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**Agenda - Final**

**Thursday, January 19, 2023**

**11:00 AM**

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

## **Construction Committee**

*Fernando Dutra, Chair*

*Janice Hahn, Vice Chair*

*Mike Bonin*

*Jacquelyn Dupont-Walker*

*Lindsey Horvath*

*Gloria Roberts (Interim), non-voting member*

*Stephanie Wiggins, Chief Executive Officer*

## **METROPOLITAN TRANSPORTATION AUTHORITY BOARD AGENDA RULES**

**(ALSO APPLIES TO BOARD COMMITTEES)**

### **PUBLIC INPUT**

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

The public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for one (1) minute during this Public Comment period or at the discretion of the Chair. Speakers will be called according to the order in which their requests are submitted. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

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

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

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

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

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

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Agendas for the Regular MTA Board meetings are prepared by the Board Clerk and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded and is available at <https://www.metro.net> or on CD's and as MP3's for a nominal charge.

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

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Requests can also be sent to [boardclerk@metro.net](mailto:boardclerk@metro.net).

## LIMITED ENGLISH PROFICIENCY

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Requests can also be sent to [boardclerk@metro.net](mailto:boardclerk@metro.net).



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

**Live Public Comment Instructions:**

Live public comment can only be given by telephone.

The Committee Meeting begins at 11:00 AM Pacific Time on January 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.***

**Instrucciones para comentarios publicos en vivo:**

Los comentarios publicos en vivo solo se pueden dar por telefono.

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

Marque: 888-251-2949 y ingrese el codigo  
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***Los comentarios del público se tomaran cuando se toma cada tema. Para dar un comentario público sobre una tema ingrese # 2 (Tecla de numero y dos) cuando se le solicite. Tenga en cuenta que la transmisión de video en vivo se retrasa unos 30 segundos con respecto a la reunión real. No hay retraso en la línea de acceso telefónico para comentarios públicos.***

**Written Public Comment Instruction:**

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

Email: BoardClerk@metro.net

Post Office Mail:

Board Administration

One Gateway Plaza

MS: 99-3-1

Los Angeles, CA 90012

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

APPROVE Consent Calendar Item: 22.

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

**CONSENT CALENDAR**

- 22. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT - [2022-0836](#)  
INCREASE TO GANNETT FLEMING, INC., CONTRACT  
MODIFICATION AUTHORITY**

**RECOMMENDATION**

AUTHORIZE:

- A. an increase in the contract modification authority (CMA) for Contract AE58083E0129 with Gannett Fleming, Inc, in the not-to-exceed amount of \$25,985,967, thus increasing the current not-to-exceed CMA amount from \$12,394,970 to a new CMA amount not-to-exceed \$38,380,937, thereby increasing the contract value to \$111,863,617 should all modifications be executed; and
- B. the Chief Executive Officer to negotiate and execute any contract modifications within and up to the authorized total CMA amount.

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

**NON-CONSENT**

- 23. SUBJECT: PROGRAM CONTROL SUPPORT SERVICES [2022-0718](#)**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. AWARD AND EXECUTE a cost reimbursable fixed fee contract, Contract No. PS89856, to Kal Krishnan Consulting Services/Triunity Engineering and Management, a DBE Prime Joint Venture, for Program Control Support Services for a term of five (5) years for a not-to-exceed amount of \$85,000,000, plus two one-year options for an amount not-to-exceed

\$38,000,000, resulting in a total not-to-exceed amount of \$123,000,000 through Fiscal Year 2030, with a not-to-exceed funding amount of \$50,000,000 for the first three years of the contract, subject to resolution of any properly submitted protest; and

- B. EXECUTE individual Contract Work Orders and Contract Modifications within the Board approved contract funding amount.

**Attachments:**      [Attachment A - Procurement Summary](#)  
[Attachment B - DEOD Summary](#)  
[Attachment C - Anticipated Projects](#)  
[Presentation](#)

24. **SUBJECT:      OFFICE OF THE INSPECTOR GENERAL CONSTRUCTION      [2022-0825](#)**  
**CHANGE ORDER SPOT CHECKS**

**RECOMMENDATION**

RECEIVE AND FILE Office of the Inspector General Construction Change Order Spot Check Report for the period September 1 to November 30, 2022.

**Attachments:**      [Attachment A - Change Order Details for Spot Checks](#)  
[Attachment B - Tracking Sheet of OIG Recommendations & Responses Last Qt](#)  
[Presentation](#)

25. **SUBJECT:      PROGRAM MANAGEMENT QUARTERLY CHANGE      [2022-0855](#)**  
**REPORT**

**RECOMMENDATION**

RECEIVE AND FILE Quarterly Status Report on Program Management change orders.

**Attachments:**      [Attachment A - Qtly Change Orders Log Reporting Period of 9/1/21 - 11/30/22](#)  
[Attachment B - OIG CON Change Order Spot Checks CEO Delegated Authority](#)

26. **SUBJECT:      PROGRAM MANAGEMENT MAJOR PROJECT STATUS      [2022-0835](#)**

**RECOMMENDATION**

RECEIVE AND FILE Program Management Major Project Status Report.

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

**SUBJECT: GENERAL PUBLIC COMMENT**[2022-0874](#)

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**



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File #: 2022-0836, File Type: Contract

Agenda Number: 22.

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**CONSTRUCTION COMMITTEE  
JANUARY 19, 2023**

**SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT - INCREASE TO GANNETT FLEMING, INC., CONTRACT MODIFICATION AUTHORITY**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

AUTHORIZE:

- A. an increase in the contract modification authority (CMA) for Contract AE58083E0129 with Gannet Fleming, Inc, in the not-to-exceed amount of \$25,985,967, thus increasing the current not-to-exceed CMA amount from \$12,394,970 to a new CMA amount not-to-exceed \$38,380,937, thereby increasing the contract value to \$111,863,617 should all modifications be executed; and
- B. the Chief Executive Officer to negotiate and execute any contract modifications within and up to the authorized total CMA amount.

**BACKGROUND**

The East San Fernando Valley Light Rail Transit Corridor project (Project) is a light rail system that is street running in the middle of Van Nuys Boulevard and will extend north from the G-Line Van Nuys station to the Metrolink Sylmar/San Fernando station, a total of 9.2 miles with 14 at-grade stations. The Metro Board certified the Final Environmental Impact Report (FEIR) on December 3, 2020. The Project achieved a Record of Decision on January 29, 2021. The Project has mostly completed the preliminary engineering design phase, with street improvements and guideway design advanced to 60 percent to reduce the risk associated with geometric/spatial constraints. All other design elements (utilities, stations, maintenance facility, and systems) are presently designed to 30 percent. The final design for select advanced utility relocations is also being advanced, consistent with undertaking advance utility work to expedite the project schedule and reduce overall project risk.

Included in the Project FEIS/EIR was the initial operating segment (IOS), defined as the southern 6.7 miles of the Project alignment. The IOS, also more recently identified as the Southern Segment, is street running in the middle of Van Nuys Boulevard and includes 11 at-grade stations along with the maintenance facility. The remaining northern 2.5-mile environmentally cleared segment, more



recently identified as the Northern Segment, is going through additional analysis as directed by the Board in December 2020 and is not included in the Southern Segment.

To comply with the Measure M schedule commitments, the Southern Segment is proceeding into the next phase of final design and construction through a Progressive Design Build (PDB) contractor procurement. This began in August 2022, with an anticipated award date in early 2023.

## **ISSUE**

In 2019 Metro awarded Gannett Fleming, Inc. a cost-plus fixed fee (CPFF) contract for Architecture Engineer (AE) services for a not-to-exceed amount of \$61,974,852 to complete three phases: Phase 1 - complete preliminary engineering; Phase 2 - provide support during the solicitation process; and Phase 3 - provide design support during construction for the Project. The original contract CMA was a not-to-exceed \$12,394,970, and \$741,680 remains to date. The dollar amount of approved modifications and change orders from the CMA is \$11,653,290, and Board approved contract modifications have been made to the contract in the amount of \$11,507,828, which has increased the not-to-exceed contract price to \$85,135,970.

Throughout Phase 1, the contract modifications incorporated additional work to reduce the risk associated with known cost drivers such as utility conflicts, geotechnical and hazardous soils field investigations, real estate verifications, and resolution of third-party issues. As the Project scope has advanced, staff identified additional work activities which are needed, in advance of the future PDB contractor, to improve coordination with third parties and that will address key project risks. Therefore, based upon the anticipated pending and unallocated contract modifications, the increase to the CMA is \$25,985,967.

## **DISCUSSION**

Staff is requesting an increase to the CMA to incorporate additional scope elements shown below. As part of the base scope and the previously approved contract modifications, the Project team has compiled existing utility as-built information, developed 30% composite utility drawings, and conducted some utility, geotechnical, and hazardous soils field investigation work. Additional elements have been identified that will benefit the Project through the refinement of design resolution of known cost drivers and risk reduction. Those elements are:

- Advance the utility relocation designs, including the composite utility rearrangement plans, from 30% to 60%.
  - This work will incorporate information gleaned from field investigations to date and will further define horizontal and vertical locations of adjusted utilities. The designer will utilize 3D modeling to perform clash detection and will continue coordinating with the City and County of Los Angeles and other utility owners

within the corridor. The work performed will be provided to the PDB contractor, who will advance the design from 60% to final design. This additional work performed now will reduce the likelihood of typical delays to the Project that stem from utility investigation, utility design, and third-party coordination;

- Advance designs to support DWP vault relocations and adjustments.
  - Throughout Phase 1, staff have coordinated with DWP to protect in place, adjust, or relocate conflicting DWP infrastructure. Due to the complex utility corridor along the alignment and the required coordination with DWP design, it has been determined that certain elements of coordination and design of DWP infrastructure should be controlled by Metro and completed under the subject contract. Staff has identified seven DWP utility design packages that will be completed under this contract. The 100% designs will be provided to the PDB Contractor for pricing and construction. Structuring the DWP design and project workflow this way will allow staff to continue work on critical path activities during the procurement and on-boarding of the PDB Contractor.
  
- Evaluate and analyze existing County of Los Angeles (County) storm drains through field investigation and analysis.
  - Staff continues to collaborate with the County to develop protect in place measures for three major existing storm drains that are located directly within the track alignment. Agreement to protect these critical pieces of infrastructure eliminates the need for costly and disruptive construction required to relocate. Through the development of work plans, additional field investigation and geotechnical and structural analysis has been identified that will provide the County with the necessary information needed to approve protect in place measures. Once the County has accepted Metro's analysis and design, the PDB Contractor will price and construct the protections. Structuring this work in this manner will allow staff to continue to work on critical path activities during the procurement and on-boarding of the PDB Contractor; and,
  
- Develop property impact statements (PIS) to support the real estate acquisition process.
  - The PIS will require survey work on impacted properties, detailed design plans

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for improvements, and justification for each acquisition. These PIS are required for the critical path process of acquiring properties and temporary construction easements.

The Phase 1 elements identified above will continue advancing critical path activities and assist in mitigating risk. The advancement of these elements has been identified and is being pursued in accordance with lessons learned and best practices on previous Metro projects. Phase 2 support during the solicitation process was provided by Gannett Fleming and is nearing completion, with minor scope items remaining. The scope of work for Phase 3 design support during construction remains the same, with Gannett Fleming performing such things as design, submittal, and request for information reviews during Phase 2 of the progressive design/build contract. 10% unallocated contract modification authority is being added to Phases 1, 2, and 3 to account for unknowns that occur during the pursuit of base scope work. The base scope of work and contract price for Phase 2 and Phase 3 of the contract will not be revised. This board action and subsequent modifications, in addition to the execution of Phase 2 and Phase 3 of the contract, represent the complete and total scope for this Gannett Fleming contract. The PDB Contractor will perform all future design works, supplemented as necessary by Metro Project Management support contracts.

### **Equity Platform**

The Gannett Fleming contract has SBE commitments (see Attachment C), and this action does not change the small business commitment.

The Project will serve 11 new stations along Van Nuys Blvd, traveling through Arleta, Pacoima, Panorama City, and Van Nuys, and will improve connections and access to key destinations while connecting transit users to the growing network in the San Fernando Valley. The Project study area average of 0.53 zero-vehicle households per acre is 77% higher than the 0.30 County average. Equity Focus Communities (EFC) are within walking and biking distance to the proposed stations. The Project will improve access for East San Fernando Valley transit riders in EFCs along the existing route to additional destinations such as colleges, hospitals, museums, open spaces, recreational and natural attractions, Metrolink, and Metro G-Line (providing bus and rail connections to San Fernando Valley).

Overall, the project team considers ways to limit or minimize construction activities throughout the design process. For example, the County storm drains are being evaluated to protect-in-place (not relocating) and thus reducing the amount of construction activities adjacent to the communities along the Project alignment. Also, for the real estate transactions, Metro will adhere to the guidelines established by the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601-4655 (URA). The URA is a federal act designed to ensure

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uniform, consistent, fair, and equitable treatment of all property owners impacted by federally funded projects.

To date, Metro Community Relations (CR) staff have met with the local neighborhood councils and have provided updates on the Project to their respective boards. Additionally, CR staff meet regularly with representatives from the local council district offices and provide frequent updates on upcoming construction, mitigation plans/efforts, and our outreach efforts to the local community. Bilingual (Spanish) CR staff have also attended local community meetings and special events to directly engage with community stakeholders along with the distribution of Project and Metro marketing material in bilingual formats. CR staff have also been visiting the small businesses along the alignment and have been providing bilingual project information along with business resources available through Metro.

In addition, the Project will have Eat Shop Play (ESP) and Business Solution Center (BSC) small business mitigation programs available to businesses along the Project corridor. ESP is a pilot advertising and community engagement program that promotes small businesses impacted by the construction of the new line by providing marketing services. The ESP program allows for collecting and tracking demographic and neighborhood data that will help Metro better understand current conditions and timely assessment of programs. Also, the Project will have a Community Leadership Council (CLC), an advisory body to the Project, comprised of a diverse group of fifteen (15) individuals who live, work, attend school, or own a business or commercial property in the neighborhoods within the project area: Arleta, Pacoima, Panorama City, and Van Nuys. The ESP and CLC programs are aligned with internal policies and processes to elevate front-line personnel and supervisors' needs and perspectives.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will not impact the safety of Metro's customers or employees.

### **FINANCIAL IMPACT**

This Project is funded on a fiscal year basis under Cost Center 8510 Project number 865521 East San Fernando Valley Light Rail Transit Corridor under various accounts, including professional and technical services. The funding of \$25,985,967 is included in the FY23 Adopted Budget. This is a multi-year project requiring expenditure authorizations in fiscal year increments until a Board Authorized Life of Project Budget is adopted. It is the responsibility of the Cost Center Manager, Project Manager, and Chief Program Management Officer to budget for this project in the future fiscal years and within the cumulative budget limit for the affected fiscal year.

### **Impact to Budget**

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Sources of funds for the recommended actions are Measure R 35%, Measure M 35%, Federal and State Grants. There is no impact on Operations eligible funding. No other funds were considered.

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

The Project supports the following strategic goals:

Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling.

The purpose of the Project is to provide high-capacity transit service in the San Fernando Valley.

Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system.

The at-grade light rail system will attract bus ridership and improve the trip experience for users of the transportation system.

Strategic Goal 3: Enhance communities and lives through mobility and access to opportunity.

With 11 stations, including connections to Metro G-Line and Metrolink, the ESFV enhances mobility to the community.

Strategic Goal 4: Transform LA County through regional collaboration and national leadership.

Collaboration with the elected officials, citizens, and Metro patrons of San Fernando Valley continues to positively impact the Project.

### **ALTERNATIVES CONSIDERED**

A separate procurement(s) could be considered for the recommended work. Also, the work could be conducted by the PDB contractor. Staff does not recommend these alternatives because schedule impacts to pursue a separate procurement or waiting for the PDB contractor would delay the project and potentially jeopardize the ability to meet the 2028 to 2030 delivery schedule.

### **NEXT STEPS**

Upon Metro Board adoption, staff will complete negotiations and execute the contract modifications.

### **ATTACHMENTS**

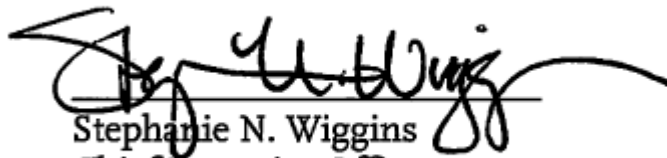
Attachment A - Procurement Summary  
Attachment B - Contract Modification / Change Order Log  
Attachment C - DEOD Summary

Prepared by:

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Reviewed by:

Bryan Pennington, Chief Program Management Officer, (213) 922-7557  
Sharon Gookin, Deputy Chief Executive Officer, (213) 418-3101



Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

## EAST SAN FERNANDO VALLEY (ESFV) TRANSIT CORRIDOR PROJECT

1.	<b>Contract Number:</b> AE58083E0129		
2.	<b>Contractor:</b> Gannett Fleming, Inc.		
3.	<b>Work Description:</b> Increase the contract modification authority (CMA) for Contract AE58083E0129 with Gannett Fleming, Inc. in the not-to-exceed amount of \$25,985,967, an increase from \$12,394,970 to an amount not-to-exceed \$38,380,937.		
4.	<b>Contract Work Description:</b> Engineering design and oversight services for the East San Fernando Valley (ESFV) Transit Corridor Project.		
5.	<b>The following data is current as of:</b> 12/12/22		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	7/25/19	<b>Contract Award Amount:</b> \$61,974,852
	<b>Notice to Proceed (NTP):</b>	8/15/19 (Contract Execution)	<b>Total of Contract Changes Approved:</b> \$23,161,118.23
	<b>Original Complete Date:</b>	8/15/28	<b>Pending Modifications (including this action):</b> \$25,985,967
	<b>Current Est. Complete Date:</b>	8/15/28	<b>Current Contract Value (with this action):</b> \$111,863,617
7.	<b>Contract Administrator:</b> Diana Sogomonyan		<b>Telephone Number:</b> (213) 922-7243
8.	<b>Project Manager:</b> Monica Born		<b>Telephone Number:</b> (213) 418-3097

**A. Procurement Background**

On July 25, 2019, the Board of Directors approved award of Contract No. AE58083E0129 to Gannett Fleming, Inc. in support of the East San Fernando Valley Transit Corridor Project, a proposed light rail system that will extend north from the Van Nuys Metro Orange Line Station to the Sylmar/San Fernando Metrolink Station, a total of 9.2 miles. Consultant's Scope of Services consists of three phases: Preliminary Engineering (PE); Solicitation Support (SS); and Design Support During Construction Services (DSDC). The Period of Performance for the Contract is nine (9) years from execution date of the contract.

Thirty-one (31) Contract Modifications (MODs) and fourteen (14) Contract Change Orders (CO) have been approved and executed to date, two COs of which have been superseded and converted to a Contract Modification (superseded has been included in the total contract Mods shown). Nineteen (19) Contract Changes are pending, currently at various stages of review for processing and finalization.

This Board action will authorize the increase of the Contract Modification Authority (CMA) amount for the negotiation and execution of pending contract changes, both identified and anticipated, for contract scope of work: Phase 1 – completion of Preliminary Engineering (PE) design; Phase 2 - support during the solicitation process for the Progressive Design-Build contract; and, Phase 3 - design support during construction for the Project. This Board action will also authorize the CEO to negotiate and execute any contract modification, within and up to the authorized total CMA amount.

Contract No. AE58083E0129 is a Cost Reimbursable Fixed Fee Contract (CPFF).

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

**B. Cost/Price Analysis**

The cost for any Contract change will be reviewed and analyzed for fair and reasonableness, upon completion of fact finding, technical evaluation, cost analysis, and negotiations. All Contract Modifications will be processed in accordance with Metro's Acquisition Policy, within and up to the additional CMA authorized.



