



**Board Report**

**File #:** 2016-0097, **File Type:** Contract

**Agenda Number:** 59.

**REGULAR BOARD MEETING  
FEBRUARY 25, 2016**

**PROJECT: WESTSIDE PURPLE LINE EXTENSION  
CONTRACT C1078 MAINTENANCE OF WAY/NON-REVENUE VEHICLE MAINTENANCE  
BUILDING**

**ACTION: APPROVE LIFE OF PROJECT (LOP) BUDGET INCREASE AND AUTHORIZE THE  
CHIEF EXECUTIVE OFFICER (CEO) TO NEGOTIATE AND EXECUTE A FUTURE  
CONTRACT MODIFICATION**

**RECOMMENDATION**

CONSIDER:

- A. APPROVE the staff recommendation to increase Life of Project (LOP) Budget by \$5,000,000 from \$2,773,879,593 to \$2,778,879,593 for the Westside Purple Line Extension Section 1 Project, No. 865518.
- B. AUTHORIZE the CEO to negotiate and execute Contract Modification No. 1 to Contract C1078, Clark Construction Group to incorporate design direction based on Alternative A1, to revise the Baseline design of the building floor plans and site plan, in an amount not-to-exceed \$4,500,000 increasing the total contract price from \$52,830,310 to \$57,330,310.
- C. AUTHORIZE the CEO to negotiate with the City to allow as-needed access through the MOW site for maintenance vehicles to service the electric and sewer vaults in the 6<sup>th</sup> Street Viaduct right of way.

**ISSUE**

As directed by the July 2015 Metro Board Report Item 40.1 related to Item 40 for the C1078 Contract - Maintenance of Way/Non-Revenue Vehicle Maintenance Building (MOW Building), staff formed a Design Advisory Working Group to explore the objectives of: 1) site placement of the MOW facility, operational functionality and applicable codes; 2) optimization of parking on the site and 3) adoption of architectural design that reflects Metro's most recent efforts. Although there are aesthetic considerations regarding views and integration with the City of LA 6<sup>th</sup> Street Bridge design, there is no practical design solution that meets all of the objectives set forth by the Board that completely

satisfies the desires and aesthetic preferences. Therefore, a decision must be made to avoid significant delays and inefficiency costs.

## **BACKGROUND**

On July 23, 2015, the Metro Board authorized the Chief Executive Officer (CEO) to award a 28 month firm fixed price contract, under Invitation for Bid No. C1078 to Clark Construction Group for the final design and construction of the Maintenance of Way/Non Revenue Vehicle Maintenance Building to be constructed as part of the Division 20 Yard and Shops expansion for a firm fixed price of \$52,830,310. The Board approval included direction to the CEO to:

Establish a design advisory working group that includes representatives from the following entities:

1. Metro Operations
2. Metro Construction
3. Metro Arts
4. Metro Planning
5. MOW/Design-Build Team
6. City of Los Angeles 6<sup>th</sup> Street Bridge Design-Build Team
7. Arts District Community

B. Report back to the Board on a monthly basis on progress that is made with the advisory group to explore the following objectives:

1. Site placement of the MOW Facility is placed the farthest distance from Santa Fe as allowed by operational functionality and applicable codes.
2. Parking on the site is optimized
3. Adoption of architectural design that reflects Metro's most recent efforts

C. Report back in 60 days with a detailed outreach and engagement process for incorporating art into the Maintenance of Way facility including the following elements:

1. Forming a selection panel including Downtown-based art professionals to select the artist to work on the Maintenance of Way Facility
2. Soliciting larger arts district and community feedback for consideration in artist selection from the existing MTA pre-approved artist pool.
3. Coordination with the aforementioned Design Advisory Working Group.

## **DISCUSSION**

Following the award of the C1078 Contract, Notice to Proceed (NTP) was issued to Clark

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Construction Group on September 30, 2015 and staff has held meetings with the Design Advisory Working Group and provided monthly progress reports to the Metro Board of Directors.

The first meeting of the Design Advisory Working Group was held on December 14, 2015. Clark Construction Group's architectural designer (Gruen Associates) presented six alternatives with a brief analysis of how each of the alternatives met the objectives directed by the Metro Board. Site placement of the MOW Facility to place it the farthest distance from Santa Fe was severely constrained by the presence of an existing 90" City of LA storm drain located in the northeast corner of the site, which would add significant cost and schedule impacts and concerns by the City of LA related to construction of the MOW building over the storm drain. Based on this major constraint, the number of alternatives was reduced to two alternative locations.

