

# **Metro**

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



## **Agenda - Final**

**Thursday, April 18, 2019**

**11:30 AM**

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

### **Executive Management Committee**

*Sheila Kuehl, Chair*

*James Butts, Vice Chair*

*John Fasana*

*Eric Garcetti*

*Paul Krekorian*

*Hilda Solis*

*John Bulinski, non-voting member*

*Phillip A. Washington, 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 should be submitted in person at the meeting to the Board Secretary. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

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.

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 up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant 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 on CD's and as MP3's and can be made available 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.



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

Internet Access to Agendas - [www.metro.net](http://www.metro.net)

TDD line (800) 252-9040

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

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

32. **SUBJECT: STATE AND FEDERAL REPORT** [2019-0044](#)

**RECOMMENDATION**

RECEIVE AND FILE State and Federal Legislative Report.

33. **SUBJECT: STATE LEGISLATION** [2019-0048](#)

**RECOMMENDATION**

ADOPT staff recommended positions:

- A. Senate Bill 43 (Allen) - Carbon Taxes **WORK WITH AUTHOR**
- B. Senate Bill 7 (Portantino) - State Highway Route 710 **SUPPORT**
- C. Assembly Bill 29 (Holden) - State Highway Route 710 **SUPPORT**
- D. Senate Bill 152 (Beall) - Active Transportation Program **WORK WITH AUTHOR**
- E. Assembly Bill 1402 (Petrie-Norris) - Active Transportation Program **OPPOSE UNLESS AMENDED**
- F. Assembly Bill 752 (Gabriel) - Public Transit: Transit stations: Lactation rooms **WORK WITH AUTHOR**

**Attachments:** [Attachment A - State Legislation SB 43 Allen](#)  
[Attachment B - SB 7 Portantino](#)  
[Attachment C - AB 29 Holden](#)  
[Attachment D - SB 152 Beall](#)  
[Attachment E - AB 1402 Petrie-Norris](#)  
[Attachment F - AB 752 Gabriel](#)

34. **SUBJECT: LOS ANGELES AERIAL RAPID TRANSIT PROJECT UPDATE** [2019-0169](#)

**RECOMMENDATION**

RECEIVE AND FILE status report on the Los Angeles Aerial Rapid Transit Project.

**Attachments:** [Attachment A – Project Organizational Chart Presentation](#)

**35. SUBJECT: LABOR COMPLIANCE MONITORING BENCH**[2019-0139](#)**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 3 to the Labor Compliance Bench (the Bench) Contract Numbers PS-21307700 A-J, for labor compliance monitoring services, to exercise the fourth and fifth year options, extending the contract term from July 1, 2019 to June 30, 2021, and increasing the total authorized not-to-exceed amount by \$4,000,000 (\$2,000,000 for each option year) from \$19,056,648 to \$23,056,648; and
- B. AWARD AND EXECUTE task orders for a not-to-exceed total authorized amount of \$23,056,648.

**Attachments:**      [Attachment A - Procurement Summary](#)  
[Attachment B - Labor Compliance Bench Monitoring Consultants and Life of Proc](#)  
[Attachment C - Contract Modification Change Order Log](#)  
[Attachment D - DEOD Summary](#)

**36. SUBJECT: CONGESTION PRICING FEASIBILITY STUDY UPDATE**[2019-0210](#)**RECOMMENDATION**

CONSIDER:

- A. RECEIVING AND FILING the response to Motion 32.3 (Congestion Pricing) by Directors Garcetti, Kuehl, Butts, Solis, and Hahn; and
- B. APPROVING Next Steps for Congestion Pricing Feasibility Study, which includes:
- May 2019: Staff will issue Requests for Proposals for 1) Technical Services (includes Equity Analysis) and 2) Communications Plan and Public Engagement Services;
  - Summer 2019: Seek Board authorization to award contract; and
  - Ongoing: Staff will conduct ongoing dialogue with the Board at key milestones during the project development process. An overview of the anticipated process is provided in Attachment E Project Milestones.





Board Report

File #: 2019-0048, File Type: Federal Legislation / State Legislation (Position)

Agenda Number: 33.

**2<sup>nd</sup> REVISED**  
**EXECUTIVE MANAGEMENT COMMITTEE**  
**APRIL 18, 2019**

**SUBJECT: STATE LEGISLATION**

**ACTION: ADOPT STAFF RECOMMENDED POSITION**

**RECOMMENDATION**

ADOPT staff recommended positions:

- A. Senate Bill 43 (Allen) - Carbon Taxes **WORK WITH AUTHOR**
- B. Senate Bill 7 (Portantino) - State Highway Route 710 **SUPPORT**
- C. Assembly Bill 29 (Holden) - State Highway Route 710 **SUPPORT**
- D. Senate Bill 152 (Beall) - Active Transportation Program **WORK WITH AUTHOR OPPOSE UNLESS AMENDED**
- E. Assembly Bill 1402 (Petrie-Norris) - Active Transportation Program **OPPOSE UNLESS AMENDED**
- F. Assembly Bill 752 (Gabriel) - Public Transit: Transit stations: Lactation rooms **WORK WITH AUTHOR**

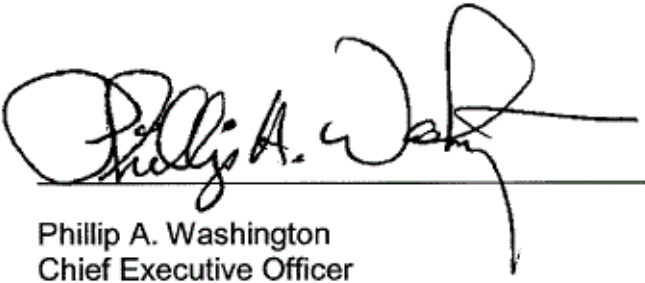
**ATTACHMENTS**

- Attachment A - SB 43 (Allen) Legislative Analysis
- Attachment B - SB 7 (Portantino) Legislative Analysis
- Attachment C - AB 29 (Holden) Legislative Analysis
- Attachment D - SB 152 (Beall) Legislative Analysis
- Attachment E - AB 1402 (Petrie-Norris) Legislative Analysis
- Attachment F - AB 752 (Gabriel) Legislative Analysis

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Reviewed by: Yvette Rapose, Interim Chief Communications Officer, (213) 418-3154



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Phillip A. Washington  
Chief Executive Officer



## ATTACHMENT A

**BILL:** SENATE BILL 43

**AUTHOR:** SENATOR BEN ALLEN (D-SANTA MONICA)

**SUBJECT:** CARBON TAXES

**STATUS:** SENATE ENVIRONMENTAL JUSTICE COMMITTEE  
APPROVED 5-2

SENATE GOVERNANCE AND FINANCE COMMITTEE  
HEARING SCHEDULED: APRIL 24, 2019

**ACTION:** WORK WITH AUTHOR

### **RECOMMENDATION**

Staff recommends that the Board of Directors adopt a WORK WITH AUTHOR position on Senate Bill 43 (Allen).

### **ISSUE**

This bill was introduced to evaluate a new sales tax structure, based on taxing goods based on their carbon impacts or “carbon intensity.”

Specifically the bill would:

- Require the state board, in consultation with the California Department of Tax and Fee Administration, to submit a report to the Legislature on the results of a study, as specified, to propose, and to determine the feasibility and practicality of, a system to replace the tax imposed pursuant to the Sales and Use Tax Law with an assessment on retail products sold or used in the state based on the carbon intensity of the product to encourage the use of less carbon-intensive products; and
- Require the state board to revise, as necessary, the 2017 scoping plan to reflect the carbon emission reduction benefits that may be realized through the imposition of the assessment based on carbon intensities of products and to consider the results of the study in future updates to the scoping plan.

### **DISCUSSION**

Senator Ben Allen (D-Santa Monica) has introduced Senate Bill 43 which would direct the California Air Resources Board and California Department of Tax and Fee Administration to evaluate and consider an innovative approach to sales tax collection based on a product’s carbon impacts. Senator Allen states that the proposal will encourage consumers to positively contribute to reducing greenhouse gas emissions in their product choices, much like the state’s cap and trade program incentivizes businesses to reduce their emissions.

The state has aggressive Greenhouse Gas Reduction Goals which a number of programs aim to meet. The state also monitors compliance carbon emissions through CARB's administration of the cap-and-trade program. SB 43 aims to provide incentives for consumers in the form of sales tax and cost savings for choosing products with a small carbon intensity. The bill does not establish the carbon tax structure, and per the Senate Committee on Natural Resources analysis, it allows the CDTFA and CARB to review and identify "product types that would provide the greatest carbon emission reduction benefit if taxed differently, and ensure that if the State was to pursue such an approach it would be effective, efficient and practical" could have potential impacts on the state's collection of sales tax revenues.

Staff is currently reviewing the bill for potential impacts to Metro's collection of sales tax revenues to support the agency's projects and programs. A WORK WITH AUTHOR position will allow staff the flexibility to ensure that Metro's priorities for GHG reduction efforts and protecting and ensuring stable fund sources are incorporated in the study of the feasibility of the carbon tax.

The bill is supported by a number of environmental and climate action organizations. Opposition includes a number of automotive, agricultural and manufacturing associations. The bill was approved by the committee on a party line vote. Staff will continue monitoring the legislation as it moves through the legislative process.

Staff therefore recommends that the Board adopt a WORK WITH AUTHOR position on the measure SB 43 (Allen).

#### **DETERMINATION OF SAFETY IMPACT**

There is no determined safety impact due to the enactment of the proposed legislation.

#### **FINANCIAL IMPACT**

The estimated financial impact has yet to be determined.

#### **ALTERNATIVES CONSIDERED**

Staff has considered adopting an oppose position on the bill. An oppose position would be inconsistent with metro's board approved 2019 State Legislative Program Goal #6: coordinate with our local and state partners to incorporate the region's needs in emerging climate change and sustainability programs.

#### **NEXT STEPS**

Should the Board decide to adopt a WORK WITH AUTHOR position on this legislation; staff will communicate the Board's position to the author and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

## ATTACHMENT B

**BILL:** SENATE BILL 7

**AUTHOR:** SENATOR ANTHONY PORTANTINO (D-LA CANADA)

**SUBJECT:** STATE HIGHWAY ROUTE 710

**STATUS:** SENATE TRANSPORTATION COMMITTEE  
APPROVED 11 – 1

SENATE APPROPRIATIONS COMMITTEE

**ACTION:** SUPPORT

### **RECOMMENDATION**

Staff recommends that the Board of Directors adopt a SUPPORT position on Senate Bill 7 (Portantino).

### **ISSUE**

This bill was introduced to delete the State Route 710 North segment from the California Streets and Highways Code and provide additional protections for non-profit tenants that currently lease homes owned by Caltrans along the corridor.

Specifically the bill would:

- Require for surplus nonresidential properties for State Route 710 in the County of Los Angeles that purchases of those properties by tenants in good standing be offered at fair market value as determined relative to the current use of the property if the tenant is a nonprofit organization or a city; and
- Prohibit the department from implementing a freeway tunnel or surface freeway or expressway for Route 710 between Route 10 and Route 210.

### **DISCUSSION**

Senator Anthony Portantino introduced Senate Bill 7 with the intent of preventing a freeway from being constructed along the State Route 710 corridor and protecting the non-profits that operate in Caltrans-owned properties along the alignment. By doing so, Caltrans will not have the authority to construct a freeway or expressway along the SR 710 North corridor, between the I-10 in Los Angeles and SR 210 in Pasadena.

In May 2017, the Board adopted a motion related to SR-710 project funding at the Regular Board Meeting. This motion supports collaboration and planning between Metro, Caltrans and the affected jurisdictions, which would include the cities within the SR 710 corridor in programming funding and choosing projects in the SR-710 corridor. The Board also adopted a position to support the adoption of the Transportation System Management/Transportation Demand Management Alternative as the Locally Preferred Alternative and has worked to study the congestion along the corridor and engage the

community collectively in programming investments to implement each jurisdiction's priority projects.

Staff finds that SB 7 (Portantino) has a similar goal to Metro's recently adopted TSM/TDM preferred alternative, and takes it a step further, to prevent Caltrans from constructing a freeway along the SR 710 North corridor. Metro's Board is committed to improving mobility in the SR-710 corridor, while working with cities and affected stakeholders. Stakeholders along the corridor include a number of entities, including six non-profit schools and other organizations that operate in Caltrans owned properties. This bill would provide recourse for the current tenants, allowing them the option to purchase the properties at the "current use value" which is a more affordable alternative to the fair market value of the properties.

State law also identifies the various state highways in California and identifies their boundaries and limits. SB 7 would prohibit Caltrans from constructing a tunnel or surface freeway along the segment of the SR 710 North corridor between Interstate 10 and Interstate 210. Staff understands that this is an issue that should remain within the jurisdiction of the state as it is both the owner/operator of the freeway and is responsible for completion of the environmental document. Caltrans certified its environmental impact report in November 2018, and concluded that the TSM/TDM was the final preferred alternative – which eliminates the other alternatives that were under consideration.

Staff therefore recommends that the Board adopt a SUPPORT position on the measure SB 7 (Portantino).

#### **DETERMINATION OF SAFETY IMPACT**

There is no determined safety impact due to the enactment of the proposed legislation.

#### **FINANCIAL IMPACT**

The estimated financial impact has yet to be determined.

#### **ALTERNATIVES CONSIDERED**

Staff has considered adopting either an oppose or neutral position on the bill. An oppose or neutral position would be inconsistent with Metro's Board approved 2019 State Legislative Program Goals to support efforts to implement the Board adopted Long Range Transportation Plan.

#### **NEXT STEPS**

Should the Board decide to adopt a SUPPORT position on this legislation; staff will communicate the Board's position to the author and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

## ATTACHMENT C

**BILL:** ASSEMBLY BILL 29

**AUTHOR:** ASSEMBLYMEMBER CHRIS HOLDEN (D-PASADENA)

**SUBJECT:** STATE HIGHWAY ROUTE 710

**STATUS:** ASSEMBLY TRANSPORTATION COMMITTEE  
APPROVED 11 – 0

ASSEMBLY APPROPRIATIONS COMMITTEE  
APPROVED 12 – 1

ASSEMBLY FLOOR

**ACTION:** SUPPORT

### **RECOMMENDATION**

Staff recommends that the Board of Directors adopt a SUPPORT position on Assembly Bill 29 (Holden).

### **ISSUE**

This bill was introduced to delete the State Route 710 North segment from the California Streets and Highways Code.

Specifically the bill would:

- Remove the portion of Route 710 located north of Route 10 from the California freeway and expressway system.

### **DISCUSSION**

Assemblymember Chris Holden introduced Assembly Bill 29 with the intent of removing the State Route 710 from the Streets and Highways Code. By doing so, it is assumed that Caltrans will not have the authority to construct a freeway or expressway along the SR 710 North corridor, between the I-10 in Los Angeles and SR 210 in Pasadena.

In May 2017, the Board adopted a motion related to SR-710 project funding at the Regular Board Meeting. This motion supports collaboration and planning between Metro, Caltrans and the affected jurisdictions, which would include the cities within the SR 710 corridor in programming funding and choosing projects in the SR-710 corridor. The Board also adopted a position to support the adoption of the Transportation System Management/Transportation Demand Management Alternative as the Locally Preferred Alternative and has worked to study the congestion along the corridor and engage the community collectively in programming investments to implement each jurisdiction's priority projects.

Staff finds that AB 29 (Holden) has a similar goal to Metro's recently adopted TSM/TDM preferred alternative, and takes it a step further, to prevent Caltrans from constructing a freeway along the SR 710 North corridor. Metro's Board is committed to improving mobility in the SR-710 corridor, while working with cities and affected stakeholders.

State law also identifies the various state highways in California and identifies their boundaries and limits. AB 29 would limit the definition of 710 freeway to that section generally from Long Beach to Interstate 10. The bill would eliminate the segment of the 710 corridor generally between Interstate 10 and Interstate 210. If that segment of the freeway is eliminated, then it would remove any authorization to complete that segment. Staff understands that this is an issue that should remain within the jurisdiction of the state as it is both the owner/operator of the freeway and is responsible for completion of the environmental document. Caltrans certified its environmental impact report in November 2018, and concluded that the TSM/TDM was the final preferred alternative – which eliminates the other alternatives that were under consideration.

Staff therefore recommends that the Board adopt a SUPPORT position on the measure AB 29 (Holden).

#### **DETERMINATION OF SAFETY IMPACT**

There is no determined safety impact due to the enactment of the proposed legislation.

#### **FINANCIAL IMPACT**

The estimated financial impact has yet to be determined.

#### **ALTERNATIVES CONSIDERED**

Staff has considered adopting either an oppose or neutral position on the bill. An oppose or neutral position would be inconsistent with Metro's Board approved 2019 State Legislative Program Goals to support efforts to implement the Board adopted Long Range Transportation Plan.

#### **NEXT STEPS**

Should the Board decide to adopt a SUPPORT position on this legislation; staff will communicate the Board's position to the author and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

**BILL:** SENATE BILL 152

**AUTHOR:** SENATOR JIM BEALL (D-SAN JOSE)

**SUBJECT:** ACTIVE TRANSPORTATION PROGRAM

**STATUS:** SENATE TRANSPORTATION COMMITTEE  
APPROVED 10-1

SENATE APPROPRIATIONS COMMITTEE

**ACTION:** OPPOSE UNLESS AMENDED ~~WORK WITH AUTHOR~~

**RECOMMENDATION**

Staff recommends that the Board of Directors adopt a OPPOSE UNLESS AMENDED ~~WORK WITH AUTHOR~~ position on Senate Bill 152 (Beall).

**ISSUE**

This bill was amended to include provisions that would modify the state's administration of the Active Transportation Program.

Specifically the bill would:

- Modify Active Transportation Program funding allocations by distributing 75% to Metropolitan Planning Organizations (SCAG, in Southern California), 15% to small urban and rural regions and 10% to projects of a transformative nature. Funds for small/urban regions and transformative projects are to be distributed by CTC;
- Require the CTC to adopt separate guidelines for MPOs, as specified;
- Authorize an MPO to perform its own competitive project selection process using regional guidelines adopted by CTC, or allow MPOs to request CTC to perform the competitive project selection process on the MPO's behalf, as specified; and
- For the funds made available to MPOs, require CTC to allocate these funds to each MPO as a lump sum, unless the MPO requests CTC to conduct the competitive selection process on behalf of the MPO, as specified.

**DISCUSSION**

Senator Jim Beall (D-San Jose) has amended Senate Bill 152 to include provisions which would substantially change the administration of the state's Active Transportation Program (ATP). The ATP was recently given an infusion of \$100 million in SB 1 funding. With this additional SB 1 funding, the CTC programs over \$230 million in annual ATP awards and formula allocations. The ATP was established in 2013 with the goal of investing in alternative "active" transportation projects around the state to encourage biking and walking.

Los Angeles County is home to over 45 percent of the state's disadvantaged communities. With the passage of SB 535 (de Leon, 2012), the state prioritized investment in these areas. These communities suffer severe health impacts due to high levels of air pollution and congestion. Los Angeles County also experiences high levels of bike and pedestrian accidents and fatalities.

Staff finds the provisions of the bill to be problematic and there stands to be significant and disproportionate impacts to the disadvantaged communities in Los Angeles County and throughout the state. The provisions outlined in SB 152 would lead to a significant reduction in funding that would go towards impactful pedestrian, bike and Safe Routes to Schools infrastructure projects in the state's regions that suffer the most from air pollution and congestion.

SB 152 would change how the state administers the ATP by reducing the competitive share of the funding the CTC awards and increasing the population-based distribution formula for Metropolitan Planning Organizations (MPOs) to administer the programs in their respective regions – using their own guidelines and potentially removing accountability and commitment to disadvantaged communities.

The provisions outlined in SB 152 would substantially reduce the CTC's ability to fund projects in the state's most disadvantaged regions by shifting 75 percent of the funding to a population-based formula and guidelines that will be determined by the MPO. The bill is also problematic in that it allows an MPO to determine if it receives a lump sum amount of funding to allocate at their discretion or if the region would be subject to a competitive process, administered by the CTC. This process would prove to be confusing to project sponsors and applicants.

The CTC has long committed to funding projects that reduce GHGs in the state's most polluted areas in Southern California, the Central Valley and other impacted areas of the state. The CTC staff has also involved active transportation stakeholders in a robust public engagement process to establish guidelines and fund the projects that the active transportation community cares about most. Stakeholders in opposition to the measure have expressed that this bill, if approved, would be counter to the sponsor's goals of streamlining and improving the ATP.

Staff is currently reviewing the bill for potential impacts to the County's active transportation program. A OPPOSE UNLESS AMENDED ~~WORK WITH AUTHOR~~ position will allow staff the flexibility to ensure that Metro's priorities for funding active transportation and protecting and ensuring stable fund sources are incorporated in the final version of the bill.

Staff therefore recommends that the Board adopt a OPPOSE UNLESS AMENDED ~~WORK WITH AUTHOR~~ position on the measure SB 152 (Beall).

#### **DETERMINATION OF SAFETY IMPACT**

There is no determined safety impact due to the enactment of the proposed legislation.



### **FINANCIAL IMPACT**

The estimated financial impact has yet to be determined.

### **ALTERNATIVES CONSIDERED**

Staff previously transmitted a letter of opposition to the author and the Senate Transportation Committee pursuant to our Board-adopted 2019 State Legislative Program. Due to the commitments to amend the legislation made by the author and bill sponsor during the Senate Transportation Hearing held on April 9, 2019 – staff has determined that the agency would be best positioned to adopt a OPPOSE UNLESS AMENDED ~~WORK WITH AUTHOR~~ position on the measure moving forward.

### **NEXT STEPS**

Should the Board decide to adopt a OPPOSE UNLESS AMENDED ~~WORK WITH AUTHOR~~ position on this legislation; staff will communicate the Board's position to the author and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

**BILL: ASSEMBLY BILL 1402**

**AUTHOR: ASSEMBLYMEMBER COTTIE PETRIE-NORRIS  
(D-LAGUNA BEACH)**

**SUBJECT: ACTIVE TRANSPORTATION PROGRAM**

**STATUS: ASSEMBLY TRANSPORTATION COMMITTEE**

**ACTION: OPPOSE UNLESS AMENDED**

**RECOMMENDATION**

Staff recommends that the Board of Directors adopt an OPPOSE UNLESS AMENDED position on Assembly Bill 1402 (Petrie-Norris).

**ISSUE**

This bill was amended to include provisions that would modify the state's administration of the Active Transportation Program.

