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**Agenda - Final Revised**

**Wednesday, April 14, 2021**

**3:00 PM**

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

## **Planning and Programming Committee**

*Jacquelyn Dupont-Walker, Chair*

*Ara Najarian, Vice Chair*

*Mike Bonin*

*Janice Hahn*

*Hilda Solis*

*Tony Tavares, 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 must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

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

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

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

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

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

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

**INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD**

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## 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

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## LIMITED ENGLISH PROFICIENCY

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



**323.466.3876**

x2 *Español (Spanish)*

x3 *中文 (Chinese)*

x4 *한국어 (Korean)*

x5 *Tiếng Việt (Vietnamese)*

x6 *日本語 (Japanese)*

x7 *русский (Russian)*

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

### **Live Public Comment Instructions:**

Live public comment can only be given by telephone.

The Committee Meeting begins at 3:00 PM Pacific Time on April 14, 2021; you may join the call 5 minutes prior to the start of the meeting.

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

***Public comment on all numbered agenda items will be taken at the beginning of the meeting. General public comment will be heard after the conclusion of the non-consent agenda. To give public comment, enter #2 (pound-two) when the comment period opens. Please note that the live video feed lags about 30 seconds behind the actual meeting. There is no lag on the public comment dial-in line.***

### **Instrucciones para comentarios publicos en vivo:**

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

La Reunion de la Junta comienza a las 3:00 PM, hora del Pacifico, el 14 de Abril de 2021.

Puedes unirse a la llamada 5 minutos antes del comienzo de la junta.  
Marque: 888-251-2949 y ingrese el codigo  
Codigo de acceso en ingles: 8231160#  
Codigo de acceso en espanol: 4544724#

***Los comentarios del público sobre todos los puntos de la agenda numerados se tomarán al comienzo de la reunión. Los comentarios del público en general se escucharán después de la conclusión de la agenda de no consentimiento. Para dar un comentario público, ingrese # 2 (Tecla de numero y dos) cuando se abra el período de comentarios. Por favor tenga en cuenta que la transmisión de video en vivo se retrasa unos 30 segundos con respecto a la reunión real. No hay retraso en la línea de acceso telefónico para comentarios públicos.***

### **Written Public Comment Instruction:**

Written public comments must be received by 5PM the day before the meeting.  
Please include the Item # in your comment.  
Email: goinsec@metro.net  
Post Office Mail: Board Secretary's Office, One Gateway Plaza, MS: 99-3-1,  
Los Angeles, CA 90012



## CALL TO ORDER

## ROLL CALL

APPROVE Consent Calendar Items: 11 and 12.

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

## CONSENT CALENDAR

11. **SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - NORTH COUNTY SUBREGION**

[2021-0033](#)

### RECOMMENDATION

CONSIDER:

A. APPROVING:

1. Programming of additional \$2,204,941 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Active Transportation Program, as shown in Attachment A;
2. Programming of additional \$3,425,000 within the capacity of Measure M MSP - Transit Program, as shown in Attachment B;

B. DELEGATING the Chief Executive Officer (CEO) or his designee the authority to:

1. Amend Measure M MSP funding agreements to modify the scope of work of projects and project development phases consistent with eligibility requirements;
2. Administratively extend funding agreement lapse dates for Measure M MSP funding agreements to meet environmental, design, right-of-way and construction time frames; and

C. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

**Attachments:**      [Attachment A - Active Transportation Program Project List](#)  
                                 [Attachment B - Transit Program Project List](#)  
                                 [Attachment C - Highway Efficiency Program Project List](#)

12. SUBJECT: U.S. ARMY CORPS OF ENGINEERS MEMORANDUM OF AGREEMENT FOR SECTION 404 PERMITS FOR METRO PROJECTS [2021-0102](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute the Memorandum of Agreement between Los Angeles County Transportation Authority (LACMTA) and the US Army Corps of Engineering, Los Angeles District, for Section 404 Permitting Process (Attachment C).

**Attachments:** [Attachment A - Legistar File #: 2019-0556](#)  
[Attachment B - LACMTA/Corps MOA for Section 408 permits, executed in Dec. ;](#)  
[Attachment C - LACMTA/LAD MOA for Section 404 permit](#)

**NON-CONSENT**

13. SUBJECT: WEST SANTA ANA BRANCH (WSAB) TRANSIT CORRIDOR PROJECT [2021-0093](#)

**RECOMMENDATION**

CONSIDER authorizing the Chief Executive Officer to APPROVE additional funding of \$353,530 and an extension to December 2022 of the existing Funding Agreement (FA# 920000000FACGGC03) with the Gateway Cities Council of Governments (COG) for Third-Party Administration participation in the WSAB environmental clearance study.

**Attachments:** [Attachment A - FA 920000000FACGGC03](#)  
[Attachment B - Board Motion 32.1](#)  
[Attachment C - September 22, 2016 Board Report, Item 12](#)

14. SUBJECT: COUNTYWIDE PLANNING MAJOR PROJECT STATUS REPORT [2021-0094](#)

**RECOMMENDATION**

RECEIVE AND FILE monthly report on the Major Capital Projects in the environmental planning phase by the Chief Planning Officer.

**Attachments:** [Attachment A - Countywide Planning Monthly Dashboard Presentation](#)

**15. SUBJECT: PROJECT PRIORITIES FOR NEXT NEW STARTS GRANTS**

[2021-0150](#)

**RECOMMENDATION**

CONSIDER:

1. APPROVING the West Santa Ana Branch (WSAB) Transit Corridor and Sepulveda Transit Corridor Projects as Metro's next priorities for pursuing New Starts grants from the Federal Transit Administration (FTA) Capital Investment Grants (CIG) Program;
2. APPROVING the East San Fernando Valley (ESFV) Transit Corridor Project as Metro's priority for pursuing a grant from the FTA Expedited Project Delivery (EPD) Pilot Program;
3. AUTHORIZING the Chief Executive Officer (CEO) or his designee to request from the FTA the entry into the Project Development Phase of the CIG Program for the WSAB Transit Corridor Project and the Sepulveda Transit Corridor Project, at the appropriate time, and to submit a grant application for the EPD Pilot Program for the ESFV Transit Corridor Project; and
4. AUTHORIZING staff to develop and implement targeted CIG/ EPD legislative and FTA engagement strategies that support securing grants for the three priority projects.

**Attachments:**      [Attachment A - Overview of CIG and EPD Programs](#) [Attachment A](#)  
[Attachment B - Overview of CIG and EPD Project Pipeline of the FTA](#) [Attachm](#)  
[Attachment C - Metro CIG and EPD Prioritization Assessment Workshops and F](#)  
[Attachment D - Results of Metro CIG and EPD Prioritization Assessment](#) [Attac](#)

**16. SUBJECT: CORONAVIRUS RESPONSE AND RELIEF  
SUPPLEMENTAL APPROPRIATIONS ACT HIGHWAY  
INFRASTRUCTURE PROGRAMS FUNDS**

[2021-0207](#)

**RECOMMENDATIONS**

CONSIDER:

1. APPROVING the programming of \$38.2 million in Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Highway Infrastructure Programs (HIP) funds made available through the Regional Transportation Improvement Program (RTIP) of the State Transportation Improvement Program (STIP) to the East San Fernando Valley (ESFV) Transit Corridor Project as a revenue-neutral exchange of Proposition A 35% funds to be directly used on the Airport Metro

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Connector (AMC) 96th Street Station;

2. APPROVING the programming of \$47.6 million in CRRSAA HIP funds made available through the Caltrans Local Assistance Surface Transportation Block Grant Program (STBGP) to all 88 cities in and including the County of Los Angeles by percentage of the total county population as presented in Attachment A; and
3. APPROVING the ability for small cities to exchange CRRSAA STBGP funds with local funds under Metro's existing federal Surface Transportation Program - Local Exchange Program.

**Attachments:** [Attachment A - HIP Funding Distribution to Local Agencies in Los Angeles Cour](#)

17. **SUBJECT: CAP-AND-TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)** [2021-0038](#)

**RECOMMENDATION**

CONSIDER approving the Resolution in Attachment A that:

- A. Authorizes the Chief Executive Officer (CEO) or his designee to claim \$22,690,757 in fiscal year (FY) 2020-21 LCTOP grant funds for the Crenshaw/LAX Transit Corridor Operations Project and/or the proposed Fareless System Initiative Pilot if approved by the Metro Board;
- B. Certifies that Metro will comply with LCTOP certification and assurances and the authorized agent requirements; and
- C. Authorizes the CEO or his designee to execute all required documents and any amendment with the California Department of Transportation.

**Attachments:** [Attachment A - Resolution & Certification for FY20-21 LCTOP Funding rev 0406](#)

18. **SUBJECT: STATE ROUTE (SR)-57/SR-60 INTERCHANGE IMPROVEMENTS** [2020-0943](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

1. Execute Contract Modification No. 2 to Contract No. AE51890001 in the amount of \$3,251,665.74 for the SR-57/SR-60 Interchange Improvements project (Project) with WKE Inc. to provide professional services, increasing the total contract value from \$25,155,706.72 to \$28,407,372.46;
2. AUTHORIZE programming an additional \$91 million in Measure M

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funds for the Project's Right-of-Way (ROW), mitigation of impacts to the Diamond Bar Golf Course (DBGC) and utility relocation; and

3. AUTHORIZE the CEO or his designee to negotiate and execute all necessary contract documents and agreements to implement the necessary pre-construction components of the Project.

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

19. **SUBJECT:      EXPRESSLANES 2021 PROGRAM AND NET TOLL      [2021-0175](#)**  
**REVENUE GRANT PROGRAM UPDATE**

**RECOMMENDATION**

RECEIVE AND FILE report on update regarding significant projects and initiatives underway in the Metro ExpressLanes program.

**Attachments:**      [A. Net Toll Revenue Board Box](#)

20. **SUBJECT:      BUSES WITH OPTIONAL LEFT-SIDE BOARDING      [2020-0921](#)**

**RECOMMENDATION**

RECEIVE AND FILE this report on buses with optional left-side boarding, including the benefits, challenges, and costs of this feature for upcoming Bus Rapid Transit (BRT) projects and bus procurements, in response to the December 3, 2020 Board Motion 43.

**Attachments:**      [Attachment A - Board Motion 43, December 3, 2020](#)  
[Attachment B - Center Station Concepts](#)  
[Attachment C - Map of North Hollywood to Pasadena BRT](#)  
[Attachment D - Map of Vermont Transit Corridor](#)  
[Attachment E - Other BRT Systems with Left-Side Boarding](#)

48. **SUBJECT: DODGER STADIUM EXPRESS      [2021-0226](#)**

**RECOMMENDATION**

APPROVE Motion by Directors Hahn, Butts, and Krekorian that the Board direct the Chief Executive Officer to report back in 60 days with funding recommendations to ensure the Dodger Stadium Express will be permanently, fully funded.

**SUBJECT: GENERAL PUBLIC COMMENT**

[2021-0198](#)

RECEIVE General Public Comment

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S  
SUBJECT MATTER JURISDICTION

## **Adjournment**



**Board Report**

**File #:** 2021-0033, **File Type:** Program

**Agenda Number:** 11.

**PLANNING AND PROGRAMMING COMMITTEE  
APRIL 14, 2021**

**SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - NORTH COUNTY SUBREGION**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

CONSIDER:

A. APPROVING:

1. Programming of additional \$2,204,941 within the capacity of Measure M Multi-Year Subregional Program (MSP) - Active Transportation Program, as shown in Attachment A;
2. Programming of additional \$3,425,000 within the capacity of Measure M MSP - Transit Program, as shown in Attachment B;

B. DELEGATING the Chief Executive Officer (CEO) or his designee the authority to:

1. Amend Measure M MSP funding agreements to modify the scope of work of projects and project development phases consistent with eligibility requirements;
2. Administratively extend funding agreement lapse dates for Measure M MSP funding agreements to meet environmental, design, right-of-way and construction time frames; and

C. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

**ISSUE**

Measure M MSPs are included in the Measure M Expenditure Plan. All MSP funds are limited to capital projects. The annual update approves additional eligible projects for funding and allows the North County Subregion and implementing agencies to revise scope of work and schedule, amend project budgets as well as remove projects.

This update includes changes to projects which have received Board approval and funding allocation

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for new projects. Funds are programmed through Fiscal Year (FY) 2023-24. The Board's approval is required to program additional funds and update the project lists (Attachments A, B and C) which serve as the basis for Metro to enter into agreements and/or amendments with the respective implementing agencies.

## **DISCUSSION**

In February 2019, the Metro Board of Directors approved North County Subregion's first MSP Five-Year Plan and programmed funds in: 1) Measure M MSP - Active Transportation Program (expenditure line 52); 2) Measure M MSP - Transit Program (expenditure line 64); and 3) Measure M MSP - Highway Efficiency Program (expenditure line 81).

Metro staff continued working closely with the North County Transportation Coalition Joint Powers Authority (NCTC JPA) and the implementing agencies on project eligibility reviews of the proposed projects for this annual update. Metro required, during staff review, a detailed project scope of work to confirm eligibility and establish the program nexus, i.e. project location and limits, length, elements, phase(s), total expenses and funding request, and schedule, etc. This level of detail will ensure timeliness of the execution of the project Funding Agreements once the Metro Board approves the projects. For those proposed projects that will have programming of funds in FY 2022-23 and beyond, Metro accepted high level (but focused and relevant) project scope of work during the review process. Metro staff will work on the details with the NCTC JPA and the implementing agencies through a future annual update process. Those projects will receive conditional approval as part of this approval process. However, final approval of funds for those projects shall be contingent upon the implementing agency demonstrating the eligibility of each project as required in the Measure M Master Guidelines.

The changes in this annual update include deobligation of three previously approved projects, and \$5,629,941 in additional programming for ten existing and three new projects.

### Active Transportation (expenditure line 52)

This update includes funding adjustments to nine existing projects and three new projects as follows:

#### *Santa Clarita*

- Deobligate \$648,000 from MM4501.08 - Citywide Bicycle Facilities Project. The City requested the funds to be reallocated to other priority project.
- Program an additional \$42,000 and reprogram all funds to FY 24 for MM4501.09 - Santa Clara River Trail Gap Closure Project. The City has delayed implementation of the project. The funds will be used to complete the Plans Specification and Estimates (PS&E) and right-of-way (ROW) phases of the project.
- Reprogram \$624,000 as follows: \$51,000 in FY 19 and \$573,000 in FY 21 for MM4501.10 - Sierra Highway Sidewalk Improvements Project. The funds will be used to complete the PS&E and construction phases of the project.



- Program an additional \$28,000 and reprogram all funds to FY 22 for MM4501.11 - Valencia Industrial Center Bicycle and Pedestrian Improvement Phase I Project. The City has delayed implementation of the project. The funds will be used to complete the PS&E, ROW and construction phases of the project.
- Program an additional \$47,700 and reprogram all funds to FY 23 for MM4501.14 - Valencia Industrial Center Bicycle and Pedestrian Improvement Phase II Project. The City has delayed implementation of the project. The funds will be used to complete the PS&E, ROW and construction phases of the project.
- Deobligate \$720,000 from MM4501.15 - Railroad Avenue Class I Trail. The City no longer needs the funding for this project.
- Program \$650,000 in FY 21 for MM4501.17 - Newhall Area Bicycle Facility Project. The funds will be used to complete PS&E and construction phases of the project.
- Program \$666,900 in FY22 for MM4501.18 - Saugus Phase I: Bouquet Canyon Trail to Central Park Project. The funds will be used to complete the PS&E, ROW and construction phases of the project.
- Program \$683,600 in FY 22 for MM4501.19 - Saugus Phase II: Bouquet Canyon Trail Central Park to Haskell Cyn Project. The funds will be used to complete the PS&E phase of the project.

### *Los Angeles County*

- Deobligate \$1,029,259 from MM4501.12 - Elizabeth Lake Road Bikeways. \$20,741 remains with the project. The County requested the deobligated funds to be reallocated to other priority projects.
- Program an additional \$1,600,000 in FY 24 and the funds are programmed as follows: \$50,000 in FY 20, \$300,000 in FY 21, \$400,000 in FY 22, \$1,250,000 in FY 23 and \$1,600,000 in FY 24 for MM4501.13 - Lake Los Angeles Pedestrian Plan Implementation Phase 1. The funds will be used to complete the PS&E, ROW and construction phases of the project.
- Program an additional \$884,000 in FY 24 and the funds are programmed as follows: \$442,000 in FY 22, \$884,000 in FY 23 and \$884,000 in FY 24 for MM4501.16 - 30<sup>th</sup> Street West Active Transportation Improvements. The project will traverse both the City of Lancaster and Los Angeles County, but the Los Angeles County will be the lead agency for the project. The funds will be used to complete the PS&E, ROW and construction phases of the project.

### Transit Program (expenditure line 64)

This update includes funding adjustments to three existing projects as follows:

*Santa Clarita*

- Reprogram \$892,000 as follows: \$80,000 in FY 22 and \$812,000 in FY 23 for MM4502.02 - Valencia Industrial Center Bus Stop Improvement Project. Update the project funding phases to include PS&E, ROW and construction phases.
- Reprogram \$2,180,000 as follows: \$1,090,000 in FY23 and \$1,090,000 in FY 24 for MM4502.03 - Vista Canyon Bus Service Expansion Project. The funds will be used to complete vehicle purchases phase of the project.

*Metro/MetroLink*

- Program an additional \$3,425,000 in FY 24 and the funds are programmed as follows: \$4,170,961 in FY 20, \$2,429,039 in FY 21, \$6,150,000 in FY 23 and \$3,425,000 in FY 24 for MM4502.06 - MetroLink Antelope Valley Line. The funds will be used for the environmental and PS&E phases of the project that Metro and MetroLink have been tasked to lead.

Highway Efficiency Program (expenditure line 81)

This update includes funding adjustments to one existing project as follows:

*North County Transportation Coalition*

- Reprogram \$4,700,000 as follows: \$2,000,000 in FY 22, \$1,350,000 in FY 23 and \$1,350,000 in FY 24 for MM5504.02 - SR-14 Capacity Enhancement/ Operational Improvement. The total programmed budget remains unchanged at \$4,700,000.

Equity Platform

Consistent with Metro's Equity Platform, the MSP outreach effort recognizes and acknowledges the need to establish comprehensive, multiple forums to meaningfully engage the community to comment on the proposed projects under all Programs. The NCTC JPA along with member agencies and adjacent unincorporated area of Los Angeles County undertook an extensive outreach effort and invited the general public to a series of public workshops and meetings. Metro will continue to work with the Subregion to seek opportunities to reach out to a broader constituency of stakeholders.

**DETERMINATION OF SAFETY IMPACT**

Programming of Measure M MSP funds to the North County Subregion projects will not have any adverse safety impacts on Metro's employees or patrons.

**FINANCIAL IMPACT**

In FY 2020-21, \$4.07 million is budgeted in Cost Center 0441 (Subsidies to Others) for the Active Transportation Program (Project #474401), \$3.09 million is budgeted in Cost Center 0441 (Subsidies

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to Others) for the Transit Program (Project #474102) and \$435,000 is budgeted in Cost Center 0442 (Highway Subsidies) for the Highway Efficiency Program (Project #475504). Upon approval of this action, staff will reallocate necessary funds to appropriate projects within Cost Centers 0441 and 0442. Since these are multi-year projects, Cost Centers 0441 and 0442 will be responsible for budgeting the cost in future years.

### Impact to Budget

The source of funds for these projects are Measure M Highway Construction 17% and Measure M Transit Construction 35%. These fund sources are not eligible for Metro bus and rail operating and capital expenditures.

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

Recommendation supports the following goals of the Metro Vision 2028 Strategic Plan:

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling by alleviating the current operational deficiencies and improving mobility along the projects.

Goal 4: Transform LA County through regional collaboration by partnering with the Council of Governments and the local jurisdictions to identify the needed improvements and take the lead in development and implementation of their projects.

### **ALTERNATIVES CONSIDERED**

The Board could elect not to approve the additional programming of funds for the Measure M MSP projects for the North County Subregion. This is not recommended as the proposed projects were developed by the Subregion in accordance with the Measure M Ordinance, Guidelines and the Administrative Procedures.

### **NEXT STEPS**

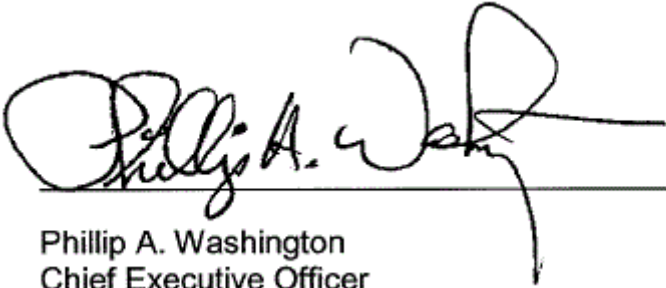
Metro staff will continue to work with the Subregion to identify and deliver projects. Program/Project updates will be provided to the Board on an annual basis.

### **ATTACHMENTS**

- Attachment A - Active Transportation Project List
- Attachment B - Transit Program Project List
- Attachment C - Highway Efficiency Program Project List

Prepared by: Fanny Pan, DEO, Countywide Planning & Development, (213) 418-3433  
Shawn Atlow, Executive Officer, Countywide Planning & Development, (213) 418-3327  
Laurie Lombardi, SEO, Countywide Planning & Development, (213) 418-3251

Reviewed by: James de la Loza, Chief Planning Officer, (213) 922-2920



Phillip A. Washington  
Chief Executive Officer

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**North County Subregion  
Measure M Multi-Year Subregional Plan - Active Transportation Program (Expenditure Line 52)**

	Agency	Project ID No.	Project/Location	Funding Phases	Note	Pror Alloc	Alloc Change	Current Alloc	Prior Year Prog	FY2019-20	FY2020-21	FY 2021-22	FY 2022-23	FY 2023-24
1	Lancaster	MM4501.05	Sierra Hwy: Avenue J to Avenue L	Construction		\$ 1,240,486		\$ 1,240,486			\$ 1,240,486			
2	Palmdale	MM4501.06	Avenue R Complete Street & Safe Routes to School Proj	PS&E, ROW Construction		2,695,140		2,695,140		1,695,140	1,000,000			
3	Santa Clarita	MM4501.08	Citywide Bicycle Facilities: Copper Hill Dr., Plum Canyon Rd., Sierra Hwy, Lost Canyon Rd., Via Princessa	PS&E Construction	deob	648,000	(648,000)	-						
4	Santa Clarita	MM4501.09	Santa Clara River Trail Gap Closure Design: Five Knolls to Discovery Park *	PS&E ROW	chg	696,000	42,000	738,000						738,000
5	Santa Clarita	MM4501.10	Sierra Highway Sidewalk Improvements: Scherzinger Lane to Skyline Ranch Road	PS&E Construction	chg	624,000		624,000	51,000		573,000			
6	Santa Clarita	MM4501.11	Valencia Industrial Center Bicycle and Pedestrian Imp. Phase I: San Francisquito Trail to Avenue Scott E	PS&E, ROW Construction	chg	672,000	28,000	700,000				700,000		
7	Santa Clarita	MM4501.14	Valencia Industrial Center Bicycle and Pedestrian Imp. Phase II: San Francisquito Trail to eastbound Avenue Scott	PS&E, ROW Construction	chg	672,000	47,700	719,700					719,700	
8	Santa Clarita	MM4501.15	Railroad Avenue Class I Trail (supplement to CFP #F9513)	ROW Construction	deob	720,000	(720,000)	-						
9	Santa Clarita	MM4501.17	Newhall Area Bicycle Facility	PS&E Construction	new	-	650,000	650,000			650,000			
10	Santa Clarita	MM4501.18	Saugus Phase I: Bouquet Canyon Trail to Central Park	PS&E, ROW Construction	new	-	666,900	666,900				666,900		
11	Santa Clarita	MM4501.19	Saugus Phase II: Bouquet Canyon Trail Central Park to Haskell Cyn	PS&E	new	-	683,600	683,600				683,600		
12	LA County	MM4501.12	Elizabeth Lake Road Bikeways	PS&E ROW	deob	1,050,000	(1,029,259)	20,741	20,741					
13	LA County	MM4501.13	Lake Los Angeles Pedestrian Plan Implementation Phase 1: 170th St. E, Avenue N, 165th St. E, Avenue N-8, 180th St. E, Avenue P-8, 160th St. E, Avenue Q	PS&E ROW Construction	chg	2,000,000	1,600,000	3,600,000		50,000	300,000	400,000	1,250,000	1,600,000
14	LA County (Lancaster)	MM4501.16	30th Street West Active Transportation Improvements	PS&E, ROW Construction	chg	1,326,000	884,000	2,210,000				442,000	\$ 884,000	\$ 884,000
<b>Total Programming Amount</b>						<b>\$ 12,343,626</b>	<b>\$ 2,204,941</b>	<b>\$ 14,548,567</b>	<b>\$ 71,741</b>	<b>\$ 1,745,140</b>	<b>\$ 3,763,486</b>	<b>\$ 2,892,500</b>	<b>\$ 2,853,700</b>	<b>\$ 3,222,000</b>

\* Conditional programming approval as only high level scope of work was developed and reviewed. Future annual update process will reconfirm the programming.

**North County Subregion  
Measure M Multi-Year Subregional Plan - Transit Program (Expenditure Plan 64)**

	Agency	Project ID No.	Project/Location	Funding Phases	Note	Pror Alloc	Alloc Change	Current Alloc	Prior Year Prog	FY2019-20	FY2020-21	FY 2021-22	FY 2022-23	FY 2023-24		
1	Palmdale	MM4502.01	Palmdale Transportation Center Transit and Infrastructure Design Project	PS&E		\$ 2,000,000		\$ 2,000,000		\$ 100,000	\$1,025,000	\$ 875,000				
2	Santa Clarita	MM4502.02	Valencia Industrial Center Bus Stop Improvement	PS&E, ROW Construction	chg	892,000		892,000				80,000	812,000			
3	Santa Clarita	MM4502.03	Vista Canyon Bus Service Expansion	Vehicles/ Equipment	chg	2,180,000		2,180,000					1,090,000	1,090,000		
4	Santa Clarita	MM4502.04	Vista Canyon Transportation Center	ROW Construction		3,216,000		3,216,000	288,000	1,440,000	1,488,000					
5	LA County	MM4502.04	Vista Canyon Transportation Center - Transit Capital Jurisdictional Share	Construction		2,000,000		2,000,000		1,000,000	1,000,000					
6	LA County	MM4502.05	North County Bus Stop Improvements: Santa Clarita and Antelope Valley	PS&E Construction		2,855,260		2,855,260	308,000	400,000	1,178,990	968,270				
7	Metro/ Metrolink	MM4502.06	Metrolink Antelope Valley Line	Environmental PS&E	chg	12,750,000	3,425,000	16,175,000		4,170,961	2,429,039		6,150,000	3,425,000		
<b>Total Programming Amount</b>								<b>\$25,893,260</b>	<b>\$3,425,000</b>	<b>\$29,318,260</b>	<b>\$596,000</b>	<b>\$7,110,961</b>	<b>\$7,121,029</b>	<b>\$1,923,270</b>	<b>\$8,052,000</b>	<b>\$4,515,000</b>

**North County Subregion  
Measure M Multi-Year Subregional Plan - Highway Efficiency Program (Expenditure Line 81)**

	Agency	Project ID No.	Project/Location	Funding Phases	Note	Pror Alloc	Alloc Change	Current Alloc	Prior Year Prog	FY2020-21	FY 2021-22	FY 2022-23	FY 2023-24
1	Palmdale	MM5504.01	SR-138 Palmdale Blvd. SR-14 Ramps	Construction		\$ 3,351,220		\$ 3,351,220		\$2,234,147	\$1,117,073		
2	North County Transportation Coalition	MM5504.02	SR-14 Capacity Enhancement/Operational Improvement **	TBD	chg	4,700,000		4,700,000			2,000,000	1,350,000	1,350,000
3	Lancaster	MM5504.03	SR-138 Avenue G Interchange Project (Measure R #MR330.03 shortfall)	ROW Construction		4,350,143		4,350,143			4,350,143		
<b>Total Programming Amount</b>						<b>\$ 12,401,363</b>	<b>\$ -</b>	<b>\$ 12,401,363</b>	<b>\$ -</b>	<b>\$2,234,147</b>	<b>\$7,467,216</b>	<b>\$1,350,000</b>	<b>\$1,350,000</b>

\*\* Pending identification of a specific project after initial investigations and consultation with Caltrans and Metro.

**Board Report**

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**File #:** 2021-0102, **File Type:** Agreement**Agenda Number:** 12.

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**REVISED**  
**PLANNING AND PROGRAMMING COMMITTEE**  
**APRIL 14, 2021**

**SUBJECT: U.S. ARMY CORPS OF ENGINEERS MEMORANDUM OF AGREEMENT FOR SECTION 404 PERMITS FOR METRO PROJECTS**

**ACTION: APPROVE RECOMMENDATION**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute the Memorandum of Agreement between Los Angeles County Transportation Authority (LACMTA) and the US Army Corps of Engineering, Los Angeles District, for Section 404 Permitting Process (Attachment C).

**ISSUE**

Metro planning and construction projects often need to coordinate with the United States Army Corps of Engineers (Corps), Los Angeles District (LAD), to secure permits and approvals. The Los Angeles River Path Project needs to secure a Section 404 (Clean Water Act of 1972) permit and it is anticipated that future additional Section 404 permits will be required for other Metro projects.

In order to streamline the permitting process with LAD, it would be more efficient to enter into a Memorandum of Agreement (MOA) between LACMTA and the LAD to facilitate memorializing roles and responsibilities and to expedite project delivery schedules. This MOA has been prepared in a manner that would accommodate this and any other future Metro project that may require Section 404 services from the LAD.

**DISCUSSION**

In September 2019 , the Board approved LACMTA to enter into a first MOA with the Corps to facilitate coordination on Section 408 (permission from the Corps to alter the Corps constructed Civil Works) permitting process for a number of projects, including Pillar Projects, Measure M/R and Twenty-Eight by '28 Projects (Attachment A). Subsequently, LACMTA and the Corps entered into the MOA in December 2019 (Attachment B).

All the projects included within the Section 408 MOA with the Corps will also be required to obtain Section 404 permits due to their interaction with the Waters of United States. Hence, this would be a second executed MOA that would allow both parties to collectively work together to support pre-



application tasks (environmental and design) for the permitting process. The general intent of the MOA would be to cover the current ongoing Projects as well as future Metro projects requiring Section 404 permits for project delivery.

The MOA describes roles, responsibilities and obligations of both parties and specifies the procedures which LACMTA and the LAD will follow for elements associated with the support services and permitting (general coordination, review of environmental/design, pre-application direction and review, streamline process, attendance in meetings, reimbursements, invoices, etc.). LACMTA and the LAD agree to cooperate with each other in all activities covered by the MOA. Work performed by the LAD under this MOA shall be per the agreed upon terms in this MOA.

### **Equity Platform Consistency**

This MOA will facilitate streamlined delivery of Metro projects which in turn will provide benefits of enhanced mobility and regional access to underserved populations within the respective project areas. Project-specific consistency with Metro's Equity Platform will be addressed as projects are brought before the Board for approval.

### **FINANCIAL IMPACT**

This MOA has a not-to-exceed value of \$750,000 for seven years (ending December 31, 2027) with reimbursements being issued to the LAD on an annual basis per the specified terms in the MOA. Funding will be on an annual basis through project budget, based on project-specific coordination with the LAD. Reimbursements for LAD's commitments created within the MOA parameters shall only be issued by funded projects and must be within each project's respective Fiscal Year or Life of Project (LOP) budgets. Generally, these projects will largely be Measure R/M projects but can be utilized across all Metro capital projects.

#### **Impact to Budget**

Sources of funds for the recommended actions are part of each project's budget. No other funds were considered.

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

In general, the initial list of nine projects included in the MOA contribute to the implementation of multiple goals of Metro's Vision 2028 Strategic Plan, particularly:

- Goal 1: Provide high-quality mobility options that enable people to spend less time traveling;
- Goal 3: Transform LA County through regional collaboration and national leadership; and
- Goal 4: Provide responsive, accountable, and trustworthy governance within the Metro organization

### **ALTERNATIVES CONSIDERED**

The Board may choose not to execute this MOA, however this would not solidify each of the parties' roles and responsibilities and would require Metro to follow standard "over the counter" processes for

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permitting processing and therefore not benefit from streamlined processes and other administration benefits identified within the MOA, all of which are essential elements for timely project delivery.

**NEXT STEPS**

Upon Metro Board approval, the MOA will be executed, and staff will develop as-needed project-specific scope of projects that become ready for coordination with LAD.

**ATTACHMENTS**

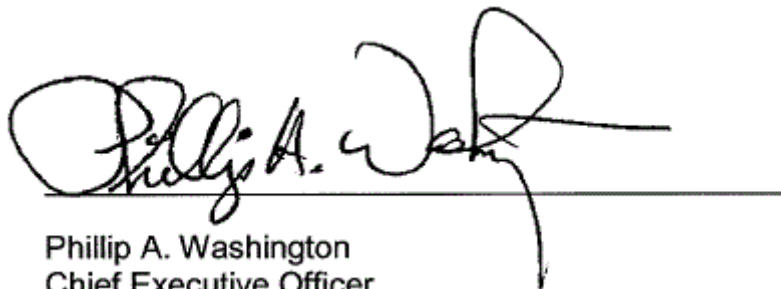
Attachment A - Legistar File #: 2019-0556

Attachment B - LACMTA/Corps MOA for Section 408 permits, executed in Dec 2019

Attachment C - LACMTA/LAD MOA for Section 404 permit

Prepared by: Mitali Gupta, Manager, Countywide Planning and Development; 213-922-5283  
Dolores Roybal-Saltarelli, Deputy Executive Officer, Countywide Planning and Development; 213-922-3024  
David Mieger, Senior Executive Officer, Countywide Planning and Development; 213-922-3040

Reviewed by: James de la Loza, Chief Planning Officer; 213-922-2920



Phillip A. Washington  
Chief Executive Officer

## Metro



## Board Report

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File #: 2019-0556, File Type: Agreement

Agenda Number: 31.

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**CONSTRUCTION COMMITTEE  
SEPTEMBER 19, 2019**

**SUBJECT: US ARMY CORPS OF ENGINEERING MEMORANDUM OF AGREEMENT**

**ACTION: APPROVE RECOMMENDATION**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute the Memorandum of Agreement (MOA) between Metro (Authority) and US Army Corps of Engineering (“Corps”).

**ISSUE**

As the Metro Projects move forward, the team has identified the need to interact with the Corps to accommodate the project alignments in which coordination efforts would include permits and general coordination. This is the Authority’s first interaction with Corps. Therefore, in order to move forward with the general scope, an MOA must be set in place between the Authority and Corps in order to memorialize roles and responsibilities. This MOA shall also be prepared in a manner that would accommodate any future Metro Project that may require services from Corps in order to support those future projects.

**DISCUSSION**

No other MOA has been executed by both parties, this would be the first MOA executed that would allow both parties to collectively work together to support general utility relocation and coordination efforts. The general intent of the MOA would be to cover the current ongoing Projects as well as future Metro Projects for many years to come.

This MOA describes the roles, responsibilities, and obligations of both parties and specifies the procedures which the Authority and Corps will follow for elements associated with the supports services associated with all of Metro’s projects. Such elements include general coordination, providing as built, relocating utilities, review of designs, streamline processes, meeting accommodations, permitting, construction support services, reimbursements, invoicing, and other general tasks in support of Metro’s construction of projects. The Authority and Corps agree that each will cooperate with the other in all activities covered by the MOA. Work performed by Corps

under this MOA shall be per the agreed upon terms in this MOA.

### **FINANCIAL IMPACT**

Reimbursements will be issued to Corps on an annual basis per the specified terms in the MOA. Reimbursements for said Authority commitments created within the MOA parameters shall only be issued by funded projects and must be within each of the project's respective Fiscal Year or Life of Project (LOP) budgets. These projects will largely be comprised of the Measure R/M projects but can be utilized across all Metro capital projects.

### **ALTERNATIVES CONSIDERED**

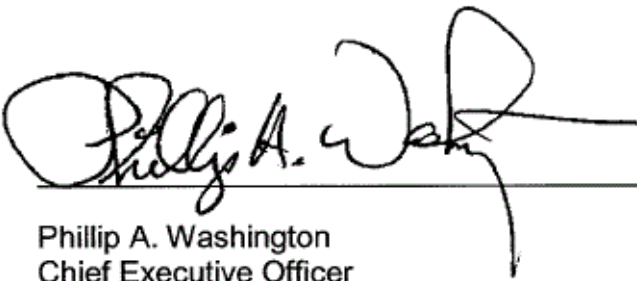
The Board may choose not to execute this MOA, however not executing this MOA would not solidify each of the parties' roles and responsibilities and would require Metro to follow standard over the counter processes and therefore not benefit from streamlined processes, and other administration benefits identified within the MOA. All of which are essential elements from a successful project standpoint.

