



Metro

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

Agenda - Final

Wednesday, July 19, 2023

11:00 AM

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Finance, Budget and Audit Committee

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METROPOLITAN TRANSPORTATION AUTHORITY BOARD AGENDA RULES
(ALSO APPLIES TO BOARD COMMITTEES)

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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 Committee Meeting begins at 11:00 AM Pacific Time on July 19, 2023; 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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Public comment will be taken as the Board takes up each item. To give public comment on an item, enter #2 (pound-two) when prompted. Please note that the live video feed lags about 30 seconds behind the actual meeting. There is no lag on the public comment dial-in line.

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La Reunion de la Junta comienza a las 11:00 AM, hora del Pacifico, el 19 de Julio de 2023. Puedes unirse a la llamada 5 minutos antes del comienzo de la junta.

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Please include the Item # in your comment and your position of "FOR," "AGAINST," "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."
Email: BoardClerk@metro.net
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Board Administration
One Gateway Plaza
MS: 99-3-1
Los Angeles, CA 90012

CALL TO ORDER

ROLL CALL

APPROVE Consent Calendar Items: 5 and 6.

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

CONSENT CALENDAR

5. **SUBJECT: CYBERSECURITY LIABILITY INSURANCE PROGRAM** [2023-0384](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to negotiate and purchase a cybersecurity liability insurance policy with up to \$50 million in limits at a cost not to exceed \$4 million for the 12-month period effective September 1, 2023, to September 1, 2024.

Attachments: [Attachment A - Coverage Options and Premiums](#)
[Attachment B - Coverage Description](#)

6. **SUBJECT: FISCAL YEAR 2024 LOW INCOME FARE IS EASY (LIFE) PROGRAM TAXI VOUCHER FUND REIMBURSEMENT** [2023-0402](#)

RECOMMENDATIONS

CONSIDER:

- A. EXECUTING Modification No. 3 to Contract No. PS60564000A with FAME Assistance Corporation (FAC) for Administration of Metro's LIFE program for the Southwest and Northwest Service Regions in the amount of \$700,000, increasing the total contract value from \$4,797,897 to \$5,497,897 for the FY24 Taxi Voucher component of the LIFE Program; and
- B. EXECUTING Modification No. 3 to Contract No. PS60564000B with the International Institute of Los Angeles (IILA) for Administration of Metro's LIFE program for the Southeast Service Region in the amount of \$300,000, increasing the total contract value from \$2,492,333 to \$2,792,333 for the FY24 Taxi Voucher component of the LIFE Program.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification/Change Order Log](#)
[Attachment C - DEOD Summary](#)

NON-CONSENT

7. **SUBJECT: STATE-OF-THE-ART BUS MOBILE VALIDATORS FOR TAP MUNICIPAL OPERATORS** [2023-0275](#)

AUTHORIZE the Chief Executive Officer to execute Modification No. 165.01 to Contract No. OP02461010 with Cubic Transportation Systems, Inc. ("Cubic"), for the purchase and installation of 1,118 new state-of-the-art Bus Mobile Validators (BMVs) for the 21 Regional municipal operators and muni transit stores and special events, in the amount of \$4,032,850, increasing the total contract value from \$401,615,864 to \$405,648,714.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification Change Order Log](#)
[Attachment C - DEOD Summary](#)
[Attachment D - Detailed Listing of BMV Quantities for Agencies](#)
[Attachment E - Cubic Bus Mobile Validator 3.0 Specifications Presentation](#)

8. **SUBJECT: DORAN STREET CROSSING GRADE SEPARATION PROJECT** [2023-0453](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Contract Modification No. 16 to Contract No. PS2415-3046 with HNTB Corporation and extend the professional service period of performance from August 4, 2023 to December 31, 2024 in the amount of \$2,686,361 increasing the Total Contract Value from \$8,359,970 to \$11,046,331; and
- B. APPROVE programming an additional \$9,163,577 from \$11,000,000 to \$20,163,577 of Measure R 3% funds in order to achieve a shovel ready level.

Attachments: [Attachment A - Procurement Summary PS2415-3046](#)
[Attachment B - Contract Modification Change Order Log PS2415-3046](#)
[Attachment C - DEOD Summary PS2415-3046](#)
[Attachment D - Doran Street GS Funding and Expenditure Plan](#)

9. **SUBJECT: BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT** [2023-0454](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Contract Modification No. 10 to Contract No. PS2415-3412 with STV Inc. and extend the professional service period of performance from July 31, 2023, to July 31, 2026, in the amount of \$4,776,915 increasing the Total Contract Value from \$15,437,844 to \$20,214,759; and
- B. APPROVE programming an additional \$9,674,325 from \$16,704,416 to \$26,378,741 of Measure R 3% funds in order to achieve shovel ready level.

Attachments: [Attachment A - Procurement Summary PS2415-3412](#)
[Attachment B - Contract Modification Change Order Log PS2415-3412](#)
[Attachment C - DEOD Summary PS2415-3412](#)
[Attachment D - Brighton to Roxford Funding and Expenditure Plan](#)

SUBJECT: GENERAL PUBLIC COMMENT [2023-0420](#)
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 #: 2023-0384, File Type: Program

Agenda Number: 5.

FINANCE, BUDGET, AND AUDIT COMMITTEE JULY 19, 2023

SUBJECT: CYBERSECURITY LIABILITY INSURANCE PROGRAM

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to negotiate and purchase a cybersecurity liability insurance policy with up to \$50 million in limits at a cost not to exceed \$4 million for the 12-month period effective September 1, 2023, to September 1, 2024.

ISSUE

Metro's cybersecurity liability insurance policy expires on September 1, 2023. Insurance underwriters will not commit to final pricing until three weeks before the current program expires. Consequently, staff requests a not-to-exceed amount for this renewal pending final pricing. Metro purchases an insurance policy to cover cybersecurity liability exposures. Cybersecurity is the practice of being protected against criminal or unauthorized use of systems and electronic data. These exposures include but are not limited to:

- Unavailability of IT systems and networks
- Physical asset damage and associated loss of use
- Loss or deletion of data
- Data corruption or loss of data integrity
- Data breach leading to compromise of third-party confidential/personal data
- Cyber espionage resulting in the release of confidential/sensitive information
- Extortion demands to cease a cyber-attack
- Direct financial loss due to theft
- Damage to reputation
- Bodily injury/property damage to third parties

Without this insurance, Metro is subject to unlimited liability for claims resulting from a cyber-attack or data breach event.

BACKGROUND

FY23 was the first year Metro purchased cybersecurity liability coverage for \$2,663,634.73. For the

first renewal, Metro's insurance broker, USI Insurance Services ("USI"), was requested to market Metro's cybersecurity liability insurance program to qualified insurance carriers. Through its partnership with Howden, a London broker, USI has received quotes from the incumbent carrier, which has A.M. Best ratings indicative of acceptable financial soundness and ability to pay claims. The premium indications below are based on current market expectations. The quotes expire on September 1, 2023.

USI provides a not-to-exceed number that serves three functions. First, the number provides an amount to cover the recommended premium and contingency that Risk Management can bring to the CEO and Board to obtain approval for the binding of the program. Second, the number allows our broker ample time to continue negotiating with underwriters to ensure Metro obtains the most competitive pricing. And third, the not-to-exceed amount allows Metro to secure the quoted premium during the board cycle process prior to quote expiration.

DISCUSSION

Public entities are increasingly coming under cyber-attacks. A robust cybersecurity insurance program could help reduce the number of successful cyber-attacks and financial risks associated with doing business online by 1) promoting the adoption of preventative measures in return for more coverage; and 2) encouraging the implementation of best practices by basing premiums on an insured's level of self-protection.

The cyber insurance market has matured somewhat with increased discipline in underwriting and reduced deployment of capacity where controls and security protocols are perceived to be ineffective at adapting to security threats. Those that have implemented stronger cybersecurity measures will see a more mature market with softer price hikes for those clients that can demonstrate strong protocols throughout their systems.

There have been changes in the regulatory environment around cybersecurity, specifically for public transit organizations. In February of 2023, the Federal Transit Administration published a cybersecurity assessment tool for transit agencies to help guide them in identifying and mitigating risk. FTA continues to guide cybersecurity activities and supports the U.S. Department of Homeland Security (DHS) in promoting enhanced security for transit agencies. Additionally, as a condition under 49 U.S.C. 5323(v), rail transit operators must certify that they have a process to develop, maintain, and execute a plan for identifying and reducing cybersecurity risks. The general guidance is built around the National Institute of Standards and Technology (NIST) Cyber Security Framework. With Metro's vast network of third-party service providers, this is a major exposure area that needs to be continually monitored on an ongoing basis.

Multiple questionnaires and interviews are required by Metro's information security and Supervisory Control and Data Acquisition (SCADA) team's experts on the systems and network controls. A proposal of coverage for cybersecurity liability insurance based on the findings and the insurance carrier's knowledge of Metro's internal controls is provided. The proposed program, from carrier BRIT Re, a Lloyds of London consortium, provides up to \$50 million in excess coverage on a claims-made basis with a \$10 million self-insured retention (SIR). Attachment A summarizes the premium options, and Attachment B summarizes the coverages. Risk Management and Information Technology

Services (ITS) team members reviewed the proposal and agree that the proposed coverage will help mitigate Metro's financial and reputational risks should the agency experience a cyber-attack event.

DETERMINATION OF SAFETY IMPACT

Approval of this recommendation to purchase a cybersecurity liability insurance policy will not directly impact the safety of Metro's patrons or employees. The policy will limit Metro's liability for claims resulting from a cyber-attack or data breach event. Additionally, the policy will aid in Metro's recovery and moderate financial losses as well as harm to Metro's reputation resulting from cyber events and incidents.

FINANCIAL IMPACT

Funding for ten months, or \$3,333,333, for this action is included in the FY24 Budget in cost center 0531, Risk Management -- Non-Departmental Costs, under projects 100001 - General Overhead, 300022 - Rail Operations - Blue Line, 300033 - Rail Operations - Green Line, 300044 - Rail Operations - Red Line, 300066 - Rail Operations - Expo Line, 300077 - Crenshaw Line, 301012 - Metro Orange Line, 306001 - Operations Transportation, 306002 - Operations Maintenance, 320011 - Union Station and 610061 - Owned Property in account 50699 (Ins Prem For Other Ins). Additional funding to cover premium costs beyond FY24 budgeted amounts will be addressed by fund reallocations during the year.

The remaining two months of premium will be requested during the FY25 Budget development cycle, cost center 0531, Risk Management -- Non-Departmental Costs, under projects 100001 - General Overhead, 300022 - Rail Operations - Blue Line, 300033 - Rail Operations - Green Line, 300044 - Rail Operations - Red Line, 300066 - Rail Operations - Expo Line, 300077 - Crenshaw Line, 301012 - Metro Orange Line, 306001 - Operations Transportation, 306002 - Operations Maintenance, 320011 - Union Station and 610061 - Owned Property in account 50699 (Ins Prem For Other Ins).

Impact to Budget

The current fiscal year funding for this action will come from the Enterprise, General, and Internal Service funds, paralleling funding for the actual benefiting projects charged. These funds are eligible for bus and rail operating and capital expenses.

EQUITY PLATFORM

The proposed action supports Metro's ability to safely serve the communities and customers who rely on Metro's transportation services and assets by providing insurance coverage that will allow Metro to more quickly resume operations in the event of a cybersecurity breach.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal # 5 "Provide responsive, accountable, and trustworthy governance within the LA Metro organization." The responsible administration of Metro's risk management programs includes the use of insurance to mitigate large financial risks resulting

from cybersecurity events.

ALTERNATIVES CONSIDERED

Various limits of coverage were considered, as outlined in Attachment A for the cybersecurity liability insurance program. All options include a SIR of \$10 million for the same program. Option A, Metro's current limit, provides \$50 million in coverage, Option B provides \$75 million, and Option C provides \$100 million in coverage.

Option A is recommended as the best value option while retaining a reasonable amount of risk over the coverage limit.

NEXT STEPS

Upon Board approval of this action, staff will advise USI to proceed with the placement of the cybersecurity liability insurance program outlined herein, effective September 1, 2023.


ATTACHMENTS

Attachment A - Coverage Options and Premiums

Attachment B - Coverage Description

Prepared by: Claudia Castillo del Muro, Executive Officer, Risk Management, (213) 922-4518
Kenneth Hernandez, Deputy Chief Risk, Safety, and Asset Management Officer,
(213) 922-2990
Bryan Sastokas, Deputy Chief Information Technology Officer, (213) 922-5510

Reviewed by: Gina L. Osborn, Chief Safety Officer, (213) 922-3055


Stephanie N. Wiggins
Chief Executive Officer

Coverage Options and Premiums

Carrier: BRIT Re

Cyber Security Insurance Program Premium and Proposed Options

	CURRENT PROGRAM	OPTIONS		
		A	B	C
Self-Insured Retention (SIR)	\$10M	\$10 mil	\$10 mil	\$10 mil
Limit of Coverage	\$50	\$50 mil	\$75 mil	\$100 mil
Premium *	\$2,663,635	\$4,000,000	\$6,100,000	\$7,600,000

Not to Exceed	\$4,000,000	\$6,100,000	\$7,600,000
Premium per mil coverage \$53,273	\$80,000	\$81,333	\$76,000

* Includes commissions, taxes and fees.