Specifically the bill would:

- Require the department, instead of the commission, to award funds to projects in the statewide and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories;
- Require that 75% of available funds be awarded to MPO's in urban areas with populations greater than 200,000, in proportion to their relative share of the population, 15% to small urban and rural regions with populations of 200,000 or less, competitively awarded by the department to projects in those regions, and 10% to projects competitively awarded by the department, in consultation with the commission, on a statewide basis;
- With respect to the funds made available to MPOs, the bill would require the commission to allocate those funds to each MPO as a lump sum for award to projects selected by the applicable MPO;
- Authorize MPO's to adopt their own guidelines, or use part or all of the guidelines developed by the commission; and
- Authorize specified county transportation commissions to create their own set of guidelines that govern the funding distribution for their jurisdiction and would require those guidelines to be accepted and incorporated into the MPO guidelines.

**DISCUSSION**

Assemblymember Cottie Petrie-Norris (D-Laguna Beach) has amended Assembly Bill 1402 to include provisions which would substantially change the administration of the state's Active Transportation Program (ATP). The ATP was recently given an infusion of \$100 million in SB 1 funding. With this additional SB 1 funding, the CTC programs over

\$230 million in annual ATP awards and formula allocations. The ATP was established in 2013 with the goal of investing in alternative “active” transportation projects around the state to encourage biking and walking.

Los Angeles County is home to over 45 percent of the state’s disadvantaged communities. With the passage of SB 535 (de Leon, 2012), the state prioritized investment in these areas. These communities suffer severe health impacts due to high levels of air pollution and congestion. Los Angeles County also experiences high levels of bike and pedestrian accidents and fatalities.

AB 1402 would change how the state administers the ATP by reducing the competitive share of the funding the CTC or Caltrans awards and increasing the population-based distribution formula for Metropolitan Planning Organizations (MPOs) to administer the programs in their respective regions – using their own guidelines and potentially removing accountability and commitment to disadvantaged communities.

Staff finds the provisions of the bill to be problematic and there stands to be significant and disproportionate impacts to the disadvantaged communities in Los Angeles County and throughout the state. The provisions outlined in AB 1402 would shift the responsibility for administering, overseeing and allocating funding to the ATP from the CTC to Caltrans. Historically, the CTC has adhered to strict deadlines and project milestone performance metrics to streamline project funding allocation and delivery. Under the new model proposed under the provisions of AB 1402, Caltrans would be required to establish and implement a similar structure to maintain project schedules and allocate funds. MPOs would also be authorized to use ATP funds for their administration of the program. Staff finds that diverting critical ATP funding towards program administration would further diminish funding that could go to the design and construction of much-needed active transportation projects.

The bill also calls for geographic equity in the statewide competitive funding portion of the ATP. This would cause undue burden on Caltrans or the CTC to distribute such a small proportion of the funding evenly across the state. These provisions would lead to a significant reduction in funding that would go towards impactful and potentially transformative pedestrian, bike and Safe Routes to Schools infrastructure projects in the state’s regions that suffer the most from air pollution and congestion.

The provisions outlined in AB 1402 would substantially reduce the state’s ability to fund projects in the state’s most disadvantaged regions by shifting 75 percent of the funding to a population-based formula and guidelines that will be determined by the MPO or county transportation commission. The bill is also problematic in that it does not require consideration for disadvantaged communities in guideline development and adoption. Staff finds that currently 93% of all awards to date under the ATP program guidelines have been awarded to projects that benefitted disadvantaged communities, and under AB 1402, only 25% of the funding would be subject to provisions requiring direct benefits to disadvantaged communities.

Staff is currently reviewing the bill for potential impacts to the County's active transportation program. An **OPPOSE UNLESS AMENDED** position will allow staff the flexibility to ensure that Metro's priorities for funding active transportation and protecting and ensuring stable fund sources are incorporated in the final version of the bill.

Staff therefore recommends that the Board adopt an **OPPOSE UNLESS AMENDED** position on the measure AB 1402 (Petrie-Norris).

#### **DETERMINATION OF SAFETY IMPACT**

There is no determined safety impact due to the enactment of the proposed legislation.

#### **FINANCIAL IMPACT**

The estimated financial impact has yet to be determined.

#### **ALTERNATIVES CONSIDERED**

The Board could consider adopting a **SUPPORT** or **NEUTRAL** position on the measure; however that would be counter to the goals outlined in the Board approved 2019 State Legislative Program Goals.

#### **NEXT STEPS**

Should the Board decide to adopt an **OPPOSE UNLESS AMENDED** position on this legislation; staff will communicate the Board's position to the author and policy committees. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

## ATTACHMENT F

**BILL:** ASSEMBLY BILL 752

**AUTHOR:** ASSEMBLYMEMBER JESSE GABRIEL (D-VAN NUYS)

**SUBJECT:** TRANSIT STATIONS – LACTATION ROOMS

**STATUS:** ASSEMBLY TRANSPORTATION COMMITTEE  
HEARING SCHEDULED: APRIL 22, 2019

**ACTION:** WORK WITH AUTHOR

### **RECOMMENDATION**

Staff recommends that the Board of Directors adopt a WORK WITH AUTHOR position on Assembly Bill 752 (Gabriel).

### **ISSUE**

This bill was introduced to require lactation rooms in multi-modal transit stations.

Specifically the bill would:

- Require a multimodal transit station that has a public restroom and that commences operations or a renovation on or after January 1, 2021, to include a lactation room.

### **DISCUSSION**

Assemblymember Jesse Gabriel (D-Van Nuys) has introduced AB 752 as a measure to encourage transit agencies to consider the needs of transit users in the operation and amenities offered at transit stations. In the recent past, a number of airport operators and Amtrak have taken strides to introduce lactation rooms to their facilities, either by state mandate or stakeholder engagement.

In 2018, the California State Legislature passed AB 1976, which requires employers to provide a separate lactation room in workplaces. The Federal Aviation Administration included language in its re-authorization bill that requires airports to provide public lactation rooms in their facilities. Amtrak has installed lactation “pods” in five major stations, Washington DC’s Union Station, Baltimore’s Penn Station, Philadelphia’s 30<sup>th</sup> Street Station, Chicago’s Union Station and New York’s Penn Station.

The author states that the intent of AB 752 is to provide accessible lactation rooms at transit stations for new and nursing mothers. The provisions of the bill would require a multimodal transit station facility to include a lactation room – separate from a public restroom – that features at least, a chair and electrical outlet.

Staff finds that the bill has provisions include the definition of “transit station” that would potentially apply to the Los Angeles Historic Union Station and El Monte Busway Facility. This bill was reviewed by Metro’s System, Safety and Security, Operations,

Facilities Maintenance and Property Management staff for potential impacts. Staff found that a number of challenges regarding safety, cleanliness and operations were presented by the bill. The primary concern for the agency in providing transit service on the Metro system is safety. Providing a safe, secure and clean facility for mothers would be a priority for Metro.

Due to the potential impacts on Metro's facilities and the safety concerns expressed by our System Security, Facilities Maintenance and Union Station Property Management, staff would like to work with the author to refine the proposal.

Staff is currently reviewing the bill for potential impacts to Metro's operations and security. A WORK WITH AUTHOR position will allow staff the flexibility to ensure that Metro's priorities for providing safe and efficient service are incorporated in the final version of the bill.

Staff therefore recommends that the Board adopt a WORK WITH AUTHOR position on the measure AB 752 (Gabriel).

#### **DETERMINATION OF SAFETY IMPACT**

There is no determined safety impact due to the enactment of the proposed legislation.

#### **FINANCIAL IMPACT**

The estimated financial impact has yet to be determined.

#### **ALTERNATIVES CONSIDERED**

Staff could elect to take not adopt a position on the legislation; however, that would preclude Metro from participating in the legislative process to amend the bill to strengthen the provisions that affect the agency's operations and service.

#### **NEXT STEPS**

Should the Board decide to adopt a WORK WITH AUTHOR position on this legislation; staff will communicate the Board's position to the author and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.



## Board Report

File #: 2019-0169, File Type: Informational Report

Agenda Number: 34.

### EXECUTIVE MANAGEMENT COMMITTEE APRIL 18, 2019

**SUBJECT: LOS ANGELES AERIAL RAPID TRANSIT PROJECT UPDATE**

**ACTION: RECEIVE AND FILE**

#### **RECOMMENDATION**

RECEIVE AND FILE status report on the Los Angeles Aerial Rapid Transit Project.

#### **ISSUE**

After evaluating the Los Angeles Aerial Rapid Transit Project (Project) under the unsolicited proposal process, Metro is negotiating with Aerial Rapid Transit Technologies LLC (ARTT) to be the CEQA lead agency for ARTT's aerial tram project between Union Station and Dodger Stadium. The Project will be completely funded by ARTT, including Metro staff time.

#### **BACKGROUND**

ARTT, a private developer, submitted an Unsolicited Proposal to Metro in April 2018 to fund/finance, design, construct, operate, and maintain the Los Angeles Aerial Rapid Transit gondola connecting Union Station and the Dodger Stadium. After reviewing the Phase 1 submittal, Metro requested a Phase II of ARTT's Unsolicited Proposal for the Project. In December 2018, Metro formally concluded the Unsolicited Proposal process and began exclusive negotiations with ARTT.

#### **DISCUSSION**

##### **Metro as CEQA Lead Agency**

ARTT has requested that Metro be the CEQA lead agency for the Project. California PUC 130252 states that "All plans proposed for the design, construction and implementation of public mass transit systems or projects, including exclusive public mass transit guideway systems or projects, and federal-aid and state highway projects, shall be submitted to the commission [Metro] for approval." Lead agency, as defined under CEQA, is the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment. Cities and counties are the CEQA lead agencies for private real estate developments, but this is the first time Metro is proposing to be a CEQA lead agency for a private transit developer. As lead agency,

the Metro Board would determine whether or not to approve the Project.

The Project will be funded completely by ARTT. No Metro funds will be used in the design, construction or operation of the Project and all of Metro's staff and consultant time will be paid by ARTT.

### Memorandum of Agreement

Staff and ARTT have been in negotiations for a Memorandum of Agreement (MOA) to cover the CEQA process. The agreement is anticipated to include the following terms:

- ARTT will be responsible for development of the CEQA report and all underlying reports necessary to obtain approvals to proceed with the Project. Metro will act in an oversight manner and will be the CEQA lead agency.
- Metro will not fund, subsidize or otherwise financially contribute in any manner toward the development of the Project.
- ARTT will make an initial deposit of \$100,000 to pay for Metro staff and consulting time. When Metro has incurred approximately 75% of that amount, additional deposits will be made.
- Use of Metro's property will be in compliance with Metro property management procedures.
- Metro has the right to review and approve the community outreach plan.
- Insurance and indemnification provisions in adherence with Metro's risk management requirements including indemnification of Metro for any challenges to the environmental reports.
- ARTT will provide evidence of resources and financial capability to develop the Project prior to adoption of CEQA.
- Future agreements will be necessary and may include, but are not limited to: Union Station leasing, CEQA implementation oversight, fare integration, Union Station parking, Union Station security, data sharing, etc.

Although this is a privately-funded Project and does not utilize any Metro funds, ARTT has voluntarily agreed to:

- Conduct CEQA and community outreach consistent with Metro's Equity Platform.
- Endeavor to be consistent with Metro's overall agency Small Business Enterprise (SBE) utilization goal for the overall Project.
- Utilize a competitive procurement process of Metro's already established bench, to the extent the needed skillsets are available on Metro's bench.

### Steering Committee and Working Groups

A Steering Committee and working groups have been established with representatives from both



Metro and ARTT to provide input and oversight throughout the project development process.

- Steering Committee - the decision-making body for ARTT and Metro issues.
- Legal working group - negotiate all agreements between ARTT and Metro, with input from other departments, as needed.
- LA Union Station (LAUS) working group - focus on the location of the ARTT project at or near LAUS, access to and from the Project and LAUS, and any aspects involving Metro property that may require leaseholds, pedestrian access or other easements, etc.
- CEQA working group - oversee the CEQA process, consultant retention, work flow, timing, internal reviews, circulation, and other aspects of the environmental review for the Project.
- Community Relations working group - approve communications regarding the Project, including outreach, community meetings, project communications, press releases, media requests, etc. In addition to ARTT and Metro staff, representatives from the Dodgers will participate in this working group.

All Metro staff time for the working groups will be paid for by ARTT. The working groups will meet as needed to address issues and execute project tasks.

## **EQUITY PLATFORM**

Metro will be the CEQA oversight agency, and that role includes defining impacts on the surrounding communities and addressing mitigations for any adverse impacts. ARTT has voluntarily agreed to adopt Metro's Equity Platform and Metro staff will provide its oversight and review through the parameters of the Equity Platform.

## **DETERMINATION OF SAFETY IMPACT**

Any potential adverse safety impacts to our employees, patrons or security will be addressed and mitigated through the CEQA process. The Project has the ability to improve air quality around the Union Station/Dodger area by eliminating car travel in those areas.

## **FINANCIAL IMPACT**

There is no financial impact to Metro for the CEQA process as all costs will be paid for by ARTT. Any construction, operation, security, parking, etc. impacts to Metro will be addressed in future agreements between Metro and ARTT.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The proposed Project aligns with Strategic Plan Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The Project has the potential to provide an efficient

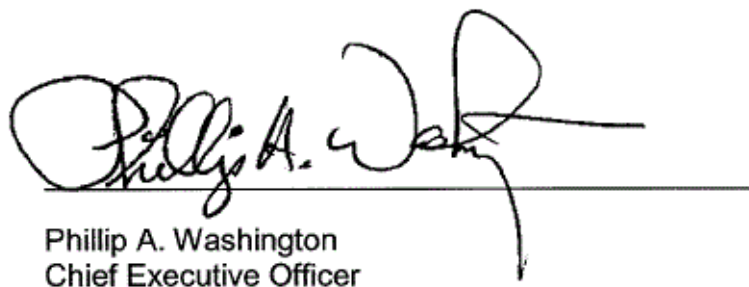
mobility alternative for people to travel to the Dodger Stadium car-free.

**NEXT STEPS**

Staff will continue negotiations with ARTT on the MOA. Upon execution of the MOA, the CEQA oversight process will begin. Staff will report back to the Board at key milestones for further discussion and to obtain Board input. Upon completion of the CEQA process, the Metro Board will determine whether or not to approve the project.

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Reviewed by: Laurie Lombardi, Interim Chief Planning Officer, (213) 418-3251



Phillip A. Washington  
Chief Executive Officer



# Los Angeles Aerial Rapid Transit

Executive Management Committee

File# 2019-0169



# Project Background

- In April 2018, Aerial Rapid Transit Technologies LLC (ARTT) submitted an Unsolicited Proposal to fund, construct, operate, and maintain the Los Angeles Aerial Transit gondola connecting Union Station to Dodger Stadium
- In December 2018, Metro formally concluded the Unsolicited Proposal process and began exclusive negotiations with ARTT for Metro to be the CEQA lead agency for the Project
- PUC confers to Metro the duty to approve all transit guideway project plans in LA County, including design, construction, and implementation plans
- These statutory responsibilities support Metro assuming the role of lead agency for CEQA purposes
- As lead agency, the Metro Board would determine whether or not to approve the Project



# CEQA MOA

- ARTT will be responsible for development of the CEQA report
- Metro will not fund, subsidize or otherwise financially contribute in any manner
- ARTT will make deposits upfront to pay for Metro staff and consulting time
- Metro has the right to review and approve the community outreach plan
- Insurance and indemnification provisions in adherence with Metro's risk management
- ARTT will provide evidence of resources and financial capability to develop the Project prior to adoption of CEQA
- Future agreements will be necessary and may include, but are not limited to: Union Station leasing, CEQA implementation oversight, fare integration, Union Station parking, Union Station security, data sharing, etc.



# Voluntary ARTT Commitments

- Conduct CEQA and community outreach consistent with Metro's Equity Platform
- Endeavor to be consistent with Metro's overall agency Small Business Enterprise (SBE) utilization goal for the overall Project
- Utilize Metro's already established bench, to the extent the needed skillsets are available on Metro's bench



# Next Steps

- Finalize negotiations with ARTT on the CEQA MOA
- Staff will report back to the Board at key milestones for further discussion and to obtain Board input
- Upon completion of the CEQA process, the Metro Board will determine whether or not to approve the project



**Thank you.**





## Board Report

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**File #:** 2019-0139, **File Type:** Contract

**Agenda Number:** 35.

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**EXECUTIVE MANAGEMENT COMMITTEE  
APRIL 18, 2019**

**SUBJECT: LABOR COMPLIANCE MONITORING BENCH**

**ACTION: APPROVE CONTRACT MODIFICATION**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 3 to the Labor Compliance Bench (the Bench) Contract Numbers PS-21307700 A-J, for labor compliance monitoring services, to exercise the fourth and fifth year options, extending the contract term from July 1, 2019 to June 30, 2021, and increasing the total authorized not-to-exceed amount by \$4,000,000 (\$2,000,000 for each option year) from \$19,056,648 to \$23,056,648; and
- B. AWARD AND EXECUTE task orders for a not-to-exceed total authorized amount of \$23,056,648.

**ISSUE**

On June 16, 2011, the Board of Directors authorized the Chief Executive Officer to establish a qualified list of firms to perform labor compliance monitoring activities for Metro construction projects under RFIQ PS-2130-7700 to the attached list of consultants (Attachment B), for a period of five years, with five, one-year options. The expiration date for the base period and the first through third year options is June 30, 2019.

Over the last eight years, the Labor Compliance Monitoring Bench (Bench) continues to be an effective compliance tool for Metro. The Bench consultants monitor and enforce public works projects by ensuring the payment of prevailing wages. Their expertise and extensive knowledge of the California Labor Code and Federal Davis Bacon and Related Acts, coupled with investigative and auditing skills, have helped to prevent wage violations and in other cases, collect back wages due to workers.

Board authorization is requested to exercise the fourth and fifth year options. The approval of this action is required to continue monitoring labor compliance services to ensure that workers on Metro projects are being paid the correct prevailing wage rates.

## **DISCUSSION**

The California Labor Code and Davis Bacon and Related Acts require Metro to ensure that all construction workers employed to work on Metro funded construction projects are compensated according to the state and federal prevailing wage laws and regulations. The consultants on the labor compliance monitoring bench are responsible for evaluating, monitoring and enforcing prevailing wage requirements on assigned construction projects. This includes maintaining all required records, providing assistance to field personnel, conducting field interviews and investigations, and any other duties in accordance with applicable laws and regulations governing public works projects.

Since the inception of the Bench, Vendor/Contract Management has awarded 72 task orders (See Attachment B) totaling \$18,015,934. The Bench has been an effective tool, specifically on Metro's mega high-profile projects. Metro's Small Business Enterprise (SBE) program, Small Business Prime program and Disadvantaged Business Enterprise (DBE) program are applied to the task order solicitations based on funding sources and estimated task order value. Currently, nine of the ten prime Bench consultants are certified as DBEs and SBEs and have been awarded \$17,240,403 of the \$18,015,936 awarded to date, approximately 96% of the total awarded value.

As new capital projects are approved by the Board, the funds for labor compliance monitoring are included in the approved life-of-project budgets for each capital project. The not-to-exceed amounts cover the project's construction and professional service contracts (new and continued) identified during the FY20 budget process. The not-to-exceed amount does not cover Measure M and/or mega projects; those will be brought to the Board for consideration and approval individually.

The Bench has been successful in providing DBE/SBE opportunities, meeting established goals, maintaining effective monitoring based on state and federal regulations and ensuring that workers on Metro's projects are being paid the correct prevailing wage rates.

## **DETERMINATION OF SAFETY IMPACT**

The approval of this recommended action will not have any direct impact on the safety of our customers and employees.

## **FINANCIAL IMPACT**

Labor Compliance funding for capital projects have been included in the life of project (LOP) budget for new projects from inception.

### **Impact to Budget**

A not-to-exceed amount of \$2,000,000.00 has been budgeted for FY20 for new task orders. Funding for this contract will parallel the funding sources for various major construction projects to be charged during the life of the contract. This may include a mixture of Federal, State and local sources, some of which are eligible for bus and rail operations and/or capital.

## **IMPLEMENTATION OF PLAN GOALS**

Approval of this item supports the following Metro Strategic Goal 5.4: Application of prudent commercial business functions to create a more effective agency. The Labor Compliance monitoring bench provides a tool for delivering prevailing wage compliance more effectively.

## **ALTERNATIVES CONSIDERED**

- 1) One alternative is to perform the duties using Metro staff by adding additional FTEs. A minimum of five (5) FTEs are forecasted to perform prevailing wage monitoring. The cost for this option is estimated at \$775,994 per year. This alternative is not recommended because the volume of capital construction work is constantly changing making this activity subject to peak periods alternating with periods of low activity.
- 2) Another alternative is to utilize existing DEOD Labor, Wage and Retention Programs Unit staff to provide labor compliance monitoring on the currently active task orders in addition to their current workload. This alternative is not recommended as this will cause delays in services and compliance monitoring efforts.

## **NEXT STEPS**

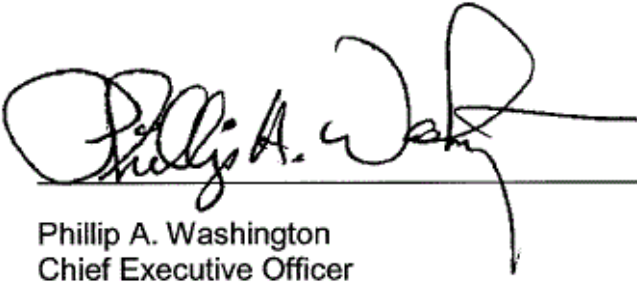
- Upon approval by the Board, staff will execute modifications to the bench contracts and continue to award individual task orders for prevailing wage compliance monitoring.
- Staff will continue to provide oversight on the active task orders that will remain under existing bench contracts.
- Staff will begin the procurement process to issue a new solicitation for Labor Compliance Monitoring Services. The process for the new solicitation will begin in the first quarter of FY21

## **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - Labor Compliance Bench Monitoring Consultants and Life of Project Values  
Attachment C - Contract Modification / Change Order Log  
Attachment D - DEOD Summary

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Reviewed by: Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## LABOR COMPLIANCE MONITORING BENCH / PS21307700 A - J

1.	<b>Contract Number:</b> PS21307700 A-J		
2.	<b>Contractor:</b> Multiple Firms (See Attachment B – List of Consultants)		
3.	<b>Mod. Work Description:</b> Exercise Option Years 4 and 5		
4.	<b>Contract Work Description:</b> Conduct labor compliance monitoring services for all construction projects that require contractor to pay prevailing wages		
5.	<b>The following data is current as of:</b> March 14, 2019		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	June 16, 2011	<b>Contract Award Amount:</b> \$13,478,064
	<b>Notice to Proceed (NTP):</b>	June 16, 2011	<b>Total of Modifications Approved:</b> \$5,578,584
	<b>Original Complete Date:</b>	June 30, 2019	<b>Pending Modifications (including this action):</b> \$4,000,000
	<b>Current Est. Complete Date:</b>	June 30, 2021	<b>Current Contract Value (with this action):</b> \$23,056,648
7.	<b>Contract Administrator:</b> Greg Baker		<b>Telephone Number:</b> (213) 922-7577
8.	<b>Project Manager:</b> Wendy White		<b>Telephone Number:</b> (213) 922-2648

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 3, issued in support of exercising option years four and five, which extends the contract term from July 1, 2019 to June 30, 2021 for the Labor Compliance Bench (the Bench) contract numbers PS21307700 A-J, to perform labor compliance monitoring services.