**CONTRACT MODIFICATION/CHANGE ORDER LOG**

**EAST SAN FERNANDO VALLEY (ESFV) TRANSIT CORRIDOR PROJECT**

<b>Mod./ CO No.</b>	<b>Description</b>	<b>Status</b>	<b>Date</b>	<b>\$ Amount</b>	<b>Board Approved CMA</b>
N/A	Initial Award		7/25/19	\$61,974,852	\$12,394,970
MOD 1	Contract Conforming and Clarifications	Approved	11/12/19	\$0.00	
MOD 2	Underground Utility Detection Services along Van Nuys Blvd.	Canceled	5/28/20	\$0.00	
MOD 3	Geotechnical Test Plan and Hazardous Material Work Plan	Approved	8/24/20	\$53,164	
MOD 4	Underground Utility Detection Services Along Van Nuys Blvd. – Segment A	Approved	10/14/20	\$437,646	
MOD 5	Underground Utility Detection Services Along Van Nuys Blvd. – Segment B	Approved	11/5/20	\$481,156	
MOD 6	Underground Utility Detection Services Along Van Nuys Blvd. – Segment C	Approved	11/5/20	\$358,665	
MOD 7	Underground Utility Detection Services Along Van Nuys Blvd. – Segment D	Approved	11/5/20	\$74,079	
MOD 8	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment A	Approved	11/5/20	\$159,832	
MOD 9	Utility Investigation - Potholing and Slot Trenching for Segment A	Approved	11/23/20	\$1,691,789	
MOD 10	Coordination With Third Party Utility Owners to Assess Utility Conflicts	Approved	4/12/21	\$734,547	
MOD 11	Preliminary Engineering of Composite Utility Rearrangement Plans	Approved	2/23/21	\$738,979	
MOD 12	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment B	Approved	3/23/21	\$150,153	

MOD 13	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment C	Approved	3/23/21	\$140,163	
MOD 14	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment D	Approved	4/6/21	\$101,777	
MOD 15	Utility Investigation - Potholing and Slot Trenching for Segment B	Approved	2/25/21	\$1,772,143	
MOD 16	Utility Investigation - Potholing and Slot Trenching for Segment C	Approved	2/25/21	\$1,565,506	
MOD 17	Utility Investigation - Potholing and Slot Trenching for Segment D	Approved	3/1/21	\$627,590	
MOD 18	Geotechnical Subsurface Investigation	Approved	9/1/21	\$987,531	
MOD 19	Additional Coordination with Third Party Utility Owners to Assess Utility Conflicts	Approved	6/28/21	\$534,376	
MOD 20	Van Nuys Blvd. Re-Design Level of Effort	Approved	9/22/21	\$715,901	
MOD 21.1	Additional Level of Effort for Completion of Phase 1 - Preliminary Engineering	Approved	9/3/21	\$670,630	
MOD 22	Utility Investigation - Additional Potholing for Segment A	Approved	8/29/22	\$271,045	
MOD 23	Coordination With Telecommunication Utility Owners to Assess Utility Conflicts	Approved	1/13/22	\$678,682	
MOD 24	Advanced Planning for Geotechnical Subsurface Investigation	Approved	11/10/21	\$567,906	
MOD 26	Advance Utility Design for Advance Utility Relocation (AUR) for LADWP Power Underground Design 2 & 3	Approved	2/11/22	\$1,926,053	
MOD 27	Update Various Preliminary Engineering 30-60% Design and Reports to Complete CPUC Applications	Approved	2/11/22	\$2,937,216	
MOD 28	Caltrans Project Study Report/Project Report (PSR/PR)	Approved	4/29/22	\$499,350	
MOD 33	Update Preliminary Engineering 30-60% Design	Approved	3/22/22	\$299,520	

	and Reports for IOS Northern Terminus at Van Nuys & San Fernando				
MOD 34	Hazardous Materials Environmental Site Assessment (ESA) - Phase II	Approved	4/29/22	\$450,554	
MOD 35	Advance Utility Design for Advance Utility Relocation (AUR) for LADWP Power Underground Design 4	Approved	8/9/22	\$483,491	
MOD 37	Storm Drain BI36 In-Situ Work Plan	Approved	6/23/22	\$116,757	
	<b>Subtotal Approved Modifications (Mods):</b>			<b>\$20,226,201</b>	
CO 1	Coordination With Third Party Utility Owners to Assess Utility Conflicts (See Mod 10)	Superseded	11/4/20	\$0.00	
CO 2	Utility Investigation - Additional Potholing for Segment A (See Mod 22)	Superseded	8/29/22	\$0.00	
CO 3	Advance Utility Design for Advance Utility Relocation (AUR) for LADWP Power Underground Design 1	Approved	9/22/21	\$595,966	
CO 4	Segment A, B, and C Additional Roadway Striping Restoration	Approved	12/20/21	\$76,326	
CO 5	Segments A, B and C Asphalt Thickness and Recessed Plates	Approved	1/5/22	\$191,932	
CO 6	Additional Planning Effort Due to Field Investigation for Segments A, B and C	Approved	1/25/22	\$153,433	
CO 7	Additional Labor and Equipment for Traffic Control Plan Implementation During Potholing in Segment A	Approved	8/29/22	\$221,453	
CO 8	Additional Labor and Equipment for Traffic Control Plan Implementation During Potholing in Segment B	Approved	8/29/22	\$277,597	
CO 9	Bid Support for Advance Utility Adjustments (AUA) Design 1	Approved	8/17/22	\$33,300	

CO 10	Hot Patch Paving for Geotechnical and Environmental Site Assessment Field Investigation	Approved	9/13/22	\$260,518	
CO 11	Advance Utility Design for Utility Adjustment (UA) for LADWP Power Underground Design 5	Approved	9/26/22	\$312,185	
CO 12	Advance Utility Design for Utility Adjustment (UA) for LADWP Power Underground Design 6	Approved	9/26/22	\$238,974.23	
CO 13	Additional Labor and Equipment for Traffic Control Plan Implementation During Potholing Seg. C	Approved	10/25/2022	\$229,749	
CO 14	Design for Utility Adjustment (UA) for LADWP Power Underground Design 7	Approved	12/13/2022	\$343,484	
	<b>Subtotal Approved Change Orders (COs):</b>			<b>\$2,934,917.23</b>	
	<b>Subtotal Approved Changes (Mods and COs):</b>			<b>\$23,161,118.23</b>	
TBD	Segment A, B, and C Additional Roadway Striping Restoration (CO 4)	Pending	TBD	\$41,657	
TBD	Segments A, B and C Asphalt Thickness and Recessed Plates (CO 5)	Pending	TBD	\$101,358	
TBD	Additional Labor and Equipment for Traffic Control Plan Implementation During Potholing Seg. A (CO 7)	Pending	TBD	\$55,032	
TBD	Additional Labor and Equipment for Traffic Control Plan Implementation During Potholing Seg. B (CO 8)	Pending	TBD	\$65,789	
TBD	Hot Patch Paving for Geotechnical and Environmental Site Assessment Field (CO 10)	Pending	TBD	\$67,183	
TBD	Advance Utility Design for Utility Adjustment (UA) for LADWP Power Underground Design 5 (CO 11)	Pending	TBD	\$108,516	
TBD	Advance Utility Design for Utility Adjustment (UA) for LADWP Power Underground Design 6 (CO 12)	Pending	TBD	\$105,916	

TBD	Additional Labor and Equipment for Traffic Control Plan Implementation During Potholing Seg. C (CO 13)	Pending	TBD	\$49,184	
TBD	Design for Utility Adjustment (UA) for LADWP Power Underground Design 7 (CO 14)	Pending	TBD	\$140,301	
TBD	Engineering Analysis for LADWP Maintenance Hole Relocation (CN 36)	Pending	TBD	\$153,543	
TBD	Design for Utility Adjustment (UA) for LADWP Power Underground Design 8 (CN 38)	Pending	TBD	\$1,531,380	
TBD	BI666 & Van Laurel In-Situ Work Plans (CN 46)	Pending	TBD	\$63,049	
TBD	Additional Potholing in Seg. C	Pending	TBD	\$233,792	
TBD	Asphalt Premium Charge for Nighttime Patching of Potholing and Trenching	Pending	TBD	\$228,634	
TBD	Impact Statements for Partial Plats & TCEs	Pending	TBD	\$5,440,000	
TBD	30% to 60% Composite Utility Rearrangement Drawings	Pending	TBD	\$4,400,000	
TBD	BI36 In-Situ Analysis - Implementation	Pending	TBD	\$4,000,000	
TBD	BI666 In-Situ Analysis - Implementation	Pending	TBD	\$2,000,000	
TBD	Van Laurel In-Situ Analysis - Implementation	Pending	TBD	\$2,000,000	
	<b>Subtotal Pending Changes<sup>1</sup>:</b>			<b>\$20,785,334</b>	
TBD	Phase 1 Scope of Services (Preliminary Engineering) <sup>2</sup>	Pending	TBD	\$2,078,533	
TBD	Phase 2 Scope of Services (Procurement Support) <sup>3</sup>	Pending	TBD	\$286,100	
TBD	Phase 3 Scope of Services (Design Services During Construction) <sup>4</sup>	Pending	TBD	\$2,836,000	
	<b>Subtotal Unallocated Contract Changes</b>			<b>\$5,200,633</b>	
	<b>SUMMARY OF CONTRACT PRICE AND CONTRACT MODIFICATIONS</b>				
	<b>Original Contract:</b>			<b>\$61,974,852</b>	

	Changes & Modifications Implemented Under Board Approved CMA			\$11,653,290	
	Subtotal of Board Approved Contract Modifications			\$11,507,828	
	<b>Total Approved Contract Changes</b>			<b>\$23,161,118.23</b>	
	<b>Current Contract Value</b>			<b>\$85,135,970.23</b>	
	<b>Subtotal of Pending and Unallocated Changes</b>			<b>\$25,985,967</b>	
	<b>SUMMARY OF CONTRACT MODIFICATION AUTHORITY (CMA)</b>				
	<b>Original Board Approved CMA</b>				<b>\$12,394,970</b>
	<b>Remaining Board Approved CMA</b>				<b>\$741,680</b>
	<b>Additional CMA Required (this Board Action)</b>				<b>\$25,985,967</b>
	<b>Total CMA with this Board Action</b>				<b>\$38,380,937</b>
	<b>Current Contract Value + Remaining Board Approved CMA + Additional CMA Required (this Board Action)</b>			<b>\$111,863,617</b>	

Notes:

Note 1: Dollar amounts are based on estimated rough order magnitude (ROM) developed by Metro Project Management and/or Request for Change or Cost Schedule Proposal amounts submitted by the Consultant. These totals represent the anticipated Not-To-Exceed (NTE) amounts that will be required to negotiate and close out the CO in a Contract Modification.

Note 2: Phase 1 Scope of Services (Preliminary Engineering) estimated amount is based on 10% of \$20,785,334 (current subtotal pending changes amount).

Note 3: Phase 2 Scope of Services (Procurement Support) estimated amount is based on 10% of \$2,861,000 (anticipated phase 2 base contract amount).

Note 4: Phase 3 Scope of Services (Design Services During Construction) estimated amount is based on 10% of \$28,360,000 (anticipated phase 3 base contract amount).

**DEOD SUMMARY**

**EAST SAN FERNANDO VALLEY (ESFV) TRANSIT CORRIDOR – UTILITY  
ADJUSTMENT DESIGN FOR DWP / CONTRACT NO. AE58083E0129**

**A. Small Business Participation**

Gannett Fleming (Gannett) made a 25.29% Small Business Enterprise (SBE) commitment and a 5.54% Disabled Veteran Business Enterprise (DVBE) commitment for the contract. Based on payments, the contract is 60% complete and the current SBE participation is 18.97% and the current DVBE participation is 5.85%, representing an 6.32% SBE shortfall. Gannett is exceeding the DVBE commitment by 0.32%.

Gannett has a shortfall mitigation plan on file. Gannett explained that the SBE shortfall is due to the work starting later than originally anticipated. Gannett further explained why SBE firms, Lenax Construction and Here LA, had not been utilized to date, noting that Lenax voluntarily withdrew from the project prior to executing a subcontract and work to be performed by Here LA has not been requested by Metro.

Gannett also addressed the underutilization of the other small business firms, Diaz Consultants, FPL & Associates, PacRim, Ramos CS, SKA Design, Zephyr UAS, and Casamar Group, stating it is mainly attributable to some areas of the design scope being put on-hold to accommodate further Metro studies. Gannett contends, per their plan, that the shortfall will be mitigated over the life of the contract as subsequent years of work are realized and SBE/DVBE participation increases. Gannett further reported it has redirected tasks to SBE subcontractors to make up for the current shortfall and anticipates a significant ramp up in the SBE/DVBE participation levels during Years 4 through 9.

The Diversity & Economic Opportunity Department (DEOD) will continue to monitor Gannett’s effort to meet or exceed their commitments.

<b>Small Business Commitment</b>	<b>25.29% SBE 5.54% DVBE</b>	<b>Small Business Participation</b>	<b>18.97% SBE 5.86% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	BA, Inc.	1.66%	2.16%
2.	Diaz Consultants, Inc, dba Diaz Yourman & Associates	1.44%	1.30%
3.	FPL & Associates, Inc.	5.96%	4.09%
4.	Here Design Studio, LLC (Here LA)	0.60%	0.00%
5.	Lenax Construction Services, Inc. (LENAX)	0.29%	0.00%

6.	PacRim Engineering, Inc.	2.18%	1.81%
7.	Ramos Consulting Services, Inc.	8.27%	5.71%
8.	Sanchez/Kamps Associates Design dba SKA Design	0.59%	0.24%
9.	Zephyr UAS, Inc.	4.30%	2.93%
10.	Cross-Spectrum Acoustics Inc.	ADDED	0.36%
11.	MPF, Inc	ADDED	0.37%
	<b>Total</b>	<b>25.29%</b>	<b>18.97%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	Casamar Group, LLC	5.54%	2.51%
2.	E-NOR Innovations, Inc. (Synergy Traffic Control, Inc.)	ADDED	3.34%
	<b>Total</b>	<b>5.54%</b>	<b>5.85%</b>

<sup>1</sup>Current 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.





Board Report

File #: 2022-0718, File Type: Project

Agenda Number: 23.

CONSTRUCTION COMMITTEE  
JANUARY 19, 2023

SUBJECT: PROGRAM CONTROL SUPPORT SERVICES

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. AWARD AND EXECUTE a cost reimbursable fixed fee contract, Contract No. PS89856, to Kal Krishnan Consulting Services/Triunity Engineering and Management, a DBE Prime Joint Venture, for Program Control Support Services for a term of five (5) years for a not-to-exceed amount of \$85,000,000, plus two one-year options for an amount not-to-exceed \$38,000,000, resulting in a total not-to-exceed amount of \$123,000,000 through Fiscal Year 2030, with a not-to-exceed funding amount of \$50,000,000 for the first three years of the contract, subject to resolution of any properly submitted protest; and
- B. EXECUTE individual Contract Work Orders and Contract Modifications within the Board approved contract funding amount.

ISSUE

On July 20, 2022, a Request for Proposals was issued for Program Control Support Services (PCSS) to assist Metro in managing and supporting delivery of Metro’s Capital Program for a base term of five years with two one-year options. These services will be required to supplement staffing and provide technical expertise to support project delivery of capital projects and strategic initiatives detailed in the Program Management Plan (PMP) and the Annual Program Evaluation (APE) presented to and approved by the Board.

The PCSS Contract will provide Metro the flexibility to adjust the necessary resources with staff augmentation on an as needed basis to implement and deliver capital projects safely, on-time, and within budget.

Anticipated Not-To-Exceed Value

The recommended Board action will provide initial funding of \$50,000,000 through the end of FY2026

as part of a multiyear contract. Staff will return to the Board mid-FY2026 to request any additional necessary funding for the remainder of the base years and/or any request to execute options. This is a cost-plus fixed fee staff augmentation contract; therefore, the contractor compensation will be based on their actual support required over the life of the contract and will be limited by the Board approved project budget funding.

## **DISCUSSION**

Metro is continuing to undertake the largest transportation construction program in the nation. This creates an unprecedented challenge to project delivery. Recognizing that staffing is a key factor in project delivery, Program Control is committed to developing strengths in its capacity and capability to ensure the multi-billion-dollar capital program can be successfully overseen and managed. Attachment C lists the projects that we expect to support over the duration of the PCSS Contract.

With the volume of work that accompanies Metro's fast-paced Capital program, the proposed PCSS Contract will assist Program Management with supplemental qualified resources across a broad spectrum of disciplines when needed to successfully manage and support delivery of Board approved projects. The selected consultant will scale staff up or down depending on Metro's transit, highway, regional rail, and other capital improvement program needs. The PCSS Contract allows Metro to augment Program Control staff efficiently and effectively, as required, to ensure proper resources needed to manage the projects are available to Metro in terms of staff availability and technical expertise.

### **Scope**

To support the project implementation schedule for delivering Metro's Capital Program, close coordination and expertise across multiple disciplines are required in the following seven key functions: Program Control, Diversity and Economic Opportunity Department (DEOD)/small business and Federal Transit Administration Full Funding Grant Agreement Compliance, Project Control, Cost Estimating, Configuration Management, Project Management and Other Technical Training, and Project Management Information System (PMIS) Support. Combining the above functions together into one contract will allow for a better coordinated and more efficient allocation of resources for Metro than would be possible under a series of separate contracts. Centralized controls resources also supports a uniform and consistent approach for cost, schedule, risk and estimating across projects.

The recommended PCSS contract approach is similar to the construction management support services (CMSS) contracts that are separately awarded to provide consultants who complement Metro staffing and technical expertise needed on each major transit project. However, while the CMSS contracts typically serve individual transit projects, the recommended PCSS contract aims to fulfill the Program Control consultant staffing demand on a program-wide level for multiple transit, regional rail, highway, and other capital improvement projects. Awarding one contract for the program also supports consistency of reporting Metro capital project costs in line with project controls procedures and best practices.

Contract funds will be authorized by issuing separate Contract Work Orders (CWOs) for various projects using labor classifications and rates set forth in the Contract, with funding solely supported

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through the Life of Project budget. This method of contracting results in more efficient cost and schedule management since CWOs and Modifications to existing CWOs are negotiated and issued as work needs are identified. For each CWO or Modification, Metro prepares a scope of work and an estimate of hours, and the Consultant will subsequently provide a proposal. Metro and the Consultant will fact-find and negotiate the hours if there is a discrepancy. After agreement, the CWO will be issued, and the work shall commence.

#### Term

Due to the length of time required to deliver many of the major projects, it is recommended that the PCSS contract term be a five-year contract with two one-year options. This provides needed continuity of the services versus the disruption that would result from a short-term contract.

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on established safety standards for Metro's capital projects.

### **FINANCIAL IMPACT**

The not-to-exceed contract funding amount is based on the anticipated level of services. The CWOs issued will reflect the actual level of services required to support individual Board-approved projects. The Contract funds are authorized by issuing separate CWOs for various projects using labor classifications and rates set forth in the Contract. This method of contracting results in more efficient cost and schedule management, since CWOs and Modifications to existing CWOs are negotiated and issued as additional work is identified.

Funding will be included in the approved fiscal year budgets for the various Metro projects utilizing PCSS services. The individual CWOs will be funded from each project's associated life-of-project (LOP) budgets that are approved by the Board. The project managers, cost managers, and Chief Program Management Officer will be accountable for budgeting the cost in future years, including cost associated with exercising the options.

### **Impact to Budget**

There will be no additional impact beyond the approved annual budget or respective project's authorized LOP amounts, where applicable. Most of the projects are funded with multiple sources of funds: federal and state grants, federal loans, bonds and local sales taxes. Much of local sales taxes are eligible for bus and rail operations and capital improvements. These funds are programmed to state of good repair projects and to augment the costs of mega projects, where eligible and appropriate.

