



Metro

*Watch online: <http://boardagendas.metro.net>
Listen by phone: Dial 888-251-2949 and enter Access Code:
8231160# (English) or 4544724# (Español)*

Agenda - Final

Thursday, November 18, 2021

11:00 AM

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

Construction Committee

Tim Sandoval, Chair

Fernando Dutra, Vice Chair

Jacquelyn Dupont-Walker

Janice Hahn

Paul Krekorian

Tony Tavares, non-voting member

Stephanie Wiggins, Chief Executive Officer

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

PUBLIC INPUT

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

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

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

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

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.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary 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 www.metro.net or on CD's and as MP3's for a nominal charge.

DISCLOSURE OF CONTRIBUTIONS

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.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

LIMITED ENGLISH PROFICIENCY

A Spanish language interpreter is available at all Committee and Board Meetings. All other languages must be requested 72 hours in advance of the meeting by calling (213) 922-4600 or (323) 466-3876. Live Public Comment Instructions can also be translated if requested 72 hours in advance.



323.466.3876

x2 *Español (Spanish)*

x3 *中文 (Chinese)*

x4 *한국어 (Korean)*

x5 *Tiếng Việt (Vietnamese)*

x6 *日本語 (Japanese)*

x7 *русский (Russian)*

x8 *Հայերէն (Armenian)*

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Recordings of Meetings - (213) 922-4880 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.metro.net

TDD line (800) 252-9040

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 November 18, 2021; you may join the call 5 minutes prior to the start of the meeting.

Dial-in: 888-251-2949 and enter
English Access Code: 8231160#
Spanish Access Code: 4544724#

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 18 de Noviembre de 2021. Puedes unirte a la llamada 5 minutos antes del comienso de la junta.

Marque: 888-251-2949 y ingrese el codigo
Codigo de acceso en ingles: 8231160#
Codigo de acceso en espanol: 4544724#

Los comentarios del público se tomara 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," OR "GENERAL COMMENT," or "ITEM NEEDS MORE CONSIDERATION."

Email: BoardClerk@metro.net

Post Office Mail:

Board Administration

One Gateway Plaza

MS: 99-3-1

Los Angeles, CA 90012

CALL TO ORDER**ROLL CALL**

APPROVE Consent Calendar Items: 27.

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

CONSENT CALENDAR**27. SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT**[2021-0675](#)**RECOMMENDATION**

CONSIDER:

- A. ESTABLISHING a Life of Project (LOP) budget in the amount of \$156,437,550 million for the Rosecrans/Marquardt Grade Separation Project; and
- B. AUTHORIZING the Chief Executive Officer to approve the award of and execute all contracts and agreements within the LOP budget for the Rosecrans/Marquardt Grade Separation Project.

Attachments: [Attachment A - Life of Project Budget Cash Flow](#)
[Attachment B - Project Funding Plan](#)

NON-CONSENT**28. SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT - ADVANCED UTILITY RELOCATION DESIGN FOR DWP**[2021-0677](#)**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to execute Modification No. 26 to Contract No. AE58083E0129 with Gannett Fleming, Inc. for the East San Fernando Valley Transit Corridor Project, for the final design of advanced utility relocation for DWP Design Package 2&3, in the amount of \$1,926,053, increasing the total Contract amount from \$74,851,987 to \$76,778,040.

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

14. **SUBJECT: REVIEW OF PROJECT MANAGEMENT SUPPORT SERVICES (PMSS) CONTRACT - BEST PRACTICES TO FUND & EXTEND PROFESSIONAL SERVICES CONTRACTS** [2021-0669](#)

RECOMMENDATION

RECEIVE AND FILE Office of the Inspector General Review of Project Management Support Services Contract (PMSS) Best Practices to Fund & Extend Professional Services Contracts.

Attachments: [Attachment A - OIG Final report PMSS review](#)
[Attachment B - Tracking Schedule for Recommendations Presentation](#)

(ALSO ON FINANCE, BUDGET, AND AUDIT COMMITTEE)

15. **SUBJECT: PERFORMANCE AUDIT OF PROGRAM MANAGEMENT SUPPORT SERVICES** [2021-0713](#)

RECOMMENDATION

RECEIVE AND FILE Management Audit Services Final Report on the Performance Audit of Program Management Support Services (PMSS) Contract No. AE35279 (Contract) with Kal Krishnan Consulting Services, Inc./Triunity Engineering & Management Joint Venture (KKCS/Triunity JV).

Attachments: [Attachment A - Board Motion 32: Program Management Support Services](#)

(ALSO ON FINANCE, BUDGET, AND AUDIT COMMITTEE)

29. **SUBJECT: PROGRAM MANAGEMENT SUPPORT SERVICES** [2021-0670](#)

RECOMMENDATION

AUTHORIZE:

- A. The exercise of the two-year option for Contract No. AE35279 with Kal Krishnan Consulting Services/Triunity Engineering and Management Joint Venture (KTJV), a small business prime, in the amount not-to-exceed \$27,461,365 for FY23 and FY24, increasing the authorized total funding limit from \$73,644,591 to \$101,105,956; and
- B. The CEO or designee to execute individual Contract Work Orders (CWOs) and Contract Modifications within the Board authorized contract funding amount.



Board Report

File #: 2021-0675, File Type: Budget

Agenda Number: 27.

CONSTRUCTION COMMITTEE NOVEMBER 18, 2021

SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. ESTABLISHING a Life of Project (LOP) budget in the amount of \$156,437,550 million for the Rosecrans/Marquardt Grade Separation Project; and
- B. AUTHORIZING the Chief Executive Officer to approve the award of and execute all contracts and agreements within the LOP budget for the Rosecrans/Marquardt Grade Separation Project.

ISSUE

The Rosecrans Marquardt Grade Separation Project has completed 100% final design plans, and it is currently in procurement for construction. Staff is requesting board approval of the LOP, which includes all phases of the project from environmental, planning and design to construction, including all third party and soft costs. The Rosecrans/Marquardt Grade Separation Project is fully funded with \$156,437,550 in federal, state and local funds.

BACKGROUND

The Rosecrans Marquardt Grade Separation Project (RM Project) is comprised of a new bridge overpass at the Rosecrans Avenue and Marquardt Avenue in the City of Santa Fe Springs that will separate the vehicular and pedestrians from the BNSF owned rail corridor. The Rosecrans Avenue and Marquardt Avenue grade crossing experiences a high volume of vehicular traffic with approximately 45,000 vehicles traveling through this grade crossing daily along with 130 Metrolink and Amtrak passenger trains and BNSF freight trains. This is equivalent to a train traveling through this crossing approximately every 10 minutes. In addition, this grade crossing traverses this intersection diagonally, which results in poor sight distance between roadway and railroad vehicles. With such heavy traffic on diagonal grade crossing configuration, the California Public Utilities Commission (CPUC) identified the Rosecrans Avenue and Marquardt Avenue grade crossing as one of the most hazardous grade crossing in the state in 2017 and 2018.

The RM Project is an important regional rail project that will enable an increase of Metrolink and Amtrak passenger trains and accommodate the future California High Speed Rail service along this corridor.

DISCUSSION

Staff is recommending approval of the LOP budget in the amount of \$156,437,550 million for the RM Project, which is fully funded with federal, state and local funds. The RM Project has completed the final design, and it is currently in procurement for construction. The LOP has been established for \$156,437,550 million, including environmental, planning preliminary engineering, final design, construction, construction management support services, construction administration, real estate acquisitions, building demolitions, advanced utility relocations, third-party costs, legal, permits, & professional liability insurance, etc. The RM Project is a grade separation project that received CEQA Notice of Statutory exemption on February 29, 2016, and has also completed NEPA Findings of No Significant Impact Environmental Assessment on November 7, 2018.

Scope Description	Total Cost (in millions)
Planning, Environmental & Preliminary Engineering	\$ 1.970
Final Design Services & Design Support During Construction	\$ 5.998
Real Estate Acquisition	\$ 57.0
Soft Costs (Legal, Testing, etc.) & Third Party Costs	\$ 15.469
Early Demolition & Advance Utility Work	\$ 6.0
Construction including 4% cost escalation & contingency	\$70.0
TOTAL	\$156.437

A key component to the Rosecrans/Marquardt Avenue intersection with BNSF railroad crossing is safety. The construction of a new separated bridge overpass will significantly improve safety, eliminate the possibility of train to vehicle collisions, reduce vehicle delays, and enhance the environment. This project is also an important regional rail project that will enable an increase in Metrolink and Amtrak passenger trains and accommodate the future California High Speed Rail service along this corridor.

There are no existing bike lanes located along Rosecrans Avenue or Marquardt Avenue. However, the LA Metro/Gateway Council of Governments Strategic Transportation Plan outlines the future construction of a class II bikeway facility on Rosecrans Avenue. The construction plans show the proposed Rosecrans to be 102' wide with 6 lanes, 8 feet wide sidewalks on both sides, and therefore there will be sufficient room for future bike lanes.

Real Estate Acquisitions

Metro Real Estate is responsible for all property acquisitions and easements, including six industrial properties, two commercial properties, various partial and temporary easements, and 15 temporary construction easements (TCEs). All Property acquisitions have been completed in compliance with

the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987 as well as the State of California land acquisition laws. Since this Project includes funding from federal and state sources, the Right-Of-Way (ROW) Certification was required prior to construction authorization. Metro Real Estate has already obtained the ROW Certification approval from Caltrans and has effective Orders of Possession (OP) on all properties and is ready for the start of construction.

Advanced Utility Relocations

The advanced utility relocation work was undertaken under the Cooperative & Funding Agreement with the City of Santa Fe Springs, signed and executed in July 2018. The cooperative agreement includes a section entitled "Relocation of City Utilities & Private Utilities" for the project. Under this agreement, the City of Santa Fe Springs sent written notice to all utility owners whose facilities were in conflict with the project, instructing them to relocate or remove the conflicting facilities at the utility owner's cost in accordance with City's Franchise Agreement with each utility owner. Utilizing the City's Franchise Agreement, enabled the project to proceed with the advance utility relocation, maintaining project schedule, significantly reducing project risks and saving the project more than \$10 million. This is an initial step in the Metro-staff proposed county-wide approach as part of our program-wide cost containment initiative.

Utility work began in early 2020 , and the relocation of gas and Verizon's telecommunication lines has already been completed. Frontier's and Charter/Spectrum's communication lines relocation work is currently in progress and will be completed by January 2022. The Southern California Edison (SCE) electrical work involves the relocation of nine (9) overhead steel poles and replacement of six (6) overhead wood poles and being completed in three (3) phases. SCE has already completed the first phase and anticipating completing the second phase by the end of January 2022. SCE's Phase-3 is in the fill area west of railroad tracks and will need to be completed concurrently with the grading and roadway construction of the new bridge overpass due to the significant change in grade.

Demolition Work

In preparation for the advance utility work, early demolition work began in early 2020 where a total of eight (8) buildings are to be demolished and four (4) buildings have already been cleared from the project site. The remaining 4 buildings are scheduled to be demolished by beginning in early November 2021 and be completed by January 2022 and ready for the construction work to begin.

DETERMINATION OF SAFETY IMPACT

The approval of Board action will not have an impact on established safety standards. This Project will substantially improve safety as it is a grade separation of the roadway from active railroad right-of-way. With this Project, the at-grade crossing will be closed, eliminating the possibility of train to vehicle collisions at this intersection and improving traffic conditions. All aspects of the Project will be designed to be in accordance with BNSF's current design standards and will be in accordance with the General Orders of the California Public Utilities Commission.

FINANCIAL IMPACT

The Rosecrans/Marquardt Grade Separation Project is fully funded with \$156,437,550 in local, state and federal grants as listed in Table 1.

TABLE 1 SOURCES OF FUNDS	AMOUNT (in million)
California High Speed Rail Prop 1A	\$ 76.665
California Public Utilities Commission Section 190- City of Santa Fe Springs	\$ 15.0
BNSF Railway	\$ 7.272550
Measure R 20% Highway	\$ 26.5
Federal Transportation Investment Generating Economic Recovery	\$15.0
California Senate Bill 1 Trade Corridor Enhancement Program (TCEP)	\$7
California State Transportation Improvement Program	\$9
TOTAL	\$156.437550

The funding required for FY22 is included in cost center 2415, Regional Rail, Project No. 460066, Task 6.3.01.03. This is a multi-year project and with Board approval, the future fiscal years (FY23, FY24, and FY25 - See Attachment A - LOP Cash Flow) will be budgeted by Metro Cost Center Manager and Chief of Program Management.

Impact to Budget

The funding sources are subject to change based on availability and eligibility at the time of expenditure. The funding sources are not eligible to be used for Metro bus/rail operating or capital budget expenses.

EQUITY PLATFORM

From the beginning, the project team initiated a robust public engagement campaign that included a scoping meeting, community meeting and a public hearing, and stakeholder briefings. Informational materials, such as fact sheets and FAQs, a project website, Helpline and emails were established and made accessible to all the public. These outreach efforts will continue through construction. The project area is zoned as light industrial and is populated with industrial and commercial buildings. There are no residential buildings within the project area. All the acquired properties and the relocated businesses were relocated and received compensation in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This project has established a 12% DBE participation goal.

ALTERNATIVES CONSIDERED

The Board may choose not to move forward with the approval of LOP budget. This is not recommended as LOP is based on actual bids that provide an accurate construction cost forecast. Also, the LOP budget approach is consistent with Metro’s capital project delivery approach. Additionally, schedule delays and cost overruns will occur if the LOP budget is not approved.

NEXT STEPS

Upon Board approval of the LOP budget, staff will move the Project forward into construction.

ATTACHMENTS

Attachment A - Life of Project Budget Cash flow

Attachment B - Project Funding Plan

Dan Mahgerefth, Director of Engineering, (213) 418-3219

Jeanet Owens, Sr. Executive Officer, (213) 418-3179

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

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


Stephanie N. Wiggins
Chief Executive Officer

Attachment A
Rosecrans/Marquardt Project - Life of Project Budget Cash Flow

Rosecrans/Marquardt Grade Separation

\$7,968,000 7/1/15 to 6/30/16 7/1/16 to 6/30/17 7/1/17 to 6/30/18 7/1/18 to 6/30/19 7/1/19 to 6/30/20 7/1/20 to 6/30/21 7/1/21 to 6/30/22 7/1/22 to 6/30/23 7/1/23 to 6/30/24 7/01/24 to 6/30/25

PROJECT PHASE	BUDGET TOTAL	PRIOR	Up to FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25
Planning, Environmental & Preliminary Engineering	\$1,970,000	\$1,222,000	\$164,000	\$67,000	\$14,000	\$15,000	\$200,000	\$200,000	\$88,000	\$0	\$0
Final Design Services & Design Support During Construction	\$5,998,000	\$1,037,000	\$1,513,000	\$290,000	\$445,000	\$866,000	\$873,000	\$389,000	\$325,000	\$220,000	\$40,000
Right-Of-Way (Real Estate Acquisitions)	\$57,000,000	\$54,000	\$4,845,550	\$9,000,000	\$21,500,000	\$10,500,000	\$7,358,347	\$3,742,103	\$0	\$0	\$0
Soft Costs (Legals, Testing, etc.) & 3rd Party Costs	\$15,469,550	\$1,100,550	\$1,200,000	\$1,300,000	\$1,400,000	\$1,270,100	\$1,398,900	\$1,500,000	\$2,800,000	\$2,600,000	\$900,000
Early Demolition & Advanced Utility Relocations	\$6,000,000	\$0	\$50,000	\$0	\$0	\$2,925,823	\$24,177	\$3,000,000	\$0	\$0	\$0
Constuction Including 4% Cost Escalatiion & Contingency	\$70,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,000,000	\$30,000,000	\$30,000,000	\$4,000,000
GRAND TOTAL	\$156,437,550	\$3,413,550	\$7,772,550	\$10,657,000	\$23,359,000	\$15,576,923	\$9,854,424	\$14,831,103	\$33,213,000	\$32,820,000	\$4,940,000

GRANT FUNDING SOURCE	TOTAL	PRIOR	Up to FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25
CHSRA Proposition 1A	\$76,665,000	\$0	\$0	\$0	\$0	\$20,500,000	\$5,300,000	\$5,000,000	\$24,000,000	\$21,865,000	\$0
CPUC Section 190	\$15,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$7,500,000	\$7,500,000	\$0	\$0
BNSF Railway	\$7,272,550	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,000,000	\$2,272,550
Measure R 20%	\$26,500,000	\$3,413,550	\$7,772,550	\$10,657,000	\$23,359,000	(\$4,923,077)	\$4,554,424	(\$2,668,897)	(\$9,287,000)	(\$9,045,000)	\$2,667,450
TIGER	\$15,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,000,000	\$8,000,000	\$0
State Transportation Improvement Program (STIP)	\$7,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$5,000,000	\$2,000,000	\$0	\$0
Trade Corridor Enhancement Program (TCEP)	\$9,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,000,000	\$7,000,000	\$0
BUDGET TOTAL	\$156,437,550	\$3,413,550	\$7,772,550	\$10,657,000	\$23,359,000	\$15,576,923	\$9,854,424	\$14,831,103	\$33,213,000	\$32,820,000	\$4,940,000

**Rosecrans/Marquardt Grade Separation Project
Funding Matrix Breakdown**

FUNDING SOURCE	FUNDING AGENCY	AMOUNT SECURED	DATE (MONTH/YEAR) FUNDS REQUESTED	FUNDING USE*	ADDITIONAL NOTES
TIGER Grant	USDOT	\$15,000,000	In Place	C	
Prop 1A	CHSRA	\$76,665,000	In Place	C/R	
Measure R 20%	Metro	\$26,500,000	In Place	C/R/PE/FE	
Section 190	CPUC	\$15,000,000	In Place	C/R	
Railroad Share	BNSF Railway	\$7,273,000	In Place	C	
TCEP	CTC	\$9,000,000	In Place	C/R	SB1 Trade Corridor Enhancement Program
STIP	CTC	\$7,000,000	In Place	C/R	State Transportation Improvement Program
		\$156,438,000			

Total Project Funding \$156,438,000

***Legend: C= Construction
R= Right-of-Way
PE=Preliminary Engineering
FE= Final Engineering**



File Summary

File Number	Title	Current Status
2021-0675	Budget CONSIDER: A. ESTABLISHING a Life of Project (LOP) budget in the amount of \$156,437,550 million for the Rosecrans/Marquardt Grade Separation Project; and B. AUTHORIZING the Chief Executive Officer to approve the award of and execute all contracts and agreements within the LOP budget for the Rosecrans/Marquardt Grade Separation Project. Introduced: 10/11/2021 Meeting Date: 11/18/2021 Department: Engineering and Construction (Department) Drafter: hillc@metro.net	Agenda Ready Controlling Body: Construction Committee Sponsor(s): Construction Committee

**Board Report**

File #: 2021-0677, **File Type:** Contract**Agenda Number:** 28.

**CONSTRUCTION COMMITTEE
NOVEMBER 18, 2021****SUBJECT: EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT - ADVANCED UTILITY
RELOCATION DESIGN FOR DWP****ACTION: AUTHORIZE CONTRACT MODIFICATION FOR FINAL DESIGN OF ADVANCED
UTILITY RELOCATION FOR DWP DESIGN PACKAGE 2&3****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to execute Modification No. 26 to Contract No. AE58083E0129 with Gannett Fleming, Inc. for the East San Fernando Valley Transit Corridor Project, for the final design of advanced utility relocation for DWP Design Package 2&3, in the amount of \$1,926,053, increasing the total Contract amount from \$74,851,987 to \$76,778,040.

BACKGROUND

The Project is a light rail system that will extend north from the Van Nuys Metro G-Line, previously known as the Metro Orange Line, station to the Sylmar/San Fernando Metrolink Station, a total of 9.2 miles with 14 at-grade stations. The Metro Board certified the Final Environmental Impact Report on December 3, 2020. The Project achieved Record of Decision on January 29, 2021. The Project is currently finalizing the preliminary engineering design, with street improvements and guideway design advanced to 60 percent and all other design elements (stations, maintenance facility and systems) to 30 percent. Final design for select advanced utility relocations is also being advanced.

Included in the Project environmental document was the initial operating segment (IOS) defined as the southern 6.7 miles of the Project alignment. The IOS 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 is going through additional analysis as directed by the Board in December 2020 and is not included in the IOS.

As the IOS was cleared and the design has advanced, the IOS portion of the Project is proceeding into the next phase of final design and construction to keep to the Measure M completion schedule. The IOS procurement process for a Contractor is anticipated to begin in late 2021 followed by groundbreaking in 2022. Substantial completion will be achieved in 2028 in accordance with the

Measure M schedule.

ISSUE

The recommended Contract Modification is to provide final design for the Los Angeles Department of Water and Power (DWP) vault relocations, specifically combined Design Package 2&3. On the critical path, the relocation of the DWP vaults is necessary to meet the revenue operations by 2028. This action will greatly assist in mitigating risk.

DISCUSSION

In 2019, Metro awarded to Gannett Fleming, Inc. a cost plus fixed fee (CPFF) contract for Architecture Engineer (AE) services to advance the design for the design build project delivery method (Phase 1), support during the solicitation process (Phase 2) and design support during construction (Phase 3) for the Project. Within the Phase 1 scope of work there includes an unfunded scope of work to prepare design and technical documents for inclusion into advanced utility relocation construction procurement documents. This contract modification will be issued under that scope item.

Metro and DWP have coordinated on the vault relocation design since 2019. Currently there are seven (7) separate vault relocation design packages. Design 1 is moving forward into final design under a separate contract modification. DWP has provided their conceptual designs for combined Design Package 2&3 to Metro and the next step is to issue a contract modification to Gannett Fleming to advance the design to final design, coordinate review and approval with DWP and City of Los Angeles and develop technical documents to support the construction procurement documents. Metro plans to release the construction procurement documents end of 2022.

Equity Platform

The Gannett Fleming contract has SBE commitments (see Attachment C), and the contract modifications do not change the level of commitment. For this contract modification, an SBE will be completing some of this contract modification work. This contract modification scope of work could be a separate procurement, but this would delay the project, which would facilitate new high-quality transit in an area of high need.

The existing vaults are underground and will remain underground within Van Nuys Blvd. Therefore, no burden to the adjacent businesses and/or community is expected. The vault relocations are expected to have no potential harm for equity concerns because it is in the design phase and therefore, no unintended negative impacts are expected from the Board Report action. As the final design progresses, Metro and Gannett Fleming will continue to coordinate with DWP and City of Los Angeles. Finalizing the vault relocation design for DWP Design Package 2&3 before the ESFV Progressive Design-Build (PDB) contractor starts will assist in meeting the opening day schedule of 2028.

Community engagement strategies may include multiple rounds of community outreach activities to engage with the community on project design elements and potential project impacts. As part of the Project, construction phasing plans and traffic management plans will be developed to mitigate temporary traffic impacts from lane and/or road closures resulting for the vault relocations on Van Nuys Blvd.

The project study area average of 0.53 zero-vehicle households per acre is 77 percent higher than the 0.30 County average. Expanding on this, Equity Focus Communities (EFC) are within walking and biking distances to the proposed stations. Accordingly, 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 nature attractions, Metrolink and Orange Line Transit Centers (providing bus and rail connections to San Fernando Valley).

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 Project number 865521 East San Fernando Valley Light Rail Transit Corridor, cost center 8510, under various accounts including Professional/Technical Services and \$251,167,442 is included in the FY22 Adopted Budget. This multi-year project requires 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

Sources of funds for the recommended actions are Measure M 35% and State Grants. There is no impact to 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 could be considered for advancing the design for utility relocations to final design and development of technical documents to support the construction procurement. Staff does not recommend this alternative because schedule impacts to pursue a separate procurement would delay the project. Completing this design work is necessary to expedite the advanced utility relocations that are on the Project critical path. Delays will jeopardize the ability to meet the Measure M Expenditure Plan schedule, including the opening date of FY 2028.

NEXT STEPS

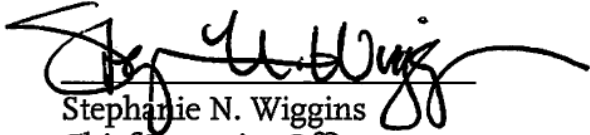
Upon Metro Board adoption, staff will complete negotiations and execute the contract modifications.

ATTACHMENTS

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

Prepared by: Rick Meade, Senior Executive Officer, (213) 922-7917

Reviewed by: Bryan Pennington, Chief Program Management Officer, (213) 922-7557
Debra Avila, Deputy Chief Vendor/Contract Management (213) 418-3051



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

EAST SAN FERNANDO VALLEY (ESFV) TRANSIT CORRIDOR PROJECT

1.	Contract Number: AE58083E0129		
2.	Contractor: Gannett Fleming, Inc.		
3.	Work Description: Perform final design of Advanced Utility Relocation (AUR) for Los Angeles Department of Water and Power (DWP) vault relocations, specifically combined Design Packages 2 and 3.		
4.	Contract Work Description: Engineering design and oversight services for the East San Fernando Valley (ESFV) Transit Corridor Project. This action is for Scope of Services Phase 1 development of Preliminary Engineering (PE) design, Section 2.2.8.4.2 Advanced Utility Relocations (AUR) Contract.		
5.	The following data is current as of: 10/28/21		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	7/25/19	Contract Award Amount: \$61,974,852
	Notice to Proceed (NTP):	8/15/19 (Contract Execution)	Total of Contract Changes Approved: \$12,877,135
	Original Complete Date:	8/15/28	Pending Modifications (including this action): \$2,493,959
	Current Est. Complete Date:	8/15/28	Current Contract Value (with this action): \$76,778,040
7.	Contract Administrator: Diana Sogomonyan		Telephone Number: (213) 922-7243
8.	Project Manager: Monica Born		Telephone Number: (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.