Coverage Description

USI provided a proposal of coverage for cyber liability insurance. The following summarizes the coverages and exclusions:

Included Coverage

Exposure	Brief Description
SECURITY AND PRIVACY LIABILITY (INCLUDING EMPLOYEE PRIVACY)	Covers the insured's liability for damages resulting from a data breach. Such liability most often results from (1) loss, theft, or unauthorized disclosure of personally identifiable information (PII) in the insured's care, custody, and control; (2) damage to data stored in the insured's computer systems belonging to a third party; (3) transmission of malicious code or denial of service to a third party's computer system; (4) failure to timely disclose a data breach; (5) failure of the insured to comply with its own privacy policy prohibiting disclosure or sharing of PII; and (6) failure to administer an identity theft program required by governmental regulation or to take necessary actions to prevent identity theft. In addition, this insuring agreement covers the cost of defending claims associated with each of these circumstances
SECURITY BREACH RESPONSE COVERAGE	Coverage for the expenses involved in responding to a data breach. These include legal expenses, forensic experts, costs to notify affected parties and provide credit monitoring, and public relations expenses to mitigate reputational damage.
PRIVACY REGULATORY CLAIMS COVERAGE	The insuring agreement covers the costs of dealing with state and federal regulatory agencies (which oversee data breach laws and regulations), including (1) the costs of hiring attorneys to consult with regulators during investigations and (2) the payment of regulatory fines and penalties that are levied against the insured (as a result of the breach).
PCI-DSS ASSESSMENT COVERAGE	Payment Card Industry Data Security Standard (PCI DSS) was formed around 2004 by the major credit card companies to establish guidelines in the handling and processing of transactions including personal information. The policy will provide coverage for assessments, fines or penalties imposed by banks or credit card companies due to non-compliance with the Payment Card Industry

	Data Security Standard (PCI DSS) or payment card company rules.
CYBER EXTORTION COVERAGE	Cyber extortion is an online crime in which hackers hold your data, website, computer systems, or other sensitive information hostage until you meet their demands for payment. The policy will cover the cost to investigate a ransomware attack and negotiate with the hackers.
MULTIMEDIA LIABILITY	Multimedia Liability provides coverage for third-party liability claims alleging damage resulting from dissemination of media material. This covers both electronic and non-electronic media material and may include claims of copyright or trademark infringement. libel.
DIGITAL ASSET RESTORATION COSTS	Digital assets loss occurs when company data or software is corrupted or destroyed because of a network security failure. This type of loss can come because of an outside network breach or an inside job carried out by an employee. The policy covers the reasonable and necessary cost to replace, restore or re-collect digital property from written or electronic records. Additionally, investigation expenses such as disaster recovery and computer forensics is also covered.
BUSINESS INCOME LOSS RESULTING FROM A NETWORK DISRUPTION	Business Interruption covers business income loss and extra expenses incurred during a computer network outage. The coverage applies to outages of <i>internally managed IT</i> , such as employee devices or internal networks or databases -- not a cloud computing provider or other type of third-party IT vendor.
Bodily Injury	Injury to persons (including death)

Excluded Coverage

The proposal of coverage also indicates various exclusions or exposures that will not be covered:

Exposure	Brief Description
BUSINESS INCOME LOSS (Physical Damage)	Some insurers have brought forward business interruption coverage as part of cyber insurance or as stand-alone business interruption insurance policies. There doesn't have to be a complete shutdown to trigger the coverage. Instead, a system slowdown due to network issues or malicious elements can also be classified as a trigger.

	However, the proposal indicates there will be no coverage for physical damage BI claims.
ENSUING PROPERTY DAMAGE LOSS	Exception to an exclusion in a first-party property policy that applies in a special type of fact pattern where the damage caused by an excluded peril operates as a link in the "chain of events" that enables a covered peril to damage other property. (proximate cause) Symbolically, a classic ensuing loss fact pattern can be represented as follows: <i>excluded peril</i> → <i>excluded damage</i> → <i>covered peril</i> → <i>ensuing damage</i> . Note that there must be two kinds of damages—an initial loss and an ensuing loss. Most courts will not apply an ensuing loss provision if an excluded peril caused a covered peril that results in only one kind of damage.
Inspection and Loss Prevention/Mitigation Expense	Loss prevention aims to reduce the possibility of damage and lessen the severity if such a loss should occur.
Debris Removal	Debris removal insurance is a section of a property insurance policy that provides reimbursement for clean-up costs associated with damage to property.



Board Report

File #: 2023-0402, File Type: Contract

Agenda Number: 6.

FINANCE, BUDGET, AND AUDIT COMMITTEE JULY 19, 2023

**SUBJECT: FISCAL YEAR 2024 LOW INCOME FARE IS EASY (LIFE) PROGRAM TAXI
VOUCHER FUND REIMBURSEMENT**

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATIONS

CONSIDER:

- A. EXECUTING Modification No. 3 to Contract No. PS60564000A with FAME Assistance Corporation (FAC) for Administration of Metro's LIFE program for the Southwest and Northwest Service Regions in the amount of \$700,000, increasing the total contract value from \$4,797,897 to \$5,497,897 for the FY24 Taxi Voucher component of the LIFE Program; and
- B. EXECUTING Modification No. 3 to Contract No. PS60564000B with the International Institute of Los Angeles (IILA) for Administration of Metro's LIFE program for the Southeast Service Region in the amount of \$300,000, increasing the total contract value from \$2,492,333 to \$2,792,333 for the FY24 Taxi Voucher component of the LIFE Program.

ISSUE

Each year, the LIFE Program provides transportation subsidies, such as taxi vouchers to individuals with short-term and immediate need for transit services who are otherwise unable to use fixed route transit. Taxi Vouchers and their required reimbursements to Taxi providers are managed by FAC and IILA and distributed to the rider through approved agencies such as hospitals and shelters to provide trips categorized by mobility or health limitations, urgency, or safety.

Board approval will allow the continued funding of the LIFE program's taxi transportation voucher component and services in Los Angeles County by providing reimbursements to LIFE program Administrators FAC and IILA who administer the vouchers.

BACKGROUND

LIFE Program Administrators are contracted by Metro to administer the LIFE program and manage over 150 LIFE partner agencies in their respective areas and ensure that the LIFE program is operated according to the LIFE Operating Guidelines. Administrators are responsible for screening for patron eligibility, outreach, accountability, transportation subsidy security, record keeping, training,

and procedures for distributing transportation subsidies such as Taxi Vouchers.

In FY23, the LIFE program administrators distributed more than 35,000 taxi vouchers to residents throughout Los Angeles County. The total value of the taxi vouchers is \$11.00 per ride or up to \$100.00 variable value voucher for special circumstances that must meet program requirements. Riders have expressed appreciation for this assistance to close the first/last mile gap to help them get to medical appointments, shelters, food banks, and government appointments (social security, Department of Public Social Services (DPSS) Department of Motor Vehicles (DMV), etc.

DISCUSSION

Under Board-adopted guidelines, this item enables the programming of funds to recipients to support the implementation of the LIFE program, which is targeted to assist transit riders with lower incomes in overcoming mobility barriers throughout Los Angeles County.

To ensure the program continues to support those most in need, the taxi vouchers are projected to support similar or more riders in FY24. The LIFE program administrators FAC and IILA will continue to partner with 150 partner agencies while also looking to expand partnerships to distribute these vouchers throughout Los Angeles County. The funding to accommodate taxi reimbursements and voucher printing is to be allocated as follows: \$700,000 to FAC and \$300,000 to IILA.

FINANCIAL IMPACT

The FY24 Transit Fund Allocation of \$1,000,000 is included in the FY24 Budget in Cost Center Number 2315, LIFE Program, under Project Number 410021, LIFE Program. Approval of this recommendation authorizes Metro to disburse these funds to the LIFE Program Administrators.

Impact to Budget

The sources of funding are Proposition C 40% and Measure M 2% Americans with Disabilities Act (ADA) Paratransit/Metro Discounts. Proposition C 40% is eligible for bus and rail operating or capital expenses while Measure M 2% ADA Paratransit/Metro Discounts is earmarked for ADA paratransit for people with disabilities and Metro discounts for seniors and students.

EQUITY PLATFORM

Reduced-fare transit programs, like LIFE, are an investment in social mobility and an important tool to assist in the fight against income and health inequality. These programs, which include taxi vouchers for individuals with short-term/immediate transit needs, make Metro more accessible while providing financial relief from the ever-rising cost of living for the working poor. The cost barrier to transit disproportionately impacts low-income households and can limit mobility and access to employment, education, medical care, and social services. Research has found that low-income riders are more likely to be burdened by the costs of using public transit and most likely to not take or delay taking necessary trips due to cost.

NEXT STEPS

Upon Board approval, staff will execute the contract modifications and will work with the LIFE program administrators to ensure the proper disbursement of funds.

ATTACHMENTS

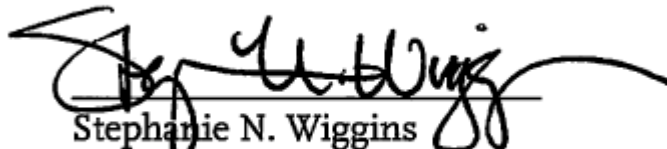
Attachment A - Procurement Summary
Attachment B - Change Order / Modification Log
Attachment C - DEOD Summary

Prepared by: Michael Cortez, Director, Community Relations (Interim), LIFE Program (213)
418-3423

Monica Bouldin, Deputy Chief Customer Experience (213) 922-4081

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

Reviewed by: Jennifer Vides, Chief Customer Experience Officer, (213) 922-4060



Stephanie N. Wiggins
Chief Executive Officer

PPROCUREMENT SUMMARY

**LOW INCOME FARE IS EASY (LIFE) PROGRAM ADMINISTRATOR
SUPPORT SERVICES / PS60564000A AND PS60564000B**

1.	Contract Number: A: PS60564000A B: PS60564000B		
2.	Contractors: A: FAME Assistance Corporation (Southwest Region and Northwest Region) B: International Institute of Los Angeles (Southeast Region)		
3.	Mod. Work Description: Reimbursements to the Low Income Fare is Easy (LIFE) Program Administrators for the FY24 Taxi Voucher component of the LIFE Program.		
4.	Contract Work Description: LIFE Program Administrator Services		
5.	The following data is current as of: 7/6/23		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	09/26/19	Contract Award Amount: A: \$2,991,965 B: \$1,605,248
	Notice to Proceed (NTP):	09/26/19	Total of Modifications Approved: A: \$1,805,932 B: \$887,085
	Original Complete Date:	06/30/22	Pending Modifications (including this action): A: \$700,000 B: \$300,000
	Current Est. Complete Date:	06/30/24	Current Contract Value (with this action): A: \$5,497,897 B: \$2,792,333
7.	Contract Administrator: Ernesto De Guzman		Telephone Number: (213) 922-7267
8.	Project Manager: Michael Cortez		Telephone Numbers: (213) 418-3423

A. Procurement Background

This Board Action is to execute Modification No. 3 for Contract Nos. PS60564000A and PS60564000B for reimbursements to the Low Income Fare is Easy (LIFE) Program Administrators for the FY24 Taxi Voucher component of the LIFE Program. These Contract Modifications will be processed in accordance with Metro's Acquisition Policy.

A total of 2 modifications for each contract have been issued to date.

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

B. Cost Analysis

The recommended amounts have been determined to be fair and reasonable based upon cost analysis, technical evaluation, and independent cost estimate (ICE).

Contract No. PS60564000A

Proposal Amount	Metro ICE	Recommended Amount
\$700,000	\$700,000	\$700,000

Contract No. PS60564000B

Proposal Amount	Metro ICE	Recommended Amount
\$300,000	\$300,000	\$300,000

CONTRACT MODIFICATION/CHANGE ORDER LOG

LOW INCOME FARE IS EASY (LIFE) PROGRAM ADMINISTRATOR
SUPPORT SERVICES / PS60564000A AND PS60564000B

Contract No. PS60564000A

Mod. No.	Description	Status (approved or pending)	Date	Amount
1	Additional level of effort	Approved	4/29/22	\$965,932
2	Reimbursements for the FY23 Taxi Voucher component of the LIFE Program.	Approved	6/23/22	\$840,000
3	Reimbursements for the FY24 Taxi Voucher component of the LIFE Program.	Pending	Pending	\$700,000
	Modification Total:			\$2,505,932
	Original Contract:		9/26/19	\$2,991,965
	Total:			\$5,497,897

Contract No. PS60564000B

Mod. No.	Description	Status (approved or pending)	Date	Amount
1	Additional level of effort	Approved	4/29/22	\$467,085
2	Reimbursements for the FY23 Taxi Voucher component of the LIFE Program.	Approved	6/23/22	\$420,000
3	Reimbursements for the FY24 Taxi Voucher component of the LIFE Program.	Pending	Pending	\$300,000
	Modification Total:			\$1,187,085
	Original Contract:		9/26/19	\$1,605,248
	Total:			\$2,792,333

DEOD SUMMARY

**LOW INCOME FARE IS EASY (LIFE) PROGRAM ADMINISTRATOR
SUPPORT SERVICES / PS60564000A AND PS60564000B**

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Small Business Enterprise (SBE) goal for this solicitation due to the lack of subcontracting opportunities available for small businesses, as the community-based organizations will perform the work with their own workforces.

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 #: 2023-0275, **File Type:** Contract**Agenda Number:** 7.

**FINANCE, BUDGET AND AUDIT COMMITTEE
JULY 19, 2023****SUBJECT: STATE-OF-THE-ART BUS MOBILE VALIDATORS FOR TAP MUNICIPAL OPERATORS****ACTION: APPROVE CONTRACT MODIFICATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 165.01 to Contract No. OP02461010 with Cubic Transportation Systems, Inc. ("Cubic"), for the purchase and installation of 1,118 new state-of-the-art Bus Mobile Validators (BMVs) for the 21 Regional municipal operators and muni transit stores and special events, in the amount of \$4,032,850, increasing the total contract value from \$401,615,864 to \$405,648,714.