### **EQUITY PLATFORM**

Projects likely to utilize PCSS Contract fall under Major Transit Construction, Capital Projects, Rail and Bus Facilities Improvement, and Environmental Compliance which are anticipated to expand multi-modal options for travelers and diversify modes and costs of travel choices. Anticipated projects are located across Los Angeles County, including within and serving Equity Focus Communities

(EFCs). Projects that are likely to utilize this contract in EFCs include Lines A (Blue), B (Red), C (Green), D (Purple), G (Orange), K, and L (Gold) in addition to Highway projects and many more listed on Attachment C, Anticipated List of Projects.

Projects that fall under the Major Transit Construction category are anticipated to increase transit access and connectivity; improve access to key destinations, such as jobs, health care, school, and neighborhood amenities; improve air quality, and reduce household transportation costs for transit riders. Other capital projects are anticipated to expand multi-modal options for travelers through a variety of interventions, including light rail, active transportation infrastructure, and high-occupancy vehicle lane improvements. Infrastructure maintenance and improvements contribute to safe and accessible conditions for Metro riders and the general public, including soundwall protection, wayfinding, grade and modal separation, and transit station upgrades. Regional Rail capital program are anticipated to expand transit and other multi-modal choices for travelers in Los Angeles. Anticipated improvements include improved station access, increased rail capacity, and safer right-of-way improvements between different modes. The Diversity and Economic Development department established a 45% goal for this task order contract. The proposed contractor exceeded the goal by making a 65% DBE commitment.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendation supports Strategic Plan Goal #1 - Provide high-quality mobility options that enable people to spend less time traveling. This will be accomplished by providing program-wide support services to assist in delivering multiple capital projects on time and on budget while increasing opportunities for small business development and innovation.

## **ALTERNATIVES CONSIDERED**

The Board may choose to have existing or new Metro staff perform these services. This alternative is not practical or cost effective because Metro will have to hire a large workforce and attract expertise dependent on fluctuating projects' needs. PCSS consultants will typically be requested on a periodic or short-term basis to accommodate for peak workloads or specific tasks over the life of the projects. Further, for some projects, the specific technical expertise required may not be available within the ranks of Metro staff, whereas the Consultant can provide the technical expertise on an as-needed basis.

## **NEXT STEPS**

After the Board approval of this PCSS Contract, the Contracting Officer will award the Contract in accordance with Metro Procurement Policies and Procedures, and Metro staff will begin to issue Contract Work Orders, as needed.

## **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

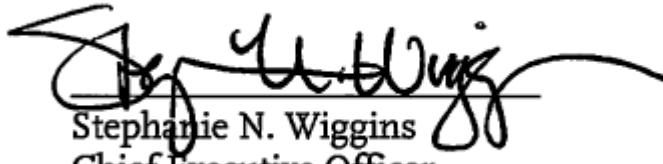
Attachment C - Anticipated List of Projects

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

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

Reviewed by:

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



Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

PROGRAM CONTROL SUPPORT SERVICES (PCSS)  
CONTRACT NUMBER PS89856

1.	<b>Contract Number: RFP No. PS89856</b>	
2.	<b>Recommended Vendor: Kal Krishnan Consulting Services/Triunity Engineering and Management, JV</b>	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> July 20, 2022	
	<b>B. Advertised/Publicized:</b> July 21- July 28, 2022	
	<b>C. Pre-Proposal Conference:</b> July 29, 2022	
	<b>D. Proposals Due:</b> September 20, 2022	
	<b>E. Pre-Qualification Completed:</b> October 17, 2022	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> October 3, 2022	
	<b>G. Protest Period End Date:</b> January 27, 2023	
5.	<b>Solicitations Picked up/Downloaded:</b> 168	<b>Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Wonder Van Twist	<b>Telephone Number:</b> 213-922-7325
7.	<b>Project Manager:</b> Julie Owen	<b>Telephone Number:</b> 213-922-7313

**A. Procurement Background**

This Board Action is to approve the award of Contract No. PS89856, Program Control Support Services (PCSS), to assist the Program Management Department in managing and supporting the delivery of the Metro's Capital Program. The resultant Contract, if awarded, will be Federal & state/locally funded and is subject to fiscal year funding.

Board approval of contract awards is subject to the resolution of any properly submitted protest.

The Scope of Services of the Program Control Support shall assist the Program Management Department in managing and supporting the delivery of the Metro's Capital Program. The Program Management Department is responsible for the delivery of the large transportation capital program at Metro. The Scope of Services is comprehensive and describes the anticipated services and may, during the implementation of the Contract.

The RFP was issued in accordance with Metro's Acquisition Policies and Procedures. The contract type is a Cost-Plus Fixed Fee (CPFF) for a term of five (5) years plus 2 one-year options. A virtual pre-proposal conference was held on July 29, 2022, in accordance to the California Governor Executive Order N-33-20 related to COVID-19. One hundred forty-three (143) individuals from various firms picked up or downloaded the RFP Package.

Seven amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on July 27, 2022, to revise the Level of Effort staffing plan spreadsheet, add the Certification of Compliance with Federal Lobbying Requirements (49 CFR Part 20) and added the Labor Category descriptions as an Exhibit.
- Amendment No. 2, issued on August 8, 2022, to add three DEOD Forms, and to revise 1.2 of the Submittal Requirements.
- Amendment No. 3, issued on August 18, 2022, to revise 1.1 and 1.2 of the Submittal Requirements, Evaluation Criteria and Level of Effort staffing plan spreadsheet.
- Amendment No. 4 issued on August 25, 2022, to revise the Proposal validity from 120 to 180 days.
- Amendment No. 5 issued on September 8, 2022, to revise the Evaluation Criteria.
- Amendment No. 6 issued on November 2, 2022, to revise LOI-15 DBE COMP Program, SP-01 DBE Participant and DI-01 Instructions to Bidders/Proposers
- Amendment No. 7 issued on November 7, 2022, to extend due date of submission for Amendment No. 6

A total of two (2) proposals were received on September 20, 2022, from the following firms, in alphabetical order:

1. Integrated Program Support Partners, JV
2. Kal Krishnan Consulting Services/Triunity Engineering and Management, JV

**B. Evaluation of Proposals**

A diverse Proposal Evaluation Team (PET) consisting of staff from Metro Program Management, Diversity and Economic Opportunity Department (DEOD), Metrolink, and the Port of Long Beach was convened and conducted a comprehensive evaluation of the proposals received.

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

- Experience, Qualifications, and Capabilities of Firms on the Team..... (35%)
- Experience, Qualifications, and Capabilities of Key Personnel ..... (25%)
- Project Understanding and Approach..... (30%)
- Cost Proposal ..... (10%)

Total 100%

Proposers meeting either of the following criteria to maximize DBE participation as a prime earned 3 bonus points:

- A joint venture proposing as the prime contractor/consultant, that consists of one or more non-DBE firms and includes one or more DBE firms performing 30% or more as Joint Venture/Partner; or
- A DBE firm proposing as the prime consultant and meets or exceeds the DBE contract goal identified in the Letter of Invitation Supplement.

The evaluation criteria are appropriate and consistent with criteria developed for other Professional Services procurements. Several factors were considered when developing the weightings, giving the greatest importance to the Experience, Qualifications, and Capabilities of Firms on the Team.

During the month of September 2022, the PET evaluated the two (2) written proposals. On October 5, 2022, Metro held a virtual Oral Presentation with the two (2) proposing firms.

The proposing firms had the opportunity to present their key personnel as well as respond to the PET’s questions. In general, each proposer’s presentation addressed the requirements of the RFP, experience with all aspects of the required and anticipated tasks, and stressed each proposer’s commitment to the success of the contract. Each proposing team was asked questions relative to each firm’s previous experience performing work of a similar nature to the Scope of Services presented in the RFP. Cost proposals were received from the two (2) proposers at the time of the proposal due date.

The Proposal Evaluation Team (PET) ranked the two proposals, based on the evaluation criteria of the RFP, and assessed major strengths, weaknesses and associated risks of each of the proposers to determine the highest ranked firm. The final scoring was based on the evaluation of the written proposals, as supported by oral presentations, and clarifications received from the Proposers. The result of the final scoring is shown below:

<b>Firm</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>Kal Krishnan Consulting Services/Triunity Engineering and Management, JV</b>				
Experience, Qualifications, and	88.23	35%	30.88	



Capabilities of Firms on the Team				
Experience, Qualifications, and Capabilities of Key Personnel	88.36	25%	22.09	
Project Understanding and Approach	88.87	30%	26.66	
Subtotal Technical Proposal		90.00%	79.63%	
Cost Proposal		10.00%	10.00	
Subtotal Technical and Cost Proposals		100.00%	89.63	
DEOD Bonus Points		3 bonus points	3.00	
<b>Total</b>			<b>92.63</b>	<b>1</b>
<b>Integrated Program Support Partners, JV</b>				
Experience, Qualifications, and Capabilities of Firms on the Team	76.80	35%	26.88	
Experience, Qualifications, and Capabilities of Key Personnel	79.60	25%	19.90	
Project Understanding and Approach	76.47	30%	22.94	

Subtotal Technical Proposal		90.00%	69.72	
Cost Proposal		10.00%	8.98	
Subtotal Technical and Cost Proposals		100.00%	78.70	
DEOD Bonus Points		3 Bonus points	3.00	
<b>Total</b>			<b>81.70</b>	<b>2</b>

\* Weighted scores are rounded to the nearest second decimal point.

\*\*Cost proposals were based on the Proposers' rates for the provided level of effort in the Staffing Plan. Scores shown above for the cost proposals are based on formula in the RFP highest score going to the lowest cost proposal.

### C. Cost/Price Analysis

Metro staff performed a cost analysis of the two responsive proposals, establish a negotiation plan, and commenced with negotiations. The final negotiated amounts complied with all requirements of Metro Procurement Policies and Procedures, including fact-finding, clarifications and cost analysis. To prevent delay in contract award, provisional indirect cost rates will be established subject to retroactive adjustments upon completion of any necessary audits. The negotiated costs were determined to be fair and reasonable.

Contract Term	Kal Krishnan Consulting Services/Triunity Engineering and Management, JV (1) (2)	Integrated Program Support Partners, JV (1) (2)	ICE (3)	NTE Funding Amount (4)
Base – 5 years	\$93,697,908.42	\$104,249,419.00	\$69,842,124.77	\$85,000,000.00
Option Year 1	\$20,397,257.29	\$22,758,009.00	\$13,968,424.95	\$19,000,000.00
Option Year 2	\$21,003,734.74	\$23,445,669.00	\$13,968,424.95	\$19,000,000.00
<b>Total</b>	<b>\$135,098,900.00</b>	<b>\$150,453,097.00</b>	<b>\$97,778,975.00</b>	<b>\$123,000,000.00</b>

(1) The proposal amounts are based on a level of effort prepared by Program Management for evaluation purposes only and not to establish a contract price. The Consultant's overall cost includes direct labor, overhead, fixed fee, and other elements.

(2) The direct labor hourly rates in the proposals were higher than the rates identified in the ICE.

- (3) The amount \$69,842,124.77 is the ICE for the 5-year Base Period of the Contract. Option 1 is \$13,968,424.95 and Option 2 is \$13,968,424.95 for a total of \$27,936,849.91. The ICE was prepared, based on the same level of effort as provided for the cost proposals and used for evaluation purposes only.
- (4) The NTE Funding of \$85,000,000 is different than the ICE because it is based on Program Management's estimated/anticipated needs to support the projects, as listed in Attachment C.

#### **D. Background on Recommended Consultant**

The recommended firm Kal Krishnan Consulting Services/Triunity Engineering and Management, JV have locations across the United States, with employees in Los Angeles and regional offices in Oakland, Los Angeles, Antioch, Miami, New York, Orange, San Diego, Sacramento, Seattle, and Washington DC. The firms have over 30 years of extensive experience providing program management services for transportation agencies across the U.S. Services include program management, project management, construction management, project controls, project management oversight, and estimating to transportation agencies.

DEOD SUMMARY

PROGRAM CONTROL SUPPORT SERVICES / PS89856

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established an overall 45% Disadvantaged Business Enterprise (DBE) goal for this Task Order Contract. Proposers were encouraged to form teams that include DBE firms to perform the scopes of work identified without schedules or specific dollar commitments prior to establishment of this contract. Kal Krishnan Consulting Services/Triunity Engineering & Management, a DBE Prime Joint Venture, exceeded the goal by making a 65% DBE commitment.

In response to a specific Task Order request with a defined scope of work, the prime consultants will be required to identify DBE subcontractor activity and actual dollar value commitments for that Task Order based upon the funding for that Task Order. Overall DBE achievement in meeting the commitments will be determined based on cumulative DBE participation of all Task Orders awarded.

<b>Small Business Goal</b>	<b>45% DBE</b>	<b>Small Business Commitment</b>	<b>65% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	KKCS (JV Partner / DBE Prime)	Asian Pacific American	TBD
2.	Triunity (JV Partner / DBE Prime)	African American	TBD
3.	AIX Consulting, Inc.	Hispanic American	TBD
4.	Armand Resource Group	African American	TBD
5.	Brio Solutions, LLC	Subcontinent Asian American	TBD
6.	Destination Enterprises Inc.	Caucasian Female	TBD
7.	Insight Strategies, Inc.	Caucasian Female	TBD
8.	Lenax Construction Services	Caucasian Female	TBD
9.	LKG-CMC, Inc.	Caucasian Female	TBD
10.	Mammoth Associates	Caucasian Female	TBD
11.	Ramos Consulting Services	Hispanic American	TBD
12.	Zephyr UAS, Inc.	Hispanic American	TBD
<b>Total DBE Commitment</b>			<b>65%</b>

**Contracting Outreach and Mentorship Plan (COMP)**

To be responsive, Proposers were required to submit a Contracting Outreach and Mentoring Plan (COMP) including strategies to mentor for protégé development four (4) DBE firms for Mentor-Protégé development. Kal Krishnan Consulting Services/Triunity Engineering & Management proposed to mentor the following (4)

protégé's: Zephyr UAS Inc. (DBE), Brio Solutions, LLC (DBE), AIX Consulting, Inc. (DBE), and Mammoth Associates (DBE).

**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. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.

## Project Control Support Services ANTICIPATED LIST OF PROJECTS

### Program-wide Support

Measure M Program Support\*  
Measure R Program Support\*  
Project Management Information System\*  
Construction Risk Management\*

### Major Transit Construction

Crenshaw/LAX Close Out: Catch-All Contract \*  
Regional Connector Transit\*  
Westside Purple Line Extension Section 1\*  
Westside Purple Line Extension Section 2\*  
Westside Purple Line Extension Section 3\*  
Gold Line Foothill Extension Phase 2B\*  
Orange Line Bus Rapid Transit Improvements\*  
West Santa Ana Branch Transit\*  
East San Fernando Valley Transit\*  
Sepulveda Transit Corridor\*  
Green Line Extension to Torrance\*  
Gold Line Eastside Phase 2  
North San Fernando BRT  
Pasadena to NoHo BRT  
Vermont BRT

### Misc. Capital Projects

Division 20 Portal Widening Turnback Facility\*  
Airport Metro Connector\*  
Rail to Rail Corridor Active Transportation Connector\*  
Los Angeles River Bikepath  
Centinela Grade Crossing\*

### Security/Safety

Metro Gold Line I-210 Barrier Replacement Phase I\*  
Metro Emergency Security Operations Center\*

### Rail Facilities Improvement

Light Rail Transit Freeway Stations Sound Enclosures

### Bus Facilities Improvements

Bus Rapid Transit Freeway Station Sound Enclosure  
Metro Silver Line Improvements and Upgrades  
Division 1 Improvements\*  
Bus Facility Maintenance Improvement Enhancements  
Phase II & III

### Regional Rail

LINK US\*  
Metro Center Street\*  
Doran Street and Broadway/Brazil Safety and Access\*  
Brighton to Roxford Double Track  
Rosecrans/Marquardt Grade Separation\*  
Lone Hill to White Double Track Project

### Soundwall Projects

Soundwall Package 10\*

### Highway

I-5 North Capacity Enhancements\*  
105 Express Lanes\*  
Sepulveda Express Lanes  
I-605 South Street Improvements  
I-605 Beverly Interchange Improvements  
WB SR-91 Shoemaker to Alondra Improvements  
EB SR-91 Atlantic to Cherry Improvements  
Other Highway projects, as required

### Environmental Compliance Program

Fuel Storage Tank Program\*  
Soil Remediation\*  
Energy Conservative Initiative Project\*  
Sustainability Environmental Compliance\*  
Carbon Emission Greenhouse\*  
Sustainability Design Guide\*

### Diversity & Economic Opportunity in Construction

DBE Commercially Useful Function\*  
DBE Contract Compliance\*

\*Project currently utilizing the PMSS Contract but are likely to transfer to PCSS Contract

# Program Control Support Services (PCSS)

Contract No. PS89856

January 2023



**Metro**<sup>®</sup>

# Program Control Support Services

Provides expertise across multiple disciplines in the following functions:

The Program Control Support Services Contract provides Metro staff augmentation flexibility on an as needed basis to successfully advance the delivery of our capital program.





# Anticipated List of Projects Utilizing PCSS

## Program-wide Support

Measure M and R Program Support\*  
Project Management Information System\*  
Construction Risk Management\*

## Major Transit Construction

Crenshaw/LAX Close Out: Catch-All Contract \*  
Regional Connector Transit\*  
Westside Purple Line Extension Section 1\*  
Westside Purple Line Extension Section 2\*  
Westside Purple Line Extension Section 3\*  
Gold Line Foothill Extension Phase 2B\*  
Orange Line Bus Rapid Transit Improvements\*  
West Santa Ana Branch Transit\*  
East San Fernando Valley Transit\*  
Sepulveda Transit Corridor\*  
Green Line Extension to Torrance\*  
Gold Line Eastside Phase 2  
North San Fernando BRT  
Pasadena to NoHo BRT  
Vermont BRT

## Diversity & Economic Opportunity in Construction

DBE Commercially Useful Function\*  
DBE Contract Compliance\*

## Misc. Capital Projects

Division 20 Portal Widening Turnback Facility\*  
Division 22 Paint and Body Shop  
Airport Metro Connector\*  
Rail to Rail Corridor Active Transportation Connector\*  
Los Angeles River Bikepath  
Centinela Grade Crossing\*

## Security/Safety

Metro Gold Line I-210 Barrier Replacement Phase I\*  
Metro Center Street\*

## Rail Facilities Improvement

Light Rail Transit Freeway Stations Sound Enclosures

## Bus Facilities Improvements

Bus Rapid Transit Freeway Station Sound Enclosure  
Metro Silver Line Improvements and Upgrades  
Division 1 Improvements\*  
Bus Facility Maintenance Improvement  
Enhancements Phase II & III

## Regional Rail

LINK US\*  
Metro Center Street\*  
Doran Street and Broadway/Brazil Safety Access\*

Brighton to Roxford Double Track  
Rosecrans/Marquardt Grade Separation\*  
Lone Hill to White Double Track Project

## Soundwall Projects

Soundwall Package 10\*

## Highway

I-5 North Capacity Enhancements\*  
105 Express Lanes\*  
Sepulveda Express Lanes  
Other Highway projects, as required

## Environmental Compliance Program

Fuel Storage Tank Program\*  
Soil Remediation\*  
Energy Conservative Initiative Project\*  
Sustainability Environmental Compliance\*  
Carbon Emission Greenhouse\*  
Sustainability Design Guide\*

\*Project currently utilizing the PMSS Contract

# Evaluation Criteria and Final Evaluation Scores

Proposer	Experience, Qualifications, and Capabilities of Firms on the Team (35%)	Experience, Qualifications, and Capabilities of Key Personnel (25%)	Project Understanding and Approach (30%)	Cost Proposal (10%)	DEOD Bonus Points (3 bonus points)	Total Score
Kal Krishnan Consulting Services/Triunity Engineering and Management (KTJV)	30.88	22.09	26.66	10.00	3.00	<b>92.63</b>
Integrated Program Support Partners JV	26.88	19.90	22.94	8.98	3.00	<b>81.70</b>

# Recommended Proposer:

Kal Krishnan Consulting Services/Triunity Engineering and Management

## Proposal Highlights:

- 19 firms with 12 DBE's, 15 offices in Los Angeles County/11 HQ in Los Angeles County
- Extensive experience in transit, rail, highway and other capital projects
- Highly skilled experts demonstrating thorough understanding of scope of services
- Firm teams specialized in Program/Project Control
- Bring expertise in Alternative Project Delivery and current market conditions
- Proven experience with Federal Transit Administration New Starts Full Funding Grant Agreements
- Demonstrated lessons learned, best practices and innovation to bring exceptional value
- Far-reaching DBE involvement including vast bench of resources
  - 45% DBE Goal established by Metro DEOD
  - KTJV made a 65% DBE Commitment, significantly exceeding the established goal

# Recommendation

## Authorize:

- A. The Chief Executive Officer to award and execute a cost reimbursable fixed fee contract, Contract No. PS89856, to Kal Krishnan Consulting Services/Triunity Engineering and Management, a DBE Prime Joint Venture, for Program Control Support Services for a term of five (5) years for a not-to-exceed amount of \$85,000,000, plus two one-year options for an amount not-to-exceed \$38,000,000, resulting in a total not-to-exceed amount of \$123,000,000 through Fiscal Year 2030, with a not-to-exceed funding amount of \$50,000,000 for the first three years of the contract, subject to resolution of any properly submitted protest; and
- B. The Chief Executive Officer to execute individual Contract Work Orders and Contract Modifications within the Board approved contract funding amount.