This action is to authorize the Chief Executive Officer (CEO) to execute Contract Modification No. 26 for Contract No. AE58083E0129 with Gannett Fleming, Inc. for the East San Fernando Valley Transit Corridor Project, to perform final design of Advanced Utility Relocation (AUR) for Los Angeles Department of Water and Power (LADWP) vault relocations, specifically combined Design Packages 2 and 3.

This Scope of Services is part of Consultant's Phase 1 Preliminary Engineering work. The final design of AUR falls under Contract Scope of Services Section 2.2.8.4.2 Advanced Utility Relocations (AUR) Contract, which requires the Consultant to develop final plans, profiles, details, traffic control, shoring, and specifications for major utility rearrangements to define space requirements for those facilities that are in conflict with the Project. These relocation drawings and specifications will in turn be used for awarding a separate AUR contract.

As outlined in the July 25, 2019 Board Report, the completion of this scope of services was not included in the Contract not-to-exceed amount at time of award, as further engineering work would be required to produce a separate package for the AUR at a future time. Therefore, the AUR design is beyond the funding for scope that was authorized by the Board at Contract award time, thus requiring further Board authorization for funding to pursue the scope of services. Consultant can only begin with the work upon Metro's issuance of a contract Modification for the costs and a written authorization to proceed.

Contract No. AE58083E0129 is a Cost Reimbursable Fixed Fee Contract (CPFF). Twenty (20) Contract Modifications (MODs) and three (3) Contract Change Orders (CO) have been approved and executed to date, one CO of which has been superseded and converted to a Contract Modification. Four (4) Contract Modifications are in progress, one of which consists of this action.

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

B. Cost Analysis

The recommended cost for the Contract Modifications is determined to be fair and reasonable based upon fact finding, technical evaluation, cost analysis, and negotiations. The Contract Modification will be processed in accordance with Procurement Policies and Procedures, within the additional funding requested.

MOD NO.	PROPOSAL	INDEPENDENT COST ESTIMATE	FINAL NEGOTIATED
26	\$1,953,250	\$2,082,908	\$1,926,053

CONTRACT MODIFICATION/CHANGE ORDER LOG

EAST SAN FERNANDO VALLEY (ESFV) TRANSIT CORRIDOR PROJECT

Mod./ CO No.	Description	Status	Date	\$ Amount	Board Approved CMA
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	\$12,341,806
MOD 4	Underground Utility Detection Services Along Van Nuys Blvd. – Segment A	Approved	10/14/20	\$437,646	\$11,904,160
MOD 5	Underground Utility Detection Services Along Van Nuys Blvd. – Segment B	Approved	11/5/20	\$481,156	\$11,423,004
MOD 6	Underground Utility Detection Services Along Van Nuys Blvd. – Segment C	Approved	11/5/20	\$358,665	\$11,064,339
MOD 7	Underground Utility Detection Services Along Van Nuys Blvd. – Segment D	Approved	11/5/20	\$74,079	\$10,990,260
MOD 8	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment A	Approved	11/5/20	\$159,832	\$10,830,428
MOD 9	Utility Investigation - Potholing and Slot Trenching for Segment A	Approved	11/23/20	\$1,691,789	\$10,830,428
MOD 10	Coordination With Third Party Utility Owners to Assess Utility Conflicts	Approved	4/12/21	\$734,547	\$10,095,881
MOD 11	Preliminary Engineering of Composite Utility Rearrangement Plans	Approved	2/23/21	\$738,979	\$9,356,902
MOD 12	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment B	Approved	3/23/21	\$150,153	\$9,206,749

MOD 13	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment C	Approved	3/23/21	\$140,163	\$9,066,586
MOD 14	Planning Work for Potholing and Trenching Along Van Nuys Blvd. – Segment D	Approved	4/6/21	\$101,777	\$8,964,809
MOD 15	Utility Investigation - Potholing and Slot Trenching for Segment B	Approved	2/25/21	\$1,772,143	\$8,964,809
MOD 16	Utility Investigation - Potholing and Slot Trenching for Segment C	Approved	2/25/21	\$1,565,506	\$8,964,809
MOD 17	Utility Investigation - Potholing and Slot Trenching for Segment D	Approved	3/1/21	\$627,590	\$8,964,809
MOD 18	Geotechnical Subsurface Investigation	Approved	9/1/21	\$987,531	\$8,964,809
MOD 19	Additional Coordination with Third Party Utility Owners to Assess Utility Conflicts	Approved	6/28/21	\$534,376	\$8,430,433
MOD 20	Van Nuys Blvd. Re-Design Level of Effort	Approved	9/22/21	\$715,901	\$7,714,532
MOD 21.1	Additional Level of Effort for Completion of Phase 1 - Preliminary Engineering	Approved	9/3/21	\$670,630	\$7,043,902
CO 1	Coordination With Third Party Utility Owners to Assess Utility Conflicts (See Mod 10)	Superseded	11/4/20	\$0.00	\$7,043,902
CO 2	Utility Investigation - Additional Potholing for Segment A	Approved	7/7/21	\$285,542	\$6,758,360
CO 3	Advance Utility Design for Advance Utility Relocation (AUR) for LADWP Power Underground Design 1	Approved	9/22/21	\$595,966	\$6,162,394
	Subtotal Approved Changes (Mods and COs):			\$12,877,135	
MOD 23	Coordination With Telecommunication Utility Owners to Assess Utility Conflicts	Pending	TBD	TBD	\$6,162,394
MOD 24	Advanced Planning for Geotechnical Subsurface Investigation	Pending	TBD	\$567,906	\$5,594,488
MOD 26	Advance Utility Design for Advance Utility Relocation	Pending	TBD	\$1,926,053	\$5,594,488

	(AUR) for LADWP Power Underground Design 2 & 3				
MOD 27	Update Various Preliminary Engineering 30-60% Design and Reports to Complete CPUC Applications	Pending	TBD	TBD	\$5,594,488
	Subtotal Pending Changes:			\$2,493,959	
	CMA Authorized by the Board and Remaining				\$5,594,488
	Approved Mods			\$11,995,627	
	Approved COs			\$881,508	
	Pending Modifications:			\$2,493,959	
	Original Contract:			\$61,974,852	
	This Board Action:			\$1,926,053	
	Revised Contract Total (including Approved Changes +This Board Action):			\$76,778,040	

DEOD SUMMARY

**EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT CORRIDOR
AE58083E0129001**

A. Small Business Participation

Gannett Fleming, Inc. (Gannett) made a 25.29% Small Business Enterprise (SBE) and 5.54% Disabled Veteran Business Enterprise (DVBE) commitment. The contract is 38% complete and the current level of participation is 14.93% SBE and 4.69% DVBE, representing 10.36% SBE shortfall and 0.85% DVBE shortfall, which demonstrates an improvement from the 12.12% SBE and 2.13% DVBE shortfalls reported to the Board in May 2021.

Gannett explained that their utilization plan was projected to use the SBE/DVBE's over the first two years at 21.3% SBE and 3.4% DVBE and in subsequent years the utilization will be higher. Gannett explained that the SBE shortfall is due to the SBE work starting later than originally anticipated and some areas of the design scope being put on-hold to accommodate further Metro studies. Gannett further reported that they have redirected design work to SBE subconsultants in an effort to make up for the shortfall and are monitoring the situation on a monthly basis. In reference to the DVBE shortfall, Gannett indicated, although the contract shows a current DVBE shortfall of 0.85%, Gannett's staffing plans for the years 3 through 9 include a significant ramp up in DVBE participation and the current projections show meeting the 5.54% DVBE commitment.

Nonetheless, Metro Project Management and Contract Administration will continue to work with the Diversity & Economic Opportunity Department (DEOD) to monitor contract progress at key milestones (i.e., 50%, 75% and 90%) to ensure that Gannett meets or exceeds its small business commitments.

Small Business Commitment	25.29% SBE 5.54% DVBE	Small Business Participation	14.93% SBE 4.69% DVBE
--------------------------------------	----------------------------------	---	----------------------------------

	SBE Subcontractors	% Committed	Current Participation¹
1.	BA Inc.	1.66%	0.98%
2.	Cross Spectrum Acoustics	added	0.22%
3.	Diaz Consultants, Inc.	1.44%	0.70%
4.	FPL and Associates, Inc.	5.95%	3.04%
5.	Here Design Studio, LLC	0.60%	0.00%
6.	Lenax Construction Services, Inc.	0.29%	0.00%
7.	PacRim Engineering Inc.	2.18%	1.67%
8.	Ramos Consulting Services, Inc.	8.28%	5.12%
9.	Sanchez Kamps Associates Design	0.59%	0.19%

10.	Zephyr UAS, Inc.	4.30%	3.01%
	Total	25.29%	14.93%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	Casamar Group, LLC	5.54%	2.30%
2.	E-Nor Innovations Inc.	Added	2.40%
	Total	5.54%	4.69%

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

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2021-0669, **File Type:** Informational Report

Agenda Number:

**FINANCE, BUDGET, AND AUDIT COMMITTEE
NOVEMBER 17, 2021
CONSTRUCTION COMMITTEE
NOVEMBER 18, 2021**

**SUBJECT: REVIEW OF PROJECT MANAGEMENT SUPPORT SERVICES (PMSS) CONTRACT
- BEST PRACTICES TO FUND & EXTEND PROFESSIONAL SERVICES
CONTRACTS**

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE Office of the Inspector General Review of Project Management Support Services Contract (PMSS) Best Practices to Fund & Extend Professional Services Contracts.

ISSUE

In May of 2021, Program Management came to the Board to exercise the optional two-years of the Program Management Support Services (PMSS) staff augmentation contract (five year + two additional year option). At that time the Board requested additional information on how the original contract was performed and tabled the matters of increasing the funding for the additional years sought after.

BACKGROUND

In June 2017, the Board approved awarding a five-year plus two years option of a cost reimbursable fixed fee staff augmentation contract, for Program Management Support Services (PMSS) and a not-to-exceed \$90,809,070 for seven years. Program Management would be in control of a staff augmentation contract for 54 projects.

Management has made four separate presentations to the Metro Board including one request for initial funding, and three subsequent presentations to renew funding and/or extend contract time, as summarized below:

Base/Option Year	Board Presentation	Description	Cost Increment	FY NIE
1	6/22/2017	2018 & 2019	24,970,960	24,970,960
2	4/25/2019	2020	\$25,339,082	\$51,306,204
3	5/28/2020	2021	\$12,041,501	\$63,347,705
4	5/27/2021	2022	10,296,886	\$73,644,591
Pending - Option		2023-2024	27,461,365	\$101,105,956

Board Presentations and Funding Requests (Summary)

On May 27, 2021, Program Management sought authorization from the Board for three actions on PMSS Contract. 1) To increase the authorized budget to fund Year 5, 2) To authorize the extension period for an additional two years, and 3) To approve budget to fund the option period. The Board approved the first request but tabled the option for addition two years and the funding for those years pending an audit report “to hear how well the original contract was performed.” (Board Minutes from 5/27/2021, Najarian Amendment.)

The OIG and MASD commenced an audit immediately following that Board matter. To avoid duplication of review, the OIG agreed that MASD would audit certain detailed aspects of the contract including invoice review, and the OIG would review a broader, more macro level of other aspects of the Board’s concerns to use in directing further action on the PMSS Contract.

OIG examines whether:

- Internal policies and practices are in place and used to track and evaluate contractor performance on key performance indicators related to work and quality, compliance with contract terms, and maintenance of budget;
- Internal policies and practices are in place and used to track and evaluate the budget for professional services as it relates to the individual budget for each program and project making use of staff augmentation; and
- Internal policies and practices are in place and used to foster continuous improvement of staffing to ensure the benefits of consultant services are not outweighed by costs which include not only financial costs but also standardization, risks of loss of retaining institutional knowledge, and succession planning.

DISCUSSION

The Office of Inspector General (OIG) found that the board presentations for contract renewals to fund or extend contract time under the PMSS Contract could be improved through supplemental information on the topics of vendor performance, budget status, and Contract Efficacy/Continuous Improvement. Robust controls practices and data collection methods are currently used for oversight of the vendor and to track budget utilization but these practices are not self-evident. Enhanced reporting on Metro’s controls practices could allow the Board to assess management’s renewal recommendations with greater efficiency and confidence.

The OIG's recommendations encourage development of written policies and procedures to standardize both collecting and reporting upon management's existing controls practices for more comprehensive board presentations. The OIG's recommendations are not intended to impose onerous time and resource impacts associated with timely preparation, presentation, reading and analysis of board reports.

Findings and Recommendations

Performance Evaluation

Finding 1: Program Management/Project Management lacks written policies and procedures to establish a comprehensive and regular process for evaluating vendor performance under a professional services contract.

Recommendation 1: Develop written policies and procedures to establish a comprehensive and regular process for evaluating vendor performance under a professional services contract. A standard checklist used monthly, quarterly, or other regular basis can be used to document vendor's compliance with key performance indicators.

Finding 2: The processes in place by Program Management/Project Management and V/CM Departments constitute a de facto controls process ensuring the vendor is generally performing satisfactorily. However, no methods to analyze key performance indicators (KPIs) and identify sub-optimal use of staff augmentation resources were identified.

Recommendation 2: Describe key performance indicators (KPIs) to identify and track performance metrics for the vendor.

Finding 3: Management did not use its board presentations to articulate its best practices efforts to assure that the vendor performs satisfactorily and showing that management optimizes use of the staff augmentation resources.

Recommendation 3: Include in the board presentation a summary of management's quality review actions and statement of findings on KPIs affirming vendor's satisfactory performance.

Budget Controls & Status

Finding 4: The total budget for the PMSS Contract is derivative of the individual budget(s) for the programs/projects anticipated to use staff augmentation resources under the PMSS Contract. Management's initial baseline budget for the PMSS Contract did not link estimated soft costs on a per program/project basis (or revise the baseline budget where necessary over the term of the contract), creating the appearance of no budget controls.

Recommendation 4: Establish long-term initial baseline budget using estimated soft costs associated across identified and identifiable program/project budgets to serve as a necessary budget control measure.

Finding 5: Management's presentations to the board omitted necessary explanations for variances between an initial baseline budget/Recommended NTE established as a control for the PMSS

Contract and the Actual costs to date and the projected cost trend.

Recommendation 5: For each Board presentation, documenting the reasons for the variance between management's initial or revised baseline budget/Recommended NTE, and the Actual NTE.

Finding 6: Program Management/Project Management appears to engage in annual/short-term planning for staff augmentation in lieu of longer-term planning for use of staff augmentation resources under the PMSS Contract.

Recommendation 6: For multi-year cost-reimbursement professional services contract, plan and develop multi-year CWOs to encourage longer-term staff capacity plan, to minimize administrative efforts.

Finding 7: Management may issue CWOs that address one functional area of staff augmentation and use those services across programs or projects ("many-to-1"), or issue one CWO for each program or project and include a range of functional areas ("1-to-1"). The issuance of "many-to-1" CWOs requires more tedious labor for cross-checking of timesheets and invoices across different project managers, and additionally requires checking of correct cost coding for budget use across projects and budget.

Recommendation 7: For multi-year cost-reimbursement professional services contract providing services across projects, issuing 1-to-1 CWOs or 1 to multiple CWOs which ever one is most efficient based upon the consultation with project management, V/CM, accounting and the vendor to confirm which method best facilitates budget tracking and make more efficient the invoicing process for CWOs.

Contract Efficacy/Continuous Improvement

Finding 8: Management omits discussion regarding the status of overall Staff Capacity Planning including the historical vs. current ratio of Metro FTEs to consultants.

Recommendation 8: Review and communicate to the Board the status of overall Staff Capacity Planning including the historical vs. current ratio of Metro FTEs to consultants.

Finding 9: Management omits discussion of (presumed) net benefits of the continued use of external consultants given competing considerations related to cost, institutional knowledge and succession planning.

Recommendation 9: Review and communicate to the Board the benefits of the continued use of external consultants given competing considerations related to cost, institutional knowledge and succession planning.

Finding 10: Management omits discussion of opportunities to hire and train local community members.

Recommendation 10: Review and communicate to the Board opportunities to hire and train local community members.

Finding 11: Management omits discussion of opportunities to bridge or prepare for the next PMSS

Contract solicitation.

Recommendation 11: Review and communicate to the Board the opportunities to bridge or prepare for the next PMSS Contract solicitation.

FINANCIAL IMPACT

There are no anticipated financial impacts from the information provided in this report to the agency.

EQUITY PLATFORM

In the OIG's opinion, there are no anticipated equity impacts identified as a result of this informational report.

Program Management has stated, Metro DEOD assigned a 30% DBE commitment for this Contract. The joint venture consultant proposed a 73.31% DBE commitment making this Contract the largest small business led consultant services contract at Metro which they state this utilization will continue the end of the Contract.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendations that the Office of Inspector General has put forward 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 program, operations and resources. Our goal is to provide rational, trustworthy information to the Board and support the efforts of Metro management to constantly improve and refine its efforts for the benefit of the public.

NEXT STEPS

Our preliminary review with management regarding the OIG's report and recommendations was generally positive. Management will review and respond to recommendations, and implement as appropriate.

ATTACHMENTS

Attachment A - OIG Report dated October 16, 2021: Review of PMSS Contract - Best Practices to Fund & Extend Professional Services Contracts

Attachment B - Tracking Schedule for Recommendations

Attachment C - Power Point Presentation

Prepared by: Patricia Parker, Legal Research Specialist, (213) 244-7321
Suzanna Sterling, Sr. Manager Construction Specialist Investigator,
(213) 244-7368

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

A handwritten signature in blue ink, appearing to read "Ramona", is written over a horizontal line.

Inspector General/Chief Hearing Officer

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

DATE: November 2, 2021

TO: Board of Directors
Chief Executive Officer

FROM: Karen Gorman
Inspector General

SUBJECT: Review of Project Management Support Services (PMSS) Contract
Best Practices to Fund & Extend Professional Services Contracts

EXECUTIVE SUMMARY

The Office of Inspector General (OIG) found that the board presentations for contract renewals to fund or extend contract time under the PMSS Contract could be improved through supplemental information on the topics of vendor performance, budget status, and “alternatives considered.” Robust controls practices and data collection methods are currently used for oversight of the vendor and to track budget utilization but these practices are not self-evident. Enhanced reporting on Metro’s controls practices could allow the Board to assess management’s renewal recommendations with greater efficiency and confidence.

Program Management (PM), Program Management Oversight (PMO), and Vendor/Contract Management (V/CM) effectively administer the PMSS Contract through use of “four levels of control.” Level One relates to projects with life of project (LOP) budgets using time-phased cost-loaded staffing plans for all staff (Metro or consultant); non-LOP projects will use fiscal year budgets. Budgets for each are evaluated monthly for trend analysis and potential revision. Level Two involves annual work plans that are developed on a per project basis in conjunction with task orders issued for staff augmentation. On a monthly basis, the PM, PMO, and V/CM each play a role in reviewing staff allocations and funding to assure compliance with vendor’s scope of work and contract terms, analyzing trends and potential revision. Level Three involves PMs reviewing monthly invoices to verify staff time billed and proper cost coding. Also, V/CM reviews invoices for compliance with the task order to assure compliant staffing, billing rates and small business compliance. Level Four engages the vendor themselves to regularly report on task order status, and to provide to Metro annual work plans for every task order reviewing staff allocation and funding which involves engaging with the PM, PMO, and V/CM.

The OIG’s recommendations encourage development of written policies and procedures to standardize both collecting and reporting upon management’s existing controls practices for more comprehensive board presentations. The OIG’s recommendations are not intended to impose onerous time and resource impacts associated with timely preparation, presentation, reading and analysis of board reports.

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

EXECUTIVE SUMMARY 1

INTRODUCTION 3

OBJECTIVES, METHODOLOGY AND SCOPE OF REVIEW 3

APPLICABLE RULES 5

RENEWING PROFESSIONAL SERVICE CONTRACTS 6

Indefinite Delivery Cost Reimbursement Contract 6

Renewing Funds & Extending Contract Time 6

Compliance with the FTA 7

Metro Policies & Practices 7

BACKGROUND

Comparing & Contrasting the PMSS & CMSS Contracts 8

Contract Work Orders as Micro Procurement 9

PMSS Contract – Board Presentations 9

Vendor Performance 11

Budget Status 11

Alternatives Considered 11

EVALUATION

Performance Evaluation 12

Communication of KPIs 13

Budget –Spending Trends and Efficient Gatekeeping 13

Initial PMSS Contract NTE Value 13

Actual and Projected Contract Value 14

Management’s Four Levels of Control 15

CWO Funding Process and Efficient Budget Oversight 16

Alternatives Considered and Principles of Continuous Improvement 17

Consultant to Metro Staff Ratio 17

AB5 Compliance 18

Planning for Next Procurement 18

CONCLUSION 18

FINDINGS & RECOMMENDATIONS 20

MANAGEMENT COMMENTS TO RECOMMENDATIONS 23

ATT. A	Interviews & Materials	ATT. C	Staffing Levels (Program Management)
ATT. B	PMSS Labor Categories		

INTRODUCTION

On May 27, 2021, Metro’s Program Management Team sought authorization from Metro’s Board of Directors’ (Board) for three discrete actions on Contract No. AE35279 Program Management Support Services (PMSS Contract).¹ First, to increase the authorized budget to fund the fifth and final base year of the contract; next, to authorize Metro’s unilateral exercise of an option to extend the period of performance for an additional two years; and finally, to approve budget to fund the option period. The Board approved the request for an additional fifth year budget but tabled the other two matters pending a report “to hear how well the original contract was performed.” (Board Minutes from 5/27/2021, Najarian Amendment.)

The OIG commenced an audit immediately following that Board matter; also, the Management Audit Services Department (MASD) commenced an audit to assess the conformity of services to contract requirements performed by the Vendor. To avoid duplication of review, the OIG agreed that MASD would audit certain detailed aspects of the contract including invoice review, and the OIG would revise its review to a broader, more macro level of other aspects of the Board’s concerns. MASD will present its audit results to the Board in or about November 2021 simultaneously with this report. This OIG review of Metro Staff management of the PMSS Contract and its communication of key information to the Board for its use in directing further action on the PMSS Contract is intended to not materially duplicate the MASD’s efforts.

OBJECTIVES, METHODOLOGY AND SCOPE OF REVIEW

In 2016, the Los Angeles Metropolitan Transportation Authority (LA Metro, Metro) published its Program Management Plan (PMP) to map implementation of the 40-year Los Angeles County Traffic Improvement Plan (LACTIP) estimated to cost \$64.52B and financed by Measure M funds.² Out of twenty-eight key projects, four “Pillar Projects” have been identified as key to finish by 2028 to prepare for the US Olympics, and as part of Metro’s “The Reimagining of LA County” initiative.³

The PMP includes three key strategic initiatives implicated in this OIG Review: Staff Capacity Planning; Acquisition Process Innovation; and Strengthen(ing) the Budget Process.

Metro’s Acquisition Policy also states a key guiding principle:

¹ Kal Krishnan Consulting Services/Triunity Engineering and Management Joint Venture (KTJV, Vendor) is the vendor on this contract.

² [Program Management Plan - Measure M \(metro.net\)](#)

³ See February 2019 Board Reports prepared for meetings of Planning & Programming Committee, Executive Committee and Board of Directors.

“The goal of every Metro Acquisition is to procure and receive delivery of goods and services to support the agency’s activities in a timely and cost-efficient manner while maintaining the public’s trust in fulfilling Metro’s public policy objectives.”

(ACQ-1, Para. 3.2.) PMP and Acquisition Policy compel the Board to continuously review the efficacy of every contract. Indefinite delivery contracts for professional services due to their size, evolving staffing priorities, and bolstering the community through small/disadvantaged business hiring incentives should be reviewed in detail.

Management requests for additional funding and/or extensions to the period of performance present opportunities for focused review. For purposes of the OIG’s review, presentations to the Board for funds and/or contract extensions are referred to as a “contract renewal action.”

The objectives of this report are to aid the Board’s efficient and confident review of management’s recommendations for renewing the contract. To that end, the OIG examines whether:

- Internal written policies and practices are in place and used to track and evaluate contractor performance on key performance indicators related to work and quality, compliance with contract terms, and maintenance of budget;
- Internal policies and practices are in place and used to efficiently track and evaluate the budget for professional services as it relates to the individual budget for each program and project making use of staff augmentation; and
- Internal written policies and practices are in place and used to foster continuous improvement of staffing to ensure the benefits of consultant services are maximized.

To achieve the OIG review objectives, we performed the following procedures:

- Reviewed relevant local, state, and federal requirements related to the type of contract, total contract value, limits to length of period of performance, requirements for exercise of option, and extension to periods of performance in absence of option;⁴
- Reviewed Metro’s policies and procedures that relate to Metro’s Procurement: Acquisition Policy Statement (ACQ-1); Acquisition Policy and Procedure Manual (ACQ-2); Vendor/Contract Management Guide;
- Reviewed Metro’s policies and procedures that relate to Program and Project Management;

⁴ The terms and conditions of use of federal funds provided through the Federal Transit Administration (FTA) require Metro to comply with Title 31 of the Federal Acquisition Regulation (FAR) and FTA Circular 4220.1F. The Best Practices Procurement and Lessons Learned Manual (2016 ed.) provides a useful but secondary resource.

- Reviewed detailed time-phased staffing plans conforming to FTA planning standards.
- Reviewed Metro’s policies and procedures that relate to budgeting during the planning phase, life of project (LOP) budgeting, timing of requests for budget authorization, and Frequently Asked Questions; and
- Interviewed Metro staff across the following Departments: Program Management, Project Management, Vendor/Contract Management, and the Office of Management & Budget.

The PMSS Contract is the primary focus of review and is discussed in detail. For purpose of analysis, we also discuss a professional services contract providing construction management support services (CMSS) to an ongoing construction project. These two professional services are not directly comparable. The PMSS contract is program-based with a mix of LOP and non-LOP budgeting. The CMSS Contract relates to a single project with an LOP budget and is used to discuss the potential for efficiencies, and better understanding administrative constraints under the PMSS Contract.