ISSUE

The Bus Mobile Validator, or BMV, is a low-cost solution that was developed to make it possible for all agencies in LA County that collect fares to join TAP. In October 2012, the Board approved the purchase of 1,000 BMVs for installation on 750 buses for 15 municipal operators so that they could accept TAP fare payment. The BMVs have proven to be a low-cost solution that has allowed both small and large agencies to participate in a seamless fare payment system for LA County. Now over 10 years old, the aging BMVs have exceeded their life expectancy and are no longer manufactured. In addition, the new state-of-the-art BMVs will accommodate open payment technology (use of credit/debit and other ID cards) and will read barcodes for events or Metrolink ticketing.

BACKGROUND

Initial BMV installations were on 15 municipal operators. The number of agencies using BMVs has now increased to 21, this includes Antelope Valley Transit Authority (Microtransit), Baldwin Park Transit, Burbank Bus, Carson Circuit, Compton Renaissance Transit, Glendale Beeline, Glendora Transit, Huntington Park Transit Unlimited, LA County Department of Public Works, Long Beach Transit, Los Angeles World Airports (FlyAway), Monterey Park Spirit Bus, Palos Verdes Peninsula Transit Authority, Pasadena Transit, Redondo Beach Cities Transit, Santa Clarita Transit (Microtransit), Santa Monica Big Blue Bus, Foothill Transit's transit store, UCLA Transportation Office, and even Angel's Flight. The BMVs have allowed both small and large operators the ability to accept TAP fare payment and ensure the Region's customers can travel seamlessly throughout LA County on 26 different transit agencies with a plastic or virtual TAP card.

In June 2016, Metro successfully piloted All-Door Boarding (ADB) with BMVs on the front and rear doors of J Line (Silver) 910/950 buses. In 2018, Metro expanded the ADB pilot to Metro Rapid Lines 720 and 754. With ADB, customers can now board the front and rear doors simultaneously reducing dwell times.

In February 2022, the Board approved the purchase of 2,900 state-of-the-art BMVs to expand rear-door boarding to all Metro buses. This contract modification allows the Region to continue on the same TAP system, to provide customers with seamless travel on all 26 TAP partner agencies, including Metro, across Los Angeles County. With Board approval, installations on municipal operator's buses can begin as early as August 2024.

DISCUSSION

This contract modification calls for the purchase and installation of 1,118 new state-of-the-art BMVs for the 21 Regional municipal operators and muni transit stores and for special events. Refer to Attachment D for a detailed listing of BMV quantities for each agency. The new state-of-the-art BMVs utilize 4G LTE cellular communications and are ready to operate in an open payment, account-based system. Open payment and account-based systems can be programmed to accept credit/debit and other ID cards as payment. The new devices offer enhanced transaction security and are certified by the Payment Card Industry Data Security Standard (PCI DSS) and Europay, MasterCard, and Visa (EMV) global standard. Attachment E provides additional specifications on the new BMVs.

The new BMVs have expanded capacity to deliver 100,000 autoloads every 10 minutes compared to the existing BMVs which can only deliver 30,000 autoloads every 30 minutes. In addition, the new state-of-the-art BMVs will operate faster and accommodate open payment technology (use of credit/debit and other ID cards) and will read barcodes for events or Metrolink ticketing. The new BMVs will continue to serve Metro's and the Region's current programs such as GoPass, Low Income Fare is Easy (LIFE), and fare capping. BMVs also accept Stored Value (cash) and the Regional EZ transit pass which provides customers with seamless travel on all 26 TAP partner agencies across Los Angeles County. The BMVs are also necessary for TAP customers to benefit from fare capping and regional fare capping in the future.

FINANCIAL IMPACT

The \$500,000 required for this contract modification is included in the FY2024 Adopted budget. This is a multi-year activity, and the Senior Executive Officer and Executive Officer of TAP are responsible for budgeting all future year budget requirements.

Impact to Budget

In May 2023, the Board approved the total Life-of-Project budget of \$4,912,000 for the Muni BMV Replacement project through the annual budget adoption. The funds are comprised of \$2,456,000 from Local Partnership Program Formulaic grant funds and matching \$2,456,000 from Proposition C40% Discretionary funds. The local match is eligible for Metro's bus and rail capital and operations activities.

EQUITY PLATFORM

BMVs on municipal operator buses allow customers to take advantage of fare programs such as FSI/GoPass, LIFE, and other fare programs available to customers with virtual or plastic TAP cards. BMVs also accept Stored Value (cash) and the Regional EZ transit pass which provides customers with seamless travel on all 26 TAP partner agencies across Los Angeles County. The BMVs are also necessary for TAP customers to benefit from fare capping and regional fare capping in the future.

The new state-of-the-art BMV ensures continued seamless fare payment throughout Los Angeles County on 26 transit agencies and is ready to accommodate open payment and an account-based system to accept credit/debit and other ID cards as valid fare.

Customers can purchase and reload TAP cards at about 1,900 TAP vendor locations, including locations for non-English speaking customers, throughout LA County and at nearby TAP Vending Machines (TVMs) along the Metro Rail system, J Line, and select G Line stations. Customers can also use virtual TAP cards on their mobile phones via the TAP app, or they purchase a TAP card and reload it on Metro buses.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports:

- Strategic Plan Goal 1: Provide high quality mobility options that enable people to spend less time traveling
- Strategic Plan Goal 2: Deliver outstanding trip experience for all users of the transportation system. This project will improve the speed and reliability of TAP Card users across agency riders through the heart of some of the most congested areas in Los Angeles County with some of the most equity focused communities.

ALTERNATIVES CONSIDERED

The alternative to the proposed staff recommendation is to not procure the new BMVs. This alternative is not recommended because these units are no longer manufactured, and Metro will not be able to add additional transit services or allow for the expansion of buses for existing TAP partner agencies.

NEXT STEPS

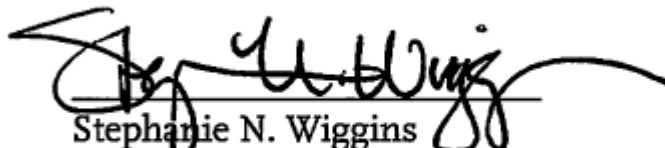
Upon Board approval, staff will execute Modification No. 165.01 to Contract No. OP02461010 with Cubic Transportation Systems, Inc., for the purchase and installation of the new state-of-the-art BMVs and extend a limited notice-to-proceed to the vendor to order the new state of the art BMVs. Delivery of the BMVs will occur in July 2024. Installation of Muni BMVs will begin in August 2024 and conclude by November 2024.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary
Attachment D - Detailed Listing of BMV Quantities for Agencies
Attachment E - Cubic Bus Mobile Validator 3.0 Specifications

Prepared by: David Sutton, Senior Executive Officer, TAP/Revenue Collection (213) 922-5633
Tisha Bruce, Executive Officer, TAP/Revenue Collection, (213) 922-7621
Mauro Arteaga, Deputy Executive Officer, TAP, (213) 922-2953
Debra Avila, Deputy Chief Vendor/Contract Management Officer, (213) 418-3051

Reviewed by: Nalini Ahuja, Chief Financial Officer, (213) 922-3088


Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

UNIVERSAL FARE SYSTEM / OP02461010

1.	Contract Number: OP02461010		
2.	Contractor: Cubic Transportation Systems, Inc.		
3.	Mod. Work Description: Purchase and Installation of State-of-the-art Bus Mobile Validators (BMVs) for Municipal Operators		
4.	Contract Work Description: Universal Fare System		
5.	The following data is current as of: June 21, 2023		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	2/28/2002	Contract Award Amount: \$84,003,444
	Notice to Proceed (NTP):	3/7/2002	Total of Modifications Approved: \$321,645,270
	Original Complete Date:	9/1/2007	Pending Modifications (including this action): \$4,032,850
	Current Est. Complete Date:	12/31/2024	Current Contract Value (with this action): \$405,648,714
7.	Contract Administrator: Anush Beglaryan		Telephone Number: (213) 418-3047
8.	Project Manager: Mauro Arteaga		Telephone Number: (213) 922-2953

A. Procurement Background

This Board Action is to approve Contract Modification No. 165.01 for the purchase and installation of state-of-the-art Bus Mobile Validators (BMVs) for municipal operators including spares to accommodate operational deployment and fleet expansion.

In October 2012, the Board approved the purchase of 1,000 BMVs for installation on 750 buses for 15 municipal operators so that they could accept TAP fare payment. The BMVs have proven to be a low-cost solution that has allowed both small and large agencies to participate in a seamless fare payment system for LA County. The aging BMVs have exceeded their life expectancy and are no longer manufactured. Additionally, 3G cellular communication of the first generation BMVs will no longer be supported by the Telephone Service Provider (TSP). The new state-of-the-art BMVs will accommodate open payment technology (use of credit/debit and other ID cards) and will read barcodes for event or Metrolink ticketing. This Modification will allow for new state-of-the-art BMVs to be installed on buses for the 21 regional municipal operators.

This Contract Modification will be processed in accordance with Metro’s Acquisition Policy.

On February 28, 2002, Contract No. OP02461010 was awarded by the Metro Board to Cubic to provide a countywide fare collection system to serve Metro’s public transit customers. Cubic developed the NextFare software application and related databases which is the core technology managing the entire TAP network consisting of bus and rail equipment and devices. NextFare communicates with all of the fare collection devices which contain proprietary intellectual property. Therefore, Cubic is the only company that can provide and maintain the necessary upgrades of the software and hardware.

Please refer to Attachment B – Contract Modification/Change Order Log.

B. Price Analysis

The recommended price has been determined to be fair and reasonable based upon price analysis, technical evaluation, and independent cost estimate. Pricing for BMVs is unchanged from previous years.

Proposal Amount	Metro ICE	Recommended Amount
\$4,032,850	\$4,032,850	\$4,032,850

CONTRACT MODIFICATION/CHANGE ORDER LOG

UNIVERSAL FARE SYSTEM / OP02461010

Mod. No.	Description	Status (approved or pending)	Date	Amount
1	Table X-1 Milestone Changes	Approved	8/19/2002	\$0.00
2	Ticket Vending Machine Soft Keys	Approved	9/4/2002	\$0.00
3	San Fernando Valley BRT, Additional Quantities	Approved	4/13/2004	\$7,454,844
4	Modification to General Conditions	Approved	10/8/2002	\$0.00
5	TVM Third Coin Hopper	Approved	8/22/2003	\$416,858
6	Stand Alone Validator Video Clips	Approved	3/3/2003	\$0.00
7	Gold Line Functional Test Waiver	Approved	2/13/2003	\$0.00
8	Languages Supported	Approved	2/13/2004	\$0.00
9	Modifications to Compensation & Payment	Approved	2/20/2003	\$0.00
10	Smart Card to Smart Card Value Transfer	Approved	3/3/2003	\$0.00
11	SCADA Cable Installation on Gold Line	Approved	3/3/2003	\$48,476
12	Gold Line Functional Test Waivers	Approved	4/8/2003	\$0.00
13	Farebox Coin Dejam	Approved	4/8/2003	\$0.00
14	Change in Milestone Schedule	Approved	4/16/2003	\$0.00
15	Time Extension, Gold Line	Approved	7/1/2003	\$0.00
16	Change from Datastream MP5 to Express Metrix	Approved	7/1/2003	\$0.00
17	Final Design Review, changes in CDRLS	Approved	7/18/2003	\$0.00
18	Deletion of Printer from Hand Held Validator	Approved	1/6/2004	-\$35,252
19	Variable Message Sign	Approved	2/19/2004	\$243,828
20	Changes to Compensation and Payment	Approved	4/7/2004	\$0.00
21	PCMCIA Card Slot use for WAN	Approved	4/13/2004	\$0.00
22	Data Transmission System	Approved	6/22/2004	\$675,000
23	Mifare Card Initialization and Verification	Approved	6/8/2004	\$9,629
24	Farebox Mounting Adapter for NABI Buses	Approved	7/9/2004	\$32,485
25	Provide Regional CDCS	Approved	2/25/2005	\$5,348,335
25.01	Regional CDCS Overhead Rate Adjustment	Approved	1/17/2007	-\$31,621
25.02	Regional CDCS Acceptance Test Participants	Approved	8/7/2008	\$0.00
26	Remove Requirement for Focus Groups	Approved	12/20/2004	-\$111,704
27	Farebox Rotation	Approved	1/4/2005	\$74,967
28	Metro Gold Line Eastside Extension, Fare Equipment	Approved	7/25/2006	\$3,808,722

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29	Stainless Steel Panels for TVM Alcoves	Approved	4/25/2005	\$45,521
30	Data Communication Cabling for Orange Line	Approved	6/10/2005	\$41,560
31	(Not Used)			
32	Additional Spare Part Quantities for Eastside Ext.	Approved	7/25/2005	\$15,480
33	Mifare Card Functionality on UFS	Approved	8/15/2005	\$33,105
34	Revisions to Project Schedule	Approved	10/26/2000	\$0.00
35	OCU Mount	Approved	11/15/2005	\$87,634
36	(Not Used)			
37	Deductive Change for Line 1.36	Approved	4/6/2007	-\$33,116
38	Installation of Third TVM and Relocation of Two SAVs and Blue Line Willow Station	Approved	7/6/2006	\$10,084
39	Upgrade the CDCS System from IB SSA Disk Storage Subsystem to Fiber Disk	Approved	10/2/2006	\$20,000
40	UFS Equipment for Expo Line	Approved	2/16/2007	\$5,197,204
41	(Not Used)			
42	(Not Used)			
43	HHV, PMOS and CPOS Interim Maintenance Deductive Change	Approved	2/16/2007	-\$162,628
44	UFS Additional Quantities for Contracted Services	Approved	2/16/2007	\$2,499,916
45	Replace Go-Cards with Mi-Fare Cards	Approved	2/16/2008	-\$1,157,850
46	Relocation of Data Probes and Receive Vaults at Division 7	Approved	4/9/2007	\$29,787
47	Revisions to US Base and Regional Manuals for Release to ACS	Approved	4/23/2007	\$46,000
48	Expo Line, Pico Station Infrastructure	Approved	7/18/2007	\$18,542
49	Relocation of UFS Lab Equipment	Approved	6/2/2008	\$106,905
50	Expo 7 th and Metro Additional Infrastructure	Approved	8/30/2007	\$81,719
50.01	Expo 7 th and Metro Infrastructure Deductive change	Approved	8/30/2007	-\$30,173
51	Handheld Validator Holster	Approved	10/16/2007	\$6,184
52	Installation and Testing of Farebox at Transportation Concepts	Approved	3/6/2008	\$16,091
53	Relocate OCUs on Ford Cutaways and MST Buses at Contracted Services	Approved	5/14/2008	\$79,170
54	Installation of one Farebox and Testing for two Fareboxes at Contracted Services	Approved	5/27/2008	\$18,842
55	UFS Quantity Adjustments	Approved	10/9/2008	\$0.00
56	Contracted Bus Service Equipment Change	Approved	12/3/2008	\$36,704
57	Installation and Acceptance Testing of One Farebox at First Transit	Approved	12/19/2008	\$3,040