# Prime (DBE JV) and Sub-consultants

Company	PCSS	PMSS	Local Office	Main Office	DBE
<b>Prime Consultant</b>					
KKCS	Y	Y	Los Angeles, CA	Los Angeles, CA	Yes
Tri-Unity	Y	Y	Los Angeles, CA	Denver, CO	Yes
<b>Subconsultants</b>					
AIX Consulting, Inc.	Y	N	Pasadena, CA	Pasadena, CA	Yes
Armand Resource Group	Y	Y	Los Angeles, CA	Teaneck, NJ	Yes
Atkins	Y	N	Los Angeles, CA	United Kingdom	No
Brio Solutions, LLC	Y	Y	Chino, CA	Chino, CA	Yes
CER	Y	N	Westlake Village, CA	Westlake Village, CA	No
Destination Enterprises Inc.	Y	Y	Culver City, CA	Culver City, CA	Yes
DRMcNatty	Y	Y	Mission Viejo, CA	Mission Viejo, CA	No
Insight Strategies, Inc.	Y	Y	Torrance, CA	Torrance, CA	Yes
James Zack Consulting	Y	Y	N/A	Johnstown, CO	No
Krebs	Y	Y	N/A	Park City, UT	No
Lenax Construction Services	Y	Y	Los Angeles, CA	Los Angeles, CA	Yes
LKG-CMC, Inc.	Y	Y	Valencia, CA	Valencia, CA	Yes
Mammoth Associates	Y	N	Northridge, CA	Northridge, CA	Yes
Mott MacDonald	Y	N	Los Angeles, CA	United Kingdom	No
Ramos Consulting Services	Y	Y	San Marino, CA	San Marino, CA	Yes
Thompson Coburn	Y	Y	N/A	Washington DC	No
Zephyr UAS, Inc.	Y	Y	Orange, CA	Orange, CA	Yes

**Board Report**

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**File #:** 2022-0825, **File Type:** Informational Report**Agenda Number:**

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**CONSTRUCTION COMMITTEE  
JANUARY 19, 2023****SUBJECT: OFFICE OF THE INSPECTOR GENERAL CONSTRUCTION CHANGE ORDER SPOT CHECKS****ACTION: RECEIVE AND FILE****RECOMMENDATION**

RECEIVE AND FILE Office of the Inspector General Construction Change Order Spot Check Report for the period September 1 to November 30, 2022.

**ISSUE**

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

**BACKGROUND**

The OIG’s Construction Change Order Spot Check Program (“Spot Checks”) focuses on approved change orders and modifications that exceed \$500,000. The four change orders in this report were selected from the Program Management Quarterly Major Project Status, Legistar 2022-0855. The OIG gathers the data, reviews all the change orders over \$500,000 and selects change orders from the major projects. The information for the Spot Checks was collected from the Program Management Information System (PMIS) which is the department’s database system. Also, virtual meetings and telephonic interviews were conducted with Metro Program Management, Project Control, and Procurement staff from each involved project office.

For each Spot Check, we summarize:

- Description of the change order,
- Change order detail,
- Scope of Work,
- Budget,
- Schedule (Time to execute the change order),
- Safety, and
- Recommendations (lessons learned are identified starting with this report).

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

## **DISCUSSION**

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

#### **Spot Check #1 - Division 20 Portal Widening and Turnback Project**

This OIG Spot Check report concerns the DIV 20 Portal Widening and Turnback Project (Contract C1136 CO-121.1/MOD 57), Site Improvements for Garfield Yard to Store New Special Trackwork.

#### **Change Order Detail**

See Attachment A Spot Check #2 chart.

#### **Summary #1**

**Scope of Work** - This change order is to the contractor to prepare the Metro owned property at Garfield Avenue and 105 freeway for the storage of new track until Division 20 is ready to accept the rail strings. The work to be performed includes clearing, grading of site, and covering the surface with rock (class II base). A chain link fence will be added (3,124 Feet) with barbed wire and gates around 2.4 acres of the property. Security will be necessary 24/7 to ensure the materials are secure. The rail will be stored at this site until transported to the Division 20 rail yard once the Division 20 project site is ready to accept the new rail. After the rail is delivered to the Division 20 yard, the contractor will clean the property and remove the fencing.

The work is out of scope of the contract because storing the rail off site was not part of the original plan. The special trackwork manufactured in both Illinois and Wyoming is to be delivered on schedule but the Division 20 rail yard project fell behind schedule from differing site conditions at the 1<sup>st</sup> Street viaduct, and therefore the project site is not ready to accept the track.

**Budget** - This change order was negotiated as MOD 0057 for the amount of \$3,146,480, but the contractor refused to sign the modification so the project office chose to issue a unilateral change order. The Contractor's proposal was \$4,316,889 and the ICE was \$2,819,753. The difference in negotiated price to the Contractor's proposal is \$1,173,409 (27.1%) under Contractor's proposal. The ICE is \$1,497,136 (34.7%) under the contractor's proposal. The ICE is less than the negotiated amount by \$323,727 (11%). Staff stated that funds for this change order are within the recently amended Life-of-Project budget.

**Schedule** - The CEO Delegation of Authority process was utilized for this change order. The Contractor and Metro agreed on the Scope of Work on October 14, 2022. The unilateral change order was awarded on November 28, 2022, and was completed in 30 workdays. Under the prior Board approval method for change orders, assuming a January Board meeting date (no December meeting), it would have taken a total of 70 workdays to complete the transaction.

**Safety** - The DIV 20 Project has 616,833 total project hours through November 2022 with a 12-month Recordable Injury Rate of 0.97 (Bureau of Labor Statistics the National Average is 2.4) and a Days

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Away, Restricted or Transferred (Total DART) of 1.62 (Bureau of Labor Statistics National Average is 1.5).

**Recommendation** - As was recommended in the prior quarterly construction change orders spot check report, the OIG recommends the issue of liability for sub-contractor's bonds and insurance be resolved and further change orders follow the standard Metro construction practices and procedures.

### **Spot Check #2 - Purple Line Extension Section 1 Transit Project**

This OIG Spot Check report concerns the Purple Line Extension Section 1 Transit Project (Contract C1045 / CO-0015), Station Artwork Architectural Glass

### **Change Order Detail**

See Attachment A Spot Check #2 chart.

### **Summary #2**

**Scope of Work** - This change order is to provide additional funds for the artwork at three underground Metro Purple Line stations. The installation of the artwork at La Brea, Fairfax, and La Cienega Stations, consists of enhanced exterior glass curtain walls at the plaza level entrances and interior glass tiles on the intermediate landing as well as the concourse level walls.

Since the artwork was not decided upon at the release of request for proposals (RFP), the original contract documents had a provisional sum amount (PSA), that provided for \$3,800,000 as an estimated set aside for artwork. These funds have been exhausted.

The actual cost of the artwork has thus far exceeded the PSA, so this change order is to cover the additional costs over the PSA. The issuance of the Not to Exceed (NTE) Change Order is to proceed with the artwork while negotiations are ongoing concerning the final costs of the remaining art related work to be done.

**Budget** - This NTE Change Order 0015 is for the amount of \$4,500,000. Because the negotiations are ongoing the ICE cannot be disclosed at this time until both parties come to an agreement on the scope of work. The Contractor's proposal is \$9,050,863 and the NTE amount is \$4,500,000. The difference in price is \$4,550,863, which is 50.5% less than the contractor's proposal. There will be a signed modification or another unilateral change order once a scope of work is agreed upon and a final settlement is reached. Staff stated that funds for this change order are within the Life-of-Project budget.

**Schedule** - The CEO Delegation of Authority process was utilized for this change order. The Contractor and Metro do not have an agreed upon Scope of Work and therefore the days saved cannot be calculated and the item would not be ready for the Board. The NTE funds were issued on September 20, 2022, to order art glass and associated materials.

**Safety** - The Purple Line Extension 1 Project has 7,801,217.94 project hours through October 2022 with a Recordable Injury Rate of 1.03 (Bureau of Labor Statistics reports the National Average is 2.4) and Days Away, Restricted or Transferred (DART) of 0.08 (Bureau of Labor Statistics reports the National Average is 1.5).



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**Recommendation** - The OIG recommends that a final scope of work and agreed upon total costs be determined as soon as possible.

**Spot Check #3 - Purple Line Extension Section 2 Transit Project**

This OIG Spot Check report concerns the Purple Line Extension Section 2 Transit Project (Stations Contract C1120 CO 0023.2), CCCS Relocated UPE Plenum at Westfield Mall.

**Change Order Detail**

See Attachment A Spot Check #3 chart.

**Summary #3**

**Scope of Work** - This change order is to relocate a portion of the heating, ventilation, and air conditioning (HVAC) system called a UPE Plenum. This UPE Plenum was to be located on the property of the Westfield Mall to allow for an underground entrance from the Century City Constellation Station into the Mall. The new owners of the Westfield Mall have now informed Metro that they are no longer interested in an underground mall entrance from public transportation. Therefore, Metro has determined an alternate location for the UPE Plenum in the public right-of-way along Constellation Boulevard to avoid the need for a real-estate easement agreement with Westfield management.

**Budget** -. This unilateral NTE Change Order 0023.2 is for \$2,758,978. Because the negotiations are ongoing the ICE cannot be disclosed at this time until both parties arrived at a final dollar amount. The Contractor's proposal is \$5,227,898 and the NTE amount authorized by Metro is \$2,468,920, less than the contractor's proposal. There will be a subsequent contract modification once a final settlement is reached. Staff stated that funds for this change order are within the approved amended Life-of-Project budget.

**Schedule** - The CEO Delegation of Authority process was utilized for this change order. The Contractor and Metro agreed on the Scope of Work on August 11, 2022. An NTE change order for the \$2,758,978 was issued on September 14, 2022, and the transaction was completed in 25 workdays. Under the prior Board approval method for change orders, assuming an October Board meeting date, it would have taken a total of 56 workdays to complete the transaction.

**Safety** - The Purple Line Extension 2 Project has 2,984,206 project hours through October 2022 with a Recordable Injury Rate of 3.08 (Bureau of Labor Statistics reports the National Average is 2.4) and Days Away, Restricted or Transferred (DART) of 0.67 (Bureau of Labor Statistics reports the National Average is 1.5).

**Recommendation** - None.

**Spot Check #4 - Purple Line Extension Section 3 Transit Project**

This OIG Spot Check report concerns the Purple Line Extension Section 3 Transit Project (Tunnels Contract C1151, MOD-0007.2) Revisions to Southern California Edison (SCE) Power Connection.

**Change Order Detail**

See Attachment A Spot Check #4 chart.

**Summary #4**

**Scope of Work** - This change order is to provide permanent power to the Westwood / VA Hospital

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Station. Southern California Edison (SCE) asked Metro to move Purple Line Extension 3 overhead power lines to underground conduits along Wilshire Boulevard (from the US Army Reserve site to the VA construction staging area). Moving the power lines underground provides better power reliability to the future station.

The City of Los Angeles requested that Federal Avenue not be opened twice, (i.e. once for temporary power by the tunnel contractor and later by the station contractor for the permanent power). The City requested the two sets of power lines be combined into one underground conduit trench. By combining conduit lines in one underground trench, additional manholes were necessary. The City also believed a single trench would reduce disturbance to the community and result in reduced painting and street restoration time.

This change order also covers Ohio Avenue, Federal Avenue, and Wilshire Boulevard for underground power lines and manholes to the new Westwood / VA Hospital Station. This work was completed in 2019. At that time, the contractor refused to sign the modification for final payment until their subcontractors had no further billing statements and all issues were resolved.

**Budget** -. This modification was negotiated, and the award amount is \$4,217,568. The Contractor's proposal was \$6,236,425 and the ICE was \$2,496,761. The difference in price is \$2,018,857 (32.4%) under the contractor's proposal. The negotiated amount was \$1,720,807 (68.9%) over the ICE. Staff stated that funds for this change are within the approved amended Life-of-Project budget.

**Schedule** - The CEO Delegation of Authority process was utilized for this modification. Even though the work was completed in 2019 the Contractor and Metro just agreed on the content of the Scope of Work on October 5, 2022. The modification was awarded on November 8, 2022, and was completed in 25 workdays. Under the prior Board approval method for change orders, assuming a January Board meeting date, it would have taken a total of 78 workdays to complete the transaction.

**Safety** - The Purple Line Extension 3 Project has 2,294,942 project hours through November 2022 with a Recordable Injury Rate of 1.49 (Bureau of Labor Statistics reports the National Average is 2.4) and Days Away, Restricted or Transferred (DART) of 0.44 (Bureau of Labor Statistics reports the National Average is 1.5).

**Recommendation/Lessons Learned** - The OIG recommends that in all future contracts where it is possible to consolidate planned multiple street utility construction works that a single trench be dug, and both temporary and permanent power conduits be installed in the same trench at the same time as to reduce costs and minimize impacts to the neighborhood.

The OIG further recommends that when the Metro management authorizes work and exercises their authority under this Delegation Policy, there should be a maximum period after that action that it must be reported in the quarterly program management report and not wait 3 years to negotiate the modification and report an action to the Board.

## **FINANCIAL IMPACT**

This report will have no financial impact on the Agency beyond what is described above.

### **Impact to Budget**

For all of the construction change orders reviewed, Metro states the funds are within the approved budget and will utilize the contingency funds to cover the costs from the Life of Project budget.

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- Spot Check #1) \$3,146,480 DIV 20 Portal Widening & Turnback Project
  - Spot Check #2) \$4,500,000 Purple Line Extension Section 1 Project
  - Spot Check #3) \$2,758,978 Purple Line Extension Section 2 Project
  - Spot Check #4) \$4,217,568 Purple Line Extension Section 3 Project

### **EQUITY PLATFORM**

In the opinion of the OIG, we considered whether these change orders presented any equity related issues on their face. There is a location downtown by the Division 20 railroad yard that is within or adjacent to Equity Focus Communities (EFC's). At the Division 20 location there are not sound walls around the construction worksite. The residential apartment community, directly above the Santa Fe Metro offices shares an exterior wall with the rail yard precisely where all the construction and heavy machinery operate. The OIG recommends that this noise issue be reviewed by Program management. The OIG did not receive any data concerning other community impacts. Each of the contractors are striving to have work performed by Disadvantage Business Enterprises (DBE) typically at 12-15% implementation, for these change orders at these EFC sites. Except what is noted above, the OIG observed no obvious disparate impacts created by these change orders on small businesses, low-income persons, or by the performance of the work in a manner that impacted a disadvantaged community beyond what is typical and usual when conducting any construction.

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

The Office of Inspector General reviews large change orders over a calendar quarter and makes recommendations as appropriate to support Metro's Strategic Plan Goal #5: Provide responsive, accountable, and trustworthy governance within the Metro organization and CEO goals to exercise fiscal discipline to ensure financial stability. The OIG mission includes reviewing expenditures for fraud, waste, and abuse in Metro programs, operations, and resources. For each selected change order reviewed, the OIG evaluates whether there are red flags of fraud, waste, or abuse taking place. We report the details of the significant change orders and make recommendations consistent with the OIG's Construction Best Practices report dated February 29, 2016, more particularly focusing on lessons learned, improving efficiencies, and prudent spending.

### **NEXT STEPS**

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

### **ATTACHMENTS**

Attachment A - Change Order Details for Spot Checks

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

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

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



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Karen Gorman  
Inspector General

**Spot Check #1 – Division 20 Portal Widening Turnback Project - Contract C1136****Change Order Detail**

<u>Description of Modification or Change Order – CO-121.1</u> Site Improvements for Garfield Yard to Store New Special Trackwork	
<u>Change Order Dates:</u>	
Scope of Work approved	October 14, 2022
Unilateral Change Order Executed	November 28, 2022
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process	30 workdays
Estimate using former Board approval process Agenda for the January Board	70 workdays
<u>Cost of Change Order:</u>	
Metro independent cost estimate (ICE)	\$2,819,753
Contractor's proposed cost	\$4,316,889
Negotiated amount	\$3,143,480
Percentage of negotiated amount over ICE	11.5%
Amount negotiated less than the Contractor's proposal	\$1,173,409

**Spot Check #2 - Purple Line Extension Section 1 Transit Project - Contract C1045****Change Order Detail**

<u>Description of Modification or Change Order – CO-0015</u> Station Artwork Architectural Glass	
<u>Change Order Dates:</u>	
Scope of Work approved	TBD
Not To Exceed amount issued (NTE)	September 20, 2022
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process,	TBD
Estimate using former Board approval process Agenda NOT READY for the Board	TBD
<u>Cost of Change Order:</u>	
Metro independent cost estimate (ICE)	Cannot disclose
Contractor's proposed cost	\$9,050,863
Not Negotiated – NTE ONLY	\$4,500,000
Percentage of negotiated amount <i>over/under</i> ICE	TBD
NTE Amount less than the Contractor's proposal	\$4,550,863

**Spot Check #3 - Purple Line Extension Section 2 Transit Project - Contract C1120****Change Order Detail**

<u>Description of Modification or Change Order – CO-0023.2</u> CCCS Relocated UPE Plenum at Westfield Mall	
<u>Change Order Dates:</u>	
Scope of Work approved	August 11, 2022
NTE Unilateral Amount Executed	September 14, 2022
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process	25 workdays
Estimate using former Board approval process Agenda for the October Board	56 workdays
<u>Cost of Change Order:</u>	
Metro independent cost estimate (ICE)	Cannot disclose
Contractor's proposed cost	\$5,227,898
NTE Unilateral amount	\$2,758,978
Percentage of negotiated amount <i>over/under</i> ICE	TBD
Amount less than the Contractor's proposal	\$2,468,920

**Spot Check# 4- Purple Line Section 3 Transit Project – Tunnels Contract C1151****Change Order Detail**

<u>Description of Modification or Change Order – MOD-0007.2</u> Revisions to Southern California Edison (SCE) Power Connection	
<u>Change Order Dates:</u>	
Scope of Work approved	October 5, 2022
Modification Executed	November 8, 2022
<u>Elapsed Time for Executing Change Order:</u>	
Using new delegated process	25 workdays
Estimate using former Board approval process Agenda for the January Board	78 workdays
<u>Cost of Modification:</u>	
Metro independent cost estimate (ICE)	\$2,496,761
Contractor's proposed cost	\$6,236,425
Negotiated	\$4,217,568
Percentage of negotiated amount over ICE	68.9%
Amount negotiated less than the Contractor's proposal	\$2,018,857