The second meeting was held on January 28, 2016 to further review the analysis of the alternatives prepared by Clark Construction Group's architectural designer (Gruen Associates) to ensure that each alternative met the objectives directed by the Metro Board. After initial review, two alternative locations to the base design have emerged:

- **Alternative A1 Mirror Image**
- **Alternative C1 Triangular Shaped**

Evaluation of how each alternative meets the objectives-based on recent feedback and analysis is summarized in Attachment D and are described as follows:

1. Property Ownership - Two properties are required for the MOW Building. Metro has acquired one property and is in the process of conducting a property exchange for the second property. The baseline design as awarded by the Metro Board, as well as Alternative A1, would allow construction to begin on the property that is already under Metro ownership. Alternative C1, however, would delay construction of the building until a right of access can be secured for the second property. Also, both Alternatives will be impacted if the City of LA requires access rights through Metro's MOW Building site.
2. Track Access/Length - The MOW Building requires direct track access from the adjacent Division 20 Rail yard dictating that the location of the building on the site be governed by track geometry and distance. A recent property acquisition of a portion of the Lucky Brand Jeans property by the City of LA for the 6<sup>th</sup> Street Bridge Project requires that an accommodation to the baseline design will need to be made to allow for this track connection. Both of the alternatives that would move the MOW Building to the north could provide this track access. However, Alternative A1 adds more track length and potential costs if the City of LA requires structural supports if the track is located over the 90" City of LA storm drain.
3. Functionality/Circulation - The building program for the MOW Building requires approximately 86,000 square feet and 208 parking spaces. The floor plans have specific size and adjacency requirements and parking for maintenance and employee vehicles must be maintained to

ensure operational functionality. Feedback from Metro Rail Operations indicates that Alternative A1, which is a mirror image of the plan originally approved, still meets the objectives. Alternative C1 which is a triangular shaped building could potentially provide the necessary floor space despite some operational challenges due to the non-rectilinear rooms. However, Alternative C1 would only provide 153 parking spaces (26% reduction). Additional parking in an underground configuration is possible; however the costs of such construction would greatly exceed the project budget. One offsite parking opportunity has been identified on land owned by the City of Los Angeles (former "Gallo Property"), but it would not be available for several years and is encumbered by a railroad easement that would preclude its use at this time.

4. View to the Bridge (new 6<sup>th</sup> Street Bridge) - The site location and massing of the building should aesthetically complement the views of the new 6<sup>th</sup> Street Bridge which is currently in the early phases of construction. Alternative A1 would improve the view of the future bridge in comparison to the baseline design. Alternative C1 is more desirable because the geometry, form and axis of the building would better provide view corridors from the surrounding streets to the west.

5. Cost and Schedule Impacts of Alternative MOW Building Designs:

The following assumptions are based on information provided by the C1078 Design/Build Contractor, Clark Construction Group:

Alternative A1 -

- a. Additional Cost (ROM) - \$3.97 Million
- b. Schedule Impact ROM - An additional 4 months beyond current Substantial Completion
- c. Assumptions/Clarifications:
  - i. Assumes Building Pad Over-excavation/Compaction for new location
  - ii. Assumes Metro direction is to be provided on 2/5/2016
  - iii. Setback Requirements need further review based on building location
  - iv. Assumes no contaminated soil will be encountered
  - v. Assumes in rack sprinklers are not required
  - vi. Excludes property purchase costs (To be handled by Metro)

Alternative C1

- d. Additional Cost (ROM) - \$5.65 Million
- e. Schedule Impact ROM - An additional 6 months beyond current Substantial Completion
- f. Assumptions/Clarifications:

- i. Assumes Building Pad Over-excavation/Compaction for new location
- ii. Assumes Metro direction is to be provided on 2/5/2016
- iii. Excludes property purchase costs (To be handled by Metro)
- iv. Assumes subsurface features are removed by others for "triangular" property
- v. Assumes no contaminated soil will be encountered
- vi. Assumes in rack sprinklers are not required
- vii. Assumes property will be available to meet Construction Schedule.

The Rough Order Magnitude (ROM) costs and schedule impacts above were based on Metro providing direction by 2/5/2016. If an Alternative from the Baseline is selected, contingency for additional cost and schedule impacts of at least 3 months should be added to allow staff to negotiate the change and execute a Contract Modification to the C1078 Contract with Clark Construction Group.

### **DETERMINATION OF SAFETY IMPACT**

As this is an operations and maintenance facility, the current baseline design has been reviewed by Metro staff. However, if Alternative A1 is approved, it will need to be evaluated during Final Design development to ensure that it meets Metro's safety standards.

