly improve pedestrian and bicycle safety along the Slauson corridor. The current Slauson corridor provides limited bicycle and pedestrian facilities. Sidewalks are used where possible but are discontinuous, and traffic volumes on the roadways are significant. Bicyclists weave between sidewalks and roadways and in some areas of the corridor, pedestrians walk on existing railroad facilities. Pedestrian and bicycle crossings are unsafe in some parts of the corridor as well. The Project scope addresses these safety concerns and strives to lower interactions between vehicles and pedestrians/bicyclists.

### FINANCIAL IMPACT

This is a multi-year Project. Upon approval of the revised Life of Project budget, staff will manage the Project within the Board approved fiscal year budgets. It is the responsibility of the Chief Program Management Officer and Project Manager to budget for this Project in future fiscal years.

#### Impact to Budget

The increase of \$27,295,000 is a contribution from the City of Los Angeles for public right-of-way work which will be performed by Metro for the Rail to Rail project.

The \$15 million of ARPA funds that are preliminarily approved by the County of Los Angeles for the Rail to Rail project have also been added to the funding plan.

The updated funding plan for the Project, including all sources and uses, is included as Attachment A.

These funds are not eligible for bus or rail operations.

### IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Project furthers goals outlined in Metro's Bicycle Transportation Strategic Plan (2006 Bike Plan) and First Last Mile Strategic Plan (2014) by creating safe connections to surrounding neighborhoods, expanding the reach of transit through infrastructure improvements, and maximizing multi-modal benefits. Metro plays an important role in bicycling planning across Los Angeles County, facilitating first mile/last mile connections to transit and supporting bicycle transportation through various policies and programs. Metro's 2006 Bike Plan established policies and priorities for bicycle transportation, improving access to transit, and encouraging and promoting bicycling-specific activities and events

Additionally, this recommendation supports Metro's strategic goal #1 by providing high-quality mobility options that enable people to spend less time traveling. Metro acknowledges the need for

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partnerships with local, regional, and state authorities to leverage funding to maintain streets, highways, and shared freight rail corridors in a state of good repair for all users.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to move forward with the revised project funding plan including the City contribution, the subsequent increase of the LOP budget, and the acceptance of the County ARPA funds. This is not recommended as this will jeopardize completion of the Project and current and future grant opportunities.

### **NEXT STEPS**

Upon Board approval of the recommendations, staff will continue moving the Project forward into construction.

### **ATTACHMENTS**

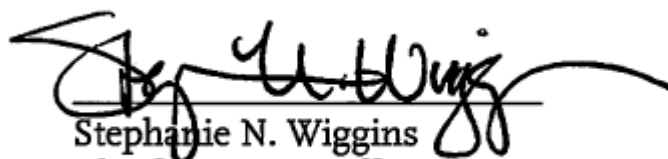
Attachment A - Sources and Uses

Prepared by:

Brad Owen, Executive Officer Program Management (213) 418-3143  
Timothy P. Lindholm, Acting Deputy Chief Program Management Officer (213) 922-7297

Reviewed by:

Bryan Pennington, Chief Program Management Officer. (213) 922-7449



Stephanie N. Wiggins  
Chief Executive Officer

FUNDING AND EXPENDITURE PLAN

ATTACHMENT A

Rail to Rail (R2R Segment A)

Use of Funds	Inception thru FY22	FY23	FY24	FY25	FY26+	Total Capital Costs
Design Phase Total	18.9	-	-	-	-	18.9
<b>Construction Phase</b>						
TRC Hazardous Materials Clean-up/Taxes	8.0	-	-	-	-	8.0
Construction Contract C1166	5.0	24.6	34.6	23.9	-	88.1
City Infrastructure Coordination (incl. traffic control)	0.3	0.8	0.8	0.5	-	2.3
3rd Party Agreements - City/County/Others	0.3	1.1	0.9	0.8	-	3.1
Design Support During Construction	0.7	0.7	0.8	0.7	-	2.9
CMSS and Program Mgmt Consultants	0.8	1.4	2.4	1.4	-	5.9
Environmental Cleanup (DTSC)	0.5	0.5	0.5	0.1	-	1.6
Other Professional Services (DEOD)	0.0	0.2	0.2	0.2	-	0.5
Outreach/Unhoused	0.0	0.2	0.2	0.2	-	0.6
Artwork/Signage (Fabrication/Installation/Staff)	-	0.0	0.1	0.2	-	0.3
Agency Costs: Project Control, V/CM, Safety, Communications, Quality, Sustainability., etc.	0.5	1.6	1.6	1.6	-	5.2
Unallocated Project Contingency	-	-	-	-	6.1	6.1
Construction Phase Total	16.0	30.9	42.0	29.4	6.1	124.3
<b>Total Project Cost</b>	<b>34.9</b>	<b>30.9</b>	<b>42.0</b>	<b>29.4</b>	<b>6.1</b>	<b>143.3</b>
Source of Funds	Inception thru FY22	FY23	FY24	FY25	FY26+	Totals
TIGER Grant	10.5	4.5				15.0
Soil Mitigation Grant	8.0					8.0
Measure R - Admin (1.5%)	16.4					16.4
LA County Measure W Grant		7.5	0.5			7.9
LA County Repurposed Earmark		2.2				2.2
LA County ARP Funds			7.5	7.5		15.0
Active Transportation Program Grant		6.0	2.3			8.3
City Contribution/Funding Agreement		9.1	9.1	9.1		27.3
Other Federal, State, Local fund*		1.7	22.6	12.8	6.1	43.2
<b>Total Project Funding</b>	<b>34.9</b>	<b>30.9</b>	<b>42.0</b>	<b>29.4</b>	<b>6.1</b>	<b>143.3</b>

\* Metro will continue to seek eligible federal, state and local funds for Active Transportation.

**Board Report**

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**File #:** 2022-0152, **File Type:** Informational Report

**Agenda Number:** 33.

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**CONSTRUCTION COMMITTEE  
APRIL 21, 2022**

**SUBJECT: METRO DIVISION 1 INDUSTRIAL STREET VACATION AND CITY OF LOS ANGELES 7TH STREET STREETScape IMPROVEMENTS NEGOTIATED FUNDING AGREEMENT**

**ACTION: APPROVE RECOMMENDATION**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a Funding Agreement with the City of Los Angeles for the 7<sup>th</sup> Street Streetscape Improvements project in the negotiated amount of \$3,500,000.

**ISSUE**

Metro and the City of Los Angeles have partnered together and entered into a negotiated settlement agreement. Board action is requested to execute the Funding Agreement with the City of Los Angeles based on Metro's review of the Industrial Street Vacation Conditions. On November 24, 2021, the City Council adopted the City Engineer's Vacation of Industrial Street between Alameda Street and Central Avenue Report with four of the thirteen Conditions Metro objected deleted in exchange for \$3,500,000. Execution of the Funding Agreement would fulfill Metro's commitment as it relates to the four deleted Conditions of the City's Engineer Report.

**BACKGROUND**

The Metro Board approved the *Division 1 Land Acquisition and Expansion* project in February 2001 which included vacating Industrial Street between Alameda Street and Central Avenue.

On February 24, 2004, the Board approved the acquisition of the parcels through Eminent Domain located on the West side of Alameda Street, between Industrial Street and 7th Street in Los Angeles, required for the construction and operation of the *Division 1 Land Acquisition and Expansion* project.

Metro originally initiated VAC E1400917, which expired on January 14, 2008. As part of Metro's Vacation request, the City approved Revocable Permit R-0450-0096 issued on December 10, 2004. Metro is currently operating under this permit and utilizing a major portion of Industrial Street for Division 1 operations. Metro had significant objections to the proposed Conditions.

Metro applied for a new Vacation request and initiated VAC E1401257. The City's Engineer Report dated November 18, 2020, contained thirteen Conditions for approval very similar to VAC E1400917.

Again, Metro had significant objections to some of the proposed Conditions which were detrimental not only to the proposed *Division 1 Master Plan* improvements but also to its basic bus operation.

Metro worked with the City Council District Office 14 staff to seek a reasonable solution and not further impact Division 1 operations. As a result, Metro and City agreed to Adopt the City Engineer’s Report with the Conditions 5, 6, 12 and 13 of said City Engineer Report deleted in exchange for \$3,500,000 from Metro for implementation of the *7<sup>th</sup> Street Streetscape Improvements* project, specifically for improvements directly adjacent to the Division 1 facility from Alameda Street to Kohler Street. Specifically, Conditions 5 and 6 required proposed Division 1 property dedications of 10 feet along Alameda Street and three feet along 7<sup>th</sup> Street, for an approximate total property loss to Division 1 of 8,100 square feet (a land value of at least \$1.5 million) as well as circulation and parking space for approximately 20 Metro buses. Attachment A lists the conditions removed in exchange for the \$3,500,000, and Attachment B includes a parcel plat depicting the Metro properties and Industrial Street.

In general, the City’s *7th Street Streetscape Improvements* project would modify 7th Street between Figueroa Street and Alameda Street into a multimodal corridor to improve pedestrian and bicyclist safety by installing protected bike lanes with concrete curbs, transit islands, street lighting, crosswalks enhancements, Americans with Disabilities Act compliant curb ramps, and provide pedestrian amenities like street trees, and street tree grates.

**DISCUSSION**

Division 1 is not only our oldest operating division but also a constrained and impacted bus maintenance and operations division due to its size. In addition, Division 1 consistently ranks as one of Metro’s important operating bus division in our quarterly system and service evaluations due to its Central City location. Considering its critical geographical location, the Division has two (2) employee parking lots where the parameter chain link fence is planned for a replacement with a Cochrane security fencing to provide employees with a safer and secure work environment. Division 1 operates 24/7, runs 7 bus lines, and is occupied by 475+ staff, 223 revenue vehicles, and 26 non-revenue vehicles. The personnel listed below, assigned to this location perform various critical operations activities on a daily basis to deliver service that is safe, reliable, clean and meets the needs of the communities we serve.

*Personnel*

<b>Transportation</b>		<b>Maintenance</b>	
Management	2	Management	3
Supervisors	6	Supervisors	11
Support Staff	7	Bus Operators	348
Mechanics	64	Support Staff	2
Service Attendants	34		
Total	113	Total	364
<b>Grand Total</b>			<b>477</b>

*Routes*

<b>Routes Served by Division 1</b>	
016	Downtown LA - Century City Via West Los Angeles
018	Wilshire Western Station-Montebello
020	Downtown LA - 6th - Main
045	Lincoln Heights - Downtown LA- Rose
053	Downtown LA - CSU Dominguez Hills
062	Downtown LA - Hawaiian Gardens
066	Wilshire Ctr-Downtown LA-Montebello

In 2015 and after a considerable work effort, Metro finalized the *Division 1 Master Plan* and many of the following proposed critical improvements were deferred due to the delayed Industrial Street Vacation approval, specifically the recommended Conditions:

- Optimize Bus Storage Capacity to 210 Spaces
- Improved Site Circulation
- Modernization of Existing Facilities & Removal of Obsolete Facilities
- New & Expanded Bus & Chassis Wash Facilities
- Expanded Materials Handling On-Site Storage Capacity
- New Dedicated Facilities Maintenance Functions

These necessary improvements are considerable and will take time to design and construct. Currently, VAC E1401257 Conditions expire on November 24, 2023. This does not leave Metro with time to implement the imposed Conditions. Therefore, the recommended action would allow Metro to fulfill four of the Conditions contained in the City’s Engineer’s Report per the negotiated settlement.

This collaboration with the City is necessary to mitigate the impacts of the recommended Conditions to one of Metro’s most important bus operating divisions. The Industrial Street Vacation is critical to combining the lots currently operating within a public street bisecting Division 1, not only dividing the facility but also bus operations. The negotiated settlement of \$3,500,000 was based on Metro’s and City’s cost estimate to implement the adjacent improvements from Alameda Street to Kohler Street and produces a favorable position for Metro by eliminating the requirement for planning, design, and construction of significant infrastructure improvements within the public right of way. Additionally, the settlement funds will be used in support of the City’s 7th Street Streetscape Improvements Project which will improve pedestrian and bicyclist safety features along the 7th Street bus routes, encourage modal shift and provide more convenient access to Metro bus routes, and improve the transit experience for riders and operators by reducing interaction between vehicles, pedestrians, and buses. Metro’s support of this project aligns with the agencies goals to provide high quality mobility

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options that reduce travel times and to improve trip experiences for all users of the transportation system. More important than the cost of the settlement is the fundamental principle that the specific Conditions related to street dedications would significantly impact an already constrained Division 1 Bus facility's efficiency and operation. A loss of circulation and parking spaces for approximately 20 Metro buses would not only significantly impact Division 1 bus operations but also defeats the purposes and objectives of the *Division 1 Land Acquisition and Expansion Project*, the *Division 1 Master Plan* and the *Division 1 Industrial Street Vacation*.

### **DETERMINATION OF SAFETY IMPACT**

The Industrial Street Vacation will have a positive impact on the safety of our Division 1 employees because currently this part of Industrial Street is used by unhoused individuals creating various safety hazards adjacent to our Compressed Natural Gas equipment.

### **FINANCIAL IMPACT**

Upon Board approval of the recommendation, the required \$3,500,000 will be transferred from Bus Lane restriping project which is underrunning its projected FY22 cashflow budget.

#### Impact to Budget

The funds required for this negotiated settlement is within the Board authorized FY22 annual budget thus has additional impact to budget. The funding source is Proposition C 25% which is eligible for street work.

### **EQUITY PLATFORM**

There are no anticipated equity impacts because of the recommended action. This project is expected to complete the Industrial Street Vacation process initiated in 2004. At that time, equity was afforded to the property owner, and they engaged and had a voice in the decision-making process with regards to the acquisition of their property.

Since 2001, the project team initiated a robust public engagement campaign that included a public hearing and stakeholder briefings regarding the *Division 1 Land Acquisition and Expansion* project. These outreach efforts will continue with the adjacent property owners until the Vacation process is completed in November 2023.

The Industrial Street Vacation will be constructed within the current and proposed Metro-owned right-of-way. Every effort will be made to avoid, minimize, and/or mitigate construction impacts to adjacent property owners. The recommended action is intended to improve operating and maintenance conditions at Division 1, thereby supporting bus service operations at a critical Metro facility. Further, a beneficial part of the Industrial Street Vacation is the proposed gain of 30-foot-wide section of Industrial Street for an approximate total of 3,600 square feet of property, a land value of \$725,000, for the private use of our neighbors, the Skid Row Housing Trust and Central Hotel.

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## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The project supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization. The Funding Agreement positions Metro to succeed in implementing the Industrial Street Vacation Conditions. The Funding Agreement represents a prudent business practice to create a more effective and efficient bus operation. By vacating Industrial Street and combining the lots, we are finally getting the maximum value of the asset we acquired in 2004 on behalf of LA County taxpayers.

## **ALTERNATIVES CONSIDERED**

The Board could decide not to approve the recommended Funding Agreement. This alternative is not recommended. For the last 18 years, Metro has sought various alternatives to the proposed Industrial Street Vacation Conditions and the approved negotiated settlement represents the best outcome for Metro. A decision to not go forward would not only cause the Industrial Street Vacation to expire but also put the much-needed *Division 1 Master Plan* improvements in an uncertain state.

## **NEXT STEPS**

Upon Board approval, staff will execute the Funding Agreement with the City of Los Angeles. In addition, staff will return to the Board within the next few months to request full funding and approval for the Industrial Street Vacation to complete the remaining nine Conditions by November 24, 2023.

## **ATTACHMENTS**

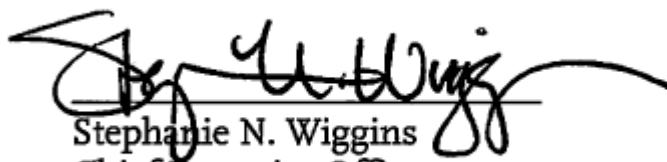
Attachment A - Deleted Conditions 5, 6, 12 and 13 of City Engineer Report  
Attachment B - Industrial Street Vacation from Alameda to Central

Prepared by:

Manuel Gurrola, Director, (213) 922-8889  
Timothy P. Lindholm, Acting Deputy Chief Program Management Officer (213) 922-7297

Reviewed by:

Bryan Pennington, Chief Program Management Officer. (213) 922-7449



Stephanie N. Wiggins  
Chief Executive Officer



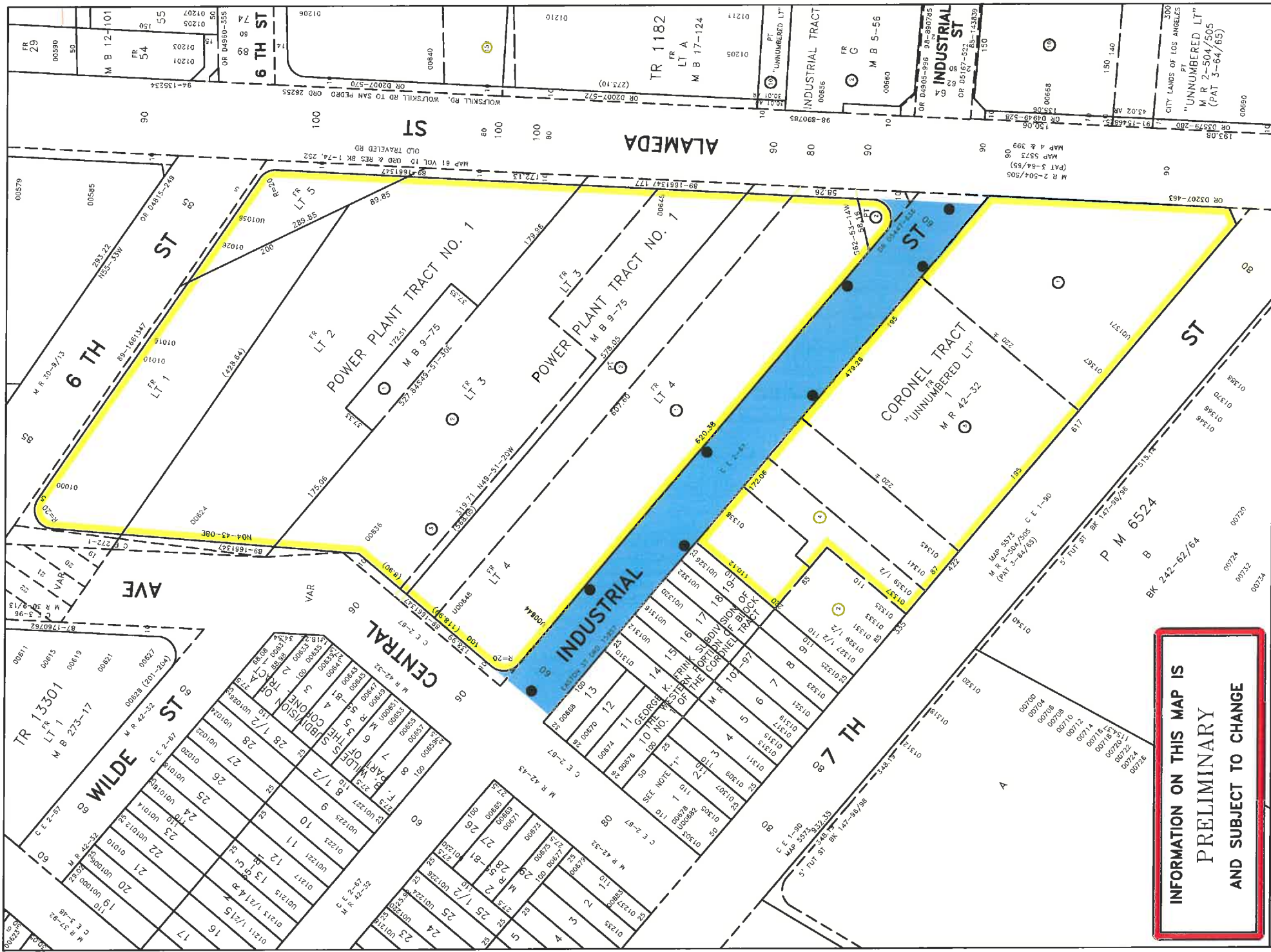
**Deleted Conditions 5, 6, 12, and 13 of City Engineer Report**

5. That the following dedications be provided adjoining the petitioner's property in a manner satisfactory to the City Engineer:
  - a.) Dedicate 10 feet as public street along Alameda Street between Industrial Street and 7th Street to complete a 50-foot wide half right-of-way in accordance with Avenue I standards per Mobility Plan 2035, together with a 20 foot radius or 15-foot by 15-foot corner cut at the corner with 7th Street.
  - b.) Dedicate variable width as public street along Central Avenue as necessary to complete a 50-foot wide half right-of-way in accordance with Avenue I standards per Mobility Plan 2035, together with a 20 foot radius or 15-foot by 15-foot corner cut at the corners with 6th Street and 7th Street.
  - c.) Dedicate 3 feet as a public street along 7th Street to complete a 43-foot wide half right-of-way in accordance with Avenue II standards per Mobility Plan 2035.
  
6. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:
  - a.) Widen the roadway along Alameda Street as necessary to complete a 35-foot wide half roadway, with the construction of additional pavement, integral concrete curb and gutter, and a minimum of 15-foot concrete sidewalk. Construct new curb ramps at the corner of intersections with 6th Street and 7th Street conforming to the latest BOE Curb Ramp standard (Standard Plan No. S-442-6). These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer. Improvements shall be consistent with the Sixth Street Viaduct Project.
  - b.) Widen the roadway along Central Avenue as necessary to complete a 35-foot wide half roadway, with the construction of additional AC pavement, integral concrete curb and gutter, and 15-foot wide sidewalk, and an access ramp at the corner of the intersection with 6th Street and 7th Street. These improvements shall be constructed under a Class "B" Permit in a manner satisfactory to the City Engineer. Improvements shall be consistent with the Sixth Street Viaduct Project.
  - c.) Close the intersections of Industrial Street with Central Avenue and Alameda Street with city standard street improvements, including full height curb and gutter, or standard driveway apron in a manner satisfactory to the City Engineer.
  - d.) Fill in the 3-foot wide dedication area on 7th Street with city standard concrete in a manner satisfactory to the City Engineer. Repair and/or replace any

**Deleted Conditions 5, 6, 12, and 13 of City Engineer Report**

damaged/cracked or off-grade concrete curb, gutter, sidewalk, and AC pavement adjoining the project site's street frontage. Reconstruct the existing curb ramp at the northwest corner of the intersection with Alameda Street conforming to the latest BOE Curb Ramp standard (Standard Plan No. S-442-6).

- 12.** That street lighting facilities be installed as required by the Bureau of Street Lighting.
- 13.** That street trees be planted and tree wells to be installed as may be required by the Urban Forestry Division of the Bureau of Street Services.



**INFORMATION ON THIS MAP IS  
 PRELIMINARY  
 AND SUBJECT TO CHANGE**



## Board Report

File #: 2022-0195, File Type: Project

Agenda Number: 34.

### CONSTRUCTION COMMITTEE APRIL 21, 2022

**SUBJECT: TRACK AND TUNNEL INTRUSION PROJECT**

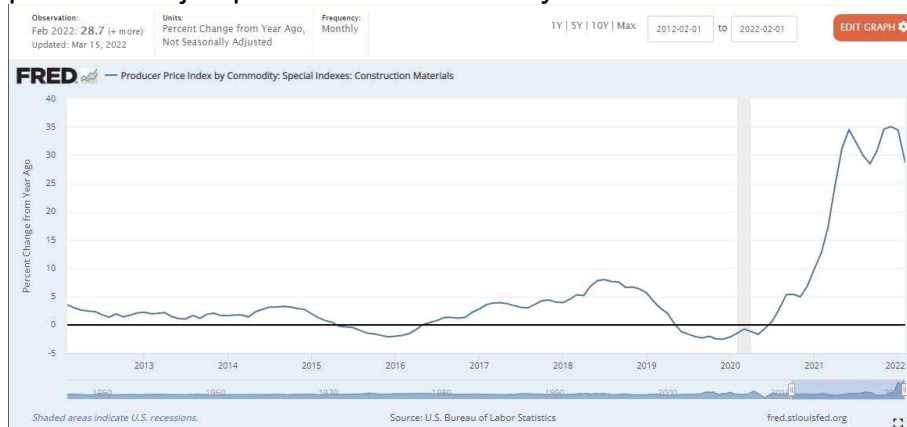
**ACTION: APPROVE RECOMMENDATIONS**

#### RECOMMENDATION

INCREASE the Life of Project (LOP) Budget on the Track and Tunnel Intrusion Project by \$1,948,680, from \$8,873,092 to \$10,821,772.