- Contract No. AE35279, Program Management Support Services (PMSS Contract) is a multi-year professional services contract with a base five-year term and two-year option with an initial anticipated contract value of \$90,809,070 which is the amount approved in 2017. The PMSS Contract was described as a “new approach” for augmenting staff at the program level and across projects for program management duties. A high priority was placed upon using small businesses, and the participation of disadvantaged, minority and women-owned businesses currently exceeds 71%.
- Contract No. AE5818600MC072-PLE2, Purple Line Extension Section 2 Project, Construction Management Support Services (CMSS, PLE-2 CMSS Contract) is a multi-year professional services contract augmenting staff for one project only, e.g., Contract No. C1120 Westside Purple Line Extension Section 2 Project. This contract has a base term of 108 months, and two one-year options. The anticipated total contract value is \$54,718,942. In 2016, the Board authorized a not-to-exceed cost increment of \$8,890,488 through Fiscal Year 2018. Management has not returned to the full Board since 2016.

The OIG does not rely upon using only generally accepted government auditing standards for this review. The OIG solely uses “hard data” in this review that is above an audit standard with no predisposition to, or conditions for, any particular bias.

APPLICABLE RULES

Metro’s procurement, contract administration, and budgeting activities must comply with applicable state and federal law, as guided by documented policies and procedures

promulgated within Metro.⁵ This truism provides a backdrop to the entirety of the OIG’s review. Specific laws, regulations or principles will be discussed only if placed directly at issue by a finding or recommendation.

A list OIG interviews and materials reviewed is provided at Attachment A.

RENEWING PROFESSIONAL SERVICE CONTRACTS

Indefinite Delivery Cost-Reimbursement Contract

Unlike a competitive sealed bid procurement that generally seeks lowest cost from responsible and responsive bidder, an indefinite delivery type contract for professional services allows an agency to select based on performance criteria. Step 1 prior to contract formation involves negotiating labor unit price ranges for identified positions and other rates that will be applied for cost reimbursement. Provisional rates may be agreed upon subject to a final review that occurs post-award. Step 2 following contract award involves “micro-procurements” where the agency orders staff augmentation services at the agreed rates.

Services under the cost-reimbursement-type contract are “ordered” through a Task Order (also known as Contract Work Order (CWO). (ACQ-5.14(B)(3).) Task Orders must be issued within the approved not to exceed value of the contract and funds shall be obligated to cover the cost of the Task Order. (ACQ-5.14(D); see also ACQ-18.7.) “Each Indefinite Delivery contract issued must include a fixed dollar ceiling that represents the target Not to Exceed (NTE) cost authorization for the work specified. Unused funds may only be transferred from one task to another when the unused funds have been unencumbered and a new acquisition has been approved.” (ACQ-5.14(G).) Each order placed under an indefinite delivery/task order contract shall contain required minimum information needed for a contract including price justification, documented negotiations, and price reasonableness decision.” (ACQ-5.14(I).)

PMSS Contract No. AE35279 operates as an indefinite delivery contract as reflected in the Compensation and Ordering provisions controlling the terms and conditions for performing work and receiving payments for services under the contract. (See Form of Contract, Art. IV D & VIII; SP-06.) The vendor is guaranteed no minimal quantity of work. (*Ibid.*)

Renewing Funds & Extending Time

For Metro’s professional service contracts, the Board typically authorizes an initial cost increment to be used to reimburse costs services. Management must return to the Board to request an additional cost increment. Alternatively, OMB may “program” the budget in

⁵ The OIG’s high-level review of Metro’s compliance with state and federal contracting and procurement laws and regulations with respect to the PMSS Contract revealed no obvious problems or concerns.

accordance with the Life of Project (LOP) budget. The Board's funding authorization may reference a period of performance, which period will be treated as extended if the contract contemplates an automatic extension if funds remain available. This is the case with the PMSS Contract. (See Form of Contract, Art. VII.)

The PMSS Contract establishes a five-year base term with an option to extend for an additional two-year period. Metro's Acquisition Procedure indicates that options may be included in a solicitation and the contract if found to be in Metro's best interests to include this unilateral right. (ACQ-6.1A, C (2).) The record shows that the option was reviewed as part of the negotiations for the PMSS Contract. The FTA views options as beneficial mechanisms for continuing an existing contract where there appear to be no countervailing detrimental impacts.^{6, 7} Management's request to exercise the bargained for option under PMSS Contract No. AE35279 appears to comport with FTA guidelines.

If the contract contains no option for unilateral exercise of a right to extend the base term, the term may be continued in accordance with contract terms to the extent authorized funds remain available. Additionally, management may seek a bilateral contract modification to extend the period of performance. The terms and conditions during the extended period may be subject to negotiation.

Compliance with the FTA

Federal regulations and the FTA's published best practices leave to a sponsoring agency's business judgment whether to augment internal staff with external consultants, the manner and method of contracting for these services, the total value and term for period of performance, and renewal decisions. that management will perform proper oversight, and that the benefits of the contracting method and requested approval will outweigh any risks or harm to the agency.

Metro Policies & Practices

The OIG reviewed Metro's Administrative Code and the policies and procedures developed by the Program Management and Vendor/Contract Management departments regarding professional services contracts. Metro's PMP states a preference for negotiated procurements for these contracts.⁸ However Metro codes do not tell Metro Management how to implement the contract.

⁶ To exercise an option, the Contracting Officer should determine that (a) funds are available; (b) the requirement fills an existing need; (c) the exercise of the option is the most advantageous method of fulfilling the Government's need considering price and other factors; (d) the option part of original solicitation; (e) the contractor remains in good standing; and (g) the contractor's performance has been acceptable. (FAR 17.207 c.)

⁷ The Owner may exercise the option unilaterally, in accordance with any contract requirements for the exercise. A bilateral agreement may be necessary if the Owner needs to update any terms and conditions, particularly those associated with revisions to federal funding requirements that must be complied with by the Vendor.

⁸ PMP Section 3.5.3.3, p. 124.

BACKGROUND

Comparing & Contrasting the PMSS & CMSS Contracts

The PMSS and PLE-2 CMSS contracts are each multi-year indefinite delivery cost-reimbursement contracts providing professional services. For each contract, management identified labor categories for services, developed an anticipated level of effort (LOE) for each labor category and applied estimated costs to develop an Independent Cost Estimate (ICE) for purposes of negotiating with the vendor. Based on the different LOEs and terms, the two contracts differ significantly on anticipated total contract value and period for performance.

Contract	Initial Recommended Total Value	Period of Performance	Presentation to Board Frequency
PMSS	\$90,809,070	5 years, 2-year Option	2017, 2019, 2020, 2021
CMSS	\$54,718,942	108 months, two 12-month Options	2016

Table 1: PMSS versus CMSS Contract

The Program Management team is responsible for managing and supporting the delivery of Metro’s overall Capital Program and was developed to augment staff in eight key functional areas at the program level:

- Program Management
- Project Management
- Project Delivery and Contract Development/Compliance
- Project Control
- Estimating
- Configuration Management
- Project Management and Other Technical Training
- Project Management Information Systems (PMIS) Support

Within these eight functional areas, the PMSS Contract describes twenty-four “labor category descriptions” ranging from Administrative Aide to Training Manager. (See Attachment B for complete list).

PMSS consultants are embedded throughout programs and projects, and over the term of the PMSS Contract, the level of staff augmentation has “flexed” to meet Metro’s staffing needs. A graphic showing staffing levels is provided at Attachment C. Currently, 53 consultants actively assist the Program Management/Project Management Teams in various roles.

Contract Work Orders as Micro Procurements

For the PMSS Contract, Project Managers request staff augmentation services through CWOs.⁹ CWOs incorporate the general terms and conditions of the PMSS Contract. The terms of the PMSS Contract will take precedence if a conflict arises from a CWO. (SP-06 B.) The CWO controls the scope of work, agreed rates and NTE value and the period for performance. (SP-06 C-M.)

The Acquisition Procedures appear to apply to both the overall contract and derivative task orders and state that each task order under an indefinite delivery contract be based on “[a] realistic estimate of the total quantity or dollar amount that will be ordered, based on the most current information available...” (ACQ-5.14 C.) CWOs must be supported by required minimum documentation needed for a contract including price justification, documented negotiations, and price reasonableness decision. (ACQ-5.14 I.)

A single CWO may be used to order professional services for one program area or project, (“1-to-1”) or it may order a particular service that will be used across many program areas or projects (“many-to-one”). A program/project ordering services may have an approved Life of Project (LOP) budget, or it may still be in the planning stages with no approved LOP. Metro Staff must track the variable funding sources used to reimburse the contractor’s costs incurred. Tracking costs is straightforward when the CWO provides services to one program area or project, and more complex when dealing with many programs/projects.

CWOs may be issued for a single or multi-year period of performance. During the OIG review, Metro staff reported that 54 different CWO’s have been issued. Task order modifications or changes (approximately 209) have been generated primarily reflective of controls used to reconcile changes to the initial CWO’s budget over time. A total of 40 CWOs appear to be “open” and available to be invoiced against.

PMSS Contract – Board Presentations

Management has made four separate presentations to the Metro Board to request initial funding and to renew funding and/or extend contract time.¹⁰ The Table 2, below, provides details regarding management’s requests for initial or renewal cost increments in each of four board presentations, including the funding request for the two-year option period pending before the Board.¹¹ Table 3 provides a summary snapshot of the net cost increment for each fiscal year, and the cumulative NTE value for the PMSS Contract.

⁹ The PMSS Contract defines a Contract Work Order (CWO) as, “[t]he documents issued by Metro for each separate assignment detailing the Scope of Work, price and completion time.” (General Conditions (GC)-01B; see also Special Provisions (SP)-06.)

¹⁰ Each visit to the Metro Board is preceded by a presentation to the Construction Committee for an initial presentation of issues.

¹¹ Board presentations reconcile the prior fiscal year’s requested cost increments and transparently notify the Board that previously authorized funds are being shifted to the next fiscal year.

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Base/Option Year	Board Presentation	Description	Cost Increment	FY NTE
1, 2 FY 2018 FY 2019	6/22/2017	New FY 18-19 Cost Increment	24,970,960	24,970,960
	4/25/2019	Retroactive Adjustment to FY 2019	-850,228	24,120,732
3 FY 2020	4/25/2019	<i>Request for remaining 3 yr base/2 yr option funding rejected. Staff to return in 2 years w performance eval. No NTE</i>	65,838,110	90,809,070 - Rejected
	4/25/2019	Unspent 2019 Move to FY 2020	850,228	24,970,960
	5/28/2020	Retroactive Adjustment to FY 2020	-2,572,832	22,398,128
	5/28/2020	Reconciled Cost Increment for FY 2020	26,335,244	48,733,372
	5/28/2020	Unspent 2020 Move to FY 2021	2,572,832	51,306,204
4 FY 2021	5/20/2021	Retroactive Adjustment to FY 2021	-2,650,429	48,655,775
	5/28/2020	New FY 2021 Cost Increment	12,041,501	60,697,276
	5/20/2021	Unspent 2021 Move to FY 2022	2,650,429	63,347,705
5 FY 2022	5/20/2021	New FY 2022 Cost Increment	10,296,886	73,644,591
	5/20/2021	OPTION TERM (2 YEARS) FY 23-24;	27,461,365	101,105,956

Table 2: Board Presentations and Funding Requests (Detailed)

For Fiscal Year 2020-2021, staff extrapolated a cost increment from the base year funding value of \$63,347,705 of \$12,699,541 per year (or \$25,339,082 for two years). Based on acceleration of the 4 Pillar Projects, the two-year cost increment was used faster than expected, prompting management to return in May 2020.

Base/Option Year	Board Presentation	Description	Board Authorized NTE	To Date NTE
1	6/22/2017	2018 & 2019	24,970,960	24,970,960
2	4/25/2019	2020	\$25,339,082	\$51,306,204
3	5/28/2020	2021	\$12,041,501	\$63,347,705
4	5/27/2021	2022	10,296,886	\$73,644,591
Pending - Option		2023-2024	27,461,365	\$101,105,956

Table 3: Board Presentations and Funding Requests (Summary)

Management’s presentations to the Board include essential information related to the scope and purpose of the contract and a detailed status update related to Diversity & Economic Opportunity Department goals. Management reconciles past expenditures and describes new funds needed on a per project basis.

Vendor Performance

As to vendor performance, from 2019 through 2021, Management affirmed vendor cooperation: “KTJV has been responsive and works with Metro staff to provide...qualified resources...” Methods used to verify the vendor’s satisfactory performance, supporting data or key performance indicators used by management are not described to the Board to demonstrate management’s diligence in overseeing vendor performance.

Budget Status

As to budget status, this text from the 2017 Board Report under the headings “Financial Impact” and “Impact to Budget,” is representative for the level of detail typically provided:

Funding for these services is included in the approved FY18 Budget for the various Metro projects. The individual CWOs will be funded from the 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 option.

There is no impact to the FY18 Budget as funds for this action will be included in the approved budget for each project. 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.

Management’s statement establishes that the Board will not be committing “new money” for the PMSS Contract does not reference or integrate the four levels of controls used by management in overseeing the PMSS Contract.

Alternatives Considered

As for contract efficacy, Board Reports for 2019, 2020 and 2021 include an “Alternatives Considered” section used by Management to compare the status quo (continuing to fund staff augmentation needs) with ceasing the further procurement of consultant services. A statement is made suggesting that hiring Metro Staff would be inefficient and attempts, likely futile:¹²

The Board may elect to discontinue using KTJV for PMSS. Staff does not recommend this alternative as the Program Management capital projects are in

¹² Metro Staff ascribes “futility” to Metro’s out-of-date pay bands asserted to be non-competitive for a range of hard to fill jobs in the competitive marketplace.

various degrees of completion and the loss of staff would cause these projects to be significantly impacted.

Another alternative would be to hire Metro staff to perform the required services. This alternative is also not recommended since the intent of the PMSS is to augment Metro staff in terms of technical expertise and availability of personnel. PMSS are typically required 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 KTJV consultant can provide the technical expertise on an as-needed basis.

For purposes of brevity, perhaps, management does not use the board presentation to describe known challenges or opportunities related to long-term staff capacity planning. The OIG acknowledges that impacts arising from the COVID-19 emergency render this issue less salient.

EVALUATION

Performance Evaluation

The Board requested management report upon the vendor's performance both in 2019 and 2021, pursuant Solis and Najarian amendments.^{13, 14} In general, vendors providing professional services based on expertise cannot be easily measured against an objective standard. The criteria for vendor compliance relate to contractor inputs not a particular outcome, and Metro bears most of cost or performance risk if the contractor fails to make its best efforts.

For that reason, best practices oversight calls for strong internal controls by management to ensure that (1) CWOs are issued only for work scope included under the PMSS Contract; (2) the vendor provides and supports qualified staff who understand Metro's deliverables (whether tangible or intangible), as guided by clearly defined expectations; (3) the vendor accurately and timely submits monthly invoices; and (4) vendor remains aware of and complies with not-to-exceed budgets.

¹³ Solis Amendment: "[T]hat the Board amends Agenda Item No. 31 to authorize funding for two years and direct Metro staff to return in April 2021 with the next request for authorization as well as a report on the contractor's performance."

¹⁴ Najarian Amendment: "That the Board look back at the performance success of the contractors and give a report before extending a 2-year option, one year ahead of its extension date. The contract should be audited, as quickly as possible so it does not delay our ability to exercise the option to extend. It's good board policy if there is a large contract, that has an option, before that option is extended, we should get a report back to hear how well the original contract was performed."

The OIG did not review the specifics of the vendor’s performance to avoid duplication of MASD’s efforts and confined its review to the policies and practices used by the PMO, PMs and V/CM teams. With respect to vendor performance, the OIG identified that multiple tools exist for management to ensure that vendor continues to comply with the PMSS Contract. Because some of those tools overlap with budget controls which are discussed below, the OIG limits its discussion here to the written performance evaluation that has been developed by Program Management.

The OIG has been informed by staff that on at least two occasions Metro’s PM executive met with its counterpart for the vendor to go through a written process of performance evaluation. The OIG was provided a signed copy of one of the performance evaluations agrees it reflects a detailed review of key performance metrics. The performance evaluation process that occurred was not pursuant to written procedures. To ensure consistency and fairness in vendor performance reviews across contracts, the OIG recommends that V/CM and Project Management consider developing an agreed documented approach for regular performance evaluations. It may be appropriate to reference the process in Metro’s solicitation and contract documents.

Communication of KPIs

Based on management’s board presentations containing a very succinct affirmation of Metro’s satisfaction with the vendor, the OIG inquired as whether management captures data related to key performance indicators (KPIs). Management confirms that standardized tools for collection and measurement related to KPIs exist that may provide useful insights. The OIG encourages management to investigate whether board presentations could be made more comprehensive and useful with the inclusion of this KPI data.

Budget – Cost Trends and Efficient Gatekeeping

Initial PMSS Contract NTE Value

Management’s 2017 board presentation requesting authorization to proceed under the PMSS Contract described its potential to augment staff across 111 “Anticipated Projects” at a recommended total contract NTE of \$90,809,070.¹⁵ Staff requested two years’ cost increment based on a pro rata share of the total anticipated funding and stated that they “will return to the Board every two years to request additional authorization for the subsequent two-year period.” The board presentation holistically communicates that the purpose of the PMSS Contract will be to flexibly adjust Metro’s staff resources to implement and deliver capital projects and communicates that funding requests will reflect up to date information on staffing needs.

¹⁵ In its presentation to the Construction Committee in advance of its presentation to the full Board, Management indicated a Recommended NTE for the total contract value equivalent to the vendor’s proposal value, e.g., \$109,181,894. The original NTE has perhaps been retroactively validated.

For this report, Staff provided to the OIG the independent cost estimate (ICE) prepared by Metro in anticipation of negotiations with the PMSS Contract vendor. A representation was made that “the Solicitation ICE used historical information from past support services contract and then included assumptions for new positions. Based our assumptions on our org chart, program management org chart, prior support services org chart, and required FTA staff allocation needs.”

Records provided for review include an Excel spreadsheet showing a level of effort (LOE) for twenty-four labor categories that totals 83,580 hours/year, equating to approximately 40 full time employees (FTEs). Note 1 on the ICE spreadsheet notes that “Estimated hours are for proposal and evaluation purposes only and are not a guarantee of Metro's actual requirements.”

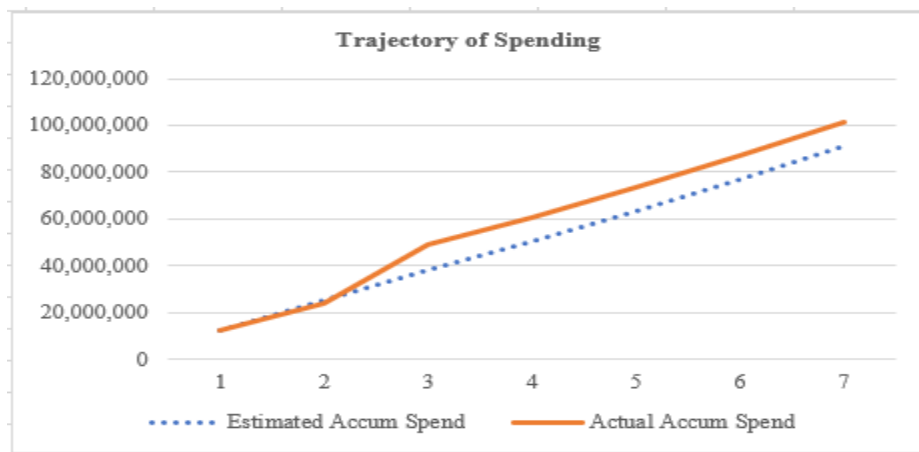
Actual and Projected Contract Value

Anticipated costs under the PMSS Contract over its seven-year term based on its initial total NTE value of \$90,809,070 is compared to actual and project remaining costs detailed in Table 2 presented earlier. Table 4, below, compares those annual cost increments.

Year	Est Accum Spend	Actual Accum Spend
1	12,669,541	12,060,366
2	25,339,082	24,120,732
3	38,008,623	48,733,372
4	50,678,164	60,697,276
5	63,347,705	73,644,591
6	77,078,388	87,375,274
7	90,809,070	101,105,956

Table 4: 2017 Planned Costs versus 2021 Actual Costs

A graph of the Table 4 data shows an increase in spending that occurred in 2020.



Graph 1: Variance Between Estimated Costs and Actual PMSS Contract Costs

In interviews with staff, OIG learned that in 2019, Program Management was directed to accelerate efforts on four Pillar Projects, e.g., Gold Line Eastside Extension Phase 2, Green Line Extension to Torrance, Sepulveda Transit Corridor, and the West Santa Ana Branch to Downtown LA. Additionally, a decision was made to hire a consultant to review issues related to the public private partnership (P3) project delivery method. As a result, expenditures were higher than anticipated under the PMSS Contract. Once the COVID-19 emergency impacted Metro's operations, management was directed to throttle down all staffing commitments.

Management's Four Levels of Control

Based on the PMSS Contract providing flexible, responsive staff augmentation that could not be comprehensively defined during its solicitation, a "top down" cost estimating process was used to establish the anticipated LOE. In lieu of comparing actual costs to the initial estimate, management implemented a controls process assuring that budget use is transparently tracked so that the Board and public are apprised of budget utilization. This comprehensive approach described as "four levels of controls" comprehensively tracks use of funds while ensuring compliance with the terms and conditions of the PMSS Contract, therefor meeting best practices oversight requirements.

Level One relates to projects with life of project (LOP) budgets using time-phased cost-loaded staffing plans for all staff (Metro or consultant); non-LOP projects will use fiscal year budgets. Budgets for each are evaluated monthly for trend analysis and potential revision. Level Two involves annual work plans that are developed on a per project basis in conjunction with task orders issued for staff augmentation. On a monthly basis, the PM, PMO, and V/CM each play a role in reviewing staff allocations and funding to assure compliance with vendor's scope of work and contract terms, analyzing trends and potential revision. Level Three involves PMs reviewing monthly invoices to verify staff time billed and proper cost coding. Also, V/CM reviews invoices for compliance with the task order to assure compliant staffing, billing rates and small business compliance. Level Four engages the vendor themselves to regularly report on task order status, and to provide to Metro annual work plans for every task order reviewing staff allocation and funding which involves engaging with the PM, PMO, and V/CM. Both Program Management and V/CM participate in a detailed review and approval process for the vendor's invoices. Project Management reviews for cost costs to ensure that costs are segregated properly and eligible for reimbursement under full funding grant terms. V/CM reviews for proper labor classification, labor rates, overhead rates, fees, scope of work and tracking against the NTE.

To supplement management's existing four levels of controls, the OIG also recommends management consider discussing in the board presentation project-specific budget information or other factors pertinent to cost variances with the initial baseline assumptions (whether LOE or costs). A reviewer comparing the board presentations for different years can identify new or modified CWOs that may have resulted in variable costs, but the better

approach may be for management to highlight and describe significant matters that impacted funding expectations. Management's practice of developing detailed project budgets is not made evident regarding costs under the PMSS Contract.

CWO Funding Process and Efficient Budget Oversight

The OIG acknowledges that the PMSS Contract is more complex to administer than a typical CMSS contract, including the PLE-2 CMSS Contract. The PLE-2 CMSS Contract made one Board presentation for an initial funding authorization in 2016, and no presentations have been made since to the full board. The PLE-2 CMSS Contract is under a project with an approved LOP Budget which allows the OMB to program its expenditures without direction by the Board.

Program Management states that a large proportion of programs/projects using staff augmentation resources do not have approved LOP budgets, and for that reason management has no option but to return annually to the board for new cost increments. OMB policies were cited as the source of the constraint. Management acknowledges that in 2017 the initial cost increment was for two years, and the 2017 staff report references an intent to return biennially. Because the PMSS Contract staff augmentation began to be requested by non-construction related departments with frequent changes, management stated it may be a sounder practice to reassess annually and limit each CWO to a one-year period of performance.

In discussions with Staff, the OIG learned that PMOC, PM and V/CM teams would welcome less burdensome administrative responsibilities associated with single year CWOs. It was agreed that multi-year CWOs might require more planning work at the "front end" which could be worth it if "nothing changed" as to scope of work and associated costs. Efforts at longer term staff capacity planning under the CWOs would be beneficial to the extent the information identifies efficiencies or alternative approaches related to using Metro staff over consultant staff.

An additional reason to increase CWO efficiency relates to budget tracking and invoice review. A single CWO may be an order for professional services for one program area or project, or for many program areas or projects. For each CWO, Metro Staff must track the variable funding sources used to reimburse the contractor's costs incurred. Tracking costs is straightforward when the CWO provides services to one program area or project, and complex when dealing with many.

In summary, improved efficiency may arise from a practice of issuing CWOs that are longer term and relate to only one program or project while covering multiple functional areas and labor categories. Efforts should be made to use OMB as a gatekeeper where possible to control total project spending. Since CWOs are the primary vehicles for ordering and tracking services and use of budget, it follows that they could be a valuable tool for long-term staff capacity and budget planning. The PMOC, PM and V/CM in consultation with and OMB are best positioned to analyze and agree upon how to most efficiently administer

CWOs. Certainly, efficiencies are encouraged to save not only the time spent by Metro employees, but costs associated with the vendor tracking and administering the CWOs.

Alternatives Considered and Principles of Continuous Improvement

Management’s “Alternatives Considered” topic could be better used to apprise the Board and public of ongoing efforts to review alternatives to status quo use of the PMSS Contract. As stated above, Metro’s 2016 PMP describes the importance of attracting, training and retaining core staff and growing through succession planning while also acknowledging the need for consultants to augment Metro Staff for work requiring specialized expertise, difficult to hire positions, and short-term assignments.