### **FINANCIAL IMPACT**

The Life of Project budget recommendation includes a cost increase of \$5 million to cover the costs to negotiate and execute the Contract Modification, plus contingency and other soft costs. The cost increase can be supported by Measure R 35% Transit Capital funding for this project in the Measure R Expenditure Plan. Approval of the cost increase will reduce funds for the Westside Purple Line Extension Section 3 Project, as discussed in the Attachment G - Measure R Cost Management Process and Policy Analysis.

Since this is a multi-year project, the Executive Director of Program Management and the Westside Purple Line Extension Section 1 Project Manager will be responsible for budgeting costs in future years.

#### **Impact to Budget**

The source of funds for this action is Measure R Transit 35%. The funding for Project No. 865518 was assumed in the Long Range Transportation Plan for the Westside Purple Line Extension Project, and does not have an impact to operations funding sources. Board approval of the Recommendation at this time is required to maintain the overall schedule for the Westside Purple Line Extension Section 1 Project and reduce the potential of schedule delays and their resulting costs. Staff will

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continue to work with the Design Advisory Working Group to review the architectural design of the building including building materials, landscaping and artwork. In the event that further changes in the design result in new costs outside of the approved budget, staff will return to the Board with the status of the current approved Contract Modification Authority of \$5.28 million and a supplemental funding plan for approval.

### **ALTERNATIVE BOARD ACTIONS**

The Board could decide to not approve the staff recommendation to redirect the Clark Construction Groups efforts to proceed with Alternative A1 above. The Board could also select Alternative C1, but this Alternative is not recommended because it does not meet the design objectives described above. Therefore, if neither Alternatives A1 or C1 are approved, the Board could reaffirm the Baseline design that was awarded by the Board in 2015.

### **NEXT STEPS**

If the Board approves the staff recommendation to proceed with Alternative A1, the architectural design of the building including building materials, landscaping and artwork will be developed and reviewed as part of the Design Advisory Working Group process. Staff will continue to work with the Design Advisory Working Group and coordinate with the 6<sup>th</sup> Street Viaduct team to provide input on the design details of the MOW building including the use of color, fenestration, and façade features, the design of the site fencing and other building elements that will impact the community and continue to provide the Board with monthly updates.

### **ATTACHMENTS**

Attachment A - Alternative A1

Attachment B - Alternative C1

Attachment C - Baseline Design

Attachment D - Alternatives Comparison

Attachment E- Procurement Summary

Attachment F - Contract Modification Change Log

Attachment G - Measure R Cost Management Process and Policy Analysis


Attachment H - DEOD Summary

Prepared by:

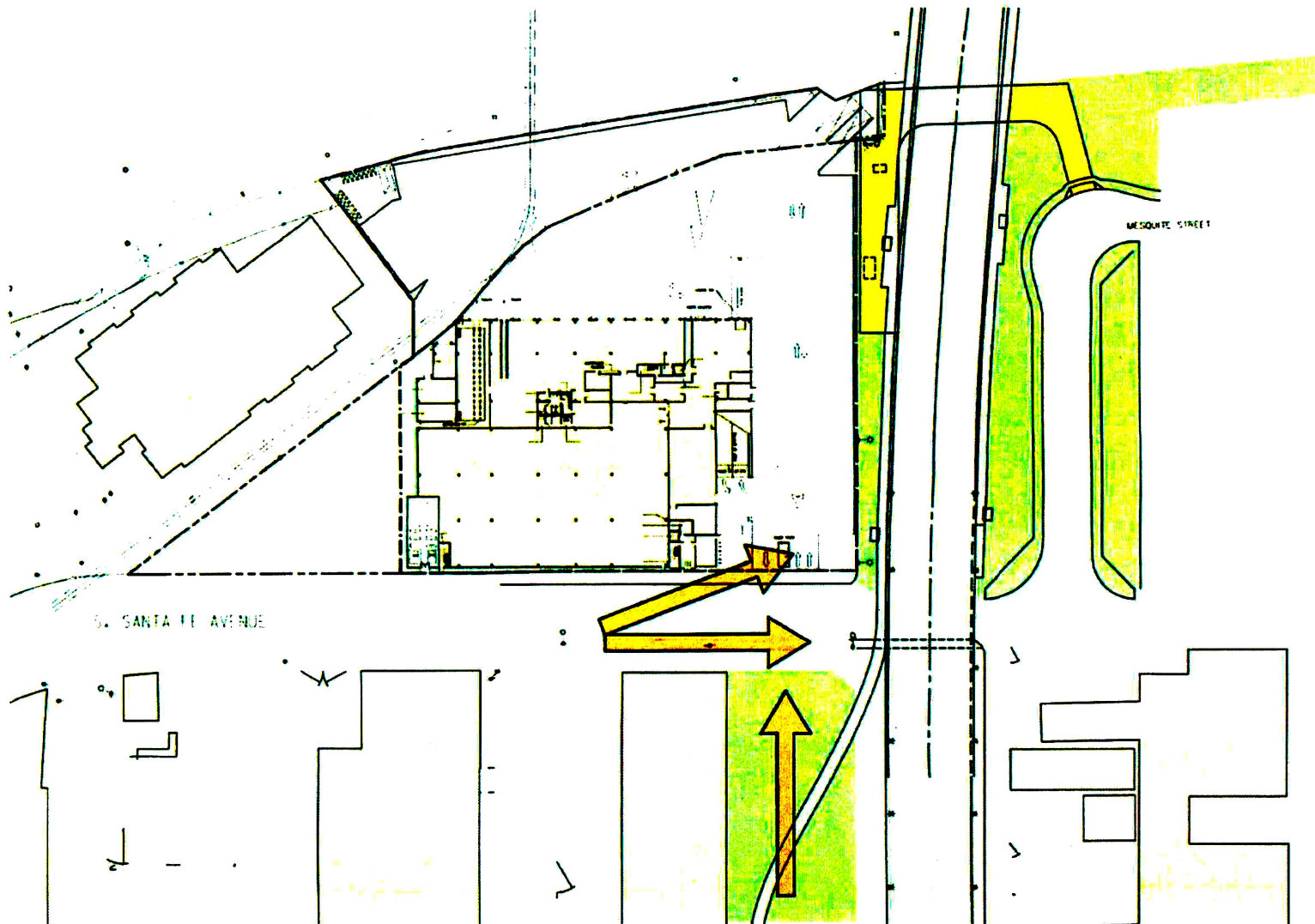
Dennis S. Mori, Executive Officer, Project Director (213) 922-7221