#### ISSUE

In September 2019, the TTIDS Project 212123, task 06.001, was awarded a Transit Security Grant Program (TSGP) in the amount of \$6,204,960. Additionally, the Track and Tunnel Intrusion Detection system project requires \$2,668,132 of eligible local resources to fund the balance of the project cost beyond the grants funds. This brings the total LOP Budget to \$8,873,092. In response to invitation for bid #C76536C1214-2, Metro received one bid from LK Comstock National Transit, Inc. for \$9,837,975. However, there have recently been supply chain issues, inflation, and a tight current labor market. According to this graph from the U.S. Bureau of Labor Statistics, construction materials prices have jumped 28.7% in the last year.



Due to these reasons, staff requests increasing the LOP budget by \$1,948,680.

#### BACKGROUND

The project was previously solicited on July 13, 2021, under IFB No. C76536C1214. On the bid due date, September 10, 2021, one (1) bid was received, and a public bid opening was held. The bid was rejected, and the solicitation was canceled. It was determined the bid amount was at an unreasonable price amount. The Metro project team completed a market survey, reviewed the scope of work, and de-scoped the work on the B line. The project was re-solicited with only the D Line, eight (8) Stations from Union Station through Wilshire Western Station, as the scope of work under a separate solicitation. The Design/Bid/Build Invitation for Bid (IFB) No. C76536C1214-2 was re-solicited on December 10, 2021.

## **DISCUSSION**

The Track and Tunnel Intrusion Detection system project for underground rail stations proposes to install track intrusion systems at Metro rail underground stations. Metro Headquarters (USG), which is located at Union Station in Downtown Los Angeles, is a key hub to the B (Red) and D (Purple) lines, and the 7th Street and Metro Center Station is a key hub to the B (Red), A (Blue), D (Purple) and E (Expo) lines, all which have been determined by the DHS to be part of the Top Transit Asset List (TTAL).

Variables such as poor lighting and train headlights create moving shadows, heat, and a lack of accurate depth perception in dark confined spaces have posed a challenging environment for our existing system. For example, the increasing number of the unhoused population seeking shelter on various parts of the Metro system, specifically in underground stations and ancillary areas has resulted in reoccurring intrusions causing concerns for their safety and safety of traveling public. The environment also makes it difficult to detect unauthorized intrusion related to criminal activity. In today's environment it remains necessary to constantly adjust to the tactics, techniques and procedures of terrorists who aim to cause mass civilian casualties or major system failures. These improvements will include additional digital video recorders, cabling, and the engineering to facilitate Track and Tunnel Intrusion technology. With this improvement, DHS' FY20 evaluation of the national risk profile, priority of; 1) Enhancing the Protection of Soft Targets/Crowded Places, will be addressed.

Additionally, ancillary areas include Traction Power, HVAC, communications, electrical, train control, and plumbing rooms. Protecting these areas and nearby tracks is critical to keeping our trains operational in a safe and secure manner.

Therefore, a Track and Tunnel Intrusion Detection system is crucial for the safety and protection of the Metro system, its ancillary areas and train tunnels. This protection may be accomplished by positioning Track and Tunnel Intrusion Detection system equipment on the tunnel's walls to detect intruders. All required labor, material, equipment, and installation of the system will be performed by the vendor in collaborations with Metro staff.

## **DETERMINATION OF SAFETY IMPACT**

This capital improvement project will provide a positive safety impact to Metro employees, contractors, and the public by providing enhanced safety and security against unauthorized entries to

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our system. This project will also increase situational awareness and promote better behaviors from all.

### **FINANCIAL IMPACT**

This is a multi-year project. Upon approval of the revised Life of Project budget, staff will manage the Project within the Board approved fiscal year budgets. It is the responsibility of the Chief Safety Officer and Project Manager to budget for this project in future fiscal years.

#### **Impact to Budget**

The additional effort of \$1,948,680 beyond the TSGP will be funded by eligible local funds, which may be eligible for bus/rail operating or capital expense., .

### **EQUITY PLATFORM**

Currently, station platforms do not have fixed barriers or an intrusion system to prevent individual(s) from jumping off the platform and entering our tunnels. The Track and Tunnel Intrusion project will address unauthorized entry to our underground tunnels. Unauthorized entry onto our tracks poses a safety and security risk to transit riders and members of the public, including unhoused individuals seeking shelter in Metro underground stations. This project will protect our customers, track, and tunnel areas which is crucial to keeping our trains operating in a safe and reliable manner for the entire community.

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

The recommendation supports strategic plan goal # 1. Approval of this recommendation supports Metro Strategic Plan Goal 1: Deliver an outstanding experience for all users of the transportation system by providing superior customer service while preventing terrorism and reducing crime on our system. This project will protect our customers, track, and tunnel areas which is crucial to keeping our trains operating in a safe and secure manner.

### **ALTERNATIVES CONSIDERED**

Any incapacitation or destruction to LACMTA's system would severely affect the continuity of operations as well as safety to public health, security, and economic impact to the Los Angeles County area. This capital improvement project will support the Track and Tunnel Intrusion Detection for underground rail stations would add to Metro's continued improvement to our physical security posture in critical locations, which have been identified as 'soft targets'. If increase in LOP budget is declined, there is risk of losing grant money, losing procurement, and system not being installed.

### **NEXT STEPS**

After an increase in LOP is approved, the contract can be awarded, and the contractor can be

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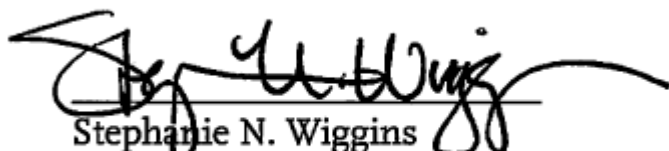
authorized to proceed with the design, materials procurement, installation and testing activities.

**ATTACHMENTS**

ATTACHMENT A - TTIDS Funding and Expenditure Plan

Prepared by: Susan Walker, Director, Physical Security, System Security and Law Enforcement, (213)922-7464  
Aston Greene, Executive Officer, System Security and Law Enforcement, (213) 922-2599  
Errol Taylor, Acting Deputy Chief Operations Officer, Maintenance & Engineering, (213) 922-3227

Reviewed by: Gina Osborn, Chief Safety Officer, (213) 922-3055  
Bernard Jackson, Acting Chief Operations Officer, Rail, (213) 418-3001  
Debra Avila, Deputy Chief, Vendor/Contract Management, (213) 418-3051



Stephanie N. Wiggins  
Chief Executive Officer

	A	B	C	D
1	<b>Use of Funds</b>	<b>Inception thru FY22</b>	<b>FY 23</b>	<b>Total Capital Cost</b>
2	Design Phase Total	550,000	0	550,000
3	<b>Construction Phase</b>			
4	Mobilization/Demobilization	1,129,814	0	1,129,814
5	Final Design Drawings	219,208	0	219,208
6	Furnish and install conduit	715,316	0	715,316
7	Furnish and Install Communication Cable	139,658	0	139,658
8	Furnish and Install Power Cable	108,737	0	108,737
9	Furnish and Install CIC Cabinets	86,621	0	86,621
10	Furnish and Install New Network Switches (TC&C Room)	72,789	0	72,789
11	Furnish and Install New Network Switches (CIC)	77,670	0	77,670
12	Furnish and Install New UPS	201,953	0	201,953
13	Furnish and Install TTIDS Equipment	2,611,226	2,611,226	5,222,452
14	Test Plan, Procedures, Reports	0	250,000	250,000
15	Test and Commission TTIDS Equipment	0	398,236	398,236
16	As-Builts	0	172,742	172,742
17	Training	0	31,961	31,961
18	Spare Parts	0	462,438	462,438
19	Special Test Equipment, If Required	0	0	0
20	<b>Total Project Cost</b>	<b>5,912,992</b>	<b>3,963,861</b>	<b>9,876,853</b>
21	<b>Source of Funds</b>	<b>Inception thru FY22</b>	<b>FY23</b>	<b>Totals</b>
22	Transit Security Grant Program	\$6,204,960	0	\$6,204,960
23	Transit Development Act	\$0	2,668,132	\$2,668,132
24	SSLE Capital Funds	\$0	1,948,680	1,948,680
25	<b>Total Project Funding</b>	<b>\$6,204,960</b>	<b>4,616,812</b>	<b>\$10,821,772</b>





**Board Report**

**File #:** 2022-0168, **File Type:** Informational Report

**Agenda Number:** 36.

**CONSTRUCTION COMMITTEE  
APRIL 21, 2022**

**SUBJECT: FISCAL YEAR 2023 PROGRAM MANAGEMENT ANNUAL PROGRAM EVALUATION  
DESCRIPTION**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE status report on FY23 Program Management Annual Program Evaluation.

**ISSUE**

The Annual Program Evaluation (APE) is a priority initiative created to evaluate Metro’s capital program annually. Given the challenges of managing a multi-billion-dollar capital program, a comprehensive review of the risks associated with the costs and schedules of the program is conducted on an annual basis. This report summarizes the results of the FY23 APE review performed by Program Management.

**BACKGROUND**

Los Angeles Metro Program Management is delivering the largest transportation infrastructure program in the country. The Program Management department implemented the Annual Program Evaluation initiative in 2016 to provide transparency into the performance of capital projects. The Program Management department mission statement is “together we build World Class transportation to transform the quality of life in our communities.”

In support of the mission statement, the APE initiative is a comprehensive evaluation of Metro’s capital program, including Transit, Highway, and Regional Rail projects. As part of the process, staff reviewed and updated project costs and schedules to current conditions, challenges, and risks. Any changes to project budgets/schedules and the reasons for the adjustments are to be reported to the Board annually for approval. In addition, APE serves as a project management tool bringing greater consistency, transparency, and discipline to better manage and deliver Board-approved projects. The APE is a dynamic tool, which is updated annually as projects move toward completion and any changes approved by the Board are incorporated.

**DISCUSSION**

On February 24, 2022, there was a Motion by Directors Butts, Dutra and Najarian, Item No. 34, Construction Market Analysis:

*“Move to Instruct the CEO and staff to return to the Board in the upcoming fiscal year Annual Program Evaluation:*

*1. With an assessment of what construction projects can reasonably continue without facing new budget shortfalls prior to their completion [...]”*

In response to the Motion, Metro staff has revised the FY22 APE’s prior format of funded through current phase to show current cost and schedule forecast, funding availability, and mitigation measures for each project.

### FY23 Results

Program Management is responsible for a portfolio of projects comprising more than 75 projects in total. The FY23 APE, Program Management focused on new projects, and projects that will carry-over through FY23, with project costs estimated at \$5 million or greater. Program Management staff evaluated 32 projects for the APE, including 8 Major Transit Construction projects, 13 Other Transit Capital projects, five Highway projects, and six Regional Rail projects (see Attachment A presentation for a complete project listing), which total approximately \$23.6 billion. The total program size has increased 13.1% from \$20.6 billion in FY22 to \$23.7 billion in FY23.

The major focus remains on managing the projects within the Board-approved life of project (LOP) budgets and schedules established for these projects. A summary of the potential adjustments requiring future Board approval to Metro’s capital program in FY23 is reported in the FY23 Program Management APE presentation.

### Challenges

Market factors arising from the ongoing recovery from the COVID pandemic and Ukrainian conflict continue to escalate project related costs. Updated economic projections indicate that this will continue into 2022/2023 and supply chain issues and labor impacts will continue to be potential cost and schedule drivers. In addition, with the significant number and size of Program Management projects and the accelerated implementation schedule for delivering Metro’s capital program. Metro’s capability and capacity to deliver multiple complex projects on-time and within budget creates unprecedented challenges to project delivery.

Efforts to improve, innovate, and increase our capabilities to deliver projects are essential. Program challenges include:

- Market Conditions
- Project Delivery Method
- Scope Issues
- Unforeseen Conditions

### Strategic Initiatives

Program Management continues to implement various strategic initiatives to bring improved planning,

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consistency, transparency, and discipline to project delivery. The key initiatives for Contracting Strategy and Cost Containment include:

- Organization
  - Re-evaluate Metro Staff / Consultant Ratio
  - Best Practices Review
- Processes
  - Material supply initiatives
  - Implement stage gate lifecycle project readiness reviews
  - Increase focus on program and project cost/schedule/risk
  - Update controls processes and contingency levels
  - CEO board delegated authority
- Contract Documents
  - Adapt contract documents to contract delivery method
- Mitigation Measures
  - Risk
    - Update Risk Profile and Contingency Through Stage Gate Process
    - Third Party and Utilities
    - Differing Site Conditions - Geotechnical and Environmental
  - Scope
    - Improve Scope Definition and Risk Transfer Prior to Pricing
    - Design Criteria
    - Professional Services Soft Costs
  - Schedule Delays

## **FINANCIAL IMPACT**

The FY23 Program Management APE report does not have any specific budgetary or financial impacts. The APE report serves as an annual and early notice instrument to assess the scope, cost and schedule risk items affecting the respective projects under the oversight of Program Management. Risk items affecting scope, cost and schedule are identified on a project-by-project basis within the APE Presentation.

Should any of the potential project risks affecting scope, cost and schedule parameters be realized, the Chief Program Management Officer will return to the Board with separate recommendations to address the identified risks and adjust the project cost and/or schedule accordingly.

## **EQUITY PLATFORM**

While the APE encompasses 32 separate projects with project-specific community engagement activities and equity impacts, the program can generally categorize projects into the following six groups for a high-level equity assessment of anticipated benefits and considerations.

### **Major Transit Capital**

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These 8 mega-capital projects support transit access and connectivity through new construction and expansion across Los Angeles County. While specific project areas vary in demographics, land use, and jurisdiction, these projects are all intended to improve access to key destinations, such as jobs, health care, school, and neighborhood amenities, via high-quality transit. Other potential anticipated equity benefits include reduction in single occupancy vehicle use and reliance, improved air quality, and reduction in household transportation costs. Any needed mitigation strategies are determined and implemented at the project-level.

#### Multi-modal Capital

These five capital projects are anticipated to expand multi-modal options for travelers through a variety of interventions, including light rail, active transportation infrastructure, and high-occupancy vehicle lane improvements. While project types and geographies vary, the shared impact is anticipated to diversify modes and costs of travel choices. In particular, transit and active transportation infrastructure enhancements are anticipated to improve safety for people walking and rolling. Any needed mitigation strategies are determined and implemented at the project-level.

#### Assets Capital

Capital improvements for five Metro asset projects will serve Metro employees as well as the public. These projects will update equipment and other assets, which are anticipated to maintain safe working conditions for Metro employees and minimize disruptions to project and service delivery for Metro riders. Specifically, the Transit Learning Center is an exciting resource for a new generation of potential Metro workforce members to gain skills and connections for future career opportunities.

#### Infrastructure Capital

Infrastructure maintenance and improvements contribute to safe and accessible conditions for Metro riders and the general public, including soundwall protection, wayfinding, grade and modal separation, and transit station upgrades. These four capital projects are anticipated to have minimal, if any, equity impacts.

#### Regional Rail

Similar to the Major Transit Capital projects and Multi-modal Capital Projects, the six projects that fall under the Regional Rail capital program are anticipated to expand transit and other multi-modal choices for travelers in Los Angeles. Anticipated improvements include improved station access, increased rail capacity, and safer right-of-way improvements between different modes. Any needed mitigation strategies are determined and implemented at the project-level.

#### Highways

The four Highway capital projects are anticipated to improve conditions for travelers and the surrounding project areas of existing highway corridors via soundwall protection, high-occupancy vehicle lane expansion, highway safety design, and some multi-modal infrastructure. These projects are not anticipated to encroach on surrounding communities or further burden neighborhoods adjacent to existing highways.

Future fiscal year APE updates will continue to assess the capital program for equity benefits and impacts.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Recommendation supports Strategic Plan Goal #1 - Provide high-quality mobility options that enable people to spend less time traveling. This will be accomplished by planning and delivering multiple capital projects on time and on budget.

## **NEXT STEPS**

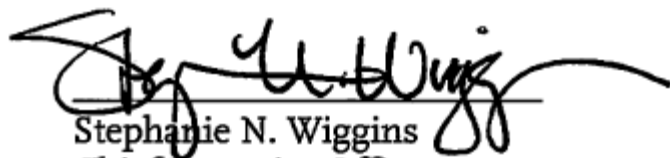
Program Management will request the resources required for project delivery success through the FY23 Budget process for Board approval. Project managers will work to deliver projects safely, on-time and within the Board-approved budgets. Staff will continue to provide the Board with monthly updates on the project status throughout the year. The next FY24 Program Management APE report will be presented to the Board in Spring 2023.

## **ATTACHMENTS**

Attachment A - FY23 Annual Program Evaluation PowerPoint

Prepared by: Julie Owen, Senior Executive Officer, (213) 922-7313

Reviewed by: Bryan Pennington, Chief Program Management Officer, (213) 922-7449



Stephanie N. Wiggins  
Chief Executive Officer

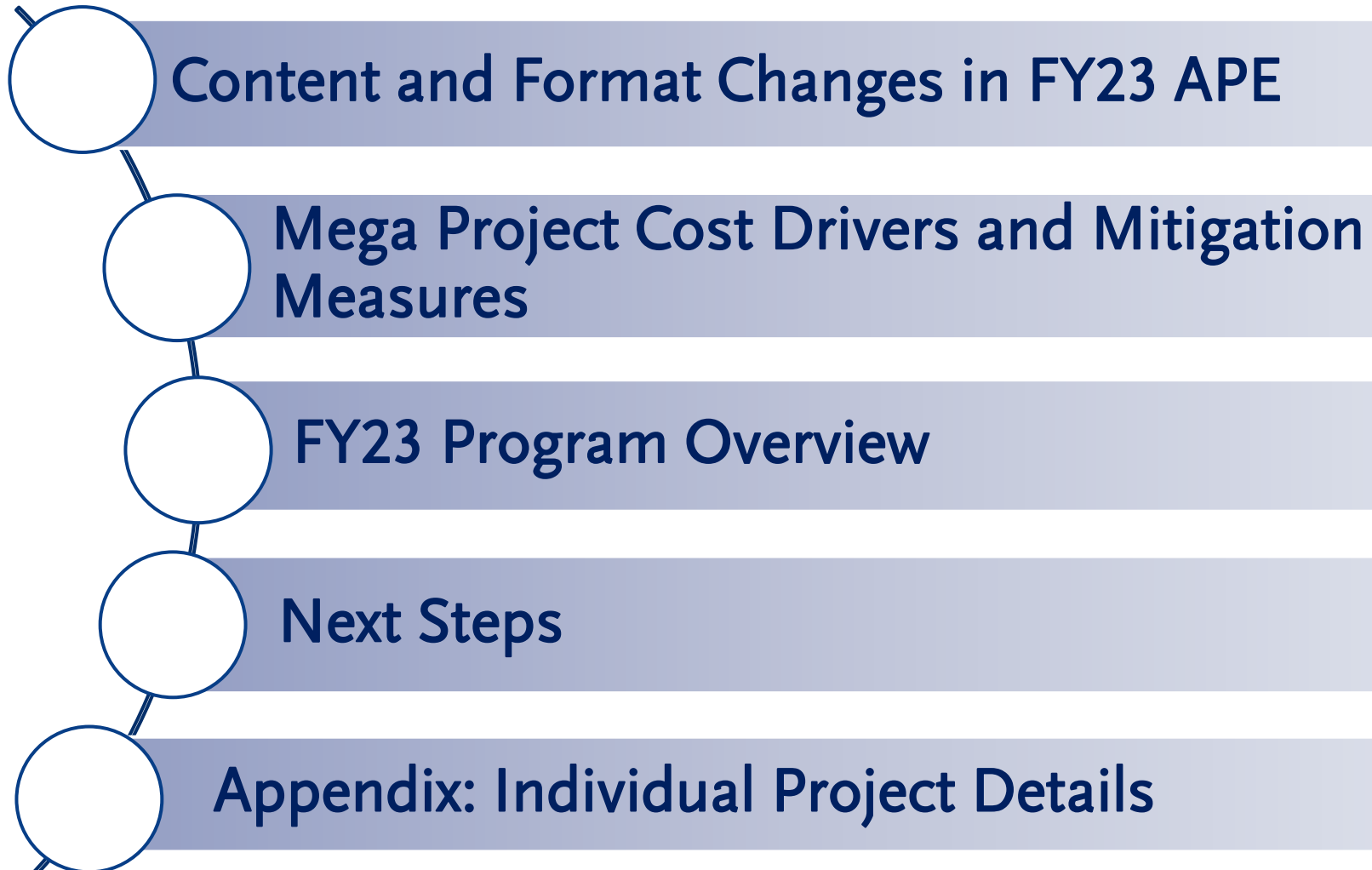
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**Fiscal Year 2023**  
**Program Management**  
*Annual Program Evaluation*



# Presentation Overview

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# Activity Since Last APE

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- April 2021 – Board FY2022 Annual Program Evaluation
- June 2021 – **Eno Transit Case Study – Saving Time and Making Cents**
- August 2021 – CEO Contractor **Industry Outreach**
- September 2021 – CEO Agency Re-Organization
- September 2021 Board – **Construction Market Analysis**
- November 2021 – Roll-Out **Alternative Delivery** Contract Documents
- February 2022 – Board Motion Construction Market Analysis





# Content and Format Changes in FY23 APE

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## Board Motion

- Motion by Directors Butts, Dutra and Najarian on February 24, 2022, Item No. 34, Construction Market Analysis:  
*“Move to Instruct the CEO and staff to return to the Board in the upcoming fiscal year Annual Program Evaluation: 1. **With an assessment of what construction projects can reasonably continue without facing new budget shortfalls prior to their completion[...]**”*

## APE content

- Update of project capital cost estimates to current conditions, cost to complete, and including price trends and changes
- Analyze project capital costs in relation to national transit project trends
- APE results in the FY23 Budget review and adoption by the Board
- In response to the Motion, **Metro staff has revised the prior format of funding through current phase to show current project estimated cost and schedule forecast, funding availability and mitigation measures for each project**

# Typical Mega Project Key Cost Drivers



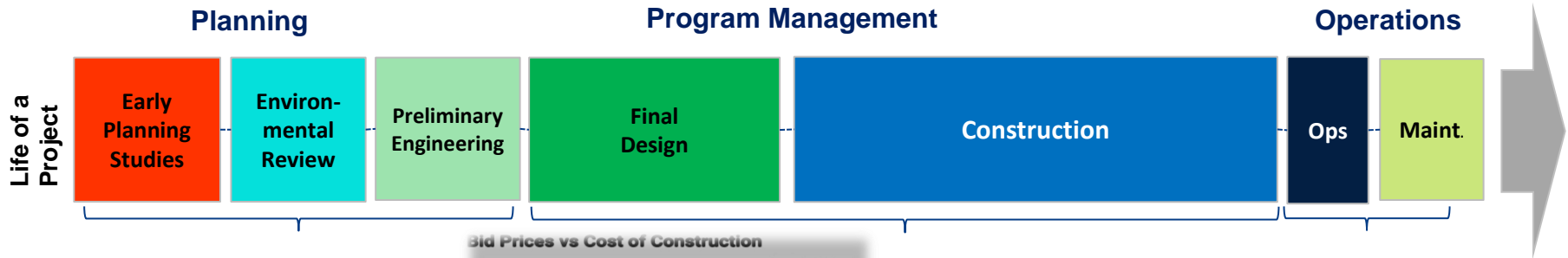
Market Conditions

Project Delivery Method

Scope Issues

Unforeseen Conditions

# Metro Capital Investment Experience/Challenges



Life of Project Budget change to initial baseline<sup>1</sup> by environmental



Scope and Market Condition<sup>2</sup> ≈12%+

Unforeseen conditions environmentally (utility, geo-, structure, community impact) created change order during construction<sup>1</sup>, ≈12%+

1. Recent Project Experience based on Greenline AMC, Regional Connector, Crenshaw, PLE 1,2&3
2. Program Management Oral Report, "Construction Market Trend", February 2022

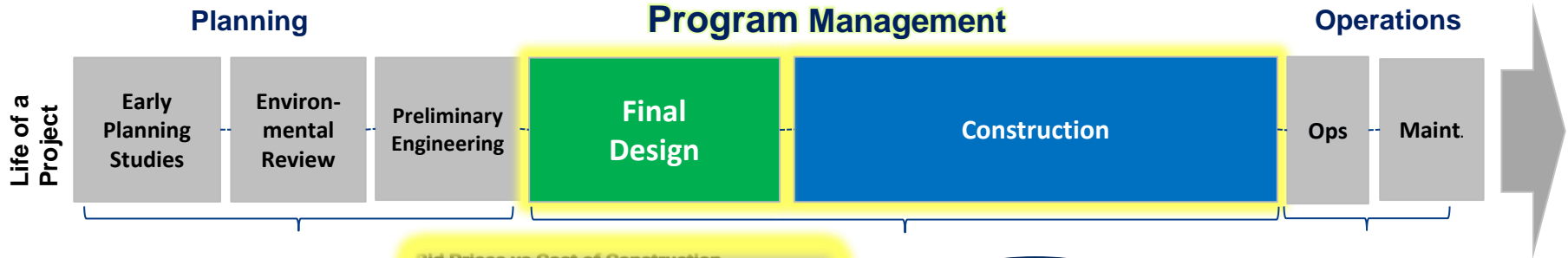


Unplanned interoperability with existing system integration and operation readiness<sup>1</sup>, ≈6%+



Increase over sales tax baseline estimate by 60%+ experienced so far

# Metro Capital Investment Experience/Challenges



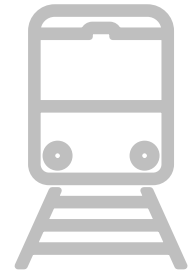
Life of Project Budget change to initial baseline<sup>1</sup> by environmental

30% +



Scope and Market Condition<sup>2</sup> ≈ 12%+

Unforeseen conditions environmentally (utility, geo-, structure, community impact) created change order during construction<sup>1</sup>, ≈ 12%+



Unplanned interoperability with existing system integration and operation readiness<sup>1</sup>, ≈ 6%+

1. Recent Project Experience based on Greenline AMC, Regional Connector, Crenshaw, PLE 1,2&3
2. Program Management Oral Report, "Construction Market Trend", February 2022

Increase over sales tax baseline estimate by 60%+ experienced so far

# Construction Market Outlook for 2022 Pre-Ukraine

- Inflation likely to remain high this year
- **Material prices in 2022 will likely reach the peak prices of 2021**
- Construction escalation is **forecasted between 4% to 6% for 2022**
- **Challenges continue in 2022:**
  - Supply chain disruptions
  - High construction materials and services costs
  - Labor shortages
  - COVID-19 variants
  - **Ukraine conflict**

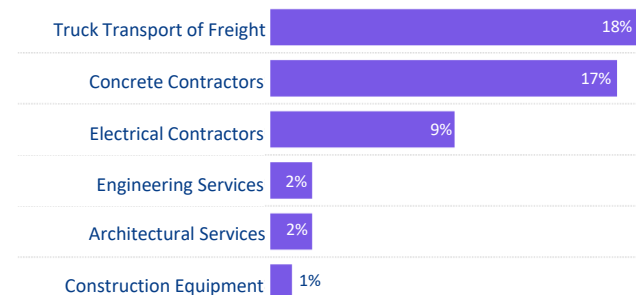
## AGC Workforce Survey Results

**86%** of contractors are having a hard time filling positions

**72%** of contractors have difficulty finding quality workers

**61%** of contractors say shortage of workers resulting in delays

## Labor-Related Construction Cost Increase in the Past Year



Source: Bureau of Labor Statistics

# Project Delivery Method & Scope Issues

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## 2021 Construction Market Analysis Findings:

- The scale of effort for megaprojects nationwide has more unforeseen challenges with construction durations lasting nearly a decade, and historically overrun cost and schedule objectives.
- Traditional projects have a greater risk of cost overruns that do not fully account for the risk uncertainties and complexities.
- Thus, **the industry is presently favoring alternative delivery such as construction management/general contractor (CM/GC) and progressive design-build** instead of more traditional design-bid-build (DBB) and design-build (DB).