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58	Provide UFS Equipment for Expo from Culver City to Venice/Robertson Aerial Station	Approved	3/4/2009	\$304,246
59	Regional CDCS Electrical Power Reconfiguration	Approved	2/9/2009	\$17,186
60	Rail Equipment Warranty and Bus Equipment Warranty	Approved	2/19/2009	\$0.00
61	TAP Enables Turnstile Fare Gates for Rail Stations	Approved	4/9/2009	\$10,000,000
62	Provide UFS Equipment for Expo Truesdale Station	Approved	3/4/2009	\$284,167
63	System Support Services	Approved	6/8/2010	\$33,988,558
63.01	SSS, Additional Costs	Approved	3/22/2013	\$677,631
63.02	SSS, Orange Line Credits	Approved	3/22/2013	-\$58,243
63.03	SSS, One-year Extension	Approved	3/22/2013	\$8,148,263
64	\$5 Dollar Bill handling Unit for Fareboxes and TVMs	Approved	7/27/2009	\$304,658
65	Installation of Additional SAVs for Eastside Extension	Approved	1/4/2010	\$34,077
66	Relocation of Wing Gate at MRL Wilshire/Normandie Station	Approved	2/2/2010	\$18,905
67	(Not Used)	Approved		
68	UFS Equipment for Orange Line Extension	Approved	11/2/2010	\$2,749,476
68.01	Transfer Maintenance Dollars to 63.01	Approved	1/25/2013	-\$677,631
68.02	UFS Equipment for Orange Line Extension, Credits	Approved	3/22/2013	-\$10,982
69	Additional TVM at Aviation Greenline Station	Approved	4/2/2010	\$13,031
70	TAP Card Physical Testing	Approved	4/28/2010	\$41,844
70.01	TAP Card Physical Testing	Approved	3/22/2013	\$12,658
71	Concession Light Functionality	Approved	6/30/2010	\$96,726
72	(Not Used)	Approved		
73	API Test Server Imaging	Approved	9/9/2010	\$45,024
74	Contract Services Relocation	Approved	11/1/2010	\$33,854
75	Limited Function Sales Office Terminals, Increase Quantity	Approved	2/15/2011	\$993,795
76	CISCO ASA Acquisition and Implementation for API Test and Production Servers	Approved	2/28/2011	\$59,209
77	Cubic LU Key Installation	Approved	3/3/2011	\$69,097
78	Updates Farebox Configuration to Support ARUB Wireless Security Data Transfer	Approved	3/3/2011	\$40,204
79	Relocation of UFS Test Lab Equipment	Approved	4/25/2011	\$80,911
80	7 Byte UID Support	Approved	4/20/2011	\$362,069

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81	Fare Gate Fencing Installation Modifications, North Hollywood and Avalon Stations	Approved	4/25/2011	\$24,004
82	Additional TVM at Hollywood/Western Redline Station	Approved	4/25/2011	\$15,531
83	Purchase Drive Control Unit Light Validators DCU-LV	Approved	4/25/2011	\$363,492
84	Install TVMs at Three Metro customer Centers	Approved	6/6/2011	\$386,680
85	Cubic Modification to Gate Software/Locking Commands	Approved	6/29/2011	\$111,188
86	UFS Equipment for Expo Phase I Farmdale Station	Approved	7/26/2011	\$415,184
87	Relocation of TVMs at the Green Line Long Beach Station	Approved	8/25/2011	\$15,909
88	Mobile Validator Non-Recurring Engineering System Development	Approved	10/12/2011	\$611,677
89	Expo Pico Station North Platform TVM/SAV Work	Approved	3/5/2012	\$17,592
90	Deletion of Contract Line Items 1.03, 1.04 & 1.33	Approved	2/15/2012	-\$20,622
91	Orange Line Installation of 12 Metro Provided SAVs	Approved	2/15/2012	\$34,483
92	(Not Used)			
93	(Not Used)			
94	System Support Services, Six Year Extension	Approved	7/1/2013	\$55,000,000
94.01	(Not Used)			
94.02	System Support Services for Expo II and Foothill Extension	Approved	3/2/2015	\$1,152,749
94.03	Maintenance Support Services for 54 TVMs	Approved	4/14/16	\$838,211
95	UFS Equipment Storage Costs	Approved	6/13/2012	\$4,129
96	Faregating, Three Additional Swing Gates	Approved	2/4/2013	\$44,611
97	Green Line Faregating Additional Fire Key Switches at Vermont Station	Approved	4/1/2013	\$8,392
98	Emergency Swing Gate Upgrades	Approved	4/15/2013	\$252,145
99	Removal of TVM from Wilshire/LaBrea Customer Center	Approved	10/8/2013	\$4,883
100	Supplying and Supporting a Turn Key Mobile Validator System	Approved	7/1/2013	\$2,996,113
101	Bus Division Vault Relocation	Approved	8/1/2013	\$995,940
102	Install One TVM at East Portal Customer Service Center and One at Culver City Station	Approved	10/8/2013	\$252,905
103	El Monte Bus Facility TVMs	Approved	10/15/2013	\$474,753

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104	Fare Gate Consoles for Expo 2, Colorado/4 th Street Station	Approved	5/26/2014	\$380,000
105	TVM and SAV Relocations	Approved	12/16/2013	\$1,456,632
106	Modification to Nextfare to Allow For Segregation of Facility Specific Data	Approved	1/29/2014	\$647,869
107	Passback Modification	Approved	2/18/2014	\$70,301
108	UFS PCI Compliance	Approved	10/23/2014	\$9,015,319
109	Service Provider Support	Approved	6/14/2014	\$66,777
110	Autoload Segregation by Muni	Approved	6/30/2014	\$111,707
111	SAV Three Distinct Tones	Approved	8/4/2014	\$46,634
112	Modify TAP Vending Machine to Improve Purchases	Approved	8/4/2014	\$250,000
113	ADA TVM Upgrades for CN No. 162 and 150 Replacement TVMs	Approved	8/5/2014	\$416,815
114 A	UFS Equipment for Gold Line Foothill Extension	Approved	8/25/2014	\$1,878,756
114 B	UFS Equipment for Expo Phase	Approved	8/25/2014	\$3,783,200
115	FBX External Interface Spec Changes	Approved	8/19/2014	\$20,488
116	Willowbrook Station Blue Line SAVs	Approved	11/19/2014	\$62,882
117	TAP-In, TAP-In, Transfer Gate	Approved	11/19/2014	\$88,598
118	Virtual Gate Arrangement of SAVs at Gold Line Union Station Entrance	Approved	11/19/2014	\$84,964
119	Conversion of Expo 1 Aerial Stations to Fare Gates	Approved	3/2/2015	\$3,077,952
120	Change in Service Level Agreement for TVM & GC Network Additions at No Cost	Approved	3/2/2015	\$0
121	Emergency Swing Gate External Alarm Mode	Approved	11/19/2014	\$0
122	Installation of Colorado & 4 th Faregates & ESGs	Approved	3/2/2015	\$163,143
123	OCDC Replacement Equipment Software and Installation	Approved	5/12/2015	\$681,068
124	Expo One Claim No. 1 Settlement	Approved	5/26/2015	\$19,648
125	UFS Global Network, Change for Credit/Debit Processing at TVM	Approved	5/12/2015	\$52,735
126	Metrolink Integration Support	Approved	5/12/2015	\$56,073
127	Metro Network Assistance	Approved	5/12/2015	\$48,758
128	Division 13 Bus Operations TVMs	Approved	5/12/2015	\$99,401
129	Fare Equipment Changes at MRL North Hollywood Station	Approved	5/12/2015	\$577,401
130	Installation of Additional TVM at MRL Civic Center Station North Entrance	Approved	7/15/2015	\$21,593
131	Relocate One TVM From Hawthorne to Hollywood	Approved	9/2/2015	\$31,983
132	Service Provider Support – Deductive Change (Mod 109)	Approved	6/13/2015	-\$66,777

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133	Additional Emergency Swing Gate for Expo 2	Approved	6/3/2015	\$10,970
134	Metrolink Support for LU Encoding	Approved	10/7/2015	\$13,666
135	Emergency Swing Gate Hinge Post Substitution at Expo 2 Bundy Station – No Cost Change	Approved	10/21/2015	\$0
136	Relocation of TVMs at MGL Artesia Station	Pending		\$0
137	(Not Used)			
138	Vertiba Support (Salesforce – CRM)	Approved	8/20/2015	\$9,671
139	Regional Inter Agency Transfer Policy Change	Approved	1/21/2015	\$435,000
139.01	Regional Inter Agency Transfer (IAT) Policy Change	Approved	7/15/16	\$480,000
140	54 TVMs, purchase and insctall	Approved	4/14/16	\$5,194,834
141	(Not Used)			
142	Network, back office station configuration and IAT support	Approved	4/25/17	\$14,578
143	Reduction in monthly PM services	Approved	5/8/17	(\$404,550)
144	20 BMV Install Kits	Approved	5/8/17	\$10,310
145	Sales, Use, Activate, Initialize and read transactions into Nextfare	Approved	5/25/17	\$0
146	TVM Screen Flow Phase 2	Approved	6/30/17	\$475,000
147	Revisions to Mod 140/CN 185.03 TVM Deployment Scope of Work	Approved	8/28/17	\$0
148	405 BMVs and 480 Install Kits	Approved	11/20/17	\$990,059
149	UFS Equipment for Crenshaw/LAX	Approved	12/1/2017	\$5,920,997
150	CPA Change to Include Terminal ID	Approved	10/18/17	\$45,487
151	UFS Equipment for Regional Connector	Approved	12/1/2017	\$3,316,556
151.01	Revisions to CN/Mod for Regional Connector Claim	Approved	3/28/2022	\$42,148
151.02	Storage Period Adjustment for Regional Connector Project (No-Cost)	Approved	2/7/2023	-
151.03	Not Used	-	-	-
151.04	Additional Cost for out-of-scope work – Regional Connector Project	Approved	3/28/2023	\$19,523.79
152	TAP System Patching	Approved	4/4/18	\$165,337
153	Network Back Office Configuration	Approved	4/12/18	\$37,222
154	TAP System Wide Upgrades	Approved	6/28/18	\$22,104,750
155	TAP System Support Services	Approved	4/25/19	\$68,220,642
156	Latitude/Longitude to A102 Reports	Approved	6/29/18	\$14,994
157	Willowbrook/Rosa Parks Station Improvements	Approved	10/25/18	\$2,622,560
158	Net Backup DPOO License & Support	Approved	6/7/2019	\$55,281
159	Procure Additional BMVs	Approved	6/27/2019	\$434,680
160	Q-Radar License Renewal	Approved	5/14/2020	\$53,647

ATTACHMENT B

161	Additional ITS Network Equipment/Regional Connector Project	Approved	7/23/2021	\$57,860
162	Additional ITS Network Equipment/CLAX Station	Approved	7/23/2021	\$124,591
163/163.01	UFS Equipment for Purple Line Extension, Phase 1 Project	Approved	10/1/2021	\$4,038,756
164	Fare Capping Project	Approved	10/22/2021	\$5,662,667
165	Replacement of BMVs for All Door Boarding	Approved	2/24/2022	\$9,545,440
166	LIFE Fare Capping for Regular Cards	Approved	4/6/2022	\$149,888
167	SLA Abatement Relief – No Cost Mod	Approved	5/10/2022	-
168	Non-RMP Changes & Promo Card Enhancements	Approved	6/23/2022	\$387,000
169	QRadar License Renewal	Approved	6/30/2022	\$90,055
170	UFS Equipment for AMC/96 th St Station	Approved	9/20/2022	\$3,660,472
171	Fare Capping Phased Approach	Approved	2/14/2023	\$274,940
172	Rolling Weekly (7-Day) Pass	Approved	3/8/2023	\$1,255,979
173	TAP Core Server & TVM Upgrade Project	Approved	6/22/2022	\$12,364,519
165.01	Bus Mobile Validators (BMVs) for TAP Municipal Operators	Pending	Pending	\$4,032,850
	Modification Total:			\$321,645,270
	Original Contract:		2/28/2002	\$84,003,444
	Total:			\$405,648,714

DEOD SUMMARY

SECOND GENERATION BUS MOBILE VALIDATORS FOR TAP MUNICIPAL OPERATORS/OP02461010

A. Small Business Participation

Cubic Transportation Systems, Inc. made a 5.65% Disadvantaged Business Enterprise (DBE) commitment. The project is 87% complete and the current DBE participation is 6.60%, exceeding the commitment by 0.95%.