### **ATTACHMENTS**

Attachment A - MOA; Corps

Prepared by: Eduardo Cervantes, Deputy Executive Officer; 213-922-7255  
Androush Danielians, Executive Officer; 213-922-7598

Reviewed by: Richard Clarke, Chief Program Management Officer; 213-922-7557



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Phillip A. Washington  
Chief Executive Officer

**MEMORANDUM OF AGREEMENT  
BETWEEN  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
(LACMTA)  
AND  
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT**

**SUBJECT:** Memorandum of Agreement between the Los Angeles County Metropolitan Transportation Authority (LACMTA) and the U.S. Army Corps of Engineers Los Angeles District

THIS MEMORANDUM OF AGREEMENT ("MOA") is entered into between the Los Angeles County Metropolitan Transportation Authority, LACMTA (hereinafter "LACMTA") and the Los Angeles District of the United States Army Corps of Engineers (hereinafter "Corps"), collectively referred to as the "Parties."

**RECITALS**

WHEREAS, pursuant to section 14 of the Rivers and Harbors Act of 1899, codified at 33 U.S.C. § 408 ("Section 408"), as amended, the Corps has jurisdiction over requests to alter or modify completed water resources development projects constructed by the Corps ("Section 408 Requests");

WHEREAS, section 214 of the Federal Water Resources Development Act of 2000, Public Law 106-541 ("WRDA 2000"), as amended and codified at 33 U.S.C. § 2352, authorizes the Secretary of the Army, after public notice, to accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit application of that entity related to a project or activity for a public purpose under the jurisdiction of the Department of the Army;

WHEREAS, the Secretary of the Army has delegated the responsibility of carrying out section 214 of the WRDA 2000, as amended, to the Chief of Engineers and his delegated representatives;

WHEREAS Engineering Circular (EC) 1165-2-220 authorizes District and Division Engineers of the Corps to accept and expend funds contributed by non-Federal public entities subject to certain limitations;

WHEREAS, the Corps has indicated it is not able, without additional resources, to expedite the evaluation of LACMTA-designated priority Section 408 Requests ("LACMTA-designated priority Section 408 Requests") that have a public purpose;

WHEREAS, LACMTA is a non-Federal entity and believes it is in its best interest to provide funds to the Corps pursuant to this MOA to streamline and expedite Corps' review of LACMTA-designated priority Section 408 Requests, as more fully described in this MOA;

WHEREAS, the Corps' District Engineer has determined that the acceptance and expenditure of funds received from the LACMTA is appropriate, and an informational public notice will be issued regarding the decision;

WHEREAS, it is understood and acknowledged by all Parties that the Corps' review of LACMTA-designated priority Section 408 Requests will be completely impartial and in accordance with all applicable Federal laws and regulations;

WHEREAS, this MOA establishes the responsibilities and operating procedures of the Parties with respect to the Corps' review of LACMTA-designated priority Section 408 Requests requiring Corps' permission pursuant to Section 408;

WHEREAS, this MOA is intended to: (1) enable the Parties to fully consider, address, and protect environmental resources, including but not limited to impacts to existing and completed Corps water resources development projects and any component feature thereof, early in the development of proposed actions; (2) avoid conflicts late in project development through close coordination during early planning and development stages; (3) provide sufficient information to the Corps for timely analysis of project effects and to assist LACMTA in developing appropriate mitigation measures; (4) maximize the effective use of limited Corps resources by focusing attention on projects that would have the most effect on completed federal flood risk management facilities; (5) provide a mechanism for expediting LACMTA-designated priority Section 408 Request reviews and coordination when necessary; and (6) provide procedures for resolving disputes in this resource partnering effort.

NOW, THEREFORE, the Parties agree as follows:

## AGREEMENT

### Article I. - PURPOSE AND AUTHORITIES

A. This MOA is entered into by the Parties for the purpose of establishing a mutual framework governing the respective responsibilities of the Parties for the Corps' acceptance and expenditure of funds contributed by LACMTA to provide expedited Section 408 Request evaluation-related services for LACMTA-designated priority Section 408 Requests. The LACMTA-designated priority Section 408 Requests are listed in Appendix A to this MOA. LACMTA shall have the authority to change priorities, in order to accommodate Project schedule needs. This MOA is not intended as the exclusive means of obtaining permit review of LACMTA Section 408 Requests. This MOA is a vehicle by which LACMTA will obtain expedited review and evaluation of LACMTA-designated priority Section 408 Requests outside of the ordinary Corps review process.

B. The LACMTA enters into this MOA pursuant to its authority under California Public Utilities Code Section 130050.2, et seq.

C. The Corps enters into this MOA pursuant to its authority under 33 U.S.C. § 2352.

D. This MOA is limited to LACMTA-designated priority Section 408 Request reviews only. A separate agreement may be required between LACMTA and the Corps to

expedite environmental technical assistance, coordination services, review, and concurrence of documentation prepared to comply with section 404 of the Clean Water Act of 1972, as amended, and/or section 10 of the Rivers and Harbors Act of 1899, as amended.

## Article II. - SCOPE OF WORK

A. LACMTA will provide funds to the Corps to expedite review and evaluation related services for LACMTA-designated priority Section 408 Requests as designated in Appendix A. The Corps' operations and maintenance expenses are funded as a congressionally appropriated line item in the annual Federal budget. LACMTA will provide the Corps with funds in accordance with the provisions of 33 U.S.C. § 2352.

B. The Corps will provide staffing resources dedicated to expediting LACMTA-designated priority Section 408 Request reviews, as described in Article II.D., below, and/or other programmatic efforts to support efficient decision-making.

C. The Corps will establish a separate internal financial account to track receipt and expenditure of funds associated with its review of LACMTA permit applications for LACMTA-designated priority Section 408 Requests. Corps' personnel will charge their time and expenses against the account when they perform work to either expedite Section 408 Request evaluation related requests for LACMTA-designated priority Section 408 Requests or undertake other programmatic efforts to support efficient decision-making related to LACMTA's permitting needs.

D. Funds contributed by LACMTA hereunder will be expended by the Corps to defray the costs of its staff (including salary, associated benefits, overhead and travel expenses) and other costs in order to expedite the evaluation of LACMTA-designated priority Section 408 Requests. The Corps may expend LACMTA funds to perform select duties, including but not limited to technical analyses and writing, Agency Technical Review, real estate evaluation, risk analysis, copying or other clerical/support tasks, acquisition of data, site visits, travel, coordination activities, additional personnel (including support/clerical staff), contracting support for technical services (e.g., structural risk evaluation, geotechnical analysis, hydraulic and hydrological engineering review), construction quality assurance and control, environmental documentation preparation and review; consultation with resource agencies; meeting coordination; and any other permit evaluation related responsibilities that may be mutually agreed upon.

E. The Corps will *not* expend funds provided by LACMTA for costs associated with the review of the Corps' work undertaken by supervisors or other persons or elements of the Corps in the decision-making chain of command. However, if a supervisor is performing staff work and not supervisory oversight, funds provided by LACMTA pursuant to this MOA may be used.

F. The Corps will *not* expend funds provided by LACMTA to defray the costs of activities related to the Corps' enforcement functions, but may use funds provided by LACMTA to defray costs of activities related to Section 408 permission compliance functions, such as



quality assurance activities or reviews of associated Section 408 permission closeout documentation.

G. If the funds provided by LACMTA are expended and not replenished, any remaining LACMTA-designated priority Section 408 Requests will be handled like those of any Section 408 requester.

H. Expediting of packages shall include review of a submittals within 30 calendar days. Should the package or plans be incomplete in nature, Corps shall reject plans and notify LACMTA within 7 calendar days of receipt of plans.

### Article III. - INTERAGENCY COMMUNICATIONS

To provide for consistent and effective communication between the Parties, each party will appoint a Principal Representative to serve as its central point of contact on matters relating to this MOA. Additional representatives may also be appointed to serve as points of contact on specific actions or issues. For the purposes of this MOA, LACMTA's Principal Representative will be Eduardo Cervantes, Deputy Executive Officer, and the Corps' Principal Representative will be Rafi Talukder, P.E., Engineering Division, Los Angeles District. The Principal Representative for each party may be changed upon written notification to the other party.

### Article IV. - RESPONSIBILITIES OF THE PARTIES

A. LACMTA will provide adequate resources to fund existing or additional Corps personnel for the purpose of expediting the review of LACMTA-designated priority Section 408 Requests and other identified activities. To facilitate the Corps' reviews and activities, the LACMTA will:

1. Provide adequate information regarding LACMTA-designated priority Section 408 Requests, scheduling requirements, and other specific activities to initiate permit evaluation. Information required for the Corps to deem a Section 408 package submittal complete thereby allowing initiation of the Section 408 request review process can be found in applicable Section 408 guidance, including but not limited to EC 1165-2-220, POLICY AND PROCEDURAL GUIDANCE FOR PROCESSING REQUESTS TO ALTER US ARMY CORPS OF ENGINEERS CIVIL WORKS PROJECTS PURSUANT TO 33 USC 408, dated September 10, 2018, a copy of which has been provided to LACMTA. Upon request, the LACMTA shall provide supplemental information necessary to complete the permit application. Additional information required to complete the Section 408 Request evaluation process may exceed what is needed to initiate the process. On a case-by-case basis, if requested by the Corps, LACMTA shall provide such additional information as may be necessary to ensure the Corps can effectively accomplish the required review.

2. In consultation with the Corps, establish the specific order of priority of the Section 408 Requests listed in Appendix A to this MOA. The Section 408 requests included in Appendix A and the order of priority of those Section 408 Requests may be changed by LACMTA's Principal Representative without requiring an amendment to this MOA. Such changes shall be submitted to the Corps' Principal Representative in writing in the manner provided by Article VI and will be effective upon receipt thereof.



3. To the best of its ability, ensure the participation of all essential LACMTA personnel during the Section 408 request evaluation process.

4. Work closely with the Corps to adjust priorities and schedules in order to optimize available Corps staff resources. If overlaps or conflicts occur among LACMTA-designated priority Section 408 requests, then LACMTA will work with the Corps to prioritize such overlaps.

B. The Corps shall assign qualified personnel to evaluate the LACMTA-designated priority Section 408 requests and prioritize associated tasks within projected funding levels provided under this MOA. The Corps shall use the funds provided to defray the costs of salaries and associated benefits and to reimburse travel expenses in order to:

1. Expedite review of LACMTA-designated priority Section 408 Requests as identified in Appendix A or any amendments thereto in accordance with the purpose, terms, and conditions of this MOA or any amendments thereto. The Corps shall not redirect resources from, or otherwise postpone, Section 408 Requests related to non-priority Section 408 requests submitted by LACMTA through the standard Corps review process.

2. Following any pre-application meetings and/or discussions to clarify the scope of anticipated Section 408 review processes, provide LACMTA with an estimated schedule to the best of its ability within fourteen (14) calendar days of receiving LACMTA's scheduling requirements as described in Article IV subparagraph A (1) to complete the Section 408 Request evaluation process for each priority Section 408 Request submitted. LACMTA shall be able to comment on these schedules and adjust the order of LACMTA-designated priority Section 408 Requests included in Appendix A, or provide additional resources per Article V. D, below.

3. Consult on a monthly basis with LACMTA regarding an adjustment of priorities or amendments to Appendix A if the current and/or projected workload of priority Section 408 Requests and activities exceeds the Corps' ability to provide the services specified herein or negotiate additional funding in accordance with Article V.D, below.

4. If a Section 408 permission is issued, provide construction quality assurance and quality control support for permit compliance purposes, which shall consist of reviewing technical submittals and requests for information, field inspections at critical construction milestones, review of proposed change orders that involve the design or design intent of any Section 408 permission, providing technical assistance during construction as requested by the LACMTA on a case by case basis and review of construction and Section 408 closeout documentation as applicable.

5. Provide LACMTA with a brief quarterly summary report of progress made under this MOA within twenty-one (21) calendar days of the end of each quarter (January 21, April 21, July 21, and October 21). Progress will be itemized for each LACMTA-designated priority Section 408 request package during the quarter for each LACMTA-designated priority Section 408 Request pending at the end of the quarter. This report will describe achievements, including any improvements the Corps has documented in coordinating and improving the

efficiency of LACMTA-designated priority Section 408 Request package reviews, and will summarize expenditures for each Section 408 package to date. The report also will identify any recommendations for improving consultation and coordination among the Parties to this MOA and will provide an estimate of costs expected for the ensuing quarter. The report shall not be in excess of five (5) pages of narrative per report.

6. Meet with LACMTA representatives as needed to discuss progress under this MOA.

7. Work closely with the Section 408 Requester to determine the applicable Corps standards to be applied and the specific level of detail necessary to be provided in order for the Corps to make a decision for a particular alteration request. The Corps' determination of the appropriate level of detail will be risk-informed and documented in the Corps' review plan. The Corps acknowledges the Requester is responsible for ensuring a proposed alteration meets current Corps design and construction standards. However, the Requester is not required to bring those portions or features of the existing Corps project that are not impacted by the alteration up to current Corps design standards.

8. Prior to expiration of the MOA, hold a final meeting with LACMTA representatives to review a summary of LACMTA-designated priority Section 408 Request review streamlining and other activities under this MOA, as well as provide recommendations for future coordination between the Parties.

#### Article V. - FUNDING

A. The total compensation paid to the Corps under this MOA is ONE MILLION FIVE HUNDRED THOUSAND (\$1,500,000).

B. Prior to the Corps incurring any expenditure to expedite Section 408 Requests designated as a priority as specified in this MOA, the LACMTA will make a lump sum payment to the Corps of the total amount specified in subparagraph A above. Payment by the LACMTA is to be made by check payable to the Finance and Accounting Officer and sent to the following address:

U.S. Army Corps of Engineers, Los Angeles District  
Finance and Accounting Officer  
915 Wilshire Blvd.  
Los Angeles, CA 90053-2325  
Attn: Carlos M. Tabares

or by electronic funds transfer in accordance with Standard Operating Procedure UFC 08 Appendix B).

C. The Corps will carry over any unexpended funds from year to year, or will refund such unobligated funds if this MOA is terminated or expires in accordance with Article X.

D. The Corps will provide LACMTA with written notice when 80% of the funding has been expended. If the Corps' actual costs for providing the agreed-upon level of service will exceed the amount of funds available, LACMTA will have the option of (i) increasing the total funding amount through an amendment to this MOA, or (ii) agree to a reduced level of service.

E. The Corps will charge a Program Management Administration fee annually to manage the 214 funding agreement (see attached budget estimate).

#### Article VI. - NOTICES

A. Any notice, request, demand, or other communication required or permitted to be given under this MOA shall be deemed to have been duly given if in writing and delivered personally or mailed by first-class, registered, or certified mail, as follows:

If to the LACMTA:

Los Angeles County Metropolitan Transportation Authority  
1 Gateway Plaza  
Los Angeles, California 90012  
Attn: Eduardo Cervantes

With a copy in all instances to:

Los Angeles County Counsel  
1 Gateway Plaza, 24<sup>th</sup> Floor  
Los Angeles, California 90012  
Attn: Ronald Stamm, General Counsel

If to the Corps:

U.S. Army Corps of Engineers  
Engineering Division  
915 Wilshire Blvd.  
Los Angeles, California 90017  
ATTN: Rafi Talukder

With a copy in all instances to:

District Counsel  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Blvd., Suite 1535  
Los Angeles, California 90017

B. A party may change the address to which such communications are to be directed by giving written notice to the other party in the manner provided in this Article.



C. Any notice, request, demand, or other communication made pursuant to this Article shall be deemed to have been received by the addressee at the earlier of such time as it is actually received or seven (7) calendar days after it is mailed.

#### Article VII. - APPLICABLE LAWS

The applicable statutes, regulations, policies, directives, and procedures of the United States will govern this MOA and all documents and actions pursuant to it. Unless otherwise required by law, expediting of LACMTA-designated priority Section 408 Requests undertaken by the Corps will be governed by Corps regulations, policies, and procedures.

#### Article VIII. - DISPUTE RESOLUTION

In the event of a dispute, the Parties agree to use their best efforts to resolve the dispute in an informal fashion through consultation and communication, or other forms of non-binding alternative dispute resolution mutually acceptable to the Parties. The Parties agree that, in the event such measures fail to resolve the dispute, they shall refer the dispute for resolution to an appropriate forum in accordance with Federal law.

#### Article IX. - PUBLIC INFORMATION

Justification and explanation of LACMTA's programs or projects related to or arising out of LACMTA-designated priority Section 408 Requests which may be pending before other agencies, departments, and offices will not be the responsibility of the Corps. The Corps may provide, upon request from the LACMTA, any assistance necessary to support justification or explanations of activities conducted under this MOA. In general, the Corps is responsible only for public information regarding Corps regulatory activities. LACMTA will give the Corps, as appropriate, advance notice before making formal, official statements regarding activities funded under this MOA.

#### Article X - AMENDMENT, MODIFICATION, AND TERMINATION

A. This MOA may be modified or amended only by written, mutual agreement of the Parties.

B. Any party reserves the right to terminate its participation in this MOA without cause upon thirty (30) days written notice to the other party. In the event of termination, LACMTA will continue to be responsible for all costs incurred by the Corps in performing expedited LACMTA-designated priority Section 408 Requests review services up to the time of notice and for the costs of closing out or transferring any ongoing contracts in support of the provision of services by the Corps under this MOA.

C. Within ninety (90) calendar days of termination of the MOA, or the expiration of the MOA, the Corps shall provide LACMTA with a final statement of expenditures. Within sixty (60) calendar days after submittal of the Corps' final statement of expenditures, the Corps, subject to compliance with the Anti-Deficiency Act, codified at 31 U.S.C. 1341 *et seq.*, shall directly remit to LACMTA the unexpended balance of the advance payment, if any. Funds may be provided to LACMTA either by check or electronic funds transfer.

**Article XI. - MISCELLANEOUS**

A. This MOA will not affect any pre-existing or independent relationships or obligations between the Parties.

B. The Corps' participation in this MOA does not imply endorsement of the LACMTA-designated priority Section 408 Requests, nor does it diminish, modify, or otherwise affect Corps' statutory or regulatory authorities.

C. If any provision of this MOA is determined to be invalid or unenforceable, the remaining provisions will remain in force and unaffected to the fullest extent permitted by law and regulation.

D. This MOA, including any documents incorporated by reference or attachments thereto, but excluding the pre-existing relationships or obligations between the Parties referenced in subparagraph A above, constitute the entire agreement between the Parties. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

**Article XII. - EFFECTIVE DATE AND DURATION**

This MOA will be effective on the date of signature by the last party. Unless amended or modified, this MOA shall remain in force until whichever of these events occurs first:

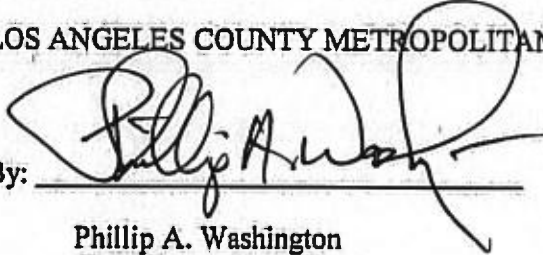
1) December 31, 2025 or 2) the MOA is terminated pursuant to Article X.B.

[REMAINDER LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, this MOA is executed as of the dates indicated below by LACMTA, acting by and through its governing board, and by the Corps, acting by and through its authorized officer.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: \_\_\_\_\_

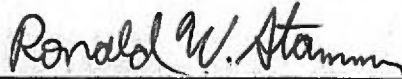


Phillip A. Washington  
Chief Executive Officer

Date: \_\_\_\_\_

10/16/19

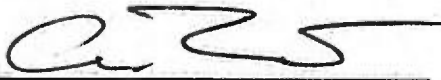
APPROVED AS TO FORM:



General Counsel

U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT

By: \_\_\_\_\_



Aaron C. Barta, PMP  
Colonel, U.S. Army  
Commander and District Engineer

Date: \_\_\_\_\_

2 Dec 19

**Appendix A: LACMTA-Designated Priority Section 408 Requests  
(Dated: 24 May 2019)**

The list of LACMTA-designated Priority Section 408 Requests under this MOA includes the following Section 408 Requests:

<b>Prioritization</b>	<b>Section 408 Request Description</b>	<b>Estimate</b>
	USACE Program Management Administration (\$25,000 annually x 7 yrs)	\$175,000
<b>1</b>	I-710 Corridor Project EIR/EIS	\$40,000
	I-710 Corridor Project (Preliminary Design Review)	\$45,000
	Agency Coordination Meetings	\$15,000
<b>2</b>	I-710 Corridor Project - Shoemaker Bridge, Long Beach, CA (EIR/EIS)	\$40,000
	I-710 Corridor Project - Shoemaker Bridge, Long Beach, CA (Preliminary Design Review)	\$30,000
	Agency Coordination Meetings	\$12,500
<b>3</b>	Metro Eastside Transit Corridor Phase 2 Project Supplemental EIR/EIS Review	\$60,000
	Metro Eastside Transit Corridor Phase 2 Project (Preliminary Design Review)	\$45,000
	Agency Coordination Meetings	\$22,500
<b>4</b>	West Santa Ana Branch Transit Corridor Project (EIR/EIS Review)	\$50,000
	West Santa Ana Branch Transit Corridor Project (Preliminary 3 bridges Design Review)	\$80,000
	Agency Coordination Meetings	\$20,000
<b>5</b>	Task 2: LA River Bike Path Gap Closure Project – EIR/EIS Review ( 8 miles)	\$50,000
	Task 2: Coordination of Environmental Analysis (USACE Lead)	\$40,000
	Task 3: LA River Bike Path Gap Closure Project (30% Design Review)	\$80,000
	Task 4: Review of Permit Application	\$80,000
	Task 5: Agency Coordination Meetings	\$30,000
<b>6</b>	I-605 Corridor Project 3 Alternative (EIR/EIS )	\$50,000
	I-605 Corridor Project (Preliminary Design Review)	\$45,000
	Agency Coordination Meetings	\$12,500
<b>7</b>	Doran St. Crossing at Verdugo Wash (Full 408 Permission)	\$120,000
<b>8</b>	Brighton Double Track over Tujunga Wash and Pacoima Wash	\$145,000
<b>9</b>	East San Fernando Valley Project	\$120,000

Prioritization	Section 408 Request Description	Estimate
10	Sepulveda Transit Corridor Project (EIS/EIR)	\$40,000
	Sepulveda Transit Corridor Project (Preliminary Design Review)	\$40,000
	Agency Coordination Meetings	\$12,500
	<b>TOTAL</b>	<b>\$1,500,000</b>

*Note: Since scope of work for each project is subject to change, additional funds will be required to provide a full 408 permit. Any unused funding will be used for a full 408 permit*



# Appendix "B"

DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
FINANCE CENTER  
5722 INTEGRITY DRIVE  
MILLINGTON TENNESSEE 38054-5005

CEFC-FD  
SOP No. UFC-08

1 June 2004  
Revised 1 April 2006

## STANDING OPERATING PROCEDURES ELECTRONIC FUNDS TRANSFERS TO THE CORPS

1. **PURPOSE.** To Standing Operating Procedure (SOP) provides procedures for utilizing Electronic Funds Transfer (EFT) and the Automated Clearing House (ACH) networks in lieu of mailing a check for payment to the Corps.
2. **APPLICABILITY.** The provisions of this SOP apply to the USACE Finance Center (UFC) and activities supported by the UFC.
3. **REFERENCE.** SOP No. UFC-03, Collection/Deposit Procedures.
4. **PROCEDURES.** When a Corps customer wishes to use EFT or ACH processes to transfer of cash contributions in lieu of mailing a check to the UFC, the enclosed procedures must be followed to ensure accurate and timely credit for the funds transferred.
  - a. The customer must notify the supported activity F&A Officer or Project Manager in advance of the pending cash transfer. The customer's notification should include the date of the transfer, amount, type of transfer (CCD+ or CTX format), and any other known data that will be used to identify the transfer. The customer's financial institution will transfer the funds via the ACH network using the Cash Concentration or Disbursement Plus (CCD+) or Corporate Trade Exchange (CTX) formats of transactions. The required data elements for these types of transactions are provided in the enclosures.
  - b. Upon notification from the customer or the Project Manager of the pending EFT, the supported activity F&A Officer must enter a Collection Receiving Officer Voucher (ROV) in CEFMS. All EFT collection vouchers must be submitted to the UFC Disbursing Division using Form UFC-DISB-1 (available at: <http://fc.ufc.usace.army.mil/forms/a-ufcdisb1.pdf>). There should only be one EFT transaction per ROV and no other transactions should be attached to an ROV established for EFT purposes.

c. In addition to the enclosed format instructions, the F&A Officer or the Project manager must also provide the following information to the customer for the EFT transfer:

- (1) The District/Division/Laboratory/RBC two-digit EROC
- (2) The CEFMS ROV number
- (3) The Advance Account or Local Cost Share Number

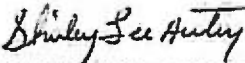
5. **Ca\$hLink II Agency Access System.** Ca\$hLink II is an on-line U.S. Treasury system that allows the UFC to access and confirm our deposit information the next working day after the EFT is posted. The UFC monitors the Ca\$hLink II system daily. Upon verification of the EFT transfer in Ca\$hLink II, the UFC will certify the ROV and confirm the deposit. Funds will be available immediately after the deposit confirmation.

The UFC will not require any additional documentation from the supported activity or the customer provided all required documentation identified above is provided. **If an EFT transaction is received via Ca\$hLink II that cannot be identified, it will be rejected back to the sender.** Before rejecting an EFT, the UFC will research and try to determine the proper supported activity and CEFMS account to update. For those EFT transactions rejected by the UFC, the financial institution (bank) that initiated the EFT will notify the customer (sender) of the rejected transaction.

6. **CHANGES.** Refer all discrepancies, comments or questions regarding this SOP to the Chief, Disbursing Division, Directorate of Finance (CEFC-FD) 901-874-8648.

FOR THE DIRECTOR:

Encls

  
SHIRLEY L. AUTRY  
Deputy Director, Finance

**U.S. ARMY CORPS OF ENGINEERS FINANCE CENTER**  
**Electronic Funds Transfer**  
**Customer Implementation Data Sheet**

**ACH CCD+ Format**

<b>DATA Element Name</b>	<b>Contents</b>	<b>Size</b>	<b>Position</b>
*Record Type Code	6	1	01-01
*Transaction Code	22	2	02-03
*Receiving ABA	05103670	8	04-11
*Check Digit	6	1	12-12
*Account Number	220025	17	13-29
Payment Amount	Amount of Payment (\$\$\$\$cc)	10	30-39
Identification Number	Optional	15	40-54
*Receiver Name	USACE Finance Center	22	55-76
**Discretionary Data	EROC Code of Corp Office	2	77-78
Addenda Indicator	1 (addenda present)	1	79-79
Trace Number	Assigned by Remitter's Bank	15	80-94

**ADDENDA RECORD FORMAT**

<b>DATA Element Name</b>	<b>Contents</b>	<b>Size</b>	<b>Position</b>
*Record type Code	7	1	01-01
*Addenda Type Code	05	2	02-03
*** Payment Related Data	ROV #/Account #;EROC	80	04-83
Sequence Number	Addenda number starting at 0001	4	84-87
Addenda Trace Number	Same as the last 7 numbers of the detail trace number	7	88-94

\* Data remains same for every transaction

\*\* EROC Code of Corps District

\*\*\* Data supplied by Corps District to Customer - If data is not present, transaction will be rejected

**U.S. ARMY CORPS OF ENGINEERS FINANCE CENTER**  
**Electronic Funds Transfer**  
**Customer Implementation Data Sheet**

**ACH CTX Format**

<b>DATA Element Name</b>	<b>Contents</b>	<b>Size</b>	<b>Position</b>
*Record Type Code	6	1	01-01
*Transaction Code	22	2	02-03
*Receiving ABA	05103670	8	04-11
*Check Digit	6	1	12-12
*Account Number	220025	17	13-29
Payment Amount	Amount of Payment (\$\$\$\$cc)	10	30-39
Identification Number	Optional	15	40-54
Number of Addenda	Number of Addenda Records attached	4	55-58
*Receiver Name	USACE Finance Center	22	59-74
Reserved	Blank	2	75-76
**Discretionary Data	EROC Code of Corp Office	2	77-78
Addenda Indicator	1 (addenda present)	1	79-79
Trace Number	Assigned by Remitter's Bank	15	80-94

**ADDENDA RECORD FORMAT**

<b>DATA Element Name</b>	<b>Contents</b>	<b>Size</b>	<b>Position</b>
*Record Type Code	7	1	01-01
*Addenda Type Code	05	2	02-03
***Payment Related Data	ROV #/Account #; EROC	80	04-83
Sequence Number	Addenda number starting at 0001	4	84-87
Addenda Trace Number	Same as the last 7 numbers of the detail trace number	7	88-94

\*Data remains same for every transaction

\*\*EROC Code of Corps District

\*\*\*Data supplied by Corps District to Customer - If data is not present, transaction will be rejected

**MEMORANDUM OF AGREEMENT  
BETWEEN  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
AND  
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT**

SUBJECT: Memorandum of Agreement between the Los Angeles County Metropolitan Transportation Authority and the U.S. Army Corps of Engineers, Los Angeles District.

THIS MEMORANDUM OF AGREEMENT (“MOA”) is entered into between the Los Angeles County Metropolitan Transportation Authority (hereinafter the “LACMTA”) and the United States Army Corps of Engineers (“Corps”), Los Angeles District (hereinafter the “LAD”), collectively referred to as the “Parties.”

**RECITALS**

WHEREAS, the Corps has regulatory jurisdiction over certain activities occurring in waters of the United States pursuant to Section 404 of the Clean Water Act (“CWA”) of 1972, as amended, and navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act (“RHA”) of 1899, as amended; and

WHEREAS, Section 214 of the Federal Water Resources Development Act (“WRDA”) of 2000, as amended, codified at 33 U.S.C. 2352, authorizes the Secretary of the Army, after public notice, to accept and expend funds to expedite the permit application review process for projects or activities that have a public purpose; and

WHEREAS, the Secretary of the Army has delegated the responsibility of carrying out Section 214 of the WRDA 2000, as amended, to the Chief of Engineers and his delegated representatives; and

WHEREAS, the Assistant Secretary of the Army (Civil Works), by memorandum dated January 19, 2018, has authorized the District and Division Engineers of the Corps to accept and expend funds contributed by a non-Federal public entity subject to certain limitations; and

WHEREAS, the LAD has indicated it is not able, without additional resources, to expedite the evaluation of LACMTA permit applications; and

WHEREAS, the LACMTA is a non-Federal public entity and believes it is in its best interest to provide funds to the LAD pursuant to this MOA to streamline and expedite LAD’s review under Section 404 of the CWA and/or Section 10 of the RHA for LACMTA-designated priority projects, as more fully described in this MOA; and

WHEREAS, the LAD issued an initial public notice dated November 2, 2020, regarding its intent to accept and expend funds contributed by the LACMTA; and

WHEREAS, in a memorandum dated XXX, the LAD's District Engineer determined that the acceptance and expenditure of funds received from the LACMTA is appropriate, and an informational public notice dated XXX, regarding the decision has been issued; and

WHEREAS, it is understood and acknowledged by all Parties that the Corps' review of the LACMTA permit applications for LACMTA-designated priority projects will be completely impartial and in accordance with all applicable Federal laws and regulations; and

WHEREAS, this MOA is intended to: (1) enable the Parties to fully consider, address, and protect environmental resources early in the development of proposed actions; (2) avoid conflicts late in project development through close coordination during early planning and development stages; (3) provide sufficient information to the Corps for timely analysis of project effects and to assist the LACMTA in developing appropriate mitigation measures; (4) maximize the effective use of limited Corps personnel resources by focusing attention on projects that would most affect aquatic resources; (5) provide a mechanism for expediting project coordination when necessary; and (6) provide procedures for resolving disputes in this resource partnering effort.

NOW, THEREFORE, the Parties agree as follows:

## AGREEMENT

### Article I. - PURPOSE AND AUTHORITIES

A. This MOA is entered into by the Parties for the purpose of establishing a mutual framework governing the respective responsibilities of the Parties for the Corps' acceptance and expenditure of funds contributed by the LACMTA to provide expedited permit application evaluation-related services for LACMTA-designated priority projects requiring Corps' approval pursuant to Section 404 of the CWA and/or Section 10 of the RHA, as listed in **Appendix A** to this MOA ("Priority Projects"). This MOA is not intended as the exclusive means of obtaining review of Priority Projects proposed by the LACMTA; it is a vehicle by which the LACMTA will obtain expedited permit application evaluation-related services, outside of the ordinary Corps review process for Priority Projects.

B. The LACMTA enters into this MOA pursuant to its authority under California Public Utilities Code sections 30530 and 30531.

C. The LAD enters into this MOA pursuant to its authority under 33 U.S.C. 2352.

### Article II. - SCOPE OF WORK

A. The LAD will expedite permit application evaluation-related services for LACMTA-designated Priority Projects under the jurisdiction of the Corps in exchange for funds provided by LACMTA, as set forth below. The Corps' Regulatory Program is funded as a congressionally appropriated line item in the annual Federal budget. Funds received from

LACMTA will be added to the Regulatory Division budget of the LAD, in accordance with 33 U.S.C. 2352.

B. The LAD will provide staffing resources exclusively dedicated to expediting permit application evaluation-related services, as described below, for LACMTA- designated Priority Projects and/or other programmatic efforts to support efficient decision-making related to the LACMTA CWA Section 404 and/or RHA Section 10 permitting needs.

C. The LAD will establish a separate internal financial account to track receipt and expenditure of the funds associated with its review of permit applications submitted by the LACMTA for Priority Projects. LAD personnel will charge their time and expenses against the account when they perform work to either expedite permit application evaluation-related requests for LACMTA Priority Projects or undertake other programmatic efforts to support efficient decision-making related to the LACMTA's permitting needs.

D. Funds contributed by the LACMTA hereunder will be expended by LAD to defray the costs of Regulatory Division personnel (including salary, associated benefits, overhead and travel expenses) and other costs in order to expedite the evaluation of Priority Project permit applications. Activities covered by this MOA will include, but not be limited to, the following: application intake review, permit database entry, drawing correction, jurisdictional determinations, site visits, travel, regional coordination with Corps personnel and with other agencies, preparing and distributing public notices, preparing and conducting public hearings, preparing correspondence, performing the public interest review, preparing draft permit decision documents, and meetings with the LACMTA and other agencies.

E. LAD may expend funds provided by the LACMTA to have other Corps personnel outside LAD (e.g., Institute for Water Resources and/or Engineer Research and Development Center) or hire contractors to perform select duties, including but not limited to: site visits; preparing and providing technical materials, including environmental documentation; GIS-related services; and meeting coordination for the purpose of augmenting the resources available to the Corps for expediting its review of LACMTA-designated Priority Projects. If such expenditures when combined with the costs of the LAD Regulatory Division personnel require funding in excess of the amount available under this MOA, then LAD, as appropriate, shall not utilize said other Corps personnel outside LAD or hire said contractors until and unless additional funds are provided by the LACMTA and the Parties execute a written amendment to this MOA. LACMTA may at any time choose to require the LAD to obtain pre-approval from LACMTA for use of funds provided by LACMTA prior to LAD utilizing said other Corps personnel outside LAD or hiring said contractors in subsequent Federal fiscal quarters by notifying the LAD in writing at least two (2) weeks before the start of the Federal fiscal quarter in which the pre-approval requirement is to become effective.

F. LAD will not expend funds provided by the LACMTA for costs associated with the review of the LAD's work undertaken by supervisors or other persons or elements of the LAD in the decision-making chain of command. However, if a supervisor is performing staff work and not supervisory oversight, funds provided by LACMTA may be used. LAD will not expend funds provided by the LACMTA to defray the costs of activities related to the Corps'



enforcement functions, but may use funds provided by the LACMTA to defray costs of activities related to permit compliance functions for LACMTA permits, such as compliance inspections. Enforcement functions are defined as activities not permitted by the Corps but requiring Corps authorization. Permit compliance functions are defined as Corps oversight of Corps-permitted activities.

G. If the funds provided by the LACMTA are expended and not replenished, any remaining LACMTA-designated Priority Projects will be handled like those of any permit applicant.