This Contract Modification and future Task Orders will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

On June 16, 2011, the Board of Directors authorized the Chief Executive Officer to establish a qualified list of firms (Attachment B) to perform labor compliance monitoring activities for Metro construction projects, for a period of five years with five, one-year options. The expiration date for the current Labor Compliance Monitoring Bench is June 30, 2019.

**B. Cost/Price Analysis**

The recommended price for all future task orders and modifications will be determined to be fair and reasonable in accordance with Metro's Acquisition Policy at the time of issuance and award.

LABOR COMPLIANCE BENCH MONITORING CONSULTANTS  
AND LIFE OF PROJECT VALUES AS OF 01/31/2019

DBE/SBE Awards				
Contract No.	Consultant ID	Total Task Orders Awarded To Date	Task Order Award Amount	Amount Paid To Date
PS21307700A	Avant Garde, Inc.	10	\$370,423	\$ 346,498
PS21307700B	Casamar Group	4	\$243,917	\$243,917
PS21307700J	Gail Charles Consulting	1	\$30,848	\$30,848
PS21307700C	Metro Compliance Services	10	\$4,311,282	\$1,647,210
PS21307700D	Opportunity Marketing Group	0	\$0	\$0
PS21307700E	Padilla & Associates	7	\$847,506	\$803,460
PS21307700G	Perceptive	13	\$3,173,462	\$2,053,089
PS21307700I	The "G" Crew	22	\$719,258	\$501,108
PS21307700H	The Solis Group	4	\$6,678,309	\$3,440,200
Total Awarded Task Order Subtotal		71	\$16,375,005	\$9,066,330
Total Task Order Value				
Non-DBE/SBE Awards				
Contract No.	Consultant ID	Total Task Orders Awarded To Date	Task Order Award Amount	Amount Paid To Date
PS21307700F	Parsons	1	\$775,531	\$775,531
	<i>Parsons DBE/SBE Subconsultant Value</i>		\$865,400	\$865,400
Total Awarded Task Order Subtotal		1	\$1,640,931	\$1,640,931
Total Task Order Value				
Total Task Orders Awarded		72	Amount Awarded	Amount Paid to Date
DBE/SBE Task Order Value			\$17,240,405	\$9,931,730
Total Task Order Value			\$18,015,936	\$10,707,261

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## LABOR COMPLIANCE MONITORING BENCH / PS21307700 A-J

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Exercise Option No. 1 of the Labor Compliance Monitoring Bench from June 30, 2016 to June 30, 2017	Approved	06/23/2016	\$1,578,584
2	Exercise Options 2 & 3 increasing contract authorization and extending period of performance	Approved	05/25/2017	\$4,000,000
3	Exercise Options 4 & 5 increasing contract authorization and extending period of performance	<b>Pending</b>	04/25/2019	\$4,000,000
	<b>Modification Total:</b>			<b>\$9,578,584</b>
	<b>Original Contract:</b>			<b>\$13,478,064</b>
	<b>Total:</b>			<b>\$23,056,648</b>



## DEOD SUMMARY

## LABOR COMPLIANCE MONITORING BENCH / PS-2130-7700 A thru J

**A. Small Business Participation**

Nine of the ten Primes on the Bench are DBE/SBE certified and made a 100% DBE/SBE commitment. Eight of the Primes have current DBE participation of 100%. Parsons Constructors, Inc., the only non-DBE/SBE Prime, made a 35% DBE/SBE commitment and is exceeding its commitment with a current DBE/SBE participation of 47.92%.

**1. Avant Garde, Inc.**

DBE/SBE Prime	% Committed	Current Participation
Avant Garde, Inc.	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**2. Casamar Group**

DBE/SBE Prime	% Committed	Current Participation
Casamar Group	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**3. Gail Charles Consulting**

DBE/SBE Prime	% Committed	Current Participation
Gail Charles Consulting	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**4. Metro Compliance Services**

DBE/SBE Prime	% Committed	Current Participation
Metro Compliance Services	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**5. Opportunity Marketing Group**

DBE/SBE Prime	% Committed	Current Participation
Opportunity Marketing Group	100%	0.00%
<b>Total</b>	<b>100%</b>	<b>0.00%</b>

**6. Padilla & Associates**

DBE/SBE Prime	% Committed	Current Participation
Padilla & Associates	100%	100%

<b>Total</b>	<b>100%</b>	<b>100%</b>
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**7. Perceptive**

DBE/SBE Prime	% Committed	Current Participation
Perceptive	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**8. The "G" Crew**

DBE/SBE Prime	% Committed	Current Participation
The "G" Crew	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**9. The Solis Group**

DBE/SBE Prime	% Committed	Current Participation
The Solis Group	100%	100%
<b>Total</b>	<b>100%</b>	<b>100%</b>

**10. Parsons Transportation Group**

	DBE/SBE Subcontractors	% Committed	Current Participation
1.	CVL Consulting, LLC	N/A	34.90%
2.	Construction Planning & Management	N/A	13.02%
	<b>Total</b>	<b>35%</b>	<b>47.92%</b>

**B. Living Wage and Service Contract Worker Retention Policy Applicability**

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

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

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

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



## Board Report

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**File #:** 2019-0210, **File Type:** Motion / Motion Response

**Agenda Number:** 36.

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**EXECUTIVE MANAGEMENT COMMITTEE  
APRIL 18, 2019**

**SUBJECT: CONGESTION PRICING FEASIBILITY STUDY UPDATE**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

CONSIDER:

- A. RECEIVING AND FILING the response to Motion 32.3 (Congestion Pricing) by Directors Garcetti, Kuehl, Butts, Solis, and Hahn; and
- B. APPROVING Next Steps for Congestion Pricing Feasibility Study, which includes:
- May 2019: Staff will issue Requests for Proposals for 1) Technical Services (includes Equity Analysis) and 2) Communications Plan and Public Engagement Services;
  - Summer 2019: Seek Board authorization to award contract; and
  - Ongoing: Staff will conduct ongoing dialogue with the Board at key milestones during the project development process. An overview of the anticipated process is provided in Attachment E Project Milestones.

**HAHN AMENDMENT**

- Include a lane/different pricing model for the zero emission vehicles; and
- Include Board's ability to appoint the public partnership stakeholder panel and expand the number of the seats.

**ISSUE**

On February 28, 2019, the Board passed Motion 32.3 (Garcetti, Kuehl, Butts, Solis, and Hahn, Attachment A), which instructed staff to return to the Board with updates in their April report. This Motion was provided in response to staff's continuing response to Motion 4.1, directing the CEO to present a comprehensive funding plan for the "28 x 2028" initiative. The receive and file Board Report

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portion is in response to instructions from the Board on the Transformational Initiatives, which include congestion pricing and New Mobility fees.

### **BACKGROUND**

On February 28, 2019, the Board approved staff's recommendations to pursue the Transformational Initiatives that are central to "The Re-Imagining of LA County," which include congestion pricing and New Mobility fees. See Attachment B. These Transformational Initiatives address the widely shared desire to greatly reduce congestion, improve mobility and air quality, improve equity, and ultimately provide a more sustainable and resilient LA County for all.

In addition, the Board passed Motion 32.3 to direct staff to do the following:

- A. Move forward with a Congestion Pricing Feasibility Study entitled "The Re-Imagining of LA County"
- B. Ensure the Congestion Pricing Feasibility Study fully addresses and incorporates the parameters identified in the January 2019 Motions 43.1 (Butts) and 43.2 (Solis, Garcetti, Dupont-Walker, Butts, Hahn), which include, but are not limited to, a detailed implementation timeline, cost estimates, sources of funding, and an equity strategy execution plan;
- C. Move forward to explore fees for Transportation Network Company (TNC) trips in Los Angeles County; and
- D. Report back on the all the above at the April 2019 Board cycle.

### **DISCUSSION**

#### **Response to Motion 32.3, A-D:**

- A. Move forward with a Congestion Pricing Feasibility Study entitled "The Re-Imagining of LA County":

There are multiple components to "The Re-Imagining of LA County," of which the Congestion Pricing Feasibility Study is one component. To avoid confusion with the initiative names and for clearer reference, the scope that will be undertaken for the Congestion Pricing Feasibility Study will be referenced here as "Congestion Pricing Feasibility Study." Staff will be procuring consultant services to assist us with the feasibility study. In May, staff will issue two requests for proposals: one for Technical Services and one for Communications and Public Engagement Services. The statements of work are included in Attachments C and D, respectively.

- B. Ensure the Congestion Pricing Feasibility Study fully addresses and incorporates the parameters identified in the January 2019 Motions 43.1 (Butts) and 43.2 (Solis, Garcetti, Dupont-Walker, Butts, Hahn), which include, but are not limited to, a detailed implementation timeline, cost estimates, sources of funding, and an equity strategy execution plan;

These components are included in the Technical Services statement of work (Attachment B), particularly under the following tasks:

- Task 4: Develop Equity Strategy
- Task 10: Develop Investment and Financial Plan

- Task 11: Develop Implementation Plan

- C. Move forward to explore fees for Transportation Network Company (TNC) trips in Los Angeles County; and

One of the first steps to explore fees for TNC trips is to better understand the effects and impacts of New Mobility services (private companies/operations) in Los Angeles County. Staff is identifying any existing research efforts that may be underway on this topic to avoid duplication of efforts, build off of existing work, and create cost efficiencies. Once that step is complete, staff will develop a scope of work to procure consultant services to provide the necessary assistance to explore fees on TNCs.

- D. Report back on the all the above at the April 2019 Board cycle.

This Receive and File report serves as a report back to the Board.

### **FINANCIAL IMPACT**

The cost center manager will be responsible for budgeting the funds to conduct the full scope of the study.

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

The proposed actions are fully consistent with Initiative 1.3 of the Metro Vision 2028 Plan to test and implement pricing strategies to reduce traffic congestion. Also, Initiative 1.3 commits to exploring opportunities for expanding access to shared, demand-responsive transportation options for everyone.

### **NEXT STEPS**

Staff will issue Requests for Proposals for 1) Technical Services (includes Equity Analysis) and 2) Communications Plan and Public Engagement Services in May 2019 and will seek Board authorization to award contracts during Summer 2019. Staff will conduct ongoing dialogue with the Board at key milestones during the project development process. An overview of the anticipated process is provided in Attachment E Project Milestones.

### **ATTACHMENTS**

Attachment A: Board Motion (File ID 2019-0109)

Attachment B: Board Report - The Re-Imagining of LA County: Mobility, Equity, and the Environment (File ID 2019-0105)

Attachment C: Statement of Work - Technical Services for Congestion Pricing Feasibility Study

Attachment D: Statement of Work - Communications and Public Engagement Services for Congestion Pricing Feasibility Study

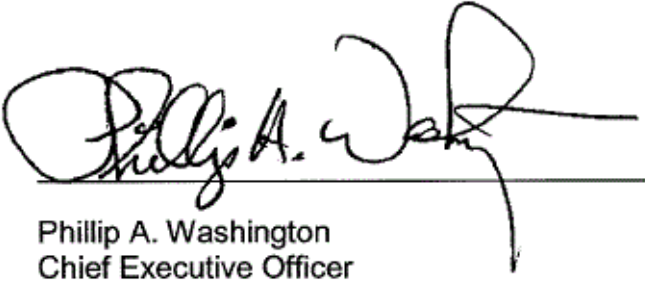
Attachment E: Project Milestones

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Phillip A. Washington  
Chief Executive Officer

**Board Report**

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**File #:** 2019-0109, **File Type:** Motion / Motion Response**Agenda Number:** 32.3

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**REGULAR BOARD MEETING  
FEBRUARY 28, 2019****Motion by:****Garcetti, Kuehl, Butts, Solis and Hahn**

## Item 32.3: Congestion Pricing

As Los Angeles County continues to grow, the region should consider every strategy to provide accessible and affordable transportation for everyone. Congestion Pricing is a promising strategy to accomplish the region's mobility goals.

MTA must undertake a Congestion Pricing Feasibility Study that thoroughly and deliberately investigates all potential congestion pricing models and examines their effects on mobility, equity, and environmental sustainability, so that the Board has the information to make a fully informed decision.

Mobility and access to opportunity are fundamental to achieving social equity and fostering a thriving regional economy. It is important that MTA understand and prioritize the mobility benefits of congestion pricing and other traffic reduction strategies for our region. Accordingly, revenue generation should not be the primary reason to study congestion pricing.

**SUBJECT: CONGESTION PRICING****APPROVE Motion by Garcetti, Kuehl, Butts, Solis and Hahn** that the Board direct the CEO to:

- A. Move forward with a Congestion Pricing Feasibility Study entitled "The Re-Imagining of LA County";
- B. Ensure the Congestion Pricing Feasibility Study fully addresses and incorporates the parameters identified in the January 2019 Motions 43.1 (Butts) and 43.2 (Solis, Garcetti, Dupont-Walker, Butts, Hahn), which include, but are not limited to, a detailed implementation timeline, cost estimates, sources of funding, and an equity strategy execution plan;
- C. Move forward to explore fees for Transportation Network Company (TNC) trips in Los Angeles County; and
- D. Report back on the all the above at the April 2019 Board cycle.



## Board Report

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File #: 2019-0105, File Type: Policy

Agenda Number:

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**REVISED**  
**REGULAR BOARD MEETING**  
**FEBRUARY 28, 2019**

**SUBJECT: THE RE-IMAGINING OF LA COUNTY: MOBILITY, EQUITY, AND THE ENVIRONMENT**

**ACTION: APPROVE RECOMMENDATIONS**

### **RECOMMENDATIONS**

APPROVE the staff recommendations to:

- A. PURSUE the Transformational Initiatives that are central to “The Re-Imagining of LA County;”
- B. CONTINUE work on the Twenty-Eight by '28 goal and accelerate the delivery of the remaining eight projects in every feasible way, and report progress to the Board on the acceleration efforts on a quarterly basis; and
- C. DEVELOP proposed funding and financing plans for the accelerated projects, and report back to the Board in ~~September~~ July 2019.

### **ISSUE**

Metro staff proposes the pursuit of solutions to eradicate congestion in LA County, drastically reducing the region’s carbon footprint and combatting climate change, increasing transit frequency and capacity, dramatically improving transportation equity, and putting the County in a position to be the first major region in the world that could offer free transit services. This proposal has been branded as “The Re-imagining of LA County: Mobility, Equity, and the Environment.” This item asks the Board to approve staff recommendation to pursue the Transformational Initiatives to achieve “The Re-imagining of LA County.”

### **BACKGROUND**

LA County is currently home to more than 10 million people and its population is projected to grow to 10.75 million by 2028. This means that an increasing volume of people and goods will need to travel on a transportation network that is already inadequately serving their needs. Overall consumption in the region is expected to intensify the conflicts between passenger and goods movement. Optimizing system capacity to accommodate new growth will be necessary to ensure that the region can meet



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these new demands and remain economically competitive in the global marketplace. Significant investments are needed, both to shore up an aging system of roadway and transit infrastructure, as well as to expand and fully utilize available capacity to ensure continued delivery of safe and reliable transportation services.

Historically, transportation policies and investments in LA County have prioritized single-occupancy travel in private passenger vehicles at the expense of providing other high-quality travel alternatives. The result is an inequitable transportation system that exacerbates the divide between those who have the access and means to drive and those who do not, while providing inadequate options for both groups. This system is not sustainable from an economic or environmental perspective. As more people turn to driving alone for speed and convenience, mobility and air quality for all citizens suffers due to the inefficient use of existing roadway space. Changing this paradigm and raising the quality of multiple transportation options is essential to delivering a system that provides better mobility for everyone. This means investing in high-quality transit options that can carry more people in less space, creating incentives to reduce solo driving, and removing incentives that further exacerbate transportation inequities. Moving forward we must align Metro's policies and investments across its portfolio of programs and services to provide more high-quality transportation options for people and, equally important, effectively manage demand from all users.

Metro is considering several "Transformational Initiatives" that demonstrate significant potential to address the widely shared desire to eradicate congestion, improve mobility and air quality, realize equity, and ultimately provide a more sustainable and resilient LA County for all.

## **DISCUSSION**

Metro is currently meeting or exceeding the Measure M schedule on all projects. However, as we complete construction on the first decade of Measure M projects, it is imperative to make concurrent efforts to improve mobility and equity by identifying ways to improve congestion throughout the County. The Transformational Initiatives described below represent bold and progressive ways to achieve a number of our public policy goals as we anticipate new projects coming on line.

### **Transformational Initiatives** **Congestion Pricing**

The Congestion Pricing strategy proposes to investigate the feasibility and framework for conducting congestion pricing pilots with the intent to expand the program in the most traffic-clogged parts of LA County. Congestion pricing offers a compelling mobility solution that, when implemented thoughtfully, can significantly improve equity and reduce emissions by providing cleaner, more frequent and more reliable mobility options for the most vulnerable populations in LA County.

At the January 24, 2019 Board meeting, Motions 43.1 (Butts) and 43.2 (Solis, Garcetti, Dupont-Walker, Butts and Hahn) were presented and approved. Motion 43.1 asked Metro staff to respond to several questions, mostly related to scope and framework of a proposed Congestion Pricing Feasibility Study. Staff have prepared responses to the various parts of Motion 43.1 in a separate Board Receive and File report (File ID 2019-0083). The response includes a detailed plan for the feasibility study, should the Board approve pursuing this recommended strategy as part of the Re-Imagining LA County Plan. The contents of Motion 43.1 and the related response are provided in

Attachment A to this report.

Motion 43.2 focused attention on equity as it relates to the proposed Congestion Pricing Feasibility Study. The motion was comprised of five parts that asked staff to develop an Equity Strategy for the study, engage a variety of experts and stakeholders, and defer congestion pricing implementation until the feasibility study, including the Equity Strategy, is complete. The responses to Motion 43.2 are provided in a separate Board Receive and File report (File ID 2019-0055). The contents of Motion 43.2 and the related response are provided in Attachment B to this report.

Three different pricing models would be explored as part of the study: cordon, corridor, and vehicle miles traveled (VMT). The study will include extensive, comprehensive, and genuine community and public engagement throughout the feasibility study, as promised through the Equity Platform that the Board adopted nearly a year ago. As part of the engagement and technical support to the study, Metro intends to create an Advisory Council to inform the study, including subject matter experts in Equity. Staff will work with the Board to identify candidates for the Advisory Council.

The anticipated schedule to complete this feasibility study is 12-24 months. Staff expects to conduct this study through a consultant contract led by Metro. Staff anticipates addressing the following scope elements in the feasibility study:

- Equity strategy to address potential impacts to historically underserved populations (see Equity Strategy below)
- Research and analysis of three models: cordon, VMT, and corridor pricing
- Analysis of potential revenues
- Analysis of policy implications
- Selection criteria and process to identify potential pilot locations.
- Performance measures and desired outcomes of congestion pricing pilot
- Identification of transit service and improvements needed to provide mobility options in congestion pricing pilot area
- Review of research done to date, and determination of any key gaps in that research that bear on Equity issues.
- An assessment of the potential negative and positive impacts of a congestion pricing strategy on historically underserved populations, including low-income drivers and transit users, as it affects their mobility access to jobs, housing, and other opportunities.

A more detailed plan for a Congestion Pricing Feasibility Study is provided as part of the response to Motion 43.1, referenced as Attachment A to this report.

#### *Equity Strategy for a Congestion Pricing Feasibility Study*

Congestion pricing as a comprehensive transportation policy has both challenge and promise. Implementing congestion pricing at a scale that would be effective, even for a portion of Los Angeles County, would exert tremendous change on the transportation network and the people who use it. Thus, staff is very clear that a comprehensive and thorough feasibility study must be undertaken before any actions would be considered for implementation.

Equity must be front and center in a congestion pricing evaluation. The Board's adopted Equity

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Platform provides a valuable framework to design an Equity Strategy integral to the Congestion Pricing Feasibility Study.

An equity-driven policy objective for any congestion pricing evaluation would be to improve such access for underserved populations. Data and metrics to evaluate that potential must be incorporated into the Equity Strategy scope of work within the CPFS. More details on an Equity Strategy for a Congestion Pricing Feasibility Study are provided in the response to Motion 43.2, referenced as Attachment B to this report.

### **New Mobility Fees**

Staff proposes to explore the levying of fees for Transportation Networking Company (TNC) trips in Los Angeles County as a mechanism for managing demand on our streets and highways. The shared mobility device strategy also proposes looking at imposing fees on shared devices, such as scooters and bicycles, for the use of public rights-of-way.

Both of these proposals would require building support throughout the state for transferring regulatory and taxation authority from the California Public Utilities Commission (CPUC) to Metro. They would also require building support among cities within LA County for the regulatory authority to be with Metro.

Metro staff has developed a proposed plan to provide more detailed information regarding the timeline and key activities to pursue New Mobility service fees in LA County, if the Board approves these Transformational Initiatives for the Re-Imagining LA County Plan. The proposed plan is provided in Attachment C to this report.

### **DETERMINATION OF SAFETY IMPACT**

This motion response has no direct impact on safety at this time. However, the approval of the Transformational Initiatives will support safe and reliable operations of the transportation system in the long-term.

### **FINANCIAL IMPACT**

If approved to pursue the recommended Transformational Initiatives, funding will be identified to conduct the study and will be the responsibility of the lead department, in partnership with the Office of Management and Budget.

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

The proposed actions are fully consistent with Initiative 1.3 of Metro Vision 2028 plan to test and implement pricing strategies to reduce traffic congestion. Also, Initiative 1.3 commits to exploring opportunities for expanding access to shared, demand-responsive transportation options for everyone.

### **IMPLEMENTATION OF EQUITY PLATFORM**

The Transformational Initiatives explicitly address approaches and priorities that would advance the

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mobility needs of the County's most vulnerable populations. Managing congestion, particularly to ensure reliable operations for LA County's transit system, upon which many of our most underserved community members depend, enables economic mobility that can help those populations overcome historic disadvantages and disparities. In addition, strategies such as congestion pricing can enable benefits, such as free transit, to these same underserved communities in ways that are unimaginable with traditional approaches. The Metro staff and Board must remain committed to Equity as a key evaluative lens as we consider these progressive strategies for improving mobility, equity, and the environment.