ATTACHMENT B (January 2023)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>January 2023 #1 Contract C1136 CO-0121.1 Division 20 Portal Widening and Turnback Project - Site Improvements for Garfield Yard to Store New Special Trackwork</p>	<p>As was recommended in the prior quarterly construction change orders spot check report, the OIG recommends the issue of liability for sub-contractors bonds and insurance be resolved, and further change orders follow the standard Metro construction practices and procedures.</p>	<p>PM and V/CM have committed to working together as necessary to analyze the issue and seek resolution. As part of that process, the two departments will work with the Office of the IG to close out the action.</p>	
<p>January 2023 #2 Contract C1045 CO-0015 Purple Line Extension Section 1 Station Artwork Architectural Glass</p>	<p>The OIG recommends that a final scope of work and agreed upon total costs be determined as soon as possible.</p>	<p>PM and V/CM have committed to working together as necessary to analyze the issue and seek resolution. As part of that process, the two departments will work with the Office of the IG to close out the action.</p>	
<p>January 2023 #3 Contract C1120 CO-0023.2 Purple Line Extension Section 2 Relocated UPE Plenum at Westfield Mall</p>	<p>None.</p>		
<p>January 2023 #4 Tunnels Contract C1151 MOD-0007.2 Purple Line Extension Section 3 Revisions to Southern California Edison (SCE) Power Connection</p>	<p>The OIG recommends that in all future contracts where it is possible to consolidate planned multiple street utility construction works, that a single trench be dug and both temporary and permanent power conduits be installed in the same trench at the same time as to reduce costs and minimize impacts to the neighborhood.</p> <p>The OIG further recommends, that when the Metro management authorize work and exercise their authority under this Delegation Policy, there should be a maximum period after that action that it must be reported in the quarterly program management report, and not wait 3 years to negotiate the modification and report an action to the Board.</p>	<p>PM and V/CM have committed to working together as necessary to analyze the issue and seek resolution. As part of that process, the two departments will work with the Office of the IG to close out the action.</p>	

ATTACHMENT B (October 2022)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>October 2022 #1 Contract C0980 MOD-0239 Regional Connector Transit Corridor Project - Additional AT&amp;T Duct bank Installations at 2nd Street – Construction</p>	<p>The OIG acknowledges the unknown underground site condition of numerous conflicting underground utilities, but the existing AT&amp;T communication vaults that were both too small and in poor condition were known prior to the beginning of contract. It should be noted that AT&amp;T did not initially provide design or informational requests for new vaults and now Metro must create a change order and pay the contractor for an oversight on the utility's behalf.</p> <p>The OIG recommends, as a Lesson Learned, that in project planning for Metro to ask the utility company to acknowledgement that all vaults, duct banks, and utility lines conform to current specifications and are in satisfactory condition. It is prudent for Metro to be aware of the utilities condition before entering into a construction contract.</p>	<p>Agreed. The AT&amp;T infrastructure was not in a condition that could be hung in place safely resulting in the construction of a new system. It would be best to understand the condition of all utilities to the best possible extent prior to start of construction but not always possible.</p>	
<p>October 2022 #2 Contract C1136 CO-0017.4/MOD 0037 Division 20 Portal Widening and Turnback Project - 1st Street Bridge Continuous Monitoring</p>	<p>As was recommended in the prior quarterly construction change orders spot check report, the OIG recommends the issue of liability for sub-contractors claims and bonds be resolved so that it is not necessary to use NTE change order methods, and further change orders follow the standard Metro construction practices and procedures.</p>	<p align="center">Agreed</p>	
<p>October 2022 #3 Contract C1197 MOD-009 Airport Metro Connector Transit Station Bulletin 16 – Light Rail Transit (LRT) Fence Updates</p>	<p>The OIG recommends Metro consider updating Metro's design criteria and necessary specifications to reflect current 2022 California Seismic standards in the MRDC and future requests for proposals to build better and be prepared for future earthquakes. This may be considered a lesson learned.</p>	<p>The OIG recommendation may not completely reflect the issue. The contract MOD for bulletin 16th was the result of design change during the construction. In reviewing of the contractor's submittal, two things became apparent. First, the picket members were very heavy and disproportionate to the size of the horizontal members carrying them which created a structural concern. The second issue was a quality/constructability concern as the design shown on the contract drawings and the shop drawings required each picket to be field welded in place. All welds are required by the original Contract Documents to be ground smooth. The design change addressed both issues. For the structural issue, the thickness of the 4" o.c. pickets were reduced although the depth of the horizontal members was increased. For the constructability issue, the pickets were panelized so that they could be shop fabricated and craned into place. The panels were attached to the horizontals with bolts rather than welds, speeding up the installation time which would reduce crane use and reduce field welding and grinding. None of these issues were related to Metro's design criteria or technical spec.</p>	
<p>October 2022 #4 Contract C1045 MOD 0159 Purple Line Ext. Sect. 1 Track Level Access Openings at Wilshire/Western, Wilshire/La Brea and Wilshire/ La Cienega</p>	<p>None</p>		



ATTACHMENT B (August 2022)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
August 2022 #1 Contract C1136 MOD-0029 Division 20 Portal Widening and Turnback Project - Time Extension for MOD-20 Addl Scope and Addl Requirements for DIV 20	The OIG recommends, that all future construction contracts include a capped amount per day to pay the contractor when Metro stops critical path construction work or contractor incurs significant delays due to unforeseen causes.	Agreed	
August 2022 #2 Contract C1136 CO-0011.3 Division 20 Portal Widening and Turnback Project - 1st Street Viaduct - Crack and Spall Repair	1) The OIG recommends that the scope of work should be agreed upon as soon as possible.  2) The OIG recommends the issue of liability for sub-contractors claims and bonds be resolved, and further change orders follow the standard Metro construction practices and procedures. We further recommend that the language concerning bonds and sub-contractors in the Metro standard forms for modification/change orders be moved to the Metro standard contract terms and conditions.	Agreed	
August 2022 #3 Contract C1120 CO-0041 Purple Line Ext. Sect. 2 Tunneling Suspension Associated with Abandonment of Oil Wells	The OIG recommends Metro consider implementing Unilateral change orders when the contractor is claiming compensation for delays greater than the contract cap permits.	Agreed	
August 2022 #4 Stations Contract C1152 CO-0035.1 Purple Line Ext. Sect. 3 VA Steam Tunnel Size Increase and Redundancy	Now that the cost schedule proposal (CSP) has been received, the OIG recommends that the Contractor's CSP be thoroughly evaluated to finalize the change order to enter into an agreed upon modification to replace working on a NTE basis as soon as possible.	The Contractor has split the CSP into two parts. Part 1 is the heavy civil work. Part 2 is the Mechanical / Electrical / Plumbing work.  Metro has finalized their analysis of Part 1 of the Contractor's CSP of the change and should finalize a value with the contractor imminently.  Metro has performed an initial round of fact finding and analysis of Part 2 and is engaging in further meetings with the Contractor to resolve the differences.	

ATTACHMENT B (April 2022)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
April 2022 #1 Contract C0988 MOD-0551 Crenshaw/LAX Transit Corridor Project Landscape Changes – Park Mesa	none		
April 2022 #2 Contract C0980 MOD-00230 Regional Connector - Transit Corridor Project Alameda Emergency Stair Exit (ES2)	The OIG recommends in-house plan review be as fully completed as possible before Metro groups sign off on the design plans.	The project team agrees with OIG and does have both project staff and Metro staff provide reviews for all plans. This change originated with the change in FLS requirements within the Wye which was identified after award of contract.	
April 2022 #3 Contract C1045 MOD-0144 Purple Line Extension Sect. 1 Construction LaCienega Station During Mining	none		
April 2022 #4 Contract C1045 MOD-0147 Purple Line Extension Sect. 1 Vapor Extraction Street Restoration	none		

ATTACHMENT B (January 2022)

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

ATTACHMENT B (October 2021)

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

ATTACHMENT B (July 2021)

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

ATTACHMENT B (April 2021)

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

ATTACHMENT B (January 2021)

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

ATTACHMENT B (January 2021)

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



ATTACHMENT B (October 2020)

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

ATTACHMENT B (October 2020)

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

ATTACHMENT B (August 2020)

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

ATTACHMENT B (August 2020)

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

ATTACHMENT B (April 2020)

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

ATTACHMENT B (January 2020)

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

# Office Of Inspector General Construction Change Order Spot Check Report

Presented By  
**Karen Gorman**  
Inspector General

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January 2023

Construction Committee

Los Angeles County Metropolitan Transportation Authority



# Spot Checks 1 & 2

## 1 - Division 20 - - Site Improvements for Garfield Yard to Store New Special Trackwork

Award: **\$3,146,480**

### ***Recommendation:***

As was recommended in the prior quarterly construction change orders spot check report, the OIG recommends the issue of liability for sub-contractors bonds and insurance be resolved, and further change orders follow the standard Metro construction practices and procedures.

## 2 - Purple Line Extension Sect. 1 - - Station Artwork Architectural Glass

NTE: **\$4,500,000**

### ***Recommendation:***

The OIG recommends that a final scope of work and agreed upon total costs be determined as soon as possible.



## Spot Check 3 & 4

**3 - Purple Line Extension Sect. 2- - CCCS Relocated UPE Plenum at Westfield Mall**  
*No Recommendation* Award: **\$2,758,978**

**4 - Purple Line Extension Sect. 3 - - Revisions to Southern California Edison (SCE) Power Connection**  
Award: **\$4,217,568**

***Recommendation:***

- 1) The OIG recommends that in all future contracts where it is possible to consolidate planned multiple street utility construction works, that a single trench be dug and both temporary and permanent power conduits be installed in the same trench at the same time as to reduce costs and minimize impacts to the neighborhood.
- 2) The OIG further recommends, that when the Metro management authorize work and exercise their authority under this Delegation Policy, there should be a maximum period after that action that it must be reported in the quarterly program management report, and not wait 3 years to negotiate the modification and report an action to the Board.

# Spot Check Schedule Comparison

File #  
2022-0825

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

PROJECT	Title of Change Order	Time Saved Executed date to Board Mtg.	NEW Delegated Process final SOW to Executed date	Former Board Approval Process
DIVISION 20 PORTAL WIDENING & TURNBACK PROJECT	Site Improvements for Garfield Yard to Store New Special Trackwork	40	14	70
WESTSIDE PURPLE LINE EXT. SECT 1	Station Artwork Architectural Glass	N/A	N/A	N/A
WESTSIDE PURPLE LINE EXT. SECT 2	CCCS Relocated UPE Plenum at Westfield Mall	31	25	56
WESTSIDE PURPLE LINE EXT. SECT 3	Revisions to Southern California Edison (SCE) Power Connection	53	25	78

January 2023

Construction Committee

Los Angeles County Metropolitan Transportation Authority



**Board Report**

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**File #:** 2022-0855, **File Type:** Informational Report

**Agenda Number:**

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**CONSTRUCTION COMMITTEE  
JANUARY 19, 2023**

**SUBJECT: PROGRAM MANAGEMENT QUARTERLY CHANGE REPORT**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE Quarterly Status Report on Program Management change orders.

**ISSUE**

This board report provides a quarterly update from Program Management on change orders related to our capital program that are greater than \$500,000. Greater detail is provided in Attachment A - Quarterly Change Orders Log for Reporting Period of September 1, 2022 - November 30, 2022.

**BACKGROUND**

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

The pilot program was effective, generated cost savings and avoided costly construction delays. At the January 26, 2018 Board meeting, the Board approved the continuation and expansion of the delegation of authority within LOP budget management on all Transit and Regional Rail Capital Projects. Staff was directed to provide quarterly reports to the Board on change orders and modifications that are above \$500,000. CEO Board delegated authority of changes is very beneficial to expedite contract changes and avoid costly construction delays. Since inception of the program up to 2,075 concurrent workdays or concurrent 8.0 years, aggregated across the program, have been saved. (For more information refer to Attachment B entitled OIG Construction Change Order Spot Checks CEO Delegated Authority Total Delays Avoided).

**DISCUSSION**

The change activities for the reporting period between September 1, 2022 and November 30, 2022 are included in Attachment A.

**FINANCIAL IMPACT**

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

**EQUITY PLATFORM**

Crenshaw/LAX	Equity - 8 of 8 stations (100%) are within or adjacent to Equity Focus
Westside Purple Line Ext 1	Equity - This project is not located within or adjacent to Equity Focus Communities
Westside Purple Line Ext 2	Equity - This project is not located within or adjacent to Equity Focus Communities
Westside Purple Line Ext 3	Equity - 1 of 2 stations (50%) are within or adjacent to Equity Focus Communities
Division 20	Equity - 100% of the project is within or adjacent to Equity Focus Communities
Airport Metro Connector	Equity - 100% of the project is within or adjacent to Equity Focus Communities
Rail to Rail	Equity - 90% of the project is within or adjacent to Equity Focus Communities
Rosecrans/Marquardt	Equity - **% of the project is within or adjacent to Equity Focus Communities

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

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

**NEXT STEPS**

The next Change Order Log will cover the period of December 1, 2022 through February 31, 2023 and will be presented to the April 2023 Construction Committee.

**ATTACHMENTS**

Attachment A - Quarterly Change Orders Log for Reporting Period of September 1, 2021 - November 30, 2022.

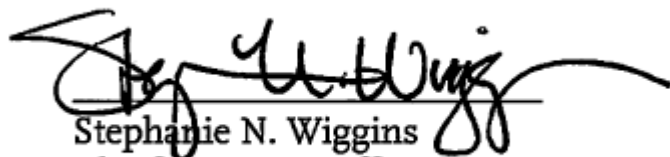
Attachment B - OIG Construction Change Order Spot Checks CEO Delegated Authority Delays Avoided

Prepared by:

- **Crenshaw/LAX** - Sameh Ghaly, Interim Senior Deputy Chief, Program Management, (213) 418-3369
- **Westside Purple Line Ext 1** - James Cohen, Interim Senior Executive Officer, Program Management, (323) 900-2114
- **Westside Purple Line Ext 2** - Michael McKenna, Interim Senior Executive Officer, Projects Management, (424) 551-4447
- **Westside Purple Line Ext 3** - Kimberly Ong, Executive Officer, Projects Engineering, (424) 551-4501
- **Division 20 Portal** - Sameh Ghaly, Interim Senior Deputy Chief, Program Management, (213) 418-3369
- **Airport Metro Connector** - Tim Lindholm, Deputy Chief, Program Management, (213) 922-7297
- **Rail to Rail** - Tim Lindholm, Deputy Chief, Program Management, (213) 922-7297
- **Rosecrans/Marquardt** - Sameh Ghaly, Interim Senior Deputy Chief, Program Management, (213) 922-7297
- **Report** - Julie Owen, Sr. EO Program Control, (213) 922-7313

Reviewed by:

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



Stephanie N. Wiggins  
Chief Executive Officer

**CRENSHAW/LAX CLOSE OUT PROJECT**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (September 1, 2022 - November 30, 2022)**

Change Types:

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

**A. DESIGN BUILD CONTRACT - Contract No. C1217 - GRIFFITH COMPANY**

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

**B. PROFESSIONAL SERVICES CONTRACTS**

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

	None					
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (September 1, 2022 - November 30, 2022)**

**A) DESIGN BUILD CONTRACT - Contract No. C1217 - GRIFFITH COMPANY**

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

**B) PROFESSIONAL SERVICES CONTRACTS**

PS20655-075 MOD-00003	Vendor TRC Solutions: CLAX-Union Equity Buildings Abatement and Demolition Services – Additional Cost for Schedule Extension of 18 weeks for abatement, demolition, and grading activities. The additional time is attributed to environmental issues and permit delays by the City of Inglewood.	5	Between \$500K and less than \$1M
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**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

None			
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**WESTSIDE PURPLE LINE SECTION 1**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (September 1, 2022 - November 30, 2022)**

Change Types:

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

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

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
CO-13	<b>San Vicente Anomaly Impacts:</b> Executive business decision to provide payment of direct costs (labor, material, equipment, mark-ups, etc.) for the San Vicente Anomaly Differing Site Condition impacts until a recommendation is provided through the Neutral Evaluation process.	3	9/21/2022	8/11/2022	\$236,521,332	\$17,676,696
CO-15	<b>Station Artwork Architectural Glass:</b> This change order is for the Contractor to provide engineering, labor, material, and equipment to procure and install the enhanced artwork beyond the base contract at all three WPLE1 Stations (Wilshire/La Brea, Wilshire/Fairfax, and Wilshire/La Cienega) The scope of the artwork exceeds the funds available in the provisional sums (Schedule B). This change order has been issued so that artwork activities move forward while negotiations regarding price continue.	5	9/21/2022	9/19/2022	N/A	\$4,500,000
CO-16	<b>Wilshire/La Brea Stand-By Generator and Load Bank Procurement:</b> Due to new final design information provided by WPLE2 and WPLE3, WPLE1 has to upgrade its standby generators to a larger size to accommodate the increased generator loads (Emergency Ventilation Fans, Under Platform Exhaust Fans and Station UPS's) at the Wilshire/La Brea Station. This change order is being issued so that the manufacturer can move forward with the procurement and delivery of the generator and the load bank at Wilshire/La Brea Station.	5	9/28/2022	9/23/2022	N/A	\$1,000,000
CO-17	<b>Wilshire/La Cienega Standby Generator and Transformer Procurement:</b> Due to new final design information provided by WPLE2 and WPLE3, WPLE1 has to upgrade its standby generators to a larger size to accommodate the increased generator loads (Emergency Ventilation Fans, Under Platform Exhaust Fans and Station UPS's) at the Wilshire/La Cienega Station. This change order is being issued so that the manufacturer can move forward with the procurement and delivery of the generator and the load bank at Wilshire/La Cienega Station.	5	11/8/2022	11/2/2022	N/A	\$700,000

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

None						
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**B. PROFESSIONAL SERVICES CONTRACTS**

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

None						
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (September 1, 2022 - November 30, 2022)**

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

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
CN-00206	<u>Wilshire/La Cienega Appendage AA Support of Excavation (SOE) Pile Conflict with AT&amp;T Ductbank</u> : This change compensates the contractor to relocate SOE piles to avoid the existing AT&T ductbank and adjacent building foundation. During potholing activities, it was discovered that SOE piles were in conflict with the existing AT&T ductbank and the adjacent building foundation.	3	Between \$1M - \$5M
CN-00209.1	<u>Traction Power System second Heat Run Test &amp; Transformer Design Tests</u> : This change addresses Metro Engineering's requirement to perform tests of differing utility power input voltages, specifically 34.5kV and 16.34kV, which are not included in the base contract work.	5	Between \$500K and less than \$1M
CN-00231	<u>Spare Parts for La Brea and La Cienega Fully Guarded Double Crossovers</u> : Only a portion of the spare parts needed for the fully guarded double crossovers are in the base contract spare parts list. This change allows the contractor to provide all of the spare parts needed for the fully guarded double crossovers at Wilshire/La Brea and Wilshire/La Cienega Station.	5	Between \$1M - \$5M
CN-00235	<u>Expedite Cutterhead Removal at Tail Track</u> : This change is being issued to expedite the removal of the WPLE1 cutterheads at the Purple Line Extension (PLE) Section 1 and 2 grout end block interface. This expedited removal will minimize potential cost/schedule impacts for both WPLE1 and WPLE2 Projects.	5	Between \$1M - \$5M
CN-00238	<u>Wilshire/La Brea SOE Construction Impacts from DR# 07-WPLE1-2016-003</u> : A Design Deviation Request (DDR) was issued in response to the Building Settlement Assessment Design Unit 2 La Brea Station report. As a result of this DDR, some of the steel member sizes have increased. The steel members that had already been procured have to be replaced. This change compensates the contractor for the difference.	5	Between \$1M - \$5M

