



## Board Report

File #: 2023-0565, File Type: Project

Agenda Number: 10.

### CONSTRUCTION COMMITTEE NOVEMBER 16, 2023

**SUBJECT: TRACK AND TUNNEL INTRUSION PROJECT**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

INCREASE the Life of Project (LOP) Budget on the Track and Tunnel Intrusion Project by \$550,224, from \$10,821,772 to \$11,371,996.

#### **ISSUE**

Metro Headquarters (USG), which is located at Union Station in Downtown Los Angeles, is a key hub to the B (Red) and D (Purple) lines, and the 7th Street and Metro Center Station is a key hub to the B (Red), A (Blue), D (Purple) and E (Expo) lines, all which have been determined by the Department of Homeland Security (DHS) to be part of the Top Transit Asset List (TTAL). A Track and Tunnel Intrusion Detection System is crucial for the safety and protection of the Metro system, its ancillary areas and train tunnels.

Due to supply chain issues, inflation, and a tight current labor market the project budget is impacted. According to the U.S. Bureau of Labor Statistics, construction material prices jumped 28.7% from 2021 to 2022.

#### **BACKGROUND**

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

Variables such as poor lighting and train headlights create moving shadows, heat, and a lack of accurate depth perception in dark confined spaces have posed a challenging environment for our existing system. For example, the increasing number of the unhoused population seeking shelter on various parts of the Metro system, specifically in underground stations and ancillary areas has resulted in reoccurring intrusions. The environment also makes it difficult to detect unauthorized intrusion related to criminal activity. The improvements will include additional digital video recorders,

cabling, and the engineering to facilitate Track and Tunnel Intrusion technology. With this improvement, DHS' FY20 evaluation of the national risk profile, priority of; 1) Enhancing the Protection of Soft Targets/Crowded Places, will be addressed.

Therefore, this protection may be accomplished by positioning TTIDS equipment on the tunnel's walls to detect intruders. All required labor, material, equipment, and installation of the system will be performed by the vendor in collaboration with Metro staff.

In response to Invitation for Bid (IFB) No. C76536C1214-2, Metro received one bid from L.K. Comstock National Transit LLC (LKCNT) for \$9,837,975. During construction, LKCNT has encountered cumulative delays, resulting in impacts that have prolonged the project. The notice to proceed (NTP) date for the TTIDS project is July 18, 2022, and has a tentative substantial completion date of January 26, 2024.

## **DISCUSSION**

From February 2023 to the present, LKCNT has informed Metro that they and their subcontractor KPA Constructors, Inc. (KPA) have been experiencing work delays due to limited access support to existing facilities. The reason for the lack of access to existing facilities was due to the availability of Metro resources as other ongoing projects required the same resource support. Metro resources are required as escorts to support contract work. Due to the work taking place on an active rail line, the number of escorts necessary can vary depending on the location and type of work being performed by the contractor.

Throughout the project, there have been many other active Metro construction projects that require the same resources needed to escort/support the contract team assigned to this project. During the spring and fall of 2023, competing priorities caused resources to be shifted from one project to another adversely impacting the contractor and subcontractor supporting TTIDS. As the project schedule extends, that amounts to additional time that LKCNT and KPA are required to compensate their staff, which ultimately increased costs to the contractor resulting in claims for compensable delays.

To address the compensable delays that have occurred during the project and to ensure that costs until the project completion date are properly accounted for, the amount negotiated and agreed upon is \$405,097. In addition, the project is requesting \$145,126 to address past and projected Metro labor costs being charged to the project until its tentative completion in December 2023. These two amounts combined result in the requested LOP increase of \$550,224.

## **DETERMINATION OF SAFETY IMPACT**

This capital improvement project will provide a positive safety impact to Metro employees, contractors, and the public by providing enhanced safety and security against unauthorized entries to our rail system tunnels. Not only will this limit access to critical infrastructure, but it will also help prevent loss of life because of train on passenger incidents. The TTIDS works by detecting unauthorized persons on the tracks while eliminating false positives from trains. It tracks intruders in real-time to show: 1) where the intruder is on a station map, 2) did the intruder return back to the

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platform (non-emergency) or 3) continue deeper into the tunnel (potential emergency). This project will also increase situational awareness and promote better behaviors from all.

### **FINANCIAL IMPACT**

Upon approval of the Life of Project budget amendment, staff will manage the project within the FY24 Budget which includes \$3.9 million in Cost Center 2613, Physical Security, under Project 212123, Track and Tunnel Intrusion Detection.

#### **Impact to Budget**

The additional effort of \$550,224 beyond the current LOP will be funded by Measure M Metro State of Good Repair 2%. This funding source is not eligible for Bus and Rail Operating expenses.

### **EQUITY PLATFORM**

The proposed LOP budget increase is expected to support the TTIDS project benefits of addressing unauthorized entry to Metro underground tunnels. Unauthorized entry onto our tracks poses a safety and security risk to transit riders and members of the public, including unhoused individuals seeking shelter in Metro underground stations, which can cause service delays or great personal harm. This project will protect customers, track, and tunnel areas which is crucial to keeping our trains operating in a safe and reliable manner for the entire system. There are no equity impacts anticipated as a result of this increase.

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

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

### **ALTERNATIVES CONSIDERED**

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

**NEXT STEPS**

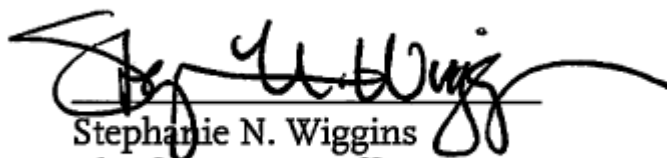
If an increase in LOP is approved, the contractor can continue with completing the project.

**ATTACHMENTS**

Attachment A - Funding and Expenditure Plan

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## TTIDS Funding and Expenditure Plan

<b>Capital Project No. 212123</b>			
<b>Use of Funds</b>	<b>FY23 &amp; Prior Actual Spent</b>	<b>FY24 Projected Actual</b>	<b>Total Life of Project Budget (upon Board Approval)</b>
Design Costs	\$353,892		\$353,892
Construction Costs	\$7,700,000	\$2,137,975	\$9,837,975
Project Management Costs	\$163,331	\$43,321	\$206,652
Labor Costs	\$161,841	\$7,013	\$168,854
Miscellaneous Costs	\$4,613	\$249,787	\$254,400
Compensable Delay Cost*		\$405,097	\$405,097
Labor Contingency*		\$145,126	\$145,126
<b>Total Life of Project Cost</b>	<b>\$8,383,677</b>	<b>\$2,988,319</b>	<b>\$11,371,996</b>
<b>Source of Funds</b>	<b>FY23 &amp; Prior Actual Spent</b>	<b>FY24 Actual/Projected Spending</b>	<b>Total Life of Project Budget (upon Board Approval)</b>
Transit Security Grant	\$5,803,588		\$5,803,588
Measure M 2%	\$2,580,089	\$2,988,319	\$5,568,408
<b>Total Project Funding</b>	<b>\$8,383,677</b>	<b>\$2,988,319</b>	<b>\$11,371,996</b>

\*Indicates amount covered by requested LOP increase.