### **ALTERNATIVES CONSIDERED**

The Metro Board of Directors may decide not to approve the pursuit of the Transformational Initiatives to achieve The Re-imagining of LA County. This is not recommended, as this would take the LA region on a similar path followed in the past, without effectively addressing the problems we face even today.

### **NEXT STEPS**

If the recommended actions are approved, Metro staff will return to Board to report on progress as follows:

April 2019 - Review scope for Congestion Pricing Feasibility Study

June 2019 - Award professional services contract to conduct Congestion Pricing Feasibility Study

September 2019 - Report on financing/funding plans for the accelerated projects

Quarterly - Progress reports on efforts to accelerate the eight remaining projects of Twenty-Eight by '28.

### **ATTACHMENTS**

Attachment A - Motion 43.1 and Response to Motion 43.1 (File ID 2019-0083)

Attachment B - Motion 43.2 and Response to Motion 43.2 (File ID 2019-0055)

Attachment C - LA Metro New Mobility Service Fee Plan

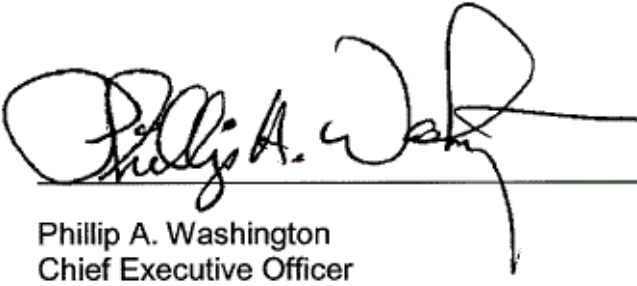
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Chief Executive Officer

**STATEMENT OF WORK – TECHNICAL SERVICES  
CONGESTION PRICING FEASIBILITY STUDY**

**INTRODUCTION**

The Los Angeles County Metropolitan Transportation Authority (Metro) is seeking a qualified firm to provide technical services for a Congestion Pricing Feasibility Study (Study or Project). The Contractor shall work with Metro and its Stakeholder and Public Engagement Contractor, which is procured under a separate contract, to engage targeted stakeholders as well as the general public in re-imagining a transformative, high-quality mobility future. This future will be enabled by a pricing strategy and other actions Metro will be undertaking to create a world-class transportation system, as described in the agency's 10-year strategic plan, Vision 2028. (This document can be accessed at [metro.net/vision2028](http://metro.net/vision2028)). See Attachment A for the Request for Proposal communications and public engagement scope of services for the Study. The Contractor shall coordinate with concurrent efforts undertaken by Metro, including, but not be limited to, those listed in Attachment B and relevant documents in Attachment C.

Metro serves as regional transportation planner and coordinator, designer, builder, funder, and operator for one of the country's largest, most populous counties and employs approximately 10,000 full-time staff. Approximately 10 million people live, work, and play within its 1,433-square-mile service area. In 2017, LA County welcomed 48.3 million visitors, which was record breaking, and 50 million visitors are anticipated in 2020.

**BACKGROUND**

Los Angeles County is currently home to more than 10 million people and its population is projected to grow to 10.75 million by 2028. This means that an increasing volume of people and goods will need to travel on a transportation network that is already inadequate in serving their needs. Overall consumption in the region is expected to intensify the conflicts between passenger and goods movement. Optimizing system capacity to accommodate new growth will be necessary to ensure that the region can meet these new demands and remain economically competitive in the global marketplace. Significant investments are needed, both to shore up an aging system of roadway and transit infrastructure, as well as to expand and fully utilize available capacity to ensure continued delivery of safe and reliable transportation services.

Historically, transportation policies and investments in LA County have prioritized single-occupancy travel in private passenger vehicles at the expense of providing other high-quality travel alternatives. The result is an inequitable transportation system that exacerbates the divide between those who have the access and means to drive and those who do not, while providing inadequate options for both groups. This system is not sustainable from an economic or environmental perspective. As more people turn to driving alone for speed and convenience, mobility and air quality for all individuals suffer due to the inefficient use of existing roadway space. Changing this paradigm and raising the quality of multiple transportation options is essential to delivering a system that provides better mobility for everyone. This means investing in high-quality transit options that can carry more people in less space, creating incentives to reduce solo driving, providing other quality multimodal options, and removing incentives that further exacerbate transportation inequities. Metro seeks to align its policies and investments across its portfolio of programs and services to provide more high-quality transportation options for people and, equally important, effectively manage demand from all users.

Metro is studying congestion pricing as a transformational approach to address the widely shared desire to genuinely reduce congestion, improve mobility and air quality, improve equity, and ultimately provide

## Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study

a more sustainable and resilient LA County for all. The Congestion Pricing Feasibility Study will investigate the feasibility and framework for conducting a congestion pricing pilot program with the intent to expand the program in the most traffic-clogged parts of LA County, upon approval of the Metro Board of Directors. The study will include extensive, comprehensive, and genuine community and public engagement throughout the feasibility study, which will be led by Metro and a Communications and Public Engagement Contractor under a separate contract.

Three different pricing models will be explored as part of the study: cordon, corridor, and vehicle miles traveled (VMT). Initial concepts of these models are as follow:

- **Cordon Pricing.** This involves creating a boundary around a central district and then charging vehicles to cross that boundary. The fee can be variable, meaning it can go up or down based on demand. Alternatively it could be set at a specific rate for peak times. Either way, the idea is to reduce the number of vehicles entering a central area when demand is higher. This is the most common method of congestion pricing employed around the world.
- **VMT Pricing.** Charging drivers based on Vehicle Miles Traveled (VMT) has been floated for many years as a potential substitute for a gas tax. However, a VMT fee platform can potentially be used to charge variable prices based on location and time of day. The platform could conceivably charge zero when there is no traffic or in uncongested areas, but then charge high enough rates during peak times to deter overuse. There have been VMT-fee experiments in California, Oregon, and Iowa. While none of these pilots have attempted to include additional fees for congestion, the Oregon pilot tested the idea by calculating the number of miles driven in the “congestion zone”. In short, the technology exists to use VMT as a method of alleviating congestion but it has not yet been attempted due to political challenges.
- **Corridor Pricing.** Corridor pricing, as described in this context, is a new kind of congestion pricing that has not been implemented anywhere. The idea is to price all lanes on all roads within a specific corridor with high traffic congestion but a viable public transit alternative. Functioning similar to cordon pricing, anyone traveling within a designated corridor during peak times would pay a fee based on how many miles they travel within the corridor. The price for travel within the corridor would be set high enough to ensure free flow traffic within that entire corridor.

### PROJECT OBJECTIVE

The objectives of the Study include:

- To investigate the feasibility and framework for testing and implementing pricing strategies to reduce traffic congestion and to dramatically improve equity, mobility, and environmental outcomes
- To extensively, comprehensively, and genuinely engage stakeholders and the public in this Study process to help solve the traffic problems in Los Angeles County and develop widespread support for a pilot program
- To identify location(s) for a pilot program and establish an implementation plan

The Contractor shall provide technical services for the Congestion Pricing Feasibility Study. All deliverables rendered under this contract shall be in accordance with each task description outlined under the Scope of Services.

## Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study

### PROJECT MILESTONE SCHEDULE

The performance period for the Congestion Pricing Feasibility Study shall be up to 24 months from the Notice to Proceed. The Contractor shall propose a realistic and effective project milestone schedule and timeline that meet the intent and outcome of this scope of services and take into consideration the communications and public engagement work, which is under a separate contract.

<b>Milestone</b>	<b>Anticipated Completion</b>
Start of work/kickoff	Upon contract award
Project Management Plan submitted to Metro	Two weeks after contract award
CEQA compliance plan, with preliminary recommendations (See Task 9)	Two weeks after contract award
Draft Communications and Public Engagement Plan submitted to Metro*	Four weeks after contract award
Final Communications and Public Engagement Plan submitted to Metro*	Six weeks after contract award
Completion of Congestion Pricing Feasibility Study	Up to 24 months after contract award

\*This milestone will be the responsibility of the Communications and Public Engagement Contractor and is listed here for informational purposes.

Note: All dates and timelines are tentative and subject to change.

### MINIMUM QUALIFICATIONS

Minimum qualifications are required for a Contractor to be eligible to submit a proposal response. Your submittal response must show compliance to these minimum qualifications. Those that are not responsive to these qualifications shall be rejected by Metro without further consideration:

- A project manager with a minimum of five years of experience as a project manager and have demonstrated experience in successful implementation of congestion pricing, tolling, or programs that use pricing to manage demand in transportation.
- Key project team members have demonstrated expertise and a minimum of five years of experience in successful implementation of congestion pricing, tolling or programs that use pricing to manage demand in transportation.
- Key project team members have demonstrated experience and a minimum of two years of experience working with similar technical, policy, political, and equity components.
- Key project team members have demonstrated experience and a minimum of two years of experience in successful compliance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), including familiarity with CEQA's statutory and categorical exemptions and associated evidentiary, written findings, and notice requirements.

### SCOPE OF SERVICES

The scope of services for the Congestion Pricing Feasibility Study is divided into two components:

- Technical Services (Under this RFP)
- Communications and Public Engagement Plan and Implementation Services (Under a separate RFP)

The Proposer may offer a response to Metro's Request for Proposal (RFP) for one or both of these project components. While Metro recognizes that selecting one contractor team for both components may provide attractive efficiencies, it also aims to secure the most-qualified assistance for this Project. A



## **Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study**

contractor team proposing a response for both components may be asked to participate in two separate interviews, as appropriate.

Throughout this Project, work activities and analyses shall be coordinated and integrated across the parallel activities related to the two project components: A) Technical Services and B) Communications and Public Engagement Plan and Implementation Services (under a separate contract). The Contractor shall ensure that major overlaps are coordinated. Whether proposing on one or both components, the Contractor shall clearly identify major overlaps and identify how they will be addressed.

### **Task 1: Project Administration, Management, and Coordination**

#### **Task 1.1 General Project Administration, Management, and Coordination**

The Contractor shall provide management and any necessary staff to plan, organize, direct, supervise, control, and coordinate the administrative aspects of the Project, including contract and subcontract administration, accounting/invoicing, office services, and personnel administration.

The Contractor shall closely communicate with Metro's Project Manager (PM) and provide updates to the project weekly, biweekly, or as needed and during key milestones; provide dates, times, and locations of upcoming key meetings; identify issues that may impact the Project's implementation or schedule; and recommend and implement actions to keep the Project on schedule and budget.

The Contractor shall establish a method to identify potential cost overruns and maintain project budget. The Contractor shall be responsible for overseeing quality control and ensuring that all deliverables are in line with Metro's requirements. The Contractor may be part of a project team consisting of other outside Contractors, Metro cross-departmental representatives, partner organizations, and third party stakeholders and shall work collaboratively and effectively within this team environment. The Contractor shall anticipate participating in outreach meetings and coordinating with appropriate agencies and stakeholders throughout the duration of the contract period.

The Contractor shall develop a Project Management Plan that includes, at minimum, project meeting schedule, a detailed breakdown of the project costs by task/subtask, a detailed staffing plan by task/subtask, organizational chart, a detailed schedule for each work task/subtask, risk management plan, and an overall work flow chart identifying critical work path items. The Project Management Plan shall provide the basis by which the project status will be measured and shall include methods to identify potential cost overruns and maintain project budget.

All reports, memoranda, and documents identified as deliverables in this and subsequent tasks shall be sent electronically to Metro's PM. The Contractor shall closely communicate with Metro's PM and provide updates, which may include teleconference or in-person meetings with Metro

#### *Deliverables:*

- Arrange, schedule, and staff necessary meetings and coordination and provide logistical support where necessary
- Draft and final Project Management Plan

#### **Task 1.2 Project Status Meetings**

The Contractor shall participate in project status meetings with Metro and the Communications and Public Engagement Contractor bi-weekly or as needed for the duration of the contract. The Contractor

## **Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study**

shall prepare agendas in consultation with Metro’s PM. Meeting agenda draft shall be provided to Metro’s PM at least two business days prior to the meeting. The Contractor shall provide meeting summary, including action items, to Metro’s PM within two business days after the meeting. The purpose of the meetings shall be to coordinate work activities; refine assessment methodology; identify strategies, as necessary, for CEQA compliance; report and document project status; discuss and identify any unforeseen issues; highlight problems and corrective measures; recommend action plans proposed to keep project on schedule and budget; discuss any work products; prepare for advisory panel and other outreach meetings; and present next steps.

### *Deliverables:*

- a. Meeting agenda and summary, including action items, in electronic Microsoft Word format. Meeting agenda draft shall be provided to Metro’s PM at least two (2) business days prior to meeting. Meeting minutes shall be provided to Metro’s PM within two (2) business days after meeting; and
- b. Project meetings with Metro and the Communications and Public Engagement Contractor.

### **Task 1.3 Online Electronic Document Repository**

The Contractor shall provide a secure online electronic document repository for the duration of the contract. The Contractor shall provide an index file and table of contents for ease of document access. The repository shall be updated within two (2) working days of the distribution of the deliverable. All printed deliverables submitted shall have a corresponding electronic file submitted to this repository as a controlled document, unless otherwise indicated by Metro’s PM. Upon completion of the Project or at the request of Metro, all contents shall be transferred to Metro. The Contractor shall work with Metro’s PM on the organization of the repository and contents to be stored and uploaded. The Contractor shall update and maintain the repository for the duration of the contract. The Contractor shall use existing software or tools that are readily available on the market, rather than creating new software to perform this task.

The purpose and functionality of the repository shall include, but not be limited to:

- Consolidation, search, storage, browsing, retrieval, and version tracking of all deliverables.
- Ability to store related files (e.g., comment/review files, attachments, etc), with no limits on file size.
- Allows Metro to establish accounts for others to view the materials, through a secure system that supports varying levels of privileges, permissions, or other account configuration options as needed to control access rights. Also allows Metro to adjust these privileges, permissions, or other account configuration parameters on demand.
- Allows Metro to provide formal digitally signed acknowledgement of acceptance of those deliverables as instructed by Metro.
- Allows for nested folder structures for file organization.
- Supports the storage and display of extended metadata including: Title/Subtitle, Date, Authors, Contact Information for Authors, Contract number, Type of deliverable (draft, final, etc), Abstract, Distribution Statement (e.g., restricted, unrestricted), number of pages.
- Contain documentation related to this Project, including, but not be limited to, the Contractor’s Project Management Plan, Communications and Public Engagement Plan, key correspondence, reports, maps, photos, videos, graphics, project deliverables, key contacts, etc.

### *Deliverables:*

- a. Set-up and maintain a secure, online repository; training materials; and user guide.

## **Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study**

### **2: Support Stakeholder and Public Engagement**

The objectives of this task include:

- Establish grass-roots and widespread support for a pilot program
- Identify stakeholders, individuals and organizations, to engage
- Establish multiple forums and methods for meaningfully engaging with stakeholders and communities, such as in-person and virtual meetings, pop-ups, social media platforms, surveys, and a variety of other methods specific to the context and needs of different communities
- Inform project development and implementation of a pilot program

Stakeholder and public engagement will be a key component of this project and will be led by a Communications and Public Engagement Contractor (under a separate contract) and Metro. The Contractor shall provide the necessary support to help Metro and the Communications and Public Engagement Contractor prepare and execute a comprehensive strategy to listen, inform, and engage stakeholders and the general public in order to achieve the objectives of the Project. Particular care should be taken to include the traveling public; Metro customers who use the agency's portfolio of services; community-based organizations; faith-based institutions; the business community, including employers and freight industry representatives; labor organizations; transportation and transit advocates; and groups who serve the underrepresented populations in LA County. This would ensure a broad reach as well as obtain the most comprehensive input possible from diverse stakeholders. Attachment D includes the categories of audiences that will be included in this process. The Contractor may recommend additional audiences and individuals.

The Contractor shall work closely, collaboratively, and effectively with the project team to ensure that information, analysis, and findings are closely shared and used iteratively to inform stakeholder and public engagement. The Contractor shall participate in outreach meetings to identify project objectives, principles, key issues, preferences, opportunities, needs and other considerations to help inform the project's approach, strategies, and outcomes. In addition, the Contractor shall provide technical support on advisory panels associated with the Congestion Pricing Feasibility Study, including, but not be limited to: A) Users of the Transportation System and B) Stakeholders. See Attachment E for more information. The Contractor shall lead the preparation of the presentation materials and content for the advisory panel meetings in consultation with the Metro project management team. The Contractor shall translate technical concepts into easy to understand information for the layperson. With support from the Communications and Public Engagement Contractor, the Contractor shall develop presentations, materials, visual information, and activities to help facilitate understanding, comprehension, and engagement with the target audience, to get meaningful input, and to inform the path forward.

The Contractor is encouraged to think creatively and innovatively about how best to present concepts in an engaging way that is easy to understand, helps people identify with lived experiences, and helps participants re-imagine a transformative mobility future that can be enabled by a pricing strategy and complemented by actions laid out in Vision 2028.

#### *Deliverables:*

- a. Participation during advisory panel meetings; presentation content; meeting agendas, sign-in sheet, and summaries
- b. Participation in outreach meetings/workshops conducted; meeting agendas, sign-in sheet, and summaries
- c. Presentations, materials, and visual information to help facilitate understanding, comprehension, and engagement with the target audience, to get meaningful input, and to inform the path forward

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### **Task 3: Conduct Literature Review and Best Practices Research**

The Contractor shall identify congestion pricing best practices and current efforts within California, nationally and globally, including pricing model, approach, public acceptance, performance measures, outcomes, and trends over time to inform the Project. In addition, the Contractor shall glean specific information, such as:

- Operational characteristics and policies used in other comparable deployments.
- Outcomes, reactions, and results associated with other comparable deployments.
- Operating and political environments that were conducive to success (or failure) of past deployments.
- Inter-agency arrangements, collaborations, partnerships, and memoranda of understanding that fostered success in past projects (or, conversely, led to challenges).
- Best practices and lessons learned from past deployments

The Contractor shall review research done to date regarding transportation and equity and determine any key gaps in that research that bear on equity issues that would inform the project and recommend a path forward. The Contractor shall build on any existing literature review and best practices research rather than duplicating those efforts. The Contractor shall build upon existing and current studies and initiatives underway at Metro and related efforts undertaken by other local and regional governments. The Contractor shall review background documents, project-related studies underway and other supporting documents, including, but not be limited to, those listed in Attachments B and C.

#### *Deliverables:*

- a. Draft and final report(s) that Metro can share with the public, stakeholders, elected officials and the media that highlight key points and summarizes findings and best practices. The report(s) must be well organized, easy-to-read, and include photographs, graphics, and maps, as applicable. The report(s) shall be made available in print and via digital delivery.
- b. Infographics, digital graphics, maps, and visual displays, as applicable, that highlight key points and can be disseminated to interested parties digitally and in print.

### **Task 4: Develop Equity Strategy**

The objectives of this task include:

- Understand population groups, modes (including freight), and geographies that would be affected by different pricing models;
- Assess the potential negative and positive impacts of a congestion pricing strategy on historically underserved or disadvantaged populations, as it affects their mobility access to jobs, housing, and other opportunities; and
- Assist Metro in developing an equity strategy for congestion pricing to improve outcomes for underserved or disadvantaged populations.

See the reference section at the end of this Task for a list of relevant publications, particularly the 2019 study published by TransForm called *Pricing Roads, Advancing Equity*. This task references and will be built upon work in other tasks within this scope of services, in particular Task 2 (Stakeholder and Public Engagement), Task 3 (Literature Review/Best Practices Research), and Task 10 (Financial Plan) that will consider revenues and costs of each congestion pricing approach.

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In collaboration with the stakeholder and public engagement effort, the Contractor shall assess equity impacts and develop an equity strategy for each congestion pricing approach under consideration. These will include looking at both minimizing negative and disproportionate impacts of the proposed congestion pricing approach as well as considering the opportunities to use road pricing to redress systemic inequities across targeted communities. The contractor should consider equity both relative to the status quo scenario and for potential new scenarios relative to one another.

The approach to this analysis is laid out in the Transform Study, but includes the following basic components:

- a. Identify Who, What, and Where
- b. Choose Equity Outcome and Performance Indicators
- c. Determine Benefits and Burdens
- d. Devise Programs to Advance Transportation Equity
- e. Provide Accountable Feedback and Evaluation

For the purposes of this Study, items (a) – (c) are considered the “assessment” of each congestion pricing approach and can be summarized in writing and/or in a matrix format. Below is a summary of the approach to each item as defined by the TransForm study; however, the Contractor may recommend different assessment method and measures that would effectively achieve the objective of this task and intent of the Project, with concurrence from the Metro project management team.

- a. **“Who”** is a comprehensive description of the populations that need to be considered from an equity perspective. This should consider whether and which populations should be given priority, and also ensure that criteria used to define groups is fair and accurate. A key consideration noted in the study is how income brackets are defined and considered when identifying potential equity impacts, and right-sizing income-defined “groups” to match potentially impacted communities and groups.

The **“what”** will be largely defined by the congestion pricing strategies identified in Task 5, but that section should ask and answer whether any strategies not considered would better serve vulnerable communities, and if these strategies were left out, it should be disclosed why. This section should also acknowledge any strategies or priorities identified by the communities in the geographic areas targeted.

Lastly, the **“Where”** must consider if the potential impacts and/or vulnerable populations are within the study area boundaries, or if they visit. It also considers if services used by the relevant populations are within the study areas, and looks at growth projections to understand future implications.

- b. For **equity and outcome performance indicators**, TransForm identifies three key measures: affordability, access to opportunities, and community health. The study further provides detail on the specific indicators for quantifying impacts on these measures. The Contractor may suggest different or additional measures in their response to this task.
- c. **Determine benefits and burdens.** This section is the analysis of the impacts of each congestion pricing option on the identified populations (part a) and across the outcomes and performance indicators (part b). One approach to this analysis could be to compare the outcomes and

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performance indicators' expected performance if the status quo is maintained versus with each congestion pricing strategy in place. The Contractor may also recommend other approaches that would be equally or more effective.

- d. Based on the analysis in part c, this section will provide a general summary of **best practices, programs and strategies that advance transportation equity** for each congestion pricing strategy under consideration. Working closely with the analysis in Tasks 8 (Complementary Multimodal Mobility Services and Improvements) and 10 (Financial Plan), each strategy shall include high level cost estimates for implementation, tracked to the revenues generated by the congestion pricing mechanism in question; meaning there should be a rough order of magnitude estimate of the costs to implement each transportation equity strategy.
- e. Similar to part (d), the Contractor shall recommend approaches to **feedback and evaluation to monitor and assess the equity impacts** of each congestion pricing strategy. These approaches should assume iterative review of the pricing strategy, to assure that impacts are monitored over time as the program matures. The strategies do not have to be fully formed, but rather can be a summary approach that could be further developed should the congestion pricing strategy move to a next stage of development.