Every presentation to the Board to request additional funds and/or extended time under the PMSS Contract should be treated as an opportunity to reassess the value of the PMSS Contract and to proposed changes identified as furthering Metro’s other strategic staffing goals. If following substantive consideration of relevant issues, the status quo appears the best option, that will be self-evident.

Consultant to Metro Staff Ratio

Metro’s 2016 PMP and adopts an assumption that a 50/50 staffing split between Metro staff and consultants is appropriate and describes that the ratio should change over the course of capital program development as Metro moves from planning to close out. This PMP recommends that as part of staff capacity planning, “each staffing discipline will be reviewed on a granular basis to assess the appropriate staffing split for each staffing area.”¹⁶

The OIG’s 2016 Construction Best Practices Report reported the 2016 Metro Staff to consultant ratio as close to 50/50 and recommended increasing Metro FTEs to achieve a closer to 70/30 staff to consultant ratio consistent with best practices of other agencies. This ratio is described as promoting better succession planning and a more committed, loyal staff.

Currently, Metro staff reports the current staff to consultant ratio as variable and ranging from almost 90% consultant-based on some projects with closer to 30/70 Metro staff to consultant ratio, in general. The staffing ratio is “phase dependent” with consultant staff being more ubiquitous during the construction phase and increasing levels of Metro staff once the startup phase commences. Management states that an upcoming review will be occurring in the near future to analyze the use of consultants. A deliverable will be provided with comprehensive up-to-date information that can be used to improve (where necessary) Metro’s staff capacity planning. Recently the OIG completed a study of Metro hiring practices describing organizational challenges toward hiring Metro staff (that have been exacerbated by the labor scarcity effects of COVID-19), as referenced in Office of The

¹⁶ LACTMA Program Management Plan (2016), page 14.

Inspector General Report On Metro Personnel Hiring Process Study Board report September 17, 2020, (2020-0426).

Compliance with AB5 Independent Contractor Restrictions

On January 1, 2020, AB5, also known as the “gig worker law” took effect in California. This law requires that workers formerly identified as contractors should be given employee status and benefits. A supplemental Assembly bill was passed to establish an AB5 exemptions list. The “Business to Business Exemption” allows sole proprietors, partnerships, limited liability partnerships/companies, or corporation to enter into a contractual relationship with a business. This exemption applies to Metro’s professional service contracts but there is still good reason to be cautious. The exemption is a narrow one and only time will tell how a court will apply the law given a set of facts.

So long as contractor employees are receiving benefits and having taxes withheld, impacts on Metro are likely to be minimal as AB5 application is unlikely. However, if a Metro contractor employs someone as an independent contractor assigned to Metro, it may present some risk of application. Also, to the extent any contractor or subcontractor staff work solely for Metro – with Metro being its first and only “gig,” Metro may face some risks. The level of risk may require further analysis by County Counsel. For Metro, compliance with AB5 may place Metro on a collision course with the salutary benefits arising from a high participation from small/disadvantaged businesses. This is another area where further analysis is required.

Planning for Next Procurement Action & Implementing Lessons Learned

In interviews, Program Management indicates that a re-solicitation of the PMSS Contract requires up to one year of advance planning. For that reason, a determination whether to unilaterally exercise a contract option – or to seek a bilaterally agreed contract time extension – must occur one year prior to the expiration date of an existing PMSS Contract. Ideally, there would be a period of overlap between an expiring professional services contract and the next contract. The transition from one contract to another could vary in complexity based on whether the new contract is awarded to the incumbent vendor. The complexity that comes with transition to a new vendor into Metro’s capital program mix as a factor worthy of consideration when deciding the nature and timing of the next procurement.

CONCLUSION

In discussions with the OIG regarding its initial findings, management describes that four levels of controls or checks and balances are used on the PMSS Contract, which is not contradicted by this OIG Report.

- 1) Project level life of project budget that involves time phased cost loaded staffing plans for all staff (i.e. Metro or consultant) or fiscal year budgets for non-LOP projects, and that both are evaluated monthly for trend analysis and potential revision;

- 2) Metro performed contract level annual work plan for every task order reviewing staff allocation and funding required engaging PM, PMO, and V/CM. AWP is evaluated monthly for trend analysis and potential revision;
- 3) V/CM level compliance reviews for invoices, staffing, small business etc.; and
- 4) Vendor performed contract level annual work plan for every task order reviewing staff allocation and funding required engaging PM, PMO, and V/CM. AWP is evaluated monthly for trend analysis and potential revision.

This OIG Report is not about absent or erroneous controls, but the adequacy of the board presentations in communicating meaningful and transparent information associated with Metro's controls related to vendor performance, budget, and contract efficacy. Management's recommendations could be made stronger if supported by key performance indicators and information that explains variances in budget utilization. Finally, management is encouraged to proactively prepare for the eventual expiration of the contract through continuous improvement measures and discussion of comprehensive staff capacity planning exercises.

FINDINGS & RECOMMENDATIONS

Findings – Performance Evaluation

Finding 1: Program Management/Project Management lacks written policies and procedures to establish a comprehensive and regular process for evaluating vendor performance under a professional services contract.

Finding 2: The processes in place by Program Management/Project Management and the Vendor/Contract Management Departments constitute a de facto controls process ensuring the vendor is generally performing satisfactorily. However, no methods to analyze key performance indicators (KPIs) and identify sub-optimal use of staff augmentation resources were identified.

Finding 3: Management did not use its board presentations to adequately articulate to the Board its best practices efforts to assure that the vendor performs satisfactorily - and showing that management optimizes use of the staff augmentation resources.

Recommendations – Performance Evaluation

We recommend management consider:

Recommendation 1: Develop written policies and procedures to establish a comprehensive and regular process for evaluating vendor performance under a professional services contract. A standard checklist used monthly, quarterly, or other regular basis can be used to document vendor's compliance with key performance indicators.

Recommendation 2: Describe key performance indicators (KPIs) to identify and track performance metrics for the vendor. These KPIs should likewise demonstrate management's use of best practices to maximize use of vendor's best efforts toward the success of the capital program.

Recommendation 3: Include in the board presentation a summary of management's quality review actions and statement of findings on KPIs affirming vendor's satisfactory performance for improved communication, accountability, and transparency for the Board, the public and regulators of Metro.

Findings – Budget Controls & Status

Finding 4: The total budget for the PMSS Contract is derivative of the individual budget(s) for the programs/projects anticipated to use staff augmentation resources under the PMSS Contract. Management's initial baseline budget for the PMSS Contract did not link estimated soft costs on a per program/project basis (or revise the baseline budget where necessary over the term of the contract), creating the appearance of no budget controls.

Finding 5: Management’s presentations to the board omitted necessary explanations for variances between an initial baseline budget/Recommended NTE established as a control for the PMSS Contract and the Actual costs to date and the projected cost trend.

Finding 6: Program Management/Project Management appears to engage in annual/short-term planning for staff augmentation in lieu of longer-term planning for use of staff augmentation resources under the PMSS Contract. This approach may be useful for annual work planning but creates inefficiencies related to committing and tracking funds for services under the PMSS Contract, unnecessary Board presentations, and burdensome administrative work related to issuance of updated CWOs – which impacts Metro as well as the vendor (who bills us for that work). This approach may interfere with OMB’s ability to act as budget gatekeeper through programmed budget allocation.

Finding 7: Management may issue CWOs that address one functional area of staff augmentation and use those services across programs or projects (“many-to-1”), or issue one CWO for each program or project and include a range of functional areas (“1-to-1”). The issuance of “many-to-1” CWOs requires more tedious labor for cross-checking of timesheets and invoices across different project managers, and additionally requires checking of correct cost coding for budget use across projects and budget.

Recommendations – Budget Controls & Status

We recommend management consider:

Recommendation 4: For future indefinite delivery cost-reimbursement type contracts like the PMSS Contract, establish a long-term initial baseline budget using estimated soft costs associated across identified and identifiable program/project budgets to serve as a necessary budget control measure over the term of the contract. An initial baseline budget may be superseded by a re-baselined budget with documented justification.

Recommendation 5: For each Board presentation, document the reasons for the variance between management’s initial or revised baseline budget/Recommended NTE, and the Actual NTE.

Recommendation 6: For any multi-year cost-reimbursement professional services contract, plan for and develop multi-year CWOs to encourage longer-term staff capacity planning, to minimize administrative efforts required to annually revise individual CWOs, and for OMB to used programmed budget allocations.

Recommendation 7: For any multi-year cost-reimbursement professional services contract providing services across projects, issue 1-to-1 CWOs or 1 to multiple CWOs which ever one is most efficient based upon the consultation with project management, V/CM, accounting and the vendor to confirm which method best facilitates budget tracking and make more efficient the invoicing process for CWOs.

Findings – Contract Efficacy/Continuous Improvement

Finding 8: Management omits discussion regarding the status of overall Staff Capacity Planning including the historical vs. current ratio of Metro FTEs to consultants.

Finding 9: Management omits discussion of (presumed) net benefits of the continued use of external consultants given competing considerations related to cost, institutional knowledge and succession planning.

Finding 10: Management omits discussion of opportunities to hire and train local community members.

Finding 11: Management omits discussion of opportunities to bridge or prepare for the next PMSS Contract solicitation.

Recommendations – Contract Efficacy/Continuous Improvement

We recommend management consider:

Recommendation 8: Review and communicate to the Board the status of overall Staff Capacity Planning including the historical vs. current ratio of Metro FTEs to consultants.

Recommendation 9: Review and communicate to the Board the benefits of the continued use of external consultants given competing considerations related to cost, institutional knowledge and succession planning.

Recommendation 10: Review and communicate to the Board opportunities to hire and train local community members.

Recommendation 11: Review and communicate to the Board the opportunities to bridge or prepare for the next PMSS Contract solicitation.

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

MANAGEMENT COMMENTS

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
Performance Evaluation	1	Develop written policies and procedures to establish a comprehensive and regular process for evaluating vendor performance under a professional services contract. A standard checklist used monthly, quarterly or other regular basis, can be used to document vendor's compliance with key performance indicators.	Agree	DEO Program Control	Will memorialize the annual contract performance evaluation process already in place with a policy/procedure.	12/31/21
Performance Evaluation	2	Describe key performance indicators (KPIs) to identify and track performance metrics for the vendor. These KPIs should likewise demonstrate management's use of best practices to maximize use of vendor's best efforts toward the success of the capital program.	Agree	Sr. EO Program Control	Institutional KPI's already exist to track performance metrics. Share institutional KPIs already in existence.	6/30/22
Performance Evaluation	3	Include in the board presentation a summary of management's quality review actions and statement of findings on KPIs affirming vendor's satisfactory performance for improved communication, accountability, and transparency for the Board, the public and regulators of Metro.	Agree	DEO Program Control	Will investigate and implement as necessary	6/30/22
Budget Controls & Status	4	For future indefinite delivery cost-reimbursement type contracts like the PMSS Contract, establish long-term initial baseline budget using estimated soft costs associated	Agree	Sr. EO Program Control	Will implement baseline tracking for FY23 task orders, if applicable.	7/1/2022

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
		across identified and identifiable program/project budgets to serve as a necessary budget control measure over the term of the contract. An initial baseline budget may be superseded by a re-baselined budget with documented justification.				
Budget Controls & Status	5	For each Board presentation, document the reasons for the variance between management's initial or revised baseline budget/Recommended NTE, and the Actual NTE.	Partially Agree	DEO Program Control	Although board reports already include variance information, will add variance tracking to FY23 task orders.	7/1/2022
Budget Controls & Status	6	For any multi-year cost-reimbursement professional services contract, planning and developing multi-year CWOs is recommended to encourage longer-term staff capacity planning, to minimize administrative efforts required to annually revise individual CWOs, and for OMB to use programmed budget allocation	Agree	Sr. EO Program Control	As per APTA Peer Review, Study already underway to evaluate Metro staff to consultant ratio.	6/30/22
Budget Controls & Status	7	For any multi-year cost-reimbursement professional services contract providing services across projects, issuing 1-to-1 CWOs or 1 to multiple CWOs which ever one is most efficient based upon the consultation with project management, VCM, accounting and the vendor to confirm which method best facilitates budget tracking and make	Agree	DEO Program Control	No action necessary as this is already the existing practice.	10/29/21

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
		more efficient the invoicing process for CWOs.				
Contract Efficacy/ Continuous Improvement	8	Review and communicate to the Board the status of overall Staff Capacity Planning including the historical vs. current ratio of Metro FTEs to consultants.	Agree	Sr. EO Program Control	Will occur as part of ongoing update to Program Management Plan.	6/30/22
Contract Efficacy/ Continuous Improvement	9	Review and communicate to the Board the benefits of the continued use of external consultants given competing considerations related to cost, institutional knowledge and succession planning.			<p>Board report language already included that states '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 Management is committed to developing strengths in its capacity and capability to ensure the multi-billion-dollar capital program can be successfully managed. Attachment E lists the projects that the Contract currently supports and those we anticipate it will support over the duration of the PMSS contract.</p> <p>Metro staff works with KTJV to scale staff up or down depending on Metro's transit, highway, regional rail and other capital improvement program needs. With the volume of work that accompanies Metro's fast-paced Capital program, the PMSS Contract utilization to assist Program Management in securing enough qualified, flexible resources across a broad spectrum of disciplines in a timely manner needed to manage and support delivery of Board approved projects has increased significantly.'</p>	
			Partial	Sr. EO Program Control		10/29/21
Contract Efficacy/ Continuous Improvement	10	Review and communicate to the Board opportunities to	Agree	EO, DEOD	Investigate program to implement at agency level	6/30/2022

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
		hire and train local community members.				
Contract Efficacy/ Continuous Improvement	11	Review and communicate to the Board the opportunities to bridge or prepare for the next PMSS Contract solicitation.	Agree	DEO Program Control	Current board report already states 'During these final years of the contract, Metro will begin procurement of a new contract to ensure a seamless transition of services to mitigate disruption to the projects in need of consultant staff.'	11/18/21

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

ATTACHMENTS

A	Interviews & Materials	C	Staffing Levels (Program Management)
B	PMSS Labor Categories		

ATTACHMENT A

Staff Interviews

No.	Name	Title	Department	Date	Interview Type
1	Bruce Warrensford	DEO, Procurement	Vendor/Contract Management	9/13/2021	Telephone
2	Jesse Solis	EO, Finance/Controller	Office of Management/Budget	9/13/2021	Email
3	Julie Owen	Sr. EO, Project Management Oversight, Program Control (PMO/PC)	Program Management	9/15/2021 9/24/2021 10/08/21 10/15/21	TEAMS, Email
4	Robert Romanowski	Principal Contract Administrator	Vendor/Contract Management	9/16/2021 9/17/2021 9/20/2021 09/28/21 10/07/21 10/08/21	TEAMS, Email
5	Brad Owens	EO, Projects Engineering	Program Management	9/28/2021	TEAMS
6	Marie Kim	DEO, Finance	Office of Management/Budget	9/29/2021	TEAMS
7	Michael Martin	DEO, Program Management	Program Management	9/29/2021 10/08/2021 10/13/2021	Telephone, Email
8	Mayumi Lyons	DEO, Construction & Project Management SPRT Program Control	Program Management	9/30/2021 10/04/21 10/08/21	TEAMS, Email

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

Board Presentations

Contract No. AE35279 Program Management Support Services (PMSS)	
	Type
Contract No. AE35279 Program Management Support Services (PMSS)	Contract
	Item No./File No.
Construction Committee Meeting: Staff Report	#14 / 2017-0188
Metro Board: Staff Report	#48 / 2017-0419
Metro Board: Staff Report	#48 / 2017-0419
Metro Board Minutes	#48 / 2017-0419
Construction Committee Meeting: Staff Report	#31 / 2019-0153
Metro Board: Staff Report (Same as Construction Committee)	#31 / 2019-0153
Metro Board Minutes with Solis Amendment	#31 / 2019-0153
Construction Committee Meeting: Staff Report	#25 / 2020-0283
Metro Board: Staff Report (Same as Construction Committee)	#25 / 2020-0283
Metro Board Minutes	#25 / 2020-0283
Construction Committee Meeting: Staff Report	#32 / 2021-0250
Metro Board: Staff Report (Same as Construction Committee)	#32 / 2021-0250
Metro Board Minutes with Najarian Amendment	#32 / 2021-0250
Contract No. AE5818600MC072-PLE2 Construction Management Support Services (CMSS)	
	Type
Contract No. AE5818600MC072-PLE2 Construction Management Support Services (CMSS)	Contract
Metro Board: Staff Report	#1 / 2016-0610
Metro Board Minutes	
Finance, Budget and Audit Committee	

Federal, State, LACMTA Authorities, Policies & Procedures

FEDERAL AUTHORITIES
Federal Transportation Agency (FTA) Circular 4220.1F, Rev. 4, March 18, 2013
Federal Transportation Agency (FTA) Best Practices Procurement & Lessons Learned Manual, Revised October 2016, FTA Report No. 0105
Federal Acquisition Regulation (FAR) - Found at Chapter 1 of Title 48 of the Code of Federal Regulations (CFR); organized into 53 parts.

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

Report No. 2021-0669

Mlinarchik, Christoph (2021 Ed.) Federal Acquisition Regulation in Plain English (Self Published)	
Contract Attorneys Deskbook, The Judge Advocate Generals Legal Center and School United States Army (2021)	Contract Attorneys Deskbook 2021 (loc.gov)
STATE AUTHORITIES	
California Government Code (GOV), Title 1, Division 5 Public Work and Public Purchases [See GOV Sections 4525-4529.20]	
California Public Contracting Code (PCC), Division 1, Purpose and Preliminary Matters & 2 General Provisions, [See PCC Sections 100-9204.]	
California Public Utilities Code (PUC) Division 12. County Transportation Commissions [See PUC Sections 130000-13028.1]	
California PUC, Chapter 2. Creation of Commissions [See PUC 130050-130059; in particular PUC Section 130051, et. seq.	
AB5	
LACMTA: AGENCY AUTHORITIES & PLANNING DOCUMENTS	
Board of Directors	
Board Rules and Procedures, Adopted 1993, Rev. 2017	Microsoft Word - Board Rules and Procedures (metro.net)
	March 2010 Board Meeting - Item 34 (metro.net)
	-
	-
Chief Executive Officer	
LACTMA Program Management Plan, October 19, 2016	Program Management Plan - Measure M (metro.net)
The Reimagining of LA County - CEO Memorandum dated April 8, 2020 (And Staff Reports submitted to Board Committees and Full Board in February 2019)	-
	-
	-
LACMTA Administrative Code	
LACMTA: OFFICE OF MANAGEMENT & BUDGET	
LACMTA Metro 2017 Funding Sources Guide	
LACMTA Metro Funding Website	-
LACMTA Office of Management & Budget - Frequently Asked Questions	Measure M - LA Metro FAQs (sharepoint.com)
LACMTA Office of Management & Budget - FY 2018 Budget	FAQs (sharepoint.com)
LACMTA Office of Management & Budget - FY 2019 Budget	
LACMTA Office of Management & Budget - FY 2020 Budget	

Review of PMSS Best Practices to Fund & Extend Professional Services Contracts

Office of the Inspector General

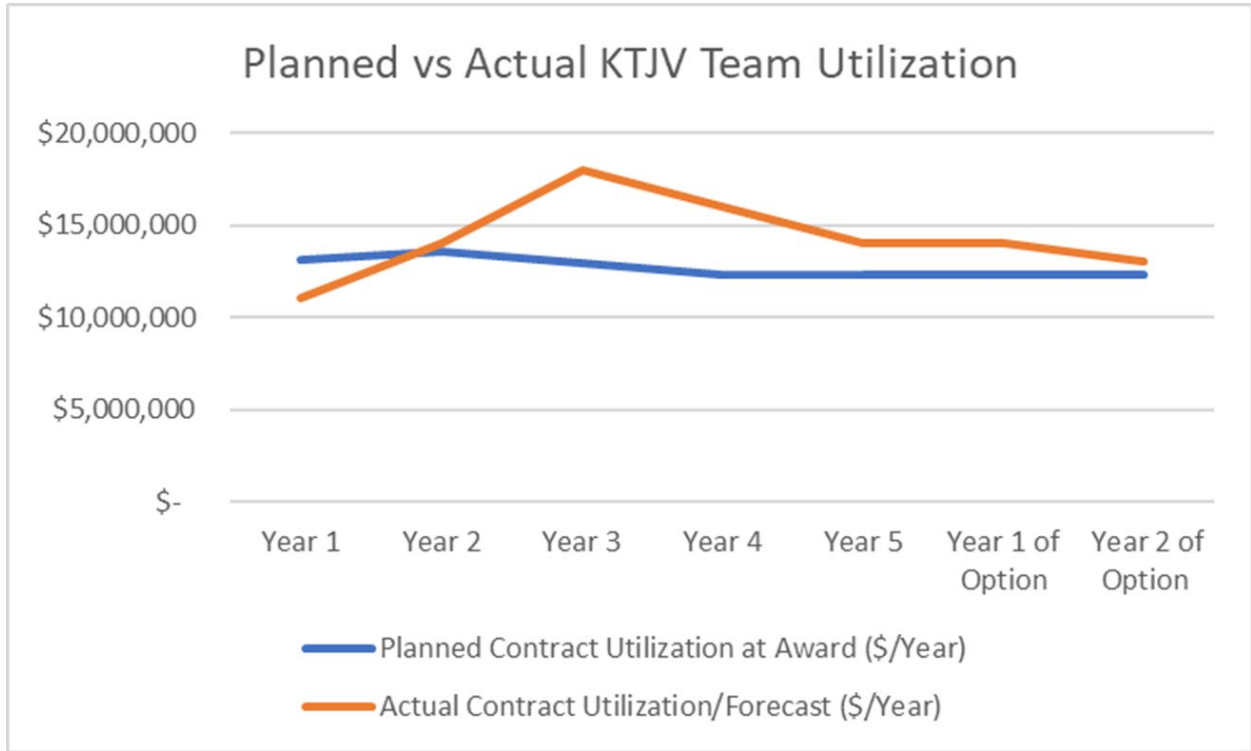
Report No. 2021-0669

LACMTA Office of Management & Budget - FY 2021 Budget	
LACMTA Office of Management & Budget - FY 2022 Budget	
OMB - POLICIES & PROCEDURES - (not provided by Staff)	
LACMTA: CAPITAL PROGRAMS/PROGRAM MANAGEMENT	
LACMTA Program Management Consultant Evaluation Form	
PROGRAM MANAGEMENT - POLICIES & PROCEDURES - NONE FOUND	Consultant Evaluation Form - yohana test (sharepoint.com)
PROJECT MANAGEMENT - POLICIES & PROCEDURES - NONE FOUND	
CONSTRUCTION MANAGEMENT - POLICIES & PROCEDURES - NONE FOUND	
“Estimating Soft Costs for Major Public Transportation Fixed Guideway Projects” published by the Transit Cooperative Research Program (2010)	TCRP Report 138 – Estimating Soft Costs for Major Public Transportation Fixed Guideway Projects (reconnectingamerica.org)
LACMTA: VENDOR CONTRACT MANAGEMENT	
Acquisition Policy Statement ACQ-1	
Acquisition Policy & Procedure Manual ACQ-2	Pages - ACQ-2 (sharepoint.com)
Vendor/Contract Management - Your Guide to Mastering Procurement for Professional Services and Construction Services, Edition 3 (2018)	Microsoft Word - Draft APPM Update 1 2021 (sharepoint.com)
	V/CM Client Guide.pdf (sharepoint.com)
LACTMA: OFFICE OF INSPECTOR GENERAL	
Capital Project Construction Best Practices Study, Report No. 16-AUD-01, dated February 29, 2016 (CPC Best Practices Audit).	