Reviewed by:

Richard Clarke, Executive Director, Program Management (213) 922-7447



Phillip A. Washington  
Chief Executive Officer



**SITE CONSTRAINTS**

**DESIGN GOALS**

- More Industrial / Less Office Park
- Interesting Roofscape - View from Bridge
- Articulating Building / Site Perimeter

PARKING LOT GROUND LEVEL  
LARGE NVR VEHICLES = 60 (59)  
MEDIUM NVR VEHICLES = 40 (45)

BUILDING  
ROADWAYS  
PROPOSED PARK







**SITE CONSTRAINTS**

- ② Property Ownership
- ④ Functionality / Circulation

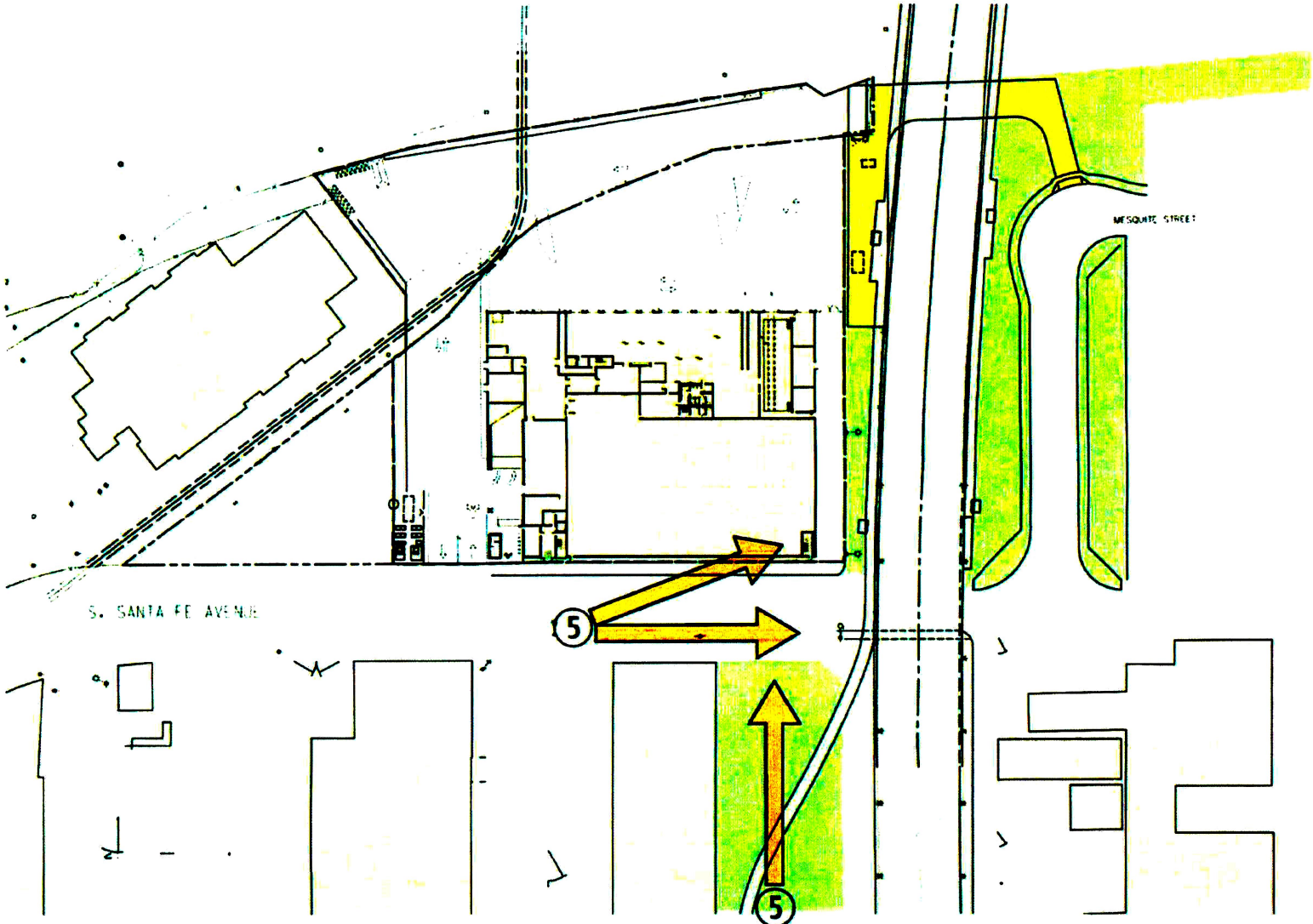
**DESIGN GOALS**

- More Industrial / Less Office Park
- Interesting Roofscape - View from Bridge
- Articulating Building / Site Perimeter

PARKING LOT GROUND LEVEL -  
LARGE NVR VEHICLES = 47 (59)  
MEDIUM NVR VEHICLES = 22 (45)

BUILDING  
ROADWAYS  
PROPOSED PARK





SITE CONSTRAINTS

⑤ View to New Bridge

BUILDING  
ROADWAYS  
PROPOSED PARK



**Westside Purple Line Extension Maintenance Of Way Building - Alternatives Comparison**

**Attachment D**

<i>Design</i>	<i>Site Placement from Santa Fe</i>	<i>Parking On Site is Optimized</i>	<i>Adoption of Architectural Design</i>	<i>Design Operational Functionality</i>	<i>90" Diameter City of LA Storm Drain</i>	<i>Property Ownership</i>	<i>Track Access Length</i>	<i>Functionality Circulation</i>	<i>View to New Bridge</i>
<b>Baseline</b>	No Setback from Santa Fe Property Line	208 Required 104 NRV 104 Employee	Compatible with Potential Integration with 6 <sup>th</sup> Street Bridge Art Plaza Design	Satisfactory	No Conflict	City of LA Requires Driveway Outside of Metro Fenced Area	Meets Criteria; Access impeded by recent City of LA land acquisition	Meets Criteria	Building partially blocks view of New Bridge from Santa Fe Avenue
<b>Alternative A1 w/o Setback from 6<sup>th</sup> Street Bridge</b>	No Setback from Santa Fe Property Line	197 Provided 100 NRV 97 Employee 11 Vehicle Deficit (-5%)	Not compatible with Potential Integration with 6 <sup>th</sup> Street Bridge Art Plaza Design	Satisfactory	Northeast Corner of Building and Service Tracks Structural Load Transfer	City of LA Requires Easement Within Metro Fenced Area	Over 90" diameter storm drain; increased track length	Insufficient parking; Additional real estate may be required	Improves view of New Bridge over Baseline Design