### Article III. - INTERAGENCY COMMUNICATIONS

To provide for consistent and effective communication between the Parties, each party will appoint a Principal Representative to serve as its central point of contact on matters relating to this MOA. The Principal Representatives are identified in Article IV. B. Additional representatives may also be appointed to serve as points of contact on specific actions or issues. Principal Representatives may be changed upon written notification to the other party without requiring an amendment to this MOA.

### Article IV. - NOTICES

A. Any notices, request, demand, or other communication required or permitted to be given under this MOA shall be deemed to have been duly given if in writing and delivered personally, or sent by email, or mailed by first-class, registered, or certified mail to the applicable Principal Representative. Any notice, request, demand, or other communication made pursuant to this Article shall be deemed to have been received by the addressee at the earlier of such time as it is actually received or seven (7) business days after it is mailed.

B. All inquiries during the term of this MOA will be directed to the Principal Representatives listed below:

If to LACMTA:

LACMTA  
Eduardo Cervantes  
Third Party Administration  
Deputy Executive Officer  
One Gateway Plaza  
Los Angeles, CA 90012  
cervantese@metro.net

If to LAD:

Stephen M. Estes  
Chief, Los Angeles and San Bernardino Counties Section (North Coast Branch)  
Regulatory Division  
U.S. Army Corps of Engineers



Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Los Angeles, California 90017-3489  
Stephen.M.Estes@usace.army.mil

With a copy in all instances to:

District Counsel  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Los Angeles, CA 90017-3489

#### Article V. - RESPONSIBILITIES OF THE PARTIES

A. The LACMTA will provide adequate resources to fund existing or additional LAD Regulatory Division personnel for the purpose of expediting the review of LACMTA-designated Priority Projects and other identified activities. To facilitate the Corps' reviews and activities, the LACMTA will:

1. Provide adequate information regarding LACMTA-designated Priority Projects, scheduling requirements, and other specific activities to initiate permit evaluation. Information required for the Corps to deem a permit application complete thereby allowing initiation of the permit review process can be found in Corps regulations at 33 C.F.R. §§ 325.1(d), 325.3(a), and in General Condition 32 of the Nationwide Permit Program. Upon request, the LACMTA shall provide supplemental information necessary to complete the permit application. Additional information [33 C.F.R. § 325.1(e)] required to complete the permit evaluation process may exceed what is needed to initiate the application review process. On a case-by-case basis, if requested by LAD, the LACMTA shall provide such additional information so as to ensure the Corps can effectively accomplish the required review.

2. In consultation with LAD, establish the specific order of priority of the LACMTA-designated Priority Projects as listed in Appendix A to this MOA. The LACMTA-designated Priority Projects included in Appendix A and the order of priority of those LACMTA-designated Priority Projects may be changed by the LACMTA Principal Representative without requiring an amendment to this MOA. Such changes shall be submitted to LAD's Principal Representative in writing in the manner provided by Article IV and will be effective upon receipt thereof.

3. To the best of its ability, ensure the participation of all essential personnel during the permit evaluation or compliance process.

4. Work closely with LAD to adjust priorities and schedules in order to optimize available LAD Regulatory Division and/or other Corps staff resources. While the LACMTA will make every effort not to overlap project schedules, occasional overlaps may occur and the LACMTA Principal Representative will work with LAD to prioritize such overlaps.

5. Provide funding pursuant to the terms of this MOA.

B. LAD shall use the funds provided to defray the costs of salaries and associated benefits and to reimburse travel expenses in order to:

1. Expedite review of the LACMTA-designated Priority Projects in accordance with the purpose, terms, and conditions of this MOA or any amendments thereto. LAD shall not redirect resources from, or otherwise postpone, permit applications related to non-Priority Projects submitted by the LACMTA through the standard Corps review process.

2. Following any pre-application meetings and/or discussions to clarify the scope of anticipated permit application review processes, provide the LACMTA with an estimated completion date for the permit evaluation process for each complete application submitted. The LACMTA shall be able to comment on the estimated completion date and adjust the order or list of Priority Projects per Appendix A, or provide additional resources per Article VI.

3. Consult with the LACMTA regarding an adjustment of priorities or establishment of relative priorities if the current or projected workload of Priority Projects and activities exceeds the LAD's ability to provide the services specified herein.

4. No later than thirty (30) days after the conclusion of each Federal fiscal quarter, unless an extension is granted by the LACMTA Principal Representative, provide the LACMTA a brief quarterly summary report of progress made under this MOA. Progress will be itemized for each permit application review completed during the quarter and for each permit application pending at the end of the quarter. This report will describe achievements, including any improvements LAD has documented in coordinating and improving the efficiency of environmental/permit reviews, and will summarize expenditures to date. The report also will identify any recommendations for improving consultation and coordination among the Parties to this MOA. The report will also include the LAD's current best estimate of the LAD's expected costs and tasks for the ensuing quarter. The report shall not be in excess of five (5) pages.

5. Designate a Regulatory Project Manager(s) and his/her specific responsibilities for each Priority Project. If possible, LAD will designate the same Regulatory Project Manager for all major LACMTA-designated Priority Project permit applications to ensure consistency and maintain efficiency of the review process.

#### Article VI. - FUNDING

A. Within 30 days of execution of this MOA and prior to the LAD incurring any expenditure to expedite permit evaluation-related activities as specified in this MOA, the LACMTA shall pay only the anticipated costs expected to be incurred through September 30, 2021, at the level specified in the LAD's budget estimate for Federal fiscal year 2021 and agreed by LACMTA, which is included as **Appendix B** to this MOA and incorporated herein by reference. Unless amended per Article VI.E. below, the total maximum amount payable under this MOA will not exceed Seven-Hundred Fifty-Thousand and No/100 Dollars (\$750,000.00).

B. No later than July 1 of each year that this MOA remains in effect, LAD will provide the LACMTA with an anticipated cost invoice (“Invoice”) that provides an updated budget estimate of costs for the next Federal fiscal year, including any proposed changes in the level of staffing compared to the levels indicated in Appendix B, less any estimated carry-over of unobligated funds from the prior Federal fiscal year. The Invoice shall also contain proposed updates to Appendix B, if any, for future Federal fiscal years. For Federal fiscal year 2028, the Corps shall provide LACMTA with an Invoice that provides an updated budget estimate of anticipated costs through December 31, 2027. LAD will give LACMTA reasonable opportunity to review and to request revisions to the Invoice and any updates to Appendix B proposed by LAD, and the Parties will attempt to reach agreement on any such revisions requested by LACMTA, consistent with Article VIII. Revisions agreed to in writing by the Parties will be incorporated into a revised budget estimate, Invoice, or Appendix B, as applicable. This update to Appendix B will not require an amendment to the MOA. Each Invoice shall be provided on LAD letterhead, and include (1) the LAD’s name and address, (2) LAD’s remittance address, if different, (3) service dates, and (4) total amount requested. Invoices shall be submitted by LADs to: Eduardo Cervantes at [cervantese@metro.net](mailto:cervantese@metro.net) and a hard copy to the address stated in Article IV.B.

C. Each Federal fiscal year after the year in which the MOA is executed, prior to LAD incurring any expenditure to expedite permit evaluation-related activities as specified in this MOA, the LACMTA will make an annual lump sum payment to LAD of the total amount specified in the Corps’ Invoice for the relevant year, or, if the Parties have outstanding disagreement(s) on revisions to the Invoice, the total amount specified in the Appendix B budget estimate for the relevant Federal fiscal year, less any carry-over of unobligated funds from the prior Federal fiscal year. Payments by the LACMTA are to be made preferably by electronic funds transfer in accordance with Standard Operating Procedure UFC 08 (**Appendix C**) or by check payable to the “USAED Los Angeles, FAO” and sent to the following address:

U.S. Army Corps of Engineers, Finance Center  
ATTN: EROC: L1  
5722 Integrity Drive  
Millington, TN 38054

D. LAD will carry-over any unobligated funds from year to year, or will refund such unobligated funds if this MOA is terminated or expires in accordance with Article X.

E. If LAD’s actual costs for providing the agreed-upon level of service will at any time during the term of this MOA exceed the amount of funds available, LAD will notify the LACMTA at least ninety (90) days prior to fund exhaustion of the incremental amount of funds needed to defray the remaining anticipated costs. The LACMTA will have the option of (i) making a payment to LAD for the incremental amount, provided the total amount of payments to the Corps does not exceed the total funding amount, (ii) increasing the total funding amount through an amendment to this MOA, or (iii) agree to a reduced level of service.

## Article VII. - APPLICABLE LAWS

The applicable statutes, regulations, policies, directives, and procedures of the United States will govern this MOA and all documents and actions pursuant to it. Unless otherwise required by law, all expediting of permit applications undertaken by the Corps will be governed by Corps regulations, policies and procedures.

## Article VIII. - DISPUTE RESOLUTION

In the event of a dispute, the Parties agree to use their best efforts to resolve the dispute in an informal fashion through consultation and communication, or other forms of non-binding alternative dispute resolution mutually acceptable to the Parties. The Parties agree that, in the event such measures fail to resolve the dispute, they shall refer the dispute for resolution to an appropriate forum in accordance with Federal law.

## Article IX. - PUBLIC INFORMATION

Justification and explanation of the LACMTA programs or projects before other agencies, departments, and offices will not be the responsibility of LAD. LAD may provide, upon request from the LACMTA, any assistance necessary to support justification or explanations of activities conducted under this MOA. In general, LAD is responsible only for public information regarding LAD regulatory activities. The LACMTA will give LAD, as appropriate, advance notice before making formal, official statements regarding activities funded under this MOA.

## Article X. - AMENDMENT, MODIFICATION, AND TERMINATION

A. This MOA may be modified or amended only by written, mutual agreement of the Parties, except where otherwise noted.

B. Any party reserves the right to terminate its participation in this MOA without cause upon thirty (30) days' written notice to the other party. In the event of termination, the LACMTA will continue to be responsible for all costs incurred by LAD in performing expedited environmental permit review services up to the time of notice and for the costs of closing out any ongoing contracts in support of the provision of services by LAD under this MOA.

C. Within ninety (90) calendar days of termination of the MOA, or the expiration of the MOA, the LAD shall provide the LACMTA with a final statement of expenditures. Within sixty (60) calendar days after submittal of the LAD's final statement of expenditures, LAD, subject to compliance with the Anti-Deficiency Act (31 U.S.C. 1341 et. seq.), shall directly remit to the LACMTA the unexpended balance of the advance payments, if any. Funds may be provided to the LACMTA by electronic funds transfer.

## Article XI. - MISCELLANEOUS

A. This MOA will not affect any pre-existing or independent relationships or obligations between Parties.

B. LAD's participation in this MOA does not imply endorsement of LACMTA projects nor does it diminish, modify, or otherwise affect Corps statutory or regulatory authorities.

C. If any provision of this MOA is determined to be invalid or unenforceable, the remaining provisions will remain in force and unaffected to the fullest extent permitted by law and regulation.

D. This MOA, including any documents incorporated by reference or attachments thereto, but excluding the pre-existing relationships or obligations between the Parties referenced in subparagraph A above, constitutes the entire agreement between the Parties. All prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are merged herein and shall be of no further force or effect.

#### Article XII. - EFFECTIVE DATE AND DURATION

This MOA and any amendments will be effective on the date of execution by the last party. Unless amended or modified, this MOA shall remain in force until whichever of these events occurs first: 1) December 31, 2027 or 2) the MOA is terminated pursuant to Article X.B.

[REMAINDER LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, this MOA is executed as of the dates indicated below by the LACMTA and by LAD, through their authorized officers.

LACMTA

By: \_\_\_\_\_

Date: \_\_\_\_\_

Phillip A. Washington  
Chief Executive Officer

U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT

By: \_\_\_\_\_

Date: \_\_\_\_\_

Julie A. Balten  
Colonel, US Army  
Commanding

## **Appendix A: LACMTA-designated Priority Projects**

**(Dated: February 21, 2021)**

The list of LACMTA-designated Priority Projects under this MOA includes the following proposed projects:

1. West Santa Ana Branch Transit Corridor Project
2. Los Angeles River Path Project
3. I-710 Corridor
4. I-710 Corridor – Shoemaker Bridge
5. I-605 Corridor
6. Doran Street Crossing at Verdugo Wash
7. Brighton Double Track over Tujunga Wash and Pacoima Wash
8. East San Fernando Valley Project
9. Eastside Transit Corridor
- 10. Sepulveda Transit Corridor**

Other projects if appropriate will be added to the MOA when they are ready for 404 coordination.

**Appendix B: Budget Estimate**

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**Appendix C**

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**Board Report**

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**File #:** 2021-0093, **File Type:** Agreement

**Agenda Number:** 13.

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**PLANNING AND PROGRAMMING COMMITTEE  
APRIL 14, 2021**

**SUBJECT: WEST SANTA ANA BRANCH (WSAB) TRANSIT CORRIDOR PROJECT**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

CONSIDER authorizing the Chief Executive Officer to APPROVE additional funding of \$353,530 and an extension to December 2022 of the existing Funding Agreement (FA# 920000000FACGGC03) with the Gateway Cities Council of Governments (COG) for Third-Party Administration participation in the WSAB environmental clearance study.

**ISSUE**

This is a request to authorize a time extension and additional funds to the existing Funding Agreement with the Gateway Cities COG. Funding Agreement 920000000FACGGC03 (Attachment A) was executed in October 2016 and included a Term of Agreement that ended on September 30, 2020.

The Agreement included a budget of \$700,000 for corridor cities, the Gateway Cities COG and the Eco-Rapid Transit (Eco-Rapid) Joint Powers Authority (JPA) to participate in the Transit Oriented Communities (TOC) activities, environmental clearance study, participation in the WSAB City Managers Technical Advisory Committee (TAC), and other efforts. To date, several cities along with Eco-Rapid and the Gateway Cities COG have expended all of the funds allotted to them for this effort. Extending the Term of Agreement and providing additional funding is necessary to ensure that each of the corridor cities and Eco-Rapid participates in the review of the environmental document.

**BACKGROUND**

In February 2016, the Board approved Motion 32.1 (Attachment B) authorizing up to \$18 million to facilitate TOC predevelopment and planning activities for the WSAB Project in coordination with the City and County of Los Angeles, the Gateway Cities COG and the Eco-Rapid JPA. Multiple Funding Agreements have been executed to date as part of a collaborative effort to support Motion 32.1, including:

- A **June 2016 Funding Agreement** with the Gateway Cities COG to conduct near-term pre-development TOC activities;
- An **October 2016 Funding Agreement** with the Gateway Cities COG and Eco-Rapid for Third

-Party Administration to support the WSAB environmental study and to conduct outreach for the corridor; and

- A **July 2017 Funding Agreement** with Eco-Rapid to support the development of the Transit Oriented Development (TOD) Strategic Implementation Plan, which was finalized in May 2019.

**DISCUSSION**

At its September 22, 2016 meeting, the Board approved Item 12 (Attachment C), entering into a four-year Funding Agreement with the Gateway Cities COG, to be led by Eco-Rapid, for Third Party Administration to work with the 13 cities along the corridor for participation in the WSAB environmental clearance study, including review of the WSAB environmental document, participation in WSAB City Managers TAC meetings and conducting outreach for the corridor.

The WSAB City Managers TAC was formed within the Gateway Cities COG to serve as an effective forum for generating consensus positions on a range of technical, financial, and policy challenges confronting the corridor cities. The members include city managers or key staff for the cities and LA County staff. The monthly meetings are also attended by key Board deputies from Supervisor Hahn, Supervisor Solis, and Mayor Garcia offices and Eco-Rapid and the Gateway Cities COG staff. Metro has worked with the TAC to establish a collaborative approach to achieving the milestones required for the project to advance, including establishing ongoing engagement on the current project-level environmental process to protect interests of the cities and secure meaningful mitigation measures, supported by an effective monitoring system.

Since 2017, in addition to the City Managers TAC meetings, Metro has worked closely with cities on several technical issues requiring continued collaboration and feedback. As a result, several cities, as well as the Gateway Cities COG and Eco-Rapid have expended all funds allotted to them for this effort sooner than anticipated. Over the past few months, Metro staff has worked with COG staff to identify the need for additional funds for these cities to ensure their continued participation in the review of the environmental document through the completion of the WSAB final environmental study anticipated to be completed in summer 2022. It is anticipated that an additional \$353,530 will be needed to complete this effort through the completion of the final WSAB environmental study. The funding agreement is being extended to December 2022. The table below shows the breakdown of the additional funding request:

Agency	Funds	Purpose
Eco-Rapid Transit	\$60,450	Additional environmental review efforts and coordination with the Eco-Rapid Board of Directors and their efforts to address corridor-wide environmental impacts.
Gateway Cities COG	\$60,000	To fulfill staff time to engage in WSAB planning and related administration.
City of Paramount	\$20,000	Additional environmental review and technical study of the WSAB I-105/C-Line Freeway Station, ensuring community buy-in, and consideration of appropriate mitigations.

The City of Artesia	\$72,000	Additional environmental review and project planning associated with the Artesia Station as the WSAB southern terminus, development of an economic development program for the corridor and to serve as the fiscal agent (formerly performed by Bellflower) responsible for the processing of Eco-Rapid Transit expenditures as part of this effort.
City of Downey	\$29,875	Additional environmental review and local outreach efforts.
City of South Gate	\$63,205	Additional environmental review and local outreach efforts.
City Manager TAC	\$48,000	Continued facilitation and participation in the monthly WSAB City Manager TAC meetings.
<b>TOTAL</b>	<b>353,530</b>	

**DETERMINATION OF SAFETY IMPACT**

Adding funds and extending the Term of Agreement for this effort will not have any impact on the safety of Metro customers and/or employees because this Project is in the planning process phase and no capital or operational impacts results from this Board action.

**FINANCIAL IMPACT**

The FY 2020-21 remaining budget contains \$2,341,576 in Cost Center 4370 (Mobility Corridors Team 2), Project 460201 (WSAB Corridor Admin) for professional services. Since this is a multi-year contract, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting in future years. The Project budget will be responsible for the additional funds.

Impact to Budget

This effort is funded by Measure R 35% funds. As these funds are earmarked for the WSAB Transit Corridor project, they are not eligible for Metro bus and rail capital and operating expenditures.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The projects and programs included in Countywide Planning & Development’s work program contribute to the implementation of multiple goals of Metro’s Vision 2020 Strategic Plan i.e., Goal 1: Provide high-quality mobility options that enable people to spend less time traveling, Goal 3: Enhance communities and lives through mobility and access to opportunity and Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization

**ALTERNATIVES CONSIDERED**

The Board could decide not to approve the recommended extension and additional funds. This

alternative is not recommended, as ongoing coordination with local jurisdictions and Eco-Rapid is a necessary component of the environmental clearance process. Non-approval could result in strained relationships with corridor cities resulting in additional project delays and/or increased litigation risk.

**NEXT STEPS**

Upon Board approval, staff will execute an Amendment to the existing Funding Agreement to extend the Term of Agreement through the completion of the Final environmental document as well as update the project funding allocation to reflect the additional funds.

**ATTACHMENTS**

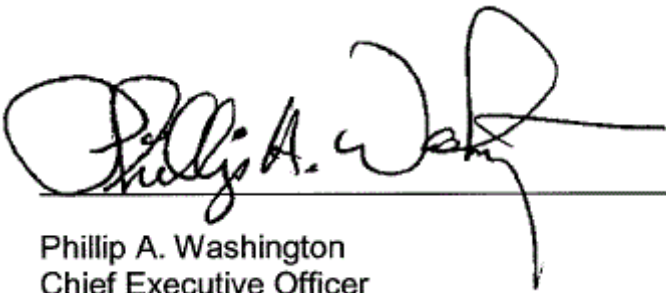
Attachment A - Funding Agreement 920000000FACGGC03

Attachment B - Board approved Motion 32.1

Attachment C - September 22, 2016 Board Report, Item 12

Prepared by: Meghna Khanna, Sr. Director, Countywide Planning & Development, (213) 922-3931  
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Reviewed by: James de la Loza, Chief Planning Officer, Countywide Planning & Development, (213) 922-2920



Phillip A. Washington  
Chief Executive Officer

**FUNDING AGREEMENT BETWEEN THE GATEWAY CITIES COUNCIL OF GOVERNMENTS AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

This Funding Agreement (the “Agreement”) is entered into with an effective date of October 10, 2016 (“Effective Date”), and is by and between the Gateway Cities Council of Governments (“AGENCY”) and the Los Angeles County Metropolitan Transportation Authority (“LACMTA”), hereinafter referred to collectively as the “Parties.” The general purpose of this Agreement is to define the roles, responsibilities, and protocols of the AGENCY and eligible subrecipients to the AGENCY, identified in Attachment A (“Participating Agencies”), in LACMTA’s environmental clearance of the West Santa Ana Branch Transit Corridor (“Project”), which generally includes facilitation and coordination between LACMTA, AGENCY, and the Participating Agencies, hereinafter referred to as the “Collaborative Effort.”

**RECITALS**

WHEREAS, LACMTA is the transportation planning and programming agency for Los Angeles County responsible for the County’s Long Range Transportation Plan, Short Range Transportation Plan and Transportation Improvement Program, and the construction and operation of bus and rail services; and

WHEREAS, the AGENCY is a California Joint Powers Authority that represents the 27 cities of Southeast Los Angeles County, the Port of Long Beach and certain unincorporated areas of Los Angeles County adjacent to or surrounded by these cities. In its role, the AGENCY provides leadership and supports various initiatives for its member cities/agencies, including implementing clean air strategies, addressing housing needs, reducing traffic congestion, conducting short and long range transportation studies, preserving and enhancing open space, and strengthening the economy; and

WHEREAS, the West Santa Ana Branch Transit Corridor is a funding priority in the voter-approved Measure R and Measure M expenditure plans; and

WHEREAS, LACMTA is working on the Project for the purpose of identifying a future light rail transit alignment and associated stations within a defined study area; and

WHEREAS, the LACTMA Board of Directors approved Motion 32.1 at its February 25, 2016 meeting, authorizing funding to facilitate Transit-Oriented Communities (TOC, a broader Transit-Oriented Development concept) for the Project and directing that LACMTA work with the City of Los Angeles, County of Los Angeles, AGENCY, and the Eco-Rapid Transit Joint Powers Authority (“Eco-Rapid”) to pursue TOC predevelopment and planning activities for the Project; and

**WHEREAS**, this is one of several existing or pending agreements associated with carrying out Board Motion 32.1 and relating to the Collaborative Effort, with potentially more agreements to follow; and

**WHEREAS**, the purposes, approaches and scopes of work for these agreements are and will be coordinated to ensure that the intent of Board Motion 32.1 is effectively implemented; and

**WHEREAS**, articulating clear roles and responsibilities is a vital tenet of ensuring a collaborative and coordinated effort to effectively implement Board Motion 32.1 such that the communities accrue multiple benefits from this substantial public infrastructure investment and opportunity; and

**WHEREAS**, all the agreements associated with implementing Board Motion 32.1 must demonstrate a progression toward completing the forward planning and design of the West Santa Ana Branch Light Rail Transit line and ancillary project features, and its environmental clearance, along with supporting or resulting in TOC-supportive local plans, regulations, financial tools and programmatic California Environmental Quality Act clearance to enable private and public sector Transit-Oriented Development (TOD) in the corridor; and

**WHEREAS**, this Agreement includes a Collaborative Effort framework for implementing the aforementioned LACMTA Board of Directors February 25, 2016 direction and the referenced related actions, a process for coordination involving LACMTA, the AGENCY, and Participating Agencies, and a communication protocol to be carried out by the AGENCY and Participating Agencies for the Project by setting forth the roles, responsibilities and protocols, as identified in Attachment A; and

**WHEREAS**, the LACMTA Board of Directors at its September 22, 2016 meeting approving the entering of this Agreement with the AGENCY for third party administration to work with the Participating Agencies on the Project, in the amount not-to-exceed \$700,000 in Measure R 35% funds, which scope of work for this Collaborative Effort is identified in Attachment A; and

**WHEREAS**, a Letter of No Prejudice (LONP) for the Collaborative Effort was issued on October 10, 2016, allowing the AGENCY and the Participating Agencies to spend funds in an amount up to \$50,000 in total for the early participation of the AGENCY, Eco-Rapid Transit Joint Powers Authority JPA and the Cities of Artesia, Bell, Bell Gardens, Bellflower, Cerritos, Cudahy, Downey, Huntington Park, Lakewood, Lynwood, Maywood, Paramount, South Gate and Vernon, to review Project deliverables and provide technical comments and feedback on the Project, pending execution of this agreement.

NOW, THEREFORE, in consideration for the promises set forth herein, the receipt and adequacy of which is hereby acknowledged, the Parties hereto agree as follows:

**AGREEMENT**

**I. TERM OF AGREEMENT**

The term of the Agreement shall be for a period from the Effective Date of this Agreement through September 30, 2020. LACMTA shall have the right to extend the term as necessary. This is a one-time funding grant subject to the terms and conditions agreed to herein. This grant does not imply nor obligate any future funding commitment on the part of LACMTA.

The obligation for LACMTA to grant AGENCY the Funds relating to the Collaborative Effort in supporting the Project is subject to sufficient Funds being made available for the Project and the Collaborative Effort by the LACMTA Board of Directors. If such Funds are not made available for the Project and/or Collaborative Effort, LACMTA shall have no obligation to provide the Funds for the Collaborative Effort, unless otherwise agreed to in writing by LACMTA.

**II. COLLABORATIVE EFFORT ADMINISTRATION AND SCOPE OF WORK**

A AGENCY and the Participating Agencies shall perform the work per the tasks and deliverables, roles, responsibilities and protocols detailed in Attachment A – Collaborative Effort Framework and Scope of Work.

B. Management/Administration of the scope of work in Attachment A is capped at a maximum of 15% of the total Agreement cost.

C. AGENCY shall submit Quarterly Progress Invoice Reports, in the form attached to the Agreement as Attachment B with detailed supporting documentation within sixty (60) days after the close of each quarter. The last Quarterly Progress Invoice Report shall be due no later than November 30, 2020 to be eligible for reimbursement under this Agreement. If no activity has occurred during a particular quarter, AGENCY will still be required to submit the Quarterly Progress Invoice Report indicating that no dollars were expended in the quarter.

E. In the event that any changes to Attachment A – Collaborative Effort Framework and Scope of Work are desired, LACMTA shall notify AGENCY in writing in a timely manner. AGENCY understands and agrees that LACMTA's contribution to the Project is limited to the amount specified in Section III (A) of this Agreement, and that the AGENCY shall be fully responsible for any eligible expenditures that exceed LACMTA's contribution and that Participating Agencies are not entitled to payment of any eligible expenses that exceed LACMTA's contribution. Any unexpended Funds after September 30, 2020, unless an extension is requested in writing by AGENCY and approved by LACMTA, shall no longer be available to the AGENCY.



### III. PAYMENT

A. LACMTA shall reimburse AGENCY an aggregate amount not to exceed \$700,000 for amounts invoiced with proper documentation within 30 working days of receipt of an acceptable invoice. AGENCY is responsible for pass-through payments to the Participating Agencies. Failure of a Participating Agency to abide by the terms and conditions of this Agreement or failure to perform the work set forth in the Scope of Work may result in LACMTA denying payment or excluding any further participation of the defaulting Participating Agency under this Agreement, along with any subsequent payments to it. AGENCY is advised to make payment to a Participating Agency only after payment is made to AGENCY by LACMTA.

B. LACMTA shall only reimburse eligible expenditures. LACMTA reserves the right to reject expenses submitted by AGENCY that it deems out of scope. Equipment including vehicles, computer hardware and software are not eligible expenditures and shall not be reimbursed with the Funds.

C. Any Funds expended by AGENCY prior to the Effective Date of this Agreement shall not be reimbursed nor shall they be credited toward the AGENCY Funding Commitment requirement, without the prior written consent of LACMTA. AGENCY Funding Commitment dollars expended prior to the Effective Date shall be spent at AGENCY'S own risk.

### IV. INDEMNIFICATION

Neither LACMTA nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or committed to be done by AGENCY, its officers, agents, employees, contractors and subcontractors under this Agreement. AGENCY shall fully indemnify, defend and hold LACMTA, and its officers, agents and employees harmless from and against any liability and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of risk of property, any environmental obligation, any legal fees and claims for damages of any nature whatsoever arising out of the Scope of Work, including without limitation; (i) use of the Funds by the AGENCY, or its officers, agents, employees, contractor or subcontractors; (ii) breach of the AGENCY's obligations under this Agreement; or (iii) any act of omission of the AGENCY, or its officers, agents, employees, contractors or subcontractors in the performance of the work or the provision of the services, in connection with the Project including, without limitation, the Scope of Work, described in this Agreement. The indemnity shall survive termination of this Agreement.

### V. INSURANCE

AGENCY shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons, or damages in property which may arise from on in conjunction with the performance of the work hereunder by the AGENCY, their

agents, representatives, employees or subcontractors. As respects Professional Liability, coverage must be maintained and evidenced provided, for two years following expiration of the Agreement.

**A. MINIMUM SCOPE OF INSURANCE**

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (concurrency form CG0001).
2. Insurances Services Office form number CA 0001 covering Automobile Liability, code 1 (any auto).
3. Worker's Compensation insurance as required by the State of California and Employer's Liability Insurance.
4. Professional Liability Insurance.

**B. MINIMUM LIMITS OF INSURANCE**

AGENCY shall maintain limits no less than:

1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or
2. Other form with a general aggregate limit is used, the general aggregate limits shall be twice the required occurrence limit of \$2,000,000. Products/ Completed Operations aggregate shall apply separately to this contract/agreement or the aggregate limit shall be twice the required per occurrence limit.
3. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.
4. Worker's Compensation insurance as required by the State of California and Employer's Liability Insurance.
5. Professional Liability: \$1,000,000 per occurrence.

**C. OTHER INSURANCE PROVISIONS**

The insurance policies required per the terms of the agreement are to contain, or be endorsed to contain, the following provisions:

1. LACMTA, its subsidiaries, officials and employees are to be covered as additional insured as respects liability arising out of the activities performed by or on behalf of the AGENCY; products and completed operations of the AGENCY; premises owned, occupied or used by the AGENCY; or automobiles owned, leased, hired or borrowed by the AGENCY. The general liability coverage shall also include contractual, personal injury, independent

contractors and broad form property damage liability. The coverage shall contain no special limitations on the scope of protection afforded to LACMTA, its subsidiaries, officials and employees.

2. For any claims related to this Agreement, insurance provided by the AGENCY shall be primary as respects LACMTA, its subsidiaries, officials and employees. Any insurance or self-insurance maintained by LACMTA shall be in excess of any program of insurance afforded by the AGENCY and shall not contribute with it.
3. Any failure to comply with reporting or other provisions of the policies including breaches of warrants shall not affect coverage provided to LACMTA, its subsidiaries, officials and employees.
4. The program of insurance provided by the AGENCY shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
5. Each insurance policy is required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice has been given to LACMTA.
6. Worker's Compensation and Employer's Liability policies shall provide a waiver of subrogation in favor of LACMTA.
7. Professional Liability insurance shall be continued, and evidence provided to LACMTA, for two years following expiration of the contract.
8. Coverage provided for two years in the event of cancellation or non-renewal.

**D. DEDUCTIBLES AND SELF-INSURED RETENTIONS**

Notwithstanding anything to the contrary, the insurance requirements contained herein may be met with a program of self insurance.

**E. ACCEPTABILITY OF INSURERS**

Insurance is to be placed with California admitted, or non-admitted carriers approved by the California Department of Insurance. All carriers must have a current A.M. Best's rating of no less than A-VII, unless otherwise approved by LACMTA. This section does not apply to a self-insured agency.

**F. VERIFICATION OF COVERAGE**

AGENCY shall furnish LACMTA with original endorsements and certificates of insurance evidencing coverage required by this clause. All documents are to be signed by a person authorized to attest to validity of coverage and protections afforded LACMTA. All documents are to be received and approved by LACMTA before work commences. If requested by LACMTA, AGENCY shall submit copies of all required

insurance policies, including endorsements affecting the coverage required by these specifications.

#### **G. SUBRECIPIENTS AND SUBCONTRACTORS**

AGENCY shall include all subrecipients or subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each subrecipient or subcontractor. All coverages for subrecipients or subcontractors shall be subject to all of the requirements stated herein. If requested by LACMTA, the AGENCY shall submit copies of all required insurance policies, including endorsements affecting the coverage required by these specifications. The Participating Agencies are considered subrecipients.

#### **VI. RECORD RETENTION**

A. AGENCY shall maintain all source documents, books and records connected with its performance and all work performed under this Agreement for three (3) years.

B. LACMTA, and/or its designee, shall have the right to conduct audits of the Project as needed. AGENCY agrees to establish and maintain proper accounting procedures and cash management records and documents in accordance with Generally Accepted Accounting Principles (GAAP). AGENCY shall reimburse LACMTA for any expenditure not in compliance with this Agreement. The allowability of costs for AGENCY's own expenditures submitted to LACMTA for this Project shall be in compliance with Office of Management and Budget (OMB) Circular A-87. The allowability of costs for AGENCY's contractors, consultants and suppliers expenditures submitted to LACMTA through AGENCY's Quarterly Progress Reports and Expenditures shall be in compliance with OMB Circular A-87 or Federal Acquisition Regulation (FAR) Subpart 31 (whichever is applicable). Findings of the LACMTA audit are final. When LACMTA audit findings require AGENCY to return monies to LACMTA, AGENCY agrees to return the monies within thirty (30) days after the final audit is sent to Grantee.

#### **VII. COMMUNICATIONS**

A. AGENCY shall ensure that all Communication Materials contain recognition of LACMTA's contribution to the Project as more particularly set forth in "Funding Agreement Communications Materials Guidelines" available on line or from the LACMTA Project Manager. Please check with the LACMTA Project Manager for the web address. The Funding Agreement Communications Materials Guidelines may be changed from time to time during the course of this Agreement. Grantee shall be responsible for complying with the latest Funding Agreement Communications Materials Guidelines during the term of this Agreement, unless otherwise specifically authorized in writing by the LACMTA Chief Communications Officer.

B. For purposes of this Agreement, "Communications Materials" include, but are not limited to, press events, public and external newsletters, printed materials, advertising, websites radio and public service announcements, electronic media, and construction site signage. A more detailed definition of "Communications Materials" is found in the Funding Agreement Communications Materials Guidelines.

C. The Metro logo is a trademarked item that shall be reproduced and displayed in accordance with specific graphic guidelines. These guidelines and logo files including scalable vector files will be available through the LACMTA Project Manager.

D. AGENCY shall ensure that any subcontractor, including, but not limited to, public relations, public affairs, and/or marketing firms hired to produce Project Communications Materials for public and external purposes will comply with the requirements contained in this Section.

E. The LACMTA Project Manager shall be responsible for monitoring AGENCY compliance with the terms and conditions of this Section. AGENCY failure to comply with the terms of this Section shall be deemed a default hereunder and LACMTA shall have all rights and remedies set forth herein.

## VIII. DEFAULT

A Default by AGENCY under this Agreement is defined as any one or more of the following:

1. AGENCY fails to comply with the terms and conditions contained in this Agreement; or
2. AGENCY fails to perform satisfactorily any of the responsibilities identified in Attachment A.

## IX. REMEDIES

A. In the event of a Default by AGENCY, LACMTA shall provide written notice of such Default to AGENCY with a 30-day period to cure the Default. In the event that AGENCY fails to cure the Default, or commit to cure the Default and commence the same within such 30-day period and to the satisfaction of the LACMTA, LACMTA shall have the following remedies: (i) LACMTA may terminate this Agreement; (ii) LACMTA may make a determination to make no further disbursements of funds to AGENCY; and/or (iii) LACMTA may recover from AGENCY any funds disbursed to AGENCY as allowed by law or in equity.

B. Effective upon receipt of written notice of termination from LACMTA, AGENCY shall not undertake any new work or obligation with respect to this Agreement.

C. The remedies described herein are non-exclusive. LACMTA shall have the right to enforce any and all rights and remedies herein or which may be now or hereafter available at law or in equity.

D. In the event of any termination, LACMTA shall reimburse AGENCY for properly invoiced work performed prior to the date of termination.

#### X. ASSIGNMENT OF AGREEMENT

A. AGENCY is without right to and shall not assign this Agreement or any part thereof or any monies due hereunder without the prior written consent of LACMTA, which shall not be unreasonably withheld. All AGENCY and Participating Agencies' agents, contractors and subcontractors directly working on and receiving monies from this Agreement require prior written approval by LACMTA and shall be bound by the terms of this Agreement.

#### XI. MISCELLANEOUS

A. California State law shall govern this Agreement. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way, unless any of the stated purposes of the Agreement would be defeated.

B. No amendment, modification, alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by authorized representatives for the Parties hereto and no oral understanding or agreement not incorporated herein shall be binding on any of the Parties.