Small Business Commitment	DBE 5.65%	Small Business Participation	DBE 6.60%
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	DBE Subcontractors	Ethnicity	% Committed	Current Participation¹
1.	American Alloy Fabrication	Caucasian Female	0.25%	0.25%
2.	Lows Enterprise, Inc.	Black American	0.13%	0.03%
3.	TechProse	Caucasian Female	0.41%	0.05%
4.	Robnett Electrical	Black American	2.53%	5.94%
5.	Priority Manufacturing	Caucasian Female	0.93%	0.03%
6.	J-Tec Metal Products	Hispanic American	0.13%	0.03%
7.	KLI, Inc.	Asian-Pacific American	0.25%	0.07%
8.	Kormex Metal Craft	Asian-Pacific American	1.02%	0.20%
	Total		5.65%	6.60%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage 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.

Detailed Listing of BMV Quantities for Agencies

TAP Agencies	BMVs on buses	Installed in facility
Angels Flight	-	1
Antelope Valley Transit Authority (Micro Transit)	11	1
Baldwin Park Transit	9	1
Burbank Bus	17	1
Carson Circuit	5	1
Compton Renaissance Transit Systems	5	1
Culver CityBus	3	1
Foothill Transit (transit store)	-	2
Glendale Beeline	44	1
Glendora Transit	10	1
Huntington Park Transit Unlimited	4	1
LA County Department of Public Works	28	1
Long Beach Transit	249	1
Los Angeles World Airports (FlyAway)	30	2
Monterey Park Spirit Bus	10	1
Palos Verdes Peninsula Transit Authority	26	1
Pasadena Transit	92	1
Redondo Beach, Beach Cities Transit	20	1
Santa Clarita Transit (Micro Transit)	54	1
Santa Monica Big Blue Bus	195	1
UCLA	-	1
Metro Micro	60	-
Central Maintenance Facility & three Metro Bus Divisions	-	4
Apple Lab	-	2
TAP Lab	-	7
Revenue Collection/Special Events	-	32
Cubic (Norwalk Facility)	-	1
Subtotals	872	69
Total Count¹	1,118	
Total Installations	900	

¹ Total count includes BMVs installed onboard buses, installed at facilities, and 20% spare units for TAP municipal operators

Features

- Accepts EMV open payments with contactless bankcards and mobile wallets, account based payments, agency-branded smartcards, virtualized smartcards and barcode tickets
- EMVCo L1 certified with L2 certifications for Visa, Mastercard, Amex and Discover
- Ultimate in EMV open payment security, plus PCI PTS ready and full P2PE capability
- Bright, full color LCD display with audible alerts for clear passenger and driver feedback
- Vehicle wired connectivity, with options for wireless 4G LTE, Wifi, Bluetooth Classic and Bluetooth Low Energy
- Powerful 1.6GHz ARM Cortex Quad-Core processor with 2GB DRAM, and 16GB of memory for faster payment
- Touchscreen option where passenger input is required



Cubic Validator 3.0

The Cubic Validator 3 collects passenger payments on board buses and trams. Contactless bankcards and mobile wallets are accepted, with barcode tickets and agency-branded smartcards. Any media or credential, physical or virtual, can be used for account-based travel. With Cubic Validator 3, transportation operators deploy new and secure open payment schemes rapidly, in the knowledge that existing ticketing and payment schemes can be supported.

Success with open payments means a guarantee of payment security and a proven path to brand certification. The validator is EMV L1 certified with EMV L2 certifications for Visa, Mastercard, Amex and Discover, and will support PCI PTS certification on request. When deployed with a PCI DSS certified payments module such as the Cubic Payment Application, the validator offers proven P2PE certified payments for the ultimate in transaction security.

Fast boarding times are essential for on-time arrival, increasing ridership and driving revenue. The validator's powerful processor guarantees rapid and accurate validation, and with clear signage, a large screen, and built-in speaker for audible feedback, each passenger is guided quickly through boarding and payment.

Our customers also require flexibility. Options include a large touchscreen display, barcode reader, cellular 4G LTE communications, WiFi and Bluetooth Classic and Low Energy. The validator is also available in a range of colors to reinforce our customers' branding.

Specifications

PHYSICAL	
Dimensions	230 x 175 mm (H x W); < 100mm depth to pole
Weight	1kg
Material	Polycarbonate, vinyl decal, glass
Voltage	8 - 36 VDC
Power Over Ethernet (PoE)	Yes
Power Conditioning	Supports vehicle power, graceful shutdown, low voltage protection
Average Power Dissipation	< 11 W peak, approx. 7 W average
Operating Temperature	-27°C to 65°C
Storage Temperature	-30°C to 80°C
Relative Humidity	10-97% non-condensing
Protection	IP54 & IK08
CAPACITY	
Processor	Quad core 1.6 GHz Cortex
RAM	2 GB
Storage	32GB with 16GB available at a time (A/B side)
Expansion Ports	2 x USB 2.0 (not available while pole mounted); Serial RS232/RS485 (software selectable); Micro SD card for additional memory capacity
SAM Slot	2 from TR4 Secure Board, 2 from Application Board
Operating System	Linux OS kernel version 5.4
USER INTERFACES	
Display	Full color, 5" LCD, 800 nits, anti-reflective/anti-glare, 640 x 480 resolution
Touchscreen	Option
Speaker	Yes
INTERFACE OPTIONS	
Wired Interfaces	Ethernet 1000 Mbit RJ45
WiFi	WiFi: IEEE 802.11 a/b/g/n
Bluetooth	Bluetooth®: 4.1, Classic and Low Energy
WAN	4G cellular: LTE and LTE/HSPA (Optional)
GPS	Multi-constellation GNSS with untethered 3D inertial dead reckoning
FARE MEDIA ACCEPTANCE	
Media NFC Support	MIFARE® DESFire EV1, EV2 MIFARE® Ultralight C MIFARE® Classic, Ultralight, Plus
Open Payment Security	EMVCo L1 Certified EMVCo L2 Certified for: Visa® Contactless Payment Specification (VCPS) MasterCard® M/Chip Discover® Network D-PAS
Barcode	Linear and 2D barcodes, including QR Code and Aztec Code
<i>In the interests of product improvement Cubic reserves the right to change the above specification without notice.</i>	

MIFARE® DESFire EV1 and EV2 are registered trademarks of NXP.
MIFARE® Ultralight C is a registered trademark of NXP.
MIFARE® Classic, Ultralight, and Plus are registered trademarks of NXP.
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Discover® Network D-PAS® is a registered trademark of Discover Financial Services.
Visa® Contactless Payment Specification (VCPS) is a registered trademark of VISA.

State-of-the-Art Bus Mobile Validators for TAP Municipal Operators

Finance, Budget and Audit Committee

July 19, 2023



Metro

Background

- In 2012, the Board approved the purchase of 1,000 Bus Mobile Validators for 15 municipal operators. These BMVs unite the region with one fare collection system which offers seamless travel to all transit customers
- Unfortunately, the current BMVs are now over 10 years old, have exceeded their life expectancy, and are no longer manufactured
- Metro will not be able to add additional transit agencies or allow for expansion of buses for existing TAP partner agencies
- In addition, these old BMVs will not accommodate open payment technology (use of credit and debit cards as payment), and will not read barcodes for event or Metrolink ticketing

State-of-the-Art BMVs

- The new BMVs will:
 - Provide seamless fare collection on 21 Regional municipal operators' buses including Foothill Transit's transit stores, UCLA Transportation Office, and for special events
 - Enhance the customer experience:
 - Open payment and account-based ready
 - Operates faster
 - Utilizes 4G LTE cellular communications
 - Offers enhanced transaction security
 - Meets future capacity needs of Regional programs such as GoPass, Low Income Fare is Easy (LIFE), and fare capping by increasing delivery of autoloads from 30,000 in 30 minutes to 100,000 in 10 minutes
- This is the same device the Board approved in February 2022 for Metro's All-Door Boarding program



Funding

- TAP received \$2,456,000 of grant funding from the California Transportation Commission (CTC) as part of the Local Partnership Program (LPP)
- Metro will provide a local match of \$2,456,000. Total LOP budget of \$4,912,000
- \$500,000 is required in fiscal year 2024 for this contract modification, and the funding is included in the FY2024 Adopted budget

Next Steps

- Upon Board approval, staff will execute the contract modification and extend a limited notice-to-proceed to the vendor to order the new state-of-the-art BMVs
- Delivery of the BMVs will occur in July 2024
- Installation of Muni BMVs begins August 2024 and will conclude by November 2024



Recommendation

- AUTHORIZE the Chief Executive Officer to execute Modification No. 165.01 to Contract No. OP02461010 with Cubic Transportation Systems, Inc. ("Cubic"), for the purchase and installation of 1,118 new state-of-the-art Bus Mobile Validators (BMVs) for the 21 Regional municipal operators and muni transit stores and special events, in the amount of \$4,032,850, increasing the total contract value from \$401,615,864 to \$405,648,714.



Board Report

File #: 2023-0453, File Type: Project

Agenda Number: 8.

FINANCE, BUDGET, AND AUDIT COMMITTEE JULY 19, 2023

SUBJECT: DORAN STREET CROSSING GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Contract Modification No. 16 to Contract No. PS2415-3046 with HNTB Corporation and extend the professional service period of performance from August 4, 2023 to December 31, 2024 in the amount of \$2,686,361 increasing the Total Contract Value from \$8,359,970 to \$11,046,331; and
- B. APPROVE programming an additional \$9,163,577 from \$11,000,000 to \$20,163,577 of Measure R 3% funds in order to achieve a shovel ready level.

ISSUE

Staff is advancing this capital improvement from inception through the final design phase with extensive changes to existing conditions that have not been accounted for in the current project programming. Board approval of the staff recommendations will allow the continuation of services for this project to a shovel ready level in order to demonstrate project readiness with the recent federal grant award of \$38.3M through the Railroad Crossing Elimination Program.

BACKGROUND

This project is the building block for future service expansion and improved network integration along the Antelope Valley Line corridor. The Doran Street Crossing Grade Separation project would enable uninterrupted commuter, intercity and high speed rail service through the cities of Glendale and Los Angeles.

In January 2021, the Board approved contract modification No. 12 to increase the professional service value to \$8.4M based on the need to modify the design of the interim conditions for the Doran Street at-grade crossing. The same board action provided an additional \$2.6M for third party services bringing the approved programming to \$11M. Similar to the other Regional Rail projects, board action

for programming did not include Metro labor, outreach services, Real Estate/Acquisition of Land and Project Controls costs projected at \$5.62M to achieve a shovel ready level.

In January 2022, the final design of the interim conditions were approved by all project stakeholders. In July 2022, staff notified all project stakeholders that this project would start applying for construction funding in October to fully fund the ultimate project conditions for grade separation at Doran Street through the Railroad Crossing Elimination Program. At that time, Metro was notified by the California Public Utilities Commission (CPUC) that if Metro was successful with the grant request, the construction of the interim improvements would be cancelled and the construction funds could be applied to the ultimate configuration work. On June 4, 2023, Metro was informed they were successfully awarded \$38.3M by the Federal Railroad Administration under the Railroad Crossing Elimination Program.

Since the grant application was submitted, an independent cost estimate was conducted for this project to address construction forecast needs. At this current design phase, the available funding is sufficient for the construction needs. Staff will continue to monitor the project estimate for each final design milestone against the independent information received. As mitigation, this project is a great candidate for CPUC's upcoming Section 190 grant program to increase the project contingency amount. Staff will work with project stakeholders to cancel the interim improvements and prepare a construction schedule for the Doran Street Grade Separation.

DISCUSSION

To make this project more competitive for grants, staff reached out to the CPUC and all other project stakeholders on an approach to phase the grade separation construction. The phased construction approach was unanimously approved by the project stakeholders based on independent structure utility, project readiness, and funding needs. By phasing construction, the project will need to be separated into three design packages: (1) Doran Grade Separation, (2) Salem/Sperry Overpass and (3) at-grade crossing closure improvements. The Doran Grade Separation construction will be the first phase based on the ability to achieve a shovel ready level by July 2024 and higher safety and economic benefits compared to the Salem/Sperry Overpass. Along with the clear benefits of avoiding fatal collisions at the Doran Street at-grade crossing, closing the Doran Street at-grade crossing will improve service reliability and speed for both Amtrak and Metrolink services and future California High Speed Rail operations.

In addition to the project packaging, the following design changes are included in this contract modification: drainage sump conditions, non-destructive testing procedures for geotechnical work, Army Corporation design approval process, Cultural Affairs Commission approval, tree surveys, LID reporting, sewer line design work, minor construction stages and temporary work during construction.

Given the above, the additional programming of Measure R 3% funds requested in the amount of \$9.16M is summarized below in Table 1.

Doran Street Crossing Grade Separation Project

Use of Funds	Approved Programming	Requested Programming	Revised Programming
Professional Services	8,359,970.00	2,686,361.00	11,046,331.00
Agency - Metro	0.00	1,956,692.00	1,956,692.00
Real Estate/ Acquisition of L	0.00	3,508,000.00	3,508,000.00
Project Controls	0.00	152,554.00	152,554.00
3rd Party Agreements - City	2,640,030.00	859,970.00	3,500,000.00
Total Project Cost	11,000,000.00	9,163,577.00	20,163,577.00

Table 1: Doran Street Crossing Grade Separation Programming

DETERMINATION OF SAFETY IMPACT

This Board action will have a positive impact on safety. The Doran Street Crossing Grade Separation project is being designed in accordance with Metro and SCRRRA standards, state and federal requirements, and in compliance with the Americans with Disabilities Act.

FINANCIAL IMPACT

Regional Rail staff have included the recommended \$7,962,500 in FY24 programming as part of the adopted FY24 budget for this project. This is a multi-year capital project, and the Deputy Executive Officer of Regional Rail under Program Management and Chief Program Management Officer will be accountable and responsible for budgeting the cost of future fiscal year commitments in department 2415, Regional Rail for project number 460091 as shown in Attachment D, Doran Street GS Funding and Expenditure Plan.