# Strategic Initiatives & Mitigation Measures

## *Key Initiatives for Contracting Strategy and Cost Containment*

Organization	Streamlined Processes	Contract Docs
<ul style="list-style-type: none"><li>• Staff/Consultant Ratio</li><li>• Best Practices Continuous Improvement</li></ul>	<ul style="list-style-type: none"><li>• Material Supply Initiatives</li><li>• CEO Delegated Authority</li><li>• Stage Gate Reviews</li><li>• Update Controls Processes and Contingency levels</li><li>• Cost/Schedule/Risk</li></ul>	<ul style="list-style-type: none"><li>• Adapt Contract for Alternative Delivery Approaches</li></ul>

## *Mitigation Measures*

Risk Issues	Scope Issues	Schedule Delay
<ul style="list-style-type: none"><li>• Third Parties and Utilities</li><li>• Differing Site Conditions<ul style="list-style-type: none"><li>○ Geotechnical</li><li>○ Environmental</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Scope Definition/Betterments</li><li>• Metro Rail System Design Criteria</li><li>• Professional Services Soft Costs</li></ul>	<ul style="list-style-type: none"><li>• Function of Risk and Scope Issues</li></ul>

# FY23 \$23.7B Program

33  
Projects

APE focuses only on those capital projects, managed by Program Management, with a total project cost greater than \$5M:

- 22 Transit Construction Projects
- 6 Regional Rail Projects
- 5 Highway Modernization Projects

\$23.7B  
Program

**Overall Program dollars** increased 13.1% from \$20.6 billion in FY22 to up to **\$23.7 billion in FY23**. In addition to the projects in APE, Program Management manages/oversees 40+ projects less than \$5M. **There are approximately 75+ total projects being managed by Program Management throughout the fiscal year.**

Benefits

- Measure M will expand regional access to high-quality transit options.
- Equity Focus Communities households within 10-min. walk increased with Measure M
- Capital investment of Measure M anticipated to increase LA County's gross regional product
- The 2020 LRTP also forecasts an 81% increase in transit trips and 19% decrease in greenhouse gas emissions.



# Metro Project Completion Summary

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80% of active construction projects, as listed below, were or will be completed on time.

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## Project Completion in FY22

Patsaouras Plaza Busway Station

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Fuel Storage Tank Program (FY20 - FY22)

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Light Rail Transit Freeway Stations Sound Enclosures

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Willowbrook/Rosa Parks Improvements

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## Project Completion Planned in FY23

Regional Connector Transit Project

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Crenshaw/LAX Transit Project

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Sound Wall Package 11/North Hollywood

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Eastside Access Improvements

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Division 1 Improvements/6th & Central Downtown LA Industrial District

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Bus Facility Maintenance Improvements & Enhancements Phase III

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# FY23 New Projects and Potential LOP Increase

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**Potential FY23  
LOP Budget  
Increase**

Purple Line Extension Section 3 – Local Funded Non-FFGA

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**Partial LOP for  
Pre-  
Construction  
Services**

East San Fernando Valley Transit Corridor

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Orange (G) Line Bus Rapid Transit Improvements

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I-105 Express Lanes

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**New Projects  
with Planned  
Adoption of  
LOP Budget**

I-605 South Street Interchange Improvement

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Doran Street and Broadway/Brazil Grade Separation Project

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Division 1 Street Closure

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# Mega Projects Overview

PROJECT LISTING	FUNDING TO DATE (in Mil.)	EST. COST RANGE (in Mil.)	% COMPLETE
<b>Major Transit Construction</b>			
Crenshaw/LAX Transit Project	\$2,148.0	\$2,148.0	99%
Regional Connector Transit Project	\$1,755.8	\$1,755.8	90%
Westside Purple Line Extension Section 1 Project	\$3,128.9	\$3,128.9	75%
Westside Purple Line Extension Section 2 Project	\$2,440.9	\$2,440.9	49%
Westside Purple Line Extension Section 3 Project	\$3,223.6	\$3,243.6	33%
Sub-total:	\$12,697.2	\$12,717.2	

- High risk due to project duration, complexity, and ground conditions.
- Associate potential schedule impacts.
- Market conditions affects in FY23.
- Based upon project risk profile and market conditions the costs may increase up to 5% this year.

# Alternative Project Delivery Overview

PROJECT LISTING	FUNDING TO DATE (in Mil.)	EST. COST RANGE (in Mil.)	% COMPLETE
<b>Alternative Project Delivery</b>			
LINK Union Station Project	\$950.4	\$950.4	15%
Metro G Line Bus Rapid Transit (BRT) Improvements	\$391.0	\$392.0-\$476.0	5%
East San Fernando Valley	\$1,596.6	\$2811.0-\$3,575.0	2%
I-105 Express Lanes Segment 1	\$150.0	\$175.0	1%
Sub-total:	\$3,088.0	\$4,328.4-\$5,176.4	

## Alternative Project Delivery

- Initial award for design and pre-construction services only.
- Opportunity to optimize project scope with available funding.
- Construction pricing at 100% design.
- Board approval required to enter into construction.

# Shovel Ready Projects Overview

PROJECT LISTING	FUNDING TO DATE (in Mil.)	EST. COST RANGE (in Mil.)	% COMPLETE
<b>Shovel Ready Project Development</b>			
Brighton to Roxford Double Track Project	\$97.2	\$310.0	5%
Doran Street and Broadway/Brazil Grade Separation Project	\$6.4	\$190.0	3%
Doran Street Active Transportation Project	\$19.3	\$19.3	3%
Lone Hill to White Double Track Project	\$8.2	\$130.0	3%
Sub-total:	\$131.1	\$649.3	

- Projects being progressed towards shovel ready status.
- Projects implemented by phase within existing funding.
- Concurrently seek additional funding for subsequent phases.

# Greater Forecast / Watchlist Projects Overview

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PROJECT LISTING	FUNDING TO DATE (in Mil.)	EST. COST RANGE (in Mil.)	% COMPLETE
<b>Forecast Greater Than Funding</b>			
Gold Line Foothill Extension Phase 2B Project	\$1,532.9	\$1,532.9	40%

- Forecast greater than funding project – project has enough funding for the existing segment but needs additional funding to complete full alignment.

PROJECT LISTING	FUNDING TO DATE (in Mil.)	EST. COST RANGE (in Mil.)	% COMPLETE
<b>Projects on Watchlist</b>			
Division 20 Portal Widening Turnback Facility	\$876.7	\$876.7	31%

# Projects On Track Overview

PROJECT LISTING	FUNDING TO DATE (in Mil.)	EST. COST RANGE (in Mil.)	% COMPLETE
<b>Projects On Track</b>			
Willowbrook/Rosa Parks Station Improvement (closeout)	\$128.3	\$128.3	100%
Metro Blue Line Track and System Refurbishment (closeout)	\$102.3	\$102.3	100%
Bus Facility Maint. Improv. & Enhancemt. Phase III (closeout)	\$21.7	\$21.7	100%
Patsaouras Plaza Bus Station Construction	\$50.9	\$50.9	99%
Soundwall Package 11 /North Hollywood	\$102.5	\$102.5	93%
Metro Blue Line Signal System Rehabilitation	\$119.0	\$119.0	90%
Metro Center Street Project (ESOC)	\$130.7	\$132.7	52%
Rosecrans/Marquardt Grade Separation Project	\$156.4	\$156.4	42%
Metro Eastside Access Improvements Project	\$29.7	\$29.7	35%
I-710 Early Action Soundwalls Package 2	\$9.4	\$9.4	27%
Airport Metro Connector Project	\$898.6	\$898.6	23%
I-605/South Street Interchange Improvement	\$23.1	\$23.1	19%
I-5 North County Enhancements Project	\$679.3	\$679.3	4%
Rail to Rail Corridor Active Transportation Connector Project	\$116.0	\$140.0	0%
Soundwall Package 10 / Pasadena	\$50.9	\$50.9	0%
Systemwide Signage	\$24.1	\$24.1	0%
Transit Learning Center	\$20.0	\$20.0	0%
Sub-total:	\$2,662.9	\$2,688.9	

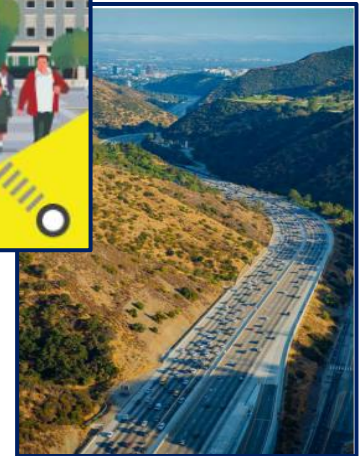
- Directly responds to slide 4, Motion by Director Butts et al.
- Projects on track for FY23.

# Metro Transit Capital Program Summary

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## Planned Transition from Countywide Planning to Program Management in FY23:


- North Hollywood to Pasadena Bus Rapid Transit Project
- Centinela Grade Separation
- Chatsworth Station ADA Improvements
- Burbank Airport-South SOGR/ADA Improvements





# Next Steps

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-  Project Managers to manage project scope, budget, and schedule for quality, on-time and within budget delivery.
-  Maintain resources and staffing needed to manage and support project delivery.
-  Present project-specific Life-of-Project budgets for Board review and adoption.
-  Seek additional revenue sources needed to fulfill funding commitment required to build and deliver projects.

# APPENDIX – INDIVIDUAL PROJECT DETAILS





# MAJOR TRANSIT CONSTRUCTION PROJECTS



# Crenshaw/LAX Transit Project

Original  
LOP  
\$1,749.0M

Current  
LOP  
\$2,148.0M

Current  
Forecast  
\$2,148.0M

Change in Forecast  
Completion  
Fall 2019 to  
Summer 2022

Project  
Complete  
99.6%



# Crenshaw/LAX Transit Project

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**Cost:** No additional anticipated LOP increase in FY23. Current risks may require a future LOP increase as noted below.

**Schedule:** Considerable testing, rework, troubleshooting, discrepancies to complete systems and begin systems integration testing (SIT) phase 2 Contractor working toward substantial completion.

**Mitigation Measures:** Negotiating phased substantial completion to begin SIT phase 2 early.

## Accomplishments:

- Contractor enhanced and strengthened project management team.
- All the issues and punch list items are tracked in a single data base (BIM-360).
- Metro Started System Integration Testing from Rail Operation Center (ROC).

## Challenges/Risks:

- Contractor not applying sufficient specialty work force to complete the remaining work.
- Contractor must complete remaining complex electric and systems tests and test reports prior to substantial completion.
- Additional funding for Metro staff may be required if contractor progress continues to slip.
- REA claim was received and is being evaluated by Metro claim team.



# Regional Connector Transit Project

Original  
LOP  
\$1420.0M

Current  
LOP  
\$1,755.8M

Current Forecast  
LOP  
\$1,755.8M

Forecast  
Completion  
Fall 2022

Project  
Complete  
90%



# Regional Connector Transit Project

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**Cost:** No additional anticipated LOP increase in FY23. Current risks may require a future LOP increase as noted below.

**Schedule:** No change.

**Mitigation Measures:** 1. Deferred select elements of the first Substantial Completion milestone to afford access of the Guideway to Metro Operations to initiate Rail Activation activities; 2. Augmenting technical resources through consultancies to assist with systems integrated testing activities.

## **Accomplishments:**

- Most project sites at street level west of the Little Tokyo/Arts District Station have been restored with final scope elements expected to continue through the coming months.
- Backfill and restoration of Alameda and 1st Street, together with restoration of the Mangrove Site have begun and are expected to continue through the summer.
- Efforts now focused on comprehensive systems integrated testing leading to Substantial Completion.
- Metro Operations are engaged with planning, familiarization, training, and direct support of the Project; Rail Activation and Start-up forces are mobilizing.

## **Challenges/Risks:**

- Contractor reports qualified resources are difficult to secure/retain with recent spikes in COVID-19.
- Supply chain delays with a host of commodities have manifested with significant schedule impacts claimed by the contractor; a request for relief from these delays has been received with the contractor citing COVID-19 as the unavoidable cause of the delays.

# Westside Purple Line Extension Project





# Westside Purple Line Extension Section 1

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<u>Original LOP</u>	<u>Current LOP</u>	<u>Current Forecast</u>	<u>Forecast Completion</u>	<u>Project Complete</u>
\$2,773.9M	\$3,128.9M	\$3,128.9M	Fall 2024	75%

**Cost:** No additional anticipated LOP increase in FY23. Current risks may require a future LOP increase as noted below.

**Schedule:** Schedule slipped due to San Vincente tunnelling anomaly.

**Mitigation Measures:** Continued monitoring of critical and near-term critical path activities. Future opportunities to build schedule contingency will be reviewed and implemented as they are recognized.

**Accomplishments:**

- Complete cross passage concrete work, Complete track installation (Reaches 1, 2 & 3), Roof concrete placement complete at all 3 Stations. Permanent power available at Wilshire/Brea Station. Permanent power ready to energize at Wilshire/Fairfax Station.

**Challenges/Risks:**

- Due to the impacts associated with the Reach 3 tunnel anomaly, there is a possibility that the Revenue Service Date (RSD) will not achieve the FFGA target date of October 31, 2024. The current schedule forecast for RSD is Fall of 2024.
- The current project budget does not include cost exposures from Metro disputed contractor claims. These disputed claims will be subject to the dispute resolution process (subject to the Board's approval). Also, not included are change requests related to COVID-19. Under the force majeure clause of the contract, compensation is not granted during a pandemic, only extensions of time to the contract are allowable.

# Westside Purple Line Extension Section 2

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<u>Original LOP</u>	<u>Current LOP</u>	<u>Current Forecast</u>	<u>Forecast Completion</u>	<u>Project Complete</u>
\$2440.9M	\$2,440.9M	\$2,440.9M	Fall 2025	49%

**Cost:** No anticipated LOP increase in FY23. Current risks may require a potential LOP increase.

**Schedule:** Original baseline schedule milestones are still being maintained and monitored.

**Mitigation Measures:** Closely monitoring cost exposures and schedule slippages.

## **Accomplishments:**

- Completed tunnel excavation in reach 5 (from Century City Constellation Station to Wilshire/Rodeo Station).
- Walked TBMs thorough Wilshire/Rodeo Station and started tunneling final tunnel reach towards La Cienega.
- Completed 72% of invert slab and first level wall placements at Wilshire/Rodeo Station
- Started excavation of Century City Constellation station.

## **Challenges/Risks:**

- Concurrent delays with excavation of Century City Constellation Station and tunnels may potentially impact the Project's current Substantial Completion date.

# Westside Purple Line Extension Section 3

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<u>Original LOP</u>	<u>Current LOP</u>	<u>Current Forecast</u>	<u>Forecast Completion</u>	<u>Project Complete</u>
\$3,223.6M	\$3,223.6M	\$3,243.6M	Spring 2027	32.8%

**Cost:** \$20M LOP increase to concurrent non-FFGA project due to VA real estate agreement. Not eligible for existing contingency under FTA FFGA terms.

**Schedule:** Metro to discuss and agree with C1152 Stations Contractor on a recovery schedule to mitigate current 245 days of negative float due to the VA Steam Line relocation.

**Mitigation Measures:** Implement agreed recovery schedule and further reduce negative float through acceleration due to the VA Steam Line relocation.

## Accomplishments:

- Tunnels Contract: Both Tunnel Boring Machines are in full mining production.
- Stations Contract: Complete final design, significant SOE piling completed in both stations, start decking.

## Challenges/Risks:

- Remaining ROW negotiations could require longer negotiations and result in schedule delay and increased project cost.
- Interfaces between Tunnels and Stations contract.
- Added scope contemplated for hi-rail vehicle storage.



# ALTERNATIVE PROJECT DELIVERY PROJECTS

# Link Union Station (LINK US)

Design Phase <u>Budget</u>	Available <u>Funding</u>	Current Forecast <u>LOP Budget</u>	Change in Forecast <u>Completion</u>	Project <u>Complete</u>
\$176.0M	\$950.4M	\$950.4M	2028	15%

**Cost:** TBD (Pending pricing from CMGC Contractor)

**Schedule:** TBD (Pending schedule from CMGC Contractor)

**Mitigation Measures:** Implementing construction manager/general contractor project delivery to encourage contractor collaboration and optimization of the design, scope, pricing and schedule.

## Accomplishments:

- Phase A CMGC Contract to be awarded in Spring 2022.
- Received Board approval on Resolution of Necessity (RON) for two properties on Commercial Street in June 2021 and deposited funds for the full acquisitions shortly after.



## Challenges/Risks:

- Agreement with BNSF on the West Bank for the construction of run-thru tracks.
- Third Party for Utility Relocations in time for construction of run through structure.
- Street Vacation with the City of Los Angeles.
- Preliminary Risk Register has been developed and will be updated once CMGC Contractor comes on board.

# G Line (Orange) Bus Rapid Transit Improvements

Design Phase <u>Budget</u>	Available <u>Funding</u>	Current Forecast <u>LOP Budget</u>	Change in Forecast <u>Completion</u>	Project <u>Complete</u>
\$35.6M	\$391.0M	\$392.0M - \$476.0M	Summer 2025 to Winter 2026	5%





# G Line (Orange) Bus Rapid Transit Improvements

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**Cost:** Increase in estimated costs due to added gated intersection scope and stormwater capture scope (*not in original Expenditure Plan*), with additional application of market-based escalation.

**Schedule:** Change in completion date due to pivot to Progressive Design Build delivery method which required board action and development of new contract.

**Mitigation Measures:** Implementing progressive design build project delivery to support potential cost reduction strategies and encourage contractor collaboration and optimization of the design, scope, pricing and schedule.

## **Accomplishments:**

- Completed installation and testing of Pilot Gate project.
- Completed Industry Review; finalized Progressive Design Build contract & RFP documents.
- Near completion of Advanced Utility Relocation at Sepulveda, Vesper and Sylmar.

## **Challenges/Risks:**

- New technology to be developed for gate activation/platooning for bus transit; potential for future Public Utility Code requiring approval for gates with bus operations.
- Traffic impacts/mitigation due to gates.
- Right of way acquisitions and major utility relocations & interface with fleet services.
- Integration with Sepulveda and ESFV Transit Corridor projects.
- Maintaining existing bus operation during construction.
- City Agency review and approval time may delay project schedule.

# East San Fernando Valley Transit Corridor

**Design Phase**  
Budget  
 \$198.2M

**Available**  
Funding  
 \$1,596.6M

**Current Forecast**  
LOP Budget  
 \$3,575.0M

**Forecast**  
Completion  
 Summer 2028

**Project**  
Complete  
 2%





# East San Fernando Valley Transit Corridor

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**Cost:** Pending FTA concurrence through Expedited Project Delivery (EPD) grant process. Includes added cost/schedule and risk driven contingency through market-based cost escalation and FTA's initial risk assessment. Added cost and schedule may be reduced as design advances and risk items are resolved. Upon EPD grant, FTA will issue an FFGA with project specific requirements.

**Schedule:** 2028 completion date under review. FTA risk assessment reflects 2030 completion.

**Mitigation Measures:** Pursuing federal funding through FTA expedited project delivery program. Implementing progressive design build project delivery to encourage contractor collaboration and optimization of the design, scope, pricing and schedule.

## Accomplishments:

- Preliminary Engineering at 30-60%. Submitted in November 2021
- EPD grant; FTA to decide on EPD application April 2022; Award of Construction Management Support Services Contract (April/May 2022).
- P3 Solar and Storage Equipment for MSF (August 2022).
- Award of Advanced Utility Relocation (AUR) contractor for DWP Design 1 (October 2022).

## Challenges/Risks:

- Utility issues (especially DWP) impacting project cost/schedule; ROW acquisition schedule may affect Contractor construction approach; differing site conditions unknown at time of design – further due diligence required.
  - Business Owners impacts during construction.
  - Securing funding gap among federal, state and local funding sources.
-

# 105 ExpressLanes

**Design Phase**  
Budget  
 \$81.0M

**Available**  
Funding  
 \$150.0M

**Current Forecast**  
LOP Budget  
 \$175.0M

**Forecast**  
Completion  
 Summer 2028

**Project**  
Complete  
 1%



# 105 ExpressLanes

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**Cost:** Segment 1 estimated at \$175.0M and the entire \$150.0M SB1 grant will be used to fund Segment 1.

**Schedule:** No change.

**Mitigation Measures:** Project will be delivered by segment. Pursuing Federal grants, TIFIA loan, and revenue bonds backed by toll revenue as part of funding plan. Implementing Construction Manager/General Contractor (CM/GC) project delivery to support potential cost reduction strategies and encourage contractor collaboration and optimization of the design, scope, pricing and schedule.

## **Accomplishments:**

- Design of Segment 1 started. 35% design submitted and reviewed by Caltrans
- All other contract procurement in progress: 1) Segment 2/3 Design. 2) Roadside Toll Collection System (RTCS). 3) Program Management Support Services (PMSS). 4) CM/GC.