C. This Agreement contains the entire understandings between the Parties and supersedes any prior written or oral understandings and agreements regarding the subject matter of the Agreement.

D. The covenants and agreements of this Agreement shall inure to the benefits of, and shall be binding upon, each of the Parties and their respective successors and assignees.

E. Both Parties shall comply with all applicable laws, regulations and policies.

F. Neither AGENCY nor LACMTA shall assign this Agreement, or any part thereof, without the written consent of the other party. Any assignment without such written consent shall be void and unenforceable.

G. Any notice required or permitted under this Agreement shall be in writing and shall be deemed served if sent by registered mail addressed as follows, unless otherwise notified in writing of a change of address:

Fanny Pan, Senior Director  
Transit Corridors Planning Division  
Countywide Planning and Development Department  
Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza, Mailstop: 99-22-4  
Los Angeles, CA 90012

Jack Joseph, Deputy Executive Director  
Gateway Cities Council of Governments  
16401 Paramount Blvd.  
Paramount, CA 90723

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives as of the dates indicated below:

LACMTA:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: Phillip A. Washington  
for Phillip A. Washington  
Chief Executive Officer

Date: 10/6/17

APPROVED AS TO FORM:

MARY C. WICKHAM  
County Counsel

By: Mary Wickham  
Deputy

Date: 10/3/17

AGENCY:

GATEWAY CITIES COUNCIL OF GOVERNMENTS

By: Johnny Pineda  
Johnny Pineda  
President

Date: 10-4-17

APPROVED AS TO FORM:

By: Richard D. Jones  
for Richard D. Jones  
General Counsel

Date: 10/4/17



**ATTACHMENT A  
COLLABORATIVE EFFORT FRAMEWORK  
AND SCOPE OF WORK**

**Parties to the Collaborative Effort**

1. LACMTA – Los Angeles County Metropolitan Transportation Authority
2. AGENCY - Gateway Cities Council of Governments
3. Participating Agencies:
  - Eco-Rapid Transit JPA (the City of Bellflower will act as the fiscal agent for processing of expenditures per the existing Memorandum of Understanding between Eco-Rapid Transit JPA and City of Bellflower); and
  - Participating Cities: Artesia, Bell, Bellflower, Bell Gardens, Cudahy, Downey, Huntington Park, Lakewood, Lynwood, Maywood, Paramount, South Gate, and Vernon. (City of Cerritos chooses not to participate.)

**Background**

- June 2016 –A “near-term” Funding Agreement not-to-exceed \$230,800 was entered into between LACMTA and the AGENCY (led by Eco-Rapid Transit JPA) to conduct Sustainable TOC Predevelopment and Planning activities, including Conceptual Station Area Land Use Planning Studies for stations in Cerritos, South Gate and Paramount, and Visioning Planning Studies for the City of Vernon Station.
- Eco-Rapid Transit JPA’s members (Artesia, Bellflower, and Downey) have received LACMTA TOD Grants and are in process of preparing station area plans.
- September 2016 - the LACMTA Board authorized entering into an agreement with the AGENCY for participation in the Project in the amount not-to-exceed \$700,000.
- October 2016 – FTA awarded TOD Planning Pilot Program Grant to LACMTA to conduct the WSAB Transit Corridor TOD Strategic Implementation Plan in partnership with the City of South Gate and the Eco-Rapid Transit JPA.

**Familiarity Required Existing and Pending Complementary Reference Material**

The goal of the Collaborative Effort framework is to create consistency in all studies and activities relating to the Project and avoid duplication of efforts. In developing studies and activities relating to the Project, AGENCY and each Participating Agency shall be familiar with existing and pending complementary reference material as set forth herein, and all scopes of work will be reviewed and approved by LACMTA.

1. Approach and Scope of Work (SOW)

- The development of a SOW shall consider, and to the extent practicable, build upon the framework developed in the WSAB Sustainable Transit Corridor – Phase 1 Near-term Agreement regarding pre-development Transit-oriented Communities (FA#: 920000000FACGGC02). To the extent practicable, all work shall be coordinated with the preparation of the Project and complement the recommendations and findings from prior studies and documents applicable to the Project, including the WSAB TOD Handbook; Caltrans Environmental Justice Assessment; South Gate Station Conceptual Plan; Bellflower Mixed Use Zone Plan; Cerritos Station TOD District; Huntington Park Focused General Plan Update; Rancho Los Amigos South Campus Specific Plan; Bellflower Station Specific Plan; Artesia International Downtown Specific Plan; AECOM Land Use Studies located in Cudahy, Downey, South Gate, and Huntington Park; Conceptual Land Use Planning Studies for stations in Cerritos, South Gate, and Paramount; and Visioning Planning Studies for the City of Vernon Station.
  - An FTA-awarded TOD Planning Pilot Program Grant for the WSAB Transit Corridor TOD Strategic Implementation Plan is available as a reference and resource. A separate partnership agreement is anticipated to be executed for work related to this grant.
2. Prior Studies to Reference and Integrate as Available Information to Assist in Project Coordination Efforts
- 2011-2015 – \$276,000 FHWA Pass-through Grant for AECOM Land Use Studies for stations located in Cudahy, Downey, South Gate, and Huntington Park.
  - 2011 -2013 - \$213,840 Caltrans Environmental Justice Planning Grant that assessed community impacts and addressed environmental justice goals and objectives relative to the development of the OLDA transit corridor. The project focused on providing regional connectivity to cities located in the project area with surrounding communities. It included the cities of South Gate, Huntington Park, Bell, Cudahy, Maywood and Bell Gardens. LACMTA, AGENCY and Participating Agencies agree to consider or include the environmental justice goals as addressed by the Caltrans Environmental Justice Plan.
  - 2012-2015 – Eco-Rapid Transit JPA and member cities have received \$1.8 million in TOD planning grant funded by a combination of Measure R 2% and Measure R 3% funds for the WSAB TOD Handbook, Huntington Park Focused General Plan Update, Rancho Los Amigos South Campus Specific Plan, Bellflower Station Specific Plan, and the Artesia International Downtown Specific Plan.
  - Cities have received SCAG COMPASS and Sustainability Planning Grants for projects in South Gate, Bellflower and Cerritos.
3. Coordination with Environmental Study (Project)

- Both the TOC and EIS/EIR must recognize that light rail is the build alternative under study. It will be critical that work related to the TOC be closely coordinated with the Project directed for analysis by the Board in September 2016, with respect to the opportunities resulting from the light rail alignment and stations on land use. This will ensure that:
  - a) key assumptions regarding the project's cost, scope and schedule that may emerge from the Environmental Study (Project) are aligned with the TOC scope, as the planning and implementation of viable Transit Oriented Developments necessarily pivots on the scope and timing of the transit investment at its core, such that putting in place the framework for TOC in preparation for the light rail investment maximizes the opportunity; and
  - b) outreach activities with the community, essential to both the environmental study and TOC efforts are optimized, in coordination with LACMTA's outreach activities, to ensure that input of the community is appropriately reflected in both efforts.

### Roles and Responsibilities of AGENCY, Participating Agencies, and LACMTA

#### 1. AGENCY

- Review invoices and quarterly reports of the Participating Agencies for accuracy and compliance with the terms of the Agreement.
- Submit invoices and quarterly reports in a timely manner to LACMTA for itself and on behalf of the Participating Agencies.
- Facilitate, in a manner approved by the LACMTA Project Manager and within the approved budget for AGENCY participation, the Participating Agencies in completing the scope of work of the Agreement.

#### 2. Participating Agencies

- Perform activities relating to the scope of work of the Agreement in compliance with all terms and provisions of the Agreement.
- Support and facilitate LACMTA on outreach activities
- Timely prepare and submit to AGENCY invoices and quarterly reports, as well as any other record required by the Agreement.
- Coordinate with LACMTA and its member agencies within the Project area
- Work with LACMTA in a collaborative manner in conducting tasks, roles and responsibilities required by the Agreement.

#### 3. LACMTA

- Lead agency, Project owner and Project manager.
- Outreach activities lead.

- Public “face” of the Project and outreach activities.
- Provide funding and make timely payments as set forth in the Agreement.

## Communication

### 1. Collaborative Effort Protocol

- **Project Team Meetings:** LACMTA will convene internal project team meetings for purposes of overseeing Project management and Project coordination. These are internal and confidential meetings that are only open to Eco-Rapid Transit JPA upon invitation by LACMTA. These meetings are intended to discuss consultant performance, schedules, other activities including draft materials and discussions not to be discussed or disseminated with other parties without the express consent of LACMTA. LACMTA recognizes the value of coordination and Eco-Rapid Transit JPA as a resource in furthering the Project.
- **AGENCY and Participating Agencies** shall limit meeting attendees to necessary participants who actively participate by way of providing useful information for the Project, and serve a vital coordination role during or resulting from the meeting.
- **Formation of Committees to facilitate timely communication and effective decisions:**
  - **Technical Advisory Committee (TAC)** – The LACMTA-led TAC will hold coordinated meetings and regular working group meetings. The TAC consists of task-appropriate managers and technical staff from LACMTA, AGENCY, and Participating Agencies.
  - **Policy and Oversight Committee (POC)** – The POC will provide input to the TAC. The POC will oversee activities to assure the project stays on schedule and milestones are met. The POC will consist of LACMTA’s Senior Executive Officer and Executive Officer, and Eco-Rapid Transit JPA’s Executive Director or Designee(s). Policy direction as needed will be provided by LACMTA’s Chief Planning Officer, and Eco-Rapid Transit JPA’s Executive Director and Designee.

### 2. Communication Points of Contact

- All communication to LACMTA shall be to both the Project Manager as Project lead and Communications Project Manager as communications lead.
- All communications to AGENCY that are not notices pursuant to the Agreement and/or Eco-Rapid Transit JPA shall be to Eco-Rapid Transit JPA’s Executive Director or designee.

### 3. Collaborative Working Relationship Established

- Parties acknowledge, understand and agree that a collaborative working relationship promotes the interests of all parties to the Collaborative Effort in achieving common Project goals. Concerns, problems, or conflicts in with regard

to the working relationship in administering the Agreement shall first be communicated to the points of contact above. If still needed, Parties and Participating Agencies will elevate issues to LACMTA's supervising Senior Executive Officer for resolution and advise the points of contact accordingly. This protocol applies to the AGENCY and the Participating Agencies.

### Schedule/Timeline

AGENCY and Participating Agencies must coordinate with LACMTA throughout the Project schedule.

### Judicious Use of Monies

Parties understand and agree that the monies allocated in this Agreement shall be expended consistent with the terms and conditions of the Agreement. LACMTA reserves the right to reject expenses submitted by AGENCY that it deems out of scope. AGENCY, Participating Agencies and LACMTA will collaborate and agree upon work tasks and receive LACMTA's approval of work before undertaking it to ensure a mutual understanding of judiciously using monies.

### Collaborative Effort Scope of Work:

- Pursuant to Item 12D approved by the LACMTA Board of Directors at its September 22, 2016 meeting, AGENCY will provide third party administration services, pursuant to the terms of the Agreement, for the Cities of Artesia, Bell, Bellflower, Bell Gardens, Cudahy, Downey, Huntington Park, Lakewood, Lynwood, Maywood, Paramount, South Gate, and Vernon to participate in the environmental clearance study for the West Santa Ana Branch Transit Corridor, led by Eco-Rapid Transit JPA. AGENCY's third party administration will include the management of the \$700,000 Project funds, as allocated below, to support the Participating Cities' review of environmental documents and technical report deliverables resulting from Project work and participation on the Project Technical Advisory Committee (TAC)/Working Group (WG) in support of the Project. Participating Agencies and LACMTA should collaborate and agree upon appropriate TAC meetings.
- AGENCY and Participating Agencies will perform the AGENCY roles and responsibilities outlined above.

Project Funding Allocation (not to exceed):

	Budget
Gateway Cities COG (AGENCY)	\$100,000
Artesia	\$ 28,000
Bell	\$ 17,000
Bellflower	\$ 44,000
Bellflower – Eco-Rapid Transit JPA	\$298,000
Bell Gardens	\$ 12,000
Cudahy	\$ 22,000
Downey	\$ 24,000
Huntington Park	\$ 28,000
Lakewood	\$ 8,000
Lynwood	\$ 12,000
Maywood	\$ 17,000
Paramount	\$24,000
South Gate	\$ 28,000
Vernon	\$ 28,000
Remaining Funds for AGENCY and LACMTA to mutually determine how to distribute to the above	\$ 10,000
<b>Total</b>	<b>\$ 700,000</b>

## Metro

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



## Board Report

**File #:** 2016-0175, **File Type:** Motion / Motion Response

**Agenda Number:** 32.1

**REGULAR BOARD MEETING  
FEBRUARY 25, 2016**

**Motion by:**

**Directors Knabe, DuBois, Garcetti and Solis**

February 25, 2016

**Item 32, File ID 2016-0021**

**West Santa Ana Branch Transit Corridor (Eco-Rapid Transit Project)  
Creating Sustainable Transit Oriented Communities**

Measure R includes the West Santa Ana Branch (Eco-Rapid Transit) Transit Corridor. This project runs 20 miles from the City of Artesia in Southeast Los Angeles County and continues through the cities of Artesia, Bell, Bellflower, Bell Gardens, Cudahy, Downey, Huntington Park, Los Angeles, Maywood, Paramount, South Gate, and Vernon.

The cities along this alignment are committed to supporting the implementation of this corridor and have come together in the Eco-Rapid Transit Joint Powers Authority whose mission is to pursue the development of an environmentally friendly energy efficient addition to the Los Angeles County transit system.

This addition to the LA County transit system will enhance and increase transportation options for the residents of the member cities, provide access to employment in other parts of the County and improve the quality of life for all area residents including those cities that have been designated "Disadvantaged Communities by the CalEPA EnviroScreen (SB 535 - De Leon Chapter 830, Statue of 2012).

The Los Angeles County Metropolitan Transportation Authority (MTA) is undertaking environmental studies in preparation for their development of the West Santa Ana Branch transit corridor.

Eco-Rapid Transit JPA, building on the Los Angeles County Economic Development Strategy and the Eco-Rapid Design Guidelines, is desirous of working directly with the communities along the corridor to develop a consistent set of development standards, practices, and sustainability objectives to encourage and incentivize new transit oriented developments throughout the West Santa Ana Branch transit corridor. This work will improve the ability of corridor jurisdictions to attract other funding to carry out identified public infrastructure improvements.

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Eco-Rapid Transit will manage the preparation of local development plans and policies to incorporate specific Sustainable Development targets including an evaluation of existing systems-electric, water, storm water, sewage, fiber (data) to identify opportunities to modify existing facilities to create state-of-the-art infrastructure that addressed the needs of these Environmental Justice areas. Additionally, the project will identify opportunities in existing transport facilities to identify changes within the corridor that could support increased mode share shifts from vehicles to transit, enhance active transportation opportunities, improve first and last mile connections and related design changes in housing, economic development, parking that better supports achieving the sustainability targets.

APPROVE **Motion by Knabe, DuBois, Garcetti and Solis** that:

- A. The CEO return to the Board of Directors within 60 days with a budget (not to exceed \$18 million), scope of work, potential funding sources and community engagement strategy Measure R funds in the amount of \$18 million be allocated for the purpose of pursuing Transit Oriented Communities (TOC) predevelopment and planning activities, in coordination with the City and County of Los Angeles as well as the Eco-Rapid Transit and Gateway Cities Council of Governments, for the West Santa Ana Branch Project. alignment and communities; and
- B. ~~Metro Staff work with the Gateway Cities Council of Governments or the Eco-Rapid Transit JPA to implement this program.~~



## Metro

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



## Board Report

File #:2016-0571, File Type:Contract

Agenda Number:12.

**PLANNING AND PROGRAMMING COMMITTEE  
SEPTEMBER 14, 2016**

**SUBJECT: WEST SANTA ANA BRANCH TRANSIT CORRIDOR**

**ACTION: AWARD PROFESSIONAL SERVICES CONTRACTS**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD AND EXECUTE a four-year firm fixed price Contract No. AE5999300 to Parsons Brinckerhoff, Inc., inclusive of all options, in the amount of up to \$12,189,477 to complete the environmental clearance study for the **West Santa Ana Branch (WSAB) Transit Corridor**.
- B. APPROVE contract modification authority specific to Contract No. AE5999300 in the amount of \$1,828,422 (15%) due to the complexity of the environmental clearance study;
- C. AWARD AND EXECUTE a four-year firm fixed price Contract No. PS2492300 to Arellano Associates, LLC, inclusive of all options, in the amount of up to \$861,067 to perform the environmental clearance study community outreach for the WSAB Transit Corridor; and
- D. APPROVE entering into a four-year Funding Agreement (FA) with the Gateway Cities Council of Governments (COG), to be led by the Eco-Rapid Transit Joint Powers Authority (JPA) for WSAB Transit Corridor Third Party Administration to work with the 13 cities along the corridor for participation in the environmental clearance study, in an amount not-to-exceed \$700,000.

**ISSUE**

In February 2013, the Southern California Association of Governments (SCAG) approved the WSAB Alternative Analysis (AA) Study for the 40-mile corridor from the City of Santa Ana in Orange County to Los Angeles Union Station (LAUS). The approved SCAG AA Study eliminated from further consideration Bus Rapid Transit (BRT), Streetcar and low-speed MagLev, leaving Light Rail Transit (LRT) as the recommended mode. In September 2015, the Metro Board received the WSAB Transit Corridor Technical Refinement Study that focused on five specific challenges identified by the SCAG AA. The Los Angeles County portion of the WSAB Transit Corridor extends 20 miles from the City of Artesia to the LAUS. Attachment B shows the corridor's Study Area map. The WSAB Transit Corridor is ready to enter into the environmental clearance phase. Currently, the WSAB Transit Corridor is anticipated to be LRT.

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The base contract for both the environmental clearance study and community outreach contracts is to complete the Draft Environmental Impact Report (EIR) pursuant to California Environmental Quality Act (CEQA) requirements. These contracts also include two scenarios and options: Scenario 1, if Measure M passes on November 8<sup>th</sup>, Metro will seek FTA approval to complete the Environmental Impact Statement (EIS) pursuant to National Environmental Policy Act (NEPA) requirements concurrently with the EIR. Under Scenario 1, there are two options. Option 1 is to complete the Draft EIS concurrently with the Draft EIR with Option 2 being the completion of the Final EIR/EIS. The contract amount for this scenario for the environmental clearance study is \$10,621,708 and the contract for community outreach is \$646,035.24. If Measure M does not pass, Metro may pursue completing the NEPA as an option after completion of CEQA (Scenario 2). Under Scenario 2, there are three options. Option 1 is to complete the Final EIR. Option 2 is to complete the Draft EIS. Option 3 is to complete the Final EIS. The difference between Scenario 1 and 2 is that the CEQA and NEPA process can be done either concurrently or sequentially depending on the outcome of the Measure M. Board approval of the environmental clearance study and community outreach contracts is needed in order to proceed.

In February 2016, the Board directed that a budget (not to exceed \$18 million) be allocated for the purpose of pursuing Sustainable Transit-Oriented Communities (TOC) predevelopment and planning activities for the WSAB Transit Corridor. Staff is also requesting authorization to execute the not to exceed \$700,000 FA with the Gateway Cities COG for Third Party Administration work. This \$700,000 is part of the not to exceed \$18 million directed by the Board as the work on the environmental study will be affiliated with the predevelopment and planning activities for the WSAB Sustainable TOC corridor.

## **DISCUSSION**

### **Background**

The WSAB Transit Corridor is one of the 12 Measure R Transit Corridor projects with \$240 million earmarked for the project. The project is contained in Metro's 2009 Long Range Transportation Plan (LRTP) for a total of \$649 million, including Measure R dollars earmarked for the project, Proposition C 25% and savings from the I-5 South Construction Project (Measure R 20%). The Measure M Expenditure Plan being considered by voters on November 8<sup>th</sup> includes the project with a start date of Fiscal Year (FY) 2022.

The WSAB Transit Corridor stretches approximately 20 miles from the City of Artesia to LAUS, which uses eight miles of Metro-owned abandoned Pacific Electric Rail right-of-way (ROW) from the Los Angeles/Orange County border north to the City of Paramount. It extends 12 miles north of the City of Paramount to LAUS via a combination of local streets and privately owned rail ROW. Of these 12 miles, the route from the City of Huntington Park to LAUS is not yet determined and will be further evaluated in the environmental study (approximately six miles).

### **Environmental Study and Community Outreach Contracts**

The environmental study consultant will conduct the required technical analysis to environmentally clear the WSAB Transit Corridor, including the selection of a Locally Preferred Alternative (LPA).

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Community outreach activities will be conducted through a separate, but parallel contract. The outreach consultant will facilitate and implement the Community Participation Program required for the environmental clearance. Outreach will take into account the diverse communities within the study area, with outreach efforts conducted bilingually in both English and Spanish.

### Third Party Administration

The Third Party Administration FA will reimburse the Gateway Cities COG, Eco-Rapid Transit JPA and 13 participating corridor cities for their staff to review deliverables and participate in the environmental clearance study.

### **DETERMINATION OF SAFETY IMPACT**

These actions will not have any impact on the safety of our customers and/or employees.

### **FINANCIAL IMPACT**

The FY 2016-17 budget includes \$1,000,000 in Cost Center 4370, Project 460201 (WSAB Transit Corridor). Since these are multi-year contracts, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting in future years.

### Impact to Budget

The funding for this project is from Measure R 35%. As these funds are earmarked for the WSAB Transit Corridor project, they are not eligible for Metro bus and rail capital and operating expenditures.

### **ALTERNATIVES CONSIDERED**

The Board could consider deferring initiation of the environmental phase until after the outcome of the November 8<sup>th</sup> election on Measure M is known or completing the environmental clearance study and outreach activities using in-house resources. Neither of these options is recommended as there are insufficient in-house resources to conduct a study of this magnitude. In addition, the recommended contractors have the technical expertise and qualifications to complete this work within the negotiated price.

### **NEXT STEPS**

Upon Board approval, staff will execute the contracts with Parsons Brinckerhoff, Inc. and Arellano Associates, LLC and initiate work. In addition, staff will execute the FA with the Gateway Cities COG for the Third Party Administration work.

### **ATTACHMENTS**

Attachment A-1 - Procurement Summary AE5999300

Attachment A-2 - Procurement Summary PS2492300

Attachment B - West Santa Ana Branch Transit Corridor Study Area Map

Attachment C-1 - DEOD Summary for A-1

Attachment C-2 - DEOD Summary for A-2

Prepared by: Teresa Wong, Senior Manager, (213) 922-2854  
Fanny Pan, Senior Director, (213) 922-3070  
David Mieger, Executive Officer, (213) 922-3050  
Renee Berlin, Senior Executive Officer, (213) 922-3035

Reviewed by: Therese McMillan, Chief Planning Officer, (213) 922-7077  
Debra Avila, Chief Vendor/Contract Management, (213) 418-3051

## PROCUREMENT SUMMARY

WEST SANTA ANA BRANCH TRANSIT CORRIDOR ENVIRONMENTAL  
STUDY/AE5999300

1.	<b>Contract Number:</b> AE5999300	
2.	<b>Recommended Vendor:</b> Parsons Brinckerhoff, Inc.	
3.	<b>Type of Procurement</b> (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input checked="" type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> February 5, 2016	
	<b>B. Advertised/Publicized:</b> February 4, 2016	
	<b>C. Pre-Proposal Conference:</b> February 16, 2016	
	<b>D. Proposals Due:</b> March 14, 2016	
	<b>E. Pre-Qualification Completed:</b> September 9, 2016	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> July 14, 2016	
	<b>G. Protest Period End Date:</b> September 21, 2016	
5.	<b>Solicitations Picked up/Downloaded:</b> 84	<b>Proposals Received:</b> 3
6.	<b>Contract Administrator:</b> Sonja Gettel	<b>Telephone Number:</b> (213) 922-7558
7.	<b>Project Manager:</b> Fanny Pan	<b>Telephone Number:</b> (213) 922-3070

**A. Procurement Background**

This Board Action is to approve Contract No. AE5999300 issued to provide the services to environmentally clear the Metro West Santa Ana Branch (WSAB) Transit Corridor Project.

This acquisition is predicated on one of two scenarios that will take place after the vote for Measure M is tallied on November 8, 2016. Scenario 1 (inclusive of two options) is based on Measure M passing and will enable Metro to seek FTA approval to complete the Environmental Impact Statement (EIS) pursuant to National Environmental Policy Act (NEPA) requirements concurrently with the Environmental Impact Report (EIR). Scenario 2 (inclusive of three options) is based on Measure M not passing, which will require, should Metro choose as an alternative, pursuing completion of the EIS as an option; after completion of the EIR per California Environmental Quality Act (CEQA) requirements.

In summary, the difference between Scenario 1 and 2 is that the EIS will be performed either concurrently with the EIR (Scenario 1 inclusive of two options), or sequentially, after completion of the EIR (Scenario 2 inclusive of three options); hence, the difference in price.

Scenario 2 (\$12,189,477) is a higher cost than Scenario 1 (\$10,621,708). Should ballot Measure M pass, the price of this acquisition will automatically revert to the lower cost of Scenario 1.

This is an Architectural and Engineering (A&E) qualifications based Request for Proposals (RFP) issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price. Price cannot be used as an evaluation factor pursuant to state and federal law. This RFP was issued with a Race Conscious Disadvantaged Business Enterprise (DBE) goal of 25%.

One amendment was issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on February 26, 2016, provided responses to questions received, documents related to the pre-proposal conference, the planholders list and extended the proposal due date to March 14, 2016.

A pre-proposal conference was held on February 16, 2016, attended by 26 participants representing 19 firms. There were 13 questions asked and responses were provided prior to the proposal due date.

A total of 84 firms downloaded the RFP and those firms were included on the planholders' list. A total of three proposals were received on March 14, 2016.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro's Planning Department and Southern California Association of Governments (SCAG) was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- |  |     |
|--|-----|
| • Experience and Capabilities of the Firm                                  | 25% |
| • Experience and Capabilities of the Personnel                             | 30% |
| • Effectiveness of the Work Plan   | 15% |
| • Understanding of Work and Appropriateness of Approach for Implementation | 30% |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar A&E procurements. Several factors were considered when developing the weights, giving the greatest importance to the experience and capabilities of the personnel and the understanding of work and appropriateness of approach for implementation.

During March 23, 2016 through April 28, 2016, the PET completed its independent evaluations of the three proposals received. All three proposals were determined to be within the competitive range and are listed below in alphabetical order:

1. AECOM Technical Services, Inc. (AECOM)
2. Hatch Mott MacDonald, LLC (HMM)
3. Parsons Brinckerhoff, Inc. (PB)

During the interviews on May 17, 2016, the firms' project manager and key team members had an opportunity to present each team's qualifications and respond to the PET's questions. In general, each team's presentation addressed the requirements of the RFP, experience with all aspects of the required tasks and stressed each firm's commitment to the success of the project. Also highlighted were coordination plans, significant challenges and solutions, team structure and flexibility, and the PM's experience with the subcontractors.

The final scoring, after interviews, determined PB to be the highest technically qualified firm.

#### **Qualifications Summary of Recommended Firm**

PB has extensive experience in environmental professional services. PB has prepared environmental documentation for virtually every LRT project in Los Angeles County and has led and completed environmental clearance studies for the Crenshaw/LAX Transit Corridor and the Westside Subway Extension (Measure R transit corridor projects), both of which are currently under construction. In addition, they are part of ConnectLA Joint Venture and are preparing the environmental document for the Airport Metro Connector, another Measure R transit project.

PB's subcontractor, Terry A. Hayes Associates (TAHA), will serve as the Environmental Lead bringing 42 years of experience to the project. TAHA has a record in developing strong documentation for projects that have achieved environmental clearance and are already constructed.

As part of PB's team, the Travel Demand Lead developed the travel forecasting model that Metro is currently using for its corridor studies and environmental documentation. She has completed more forecasts for Metro than any other contractor, with some of the most recent being the Westside Purple Line Extension, Regional Connector Transit Corridor, Airport Metro Connector and East San Fernando Valley Rapidway. Additionally, she has also been involved in the development, calibration and testing of demand models with the Los Angeles County Corridors Base Model 2009 for as one of her most recent examples.

The following is a summary of the PET evaluation scores:

1	FIRM	Average Score	Factor Weight	Weighted Average Score	Rank
2	<b>Parsons Brinckerhoff, Inc.</b>				
3	Experience and Capabilities of Firms on the Team	86.52	25.00%	21.63	
4	Experience and Capabilities of Personnel	80.00	30.00%	24.00	
5	Effectiveness of Management Plan	84.00	15.00%	12.60	
6	Understanding of Work and Appropriateness of Approach for Implementation	83.33	30.00%	25.00	
7	<b>Total</b>		<b>100.00%</b>	<b>83.23</b>	<b>1</b>
8	<b>AECOM Technical Services, Inc.</b>				
9	Experience and Capabilities of Firms on the Team	81.52	25.00%	20.38	
10	Experience and Capabilities of Personnel	75.00	30.00%	22.50	
11	Effectiveness of Management Plan	76.53	15.00%	11.48	
12	Understanding of Work and Appropriateness of Approach for Implementation	78.33	30.00%	23.50	
13	<b>Total</b>		<b>100.00%</b>	<b>77.86</b>	<b>2</b>
14	<b>Hatch Mott MacDonald</b>				
15	Experience and Capabilities of Firms on the Team	73.00	25.00%	18.25	
16	Experience and Capabilities of Personnel	72.50	30.00%	21.75	
17	Effectiveness of Management Plan	70.53	15.00%	10.58	
18	Understanding of Work and Appropriateness of Approach for Implementation	72.50	30.00%	21.75	
19	<b>Total</b>		<b>100.00%</b>	<b>72.33</b>	<b>3</b>

### C. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon Metro's Management and Audit Services, an independent cost estimate (ICE), cost analysis, technical analysis, fact finding, and negotiations.

The difference between the ICE and the negotiated amount is, in part, due to a lower number of jurisdictions, stakeholders and third parties included in the ICE. In addition, minimum requirements were projected for (1) conceptual engineering and urban design and (2) environmental analysis and documentation. Metro's project manager and technical advisors reviewed PB's hours and determined the proposed level of effort was reasonable for the successful completion of the scope of work. In



comparison to the firm's original proposal, the negotiated amounts represent a savings of \$4,561,256 for Scenario 1 and \$4,178,540 for Scenario 2.

<b>Proposer Name</b>	<b>Scenario</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
Parsons Brinckerhoff, Inc.	1	\$15,182,964	\$6,896,585	\$10,621,708
Parsons Brinckerhoff, Inc.	2	\$16,368,017	\$7,744,098	\$12,189,477

**D. Background on Recommended Contractor**

The recommended firm, Parsons Brinckerhoff, Inc. (PB), has been in business for 130 years. PB is one of the world's leading professional services consulting firms with expertise in environmental and engineering services, amongst others. They have been serving the Los Angeles region for four decades and their local office in downtown Los Angeles will be performing this work.

The proposed team is comprised of staff from PB and eleven subcontractors, nine of which are DBE certified. The PM has experience leading the preparation of environmental documents, bringing more than 20 years of transit experience within the Los Angeles metropolitan area. Her particular experience encompasses the management, planning, design and construction of major rail projects, including light, heavy and commuter rail systems, rail stations and rail yards.

## PROCUREMENT SUMMARY

### WEST SANTA ANA BRANCH TRANSIT CORRIDOR COMMUNITY OUTREACH PS2492300

1.	<b>Contract Number:</b> PS2492300	
2.	<b>Recommended Vendor:</b> Arellano Associates, LLC	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> February 5, 2016	
	<b>B. Advertised/Publicized:</b> February 4, 2016	
	<b>C. Pre-Proposal/Pre-Bid Conference:</b> February 18, 2016	
	<b>D. Proposals/Bids Due:</b> March 7, 2016	
	<b>E. Pre-Qualification Completed:</b> June 20, 2016	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> March 7, 2016	
	<b>G. Protest Period End Date:</b> September 21, 2016	
5.	<b>Solicitations Picked up/Downloaded:</b>  45	<b>Bids/Proposals Received:</b>  4
6.	<b>Contract Administrator:</b> Lily Lopez	<b>Telephone Number:</b> (213) 922-4639
7.	<b>Project Manager:</b> Fanny Pan	<b>Telephone Number:</b> (213) 922-3070

#### **A. Procurement Background**

This Board Action is to approve Contract No. PS2492300 issued in support of the West Santa Ana Branch (WSAB) Transit Corridor Project to provide outreach to facilitate and implement a Community Participation Program for the environmental analysis and documentation.

This acquisition is predicated on one of two scenarios that will take place after the vote for Measure M is tallied on November 8, 2016. Scenario 1 (inclusive of two options) is based on Measure M passing and will enable Metro to seek FTA approval to complete the Environmental Impact Statement (EIS) pursuant to National Environmental Policy Act (NEPA) requirements concurrently with the Environmental Impact Report (EIR). Scenario 2 (inclusive of three options) is based on Measure M not passing, which will require, should Metro choose as an alternative, pursuing completion of the EIS as an option; after completion of the EIR per California Environmental Quality Act (CEQA) requirements. The RFP requested firms to provide pricing for each scenario.

In summary, the difference between Scenario 1 and 2 is that the EIS will be performed either concurrently with the EIR (Scenario 1 inclusive of two options), or sequentially, after the completion of the EIR (Scenario 2 inclusive of three options).

Scenario 2 (\$861,067) is a higher cost than Scenario 1 (\$646,035). Should ballot Measure M pass, the price of this acquisition will automatically revert to the lower cost of Scenario 1.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price. The RFP was issued under the Small Business Set-Aside Program and was open to Metro Certified Small Businesses only.

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

- Amendment No. 1, issued on February 25, 2016, provided responses to questions received and the pre-proposal conference related documents; and
- Amendment No. 2, issued on February 29, 2016, provided responses to questions received.

A pre-proposal conference was held on February 18, 2016, attended by 10 participants representing seven companies. There were seven questions asked and responses were released prior to the proposal due date.

A total of 45 firms downloaded the RFP and were included in the planholders' list. A total of four proposals were received on March 7, 2016.

## **B. Evaluation of Proposals**

The Proposal Evaluation Team (PET) consisting of staff from Metro's Community Relations and Planning departments and Southern California Association of Governments was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- |   |            |
|---|------------|
| • Experience of Team Skills   | 30 percent |
| • Experience and Capabilities of Key Personnel on the Contractor's Team   | 25 percent |
| • Understanding of Work and Appropriateness of Approach for Implementation and Effectiveness of Management Plan | 25 percent |
| • Cost Proposal   | 20 percent |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar procurements for professional services. Several factors were considered when developing these weights, giving the greatest importance to experience of team skills.

The Diversity & Economic Opportunity Department (DEOD) reviewed the firms that submitted proposals in order to confirm their Metro Small Business Enterprise (SBE) certification status. All four proposals received were deemed eligible Metro SBE certified firms and are listed below in alphabetical order:

1. Arellano Associates, LLC (Arellano)
2. MBI Media
3. Saucedo Group
4. The Sierra Group

During the week of April 11, 2016, the PET completed its independent evaluation of the four proposals. The PET determined that two proposers were outside the competitive range and were not included for further consideration. The proposals did not demonstrate thorough understanding of the project, scenarios and options were not addressed, did not thoroughly address all statement of work requirements or demonstrate having the required experience on projects similar in scale.

The remaining two proposers determined to be within the competitive range are listed below in alphabetical order:

1. Arellano
2. The Sierra Group

On May 2, 2016, oral presentations were held with both firms within the competitive range. The project manager and key team members from each firm were invited to present their firm's respective qualifications and respond to the PET's questions. At the conclusion of the oral presentations, Arellano was determined to be the highest rated proposer for each Scenario.

### **Qualifications Summary of Firms Within the Competitive Range:**

#### **ARELLANO**

Arellano is a Metro-certified SBE firm with demonstrated outreach experience, including multiple Gateway Cities project. The firm also has outreach experience in EIR/S, Bicycle Master Plan, Capital Improvement Program, Feasibility Study, etc. Additionally, the firm has an understanding of Los Angeles County's diverse and multilingual stakeholders and transportation issues and demonstrated how the team would effectively coordinate with Metro, County of Los Angeles cities, elected offices, local residents and businesses and thoroughly explained how each scenario and options would be executed successfully.

#### **THE SIERRA GROUP**

The Sierra Group is a Metro-certified SBE firm with demonstrated outreach experience, including Metro projects, I-710 EIR/EIS (as a subcontractor), Purple Line EIR/EIS (as a subcontractor), and East San Fernando Valley. The firm has

experience with the environmental review process, outreach approaches, and project area and a good understanding of the diversity and outreach strategies needed for WSAB communities. The firm lacked a thorough understanding of the project, and the scenarios and options were not addressed in detail.