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

None			
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**B) PROFESSIONAL SERVICES CONTRACTS**

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

None			
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**WESTSIDE PURPLE LINE SECTION 2**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (September 1, 2022 - November 30, 2022)**

Change Types:

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

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C1120**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
CO-00023.2	<b>CCCS Relocated UPE Plenum at Westfield Mall-Design (Unilateral)</b> ; This Change is for the relocation of the under platform exhaust (UPE) plenum from private property to the public right-of-way (sidewalk) along Constellation Boulevard. It was initiated when Westfield Mall informed Metro that they were no longer interested in constructing their own private entrance to the station. Metro is moving the UPE appendage into the public ROW to avoid the cost of acquiring temporary and permanent easements from Westfield Mall.	5	--	9/14/2022	\$5,228,000.00	\$2,758,978
CO-00051	<b>WRS Construction of Permanent Power Duct Banks</b> ; The scope of this Change is to pothole, complete Final Design, and install Southern California Edison (SCE) duct banks for primary and secondary SCE power feeds to Wilshire/Rodeo Station switchgears, based on a preliminary design provided by SCE which was not a part of the original C1120 contract scope.	5	--	9/14/2022	N/A	\$5,000,000
CO-00052	<b>WRS MOA Impacts to Excavation after the Full Closure (June 16, 2020 through Nov. 12, 2020) (Unilateral)</b> ; The purpose of this Change Notice is to compensate the contractor for impacts from additional construction work restrictions from the City of Beverly Hills (COBH) Memorandum of Agreement (MOA) for the construction work expected to occur after the specific work activities identified and included in MOD-00124- Full Closure of Wilshire Blvd.	2	--	10/4/2022	\$1,217,000.00	\$1,162,784

**B. PROFESSIONAL SERVICES CONTRACTS**

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

None						
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (September 1, 2022 - November 30, 2022)**

**A) DESIGN BUILD CONTRACT - CONTRACT NO. C1120**

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
CN-00207	<b>Project Management, Administration, and Compliance Activities Effort for Design Modifications (RFC-000110):</b> This change is to compensate the Contractor for Project Management, Administration, and Compliance Activities for certain Design Services-related Contract Modifications (MODs) and Provisional Sums (PSAs) issued after October 1, 2021 as described in response to RFC-00110.	5	Between \$1 and \$5 Million

**B) PROFESSIONAL SERVICES CONTRACTS**

CN-00081	Continuation of Engineering Support Services During Construction for WPLE Section 2 Project	5	Between \$10 and \$15 Million
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**C) CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

	None		
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**WESTSIDE PURPLE LINE SECTION 3**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (September 1, 2022 - November 30, 2022)**

Change Types:

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

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C1151 (FKTP)**

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
C1151-MOD-00007.2	Revisions to Southern California Edison (SCE) Power Connection - This change is necessary because Metro was required to move the construction staging area and Tail Track Exit Shaft from the U.S. Army Reserve site to the Western VA Construction Staging Area (refer to CN-001). In addition, SCE changed their original scheme to require the entire conduit run along Federal Ave to be underground to enhance reliability of the power that will be provided to Metro and the C1151 Contractor.	5	10/20/2022	11/8/2022	\$6,236,425	\$4,217,568
C1151-MOD-00023	Resolution of NOIC #1 (Time Extension for Compensable Delay Relating to Property Access and Relocation to the VA site) - Special Provisions Appendix B provides the Right of Way (ROW) Availability Schedule for the Western VA Tail Track Exit Shaft (Parcel ID: W-5401-4) as NTP+260 calendar days which equates to October 01, 2019; however, the parcel was not fully available until December 1, 2019 due to late property handover from the VA to Metro. The sequence of work for this Contract is in general linear and requires the above location for the construction staging yard prior to starting the tunneling construction which is the main scope of the Work. Consequently, there was no work around available for the contractor to perform since the parcel itself was the primary construction staging location for commencement of the tunnel construction. The late turnover caused 155 days of delay of which 95 days (MOD 02) were initially recognized by Metro with an extension of contract time as well as the contract's daily compensation rate found in Schedule D for delay, and the remainder 60 days were in dispute. For the purpose of resolving this claim and given the unusual details of such a unique and significant delay and scope change so soon after NTP, this onetime exception resolves the pending claim.	2	9/29/2022	10/7/2022	\$990,000	\$990,000

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C1152 (TPOG)**

C1152-CO-00035.2	VA Steam Tunnel Size Increase and Redundancy – Construction Only - The base Contract requires relocation of the existing VA steam line/tunnel; however, the Veterans Affairs (VA) Department is requiring an enlarged steam tunnel built to current VA design criteria due to the VA hospital reliance on this Mission critical utility. Metro executed a Memorandum of Understanding (MOU) with the Veterans Affairs (VA) Department in March 2019 as part of the process to acquire easement rights to construct and operate the Westwood/VA Hospital Station. The MOU included requirements for an enlarged steam line tunnel to accommodate the relocated steam line and associated existing utilities and provide accommodations for a future expansion of the steam equipment to meet VA requirements.	2	8/19/2022	10/19/2022	N/A	\$6,400,000
C1152-CO-00064.4	UCLA Sta – Additional Adjacent Development Analysis on SOE - Design Only - A new adjacent development at Wilshire Blvd and Gayley Avenue, which is close to the Metro Station and Entrance at Lot 36, may be constructed during the duration of the Purple Line Extension Section 3 project. The schedule of the adjacent development and design details were not known at the time when the C1152 bid documents were prepared, and therefore, specific requirements to consider the development are not included in the Contract. Given the potential for the development to take place during the construction of the Westwood/UCLA Station, it is necessary for the C1152 contractor to determine if there are any impacts on the station and entrance structures and support of excavation.	5	10/25/2022	11/17/2022	N/A	\$525,963
C1152-CO-00091	VA Sta - Water Supply Loop System at Wilshire/Federal Intersection – Construction Only - FLS MRDC Criteria 2.6.3.2 require that domestic water supply to stations shall be from two public utility mains, this then allows if one of the water mains is out of service, the water from the second main will still provide water to Metro's station. The existing LADWP water supply at Federal Blvd and Wilshire Blvd currently consists of two single water lines that are not connected. The addition of a "loop" will connect the two water lines. In addition, the existing pressure in the LADWP system is not sufficient to provide water to Metro's station, so a portion of the water lines that the loop connects to need to be upsized from 6" to 8" pipes. FLS MRDC Criteria 2.6.3.2 requires water supply main risers be interconnected by an 8 in pipe. The Contractor has determined that pressure losses across the long run from the Wilshire Blvd/Federal Ave intersection to the Westwood/VA Hospital Station require upsizing the supply mains for fire water from 8-inch to 10-inch pipes.	5	11/10/2022	11/22/2022	N/A	\$950,000

**B. PROFESSIONAL SERVICES CONTRACTS**

PS54007-TO-008-MOD-00003	Metro Quality Management Consultant (QMC) Services for WPLE 3 Stations and Tunnels Project – FY23 Support - Continuation of Metro required Quality Management Consultant (QMC) contract to develop and apply a Quality Management Oversight (QMO) program to supplement Metro's Quality Management Department and to provide technical expertise in resolving complex issues.	5	10/14/2022	10/26/2022	\$793,241	\$793,241
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**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

MC073-MOD-00019.1	Extension of Construction Management Support Services Through Fiscal Year 2023 - Continuation of Construction Management Support Services (CMSS) through FY23. CMSS staff support augments existing PLE 3 Project Management in managing C1151 (Tunnels) and C1152 (Stations) Contracts.	5	8/18/2022	9/20/2022	\$17,365,102	\$17,365,102
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (September 1, 2022 - November 30, 2022)**

**A) DESIGN BUILD CONTRACT - CONTRACT NO. C1151 (FKTP)**

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

**A. DESIGN BUILD CONTRACT - CONTRACT NO. C1152 (TPOG)**

None			
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**B) PROFESSIONAL SERVICES CONTRACTS**

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

None			
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**DIVISION 20 PORTAL PROJECT**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (September 1, 2022 - November 30, 2022)**

Change Types:

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

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

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
CO17.4(MOD#37)	<b>First Street Bridge Continuous Monitoring:</b> This UCO covers MOD#37. The Contractor refused to sign the MOD, wanting Metro to include subcontractor bond costs. Work entails monitoring the displacements of the 1st street bridge and automated reading displacements set at intervals and alerts sent to BOE/MTA/Contract and Designer upon exceeding set thresholds	2	7/5/2022	7/26/2022	\$3,465,238.00	\$3,465,238
CO 18.3(MOD#48)	<b>1st street bridge, Gold Line/Regional Connector Conduits Relocation:</b> This UCO covers MOD#48. The contractor refused to sign the MOD, wanting Metro to include subcontractor bond costs. Work consists of structural and electrical work at 1st street bridge and surrounding area to relocate various traction power and communications conduits and cabling at the Intermediate Pylon and Bent 16	5	10/3/2022	10/21/2022	\$1,037,228.00	\$1,037,228
122 (CO)	Reduce Third Rail gap Lengths	6	10/19/22	10/31/2022	\$956,294.00	\$956,294

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

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

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

None						
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (September 1, 2022 - November 30, 2022)**

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

CHANGE NOTICE/ORDER #	DESCRIPTION	Change Type	Rough Order of Magnitude Cost
32.2(CO)	Traction Power Substation(TPSS) Civil and Power changes: Updates to civil/structural/traction power raceway designs of the TPSS and DWP switchgear site. Contractor shall install additional traction power manhole; concrete housekeeping pad for DWP equipment & TPSS foundation embed plates;construct ground grid;Reconstruct ductbanks	6	Between \$500K and less than \$1M
CO 121.1(MOD#57)	<b>Site Improvements for Garfield Yard to Store New Special Trackwork: This unilateral change order (UCO) replaces MOD #57. The contractor refused to sign the MOD, wanting Metro to include subcontractor bond costs. Work consists of site preparation; grading; fencing; security; transportation of materials and yard clean up after special trackwork is installed</b>	5	Between \$1M and \$5M
126(CO)	North Yard Contact Rail Jumper Conduit Stub Up Locations	5	Between \$500K and less than \$1M

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

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

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

	None		
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## AIRPORT METRO CONNECTOR

### I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (September 1, 2022 - November 30, 2022)

Change Types:

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

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

MOD/CHANGE #	DESCRIPTION <small>(if the change is a unilateral, explain in <b>BOLD</b> fonts)</small>	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
HPH - <b>C1194</b> Mod 2	Extend Substantial Completion and Closeout					
	Deductive Modification reduces provisional sums and deletes the south turnback, but also adds 113 excusable days to the schedule.	5	11/18/2022	11/29/2022	-\$248,866	-\$571,571

#### A. DESIGN BID BUILD CONTRACT - C1197 - Tutor

	None					
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#### B. PROFESSIONAL SERVICES CONTRACTS

	Design Support During Construction (DSDC) for AMC:					
SECOTRANS - E0128-TO-015 Mod 6	The Systems Engineering Consultant (SEC) shall provide Systems Engineering, including Design Services During Construction (DSDC), to support the project throughout construction and testing of rail systems and Mechanical/Electrical/Plumbing (MEP). Mod 6 is for FY23 and funds through June 30, 2023.	5	10/26/2022	11/1/2022	\$1,499,923	\$1,499,923

#### C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS

	None					
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (September 1, 2022 - November 30, 2022)**

**A) DESIGN BID BUILD CONTRACT - Contract C1194 - HPH**

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

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

Tutor - C1197 CN 18 Bulletin 23A	<p>Bulletin 23A - Sewage Ejector:</p> <p>The Contractor shall provide all labor, materials, equipment, testing, and work activities related to construction of the work, per the attached Bulletin 23A, and in accordance with the Contract Documents. Work includes, but is not limited to, the installation of an Air Compressor and Pneumatic Pump, a concrete pneumatic pump pit along with access hatches and ladders, and associated appurtenances.</p> <p>23A - Sewage Ejector:</p> <p>The Contractor shall additionally coordinate between Metro and the vendor regarding the number of SCADA monitoring points required for this pump system.</p>	5	Between \$500K and less than \$1M
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**B) PROFESSIONAL SERVICES CONTRACTS - DSDC Gruen**

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

None			
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**RAIL TO RAIL**

**I. APPROVED MODIFICATIONS/CHANGES GREATER THAN \$500K IN THIS REPORTING PERIOD (September 1, 2022 - November 30, 2022)**

Change Types:

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

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

MOD/CHANGE #	DESCRIPTION (if the change is a unilateral, explain in <b>BOLD</b> fonts)	Change Type	Submission Date	Approval Date	Contractor's Proposed Amount	Approved Amount
Mod 7- CO 1.2 CN 1  <b>CONTRACTOR DID NOT SIGN MOD 7</b>	<u>CO 1, the CO 1.1, now CO 1.2: Soil Remediation West of Inskeep Avenue</u>  Soil was found to be "hazardous" not "contaminated" and contractor has to be reimbursed for the higher cost of disposing of such soil. Onsite Track Impacted Soil Remediation between Inskeep Ave and 11th Ave  Contractor to provide the required labor, material, and equipment necessary to handle and treat the remaining Track impacted Area non-RCRA/Cal-Haz soils onsite and hot spots areas. The track impacted area is approximately 15,650 cubic yards. The width is approximately 9 feet from track centerline in both directions, and depth is 1.5 ft. Time extension and any associated time related overhead shall be addressed by a future change, if applicable.	5	10/26/22	10/27/2022	\$7,787,685	\$7,787,685

**B. PROFESSIONAL SERVICES CONTRACTS**

HDR AE59600 TO 12 Mod 2	<u>Design Support During Construction</u>  HDR TO 12 Mod 2 under Contract AE59600 (Andi Wang's contract) is to provide design support during construction for the duration of construction contract C1166.	5	10/20/2022	10/26/2022	\$647,004	\$647,004
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**C. CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACTS**

None						
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**II. PENDING MODIFICATIONS/CHANGES GREATER THAN \$500K (September 1, 2022 - November 30, 2022)**

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

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

**A. DESIGN BUILD CONTRACT - CONTRACT NO.**

None			
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**B) PROFESSIONAL SERVICES CONTRACTS**

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

None			
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**Attachment B - OIG Spot Check CEO Delegated Authority Delays Avoided**

Project Name	Total Work Days Saved	Years Saved
<b>Crenshaw/LAX</b>	336	1.3
<b>Regional Connector</b>	420	1.6
<b>Purple Line Section 1</b>	629	2.4
<b>Purple Line Section 2</b>	397	1.5
<b>Purple Line Section 3</b>	248	1.0
<b>Division 20</b>	45	0.2
<b>Total Savings</b>	<b>2075</b>	<b>8.0</b>



Board Report

File #: 2022-0835, File Type: Oral Report / Presentation

Agenda Number: 26.

CONSTRUCTION COMMITTEE  
JANUARY 19, 2023

SUBJECT: PROGRAM MANAGEMENT MAJOR PROJECT STATUS

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE Program Management Major Project Status Report.

ISSUE

Program Management’s major capital status report provides significant highlights regarding several major capital projects that are nearing or under construction.

BACKGROUND

Metro’s mission is to provide a world-class transportation system that enhances the quality of life for all who live, work, and play within LA County. Program Management oversees the construction of major capital projects. The attached project status report provides significant information about the progress of 11 major capital projects (Regional Connector, Westside Purple Line Sections 1, 2, and 3, Division 20 Portal Widening Turnback, East San Fernando Valley Transit Corridor, Airport Metro Connector, G Line BRT Improvements, Gold Line Foothill Ext. Phase 2B, I-5 North County Enhancements, and I-105 Express Lanes).

DISCUSSION

The project status report highlights the 11 aforementioned major projects concerning cost and schedule performance, small business project participation status, safety, risk, and equity. The report highlights construction activities from October to December 2022. The safety data is based on the latest available information, consistent with reporting timelines.

EQUITY PLATFORM

Regional Connector	Equity - 100% (3 of 3 stations) within or adjacent to Equity Focus Communities.
Westside Purple Line Ext 1	Equity - this project is not within or adjacent to Equity Focus Communities.

Westside Purple Line Ext 2	Equity - this project is not within or adjacent to Equity Focus Communities.
Westside Purple Line Ext 3	Equity - 50% (1 of 2 stations) within or adjacent to Equity Focus Communities.
Gold Line Foothill Ext. Phase 2B	Equity - 100% within or adjacent to Equity Focus Communities.
Division 20 Portal Widening Turnback	Equity - 100% within or adjacent to Equity Focus Communities.
East San Fernando Valley Transit Corridor	Equity - 100% within or adjacent to Equity Focus Communities.
Airport Metro Connector	Equity - 100% within or adjacent to Equity Focus Communities.
G Line BRT Improvements	Equity - 65% (11 of 17 stations) within or adjacent to Equity Focus Communities.
I-5 North County Enhancements	Equity - this project is not within or adjacent to Equity Focus Communities.
I-105 Express Lanes	Equity - 70% within or adjacent to Equity Focus Communities.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Strategic plan goal # 1, Metro will expand transportation options, improve the quality of its transit network and assets, and take steps to manage demands on the entire network.

**SAFETY**

The safety national average rate is 2.4. Below are project’s recordable injury rate as compared to the national average.

	<b>Project Hours</b>	<b>Recordable Injury Rate</b>	<b>Comments</b>
Regional Connector	7,417,605	0.73	Below National Average
Westside Purple Line Ext 1	7,316,693	1.09	Below National Average
Westside Purple Line Ext 2	2,863,982	3.00	Above National Average
Westside Purple Line Ext 3 (C1151)	1,099,478	2.73	Above National Average
Westside Purple Line Ext 3 (C1152)	1,009,589	0	Below National Average

Gold Line Foothill Ext. Phase 2B	1,176,236	0.51	Below National Average
Division 20 Portal Widening Turnback	545,997	0.73	Below National Average
East San Fernando Valley Transit Corridor	0	0	Not in construction
Airport Metro Connector	129,560	1.54	Below National Average
G Line BRT Improvements	0	0	Not in construction
I-5 North County Enhancements	102,930	0	Below National Average
I-105 Express Lanes	0	0	Not in construction

The safety data is based on the latest available information, consistent with reporting timelines.

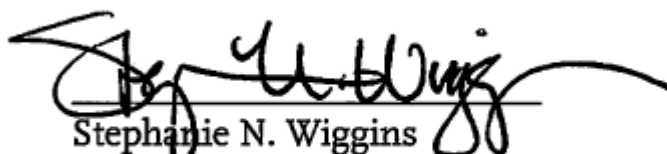
**NEXT STEPS**

Staff will continue to work toward the completion of major capital projects. The next quarterly Program Management major project status report and updates will be in April 2023.