## **Challenges/Risks:**

- Measure M/State SB 1 grant funds 40-50% of project cost, funding plan relies on future TIFIA loan and/or revenue bonds to be repaid by toll revenue.
  - Accelerated design schedule for Segment 1 to meet SB1 requirements to issue construction contract by December 2023, which requires close partnership with Caltrans.
  - Multiple contracts on the project require close coordination.
  - Close coordination required with Metro rail operations to minimize disruption to C line.
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# SHOVEL READY PROJECT DEVELOPMENT

# I-210 Median Concrete Barrier Replacement

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<u>Design Phase</u>	<u>Available</u>	<u>Current Forecast</u>	<u>Change in Forecast</u>	<u>Project</u>
<u>Budget</u>	<u>Funding</u>	<u>LOP Budget</u>	<u>Completion</u>	<u>Complete</u>
\$22.5M	\$0M (Const)	\$150M (Const)	July 2029 to October 2027	20% (Design)

**Cost:** The construction cost was reduced from \$270M to \$150M from scope reduction that replaces the barrier of the most vulnerable 1-mile S-curve portion of the I-210 alignment.

**Schedule:** Due to the scope change, the anticipated completion, based on the current high-level schedule, is Oct 2027 that is earlier than the previous completion date of July 2029.

**Mitigation Measures:** Metro working with CALTRANS on application for TCEP funds for the construction phase of the project; submitted DRAFT applications to CALTRANS for review.

## Accomplishments:

- Caltrans - management on-board with Metro's proposed no-widening design philosophy; installing traffic signs, etc. along I-210 to mitigate possibility of future median barrier breaches; investigating other improvements like high-friction surface for truck lanes, continuous striping at S-curve and lowering truck speed limit to further mitigate the possibility of future median barrier breaches.

## Challenges/Risks:

- Obtaining Caltrans approval (timely); concurrence from Pasadena and Arcadia, and Metro Operations (Gold Line)); putting low-cost measures in to facilitate deferral of barrier construction.
- Challenge to minimize the impact to each mode of transportation (road and rail) and local cities.
- Need to secure funding for remaining portion of the project.

# Brighton to Roxford Double Track Project

Design Phase <u>Budget</u>	Available <u>Funding</u>	Current Forecast <u>LOP Budget</u>	Change in Forecast <u>Completion</u>	Project <u>Complete</u>
\$19.2 M	\$97.2M	\$310.0 M	2027	5%

**Cost:** \$1.2M to account for out-of-scope services in order to be consistent with latest ESFV project and other design condition changes.

**Schedule:** one year extension to factor in delays to segment 3 while awaiting ESFV project recommendations.

**Mitigation Measures:** Issue contract modification and additional technical analysis in-progress. Staff will continue to look for local, state TCEP, and federal TIGER, INFRA, and Rail Infrastructure and Safety funding for construction.

## Accomplishment:

- The design packages were divided into four segments to align with rail modeling and grants.
- Secured \$77.3M for segment 1, Brighton to McKinley through a TIRCP grant
- Board Approval for additional Segment 3 technical analysis through the ESFV project.

## Challenges/Risks:

- Significant changes to existing conditions or betterment third party requests.
- Obtaining construction funding for segments 2, 3 and 4.





# Doran and Broadway/Brazil Grade Separation Project

<u>Design Phase</u> <u>Budget</u>	<u>Available</u> <u>Funding</u>	<u>Current Forecast</u> <u>LOP Budget</u>	<u>Forecast</u> <u>Completion</u>	<u>Project</u> <u>Complete</u>
\$4.0M	\$6.4M	\$190.0M	2030	3%

Cost: No Change.

Schedule: No Change.

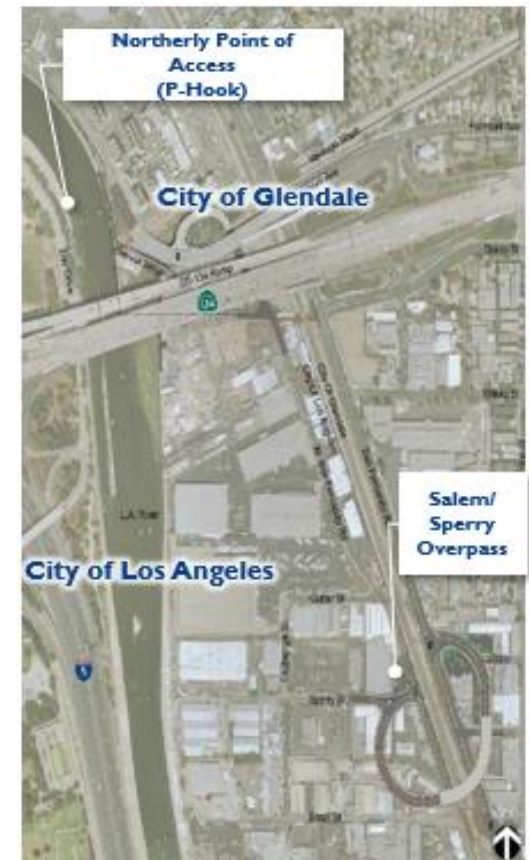
Mitigation Measures: Staff will continue to look for local, Section 190 grant, INFRA and federal Railroad Safety Infrastructure improvement and TIGER grants for construction.

## Accomplishments:

- Metro approval for contract modification to take final design work to take grade separated projects to a shovel ready level.
- US Army Corp agreement for geotechnical work and drainage improvements executed
- 60% final design plan submittal completed

## Challenges/Risks:

- Obtaining construction funding of \$180M for the improvements for the grade separation.



# Doran Street Active Transportation Project

Design Phase	Available	Current Forecast	Forecast	Project
<u>Budget</u>	<u>Funding</u>	<u>LOP Budget</u>	<u>Completion</u>	<u>Complete</u>
\$3.0M	\$19.3M	\$19.3M	2025	3%

Cost: No Change.

Schedule: No Change.

Mitigation Measures: Not Applicable.

## Accomplishments:

- ATP cycle 4 funding approval.
- US Army Corp approval for geotechnical work and drainage improvements.

## Challenges/Risks:

- Working in an environmentally sensitive area
- Obtaining US Army Corp approval for work over the Verdugo Wash.





# Lone Hill to White Double Track

<u>Design Phase Budget</u>	<u>Current Design Phase LOP</u>	<u>Total Project Forecast</u>	<u>Forecast Completion</u>	<u>Project Complete</u>
\$8.2M	\$8.2M	\$130.0M	2027	3%

**Cost:** No Change.

**Schedule:** No Change.

**Mitigation Measures:** Staff will continue to look for local, state TCEP, and federal TIGER, INFRA, and Rail Infrastructure and Safety funding for construction.



## Accomplishments:

- Preliminary Engineering completion and approval to start final design work.

## Challenges/Risks:

- Shovel Ready to seek funding for enhanced Metrolink service in support of the Brightline West Rancho alignment.
- Cities can elect not to proceed with quiet zone ready infrastructure and request sound walls as mitigation.



**FORECAST GREATER THAN CURRENT FUNDING**

# Gold Line Foothill Extension Phase 2B

**Original  
LOP**  
\$1,406M

**Current  
LOP**  
\$1,532.9M

**Current  
Forecast**  
\$1,532.9M

**Forecast  
Completion**  
Spring 2029 to  
Summer 2026

**Project  
Complete**  
40%



# Gold Line Foothill Extension Phase 2B

---

**Cost:** Project segmented to Pomona. Remaining segment is seeking funding to complete the project.

**Schedule:** Due to unfavorable economic conditions affecting bid prices, the alignment contract was restructured to terminate in Pomona, reducing the completion date with the alignment ending in Montclair.

**Mitigation Measures:** Seeking additional funding to complete the project.

## Accomplishments:

- The Contractor Kiewit Parsons Joint Venture (KPJV) have completed work at more than half of the grade crossings, completion of the freight track relocation and started work on all bridges.
- The design of the 9 mile, 4 Station extension is substantially complete.
- First of the four new light rail stations is under construction at Glendora.
- CPUC has approved 49 of 49 grade crossings.

## Challenges/Risks:

- The contract option to extend the existing contract to Montclair expired on 10/7/21; the Construction Authority is negotiating a possible one-year extension of this “Montclair Option”.
  - Securing funding for remaining initial proposed alignment to Montclair.
-

---



# PROJECTS ON WATCHLIST



# Division 20 Portal Widening Turnback

**Original**  
**LOP**  
\$801.7M

**Current**  
**LOP**  
\$876.7M

**Current**  
**Forecast**  
\$876.7M

**Change in Forecast**  
**Completion**  
Spring 2024 to  
Winter 2025

**Project**  
**Complete**  
31%



# Division 20 Portal Widening Turnback

---

**Cost:** No additional anticipated LOP increase through FY23. Current risks may require a future LOP increase as noted below.

**Schedule:** Change in completion date due to change orders related to design issues, differing site conditions. Key change orders are critical path to be addressed prior to base contract work

**Mitigation Measures:** Currently prioritizing construction activities, working with contractor to update project schedule

## **Accomplishments:**

- West Portal Wall Construction; MOW Track Removals
- Microlok II (new train control hardware and software) installed and accepted by Metro Operations.
- First Street Bridge - Footings and Reinforcing under construction.
- 37 girders for First Street Bridge casted, girders being installed in first of 4 bays.
- Traction Power Substation - Fabrication under way; Contract 65% complete -Major vaults, ductbanks installed and prepping subgrade for grounding grid installation.
- Shoofly coordination and installation.

## **Challenges/Risks:**

- Coordination in Active Rail Yard - Rail Operations must remain active and still execute multiple cutovers.
  - Adjacent Projects Coordination (MCP, Link US, RCC, PLE Rail Welding Yard, Center Street).
  - Unknown Conditions (Differing Site Conditions - DSCs - includes unknowns and utilities).
  - 1st Street Bridge existing structural integrity and rehabilitation.
  - Procurement of Long Lead Items: Very Large power substation, 60+ turnouts, Continuous Welded Rail, Signal Materials, and Bridge Materials, and Supply Chain Impacts on resources.
-



**PROJECTS ON TRACK WITHIN AFFORDABILITY**



# Soundwall Package 11

Original LOP	Current LOP	Current Forecast	Forecast Completion	Project Complete
\$89.2M	\$102.5M	\$102.5M	Summer 2022	93.2%

**Cost:** No cost change in FY23.

**Schedule:** No schedule change in FY23.

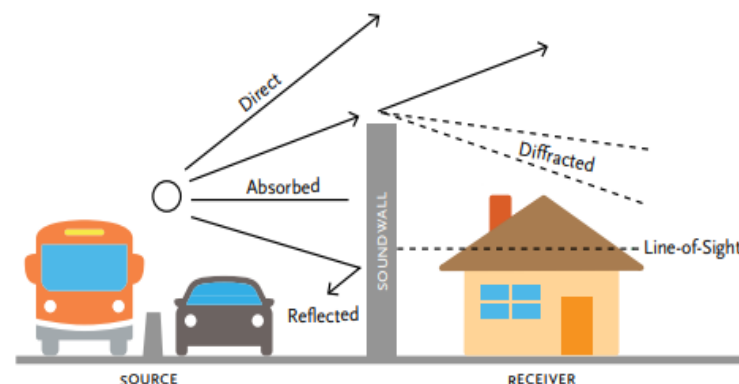
**Mitigation Measures:** Not Applicable.

## Accomplishments:

- Issued NTP for Soundwall Package 11 in December 2017 (FY18 Q2)
- Period of Performance is 1,460 days (48 months)
- Went to Board for LOP increase January 2021
- Substantial Completion: February 2022 (FY22 Q3)
- Punchlist / All construction complete: April 2022 (FY22 Q4)
- Contract Close-out: July 2022 (FY23 Q1)
- Project Close-out: June 2023 (FY23 Q4)

## Challenges/Risks:

- None at this time.



# Metro Center Street Project

<u>Original LOP</u>	<u>Current LOP</u>	<u>Current Forecast</u>	<u>Forecast Completion</u>	<u>Project Complete</u>
\$ 112.7M	\$130.7M	\$132.7M	2023	51.9%

**Cost:** Due to the COVID-19 financial constraints in 2020, the project underwent severe scope and cost reduction to fit the grant funds. The Metro Board approved the \$130.7 million LOP for the design and construction of the building only. There is an additional interest earned of approximately \$2 million since October 2020, staff will return to the Board for the increase of LOP to \$132.7 million.

**Schedule:** The anticipated project completion is late 2023 due to ongoing labor shortages and supply chain delays from COVID-19 pandemic impacting construction schedule.

**Mitigation Measures:** Staff is pursuing State and Federal Transit Security Grant Program grant funding opportunities for \$30 million to connect the MCP to the enterprise & SCADA networks, implemented by phases

**Accomplishments:**

- Issued D/B Contract Notice to Proceed (NTP) on 11/17/20.
- Met state funding deadline to expend \$38 million by 3/2021.

**Challenges/Risks:**

- To make the MCP fully operational to serve all rail and bus network, an additional funding of \$30 million needed for enhanced emergency management, SCADA, communication and security system functions for the Emergency Security Operations Center which will be implemented by phases, pending available grant funds.



# Rosecrans/Marquardt Grade Separation Project

Original  
LOP  
\$156.4M

Current  
LOP  
\$156.4M

Current  
Forecast  
\$156.4M

Forecast  
Completion  
2025

Project  
Complete  
42%

Cost: No Change.

Schedule: No Change.

Mitigation Measures: Not Applicable.



## Accomplishments:

- Metro Real Estate has effective orders of possession (OP) on all properties.
- 100% Final Design was completed in May 2021.
- Early demolition work began in November 2019 and the remaining demolition activities started in November 2021 and are in progress.

## Challenges/Risks:

- Contractor's means and methods for haul routes and delivery of material/equipment to the site may vary from City of Santa Fe Springs process and result in increased costs.
- BNSF may not be able to approve Absolute Work Windows (AWWs), for pre-cast girder erection, due to internal factors.

# Airport Metro Connector

**Original  
LOP**  
\$898.6M

**Current  
LOP**  
\$898.6M

**Current  
Forecast**  
\$898.6M

**Change in Forecast  
Completion**  
Fall 2024

**Project  
Complete**  
22.5%



# Airport Metro Connector

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Cost: No Change.

Schedule: No Change.

Mitigation Measures: Not Applicable.

## Accomplishments:

- Early Works Contract (Demolition, grading and installation of turnbacks) – Contract awarded and NTP issued on May 12, 2021. Demolition and Grading were completed October 2021.
- Main AMC Construction Contract – Contract awarded and NTP issued on October 25, 2021. Construction expected to begin Spring 2022.

## Challenges/Risks:

- Negotiations of the Hertz Property/Right of way.
- CLAX construction delays and as-built conditions as AMC Station Construction starts.
- Interface with CLAX SIT-2 and current adjacent LAWA Projects.





# I-5 North County Enhancements Project



Current  
LOP  
\$679.3M

Available  
Funding  
\$679.3M

Forecast  
Completion  
Summer 2026

Project  
Complete  
3.7%

Cost: No Change.

Schedule: No Change.

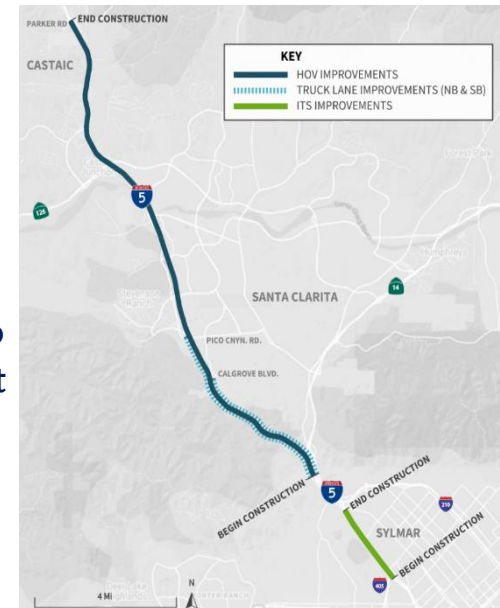
Mitigation Measures: Not Applicable.

## Accomplishments:

- Secured \$47M in INFRA - Federal Funding  
\$247M in TCEP - SB1 State Funding
- Construction Support Services Contract awarded to Hill Intl Aug 2020
- Bids Issued Nov 2020, Bids Received Feb 2021; LOP Approved by Metro Board Mar 2021; Contract Award to OHL USA July 2021; NTP for Project August 23, 2021; Construction Start Oct 2021; Anticipated Substantial Completion Jul 2026.

## Challenges/Risks:

- Managing Contract with Metro processes and satisfying Caltrans requirements/oversight.
- Coordinating with other Stakeholders: FHWA, City of Santa Clarita, LA County, CHP, NPS, CDFW.



# Rail to Rail Active Transportation Corridor

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<u>Original</u> <u>LOP</u>	<u>Current</u> <u>LOP</u>	<u>Current</u> <u>Forecast</u>	<u>Forecast</u> <u>Completion</u>	<u>Project</u> <u>Complete</u>
\$ 116.0M	\$116.0M	\$140.0M	Winter 2024	0%

**Cost:** Staff working on funding agreement with City of LA for work within public ROW. *LOP will be adjusted commensurate with final value of funding agreement.*

**Schedule:** No Change.

**Mitigation Measures:** Not Applicable.

## Accomplishments:

- Final Design complete and approved for construction by City and County of LA.
- Metro entered into a Voluntary Clean-up Agreement with DTSC.
- Abandoned rail equipment demolition and limited soil remediation completed August 2021.
- Construction Bids Received 7/2021; Contract Awarded 12/2021, NTP issued 01/2022.
- Metro Board approved Life of Project Budget January 2022.

## Challenges/Risks:

- Additional requirements: City of Los Angeles to the south side of Slauson Ave; at 67th Ave & 11th Ave; and Union Pacific require reevaluation of design/construction scope east of Compton Ave.
- Unforeseen subsurface conditions in the Public ROW intersections.
- Worksite Traffic Control Plans must be completed by Metro ahead of Contractor's schedule.
- Coordination and redesign effort in support of City's Slauson Connect project.
- Third party expenditures with City of LA much higher than forecasted in preliminary design.

# Soundwall Package 10



Original  
LOP  
\$50.9M

Current  
LOP  
\$50.9M

Current  
Forecast  
\$50.9M

Forecast  
Completion  
Winter 2026

Project  
Complete  
0%

Cost: No Change.

Schedule: No Change.

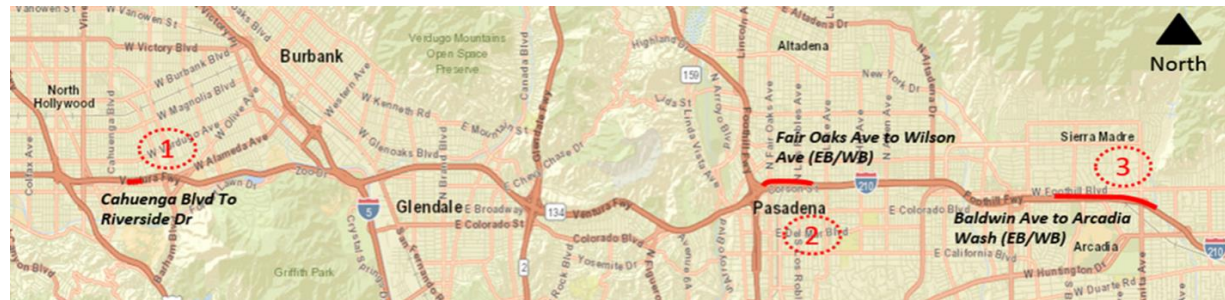
Mitigation Measures: Not Applicable.

## Accomplishments:

- Secured \$48.6M in HIP - Federal Funding
- Constructability Review Complete
- Construction Cooperative Agreement Executed
- CSSC Contract has been awarded.

## Challenges/Risks:

- Encroachment Permit from City of Pasadena is Conditional







## Board Report

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File #: 2022-0159, File Type: Informational Report

Agenda Number: 37.

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### CONSTRUCTION COMMITTEE APRIL 21, 2022

**SUBJECT: PROGRAM MANAGEMENT QUARTERLY CHANGE REPORT**

**ACTION: RECEIVE AND FILE**

#### **RECOMMENDATION**

RECEIVE AND FILE status report on Program Management Quarterly Change Report.

#### **BACKGROUND**

In January 2017, the MTA Board approved a one-year pilot to delegate the CEO the authority to execute project agreements up to the Life-of-Project (LOP) budget for the Crenshaw/LAX, Regional Connector, and Purple Line Extension Section 1 & 2 projects. The purpose of the pilot was to save time and minimize disruption due to the typical contract change administration approval process.

The pilot program was effective, generated cost savings and avoided costly construction delays. At the January 26, 2018 Board meeting, the Board approved the continuation and expansion of the delegation of authority within Life of Project (LOP) budget management on all Transit and Regional Rail Capital Projects. Staff was directed to provide quarterly reports to the Board on change orders and modifications that are above \$500,000. CEO Board delegated authority of changes is very beneficial to expedite contract changes and avoid costly construction delays. Since inception of the program up to 1,992 concurrent workdays or concurrent 7.6 years, aggregated across the program, have been saved. (For more information refer to Attachment B entitled OIG Construction Change Order Spot Checks CEO Delegated Authority Total Delays Avoided).

#### **DISCUSSION**

The change activities for the reporting period between December 1, 2021, and February 28, 2022 are included in Attachment A.

#### **FINANCIAL IMPACT**

The changes included in this report are included in the approved life-of-project budget for each project.

#### **EQUITY PLATFORM**

Crenshaw/LAX	Equity - 8 of 8 stations (100%) are within or adjacent to Equity Focus
Regional Connector	Equity - 3 of 3 stations (100%) are within or adjacent to Equity Focus
Westside Purple Line Ext 1	Equity - This project is not located within or adjacent to Equity Focus Communities
Westside Purple Line Ext 2	Equity - This project is not located within or adjacent to Equity Focus Communities
Westside Purple Line Ext 3	Equity - 1 of 2 stations (50%) are within or adjacent to Equity Focus Communities
Division 20	Equity - 100% of the project is within or adjacent to Equity Focus Communities
Airport Metro Connector	Equity - 100% of the project is within or adjacent to Equity Focus Communities
Willowbrook/Rosa Parks	Equity - 100% of the project is within or adjacent to Equity Focus Communities
Soundwall Package 11	Equity - 25% of the project is within or adjacent to Equity Focus Communities
Metro Center Project (ESOC)	Equity - This project is not located within or adjacent to Equity Focus Communities
Rail to Rail	Equity - 90% of the project is within or adjacent to Equity Focus Communities
Systemwide Signage	Equity - 55% of the project is within or adjacent to Equity Focus Communities
I-5 North County Enhancements	Equity - This project is not located within or adjacent to Equity Focus Communities

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Recommendation supports strategic plan goal # 5 to provide responsive, accountable, and trustworthy governance within the Metro organization by keeping the Board informed of the Projects' change orders and modifications via submitting the Change Order log on a quarterly basis.

## **NEXT STEPS**

The next Change Order Log will cover the period of March 1, 2022, through May 31, 2022 and will be presented to the July 2022 Construction Committee.