*Deliverables:* Deliverables for this section can be a combination of written text/reports and/or matrices that track each equity consideration for each congestion pricing strategy.

- a. Equity impact assessment that includes:
  - o Definition of impacted/vulnerable communities
  - o Summary of additional congestion pricing strategies that were not being considered, and why
  - o Description of how the boundaries of each pricing strategy relate to vulnerable populations
  - o Impacted populations
  - o Comparative impacts of each strategy in a matrix
  - o Equity outcome performance indicators
  - o Potential benefits and burdens of each congestion pricing strategy, for each identified outcome indicator
  - o Equity strategies for each congestion pricing approach, along with potential costs for implementation
  - o Performance evaluation and feedback measures for each congestion pricing approach

### References

- "Pricing Roads, Advancing Equity," by Stuart Cohen and Alan Hoffman. TransForm. 2019. <http://www.transformca.org/transform-report/pricing-roads-advancing-equity>
- San Francisco MUNI: [www.sfmta.com/projects/muni-service-equity-strategy](http://www.sfmta.com/projects/muni-service-equity-strategy)
- Seattle: <http://www.seattle.gov/transportation/projects-and-programs/programs/transportation-equity-program>
- "Assessing the Environmental Justice Effects of Toll Implementation or Rate Changes: Guidebook and Toolbox," National Cooperative Highway Research Program (NCHRP). 2018. <https://www.nap.edu/catalog/24991/assessing-the-environmental-justice-effects-of-toll-implementation-or-rate-changes-guidebook-and-toolbox>

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### **Task 5: Assess Transportation System and Define Congestion Pricing Alternatives**

The objective of this task is to assess the current transportation system and develop and screen alternative congestion pricing models (i.e., cordon pricing, VMT pricing, corridor pricing), geographic configurations, operational parameters, and phasing for alternative locations.

The Contractor shall conduct a preliminary assessment to establish a baseline and conduct initial screening to narrow down potential locations, such as identifying traffic congested areas within LA County, and complemented by input from stakeholder and public engagement efforts. The Contractor shall recommend an approach and methodology, based on sound and justifiable rationale, to identify potential pilot areas and to conduct the subsequent assessment that is mentioned within this task. This effort shall be further informed by findings and lessons learned from the Southern California Association of Government’s work on the “Mobility Go Zone & Pricing Feasibility” Study (2019), applicable findings in Task 3 (Literature Review and Best Practices Research), and concurrent and related efforts underway as shown in Attachments B and C.

After the initial screening has been conducted and potential pilot areas identified, the Contractor’s assessment should include, at a minimum, the following components:

- a. Conduct market research to gauge people’s transportation behaviors, attitudes, priorities, and demographic characteristics and identify the different market segments; pricing and willingness to pay; level of acceptability; and other topics to help inform the development and implementation of an effective pilot program.
- b. Assess existing transportation system costs and payments
- c. Assess travel demand and transportation system impacts of the pricing alternatives, including:
  - o auto demand;
  - o transit ridership;
  - o multimodal walk, bicycle, New Mobility;
  - o freight;
  - o capacity of the existing and planned transit and transportation system to accommodate forecast shifts in demand;
- d. Assess the economic, environmental and social/equity impacts of the pricing alternatives including:
  - o user costs,
  - o household cost impacts by location and income, and
  - o Regional accessibility impacts;
- e. Establish goals and objectives for congestion pricing alternatives, informed by feedback from stakeholder engagement and advisory panels
- f. Develop initial list of pricing alternatives using factors such as location; potential variations in zonal systems as appropriate; extent of the highway and arterial network (e.g., to capture through-trips on the highway and arterial network); potential multi-modal enhancements on other modes, such as transit and active transportation; modifications to hours of operation, operating policies, and enforcement; variations in entry/exit charge points or internal movements; and potential variations in complementary measures (transit accessibility and service levels, other improvement initiatives including parking and traffic management projects).
- g. Identify the merits of each alternative at a high level, including, but not be limited to, the potential to improve person throughput, create mode shift, increase transit ridership, reduce congestion, and improve mobility. Additionally, this screening should consider the ease of implementation and likely stakeholder support.
- h. Define pricing structures (toll policy alternatives), including variable rates by location and time of day or time of week, potential discounts or exemptions

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- i. Examine integration with parking pricing policies
- j. Examine integration with other modes and mobility services
- k. Examine integration with Metro’s existing and upcoming portfolio of services (e.g. ExpressLanes, transit, Bike Share, Mobility on Demand, MicroTransit, etc) and those of other public and private mobility providers (e.g., ridehailing service)
- l. Examine existing incentives for employees and private businesses and recommend strategies to incentivize employers to stagger work shifts

The approach, methodology, modeling assumptions shall be sound and justifiable. The Contractor may recommend different or supplemental assessments that would effectively achieve the objective of this task and intent of the Project, with concurrence from the Metro project management team. Technical analysis should be balanced and closely coordinated with stakeholder and public engagement to ensure that the analysis includes input and feedback iteratively and before final detailed analysis is undertaken. Visuals and graphics shall be highly engaging and easy to understand by the general public.

### *Deliverables:*

- a. Draft and final memo that includes the following:
  - Summary of methodology and approach for conducting market research
  - Summary of market research overview, analysis, and findings
- b. Draft and final memo(s)/report(s) summarizing methodology, analysis, and findings from the initial screening and from the subsequent assessment, including b – l above. This shall include model parameters and assumptions, where applicable.
- c. Draft and final report that includes the following:
  - High-level definition of preliminary list of pricing alternatives
  - Detailed definition of at least four alternatives for more detailed evaluation based on high-level screening
  - Documentation of integration approach
- d. Visuals and graphics that are engaging and easy to understand by stakeholders and the general public

### **Task 6: Develop Technical and Policy Framework for Evaluation and Conduct Performance Evaluation of Congestion Pricing Alternatives**

The objectives of this task include:

- Develop and document the policy framework and methodology for evaluating alternatives defined in Task 5 and evaluate those based upon the methodology;
- Reach consensus on a preferred option; and
- Assess the impacts of free or reduced-fare public transit in the same corridor to determine whether that is worth offering as an added benefit.

The evaluation framework must include a policy element and a technical element. The policy element will focus on “what” criteria to include in the evaluation framework, based upon the alternatives defined under Task 5. Examples of evaluation criteria include stakeholder/ public acceptance; community, business, and economic impacts; transportation performance impacts; revenue generation; impacts of free or reduced-fare public transit in the same corridor; and revenue usage, as appropriate. The Contractor may suggest different or additional criteria in their response to this task, with concurrence from the Metro project management team. The technical element will focus on “how” the evaluation will be conducted. This will include the identification of appropriate models to use, measures to be



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produced in the models, and how other evaluation criteria will be addressed. Economic analyses should consider both the regional and localized impacts of alternatives, including impacts on various demographic groups.

The Contractor shall document its proposed evaluation framework, and then discuss it with the project management team, and present it to appropriate stakeholders. The Contractor shall compile the feedback, discuss changes to the proposed framework, and then finalize the framework in a memorandum, which will serve as the blueprint to guide the evaluation process.

The Contractor shall conduct the alternatives analysis in accordance with both the technical and policy evaluation framework and develop a report summarizing the results. As a part of this process, the Consultant shall implement all technical model modifications identified in the evaluation framework, including collection of data as appropriate, to analyze alternatives defined in Task 5. The Contractor may recommend a different method that would effectively achieve the objective of this task and intent of the Project, with concurrence from the Metro project management team.

### *Deliverables:*

- a. Draft and final memo that includes the following:
  - Proposed technical and policy evaluation framework
  - Model enhancement and data collection plan
- b. Draft and final report, include performance evaluation, traffic analysis, economic analysis, and preferred congestion pricing alternative
- c. Project-generated data files and enhanced travel demand model
- d. Visuals and graphics that are engaging and easy to understand by stakeholders and the general public

### **Task 7: Define Technology Requirements**

The objectives of this task include:

- Specify the functional requirements of technology for the pilot program, including toll collection, enforcement, traveler information, and other technology required for implementation.
- Research and identify emerging technologies for gathering data and collecting tolls to identify future options that are less infrastructure-intensive than current options.

System design criteria such as cost, performance, reliability, maintenance and operations, and simplicity will be critical in determining requirements that meet the proposed pricing program goals. Another consideration in developing the toll collection system for the pilot program will be integration with the existing Metro ExpressLanes system to provide a seamless experience for the traveling public. Metro's ExpressLanes System continues to evolve, so the Contractor shall consider opportunities for leveraging emerging technologies for gathering data and collecting tolls to identify future options that are infrastructure-light and more cost-effective. Technology evaluation will include identification of implementation costs and schedules; system deployment requirements, including technology infrastructure needs; institutional, legal, and enforcement requirements, including addressing privacy issues as applicable; and intelligent transportation systems (ITS) architecture requirements.

### *Deliverables:*

- a. Draft and final report that includes:
  - Summary of research findings,

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- Evaluation of technology options,
- Selection criteria and rationale,
- Functional requirements of appropriate technology

### **Task 8: Define Complementary Multimodal Mobility Services and Improvements**

The objective of this task is to identify the types of services, projects, and programs that should be in place before pricing is implemented, including transit service and other multimodal mobility services and infrastructure-light improvements needed to encourage and serve mode shift. The intent is to use the existing transportation system more efficiently rather than to widen roadways to add capacity.

The Contractor shall identify the complementary multi-modal mobility services and infrastructure-light improvements that need to be in place, both within and outside of the pilot area, before pricing is implemented. The multi-modal mobility services shall include a suite of transportation mode options, such as increased transit services (e.g., frequency or new bus routes), increased regional rail services (e.g. frequency), bicycle facilities, pedestrian enhancement, Transportation Network Company partnerships, other shared mobility options, or other innovative strategies to provide high-quality mobility options. The types of service and infrastructure improvements shall be identified based on pricing alternatives identified in Task 5 (Assess Transportation System and Define Congestion Pricing Alternatives) and Task 6 (Develop Technical and Policy Framework for Evaluation and Conduct Performance Evaluation of Congestion Pricing Alternatives) and with input from stakeholders. The program of services should respond to the specific travel demand that will be impacted by each congestion pricing alternative.

Once the pilot program area(s) has been identified, the Contractor shall inventory the existing transit services and other multimodal facilities, and develop a list of location-specific improvements that can be implemented in the short-term time frame of 12 months. These improvements may include, but are not limited to, enhancement to the existing transit services, new bus rapid transit or express bus services, microtransit, transit hub upgrades, bus lanes, signal queue jumpers and other transit priority treatments, bicycle and pedestrian infrastructure improvements, shared bike services, first and last mile connection, etc. Other innovative strategies to provide high-quality mobility options shall also be explored with community input. In addition, the Contractor shall develop a rough-order-of-magnitude cost estimate for each recommended improvement and an estimation of the mode splits with all the improvements combined. The Contractor shall also work with Metro and stakeholders to develop performance measures for the alternative travel modes. The Contractor is encouraged to think creatively and innovatively about how to implement temporary treatments, tactical urbanism, pop-ups, and other approaches that can help the public re-imagine the enhanced streetscape and gain support for such improvements. The Contractor shall work with the affected municipalities, Metro, and community stakeholders in concept development and recommendations.

#### *Deliverable:*

- a. Draft and final matrix and/or report summarizing types of service and infrastructure improvements for each pricing alternative.
- b. Draft and final report detailing the complementary multi-modal services, infrastructure-light, and near-term improvements for each of the alternatives and the location specific improvements pertaining to the pilot program area(s) to be implemented within a one year timeframe, should the Metro Board of Directors approve proceeding with implementation of a pilot program.

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### **Task 9: Assess Institutional and Legislative Requirements for Implementation**

The objectives related to this task include working with Metro’s Legal department on:

- Identifying how potential pricing scenarios and implementation of pricing will integrate with existing local, state, and federal legal frameworks, including, tolling, privacy, environmental laws.
- Outlining needed legislative authority at the local, state, and the federal level in order to conduct the pilot, should the Metro Board of Directors approve proceeding with implementation of a pilot program.
- Evaluation of Metro’s institutional arrangements and governance, Metro’s ability to administer and collect fees, issuance of bonds for financing capital expenditures, as needed, and agreements with private entities and government agencies.
- Identifying actions necessary to obtain approvals for: (1) collecting tolls; (2) incurring debt; (3) enforcing tolls; (4) procuring and contracting for design, construction, operation and maintenance; and, (5) financing.
- Clarify and identify strategy to demonstrate CEQA compliance for the pilot program should the Metro Board of Directors approve proceeding with the pilot program. The Contractor shall develop a CEQA compliance plan that includes, at a minimum, a preliminary recommendation, in consultation with Metro staff, and subject to the concurrence of Metro’s legal counsel, as to whether the Project is statutorily or categorically exempt from CEQA compliance. The preliminary recommendation shall be delivered within two (2) weeks after the start of work/kick off. If the preliminary recommendation concludes that the Project is not exempt from CEQA compliance, the Contractor shall make a recommendation as to what type of environmental review document (e.g., environmental impact report or mitigated negative declaration) would be required for the Project.

#### *Deliverables:*

- a. Draft and final technical report addressing the legislative and institutional requirements for implementing a pricing program
- b. CEQA compliance plan

### **Task 10: Develop Investment and Financial Plan**

The objective of this task is to develop a comprehensive investment and financial plan for the preferred alternative(s) defined in Task 6 (Develop Technical and Policy Framework for Evaluation and Conduct Performance Evaluation of Congestion Pricing Alternatives).

#### Infrastructure, equipment, and operational needs

Identify the infrastructure investments and operational needs for each of the congestion pricing alternatives developed for the Study (assuming the alternative is adopted and implemented). The capital investments and other needs should be consistent with the Task 11 implementation plan, and could include toll collection structures, transponders, technology, centralized administrative and operations facilities, improvements to existing transit, infrastructure improvements, etc.

In addition to capital investments, identify the activities needed to operate and maintain the congestion pricing alternative, which may include labor and expenses related to administration, maintenance, enforcement. The work could be performed directly by the assumed congestion pricing entity/enterprise, or privately contracted. If changes to existing transit service or streets and highways are part of the alternative, identify the change in transit operations provided by Metro or local operators, for both bus and fixed-route service, as well as any operational impacts on cities or other governments that could arise from modification to parking, use of street and roads, or other factor.

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### Cost and revenue estimates

Estimate the capital and operating costs for the identified infrastructure, equipment, and operational needs for each of the alternatives developed for the study. Include estimates for all significant costs that would be incurred by the congestion pricing entity/enterprise, and any affected transit or other public agency, which would need to be recovered or reimbursed. The cost estimates should be credible and reliable, in order to assess the feasibility of the enterprise.

Based on the identified mechanism or scheme used to charge travelers, provide the rates, number of trips charged, and total estimated revenue from the congestion pricing alternative. Revenue scenarios may be needed depending on the uncertainty of the estimate or to evaluate alternative rates or other aspects of the pricing mechanism.

### Financial plan

Using the estimate of costs and revenues, prepare annual sources and uses of funds, covering twenty years, for the entity/enterprise that is assumed to administer and operate the congestion pricing alternative. The costs should include upfront capital and debt costs associated with the identified infrastructure and equipment needs, ongoing operations and maintenance expenses and capital investments, and any payments made to other agencies as a reimbursement. The revenues should include the congestion pricing revenue, and any fines and penalties, parking fees, contributions in-kind or monetary payments from private and government entities, and assumed local, state, or federal grant funding.

Identify any net revenue from the congestion pricing enterprise that would be available for other non-enterprise uses, including transfers in excess of the reimbursement of costs to Metro, regional transit providers, or jurisdictions.

#### *Deliverables:*

- a. Draft and final report with accompanying narrative and numerical information for each congestion pricing alternative, including a description of the infrastructure, equipment, and operational needs; cost and revenue estimates; and financial plan.

### **Task 11: Develop Implementation Plan**

The objective of this task is to develop a detailed phasing and implementation plan, a concept of operations (CONOPS), design concepts and functional requirements, and integration with Metro's existing and future mobility portfolio. The implementation plan will draw upon the findings and recommendations from the analyses completed in previous tasks and also include a detailed financial plan.

The CONOPS will include identification of institutional roles/responsibilities in the collection, administration, and distribution of revenues; technology requirements; design concepts; and performance management. Additionally, monitoring plans will be developed to conduct before-and-after assessments of travel time savings, economic, environmental, and safety benefits, as appropriate.

#### *Deliverables:*

- a. Draft and final implementation plan, including design concepts, functional requirements, concept of operations, and financial plan for pilot program

**Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study**

**Attachment A: Statement of Work – Communications and Public Engagement Services for Congestion Pricing Feasibility Study**

**Attachment B: Concurrent Efforts Undertaken by Metro**

Title	Description	Access Link
Vision 2028 Strategic Plan	Metro’s 10-year strategic plan to improve mobility in Los Angeles County, adopted in June 2018.	<a href="https://www.metro.net/about/metro-vision-2028-plan/">https://www.metro.net/about/metro-vision-2028-plan/</a>
Equity Platform Framework	A multi-point equity platform that provides a basis for Metro to actively lead and partner in addressing and overcoming disparity among neighborhoods and individuals, adopted by Board in May 2018, and in process for developing and adopting performance metrics.	<a href="https://boardagendas.metro.net/board-report/2017-0912/">https://boardagendas.metro.net/board-report/2017-0912/</a>
Community-Based Organization (CBO) Partnership Strategy	Metro is developing an agency-wide CBO Partnership Strategy that will inform how Metro works and partners with CBOs on programs, projects, and initiatives. To align with Metro’s Equity Platform Framework, the Strategy includes how Metro provides opportunities to qualify and bid for contracts.	
NextGen Bus Study and World Class Bus Initiatives	Metro’s most recent bus study comes 25 years after its last system-wide overhaul. The purpose of the study is to understand the current transit market demand in LA County and to study Metro’s current bus system and how well it serves current and potential customers.	<a href="https://www.metro.net/projects/nextgen/">https://www.metro.net/projects/nextgen/</a>
MicroTransit Pilot	Metro is partnering with private sector teams to develop on-demand technology to increase access to Metro’s transit system and to improve the user experience of our customers.	<a href="https://www.metro.net/projects/microtransit/">https://www.metro.net/projects/microtransit/</a>
Long Range Transportation Plan (LRTP) Update and Our Next LA	LRTP’s purpose is to plan and program transportation investments comprehensively and thoughtfully using a participatory process. The LRTP is in the process of being updated to incorporate Measure M’s scope.	<a href="https://boardagendas.metro.net/board-report/2017-0548/">https://boardagendas.metro.net/board-report/2017-0548/</a>
Bus Rapid Transit Vision and Principles Study	Metro is in the process of conducting a Bus Rapid Transit Vision and Principles study, including development of Bus Rapid Transit design guidelines, performance metrics, and prioritized list of corridors.	<a href="http://media.metro.net/projects_studies/brt/report_BRT_VisionandPrinciples_2018-10-17.pdf">http://media.metro.net/projects_studies/brt/report_BRT_VisionandPrinciples_2018-10-17.pdf</a>
Comprehensive transportation system pricing study	Metro will be launching a study that analyzes pricing across all of Metro’s portfolio of services.	

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(future effort)		
Benchmarking modeshare study (to initiate in 2019)	Metro is beginning the process of establishing a baseline mode share for all trips and all purposes to track progress of Vision 2028 implementation	
ExpressLanes “Pay-As-You-Go” Pilot	In January 2019, Metro Board approved a one-year pilot of the “Pay As You Go” model, which allows drivers to use Metro Expresslanes without a FasTrak transponder.	<a href="https://boardagendas.metro.net/board-report/2018-0703/">https://boardagendas.metro.net/board-report/2018-0703/</a>
Metro ExpressLanes Low Income Assistance Program	Low Income Assistance Program for ExpressLanes	<a href="https://www.metroexpresslanes.net/en/about/plans_lowincome.shtml">https://www.metroexpresslanes.net/en/about/plans_lowincome.shtml</a>
I-10 ExpressLanes Busway Pilot Program	Implementation plan for the I-10 ExpressLanes Pilot Program	<a href="https://boardagendas.metro.net/board-report/2018-0562/">https://boardagendas.metro.net/board-report/2018-0562/</a>
ExpressLanes Strategic Plan	This Countywide ExpressLanes Strategic Plan builds on the success of the I-110 and I-10 Congestion Reduction Demonstration pilot program (also known as ExpressLanes) by establishing a vision for Metro to deliver a system of Express Lanes for Los Angeles County using a network approach to maximize regional benefits.	<a href="http://libraryarchives.metro.net/DB_Attachments/170111_Strategic_Plan_with_Appendices.pdf">http://libraryarchives.metro.net/DB_Attachments/170111_Strategic_Plan_with_Appendices.pdf</a>
ExpressLanes Tier 1 Network	Metro will be working to implement the ExpressLanes Tier 1 network over the next 10 years.	
TAP Card Integration and TapForce	Metro is making progress towards completion of TAP integration across a network of transportation services, including TapForce and TapWallet.	<a href="https://boardagendas.metro.net/board-report/2017-0775/">https://boardagendas.metro.net/board-report/2017-0775/</a>
Mobile app with trip information and fare payment for all mobility services	Metro is working on a new app that will allow for customers to plan and pay for trips using the app.	<a href="https://boardagendas.metro.net/board-report/2017-0272/">https://boardagendas.metro.net/board-report/2017-0272/</a>
Low Income Fare is Easy (LIFE) Program	Metro launched its LIFE program in early 2018.	<a href="https://boardagendas.metro.net/board-report/2017-0813/">https://boardagendas.metro.net/board-report/2017-0813/</a>
Customer Experience Plan and CEO’s Ridership Initiatives Progress Report	On June 21, 2018, the Board of Directors approved Motion 38 requesting staff to develop an Annual Customer Service and Experience Plan. Part of the Plan will include the status, accomplishments, objectives and challenges of Customer Service and Experience projects, beginning with the CEO Ridership Initiatives that were introduced to the Board in May 2018.	<a href="https://boardagendas.metro.net/board-report/2018-0668/">https://boardagendas.metro.net/board-report/2018-0668/</a>
First Last Mile	The Plan is an approach for identifying	<a href="https://www.metro.net/pr">https://www.metro.net/pr</a>

**Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study**

Strategic Plan & Planning Guidelines	barriers and planning and implementing improvements for the first/last mile portions of an individual’s journey.	objects/first-last/
Active Transportation Strategic Plan	The Active Transportation Strategic Plan (Plan) is Metro's county-wide effort to identify strategies to increase walking, bicycling and transit use in Los Angeles County.	<a href="https://www.metro.net/projects/active-transportation-strategic-plan/">https://www.metro.net/projects/active-transportation-strategic-plan/</a>
Systemwide Station Design Standards Policy and Transfers Design Guidelines	Metro’s Systemwide Station Design Standards guide all current and future Rail and Bus Rapid Transit (BRT) station designs to create a quality customer experience. The Systemwide Station Design raises the bar on station architecture, establishing a distinct unified identity for a world-class transit system.	<a href="https://media.metro.net/projects_studies/tod/images/approved_boardreport_systemwide_station_design_standards_policy.pdf">https://media.metro.net/projects_studies/tod/images/approved_boardreport_systemwide_station_design_standards_policy.pdf</a>
Transit Oriented Communities Demonstration Program and Transit supported planning programs	Metro supports TOCs through a programmatic approach, which includes land use planning and community development policies that maximize access to transit as a key organizing principle and acknowledge mobility as an integral part of the urban fabric. TOCs promote equity and sustainable living by offering a mix of uses close to transit to support households at all income levels, as well as building densities, parking policies, urban design elements, and first/last mile facilities that support ridership and reduce auto dependency.	<a href="https://www.metro.net/projects/transit-oriented-communities/">https://www.metro.net/projects/transit-oriented-communities/</a>
Other efforts undertaken by local governments, councils of governments, SCAG, and as identified by Metro		

This is a partial list; additional relevant studies and related efforts shall be referenced and incorporated whenever applicable.