Prepared by: Sameh Ghaly, Deputy Chief Program Management Officer, (213) 418-3369  
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Tashai Smith, Deputy Executive Officer, Diversity & Economic Opportunities, (213) 922-2128

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



Stephanie N. Wiggins  
 Chief Executive Officer

# **Program Management**

## **Quarterly Major Project Status Report**

**Construction Committee**

January 2023



# Project Budget & Schedule Status Summary Chart

Project	Cost Performance		Schedule Performance		Comments
	Variance Approved LOP	Variance Revised Budget	Variance Original	Variance Revised Schedule	
1. Regional Connector					Project is 98.4% complete. Comprehensive systems integrated testing is underway at all stations and the guideway to include site restoration at street level throughout the alignment. Collaboration by Project and Operations underway to transition into commissioning for revenue service. Equity – 100% of the project is within or adjacent to Equity Focus Communities.
2. Westside Purple Line Extension-Section 1					Project is 81% complete. The current forecast Revenue Service Date is Fall 2024. The Project schedule is currently trending behind the target date. Efforts to minimize schedule risk continues. Equity - This Project is not located within or adjacent to Equity Focus Communities.
3. Gold Line Foothill Extension Phase 2B					Project is approximately 65% complete. Construction continues full closure at Fulton Road for utility relocation and construction of grade crossing, station work at Glendora, San Dimas, La Verne and Pomona. Completed Route 66 LRT bridge and at Little Dalton Wash, San Dimas Wash, Puddingstone Channel, Marshall Creek, and Live Oak Channel Bridge. Equity - 100% of the project is within or adjacent to Equity Focus Communities.
4. Westside Purple Line Extension-Section 2					Project is 56% complete and proceeding on schedule and within budget. Equity - This project is not located within or adjacent to Equity Focus Communities.
5. Division 20 Portal Widening Turnback					Project is 46% complete. Construction continues with the preparation of the girder concrete splice of Bent 13 on the 1 <sup>st</sup> . Street Bridge, installation of North Storage Yard tracks, South Storage Yard utilities, Emergency Backup Power Supply conduits, 200 pair copper cable cutover, Portal demolition prep and commence single tracking on the AR track. A \$75M increase in Life of Project (LOP) was approved on the February 2022 Regular Board meeting. Risk Assessment for project budget and schedule currently in development. Equity - 100% of the project is within or adjacent to Equity Focus Communities.
6. Westside Purple Line Extension-Section 3					Project is 44% complete and proceeding on schedule and within budget. Equity - 50% of the project is within or adjacent to Equity Focus Communities.
7. Airport Metro Connector					Project is 30% complete and Primary station Contractor continues with structural foundation, utility underground work, concrete forming for station platform, steel delivery and preparations for erection, and procurement of long-lead material. Early Works Phase is 99% complete and is now in the process of closing out. Equity – 100% of the project is within or adjacent to Equity Focus Communities.
8. I-5 North County Enhancements					Project is 18% complete. Retaining wall excavation/construction, new Weldon Canyon bridge construction, work on Butte Canyon and Castaic Creek bridges, Aerially Deposited Lead (ADL) removal, roadway excavation and base placement, and drainage/barrier work continues. Equity - This project is not located within or adjacent to Equity Focus Communities.
9. I-105 Express Lanes*					Design is 40% complete overall. Segment 1 design is 95% complete. Segment 3, 35% design has received Caltrans comments. Segment 2, 35% design will be submitted in January 2023. CMGC Phase 1 preconstruction work has initiated. Segment 1, first Opinion of Probable Construction Cost (OPCC) will be based on 95% plans. Equity: 70% of the project is within or adjacent to Equity Focus Communities.
10. G Line BRT Improvements*					Design is 35% complete. Pilot Gate construction and testing are complete. Advanced Utility Relocation (AUR) and property acquisitions are underway. Equity: 65% of the project is within or adjacent to Equity Focus Communities.
11. East San Fernando Valley Transit Corridor*					Design is 30% complete for systems and 60% for guideway. Advanced Utility Adjustment (AUA) contract awarded in November 2022. Progressive Design Build (PDB) Contract will be awarded by early 2023. Real property acquisitions are underway. Equity – 100% of the project is within or adjacent to Equity Focus Communities.

\*Projects without a LOP budget



January 2023 Construction Committee



On target



Possible problem (5-10% variance)



Significant Impact (over 10% variance)



# Small Business Project Status Summary Chart (reflective of payments reported through October 2022)

Project	Phase	Goal Type	Contractor Commitment	Current Participation	Status	Variance from Last Reporting +/-	**Adjusted Participation %	% Complete	Comments
1. Regional Connector	Design	DBE	22.63%	24.57%	Exceeding	-.04%		99%	Regional Connector Constructors is exceeding the DBE commitment by 1.94% on Design and 2.98% on Construction.
	Construction	DBE	18.00%	20.98%	Exceeding	+.09%	22.85%	92%	
2. Westside Purple Line Extension-Section 1	Design	DBE	20.25%	21.73%	Exceeding	+.104%		93%	Skanska-Traylor-Shea Joint Venture (STS) is exceeding the DBE commitment by 1.48% on Design and has a 1.40% DBE shortfall on Construction. STS has a shortfall mitigation plan on file. STS reported an uptick in DBE participation this reporting period.
	Construction	DBE	17.00%	15.60%	Shortfall	+.17%	15.80%	81%	
3. Gold Line/Foothill 2B	Construction	--	--	--	--	--	--	--	Reporting on this contract is handled by the Metro Gold Line Foothill Extension Construction Authority.
4. Westside Purple Line Extension-Section 2	Design	DBE	25.31%	29.21%	Exceeding	-7.54%		100%	Tutor Perini/O&G, A Joint Venture (TPOG) is exceeding the DBE commitment on Design by 3.90% and has a 2.02% shortfall on Construction. TPOG has a shortfall mitigation plan on file. TPOG did have a slight uptick in DBE participation for Construction this reporting period.
	Construction	DBE	17.00%	14.98%	Shortfall	+.07%		60%	
5. Division 20 Portal Widening Turnback	Construction	SBE	19.34%	10.57%	Shortfall	+.110%	10.79%	59%	Tutor Perini Corporation (TPC) has an 8.77% SBE shortfall and a 0.28% DVBE shortfall. TPC noted delays in the project as the reason for the shortfall. TPC has a shortfall mitigation plan on file. TPC had an uptick in both SBE/DVBE participation this reporting period.
		DVBE	3.31%	3.03%	Shortfall	+.33%	3.09%		
6. Westside Purple Line Extension-Section 3 – Tunnels	Design	DBE	11.19%	18.15%	Exceeding	-.08%		94%	Frontier-Kemper/Tutor Perini JV (FKTP) is exceeding the DBE commitment on both Design and Construction.
	Construction	DBE	17.10%	20.59%	Exceeding	+.110%	20.69%	85%	
6. Westside Purple Line Extension-Section 3 – Stations, Trackwork, Systems and Testing	Design	DBE	19.25%	18.74%	Shortfall	+.49%		82%	Tutor Perini/O&G, A Joint Venture (TPOG) has a 0.51% shortfall on Design and a 14.05% shortfall on Construction. TPOG contends that the Construction shortfall is the result of several scopes of work being performed on the project through substantial completion (3rd quarter 2026). TPOG had a slight uptick in DBE participation on Design.
	Construction	DBE	21.00%	6.95%	Shortfall	-.08%		36%	
7. Airport Metro Connector (Station)	Construction	SBE	20.79%	17.82%	Shortfall	+3.53%		31%	Tutor Perini Corporation's (TPC) has a 2.97% SBE shortfall and a 2.08% DVBE shortfall. TPC has an uptick in both SBE/DVBE participation this reporting period.
		DVBE	4.96%	2.88%	Shortfall	+1.34%			
8. I-5 North County Enhancements	Construction	DBE	13.01%	6.24%	Shortfall	+2.94%		14%	OHLA USA, Inc.'s current level of DBE participation is 6.24%, representing a shortfall of 6.77%. OHLA had an uptick in DBE participation this reporting period.
9. I-105 Express Lanes*(Phase 1)	CM/GC	DBE	12.40%	TBD	TBD	TBD		TBD	Notice to Proceed issued on November 10, 2022.
10. G Line BRT Improv.* (PDD Phase 1)	PDB	SBE	18.35%	TBD	TBD	TBD		TBD	Notice to Proceed issued on November 10, 2022.
		DVBE	3.73%	TBD	TBD	TBD			
11. East San Fernando Valley Transit Corridor*	PE/DSDC	SBE	25.29%	19.55%	Shortfall	N/A		59%	Gannett Fleming, Inc (GF) has a 5.74% SBE shortfall and is exceeding the DVBE commitment by 0.50%. GF contends that the SBE shortfall is a result of work starting later than anticipated or put on-hold to accommodate further Metro studies. GF has a shortfall mitigation plan on file.
		DVBE	5.54%	6.04%	Exceeding	N/A			

\*Projects without a LOP budget



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

# Regional Connector Transit Project

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

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

\*\*Excludes finance costs

SCHEDULE	Revenue Operation			
	Original	Approved Rebaseline**	Previous Period	Current Forecast*
	May 2021	Fall 2022	Fall 2022	Q1 2023**
	Variance from Original:		+480d (19%)	+480d (19%) 
Variance from Revised Schedule:			+101days 	

\* Current Forecast is Metro's November 2013 Schedule update

\*\* Substantial Completion for guideway was achieved in June 2022



# Regional Connector Transit Project

## Safety

Project Hours: 7,615,909; Recordable Injury Rate: 0.71 vs. The National Average: 2.4.

## Updates

- **Overall Project Progress is 98.4% complete.**
- **Little Tokyo/Arts District Station & Surrounding Area:** Construction and testing at station and tunnels continue. Elevators, finishes, Art installations and Plaza Level canopy installations near complete.
- **Historic Broadway Station:** The station is focused on finishes, and systems installations and testing. Construction of plaza canopy and related canopy features continue. Street restorations on 2nd and Springs streets are continuing behind final utility relocations.
- **Grand Av Arts/Bunker Hill Station:** Finishes, elevators, pedestrian bridge, and systems installations and testing are all near complete. Street restorations are underway with SHPPO MOA reinstated.
- **Flower Street and 7th/Metro Center:** Final radio installations continue. Street restorations on Flower south of 6th Street near complete.
- **Systems:** Comprehensive integrated testing of all systems continuing. Operations' full access to the Project's facilities for rail activation and start-up anticipated by late December.

## Equity

- 3 of 3 stations (100%) are within or adjacent to Equity Focus Communities.





Installation of TPO roofing (Historic Broadway Station)



Final asphalt concrete paving along Hope St





# Westside Purple Line Extension – Section 1

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

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

\*\*Excludes finance costs

SCHEDULE			Revenue Operation	
	Original	Approved Rebaseline	Previous Period	Current Forecast*
	November 2023	Fall 2024	Fall 2024	Fall 2024
	Variance from Original:		+365d (11%)	+365d (11%) 
	Variance from Revised Schedule:			0d 

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

\* The Project schedule is currently trending behind the target date

Budget and schedule are under review. The results will be reflected in future updates.



# Westside Purple Line Extension – Section 1

## Safety

Project Hours: 7,666,868; Recordable Injury Rate: 1.04 vs. The National Average: 2.4.

## Updates

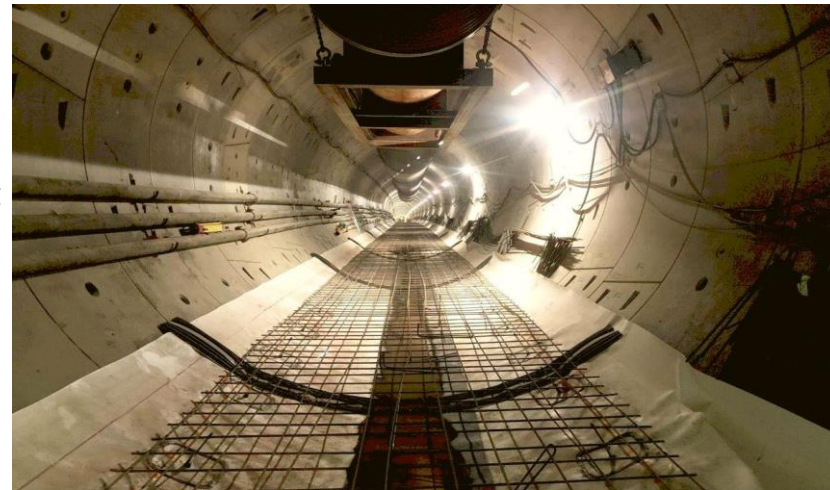
- **Overall Project Progress is 81% complete.**
- **Wilshire/La Brea Station:** Remaining roof concrete work and entrance structure wall construction is underway. Platform construction continues. MEP activities, bus lane, curb and gutter restoration move forward.
- **Wilshire/Fairfax Station:** Entrance structure roof concrete has been placed. Weekend decking removal and street restoration continues. Architectural and MEP activities continue at platform and concourse levels.
- **Wilshire/La Cienega Station:** Above roof venting, waterproofing and backfill along with plenum work on the east side of the Station continue. Remaining roof concrete work has started. Sidewalk restoration on north Wilshire Boulevard is underway.
- **Tunneling**
  - **Reach 1:** Electrical and communications installation work is ongoing in north and south tunnels.
  - **Reach 2:** Track installation preparation in the north tunnel has started. Walkway construction in the south tunnel is complete.
  - **Reach 3 & Tail Track:** Invert construction in the south tunnel has started. Tunnel Boring Machine (TBM) cutterhead removal in the south tunnel continues.

## Equity

- This Project is not located within or adjacent to Equity Focus Communities.





**Wilshire/Fairfax**  
Weekend Street Restoration Work





**Reach 3 Tunnel (Fairfax to La Cienega)**  
Tunnel Invert Construction



# Gold Line Foothill Extension Phase 2B

BUDGET				
		Approved LOP*	Previous Period	Current Forecast
		\$1,532.8 B	1,532.8 B	\$1,532.8 B 
	Variance from Approved LOP:		\$0M (0%)	\$0M (0%) 
Variance from Revised Budget:			\$0	

\* At time of the award of contract – Board Approval (June 2017)

SCHEDULE			Substantial Completion	
	Original	Approved Rebaseline	Previous Period	Current Forecast*
	January 2025	N/A	Fall 2024	Fall 2024
	Variance from Original:		+0d (0%)	-29d (-2%) 
Variance from Revised Schedule:			TBD 	

\* Current Forecast is Contractor's October 2022 Schedule Update.



# Gold Line Foothill Extension Phase 2B

## Safety

- Project Hours: 777,777 Recordable Injury Rate: .85 vs. The National Average: 2.4.

## Updates (Metro Gold Line Foothill Extension Authority)

- **Overall Project Progress is 65% complete.**

Completed Fulton Grade Crossing, Foothill/Grand Bridge post tension and form removal, Lone Hill Structure deck rebar and conduit installation, Lone Hill TPSS Anchoring, 210 Freeway Freight Temporary Shoofly.

- The Contractor Kiewit Parsons Joint Venture (KPJV) has completed work at more than half of the grade crossings, completed the freight track relocation and have started work on all bridges.

The design of the 9 mile, 4 Station extension is substantially complete.

Four new light rail stations are under construction.

CPUC has approved 49 of 49 grade crossings to date.

- Construction Continues at:

Glendora, San Dimas, La Verne and Pomona Stations

Foothill/Grand Ave, Foothill/Grand Ave and Lone Hill LRT Bridges

Anchored Lone Hill TPSS

Construction of SCRRA Maintenance-of-way building

210 and 57 Freeway anchor and support walls

Construction of MSE retaining walls throughout the project

Light rail alignment track construction

LRT train control installation

## Equity



- 100% of the project is located within or adjacent to Equity Focus Communities.

Foothill Grand - LRT ductbank walkway







# Westside Purple Line Extension – Section 2

BUDGET	FFGA	Approved LOP*	Previous Period**	Current Forecast**
	\$2,499M	\$2,441M	\$2,441M	\$2,441M
	Variance from Approved LOP:		\$0M (0%)	\$0M (0%) 
	Variance from Revised Budget:			\$0 

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

\*\*Excludes finance costs

SCHEDULE			Revenue Operation	
	Original	Approved Rebaseline	Previous Period	Current Forecast*
	August 2025	N/A	Summer 2025	Summer 2025
	Variance from Original:		+0d (0%)	+0d (0%) 
Variance from Revised Schedule:			0d 	

\*Contract schedule is forecasting a slippage to the contractual milestones.

The project team is identifying opportunities to mitigate and is monitoring potential impacts. Staff will provide periodic updates to the Board.



# Westside Purple Line Extension – Section 2

## Safety

- Project Hours: 2,984,206; Recordable Injury Rate: 3.08 vs. The National Average: 2.4.
- Metro issued a Notice of Work Suspension on October 21, 2022, out of concern for TPOG's Safety performance. Work was allowed to resume on November 4, 2022, at the two station sites and on November 16, 2022, for the BR tunnel.

## Updates

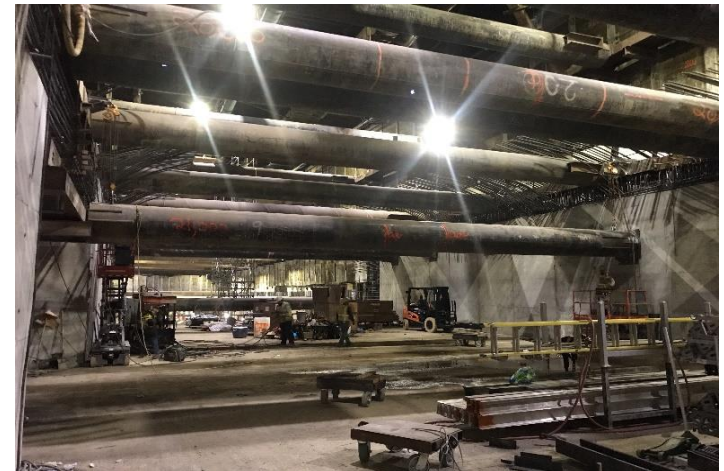
- **Overall Project Progress is 56% complete.**
- **Century City Constellation Station** (Progress as of November 28, 2022)
  - Excavation for both the station box and station entrance is 63% complete.
  - Storm drain realignment within the station box is complete.
- **Wilshire/Rodeo Station** (Progress as of November 28, 2022)
  - Overall invert slab is 72% complete and will be completed after Tunnel Boring Machines (TBM) mining.
  - Overall progress for the north and south concourse level walls is 15%.
- **Tunneling** (Progress of as of November 28, 2022).
  - Ruth (eastbound subway tunnel) – Reach 4: 4,743ft (83%), overall: 10,520ft (92%).
  - Harriet (westbound subway tunnel) Excavation is 100% complete (Reach 4 and overall).

## Equity

- This Project is not located within or adjacent to Equity Focus Communities.





Century City Constellation Station - Excavation Progress



Wilshire/Rodeo Station - Station Box Concourse Level





# Division 20 Portal Widening Turnback

BUDGET				
		Approved LOP*	Previous Period	Current Forecast
		\$801.7 M	\$876.7 M	\$876.7 M 
	Variance from Approved LOP:		\$75M (9%)	\$75M (9%)  **
Variance from Revised Budget:		\$0	\$0	

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

\*\* Risk Assessment for project budget and schedule currently in development

SCHEDULE			Substantial Completion	
	Original	Approved Rebaseline	Previous Period	Current Forecast*
	June 2024	Summer 2022	Summer 2025	Summer 2025
	Variance from Original:		+0d (0%)	+441d (29%) 
Variance from Revised Schedule:			TBD  **	

\* Current Forecast is Contractor's Schedule Update.



# Division 20 Portal Widening Turnback

## Safety

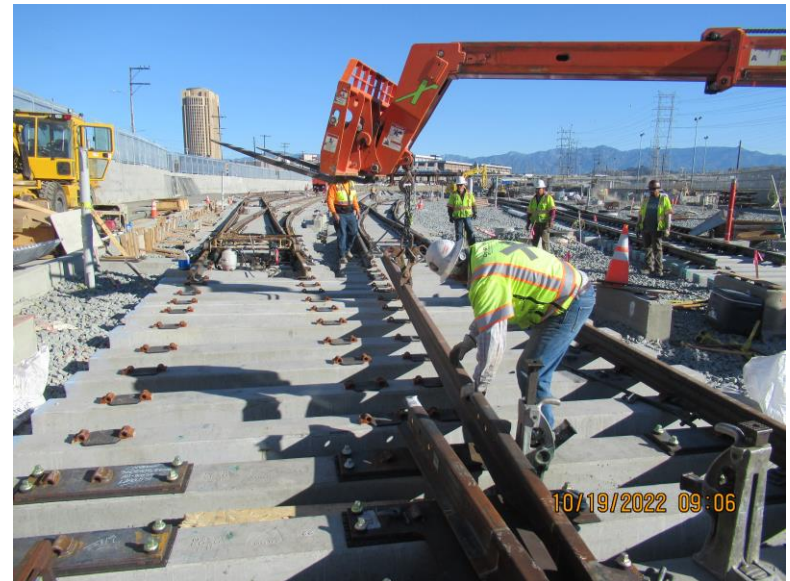
Project Hours: 595,450 Recordable Injury Rate: .67 vs. The National Average: 2.4.