## **ATTACHMENTS**

Attachment A - Quarterly Change Orders Log for Reporting Period of December 1, 2021  
- February 28, 2022]

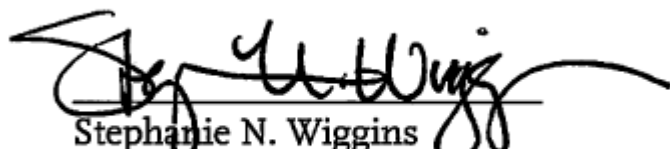
Attachment B - OIG Construction Change Order Spot Checks CEO Delegated Authority Delays  
Avoided

Prepared by:

- **Crenshaw/LAX** - Sameh Ghaly, Sr. EO Project Mgmt., (213) 418-3369
- **Regional Connector** - Mathew Antonelli, Project Manager, (213) 893-7114
- **Westside Purple Line Ext 1** - James Cohen, EO Projects Eng., (323) 900-2114
- **Westside Purple Line Ext 2** - Michael McKenna, EO Projects Eng.,  
(424) 551-4447
- **Westside Purple Line Ext 3** - Kimberly Ong, EO Projects Eng., (424) 551-4501
- **Division 20 Portal** - Rick Meade, Sr. EO Project Mgmt., (213) 922-7917
- **Airport Metro Connector** - Tim Lindholm, Sr. EO Project Mgmt.,  
(213) 922-7297
- **Soundwall Package 11** - Tim Lindholm, Sr. EO Project Mgmt.,  
(213) 922-7297
- **Metro Center** - Jeanet Owens, Sr. EO Project Mgmt., (213) 418-3189
- **Willowbrooks/Rosa Parks Improvement** - Tim Lindholm, Sr. EO Project Mgmt.,  
(213) 922-7297
- **Rail to Rail** - Tim Lindholm, Sr. EO Project Mgmt., (213) 922-7297
- **Systemwide Signage** - Tim Lindholm, Sr. EO Project Mgmt., (213) 922-7297
- **I-5 North Country Enhancements** - Tim Lindholm, Sr. EO Project Mgmt.,  
(213) 922-7297
- **Report** - Julie Owen, Sr. EO Program Control, (213) 922-7313

Reviewed by:

Bryan Pennington, Chief Program Management Officer, (213) 922-7449



Stephanie N. Wiggins  
Chief Executive Officer

## CRENSHAW/LAX TRANSIT PROJECT

### I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)

Change Types:

1 - Betterment    2 - Third Party    3 - Differing Site Conditions    4 - Regulatory Requirements    5 - Scope    6 - Value Engineering    7 - Safety

#### A. DESIGN BUILD CONTRACT - Contract No. C0988 - WALSH SHEA CORRIDOR CONSTRUCTORS

MOD/CHANGE #	DESCRIPTION <small>(if the change is a unilateral, explain in <b>BOLD</b> fonts that is why this is unilateral and a modification will follow upon negotiation is finalized between Contractor and Metro).</small>	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

#### B) PROFESSIONAL SERVICES CONTRACTS

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

#### C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS

	None					
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 - February 28, 2022)****A) DESIGN BUILD CONTRACT - Contract No. C0988 - WALSH SHEA CORRIDOR CONSTRUCTORS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
MOD-00551	Landscape Changes - Park Mesa: Construct curb and gutter for landscape medians along Crenshaw Blvd, procure and install landscaped median shrub/ground cover, median irrigation, and landscape planting and irrigation maintenance	5	Between \$1M and \$5M
MOD-00555	Laser-cut Art Fence at Aviation/Century Station (RFC 380.2): The DB shall incorporate into the design and provide all labor, material, and equipment required to install 540 LF of laser cut art fence in-lieu of contract required fencing at Aviation/Century Station. It shall be installed along the outside edges of both the northbound and southbound tracks at the Aviation/Century aerial structure.	5	Between \$500K and less than \$1M

**B) PROFESSIONAL SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
PSS8665-TO-009-MOD-00007	Arcadis Construction Claims Support Services - Additoinal funding to Support for Claims and Potential Litigation for the C/LAX through June 30, 2022	5	Between \$1M and \$5M

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACT - Contract MC069 - STANTEC CONSULTING, INC.**

MOD/CHANGE #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**CRENSHAW/LAX CLOSE OUT PROJECT**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)**

**Change Types:**

**1 - Betterment    2 - Third Party    3 - Differing Site Conditions    4 - Regulatory Requirements    5 - Scope    6 - Value Engineering    7 - Safety**

**A. DESIGN BUILD CONTRACT - Contract No. C1217 - VENDOR TBD**

MOD/CHANGE #	DESCRIPTION <small>(if the change is a unilateral, explain in <b>BOLD</b> fonts that is why this is unilateral and a modification will follow upon negotiation is finalized between Contractor and Metro).</small>	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**B) PROFESSIONAL SERVICES CONTRACTS**

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
PS20655-075	<b>CLAX Union Equity Building Demolition:</b> TRC and subcontractors performing regulated materials abatement and demolition activities at the CLAX Union Equity Buildings in Inglewood in support of the CLAX Station. TRC will provide project management, site specific safety plan, Storm Water Pollution Prevention Plan (SWPPP), and TRC is responsible for City permits.	4	12/22/2021	2/8/2022	\$3,245,251.66	\$3,223,016

**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 - February 28, 2022)**

<b>A) DESIGN BUILD CONTRACT - Contract No. C1217 - VENDOR TBD</b>			
CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

<b>B) PROFESSIONAL SERVICES CONTRACTS</b>			
CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

<b>C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACT - Contract MC069 - STANTEC CONSULTING, INC.</b>			
MOD/CHANGE #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

## REGIONAL CONNECTOR TRANSIT PROJECT

### I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)

Change Types:  
 1 - Betterment   2 - Third Party   3 - Differing Site Conditions   4 - Regulatory Requirements   5 - Scope   6 - Value Engineering   7 - Safety

#### A. DESIGN BUILD CONTRACT - CONTRACT NO. C0980 - REGIONAL CONNECTOR CONSTRUCTORS

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
C0980-MOD-230	Alameda Emergency Exit Stairway	5	1/6/2022	2/17/2022	\$2,818,207	\$2,199,000
C0980-MOD-232	Add 1 LADWP Switch Room Requirements for 1st and Central and 2nd Hope	5	1/28/2022	2/24/2022	\$554,064	\$506,607

#### B. PROFESSIONAL SERVICES CONTRACT

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

#### C. OTHER AGREEMENTS

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					



**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K**

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C0980 - REGIONAL CONNECTOR CONSTRUCTORS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**B) PROFESSIONAL SERVICES CONTRACTS**

Design Support Services During Construction

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**D. OTHER AGREEMENTS**

MOD/CHANGE #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**WESTSIDE PURPLE LINE SECTION 1**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2022 – February 28, 2022)**

Change Types:  
 1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C1045 - SKANSKA-TRAYLOR-SHEA, A JOINT VENTURE**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
MOD 144	<b>Constructing Wilshire/La Cienega Station During Mining (CN-00157.1):</b> Both TBMs have experienced delays to tunnel mining while progressing through the Reach 2 (Wilshire/La Brea to Wilshire/Fairfax) and Reach 3 (Wilshire/Fairfax to Wilshire/La Cienega) tunnels. This change removed the dependency between the TBM arrivals at Wilshire/La Cienega Station and the continued Wilshire/La Cienega Station construction. This allowed Wilshire/La Cienega Station to advance regardless of the tunnel delays that were and would be encountered.	3	11/5/2021	12/22/2021	\$22,704,930	\$15,879,565
MOD 146	<b>Gale Yard Noise Barrier for Evening Work (CN-00210):</b> This change allows the contractor to continue the Project's noise mitigation efforts within the Metro Gale Yard. These noise mitigation enhancements will assist the Project in maintaining the ability to continue construction operations around the clock.	2	1/10/2022	1/31/2022	\$1,143,067	\$859,677
MOD 147	<b>Vapor Extraction Street Restoration (CN-00180.1):</b> This change is the final part of the program to mitigate potential gas migration during Reach 3 tunneling. Since tunneling is complete, the areas where equipment was temporarily located needs to be restored to its pre-existing condition. This modification will complete all street restoration in this area.	7	1/13/2022	2/1/2022	\$1,253,078	\$1,087,452
MOD 149	<b>Wilshire/La Cienega - SCE Line to Remain at Hamilton Drive (CN-00109.1):</b> This change allows the contractor to redesign and relocate the support-of-excavation (SOE) pipe struts to avoid an existing duct bank that was initially thought to be abandoned. This scope of work includes construction of the station while the duct bank remains in service.	5	1/21/2022	2/1/2022	\$1,078,676	\$1,078,676

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C1078 - CLARK CONSTRUCTION GROUP**

None						
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**B. PROFESSIONAL SERVICES CONTRACTS**

None						
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**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

None						
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 – February 28, 2022)**

**A) DESIGN BUILD CONTRACT - CONTRACT NO. C1045 - SKANSKA-TRAYLOR-SHEA, A JOINT VENTURE**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
CN - 00215	<u>Equipment Access Hatch for LADWP and SCE – Construction of Temp and Perm Condition</u> : This change allows the contractor to accommodate the LADWP/SCE request raise the equipment access hatches at all three stations to grade. These equipment access hatches are currently designed to be installed below the street surface.	2	Between \$1M - \$5M

**A) CONTRACT NO. C1078 - CLARK CONSTRUCTION GROUP**

None			
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**B) PROFESSIONAL SERVICES CONTRACTS**

None			
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**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

None			
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**WESTSIDE PURPLE LINE SECTION 2**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 – February 28, 2022)**

Change Types:  
 1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BUILD CONTRACT - C1120**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
MOD-134	Design Provisions for Wilshire/Rodeo Station North Secondary Entrance: In order to make provision for a future secondary entrance on Beverly Drive at the Wilshire/Rodeo Station, this Modification includes the design to add a walkway extending from the northwest corner of the existing concourse to a new knock out panel at the northwest corner of the station platform module and the associated adjustments to ancillary items. Also includes: evaluation for removing the Emergency Exit Stair No. 2 from the design; and its removal from the design if the added walkway provides the required emergency egress. This scope of work is required to accommodate the approved and executed Settlement Agreement between Metro and City of Beverly Hills which was authorized by the Metro Board on November 10, 2020.	5	1/18/2022	2/28/2022	\$1,081,155	\$1,000,000

**B. PROFESSIONAL SERVICES CONTRACT**

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 – February 28, 2021)**

**A) DESIGN BUILD CONTRACT - C1120**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
CN-00151 (CO-00047)	<b>WRS Procurement and Installation of Additional Reinforcement for Cantilevered Walkway at North Secondary Entrance (Ref: MOD-134):</b> In order to make provision for a future Secondary Entrance on Beverly Drive at the Wilshire / Rodeo Station (WRS), this change notice includes the procurement and installation of additional rebar, form savers, block-outs and waterproofing materials necessary for the construction of a walkway extending from the northwest corner of the existing Concourse to a new knock out panel at the northwest corner of the Station Platform Module. This scope of work is required to accommodate the approved and executed Settlement Agreement between Metro and City of Beverly Hills.	5	Between \$500K and less than \$1M
CN-00167	<b>CCCS Excavation Impacts Due to Webcor Sewer Lateral (RFC 00138):</b> During Century City Constellation Station (CCCS) excavation, TPOG uncovered an unknown pipe at the west side of the station. Upon further field investigation it was determined that the sewer lateral was designed and installed by another party after the C1120 contract was awarded. This change notice is to compensate TPOG for costs associated with the impacts to the CCCS station excavation rate due to the need to work around the unforeseen sewer lateral.	5	Between \$500K and less than \$1M
CN-00169	<b>Revised TCPs for Century Plaza Hotel Continued Driveway Access (Constellation west of AOS):</b> This change notice is to compensate the contractor for construction impacts to SOE due to the design changes to decrease the size of access deck opening located on Constellation Blvd, west of Avenue of the Stars, as well as from the revisions to the Stage 7 Traffic Control Plans in order to provide continuous traffic access to The Century Plaza Hotel Retail and Ballroom driveways, in accordance with the project's Final Environmental Impact Statement and Environmental Impact Report (FEIS/FEIR). At the time of Contract Award and during the preparation of the FEIS/FEIR, it was unknown that the recently remodeled hotel would use their eastern driveway as the main access to their Ballroom; it was also unknown that the existing west driveway would become a future entrance to a newly built underground parking garage that would serve new residential towers and retail areas.	5	Between \$1M and \$5M

**B) PROFESSIONAL SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**D) OTHER AGREEMENTS**

MOD/CHANGE #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**WESTSIDE PURPLE LINE SECTION 3**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 – February 28, 2022)**

Change Types:  
 1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BUILD CONTRACT - C1151**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**A. DESIGN BUILD CONTRACT - C1152**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**A. DESIGN BUILD CONTRACT - C1153**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	Contract Closed					

**B. PROFESSIONAL SERVICES CONTRACTS**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
PS54007-TO-008-MOD-00002	PQM - Metro Quality Management Consultant (QMC) General Program Development and Execution	5	12/6/2021	1/14/2022	\$764,401	\$764,401
PS58665-007-MOD-00003	Arcadis - Construction Claims Support Services	5	1/7/2022	2/1/2022	\$550,063	\$550,063
C1204-MOD-00002	Everpark Inc - Additional Valet Capacity at the Veterans Affairs (VA) Hospital	5	1/24/2022	2/1/2022	\$610,812	\$610,812

**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 – February 28, 2021)****A) DESIGN BUILD CONTRACT - C1151**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**A) DESIGN BUILD CONTRACT - C1152**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**A) DESIGN BUILD CONTRACT - C1153**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	Contract Closed		

**B) PROFESSIONAL SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**DIVISION 20 PORTAL PROJECT**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 – February 28, 2022)**

Change Types:

1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BID BUILD CONTRACT - CONTRACT NO. C1136 - TUTOR PERINI CORPORATION**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
27(MOD)	Safety and Security Fence along Metro/Amtrak Right of Way	7	2/4/2022	2/28/2022	\$ 649,088	\$ 575,173

**A. DESIGN BID BUILD CONTRACT - CONTRACT NO. C1184 - C3M**

	None					
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**B. PROFESSIONAL SERVICES CONTRACTS - CONTRACT NO. AE66758000 T.Y.LIN INTERNATIONAL**

	None					
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**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS- CONTRACT NO.MC074 ANSER ADVISORY MANAGEMENT LLC**

	None					
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 – February 28, 2021)****A) DESIGN BID BUILD CONTRACT - CONTRACT NO. C1136 - TUTOR PERINI CORPORATION**

CN/CO/MOD #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
11.3(CO)	1st Street Viaduct - Crack and Spall Repair	3	Between \$500K and less than \$1M

**A) DESIGN BID BUILD CONTRACT NO. C1184 - C3M**

	None		
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**B) PROFESSIONAL SERVICES CONTRACTS- CONTRACT NO.AE66758000 T.Y.LIN INTERNATIONAL**

	None		
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**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS - CONTRACT NO.MCO74 ANSER ADVISORY MANAGEMENT LLC**

	None		
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**AIRPORT METRO CONNECTOR**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 – February 28, 2022)**

Change Types:  
 1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BID BUILD CONTRACT - C1194 - HPH**

Change Types:  
 1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
HPH - C1194 CO 2	South Pre-Cast Cisterns (Bulletin 1) Previously CN 1.2 CN4 was split into two scopes: Shoring for the pre-cast cisterns (Mod 2 issued September 2021) and then the actual outh pre-cast cisterns (CO 2)	5	12/11/2021	12/22/2021	n/a (CO)	\$3,873,490

**A. DESIGN BID BUILD CONTRACT - C1194 - HPH and C1197 Tutor**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**B) PROFESSIONAL SERVICES CONTRACTS**

	None					
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**C) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Rough Order of Magnitude Cost
	None					

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 – February 28, 2021)****A) DESIGN BID BUILD CONTRACT - Contract C1194 - HPH**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**A) DESIGN BID BUILD CONTRACT - Contract C1197 - Tutor**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
Tutor - C1197 CN 3	South Pre-Cast Cisterns (Bulletin 2) : Contractor shall procure and install all drainage system and components as specified in the Contract Documents. The Contractor shall submit shop drawings and layout drawings to Metro. Materials include but are not necessarily limited too: • Precast cistern modules • HDPE pipe & accessories	5	Between \$1M and \$5M

**B) PROFESSIONAL SERVICES CONTRACTS - DSDC Gruen**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**D) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**SOUNDWALL PACKAGE 11**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)**

Change Types:  
 1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

A. DESIGN BUILD CONTRACT - C1101 Soundwall Package 11 - Powell						
MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
None						

B) PROFESSIONAL SERVICES CONTRACTS						
None						

C) THIRD PARTY AGREEMENTS						
CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Rough Order of Magnitude Cost
None						

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 - February 28, 2022)**

**A) DESIGN BUILD CONTRACT - Contract C1101 - Powell**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**B) PROFESSIONAL SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	Design Support During Construction		

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**D) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
n/a	<u>DWP work</u> DWP has indicated that between 750,000 - 1,000,000 will be need to be added to a work order issued in 2016.	5	Between \$500K and less than \$1M

**METRO CENTER PROJECT**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 – February 28, 2022)**

Change Types:  
 1 - Betterment   2 - Third Party   3 - Differing Site Conditions   4 - Regulatory Requirements   5 - Scope   6 - Value Engineering   7 - Safety

<b>A. DESIGN BUILD CONTRACT - CONTRACT NO.</b>						
MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					
<b>A. DESIGN BUILD CONTRACT - CONTRACT NO.</b>						
	None					
<b>B. PROFESSIONAL SERVICES CONTRACTS</b>						
	None					
<b>C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS</b>						
	None					

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 – February 28, 2021)**

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C1169 - S.J. AMOROSO CONSTRUCTION CO., LLC.**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
C52151C1169-2-CN-00005.1	Update Network Equipment (LAN,WLAN,VOIP) to current Metro ITS Standards	Change Order	Between \$1M and \$5M
C52151C1169-2-CN-00015	Add Virtual Machine (VM) Environment	Change Order	Between \$500K and less than \$1M

**B. DESIGN SUPPORT DURING CONSTRUCTION - CONTRACT NO.AE59600-TO-006 - HDR Engineering inc**

	Provide Additional Design Support Services	MOD	Between \$500K and less than \$1M
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**C. PROFESSIONAL SERVICES CONTRACTS**

	None		
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**D. CONSTRUCTION SUPPORT SERVICES CONTRACTS - CONTRACT NO. PS66100MC076001 - CENTER STREET MANAGEMENT PARTNERS, JV**

MOD 5	Addition of Deputy Project Manager and Methane Barrier Inspection	MOD	Between \$500K and less than \$1M
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**WILLOWBROOK/ROSA PARKS**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)**

Change Types:  
 1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BUILD CONTRACT - C1161 Willowbrook/Rosa Parks Improvements - Icon West**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**B) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Rough Order of Magnitude Cost
	None					



**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 - February 28, 2022)****A) DESIGN BUILD CONTRACT - Contract C1161 - Icon West**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
CN TBD	<u>Final Settlement including additional Insurance</u> Final settlement is being negotiated with Icon West to include items like deined RFCs,deductive change orders where final value was not agreed upon, and additional insurance because of the extension to the schedule.	5	Between \$500K and less than \$1M

**B) PROFESSIONAL SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**d) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**RAIL TO RAIL**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)**

Change Types:

1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BUILD CONTRACT - C1166 Rail to Rail (Griffith)**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
None						

**B) PROFESSIONAL SERVICES CONTRACTS**

MOD/CHANGE #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
Ramos - Task Order 2	Construction Management Support Services for Rail to Rail Task Order 2 is to staff the field office with Resident Engineer (RE), Assistant RE, Office Engineers, and other staff.	5	2/28/2022	TBD	\$761,021	\$761,021

**C) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Rough Order of Magnitude Cost
None						

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 - February 28, 2022)****A) DESIGN BUILD CONTRACT - Contract C1166 - Rail to Rail (Griffith)**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
CN TBD	Soil Remediation West of Inskip Avenue Soil was found to be "hazardous" not "contaminated" and contractor has to be reimbursed for the higher cost of disposing of such soil.	5	Between \$1M and \$5M

**B) PROFESSIONAL SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
HDR - Task Order - TBD	Design Support During Construction (DSDC) With the award and NTP of R2R Contract C1166, DSDC will be necessary as HDR is the engineer of record and will be responsible for responding to Requests for Information (RFI) and providing other design support.	5	Between \$500K and less than \$1M

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**D) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**SYSTEMWIDE SIGNAGE**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)**

Change Types:

1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A. DESIGN BUILD CONTRACT -**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
None						

**B) PROFESSIONAL SERVICES CONTRACTS**

HDR - Task Order 11 Mod 1	<p>Program Management for New Blue:</p> <p>Professional consulting services for the design of Metro E Line (Expo) and Metro L Line (Gold) signage that will be impacted by the opening of the Regional Connector Project (RCP), including but not limited to the following sign types: A4 (Destination Overhead), A6 (ADA Station Identification), A9 (Trackside Station Identity), and A17 (Station Identification). All design parameters, quantities, locations and messaging shall be based on the Phase 1 Audit &amp; Survey work. This work will consist of the following tasks: Contract/Project Management, Design Parameters, Schematic Design, Design Development, Production Documents, Fabrication/Installation Support.</p>	5	10/26/2021	10/27/2021	\$753,561	\$753,561
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**C) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Rough Order of Magnitude Cost
None						

**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 - February 28, 2022)**

**A) DESIGN BUILD CONTRACT - Contract C1161 - Icon West**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**B) PROFESSIONAL SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**D) THIRD PARTY AGREEMENTS**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
None			

**I-5 NORTH COUNTY ENHANCEMENTS PROJECT**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (December 1, 2021 - February 28, 2022)**

Change Types:

1 - Betterment 2 - Third Party 3 - Differing Site Conditions 4 - Regulatory Requirements 5 - Scope 6 - Value Engineering 7 - Safety

**A) DESIGN BID BUILD CONTRACT - CONTRACT NO. C70396C1205 - OHL USA, INC.**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
	None					

**B. PROFESSIONAL SERVICES CONTRACTS**

CONTRACT NO. AE469080015383 - JACOBS ENGINEERING						
	None					
CONTRACT NO. AE51181EN084 - BURNS & McDONNELL						
	None					
CONTRACT NO. AE30673002 - PARSONS TRANSPORTATION						
	None					
CONTRACT NO. PS58665013TO11 - ARCADIS						
	None					
CONTRACT NO. AE35279008CWO005 - KKCS/TRIUNITY JOINT VENTURE						
	None					
CONTRACT NO. PS73323000 - PRECISION MATERIAL MANAGEMENT, LLC						
	None					

**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS - CONTRACT NO. PS67828000 - HILL INTERNATIONAL**

	None					
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (December 1, 2021 - February 28, 2022)**

**A) DESIGN BID BUILD CONTRACT - CONTRACT NO. C70396C1205 - OHL USA, INC.**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
	None		

**B. PROFESSIONAL SERVICES CONTRACTS**

CONTRACT NO. AE469080015383 - JACOBS ENGINEERING			
MOD 16	Design Services During Construction and RIITS Change Order Plan and Quantity Revisions	5	Between \$1M and \$5M
CONTRACT NO. AE51181EN084 - BURNS & McDONNELL			
	None		
CONTRACT NO. AE30673002 - PARSONS TRANSPORTATION			
	None		
CONTRACT NO. PS58665013TO11 - ARCADIS			
	None		
CONTRACT NO. AE35279008CW005 - KKCS/TRIUNITY JOINT VENTURE			
	None		
CONTRACT NO. PS73323000 - PRECISION MATERIAL MANAGEMENT, LLC			
	None		

**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS - CONTRACT NO. PS67828000 - HILL INTERNATIONAL**

	None		
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## Attachment B: IG Spot Check CEO Delegated Authority Delays Avoided

Project Name	Total Work Days Saved	Years Saved
<b>Crenshaw/LAX</b>	336	1.3
<b>Regional Connector</b>	420	1.6
<b>Purple Line Section 1</b>	629	2.4
<b>Purple Line Section 2</b>	365	1.4
<b>Purple Line Section 3</b>	210	0.8
<b>Division 20</b>	32	0.1
<b>Total Savings</b>	<b>1992</b>	<b>7.6</b>





## Board Report

**File #:** 2022-0145, **File Type:** Informational Report

**Agenda Number:** 38.

### CONSTRUCTION COMMITTEE APRIL 21, 2022

**SUBJECT: OFFICE OF THE INSPECTOR GENERAL CHANGE ORDER CONSTRUCTION SPOT CHECKS**

**ACTION: RECEIVE AND FILE**

#### **RECOMMENDATION**

RECEIVE AND FILE Office of the Inspector General Change Order Construction Spot Check Report for the period December 1, 2021, to February 28, 2022.

#### **ISSUE**

On January 25, 2018, the Metro Board directed the Office of the Inspector General (“OIG”) to conduct random spot checks on change orders for the projects listed in the quarterly program management report to ensure that the CEO Delegation of Authority to approve Construction Change Orders Policy is performing in the manner desired by the Board of Directors.

#### **BACKGROUND**

The OIG’s Construction Change Order Spot Check Program (“Spot Checks”) focuses on approved change orders and modifications that exceed \$1,000,000. The four change orders in this report were selected from the Program Management Major Project Status Report (Legistar file # 2022-0159) covering December 1, 2021, to February 28, 2022. The information for the Spot Checks was collected from the Program Management Information System (PMIS) which is the department’s database system. Also, TEAM meetings and telephonic interviews were conducted with Metro Program Management, Project Control, and Procurement staff from each involved project office.

We found that all four change orders in this report were:

- Negotiated and executed more expeditiously than would have occurred according to the former Board approval process,
- Approved faster with the new delegation of authority, and
- Negotiated at a lower cost than the contractors’ proposed price.

Each Spot Check summarizes the following areas:

- Description of the change order,
- Change order detail,
- Scope of Work,
- Budget,
- Schedule: Time to execute the change order,

- Safety, and
- Recommendations, if any.

Metro's Program Control department has provided informal responses to this report before its issuance and will provide written responses to the recommendations in this OIG Spot Checks Report within 30 days after this Report is issued. Included with this Report is a spreadsheet on the status of responses concerning former OIG Spot Check Report recommendations.