<b>Alternative A1 w/ Setback from 6<sup>th</sup> Street Bridge</b>	No Setback from Santa Fe Property Line	169 Provided 72 NRV 97 Employee 39 Vehicle Deficit (-19%)	Not compatible with Potential Integration with 6 <sup>th</sup> Street Bridge Art Plaza Design	Satisfactory	Northeast Corner of Building and Service Tracks Structural Load Transfer	City of LA Requires Easement Within Metro Fenced Area	Over 90" diameter storm drain; increased track length	Insufficient parking; additional real estate is required	Improves view of New Bridge over Baseline Design
<b>Alternative C1 w/o Setback from 6<sup>th</sup> Street Bridge</b>	No Setback from Santa Fe Property Line	153 Provided 69 NRV 84 Employee 55 Vehicle Deficit (-26%)	Not compatible with Potential Integration with 6 <sup>th</sup> Street Bridge Art Plaza Design	Not acceptable; unusable space and logistical management issues	No Conflict	City of LA Requires Easement Within Metro Fenced Area	Acceptable length; however, positioning creates circulation problems	Insufficient parking; additional real estate is required; rooms inefficient	Improves view of New Bridge over Baseline Design and Alternative A1
<b>Alternative C1 w/Setback from 6<sup>th</sup> Street Bridge</b>	No Setback from Santa Fe Property Line	123 Provided 39 NRV 84 Employee 85 Vehicle Deficit (- 41%)	Not compatible with Potential Integration with 6 <sup>th</sup> Street Bridge Art Plaza Design	Not acceptable; unusable space and logistical management issues	No Conflict	City of LA Requires Easement Within Metro Fenced Area	Acceptable length; however positioning creates circulation problems	Insufficient parking; additional real estate is required; rooms inefficient	Improves view of New Bridge over Baseline Design and Alternative A1