ATTACHMENT B

	PMSS Labor Categories
1	Administrative
2	Cost Estimating Manager
3	Cost Estimator
4	Cost/Schedule Analyst
5	Hosting Technical Support
6	PMIS Implementation Lead
7	PMIS Implementation Support
8	Project Control Manager
9	Project Control Supervisor
10	Project Delivery & Contract Development Technical Advisor
11	Project Manager
12	Program Manager (Administrative)
13	Program Manager (Technical)
14	Secretary
15	Senior Configuration Management Analyst
16	Senior Contract Administrator
17	Senior Contract Compliance Officer
18	Senior Cost Estimator
19	Senior Cost/Schedule Analyst
20	Senior Program Management Analyst
21	Senior Programmer
22	Senior Training Specialist
23	Solution Architect
24	Training Manager

Staffing Levels (provided by Program Management)



	KTJV PMSS Scope Item:	Year 5 Planned FTEs:	FY22 Actual FTEs:	+/-
1	Program Management	4	6	2
2	Project Management	2	5	3
3	Contract Development	7	12	6
4	Project Controls	8	6	-2
5	Cost Estimating	16	14	-2
6	Configuration Management	3	5	2
7	PM Training	1	0	-1
8	PMIS Support	2	5	3
	TOTALS:	41	53	11

**Schedule for Tracking Metro’s Proposed Actions to Implement the Recommendations
PMSS Best Practices to Fund & Extend Professional Services Contracts**

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
Performance Evaluation	1	Develop written policies and procedures to establish a comprehensive and regular process for evaluating vendor performance under a professional services contract. A standard checklist used monthly, quarterly or other regular basis, can be used to document vendor’s compliance with key performance indicators.	Agree	DEO Program Control	Will memorialize the annual contract performance evaluation process already in place with a policy/procedure.	12/31/21
Performance Evaluation	2	Describe key performance indicators (KPIs) to identify and track performance metrics for the vendor. These KPIs should likewise demonstrate management’s use of best practices to maximize use of vendor’s best efforts toward the success of the capital program.	Agree	Sr. EO Program Control	Institutional KPI’s already exist to track performance metrics. Share institutional KPIs already in existence.	6/30/22
Performance Evaluation	3	Include in the board presentation a summary of management’s quality review actions and statement of findings on KPIs affirming vendor’s satisfactory performance for improved communication, accountability, and transparency for the Board, the public and regulators of Metro.	Agree	DEO Program Control	Will investigate and implement as necessary	6/30/22
Budget Controls & Status	4	For future indefinite delivery cost-reimbursement type contracts like the PMSS Contract, establish long-term initial baseline budget using estimated soft costs associated across identified and identifiable program/project budgets to serve as a necessary budget control measure over the term of the contract. An initial baseline budget may be superseded by a re-baselined budget with documented justification.	Agree	Sr. EO Program Control	Will implement baseline tracking for FY23 task orders, if applicable.	7/1/2022
Budget Controls & Status	5	For each Board presentation, document the reasons for the variance between management’s initial or revised baseline budget/Recommended NTE, and the Actual NTE.	Partially Agree	DEO Program Control	Although board reports already include variance information, will add variance tracking to FY23 task orders.	7/1/2022
Budget Controls & Status	6	For any multi-year cost-reimbursement professional services contract, planning and developing multi-year CWOs is recommended to encourage longer-term	Agree	Sr. EO Program Control	As per APTA Peer Review, Study already underway to	6/30/22

**Schedule for Tracking Metro's Proposed Actions to Implement the Recommendations
PMSS Best Practices to Fund & Extend Professional Services Contracts**

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
		staff capacity planning, to minimize administrative efforts required to annually revise individual CWOs, and for OMB to used programmed budget allocation			evaluate Metro staff to consultant ratio.	
Budget Controls & Status	7	For any multi-year cost-reimbursement professional services contract providing services across projects, issuing 1-to-1 CWOs or 1 to multiple CWOs which ever one is most efficient based upon the consultation with project management, VCM, accounting and the vendor to confirm which method best facilitates budget tracking and make more efficient the invoicing process for CWOs.	Agree	DEO Program Control	No action necessary as this is already the existing practice.	10/29/21
Contract Efficacy/ Continuous Improvement	8	Review and communicate to the Board the status of overall Staff Capacity Planning including the historical vs. current ratio of Metro FTEs to consultants.	Agree	Sr. EO Program Control	Will occur as part of ongoing update to Program Management Plan.	6/30/22
Contract Efficacy/ Continuous Improvement	9	Review and communicate to the Board the benefits of the continued use of external consultants given competing considerations related to cost, institutional knowledge and succession planning.	Partial	Sr. EO Program Control	Board report language already included that states '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 Management is committed to developing strengths	10/29/21

**Schedule for Tracking Metro's Proposed Actions to Implement the Recommendations
PMSS Best Practices to Fund & Extend Professional Services Contracts**

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
					<p>in its capacity and capability to ensure the multi-billion-dollar capital program can be successfully managed. Attachment E lists the projects that the Contract currently supports and those we anticipate it will support over the duration of the PMSS contract.</p> <p>Metro staff works with KTJV to scale staff up or down depending on Metro's transit, highway, regional rail and other capital improvement program needs. With the volume of work that accompanies Metro's fast-paced Capital program, the PMSS Contract utilization to assist Program Management in securing enough qualified, flexible</p>	

**Schedule for Tracking Metro's Proposed Actions to Implement the Recommendations
PMSS Best Practices to Fund & Extend Professional Services Contracts**

Issue Category	No.	Recommendations	Agree or Disagree	Assigned Staff	Proposed Action	Estimated Completion Date
					resources across a broad spectrum of disciplines in a timely manner needed to manage and support delivery of Board approved projects has increased significantly.'	
Contract Efficacy/ Continuous Improvement	10	Review and communicate to the Board opportunities to hire and train local community members.	Agree	EO, DEOD	Investigate program to implement at agency level	6/30/2022
Contract Efficacy/ Continuous Improvement	11	Review and communicate to the Board the opportunities to bridge or prepare for the next PMSS Contract solicitation.	Agree	DEO Program Control	Current board report already states 'During these final years of the contract, Metro will begin procurement of a new contract to ensure a seamless transition of services to mitigate disruption to the projects in need of consultant staff.'	11/18/21



**Los Angeles County Metropolitan Transportation Authority
Office of the Inspector General**

**Review of Project Management Support Services (PMSS)
Best Practices to Fund & Extend Professional Services
Contracts**

**Karen Gorman, Inspector General
November 18, 2021**



Legistar File # 2021-0669

**Board requested an audit report,
“To hear how well the original
contract was performed.”**

OIG Examined:

- ▶ Performance Evaluation
- ▶ Budget Controls
- ▶ Contract Efficacy / Continuous Improvement

RECOMMENDATIONS



PERFORMANCE EVALUATION

- ❖ Develop procedures to evaluate vendor
- ❖ Identify Key Performance Indicators (KPIs) to track vendor performance
- ❖ Add to Board presentations a summary of KPIs

RECOMMENDATIONS



BUDGET CONTROLS

- ❖ Establish long-term initial budget baseline from estimated soft costs
- ❖ Add to Board presentations variance between Initial and revised baseline budget
- ❖ Develop multi-year work orders for long-term staff capacity planning
- ❖ Consider 1-to-1 verses multiple work orders if it eases budget tracking and invoicing

RECOMMENDATIONS



CONTRACT EFFICACY / CONTINUOUS IMPROVEMENT

Communicate to Board:

- ❖ Staff capacity planning historical vs. current ratio of FTEs to consultants
- ❖ Pros and cons of consultants vs. FTEs related to cost, institutional knowledge, and succession planning
- ❖ Opportunities to hire and train local community
- ❖ Opportunities to prepare for next PMSS contract

Base/Option Year	Board Presentation	Description	Cost Increment	FY NTE
1	6/22/2017	2018 & 2019	24,970,960	24,970,960
2	4/25/2019	2020	\$25,339,082	\$51,306,204
3	5/28/2020	2021	\$12,041,501	\$63,347,705
4	5/27/2021	2022	10,296,886	\$73,644,591
Pending - Option		2023-2024	27,461,365	\$101,105,956

PMSS RENEWAL Facts at a Glance



Board Report

File #: 2021-0713, **File Type:** Informational Report

Agenda Number: 15.

FINANCE, BUDGET, AND AUDIT COMMITTEE

NOVEMBER 17, 2021

CONSTRUCTION COMMITTEE

NOVEMBER 18, 2021

SUBJECT: PERFORMANCE AUDIT OF PROGRAM MANAGEMENT SUPPORT SERVICES

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE Management Audit Services Final Report on the Performance Audit of Program Management Support Services (PMSS) Contract No. AE35279 (Contract) with Kal Krishnan Consulting Services, Inc./Triunity Engineering & Management Joint Venture (KKCS/Triunity JV).

ISSUE

Metro's Management Audit Services (MAS) conducted a performance audit of the PMSS Contract. The audit was performed in accordance with Generally Accepted Government Auditing Standards and the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

BACKGROUND

On May 27, 2021, Metro Board of Directors approved Motion 32 (Attachment A) that directed an audit of the Contract to assess the performance of the original Contract and the performance success of the contractors before extending a 2-year option, one year ahead of its extension date. On August 5, 2021, Metro Program Management and Vendor/Contract Management senior leadership requested MAS to perform the audit in-house due to time constraints to return to the Board for authorization to exercise the option to extend. MAS issued a formal audit notification to KKCS/Triunity JV (Contractor) on August 20, 2021.

DISCUSSION

The audit objective was to assess conformity of services performed and billed by the Contractor to the scope of work and other provisions of the Contract. The period for review is the Contract execution date of August 18, 2017 through June 30, 2021. In addition, MAS identified two focus areas for the performance audit, which were to:

- evaluate compliance with specific terms of the contract related to qualifications, performance and quality; and
- verify whether work order billing is accurate, substantiated by supporting documents and in compliance with the contract.

Results of the Audit

MAS' general assessment is the services performed and billed by the Contractor in most respects conformed to the Scope of Work and other provisions of the Contract. Program Management was broadly satisfied with the Contractor and the staff augmentation consultants. Program Management considered the PMSS Contract essential to the ongoing accelerated project delivery program due to Metro's internal staffing constraints. However, MAS noted certain internal control deficiencies that kept KKCS/Triunity JV and Metro from having a fully mature and effective internal control system undergirding the Contract. These deficiencies were identified as part of MAS' testing of key internal controls relevant to the adequacy of the billing process and compliance with Contract terms related to qualifications, performance, and quality. In the event the identified internal control deficiencies were left unaddressed, the deficiencies could impede optimal contract performance in the future.

In addition, MAS noted various favorable conditions for the Contractor which included:

- KKCS/Triunity JV consultants appear to be well-qualified and experienced.
- KKCS/Triunity JV successfully implemented the PMIS Unifier module, and Metro Project Managers interviewed by MAS were satisfied with the system.
- Program Management considers ongoing consulting support essential to the accelerated project delivery program due to Metro's staffing and hiring constraints.
- 16 Project Managers interviewed by MAS were satisfied with the services that KKCS/Triunity JV provided for their projects.
- KKCS/Triunity JV properly billed the 8.5% fixed fee on the prime Contractor's and subcontractors' direct labor and labor overhead costs on each CWO invoice tested.
- KKCS/Triunity JV properly billed the 5% management fee on subcontractor direct labor costs and labor overhead costs.
- KKCS/Triunity JV voluntarily reduced fees charged to the contract by 2% since May 2020 per Metro's request (agency's financial cost saving strategy).
- Invoices tested were reviewed and signed by KKCS/Triunity JV staff.

The conditions noted in the performance audit requiring attention by KKCS/Triunity JV and Metro management included:

- Project vehicle leases did not comply with Metro's Non-Revenue Vehicle Policy.
- Processes for initial selection and ongoing evaluation of staff augmentation consultants' performance as well as acceptance of consulting deliverables should be formalized to comply with the Contract requirements, internal control principles, quality assurance; and to avoid questioning of costs.
- Billing tested included minor errors, none of which were material to the Contract.

Findings - Condition	KKCS / Triunity JV	Metro
Non-compliance with contract terms & conditions regarding leased project vehicles	Finding 1	Finding 1

Background, resume, and reference checks for new consultants were not consistently performed	Finding 2	
Management did not document final acceptance of 4 of 6 deliverables tested		Finding 2

Business Process Improvements - Condition	KKCS / Triunity JV	Metro
Invoices submitted to and paid by Metro contained immaterial errors and/or omissions	BPI 1	BPI 1
The 8.5% fee charged was not tracked against the NTE amount	BPI 2	BPI 2
Final indirect cost rate reconciliations for 2018 and 2019 were not submitted on time	BPI 3	

Accordingly, MAS identified business process improvement opportunities that warrant consideration, and noted recommendations to enhance quality and ensure compliance with contract terms and conditions. The following recommendations are outlined in the performance audit:

1. Review and verify that terms and conditions of the Contract are understood, including standards, regulations, guidelines, policies, and procedures. KKCS/Triunity JV should comply with all applicable Metro policies and procedures per the Contract.
2. Begin tracking and monitoring vehicle use and maintenance, as required by the Contract.
3. KKCS/Triunity JV should document verification of qualifications and experience to support job titles billed to the Contract; and Metro should, by contract modification, require the Contractor to perform and document background, resume, and reference checks for all new consultants proposed to Metro.
4. KKCS/Triunity JV's Accounting should create a checklist to verify that all required documentation is included in the invoice package submitted to Metro.
5. Create a timesheet template to be consistently used by KKCS/Triunity JV and staff augmentation consultants to record all required information including daily tasks performed and obtain approval signatures from responsible Metro Project Managers.
6. Create a billing summary template to be consistently used by KKCS/Triunity JV and subcontractors to record all billing(s) in sufficient detail to easily verify the mathematical accuracy of billings.
7. Require a thorough review of all invoice packages prior to submitting to Metro to ensure that all required documentation, is legible, and includes required signatures.
8. Prepare a log for tracking contract incurred and billed costs by cost element (direct labor, labor OH, Other Direct Cost (ODC), fee, and others) by CWO, and by the prime contractor and subcontractor.

9. Develop a log for tracking cumulative contract incurred and billed costs by cost element (direct labor, labor OH, Other Direct Cost (ODC), fee, and others) by CWO, as well as by prime, subcontractor, and fiscal year.

In accordance with audit practices and procedures, KKSC/Triunity JV and Metro provided management responses for the issues identified in the performance audit report. In summary, KKCS/Triunity JV and Metro stated agreement, partial agreement or disagreement; and provided detailed management responses including outlined alternative corrective actions which are memorialized in the performance audit report. MAS will continue to follow-up with KKCS/Triunity JV and Metro to verify that audit recommendations or alternative corrective actions are implemented.

EQUITY PLATFORM

KKSC/Triunity JV is a certified Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE). KKCS/Triunity JV proposed a 73.31% DBE commitment making the PMSS Contract the largest small business led consultant services contract at Metro.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This report supports Metro's Vision 2028 Goal #5: Provide responsive, accountable, and trustworthy governance within the Metro organization.

NEXT STEPS

MAS will continue to follow-up to verify that the audit recommendations are implemented; and report the results of audit recommendations or corrective actions as part of MAS' quarterly reporting to Metro Board of Directors.

ATTACHMENTS

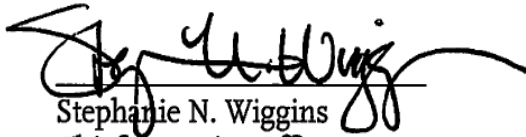
Attachment A: Board Motion 32: Program Management Support Services

Prepared by: Lauren Choi, Senior Director, Audit, (213) 922-3926

Alfred Rodas, Senior Director Audit, (213) 922-4553

Shalonda Baldwin, Executive Officer, Administration,
(213) 418-3265

Reviewed by: Nicole Englund, Chief of Staff, OCEO, (213) 922-7950



Stephanie N. Wiggins
Chief Executive Officer



Metro

Los Angeles County
Metropolitan Transportation
Authority
One Gateway Plaza
3rd Floor Board Room
Los Angeles, CA

Board Report

File #: 2021-0422, **File Type:** Motion / Motion Response

Agenda Number:

**REGULAR BOARD MEETING
MAY 27, 2021**

Motion by:

DIRECTOR NAJARIAN

Related to Item 32: Program Management Support Services

SUBJECT: AMENDMENT TO PROGRAM MANAGEMENT SUPPORT SERVICES

RECOMMENDATION

I, therefore, move, that the Board look back at the performance success of the contractors and give a report before extending a 2-year option, one year ahead of its extension date. The contract should be audited, as quickly as possible so it does not delay our ability to exercise the option to extend. It's good board policy if there is a large contract, that has an option, before that option is extended, we should get a report back to hear how well the original contract was performed.



Board Report

File #: 2021-0670, File Type: Contract

Agenda Number: 29.

CONSTRUCTION COMMITTEE NOVEMBER 18, 2021

SUBJECT: PROGRAM MANAGEMENT SUPPORT SERVICES

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE:

- A. The exercise of the two-year option for Contract No. AE35279 with Kal Krishnan Consulting Services/Triunity Engineering and Management Joint Venture (KTJV), a small business prime, in the amount not-to-exceed \$27,461,365 for FY23 and FY24, increasing the authorized total funding limit from \$73,644,591 to \$101,105,956; and
- B. The CEO or designee to execute individual Contract Work Orders (CWOs) and Contract Modifications within the Board authorized contract funding amount.

ISSUE

In June 2017, the Board approved awarding a five-year cost reimbursable fixed fee Contract No. AE35279, plus one two-year option, to KTJV, a DBE Prime Joint Venture, for Program Management Support Services for not-to-exceed \$90,809,070. This created the largest small business led consultant services contract at Metro.

This is a task order-based contract that is incrementally funded through Board action. Board action provided initial funding not-to-exceed \$24,970,960 through the end of FY19 as part of a multiyear contract with an anticipated five-year base contract value of \$63,347,705 plus \$27,461,365 for one two-year option, for a combined total amount not-to-exceed \$90,809,070 for seven years.

BACKGROUND

In April 2019, the Board approved two additional years of funding, increasing the total not-to-exceed amount to \$51,306,204 for the first four years of the contract. In May 2020, the Board approved an increase in authorized funding for the Contract by \$12,041,501, for a new funding limit not-to-exceed \$63,347,705. In May 2021, the Board approved an increase in authorized funding for the Contract by \$10,296,886, for a new funding limit not-to-exceed \$73,644,591.

To date, staff has awarded CWO/Modifications totaling \$72,903,197.77 for CWOs with a period of performance through FY22 and has \$741,393.23 of the authorized funding remaining. Attachment B lists the PMSS contract CWO/Modifications executed to date. Each of the CWOs are funded from the associated projects' budget within the limits of Board authorization. Use of the Contract exceeded staff expectation due, in part, to Board directed acceleration of projects in FY19 and FY20. With only the FY22 balance in current authorization remaining uncommitted and to ensure continuity of the professional services for ongoing future project support, Metro requests authorization to exercise the two-year option in the amount not-to-exceed \$27,461,365, for total authorized Contract funding not-to-exceed \$101,105,956.

Extending the contract duration to include the option period is beneficial to ensure consistent, reliable consultant services without interruption through the conclusion of the PMSS contract. During these final years of the contract, Metro will begin procurement of a new contract to ensure a seamless transition of services to mitigate disruption to the projects in need of consultant staff.

Metro's Management Audit Services (MAS) department conducted a performance audit of the PMSS contract in accordance with the Board Motion 32. On August 20, 2021, MAS issued formal audit notification to Kal Krishnan Consulting Services, Inc./Triunity Engineering & Management Joint Venture (KTJV).

The audit objective was to assess conformity of services performed and billed by the contractor to the scope of work and other provisions of the contract. The period for review is the contract execution date of August 18, 2017 through June 30, 2021.

In addition, MAS identified two focus areas for the performance audit, which were to:

- evaluate compliance with specific terms of the contract related to qualifications, performance, and quality; and
- verify whether work order billing is accurate, substantiated by supporting documents and in compliance with the contract.

The results of the performance audit are issued as a separate report in accordance with MAS reporting standards and practices for independent reporting to the Chief Executive Officer and Metro Board of Directors.

The Office of Inspector General (OIG) department conducted a more macro audit regarding Board's concerns to use in directing further action on the PMSS contract. OIG examined internal policies and practices used to track and evaluate contractor performance, internal practices to track and evaluate the professional services budget, and internal policies used to foster continuous improvement of staffing.

The results of this audit are issued as a separate report in accordance with OIG reporting standards and practices for independent reporting to the Metro Board of Directors.

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 Management is committed to developing strengths in its capacity and capability to ensure the multi-billion-dollar capital program can be successfully managed. Attachment E lists the projects that the Contract currently supports and those we anticipate it will support over the duration of the PMSS contract.

Metro staff works with KTJV to scale staff up or down depending on Metro's transit, highway, regional rail and other capital improvement program needs. With the volume of work that accompanies Metro's fast-paced Capital program, the PMSS Contract utilization to assist Program Management in securing enough qualified, flexible resources across a broad spectrum of disciplines in a timely manner needed to manage and support delivery of Board approved projects has increased significantly. This resource availability is especially crucial as Metro endeavors to compete with other agencies in a very tight labor market, as explained in the most recent Los Angeles Construction Market Analysis report prepared in September 2021.

Scope

To support the aggressive project implementation schedule for delivering Metro's Capital Program, close coordination and expertise across multiple disciplines are required in the following eight key functions: project management, program management, project delivery development support, project control, estimating, configuration management, project management and other technical training, and Project Management Information System (PMIS) support services. In addition, the scope has allowed for small business contract compliance support assisting Vendor/Contract Management (V/CM) to efficiently provide sufficient staffing needed to perform V/CM support activities.

Combining all the above functions together into one contract has allowed for a better coordinated and more efficient allocation of resources for Metro than would be possible under a series of separate contracts. To date, the PMSS contract has succeeded in fulfilling the consultant staffing demand on a program-wide level on various multiple transit, regional rail, highway, and other capital improvement projects through utilization of its 23 mostly local-based firms that comprise the KTJV team.

Contract funds are accessed by Metro Project Managers by issuing separate CWOs for various projects using labor classifications and rates set forth in the contract, with funding solely supported 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 is identified. For each CWO or modification, Metro prepares a scope of work and an estimate of hours, and KTJV subsequently provides a proposal. Metro and KTJV will fact-find and negotiate the hours if there is a discrepancy. After agreement, the CWO is issued and the work proceeds.

Consultant Services

To date, KTJV has completed and is continuing staff augmentation assignments on major transit construction projects, miscellaneous capital projects, security and safety projects, rail and bus facility improvements, wayside systems, soundwalls, Regional Rail, Highway, and Environmental projects; Metro Gateway staff augmentation for program-wide support; specialty assignments such as constructability review, risk assessment support, procedure writing and training, Project Management Information System (PMIS), Lessons Learned/Best Management Practices implementation, WIN LA,

DBE Compliance Monitoring Support Services, DBE Commercially Useful Functions, and P3 capability development support; and other projects as necessary (see Attachments B and E).

Metro staff conducts an annual contractor performance evaluation of KTJV and they have scored good to excellent on all categories including contract conformance, budget and schedule performance, quality of firm services and augmented staff. KTJV has been responsive and works with Metro staff to provide the qualified resources necessary for Program Management to meet the aggressive implementation schedule for delivering Metro's Capital Program. Metro DEOD assigned a 30% DBE commitment for this Contract. KTJV proposed a 73.31% DBE commitment and will continue working with Metro by prioritizing DBE participation on future contract work orders to meet that commitment through the end of the 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 award value is based on the anticipated level of services. Each individual CWO will be funded from the associated projects' budget, within the limits of Board authorization. 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 option.

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

Metro is committed to the Disadvantaged Business Enterprise Program providing a direct route for minority/women-owned businesses to work and grow with Metro. This Contract consists of two DBE Prime firms and 23 subconsultants, 13 of which are also DBE firms. This high proportion of DBE participation is anticipated to offset any potential barriers for DBEs on this bundled contract. Work under this Contract is authorized through the issuance of individual contract work orders (CWO). CWOs are created based on the type of work requested by Metro projects among the multiple firms under the Contract subject to the DBE requirements of the Contract.

KTJV made a 73.31% DBE commitment for this contract making it the largest small business consultant services contract at Metro. To date, 54 CWO's and their Modifications have been awarded. The overall DBE participation for this contract based on the cumulative value of all Contract Work

Orders (CWO) issued. KTJV continues to work with Metro and their subconsultants to prioritize DBE participation on the contract work orders to meet the committed 73.31% DBE utilization.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports Strategic Plan Goal #1 - Provide high-quality mobility options that enable people to spend less time traveling. This will be accomplished by 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 elect to discontinue using KTJV for PMSS. Staff does not recommend this alternative as the Program Management capital projects are in various degrees of completion and the loss of continuity of staff would cause these projects to be significantly impacted.

Another alternative would be to hire Metro staff to perform the required services. This alternative is also not recommended since the intent of the PMSS is to augment Metro staff in terms of technical expertise and availability of personnel. PMSS are typically required 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 KTJV consultant can provide the technical expertise on an as-needed basis.

NEXT STEPS

Upon Board approval, staff will continue to issue Contract Work Orders, as needed.

ATTACHMENTS

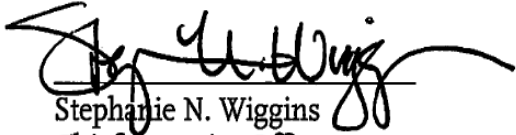
- Attachment A - Procurement Summary
- Attachment B - Contract Work Order/Modification Log
- Attachment C - DEOD Summary
- Attachment D - Current Support Provided by Project Category
- Attachment E - Current and Anticipated List of Projects

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

Reviewed by:

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

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



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

PROGRAM MANAGEMENT SUPPORT SERVICES (PMSS)

1.	Contract Number: AE35279		
2.	Contractor: Kal Krishnan Consulting Services/Triunity Engineering and Management Joint Venture (KTJV)		
3.	Mod. Work Description: Funding for additional Contract Work Orders for projects listed in Attachment D – Anticipated List of Projects		
4.	Contract Work Description: Program Management Support Services (PMSS)		
5.	The following data is current as of: October 12, 2021		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	June 22, 2017	Original authorized funding limit: \$ 24,970,960.00
	Contract Executed Date:	August 18, 2017	Total of Contract Work Orders and Modifications Approved: \$ 72,903,197.77
	Original Completion Date:	August 18, 2022	Proposed and Pending Contract Work Orders and Modifications (including this action): \$ 28,202,758.
	Current Est. Completion Date:	August 18, 2024	Total authorized funding limit (with this action): \$ 101,105,956.
7.	Contract Administrator: Robert Romanowski		Telephone Number: (213) 922-2633
8.	Project Manager: Mayumi Lyon		Telephone Number: (213) 922-4020

A. Procurement Background

On June 22, 2017, the Board approved award of Contract No. AE35279 to Kal Krishnan Consulting Services/Triunity Engineering and Management Joint Venture (KTJV) for five years with funding approval through FY2019 in the amount of \$24,970,960.00, for the Scope of Services included in the Program Management Support Services (PMSS) Contract.

On April 25, 2019, the Board approved additional funding, increasing the total not-to-exceed amount to \$51,306,204 for the Work.

Attachment B shows that Fifty-Four Contract Work Orders and their Modifications have been issued to date to authorize and/or delete work, totaling \$72,903,197.77.

This Board Action is to approve an increase to the total authorized funding for Contract No. AE35279 in support of additional Program Management Support Services (PMSS) needs.

B. Cost/Price Analysis

All direct labor rates as modified by the annual economic price adjustment and the negotiated fixed fee factor for this cost reimbursable plus fixed fee contract remain unchanged from the original contract.

A fair and reasonable price for all future Contract Work Orders will be determined based upon fact finding, scope definition, technical evaluation, cost analysis, and negotiations before issuing work to the Consultant. Contract Work Orders will be processed in accordance with Procurement Policies and

Procedures,
within the
additional funding
requested.