## **DISCUSSION**

### **Spot Checks Performed in this Quarter**

#### **Spot Check #1 - Crenshaw/LAX Transit Project**

This OIG Spot Check report concerns the Crenshaw/LAX Transit Corridor Project (Contract C0988 MOD-00551), Landscape Changes, Park Mesa.

#### **Change Order Detail**

See Attachment A Spot Check #1 chart.

#### **Summary #1**

**Scope of Work** - This change order involves added work for the curb and gutter in the median along Crenshaw Blvd from 60th street to Vernon Avenue in the Park Mesa area. Additionally, the medians will be landscaped with shrub and ground cover and irrigation will be added for watering purposes from 60th street to 48th street. The work in the median is out of the original scope of work because of new requirements set by the City of Los Angeles requires Metro to create a landscape median adjacent to the trackway.

**Budget** - These modifications were negotiated, and the award amount is \$3,636,214. The Contractor's proposal was \$5,711,786 and the ICE was \$3,674,989. The award amount was \$2,075,572 (36%) under the contractor's proposal. The negotiated amount was \$-38,775 (-1.1%) under the ICE. Staff stated that funds for this change are within the approved Life-of-Project budget.

**Schedule** - The new delegation process was utilized for this modification. The Contractor and Metro agreed on the scope of work on February 2, 2022. The modification including the price, was awarded on March 4, 2022, and was completed in 23 workdays. Under the prior Board approval method for change orders, assuming a May Board meeting date, it would have taken a total of 37 workdays to complete the work.

**Safety** - The Crenshaw Project has 11,340,642.50 project hours through January 2022 with a Recordable Injury Rate of 1.8 (per the Bureau of Labor Statistics the National Average is 2.4) and a Days Away Rate (DART) of 0.14 (per the Bureau of Labor Statistics National Average is 1.5).

**Recommendation** - none

#### **Spot Check #2 - Regional Connector - Transit Corridor Project**

This OIG Spot Check report concerns the Regional Connector - Transit Corridor Project (Contract C0980 MOD-00230): Alameda Emergency Stair Exit (ES2)

### **Change Order Detail**

See Attachment A Spot Check #2 chart.

### **Summary #2**

**Scope of Work** - This Change Order is to install an additional Emergency Exit Stairway (ES2) on Alameda Street to access the underground rail and guideway between 1st Street and Temple Street. With the addition of the Alameda fan plant, Metro Engineering and Metro Safety determined it was necessary to add a second egress for emergency situations for compliance with the Metro Rail Design Criteria and applicable building fire codes. The distance between the emergency stairs at the new fan plant and the subsequent station was too far a distance which necessitated another emergency exit stairwell.

**Budget** - These modifications were negotiated, and the award amount is \$2,199,000. The Contractor's proposal was \$2,818,207 and the ICE was \$2,147,299. The award amount was \$619,207 (22%) under the contractor's proposal. The negotiated amount was \$51,701 (2.4%) over the ICE. Staff stated that funds for this change are within the approved Life-of-Project budget.

**Schedule** - The new delegation process was utilized for this modification. The Contractor and Metro agreed on the scope of work on December 23, 2021. The modification including the price, was awarded on February 17, 2022, and was completed in 37 workdays. Under the prior Board approval method for change orders, assuming a March Board meeting date, it would have taken a total of 61 workdays to complete the work.

**Safety** - Regional Connector Project has 6,970,583 project hours through January 2022 with a Recordable Injury Rate of 0.72 (per the Bureau of Labor Statistics the National Average is 2.4) and a Days Away Rate (DART) of 0.0 (per the Bureau of Labor Statistics National Average is 1.5).

**Recommendation** - The OIG recommends in-house plan review be as fully completed as possible before Metro groups sign off on the design plans.

### **Spot Check #3 - Purple Line Extension Section 1 Transit Project**

This OIG Spot Check report concerns the Purple Line Extension Section 1 Transit Project (Contract C1045 MOD-00144), Construction La Cienega Station During Mining.

### **Change Order Detail**

See Attachment A Spot Check #3 chart.

### **Summary #3**

**Scope of Work** - This change order covered the re-sequencing of the construction processes of the La Cienega station. The construction of the station would have been on hold until the tunnel boring machines (TBMs) finished mining the tunnels into the station as planned in the contract. At the time an unknown metal structure (anomaly) was detected below the surface at the intersection of Wilshire and San Vicente. The contractor chose to fortify the underground pipes and surrounding soil by potholing and chemically grouting to strengthen the area for the TBMs to proceed. Both TBMs were idled for some months awaiting a decision about the anomaly. By delaying the TBMs the project was estimated to be behind schedule more than a full year. With re-sequencing the construction, a

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temporary floor 22 feet higher than the original invert elevation was erected so the stations upper walls, upper concourse, and ceiling was allowed to advance to completion. The TBMs, after clearing the anomaly, successfully made it into the La Cienega station under the 22-foot-high upper floors to complete their journey.

**Budget** - These modifications were negotiated, and the award amount is \$15,879,565. The Contractor's proposal was \$22,704,930 and the ICE was \$14,059,279. The award amount was \$6,825,365 (30%) under the contractor's proposal. The negotiated amount was \$1,820,286 (13%) over the ICE. Staff stated that funds for this change are within the approved Life-of-Project budget.

**Schedule** - The new delegation process was utilized for this modification. The Contractor and Metro agreed on the scope of work on October 15, 2021. The modification including the price, was awarded on December 22, 2021, and was completed in 47 workdays. Under the prior Board approval method for change orders, assuming a January Board meeting date, it would have taken a total of 70 workdays to complete the work.

**Safety** - Purple Line Ext. 1 Project has 6,740,817.47 project hours through January 2022 with a Recordable Injury Rate of 1.18 (the Bureau of Labor Statistics reports the National Average is 2.4) and DART of 0.089 (the Bureau of Labor Statistics reports the National Average is 1.5).

**Recommendation** - none.

#### **Spot Check #4 - Purple Line Extension Section 1 Transit Project**

This OIG Spot Check report concerns the Purple Line Extension Section 1 Transit Project (Contract C1045 MOD-00147), Vapor Extraction Street Restoration.

#### **Change Order Detail**

See Attachment A Spot Check #4 chart.

#### **Summary #4**

**Scope of Work** - This change order is to perform street rehabilitation with asphalt replacement, median restoration, and restriping of the travel lanes along Wilshire Blvd and Crescent Heights area. Vapor extraction was to remove the methane and hydrogen sulfide gasses prior to the TBMs tunneling through the high gas level zone for safety. The installation of numerous vapor extraction wells were drilled into Wilshire Boulevard for safer release of the gasses. Now that the TBMs have completed their journey, the capped wells will remain in place, the well holes will be covered, and the street will be restored to city standards.

**Budget** - These modifications were negotiated, and the award amount is \$1,087,452. The Contractor's proposal was \$1,253,078 and the ICE was \$823,462. The award amount was \$165,626 (13%) under the contractor's proposal. The negotiated amount was \$263,990 (32%) over the ICE. Staff stated that funds for this change are within the approved Life-of-Project budget.

**Schedule** - The new delegation process was utilized for this modification. The Contractor and Metro agreed on the scope of work on December 7, 2021. The modification including the price, was awarded on February 1, 2022, and was completed in 38 workdays. Under the prior Board approval method for change orders, assuming a May Board meeting date, it would have taken a total of 75

workdays to complete the work.

**Safety** - Purple Line Ext. 1 Project has 6,740,817.47 project hours through January 2022 with a Recordable Injury Rate of 1.18 (the Bureau of Labor Statistics reports the National Average is 2.4) and DART of 0.089 (the Bureau of Labor Statistics reports the National Average is 1.5).

**Recommendation** - none.

## **FINANCIAL IMPACT**

This report will have no financial impact on the agency.

### **Impact to Budget**

- For all of the construction change orders reviewed, Metro states the funds are within the approved budget and will utilize the contingency funds to cover the costs from the LOP budget.
- Spot Check #1) \$3,636,214 Crenshaw/LAX Transit Corridor Project
- Spot Check #2) \$2,199,000 Regional Connector Transit Corridor Project
- Spot Check #3) \$15,879,565 Purple Line Extension Section 1 Project
- Spot Check #4) \$1,087,452 Purple Line Extension Section 1 Project

## **EQUITY PLATFORM**

In the opinion of the OIG, we considered whether these change orders presented any equity related issues on their face. Three of the locations: Alameda and 1<sup>st</sup> Street, Crenshaw Blvd. and Wilshire Blvd., are within or adjacent to Equity Focus Communities (EFC's). Regional Connector and Purple Line Ext. 1 construction projects is required to install tall (over 20-ft high) sound walls around the construction worksites to protect residential communities and office suites from the nuisance of construction noise. The exterior public side of the temporary construction site walls also serves as community advertisement space for local businesses and keeps the public safe as a barrier from the construction activities.

The OIG did not receive any data concerning other community impacts. Each of the contractors are striving to have work performed by Disadvantage Business Enterprises (DBE) typically at 12-15% implementation, for these change orders at these EFC sites. The OIG observed no obvious disparate impacts created by these change orders on small businesses, low-income persons, or by the performance of the work in a manner that impacted a disadvantaged community beyond what is typical and usual when conducting any construction.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Office of Inspector General reviews large change orders over the quarter and makes recommendations as appropriate to support Metro's Strategic Plan Goal #5: Provide responsive, accountable, and trustworthy governance within the Metro organization and CEO goals to exercise fiscal discipline to ensure financial stability. The OIG mission includes reviewing expenditures for fraud, waste, and abuse in Metro programs, operations, and resources. For each selected change order reviewed, the OIG evaluates whether there are red flags of fraud, waste, or abuse taking place.

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We report the details of the significant change orders and make recommendations consistent with the OIG's Construction Best Practices report dated February 29, 2016, more particularly focusing on lessons learned, improving efficiencies, and prudent spending.

### **NEXT STEPS**

The OIG shall provide every quarter, an ongoing spreadsheet of recommendations to Program Control. Program Control and Program Management agrees to respond to the recommendations of the OIG within 30 days. The OIG continues to meet periodically to discuss reports, recommendations, and the status of implementation of the recommendations with Project Management, and receive updates. The list of OIG recommendations and Metro management responses is an attachment to this OIG report (Attachment B).

### **ATTACHMENTS**

Attachment A - Change Order Details for Spot Checks

Attachment B - Tracking Sheet of OIG Recommendations and Responses to last quarter

Attachment C - PowerPoint for April 2022 Construction Spot Checks

Prepared by: Prepared by: Suzanna Sterling, Construction Specialist Investigator, (213) 244-7368

Reviewed by: Karen Gorman, Inspector General, (213) 244-7337



Karen Gorman  
Inspector General

**Spot Check #1 – Crenshaw/LAX Transit Corridor Project - Contract C0988****Change Order Detail**

<u>Description of Modification MOD-0551</u> Landscape Changes – Park Mesa	
<u>Change Order Dates:</u>	
Scope of Work approved	February 02, 2022
Modification Executed	March 04, 2022
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process	23 workdays
Estimate using former Board approval process Agenda for the May Board	37 workdays
<u>Cost of Change Order:</u>	
Metro independent cost estimate (ICE)	\$3,674,989
Contractor's proposed cost	\$5,711,786
Negotiated amount	\$3,636,214
Percentage of negotiated amount <i>under</i> ICE	-1.1%
Amount negotiated less than the Contractor's proposal	\$2,075,572

**Spot Check #2 – Regional Connector Transit Corridor Project - Contract C0980****Change Order Detail**

<u>Description of Change Order MOD-0230</u> Alameda Emergency Stair Exit (ES2)	
<u>Change Order Dates:</u>	
Scope of Work approved	December 23, 2021
Modification Executed	February 17, 2022
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process	37 workdays
Estimate using former Board approval process Agenda for the March Board	61 workdays
<u>Cost of Change Order:</u>	
Metro independent cost estimate (ICE)	\$2,147,299
Contractor's proposed cost	\$2,818,207
Negotiated amount	\$2,199,000
Percentage of negotiated amount over ICE	2.4%
Amount negotiated less than the Contractor's proposal	\$619,207

**Spot Check #3 - Purple Line Extension Section 1 Transit Project - Contract C1045****Change Order Detail**

<u>Description of Modification MOD-0144</u> Constructing La Cienega Station During Mining	
<u>Change Order Dates:</u>	
Scope of Work approved	October 15, 2021
Modification Executed	December 22, 2021
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process	47 workdays
Estimate using former Board approval process Agenda for the January Board	70 workdays
<u>Cost of Change Order:</u>	
Metro independent cost estimate (ICE)	14,059,279
Contractor's proposed cost	22,704,930
Negotiated amount	15,879,565
Percentage of negotiated amount over ICE	13%
Amount negotiated less than the Contractor's proposal	\$6,825,365

**Spot Check# 4- Purple Line Extension Section 1 Transit Project - Contract C1045****Change Order Detail**

<u>Description of Modification – MOD-0147</u> Vapor Extraction Street Restoration	
<u>Change Order Dates:</u>	
Scope of Work approved	December 07,2021
Modification Executed	February 01, 2022
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process	38 workdays
Estimate using former Board approval process Agenda for the March Board	75 workdays
<u>Cost of Modification:</u>	
Metro independent cost estimate (ICE)	\$823,462
Contractor's proposed cost	\$1,253,078
Negotiated amount	\$1,087,452
Percentage of negotiated amount over ICE	32%
Amount negotiated under the Contractor's proposal	\$165,626



ATTACHMENT B (April 2022)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
April 2022 #1 Contract C0988 MOD-0551 Crenshaw/LAX Transit Corridor Project Landscape Changes – Park Mesa	none		
April 2022 #2 Contract C0980 MOD-00230 Regional Connector - Transit Corridor Project Alameda Emergency Stair Exit (ES2)	The OIG recommends in-house plan review be as fully completed as possible before Metro groups sign off on the design plans.		
April 2022 #3 Contract C1045 MOD-0144 Purple Line Extension Sect. 1 Construction LaCienega Station During Mining	none		
April 2022 #4 Contract C1045 MOD-0147 Purple Line Extension Sect. 1 Vapor Extraction Street Restoration	none		

ATTACHMENT B (January 2022)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
January 2022 #1 Contract C0980 MOD-00218 Regional Connector - Transit Corridor Project Metro Eastside Access Improvement Project "Segment 2" Esplanade and other improvements along Alameda Street – Construction Only	none		
January 2022 #2 Contract C1136 CO-00020.2 Division 20 Portal Widening and Turnback Project Differing Site Conditions - Connections to Existing Ductbanks and Unknown Utilities Impacts	The OIG recommends that Metro continue to track the time and materials used by the contractor while negotiating the Contractor's cost and schedule proposal and to bring this change order to a final award amount.	Final award amount for CO-00020.2 has been reached. Negotiations with the Contractor (TPC) consisted of multiple workshops to reach agreement on rates of production, activity duration, labor, materials and equipment required, complexity of the work. Since agreement on these items was challenging, Metro made a business decision to start with the contractor's estimate and deduct items that were not allowed in the contract. A final settlement for CO 20 was reached at \$43.3M, approximately \$10M under the contractor's original estimate. A time delay for changes related to CO 20 in the amount of \$6M, or 6 months at \$1M per month, has also been agreed upon for these changes.	Substantial Completion and commissioning of the turnback track is scheduled for late Fall of 2024 to coincide with Revenue Operations of PLE1. Final project completion could be as much as a year later.
January 2022 #3 Contract C1120 CO-00034 Purple Line Extension Sect. 2 Century City Constellation Station Storm Drain and Sanitary Sewer Relocation Construction of MOD 70 Design	none		
January 2022 #4 Contract C1152 MOD-0007 Purple Line Extension Sect. 3 Replacement Parking at VA Hospital Lot 42 During Station Construction	The OIG recommends that the Contractor be instructed to timely submit cost proposals, enter negotiations, and sign agreements before work is performed so Metro can process the work order close in time to work being performed, not only to pay the contractor but to help ensure the sub-contractors are paid timely.	No Comments	

ATTACHMENT B (October 2021)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>October 2021 #1 Contract C0980 MOD-00206 Regional Connector - Transit Corridor Project Add Wye Junction Fan Plant - Construction</p>	<p>Since the Board approved of a budget for this item in 2015 at \$12 mil., the cost has increased to a total of \$21,186,000 (a 77% increase). This Fan System cost has been reported in pieces, as parts were completed, but not as a whole to indicate the cost creep overall over time. We recommend that when LOP information is being periodically provided to the Board that it includes a summary, per project, to show historical cost information over the life of each project. That summary should indicate if they anticipate completing the project within the current LOP and how many LOP increases have occurred so far.</p>	<p>The initial board item in 2015 for the fan plant was an ROM at the time and had yet to be fully designed and estimated for a complete change. As the project progressed the design and went into construction, the team worked through the negotiations for the full scope of the fan plant. As of now, there has only been one LOP increase and the project has anticipated that the project would fall within the LOP to date. Project team will work with Program Management leadership on how information is reported and follow Program Management's direction for any changes on how LOP is reported.</p>	
<p>October 2021 #2 Contract C1136 MOD-00020 Division 20 Portal Widening and Turnback Project Additional Scope and Additional Requirements for the Division 20 Portal Widening and Turnback Project</p>	<p>The OIG recommends: 1. When Metro needs to expedite a project, include Operations in the initial planning phase early, prior to and during design so they can provide constant input during the design. 2. Explore with Operations if they need additional resources to dedicate full time to assist in the intense design, planning, and implementation pre-opening phases of Metro's rail infrastructure/capital projects, or other ways in which Program Management and Operations can work together to approach these projects to maximize cooperation, communication, and assistance. 3. Have the Legal Department review our designer contracts to determine if they are adequate to hold contractors accountable, enforceable, and require use of bonds and proof of adequate insurance to cover errors of this type and resulting in cost of this magnitude.</p>	<p>1. Project alignments were revised during planning phase to accommodate additional storage capacity and technical requirements required for turnback headways. As design progressed, Operations participated in frequent design review meetings. 2. Additional Operations resources during design phases would be beneficial and help produce more comprehensive reviews. 3. Project team is coordinating with County Counsel on review of designer contracts.</p>	
<p>October 2021 #3 Contract C1045 MOD-0 137 Purple Line Extension Sect. 1 Increased Well Maintenance at Western Shaft due to Groundwater Chemistry Impacts</p>	<p>see #4 for recommendation</p>		
<p>October 2021 #4 Contract C1045 MOD-00138 Purple Line Extension Sect. 1 Additional Dewatering Treatment and Discharge Impacts at Western</p>	<p>The OIG recommends that all dewatering change orders for this project should be evaluated or audited. The Geotechnical Baseline Report issued by the consultant to Metro was not accurate for the soil type, ground water, and hydrogen sulfide levels for each segment of Purple Line Section 1 and the consultant might be held liable for some of the costs of differing site conditions not correctly determined by the consultant. Unplanned dewatering site conditions also cost Metro \$15.8 mil. at the La Brea Station and \$16.8 mil. at the La Cienega Station in 2020 and 2019 respectively.</p>	<p>The dewatering MODs for WPLE-1 have been already been evaluated as part of the CN process. In order to minimize the potential for future DSCs on other Projects, consideration should be undertaken to expend more resources during Preliminary Engineering (PE) to more accurately project the actual conditions encountered. The costs of additional PE should be weighed against the increased base bid prices, or future Change Order costs if no additional PE efforts are undertaken. Valid additional costs to Metro, via the base bid or Change Order, will be incurred either way. It is premature at this time to hold the PE Consultant liable for all or a portion of the costs of this MOD.</p>	

ATTACHMENT B (July 2021)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
July 2021 #1 Contract C0980 MOD-00196 Regional Connector - Transit Corridor Project Construct the 2nd & Broadway Station Overbuild Load Transfer System	none		
July 2021 #2 Contract C0980 MOD-00202 Regional Connector - Transit Corridor Project Revise Communications Radio System Scope of Work- Construction	The OIG recommends that after installation of the new radio system that interface with Los Angeles fire, police and sheriff departments be tested and verified for their signal strength and connectivity.	Agreed, all radio systems will be fully tested and verified for signal strength and connectivity	
July 2021 #3 Contract C1045 MOD-0131 Purple Line Extension Sect. 1 Wilshire/Fairfax Station Subgrade Differing Site Conditions	The OIG recommends that after a DRB issues its recommendations that favor the contractor, Metro act swiftly to move forward with a change notice to the contractor and not delay payment to the contractor, less any credits owed to Metro. We understand in this particular case the contractor assigned a lower priority for processing this change notice over many others.	In this case there was no requirement for Metro to issue a Change Notice due to the DRB ruling. The Contractor (STS) chose to delay providing Metro with a cost proposal associated with the DRB ruling due to other higher Contractor priorities. After the eventual receipt of the DRB ruling proposal from the Contractor, the costs were negotiated, and a MOD issued (w/o any Change Notice being created). It should be noted that whether a Change Notice is issued or not, the Contractor has the right to submit a proposal whenever and for whatever they perceive as changed work (via a Request for Change). Section 1 has and continues to issue Change Notices in a timely manner when Metro recognizes merited changed scope of work.	
July 2021 #4 Contract C1152 MOD-0014 Purple Line Extension Sect. 3 Revisions to Westwood/UCLA Station Entrances – Design Only	none		

ATTACHMENT B (April 2021)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
April 2021 #1 Contract C0988 MOD-00253.3 Crenshaw/LAX Transit Corridor Project Landscape Changes – Park Mesa	The OIG recommends that we identify quickly the differences in cost between the new scope of work from the contract and finalize plans and the cost with the prime Contractor.	-Agree and recommendation will be incorporated into C/LAX Project Lessons Learned. -C0988 Contract Team has started to identify the differences in cost between the new scope of work from the contract. Additionally, new scope of work will only be processed if it is a safety related change.	
April 2021 #2 Contract C0980 MOD-00188 Regional Connector - Transit Corridor Project 2nd/Hope Pedestrian Bridge - Construction	no recommendation concerning this change order		
April 2021 #3 Contract C1120 MOD-0095 Purple Line Extension Sect. 2 Station and Bicycle Parking, Architectural Features Design and Construction Changes at Wilshire/Rodeo & Century City Constellation Stations	The OIG recommends that Purple Line, Section 3, be immediately evaluated to determine if the MRDC architectural updates and the Metro bike hub system changes have been incorporated into the Purple Line Extension Section 3 Transit project. This will ensure consistency, compliance with the MRDC, and cost assessments to be determined and negotiated at the earliest possible time.	Purple Line Sect #2 response: Noted.  Purple Line Sect #3 response: The WPLE3 contract included the latest MRDC requirements for bike hubs at both stations at time of bid, which minimized changes to the WPLE3 contract.	
April 2021 #4 Contract C1120 MOD-0095 0100 Purple Line Extension Sect. 2 Century City Constellation Main Entrance - Construction	The large cost disparities between the ICE and a Contactor's proposal on high dollar transactions should continue to prompt further technical and commercial evaluation in order to arrive at a fair and reasonable price. The OIG recommends that the ICE be evaluated by the Estimating department to further evaluate the significant differences between the Contractor's proposal and their independent estimate utilizing both technical and commercial evaluation.	ESTIMATING response: Metro Estimating will review the ICE and CSP and work with V/CM and Project Management staff to evaluate the differences.  Purple Line Sect #2 response: Project staff will continue to involve Estimating staff in scoping discussions to ensure that they have a full understanding of the scope of work for all Change Work.	