Notes: 1) Potential impacts to 90" City of LA Storm Drain requires design approval by City of LA.

2) Adoption of architectural design is dependent on building footprint location, integration with 6<sup>th</sup> Street Bridge Arts Plaza and funding.

## PROCUREMENT SUMMARY

**WESTSIDE SUBWAY EXTENSION SECTION 1 PROJECT  
MAINTENANCE OF WAY/NON-REVENUE MAINTENANCE BUILDING  
DESIGN/BUILD  
CONTRACT NO. C1078**

1.	<b>Contract Number:</b> C1078		
2.	<b>Contractor:</b> Clark Construction Group – California, LP by its general partner, Clark Construction Group – California, Inc.		
3.	<b>Mod. Work Description:</b> Revise baseline building floor and site plans.		
4.	<b>Contract Work Description:</b> Design and construct Maintenance of Way/Non-Revenue Maintenance Building		
5.	<b>The following data is current as of:</b> February 18, 2016		
6.	<b>Contract Completion Status:</b>		
	<b>Bids/Proposals Opened:</b>	2/6/15	<b>% Completion \$s:</b> 9.01%
	<b>Contract Awarded:</b>	8/3/15	<b>% Completion time:</b> 17%
	<b>NTP:</b>	9/30/15	<b>Original Contract Days:</b> 853
	<b>Original Complete Date:</b>	1/30/18	<b>Change Order Days:</b> 0
	<b>Current Est. Complete Date:</b>	1/30/18	<b>Suspended Days:</b> 0
	<b>Total Revised Days:</b>		853
7.	<b>Financial Status:</b>		
	<b>Contract Award:</b>	\$52,830,310	
	<b>Total Contract Modifications Approved:</b>	\$0	
	<b>Current Contract Value:</b>	\$52,830,310	
	<b>Total Contract Modification Authority</b>	\$5,283,031	
	<b>Contract Administrator:</b> Diana Sogomonyan	<b>Telephone Number:</b> (213) 922-7243	
8.	<b>Project Manager:</b> James Cohen	<b>Telephone Number:</b> (323) 900-2114	

**A. Contract Action Summary**

This Board Action is to approve the authorization of the CEO to negotiate and execute Modification No. 1, for revise baseline building floor and site plans, issued in support of design and construction work of a new Maintenance of Way/Non-Revenue Vehicle Maintenance Building 61S and a Parts Storage Expansion addition to the existing Division 20 Yard Rail Fleet Services Maintenance Facility.

Metro Staff is requesting approval of a not-to exceed value at this time to allow the necessary work to be initiated as soon as possible, so that any potential delays to the project schedule or project cost are minimized.

This contract modification will be processed in accordance with Metro's Acquisition Policy, and the contract type is a Firm Fixed Price.

On July 23, 2015, Metro Board authorized Chief Executive Officer (CEO) to award a 28 month Firm Fixed Price contract, under Invitation for Bid (IFB) No. C1078, to Clark Construction Group for final design and construction of the Metro Purple Line Extension, MOW/NRV Building, to be constructed as part of Division 20 yard and expansion of shops. The Board approval included Metro Board Motion 40.1, which directed Metro Chief Executive Officer (CEO) to instruct the staff to establish a Design Advisory Group to explore different options for site placement of the MOW facility. To explore the feasibility of this objective, the Contractor, Clark Construction Group, completed a Feasibility Study to report back to Metro on possible options.

Refer to Attachment B for modifications issued to date to add/delete work, and the proposed modification currently pending authorization.

**B. Cost/Price Analysis**

The final price for the contract change will be reviewed and analysis by Metro staff and determined to be fair and reasonable in accordance with Metro procurement Policies and Procedures. The negotiation process will include, but not be limited to, clarification, fact-finding, technical analysis, cost analysis and discussions. Metro staff will complete and Independent Cost Estimate (ICE) prior to initiating negotiations with Clark Construction. The recommended price will be audited by MASD and subject to removal of any unallowable or unallocable costs.