A summary of the PET scores for each scenario is provided below:

**Scenario 1 - Passage of Sales Tax Initiative**

<b>1</b>	<b>Firm</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>Arellano</b>				
<b>3</b>	Experience of Team Skills	90.00	30.00%	27.00	
<b>4</b>	Experience and Capabilities of Key Personnel on the Contractor's Team	80.28	25.00%	20.07	
<b>5</b>	Understanding of Work and Appropriateness of Approach for Implementation and Effectiveness Of Management Plan	85.96	25.00%	21.49	
<b>6</b>	Cost Proposal	90.00	20.00%	18.00	
<b>7</b>	<b>Total</b>		<b>100.00%</b>	<b>86.56</b>	<b>1</b>
<b>8</b>	<b>The Sierra Group</b>				
<b>9</b>	Experience of Team Skills	76.80	30.00%	23.04	
<b>10</b>	Experience and Capabilities of Key Personnel on the Contractor's Team	76.36	25.00%	19.09	
<b>11</b>	Understanding of Work and Appropriateness of Approach for Implementation and Effectiveness Of Management Plan	70.32	25.00%	17.58	
<b>12</b>	Cost Proposal	100.00	20.00%	20.00	
<b>13</b>	<b>Total</b>		<b>100.00%</b>	<b>79.71</b>	<b>2</b>

## Scenario 2 - No Sales Tax Initiative

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	<b>Arellano</b>				
3	Experience of Team Skills	90.00	30.00%	27.00	
4	Experience and Capabilities of Key Personnel on the Contractor's Team	80.28	25.00%	20.07	
5	Understanding of Work and Appropriateness of Approach for Implementation and Effectiveness Of Management Plan	85.96	25.00%	21.49	
6	Cost Proposal	80.00	20.00%	16.00	
7	<b>Total</b>		<b>100.00%</b>	<b>84.56</b>	<b>1</b>
8	<b>The Sierra Group</b>				
9	Experience of Team Skills	76.80	30.00%	23.04	
10	Experience and Capabilities of Key Personnel on the Contractor's Team	76.36	25.00%	19.09	
11	Understanding of Work and Appropriateness of Approach for Implementation and Effectiveness Of Management Plan	70.32	25.00%	17.58	
12	Cost Proposal	100.00	20.00%	20.00	
13	<b>Total</b>		<b>100.00%</b>	<b>79.71</b>	<b>2</b>

### C. Cost Analysis

The recommended price for both scenarios has been determined to be fair and reasonable based upon Metro's Management and Audit Services Department audit findings, an independent cost estimate (ICE), a technical analysis, a cost analysis, fact finding, and negotiations. The negotiated amounts are a result of scope of work and level of effort clarifications.

The ICE included a higher range for labor and overhead rates. Metro staff successfully negotiated a cost savings of \$272,513 for Scenario 1 and \$305,351 for Scenario 2.

### Scenario 1 - Passage of Sales Tax Initiative

	Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
1.	Arellano	\$918,548	\$980,785	\$646,035
2.	The Sierra Group	\$834,178	\$980,785	N/A

**Scenario 2 - No Sales Tax Initiative**

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
1.	Arellano	\$1,166,418	\$1,475,561.40	\$861,067
2.	The Sierra Group	\$957,552	\$1,475,561.40	N/A

**D. Background on Recommended Contractor**

The recommended firm, Arellano, located in Chino Hills, California, has been in business since 1994. Arellano specializes in public outreach and communications that focuses on public infrastructure, transportation, and community planning programs throughout Southern California. Arellano is a certified Metro SBE, Minority-owned (MBE), Woman-owned (WBE) and Disadvantaged Business Enterprise (DBE). Arellano has experience working with similar projects and has performed satisfactorily on several Metro projects.

West Santa Ana Transit Corridor Study Area Map





**DEOD SUMMARY**  
**WEST SANTA ANA BRANCH TRANSIT CORRIDOR/AE5999300**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 25% Disadvantaged Business Enterprise (DBE) goal for this solicitation. Parsons Brinckerhoff (PB) proposed two Scenarios. PB exceeded the goal by making a 25.03% DBE commitment for Scenario 1, and a 26.12% DBE commitment for Scenario 2.

Scenario 1:

<b>SMALL BUSINESS GOAL</b>	<b>25% DBE</b>	<b>SMALL BUSINESS COMMITMENT</b>	<b>25.03% DBE</b>
		<b>DBE Subcontractors</b>	<b>Ethnicity</b>
			<b>% Committed</b>
1.	BA Inc.	African American	1.66%
2.	CityWorks Design	Hispanic American	3.68%
3.	Connetics Transportation Group	Asian Pacific American	0.79%
4.	Epic Land Solutions	Caucasian Female	1.18%
5.	Geospatial Professional Services	Asian Pacific American	0.25%
6.	Lenax Construction	Caucasian Female	2.31%
7.	Terry A. Hayes Associates	African American	11.40%
8.	Translink Consulting	Hispanic American	3.76%
<b>Total Commitment</b>			<b>25.03%</b>

Scenario 2:

<b>SMALL BUSINESS GOAL</b>	<b>25% DBE</b>	<b>SMALL BUSINESS COMMITMENT</b>	<b>26.12% DBE</b>
		<b>DBE Subcontractors</b>	<b>Ethnicity</b>
			<b>% Committed</b>
1.	BA Inc.	African American	1.45%
2.	CityWorks Design	Hispanic American	3.55%
3.	Connetics Transportation Group	Asian Pacific American	0.68%
4.	Epic Land Solutions	Caucasian Female	1.03%
5.	Geospatial Professional Services	Asian Pacific American	0.22%
6.	Lenax Construction	Caucasian Female	2.01%
7.	Terry A. Hayes Associates	African American	13.26%
8.	Translink Consulting	Hispanic American	3.92%
<b>Total Commitment</b>			<b>26.12%</b>

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

Project Labor Agreement/Construction Careers Policy is not applicable to this contract.

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to contract.

**D. Living Wage Service Contractor Retention Policy Applicability**

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

## DEOD SUMMARY

WEST SANTA ANA BRANCH TRANSIT CORRIDOR COMMUNITY OUTREACH  
PS2492300**A. Small Business Participation**

Effective June 2, 2014, per Metro's Board-approved policy, competitive acquisitions with three or more Small Business Enterprise (SBE) certified firms within the specified North American Industry Classification System (NAICS) as identified for the project scope shall constitute a Small Business Set-Aside procurement. Accordingly, the Contract Administrator advanced the solicitation, including posting the solicitation on Metro's website, advertising, and notifying certified small businesses as identified by NAICS code(s) that this solicitation was open to **SBE Certified Small Businesses Only**.

Arellano Associates, LLC, an SBE Prime, is performing 100% of the work with its own workforce.

**SMALL BUSINESS SET-ASIDE**

	<b>SBE Prime Contractor</b>	<b>SBE % Committed</b>
1.	Arellano Associates, LLC (Prime)	100%
	<b>Total Commitment</b>	100%

**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 contract.

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

Project Labor Agreement/Construction Careers Policy is not applicable to this contract.



## Board Report

File #: 2021-0094, File Type: Informational Report

Agenda Number: 14.

### PLANNING AND PROGRAMMING COMMITTEE APRIL 14, 2021

**SUBJECT: COUNTYWIDE PLANNING MAJOR PROJECT STATUS REPORT**

**ACTION: RECEIVE AND FILE**

#### **RECOMMENDATION**

RECEIVE AND FILE monthly report on the Major Capital Projects in the environmental planning phase by the Chief Planning Officer.

#### **DISCUSSION**

- **West Santa Ana Branch Corridor**

The West Santa Ana Branch (WSAB) project team submitted the second Administrative Draft of the Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR) to the Federal Transit Administration (FTA) on March 16, and March 30, 2021, in two batches. Following FTA's review, staff will incorporate responses to comments and submit one more time. FTA is currently expected to authorize public circulation of the Draft EIS/EIR in either June or July 2021.

In the coming months, staff is planning to re-engage with key stakeholders while using this opportunity to introduce the project to new stakeholders in the 19-mile corridor. Staff will highlight the project purpose, alternatives, and environmental process, and provide opportunity for public involvement and participation. The following activities are proposed:

- Phase 1 (Public Engagement, April - June 2021): Activities will ensure that stakeholders in the study area are well informed of the project and aware of the imminent release of the Draft EIS/EIR in June or July 2021. This phase will be crucial for stakeholders to understand the process and for staff to prepare for the comment period and public hearings. The team will reconvene the Stakeholder Working Groups (SWG) to continue providing a community-based perspective and to share challenges, opportunities, and best approaches to effective community outreach.

The Metro team is working on the approach and timeline for a Community-Based Organization (CBO) Partnership Strategy that aims to leverage the local expertise and reach of organizations in traditionally hard-to-reach communities. This collaborative approach is more vital than ever as the evolving COVID-19 pandemic has made it more challenging to

meaningfully engage with the hard-to-reach audiences, including those with Limited English Proficiency (LEP) as well as environmental justice (EJ) communities. The approach will be developed in spring and is slightly different than the current approach for SWG members. In this approach, CBOs will have a more direct role in the project with a compensation structure while also aligning with Metro's Equity Platform Framework.

- Phase 2 (Release of Draft EIS/EIR, June - August 2021): Focus and activities during this phase will be on the release of the Draft EIS/EIR, with a comment period of 45 days and public hearings.
- Phase 3 (Selection of LPA & First/Last Mile Workshops Fall 2021): Activities will focus on the selection of a Locally Preferred Alternative (LPA), anticipated in September or October 2021, and First/Last Mile Workshops.

In addition, the team will develop a story map to publish and promote a multi-media tool to inform the public of project updates, provide photography/videography, and interactive maps. The tool will be used beginning mid-April and will be promoted through a variety of ways to encourage stakeholders to seek project information (especially during the draft review period), to comment and to participate in public hearings.

The project team will seek Board approval this month for additional funding and a time extension to existing Funding Agreement (FA# 920000000FACGGC03) with the Gateway Cities Council of Governments (COG) for Third-Party Administration participation in the WSAB environmental clearance study

The project continues to advance field survey work and verification of existing utilities identified as part of the 15% design. Staff continues to coordinate with various third parties as necessary including Union Pacific Railroad, cities, Caltrans, U.S. Army Corps of Engineers, and various utility providers.

- **Green Line to Torrance LRT Extension**

The EIR scoping period, which started on January 29, concluded on March 29, 2021. Over 300 people attended the two virtual scoping meetings and over 700 comments have been received.

Comments received are being documented and evaluated as a part of the environmental process. Based on scoping comments, the project team will move forward with the Draft Environmental Impact Report (DEIR) and conceptual design of the alternatives under evaluation.

Community outreach will be ongoing and project updates will be shared as the environmental process progresses. Targeted stakeholder meetings will be scheduled to discuss community concerns and project opportunities throughout the study area. Coordination will continue, as well, with Caltrans and BNSF to understand current and future operational needs for both entities and alternatives under evaluation.

- **Eastside Corridor LRT Extension**

The Eastside Corridor Phase 2 project team along with Community Relations and Race and Equity Departments are developing a Community Based Organization (CBO) strategy for the project in collaboration with LA County Board of Supervisors Hilda L. Solis (First District) and Janice Hahn (Fourth District), and key stakeholders.

The Community Based Organization strategy will follow the guidance of the Equity Platform and the Draft CBO Partnering Strategy, as discussed earlier in this report. The CBO Strategy is anticipated to be complete in April, prior to commencing community engagement for the Eastside Corridor LRT Extension.

The environmental and engineering consultant teams are advancing the project per the Board's decisions to focus on the Washington Alternative and CEQA only. The engineering consultants continue to refine the Draft Advanced Conceptual Engineering based on comments and enhancements along the alignment.

The monthly meeting of the Washington Boulevard Coalition was held on April 1, 2021.

- **Sepulveda Transit Corridor**

On March 25, 2021, the Metro Board authorized Pre-Development Agreement (PDA) awards to two teams: (1) LA SkyRail Express, proposing monorail technology in the I-405 right of way, and (2) Sepulveda Transit Corridor Partners, proposing heavy rail technology in subway and aerial configurations. Metro staff is working to execute the Notice to Proceed (NTP) with both contractors.

Next actions include commencement of the environmental review process, which requires the consideration of a reasonable range of project alternatives that will be studied further for their environmental impacts. The alternatives will include those that were identified by the Sepulveda Transit Corridor Feasibility Study completed in 2019, and by the two concepts selected from the PDA teams. The alternatives will be analyzed for environmental impacts across their proposed modes, alignments, station locations, and above- or below-ground configurations. Through the course of the environmental process, these alternatives may be refined.

Metro Communications staff continues to conduct outreach and communications activities, and at this juncture of finalizing the NTP, is preparing to update the community on next steps. Planning staff will commence preparation for the environmental scoping period, during which time staff will present the Project alternatives, environmental topics to be studied, and criteria for evaluating Project alternatives. Staff will also solicit public input regarding the environmental analyses to be conducted.

- **NoHo to Pasadena Bus Rapid Transit (BRT)**

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The NoHo to Pasadena BRT Draft EIR comment period began on October 26 and concluded on December 28. Staff received nearly 500 comments, the majority of which expressed general support for the project. Currently the most challenging issues include community concerns over parking loss along Olive Avenue in Burbank and other comments pertaining to the Eagle Rock section of the project.

In Eagle Rock, most comments favor routing the BRT along Colorado Boulevard rather than on the SR-134 freeway. However, community members have expressed concerns over impacts to the existing buffered bike lanes, medians, traffic, and parking. Many comments also expressed support for a new BRT proposal on Colorado Boulevard that was developed by a local community group.

Staff examined this community-developed proposal and incorporated many of its feasible elements into a refined BRT concept, which was presented to key Eagle Rock stakeholders via two virtual roundtable meetings on March 16, 2021. A third virtual roundtable meeting was held on March 26, 2021, for all Eagle Rock businesses along the boulevard. A total of 80 people participated in these meetings and the refinements made to the Project were generally well received.

Staff has since developed a recommended Proposed Project that (at the time of this report writing) will be presented to the public at a community meeting on April 1, 2021. During the community meeting, the public will have the opportunity to ask questions and provide feedback on the Proposed Project ahead of the Metro Board receiving the staff recommendation which is currently expected to be presented to the Metro Board in May 2021.

- **Countywide Planning Dashboard**

While this report focuses on the four Major Capital (“Pillar” Projects), there also are six other Measure M projects, five non-Measure M projects, and four Strategy & Policy initiatives. To provide an update on these other 15 projects, Attachment A to this report provides a Countywide Planning Dashboard with a listing and status for each.

## **ATTACHMENTS**

Attachment A - Countywide Planning Monthly Major Projects - March 2021

Prepared by: Dolores Roybal-Saltarelli, DEO, Countywide Planning & Development, (213) 922-3024  
Cory Zelmer, DEO, Countywide Planning & Development, (213) 922-1079  
Allison Yoh, EO, Countywide Planning & Development (213) 922-4812  
David Mieger, SEO, Countywide Planning & Development, (213) 922-3040

Reviewed by: James de la Loza, Chief Planning Officer, (213) 922-2920



Phillip A. Washington  
Chief Executive Officer



# Countywide Planning Monthly Project Updates

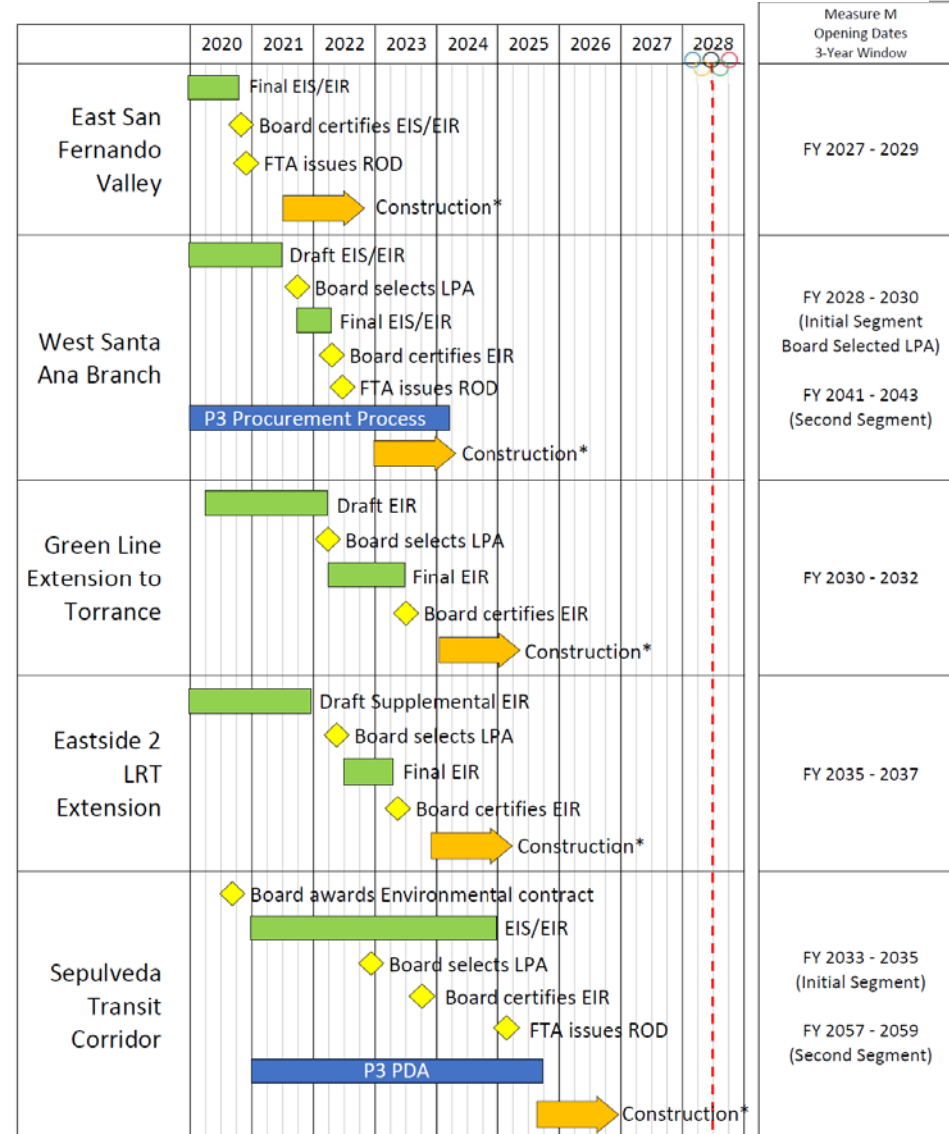
## April 2021 Monthly Update

### > Monthly Status of Major Projects

- West Santa Ana Branch
- Green Line to Torrance
- Eastside 2 Extension
- Sepulveda Transit Corridor
- NoHo to Pasadena BRT

### > Countywide Planning Dashboard

ESFV + Pillar Projects Measure M Baseline Schedules



\* Construction is inclusive of advanced utility relocation and right-of-way Schedules are subject to change based on funding and environmental review

# West Santa Ana Branch Transit Corridor

## > Status

- Draft EIS/EIR
  - Anticipated Draft Release: June/July 2021
  - Anticipated LPA Selection: Fall 2021

## > Key Activities

- March 2021- Submitted 2nd Administrative Draft to FTA
- April 2021- Board action to approve extension of existing Funding Agreement with the Gateway Cities COG for Third-Party Administration in the WSAB environmental clearance study

## > Next Actions

- Address second round of comments
- Community engagement before release of Draft EIS/EIR



# Green Line Extension to Torrance

## > Status

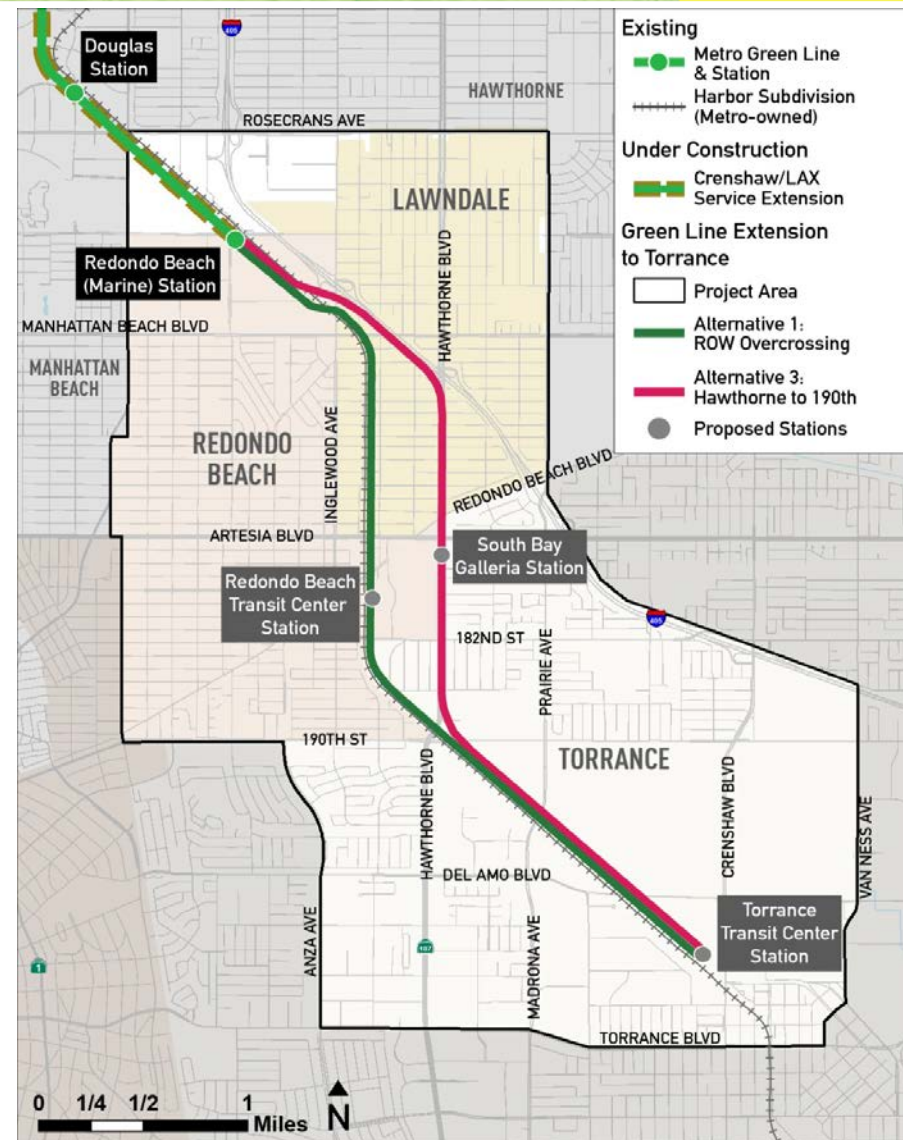
- Draft EIR + Advanced Conceptual Engineering tasks are proceeding (15% design)

## > Key Activities

- Environmental Scoping 45-day Comment Period concluded on March 29, 2021
  - Over 300 attendees
  - Over 700 comments received
- Review and incorporate necessary public issues into environmental review
- Ongoing coordination meetings with BNSF on shared track segments
- Engineering analysis of Hawthorne versus ROW technical issues

## > Next Actions

- Ongoing outreach:
  - Cities, BNSF, Caltrans
  - Communities





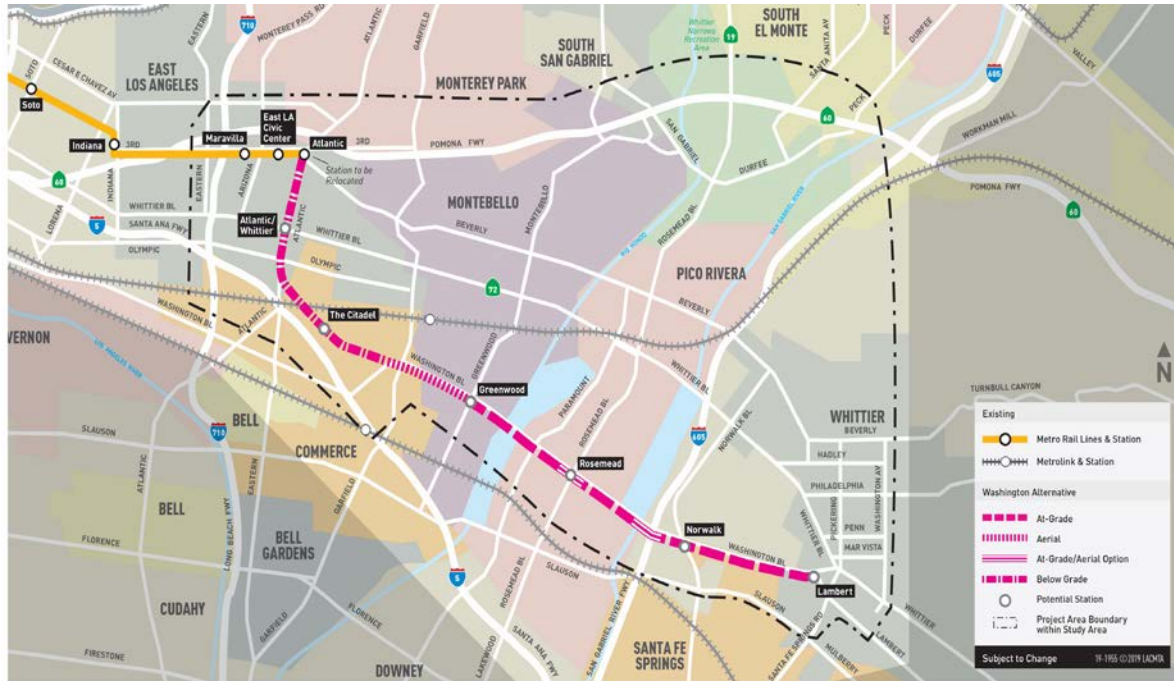
# Eastside Transit Corridor Phase 2

## > Status

- Environmental Analysis, Systems Engineering and Advanced Conceptual Engineering (ACE)

## > Key Activities

- Developing Community Based Organization approach
  - Collaborative effort with Community Relations and Race and Equity Departments
  - Guidance from Equity Platform and the Draft CBO Partnering Strategy
  - CBOs Strategy will serve as a platform to share local expertise, recommendations and methods for implementing public awareness and engagement opportunities
- Orientation meetings with new Board Director Fernando Dutra and staff



## > Next Actions

- April 1, 2021 Meeting with Washington Blvd Coalition
- Design refinements of below ground segment, proposed Maintenance Yard sites and Washington Boulevard profile configurations

# Sepulveda Transit Corridor

## > Status

- Two PDA contracts authorized at March 2021 Board Meeting:
  - LA SkyRail Express
    - Monorail technology in I-405 Right of Way
    - John Laing Investments and BYD Transit Solutions
  - Sepulveda Transit Corridor Partners
    - Heavy Rail Technology in subway/aerial configurations
    - Bechtel Development, Meridiam Sepulveda and American Triple I Partners

## > Key Activities

- Preparing Notice to Proceed (NTP) for both contractors

## > Next Actions

- Preparation for Environmental Scoping Meetings and Comment Period
- Community Outreach on environmental process and schedule







# Countywide Planning Dashboard

Pillar Projects									
	Project Name	Env Completion (FY)	Measure M Opening (FY)	Project Phase				Date	Action/Status
				AA	Draft Env	Final Env	Construction		
1	West Santa Ana Branch LRT	2022	2028-2030		X			April 2021	Approve Gateway COG Funding Agreement Modification and Extension
								July 2021	Release of Draft EIS/EIR
2	Green Line Extension to Torrance LRT	2023	2030-2032		X			April 2021	Review of EIR Scoping comments
								March 2022	Receive Draft EIR and Select Locally Preferred Alternative
3	Eastside Transit Corridor Phase 2	2024	2035-2037		X			Fall 2021	Select Locally Preferred Alternative (LPA)
4	Sepulveda Transit Corridor	2025	2033-2035	X				Fall 2021	Environmental Scoping
Other Measure M Projects									
	Project Name	Env Completion (FY)	Measure M Opening (FY)	Project Phase				Date	Action/Status
				AA	Draft Env	Final Env	Construction		
5	East San Fernando Valley Transit Corridor LRT	2020	2027-2029				X	Summer 2021	Environmental Clearance completed; initiate Supplemental ROW Study.
6	North San Fernando Valley BRT	2021	2023-2025		X			Summer 2021	Approve Proposed Project
7	North Hollywood - Pasadena BRT	2021	2022-2024		X			May 2021	Receive Draft EIR Select Proposed Project and approve Title VI Service Equity Analysis
8	Crenshaw Northern Extension LRT	2023	2047-2049		X			April/May 2021	EIR Scoping Period
9	LA River Path (central gap)	2024	2025-2028		X			January 2022	Receive Draft EIR and Select Locally Preferred Alternative
10	Vermont Transit Corridor	2024	2028-2030	X				May 2021	Award Environmental Contract <b>7</b>

Non-Measure M Projects			Project Phase						
	Project Name	Env Completion (FY)	Opening/Completion (FY)	AA	Draft Env	Final Env	Construction	Date	Action/Status
11	Centinela Grade Separation	2021	2025			X		Summer 2021	Approve funding and project delivery plan
12	LAUS Forecourt and Esplanade Improvements	2021	2023			X		June 2022	Life of Project Approval
13	Rio Hondo Confluence Station Feasibility Study	TBD. Feasibility Study anticipated to be completed in 2022	TBD	X				TBD	Receive Feasibility Study Report and determine next steps for the potential Rio Hondo Confluence Station
14	Rail-to-River ATC (Segment B)	TBD. Supplemental study anticipated	TBD	X				Fall 2021	Receive Supplemental Alternatives Analysis Select Revised Locally Preferred Alternative
15	Arts District/ 6th Street Station HRT	TBD	TBD		X			April 2021	Initiate EIR Scoping
16	First/Last Mile Implementation in Transit Corridor Projects (PLE 2 and forward)	varies by project	varies by project					Summer 2021	Approve FLM Plan for PLE 1; Other periodic project-specific actions in the future;

Strategies/ Policies			Phase					
	Project Name	Groundbreaking/Initiation (FY)	Opening/Completion (FY)	Policies/Strategic Plans	Implementation Plans	Date	Action/Status	
17	Transit Oriented Communities (TOC) Implementation Plan:Semi-Annual Reports	Ongoing	Ongoing		X	Summer 2021	Report on TOC Implementation Plan Semi Annual Reports	
18	BRT Vision and Principles Study	2019	2021	X		June 2021	Response to March 2021 Board Motion	
19	First/Last Mile Guidelines	N/A	N/A	X		May/June 2021	Adopt Guidelines	
20	Joint Development Policy	N/A	N/A	X		May 2021	Joint Development Policy Paper published and presented at January Board Adopt Revisions to Policy	



# Countywide Planning Monthly Project Updates

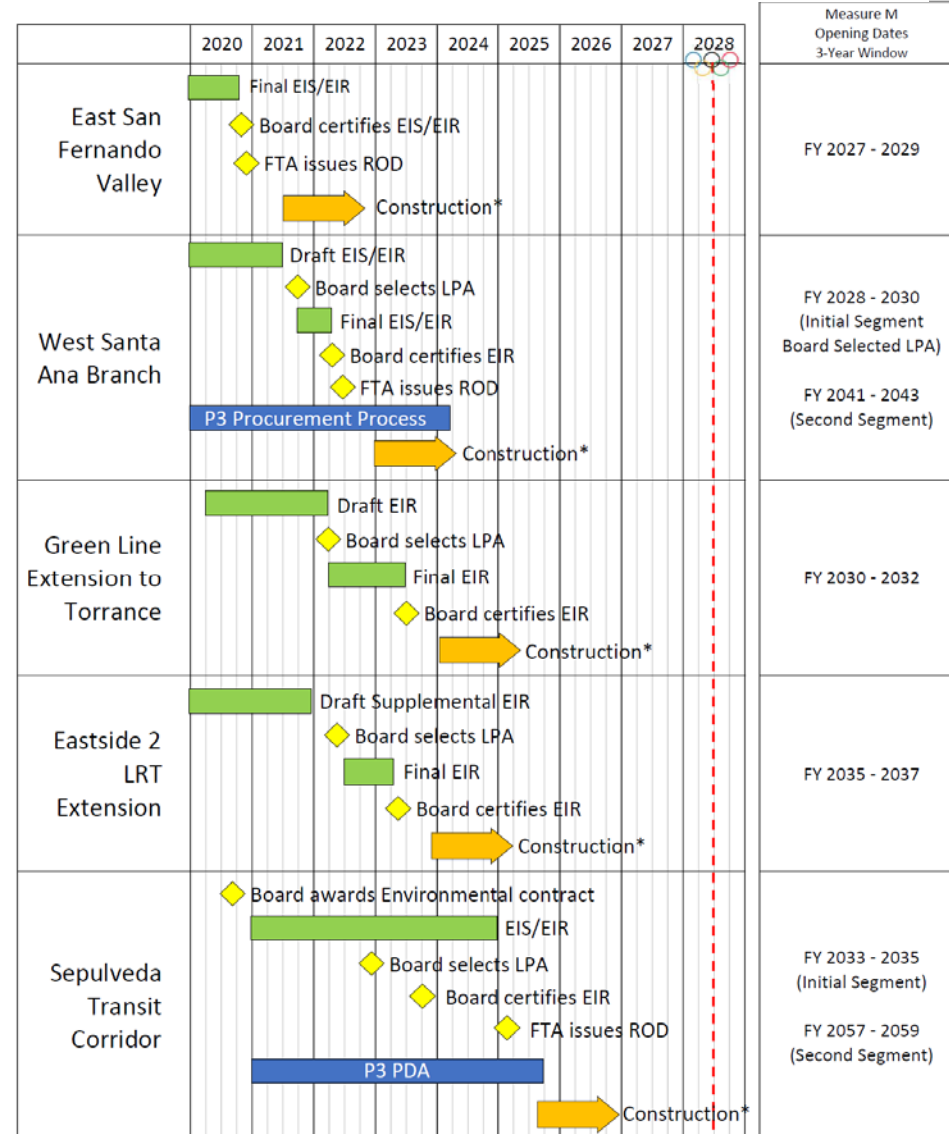
## April 2021 Monthly Update

### > Monthly Status of Major Projects

- West Santa Ana Branch
- Green Line to Torrance
- Eastside 2 Extension
- Sepulveda Transit Corridor
- NoHo to Pasadena BRT

### > Countywide Planning Dashboard

ESFV + Pillar Projects Measure M Baseline Schedules



\* Construction is inclusive of advanced utility relocation and right-of-way Schedules are subject to change based on funding and environmental review

# West Santa Ana Branch Transit Corridor

## > Status

- Draft EIS/EIR
  - Anticipated Draft Release: June/July 2021
  - Anticipated LPA Selection: Fall 2021

## > Key Activities

- March 2021- Submitted 2nd Administrative Draft to FTA
- April 2021- Board action to approve extension of existing Funding Agreement with the Gateway Cities COG for Third-Party Administration in the WSAB environmental clearance study

## > Next Actions

- Address second round of comments
- Community engagement before release of Draft EIS/EIR