CONTRACT WORK ORDER (CWO)/MODIFICATION LOG

ATTACHMENT B

Project	CWO #	Description / Working Title	Total Contract Value	Date Executed	PoP Ends
Program Control Admin.	1	Program-wide Management Support: Metro requires Program Management Support Services (PMSS) in support of delivering Metro's transit, highway, regional rail, and other capital improvement projects on-time and within budget. The Consultant shall allocate technical expertise and proper resources in a timely manner, manage the contract budget, prepare forms and submittals as required, in addition to control, monitor, report on all costs, expenditures, schedule, and understand the contract requirements.	\$645,684.71	8/31/2017	6/30/2018
	1.1	Program-wide Management Support - Modify to Add Risk Assessment Advisor: This modification adds James Zack Consulting, LLC to the CWO.	\$16,350.00	11/15/2017	6/30/2018
	1.2	Program-wide Management Support - Modify City of Los Angeles Guidelines for LA Metro Projects: Program Management requires additional personnel with different technical expertise be added to perform priority policies and procedures.	\$57,629.36	1/23/2018	6/30/2018
	1.3	Program-wide Management Support - Extend PoP for FY19 (SOW same as original)	\$724,833.00	6/20/2018	6/30/2019
	1.4	Vehicle Lease for DEO, Cost Estimating: Metro requires a vehicle lease for DEO, Cost Estimating for travel to the Integrated Project Management Offices (IPMOs) and other work-related locations with a not to exceed yearly mileage of 12,000 miles.	\$9,303.00	8/24/2018	8/18/2019
	1.5	Add Facilitator/ Instructor for Program Management Leadership Team Workshop: facilitate a leadership team workshop of up to 30 Executive and Deputy Executive level attendees; create draft curriculum focused on themes of communication/trust, provide all handouts, presentations to conduct and facilitate the workshop; staff interviews; Final Workshop curriculum; workshop on October 19, 2018; post workshop meeting debrief to discuss consultant recommendations.	\$24,164.51	10/9/2018	6/30/2019
	1.6	Vehicles: three 24-month vehicle leases for New Blue projects and two 24-month vehicle leases for Soundwall 11 for travel to work-related locations with a not to exceed yearly mileage of 12,000 miles per vehicle. Metro staff may only use the vehicle for project use. The eligible costs including monthly costs for the lease, insurance, registration, and vehicle safety equipment and allocation for fuel and maintenance were included in the calculated NTE final value.	\$135,884.50	10/9/2018	10/30/2020
	1.7	Parking: Modify to add monthly parking passes for each vehicle added in MOD 6. Three 24-month parking passes for New Blue projects and two 24-month parking passes for Soundwall 11. Include one-time fee for the parking card for each vehicle.	\$10,230.00	11/15/2018	10/30/2020
	1.8	Program - wide Management Support - Extend PoP for FY20 (SOW same as original)	\$762,538.00	8/5/2019	6/30/2020
	1.9	Vehicle lease extension for Cost Estimating	\$8,867.00	10/29/2020	9/30/2020
	1.10	Sr. Program Management Analyst support for Project Control tasks such as coordinating meetings, tracking contract budgets, creating and dispersing reports, etc.	\$95,405.00	10/18/2020	6/30/2020
	1.11	Continued PMSS through FY21	\$477,218.00	7/9/2020	6/30/2021
	1.12	Vehicle Lease Extension - FY21	\$75,277.00	1/21/2021	10/31/2022
1.13	Continued PMSS through FY22	\$500,000.00	8/10/2021	6/30/2022	
ESOC	2	Constructability Evaluation and Risk Assessment Review: The Contractor shall perform a Constructability Evaluation and Risk Assessment relating to the Emergency Security Operation Center (ESOC) Project, particularly as it relates to transferred risks.	\$114,797.62	9/18/2017	11/17/2017
	2.1	Constructability Evaluation and Risk Assessment Review Mod 001 - Review of Cost Estimate: Contractor shall perform a Constructability Evaluation and Risk Assessment relating to the Emergency Security Operation Center Project, particularly as it relates to transferred risks. Modification No.1 to the subject CWO is required to add estimate review scope.	\$19,205.95	10/27/2017	11/17/2017
	2.2	Constructability Evaluation and Risk Assessment Review Mod 002 - Time Extension through December 17, 2017. The scope of services, as detailed in CWO-002, remains unchanged and there is no increase to the contract value.	\$0.00	11/15/2017	1/31/2018
	2.3	Constructability Evaluation and Risk Assessment Review Mod 003 - ODC's - Travel and Time Extension: Modify Contract Work Order AE35279-002 to add Other Direct Costs (ODCs) -Travel, for previously approved personnel of Consultant to attend one review meeting with Metro staff. Extend Period of Performance for Contract Work Order AE35279-002 from December 17, 2017 to January 31, 2018	\$1,631.00	12/8/2017	1/31/2018
	2.4	Constructability Evaluation and Risk Assessment Review Mod 004 - Time Extension through March 31, 2018. The scope of services, as detailed in CWO-002, remains unchanged and there is no increase to the contract value.	\$0.00	1/30/2018	3/31/2018
	2.5	Constructability Evaluation and Risk Assessment Review Mod 005 - Time Extension through June 30, 2018. The scope of services remains unchanged and there is no increase to the contract value.	\$0.00	3/13/2018	6/30/2018
	2.6	CWO Closeout	(\$12,847.75)	3/18/2020	3/30/2020
Project Delivery Support	3	Project Delivery Development Support - Overall advice and assistance are required on federal and project implementation issues that arise on Metro's major capital, including assistance on National Environmental Policy Act (NEPA) issues and documents, and litigation issues involving or affecting Metro projects.	\$300,000.00	9/12/2017	6/30/2018
	3.1	Project Delivery Development Support - Modified Direct Rate Ranges: Remove the fixed "Rate Per Hour" for the Project Delivery & Contract Development Technical Advisor and replace it with a "Direct Rate Range".	\$0.00	10/26/2017	10/26/2017
	3.2	Project Delivery Development Support - Extend PoP for FY19: continuation of support services for FY19; overall advice and assistance required on federal and project implementation issues that arise on Metro major capital projects including NEPA, full funding grant agreement, and litigation affecting the projects.	\$224,561.00	6/29/2018	6/30/2019
	3.3	Overall Advice and assistance are required on federal and project implementation issues that arise on Metro's major capital, including assistance on National Environmental Policy Act (NEPA) issues and documents, full funding grant agreement - Program Control, WPLE 2, WPLE 3	\$116,880.00	6/28/2019	6/30/2020
	3.4	Addition of support services for Capital investment grants as outlined in the original SOW & deletion of work for Construction Administration	(\$1.00)	5/7/2020	7/31/2020
	3.5	PoP extension of Project Delivery Development support	\$0.00	6/29/2020	7/31/2021
	3.6	Capital Investment Grants - Increase Level of Effort and Budget	\$20,000.00	4/15/2021	7/31/2021
	3.7	PoP extension of Project Delivery Development support	\$0.00	6/4/2021	7/31/2022
Crenshaw LAX SWY	4	Cost Estimating Support Services for CrenshawLAX and SW Yard Projects: Metro requires program control support services for CrenshawLAX and Division 16 Southwestern Yard Maintenance Projects; services to assist Metro to perform estimating functions: support development of budgets for the projects, support design optimization and constructability of the projects, and support procurement and administration of both project contracts.	\$1,057,745.06	9/15/2017	6/30/2018
	4.1	CrenshawLAX & Southwestern Yard Projects: Metro requires construction management support/Sr. Configuration Management Analyst on Division 16 Southwestern Yard Maintenance Project to be added to the program control support services scope.	\$121,907.44	11/13/2017	6/30/2018
	4.2	Cost Estimating Support Services for CrenshawLAX and SW Yard Projects - Add Personnel: Metro requires additional Sr. Cost Estimator to support CrenshawLAX and Division 16 Southwestern Yard Maintenance Projects and has designated an existing Sr. Cost Estimator with increased complexity of tasks justifying a rate increase.	\$148,972.69	12/22/2017	6/30/2018
	4.3	CrenshawLAX & Southwestern Yard Projects - Scheduling Support: addition of an experienced scheduler to perform schedule analysis tasks.	\$27,093.33	2/1/2018	6/30/2018

CONTRACT WORK ORDER (CWO)/MODIFICATION LOG

ATTACHMENT B

Crenshaw LAX SWY	4.4	Cost Estimating Support Services for Crenshaw/LAX and SW Yard Projects - Additional estimating personnel including Sr. Estimator and Cost Estimating Manager to support existing scope; funding already in existence through original CWO.	\$0.00	5/4/2018	6/30/2018
	4.5	Crenshaw/LAX & Southwestern Yard Projects - Program Control Support Services - Extend Period of Performance: continuation of support services through FY19.	\$1,804,836.00	6/25/2018	6/30/2019
	4.6	Add experienced scheduling support services for Crenshaw/LAX project to perform schedule analysis tasks.	\$218,069.00	9/5/2018	6/30/2019
	4.7	Add Sr. Configuration Management Analyst: addition of an experienced Sr. Configuration Management Analyst to perform schedule analysis tasks.	\$68,268.00	9/5/2018	6/30/2019
	4.8	FY20 continuation of cost estimating, configuration management, and cost/schedule staff and addition of new cst estimating staff.	\$1,716,859.00	6/17/2019	6/30/2020
	4.9	Additional cost schedule analyst staff support services for Crenshaw and Eastside Light Rail Access	\$70,633.00	3/3/2020	7/31/2020
	4.10	Reducing Southwestern Yard services under CWO 4 and increasing services for Crenshaw/LAX.	\$348,054.35	6/30/2020	6/30/2021
	4.11	Add Sr. Scheduler Support Services to Crenshaw	\$31,974.00	10/26/2020	6/30/2021
	4.12	Crenshaw - Continuation of PMSS through FY22	\$959,362.00	6/17/2021	6/30/2022
PMIS	5	Project Management Information System (PMIS) Ongoing Support: Contractor shall provide technical expertise to perform ongoing PMIS supporting, including hosting and on-going technical and implementation support as required to support existing systems.	\$451,825.10	9/29/2017	6/30/2018
	5.1	PMIS Ongoing Support - Travel ODC's: Modify Contract Work Order AE35279-005 to add Other Direct Costs (ODCs) - Travel for previously approved personnel of listed subconsultant, Stellar Services.	\$20,376.00	12/5/2017	6/30/2018
	5.2	PMIS Ongoing Support - The required ongoing support for PMIS remains unchanged.	\$102,439.27	2/5/2018	6/30/2018
	5.3	PMIS Ongoing Support - Extend Period of Performance: ongoing PMIS supporting, including hosting and on-going technical and implementation support as required to support existing systems.	\$599,106.00	6/20/2018	6/30/2019
	5.4	PMIS Ongoing Support - Revise Stellar scope of work to include programming support and troubleshooting for the new Oracle Primavera Unifier application. Support is required to assist in system design and testing for cost forecasting functionality development that will eventually replace the EcoSys application.	\$74,826.00	1/18/2019	6/30/2019
	5.5	PMIS Ongoing Support - Extend Period of Performance: ongoing PMIS supporting, including hosting and on-going technical and implementation support as required to support existing systems.	\$1,925,894.00	7/31/2019	7/31/2020
	5.6	PMIS FY20 Oracle Unifier system requires system enhancements specific to Metro's application.	\$402,779.00	2/12/2020	6/30/2020
	5.7.1	PMIS FY21 Systems Ongoing Support	\$1,822,376.00	7/30/2020	6/30/2021
	5.7.2	PMIS FY21 Systems Ongoing Support: I-5	\$100,000.00	11/3/2020	6/30/2021
	5.8	PoP extension through 7/30	\$0.00	7/2/2020	7/30/2020
	5.9	Brio Solution and Electronic signatures	\$44,241.00	12/14/2020	7/30/2021
5.10	PMIS - Continuation of PMSS through FY22	\$1,471,171.00	8/20/2021	7/30/2022	
WPLE 1	6	WPLE 1 Project requires scheduling, cost engineering, and estimating support services.	\$919,952.06	9/19/2017	6/30/2018
	6.1	PoP Extension for FY2019: SOW in original.	\$722,326.00	6/21/2018	6/30/2019
	6.2	Substitute Sr. Cost Estimator at a lower rate.	(\$18,551.58)	11/13/2018	6/30/2019
	6.3	Continuation of cost estimating services and addition of cost/schedule analyst support for FY20.	\$1,363,051.00	6/10/2019	6/30/2020
	6.4	WPLE 1 - Continuation of PMSS through FY21	\$652,039.00	7/1/2020	6/30/2021
	6.5	WPLE 1 - Continuation of PMSS through FY22	\$528,716.00	6/15/2021	6/30/2022
WPLE 2	7	WPLE 2 Project requires scheduling, cost engineering, and estimating support services.	\$627,112.16	9/19/2017	6/30/2018
	7.1	Substitute Personnel: Consultant shall substitute one Sr. Cost Estimator with one Sr. Cost Estimator provided by its approved, listed Subconsultant to support Westside Purple Line Section 2.	(\$7,637.35)	12/27/2017	6/30/2018
	7.2	Eliminate Sr. Cost/Schedule Analyst Position: Based on the current Project needs, the Sr. Cost/Schedule Analyst Position is no longer required.	(\$234,501.26)	1/29/2018	6/30/2018
	7.3	PoP Extension for FY2019: continuation of cost estimating support services for FY19.	\$504,336.00	6/29/2018	6/30/2019
	7.4	PoP Extension for FY2019: continuation of cost estimating support services for FY20.	\$1,096,360.00	7/9/2019	6/30/2020
	7.5	WPLE 2 - Continuation of PMSS through FY21	\$251,152.00	7/1/1930	6/30/2021
7.6	WPLE 2 - Continuation of PMSS through FY22	\$716,793.00	7/8/2021	6/30/2022	
Environmental	8	The Environmental Compliance and Sustainability Program requires support services, including project controls and estimating support.	\$457,408.18	9/13/2017	6/30/2018
	8.1	Consultant to add more personnel that were inadvertently omitted from the list of approved personnel of approved, listed subconsultant, Lenax Construction	\$0.00	11/20/2017	6/30/2018
	8.2	Additional personnel inadvertently omitted from the list of approved personnel of approved, listed subconsultant, Lenax Construction Services, Inc.	\$0.00	12/13/2017	6/30/2018
	8.3	Extend PoP into FY2019: continued support services including project controls and estimating services as previously detailed in original CWO 8.	\$630,051.00	6/20/2018	6/30/2019
	8.4	Substitute Personnel at different rates	(\$41,041.95)	2/11/2019	6/30/2019
	8.5	Environmental compliance and Sustainability strategic team alignment workshop	\$10,435.00	3/28/2010	6/30/2019
	8.6	Extend PoP into FY2020: continued support services including project controls and estimating service.	\$194,044.00	6/27/2019	6/30/2020
	8.7	Additional funding for estimating services for Environmental compliance in FY20	\$99,384.00	12/23/2019	6/30/2020
Regional Connector	9	Regional Connector Transit Project requires program control support services, specifically, estimating support.	\$368,983.64	9/19/2017	6/30/2018
	9.1	PoP Extension for FY19: Regional Connector Project requires program control support services, specifically, estimating support, as previously outlined in CWO No.9.	\$50,396.00	6/8/2018	6/30/2019
	9.2	Additional Sr Cost Estimator for four months.	\$77,257.00	9/6/2018	12/31/2018
	9.3	Addition of project scheduling and cost engineering support services.	\$179,912.00	12/7/2018	6/30/2019
	9.4	Continuation of the cost estimating services with no cost increase through FY19.	\$0.00	3/8/2019	6/30/2019
	9.5	Addition of program control and estimating support for FY20 services.	\$917,271.00	6/25/2019	6/30/2020
	9.6	Regional Connector PMSS cont through FY21	\$671,719.00	7/1/2020	6/30/2021
	9.7	Regional Connector PMSS cont through FY22	\$638,524.00	6/9/2021	6/30/2022
PMIS Enhancement Analysis	10	PMIS Unifier Prototype: Current Contract Management 14 of the Project Management Information System is obsolete. Immediate analysis is needed to conduct initial assessments of the system needs and enhancements required to replace the current CM14 and EcoSys cost system.	\$245,165.16	9/21/2017	12/31/2017
DBE Contract Compliance	11	Contract Compliance Support Services/Diversity & Economic Opportunity Department (DEOD) requires contract compliance monitoring support services consistent with the Department of Transportation (DOT) 49 Code of Federal Regulations (CFR) Part 26 and Metro's Disadvantaged Business Enterprise (DBE) program, Small Business Enterprise (SBE) program and/or Disabled Veterans Business Enterprise (DVBE) program.	\$634,678.54	10/13/2017	6/30/2018
	11.1	Addition of Personnel - No Cost: add personnel to provide interim support as required.	\$0.00	2/28/2018	6/30/2018
	11.2	PoP Extension through August 31, 2018. There is no increase to the contract value.	\$0.00	6/6/2018	8/31/2018
	11.3	Addition of Personnel: add personnel to provide interim support as required; Senior Contract Compliance Officers to provide contract compliance monitoring support services consistent with the Department of Transportation (DOT) 49 Code of Federal Regulations (CFR) Part 26 and Metro's Disadvantaged Business Enterprise (DBE) Program.	\$1,117,360.00	9/6/2018	6/30/2019

CONTRACT WORK ORDER (CWO)/MODIFICATION LOG

ATTACHMENT B

DBE Contract Compliance	11.4	Add Replacement Staff (Credit Mod.): add approved replacement personnel at a lower rate in the direct labor categories of Senior Contract Compliance Officer.	(\$9,449.00)	12/12/2018	6/30/2019
	11.5	DEOD is utilizing Sr. Consultant Compliance Officer consultant services to provide contract compliance monitoring support services consistent with the DOT 49 CFR Part 26.	\$1,544,380.00	8/1/2019	7/31/2020
	11.6	Addition of consultant staff to provide interim compliance monitoring support on various non-mega projects.	\$82,358.00	3/30/2020	7/31/2020
	11.7.1	DBE Contract Compliance Consulting Services - Regional, Crenshaw, WPLE 1, 2, 3	\$1,176,154.00	8/4/2020	6/30/2021
	11.7.2	DBE Contract Compliance Consulting Services - SCRIP	\$126,054.00	8/31/2020	6/30/2021
	11.8	DBE Contract Compliance Consulting Services through FY22	\$1,323,196.50	7/2/2021	6/30/2022
11.8.1	DBE Contract Compliance Consulting Services through FY22 - add projects	\$450,477.00	8/11/2021	6/30/2022	
PMIS Enhancement Implementation	12	PMIS Enhancement Implementation: Current Contract Management 14 of the Project Management Information System is obsolete. Implementation support is needed to conduct the enhancements, required to replace the current CM14 and EcoSys cost system. Implementation consists of three project phases.	\$1,919,948.74	11/30/2017	12/31/2018
	12.1	Additional PMIS Implementation Support and Solution Architect: full-time position shall assist in the process transition from use of EcoSys for cost reporting to Oracle Primavera Unifier.	\$235,827.00	12/4/2018	6/30/2019
	12.2	PoP Extension and Additional Work: support extended outreach to business process support groups and projects during design to solicit engagement and acceptance and provide additional pilot testing/training; allowance for design changes that are likely to result from the extended outreach; change includes more comprehensive support efforts during the initial go live period for training, technical support, and minor design changes.	\$379,785.00	1/3/2019	6/30/2019
	12.3	PMIS Unifier Implementation Additional Pilot Testing: Consultant shall perform extended outreach sessions; extended Pilot Testing Period; re-development of business processes; redesign configuration management business processes from prior process used in CM14 to streamline processes and obtain staff buy-in; ongoing support for post go-live period; redesign Cost Engineer cost forecasting business processes and reporting.	\$499,224.00	2/26/2019	6/30/2019
	12.4	PMIS Unifier Implementation additional data migration testing.	\$149,997.44	5/8/2019	6/30/2019
	12.5	PMIS Unifier Implementation additional data migration testing - PoP extension.	\$0.00	6/27/2019	9/30/2019
	12.6	Closeout of CWO 12 and modifications.	(\$17,766.44)	1/31/2020	1/31/2020
Construction Market Analysis	13	Contractor to conduct a construction market analysis to assess key factors of the Los Angeles area construction market.	\$266,134.23	11/15/2017	4/30/2018
	13.1	PMSS Los Angeles Construction Market Analysis - POP Extension: This Modification extends the period of performance through June 30, 2018.	\$0.00	5/7/2018	6/31/2018
	13.2	CWO Closeout of any balance not spent	(\$3,922.64)	6/5/2020	6/5/2020
WSAB	14	West Santa Ana Branch (WSAB) P3 Technical Advisory Support - Metro requires technical advisory in support of evaluation of various P3 project delivery alternatives and subsequent development of a procurement package for a P3 contractor for the WSAB Light Rail Project.	\$203,546.08	12/28/2017	3/15/2018
	14.1	No-Cost Time Extension: extend period of performance for continued technical advisory support of evaluation of various P3 project delivery alternatives and subsequent development of a procurement package for a P3 contractor for the WSAB Light Rail Project through June 30, 2018.	\$0.00	2/28/2018	6/30/2018
	14.2	Add expertise with Project Meetings: Program Management requires additional personnel with different technical expertise be added to provide technical support required on the WSAB, specifically with a project workshop.	\$4,465.00	3/15/2018	6/30/2018
	14.3	Add expertise with Project Meetings - Program Management requires additional personnel with different technical expertise be added to provide partnering/workshop facilitation support required on the WSAB Project.	\$6,857.06	4/20/2018	6/30/2018
	14.4	Extend PoP: continuation of P3 technical advisory support through FY19.	\$1,548,668.00	7/10/2018	6/30/2019
	14.5	Add Personnel: additional Sr. Configuration Management Analyst and Sr. Cost Estimator personnel with different technical expertise.	\$80,930.00	9/17/2018	6/30/2019
	14.6	Add Personnel: Additional Project Delivery and Contract Development Advisor	\$119,677.00	11/5/2018	6/30/2019
	14.7	P3 Performance Requirements Development - To support the WSAB P3 procurement, Metro needs to develop a set of comprehensive performance requirements and solicitation technical packages that will be used during all phases of the P3. Contractor shall provide technical resources, knowledge, and expertise to assist with the development of the performance requirements. For the technical packages Metro expects mid to senior level type project managers who are subject matter experts in their respective disciplines. This falls under the Project Delivery and Contract Development/Compliance function of the PMSS contract. Provide additional Sr. Cost Estimator to maintain schedule for the P3 solicitation package.	\$1,561,563.15	1/3/2019	6/30/2019
	14.8	Modify CWO 14, and Mods 2, 3, 4, and 7: Closeout CWO 14, Modifications 2 and 3. The modification of these documents is a reduction of \$44,055.06. Reduction of hours in CWO 14, Mods 4 and 7 in the combined amount of \$955,944.57 = \$1M total.	(\$1,000,000.00)	3/8/2019	3/8/2019
	14.9	WSAB P3 Technical Advisory Support - Extend Period of Performance: continuation of project delivery and contract development support through FY20.	\$0.00	6/25/2019	7/31/2019
	14.10	Support WSAB P3 procurement, develop comprehensive performance requirements and solicitation technical packages; provide technical resources, knowledge, and expertise under the Project Delivery and Contract Development/Compliance function.	\$4,092,522.00	7/31/2019	7/31/2020
	14.11	Modify CWO 14, and its Modifications to add Project Management support, reduce the Contract Value by \$1,500,000, and extend the PoP through December 31, 2020.	(\$1,500,000.00)	4/1/2020	12/31/2020
	14.12	Extend PoP: continuation of WSAB services through FY21	\$0.00	1/4/2021	6/30/2021
	14.13	Extend PoP: continuation of WSAB services through Dec. 2021	\$0.00	6/7/2021	12/31/2021
14.14	PMSS for West Santa Ana Branch - Reduction in FY22 Services	(\$797,703.27)	9/16/2021	6/30/2022	
Patsaouras Busway Station	15	PMSS on Bus & Rail Capital and Soundwall Projects: Metro requires program control support services in accordance with the scope of work on Bus and Rail capital, and Soundwall projects.	\$96,072.21	12/13/2017	6/30/2018
	15.1	PMSS on Bus & Rail Capital and Soundwall Projects - PoP Extension: Metro requires continued program control support services on Bus and Rail Capital, and Soundwall Projects, as previously outlined in CWO No.15.	\$133,588.00	6/6/2018	6/30/2019
	15.2	Extension of PoP through FY20.	\$392,608.00	6/27/2019	7/31/2020
	15.3	Project Manager services necessary for providing oversight support in design review, construction oversight reporting, preparing technical documents, various office related support services.	\$126,051.00	3/11/2020	7/31/2020
	15.4	PoP Extension through FY21.	\$0.00	8/5/2020	6/30/2021
	15.5	PMSS on Soundwall 11 Project - Increase Budget for FY21.	\$75,331.00	8/26/2020	6/30/2021
	15.6	PMSS Additional Services on Pats Busway.	\$132,285.00	10/26/2020	6/30/2021
15.7	PMSS extension of services through FY22	\$95,960.00	6/29/2021	6/30/2022	
I-405 Closeout	16	I-405 Widening Project Closeout Support: Metro requires project close-out support in accordance with the scope of work on the I-405 project.	\$391,957.37	12/27/2017	12/31/2018
	16.1	Continue I-405 Widening Project Closeout Support through 3/2019.	\$206,241.00	10/4/2019	3/31/2019
	16.2	Continue I-405 Widening Project Closeout Support through 12/2019.	\$274,951.00	3/15/2019	12/31/2019
	16.3	Continue I-405 Widening Project Closeout Support through 12/2020.	\$95,098.00	1/9/2020	12/31/2020
	16.5	Extension of PoP through FY21.	\$0.00	2/2/2021	6/30/2021
16.6	Extension of PoP through FY22.	\$0.00	6/28/2021	6/30/2022	