ATTACHMENT B (January 2021)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>January 2021 #1 Contract C0980 MOD-00184 Regional Connector - Transit Corridor Project Expanded Duco Yard and Temple Street Sanitary Sewer Work</p>	<p>The OIG recommends that future contracts with the designer should include verification of sewers identified as abandoned, and to document the verification on the construction drawings if the cost of such verification is minor and the consequences of reliance on erroneous information is significant. Additionally, the OIG recommends that the as-built record drawings at the City be updated.</p>	<p>Planning and engineering need to rely on as-built records for much of their work. However, where key utilities are involved, it is best that their condition and status be validated during the preliminary design phase. This investigation is often expensive and not easily performed without site investigation. The engineer must use his/her judgement to determine which utilities require physical investigation and inspection. Project budget contingency should be set aside for utility discrepancies that may be discovered during construction. Agree that even minor utilities, improperly documented, can have a significant cost and/or schedule impact to a project and should be investigated early, to the extent possible. The City is the best entity to ensure that underground maps are complete.</p>	<p>No further action from Regoinal Connector as project design has already been completed. However, efforts are continually made to perform potholing investigations for verificatoin prior to construction so as to avoid impacts to schedule should discrepancies be found.</p>
<p>January 2021 #2 Contract C1045 MOD-00121 Purple Line Extension Sect. 1 Alternate Soil Disposal</p>	<p>California laws, including Senate Bill 1383 of 2016 set mandatory targets to reduce waste going to landfills. Metro developed a recycling policy (GEN 51) in response to State recycling goals and to support Metro's sustainability goals. The Conditional Use Permit for the Chiquita Canyon Landfill was set to expire and the Landfill operator sought a new permit, which was granted in July, 2017. The new permit requirements limits the rate of tonnage of dumping allowed, hours of operation, and the county set other multiple requirements that Chiquita Canyon must adhere. The OIG recommends:</p> <ol style="list-style-type: none"> <li>1. Construction waste disposal options are utilized to minimize project costs and to help achieve the reduction goal of a 75% reduction in waste by 2025;</li> <li>2. Project teams work very closely with the Metro Sustainability Department, State, Los Angeles County, other regulators, landfill owners, and contractor's personnel, to determine options consistent with GEN 51 for the reuse of soils and construction debris in the current or other construction sites;</li> <li>3. When a Board member has a matter come before them at their respective municipalities that can potentially effect Metro projects, if they would give notice to Metro of the matter, Metro can determine how its projects will be impacted and possibly address the matter with the municipality or 3rd party prior to the matter being approved including possibly negotiate that the terms of a permit not allow price increases or other impacts on Metro projects where contractual commitments have previously been negotiated in reliance on previous conditions;</li> <li>4. LA Metro evaluate how other LA Metro projects for which a contract was entered may be impacted by the newly imposed landfill mitigations and higher fees.</li> </ol>	<p>Metro acknowledges the recommendations listed and provides the following responses below:</p> <ol style="list-style-type: none"> <li>1. Per contract, the project must divert/recycle 75% of waste. Purple Line Section 1 has diverted 100% of excavated clean material on the project to be reused as beneficial cover or fill at offsite projects.</li> <li>2. The Purple Line Section 1 project has a member of the Metro Environmental Compliance and Sustainability Department (ECSD) on staff. This team member updates project management and contractors on opportunities to reduce waste impacts as they become available across the county.</li> <li>3. Acknowledged</li> <li>4. ECSD management will review awarded projects and available facilities and make recommendations on where to make changes to disposal practices as needed.</li> </ol>	
<p>January 2021 #3 Contract C1120 MOD-0091 Purple Line Extension Sect. 2 Increase UPS Spare Capacity at Wilshire Rodeo and Century City Constellation Stations</p>	<p>The OIG recommends that immediately prior to sending out an RFP, Metro should insure that the most current MRDC is used.</p>	<p>In this case, the updated MRDC Section 8 was added to the RFP near the end of the solicitation period, but conflicts with other contract documents were not identified because of the late issuance of the update. Staff agree that all future changes to the MRDC should be coordinated by Metro Engineering and issued before future RFPs are released.</p>	

ATTACHMENT B (January 2021)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
January 2021 #4 Contract C1152 CO-0005.1 Purple Line Extension Sect. 3 VA Hospital Replacement Parking for Lot 42 During Station Construction Phase	The OIG recommends that the Project office and Real Estate continue to work closely and aggressively to come to a full resolution with the VA hospital and the contractor on the modified costs.	Agree	

ATTACHMENT B (October 2020)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>October 2020 #1 Contract C0988 MOD-00485 Crenshaw/LAX Transit Corridor Project Case 5 Bedding Required by LABOE</p>	<p>Since the 'Green book' states the support and materials for sewer and storm drain pipe are to be encased in concrete, the OIG recommends that the LA Metro rail standard drawing US-014, be updated to reflect the required City standard and Metro may negotiate with the LABOE to adopt a different standard for specific projects as warranted.</p> <p>We further recommend, as discussed in previous reports, that Metro study the large discrepancies between the Metro ICE and the award amounts to determine if there is a method by which those discrepancies can be narrowed. This recommendation applies to many of the Spot Checks reviewed in this Report, and is based also on a Metro audit completed by the Management Audit Services Department that noted significant discrepancies in these amounts to be a frequent occurrence.</p>	<p>Recommendation will be incorporated into C/LAX project Lessons Learned.</p>	
<p>October 2020 #2 Contract C1045 MOD-00111 Purple Line Extension Sect. 1 Fairfax Paleo Zone Modified Limits</p>	<p>The OIG recommends future GBR's include a more comprehensive underground site assessment to determine a better approximation of the marine and paleo geological layers. In this instance, a robust underground assessment would have avoided the costly change order. However, the additional excavation costs would have been included in the higher base bid value.</p>	<p>Recommendation will be incorporated into PLE1 project Lessons Learned.</p>	
<p>October 2020 #3 Contract C1120 MOD-00080 Purple Line Extension Sect. 2 Demobilization and Remobilization due to COBH Moratorium</p>	<p>The MOA between Metro and COBH imposes additional restrictions on Metro and adds costly change orders to the original contract.</p> <p>The OIG recommends Metro adopts a standardized MOA for use in negotiations with all jurisdictions within Los Angeles County and utilizes this agreement for every construction project going forward in each respective jurisdiction and that budget estimates for projects should be revised as necessary to take into consideration MOAs entered into.</p>	<p>Agreed.</p>	
<p>October 2020 #4 Contract C1151 MOD-0004.1 Purple Line Extension Sect. 3 Increase Ground Water Treatment Plant Capacity at Tail Track Exit Shaft</p>	<p>It is the OIG's understanding that water pump tests and water quality tests were performed, but they were performed at the original location, the Army Reserve site, which is no longer the correct shaft location. Now the site is at the Veterans Administration property. A change in location can greatly affect both the levels and quality of the groundwater, thus increasing the revised dewatering process.</p> <p>It is critical that the Real Estate Department be included at the earliest possible time in negotiating the property requirements for a project. Having to change location plans after a contract award can have significant scheduling and expense consequences.</p>	<p>The location of the Tail Track Exit Shaft had to move from an environmentally cleared site occupied by the Army reserve site to the US Department of Veterans Affairs West Los Angeles campus when it became evident that the US Army Reserve was unwilling to allow the use of this location for either construction laydown or a permanent Metro Facility. Metro Real Estate and Project staff successfully negotiated with the Department of Veterans Affairs to enable relocation of this construction laydown area and permanent facility to their West Los Angeles Campus.</p>	



ATTACHMENT B (October 2020)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>October 2020 #5 Contract C1151 MOD-0005 Purple Line Extension Sect. 3 Addition of Sepulveda Staging Area to Compensate VA Site Reduction</p>	<p>The Purple Line Extension 3 was a 'next decade project' and was accelerated to be completed in the next 5 years with many project processes that had to be compressed to meet the schedule. We also understand that the real estate acquisition process is contingent on the funding being in place.</p> <p>The real estate acquisition process and all other real estate arrangements must be negotiated as early as possible and negotiate those property rights strategically to ensure we have our real estate needs met at the earliest and least expensive manner possible.</p>	<p>The space available for staging at the Tail Track Exit Shaft on the Department of Veterans Affairs Campus is limited; being located in a nationally designated historic district. Metro Real Estate and Project Staff have and are working closely together, in a timely manner to ensure real estate acquisitions are coordinated with project need dates to minimize overall risk and cost to Metro in delivering the project.</p>	

ATTACHMENT B (August 2020)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
August 2020 #1 Contract C1045 MOD-00095 Purple Line Extension Sect. 1 Transit Project: Phase 5 Golder EOR Mitigation Plan Implementation	<p>The OIG is in agreement with applying extra safety precautions that the Metro project office has put forward. Where conditions are relatively unique to the tunneling industry, more prescriptive specifications for means and methods in these zones is warranted.</p> <p>Since the Contractor, Golder Gas, performed the entire mitigation plan including removal and mitigation, the OIG recommends that LA Metro ensure that Golder Gas is held contractually, jointly, and severally liability for any future incident involving gas in the area where the soil vapor extraction wells and the monitoring wells are installed and abandoned. This is the common practice in environmental cases where a "consulting expert" is hired to monitor and mitigate a hazardous substance issue.</p>	<p>The Section 1 Project will review the indemnification text issued to Golder that was required by STS in order for Golder to proceed with the work. This indemnification will determine what Golder's future obligations are.</p>	
August 2020 #2 Contract C1045 MOD-00106 Purple Line Extension Sect. 1 Center Muck Shaft at La Brea (ECI-03)	<p>The OIG recognizes that this type of shaft at the La Brea station can serve a legitimate purpose and that the OIG recommends that use of such methods should be considered and contemplated in future project specifications and a reserve for same should be made when the savings in time, expense, and safety outweigh the cost of such a shaft.</p>	<p>OIG comment received will be included in the lessons learned.</p>	
August 2020 #3 Contract C1045 MOD-00107 Purple Line Extension Sect. 1 Center Muck Shaft at La Brea (ECI-03)	<p>The OIG is concerned that a bid of 40% over an ICE, when you are in a noncompetitive circumstance, may not be a good faith offer or bad communication on specifications. Such behaviors can have the effect of damaging a relationship during an early phase of construction and create distrust that can harm project collaboration in the future. We appreciate a contractor's willingness to proceed on work even without a commitment from Metro in some cases for the payment for that work, but recommend the contractor exercise greater care in formulating its proposals and that Metro be clear and fair but diligent and firm in its ICE calculations and negotiations stance.</p>	<p>OIG comment received. Contractor will be reminded to have appropriate personell attend the fact finding and provide timely complete CSP in order to resolve issues in a collaborative manner.</p>	

ATTACHMENT B (August 2020)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>August 2020 #4 Contract C1120 MOD-00073 Purple Line Extension Sect. 2 Century City Constellation Station Track work Extension</p>	<p>1. The OIG is concerned that a bid is almost 3 times over the ICE, when you are in a noncompetitive circumstance, may not be a good faith offer or bad communication on specifications. Such behaviors can have the effect of damaging a relationship during an early phase of construction and create distrust that can harm project collaboration in the future. We appreciate a contractor's willingness to proceed on work even without a commitment from Metro in some cases for the payment for that work, but recommend the contractor exercise greater care in formulating its proposals and that Metro be clear and fair but diligent and firm in its ICE calculations and negotiations stance.</p> <p>LA Metro is having to absorb the cost of track extension change orders that arose due to errors and omissions on the part of the engineering consultant WSP. The OIG was informed that WSP miscalculated the braking distance in the initial project definition drawings that were supplied to the construction contractor. Metro will have to cover this expense with the contractor, but should look to the design engineering firm for reimbursement to Metro of the costs it would not have had to otherwise incur less amounts saved or mitigations.</p> <p>2. The OIG additionally recommends that Metro review the current Metro Rail Design Criteria (MRDC) compared to the newly released FRA track design standards for accommodating a train entering a stub-end to determine if any modification or update to our MRDC is warranted.</p>	<p>1. If a Cost and Schedule Proposal (CSP) is significantly higher than the Independent Cost Estimate (ICE), Metro's Contract Administrator and the Project Team engages in further meetings with the Contractor to clarify scope in order to determine the source of the discrepancies between the two estimates. These meetings are professional in nature, and often result in favorable resolution on a price that is somewhere between the ICE and the revised CSP. This process ultimately leads to the execution of mutually agreed upon Contract Modifications, and avoids costly disputes related to Changed Work.</p> <p>Related to the cost of the change, if WSP had calculated the braking distance correctly, the Contractor's proposal price would have included the cost for the trackwork that was recently added by Contract Modification. As a result, the awarded contract value would have been slightly higher, and the project contingency slightly lower at Notice to Proceed. The only additional cost that this error by WSP may have created is a theoretical premium for paying for added trackwork in a non-competitive environment, which would be difficult to prove. It should be noted that the difference between the executed Contract Modification price and the ICE was about 17%, or \$171,000. As a result, it is likely that it would be difficult for Metro to determine if it paid a non-competitive premium. That said, the recommendation will be discussed with senior executive management in VCM and Program Management to determine if any action against WSP will take place.</p> <p>2. This recommendation will be referred to Metro Engineering for consideration.</p>	

ATTACHMENT B (April 2020)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>April 2020 #1 C0980 MOD-00161 Regional Connector - Procure Medium Attenuation Fasteners in Lieu of Standard Direct Fixation Rail Fasteners for the 2nd &amp; Broadway Crossover</p>	<p>Regional Connector project is very unique because of all the existing historical buildings above the construction. Noise pollution has become a major concern for urban transit dwellers and authorities. The rule of thumb is a 10decibel technical increase in noise is heard by the human ear as "doubled" in loudness. When constructing underground for tunnels and stations the Environmental Impact Report must remember to always mitigate sound and vibration to protect the potentially impacted fragile surface buildings.</p> <p>The OIG recommends this scenario be written into the Lessons Learned file for future similar situations when constructing under historic or special case existing buildings.</p>	<p>The Regional Connector Project has extensive vibration mitigation elements included in the design where the operating guidway passes nearby sensitive receptors including recording studios, music venues and hotels. The project also requires that noise and vibration monitoring be performed during construction near sensitive facilities.</p> <p>The lesson learned and responded to in the referenced Contract Modification, is that information gathered during construction monitoring should be used to adjust the designed mitigations where field conditions indicate they are necessary.</p>	<p>Completed with issuance of subject contract modification. Equipment to be installed 3rd quarter 2020</p>
<p>April 2020 #2 C1045 MOD-00098 Purple Line Sect. 1 Additional Air Scrubbers at Fairfax Station</p>	<p>The OIG recommends further questioning to Southern California AQMD to determine why on a previous Metro construction contract (at the same location) they set the emission limit at 50 parts per billion, and the published standards are set at an emission limit of 30 parts per billion. On this contract the limits are set at 15 parts per billion. The inconsistency of the emissions limit should be taken under consideration and request in writing from AQMD why the standard emission limit could not be applied to this permit.</p> <p>The OIG further recommends in future construction pre-bid meetings, disclose to all potential contractors that the AQMD permit values necessary for the technical specification, "Temporary Construction Ventilation for Scrubber Units" has varied in the recent past and to verify the amount with an AQMD representative. If possible a commitment needs to be obtained from AQMD by the contractor at the time of submission of a bid amount, that the standard is firm for a defined period.</p>	<p>The emissions limit for equipment was set at the time the Contractor submitted the specific ventilation plan to SCAQMD for permit.</p> <p>The SCAQMD does not have a set standard for hydrogen sulfide, but the states standard is 30 parts per billion. SCAQMD develops their requirements based on specific site conditions. Our EIR states Metro and its contractors will set and maintain work equipment and standards to meet SCAQMD standards.</p> <p>A letter will be sent to SCAQMD for clarification on how SCAQMD can consistently apply emissions regulations for hydrogen sulfide for Metro's future projects.</p>	
<p>April 2020 #3 C1120 MOD-00064 Purple Line Sect. 2 Geotechnical Instrumentation Installation and Monitoring AT&amp;T and Beverly Hills High School</p>	<p>The OIG recommends that the independent estimator visit the field location concerning where the work for this change order will occur. The construction manager should walk the estimator through the scope of the changes for which they are developing a cost estimate. The independent estimate was a 126.7% lower than the negotiated price. Where such significant discrepancies in price estimates exist, either the estimator for Metro, or the estimator for the contractor needs to re-evaluate the scope of the change order.</p>	<p>Agreed. Moving forward the estimating group will endeavor to work even more closely with available subject matter experts to assure a thorough understanding of scope and of the engineering and construction processes involved.</p>	
<p>April 2020 #4 C1151 MOD-00001 Purple Line Sect. 3 Revise the Tail Track Exit Shaft Location from US Army Reserv to Veterans Affairs Property</p>	<p>If the Army Reserve location had been negotiated prior to the contract award, these amounts might have been included in the original bid, although the price then and now might have been the same for this different location.</p> <p>The OIG recommends Real estate arrangements should be negotiated as early as possible.</p>	<p>Metro agrees with the OIG's comment regarding the price of the change. The cost would roughly be the same whether it was negotiated prior to contract award or after award. We agree that real estate arrangements (agreements) should be negotiated as early as possible. The project initiated contact with the property owner for the Exit Shaft property acquisition after the project was identified to be accelerated from the original 2035 Revenue Service Date. Metro did engage in talks with the VA early in the Project but obtaining VA approval to access their property has not been without a few challenges that Metro was able to overcome.</p>	

ATTACHMENT B (January 2020)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
Jan 2020 / #1 C0988-MOD-00437 Crenshaw/LAX UG1 (H2S) Ventilation Fans - Construction	none		
January 2020 #2 C0980 MOD-00154 Regional Connector - Acoustical Treatments for Areas Not on Finish Schedule	none		
January 2020 #3 C1045 MOD-00089 Purple Line Sect. 1 Development and On Site Validation of the Selected Gas Mitigation Option for M13	<p>While the soil at every site is unique, it is possible to create a standard for testing soils for gasses. There is no current rule or technical specification within Metro criteria for extraction of CH<sub>4</sub> or H<sub>2</sub>S from the soil.</p> <p>The OIG recommends after the final report is submitted by the contractor, that a technical specification for testing be developed and written into the MDRC to use in the future.</p>	<p>PLE1 Final M13 Mitigation Report will be forwarded to Metro Geotechnical Department for their review and further processing.</p>	
January 2020 #4 C1045 MOD-00090 Purple Line Sect. 1 Oil Well Investigation In Lieu of TBM Probe Ahead	<p>The implementation of the drilling and magnetometer survey from Section 1 has been incorporated into Purple Line Extension Section 2 and 3 contracts.</p> <p>The OIG recommends that the procedures implemented for locating tanks, pipes and other abandoned waste be added to the Lessons Learned database.</p> <p>The OIG further recommends that Metro evaluates whether to pursue recovery for waste removal costs under CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act, also known as Superfund. Passed in 1980). The OIG recommends that Metro's Engineering Program Management provide information on this matter to Metro's Legal department to assist in making this determination and potentially pursuing this recovery.</p>	<p>PLE1 implemented methodologies for locating known tanks, pipes and other abandoned waste will be added to the Lessons Learned database. PLE1 notes that the hazardous waste removal is relatively small/negligible compared with the overall volume of soil removed. After reviewing the potential ROI on pursuing legal actions against any potential responsible parties for cost recovery the current determination based on the available data is that it is not worth the effort and cost at this time. However, <b>it was decided that Metro County Counsel would provide a preliminary review on the issue and it would be revisited in the future.</b></p>	

# Office Of Inspector General Construction Change Order Spot Check Report

Presented By  
**Karen Gorman**  
Inspector General

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April 2022

Construction Committee

Los Angeles County Metropolitan Transportation Authority



# Spot Check 1

File #  
2022-0145

## 1 - Crenshaw/LAX Transit Corridor Project

❖ Landscape Changes – Park Mesa

**\$3,636,214**

Work to be completed

- Add irrigation in the medians
- Landscape the medians with shrub and ground cover

No Recommendations

April 2022

Construction Committee

Los Angeles County Metropolitan Transportation Authority



# Spot Check 2

File #  
2022-0145

## 2 - Regional Connector Transit Corridor Project

❖ Alameda Emergency Stair Exit (ES2)

\$2,199,000

### Work to be completed

- Excavate area down to track level
- Pour concrete walls
- Install emergency stairs to street level

### ***Recommendation:***

The OIG recommends in-house plan review be as fully completed as possible before Metro groups sign off on the design plans.

April 2022

Construction Committee

Los Angeles County Metropolitan Transportation Authority





## Spot Check 3

### 3 - Change Order for Purple Line Section 1

❖ Constructing La Cienega Station During Mining

**\$15,879,565**

#### Work to be completed

- Re-sequence construction at La Cienega station box
- Build a false floor 22-feet inside the station box
- Erect upper walls
- Construct upper concourse
- Build upper ceiling

No Recommendations

April 2022

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Los Angeles County Metropolitan Transportation Authority

## Spot Check 4

### 4 - Change Order for Purple Line Section 1

❖ Vapor Extraction Street Restoration

**\$1,087,452**

#### Work to be completed

- Street rehabilitation along Wilshire Blvd.
- Asphalt replacement
- Median restoration
- Lane re-striping

No Recommendations

April 2022

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Los Angeles County Metropolitan Transportation Authority

# Spot Check Schedule Comparison

File #  
2022-0145

Schedule Comparison: new delegated process vs. former Board approval process

PROJECT	Title of Change Order	Time Saved Executed date to Board Mtg.	NEW Delegated Process final SOW to Executed date	Former Board Approval Process
CRENSHAW / LAX	Landscape Changes – Park Mesa	14	23	37
REGIONAL CONNECTOR	Alameda Emergency Stair Exit (ES2)	24	37	61
WESTSIDE PURPLE LINE SECT 1	Constructing La Cienega Station During Mining	23	47	70
WESTSIDE PURPLE LINE SECT 3	Vapor Extraction Street Restoration	37	38	75



**Board Report**

**File #:** 2022-0146, **File Type:** Oral Report / Presentation

**Agenda Number:** 39.

**CONSTRUCTION COMMITTEE  
APRIL 21, 2022**

**SUBJECT: PROGRAM MANAGEMENT MAJOR PROJECT STATUS REPORT**

**ACTION: ORAL REPORT**

**RECOMMENDATION**

RECEIVE oral report on the Major Project Status by the Chief Program Management Officer.

**DISCUSSION**

Update report covering the month of April 2022 by the Chief Program Management Officer.

Prepared by:

- **Crenshaw/LAX** - Sameh Ghaly, Sr EO Project Mgmt., (213) 418-3369
- **Regional Connector** - Sameh Ghaly, Sr EO Project Mgmt., (213) 418-3369
- **Westside Purple Line Ext 1** - James Cohen, EO Project Mgmt., (213) 922-7911
- **Westside Purple Line Ext 2** - Michael McKenna, EO Project Mgmt., (213) 312-3132
- **Westside Purple Line Ext 3** - Kimberly Ong, EO Project Mgmt., (323) 903-4112
- **Airport Metro connector (AMC)** - Timothy Lindholm, Sr. EO Project Engr., (213) 922-7297
- **G Line BRT Improvements Project** - Timothy Lindholm, Sr. EO Project Engr., (213) 922-7297
- **I-5 North County Enhancements** - Timothy Lindholm, Sr. EO Project Engr., (213) 922-7297
- **Division 20 Portal Widening Turnback** - Rick Meade, Sr EO Project Mgmt., (562)524-0517
- **Presentation** - Yohana Jonathan, Sr Mgr, Project Control, (213) 418-3031



Stephanie N. Wiggins  
Chief Executive Officer

# Program Management Major Project Status Report

Presented By

**Bryan Pennington**

Chief Program Management Officer

# PROJECT BUDGET & SCHEDULE STATUS SUMMARY CHART

Project	Cost Performance		Schedule Performance		Comments
	Variance Approved LOP	Variance Revised Budget	Variance Original	Variance Revised Schedule	
Crenshaw/LAX					Project is 99.7% complete. Contractor is not applying sufficient work force to complete their remaining scope of work. Remaining work is primarily completion of system integration testing, and punch-list repair for substantial completion. Metro continues to work with contractor to mitigate the delays and impacts to the project schedule; emphasizing safety and reliability in final acceptance of project elements and systems. Equity - 8 of 8 stations (100%) are within or adjacent to Equity Focus Communities.
Regional Connector					Project is 93% complete. In preparation for Substantial Completion, comprehensive systems testing is underway at all stations and the guideway. Site restoration at street level throughout the alignment is in high gear. Collaboration by Project and Operations underway to transition into commissioning for revenue service. Equity – three of three stations (100%) are within or adjacent to Equity Focus Communities.
Westside Purple Line Extension-Section 1					Project is 76% complete. The current forecast Revenue Service Date is Fall 2024. Efforts to minimize schedule risk continue. Equity - This Project is not located within or adjacent to Equity Focus Communities.
Westside Purple Line Extension-Section 2					Project is 49% complete and proceeding on schedule and within budget. Equity - This project is not located within or adjacent to Equity Focus Communities
Westside Purple Line Extension-Section 3					Project is 35% complete and proceeding on schedule and within budget. Equity - 1 of 2 stations (50%) are within or adjacent to Equity Focus Communities.
Airport Metro Connector					Early Works Phase is 64.3% complete. Project has gained access into the CLAX ROW project area and is now working on communication and signals ductbank and prepping for OCS removal. Primary station Contractor has begun construction with grade work and initial CIDH pile installations. Equity - 100% of the project is within or adjacent to Equity Focus Communities.
G Line BRT Improvements					Progressive Design Build Contract Industry Review completed December 2021. RFP released February 2022. Contract award anticipated Summer 2022. Pilot Gate construction and testing complete. AURs and property acquisitions underway. Equity: 8 of 18 stations (47%) are within or adjacent to Equity Focus Communities
I-5 North County Enhancements					Field work is continuing to ramp up with construction site preparation activities and center median pavement removal at the north end of the project. Equity - This project is not located within or adjacent to Equity Focus Communities.
Division 20 Portal Widening Turnback					Project is approximately 33% complete. Construction continues with the upgraded Train Control software, Phase 1 Track, utilities, and civil work, 1st Street Bridge Rehabilitation and precast girders, and ShooFly installation. A \$75M increase in Life of Project (LOP) was approved on the February 2022 Regular Board meeting. In addition, the project schedule continues to be developed as the project team is working with the contractor to finalize an updated schedule. Equity - 100% of the project is within or adjacent to Equity Focus Communities.