# Green Line Extension to Torrance

## > Status

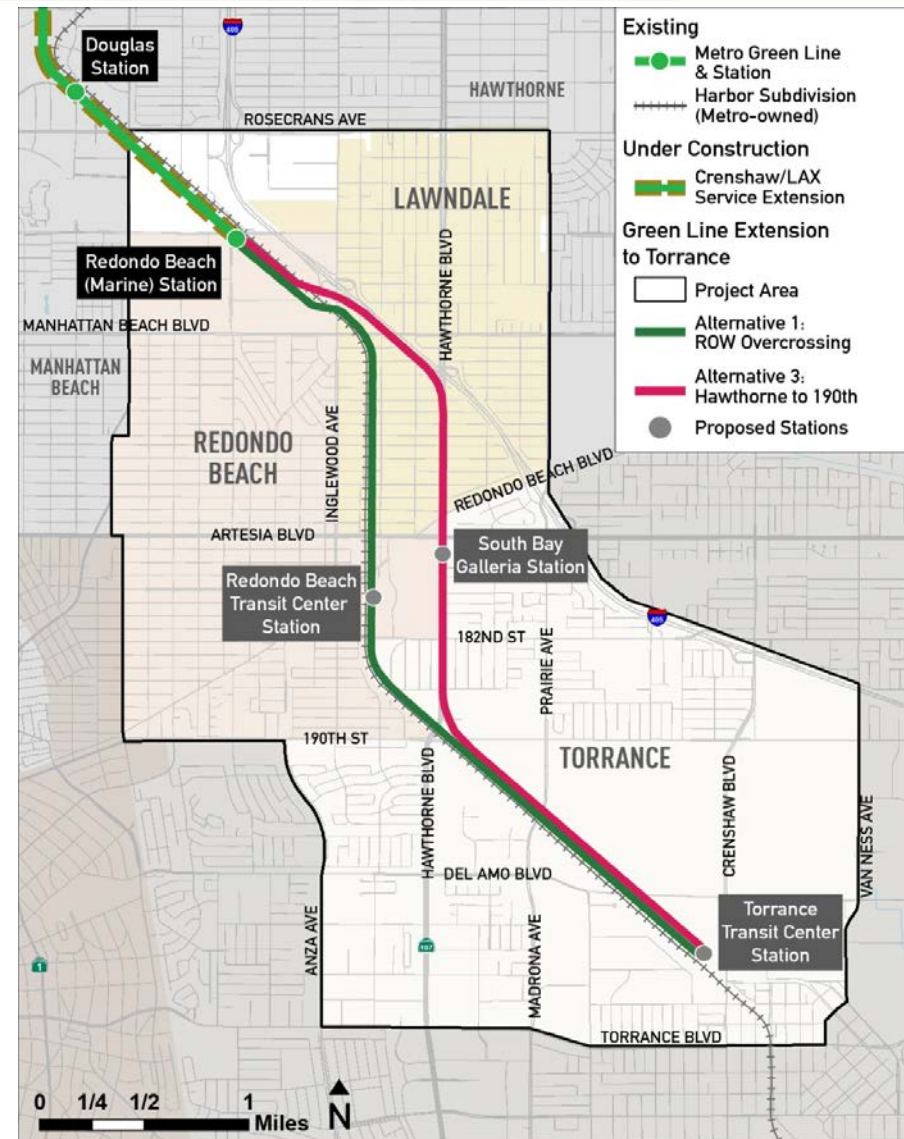
- Draft EIR + Advanced Conceptual Engineering tasks are proceeding (15% design)

## > Key Activities

- Environmental Scoping 45-day Comment Period concluded on March 29, 2021
  - Over 300 attendees
  - Over 700 comments received
- Review and incorporate necessary public issues into environmental review
- Ongoing coordination meetings with BNSF on shared track segments
- Engineering analysis of Hawthorne versus ROW technical issues

## > Next Actions

- Ongoing outreach:
  - Cities, BNSF, Caltrans
  - Communities





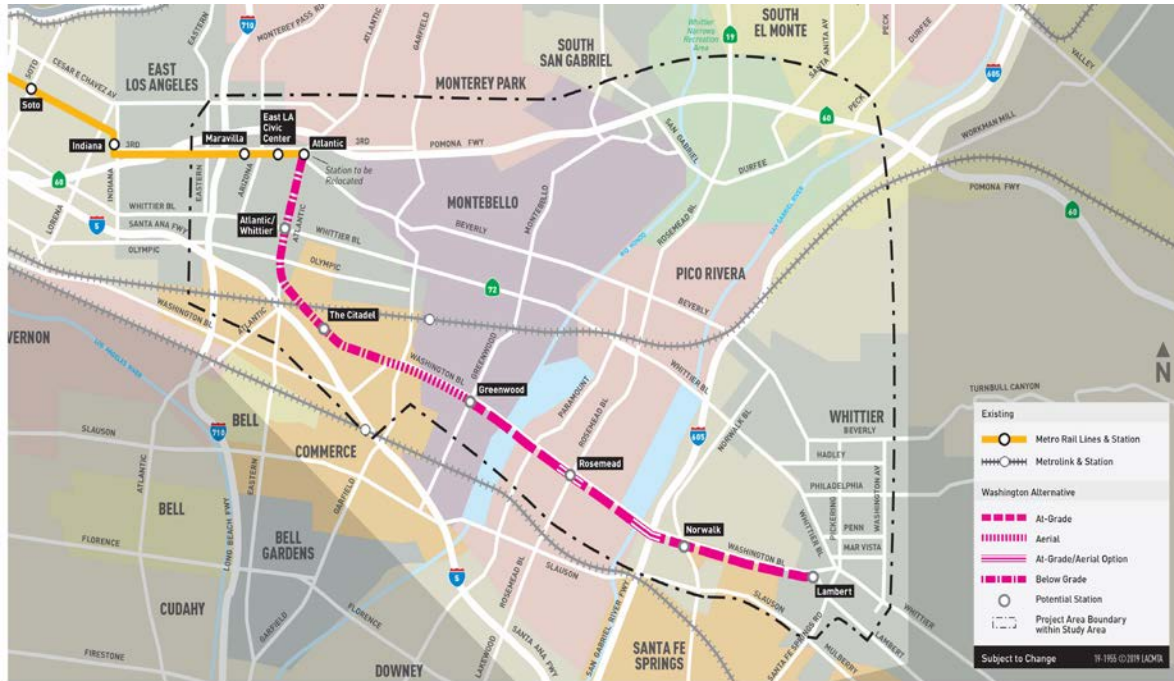
# Eastside Transit Corridor Phase 2

## > Status

- Environmental Analysis, Systems Engineering and Advanced Conceptual Engineering (ACE)

## > Key Activities

- Developing Community Based Organization approach
  - Collaborative effort with Community Relations and Race and Equity Departments
  - Guidance from Equity Platform and the Draft CBO Partnering Strategy
  - CBOs Strategy will serve as a platform to share local expertise, recommendations and methods for implementing public awareness and engagement opportunities
- Orientation meetings with new Board Director Fernando Dutra and staff



## > Next Actions

- April 1, 2021 Meeting with Washington Blvd Coalition
- Design refinements of below ground segment, proposed Maintenance Yard sites and Washington Boulevard profile configurations

# Sepulveda Transit Corridor

## > Status

- Two PDA contracts authorized at March 2021 Board Meeting:
  - LA SkyRail Express
    - Monorail technology in I-405 Right of Way
    - John Laing Investments and BYD Transit Solutions
  - Sepulveda Transit Corridor Partners
    - Heavy Rail Technology in subway/aerial configurations
    - Bechtel Development, Meridiam Sepulveda and American Triple I Partners

## > Key Activities

- Preparing Notice to Proceed (NTP) for both contractors

## > Next Actions

- Preparation for Environmental Scoping Meetings and Comment Period
- Community Outreach on environmental process and schedule







# Countywide Planning Dashboard

Pillar Projects									
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20	Joint Development Policy	N/A	N/A	X		May 2021	Joint Development Policy Paper published and presented at January Board Adopt Revisions to Policy	





## Board Report

File #: 2021-0150, File Type: Policy

Agenda Number: 15.

### PLANNING AND PROGRAMMING COMMITTEE APRIL 14, 2021

**SUBJECT: PROJECT PRIORITIES FOR NEXT NEW STARTS GRANTS**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

CONSIDER:

1. APPROVING the West Santa Ana Branch (WSAB) Transit Corridor and Sepulveda Transit Corridor Projects as Metro's next priorities for pursuing New Starts grants from the Federal Transit Administration (FTA) Capital Investment Grants (CIG) Program;
2. APPROVING the East San Fernando Valley (ESFV) Transit Corridor Project as Metro's priority for pursuing a grant from the FTA Expedited Project Delivery (EPD) Pilot Program;
3. AUTHORIZING the Chief Executive Officer (CEO) or his designee to request from the FTA the entry into the Project Development Phase of the CIG Program for the WSAB Transit Corridor Project and the Sepulveda Transit Corridor Project, at the appropriate time, and to submit a grant application for the EPD Pilot Program for the ESFV Transit Corridor Project; and
4. AUTHORIZING staff to develop and implement targeted CIG/ EPD legislative and FTA engagement strategies that support securing grants for the three priority projects.

#### **ISSUE**

The Board of Directors last authorized the CEO to pursue New Starts grants for Metro capital projects in 2009. Following this directive, Metro secured a total of about \$4.4 billion in New Starts grants for the Regional Connector and Purple Line Extension projects. Metro also succeeded in receiving voter approval for Measure M and its Expenditure Plan, which assumes federal and other funding to implement major capital projects throughout Los Angeles County. While Measure M better positions Metro to compete for additional New Starts grants, the nationwide demand for this discretionary funding has increased significantly as evidenced by the FTA's project "pipeline". The FTA awards New Starts grants through the execution of Full Funding Grant Agreements (FFGAs) following a multiyear/ multistep process with evaluation criteria per federal law and FTA's guidance.

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Staff assessed the eligibility and competitiveness of the Board designated “pillar” and ESFV projects taking into consideration this process and evaluation criteria. Approval of the staff recommendation will allow Metro to start the grant application process, including adding the proposed projects to the FTA’s CIG/ EPD “pipeline” and Annual Report on Funding Recommendations that it submits to Congress. It also allows staff to focus its legislative and FTA engagement strategies to support securing New Starts grants for the recommended projects through President Biden’s proposed \$2.3 trillion American Jobs Plan and legislation being considered by Congress for the reauthorization of the Fixing America’s Surface Transportation (FAST) Act that expires (unless extended) on September 30, 2021. Approval of the staff recommendation supports implementing Board directives to secure grants for Metro’s major capital projects, including prioritization for the “pillar” projects and other projects that may benefit from any additional federal funding that may be committed in support of the Los Angeles 2028 Olympic and Paralympic Games.

## **BACKGROUND**

Metro has about 40 years of New Starts success during which it secured about \$7 billion in grants that the FTA committed in FFGAs that were executed for several fixed-guideway projects throughout Los Angeles County: Metro B (Red) Line, Metro L (Gold) Line (Eastside Extension), Metro D (Purple) Line and Regional Connector. Of this total, the FTA allocated about \$3.9 billion during the 30-year period between Federal Fiscal Year (FFY) 1992 and FFY 2021. Metro’s maximum annual allocation was about \$430 million in FFY 2019 for four projects. Annual allocations will hold at about \$300 million until FFY 2026 and will gradually decrease to \$100 million in FFY 2030, which is the last allocation for the third section of the Purple Line Extension. The Regional Connector received its last allocation in FFY 2020. The first and second section of the Purple Line Extension are scheduled to receive their last allocations in FFY 2026 and FFY 2027, respectively. Overall, the FTA will complete the allocation of Metro’s New Starts balance of about \$2.0 billion during FFY 2022- FFY 2030.

Well before Metro’s New Starts allocations phase out, there is an opportunity to add new Metro projects to the FTA’s New Starts “pipeline”. Metro and Los Angeles County would also benefit from the support of President Biden’s Administration for transit investments, particularly those that reduce greenhouse gas emissions and provide access to opportunities for low-income, disadvantaged, and underserved communities. Metro must seize this opportunity by starting the New Starts grant application process for projects that best meet the federal statutory evaluation criteria and FTA’s Policy Guidance, including readiness and the availability and amount of non-federal funds that the Metro Board can commit for these projects. President Biden’s Administration, as well as a Congressional majority that is supportive of transit investments and friendly to Los Angeles County and California, can play a key role in supporting Metro implement the largest transportation expansion program in the country. This support may include funding dedicated for the projects from the American Jobs Plan that President Biden unveiled on March 31, 2021 for consideration for approval by Congress, including the long-term reauthorization of the FAST Act.

## **DISCUSSION**

The CIG Program is the largest among discretionary grant programs of the United States Department of Transportation (USDOT). It provides funding for fixed guideway investments, such as new and expanded rapid rail and corridor-based bus rapid transit (BRT) projects that emulate rail features.

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Under existing federal law (U.S. Code Section 5309), it funds projects that meet eligibility and other requirements under one of four categories that include New Starts, Core Capacity and Small Starts. New Starts projects are new or extensions to existing fixed guideway systems with a total estimated capital cost of \$300 million or more, or that are seeking not less than \$100 million Section 5309 grant. The maximum CIG share of New Starts projects is 60 percent of total eligible costs, with an overall maximum federal share from all sources of 80 percent.

As currently authorized by the FAST Act, the FTA's EPD Program aims to expedite the delivery of New Starts, Core Capacity and Small Starts projects. To be eligible for an EPD grant, projects must: i) utilize public-private partnerships (P3); ii) be operated and maintained by employees of an existing public transportation provider; and iii) have an overall federal funding share not exceeding 25 percent of the total capital project cost. The EPD Program seeks to increase innovation, improve the efficiency and timeliness of project delivery and implementation, and encourage new revenue streams such as those from private financing or the implementation of "value capture" techniques.

Attachment A provides a detailed overview of the CIG and EPD programs. This includes the grant application and evaluation process for both New Starts and EPD.

#### Demand for New Starts and EPD Grants within the FTA's Current Project Pipeline

The demand for New Starts grants is the largest in terms of total funding committed in FFGAs, as well as requested for projects that are currently in the PD and PE phases. The demand for New Starts grants has increased in parallel with the growing demand for other grants from the CIG Program, therefore increasing the program's competitiveness. Overall, there are currently 55 projects in the FTA's CIG and EPD project "pipeline" (Attachment B), including Metro's 3 projects for the Purple Line Extension, that may result in up to \$20 billion in grant awards from these two programs. About \$16 billion (80 percent) from this total, regardless of the approval status of the project requests, is the current demand for New Starts grants. For comparison, Congress appropriated about \$13.8 billion in Section 5309 funds during the six-year period of the FAST Act (average of about \$2.3 billion/year). Therefore, it would take the equivalent of nine years of apportionments at current funding levels to fund all the projects that are currently in the FTA's project "pipeline".

#### New Starts and EPD Grants Prioritization Assessment

In February 2019, the Metro Board of Directors approved a motion that prioritized funding for four "pillar" fixed guideway projects: Gold Line Eastside Extension Phase 2, Green Line Extension to Torrance, Sepulveda Transit Corridor, and WSAB Transit Corridor. The following month staff provided an overview of the CIG Program to Board Offices. Based on the feedback received, an interdepartmental team of staff, including from Government Relations, Program Management, and Countywide Planning, engaged consulting firms late in 2019 to conduct a prioritization assessment of the "pillar" projects for New Starts and EPD grants following the FTA's evaluation criteria. The goals of the Prioritization Assessment were to: i) identify opportunities and constraints for securing New Starts and EPD grants from the FTA; ii) assess CIG New Starts rating results and implications for individual projects; iii) develop project specific recommendations for pursuing New Starts and EPD grants; and iv) develop recommendations on targeted New Starts/ EPD legislative and FTA engagement strategies to secure grants for the projects that are eligible and most competitive.

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In February 2020 staff held the first workshop to introduce the Board Offices to the goals, evaluation criteria, and assumptions of the Prioritization Assessment for the “pillar” projects. However, the assessment had to be paused due to the coronavirus pandemic and stay-at-home order. Also, due to the complexity and importance of this assessment, in December 2020 staff initiated a series of three workshops to allow opportunity for questions and receive feedback from Board Offices. Staff also expanded the scope of the Prioritization Assessment to include the ESFV Transit Corridor Project with specific consideration of the project as a candidate for the EPD program. Attachment C summarizes the topics of the three workshops and provides a link to access all three workshop presentations.

### Results of the Prioritization Assessment

*WSAB Transit Corridor Project:* The results of the Prioritization Assessment (Attachment D) identified this project as being the first candidate among the “pillar” projects for a New Starts grant. This is due to its readiness status (including the fact that is already following the NEPA review process), likelihood of receiving a “medium” project justification rating from the FTA (based on a score within the upper end of the range that the FTA defines for this rating), and availability of Measure M funds for construction that supports achieving a “medium” local financial commitment rating from the FTA. It is anticipated that the project would likely receive an overall rating of “medium”, therefore meeting current federal statutory requirements.

*Sepulveda Transit Corridor:* The results of the Prioritization Assessment identified this project as being the second candidate among the “pillar” projects for a New Starts grant. This is also due to its readiness status (including the fact that is already following the NEPA review process), likelihood of receiving a “medium-high” project justification rating from the FTA (based on a score within the lower end of the range that the FTA defines for this rating), and availability of Measure M funds for construction that supports achieving a “medium” local financial commitment rating from the FTA. It is anticipated that the project would likely receive an overall rating of “medium-high”, therefore exceeding the minimum rating of “medium” that current federal law requires. This project is proposed to be second in the timeline for seeking New Starts grants taking also into consideration that the Board of Directors approved last month the award of two contracts according to which the potential private project developers would participate in early project definition and design, in partnership with Metro. Under these pre-development agreements (PDAs), the contractors will provide technical work products that support the ongoing development of the project as it progresses through the environmental review and approval processes.

*Other “Pillar” Projects:* The results of the Prioritization Assessment did not recommend the other two “pillar” projects for pursuing New Starts grants through the CIG Program. Although both projects would get a “medium” project justification rating, the score each received was within the lower end of the range that the FTA defines for this rating. Therefore, there is a potential risk for not meeting the statutory requirement of a minimum “medium” overall project rating and the FTA’s requirement of a minimum “medium” project justification rating. Not meeting these project ratings would make the projects ineligible for New Starts grants. Also, neither the Gold Line Eastside Transit Corridor Phase 2 Project nor the Green Line Extension to Torrance Project are currently following the NEPA review process.

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Satisfying NEPA and other related federal requirements is needed to secure the FTA's approval of a Record of Decision (ROD) for either project, therefore making it eligible to seek and receive financial assistance from the FTA (including New Starts grants). However, "federalizing" one or both projects would result in schedule delays and cost increases, not only due to compliance with NEPA requirements, but also due to compliance with Buy America and other federal requirements. Regarding the availability of Measure M funds for construction, which is considered to assess achieving a "medium" local financial commitment rating from the FTA, such funds would not be available until 2025 for the Green Line Extension to Torrance Project and 2029 for the Gold Line Eastside Transit Corridor Phase 2 Project (compared to 2021 and 2024 for the WSAB and Sepulveda Transit Corridor projects, respectively). This adds to the risk of not meeting eligibility for New Starts grants. While staff is not recommending these two "pillar" projects for New Starts, staff will continue to follow a parallel approach as applicable to pursuing formulaic and competitive grants from the State of California building on the success that has already been achieved, such as the grant award of \$231.3 million to the Green Line Extension to Torrance Project from the State's Transit and Intercity Capital Rail (TIRCP) Program.

*ESFV Transit Corridor Project:* Although staff did not intend for this project to compete with "pillar" projects for a New Starts grant, it was also rated following the same process to assess its eligibility and competitiveness. Although this project would get a "medium" project justification rating, the score it received was within the lower end of the range that the FTA defines for this rating. Therefore, there is a potential risk for not meeting the statutory requirement of a minimum "medium" overall project rating and the FTA's requirement of a minimum "medium" project justification rating. Not meeting these project ratings would make the project ineligible for New Starts grants, although it would rate very well for other criteria due to its readiness (well ahead of all projects that were evaluated) and the availability of Measure M funds for construction. Due to these last two criteria, as well as meeting other evaluation criteria, this project was identified as a potential candidate for an EPD grant. An EPD grant request for this project would not be competing with New Starts grant requests for the WSAB and Sepulveda Transit Corridor projects as Congress authorizes, appropriates, and allocates funds for EPD separately from New Starts.

### Timing and Need for Action

Metro's success in securing four FFGAs for about \$4.4 billion in New Starts grants during the last decade was largely due to funding needs, project readiness and timely actions that the Board of Directors approved. These actions better positioned the Regional Connector and Purple Line Extension projects to compete for the limited CIG funding that was available. These actions included the selection of the locally preferred alternative (LPA) for each one of these two projects, authorization to the CEO to pursue New Starts grants, and directives for agency-wide coordination and proactive engagement with the FTA, elected officials and other project stakeholders (including cities, County of Los Angeles and community based organizations). The Board of Directors also supported pursuing an aggressive and coordinated approach to maximize the grant requests and awards, including proposing and supporting legislative and regulatory changes related to the eligibility, evaluation and award of New Starts grants that coincided with the reauthorization of the federal transportation bill at that time. With the pending reauthorization of the FAST Act, there are very strong similarities in the timing and need for action now to support securing New Starts grants. The EPD Program could also be part of Metro's continued success story for securing FTA grants.

### Equity Platform

The projects recommended for pursuing New Starts and EPD grants support the third pillar (“Focus and Deliver”) of Metro’s Equity Platform. These projects support providing access to jobs, education, and other opportunities for underserved communities. They are also included in the Measure M Expenditure Plan, which considered equity related factors among the five performance measures that were developed to assess and prioritize projects. Specifically, the “Economy” and “Sustainability/Quality of Life” themes included metrics relevant to investments in disadvantaged communities.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will have no direct impact on the safety of Metro customers or employees.

### **FINANCIAL IMPACT**

Adoption of the staff recommendation would support the agency’s efforts to secure several billion dollars in Federal New Starts and EPD grants for the WSAB, Sepulveda and ESFV Transit Corridor projects.

### Impact to Budget

This item has no impact to the current budget.

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

The positioning of the recommended priority projects for New Starts and EPD grants will help Metro secure federal funding needed to implement key projects that help achieving all of the goals outlined in the Vision 2028 Plan.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to approve the recommendation, or only approve some of the items it includes. Staff does not recommend either option, as doing so will preclude achieving the Board’s directive to prioritize “pillar” and other projects that may benefit from any additional federal funding that may be committed in support of the Los Angeles 2028 Olympic and Paralympic Games.

The Board may also choose to recommend additional projects, and/or replace one or more of the projects identified in the recommendation, for pursuing New Starts and/or EPD grants. Staff also does not recommend either option. The other two “pillar” projects that are excluded from the recommendation are not as competitive and may not meet federal eligibility statutory requirements. Also, among non “pillar” projects in the Measure M Expenditure Plan, the ESFV Transit Corridor Project is the most competitive for an EPD grant due to its readiness, immediate availability of Measure M funds for construction, and potential for near-term implementation of value capture strategies.

## **NEXT STEPS**

Upon approval of the report, Metro staff will continue this interdepartmental effort with actions to develop, refine, and implement targeted CIG/ EPD legislative and FTA engagement strategies that support securing grants for the two “pillar” projects and the ESFV Transit Corridor Project included in the recommendation. By focusing on a limited number of regional priority projects that also have the most technical merit for receiving New Starts awards following the FTA’s grant application process and evaluation criteria, staff will identify opportunities for supporting other pillars of success that were identified through the Prioritization Assessment as applicable to Metro’s success in the CIG Program to date. These include demonstrated project readiness and technical capacity and capability, as well as early actions to add the projects to the FTA’s project “pipeline”, now more than ever as it currently includes 55 projects. As applicable to the EPD Program, and given that the FTA has only recently begun its implementation, staff will seek to relax existing federal statutory and regulatory limitations to provide greater flexibility to Metro to benefit from it, including increasing the current 25 percent maximum permissible overall federal share of the total project cost.

In Summer 2021 staff will submit a request from the FTA for entry into the Project Development Phase of the CIG Program for the WSAB Transit Corridor Project. Staff will continue to follow a parallel approach for the other two “pillar” projects as applicable to pursuing formulaic and competitive grants from the State of California building on the success that has already been achieved, such as the grant award of \$231.3 million to the Green Line Extension to Torrance Project from the Transit and Intercity Capital Rail (TIRCP) Program. Last, staff will initiate a Prioritization Assessment for Small Starts Grants focused on BRT and other eligible projects listed in the Measure M Expenditure Plan.

## **ATTACHMENTS**

Attachment A - Overview of CIG and EPD Programs

Attachment B - Overview of CIG/EPD Project Pipeline of the FTA

Attachment C - Metro CIG/EPD Prioritization Assessment Workshops & Presentations

Attachment D - Results of Metro CIG/EPD Prioritization Assessment

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Phillip A. Washington  
Chief Executive Officer



## Overview of Capital Investment Grants and Expedited Project Delivery Programs

### Funding Process

Congress authorizes policies and annual funding for the Capital Investment Grants (CIG) and Expedited Project Delivery (EPD) programs through long-term legislation such as the current Fixing America's Surface Transportation (FAST) Act. For each Federal Fiscal Year (FFY), Congress appropriates the funding for the CIG and EPD programs from the General Fund. Congress also specifies how much is dedicated to each CIG project category and for the EPD Program. Following the approval by Congress of the Appropriations Act for each FFY and signature by the President of the United States to become law, the Federal Transit Administration (FTA) allocates the CIG and EPD funds to projects in the "pipeline" based on the Annual Report on Funding Recommendations that it submitted to Congress for the FFY and for any additional projects that met the requirements following the submittal of this document contingent on funding availability. The FTA can also allocate funds to projects in the pipeline prior to the execution of the grant agreements, including Full Funding Grant Agreement (FFGAs) for New Starts projects, contingent on meeting certain requirements.

As applicable to New Starts and EPD grants, the FFGAs detail the annual schedule of Federal funds (including the amount of the New Starts or EPD grant, as applicable), as well as the project sponsor's funding sources and corresponding amounts. Ultimately, Congress has the authority to determine the actual amount on New Starts grants that will be made available for each project in any given FFY through the Appropriations Act. Whether allocated directly by Congress or by the FTA, it takes several years for a project to receive all its New Starts or EPD grant allocations. Also, annual appropriations for the CIG and EPD programs can be higher or lower than what Congress authorized in the long-term legislation. For example, the FAST Act authorized about \$2.3 billion per year for the CIG and EPD programs. However, annual appropriations ranged between \$1.98 billion in FFY 2020 and \$2.64 billion in FFY 2018. Annual appropriations dedicated for New Starts projects ranged from \$1.17 billion in FFY 2021 to \$1.51 billion in FFY 2018. Overall, about 59 percent of the CIG funding was dedicated for New Starts projects.

### New Starts Grant Application and Evaluation Process

The FTA's application and approval process for securing New Starts grants is very competitive and takes several years to complete. It is a "rolling" solicitation, with reviews and approvals following a "first-come/first-served" process. An optimistic schedule assumes about five years. A more aggressive schedule assumes a minimum of four years. The process and evaluation criteria are set by Congress and codified in Federal law. The FTA administers the process, evaluates potential projects, and makes funding recommendations to Congress as detailed in its Policy Guidance for the CIG Program.

The New Starts grant application process includes the project sponsor's sequential request and the FTA's sequential approval for entry into the Project Development (PD)

Phase and the Project Engineering (PE) Phase, respectively, prior to the execution of the FFGA (the third and last step of the New Starts grant pre-award process). Existing Federal law allows project sponsors a maximum of two years from receiving approval for entry into the PD Phase to receiving approval for entry into the PE Phase. The FTA evaluates and rates projects during these two phases based on its Policy Guidance that implements Federal statutory justification and local financial commitment criteria. The FAST Act requires the FTA to evaluate a project as a whole on a 5-point scale and rate it based on the combined summary ratings for project justification and local financial commitment as high, medium-high, medium, medium-low, or low. These two sets of criteria have the same weight (i.e., 50% each) in a project's overall rating. The project justification criteria consist of mobility improvements, environmental benefits, congestion relief, economic development effects, land use, and cost-effectiveness. The FTA assigns the same weight to each one of these six criteria. The local financial commitment criteria consist of the project sponsor's current capital and operating conditions, its commitment of funds (including share of New Starts grant requested) for the project, and its capacity/reliability to deliver the proposed plan (including financial and planning assumptions, among other). The weights that the FTA assigns to these criteria are 25%, 25% and 50%, respectively.

#### New Starts Grant Eligibility Requirements

Per the FAST Act, a project must receive at least a medium overall rating to be eligible for entry into the Engineering Phase and execution of the FFGA. To comply with this requirement, the FTA combines the project justification and local financial commitment ratings it estimated to arrive at an overall project rating. The FTA further requires at least a medium rating on both project justification and local financial commitment to obtain a medium or better overall project rating. The project's overall rating is among several factors the FTA considers in its evaluation of New Starts grant requests. Other factors include the availability of CIG program funds and considerations related to project readiness during the PD and PE phases. For example, project sponsors during the PD Phase must: i) commit at least 30 percent of the total project cost from sources other than the CIG Program; ii) complete at least 30 percent design and engineering; and iii) identify the delivery method. Similarly, project sponsors during the PE Phase must: i) commit at least 50 percent of the total project cost from sources other than the CIG Program within three years of entry into this phase; ii) complete sufficient design and engineering, within three years of entry into this phase, to develop firm and reliable project cost, scope and budget; and iii) obtain all funding commitments from sources other than the CIG Program. The FTA "locks-in" the amount of the New Starts grant for the project, not the share from the overall project cost, at the level included in the project sponsor's request for entry into the PE Phase. Project sponsors must demonstrate sufficient progress during the PE Phase to remain in the FTA's project "pipeline". The FTA withdraws a project from further consideration for a New Starts grant if the sponsor agency does not make sufficient progress in obtaining funding commitments or advancing the level of design within three years of entry into the PE Phase.

## EPD Grant Application and Evaluation Process

The FAST Act repealed the original program that the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) had authorized in 2012, including grant application and evaluation process. As currently authorized by the FAST Act, and as implied by its name, the FTA's EPD Program aims to expedite the delivery of New Starts, Core Capacity and Small Starts projects. The FAST Act (as in MAP-21) specifies a maximum of 8 EPD grant awards nationwide. The Federal authorization, appropriations and allocations processes are as detailed for the CIG Program. However, the funding that Congress has dedicated so far is much less with a total of \$225 M during the six-year period of the FAST Act. Annual appropriations range between \$5 M in FFY 2016 and \$100 M in FFY 2020, which correspond to the minimum and maximum annual allocations, respectively. The FTA has so far allocated \$125 M to the Santa Clara Valley Transportation Authority (VTA) for the Bay Area Rapid Transit (BART) Silicon Valley Phase II Extension Project. The balance of \$100 M in appropriated funds remains to be allocated.

The FTA's application and approval process for securing EPD grants is complex and competitive. As with the CIG Program, it is also a "rolling" solicitation, with reviews and approvals following a "first-come/first-served" process. The grant applications process and evaluation criteria are set by Congress and codified in Federal law. The FTA administers the process, evaluates potential projects, and suggests funding awards in its Annual Report on Funding Recommendations to Congress.

## EPD Grant Eligibility Requirements

The FTA does not have Policy Guidelines for the EPD Program as for the CIG Program. Instead, it has so far communicated its guidelines through: i) notices it published in 2015 and 2018 soliciting Expressions of Interest (EOI) from project sponsors to participate in the EPD Program; and ii) a Notice of Funding Opportunity (NOFO) published in July 2020 requesting grant applications for the balance of \$100 M of appropriated funds that remains to be allocated. Although not specified in Federal law, the FTA listed additional project eligibility requirements in this NOFO for sponsor agencies to qualify for submitting EPD grant applications, including: i) completion of planning and other activities required under the National Environmental Policy Act (NEPA); ii) completion of at least 30 percent project design and engineering; and iii) execution of all "critical third-party agreements" that the applicant identifies and the FTA verifies during the application review process before construction or operations can begin, the absence of which may significantly change the proposed project's cost, scope and schedule. The FTA also required project sponsors to submit evidence of the P3 in their grant applications. It defined P3 as a "contractual agreement that is characterized by private sector investment and risk-sharing in the delivery, financing, and/or operation of a capital project" that also complies with the Federal statutory requirement to be operated and maintained by employees of an existing public transportation provider.

The transfer of risk from the public project sponsor agency to the private sector and the change in the FTA's status from majority to minority investor, due to the maximum Federal funding share (from all sources) of 25 percent of the proposed project's total cost, result in both challenges and opportunities. Although the intent of the EPD Program is to award grants following a very streamlined grant application and evaluation process, no project sponsor has executed a FFGA or any other agreement with the FTA. As also required by the CIG Program, the FTA cannot execute an EPD FFGA if the sponsor agency has not completed planning and other activities under NEPA. Compared to the CIG process, there are no PD or PE phases. Instead, the FAST Act requires the FTA to complete the review of grant requests that sponsor agencies submit for "project advancement" no later than 120 days after the date the Secretary of the United States Department of Transportation (USDOT) receives such requests and to either approve the grant request or provide a detailed explanation of the reasons for disapproval. In addition to the meeting eligibility requirements, the FAST Act requires the FTA to evaluate grant applications based on several factors, including: i) project justification (mobility and environmental improvements, congestion relief, economic development, and estimated ridership projections; and ii) degree of local financial commitment, including evidence of stable and dependable financing sources and cost-effective P3 strategies for project delivery. The FAST Act does not require the FTA to rate proposed projects, as required for the CIG Program or through any other methodology.

#### Metro's EPD Grant Application Related Experience

In September 2015, staff submitted EOI to the FTA in response to its solicitation for the Airport Metro Connector/ 96<sup>th</sup> Street Station and for Section 3 of the Purple Line Extension. Metro's EOI for Section 3 of the Purple Line Extension, which was among a total of eight EOI that project sponsors submitted nationwide, was well received by the FTA. However, the FAST Act repealed the law that authorized the EPD Program, which the FTA had used as reference in seeking EOI. In 2018, the FTA released another solicitation of EOI for participation in the EPD Program, now as authorized by the FAST Act. In November 2018, staff submitted EOI to the FTA in response to its solicitation for the WSAB, Sepulveda Pass and Vermont Transit Corridor projects. These three projects were proposed because they best met the criteria that the FTA outlined in its solicitation. These projects were among a total of seven EOI that project sponsors submitted nationwide. As shared with the Board of Directors in July 2019, staff discussed the design, development, and implementation of the EPD Program with staff from the FTA and the other three project sponsors that submitted EOI. The FTA announced its selection of Santa Clara VTA's BART Silicon Valley Phase II Extension Project as the first project to participate in the EPD Program with a grant request of about \$1.4 billion. The CEO followed staff engagement with the FTA with a letter to the FTA's Acting Administrator, as well as in person. Unfortunately, the project eligibility requirements that the FTA included in its July 2020 NOFO disqualified the WSAB and Sepulveda Pass Transit Corridor projects from further consideration due to the 25 percent cap on the Federal funding participation from all sources and project readiness.

## Overview of Capital Investment Grants and Expedited Project Delivery Project Pipeline of the Federal Transit Administration

Although the application and approval process of the Federal Transit Administration (FTA) for securing New Starts and other grants from the Capital Investment Grants (CIG) or Expedited Project Delivery (EPD) programs is very competitive and takes several years to complete, project sponsors nationwide continue to rely on these funding sources to complete the funding plans for their major capital fixed guideway projects. The demand for New Starts grants is the largest in terms of total funding committed in FFGAs, as well as requested for projects that are currently in the PD and PE phases. The demand for New Starts grants has increased in parallel with the growing demand for other grants from the CIG Program, therefore increasing the program's competitiveness. Regardless of its complexity, the CIG Program is very popular among project sponsors, as evidenced by the number of projects in the FTA's pipeline and the funding committed in grant agreements or requests pending approval.

There are currently 18 projects (14 New Starts and 4 Core Capacity) with approved Full Funding Grant Agreements (FFGAs) committing about \$6.2 billion in CIG funds beyond Federal Fiscal Year (FFY) 2021. Of this total, about \$4.9 billion are New Starts grants, including about \$2 billion for Metro. In addition, there are 2 New Starts projects in the PE Phase (in addition to 1 Core Capacity project) that would receive about \$0.8 billion beyond FFY 2021 contingent on the execution of the FFGAs. Also, there are 33 projects in the PD Phase (6 New Starts and 27 Small Starts) that could receive up to \$12 billion beyond FFY 2021 contingent on meeting at least a "minimum" overall project rating, among other criteria, and the execution of the grant agreements. About \$10 billion of this total is for New Starts projects. Also, the BART Silicon Valley Phase II Extension Project of the Santa Clara VTA may receive an EPD grant of about \$1.2 billion in addition to the \$125 million that the FTA has already allocated.

Overall, there are currently 55 projects in the FTA's CIG project pipeline, including Metro's 3 projects for the Purple Line Extension, that may result in up to \$20 billion in grants awards from the CIG Program. About \$16 billion (80 percent) from this total, regardless of the approval status of the project requests, is the current demand for New Starts grants. For comparison, Congress appropriated about \$13.8 billion in Section 5309 funds during the six-year period of the FAST Act (average of about \$2.3 billion). Therefore, it would take the equivalent of nine years of apportionments at current funding levels to fund all the projects that are currently in the FTA's project pipeline.

There are very strong similarities in the circumstances (e.g., Federal reauthorization, adoption of Long Range Transportation Plan, Federal stimulus funding for economic recovery, etc.) and need for action to support securing New Starts grants during the current decade compared to what led to Metro's success in securing New Starts grants for the Regional Connector and Purple Line Extension projects. However, the number of projects in the CIG "pipeline", particularly those seeking New Starts grants and the total of their grant requests, is much higher today compared to what led to Metro's success.

## **Metro CIG/ EPD Prioritization Assessment Workshops and Presentations**

Staff engaged late in 2019 the professional services of technical and legal consulting teams to conduct a prioritization assessment of the “pillar” and East San Fernando Valley (ESFV) Transit Corridor projects for New Starts grants from the Capital Investment Grants (CIG) Program and from the Expedited Project Delivery (EPD) Program following the evaluation criteria of the Federal Transit Administration (FTA) as applicable to each type of these grants. Staff, with support from the consulting team, organized four workshops for Board Offices to seek their timely feedback.