CONTRACT WORK ORDER (CWO)/MODIFICATION LOG

ATTACHMENT B

WPLE 3	17	PMSS Project Management Support WPLE3: Metro requires project support services in accordance with the scope of work on Westside Purple Line Extension Section 3 Project.	\$286,495.87	1/18/2018	6/30/2018
	17.1	PMSS Project Management Support WPLE3 - Extend Pop into FY19: continuation of support services for FY19.	\$781,400.00	6/29/2018	6/30/2019
	17.2	Add Sr. Cost Estimator and Sr. Configuration Mgmt Analyst for WPLE.	\$258,335.00	2/14/2019	6/30/2020
	17.3	Continuation of services for cost estimating, cost/schedule analyst, and configuration management analyst through FY20.	\$1,168,236.00	8/22/2019	6/30/2020
	17.4	Addition of a cost estimator through FY20.	\$104,905.00	11/7/2019	6/30/2020
	17.5	WPLE 3 - continue PMSS services through FY21.	\$835,887.00	6/30/2020	6/30/2021
	17.6	Addition of a Sr. Configuration Management Analyst.	\$98,048.00	2/9/2021	6/30/2021
	17.7	WPLE 3 - continue PMSS services through FY22.	\$1,212,877.00	6/23/2021	6/30/2022
WIN LA	18	PMSS - WIN/LA FY 2018: Metro requires technical support for the development and implementation of the Workforce Initiative Now.	\$111,514.88	1/29/2018	6/30/2018
	18.1	PMSS - WIN/LA FY19 - Extend POP - cont. technical support for WinLA development in FY19.	\$173,096.67	6/21/2018	6/30/2019
	18.2	PMSS - WIN/LA FY20 - Staff replacement.	\$0.00	1/14/2019	6/30/2019
	18.3	Extend POP - continued technical support for the development of WinLA in FY20.	\$10,380.00	6/25/2019	9/30/2019
	18.4	PMSS - WIN LA CWO Closeout.	(\$3,096.54)	3/11/2020	3/11/2020
Capital Improvement/ SGR Projects	19	Project Management Support for State of Good Repair (SGR) and Other Capital Projects: Metro requires project support services on State of Good Repair and Other Capital Projects.	\$112,974.65	2/8/2018	6/30/2018
	19.1	Project Management Support for SGR and Other Capital Projects - PoP Extension for FY19: Modification also revises CWO 19 to include project support services to Project 205115, MBI Track & Systems, which was not part of the original CWO.	\$307,665.00	6/5/2018	6/30/2019
	19.2	Extension of support services on SGR and other Capital projects.	\$179,319.00	6/27/2019	12/31/2019
	19.3	Project Management Support for SGR and Other Capital Projects - PoP Extension.	\$0.00	2/11/2020	7/31/2020
Risk Mgmt Support Services	20	Risk Management Support Services: assist the Metro Risk Manager in the facilitation of cost and schedule risk analysis of major capital projects, including federal and non-federal funded projects, work with project control staff to ensure the requirements of the Metro Risk Management procedure are being implemented correctly, work with project control staff in developing and managing project risk registers as required by Metro, record and analyze risk trends, and develop the risk sections of PMP.	\$99,436.00	9/21/2018	6/30/2019
	20.1	Extension of Risk Management support services.	\$98,039.00	6/27/2019	6/30/2020
	20.2	Reduction of services.	(\$132,391.98)	2/11/2020	7/31/2020
	20.3	Additional Risk Management services through FY21	canceled	canceled	canceled
	20.4	PoP extension only.	\$0.00	7/30/2020	6/30/2021
	20.5	Additional Risk Management services.	\$29,946.00	2/17/2021	6/30/2021
	20.6	Additional Risk Management services through FY22.	\$43,724.00	7/8/2021	6/30/2022
	20.7	PoP extension only.	\$0.00	7/2/2021	7/31/2021
Schedule Claims Support	21	Schedule Claims Avoidance Support Services - Regional Connector Project requires schedule claims avoidance support specifically in the areas of analysis of early completion schedules, and recommendations for possible resolution of current and actual claims.	\$50,205.05	10/12/2018	12/31/2019
	21.1	Close-out of CWO021	(\$8,230.97)	9/3/2020	9/3/2020
Regional Rail	22	Regional Rail: project management controls services in support of the Metro Regional Rail Program to prepare project controls deliverables.	\$95,595.00	9/24/2018	6/30/2019
	22.1	Extend PoP of existing scope of work through September 30, 2019.	\$0.00	6/27/2019	9/30/2019
	22.2	Regional Rail CWO Closeout.	(\$83,212.71)	3/3/2020	3/3/2020
New Blue	23	Program Management Support Services (PMSS) for New Blue Projects - provide Cost Estimating, Scheduling and Configuration Management support services for Construction Contracts.	\$640,047.00	9/24/2018	6/30/2019
	23.1	Extension of PoP through FY20.	\$1,444,762.00	6/24/2019	6/30/2020
	23.2	Add a cost estimator position within the current approved CWO budget.	\$0.00	8/28/2019	6/30/2020
	23.3	Reduction in services for New Blue CWO.	(\$963,174.00)	4/7/2020	12/31/2020
	23.4	PoP extension only.	\$0.00	1/4/2021	6/30/2021
	23.5	Willowbrook Rosa Park increase LOE.	\$529,285.00	2/1/2021	6/30/2021
	23.6	PoP extension only.	\$0.00	6/28/2021	6/30/2022
Eastside Access	24	PMSS for Eastside Access Improvement Project: provide technical resources, knowledge, and expertise to perform the following project manager tasks, which include but are not limited to: coordinate design meetings, provide quality control review on design submittals, communicate and coordinate with Metro design consultants, prepare monthly project status reports, review and update project design schedule, prepare monthly FT A status reports.	\$237,268.00	9/25/2018	12/31/2019
	24.1	Extension of PoP in FY20.	\$27,579.00	7/19/2019	8/31/2019
	24.2	Extension of PoP through mid-FY20.	\$62,031.00	8/30/2019	12/31/2019
	24.3	Eastside Access Continued Support through FY21.	\$64,185.00	5/8/2020	12/31/2020
	24.4	Extension of Eastside Access support through FY21.	\$74,929.00	1/21/2021	6/30/2021
	24.5	Extension of Eastside Access support through Dec. 2021	\$132,003.00	6/1/2021	12/30/2021
East San Fernando Valley	25	PMSS for East San Fernando Valley (ESFV): Program Management requires Project Delivery & Contract Devel. Advisors with different technical expertise be added to provide support required on the ESFV Project.	\$428,282.00	11/9/2018	6/30/2019
	25.1	PoP extension of the existing scope of work.	\$0.00	6/26/2019	7/31/2019
	25.2	Extension of ESFV support through FY20 and P3 VFM Cost Data and Risk Assessment report.	\$1,136,791.00	7/17/2019	7/31/2020
	25.3	ESFV PoP extension of services and addition of staff through FY21.	\$0.00	7/30/2020	6/30/2021
	25.4	Authorize Third Party Support on ESFV project.	\$0.00	1/21/2021	12/31/2021
	25.5	PoP ext only.	\$0.00	6/29/2021	9/30/2021
Program wide activities	26	Contract Submittal Review: Consultant shall review contract language for submittal requirements and assess where City of LA submittal reviews can be streamlined; review contract language and assess where changes can be made that result in an even clearer and more equitable risk sharing between Metro and the contractor with regard to timely LA City submittal turn-around.	\$99,436.00	1/9/2019	6/30/2019
	26.1	Contract Submittal Review; RE Manual: Consultants shall draft revised RE Manual for review by DEO, Program Management and incorporate Metro review comments and submit final RE Manual revision to Metro Configuration Management for Issuance.	\$99,668.00	1/14/2019	6/30/2019
	26.2	Add p/t Administrative Analyst and extend PoP.	\$7,800.00	6/20/2019	6/30/2020
	26.3	Addition of a Technical Program Manager for third party support.	\$214,199.00	9/23/2019	6/30/2020
	26.4	Progressive Design White Paper.	\$21,899.00	2/18/2020	6/30/2020
DRB Document Prep	27	DRB Presentation Support: WPLE 1 Project requires review, critique, comments on Metro position paper, created by Metro's project team including claims consultants, and associated documents prepared for the DRB hearing on the Fairfax Station subgrade; develop and present a formal presentation to the DRB on behalf of Metro; and represent Metro throughout the DRB process.	\$52,250.00	1/18/2019	6/30/2019
Sepulveda	28	Sepulveda Corridor Project P3 Technical Advisory Support: provide Project Delivery & Contract Development Advisor, Cost/Schedule Analyst, and Project Manager during the development of P3 procurement documents.	\$154,133.00	2/27/2019	6/30/2019
	28.1	PoP extension through July 2019.	\$0.00	6/26/2019	7/31/2019

CONTRACT WORK ORDER (CWO)/MODIFICATION LOG

ATTACHMENT B

Sepulveda	28.2	Extension of Sepulveda Corridor project P3 technical advisory support through FY20.	\$3,295,965.00	7/19/2019	7/31/2020
	28.3	Sepulveda Corridor Project P3 Technical Advisory Support FY21 PoP extension and reduction in services.	(\$462,415.00)	7/29/2020	7/31/2021
	28.4	Sepulveda Corridor - Additional Direct Labor categories.	\$0.00	9/24/2020	7/31/2021
	28.5	PoP ext only.	\$0.00	7/6/2021	9/30/2021
	28.6	PoP only through 10/8/21	\$0.00	10/5/2021	10/8/2021
	28.7	Sepulveda Corridor - Additional services in FY22	\$552,884.83	10/8/2021	2/28/2022
DBE Commercially Useful Function	29	Consultant to evaluate the management, supervision, and performance actions of DBE firms working on FTA-funded and/or State/local funded contracts to determine if DBE firms are performing commercial useful function (CUF).	\$50,456.18	5/13/2019	6/30/2019
	29.1	PoP extension.	\$0.00	7/1/2019	7/15/2019
	29.2	Continue CUF site visits and related assignments for Contract Compliance monitoring services through FY20.	\$539,940.00	7/11/2019	6/30/2020
	29.3	PoP extension.	\$0.00	6/30/2020	7/15/2020
	29.4	Cont Conduct Commercial Useful Function Site Visits through FY21.	\$521,323.00	7/27/2020	6/30/2021
	29.5	PoP extension.	\$0.00	6/28/2021	7/31/2021
	29.6	Cont Conduct Commercial Useful Function Site Visits through FY22.	\$486,882.00	7/29/2021	7/31/2022
Centinela/Florence	30	Cost Estimating support services for the Centinela/Florence Grade Separation project through FY20.	\$26,130.00	5/24/2019	6/30/2020
	30.1	PoP extension for the Centinela/Florence Grade Separation project through FY21.	\$0.00	4/21/2020	6/30/2021
I-5 N Capacity Enhancement	31	Consultant to provide PMSS for I-5 N capacity enhancement project in the form of executive oversight and direction for the highway construction program.	\$387,797.00	7/8/2019	6/30/2020
	31.1	Consultant to provide independent constructability review for the I-5 HOV & Truck lanes project.	\$813,752.00	8/26/2019	6/30/2020
	31.2	I-5: Consultant to provide additional Sr. Program Management Analyst support to manage the development and implementation of computer monitoring systems for cost and schedule performance on the project.	\$711,659.00	11/4/2019	6/30/2020
	31.3	I-5: Consultant to provide Project Controls Manager input and direction that leads to the development of process and procedure for projects delivered by this department.	\$810,083.00	7/1/2020	12/31/2020
	31.4	Extend PoP and increase support services for I-5.	\$513,335.00	3/8/2021	7/31/2021
	31.5	PoP extension only.	\$0.00	1/20/2021	2/28/2021
	31.6	PoP extension only.	\$0.00	6/9/2021	12/31/2021
Estimating Database	32	Consultant to assist in the development of the Metro in-house Timberline database to assist the Cost Estimating department with preparing estimates (Task 1 - assess in-house historical cost data and develop a work plan).	\$46,799.00	9/16/2019	1/31/2020
	32.1	Consultant to assist in the development of the Metro in-house Timberline database to assist the Cost Estimating department with preparing estimates (Task 2 and 3 - set up the database, then organize, update and test the database).	\$149,997.00	2/18/2020	7/31/2020
Construction Market Analysis	33	Consultant to conduct a construction market analysis to assess key factors of the Los Angeles area construction market.	\$149,854.00	10/3/2019	6/30/2020
Admin. Multiple Capital Projects	34	PMSS Administrative Analyst Services for Orange Line Enroute Bus Charging Stations, Division 1 Improvement, Division 11 & 22 Roofing Replacement / ROC Roofing Replacement, and Cesar Chavez Transit Pavilion.	\$94,497.00	11/18/2019	6/30/2020
	34.1	Closeout of CWO 34 Admin Analyst Support for Multiple Capital Projects	(\$63,312.99)	6/25/2020	6/25/2020
Soundwall Package 11	35	Contractor shall provide construction scheduling support to the Program Management Department in support of the Sound Wall Package 11 project.	\$44,220.00	1/13/2020	6/30/2020
	35.1	PoP extension through FY21	\$0.00	6/30/2020	6/30/2021
	35.2	Ext. of PMSS and PoP ext through Oct. 2021	\$4,568.00	7/2/2021	10/31/2021
Division 20 Portal Widening turnback	36	Consultant to provide Cost Estimating support services for Construction including technical resources, knowledge, and expertise to perform Cost Estimating tasks.	\$200,406.00	1/9/2020	6/30/2020
	36.1	PoP extension only.	\$0.00	6/30/2020	8/31/2020
	36.2	PMSS for Division 20 PWT project services and PoP extension through FY21.	\$364,179.00	7/13/2020	6/30/2021
	36.3	PMSS for Division 20 PWT project services and PoP extension through FY22.	\$444,952.00	6/17/2021	6/30/2022
WIN LA Mapping	37	The contractor shall provide technical support to DEOD staff to develop technical process mapping for integration of activities related to the second phase of WIN-LA program implementation. support DEOD staff with the integration of the private employer (prime contractor) business requirements, processes and workflow into the WIN-LA software system.	\$67,386.00	1/24/2020	6/30/2020
Airport Metro Connector	38	Consultant to provide Cost Estimating and Configuration Management support services for the Airport Metro Connector project.	\$190,635.00	2/11/2020	7/31/2020
	38.1	PMSS AMC services through FY21.	\$532,449.00	7/20/2020	6/30/2021
	38.2	AMC PoP ext only.	\$0.00	6/30/2021	6/30/2022
OL BRT Improvement Project	39	Consultant to provide Project Manager support for Metro Orange Line Bus Rapid Transit Improvement during FY2020 and FY2021	\$491,224.00	3/3/2020	6/30/2021
	39.1.1	Extend Period of Performance and Continue PMSS for Metro Orange Line Bus Rapid Transit Improvement Project.	\$250,000.00	1/20/2021	7/31/2021
	39.2	Continue PMSS for Metro Orange Line Bus Rapid Transit Improvement Project in FY22	\$674,405.00	8/9/2021	6/30/2022
	39.3	Continue PMSS for Metro Orange Line Bus Rapid Transit Improvement Project in FY22	(\$287,981.00)	10/4/2021	6/30/2022
Green Line/C-Line Extension	40	Green Line - Consultant shall provide assistance to Metro to manage performance of capital projects including all aspects of technical support, schedules, budget, funding, grants management, staffing, agency reporting, and prioritization of work.	\$325,058.00	4/9/2020	12/31/2020
	40.1	Continue PMSS for Green Line Ext. to Torrance.	\$134,932.00	1/5/2021	7/31/2021
	40.2	FY22 - Continue PMSS for C-Line Extension Project.	\$533,000.00	8/17/2021	6/30/2022
Measure R	41	PMSS - Senior Program Management Analyst for FTA and Project Control.	\$130,171.00	7/2/2020	6/30/2020
	41.1	Continue PMSS for Sr. Program Management Analyst for FTA.	\$9,991.00	3/3/2021	6/30/2021
	41.2	FY22 - Continue PMSS for Sr. Program Management Analyst for FTA.	\$89,940.00	5/13/2021	6/30/2022
	41.3	FY22 - Measure M - Continue PMSS for Sr. Program Management Analyst for FTA.	\$11,000.00	8/4/2021	6/30/2022
	41.4	FY22 - Measure M - Continue PMSS for Sr. Program Management Analyst ESFV.	\$10,927.00	TBD	6/30/2022
Multiple Third Party	42	Third Party Administration PMSS.	\$161,210.00	8/20/2020	6/30/2021
	42.1	Third Party Administration - PMSS for MOL BRT Improvement Project.	\$60,000.00	9/17/2020	6/30/2021
	42.2	Additional Third Party admin. Services on ESFV.	\$46,440.00	1/14/2021	6/30/2021
	42.3	Additional Third Party Admin. Services.	\$14,826.00	1/26/2021	6/30/2021
	42.4	FY22 - Additional Third Party Admin. Services.	\$343,650.00	9/2/2021	6/30/2022
Environmental	43	Environmental Compliance PMSS support for FY21.	\$86,103.00	8/28/2020	6/30/2021
	43.1	Ext. of Environmental compliance support.	\$100,000.00	3/30/2021	9/30/2021
	43.2	Environmental Compliance PMSS support through Dec. 2021	\$180,000.00	9/14/2021	6/30/2022
I-405 Visual	44	I-405 Visual Screening project.	\$44,391.00	8/28/2020	6/30/2021
	44.1	Addition of Sr. Program Management Analyst	\$0.00	3/29/2021	6/1/3021
	44.2	FY22 - Sr. Program Management Analyst and Sr. Configuration Management Analyst services	\$29,868.00	5/12/2021	7/31/2021
	44.3	PoP only	\$0.00	6/28/2021	6/30/2022

CONTRACT WORK ORDER (CWO)/MODIFICATION LOG

ATTACHMENT B

Program Mgmt Admin	45	Admin Analyst support to Engineering and Program Management Executive Office.	\$97,629.00	10/26/2020	6/30/2021
	45.1	PoP only - Admin Analyst support to Engineering and Program Management Executive Office.	\$0.00	5/24/2021	8/15/2021
	45.2	FY22 - Admin Analyst support to Engineering and Program Management Executive Office.	\$119,353.69	6/24/2021	6/30/2022
Metro Center Project	46	Configuration Management and Third Party support on Metro Center Street project.	\$603,661.00	1/12/2021	3/31/2023
Construction Administration	47	Asset Management Maturity Model.	\$51,586.00	1/20/2021	6/30/2021
	47.1	Willowbrook/Rosa Parks Station Asset Management Data Mining Collection	\$36,973.95	5/27/2021	7/30/2021
	47.2	Close-Out of CWO 47, Asset Management Maturity Model	(\$12.98)	9/28/2021	9/28/2021
Rail2Rail	48	PM, PM admin., Sr. Configuration Mgmt Analyst support services for Rail to Rail ATC Project.	\$89,361.00	5/21/2021	12/31/2021
	48.1	R2R Estimating services	\$224,151.00	6/7/2021	12/31/2021
105 Express	49	Support Metro PM in developing a PMP and CMGC procurement.	\$20,869.00	9/22/2021	6/30/2022
	50	Transit Project Cost Reduction Strategies – Phase 1	\$67,177.00	4/27/2021	7/31/2022
Transit Project Cost Reduction	50.1	LA Construction Market Analysis	\$135,385.00	5/7/2021	7/30/2022
	50.2	Transit Project Costs	\$106,262.00	6/1/2021	7/30/2022
	50.3	Transit Project Costs	\$364,154.00	8/9/2021	6/30/2022
	51	Third Party Administration support for the LINK US project	\$20,745.00	6/17/2021	9/30/2021
LINK US	51.1	PoP extension only.	\$0.00	10/8/2021	12/31/2021
	52	Scheduling Support for multiple projects for FY22	\$383,732.00	8/2/2021	6/30/2022
Multiple Projects	52.1	Scheduling Support for multiple projects for FY22	\$63,000.00	9/14/2021	6/30/2022
	53	Cost Estimating Support for Regional Rail	\$482,824.00	8/19/2021	6/30/2022
Regional Rail	54	Sr. Conf. Management Analyst	\$76,074.00	9/28/2021	6/30/2022
Multiple Projects			\$73,644,591	\$72,903,197.77	

DEOD SUMMARY

**PROGRAM MANAGEMENT SUPPORT SERVICES (PMSS)
CONTRACT NO AE35279**

A. Small Business Participation

Kal Krishnan Consulting Services/Triunity Engineering & Management Joint Venture (KTJV), a DBE JV Prime, made a 73.31% DBE commitment for this contract. The overall DBE participation for this contract is based on the cumulative value of all Contract Work Orders (CWO) issued.

To date, fifty-four (54) CWO's and their modifications have been awarded. Based on payments reported, the contract is 76.63% complete and the cumulative DBE participation of all Work Orders awarded is 71.80%, a sizeable level of participation, with a 1.51% shortfall.

KTJV contends, as concurred by Metro's Project Manager, that scopes of work earmarked for non-DBE firms have grown significantly compared to the original cost proposal. However, KTJV does anticipate a growth in core Program and Project Control services to be performed by DBE firms that will increase KTJV's level of DBE participation.

Notwithstanding, Metro Project Managers and Contract Administrators will work in conjunction with DEOD to ensure that KTJV remains on schedule to meet or exceed its DBE commitments. Additionally, key stakeholders associated with the contract have been provided access to Metro's online monitoring system to ensure that all parties are actively tracking Small Business progress.

Small Business Goal	DBE 73.31%	Small Business Commitment	71.80% DBE
----------------------------	-------------------	----------------------------------	-------------------

	DBE Contractors	Scope of Work	Ethnicity	Current Participation
1.	KKCS (JV Partner / DBE Prime)	Program Management, Project Control	Subcontinent Asian	24.87%
2.	Triunity (JV Partner / DBE Prime)	Program Management	African American	16.69%
3.	Armand Resource Group, Inc.	Contract Compliance	African American	7.90%
4.	Lenax Construction	Cost Estimating & Project Controls	Caucasian Female	7.45%

	Services, Inc.	Support Services		
5.	LKG-CMC, Inc.	Doc. Control, Configuration Mgmt. Admin.	Caucasian Female	2.35%
6.	MBI Media	Public Outreach and Meeting Facilitation	Caucasian Female	0.00%
7.	The Omni Group, LLC	Project Program Management Support Services	African American	0.11%
8.	Ramos Consulting Services	Project Controls & Estimating	Hispanic American	1.95%
9.	Stellar Services, Inc.	Program Management Information Systems	Asian Pacific American	1.02%
10	Arkadia & Associates	Project Management Support Services	Caucasian Female	0.73%
11	Destination Enterprises	Program Management Support Services	Caucasian Female	7.59%
12	Brio Solutions (Added)	Provide Knowledge and Expertise on FTA project Reporting and Other Related Activities	Subcontinent Asian American	0.36%
13	Insight Strategies (Added)	Facilitate Leadership Team Workshops	Caucasian Female	0.04%
14	Zephyr UAS, Inc. (Added)	Provide Technical Documents and Interface with Union Pacific Rail Road (UPRR)	Hispanic American	0.74%
Total DBE Participation				71.80%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

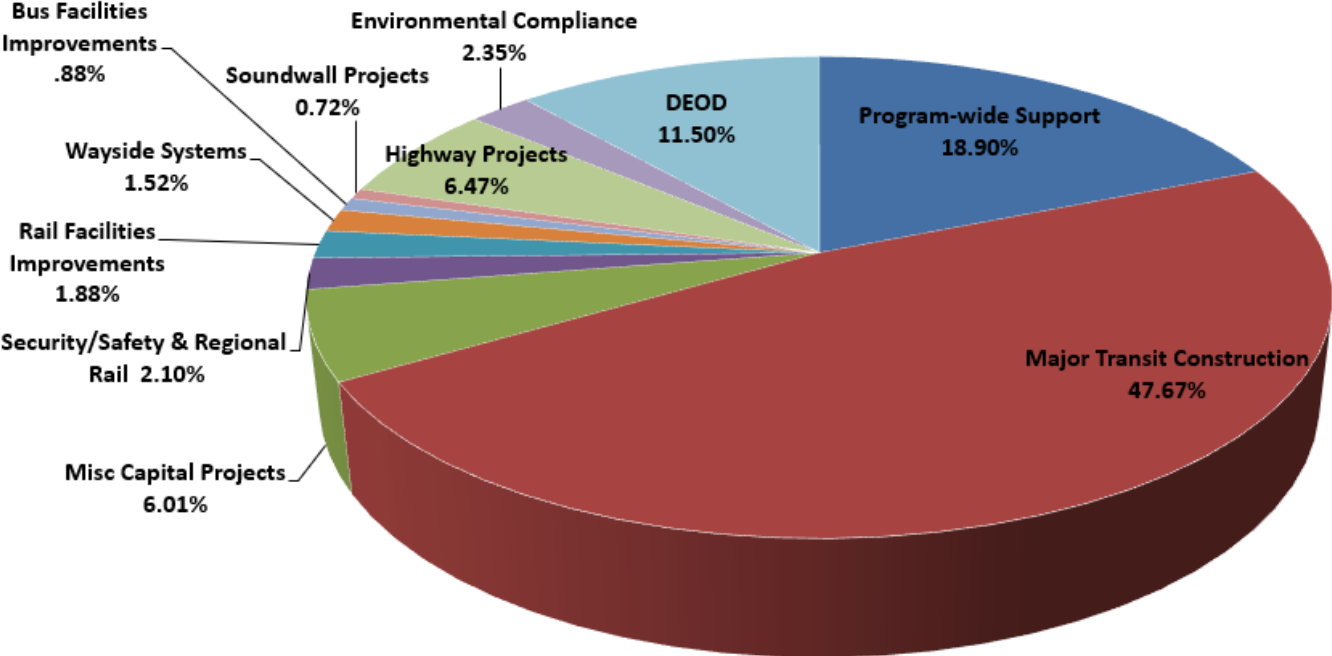
C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

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

CURRENT SUPPORT PROVIDED BY PROJECT CATEGORY



CURRENT AND ANTICIPATED LIST OF PROJECTS

Program-wide Support

Measure M Program Support*
 Measure R Program Support*
 Project Management Information System*
 Implementation of Construction Management Best Practices
 Estimating Database Development
 Construction Risk Management*
 Public Private Partnerships*

Major Transit Construction

Crenshaw/LAX Light Rail Transit Project*
 Regional Connector Transit Project*
 Westside Purple Line Extension Section 1 Project*
 Westside Purple Line Extension Section 2 Project*
 Westside Purple Line Extension Section 3 Project*
 Gold Line Foothill Extension Phase 2B Project*
 Orange Line Bus Rapid Transit Improvements Project*
 West Santa Ana Branch Transit Project*
 East San Fernando Valley Transit Project*
 Sepulveda Transit Corridor Project*
 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*
 Division 22 Paint and Body Shop
 Airport Metro Connector*
 Rail to Rail Corridor Active Transportation Connector*
 Los Angeles River Bikepath
 Metro Eastside Access Improvement Projects*
 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
 Willowbrook/Rosa Parks Station Improvement*

Wayside Systems

Metro Blue Line Track and System Refurbishment*
 Metro Blue Line Signal System Rehabilitation*

Bus Facilities Improvements

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

Regional Rail

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

Soundwall Projects

Soundwall Package 10
 Soundwall Package 11*

Highway

I-5 South – HOV project SR 14 to Parker Road*
 I-405 HOV Widening*
 105 Express Lanes 405-605*
 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*

Diversity & Economic Opportunity in Construction

DBE Commercially Useful Function*
 DBE Contract Compliance*

*Project is currently utilizing the PMSS Contract

CURRENT AND ANTICIPATED LIST OF PROJECTS



Board Report

File #: 2021-0662, **File Type:** Oral Report / Presentation

Agenda Number: 30.