April 2022

On target

Possible problem (5-10% variance)

Significant Impact (over 10% variance)

# SMALL BUSINESS PROJECT STATUS SUMMARY CHART

Project	Phase	Goal Type	Contractor Commitment	Current Participation	Variance +/-	Status	*Adjusted Participation %	% Complete	Comments
Crenshaw/LAX	Design	DBE	20.00%	20.73%	-.08%	Exceeding		99.15%	Walsh/Shea Corridor Constructors, JV is exceeding the DBE commitment by 0.73% on Design and 8.81% on Construction.
	Construction	DBE	20.00%	28.81%	+.09%	Exceeding		97.29%	
Regional Connector	Design	DBE	22.63%	24.75%	+.18%	Exceeding		98.11%	Regional Connector Constructors is exceeding the DBE commitment by 2.12% on Design and 2.36% on Construction.
	Construction	DBE	18.00%	20.36%	+.35%	Exceeding	21.69%	85.33%	
Westside Purple Line Extension-Section 1	Design	DBE	20.25%	20.23%	NC*	Shortfall		94.71%	Skanska-Traylor-Shea Joint Venture (STS) has a 0.02% DBE shortfall on Design and a 2.14% DBE shortfall on Construction. STS submitted a shortfall mitigation plan (1/7/2022) and provided an updated DBE utilization forecast. STS contends the reason for the shortfall is the Tunneling issue set them back and that they should meet their commitment by end of project.
	Construction	DBE	17.00%	14.86%	-.09%	Shortfall		75.01%	
Westside Purple Line Extension-Section 2	Design	DBE	25.31%	36.11%	+.10%	Exceeding		81.16%	Tutor Perini/O&G, A Joint Venture (TPOG) is exceeding the DBE commitment on Design by 10.80% and has a 2.44% shortfall on Construction. TPOG has a shortfall mitigation plan on file. TPOG contends the shortfall is due to a timing issue/work scheduling of when DBEs will start work; anticipates DBE utilization to increase in the 1 <sup>st</sup> quarter of 2022 and the 4 <sup>th</sup> quarter of 2022.
	Construction	DBE	17.00%	14.56%	+.02%	Shortfall		52.73%	
Westside Purple Line Extension-Section 3 – Tunnels	Design	DBE	11.19%	19.21%	NC*	Exceeding		91.68%	Frontier-Kemper/Tutor Perini JV (FKTP) is exceeding the DBE commitment on Design by 8.02% and has a 1.54% shortfall on Construction. FKTP contends the shortfall is due to timing/work scheduling. FKTP expects shortfall to mitigate when excavation work ramp up in Q1 2022.
	Construction	DBE	17.10%	15.56%	+.12%	Shortfall		71.57%	
Westside Purple Line Extension-Section 3 – Stations, Trackwork, Systems and Testing	Design	DBE	19.25%	17.87%	-0.26%	Shortfall		77.97%	Tutor Perini/O&G, A Joint Venture (TPOG) has a 1.38% shortfall on Design and a 14.58% shortfall on Construction. TPOG contends the shortfall is due to change orders/modifications under Metro's review with pending payment to DBE's.
	Construction	DBE	21.00%	6.42%	-.05%	Shortfall		28.57%	
Airport Metro Connector (Station)	Construction	SBE	20.79%	0.46%	+.46%	TBD		9.66%	Tutor Perini Corporation's current level of SBE participation is 0.46% and the current level of DVBE participation is 0.20%.
		DVBE	4.96%	0.29%	+.20%	TBD			
G Line BRT Improvements	PDB	TBD	TBD	TBD	TBD	TBD		TBD	Contract Award anticipated Summer 2022. Progressive Design Build (PDB)
1-5 North County Enhancements	Construction	DBE	13.01%	0.00%	NC	TBD		3.72%	Contractor has reported receiving \$14 Mil, but no participation has been reported to-date.
Division 20 Portal Widening Turnback	Construction	SBE	19.34%	7.06%	-.10%	Shortfall		45.22%	Tutor Perini Corporation (TPC) has a 12.28% SBE shortfall and a 0.61% DVBE shortfall. TPC currently has a shortfall mitigation plan on file and expects an increase of SBE participation when trackwork commences in the 3 <sup>rd</sup> quarter.
		DVBE	3.31%	2.70%	-.10%	Shortfall			

\*NC = No Change

\*Excludes from contract value time delay, claims, settlements, incentives that Contractor contends has no DBE opportunity.

April 2022 (reflective of payment data reported through February 2022)

Construction Committee

Los Angeles County Metropolitan Transportation Authority



# CRENSHAW/LAX TRANSIT PROJECT

BUDGET TIFIA	Approved LOP*	Previous Period**	Current Forecast**
\$2,148M	\$2,058M	\$2,148M	\$2,148M
Variance from Approved LOP:		\$90M (4%)	\$90M (4%) <span style="color: green;">OK</span>
Variance from Revised Budget:			\$0 <span style="color: green;">OK</span>

\*At time of the award of contract - Board Approval June 2013

\*\*Excludes finance costs and includes \$10M Non-TIFIA activities

SCHEDULE		(REVENUE OPERATION)	
Approved Original	Approved Rebaseline	Previous Period	Current Forecast*
Oct.2019	May 2020	Summer 2022	Fall 2022**
Variance from Original:		+1,006d (45%)	+1,068d (48%) <span style="color: red;">!</span>
Variance from Revised Schedule:		+799d (33%)	+ 861d (35%) <span style="color: red;">!</span>

\*Current Forecast is Contractor's January Schedule update  
\*\*Substantial Completion achieved on March 12, 2022, for Segments A and B

- **Safety:** Project Hours: 11,340,642 Recordable Injury Rate: 1.80 vs. The National Average: 2.4 (as of January 2022)
- Overall Project Progress is 99.7% complete.
- Metro is concerned with the slow progress of completing systems integration testing and testing reports due to resources, ongoing issues and discrepancies found during testing.
- Remaining work is primarily the completion of system integration testing/test reports including UG station fire alarm and emergency management panel, and punch-list repair for substantial completion.
- Metro continues to work with contractor to minimize delays and impacts to the project schedule; emphasizing safety and reliability in final acceptance of project elements and systems.
- **Equity** - 8 of 8 stations (100%) are within or adjacent to Equity Focus Communities.



MLK Station – Cleaning and polishing bicycle racks



Hyde Park Station – Aerial view

April 2022



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)



Metro 4

Construction Committee

Los Angeles County Metropolitan Transportation Authority

# REGIONAL CONNECTOR TRANSIT PROJECT

## BUDGET

<u>FFGA</u>	<u>Approved LOP*</u>	<u>Previous Period**</u>	<u>Current Forecast**</u>
\$1,402M	\$1,420M	\$1,755M	\$1,755M
Variance from Approved LOP:		\$335M (24%)	\$335M (24%)
Variance from Revised Budget:		\$0	



\*At time of the award of contract – Board Approval April 2014

\*\*Excludes finance costs

## (REVENUE OPERATION)

<u>SCHEDULE</u>	<u>Approved**</u>	<u>Previous Period</u>	<u>Current Forecast*</u>
<u>Original</u>	<u>Rebaseline</u>	<u>Period</u>	<u>Forecast*</u>
May 2021	Fall 2022	Fall 2022	Fall 2022**
Variance from Original:		+480d (19%)	+480d (19%)
Variance from Revised Schedule:		0d	



\*Current Forecast is Metro's February 2022 update

\*\*Approval in process

\*\*\*Substantial Completion for ROW is expected to be achieved in April 2022

- **Safety:** Project Hours: 6,970,583 Recordable Injury Rate: 0.72 vs The National Average: 2.4 (as of January 2022)
- Overall Project Progress is 93% complete
- **Little Tokyo/Arts District Station & Surrounding Area:** Station construction and testing continue to be active at all levels and include MEP, finishes, and systems. Station plaza enhancements are also underway
- **Historic Broadway Station:** Structural backfill, MEP, finishes, and systems installations and testing are all underway. Construction of plaza level canopy and features underway. Street restoration continues on 2nd, Broadway and Spring streets
- **Grand Av Arts/Bunker Hill Station:** Finishes, MEP, and systems operations are all engaged in installations and testing. Elevators remain the pacing element for the station
- **Flower Street:** MEP and systems testing continue underground. Street level restorations continue from 3rd Street to Wilshire
- **Trackwork:** Remedial work along alignment on various installations continue ahead of final acceptance inspections
- **Systems:** Installations of traction power, train control, and communications continuing; comprehensive local and systemwide systems testing continues
- **Equity:** Three of three stations (100%) are within or adjacent to Equity Focus Communities



Light Rail Vehicle operated under its own power



Canopy installation at Grand Av Arts/Bunker Hill Station

April 2022



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)

Construction Committee



Los Angeles County Metropolitan Transportation Authority



Metro 5

# WESTSIDE PURPLE LINE EXTENSION – SECTION 1



## BUDGET

<u>FFGA</u>	<u>Approved LOP* **</u>	<u>Previous Period**</u>	<u>Current Forecast**</u>
\$2,822M	\$2,774M	\$3,129M	\$3,129M
Variance from Approved LOP:		\$355M (13%)	\$355M (13%) 
Variance from Revised Budget:		\$0	

\*At time of the award of contract – Board Approval July 2014

\*\*Excludes finance costs

## SCHEDULE

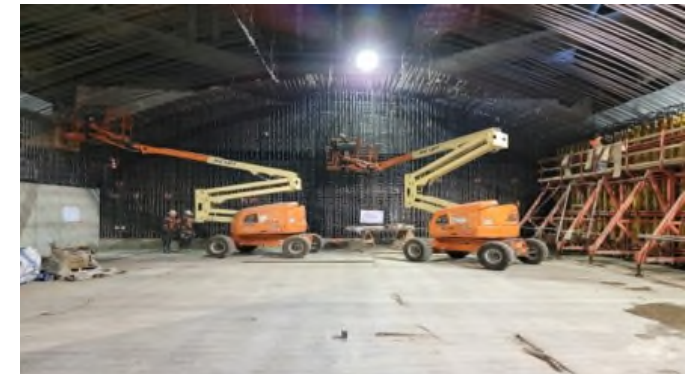
<u>Original</u>	<u>Approved Rebaseline</u>	<u>Previous Period</u>	<u>Current Forecast*</u>
Nov.2023	Fall 2024	Fall 2024	Fall 2024
Variance from Original:		+365d (11%)	+365d (11%) 
Variance from Revised Schedule:		0d	

\*Current Forecast is Contractor's February 2022 Schedule update

- **Safety:** Project Hours: 6,740,817 Recordable Injury Rate: 1.18 vs. The National Average: 2.4 (as of January 2022).
  - Fatality occurred on 03/23/22; investigation(s) by Contractor and Cal-OSHA on-going. Conclusions are pending.
  - Re-training of all work forces has been performed.
- Overall Project progress is 76% complete.
- **Wilshire/La Brea Station:** West hammerhead and the entrance structure work continue, along with interior MEP installation and appendage construction.
- **Wilshire/Fairfax Station:** West concourse deck placements are complete. East side level 2 exterior wall concrete activities continue. Structural work at the entrance plaza and appendages is ongoing. CMU block wall work continues.
- **Wilshire/La Cienega Station:** East/west hammerhead activities, concourse, entrance structure work and appendage construction move forward.
- **Reach 1 Tunnel:** Track installation is ongoing at the north tunnel. Track installation activities have commenced in the south tunnel.
- **Reach 2 Tunnel:** Cross passage excavation is complete. Five out of six cross passages have been concreted.
- **Reach 3 & Tail Track:** Reach 3 cross passage excavation is underway. Preparation for grouting TBM shields (Reach 4) has commenced.
- **Equity:** This Project is not located within or adjacent to Equity Focus Communities



Track Installation in the Reach 1 Tunnel



Level 2 Exterior Walls at Wilshire/Fairfax Station



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)





# WESTSIDE PURPLE LINE EXTENSION – SECTION 2

BUDGET	Approved	Previous	Current
FFGA	LOP*	Period**	Forecast**
\$2,499M	\$2,441M	\$2,441M	\$2,441M
Variance from Approved LOP:		\$0M (0%)	\$0M (0%) <span style="color: green;">OK</span>
Variance from Revised Budget:			\$0 <span style="color: green;">OK</span>

\*At time of the award of contract – Board Approval January 2017

\*\*Excludes finance costs

SCHEDULE	Approved	(REVENUE OPERATION) Previous	Current
Original	Rebaseline	Period	Forecast*
Aug. 2025	N/A	Summer 2025	Summer 2025
Variance from Original:		+0d (0%)	+0d (0%) <span style="color: yellow;">◆</span>
Variance from Revised Schedule:			0d <span style="color: green;">OK</span>

\*Contract schedule is forecasting a slippage to the contractual milestones. The project team is identifying opportunities to mitigate and is monitoring potential impacts. Staff will provide periodic updates to the Board.

- **Safety:** Project Hours: 2,460,992 Recordable Injury Rate: 3.09 vs The National Average: 2.4 (as of January 2022)
  - Metro is still concerned about the overall safety record.
- Overall Project progress is 49% complete as of period ending February 2022
- **Century City Constellation Station**
  - Excavation of the station box was 26% complete as of March 17, 2022
  - Excavation of the station entrance was 22% complete as of March 17, 2022
- **Wilshire/Rodeo Station**
  - Installation of the rebar and conduit at the station entrance is ongoing.
- **Tunneling**
  - Both tunnel boring machines (TBMs) “Ruth” and “Harriet” are operating within the City of Beverly Hills. Progress as of March 18, 2022, is as follows:
    - Ruth “BL TBM” (eastbound subway tunnel) – Reach 4: 295ft (5%), overall: 6,101ft (54%)
    - Harriet “BR TBM” (westbound subway tunnel) – Reach 5: 5,806ft (50%)
  - Both TBMs have resumed excavating toward Wilshire/La Cienega Station in March.
- **Equity:** This project is not located within or adjacent to Equity Focus Communities.



Rebar Installation at Wilshire/Rodeo Station Entrance



Harriet Break-out at Wilshire/Rodeo Station

April 2022



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)



Metro 7

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Los Angeles County Metropolitan Transportation Authority

# WESTSIDE PURPLE LINE EXTENSION – SECTION 3

## BUDGET

<u>FFGA</u>	<u>Approved LOP*</u>	<u>Previous Period**</u>	<u>Current Forecast**</u>
\$3,599M	\$3,224M	\$3,224M	\$3,224M
Variance from Approved LOP:		\$0M (0%)	\$0M (0%) <span>OK</span>
Variance from Revised Budget:			\$0 <span>OK</span>

\*At time of the award of contract – Board Approval February 2019

\*\*Excludes finance costs

## SCHEDULE

		(REVENUE OPERATION)	
<u>Original</u>	<u>Approved Rebaseline</u>	<u>Previous Period</u>	<u>Current Forecast*</u>
Mar. 2027	N/A	Spring 2027	Spring 2027
Variance from Original:		+0d (0%)	+0d (0%) <span>OK</span>
Variance from Revised Schedule:			0d <span>OK</span>

\*Current Forecast is Contractor's March Schedule update

\*\*Approval in process

- Safety:** Project Hours: 1,704,793 Recordable Injury Rate: 1.59 vs The National Average: 2.4 (as of February 2022)
  - C1151: Project Hours: 827,110; Recordable Injury Rate: 3.14
  - C1152: Project Hours: 877,683; Recordable Injury Rate: 0.0
  - Although there are some improvements in safety practices, Metro is still concerned about the Tunnel Contract's safety record.
- Overall Project Progress is 35% complete
- Final design progress is 94% complete
- Tunneling**
  - TBM Iris (BR) – Tunneling is in the Westwood/UCLA station area; TBM has mined over 4,800 feet (35%)
  - TBM Aura (BL) – Tunneling has passed under I-405 and Sepulveda Blvd.; TBM has mined over 3,400 feet (25%)
- Stations**
  - Westwood/VA: VA steam tunnel relocation continues; excavation along the steam tunnel alignment is complete; construction of cradle to support Reinforced Concrete Pipe is 100% complete.
  - Westwood/UCLA: Utility relocations continue; Support of Excavation pile installation continues along Wilshire Blvd, approximately 60% complete.
  - Equity:** 1 of 2 stations (50%) are within or adjacent to Equity Focus Communities



BR TBM Ring Segment Installation



Installation of Steam Tunnel RCP in Concrete Cradle

April 2022



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)



Metro 8

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Los Angeles County Metropolitan Transportation Authority



# AIRPORT METRO CONNECTOR (AMC) PROJECT

BUDGET	Approved LOP*	Previous Period	Current Forecast
TOTAL COST	\$898.6M	\$898.6M	\$898.6M
Variance from Approved LOP:		\$0M (0%)	\$0M (0%)
Variance from Revised Budget:			\$0

\*Approved May 2021 Board

SCHEDULE	Approved Rebaseline	(Revenue Operation) Previous Period	Current Forecast*
Original	N/A	Fall 2024	Fall 2024
Variance from Original:		+0d (0%)	+0 d (0%)
Variance from Revised Schedule:			0d

\*Current Forecast is Metro's May Schedule update

- Early Works Phase construction (64.3% complete) has received access to the CLAX ROW project area and continues installation of temp signal and communications ductbank within Southwestern Yard. Underground stormwater cistern near completion.
- Primary Station Construction Contractor mobilization complete. Construction is on schedule and has begun with site grading work and initial installation of structural piles.
- Automated People Mover (APM) Station Structural Steel installation for the passenger platform in progress
- Equity:** 100% of the project is located within or adjacent to Equity Focus Communities



Early morning soil removal work



CIDH pile work near APM Station



Backfill at cisterns



East cistern work

April 2022

On target

Possible problem (5-10% variance)

Significant Impact (over 10% variance)

Construction Committee

Los Angeles County Metropolitan Transportation Authority



# G LINE BRT IMPROVEMENTS PROJECT

BUDGET	Approved LOP	Previous Period	Current Forecast
TOTAL COST	N/A	N/A	\$392 M - \$476 M

Variance from Approved LOP: \$0M (0%) OK  
 Variance from Revised Budget: \$0 OK

*\*Project will work within the annual budget constraints until LOP is established*

SCHEDULE	Approved Rebaseline	(Revenue Operation) Previous Period	Current Forecast*
Original	N/A	N/A	Dec 2026

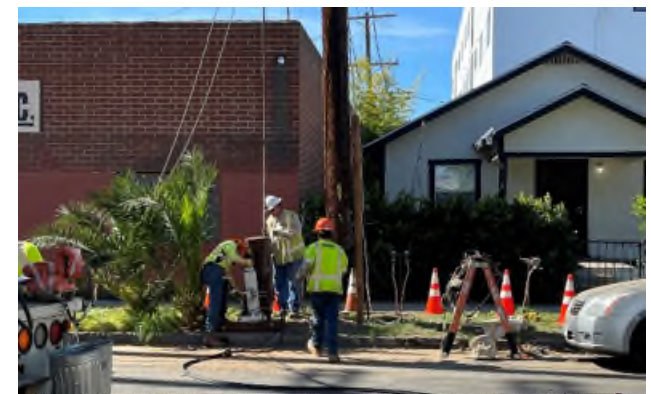
Variance from Original: +0d (0%) OK  
 Variance from Revised Schedule: 0d OK

*\*Current Forecast is Metro's Internal Schedule, Baseline schedule not yet approved at time of update*

- **Progressive Design Build Contract:**
  - Industry Review completed December 2021
  - RFP released on February 10, 2022
  - PDB Contract Award anticipated Summer 2022
- **Pilot Gate:**
  - Construction and testing completed November 2021
  - Test results issued to Metro mid December 2021
- Utility owner-performed AURs underway at Sepulveda, Vesper and Sylmar
- **Nine Property Acquisitions underway:**
  - Two acquisitions in negotiations after owners were informed of condemnation proceedings
  - Seven acquisitions in appraisal stage
- **Equity:** 8 of 17 stations (47%) are within or adjacent to Equity Focus Communities



DWP Sylmar Undergrounding



DWP Vesper Advanced Utility Relocation

April 2022



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)



Metro 10

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# I-5 NORTH COUNTY ENHANCEMENTS

BUDGET	Approved	Previous	Current	SCHEDULE	Approved	(Substantial Completion)	Current
	LOP*	Period	Forecast		Rebaseline	Previous	Forecast*
TOTAL COST	\$679.3M	\$679.3M	\$679.3M	Original July 2026	N/A	Summer 2026	Summer 2026
Variance from Approved LOP:		\$0M (0%)	\$0M (0%)	Variance from Original:		+0d (0%)	0d (0%)
Variance from Revised Budget:			\$0	Variance from Revised Schedule:			N/A

*\*At time of the award of contract – Board Approval (March 2021)*

*\*Current Forecast is Metro's Internal Schedule, Baseline schedule not yet approved at time of update*

- Construction site preparations are on-going. Center median pavement removal and re-striping at the north section of the project beginning
- Metro continues to work with the Contractor to establish a project baseline schedule
- On-going coordination with project stakeholders: Caltrans, FHWA, City of Santa Clarita, Los Angeles County, CHP, NPS, CDFW
- Next Project Community Meeting is scheduled for May 25<sup>th</sup> at 6:30pm
- Equity:** This project is not located within or adjacent to Equity Focus Communities



Damaged crash cushion from accident during holidays



Placement of temporary work zone speed radar and stormwater pollution prevention materials



Illegal dumping within the project limits

April 2022



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)



Metro 11

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# DIVISION 20 PORTAL WIDENING TURNBACK

BUDGET	Approved LOP*	Previous Period	Current Forecast
TOTAL COST	\$876.7M	\$801.7M	\$876.7M
Variance from Approved LOP:		\$75M (9%)	\$75M (9%) <span style="color: green;">OK</span>
Variance from Revised Budget:		\$0	\$0 <span style="color: green;">OK</span>

*\*At time of the award of contract – Board Approval (February 2020)*

SCHEDULE	Approved Rebaseline	(Substantial Completion) Previous Period	Current Forecast*
Original June 2024	N/A	June 2024	TBD
Variance from Original:		+0d (0%)	TBD <span style="color: yellow;">◆</span>
Variance from Revised Schedule:			TBD <span style="color: yellow;">◆</span>

*\*Current Forecast is Contractor's Schedule update*

- **Overall Project progress is 33% complete**  
 Includes Real Estate Acquisitions, Environmental, Design, Contract Mobilization, Early Demolition, Power, Utility contracts and contract change orders and commenced Shoofly installation
- **C1136 TPC Portal Widening Turnback Contract**  
 PWT C1136 Contract progress is 39%  
 Upgrade to Train Control software/hardware (Microlok)  
 Phase 1 Track, utilities, and civil work continues  
 1<sup>st</sup> Street Bridge Rehabilitation 85% complete  
 1<sup>st</sup> Bridge 25 out of 37 Precast Girders recently set
- **Major Change Orders to Date:**  
 Hazardous Material Removal  
 1<sup>st</sup> St Bridge Repairs of Differing Site Conditions  
 Completion of early utility Contracts  
 3<sup>rd</sup> Party Interfaces  
 Design Revisions *(in progress)*
- **C1184 C3M Traction Power Substation Contract** at 64%
- **Coordination with Adjacent Projects**  
 Purple Line Extension (PLE1), Regional Connector;  
 Metro Center Project, 6<sup>th</sup> Street Bridge (City of L.A. Project)
- **Continued Regular risk assessments to determine budget/schedule**
- **Equity:** 100% of the project is located within or adjacent to Equity Focus Communities

SHOOFLY Tail Track 2 (TT2) to Track 1



April 2022



On target



Possible problem  
(5-10% variance)



Significant Impact  
(over 10% variance)



Metro 12

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# DIVISION 20 PORTAL WIDENING TURNBACK

Unallocated Contingency Drawdown with Construction Percent Complete Comparison