Budget Impact

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

EQUITY PLATFORM

The Doran Street Crossing Grade Separation project operates on the Antelope Valley Line. The median income is \$40,823 on the Antelope Valley Line according to a 2022 Metrolink Rider Survey. 39% of all current Metrolink riders report household incomes below \$50,000. The average age of Metrolink riders in 2022 has increased to 51 years. The same data shows rider demographics at 38% Hispanic or Latino, 31% White, 17% Asian or Pacific Islander, 10% African American and 4% Other.

The capital project will improve line reliability, network integration, on-time performance and lead to more frequent commuter rail service. This capital project is within and indirectly supports Equity Focus Communities (EFC) by providing more frequent service and better transit options through the Metrolink SCORE program that proposes 30-minute bi-directional service throughout the day and

evening along the Antelope Valley line. For the Doran capital project, communities located in the vicinity of the project are comprised of 48.1% to 75.1% low-income households, 4.7% to 14.9% households with no access to a car, and up to 99.9% Black, Indigenous, and other People of Color (BIPOC) residents.

In addition to the project improvements, this project will improve American with Disabilities Act (ADA) compliance. For Doran Street Crossing Grade Separation Project, the pedestrian path on the Salem/Sperry overcrossing is wide enough to accommodate bikes and pedestrians with disabilities.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

- Goal 1.2: Improve LA County's overall transit network and assets;
- Goal 3.3: Genuine public and community engagement to achieve better mobility outcomes for the people of LA County; and
- Goal 4.1: Metro will work with partners to build trust and make decisions that support the goals of the Strategic Plan

ALTERNATIVES CONSIDERED

The Board could choose not to approve the authorization to execute the contract modifications, program additional funds, and execute necessary third-party agreements for this capital project. This is not recommended since the Doran Street Crossing Grade Separation is identified as key projects to provide line reliability and capacity to support Metrolink's 30-minute bi-direction service along the Antelope Valley Line. In addition, staff has already secured \$38,300,000 through the Railroad Crossing Elimination program for Doran Street Grade Separation which would be at risk of losing if the project does not stay on schedule. This project is identified as an early action project by the California High Speed Rail Authority as a critical grade separation. Another alternative is to cancel the professional service contract for Metrolink to lead and complete the final design phase of the project instead of Metro. This is not advised since the Metro Board previously directed staff to lead and complete the final design phase for the Doran Street Crossing Grade Separation Project and will not result in any project cost or schedule savings.

NEXT STEPS

Upon Board approval staff will execute Modification No. 16 to Contract No. PS2415-3046 with HNTB Corporation to continue providing professional services in order to complete the final design phase work in order to prepare for pre-construction activity.

ATTACHMENTS

Attachment A - Procurement Summary PS2415-3046

Attachment B - Contract Modification/Change Order Log PS2415-3046

Attachment C - DEOD Summary PS2415-3046

Attachment D - Doran Street GS Funding and Expenditure Plan

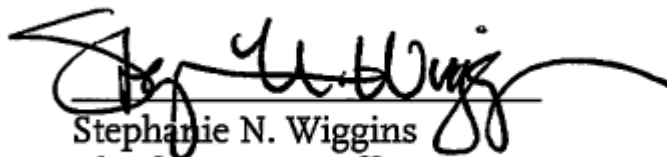
Prepared by:

Brian Balderrama, Deputy Executive Officer, Program Management, Regional
Rail (213) 418-3177

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

Reviewed by:

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



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

DORAN STREET CROSSING GRADE SEPARATION PROJECT/PS2415-3046

1.	Contract Number: PS2415-3046		
2.	Contractor: HNTB Corporation		
3.	Mod. Work Description: Separate the project into three stand-alone bid packages: (1) Doran Grade Separation, (2) Salem/Sperry Overpass and (3) at-grade crossing closure improvements and extend the period of performance through July 31, 2025.		
4.	Contract Work Description: Doran Street Crossing Grade Separation		
5.	The following data is current as of: 5/18/23		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	04/25/13	Contract Award Amount: \$5,236,205
	Notice to Proceed (NTP):	07/24/13	Total of Modifications Approved: \$3,123,765
	Original Complete Date:	07/23/16	Pending Modifications (including this action): \$2,686,361
	Current Est. Complete Date:	7/31/25	Current Contract Value (with this action): \$11,046,331
7.	Contract Administrator: Samira Baghdikian		Telephone Number: (213) 922-1033
8.	Project Manager: Brian Balderrama		Telephone Number: (213) 418-3177

A. Procurement Background

This Board Action is to approve Contract Modification No. 16 issued to separate the project into three stand-alone bid packages: (1) Doran Grade Separation, (2) Salem/Sperry Overpass and (3) at-grade crossing closure improvements. The Doran Street Grade Separation construction will be the first construction phase based on the ability to achieve a shovel ready level by July 2024. This Contract Modification also extends the period of performance from July 31, 2023 through July 31, 2025.

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

On April 25, 2013, the Board awarded cost reimbursable Contract No. PS2415-3046 to HNTB Corporation in the amount of \$5,236,205 for the Doran Street Crossing Grade Separation Project.

A total of 15 modifications have been issued to date.

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

B. Cost Analysis

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

Metro staff successfully negotiated a savings of \$228,146 by reducing hours in utility coordination oversight from HTNB and from the project study report/project development support to rely on existing data available through initial design coordination with Caltrans.

Proposal Amount	Metro ICE	Negotiated Amount
\$2,914,507	\$2,375,000	\$2,686,361

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

- An increase in coordination effort required with third party utility coordination to plan, schedule and assess existing agreements;
- Significant amount of time that has passed since the Caltrans reports were written resulting in several environmental studies and graphics that will need to be developed;
- Plan preparation development work for the Salem/Sperry Overpass will result in a higher level of involvement to obtain design approvals;
- Costs to cover traffic control services, drilling, surveys, geotechnical laboratory, permitting, railroad protective insurance.

CONTRACT MODIFICATION/CHANGE ORDER LOG

DORAN STREET CROSSING GRADE SEPARATION/PS2415-3046

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Additional requirements including the evaluation of additional alternatives.	Approved	09/15/13	\$452,687
2	Additional engineering requirements for Board selected alternative.	Approved	11/04/15	\$94,953
3	Additional requirements and traffic analysis.	Approved	07/14/16	\$185,809
4	No cost extension of period of performance (POP) through 7/14/18.	Approved	06/19/17	\$0
5	No cost extension of POP through 10/12/18.	Approved	06/14/18	\$0
6	No cost extension of POP through 2/11/19.	Approved	11/07/18	\$0
7	No cost extension of POP through 6/30/19.	Approved	01/16/19	\$0
8	No cost extension of POP through 9/30/19.	Approved	04/29/19	\$0
9	No cost extension of POP through 5/31/20.	Approved	09/16/19	\$0
10	No cost extension of POP through 12/31/20.	Approved	04/06/20	\$0
11	No cost extension of POP through 2/28/21.	Approved	10/30/20	\$0
12	Complete final design for the Doran Street Crossing Grade Separation Project and POP extension through 12/31/21.	Approved	1/28/21	\$2,390,316
13	No cost extension of POP through 12/31/22.	Approved	10/21/21	\$0
14	No cost extension of POP through 4/28/23.	Approved	10/20/22	\$0
15	No cost extension of POP through 7/31/23.	Approved	3/30/23	\$0
16	Separation of project into three stand-alone bid packages: (1) Doran Grade Separation, (2)	Pending	Pending	\$2,686,361

	Salem/Sperry Overpass and (3) at-grade crossing closure improvements and POP through 7/31/25.			
	Modification Total:			\$5,810,126
	Original Contract:	Approved	04/25/13	\$5,236,205
	Total:			\$11,046,331

DEOD SUMMARY

**DORAN STREET AND BORADWAY/BRAZIL GRADE SEPARATION
PROJECT/PS2415-3046**

A. Small Business Participation

HNTB Corporation made a 26.45% Small Business Enterprise (SBE) commitment. Based on payments, the project is 84% complete and the current level of SBE participation is 26.98%, exceeding the commitment by 0.53%.

Small Business Commitment	26.45% SBE	Small Business Participation	26.98% SBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Arellano Associates, LLC	3.04%	2.55%
2.	BA, Inc.	9.30%	4.39%
3.	Chris Nelson & Associates	2.65%	2.97%
4.	Earth Mechanics	2.56%	4.56%
5.	Lynn Capouya	2.70%	1.52%
6.	Safeprobe	0.60%	1.24%
7.	Sapphos Environmental	2.09%	2.54%
8.	Terry A. Hayes & Associates	3.51%	0.67%
9.	Gibson Transportation Consulting, Inc.	Added	1.62%
10.	Lin Consulting, Inc.	Added	3.22%
11.	Pacific Railway Enterprises, Inc.	Added	1.70%
	Total	26.45%	26.98%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial

Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

D. Project Labor Agreement/Construction Careers Policy

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

Regional Rail Projects Funding and Expenditure Plan

Doran Street Crossing Grade Separation Project					
Project Number: 460091					
Project Programming					
Use of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Capital Costs
Professional Services	4,500,000.00	3,400,000.00	3,000,000.00	146,331.00	11,046,331.00
Agency – Metro	1,200,000.00	350,000.00	400,000.00	6,692.00	1,956,692.00
Real Estate/ Acquisition of Land	8,000.00	3,000,000.00	500,000.00	0.00	3,508,000.00
Project Controls	20,000.00	70,000.00	60,000.00	2,554.00	152,554.00
3rd Party Agreements - City/County/Others	1,500,000.00	1,142,500.00	800,000.00	57,500.00	3,500,000.00
Total Project Cost	7,228,000.00	7,962,500.00	4,760,000.00	213,077.00	20,163,577.00
Source of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Project Funding
Measure R 3%	7,228,000.00	7,962,500.00	4,760,000.00	213,077.00	20,163,577.00

Doran Street Crossing Grade Separation Project

Finance, Budget and Audit Committee
July 19, 2023

Doran Street Crossing Grade Separation Project

Staff is requesting Board Approval to:

- A. Execute contract modification No. 16 to contract No. PS2415-3046 with HNTB Corporation and extend the professional service period of performance from August 4, 2023, to December 31, 2024, in the amount of \$2,686,361 increasing the total contract value from \$8,359,970 to \$11,046,331; and
- B. Program an additional \$9,163,577 from \$11,000,000 to \$20,163,577 of Measure R 3% funds in order to achieve a shovel ready level.

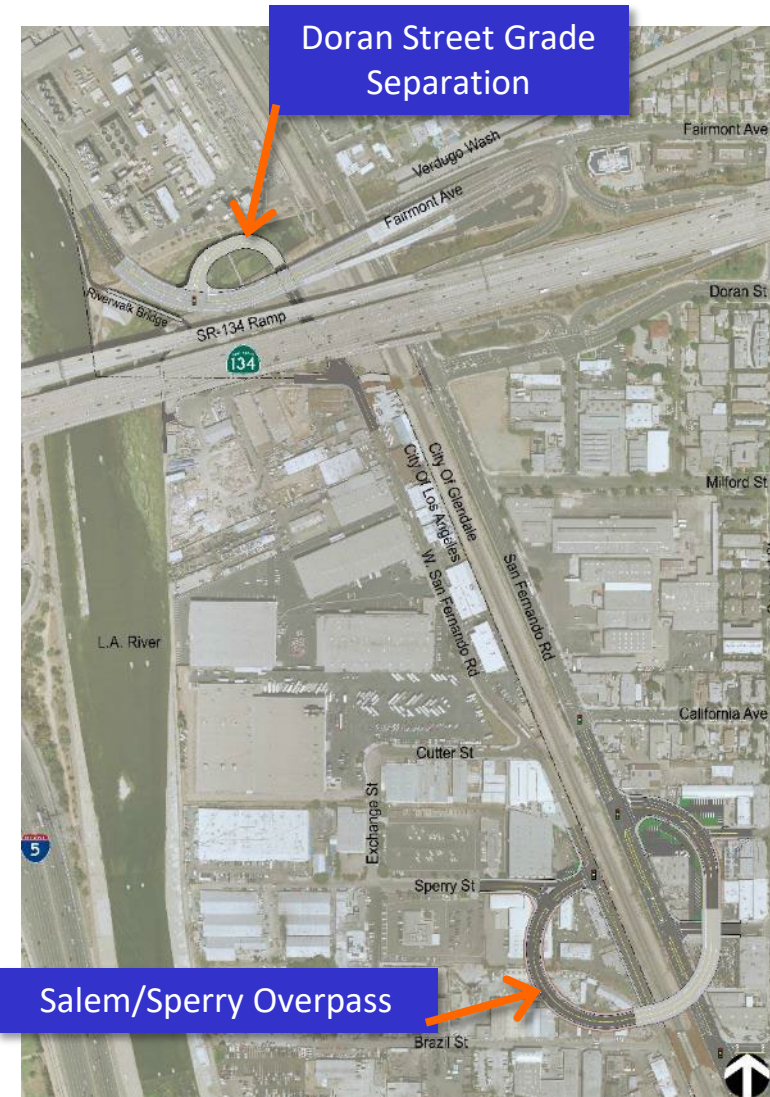
Doran Street Crossing Grade Separation Project

Existing Conditions:

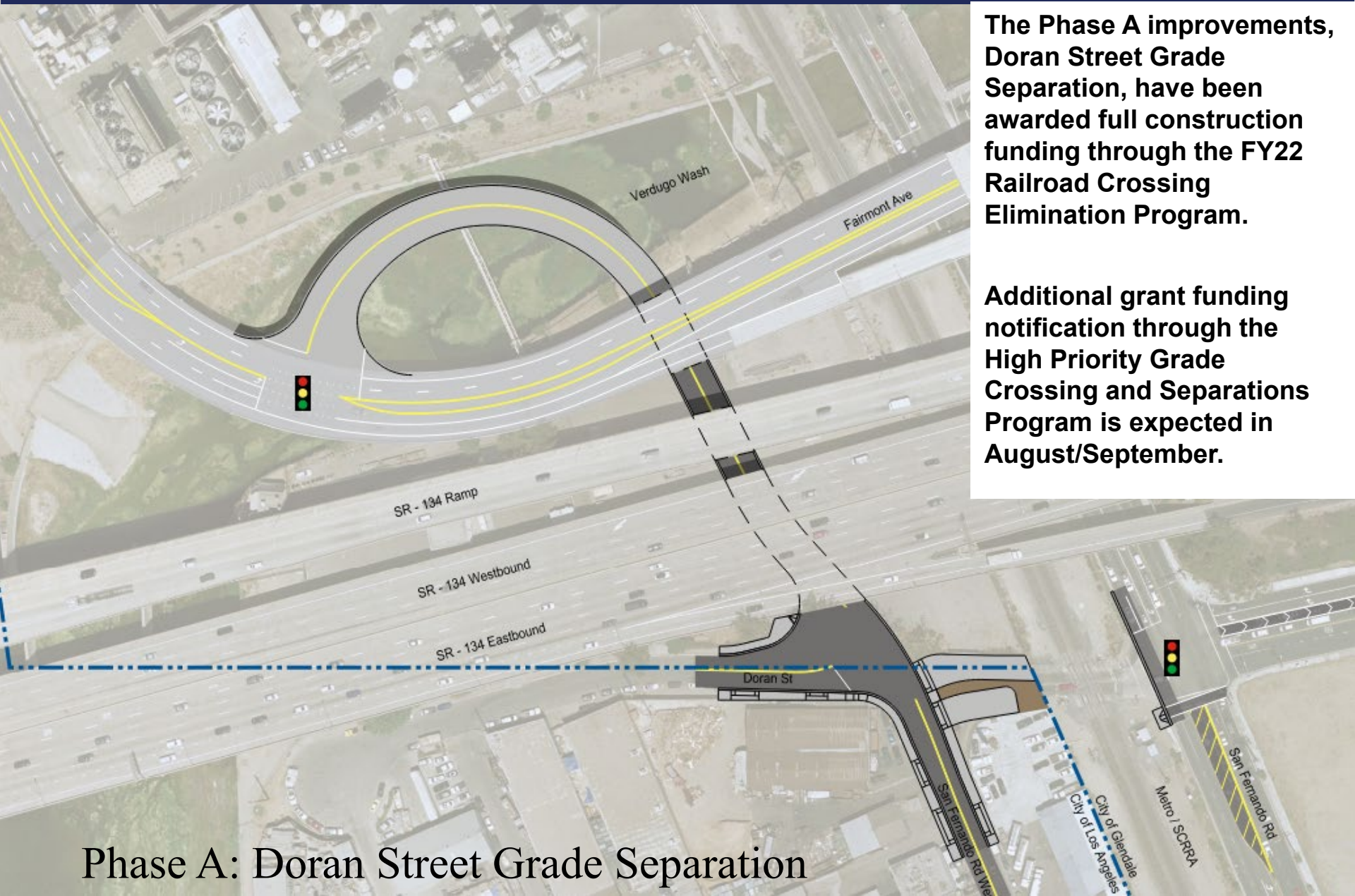
1. The Doran Street crossing had eight incidents over the last five years of which five have been fatalities.
2. There is no sidewalk or streetscape for pedestrians to safely travel along Doran over the railroad tracks.
3. The Doran Crossing is lacking the proper vehicular gates needed for access control when a train approaches.

Project Benefits:

1. Approval of staff recommendations will enable the closure of the Doran Street At-Grade crossing which is one of the most hazardous railroad crossings in Los Angeles County.
2. This Grade Separation enables uninterrupted commuter, intercity and future high speed rail service through the cities of Glendale and Los Angeles.
3. There will be a significant noise reduction for local businesses and residents due to a reduction of train horns.
4. The project area will result in 44% reduction in adjacent intersection vehicle collisions by closing both crossings.



Doran Street Crossing Grade Separation Project



The Phase A improvements, Doran Street Grade Separation, have been awarded full construction funding through the FY22 Railroad Crossing Elimination Program.

Additional grant funding notification through the High Priority Grade Crossing and Separations Program is expected in August/September.

Phase A: Doran Street Grade Separation

Final Design Phase Programming

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

Doran Street Crossing Grade Separation Project					
Project Number: 460091					
Project Programming					
Use of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Capital Costs
Professional Services	4,500,000.00	3,400,000.00	3,000,000.00	146,331.00	11,046,331.00
Agency – Metro	1,200,000.00	350,000.00	400,000.00	6,692.00	1,956,692.00
Real Estate/ Acquisition of Land	8,000.00	3,000,000.00	500,000.00	0.00	3,508,000.00
Project Controls	20,000.00	70,000.00	60,000.00	2,554.00	152,554.00
3rd Party Agreements - City/County/Others	1,500,000.00	1,142,500.00	800,000.00	57,500.00	3,500,000.00
Total Project Cost	7,228,000.00	7,962,500.00	4,760,000.00	213,077.00	20,163,577.00
Source of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Project Funding
Measure R 3%	7,228,000.00	7,962,500.00	4,760,000.00	213,077.00	20,163,577.00

It should be noted, \$20,163,577 of programming will come from Measure R 3% funds to achieve a shovel ready level.

Doran Street Crossing Grade Separation Project

QUESTIONS?



Board Report

File #: 2023-0454, File Type: Project

Agenda Number: 9.

FINANCE, BUDGET, AND AUDIT COMMITTEE JULY 19, 2023

SUBJECT: BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Contract Modification No. 10 to Contract No. PS2415-3412 with STV Inc. and extend the professional service period of performance from July 31, 2023, to July 31, 2026, in the amount of \$4,776,915 increasing the Total Contract Value from \$15,437,844 to \$20,214,759; and
- B. APPROVE programming an additional \$9,674,325 from \$16,704,416 to \$26,378,741 of Measure R 3% funds in order to achieve shovel ready level.

ISSUE

Staff is advancing the Brighton to Roxford Double Track capital improvement project from inception through the final design phase. There have been extensive changes to existing conditions that have not been accounted for in the current project programming. Board approval of the staff recommendations will allow the continuation of services for this project to shovel ready level in order to demonstrate project readiness based on the 2020 Transit and Intercity Rail Capital Program award of \$73.3M towards this project.

BACKGROUND

This project is the building block for future service expansion and improved network integration along the Antelope Valley Line corridor. The Brighton to Roxford Double track project would enable uninterrupted commuter and intercity rail service through the cities of Burbank and Sylmar and the communities of Sun Valley and Pacoima.

In June 2018, the Board approved \$16.7M in programming that allocated \$14.5M in professional services and \$2.2M for third party services. The initial programming did not factor in Metro labor, outreach services, Real Estate/Acquisition of Land and Project Controls costs estimated at \$3.5M in order to achieve shovel ready level.

In 2019, staff prepared rail modeling data through a separate design task order to justify the specific

capital projects required to incrementally increase commuter and intercity rail service along the Antelope Valley Line. The data showed the Brighton to Roxford project could be phased into four separate construction projects to mirror the incremental increase of passenger rail service. The same modeling data illustrated the 2.5-mile shared corridor with the East San Fernando Valley (ESFV) transit project should be the last double track segment to be constructed based on future bi-directional traffic patterns and alleviated staff concerns for the project delay to the specific Brighton to Roxford project segment. The additional 12-month project delay to the Brighton to Roxford project allows for better coordination with other on-going capital improvements, reduces throw away costs between capital projects, and improves network integration along the Antelope Valley Line corridor with other rail operators.

By May 2023, an additional \$250,000 was programmed for FY24 within the capacity of Measure M MSP - Transit Program used to complete the final design phase for the Antelope Valley Line capital projects, which includes segment one of Brighton to Roxford. This North County subregional programming allows for the \$250,000 match using the 2020 Transit and Intercity Rail Capital Program, cycle 4 funds that were awarded to this project with FY24 allocation. Metro is awaiting grant notification under the High Priority Grade Crossing Improvement and Separation Projects, which is anticipated by August, to cover all related construction activity for construction segments two, three and four. Metro will continue to seek state and federal level grant opportunities for the remaining construction funding needed as the capital project continues to advance to a shovel ready level.

DISCUSSION

By 2022, the remaining design portions of the Brighton to Roxford project were advanced to a 90% final design level except for 2.5 miles of shared corridor with the ESFV transit project. Staff refined the track alignment for Brighton to Roxford to maximize the existing right-of-way to allow for the arrival of California High Speed Rail, City bike paths, Metrolink Burbank Junction Improvements, and the ESFV projects.

The advanced design work from other capital projects such as the Metrolink Burbank Junction Improvement project exposed required modifications to the existing conditions of the Brighton to Roxford project. This active Metrolink construction project will result in a significant amount of signal and communication design coordination and modifications to the Brighton to Roxford project. In addition, the Brighton to Roxford Double track project was originally planned to be designed and built as a single project, and not segmented. Staff recommends the project be divided into four segments to better align with Rail Traffic Controller modeling data to support incremental service growth for the Antelope Valley Line corridor to reinforce project funding needs and reduce grant application requests while advancing the project to a shovel ready level. This item includes the additional drawing compilation, CADD, and submittal management associated with preparing separate submittals for each of the four segments, at each design submittal level until completion.

The Cities of Los Angeles and Burbank advanced bike path projects adjacent to the Metro owned right-of-way that modified existing conditions as shown in the 90% design and require plan modifications for better integration between projects. The supplemental scope of work required to achieve a shovel ready design level includes drainage culvert extensions, utility relocations, and

casing extensions to comply with Metrolink design standards. Additional modifications to the City of Los Angeles design standards that were approved by Program Management for street improvement designs, traffic engineering calculations, and design changes to pedestrian underpass to provide more space and less-constrained experience to the City of Burbank riders. The team had extensive design coordination with the US Army Corp of Engineers to approve the structure design over the Tujunga Wash, a 70% increase in utility potholes and trenching, soil percolation testing, additional SCRRA flagging costs, and Hollywood Way bridge temporary shoring design that was not included in the initial contract or prior supplemental scope of work.

Given the above, the additional programming requested by staff in the amount of \$9.67M is summarized below in Table 1 for Measure R 3% funds.

Brighton to Roxford Double Track Project			
Use of Funds	Approved Programming	Requested Programming	Revised Programming
Professional Services	14,528,416.00	5,686,343.00	20,214,759.00
Agency - Metro	0.00	2,500,000.00	2,500,000.00
Outreach	0.00	369,232.00	369,232.00
Real Estate/ Acquisition of Land	0.00	30,300.00	30,300.00
Project Controls	0.00	88,450.00	88,450.00
3rd Party Agreements - City/County/Others	2,176,000.00	1,000,000.00	3,176,000.00
Total Project Cost	16,704,416.00	9,674,325.00	26,378,741.00

Table 1: Brighton to Roxford Double Track Programming

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on safety. The Brighton to Roxford Double Track project is being designed in accordance with Metro and SCRRA standards, state and federal requirements and in compliance with the Americans with Disabilities Act.

FINANCIAL IMPACT

The recommended \$4,358,595 in FY24 programming is part of the adopted FY24 budget for this project. This is a multi-year capital project, and the Deputy Executive Officer of Regional Rail under Program Management and the Chief Program Management Officer will be accountable and responsible for budgeting the cost of future fiscal year commitments in department 2415, Regional Rail for project number 460074 as shown in Attachment D, Brighton to Roxford Funding and Expenditure Plan.

Impact to Budget

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

EQUITY PLATFORM

The Brighton to Roxford Double Track project operates on the Antelope Valley Line. The median income is \$40,823 on the Antelope Valley Line according to a 2022 Metrolink Rider Survey. 39% of all current Metrolink riders report household incomes below \$50,000. The average age of Metrolink riders in 2022 has increased to 51 years. The same data shows rider demographics at 38% Hispanic or Latino, 31% White, 17% Asian or Pacific Islander, 10% African American and 4% Other.

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

In addition to the project improvements, this project will support compliance with the American with Disabilities Act (ADA) . On the Brighton to Roxford project, ADA improvements are being added to both the Burbank Airport North and Sun Valley stations for better pedestrian crossings and walkways.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

- Goal 1.2: Improve LA County’s overall transit network and assets;
- Goal 3.3: Genuine public and community engagement to achieve better mobility outcomes for the people of LA County; and
- Goal 4.1: Metro will work with partners to build trust and make decisions that support the goals of the Strategic Plan

ALTERNATIVES CONSIDERED

The Board could choose not to approve the authorization to execute the contract modifications, program additional funds, and execute necessary third-party agreements for this capital project. This

is not recommended since the Brighton to Roxford Double Track project is identified as a key project to provide line reliability and capacity to support Metrolink's 30-minute bi-direction service along the Antelope Valley Line. This project is part of the SCORE Phase 1 program of priority infrastructure improvements required ahead of the 2028 Olympics, according to Metrolink. In addition, staff has already secured \$73,300,000 in State TIRCP funds for segment 1 of this project and staff is awaiting additional grant funding notification toward the remaining project segment by the end of the FY24 first quarter. Another alternative is to cancel the professional service contract for Metrolink to lead and complete the final design phase of the project instead of Metro. This is not advised since the Metro Board previously directed staff to lead and complete the final design phase for the Brighton to Roxford Double track project..

NEXT STEPS

Upon Board approval staff will execute Modification No. 10 to Contract No. PS2415-3412 with STV Inc. to continue providing professional services in order to complete the final design phase work in order to prepare for pre-construction activity.