**CONSTRUCTION COMMITTEE
NOVEMBER 18, 2021**

SUBJECT: PROGRAM MANAGEMENT MAJOR PROJECT STATUS REPORT

ACTION: ORAL REPORT

RECOMMENDATION

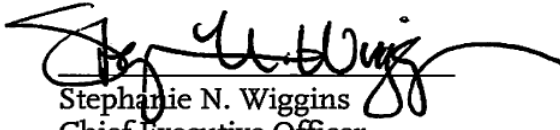
RECEIVE oral report on the Major Project Status by the Chief Program Management Officer.

DISCUSSION

Update report covering the month of November 2021 by the Chief Program Management Officer.

Prepared by:

- **Crenshaw/LAX** - Sameh Ghaly, Sr EO Project Mgmt., (213) 418-3369
- **Regional Connector** - Sameh Ghaly, Sr EO Project Mgmt., (213) 418-3369
- **Westside Purple Line Ext 1** - James Cohen, EO Project Mgmt., (213) 922-7911
- **Westside Purple Line Ext 2** - Michael McKenna, EO Project Mgmt., (213) 312-3132
- **Westside Purple Line Ext 3** - Kimberly Ong, EO Project Mgmt., (323) 903-4112
- **Airport Metro connector (AMC)** - Timothy Lindholm, Sr. EO Project Engr., (213) 922-7297
- **G Line BRT Improvements Project** - Timothy Lindholm, Sr. EO Project Engr., (213) 922-7297
- **I-5 North County Enhancements** - Timothy Lindholm, Sr. EO Project Engr., (213) 922-7297
- **Division 20 Portal Widening Turnback** - Rick Meade, Sr EO Project Mgmt., (562)524-0517
- **I-210 Barrier Replacement** - Androush Danielians, Sr EO Project Engr., (213) 922-7598
- **Presentation** - Yohana Jonathan, Mgr, Project Control, (213) 418-3031



Stephanie N. Wiggins
Chief Executive Officer

Program Management Major Project Status Report

Presented By

Bryan Pennington

Chief Program Management Officer

PROJECT BUDGET & SCHEDULE STATUS SUMMARY CHART

Project	Cost Performance		Schedule Performance		Comments
	Variance Approved LOP	Variance Revised Budget	Variance Original	Variance Revised Schedule	
Crenshaw/LAX					Project is 99.3% complete. Contractor is not applying sufficient work force to complete their remaining work. Remaining work is primarily underground station finishing, facility equipment, communications and train control system integration testing. Metro continues to work with contractor to mitigate the delays and impacts to the project schedule; emphasizing safety and reliability in final acceptance of project elements and systems. Equity - 8 of 8 stations (100%) are within or adjacent to Equity Focus Communities.
Regional Connector					Project is 87.5% complete. Comprehensive testing underway for 7th/Metro Center and adjacent facility interfaces; Site work and restoration throughout alignment continues; and MEP and systems work continues in stations and guideway. Equity - 3 of 3 stations (100%) are within or adjacent to Equity Focus Communities.
Westside Purple Line Extension-Section 1					Project is 72% complete. The Project is finalizing the current revision of the overall schedule which outlines the path forward to achieving the target substantial completion date of September 2024. Efforts to minimize schedule risk continue. Equity - This Project is not located within or adjacent to Equity Focus Communities.
Westside Purple Line Extension-Section 2					Project is 46% complete and proceeding on schedule and within budget. Equity - This project is not located within or adjacent to Equity Focus Communities.
Westside Purple Line Extension-Section 3					Project is 29% complete and proceeding on schedule and within budget. Equity - 1 of 2 stations (50%) are within or adjacent to Equity Focus Communities.
Airport Metro Connector					Early Works Phase is 34% complete. Site work continuing with grading work. Infrastructure for utility line in the Southwestern Yard is complete. Preparing for main communications line ductbank within SWY. Primary station contract process is nearing completion with NTP expected within a month. Equity - 100% of the project is within or adjacent to Equity Focus Communities.
G Line BRT Improvements					Progressive Design Build Contract being finalized for Industry review anticipated Oct 2021. Contract award anticipated Summer 2022. Pilot Gate construction underway. AURs and property acquisitions underway. Equity: 8 of 18 stations (45%) are within or adjacent to Equity Focus Communities
1-5 North County Enhancements					Contractor starts field work in October 2021 with temporary signage/stripping and pre-construction site survey. Equity - This project is not located within or adjacent to Equity Focus Communities.
Division 20 Portal Widening Turnback					Project is approximately 29% complete. Construction continues with the excavation and grading for duct banks and vaults, Portal excavation, utility installation, the 1st Bridge, duct banks and manholes for the Traction Power Substation and MicroLok cutover is ongoing. Unallocated contingency remaining is approximately 13%. An increase in Life of Project (LOP) will need to be explored to increase and restore contingency levels in order to secure adequate budget for completion of the project. LOP increase will be presented in the January Construction Committee meeting. In addition, the project schedule continues to be developed as the project team is working with the contractor to finalize an updated schedule. Equity - 100% of the project is within or adjacent to Equity Focus Communities.

November 2021

Construction Committee

On target

Possible problem (5-10% variance)

Significant Impact (over 10% variance)

SMALL BUSINESS PROJECT STATUS SUMMARY CHART

Project	Phase	Goal Type	Contractor Commitment	Current Participation	Variance	Comments
Crenshaw/LAX	Design	DBE	20.00%	20.85%	Exceeding	Walsh/Shea Corridor Constructors, JV is exceeding the DBE commitment by 0.85% on Design and 8.61% on Construction
	Construction	DBE	20.00%	28.61%	Exceeding	
Regional Connector	Design	DBE	22.63%	24.53%	Exceeding	Regional Connector Constructors is exceeding the DBE commitment by 2.90% on Design and 1.69% on Construction
	Construction	DBE	18.00%	19.69%	Exceeding	
Westside Purple Line Extension-Section 1	Design	DBE	20.25%	20.11%	Shortfall	Skanska-Traylor-Shea Joint Venture (STS) has a DBE shortfall of 0.14% on Design and 2.54% on Construction. STS has provided an updated DBE utilization forecast and a shortfall mitigation plan has been requested.
	Construction	DBE	17.00%	14.46%	Shortfall	
Westside Purple Line Extension-Section 2	Design	DBE	25.31%	35.11%	Exceeding	Tutor Perini/O&G, A Joint Venture (TPOG) is exceeding the DBE commitment on Design by 9.80% and has a shortfall of 3.47% on Construction. TPOG has a shortfall mitigation plan on file and is being monitored.
	Construction	DBE	17.00%	13.53%	Shortfall	
Westside Purple Line Extension-Section 3 – Tunnels	Design	DBE	11.19%	19.37%	Exceeding	Frontier-Kemper/Tutor Perini JV (FKTP) is exceeding the DBE commitment on Design by 8.18% and has a shortfall on Construction by 2.83%. FKTP has a shortfall mitigation plan on file and is being monitored.
	Construction	DBE	17.10%	14.27%	Shortfall	
Westside Purple Line Extension-Section 3 – Stations, Trackwork, Systems and Testing	Design	DBE	19.25%	17.48%	Shortfall	Tutor Perini/O&G, A Joint Venture (TPOG) has a shortfall of the DBE commitment on Design by 1.77% and 16.59% on Construction. TPOG has a shortfall mitigation plan on file and is being monitored.
	Construction	DBE	21.00%	4.41%	Shortfall	
Airport Metro Connector (Station)	Construction	SBE	20.79%	0.00%	TBD	Nearing release of NTP
		DVBE	4.96%	0.00%	TBD	
G Line BRT Improvements	PDB	TBD	TBD	TBD	TBD	Contract Award anticipated Summer 2022
1-5 North County Enhancements	Construction	DBE	13.01%	0.00%	TBD	Contractor is mobilizing to begin field work in October 2021.
Division 20 Portal Widening Turnback	Construction	SBE	19.34%	5.80%	Shortfall	Tutor Perini Corporation (TPC) has a shortfall of the SBE/DVBE commitments by 13.54% SBE and 0.95% DVBE. TPC has a shortfall mitigation plan on file and is being monitored.
		DVBE	3.31%	2.36%	Shortfall	

November 2021

Construction Committee

Los Angeles County Metropolitan Transportation Authority

CRENSHAW/LAX TRANSIT PROJECT

BUDGET	Approved	Previous	Current
TIFIA	LOP*	Period**	Forecast**
\$2,148M	\$2,058M	\$2,148M	\$2,148M
Variance from Approved LOP:		\$90M (4%)	\$90M (4%) ok
Variance from Revised Budget:			\$0 ok

*At time of the award of contract - Board Approval June 2013
 **Excludes finance costs and includes \$10M Non-TIFIA activities

SCHEDULE	Approved	(REVENUE OPERATION) Previous	Current
Original	Rebaseline	Period	Forecast*
Oct.2019	May 2020	Winter 2021	Summer 2022
Variance from Original:		+873d (28%)	+ 905d (29%) !
Variance from Revised Schedule:		+652d (27%)	+682d (28%) !

*Current Forecast is Contractor's August Schedule update

- Safety: Project Hours: 11,178,251 Recordable Injury Rate: 1.82 vs The National Average: 2.4 (as of August 31, 2021)
- Overall Project Progress is 99.3% complete.
- Contractor is not applying sufficient specialty work force to complete remaining work, testing/test reports on time.
- Remaining work is primarily underground station finishing, permanent remediations of OCS balance weight assembly NCR issue, the completion of facility equipment, communications and train control system integration testing.
- Metro continues to work with contractor to minimize delays and impacts to the project; emphasizing safety and reliability in final acceptance of project elements and systems.
- Equity - 8 of 8 stations (100%) are within or adjacent to Equity Focus Communities.



Expo Station – Continue fine grading the entire Park & Ride area.



Hyde Park – Preparing the floor surface at the south end entrance ramp for coat finish placement

November 2021



On target



Possible problem (5-10% variance)



Significant Impact (over 10% variance)





Metro 4

Construction Committee

Los Angeles County Metropolitan Transportation Authority

REGIONAL CONNECTOR TRANSIT PROJECT


BUDGET

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

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

**Excludes finance costs

SCHEDULE

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

*Current Forecast is Metro's October 2021 update

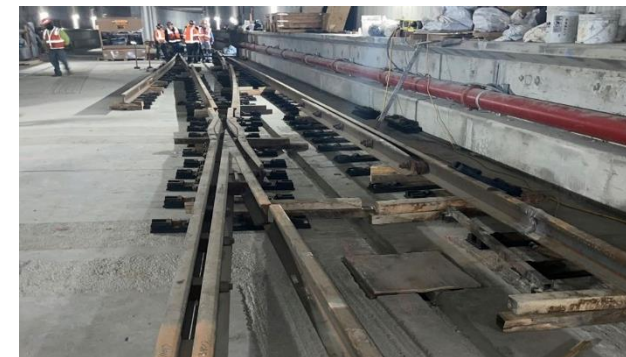
**Approval in process

(REVENUE OPERATION)

- Safety: Project Hours: 6,547,222 Recordable Injury Rate: 0.73 vs The National Average: 2.4 (as of August 31, 2021)
- Overall Project Progress is 87.5% complete.
- **Little Tokyo/Arts District Station & Surrounding Area:** Station operations continue to be active at all levels and include MEP, finishes and systems installations. Backfill and street restoration are also progressing.
- **Historic Broadway Station:** Structural concrete on the Load Transfer System has been completed. Structural backfill, MEP, finishes, and systems installations are all underway. At street-level, backfill and street restoration continue.
- **Grand Av Arts/Bunker Hill Station:** Pedestrian Bridge pours have been completed. Finishes, systems operations, backfill and street restoration continue. Elevators are the focus and pacing element for the station.
- **Flower Street:** Removal of temporary concrete deck panels complete. MEP and systems installations continue along the completed guideway. Utility tie-ins are also progressing ahead of on-going backfill.
- **Trackwork:** Initial pull test completed along alignment. Remedial work along alignment continues on various installations to prepare for acceptance inspections. Grinding and profiling of rail expected to complete early 2022.
- **Systems:** Installations of traction power, train control and communications continuing; entire alignment now on permanent power; comprehensive systems testing now underway.
- **Equity:** 3 of 3 stations (100%) are within or adjacent to Equity Focus Communities.



Welding for elevator hoist way frames at Grand Av Arts/Bunker Hill Station



Alameda No. 10 Crossover rail distribution

November 2021



On target



Possible problem
(5-10% variance)



Significant Impact
(over 10% variance)

Construction Committee

Los Angeles County Metropolitan Transportation Authority




Metro 5

WESTSIDE PURPLE LINE EXTENSION – SECTION 1

BUDGET			
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*
Nov.2023	Fall 2024	Fall 2024	Fall 2024
Variance from Original:		+365d (11%)	+365d (11%) 
Variance from Revised Schedule:		0d	

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

- Safety: Project Hours: 6,157,610 Recordable Injury Rate: 1.27 vs. The National Average: 2.4 (as of August 31, 2021)
- Overall Project progress is 72% complete.
- **Wilshire/La Brea Station:** Backfill (above the roof) activities, west hammerhead and entrance structure work, interior MEP installation and appendage construction are ongoing.
- **Wilshire/Fairfax Station:** All concrete roof sections (11 out of 16) for this phase of construction have been placed. East and west hammerhead structure continues. Entrance plaza and appendage work are ongoing. Plenum steel placement (concourse) has started.
- **Wilshire/La Cienega Station:** All TBM gantries have been removed from the project site. East/west hammerhead structure work and appendage construction are progressing.
- **Reach 1 Tunnel:** Tunnel invert and walkway concrete activities continue. Track installation commenced in October 2021.
- **Reach 2 Tunnel:** Two out of six cross passages (CPs) have been excavated. Additional grouting on the other CPs is being performed prior to excavation.
- **Budget/Schedule:** An FTA/PMOC risk assessment has been performed. Results will be shared once findings are analyzed.
- **Equity:** This Project is not located within or adjacent to Equity Focus Communities.



Excavation Complete at Cross Passage #16 (Reach 2)



East Interior Wall Formwork at Wilshire/La Cienega

WESTSIDE PURPLE LINE EXTENSION – SECTION 2

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

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

**Excludes finance costs

SCHEDULE		(REVENUE OPERATION)	
<u>Original</u>	<u>Approved Rebaseline</u>	<u>Previous Period</u>	<u>Current Forecast*</u>
Aug. 2025	N/A	Summer 2025	Summer 2025
Variance from Original:		+0d (0%)	+0d (0%) OK
Variance from Revised Schedule:			0d OK

*Current Forecast is Contractor's April Schedule update

- Safety: Project Hours: 2,233,078 Recordable Injury Rate: 3.31 vs The National Average: 2.4 (as of August 31, 2021)
- Overall Project progress is 46% complete as of period ending September 2021.
- **Century City Constellation Station**
 - Excavation of the station box was 25% complete as of October 15, 2021.
 - Excavation of the station entrance box has commenced.
- **Wilshire/Rodeo Station**
 - Concrete placement for the first level walls is 51% complete.
- **Tunneling**
 - Both tunnel boring machines (TBMs) “Ruth” and “Harriet” are operating within the City of Beverly Hills. Progress as of October 18, 2021, is as follows:
 - Ruth (eastbound subway tunnel) – 4,022ft (35%)
 - Harriet (westbound subway tunnel) – 4,047ft (35%)
- **Equity** - This project is not located within or adjacent to Equity Focus Communities



Constellation Station Box Excavation



First Level Walls at Wilshire/Rodeo Station

November 2021

OK On target

◆ Possible problem
(5-10% variance)

▲ Significant Impact
(over 10% variance)

WESTSIDE PURPLE LINE EXTENSION – SECTION 3

BUDGET

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

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

**Excludes finance costs

SCHEDULE

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

*Current Forecast is Contractor's March Schedule update

**Approval in process

- Safety: Project Hours: 1,305,735 Recordable Injury Rate: 1.53 vs The National Average: 2.4 (as of August 31, 2021)
- Overall Project Progress is 29% complete.
- Final design progress is 90% complete.
- Tunneling
 - TBM Iris (BR) – TBM has mined over 1800 feet to date.
 - TBM Aura (BL) – Configuration continues for full production mining.
- Stations
 - Westwood/VA: Utility relocation continues, installation of dewatering wells in progress.
 - Westwood/UCLA: Utility relocation continues; Support of Excavation pile installation continues along Wilshire Blvd.
- Equity - 1 of 2 stations (50%) are within or adjacent to Equity Focus Communities.



Tunneling Overview



SOE Pile Installation for Westwood/UCLA Station

November 2021

OK On target

◆ Possible problem (5-10% variance)

▲ Significant Impact (over 10% variance)

AIRPORT METRO CONNECTOR (AMC) PROJECT

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

*Approved May 2021 Board

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

*Current Forecast is Metro's May Schedule update

- Early Works Phase construction (34% complete) continues with final site grading work. Infrastructure work for utility line in SWY is complete. Preparing for installation of temp systems ductbank within Southwestern Yard.
- Primary Station Construction Contract nearing release of Notice To Proceed - scheduled for Fall 2021.
- Automated People Mover (APM) Station structural concrete completed. Structural Steel installation in progress.
- Equity - 100% of the project is located within or adjacent to Equity Focus Communities.



Backfill Work at South End of Site



LAVA APM Steel Work in Progress



Utility Work at SWY – Night Shift



On Site Backfilling Work

G LINE BRT IMPROVEMENTS PROJECT

BUDGET	Approved LOP	Previous Period	Current Forecast
TOTAL COST	N/A	N/A	\$361M
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*

OK
OK

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

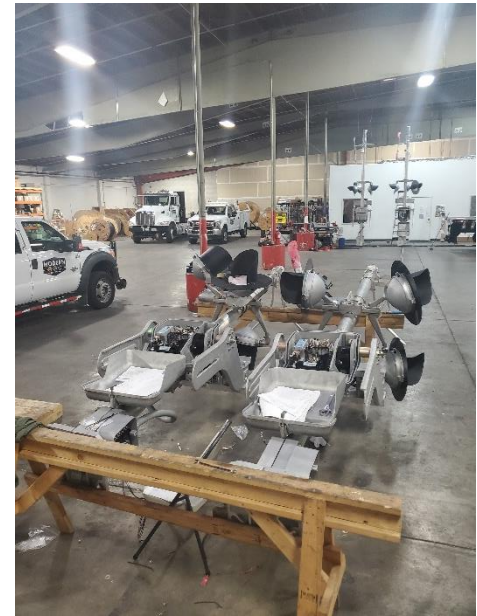
**Current Forecast is Metro's Internal Schedule, Baseline schedule not yet approved at time of update*

OK
OK

- Progressive Design Build Contract in final draft
- Industry Review anticipated week of October 25th
- Pilot Gate construction commenced September 2021
- Owner-performed AURs underway at Sepulveda, Vesper and Sylmar
- Ongoing coordination with interfacing contracts:
 - ESFV Light Rail Project
 - District NoHo Joint Development Project
 - LADOT Chandler Bike Path
- Nine Property Acquisitions underway:
 - Two acquisitions in negotiation phase
 - Seven acquisitions in appraisal stage
- PDB RFP anticipated for a Dec 2020 advertisement
- PDB Contract Award anticipated Summer 2022
- Equity: 8 of 17 stations (47%) are within or adjacent to Equity Focus Communities



Pilot Gate - DWP Service Pedestal Installation



Pilot Gate - Gate Assembly

November 2021

Construction Committee

Los Angeles County Metropolitan Transportation Authority



I-5 NORTH COUNTY ENHANCEMENTS

BUDGET	Approved LOP*	Previous Period	Current Forecast
TOTAL COST	\$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	Approved Rebaseline	(Substantial Completion) Previous Period	Current Forecast*
Original July 2026	N/A	Summer 2026	Summer 2026
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

- Contractor starts field work by placing temporary signs and performing pre-construction preparations in October 2021
- Construction Community Meeting Kick-off on October 27th
- Groundbreaking event in early November
- Equity - This project is not located within or adjacent to Equity Focus Communities



Contractor is taking survey of pre-construction existing conditions along project corridor

DIVISION 20 PORTAL WIDENING TURNBACK

BUDGET	Approved LOP*	Previous Period	Current Forecast
TOTAL COST	\$801.7M	\$801.7M	\$801.7M
Variance from Approved LOP:		\$TBDM (0%)	\$TBD ▲
Variance from Revised Budget:			\$TBD ▲

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

SCHEDULE	Approved Rebaseline	(Substantial Completion) Previous Period	Current Forecast*
Original June 2024	N/A	June 2024	TBD
Variance from Original:		+0d (0%)	TBD ◆
Variance from Revised Schedule:			TBD ◆

*Current Forecast is Contractor's Schedule update

- Overall Project progress is 29% complete.

Includes Real Estate Acquisitions, Environmental, Design, Contract Mobilization, Early Demolition, Power, Utility contracts and contract change orders

- C1136 Portal Widening Turnback Contract

PWT C1136 Contract progress is 32%.

Phase 1 Track, utilities, and civil work continues

1st Street Bridge Rehabilitation and Portal excavation

& first MicroLok cutover ongoing

- Major Change Orders to Date:

Hazardous Material Removal

1st Street Bridge Rehabilitation

Completion of Utility Contracts

3rd Party Unforeseen Interfaces

Design Revisions (*in progress*)

- C1184 Traction Power Substation Contract at 64%

- Coordination with Adjacent Projects

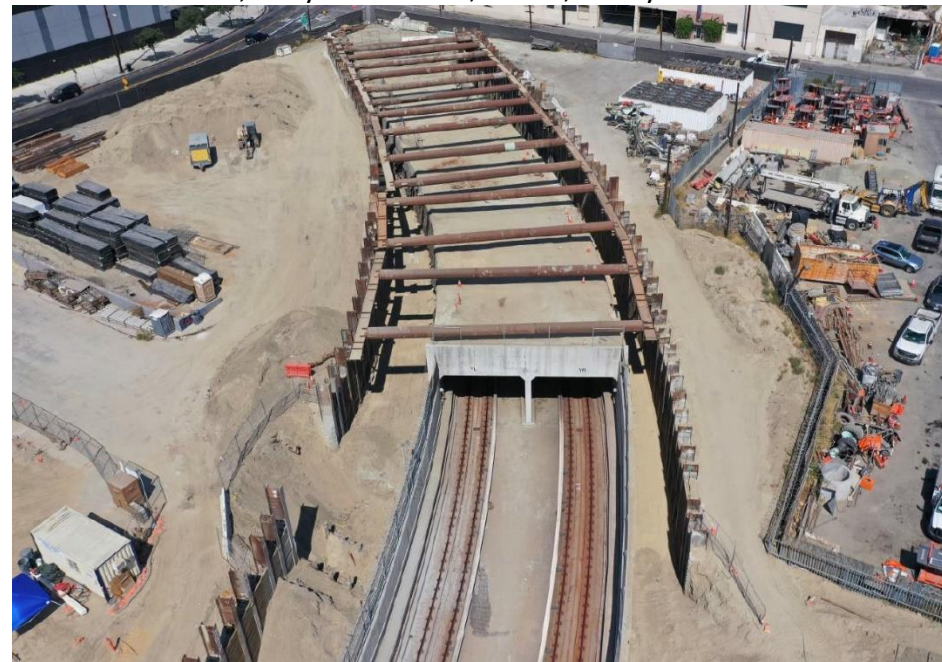
Purple Line Extension (PLE1)

Regional Connector; Metro Center Project

6th Street Bridge (City of L.A. Project)

- Continued Regular risk assessments to determine budget/schedule

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



November 2021



On target



Possible problem
(5-10% variance)



Significant Impact
(over 10% variance)



Metro 12

Construction Committee

Los Angeles County Metropolitan Transportation Authority