<b>Item No.</b>	<b>Changes</b>	<b>Proposal amount</b>	<b>Metro ICE</b>	<b>Negotiated or NTE amount</b>
1	Mod 1 Revise baseline building floor and site plans	TBD	TBD	\$4,500,000

**CONTRACT MODIFICATION/CHANGE LOG**

**WESTSIDE SUBWAY EXTENSION SECTION 1 PROJECT  
MAINTENANCE OF WAY/NON-REVENUE MAINTENANCE BUILDING  
DESIGN/BUILD  
CONTRACT NO. C1078**

<b>Mod/CO No.</b>	<b>Description</b>	<b>Status</b>	<b>Contract Value (A)</b>	<b>Mod/CO Value (B)</b>	<b>Board Approved CMA (C)</b>
N/A	Initial Award		\$52,830,310		\$5,283,031
<b>Subtotal – Approved Changes</b>				<b>\$0.00</b>	
Mod No. 1	Alternate A-1 revise Baseline design building floor plan and site plan	Pending		\$4,500,000	
TBD	CN. No. 1: Feasibility Study to Explore Options for Site Placement of the MOW Facility	Pending		\$70,000	
<b>Subtotal – Pending Changes</b>				<b>\$4,570,000</b>	
<b>Subtotal Approved and Pending Changes</b>				<b>\$4,570,000</b>	
TBD	CN No. 2: Reduction of Parts Storage Expansion	Pending		TBD	
<b>Subtotal Approved and Pending Changes Including Credits</b>				<b>\$4,570,000</b>	
<b>Total Contract Value(Including Approved and Pending Changes and Credits)</b>			<b>\$57,400,310</b>		
<b>Prior CMA Authorized by the Board</b>					<b>\$5,283,031</b>
<b>Approved Changes</b>					<b>\$0.00</b>
<b>Remaining CMA for Future Changes</b>					<b>\$5,283,031</b>
<b>Pending Changes</b>					<b>\$4,570,000</b>
<b>Increased CMA for this Recommended Action</b>					<b>\$0</b>

## WESTSIDE PURPLE LINE EXTENSION PROJECT SECTION 1

### Measure R Cost Management Process and Policy Analysis

#### Introduction

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

The Westside Purple Line Extension Section 1 Project warrants such an analysis due to a \$5 million cost increase described in the report accompanying this analysis. The Measure R funds targeted to the first two Westside Purple Line Extension sections to date amount to \$2,330.6 million (out of a total Measure R commitment of \$4,074 million). The remaining \$1,743.4 million may be available to address cost increases, as described in the “Other Cost Reductions in the Same Subregion” section of this analysis.

#### Measure R Cost Management Policy Summary

The adopted Policy stipulates the following:

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

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

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

*“...capital project cost increases to Measure R funded projects within the boundaries of these facilities are exempt from the corridor and subregional cost*

*reductions. Cost increases regarding these projects will be addressed from the regional programs share.”*

The Westside Purple Line Extension Project, Section 1 does not fall within a Regional Facility Area.

### **Value Engineering and/or Scope Reductions**

During the development of the Preliminary Engineering for the Request for Proposal (RFP) documents, staff conducted Value Engineering (VE) Workshops utilizing a VE Panel of transit industry professionals with participation including the FTA’s Project Management Oversight Consultant (PMOC). The VE items believed to have the potential of yielding the largest cost savings were incorporated into the Advanced Preliminary Engineering (PE) designs in 2012. These items included the reduction of underground station footprint sizes and station depths. Station room layouts and other architectural elements were standardized to reduce design, construction, operations and maintenance costs. The cross-over ventilation extended plenum design which is not required as part of the normal ventilation design, was included as an option to supplement ventilation during periodic track maintenance work. The Project Team also analyzed constructability issues and various construction sequencing scenarios to reduce risks and the overall durations for tunneling and cut-and-cover underground construction.

Further reductions in scope would likely substantially delay the project or result in a project not consistent with the Locally Preferred Alternative. As a result, we recommend moving to the next step.

### **New Local Agency Funding Resources**

Per Note G in the Measure R Expenditure Plan, local agencies are expected to contribute an amount equal to three percent of total costs for transit projects. Metro and the City of Los Angeles agreed to a 3% contribution amount in April of 2014. That agreement states the following with respect to cost increases and betterments:

*“The parties understand the City’s Westside Subway Extension Section 1 Share will not increase even if the final LACMTA adopted life-of-project budget for the Westside Subway Extension Section 1 project exceeds \$2,509,100,000.”*

and

*“Any Project betterments for each Project shall be paid by the City separate and apart from this Agreement and shall be defined in and paid pursuant to the Master Cooperative Agreement, dated January 21, 2003 (“MCA”).”*

Pursuant to the agreement above, we are not assuming any additional commitment from the City of Los Angeles for the project as these are not betterments as defined in the MCA.