ATTACHMENTS

- Attachment A - Procurement Summary PS2415-3412
- Attachment B - Contract Modification/Change Order Log PS2415-3412
- Attachment C - DEOD Summary PS2415-3412
- Attachment D - Brighton to Roxford Funding and Expenditure Plan

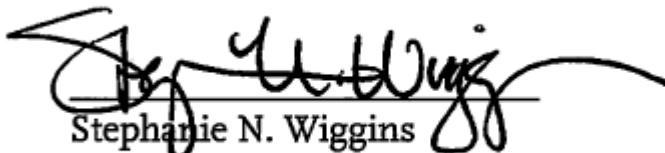
Prepared by:

Brian Balderrama, Deputy Executive Officer, Program Management, Regional Rail (213) 418-3177

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

Reviewed by:

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



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT/PS2415-3412

1.	Contract Number: PS2415-3412		
2.	Contractor: STV Inc.		
3.	Mod. Work Description: This modification is for signal and communication design coordination and modifications to the Brighton to Roxford project, to divide the project into four segments and extend the period of performance through July 31, 2026.		
4.	Contract Work Description: Professional services contract to provide engineering services for completion of the environmental clearance documents, preliminary engineering documents, permitting and final design engineering.		
5.	The following data is current as of: 5/18/23		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	07/23/15	Contract Award Amount: \$12,490,781
	Notice to Proceed (NTP):	08/25/15	Total of Modifications Approved: \$2,947,063
	Original Complete Date:	09/01/18	Pending Modifications (including this action): \$4,776,915
	Current Est. Complete Date:	7/31/26	Current Contract Value (with this action): \$20,214,759
7.	Contract Administrator: Samira Baghdikian		Telephone Number: (213) 922-1033
8.	Project Manager: Brian Balderrama		Telephone Number: (213) 418-3177

A. Procurement Background

This Board Action is to approve Contract Modification No. 10 issued in support of significant signal and communication design coordination and modifications to the Brighton to Roxford project and to divide the project into four segments to better align with rail traffic controller modeling data to support incremental service growth for the Antelope Valley Line corridor to reinforce project funding needs. This Modification includes the additional drawing compilation, CADD and submittal management associated with preparing separate submittals for each of the four segments, at each design submittal level until completion. This Modification also extends the period of performance from July 31, 2023 through July 31, 2026.

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

On July 23, 2015, the Board awarded cost reimbursable Contract No. PS2415-3412 to STV, Inc. in the amount of \$12,490,781 for the Brighton to Roxford Double Track Project.

A total of 9 modifications have been issued to date.

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

B. Cost Analysis

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

Metro staff successfully negotiated a savings of \$82,233 by reducing the level of effort for grade crossing and roadway work.

Proposal Amount	Metro ICE	Negotiated Amount
\$4,859,148	\$3,122,500	\$4,776,915

The primary difference between the negotiated price and ICE is due to:

- Rates escalation to account for the significant amount of time that has passed since the original contract in 2015 and continued pause for segment 3 work, Van Nuys Boulevard to Sylmar/San Fernando Station, while waiting for final recommendations from the East San Fernando Valley transit project by June 2024;
- Structure redesign of the Tujunga Wash Bridge did not account for the rework of a 90% final design level and the extensive coordination with LA County Flood Control District and US Army Corps of Engineers;
- Level of signal and communication work presented by PRE Inc. that is required of the project due to changes to the existing conditions;
- Additional level of effort for utility coordination;
- Costs to cover flagging, traffic control services, drilling, surveys, geotechnical laboratory, disposal fees, permitting, and railroad protective insurance.

CONTRACT MODIFICATION/CHANGE ORDER LOG

BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT/PS2415-3412

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Supplemental scope for flagging crews, right of entry (ROE) permits and field survey work on SCRRRA (Metrolink) rail track.	Approved	09/24/15	\$51,700
2	Supplemental scope for environmental clearance per the National Environmental Policy Act.	Approved	09/20/16	\$90,948
3	No cost period of performance (POP) extension through 09/01/20 to complete phase 2 of the project.	Approved	08/14/18	\$0
4	Supplemental scope for completion of environmental clearance and 100% design documents.	Approved	10/25/18	\$2,203,529
5	Supplemental additional design tasks and POP extension through 07/30/21.	Approved	4/30/20	\$101,375
6	No cost POP extension through 06/30/22.	Approved	7/29/21	\$0
7	Supplemental geotechnical investigation, far side American with Disabilities Act ramps, relocation of Sun Valley Station pedestrian crossing, revise raised median design and Hollywood Way Underpass lighting, traffic engineering and POP extension through 12/31/22.	Approved	7/26/22	\$499,511
8	No cost POP extension through 04/28/23.	Approved	12/12/22	\$0
9	No cost POP extension through 07/31/23.	Approved	4/3/23	\$0
10	Signal and communication design coordination and modifications to the Brighton to Roxford project, divide the project into four segments and POP extension through 7/31/26.	Pending	Pending	\$4,776,915
	Modification Total:			\$7,723,978

	Original Contract:		08/25/15	\$12,490,781
	Total:			\$20,214,759

DEOD SUMMARY

BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT/PS2415-3412

A. Small Business Participation

STV Incorporated made a 26.62% Small Business Enterprise (SBE) commitment. Based on payments, the project is 81% complete and the current level of SBE participation is 28.54%, exceeding the commitment by 1.92%.

Small Business Commitment	26.62% SBE	Small Business Participation	28.54% SBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	BA, Inc.	4.07%	3.48%
2.	Cornerstone Studios, Inc.	0.55%	0.16%
3.	Diaz Yourman & Associates	2.52%	4.32%
4.	Epic Land Solutions, Inc.	0.94%	0.08%
5.	Lin Consulting	2.88%	4.41%
6.	Pacific Railway Enterprises, Inc.	11.33%	12.67%
7.	Ryan Snyder Associates, LLC	0.20%	0.07%
8.	Wagner Engineering & Surveying, Inc.	4.13%	3.35%
	Total	26.62%	28.54%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

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.

Regional Rail Projects Funding and Expenditure Plan

Brighton to Roxford Double Track Project					
Project Number: 460074					
Project Programming					
Use of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Capital Costs
Professional Services	13,980,000.00	2,500,000.00	2,500,000.00	1,234,759.00	20,214,759.00
Agency - Metro	1,800,000.00	250,000.00	420,000.00	30,000.00	2,500,000.00
Outreach	184,616.00	50,000.00	100,000.00	34,616.00	369,232.00
Real Estate/ Acquisition of Land	10,300.00	500,000.00	10,000.00	10,000.00	530,300.00
Project Controls	10,000.00	28,450.00	40,000.00	10,000.00	88,450.00
3rd Party Agreements - City/County/Others	1,200,000.00	1,030,145.00	895,855.00	50,000.00	3,176,000.00
Total Project Cost	17,184,916.00	4,358,595.00	3,965,855.00	1,369,375.00	26,878,741.00
Source of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Project Funding
Measure R 3%	17,184,916.00	3,858,595.00	3,965,855.00	1,369,375.00	26,378,741.00
Measure M - MSP Transit Program Funds, North County Subregion	0.00	250,000.00	0.00	0.00	250,000.00
TIRCP 2020, Cycle 4	0.00	250,000.00	0.00	0.00	250,000.00
Total Project Funding	17,184,916.00	4,358,595.00	3,965,855.00	1,369,375.00	26,878,741.00

Brighton to Roxford Double Track Project

Finance, Budget and Audit Committee
July 19, 2023

Brighton to Roxford Double Track Project

Staff is requesting Board Approval to:

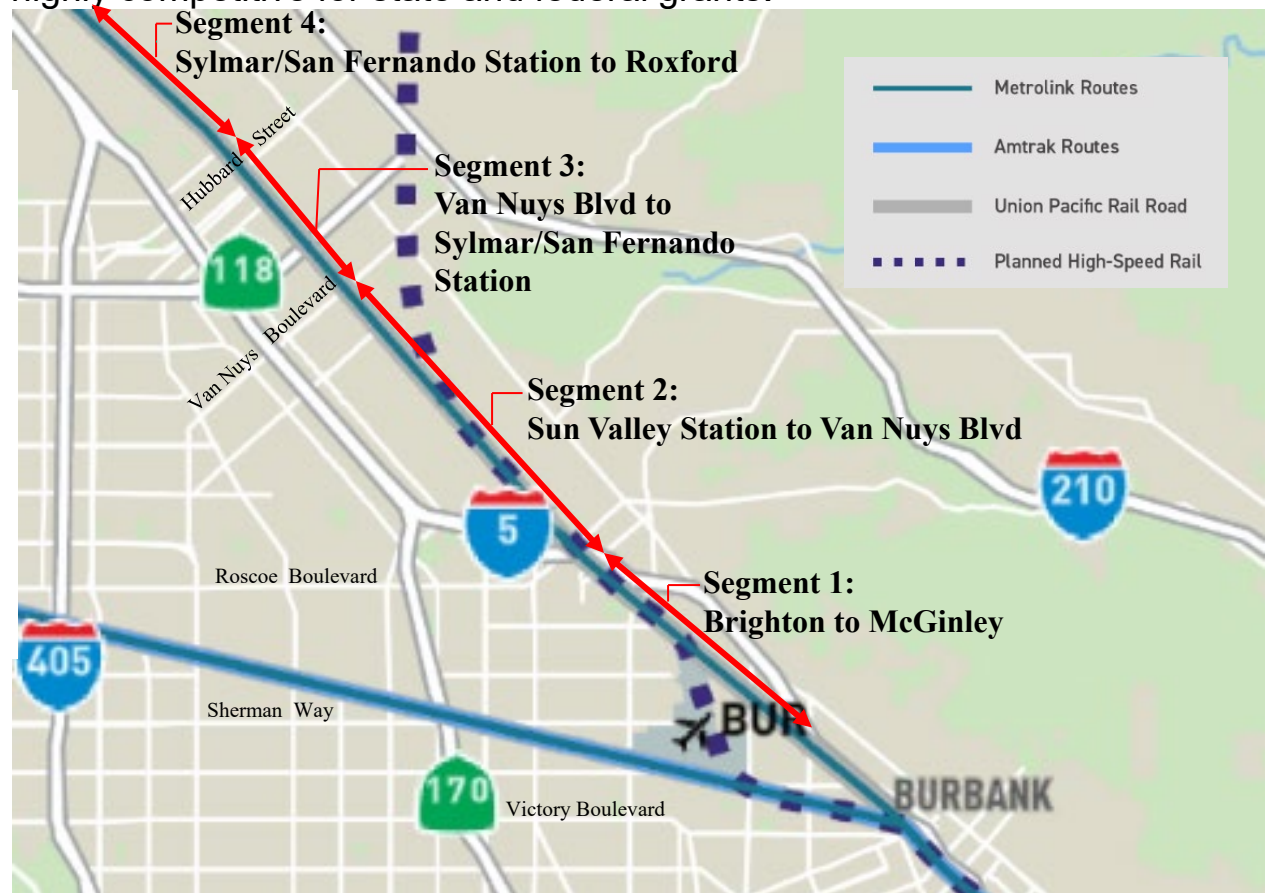
- A. Execute contract modification No. 10 to contract No. PS2415-3412 with STV Inc. and extend the professional service period of performance from July 31, 2023, to July 31, 2026, in the amount of \$4,776,915 increasing the total contract value from \$15,437,844 to \$20,214,759; and
- B. Program an additional \$9,674,325 from \$16,704,416 to \$26,378,741 of Measure R 3% funds in order to achieve a shovel ready level.

Brighton to Roxford Double Track Project

1. Metrolink is the only rail transit serving the Antelope Valley in the cities of Lancaster, Palmdale, Santa Clarita, San Fernando and Los Angeles (Sun Valley, Pacoima and Sylmar).
2. This project serves as the building block for future service expansion and improved network integration along the Antelope Valley Line.
3. Approval of staff recommendations will enable the Brighton to Roxford Double Track Project to achieve a “shovel ready” condition to be highly competitive for state and federal grants.

Segment 1 has been awarded full construction funding through the 2020 TIRCP cycle 4 program.

Segments 2 – 4 are awaiting grant funding notification through the High Priority Grade Crossing and Separations Program in August/September.



Final Design Phase Programming

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

Brighton to Roxford Double Track Project					
Project Number: 460074					
Project Programming					
Use of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Capital Costs
Professional Services	13,980,000.00	2,500,000.00	2,500,000.00	1,234,759.00	20,214,759.00
Agency - Metro	1,800,000.00	250,000.00	420,000.00	30,000.00	2,500,000.00
Outreach	184,616.00	50,000.00	100,000.00	34,616.00	369,232.00
Real Estate/ Acquisition of Land	10,300.00	500,000.00	10,000.00	10,000.00	530,300.00
Project Controls	10,000.00	28,450.00	40,000.00	10,000.00	88,450.00
3rd Party Agreements - City/County/Others	1,200,000.00	1,030,145.00	895,855.00	50,000.00	3,176,000.00
Total Project Cost	17,184,916.00	4,358,595.00	3,965,855.00	1,369,375.00	26,878,741.00
Source of Funds	Inception thru FY23	FY24	FY25	FY26+	Total Project Funding
Measure R 3%	17,184,916.00	3,858,595.00	3,965,855.00	1,369,375.00	26,378,741.00
Measure M - MSP Transit Program Funds, North County Subregion	0.00	250,000.00	0.00	0.00	250,000.00
TIRCP 2020, Cycle 4	0.00	250,000.00	0.00	0.00	250,000.00
Total Project Funding	17,184,916.00	4,358,595.00	3,965,855.00	1,369,375.00	26,878,741.00

It should be noted, of the \$26,878,741 for programming, \$26,378,741 will come from Measure R 3% funds and \$500,000 from Measure M/ TIRCP 2020 funds to achieve a shovel ready level.



Brighton to Roxford Double Track Project

QUESTIONS?