## Updates

- **Overall Project Progress is 46% complete.**  
Recent activities: 200 pair copper cable cutover, 1<sup>st</sup> St. Bridge Bent 13 girder concrete splice prep, North Yard storage tracks install.
- **C1136 TPC Portal Widening Turnback Contract**  
PWT C1136 Contract progress is 47%.  
North Yard storage track install – South Yard utilities.  
Portal demo preparation commences with the Cutover 200 pair copper cable and single tracking on AR track.
- **Major Change Orders to Date:**  
Hazardous Material Removal.  
1<sup>st</sup> St Bridge Repairs of Differing Site Conditions.  
Completion of early utility Contracts.  
3<sup>rd</sup> Party Interfaces.  
Design Revisions (*in progress*).
- **C1184 C3M Traction Power Substation Contract** at 72%
- **Coordination with Adjacent Projects**  
Purple Line Extension (PLE1), Regional Connector;  
Metro Center Project, HR4000 and A650 Vehicle Delivery.
- **Continued Regular risk assessments to determine budget/schedule**

## Equity

- 100% of the project is located within or adjacent to Equity Focus Communities.

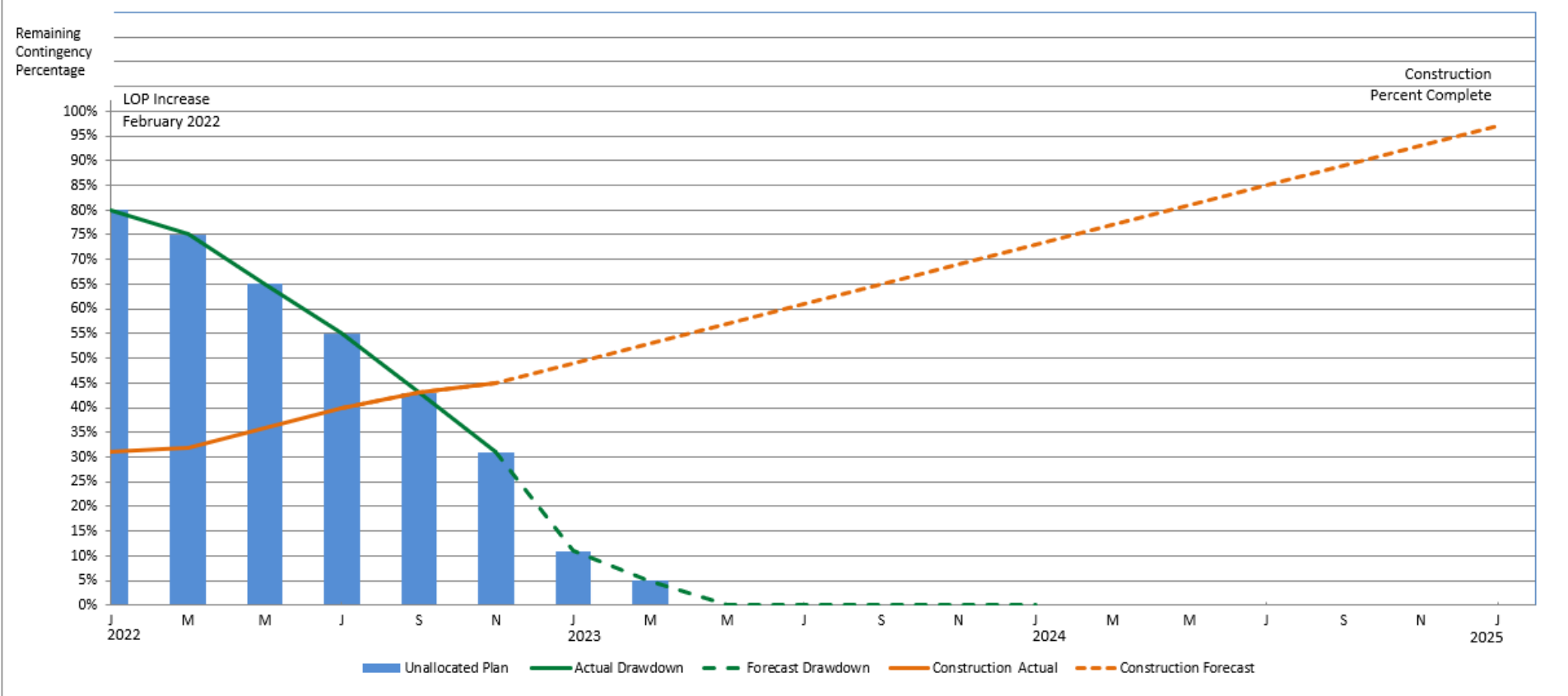


North Yard Storage Tracks





# Division 20 Portal Widening Turnback

Unallocated Contingency Drawdown with Construction Percent Complete Comparison





# Westside Purple Line Extension – Section 3

BUDGET	FFGA	Approved LOP*	Previous Period**	Current Forecast**
	\$3,599 M	\$3,224 M	\$3,224 M	\$3,224 M
Variance from Approved LOP:			\$0M (0%)	\$0M (0%) 
Variance from Revised Budget:			\$0	

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

\*\* Excludes finance costs

SCHEDULE			Revenue Operation	
	Original	Approved Rebaseline	Previous Period	Current Forecast*
March 2027	N/A	Spring 2027	Spring 2027	
Variance from Original:			+0d (0%)	+0d (0%) 
Variance from Revised Schedule:			0d	

\* Current Forecast is Contractor's Schedule Update.

\*\* Approval in process



# Westside Purple Line Extension – Section 3

## Safety

Project Hours: 2,231,464; Recordable Injury Rate: 1.43 vs. The National Average: 2.4.

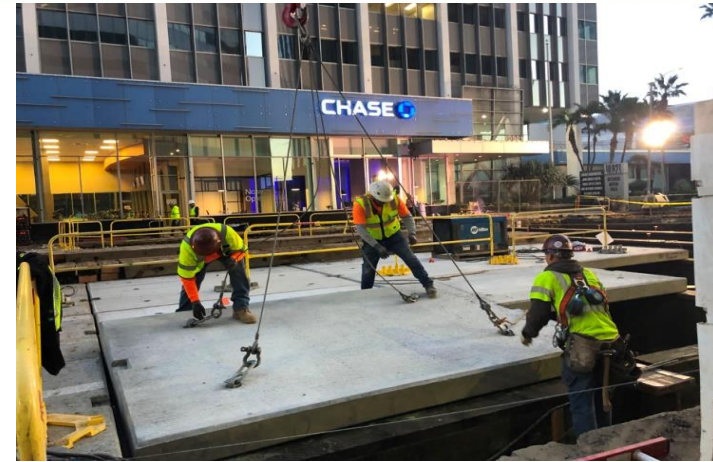
- C1151: Project Hours: 1,179,969; Recordable Injury Rate: 2.71.
- C1152: Project Hours: 1,051,495; Recordable Injury Rate: 0.0.

## Updates

- **Overall Project Progress is 44% complete.**
- **Final design progress is 97% complete.**
- **Tunneling**
  - Both tunnel boring machines (TBMs) “Aura” and “Iris” continue mining toward Century City. Progress as of November 28, 2022, is as follows:
  - Iris “BR TBM” (westbound subway tunnel) – Reach 6: 7,162 ft. (75%), overall: 11,140 ft. (82%).
  - Aura “BL TBM” (eastbound subway tunnel) – Reach 6: 6,313 ft. (66%), overall: 10,277 ft. (76%).
- **Westwood/UCLA Station**
  - Station roadway deck panels are completed, and station excavation continues from UCLA Lot 36.
- **Westwood/VA Station**
  - Station excavation started on October 24, 2022, and continues.
  - The VA steam tunnel relocation work continues; Mechanical, Electrical, and Plumbing fit-out inside the steam tunnel (35% complete); redundant VA steam line is completed.
  - Supports built under utilities crossing the station to support utilities during station excavation.
  - Installation of 12” water supply from vault 400 to the street connection is ongoing.
  - Installation of dewatering wells and geotechnical instrumentation continues.

## Equity

- 1 of 2 stations (50%) are within or adjacent to Equity Focus Communities.





**Westwood/UCLA Station:  
Installing Temporary Deck Panels in Wilshire Blvd**





**Westwood/VA Station: Excavating station to Level 1 Bracing**



# Airport Metro Connector (AMC) Project

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

\* Approved April 2021 Board

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

\* Current Forecast is August 2022 Schedule Update





# Airport Metro Connector (AMC) Project

## Safety

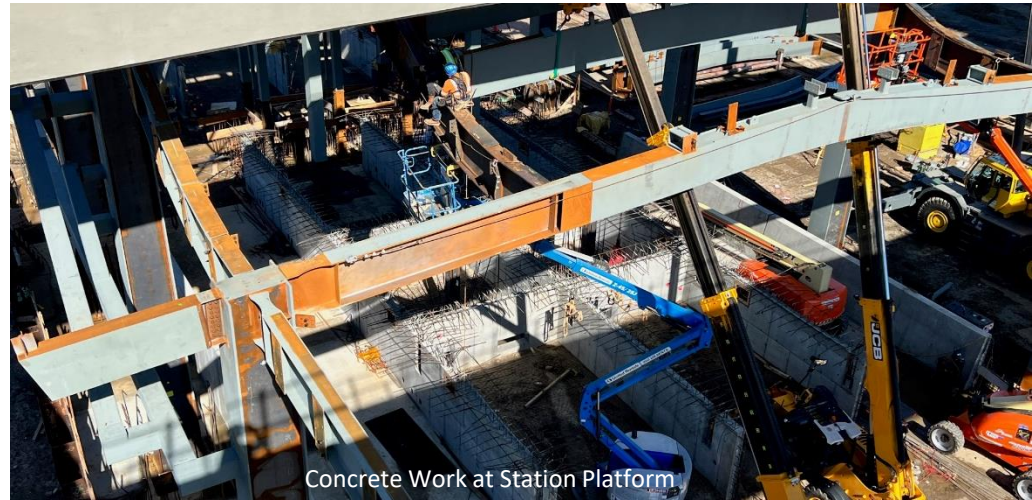
Project Hours: 206,985; Recordable Injury Rate: 2.9 vs. The National Average: 2.4.

## Updates

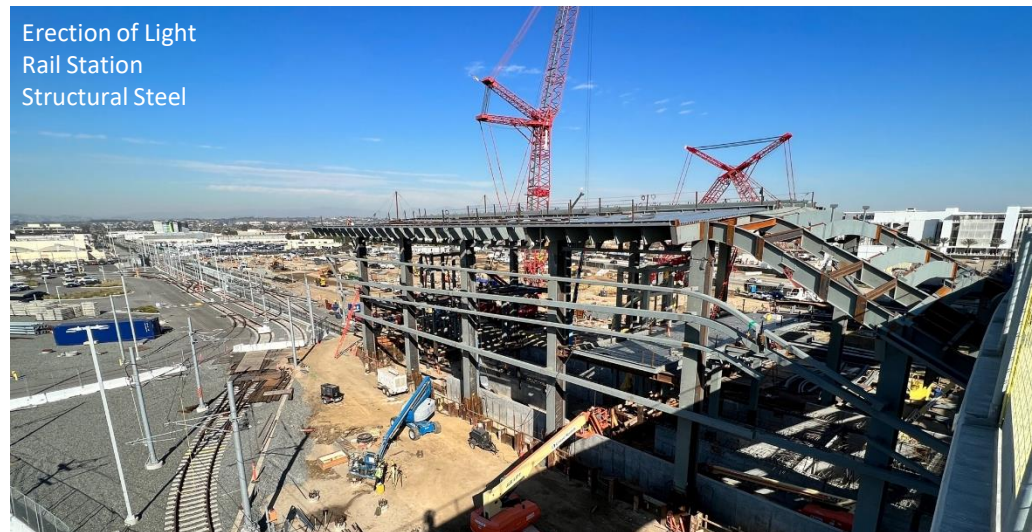
- **Overall project progress is 30% complete.**
- Early Works Phase construction is 99% complete and in the close-out phase.
- North Turn back and reconfiguration with turnback facility is completed and in full operations for segmented CLAX Line service.
- Primary Station Construction (30% complete) has now come out of the ground with erection of structural steel at light rail platform. Station platform concrete, underground utilities, and procurement of long-lead material continues. Work within the Light Rail Transit (LRT) area was expedited.

## Equity

- 100% of the project is located within or adjacent to Equity Focus Communities.





Concrete Work at Station Platform





Erection of Light Rail Station Structural Steel



# I-5 North County Enhancements

BUDGET				
		Approved LOP*	Previous Period	Current Forecast
		\$679.3M	\$679.3M	\$679.3M
	Variance from Approved LOP:		\$0M (0%)	\$0M (0%) 
	Variance from Revised Budget:			\$0 

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

SCHEDULE			Substantial Completion	
	Original	Approved Rebaseline	Previous Period	Current Forecast
	July 2016	N/A	Summer 2026	Summer 2026
	Variance from Original:		+0d (0%)	+0d (0%) 
	Variance from Revised Schedule:			N/A 



# I-5 North County Enhancements

## Safety

Project Hours: 156,114; Recordable Injury Rate: 0.00 vs. The National Average: 2.4.

## Updates

- **Overall Project progress is 18% complete.**
- Construction Stage 1, Phase 1 & 2:
  - Partial Demolition/Pile Driving/Footing and Abutment/Bent Construction on several bridges.
  - Retaining Walls, Drainage, Barrier/Roadway Demo, Excavation, and Base Placement.
- Project Team continues to coordinate with stakeholders: Caltrans, Federal Highway Administration (FHWA), City of Santa Clarita, Los Angeles County, CHP, NPS, CDFW, and other local stakeholders.
- Single-direction freeway closures occurred in December 2022 to support Weldon Canyon bridge construction activities.

## Equity

- This project is not located within or adjacent to Equity Focus Communities.



On-Going Roadway Excavation in the Median



On-going abutment and wing wall construction at new Weldon Canyon Bridge



Forming, preparations, and concrete pour at Retaining Wall 2622







# Projects without Life of Project (LOP) Budget

- **105 Express Lanes**
- **G Line BRT Improvements Project**
- **East San Fernando Valley Transit Corridor**



# 105 Express Lanes

BUDGET				
	TIFIA	Approved Preconstruction Budget	Previous Period	Current Forecast
	N/A	119.4 M	N/A	\$780M
	Variance from Approved LOP:		\$0M (0%)	\$0M (0%) 
	Variance from Revised Budget:			N/A 

SCHEDULE			Revenue Operation	
	Original	Approved Rebaseline	Previous Period	Current Forecast
	N/A	N/A	N/A	Spring 2028
	Variance from Original:		+0d (0%)	+0d (0%) 
	Variance from Revised Schedule:		N/A	N/A 



# 105 Express Lanes

## Safety

Project Construction Hours: 0; Recordable Injury Rate:  
N/A vs. The National Average: 2.4.

## Updates

- **Design is 40% complete.**
- **Progress:**
  - The Phase 1 (Pre-Construction) CM/GC, Roadside Toll Collection System (RTCS) and PMSS contracts were approved by the Board in August 2022.
  - Notice to Proceed (NTP) was issued to CMGC Contractor on November 10th and CMGC Phase 1, Pre-Construction work has initiated.
  - Segment 1 of the project (between I-405 and Central Ave.), 95% Design has been submitted to Caltrans.
  - Segment 3 of the project (between 710 Freeway and Studebaker Rd.), 35% Design was submitted to Caltrans in October and has received comments from Caltrans. Segment 2 (between Central Ave. and 710 Freeway) will be submittal in January 2023.
  - Kick-off meeting with the PMSS Contractor was held on October 26<sup>th</sup>.
  - The first Opinion of Probable Construction Cost (OPCC) for segment 1 will be based on the 95% Plans.
  - Procuring a consultant to conduct an independent equity study.

## Equity

- 70% of the project is within or adjacent to Equity Focus Communities.





Traffic on 105 Freeway Westbound





The Project Map



# G Line BRT Improvements Project

BUDGET				
		Approved Preconstruction Budget	Previous Period	Current Forecast
		\$149.7M	N/A	\$392-\$476M
	Variance from Approved LOP:		\$0M (0%)	\$0M (0%) 
Variance from Revised Budget:			\$0 	

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

SCHEDULE			Revenue Operation	
	Original	Approved Rebaseline	Previous Period	Current Forecast*
	N/A	N/A	N/A	December 2026
	Variance from Original:		+0d (0%)	+0d (0%) 
Variance from Revised Schedule:			N/A 	

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



# G Line BRT Improvements Project

## Safety

Project Construction Hours: 0; Recordable Injury Rate:  
N/A vs. The National Average: 2.4.

## Updates

- **Design is 35% complete.**
- **Progressive Design Build Contract**
  - Progressive Design Build (PDB) Contract NTP issued November 10, 2022.
- **Utility Owner-performed AURs:**
  - Sepulveda – removal of poles and overhead wires pending PDB contractor installation of new power service.
  - Vesper – DWP crews completed cable pulling in August, Charter construction start pending City permit approval.
  - Sylmar – work complete within City ROW, DWP license agreement executed, and DWP commenced work in Metro ROW in November 2022.
- **Property Acquisitions underway**
  - Eight acquisitions underway, all-in negotiation or agreement phase.
  - Offers presented to owners between March 31, 2022, and May 24, 2022.
  - Board adopted the Resolution of Necessity for all properties in August 2022.

## Equity

- 11 of 17 stations (65%) are within or adjacent to Equity Focus Communities.



DWP Overhead Construction at Vesper



DWP Overhead Construction at Vesper



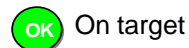


# East San Fernando Valley Transit Corridor

BUDGET	Approved (cumulative thru FY23) Annual Budget			Previous Period	Current Forecast
		\$362M		N/A	\$2.8-\$3.6B
	Variance from Approved LOP:		\$0M (0%)	\$0M (0%)	
	Variance from Revised Budget:			\$0	

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

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



Possible problem (5-10% variance)



Significant Impact (over 10% variance)

# East San Fernando Valley Transit Corridor

## Safety

Project Hours: 0; Recordable Injury Rate: N/A vs. The National Average: 2.4.

## Updates

- **Design is 30% complete for systems.**
  - **Design is 60% complete for guideway.**
  - **Construction Management Support Services Contract**
    - Notice to Proceed (NTP) given to ESFV LRT Joint Venture Arcadis Mott MacDonald (AMM) in November 2022.
  - **Maintenance and Storage Facility (Solar Energy & Storage)**
    - NTP on December 7, 2022 to PCS Energy LLC for the Public-private partnership (P3) Contract.
    - Maximum duration of 15 years, with three phases of work.
  - **Advance Utility Adjustment (AUA) Contract DWP Design 1**
    - NTP on December 1, 2022 to W.A. Rasic Construction Company, Inc.
  - **Progressive Design Build Contract**
    - Progressive Design Build (PDB) Contract proposals received Nov 2022 and in review.
    - Anticipate recommendation to Board for award in early 2023.
  - **Property Appraisals underway**
    - Appraisal contracts awarded on August 11, 2022.
    - NTP in December 2022 to two real estate property appraisal, and three fixtures appraisal firms.
    - Appraisals will commence in January 2023.
- Equity**
- Acquisition anticipated to commence in June 2023.
  - 100% of the project is within or adjacent to Equity Focus Communities.



**Intersection of Van Nuys Blvd. & Saticoy St.**



**Intersection of Van Nuys Blvd. & Keswick St.**