Similarly, the \$1.25 billion New Starts Full Funding Grant Agreement executed between the FTA and Metro on May 21, 2014 states that all cost increases are to be borne by the project sponsor, not the Federal Transit Administration. Pursuant to that agreement, we are assuming that no additional New Starts funds can be made available to cover the cost increase.

### **Shorter Segmentation**

While shorter segmentation is possible for the Westside Purple Line Extension, we recommend against this step for several reasons. Section 1 was extended to Wilshire/La Cienega due to engineering constraints at the initial Section 1 terminus at Wilshire/Fairfax. Shortening Section 1 would likely result in further cost increases to the project and require deferral of other projects. The only Section which could be shortened is Section 3. This would require eliminating the Veteran Affairs Station and moving the terminus to Westwood. In addition to higher real estate prices in Westwood, eliminating the Veteran Affairs station would require LACMTA to prepare a supplemental Environmental Impact Statement/Environmental Impact Report (EIS/EIR) due to significant project changes. As a result, there may be significant project delays and increased costs to the project. We do not recommend shorter segmentation.

### **Other Cost Reductions within the Same Transit Corridor**

The Westside Purple Line Extension corridor had included the Wilshire Bus Rapid Transit project. This project was bifurcated into two parts. One is a limited peak hour only version of BRT that is already funded with federal grants and the other was a more robust BRT with dedicated lanes and ride improvements. This second Wilshire BRT project was already eliminated from the LRTP to deal with prior cost increases.

To date, the Measure R funds targeted to the first two Westside Purple Line Extension sections amount to \$2,330.6 million (out of a total Measure R commitment of \$4,074 million). The entire remaining amount of \$1,743.4 million is scheduled for use on the Westside Purple Line Extension Section 3.

### **Other Cost Reductions within the Same Subregion**

Should the Board elect not to use Measure R 35%, there are several Call for Projects projects located within the subregion. The Board could opt to reallocate \Call for Projects funds awarded to projects within the Central Subregion. The potential funding source could come from either deobligated Metro Call for Projects or projects selected for funding in the 2015 Call for Projects. Should the Board chose this option, we can return to the Board identifying Call for Projects deobligations and/or project cancellation/deferral.

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

This cost increase does not require any countywide cost reductions or other funds.

**ATTACHMENT H**

**WESTSIDE SUBWAY EXTENSION PROJECT  
MAINTENANCE OF WAY/NON-REVENUE MAINTENANCE BUILDING  
DESIGN/BUILD  
CONTRACT NO. C1078**

**A. (1) Small Business Participation - Design**

Clark Construction Group made a 24.07% Disadvantaged Business Enterprise (DBE) commitment. Design is 50-60%% complete. Clark Construction is currently exceeding its commitment, DBE participation is 71.22%.

<b>SMALL BUSINESS COMMITMENT</b>	<b>DBE 24.07%</b>	<b>SMALL BUSINESS PARTICIPATION</b>	<b>DBE 71.22%</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	Bobby Knox	African American	0.72%	0.00%
2.	Innovative Engineering Group	Asian Pacific American	8.47%	0.00%
3.	JCE Structural Engineering Group	Hispanic American	2.41%	3.21%
4.	Sanchez/Kamps Associated Designs	Hispanic American	1.16%	0.00%
5.	V&A	Hispanic American	11.13%	3.13%
6.	AP Engineering & Testing, Inc.	Asian Pacific American	0.18%	0.00%
7.	BBC Electric	African American	Added	64.88%
<b>Total</b>			<b>24.07%</b>	<b>71.22%</b>

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

**B. (2) Disadvantaged Business Participation - Construction**

Clark Construction Group made a 16% Disadvantaged Business Enterprise (DBE) commitment for Construction at the time of contract award. Clark Construction Group confirmed that they have yet to mobilize or receive access to the project site, and Construction is scheduled to begin in March 2016.

**C. Prevailing Wage Applicability**

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

include: surveying, potholing, field, soils and materials testing, building construction inspection and other support trades.

**D. Living Wage Service Contract Worker Retention Policy**

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

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

The Contractor has committed to complying with PLA/CCP requirements for this project.

Federally Funded Projects		
Extremely / Economically Disadvantaged Worker Goal	Apprentice Worker Goal	Disadvantaged Worker Goal
40%	20%	10%

Staff will monitor and report the contractor's progress toward meeting the goals of the PLA/CCP.