**Attachment C: Relevant Documents and Related Efforts**

Title	Website
“Mobility Go Zone & Pricing Feasibility: Final Report,” SCAG. March 2019.	<a href="http://www.scag.ca.gov/Documents/MobilityGoZone_Report_FINAL.pdf">http://www.scag.ca.gov/Documents/MobilityGoZone_Report_FINAL.pdf</a>
“Falling Transit Ridership: California and Southern California,” UCLA ITS and SCAG. January 2018.	<a href="https://www.its.ucla.edu/2018/01/31/new-report-its-scholars-on-the-cause-of-californias-falling-transit-ridership/">https://www.its.ucla.edu/2018/01/31/new-report-its-scholars-on-the-cause-of-californias-falling-transit-ridership/</a>
Measure M Final Guidelines and Program Management Plan	<a href="http://theplan.metro.net/wp-content/uploads/2017/07/guidelines_measurement_2017-0714.pdf">http://theplan.metro.net/wp-content/uploads/2017/07/guidelines_measurement_2017-0714.pdf</a>
LA Metro Customer Satisfaction Survey 2017 Results	<a href="http://media.metro.net/about_us/vision-2028/Report_2017_Customer_Survey_Final_2018-0103.pdf">http://media.metro.net/about_us/vision-2028/Report_2017_Customer_Survey_Final_2018-0103.pdf</a>
“Pricing Roads, Advancing Equity,” by Stuart Cohen and Alan Hoffman. TransForm. 2019.	<a href="http://www.transformca.org/transform-report/pricing-roads-advancing-equity">http://www.transformca.org/transform-report/pricing-roads-advancing-equity</a>
Seattle DOT Transportation Equity Program	<a href="https://www.seattle.gov/transportation/projects-and-programs/programs/transportation-equity-program">https://www.seattle.gov/transportation/projects-and-programs/programs/transportation-equity-program</a>
San Francisco Muni Service Equity Strategy	<a href="http://www.sfmta.com/projects/muni-service-equity-strategy">www.sfmta.com/projects/muni-service-equity-strategy</a>
“How Fair is Road Pricing? Evaluating Equity in Transportation Pricing and Finance,” Brian Taylor, PhD. Bipartisan Policy Center. 2010.	<a href="https://bipartisanpolicy.org/wp-content/uploads/sites/default/files/BPC%20Pricing%20EquityFIN.pdf">https://bipartisanpolicy.org/wp-content/uploads/sites/default/files/BPC%20Pricing%20EquityFIN.pdf</a>
“Equity of Evolving Transportation Finance Mechanisms Special Report 303,” Transportation Research Board. 2011.	<a href="http://onlinepubs.trb.org/onlinepubs/sr/sr303.pdf">http://onlinepubs.trb.org/onlinepubs/sr/sr303.pdf</a>
“Assessing the Environmental Justice Effects of Toll Implementation or Rate Changes: Guidebook and Toolbox,” National Cooperative Highway Research Program (NCHRP). 2018.	<a href="https://www.nap.edu/catalog/24991/assessing-the-environmental-justice-effects-of-toll-implementation-or-rate-changes-guidebook-and-toolbox">https://www.nap.edu/catalog/24991/assessing-the-environmental-justice-effects-of-toll-implementation-or-rate-changes-guidebook-and-toolbox</a>

This is a partial list; additional relevant studies and related efforts shall be referenced and incorporated whenever applicable.

## **Attachment D: Audiences**

Metro will inform and engage a diversity of stakeholders with particular care to include the traveling public; Metro customers who use the agency’s portfolio of services; community-based organizations; faith-based institutions; the business community, including employers and freight industry representatives; labor organizations; transportation and transit advocates; and groups who serve the underrepresented populations in LA County. This would ensure a broad reach as well as obtain the most comprehensive input possible from diverse stakeholders. The Contractor may recommend additional audiences. Broadly speaking, the target audience for engagement fall into three categories, which at times may overlap:

- 1) The general public
- 2) Communities, including residents, workers, and businesses, directly affected by a pricing program
- 3) Other key stakeholders, which include, but not limited to:
  - Metro Customers
  - Metro Board of Directors
  - Metro advisory groups, including, but not limited to: Technical Advisory Committee and subcommittees, including Bus Operations Subcommittee, Local Transit Systems Subcommittee, Streets and Freeways Subcommittee; Policy Advisory Council; Accessibility Advisory Committee; Citizens Advisory Council; Aging & Disability Transportation Network; Transportation Business Advisory Council (TBAC)
  - Metro Service Councils
  - Advocacy organizations
  - Business associations: Los Angeles Area Chamber, Central City Association, Valley Industry & Commerce Association, San Gabriel Valley Economic Partnership, Local Chambers
  - Business community, including employers and freight industry representatives
  - Civic and governmental organizations, such as Southern California Association of Governments (SCAG), Caltrans, California Transportation Commission (CTC), Federal Highway Administration, departments of public health, auto clubs, academic community, Natural Resources Defense Council (NRDC)
  - Community based organizations
  - Commuter Association
  - Councils of Governments and other related sub-regional agencies
  - Educational institutions: K-12 School Districts, Community Colleges, Universities
  - Faith-Based Institutions and Metro’s Inter-Faith Council
  - Jurisdictions and elected officials (federal, state, county, city)
  - Labor organizations
  - Medical Health Center Providers
  - New mobility providers, such as Uber, Lyft, Bird, Lime
  - News media (print, broadcast, web, social)
  - Partner/Governmental agencies (county, state, and federal organizations)
  - Social equity and environmental justice groups
  - Tourism Related Organizations: LA Visitors and Convention Bureau, Hollywood Chamber
  - Transit providers (municipal and local operators, regional rail, Metrolink, paratransit, DASH, and others)

## **Attachment E: Proposed Advisory Panels**

Metro proposes to develop two advisory panels associated with the Congestion Pricing Feasibility Study (Study). These are as follows:

### Panel 1: Users of the Transportation System

This panel is intended to ensure that as Metro conducts the Study, we are bringing users of the system in to learn about it and react to it regularly.

- **Types of Participants:** Comprised of local residents and users of the transportation system, including people who use transit, walk, bicycle, drive, transport goods, use other modes, with representation from across the region.
- **Roles of participants:** Provide ongoing guidance and advice to ensure that the congestion pricing program addresses the needs of the transportation users and maximizes benefits
- **Recruitment:** Established through the Congestion Pricing Feasibility Study Communications and Public Engagement Contractor (Contractor) to ensure the group is representative of the region’s diverse population. The panel may consist of 20-30 representatives. Consideration will be given to age, cultural and gender identity, income, geography, and mode of transportation.
- **Level of commitment:** Participate in workshops, meetings, and in person and online engagements. Participants will be compensated through a stipend and they may choose to waive it.
- **Notes:** If necessary, refreshments, travel, translation/interpretation services, and childcare service will be provided to ensure these participants can conveniently participate in this process.

### Panel 2: Stakeholders

This panel would be composed of representatives from major regional stakeholder groups representing organizations across four constituency groups. The categories include the following (numbers approximate):

- 1) **Transportation Consumers** (2 representatives) – Representatives from groups who use or would be impacted by our complex transport system and a congestion pricing program. Consumers comprise a diverse coalition representing the interests of disadvantaged communities; older adults; individuals with disabilities; students; business and small business; labor; social justice organizations; representatives in the social equity community with a focus on social justice, low-income communities and the environment. We encourage Consumer representatives to network and work collaboratively through partnerships with other like organizations in order to maximize participation and input in the process.
- 2) **Transportation Providers** (2 representatives) – Those who supply or regulate transportation infrastructure and services. Providers represent a wide range of agencies and organizations that play a pivotal role in the provision of transportation/transport and planning services. This includes representatives from municipal and local transit operators, ports, airports, private providers (e.g., ridehailing companies), Caltrans, etc. It is important that these

## Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study

representatives keep their constituencies informed and seek input from key stakeholders within their organizations and keep their counterparts informed and seek their input.

- 3) **Government** (3 representatives) – Representatives of agencies accountable to the needs of consumer and provider constituencies that directly control public right of way or work on issues that intersect with transportation and a congestion pricing program.
  - 4) **Academia/Nonprofit** (3 representatives) – Researchers and academic professionals with experience in road usage charging, mobility pricing, and specific expertise on equity.
- Roles of participants: Provide ongoing guidance and advice to ensure that the congestion pricing program addresses the needs and concerns across the region’s diverse stakeholder groups, captures the tremendous opportunities and synergies across constituencies and interests, and leverages the participant’s network of contacts to expand the reach of the study. Members do not represent their individual organization on the advisory panel, but rather the constituency related to the seat.
  - Recruitment: Identified and selected through an open application process initially. For categories that are not fully represented through the application process, Metro and its Contractor will reach out to individuals in those categories to invite participation. The panel will consist of approximately 10 representatives. Selection criteria include individuals who can best respond to the following:
    - 1) Describe how you are uniquely qualified to fulfill the responsibilities and requirements of the Advisory Council representative role.
    - 2) State the nature and breadth of the network/outreach at your disposal.
    - 3) Describe your relevant experience and knowledge of the subject matter.
    - 4) Optional: Provide personal/professional references related to your responses from #1-3 above.
  - Level of commitment: Participate in meetings and workshops during the initiation of study, major milestones, and recommendations. The Study Team will also be available to meet one-on-one with participants outside of established meetings and workshops upon request.
  - This advisory panel is convened to provide Metro with a venue to hear and learn diverse perspectives as the Study gets underway. Beyond the advisory panel, Metro anticipates that many additional stakeholder groups and individuals will be interested in participating in this process and will provide additional opportunities for those stakeholders to participate through other means and forums.

### OEI Advisory Board

In addition to the panels above, the Office of Extraordinary Innovation (OEI) Advisory Board has already been established. This Board already includes some experts on congestion pricing, but OEI will add to that knowledge by bringing in a few more people from beyond California, and creating a Congestion Pricing subcommittee.

- Comprised of representatives from peer agencies and academia with experience in road usage charging and mobility pricing.

### **Attachment C: Statement of Work – Technical Services – Congestion Pricing Feasibility Study**

- Roles of participants: Provide independent perspectives on the conceptual and practical aspects of proposals under consideration.
- Recruitment: Use existing OEI Advisory Board and add additional members based on Metro's network of contacts of congestion pricing researchers and peer agencies.
- Level of commitment: Participate in meetings during the initiation of study, major milestones, and recommendations.

Note: For participants traveling from out of town, a travel stipend will be provided and they may choose to waive it.

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

### **STATEMENT OF WORK – COMMUNICATIONS AND PUBLIC ENGAGEMENT CONGESTION PRICING FEASIBILITY STUDY**

#### **INTRODUCTION**

The Los Angeles County Metropolitan Transportation Authority (Metro) is seeking a qualified firm to conduct stakeholder and public engagement for a Congestion Pricing Feasibility Study (Study or Project). The Contractor shall support Metro to develop and implement a comprehensive and robust Stakeholder and Public Engagement Plan that supports the goals of the Study. Metro encourages innovative, effective, and creative approaches that engage the diverse communities of Los Angeles County, with special attention to historically underserved and disadvantaged populations. In addition, the approach shall engage targeted stakeholders as well as the general public in re-imagining a transformative, high-quality mobility future. This future will be enabled by a pricing strategy and other actions Metro will be undertaking to create a world-class transportation system, as described in the agency's 10-year strategic plan, Vision 2028. (This document can be accessed at [metro.net/vision2028](http://metro.net/vision2028)). In addition, the Contractor needs to fully understand the technical work and phases of the tasks involved that will be conducted by the technical contractor, which is under a separate contract. See Attachment A for the Request for Proposal technical scope of services for the Study. The Communications and Public Engagement Plan shall be consistent with Metro's Equity Platform Framework (See Attachment B) and comply with Title VI and environmental justice directives (See Attachment C). The Contractor shall coordinate with concurrent efforts undertaken by Metro, including, but not be limited to, those listed in Attachment D and relevant documents in Attachment E.

Metro serves as regional transportation planner and coordinator, designer, builder, funder, and operator for one of the country's largest, most populous counties and employs approximately 10,000 full-time staff. Approximately 10 million people live, work, and play within its 1,433-square-mile service area. In 2017, LA County welcomed 48.3 million visitors, which was record breaking, and 50 million visitors are anticipated in 2020.

#### **BACKGROUND**

Los Angeles County is currently home to more than 10 million people and its population is projected to grow to 10.75 million by 2028. This means that an increasing volume of people and goods will need to travel on a transportation network that is already inadequate in serving their needs. Overall consumption in the region is expected to intensify the conflicts between passenger and goods movement. Optimizing system capacity to accommodate new growth will be necessary to ensure that the region can meet these new demands and remain economically competitive in the global marketplace. Significant investments are needed, both to shore up an aging system of roadway and transit infrastructure, as well as to expand and fully utilize available capacity to ensure continued delivery of safe and reliable transportation services.

Historically, transportation policies and investments in LA County have prioritized single-occupancy travel in private passenger vehicles at the expense of providing other high-quality travel alternatives. The result is an inequitable transportation system that exacerbates the divide between those who have the access and means to drive and those who do not, while providing inadequate options for both groups. This system is not sustainable from an economic or environmental perspective. As more people turn to driving alone for speed and convenience, mobility and air quality for all individuals suffer due to the inefficient use of existing roadway space. Changing this paradigm and raising the quality of multiple transportation options is essential to delivering a system that provides better mobility for everyone. This means investing in high-quality transit options that can carry more people in less space, creating

**Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

incentives to reduce solo driving, providing other quality multimodal options, and removing incentives that further exacerbate transportation inequities. Metro seeks to align its policies and investments across its portfolio of programs and services to provide more high-quality transportation options for people and, equally important, effectively manage demand from all users.

Metro is studying congestion pricing as a transformational approach to address the widely shared desire to genuinely reduce congestion, improve mobility and air quality, improve equity, and ultimately provide a more sustainable and resilient LA County for all. The Congestion Pricing Feasibility Study will investigate the feasibility and framework for conducting a congestion pricing pilot program with the intent to expand the program in the most traffic-clogged parts of LA County, upon approval of the Metro Board of Directors. The Study will include extensive, comprehensive, and genuine community and public engagement throughout the process.

**PROJECT OBJECTIVE**

The objectives of the Study include:

- To investigate the feasibility and framework for testing and implementing pricing strategies to reduce traffic congestion and to dramatically improve equity, mobility, and environmental outcomes
- To extensively, comprehensively, and genuinely engage stakeholders and the public in this Study process to help solve the traffic problems in Los Angeles County and develop widespread support for a pilot program
- To identify location(s) for a pilot program and establish an implementation plan

The Contractor shall provide communication services for stakeholder and public engagement for the Congestion Pricing Feasibility Study. All deliverables rendered under this contract shall be in accordance with each task description outlined under the Scope of Services.

**PROJECT MILESTONE SCHEDULE**

The performance period for the Congestion Pricing Feasibility Study shall be up to 24 months from the Notice to Proceed. The Contractor shall propose a realistic and effective project milestone schedule and timeline that meet the intent and outcome of this scope of services and take into consideration the technical work, which is under a separate contract.

<b>Milestone</b>	<b>Anticipated Completion</b>
Start of work/kickoff	Upon contract award
Project Management Plan submitted to Metro	Two weeks after contract award
Draft Communications and Public Engagement Plan submitted to Metro	Four weeks after contract award
Final Communications and Public Engagement Plan submitted to Metro	Six weeks after contract award
Completion of Congestion Pricing Feasibility Study	Up to 24 months after contract award

Note: All dates and timelines are tentative and subject to change.

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

### **MINIMUM QUALIFICATIONS**

Minimum qualifications are required for a Contractor to be eligible to submit a proposal response. Your submittal response must show compliance to these minimum qualifications. Those that are not responsive to these qualifications shall be rejected by Metro without further consideration:

- Key project team members have demonstrated expertise and a minimum of five years of experience working on stakeholder and public engagement strategies that have resulted in successful implementation of congestion pricing, tolling, or programs that use pricing to manage demand in transportation
- Key project team members who understand the local and regional political landscape and the transportation context of Los Angeles County and have stakeholder and public engagement experience in Los Angeles County
- Key project team members with background and experience in conflict resolutions around contentious issues
- Key project team members with knowledge and experience in environmental and social justice issues, with background and experience working in and with environmental justice communities

### **GUIDING PRINCIPLES**

To ensure the Congestion Pricing Feasibility Study process is inclusive of Los Angeles County's diverse communities, needs, and aspirations, Metro has established the following Guiding Principles for this work effort:

- Openness to creativity and innovation.
- Extensive public input and outreach, as directed by Metro, to ensure buy-in and understanding of opportunities and tradeoffs with key decision makers, municipalities, other key stakeholders, and to be inclusive of LA County's diverse communities.
- Acknowledgement of Metro's fiscal constraints and the Agency's role as stewards of public funds.
- Outreach and engagement strategies that reach all nine sub-regions of LA County and reflect the diverse communication needs of the region.
- Materials and engagement opportunities conducted in languages appropriate to the communities we serve.
- Targeted outreach implemented through grassroots organizations and partnering with community-based organizations, faith-based organizations, and other relevant groups.

The Contractor shall ensure that their work plan is reflective of and demonstrates how they will adhere to the above Guiding Principles and integrate them into their proposed work plan.

### **SCOPE OF SERVICES**

The scope of services for the Congestion Pricing Feasibility Study is divided into two components:

- Communications and Public Engagement Plan and Implementation Services (Under this RFP)
- Technical Services (Under a separate RFP)

The Proposer may offer a response to Metro's Request for Proposal (RFP) for one or both of these project components. While Metro recognizes that selecting one contractor team for both components may provide attractive efficiencies, it also aims to secure the most-qualified assistance for this Project. A contractor team proposing a response for both components may be asked to participate in two separate interviews, as appropriate.

Throughout this Project, work activities and analyses shall be coordinated and integrated



## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

across the parallel activities related to the two project components: A) Communications and Public Engagement Plan and Implementation Services and B) Technical Services (under a separate contract). The Contractor shall ensure that major overlaps are coordinated. Whether proposing on one or both components, the Contractor shall clearly identify major overlaps and identify how those will be addressed.

The performance measures by which the Contractor shall be measured will include the following:

- Number of people engaged over time
- Increasing support from stakeholders/public over time (e.g., letters of support, public sentiment tracking)
- Socio-economic diversity of people and groups engaged throughout the course of the Study

### ***PART 1 – CONGESTION PRICING FEASIBILITY STUDY***

#### **Task 1: Project Administration, Management, and Coordination**

##### **Task 1.1 General Project Administration, Management, and Coordination**

The Contractor shall provide management and any necessary staff to plan, organize, direct, supervise, control, and coordinate the administrative aspects of the Project, including contract and subcontract administration, accounting/invoicing, office services, and personnel administration.

The Contractor shall closely communicate with Metro’s Project Manager (PM) and designee and provide updates to the Project weekly, biweekly, or as needed and during key milestones; provide dates, times, and locations of upcoming key meetings; identify issues that may impact the Project’s implementation or schedule; and recommend and implement actions to keep the Project on schedule and budget.

The Contractor shall establish a method to identify potential cost overruns and maintain project budget. The Contractor shall be responsible for overseeing quality control and ensuring that all deliverables are in line with Metro’s requirements. The Contractor may be part of a project team consisting of other outside Contractors, Metro cross-departmental representatives, partner organizations, and third party stakeholders and shall work collaboratively and effectively within this team environment.

The Contractor shall develop a Project Management Plan that includes, at minimum, project meeting schedule, a detailed breakdown of the project costs by task/subtask, a detailed staffing plan by task/subtask, organizational chart, a detailed schedule for each work task/subtask and an overall work flow chart identifying critical work path items. The Project Management Plan shall provide the basis by which the project status will be measured and shall include methods to identify potential cost overruns and maintain project budget.

All reports, memoranda, and documents identified as deliverables in this and subsequent tasks shall be sent electronically to Metro’s PM. The Contractor shall closely communicate with Metro’s PM and provide updates, which may include teleconference or in-person meetings with Metro.

##### ***Deliverables:***

- a. Arrange, schedule, and staff necessary meetings and coordination and provide logistical support where necessary
- b. Draft and final Project Management Plan

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

### **Task 1.2 Project Status Meetings**

The Contractor shall participate in project status meetings with Metro's PM and representatives from Metro's Communications Department (e.g., Marketing, Community Relations, Public Relations) on a weekly basis during the initial phase of the Study and then on an as needed basis during the remainder of the contract period to discuss and coordinate communication-related activities. The Contractor shall prepare agendas in consultation with Metro's PM. Meeting agenda draft shall be provided to Metro's PM at least two business days prior to the meeting. The Contractor shall provide meeting summary, including action items, to Metro's PM within two business days after the meeting.

The Contractor shall also participate in project status meetings with Metro and the Technical Contractor bi-weekly or as needed for the duration of the contract to coordinate overall project-related activities. The agenda for these meetings shall be prepared by the Technical Contractor, which is under a separate contract, in consultation with Metro's PM.