*February 2020 Workshop:* Introduced Board Offices to the goals, evaluation criteria, and assumptions of the New Starts Prioritization Assessment for the Pillar Projects. However, the assessment had to be paused due to the coronavirus pandemic and stay-at-home order. Also, three separate workshops were delivered to allow opportunity for questions and receive feedback from Board Offices.

*December 2020 Workshop:* Focused on the goals of New Starts Prioritization Assessment: i) identify opportunities and constraints for securing New Starts and EPD grants from the FTA; ii) assess CIG New Starts rating results and implications for individual projects; iii) develop project specific recommendations for pursuing New Starts and EPD grants; and iv) develop recommendations on targeted New Starts/ EPD legislative and FTA engagement strategies to secure grants from the FTA for the projects that are fund to be eligible and most competitive. Staff expanded the scope of the New Starts Assessment to include the ESFV Transit Corridor Project. This Workshop also provided an overview of the CIG and EPD programs, including grant application and evaluation processes and criteria. It also discussed in more detail the FTA’s current project “pipeline” and the pillars of success for securing New Starts grants based on lessons learned from Metro’s most recent experience with the Regional Connector and Purple Line Extension projects and from other projects nationwide.

*February 2021 Workshop:* Focused on the general and project-specific assumptions for the New Starts Prioritization Assessment relevant to the FTA’s project justification criteria. It also presented four scenarios for the evaluation of these criteria, including a sensitivity analysis that factors project cost increases based on recent bid trends. One scenario assumed a 20 percent higher cost that what was last reported to the Board of Directors (adjusted to 2020 \$). Another scenario assumed an additional 20 percent increase. The FTA’s local financial commitment criteria were also discussed, while identifying those with either a positive or negative impact in the project’s rating.

*March 2021 Workshop:* Identified the pillars of success for securing New Starts/ EPD grants, presented the project justification ratings for the “pillar” and ESFV Transit Corridor projects, assessed schedules for securing New Starts and/or EPD grants while also taking into consideration project readiness in meeting the FTA’s requirements, as well as the commitment and availability of non-federal funds. The presentations for the three CIG/ EPD Priority Assessment Workshops can be accessed [here](#).

**Results of Metro Capital Investment Grants/ Expedited Project Deliver Prioritization Assessment**

Project	Scenario A (Four Criteria without Costs)	Scenario B1 (Current Costs)*	Scenario B2 (20% Higher Costs than B1)	Scenario B3 (20% Higher Costs than B2)
<b>Sepulveda Transit Corridor</b>				
Lower Cost Range Alternative	Medium-High (4.3)	Medium-High (4.0)	Medium-High (3.7)	Medium-High (3.7)
Higher Cost Range Alternative	Medium-High (4.3)	Medium-High (3.8)	Medium-High (3.7)	Medium-High (3.7)
<b>West Santa Ana Branch Transit Corridor</b>				
7 <sup>th</sup> /Metro-Pioneer	Medium-High (3.8)	Medium (3.3)	Medium (3.2)	Medium (3.2)
Union Station-Pioneer	Medium-High (3.5)	Medium (3.2)	Medium (3.2)	Medium (3.0)
<b>Eastside Transit Corridor Phase 2</b>				
Atlantic-Lambert	Medium (3.3)	Medium (2.7)	Medium (2.7)	Medium (2.7)
<b>Green Line Extension to Torrance</b>				
Green Line Extension to Torrance	Medium (2.8)	Medium (2.5)	Medium (2.5)	Medium (2.5)
<b>East San Fernando Valley</b>				
Van Nuys MOL Station-Sylmar/San Fernando Metrolink Station	Medium (3.0)	Medium (2.7)	Medium (2.7)	Medium (2.7)
* Last reported to the Board (adjusted to 2020 \$).				
<b>Low (0.0 - 1.4)</b>	<b>Medium-Low (1.5 - 2.4)</b>	<b>Medium (2.5 - 3.4)</b>	<b>Medium-High (3.5 - 4.4)</b>	<b>High (4.5 - 5.0)</b>





# Pillar & East San Fernando Valley Projects Priority Assessment for New Starts Grants

*Planning and Programming Committee*

*April 14, 2021*

*Item 15*



**Metro**



# Assessment Goals

- **Identify opportunities and constraints for New Starts grants from the Federal Transit Administration (FTA):**
  - Capital Investment Grants (CIG) Program
  - Expedited Project Delivery (EPD) for CIG Pilot Program
- **Assess CIG New Starts rating results and implications of individual projects**
- **Develop project specific recommendations for pursuing New Starts grants**
- **Develop recommendations on targeted CIG/EPD legislative and FTA engagement strategy**

# CIG Program Pillars of Success

- ✓ **Focus on a Limited Number of Projects**
- ✓ **Select Projects that are Eligible and Have the Most Merit**
  - Project Justification Criteria and Local Financial Commitment
  - System-wide financial capacity including operations and maintenance of Metro system
- ✓ **Demonstrate Readiness**
  - According to project development schedules and local financial commitment
- ✓ **Demonstrate Technical Capacity & Capability**
  - Reliable cost estimates and Project Management Plan (PMP)
- ✓ **Get Projects into the Pipeline**

# Project Justification Summary Ratings

Project	Scenario A (Four Criteria without Costs)	Scenario B1 (Current Costs)*	Scenario B2 (20% Higher Costs than B1)	Scenario B3 (20% Higher Costs than B2)
<b>Sepulveda Transit Corridor</b>				
Lower Cost Range Alternative	Medium-High (4.3)	Medium-High (4.0)	Medium-High (3.7)	Medium-High (3.7)
Higher Cost Range Alternative	Medium-High (4.3)	Medium-High (3.8)	Medium-High (3.7)	Medium-High (3.7)
<b>West Santa Ana Branch Transit Corridor</b>				
7 <sup>th</sup> /Metro-Pioneer	Medium-High (3.8)	Medium (3.3)	Medium (3.2)	Medium (3.2)
Union Station-Pioneer	Medium-High (3.5)	Medium (3.2)	Medium (3.2)	Medium (3.0)
<b>Eastside Transit Corridor Phase 2</b>				
Atlantic-Lambert	Medium (3.3)	Medium (2.7)	Medium (2.7)	Medium (2.7)
<b>Green Line Extension to Torrance</b>				
Green Line Extension to Torrance	Medium (2.8)	Medium (2.5)	Medium (2.5)	Medium (2.5)
<b>East San Fernando Valley</b>				
Van Nuys MOL Station-Sylmar/San Fernando Metrolink Station	Medium (3.0)	Medium (2.7)	Medium (2.7)	Medium (2.7)
* Last reported to the Board (adjusted to 2020 \$).				
<b>Low (0.0 - 1.4)</b>	<b>Medium-Low (1.5 - 2.4)</b>	<b>Medium (2.5 - 3.4)</b>	<b>Medium-High (3.5 - 4.4)</b>	<b>High (4.5 - 5.0)</b>

# Project Assessment Summary

CORRIDOR	30% Design*	NEPA or CEQA-Only	Measure M \$ Availability	FTA Project Justification Rating
West Santa Ana Branch	2022	NEPA	2022	Medium (3.0-3.3)
Sepulveda Transit Corridor	2025	NEPA	2024	Medium-High (3.7-4.0)
Green Line Extension to Torrance	2024	CEQA-Only	2026	Medium (2.5)
Eastside 2 LRT Extension	2024	CEQA-Only	2029	Medium (2.7)
East San Fernando Valley	2021	NEPA	2021	Medium (2.7)

\*Adding NEPA process will add time to schedule

CORRIDOR	Design Readiness Rank	Funding Availability Rank	Project Justification Rank	New Starts Priority Order
West Santa Ana Branch	1	1	2	1
Sepulveda Transit Corridor	4	2	1	2
Green Line Extension to Torrance	2	3	4	3
Eastside 2 LRT Extension	2	4	3	3
East San Fernando Valley	NA	NA	NA	NA

# Metro Board Recommendations and Next Steps

## **Project specific recommendations for pursuing New Starts grants**

- ✓ Approve WSAB and Sepulveda as Metro's next priorities for New Starts
- ✓ Approve ESFV as Metro's priority for EPD

## **Recommendations on targeted CIG/EPD legislative and FTA engagement strategy**

- ✓ Authorize staff to request entry into Project Development for WSAB and Sepulveda at the appropriate time
- ✓ Authorize staff to submit a grant application to EPD for ESFV
- ✓ Authorize staff to develop and implement targeted CIG/EPD legislative strategies

## **Next steps in parallel approach to State grants for Gold Line Eastside and Green Line to Torrance**





Board Report

File #: 2021-0207, File Type: Program

Agenda Number: 16.

PLANNING & PROGRAMMING COMMITTEE  
APRIL 14, 2021

**SUBJECT: CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL  
APPROPRIATIONS ACT HIGHWAY INFRASTRUCTURE PROGRAMS FUNDS**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATIONS**

CONSIDER:

1. APPROVING the programming of \$38.2 million in Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Highway Infrastructure Programs (HIP) funds made available through the Regional Transportation Improvement Program (RTIP) of the State Transportation Improvement Program (STIP) to the East San Fernando Valley (ESFV) Transit Corridor Project as a revenue-neutral exchange of Proposition A 35% funds to be directly used on the Airport Metro Connector (AMC) 96<sup>th</sup> Street Station;
2. APPROVING the programming of \$47.6 million in CRRSAA HIP funds made available through the Caltrans Local Assistance Surface Transportation Block Grant Program (STBGP) to all 88 cities in and including the County of Los Angeles by percentage of the total county population as presented in Attachment A; and
3. APPROVING the ability for small cities to exchange CRRSAA STBGP funds with local funds under Metro’s existing federal Surface Transportation Program - Local Exchange Program.

**ISSUE**

Enacted on December 27, 2020, the federal CRRSAA appropriates \$10 billion for the Federal Highway Administration (FHWA) to apportion to state departments of transportation. On January 15, 2021, the FHWA made the apportionments available. California’s apportionment is \$911.8 million and is available until September 30, 2024. On March 24, 2021, the California Transportation Commission (CTC) adopted Resolution G-21-39, which specifies the use of California’s \$911.8 million apportionment for “highway infrastructure programs”. Under the STIP Regional Transportation Improvement Program shares, Los Angeles County is targeted to receive \$38.2 million. Under the STBGP shares, Los Angeles County is targeted to receive \$47.5 million. These funds must be programmed by Metro through the STIP and the Federal Transportation Improvement Program (FTIP) to enable Metro and local agencies incur expenditures for eligible transportation activities.

## **DISCUSSION**

Under the CRRSAA, the HIP funds may be used for a broad range of surface transportation purposes listed in Section 133(b) of Title 23 of the U.S. Code and are meant to “prevent, prepare for, and respond to coronavirus.” Specifically, the Act allows states to cover revenue losses, preventive and routine maintenance, operations, personnel (including salaries of employees or contractors), debt service and availability payments, as well as transfers to public tolling agencies and ferry systems that provide a public transportation benefit. The federal share of costs may be up to 100 percent. HIP funds cannot be used for bus and rail operations.

The CTC, as detailed in Resolution G-21-39, distributed California’s \$911.8 million apportionment from the CRRSAA for “highway infrastructure programs” as follows:

State Programs (60 Percent): \$547.1 million

- \$486.3 million: State Highway Operation and Protection Program (SHOPP)
- \$60.8 million: Interregional Transportation Improvement Program (ITIP)

Regional Programs (40 Percent): \$364.7 million

- \$182.4 million: RTIP
- \$182.4 million: STBGP

The ITIP and RTIP comprise 25 percent and 75 percent, respectively, of the STIP. A total of \$243.2 million in CRRSAA funds will be distributed through the STIP. Of the \$243.2 million, \$38.2 million is targeted for Los Angeles County through the RTIP. Of the \$182.4 million of CRRSAA funds distributed by population through the STBGP, \$47.5 million is targeted for Los Angeles County.

### **Use of Funds**

The CRRSAA Highway Infrastructure Programs provides the first and only federal COVID-19 response and relief funding made available to highway infrastructure activities after nearly a year of direct and significant impacts due to the pandemic on regional and local agencies across California that are responsible for the operations and maintenance of thousands of miles of federal-aid highways. As such, Metro staff is recommending to use the \$47.5 million in CRRSAA funds distributed by the CTC according to the STBGP as a way to support all of the local agencies across Los Angeles County to “prevent, prepare for, and respond to coronavirus” consistent with the intent of the federal act. Metro staff made efforts with the CTC to ensure that these funds would be administered through the Caltrans Local Assistance process specifically to ensure the most expedient and efficient way to get funding to local agencies across Los Angeles County.

Staff is also recommending using the balance of \$38.2 million in HIP funds from the CTC’s distribution through the STIP/RTIP to the AMC 96<sup>th</sup> Street Station. This station will be the ninth along the Crenshaw/LAX (C/LAX) Line and will connect directly with the Los Angeles World Airports (LAWA) Automated People Mover (APM). It will become the key multi-modal gateway to the Metro system from/to Los Angeles International Airport (LAX). With direct connections between Metro rail,

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bus and active transportation systems to the APM and LAX, this new transit station will provide a welcoming, secure and convenient connection to the transportation network.

As identified in the concurrent April 2021 board report (Legistar 2021-0114), establishing a life-of-project (LOP) budget for the AMC Project of about \$898.6 million will require additional regional sources of funding. The \$38.2 million in CRRSAA STIP/RTIP funds are critical to address the additional funding need to award the construction contract for the AMC. Due to the limitation in using federal funds directly on the project, however, staff is recommending that the \$38.2 million in CRRSAA STIP/RTIP funds be programmed to the ESFV Transit Corridor Project as a revenue-neutral exchange of Proposition A 35% funds to be directly used on the AMC Project.

### Equity Platform

The recommendation supports the third pillar of the Equity Platform ( "Focus and Deliver") by planning resources to strategically invest in high-quality mobility options for Los Angeles County, as well as to support all of the local agencies across Los Angeles County to "prevent, prepare for, and respond to coronavirus".

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will have no direct impact on the safety of Metro customers or employees.

### **FINANCIAL IMPACT**

Approval of the staff recommendation will support the establishment of a LOP budget for the AMC project for about \$898.6 million with \$38.2 million of required additional regional sources of funding. It will also provide \$47.5 million in CRRSAA STBGP funds to support all of the local agencies across Los Angeles County to "prevent, prepare for, and respond to coronavirus" consistent with the intent of the federal act.

### Impact to Budget

The proposed action will not have an impact to the FY21 budget. AMC is a multi-year project requiring expenditure in fiscal year increments with the adoption of the Board-authorized LOP budget. It will be the responsibility of the Project Manager and Chief Program Management Officer to budget for this in future fiscal years.

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

The grant funding awarded will help meet all of Metro's Vision 2028 goals, especially the first goal, which aims to deliver outstanding trip experiences for all users of the transportation system. Specifically, the AMC Project will provide a reliable, fast, and convenient connection for passengers traveling between LAX and the regional bus and rail transit system. By integrating with existing and future transit connections and airport facilities Metro hopes to increase public transit trips to and from LAX with minimal impact to airport facilities and surrounding communities and to help reduce air pollution.



## **ALTERNATIVES CONSIDERED**

The Board may choose not to program all \$38.2 million in CRRSAA STIP/RTIP funds for the ESFV Transit Corridor Project as a revenue-neutral exchange of Proposition A 35% funds to be directly used on the AMC Project. Staff does not recommend this option as the entire amount is needed to support the establishment of an LOP budget of about \$898.6 million for the AMC Project with regional funds. Furthermore, the CRRSAA RTIP funds will be distributed and administered as part of the STIP. The STIP has rigorous guidelines, a 60-day delay for an allocation vote, and lapsing provisions that would make the funds cumbersome for local jurisdictions to receive and draw down.

The Board may choose to not program all \$47.5 million in CRRSAA STBGP funds to the local jurisdictions of Los Angeles County. Staff does not recommend this option, as the local jurisdictions of Los Angeles County have incurred revenue shortfalls during the COVID-19 pandemic. It is in keeping with the intent of the legislation to distribute a share of the HIP funds at the local level, where agencies can provide relief within their jurisdiction.

## **NEXT STEPS**

April 23, 2021 - List of STIP/RTIP projects due to the CTC

May 12-13, 2021 - CTC staff recommends adoption of guidelines for Draft 2021 Mid-Cycle STIP and STBGP component

May 12-13, 2021 - New STIP/RTIP projects are presented to the CTC for Notice

June 23-24, 2021 - CTC adopts new STIP/RTIP projects (earliest date to allocate funds)

August 18-19, 2024 - Projects programmed with CRRSAA STIP/RTIP funds must receive an allocation, otherwise they will lapse.

## **ATTACHMENTS**

Attachment A - HIP Funding Distribution to Local Agencies in Los Angeles County

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Phillip A. Washington  
Chief Executive Officer

**CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS (CRRSA) ACT  
HIGHWAY INFRASTRUCTURE PROGRAMS  
FUNDING DISTRIBUTION TO LOCAL AGENCIES IN LOS ANGELES COUNTY**

Local Agency (City/ County of Los Angeles)	2019 Population <sup>1</sup>	2019 Population Share (%)	HIP Funding Share (\$)
Agoura Hills	20,622	0.202%	\$96,362
Alhambra	86,793	0.852%	\$405,564
Arcadia	57,262	0.562%	\$267,572
Artesia	16,534	0.162%	\$77,260
Avalon	3,939	0.039%	\$18,406
Azusa	49,537	0.486%	\$231,475
Baldwin Park	76,311	0.749%	\$356,584
Bell	36,510	0.358%	\$170,603
Bell Gardens	78,239	0.768%	\$365,593
Bellflower	42,579	0.418%	\$198,962
Beverly Hills	33,926	0.333%	\$158,528
Bradbury	1,056	0.010%	\$4,934
Burbank	105,496	1.036%	\$492,959
Calabasas	24,185	0.237%	\$113,011
Carson	93,153	0.915%	\$435,283
Cerritos	49,995	0.491%	\$233,615
Claremont	35,872	0.352%	\$167,622
Commerce	12,929	0.127%	\$60,414
Compton	98,206	0.964%	\$458,894
Covina	48,683	0.478%	\$227,485
Cudahy	24,227	0.238%	\$113,207
Culver City	39,493	0.388%	\$184,542
Diamond Bar	57,308	0.563%	\$267,787
Downey	113,863	1.118%	\$532,056
Duarte	21,681	0.213%	\$101,310
El Monte	116,563	1.145%	\$544,672
El Segundo	16,812	0.165%	\$78,559
Gardena	60,892	0.598%	\$284,534
Glendale	204,883	2.012%	\$957,372
Glendora	51,840	0.509%	\$242,237
Hawaiian Gardens	14,685	0.144%	\$68,620
Hawthorne	87,071	0.855%	\$406,863
Hermosa Beach	19,641	0.193%	\$91,778
Hidden Hills	1,862	0.018%	\$8,701
Huntington Park	59,642	0.586%	\$278,693
Industry	427	0.004%	\$1,995
Inglewood	112,345	1.103%	\$524,963
Irwindale	1,443	0.014%	\$6,743
La Canada Flintridge	20,497	0.201%	\$95,778
La Habra Heights	5,470	0.054%	\$25,560
La Mirada	49,007	0.481%	\$228,999
La Puente	40,532	0.398%	\$189,397
La Verne	33,289	0.327%	\$155,552
Lakewood	80,168	0.787%	\$374,607
Lancaster	161,505	1.586%	\$754,676
Lawndale	32,879	0.323%	\$153,636
Lomita	20,614	0.202%	\$96,325
Long Beach	472,802	4.642%	\$2,209,296
Los Angeles	4,013,170	39.405%	\$18,752,630
Lynwood	71,549	0.703%	\$334,332

**CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS (CRRSA) ACT  
HIGHWAY INFRASTRUCTURE PROGRAMS  
FUNDING DISTRIBUTION TO LOCAL AGENCIES IN LOS ANGELES COUNTY**

Local Agency (City/ County of Los Angeles)	2019 Population <sup>1</sup>	2019 Population Share (%)	HIP Funding Share (\$)
Malibu	11,784	0.116%	\$55,064
Manhattan Beach	35,419	0.348%	\$165,505
Maywood	27,988	0.275%	\$130,782
Monrovia	37,956	0.373%	\$177,360
Montebello	63,742	0.626%	\$297,852
Monterey Park	60,943	0.598%	\$284,773
Norwalk	105,881	1.040%	\$494,758
Palmdale	157,117	1.543%	\$734,172
Palos Verdes Estates	13,230	0.130%	\$61,821
Paramount	55,569	0.546%	\$259,661
Pasadena	144,686	1.421%	\$676,085
Pico Rivera	63,390	0.622%	\$296,207
Pomona	154,675	1.519%	\$722,761
Rancho Palos Verdes	41,838	0.411%	\$195,499
Redondo Beach	67,154	0.659%	\$313,795
Rolling Hills	1,880	0.018%	\$8,785
Rolling Hills Estates	8,035	0.079%	\$37,546
Rosemead	54,198	0.532%	\$253,255
San Dimas	34,042	0.334%	\$159,071
San Fernando	24,798	0.243%	\$115,875
San Gabriel	40,194	0.395%	\$187,817
San Marino	13,106	0.129%	\$61,241
Santa Clarita	221,703	2.177%	\$1,035,968
Santa Fe Springs	18,348	0.180%	\$85,736
Santa Monica	92,480	0.908%	\$432,138
Sierra Madre	10,843	0.106%	\$50,667
Signal Hill	11,744	0.115%	\$54,877
South El Monte	20,792	0.204%	\$97,156
South Gate	97,211	0.955%	\$454,245
South Pasadena	25,524	0.251%	\$119,268
Temple City	36,098	0.354%	\$168,678
Torrance	145,922	1.433%	\$681,860
Vernon	298	0.003%	\$1,392
Walnut	29,977	0.294%	\$140,076
West Covina	106,313	1.044%	\$496,776
West Hollywood	36,335	0.357%	\$169,785
Westlake Village	8,227	0.081%	\$38,443
Whittier	87,073	0.855%	\$406,872
County of Los Angeles	1,039,878	10.211%	\$4,859,113
<b>TOTAL</b>	<b>10,184,378</b>	<b>100.000%</b>	<b>\$47,589,281</b>

1. Population estimates from the State of California Department of Finance.

**Board Report**

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**File #:** 2021-0038, **File Type:** Resolution**Agenda Number:** 17.

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**PLANNING AND PROGRAMMING COMMITTEE  
APRIL 14, 2021****SUBJECT: CAP-AND-TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)****ACTION: APPROVE RECOMMENDATIONS****RECOMMENDATION**

CONSIDER approving the Resolution in Attachment A that:

- A. Authorizes the Chief Executive Officer (CEO) or his designee to claim \$22,690,757 in fiscal year (FY) 2020-21 LCTOP grant funds for the Crenshaw/LAX Transit Corridor Operations Project and/or the proposed Fareless System Initiative Pilot if approved by the Metro Board;
- B. Certifies that Metro will comply with LCTOP certification and assurances and the authorized agent requirements; and
- C. Authorizes the CEO or his designee to execute all required documents and any amendment with the California Department of Transportation.

**ISSUE**

The LCTOP is a cap-and-trade program established in 2014 that provides operating and capital assistance funds to public transportation agencies throughout California to reduce greenhouse gas emission and improve mobility, with a priority on serving disadvantaged communities. The State issued the FY 2020-21 guidelines for the LCTOP in February 2021 and agencies must claim these formula grant funds by April 9, 2021. The grant package must include an adopted Board resolution that provides recipient project information and certifies that Metro will comply with all LCTOP conditions and requirements. Therefore, staff is seeking Board approval of the resolution contained in Attachment A.

**DISCUSSION**

Each year, the State makes LCTOP formula grant funds available through a process administered by the California Department of Transportation (Caltrans) in coordination with the California Air Resources Board (CARB) and the State Controller's Office (SCO).

On February 25, 2021, the State notified eligible agencies of their FY 2020-21 fund allocation

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amounts, including \$20,890,388 apportioned to Metro. In addition, 14 Los Angeles County municipal operators requested to transfer to Metro \$1,800,369 of their FY 2020-21 LCTOP fund allocations for use on its 2021 LCTOP-funded expenses in exchange for more flexible local funds.

To claim the grant award, Metro must prepare a request describing the proposed transit expenditures that will be funded using the LCTOP allocation. The grant application package must include a Board resolution that: 1) authorizes the CEO or his designee to claim \$22.7 million in FY 2020-21 LCTOP funds; 2) identifies the project(s) to be funded with the LCTOP funds; 3) accepts the transfer of FY 2020-21 LCTOP funds to Metro by the 14 municipal operators; and 4) authorizes the CEO or his designee to execute and amend all required LCTOP documents with Caltrans including the certifications and assurances and authorized agent forms. Staff is proposing to fund with these LCTOP funds the Crenshaw/LAX Transit Line pre-revenue service testing and a portion of the first year of operations and/or a Board-approved Fareless System Initiative (FSI) Pilot.

#### LCTOP Program Funding

The LCTOP, created by California Senate Bill 862 (2014), provides funding derived from California's Cap-and-Trade Program and supports transit agency investment in various projects to further reduce greenhouse gas emissions. In FY 2020-21, \$81.9 million was allocated to LCTOP statewide.

Transit agencies receiving funds from the LCTOP must submit expenditure proposals listing projects that meet any of the following criteria:

- Expenditures that directly enhance or expand transit service by supporting new or expanded bus or rail services, new or expanded waterborne transit or expanded intermodal transit facilities, and may include equipment acquisition, fueling, maintenance, and other costs to operate those services or facilities;
- Operational expenditures that increase transit mode share; and
- Expenditures related to the purchase of zero-emission buses, including electric buses and the installation of the necessary equipment and infrastructure to operate and support zero-emissions buses.

#### Equity Platform

Senate Bill 535 (de Leon, 2012) and Assembly Bill 1550 (Gomez, 2016) established criteria for meeting the LCTOP requirement to prioritize serving disadvantaged communities. The California Environmental Protection Agency (CalEPA) provides tools for identifying Disadvantaged Communities (DACs) based on geographic, socioeconomic, public health, and environmental hazard criteria. The State's parameters include, but are not limited to:

1. Areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation.
2. Areas with concentrations of people that are of low income, high unemployment, low levels of homeownership, high rent burden, sensitive populations, or low levels of educational attainment.

Additional requirements for low-income communities and low-income residents include:

- 5% of available funds must be allocated to projects that benefit low-income households or to projects located within, and benefiting individuals living in, low-income communities, and
- 5% of available funds must be allocated to projects that benefit low-income households that are outside of, but within a ½ mile of, disadvantaged communities, or to projects located within the boundaries of, and benefiting individuals living in low-income communities that are outside of, but within a ½ mile of, disadvantaged communities.

Analysis using the State's criteria shows that DACs are disproportionately located in both Los Angeles County and the Central Valley, and notably less prevalent in other major metropolitan areas. Metro, as the lead agency, must select and document the appropriate information to show that a proposed project meets all DAC and other population requirements.

#### Additional Project Eligibility Criteria

In addition to maximizing benefits to DACs, low-income communities and/or low-income households, all projects must be consistent with the lead agency's most recently adopted short-range transit plan, regional plan, or publicly-adopted plan. For project leads in a Metropolitan Planning Organization area, projects must also be consistent with the Sustainable Communities Strategy. Additionally, capital projects must have a useful life not less than that typically required for capital assets pursuant to State General Obligation Law, with buses or rail rolling stock considered to have a useful life of two or more years. The LCTOP specifically requires documentation that each proposed project will achieve a reduction in greenhouse gas emissions and improve mobility.

#### Metro-Specific Considerations in Selecting LCTOP Projects

Staff considered various factors in the analysis that resulted in the recommendation to use 2020-21 LCTOP funding on the Crenshaw/LAX Transit Corridor Operations Project and/or the FSI Pilot. In addition to ensuring the above criteria were met, teams from various departments weighed potential LCTOP recipient projects against alignment with Metro's Strategic Vision, project and program costs, funding availability, feedback collected via community engagement, and the extent to which allocating to a project improves the balance between Metro's financial commitments and funding availability.

The Crenshaw/LAX Transit Corridor Operations Project will provide a new high capacity transit line for Los Angeles County transit riders. This new service will enable reduction of air pollutants and toxic air contaminant emissions by shifting single occupant vehicle drivers to transit. The Crenshaw/LAX Transit Line will serve populations in areas that meet the State's definition for disadvantaged and low-income communities. All eight of the new service's transit stations are located in such defined areas.

The FSI Pilot is expected to provide immediate financial relief to many of Los Angeles County's most vulnerable taxpayers. The Pilot provides an opportunity to assess how a fareless system could support equity and may give insights into the effects of fares on initiatives to

- reduce congestion,
- increase transit ridership,
- decrease greenhouse gas emissions,

- increase access to opportunity for more residents, or
- reduce fare evasion penalties, which disproportionately impact low-income riders.

Staff recommends using this grant to fund the Crenshaw/LAX Transit Corridor Operations Project and/or FSI Pilot because their characteristics align well with the grant program eligibility criteria and strongly supports Metro's commitment to further reduce greenhouse gas emissions by expanding transit usage among Los Angeles County's residents and employees. Staff received support for both the Crenshaw project and FSI Pilot during and in response to community engagement opportunities.

### **DETERMINATION OF SAFETY IMPACT**

The requested actions will have no impact on the safety of our customers or employees.

### **FINANCIAL IMPACT**

Adoption of the LCTOP resolution and authorization of the CEO to execute the required documents to claim LCTOP funds would positively impact the agency's budget by making \$22.7 million available to Metro.

#### **Impact to Budget**

Claiming LCTOP funds will have a positive impact on the FY22 budget, as LCTOP funds are scheduled to be disbursed to Metro in June 2021 for use in FY22.

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

The recommendations support Metro Vision 2028 Strategic Goal #1 to provide high-quality mobility options that enable people to spend less time traveling.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to approve the resolution in Attachment A. Staff does not recommend this alternative because it would risk loss of Metro's FY 2020-21 LCTOP fund allocation amount of \$20.9 million and the \$1.8 million in LCTOP funds transferred by 14 municipal operators to Metro.

### **NEXT STEPS**

- April 9, 2021: Metro submits allocation request to Caltrans.
- June 1, 2021: Caltrans and CARB approve and submit project list to State Controller's Office.
- June 30, 2021: State Controller's Office releases approved project list.

### **ATTACHMENTS**

Attachment A - Resolution to Execute LCTOP Project, Certifications and Assurances and Authorized Agent Forms

Prepared by: Wendy San, Transportation Planner, Countywide Planning & Development, (213) 922-



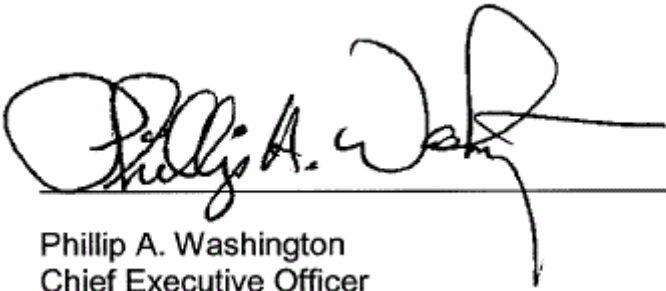
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Phillip A. Washington  
Chief Executive Officer

**Los Angeles County Metropolitan Transportation Authority  
Board Resolution**

**Authorization for the Execution of the Certifications and Assurances and  
Authorized Agent Forms for the Low Carbon Transit Operations Program  
(LCTOP) for the Following Project:**

**Crenshaw/LAX Transit Corridor Operations Project and/or Fareless System  
Initiative Pilot - \$22,690,757**

**WHEREAS**, the Los Angeles County Metropolitan Transportation Authority (Metro) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS**, fourteen Los Angeles County LCTOP recipients (Contributing Sponsors) have submitted "Letters of Intent" to transfer \$1,800,369 in PUC 99314 FY2020-21 LCTOP funds to Metro for Metro's FY 2020-21 LCTOP Project; and

**WHEREAS**, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

**WHEREAS**, Metro wishes to delegate authorization to execute these documents and any amendments thereto to the Chief Executive Officer (CEO), or his designee; and

**WHEREAS**, Metro wishes to implement the following LCTOP project listed above;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Los Angeles County Metropolitan Transportation Authority that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.



Los Angeles County  
Metropolitan Transportation Authority

**Metro**

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the CEO or his designee is authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Los Angeles County Metropolitan Transportation Authority that it hereby authorizes the submittal of the following project nomination and allocation request to the Department in FY 2020-21 LCTOP funds:

**Project Name:** Crenshaw/LAX Transit Corridor Operations Project and/or Fareless System Initiative Pilot

**LCTOP Funds Requested:** \$22,690,757 comprised of Metro's allocation of \$20,890,388 and PUC 99314 allocations transferred to Metro from 14 Los Angeles County LCTOP Contributing Sponsors totaling \$1,800,369 for Metro's FY 2020-21 LCTOP Project.

**Description:** Pre-revenue service testing and a portion of the first year of operations of the Crenshaw/LAX Transit Corridor light rail service, combined, as approved, with Metro's Fareless System Initiative Pilot.

**Benefit to Priority Populations:** The project alignment will operate through both disadvantaged communities as defined by SB 535 (2012) and/or low-income communities as defined by AB 1550 (2016). In addition, all eight new light rail stations are located within areas that meet the State's definition for disadvantaged and/or low-income communities. Therefore, the project will enable reduction of air pollutants and toxic air contaminant emissions as defined by the State by providing greater access to the regional transit system.

**Contributing Sponsors:** Antelope Valley Transit Authority, City of Arcadia, City of Claremont, City of Commerce, City of Culver City, Foothill Transit Zone, City of Gardena, City of La Mirada, City of Montebello, City of Norwalk, City of Redondo Beach, City of Santa Clarita, City of Santa Monica and City of Torrance.



Los Angeles County  
Metropolitan Transportation Authority

**Metro**

## **CERTIFICATION**

The undersigned, duly qualified and acting as the Secretary of the Los Angeles County Metropolitan Transportation Authority, certifies that the foregoing is a true and correct representation of the Resolution adopted at a legally convened meeting of the Board of Directors of the Los Angeles County Metropolitan Transportation Authority held on Thursday, April 22, 2021.

By: \_\_\_\_\_  
Interim Board Secretary, Los Angeles  
County Metropolitan Transportation  
Authority

Dated:

(SEAL)



Los Angeles County  
Metropolitan Transportation Authority

**Metro**



## Board Report

File #: 2020-0943, File Type: Contract

Agenda Number: 18.

### PLANNING AND PROGRAMMING COMMITTEE APRIL 14, 2021

**SUBJECT: STATE ROUTE (SR)-57/SR-60 INTERCHANGE IMPROVEMENTS**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

1. Execute Contract Modification No. 2 to Contract No. AE51890001 in the amount of \$3,251,665.74 for the SR-57/SR-60 Interchange Improvements project (Project) with WKE Inc. to provide professional services, increasing the total contract value from \$25,155,706.72 to \$28,407,372.46;
2. AUTHORIZE programming an additional \$91 million in Measure M funds for the Project's Right-of-Way (ROW), mitigation of impacts to the Diamond Bar Golf Course (DBGC) and utility relocation; and
3. AUTHORIZE the CEO or his designee to negotiate and execute all necessary contract documents and agreements to implement the necessary pre-construction components of the Project.

#### **ISSUE**

At its December 2, 2020 meeting, the California Transportation Commission (CTC) awarded \$217.9 million in Trade Corridor Enhancement Program (TCEP) funds to the Project's construction phase. This award will allow Metro to start construction of the Project in summer 2022. Measure M funds for the construction phase of the Project are not available until Fiscal Year (FY) 2025.

The Project's Design Phase is expected to be completed by November 2021. In order to stay on schedule, programming of additional funds is needed for design and soil testing services to address additional scope required by others, and to advance ROW activities ahead of the construction phase.

A modification to the design services contract is needed to add scope for: 1) services for design support during construction; 2) design of architectural enhancements to retaining walls, soundwalls, Grand Avenue bridge barrier and fencing requested by the City of Diamond Bar; 3) additional soil

testing and pavement rehabilitation work within the Project site required by Caltrans Office of Environmental Engineering (OEE).

## **BACKGROUND**

SR-57 and SR-60 merge for a two-mile reach in the vicinity of the Cities of Diamond Bar and Industry. This location has the second highest truck-involved accidents in Southern California and ranked as the fourth most congested freight chokepoint in the nation by the American Transportation Research Institute in 2019. The proposed improvements to the SR-57/SR-60 Interchange include grade separation of the two roadways to improve safety, reduce accidents, and alleviate operational deficiencies.