The purpose of the meetings shall be to coordinate work activities; refine assessment methodology; identify strategies, as necessary, for CEQA compliance; report and document project status; discuss and identify any unforeseen issues; highlight problems and corrective measures; recommend action plans proposed to keep project on schedule and budget; discuss any work products; prepare for advisory panel and other outreach meetings; and present next steps.

#### *Deliverables:*

- a. Meeting agenda and summary, including action items, in electronic Microsoft Word format. Meeting agenda draft shall be provided to Metro's PM at least two (2) business days prior to meeting. Meeting summary shall be provided to Metro's PM within two (2) business days after meeting.
- b. Project meetings with Metro
- c. Project meetings with Metro and the Technical Contractor

### **Task 1.3 Online Electronic Document Repository**

The Contractor shall provide a secure online electronic document repository for the duration of the contract. The Contractor shall provide an index file and table of contents for ease of document access. The repository shall be updated within two (2) working days of the distribution of the deliverable. All printed deliverables submitted shall have a corresponding electronic file submitted to this repository as a controlled document, unless otherwise indicated by Metro's PM. Upon completion of the Project or at the request of Metro, all contents shall be transferred to Metro. The Contractor shall work with Metro's PM on the organization of the repository and contents to be stored and uploaded. The Contractor shall update and maintain the repository for the duration of the contract. The Contractor shall use existing software or tools that are readily available on the market, rather than creating new software to perform this task.

The purpose and functionality of the repository shall include, but is not limited to:

- Consolidation, search, storage, browsing, retrieval, and version tracking of all deliverables.
- Ability to store related files (e.g., comment/review files, attachments, etc), with no limits on file size.
- Allows Metro to establish accounts for others to view the materials, through a secure system that supports varying levels of privileges, permissions, or other account configuration options as needed to control access rights. Also allows Metro to adjust these privileges, permissions, or other account configuration parameters on demand.
- Allows Metro to provide formal digitally signed acknowledgement of acceptance of those deliverables as instructed by Metro.

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

- Allows for nested folder structures for file organization.
- Supports the storage and display of extended metadata including: Title/Subtitle, Date, Authors, Contact Information for Authors, Contract number, Type of deliverable (draft, final, etc), Abstract, Distribution Statement (e.g., restricted, unrestricted), number of pages.
- Contain documentation related to this Project, including, but not be limited to, the Contractor's Project Management Plan, Communications and Public Engagement Plan, key correspondence, reports, maps, photos, videos, graphics, project deliverables, key contacts, etc.

Deliverables:

- a. Set-up and maintain a secure, online repository; training materials; and user guide.

### **Task 1.4 Support Metro's Salesforce Customer Relationship Management Tool**

The Contractor shall provide support to help Metro manage its Salesforce Customer Relationship Management tool for this Project. Metro already has access to the Salesforce Customer Relationship Management tool. The tool is intended to help coordinate and manage external interactions and relationships, manage large contact lists, send e-blasts to specific groups, conduct data analytics, create customer profiles to develop or target services, and other tasks.

### **Task 2: Conduct Stakeholder and Public Engagement, Outreach, and Market Research**

The objectives of this task include:

- Establish grass-roots and widespread support for a pilot program
- Identify stakeholders, individuals and organizations, to engage
- Establish multiple forums and methods for meaningfully engaging with stakeholders and communities, such as in-person and virtual meetings, pop-ups, social media platforms, surveys, and a variety of other methods specific to the context and needs of different communities
- Inform project development and implementation of a pilot program

The Contractor shall work with Metro to recommend, prepare, and execute a comprehensive strategy to listen, inform, and engage stakeholders and the general public in order to achieve the objectives of the Project. Particular care should be taken to include the traveling public; Metro customers who use the agency's portfolio of services; community-based organizations; faith-based institutions; the business community, including employers and freight industry representatives; labor organizations; transportation and transit advocates; and groups who serve the underrepresented populations in LA County. This would ensure a broad reach as well as obtain the most comprehensive input possible from diverse stakeholders. Attachment F includes the categories of audiences that will be included in this process. The Contractor may recommend additional audiences. When applicable, the Contractor shall provide refreshments, translation/interpretation services, and childcare service to ensure that participants can conveniently participate in the process.

#### **2.1 Gauge Public Opinion**

The contractor shall conduct public opinion polling at strategic iterations throughout the Project to gauge levels of public awareness and support of congestion pricing and other topics to help inform the development and implementation of an effective pilot program. This may include focus groups, surveys, or other means, which may be conducted by phone, in-person, and/or online. The Contractor may recommend other creative, effective, and innovative strategies to collect information and analyze data to capture the intent of this task.

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

### **2.2 Conduct Stakeholder and Public Engagement**

The Contractor shall recommend and conduct, with Metro’s approval, innovative, effective, and creative approaches that engage the diverse communities of Los Angeles County, with special attention to historically underserved communities. In addition, the approach shall engage targeted stakeholders as well as the general public in re-imagining a transformative, high-quality mobility future, one that can be enabled by a pricing strategy and other actions Metro will be undertaking to create a world-class transportation system, as described in Vision 2028. The Contractor is encouraged to think creatively and innovatively about how best to present concepts in an engaging way that is easy to understand and identify with lived experiences. The Contractor shall work closely, collaboratively, and effectively with the project team to ensure that information, analysis, and findings are closely shared and used iteratively to inform stakeholder and public engagement.

#### Advisory Panels

The Contractor shall help Metro establish, recruit, staff, and facilitate advisory panels associated with the congestion pricing initiatives. See Attachment G for more information. The Contractor may recommend supplemental approaches. The Contractor shall plan and oversee meeting logistics. The Contractor shall be responsible for providing the necessary, travel, translation/interpretation, refreshments, and childcare services to ensure that participants can conveniently participate in this process. The Contractor shall provide support to the Technical Contractor, who will be leading the preparation of the presentation materials and content for the advisory panel meetings. The Contractor shall assist in the development of materials, visual information, and activities to help facilitate understanding, comprehension, and engagement with the target audience, to get meaningful input, and to inform the path forward.

#### Support Development of Equity Strategy

In collaboration with the Technical Contractor, the Contractor shall support development of an equity strategy to:

- Understand population groups, modes (including freight), and geographies that would be affected by different pricing models;
- Assess the potential negative and positive impacts of a congestion pricing strategy on historically underserved or disadvantaged populations, as it affects their mobility access to jobs, housing, and other opportunities; and
- Assist Metro in developing an equity strategy for congestion pricing to improve outcomes for underserved or disadvantaged populations.

As a reference, see the 2019 study published by TransForm called *Pricing Roads, Advancing Equity*. In collaboration with the Technical Contractor, who will be leading the equity impact assessment, the Contractor shall engage disadvantaged populations and those who represent such groups to seek meaningful input throughout the duration of the Project. These will include looking at both minimizing negative and disproportionate impacts of the proposed congestion pricing approach as well as considering the opportunities to use road pricing to redress systemic inequities across targeted communities. The Contractor shall establish partnerships with community-based organizations (CBOs) throughout the duration of the Project to reach targeted communities. Given the limited staffing and resources of such organizations, the Contractor shall budget for stipends and other necessary compensation to ensure that partnerships with these CBOs are mutually beneficial. When applicable, the Contractor shall coordinate with Metro’s CBO Partnership Strategy, which is currently in the early stages of development.

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

### **2.3 Conduct Public Education and Engagement**

The Contractor shall develop and implement a strategic public education campaign to help the public re-imagine a transformative mobility future. The campaign shall be targeted, compelling, resonate with different audiences, and may be informed by information from Tasks 2.1 and 2.2. Such campaign may include, but not be limited to, online strategies, social media, news media, tactical urbanism, visualizations, or other creative means that can reach a wide audience reflective of the diversity of the Los Angeles region.

#### *Deliverables:*

- a. Draft and final memo summarizing methodology and approach for conducting public opinion polling, analysis, and findings
- b. Draft and final Communications and Public Engagement Plan
- c. Recruitment plan for advisory panels; participant rosters
- d. Partnership agreements with community-based organizations
- e. List of contact information of individuals, organizations, and targeted audiences
- f. Collateral materials; presentation templates; digital graphics for PowerPoints, newsletters, e-blasts, and webpages; digital communications; project website and social media tools; and other materials and tools
- g. Summary documentation of outreach meetings/workshops conducted
- h. Summary documentation of public comments and feedback at project milestones and decision points
- i. Draft and final Public Education and Engagement Plan, summary of analytics and campaign effectiveness, including performance measures

### **3: General Support**

The Contractor shall provide the following support, as needed:

- **Copywriting, Copying, Printing and Mailing Support** in consultation with Metro PM and Communications staff, the Contractor shall develop copy, messages and text for both print and electronic informational and outreach materials including, but not be limited to, fact sheets, frequently asked questions, take-ones, brochures, posters, blog posts, and flyers.
- **Community meeting logistics, planning, and facilitation**, including public comment tracking for in-person and web-based meetings and supporting Metro's efforts to conduct telephone town hall meetings.
- **Development of Graphic Design, Photography, Digital and Video Production** by providing content for populating Metro-provided templates or develop content consistent with Metro guidelines.
- **Digital, graphical, map, photo and video editing and strategies** to enhance public participation and engagement.
- **Special event planning and outreach** staffing as needed for special events, community events, and festivals.
- **Door-to-door canvassing and literature distribution.**
- **Multi-ethnic/multi-lingual interpretation and translation services.**
- **Targeted outreach support** to community groups and stakeholders to reach and engage diverse audiences.
- **Innovative methods for reaching diverse community stakeholders** with activities and tools to reach a wide spectrum of stakeholders, including historically underserved communities.
- **Opinion research** in the form of public opinion research, focus groups, an online engagement tool, and online polling.

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

- **Monitor media and social media** to track public sentiment on relevant issues and reaction to any public events on the topic.

The Contractor shall detail how their team shall perform each of the support services to address the statement of services for the Congestion Pricing Feasibility Study stakeholder and public engagement effort.

### **PART 2 - OPTIONAL SCOPE ITEMS – IMPLEMENT A ROBUST COMMUNICATIONS AND PUBLIC ENGAGEMENT PLAN FOR A PILOT PROGRAM \*Written authorization by Metro is required for this Task.**

#### **Task 4: Continuation and Updating of Part 1 Activities**

Should the Metro Board of Directors authorize the implementation of a pilot program, the Contractor shall continue activities begun in Part 1. The Contractor shall submit a revised Project Management Plan and Communications and Public Engagement Plan that reflects information and input gathered to date in the Study, including:

- Revised recommendations pertinent to the new phase;
- Key areas of focus for outreach in the new phase;
- Other pertinent information; and
- Rationale for the revised recommendations.

#### *Deliverable:*

- Draft and final Project Management Plan Revision
- Draft and final Communications and Public Engagement Plan Revision

**Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

**Attachment A: Statement of Work - Technical Services for Congestion Pricing Feasibility Study**

**Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

**Attachment B: Equity Platform Framework**





## Board Report

File #: 2017-0912, File Type: Policy

Agenda Number: 21.

**REVISED  
EXECUTIVE MANAGEMENT COMMITTEE  
FEBRUARY 15, 2018**

**SUBJECT: METRO EQUITY PLATFORM FRAMEWORK**

**ACTION: ~~RECEIVE AND FILE~~ APPROVE METRO EQUITY PLATFORM FRAMEWORK**

### **RECOMMENDATION**

APPROVE Metro's Equity Platform Framework.

### **ISSUE**

Access to opportunity should be a core objective of public decision making, public investment, and public service - and transportation is an essential lever to enabling that access. Unfortunately, there exists vast disparity among neighborhoods and individuals in Los Angeles County in their ability to see and seize opportunity - be it jobs, housing, education, health, safety or other essential facets of thriving in vibrant, diverse communities. A multi-point equity platform provides a basis for Metro to actively lead and partner in addressing and overcoming those disparities.

Metro staff does not approach the subject of equity lightly or uninformed. The adoption of Measure M included performance metrics that were tied to disadvantaged communities. The major revision to the Long Range Transportation Plan has committed to incorporating equity as a crosscutting issue since its introduction to the Board in February 2017. The Policy Advisory Council has flagged this as a major topic of interest. Most importantly, recent and engaged experience with community members with several projects (i.e., First/Last Mile planning, the Transformative Climate Communities grant for Rail to Rail, and a body of innovative workforce development initiatives) all underscore both the timeliness and urgency that equity considerations bring to Metro's portfolio. In addition, staff informally reached out to representatives from academia, foundations, advocacy organizations and local government in developing this platform. Their demonstrated experience in research and collective action, and their candid feedback on challenges and opportunities in the equity space were invaluable.

### **DISCUSSION**

Metro's multi-point equity platform is wrapped around four pillars.

First, we need to define a common basis for talking about and building an agenda around equity, and how to improve it.

- Equity holds different perspectives and priorities for everyone and anyone who will be part of

this conversation.

- At its core, *inequity* exists when there are fundamental differences in access to opportunity, not just with respect to where you begin, but in your capacity to improve from that starting position.
- Historically and currently, race and class have largely defined where these disparities are most concentrated: in poor, minority communities throughout LA County. Age, gender, disability, and residency also can expand or constrain opportunities.
- It would be presumptuous to begin a truly inclusive conversation with a pre-determined definition of “equity” and all its facets, but Metro can enter into that conversation committing to the following:
  - Establish meaningful goals around a shared definition of equity and actions to achieve those goals.
  - Define metrics to evaluate outcomes and consider redirected actions if needed. It will be particularly critical to infuse equity-based performance metrics in Metro’s investment decisions. These cannot be the only investment considerations. Transportation is rife with tradeoffs. But equity metrics need to be definable, impactful, measurable, accountable, and at the front end of the analysis, not the back end.
  - Seek and invite the diverse range of voices that must participate with Metro in accomplishing the above. Importantly, we need to proactively reach out to those who have remained on the margins of decision-making in the past. These will include historically underserved communities and organizations that represent them. But we must also reach out and hear voices that may not be aligned with established groups.

Second, Metro needs to establish comprehensive, multiple forums to engage the community meaningfully and actively in pursuit of the first step discussed above. An important opening conversation with LA’s community members would address: a) where they believe achieving equity has been problematic - broadly, and specific to transportation’s role; and b) where improved relationships, partnerships and actions aligned with Metro’s portfolio of responsibility can be defined to advance more equitable transportation outcomes going forward.

- This will be a challenging conversation, insofar as it requires the Metro as Board and staff to invite the community to articulate where it has experienced, in fact deeply felt, inequity in Metro’s past. This isn’t a platform for Metro to defend or be defensive; people feel what they feel, and it is going to be impossible to define a new path and build a different position of trust if past experience is not given voice and legitimacy.
- That said, the main point of this conversation forum should be to learn and move forward based on that acknowledgement. This may require reconciling divergent opinions to arrive at some shared goals and actions. Actions going forward may redress past ills - that is to be determined - but they certainly should not repeat them, if at all possible. It is also an opportunity to discuss with community members those initiatives where Metro has actively tackled disparity gaps, such as its growing portfolio of workforce development initiatives.
- Advice and best practices on how to effectively have these community-driven conversations

will be key.

- Metro can start with lessons learned from other cities across the country. San Francisco, Seattle, Oakland and others all have models to tap.
  - These forums would benefit from professional facilitation. Foundations have established several venues that Metro might pivot from (e.g. the on-going national Strong, Prosperous and Resilient Communities Challenge (SPARCC) Initiative includes Los Angeles as a participating city - LA Thrives coalition is the local lead; the California Endowment and others have underwritten numerous initiatives across the County); or seek new support.
- As noted at the outset, Metro consulted with equity thought leaders whose advice informed the core of this platform. Retaining this cross-sectional consultation will be critical to successfully implementing a platform that requires dedication and time. In particular, the community forums envisioned will benefit from a circle of demonstrated leaders. We certainly don't hold all the keys on issues, and making use of the rich resources around us is essential.
- A key step will be to establish a formal or informal advisory group supporting the equity platform, and to incorporate, as appropriate, the equity agenda into existing advisory groups.
- In addition, the following initiatives are also suggested:
- Actively develop and invest in a Community Based Organization (CBO) oriented public engagement program. This approach may not be applicable to every Metro investment, program or activity located in, or otherwise impacting, LA County's historically underinvested (HU) communities. As stated above, we must be mindful that any single group does not represent all voices in every community. However, this approach should be added to and implemented as part of our public process, if we are going to establish and maintain legitimacy within impacted communities when addressing equity issues that they themselves are experiencing directly.
  - Invest in the transportation technical capacity of local governments that serve HU communities. Metro cannot and should not be the sole partner in all transportation or transportation-impacted decisions, legally or practically. And traditional funding and regulatory programs in particular assume effective participation by local jurisdictions. In short, strengthening cities that are home to equity communities is probably a core requirement for a more equitable County. This assistance can range from delivering transportation improvements swiftly and effectively to competing for discretionary funding more successfully; to better supporting more community-inclusive decision-making around transport investments.

Third, the Long Range Transportation Plan (LRTP) must have a concentrated focus on equity. There are two major arenas for that focus to take root.

#### Where Metro **Leads**

- First and foremost, we must tackle impacts of the LA County's transportation system under our

direct responsibility via Metro's role as transportation planner, operator, builder and funder. As such, equity is a "cross cutting" principle that will be applied throughout the LRTP's development, as reported to the Board in prior presentation's on the Plan's design and rollout.

- Critically, what we choose - or do not choose - to invest in that system is paramount. Over the 40-year span of the LRTP, a considerable amount of funding controlled by Metro is legally or legislatively dictated, such as Measure M. It should be noted that equity related factors were considered as part of the 5 performance measures developed to assess and prioritize Measure M's expenditure plan projects. Specifically, the "Economy" and "Sustainability/Quality of Life" themes included metrics attached to investments in disadvantaged communities. But while there are important additional equity considerations Metro can assess as projects are implemented, there are practical limitations to rethinking or redirecting certain funds that are statutorily prescribed.

However, a significant amount of funding in the long range plan is not yet locked down for 40 years, allowing us to reassess current patterns of investment and either reaffirm them or change them.

- These investment decisions should be based on performance outcomes and, as presented here, front and center considerations should be given to those that actively:
  - advance outcomes that promote and sustain opportunities in underserved communities; or
  - avoid outcomes that lead to or aggravate disparities in opportunity in those communities.
- Notably, investments must be made to operate, maintain and rebuild the existing transportation system, in addition to expanding it. The community's ability to access that transportation system - where, when, how, and at what cost - impacts their opportunities to jobs, housing, education and health. Thus, measuring equity against that access, and for whom, is central to our planning process.
  - In this realm, there will be several, discrete transportation activities that will be developed alongside the LRTP where equity will be front and center: any discussion of "right sizing" fares, redesign of the Metro bus system, our continuing work in Work Force Development and small business support, to name a few.
  - The Long Range Transportation Plan will not duplicate analysis and recommendations in these areas. It will incorporate goals, decisions, and any actions attached to all of them, and will likely help facilitate equity-driven discussions in each of them.
  - These issues address critical transportation access concerns, and will be important venues for coordinating community involvement.

### Where Metro **Partners**

- Beyond its core transportation responsibilities, there will be an expectation to take on a new, countywide, visible equity challenge: the Metro transport system's interface with gentrification/displacement/affordable housing.

- Neighborhoods throughout the county are facing escalating housing costs, real estate developments that are reshaping community culture, and in both cases, frequently forcing existing residents into painful relocation or transportation decisions. Gentrification/displacement/affordable housing is a common thread of concern among elected officials and advocates. And it hits every corner of the County.
- Metro cannot address this subject by ourselves - it will require active partnerships with others, such as the County, cities, Council of Governments, private sector and business as well as community representatives. Foundations are extremely interested in this arena and could bring valuable resources to the table.
- Among other considerations, these issues underscore the complexity of equity concerns and the necessarily complex response to them. By taking up a big problem - but not Metro's problem alone - it gives us the space to explore, experiment and advance change while building necessary partnerships at the outset.

Fourth, we need to pursue equity training within Metro. Successfully setting and delivering on a new equity agenda requires "top to bottom" ownership throughout the agency.

- In recent years, there has been a growing body of equity training designed for governmental agencies. LA County departments have deployed these programs, among others. We intend to explore options and commit to internal education that would be required at certain levels and positions.
- Training would be in two important areas:
  - Methods to evaluate equity including data collection, measurement and analysis; and
  - Approaches to effectively communicate and work with communities in a manner that recognizes and respects equity issues.

This platform is a starting point, and should be considered a working outline that can be adjusted with experience and feedback. The commitment expressed herein, however, should be a guiding constant - for Metro, our transportation partnerships, and the people we serve.

### **NEXT STEPS**

Staff will proceed to use the Equity Platform as a framework for specific analyses and actions attached to Metro initiatives, as outlined in this report. Progress will be reported periodically to the Board, particularly as it relates to key plans and programs underway, such as the Long Range Transportation Plan.

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Reviewed by: Phillip A. Washington, Chief Executive Officer, (213) 922-7555



Phillip A. Washington  
Chief Executive Officer

**Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

**Attachment C: Compliance with Title VI and Environmental Justice Directives**

Metro's 2016 Public Participation Plan, which is currently being updated in 2019, specifies the methods, innovations and measurements of the agency's commitment to not just meet, but exceed the prescribed requirements of U.S. Department of Transportation (USDOT), including Federal Transit Administration (FTA) Circulars C 4702.1B citing recipients' responsibilities to limited English Proficient Persons, FTA Circular C 4703.1, guiding recipients on integrating principles of Environmental Justice into the transportation decision-making process, and Federal Highway Administration's (FHWA) Title VI program. The Plan is also consistent with Title VI, (non-discrimination regulations) of the Civil Rights Act of 1964, Section 162(a) of the Federal-Aid Highway Act of 1973 and The Age Discrimination Act of 1975.

The Contractor shall refer to Metro's current Public Participation Plan to ensure its proposal is consistent with the pertinent laws, regulations, policies and guidelines pertaining to minimum baseline thresholds for public outreach including informational materials, public hearings and meetings, language translations, neighborhood/community sensitivities, online language translation and other outreach activities and tools.

**Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

**Attachment D: Concurrent Efforts Undertaken by Metro**

<b>Title</b>	<b>Description</b>	<b>Access Link</b>
Vision 2028 Strategic Plan	Metro’s 10-year strategic plan to improve mobility in Los Angeles County, adopted in June 2018.	<a href="https://www.metro.net/about/metro-vision-2028-plan/">https://www.metro.net/about/metro-vision-2028-plan/</a>
Equity Platform Framework	A multi-point equity platform that provides a basis for Metro to actively lead and partner in addressing and overcoming disparity among neighborhoods and individuals, adopted by Board in May 2018, and in process for developing and adopting performance metrics.	<a href="https://boardagendas.metro.net/board-report/2017-0912/">https://boardagendas.metro.net/board-report/2017-0912/</a>
Community-Based Organization (CBO) Partnership Strategy	Metro is developing an agency-wide CBO Partnership Strategy that will inform how Metro works and partners with CBOs on programs, projects, and initiatives. To align with Metro’s Equity Platform Framework, the Strategy includes how Metro provides opportunities to qualify and bid for contracts.	
Public Participation Plan 2019 (in progress)	Metro’s plan guides all of Metro’s outreach to gather important public input on possible changes to bus and rail service, new projects in planning and in construction, fare and other programs.	<a href="https://www.metro.net/about/special-projects/public-participation-plan/">https://www.metro.net/about/special-projects/public-participation-plan/</a>
Customer Service and Experience Plan and CEO’s Ridership Initiatives Progress Report	On June 21, 2018, the Board of Directors approved Motion 38 requesting staff to develop an Annual Customer Service and Experience Plan. Part of the Plan will include the status, accomplishments, objectives and challenges of Customer Service and Experience projects, beginning with the CEO Ridership Initiatives that were introduced to the Board in May 2018.	<a href="https://boardagendas.metro.net/board-report/2018-0668/">https://boardagendas.metro.net/board-report/2018-0668/</a>

This is a partial list; additional relevant studies and related efforts shall be referenced and incorporated whenever applicable.



**Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

**Attachment E: Relevant Documents and Related Efforts**

Title	Website
LA Metro Customer Satisfaction Survey 2017 Results	<a href="http://media.metro.net/about_us/vision-2028/Report_2017_Customer_Survey_Final_2018-0103.pdf">http://media.metro.net/about_us/vision-2028/Report_2017_Customer_Survey_Final_2018-0103.pdf</a>
“Pricing Roads, Advancing Equity,” by Stuart Cohen and Alan Hoffman. TransForm. 2019.	<a href="http://www.transformca.org/transform-report/pricing-roads-advancing-equity">http://www.transformca.org/transform-report/pricing-roads-advancing-equity</a>
Seattle DOT Transportation Equity Program	<a href="https://www.seattle.gov/transportation/projects-and-programs/programs/transportation-equity-program">https://www.seattle.gov/transportation/projects-and-programs/programs/transportation-equity-program</a>
San Francisco Muni Service Equity Strategy	<a href="http://www.sfmta.com/projects/muni-service-equity-strategy">www.sfmta.com/projects/muni-service-equity-strategy</a>
“How Fair is Road Pricing? Evaluating Equity in Transportation Pricing and Finance,” Brian Taylor, PhD. Bipartisan Policy Center. 2010.	<a href="https://bipartisanpolicy.org/wp-content/uploads/sites/default/files/BPC%20Pricing%20EquityFIN.pdf">https://bipartisanpolicy.org/wp-content/uploads/sites/default/files/BPC%20Pricing%20EquityFIN.pdf</a>
“Equity of Evolving Transportation Finance Mechanisms Special Report 303,” Transportation Research Board. 2011.	<a href="http://onlinepubs.trb.org/onlinepubs/sr/sr303.pdf">http://onlinepubs.trb.org/onlinepubs/sr/sr303.pdf</a>
“Assessing the Environmental Justice Effects of Toll Implementation or Rate Changes: Guidebook and Toolbox,” National Cooperative Highway Research Program (NCHRP). 2018.	<a href="https://www.nap.edu/catalog/24991/assessing-the-environmental-justice-effects-of-toll-implementation-or-rate-changes-guidebook-and-toolbox">https://www.nap.edu/catalog/24991/assessing-the-environmental-justice-effects-of-toll-implementation-or-rate-changes-guidebook-and-toolbox</a>

This is a partial list; additional relevant studies and related efforts shall be referenced and incorporated whenever applicable.

## Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study

### Attachment F: Audiences

Metro will inform and engage a diversity of stakeholders with particular care to include the traveling public; Metro customers who use the agency’s portfolio of services; community-based organizations; faith-based institutions; the business community, including employers and freight industry representatives; labor organizations; transportation and transit advocates; and groups who serve the underrepresented populations in LA County. This would ensure a broad reach as well as obtain the most comprehensive input possible from diverse stakeholders. The Contractor may recommend additional audiences. Broadly speaking, the target audience for engagement fall into three categories, which at times may overlap:

- 1) The general public
- 2) Communities, including residents, workers, and businesses, directly affected by a pricing program
- 3) Other key stakeholders, which include, but not limited to:
  - Metro Customers
  - Metro Board of Directors
  - Metro advisory groups, including, but not limited to: Technical Advisory Committee and subcommittees, including Bus Operations Subcommittee, Local Transit Systems Subcommittee, Streets and Freeways Subcommittee; Policy Advisory Council; Accessibility Advisory Committee; Citizens Advisory Council; Aging & Disability Transportation Network; Transportation Business Advisory Council (TBAC)
  - Metro Service Councils
  - Advocacy organizations
  - Business associations: Los Angeles Area Chamber, Central City Association, Valley Industry & Commerce Association, San Gabriel Valley Economic Partnership, Local Chambers
  - Business community, including employers and freight industry representatives
  - Civic and governmental organizations, such as Southern California Association of Governments (SCAG), Caltrans, California Transportation Commission (CTC), Federal Highway Administration, departments of public health, auto clubs, academic community, Natural Resources Defense Council (NRDC)
  - Community based organizations
  - Commuter Association
  - Councils of Governments and other related sub-regional agencies
  - Educational institutions: K-12 School Districts, Community Colleges, Universities
  - Faith-Based Institutions and Metro’s Inter-Faith Council
  - Jurisdictions and elected officials (federal, state, county, city)
  - Labor organizations
  - Medical Health Center Providers
  - New mobility providers, such as Uber, Lyft, Bird, Lime
  - News media (print, broadcast, web, social)
  - Partner/Governmental agencies (county, state, and federal organizations)
  - Social equity and environmental justice groups
  - Tourism Related Organizations: LA Visitors and Convention Bureau, Hollywood Chamber
  - Transit providers (municipal and local operators, regional rail, Metrolink, paratransit, DASH, and others)

## Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study

### Attachment G: Proposed Advisory Panels

Metro proposes to develop two advisory panels associated with the Congestion Pricing Feasibility Study (Study). These are as follows:

#### Panel 1: Users of the Transportation System

This panel is intended to ensure that as Metro conducts the Study, we are bringing users of the system in to learn about it and react to it regularly.

- **Types of Participants:** Comprised of local residents and users of the transportation system, including people who use transit, walk, bicycle, drive, transport goods, use other modes, with representation from across the region.
- **Roles of participants:** Provide ongoing guidance and advice to ensure that the congestion pricing program addresses the needs of the transportation users and maximizes benefits
- **Recruitment:** Established through the Congestion Pricing Feasibility Study Communications and Public Engagement Contractor (Contractor) to ensure the group is representative of the region's diverse population. The panel may consist of 20-30 representatives. Consideration will be given to age, cultural and gender identity, income, geography, and mode of transportation.
- **Level of commitment:** Participate in workshops, meetings, and in person and online engagements. Participants will be compensated through a stipend and they may choose to waive it.
- **Notes:** If necessary, refreshments, travel, translation/interpretation services, and childcare service will be provided to ensure these participants can conveniently participate in this process.

#### Panel 2: Stakeholders

This panel would be composed of representatives from major regional stakeholder groups representing organizations across four constituency groups. The categories include the following (numbers approximate):

- 1) **Transportation Consumers** (2 representatives) – Representatives from groups who use or would be impacted by our complex transport system and a congestion pricing program. Consumers comprise a diverse coalition representing the interests of disadvantaged communities; older adults; individuals with disabilities; students; business and small business; labor; social justice organizations; representatives in the social equity community with a focus on social justice, low-income communities and the environment. We encourage Consumer representatives to network and work collaboratively through partnerships with other like organizations in order to maximize participation and input in the process.
- 2) **Transportation Providers** (2 representatives) – Those who supply or regulate transportation infrastructure and services. Providers represent a wide range of agencies and organizations that play a pivotal role in the provision of transportation/transport and planning services. This includes representatives from municipal and local transit operators, ports, airports, private providers (e.g., ridehailing companies), Caltrans, etc. It is important that these

## **Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

representatives keep their constituencies informed and seek input from key stakeholders within their organizations and keep their counterparts informed and seek their input.

- 3) **Government** (3 representatives) – Representatives of agencies accountable to the needs of consumer and provider constituencies that directly control public right of way or work on issues that intersect with transportation and a congestion pricing program.
  - 4) **Academia/Nonprofit** (3 representatives) – Researchers and academic professionals with experience in road usage charging, mobility pricing, and specific expertise on equity.
- Roles of participants: Provide ongoing guidance and advice to ensure that the congestion pricing program addresses the needs and concerns across the region’s diverse stakeholder groups, captures the tremendous opportunities and synergies across constituencies and interests, and leverages the participant’s network of contacts to expand the reach of the study. Members do not represent their individual organization on the advisory panel, but rather the constituency related to the seat.
  - Recruitment: Identified and selected through an open application process initially. For categories that are not fully represented through the application process, Metro and its Contractor will reach out to individuals in those categories to invite participation. The panel will consist of approximately 10 representatives. Selection criteria include individuals who can best respond to the following:
    - 1) Describe how you are uniquely qualified to fulfill the responsibilities and requirements of the Advisory Council representative role.
    - 2) State the nature and breadth of the network/outreach at your disposal.
    - 3) Describe your relevant experience and knowledge of the subject matter.
    - 4) Optional: Provide personal/professional references related to your responses from #1-3 above.
  - Level of commitment: Participate in meetings and workshops during the initiation of study, major milestones, and recommendations. The Study Team will also be available to meet one-on-one with participants outside of established meetings and workshops upon request.
  - This advisory panel is convened to provide Metro with a venue to hear and learn diverse perspectives as the Study gets underway. Beyond the advisory panel, Metro anticipates that many additional stakeholder groups and individuals will be interested in participating in this process and will provide additional opportunities for those stakeholders to participate through other means and forums.

### OEI Advisory Board

In addition to the panels above, the Office of Extraordinary Innovation (OEI) Advisory Board has already been established. This Board already includes some experts on congestion pricing, but OEI will add to that knowledge by bringing in a few more people from beyond California, and creating a Congestion Pricing subcommittee.

- Comprised of representatives from peer agencies and academia with experience in road usage charging and mobility pricing.

**Attachment D: Statement of Work – Communications and Public Engagement – Congestion Pricing Feasibility Study**

- Roles of participants: Provide independent perspectives on the conceptual and practical aspects of proposals under consideration.
- Recruitment: Use existing OEI Advisory Board and add additional members based on Metro’s network of contacts of congestion pricing researchers and peer agencies.
- Level of commitment: Participate in meetings during the initiation of study, major milestones, and recommendations.

Note: For participants traveling from out of town, a travel stipend will be provided and they may choose to waive it.

## **Attachment E: Project Timeline/Milestones**

### **Procurement**

May 2019: Issue Requests for Proposals for 1) Technical Services (includes Equity Analysis) and 2) Communications and Public Engagement Services

Summer 2019: Seek Board authorization to award contracts for 1) Technical Services and 2) Communications and Public Engagement Services

### **Pilot Development (Congestion Pricing Feasibility Study)**

Duration of Study: Staff will update and engage the Board during key project milestones, which include, but are not limited to, the following:

- Advisory Panel membership selection criteria
- Summary of findings and best practices from literature review and best practices research
- Development of Equity Strategy
- Summary of stakeholder/public engagement during each round of outreach
- Summary of findings from initial screening to narrow down potential pilot locations to implement a pricing program/transit improvement package
- Summary of findings from detailed assessments of potential pilot locations
- Initial concepts for complementary multimodal mobility services and improvements that would be necessary prior to pilot pricing program implementation
- Summary of findings for legislative and institutional requirements for implementing a pricing program
- Development of Investment and Financial Plan
- Development of Implementation Plan

### **Pilot Implementation**

The following milestones will require Board authorization to proceed:

- Go/No go decision to Implement congestion pricing pilot
- Award contract for system engineering for congestion pricing pilot
- Execute Part 2 of the Communications and Public Engagement Services contract



## Board Report

File #: 2019-0176, File Type: Contract

Agenda Number: 37.

### EXECUTIVE MANAGEMENT COMMITTEE APRIL 18, 2019

**SUBJECT: WEST SANTA ANA BRANCH P3 BUSINESS CASE FINANCIAL ADVISORY SERVICES**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 2 to Task Order No. PS50315-3049000 with Sperry Capital Inc. to finalize the Business Case for West Santa Ana Branch Light Rail Transit Project (“WSAB” or “the Project”) in the amount of \$977,040 increasing the not-to-exceed task order value from \$1,099,970 to \$2,077,010.

#### **ISSUE**

Task Order No. PS 50315-3049000 currently provides for P3 Financial Advisory Services to support development of a P3 Business Case for the WSAB. Staff is requesting a modification in the amount of \$977,040 for Task Order No. PS50315-3049000 to finalize the Business Case for WSAB.

#### **BACKGROUND**

The P3 Business Case is a comprehensive approach, utilized as a best practice worldwide by public agencies for major capital investments to identify, assess and make a recommendation on the appropriate procurement option for a project that is likely to best achieve the project objectives and maximize value for money. A P3 business case will identify and assess a range of alternative procurement models (i.e., models that are different than the traditional design-bid-build or design-build approaches) and make a recommendation on an optimal procurement model to be pursued along with a credible plan for implementation.

Key tasks in support of a P3 Business Case include:

1. Review and analyze existing project information
2. Shortlist procurement options for assessment
3. Qualitative assessment of procurement options
4. Market soundings and industry engagement
5. Project cost identification and financial modelling
6. Risk assessment and quantification
7. Quantitative Value for Money Assessment

8. Funding and affordability analysis

Key deliverables include:

1. Qualitative Assessment Report
2. Market Sounding Report(s)
3. Project Financial Model
4. Risk Assessment Matrix and Report
5. Value for Money Report
6. Funding and Affordability Report
7. Integrated Procurement Recommendation
8. Preliminary and Final Business Case Report

Based on the review of several Unsolicited Proposals, Metro determined that there was likely value to delivering WSAB through a P3. Metro has undertaken a development of a P3 Business Case to better understand and confirm this expected value.

### **DISCUSSION**

Metro awarded the Task Order to support development of a Business Case Report for WSAB in January 2018. At that time, Metro was considering a defined range of alternatives for the project, and had established a well-developed schedule for further project definition and development through the conceptual engineering and environmental clearance process.

Since then, the project has been rescoped due to community feedback regarding the alignment and configuration. Additionally, a significant amount of additional project information has been developed that has made the project's overall engineering and design process more complicated. As the project has changed and evolved, so has the scope of activities required to support a robust P3 Business Case. Additional market soundings have been conducted to receive industry feedback on a range of key issues. Additional data has been required to examine various alignments and configurations not originally contemplated. Significant additional financial modeling has been undertaken to ensure appropriate examination of all project options and potential risks. Risk assessment experts on the consultant team have been engaged to ensure comprehensive and accurate risk assessment.

Based on the expected schedule for project development, staff anticipates additional tasks and deliverables will be required to support a robust Business Case Report. These have been outlined in a supplemental statement of work.

### **DETERMINATION OF SAFETY IMPACT**

This is a contractual action that effects financial analysis for the planning of a capital project, meaning that it has little to no safety impact.

### **FINANCIAL IMPACT**

This Task Order is allocated to Cost Center 2031 - Public Private Partnerships, account 50316.



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Funding of \$14,490,000 was budgeted for P3 Professional Advisory Services under this account in FY 2019. To date in FY 2019, \$5,429,720.00 has been encumbered and \$2,746,632.53 has been expended, with \$9,061,204.00 remaining in the budget.

#### Impact to Budget

The funding for this is included in the FY19 Budget, in Cost Center 2031, Project 405701. The cost center manager and Deputy Executive Officer, Innovation, will be accountable for budgeting the cost in future years.

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

The Metro Vision 2028 Strategic Plan identifies five goals to guide Metro's work and initiatives. This modification supports the following goals.

- Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. Allowing Metro's P3 Financial Consultant to support further P3 Business Case Development for the expanded scope of the WSAB project definition will allow Metro to seek ways to deliver this project faster, to identify potential project savings, and to ensure project performance throughout its lifecycle.
- Goal 2: Deliver outstanding trip experiences for all users of the transportation system. A key benefit of P3 delivery is higher guaranteed project performance (reliability, safety, cleanliness, etc.).
- Goal 5. Provide responsive, accountable, and trustworthy governance within the Metro organization. P3s have been shown to achieve higher levels of schedule and funding certainty, supporting Goal 5.2 to exercise good public policy judgment and sound fiscal stewardship

### **ALTERNATIVES CONSIDERED**

Staff considered limiting analysis to the existing project scope. However, this would have supported a Business Case Report based on spurious project costs, risks, scope, and schedule, and not produced any useful analysis.

Staff also considered moving forward without a full Business Case, but has noted that to execute a high-quality P3 transaction requires the due diligence presented in a robust Business Case. Moving forward with incomplete information would likely undermine the success of a P3 transaction.

Staff's assessment indicated that none of these options were a cost-effective or financially sound option for Metro.

### **NEXT STEPS**

Upon Board approval, staff will execute Modification No. 2 to Task Order No. PS 5890400-3049 with Sperry Capital Inc. to finalize the Business Case for the WSAB LRT project.


### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - Task Order Modification/Change Order Log

Attachment C - DEOD Summary

Prepared by: Colin Peppard, Senior Director, Special Project (213) 418-3434

Reviewed by: Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051  
Joshua Schank, Chief Innovation Officer, (213) 418-3345



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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

Financial Advisory Services: Business Case Development and Pre-Procurement Support for the West Santa Ana Light Rail Transit Project/ PS50315-3049000

1.	<b>Contract Number:</b> PS2210-3049-G-06 (Task Order No. PS50315-3049000)		
2.	<b>Contractor:</b> Sperry Capital Inc.		
3.	<b>Mod. Work Description:</b> To finalize the Business Case for the West Santa Ana Branch Light Rail Transit Project (WSAB).		
4.	<b>Work Description:</b> Financial Advisory Services: Business Case Development and Pre-Procurement Support for the West Santa Ana Light Rail Transit Project.		
5.	<b>The following data is current as of:</b> 03/21/19		
6.	<b>Contract/TO Completion Status:</b>		<b>Financial Status:</b>
	<b>Award Date:</b>	02/23/18	<b>Awarded Task Order Amount:</b> \$1,000,000
	<b>Notice to Proceed (NTP):</b>	02/23/18	
	<b>Original Completion Date:</b>	02/28/20	<b>Value of Mods. Issued to Date (including this action):</b> \$1,077,010
	<b>Current Est. Complete Date:</b>	02/28/20	<b>Total Amount (including this action):</b> \$2,077,010
7.	<b>Contract Administrator:</b> Lily Lopez		<b>Telephone Number:</b> (213) 922-4639
8.	<b>Project Manager:</b> Colin Peppard		<b>Telephone Number:</b> (213) 418-3434

### A. Contract Action Summary

This Board Action is to approve Modification No. 2 to Task Order No. PS50315-3049000 under Contract No. PS2210-3049-G-06 to provide financial advisory services in order to prepare a P3 Business Case for the West Santa Ana Branch Light Rail Transit (WSAB LRT) Project, as well as to assist with other pre-procurement activities, including general strategic advisory on the procurement process for the project to help maximize achievement of Metro's project goals. This Modification will require the Contractor to finalize the Business Case for the West Santa Ana Branch Light Rail Transit Project (WSAB).

This Task Order Modification was processed in accordance with Metro's Acquisition Policy. The contract/task order type is firm fixed price. All other terms and conditions remain in effect.

On February 23, 2018, Task Order No. PS50315-3049000 in the firm fixed price of \$1,000,000 was issued to Sperry Capital Inc., a contractor on the Public-Private Partnership Technical Bench, Discipline 6 (Financial Analysis).

Refer to Attachment B – Task Order Modification/Change Order Log for modifications issued to date.

**B. Cost Analysis**

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), cost analysis, and technical analysis. Metro's ICE underestimated the level of effort required to conduct the value for money assessment and business case development. All labor rates remain unchanged from the original task order.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$977,040	\$881,875	\$977,040

**ATTACHMENT B**

**TASK ORDER MODIFICATION/CHANGE ORDER LOG  
P3 TECHNICAL BENCH/WSAB BUSINESS CASE FINANCIAL ADVISORY SERVICES  
TASK ORDER NO. PS-50315-3049000 VALUE ISSUED TO DATE**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>Amount</b>
1	Provided supplemental market sounding, preliminary financial analysis, project risk analysis and FTA expedited project delivery grant support.	Approved	01/22/19	\$99,970
2	To finalize the Business Case for the West Santa Ana Branch Light Rail Transit Project (WSAB).	Pending	Pending	\$977,040
	<b>Task Order Modification Total:</b>			<b>\$1,077,010</b>
	<b>Original Task Order Amount:</b>		<b>02/23/18</b>	<b>\$1,000,000</b>
	<b>Total:</b>			<b>\$2,077,010</b>

**DEOD SUMMARY**

**Financial Advisory Services: Business Case Development and Pre-Procurement Support for the West Santa Ana Light Rail Transit Project/PS2210-3049-G-06**

**A. Small Business Participation**

Sperry Capital, a Small Business Enterprise (SBE) Prime, made a 34.63% SBE commitment. The project is 90% complete and Sperry Capital's current SBE participation is 31.63%, which represents a 3.00% shortfall. According to Sperry Capital, the shortfall is due to the timing of certain activities which necessitated more engagement from their non-SBE subcontractor. Sperry Capital indicated they will increase their current SBE participation through efforts that include augmenting their team's staffing level and revisiting personnel allocation on all remaining scope activities. For this modification, Sperry Capital has proposed they will meet their 34.63% SBE commitment.

Notwithstanding, Metro Project Managers and Contract Administrators, will work in conjunction with DEOD to ensure that Sperry Capital is on schedule to meet or exceed its SBE commitment. If Sperry Capital is not on track to meet its small business commitment, Metro staff will request that Sperry Capital submit an updated mitigation plan. Additionally, key stakeholders associated with the contract have been provided access to Metro's tracking and monitoring system to ensure that all parties are actively tracking Small Business progress.

<b>Small Business Commitment</b>	<b>34.63% SBE</b>	<b>Small Business Participation</b>	<b>31.63% SBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	Sperry Capital (SBE Prime)	31.26%	31.33%
2.	NWC Partners, Inc.	3.37%	0.30%
	<b>Total</b>	<b>34.63%</b>	<b>31.63%</b>

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

**B. Living Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is not applicable to this modification.

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this modification.

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

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