The Project was listed in the Measure M Ordinance with anticipated construction start date of FY 2025.

The Project Environmental phase started in September 2009. Residents, agencies, and community-based organizations were engaged in the process. Organizations and agencies that participated in the process and contributed to the development of the environmental document included the City of Industry, City of Diamond Bar, County of Los Angeles Department of Parks and Recreation, County Sanitation District of Los Angeles County, Native American Heritage Commission, California Transportation Commission, South Coast Air Quality Management District, and the San Gabriel Valley Council of Governments.

Environmental document was approved in 2013.

In September 2018, Contract No. AE51890001 for Plans Specifications & Estimate (PS&E) services for the Project was awarded by the Board to WKE Inc.

In 2018, staff was successful in securing a TCEP grant totaling \$22 million for design and ROW phases of the project, which mandated acceleration of the project development process to fully utilize the grant funds. Design is now 90% complete.

In December 2020, the Project was awarded \$217.9 million in TCEP funds for the construction phase, which requires keeping the Project on schedule to fully utilize those funds. The strong support from local, regional, state, and federal agencies, as well as private sector partners was memorialized in the letters of support submitted in support of the grant application. Major supporters included American Trucking Association; California State Polytechnic University, Pomona; Cities of Claremont, Diamond Bar, Industry, San Dimas, and Walnut; Mobility 21; Port of Long Beach; Southern California Association of Governments; San Gabriel Valley Council of Governments; San Gabriel Valley Economic Partnership; Los Angeles County Supervisors Janice Hahn and Hilda Solis; and California Department of Transportation (Caltrans).

## **DISCUSSION**

The contract modification is needed to:

1. Include design services during construction in the scope of work. These services were not included in the original contract in 2018 because it was not known if construction would start prior to the Measure M FY 2025 anticipated construction date. With the success in securing construction grant funds from TCEP, the schedule can now be accelerated, and Board approval is needed for the inclusion of these professional services.
2. Cover the cost of design for architectural enhancements to the retaining walls, soundwalls, Grand Avenue bridge fencing and a lighted monument sign on Grand Avenue, as well as extended pavement repairs where borings in paved local streets are necessary for soil and groundwater sampling - all requested by the City of Diamond Bar.
3. Cover the cost for a significant amount of additional soil testing and reporting required by Caltrans' OEE to explore risks associated with Recognized Environmental Conditions (REC) within the Project site. The new testing requirements increased the number of test borings to 1,101 - 653 more than the original plan. Some of these borings are within the median of SR-60, which will require additional Traffic Control and closure of the High Occupancy Vehicle Lanes.

The Project's environmental document (approved in 2013) identified the need for acquisition of 9.4 acres from the DBGC, reducing the golf course from 171.3 acres to 161.9 acres, and the demolition of an existing maintenance facility. The Project's Environmental Commitment Record (ECR) included the reconfiguration of the DBGC to maintain 18 holes and not to adversely affect users' experience. A total of \$91 million is required to replace the 9.4 acres from the DBGC, mitigation of impacts to the DBGC and utility relocation activities within the Project area.

Board's approval of this request is necessary to ensure successful continuation of work.

### **DETERMINATION OF SAFETY IMPACT**

The SR-57/SR-60 Interchange Improvement scope, schedule, and budget will have no impact to the safety of Metro's patrons, employees or the general public.

### **FINANCIAL IMPACT**

Programming of \$94,251,665.74 for ROW and Modification No. 2 will be as follows: \$89,251,665.74 in Measure M funds - \$750K in FY21, \$51.8M in FY22, \$36.7M in FY23; TCEP funds - \$5M for ROW in FY22. These cash flow projections are based on assumptions as of February 2021, subject to advancement of Final Design and the overall schedule of the Project.

For FY21, \$9.7M has been budgeted in Highway Program Cost Centers 4720 and 0442, in SR-57/SR-60 Interchange Improvement Project 475002. Staff will work within the department's current budget to allocate funds for the ROW work needed during the current Fiscal Year.

Since this is a multiyear project, the Project Manager, the Cost Center Manager and the Senior Executive Officer of Program Management - Highway Program will continue to be responsible for budgeting costs in future fiscal years.

## Impact to Budget

The source of funds for this Project is Measure M (17%) Highway Funds and TCEP funds from SB1. These funds are not eligible for bus and rail operations or non-Highway capital project expenditures.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The proposed Project is consistent with the following goals of the Metro Vision 2028 Strategic Plan:

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling by alleviating the current operational deficiencies and improving mobility at the SR-57/SR-60 interchange.

Goal 4: Transform LA County through regional collaboration by partnering with the San Gabriel Valley Council of Governments (SGVCOG) and Caltrans to identify the needed improvements on State highways and take share responsibility of development and implementation of highway improvement projects.

## **ALTERNATIVES CONSIDERED**

The Board may elect not to approve the proposed contract modification. This option is not recommended. Completing the Project's design and ROW activities is necessary to advance the Project and fully utilize the TCEP grant funds. Board approval would allow the Project to move forward.

## **NEXT STEPS**

Upon approval by the Board, staff will execute Contract Modification No. 2 to Contract No. AE51890001 with WKE, Inc. and proceed with ROW, mitigation and utility relocation activities.

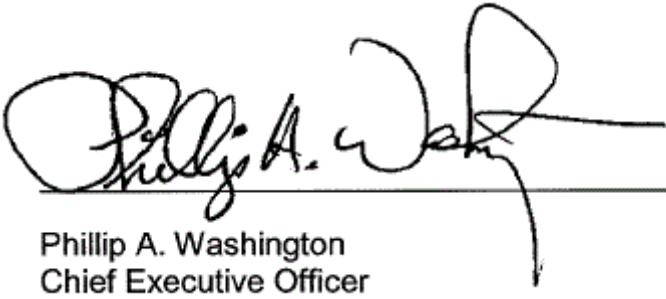
## **ATTACHMENTS**

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

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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## SR-57/SR-60 INTERCHANGE IMPROVEMENTS PS&amp;E

1.	<b>Contract Number:</b> AE51890001		
2.	<b>Contractor:</b> WKE, Inc.		
3.	<b>Mod. Work Description:</b> Design Change to Provide Additional Engineering Design and Support Services During Construction		
4.	<b>Contract Work Description:</b> Plans, Specifications & Estimates (PS&E) for SR-57/SR-60 Interchange Improvements.		
5.	<b>The following data is current as of:</b> March 9, 2021		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	09/27/2018	<b>Contract Award Amount:</b> \$21,771,625.00
	<b>Notice to Proceed (NTP):</b>	10/15/2018	<b>Total of Modifications Approved:</b> \$3,384,081.72
	<b>Original Complete Date:</b>	09/30/2021	<b>Pending Modifications (including this action):</b> \$3,251,665.74
	<b>Current Est. Complete Date:</b>	12/31/2026	<b>Current Contract Value (with this action):</b> \$28,407,372.46
7.	<b>Contract Administrator:</b> Mark Marukian		<b>Telephone Number:</b> (213) 418-3318
8.	<b>Project Manager:</b> Roberto Machuca		<b>Telephone Number:</b> (213) 418-3467

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 2 issued in support of the Plans, Specification & Estimates (PS&E) for SR-57/SR-60 Interchange Improvements.

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

On September 27, 2018, the Board awarded a 36-month, firm fixed price Contract No. AE51890001 to WKE, Inc., for Plans, Specifications and Estimate (PS&E) for SR-57/SR-60 Interchange Improvements in an amount of \$21,771,625. On October 16, 2019, the Board

approved Contract Modification No. 1 to WKE, Inc., for Plans, Specifications and Estimate (PS&E) for SR-57/SR-60 Interchange Improvements in an amount of \$ 3,384,081.72.

**B. Cost**

The recommended price has been determined to be fair and reasonable based upon a technical analysis, independent cost estimate (ICE), cost analysis, and fact finding of the work to be performed.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$3,251,665.74	\$3,330,000	\$3,251,665.74

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

**ATTACHMENT B**

**CONTRACT MODIFICATION/CHANGE ORDER LOG**

**SR-57/SR-60 INTERCHANGE IMPROVEMENTS PS&E**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	A change in the Project Geometry and Design Services for Diamond Bar Golf Course mitigation reconstruction PS&E	Approved	10/16/19	\$3,384,081.72
2	Design Change to Provide Additional Engineering Design and Support Services During Construction	Pending	Pending	\$3,251,665.74
	Modification Total:			\$6,635,747.46
	Original Contract:		09/27/18	\$21,771,625.00
	Total:			\$28,407,372.46

## DEOD SUMMARY

**SR-57/SR-60 INTERCHANGE IMPROVEMENTS PS&E  
AE51890001**

**A. Small Business Participation**

WKE, Inc. made a 24.25% Small Business Enterprise (SBE) commitment and a 3.03% Disabled Veteran Business Enterprise (DVBE) commitment for this contract. According to payments, the project is 69% complete and WKE, Inc. is exceeding its SBE commitment with 26.09% participation, and is achieving 2.03% in DVBE participation, representing a slight shortfall in DVBE participation of 1%.

WKE, Inc. explained that portions of the scope of work required specialized engineering services which are not offered by the DVBE subconsultant on their team. WKE, Inc. has committed to allocate other work to the DVBE during construction of the project which starts in August 2022 to meet the DVBE goal and remains committed to utilizing all its subconsultants and to meeting its commitments on this contract.

The Project Manager and Contract Administrator will work in conjunction with DEOD to ensure that maximum SBE/DVBE participation is achieved by WKE, Inc. Accordingly, these teams have been provided access to Metro's web-based monitoring system to ensure that all parties are actively tracking Small Business progress.

<b>Small Business Commitment</b>	<b>24.25 SBE 3.03% DVBE</b>	<b>Small Business Participation</b>	<b>26.09% SBE 2.03% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>	<b>% Participation</b>
1.	2R Drilling Inc.	1.31%	2.10%
2.	A Cone Zone, Inc.	0.99%	0.84%
3.	ADVANTEC Consulting Engineers, Inc.	2.17%	2.77%
4.	Arellano Associates, LLC	0.49%	0.26%
5.	DC TRAFFIC CONTROL	0.18%	0.00%
6.	D'Leon Consulting Engineers Corp.	0.23%	0.05%
7.	Earth Mechanics, Inc.	4.62%	5.20%

8.	FRS Environmental, Inc.	0.06%	0.28%
9.	Galvin Preservation Associates Inc.	1.39%	3.62%
10.	Geo-Advantec, Inc.	1.22%	1.25%
11.	Impact Sciences, Inc.	0.18%	0.00%
12.	Kroner Environmental Services, Inc.	1.78%	1.28%
13.	LIN Consulting, Inc.	5.51%	2.40%
14.	Martini Drilling Corp.	0.22%	0.11%
15.	Performance Analytical Laboratories, Inc.	0.69%	0.19%
16.	Safeprobe, Inc.	0.41%	0.23%
17.	Tatsumi and Partners, Inc.	1.37%	1.28%
18.	V & A Inc.	0.16%	0.00%
19.	Wagner Engineering & Survey, Inc.	1.27%	1.68%
20.	CWE	Added	0.36%
21.	Guida Surveying Inc	Added	0.23%
22.	OPTITRANS Engineering, Inc.	Added	0.59%
23.	PacRim Engineering, Inc.	Added	1.38%
	<b>Total</b>	<b>24.25%</b>	<b>26.09%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>	<b>% Participation</b>
1.	Brentwood Reprographics	0.88%	0.12%
2.	MA Engineering	2.15%	1.91%
	<b>Total</b>	<b>3.03%</b>	<b>2.03%</b>

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

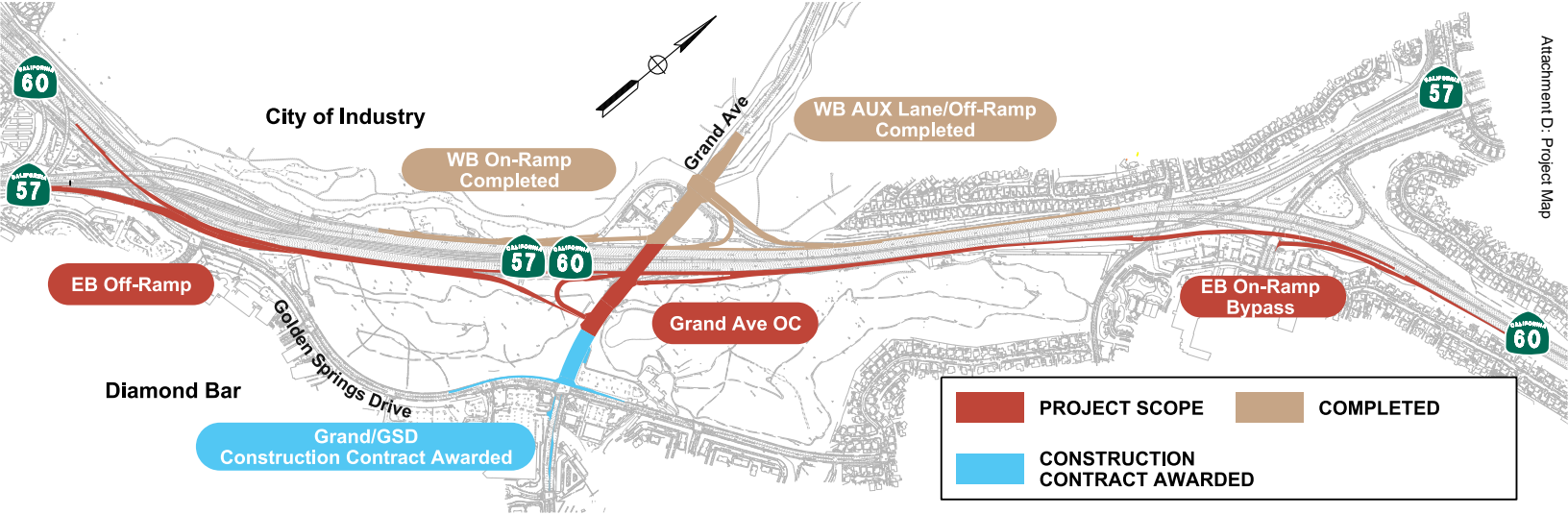
A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

**C. Prevailing Wage Applicability**

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

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

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. 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 #:** 2021-0175, **File Type:** Informational Report**Agenda Number:** 19.

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**PLANNING AND PROGRAMMING COMMITTEE  
APRIL 14, 2021****SUBJECT: EXPRESSLANES 2021 PROGRAM AND NET TOLL REVENUE GRANT PROGRAM  
UPDATE****ACTION: RECEIVE AND FILE****RECOMMENDATION**

RECEIVE AND FILE report on update regarding significant projects and initiatives underway in the Metro ExpressLanes program.

**DISCUSSION**

- **Toll Revenue and Volume**

The COVID-19 pandemic has had a significant impact on the ExpressLanes system. Over the past year, vehicle volumes in the ExpressLanes are approximately 60 percent lower than the baseline period from March 2019 to February 2020. Toll revenues are approximately 80 percent lower than the baseline period. Both volumes and revenues are recovering but neither number is expected to return to pre-COVID levels until at least 2022.

Prior to the Pandemic, ExpressLanes revenue has been trending lower year over year. In Fiscal Year (FY) 2016 ExpressLanes revenue was \$72.8 million, in FY 2018 that number was \$69.88 million, and in FY 2020, which includes approximately 15 weeks of COVID-19 reduced revenues, the annual revenue was \$55.34 million.

- **Net Toll Revenue Grants**

In July 2014, the Metro Board approved 20 projects totaling \$19,854,458 as part of the Round 1 Net Toll Revenue Grant program. In August 2016, as part of the Round 2 Net Toll Revenue Grant Program the Metro Board approved 21 projects totaling \$27,854,525. As of January 2021, 38 percent of the 2014 funding remain unspent, and 67 percent of the 2016 cycle is waiting for invoices from the applicants. Overall 55 percent of the money remains unspent.

The San Gabriel Valley Council of Governments (SGVCOG) has indicated it would like its near-term priority to be used for constructing the I-10 extension. The Cities along I-110 have not made any formal prioritization beyond the projects awarded funding in 2014 and 2016. As the financial headwinds caused by the Pandemic are better understood additional funding rounds can be evaluated.

In addition to the Net Toll Revenue Grant Program, ExpressLanes continue to fund transit service along the Corridors at a minimum of \$6.25 million per year. In FY20 the transit allocation was \$7.9 million, which is a 52% increase over the initial 2015 allocation.

- **New System Transition and Integration**

On January 21, 2020, after nearly eight years of operation and just weeks prior to COVID-19, Metro ExpressLanes transitioned its Back-Office System (BOS), Roadside Toll Collection System (RTCS), and ExpressLanes Customer Service Center (CSC) to three new vendors. This transition included a months long process of Factory Acceptance Testing (FAT), System Integration Testing (SIT), training, and data migration covering hundreds of millions of trip/transaction records and more than 500,000 customer accounts. Several outstanding transition-related activities are still taking place with weekly updates to the BOS covering myriad upgrades, performance enhancements and improvements to the underlying source code for the ExpressLanes system. Work on new features and pilot programs including Pay As You Go (PAYG), the Occupancy Detection System (ODS), and the I-10 ExpressLanes Busway HOV5+ Pilot is ongoing.

- **Pay as You Go**

In January 2019, the Metro Board approved a pilot program to test a “Pay-as-You-Use” model - now named “Pay as You Go.” This program allows drivers to use the ExpressLanes without a FasTrak transponder. Tolls are assessed based on license plate images. The \$25 penalty was reduced from \$25 to \$4 to lessen the financial penalty associated with drivers that do not have an ExpressLanes account. The registered owner of the vehicle on file with the Department of Motor Vehicles is responsible for the toll payments and the processing fee. Customers receive a notice for their Metro ExpressLanes trip and have the option to pay on the website, over the phone or in person at an ExpressLanes service center. Any unpaid notice will incur penalties for delinquency. This program has been well received since implementation on January 5, 2020. The pilot period will be extended to allow for a 12-month evaluation period in a post-COVID environment.

- **Occupancy Detection System (ODS)**

In January 2018 the Metro Board approved moving forward with the implementation of an ODS proof of concept. Since that time, the physical ODS infrastructure on the I-10 and I-110 ExpressLanes has been successfully designed, constructed, installed, calibrated, and tested. This included the construction of an entirely new toll collection site for the I-10 location, and addition of a second overhead gantry dedicated to ODS equipment at the I-110 location. In parallel, the public web site has been updated with educational materials about ODS, the customer service representatives have been appropriately trained to handle all ODS -related questions, the BOS has been upgraded with all necessary workflows to handle ODS violations, and all necessary revisions have been made to the ExpressLanes Business Rules, terms & conditions, and Ordinance for Enforcement of Toll Violations. Final roadside commissioning testing was completed earlier this year, and verification of image quality and final end-to-end integration testing is nearly complete. Staff will update the Board on this item prior to Go-Live later this spring.

- **I-105 Project Update**

Metro continues to work with Caltrans to complete the Environmental Impact Report/Environmental Assessment with the goal of a Spring 2021 completion. This project received a \$150 million Solutions for Congested Corridors (SCCP) grant in December 2020. In anticipation of this project advancing into the design and construction phases, Metro Congestion Reduction and Program Management are working to prepare the necessary procurement packages and to develop a cooperative agreement with Caltrans for design and right of way. Additionally, internal coordination with the West Santa Ana branch is ongoing. Finally, in January 2021 the Board approved submittal of a Letter of Interest to the United States Department of Transportation to seek

a Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) loan for this project.

- **I-10 Extension Project Update**

In February 2021 Metro Board approved consultant selection to prepare engineering studies, project report, concept of operations, and advanced design plans as required for the Project Approval Environmental Document (PA/ED) phase. Metro Board also approved moving forward with entering into a cooperative agreement with Caltrans to prepare the environmental document and associated environmental technical studies. Project initiation is expected to begin later this spring. The San Gabriel Valley Council of Governments (SGVCOG) has expressed their support to prioritize this project.

- **I-405 (Sepulveda Pass) Project Update**

The Measure M I-405 ExpressLanes Project has initiated the PA/ED, and Concept of Operations Report efforts with initial public scoping anticipated by August 2021. Delivery of the Final Project Report is scheduled for December 2024. As part of the PA/ED effort, a robust public engagement and outreach plan is being developed. Additionally, ongoing communication and coordination across other Metro projects such as the Sepulveda Pass Transit project will continue.

- **I-10 Busway HOV 5+ Pilot (I-10 Pilot)**

In January 2020, the Metro Board approved the I-10 ExpressLanes Busway HOV5+ Pilot Implementation Plan and authorized the deployment of the Pilot in two phases. The Pilot aims to preserve the ExpressLanes as a faster and more reliable travel option for transit users and other ExpressLanes corridor travelers through strategic increases in the occupancy requirements for toll-free travel.

As identified in November 17, 2020, Board Box there have been two program changes undertaken for the HOV 5+ Pilot Phase 1. The first is in response to the impacts of COVID-19, which has necessitated a delay in deployment until early 2022. The second involves occupancy requirements for toll-free travel during Phase 1 of the Pilot which, in consultation with Caltrans, have been updated to allow HOV3+ vehicles to continue receiving toll-free travel during off-peak periods, including weekends.

- **110 Adams**

Metro is working with Caltrans to prepare an Environmental Impact Report (EIR) for the I-110 Adams Flyover project. This project would provide a direct connection between the I-110 ExpressLanes and arterials such as Figueroa Street and will be accompanied by a robust community outreach effort.

## **ATTACHMENTS**

A. Net Toll Revenue Board Box

Prepared By: Mark Linsenmayer, DEO, Congestion Reduction, (213) 922-5569

Reviewed By: Shahrzad Amiri, EO, Congestion Reduction Initiative, (213) 922-3061



Phillip A. Washington  
Chief Executive Officer



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

One Gateway Plaza  
Los Angeles, CA 90012-2

**November 3, 2020**

**TO: BOARD OF DIRECTORS**

**THROUGH: PHILLIP A. WASHINGTON** PAW  
**CHIEF EXECUTIVE OFFICER**

**FROM: SHAHRZAD AMIRI** SA  
**EXECUTIVE OFFICER, CONGESTION REDUCTION**

**SUBJECT: METRO EXPRESSLANES - NET TOLL REVENUE GRANT PROGRAM**

**ISSUE**

In July 2014, the Metro Board approved 20 projects totaling \$19,854,458 as part of the Round 1 Net Toll Revenue Grant program. In August 2016, as part of the Round 2 Net Toll Revenue Grant Program the Metro Board approved 21 projects totaling \$27,854,525. The COVID-19 pandemic has impacted working environments and has brought financial hardships for many of these project sponsors resulting in additional delays in project implementation. Consequently, staff is recommending a one-year time extension for the 29 projects in Attachment A.

**DISCUSSION**

The Net Toll Revenue program's primary objective is to increase mobility and person throughput within the I-10 and I-110 corridors through implementation of integrated strategies that enhance transit operations, transportation demand management, transportation systems management, active transportation, and capital investments. Of the 20 projects from Round 1, nine (9) have been completed and eleven (11) are in progress and have expended partial funds. Of the 21 projects from Round 2, four (4) have been completed while seventeen (17) are in progress and have expended partial funds.

Board Policy requires consideration of de-obligation of funding from project sponsors who have not met lapsing deadlines. Since the project sponsors have taken steps to advance projects, expended partial funds, are challenged due to COVID impacts, based on industry best practices, staff is recommending a one-year extension from the current month and year of lapsing to Round 1 and Round 2 projects listed on Attachment A.

## **NEXT STEPS**

Amendments to existing agreements will be completed for those project sponsors receiving time extensions. Staff will work with these sponsors to make sure projects are moving in a timely matter.

## **ATTACHMENT**

Net Toll Revenue Grant Projects List

**ATTACHMENT A**

Round 1 – Net Toll Revenue Grant Project List

Project ID	Corridor	Sponsor	Project Name	Funding	Funding Agreement Date	Lapsing Date	New Proposed Lapsing Date
MX201403	I-110	Caltrans	I-110 HOT/Express Lanes Improvements	\$1,020,039	1/14/2016	7/14/2020	7/14/2021
MX201406	I-110	City of Carson	Dominguez Channel Bike & Pedestrian Path	\$1,259,000	12/8/2015	6/8/2020	6/8/2021
MX201408	I-110	City of Gardena	Line 1X-Expand Transit Bus Service on I-110 Freeway	\$842,482	4/29/2016	10/29/2020	10/29/2021
MX201409	I-110	City of Los Angeles	Active Streets LA Budlong Avenue	\$1,176,185	11/2/2015	5/2/2020	5/2/2021
MX201418	I-110	Torrance Transit	Torrance Transit Expansion of Line #1 and Line #4 HOTLane Service	\$2,235,991	4/27/2016	10/27/2020	10/27/2021
MX201402	I-10	Caltrans	Express Lanes Corridors Incident Management Improvements Project	\$480,000	5/4/2016	11/4/2020	11/4/2021
MX201404	I-10	City of Baldwin Park	Baldwin Park Commuter Connector Express Line	\$700,395	8/17/2015	2/17/2020	2/17/2021
MX201405	I-10	City of Baldwin Park	Park Frazier Street Pedestrian and Bicycle Safety Improvements	\$895,288	3/30/2016	9/30/2020	9/30/2021
MX201407	I-10	City of El Monte	Santa Anita Avenue Active Transportation for El Monte Station and Downtown El Monte	\$633,782	4/5/2016	10/5/2020	10/5/2021
MX201412	I-10	City of Los Angeles	My Figueroa Project Marketing and Safety	\$150,000	3/13/2015	9/13/2020	9/13/2021
MX201419	I-10	City of El Monte	I-10 Active Commute, Healthy Communities Project	\$440,000	1/14/2016	7/14/2020	7/14/2021
MX201420	I-10	City of Los Angeles	Cesar Chavez Great Street	\$435,000	1/27/2016	7/27/2020	7/27/2021

Round 2 – Net Toll Revenue Grant Project List

Project ID	Corridor	Sponsor	Project Name	Funding	Funding Agreement Date	Lapsing Date	New Proposed Lapsing Date
MX201425	I-110	Long Beach Transit	Los Angeles Galaxy Shuttle Bus Service (Galaxy Express)	\$ 600,000	2/2/2017	8/2/2020	8/2/2021
MX201426	I-110	City of Carson	Carson Rapid Bus Priority System	\$ 584,150	3/15/2017	9/15/2020	9/15/2021
MX201427	I-110	Torrance Transit	Torrance Transit Line #4 Express Buses and Relief Vehicles	\$ 960,000	3/21/2017	9/21/2020	9/21/2021
MX201430	I-110	City of Carson	I-110 Freeway Arterial Improvements	\$ 1,760,000	5/16/2017	11/16/2020	11/16/2021
MX201431	I-110	City of Gardena Transit	Garden Transit Innovative ITS Rollout	\$ 1,375,000	4/20/2017	10/20/2020	10/20/2021
MX201432	I-110	County of Los Angeles	South Bay Arterial ITS Congestion Relief Project	\$ 717,360	4/20/2017	10/20/2020	10/20/2021
MX201433	I-110	County of Los Angeles	Vermont Green Line Intersection Improvement Project	\$ 1,626,000	5/9/2017	11/9/2020	11/9/2021
MX201434	I-110	City of Los Angeles	I-110 Corridor Revitalization - Grand Avenue/Flower Avenue	\$ 1,231,000	5/25/2017	11/25/2020	11/25/2021
MX201435	I-110	County of Los Angeles	Firestone Blue Line Station Intersection and Bikeway Improvements Project	\$ 1,863,000	4/20/2017	10/20/2020	10/20/2021
MX201436	I-110	City of Carson	Dominguez Channel Bike Path Improvements	\$ 1,299,478	7/6/2017	1/6/2021	1/6/2022
MX201437	I-10	Foothill Transit	Procurement of two Electric Double Decker Buses	\$1,458,000	6/19/2017	12/19/2020	12/19/2021
MX201438	I-10	Access Services	Accessible CNG-Fueled Vehicles for Access Services	\$ 1,130,925	6/19/2017	12/19/2020	12/19/2021
MX201440	I-10	County of Los Angeles	Whittier Blvd Transit Priority Project	\$ 516,600	6/19/2017	12/19/2020	12/19/2021
MX201441	I-10	City of Arcadia	City of Arcadia Transit & Pedestrian Mobility Enhancement Project	\$ 470,000	6/19/2017	12/19/2020	12/19/2021
MX201442	I-10	City of Los Angeles	Vision Zero I-10 Corridor Area Traffic Signal Improvements	\$ 776,000	3/21/2017	9/21/2020	9/21/2021
MX201443	I-10	County of Los Angeles	Eaton Wash Bike Path - Phase 1	\$ 3,100,000	3/21/2017	9/21/2020	9/21/2021
MX201444	I-10	City of Los Angeles	Sixth Street Viaduct Mission/Myers Roundabout Project	\$ 1,796,000	3/22/2017	9/22/2020	9/22/2021



**Board Report**

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**File #:** 2020-0921, **File Type:** Motion / Motion Response**Agenda Number:** 20.

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**PLANNING AND PROGRAMMING COMMITTEE  
APRIL 14, 2021****SUBJECT: BUSES WITH OPTIONAL LEFT-SIDE BOARDING****ACTION: RECEIVE AND FILE****RECOMMENDATION**

RECEIVE AND FILE this report on buses with optional left-side boarding, including the benefits, challenges, and costs of this feature for upcoming Bus Rapid Transit (BRT) projects and bus procurements, in response to the December 3, 2020 Board Motion 43.

**ISSUE**

At the December 3, 2020 meeting, the Metro Board of Directors approved Motion 43 (Attachment A) directing the Chief Executive Officer to report back to the Planning and Programming Committee on several items related to buses with optional left-side boarding. Of key interest was which existing and future BRT corridors could potentially benefit from left-side boarding, the operational and maintenance benefits and/or tradeoffs associated with these vehicles, and future bus procurement opportunities and/or challenges. This report responds to that motion.

**BACKGROUND**

Metro is currently working on several new Measure M-funded BRT projects throughout Los Angeles County. The Measure M Expenditure Plan includes \$350 million over the next several decades for a Countywide BRT Program. Moreover, the recently completed BRT Vision and Principles Study (2020) has identified an additional five BRT corridors for future consideration and study.

Each BRT corridor will have its unique set of opportunities and challenges that must be addressed in the context of available right-of-way (ROW), potentially operating with several different bus lane configurations including side/curb-running, center/median-running, and freeway-running. And in some very constrained areas, BRT service may have to share travel lanes with other traffic.

Metro is also undertaking a systemwide modernization and replacement of its entire bus fleet due to the Board-adopted goal of 100% electrification by 2030. This provides Metro with the opportunity to look at upcoming bus procurements and identify any potential opportunities and/or challenges to introduce a new vehicle type, such as buses with left-side boarding, into the fleet.

## **DISCUSSION**

### **Advantages/Challenges of Left-Side Boarding**

The advantage of this option is the ability to have a true “center platform” with shared passenger facilities serving both directions of service. Center stations can offer the highest level of visibility for premium transit services and could potentially reduce the project footprint and costs by eliminating the need for two station platforms serving both directions of travel (Attachment B).

However, sufficient space is needed to safely accommodate the maximum number of passengers expected to be waiting for buses, size of vehicles to be used, and passenger circulation that meets ADA requirements. The stations should also be able to accommodate benches, shelters, ramps and other station amenities that help enhance the service. Depending on available ROW, level of activity expected (boardings and alightings), size of vehicles, and number and scale of station amenities, the width of center stations can range from 13 to 19 feet, with 16 feet being ideal, and the length can range from 100 feet (two 40-foot buses) to 150 feet (two 60-foot vehicles). This allows enough room for one bus to go around another should two buses be in the station at the same time.

Center platforms may also provide more comfort for waiting passengers since they are buffered from regular travel lanes by the bus lanes and reduce confusion in finding the correct platform for the desired direction of travel. All center platforms, whether single or split, require passengers to cross travel lanes when entering and exiting stops, so pedestrian improvements through design and signal strategies should also be incorporated to reduce any conflicts with vehicles. Left-turning vehicles also present common conflicts with pedestrians and transit vehicles. Left-turn restrictions or separate left-turn signal phases are needed to eliminate these conflicts.

### **Planned BRT Corridors**

Metro is currently working on the North Hollywood to Pasadena and the North San Fernando Valley BRT projects. The upcoming Vermont Transit Corridor study will look at both BRT and rail alternatives. Below is a brief discussion of each with regard to potential left-door boarding.

#### **North San Fernando Valley BRT**

The North San Fernando Valley BRT Project (NSFV BRT) would enhance existing bus service and increase transit system connectivity between the communities of Chatsworth to the west and North Hollywood to the east, with a station connection to California State University, Northridge (CSUN). This project is still in the planning phase and is considering alternatives and station connections that would maximize the benefits to riders and minimize the number of cars on the road. As part of this study, multiple BRT configurations were evaluated. However, during the course of the planning study, it was determined that a center-running option provided only nominal travel time and reliability benefits to the BRT, while requiring extensive ROW and street reconstruction. Therefore, a center-running configuration was removed from further consideration, eliminating any potential benefit from left-side boarding.

#### **North Hollywood to Pasadena BRT**

The North Hollywood to Pasadena BRT Corridor Project (Attachment C) could benefit from buses with optional left-side boarding along those segments where center-running bus lanes are being considered, including Vineland Avenue in North Hollywood, Glenoaks Boulevard in Glendale and Colorado Boulevard in Eagle Rock (approximately 6.7 miles total). Although not necessary for center-running BRT, this option adds a new BRT station configuration that would allow for the use of a single, center platform station serving both directions of travel.

Center platform stations allow for shared amenities (i.e., shelters, benches, lighting), resulting in reduced costs, and offer a more rail-like service with higher visibility. The North Hollywood to Pasadena BRT Corridor Project has the opportunity to implement a total of eleven center platform stations that could accommodate left-side boarding. This includes four locations where two split center platform stations may be required due to ROW constraints. This option could potentially reduce the project footprint and allow more area for other elements such as medians, landscape, parking, and other urban design elements, as it eliminates the need for two separate stations for each direction of travel.

Further engineering design development would be needed to compare the pros and cons of such a design solution compared to the existing proposed BRT and station configurations, as the current center-running option only accommodates right-side boarding. Although some community-supported amenities, such as street trees, medians, and bike lanes could be retained, some median space will still be required to accommodate left-turn pockets, planned and/or existing curb extensions (City of Los Angeles' Vision Zero), potential split center platforms due to ROW constraints, and enhanced BRT stations. Given the limited Measure M funding approved for this 18-mile project, which traverses through multiple jurisdictions, the additional cost for any of these elements would need to be considered in collaboration with the local jurisdictions in the context of the project as a whole.

### Vermont Transit Corridor

The Vermont Transit Corridor, the busiest bus corridor in Los Angeles County, extends approximately 12.4 miles from Hollywood Boulevard south to 120th Street and connects to four Metro rail lines. Staff is currently in the process of acquiring the services of a qualified contractor to environmentally clear the Vermont Transit Corridor (Attachment D). Building upon the work conducted in two previous studies, the Vermont BRT Technical Study (2017) and the Vermont Transit Corridor - Rail Conversion/Feasibility Study (2019), the environmental work will include evaluating three BRT alternatives along with three rail alternatives.

Two of the three BRT alternatives include an end-to-end center-running alternative and a combination side- and center-running alternative. These two BRT alternatives could benefit from buses with optional left-side boarding at four of the seventeen proposed stop locations, particularly south of Gage Avenue where the right-of-way widens up to 200 feet with center medians up to 55 feet in width.

### Existing BRT Corridors

Metro currently operates two existing BRT lines, the G (Orange) Line, which operates along 18 miles

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of Metro-owned ROW, and the J (Silver) Line, which operates in approximately 20 miles of High Occupancy Toll (HOT) lanes on the I-10 and I-110 freeways. Unfortunately, neither service would benefit from the addition of left-side boarding since both facilities were specifically designed and constructed for right-side boarding. Both have split stations with only one island station that includes crossover lanes on the I-110 freeway at the Harbor Station. In addition, the I-10 and I-110 freeway facilities are also served by several other transit agencies, including Foothill Transit, Gardena Transit (G-Trans), LADOT Commuter Express, Orange County Transportation Authority (OCTA), and Torrance Transit. Should any modifications, if even possible, be made to these two facilities, these transit agencies would require vehicles with dual-side boarding as well.

### **NextGen Bus Plan**

The NextGen Bus Plan was approved by the Metro Board of Directors in October 2020 and has a 3-phased rollout that began in December 2020, continuing through the end of 2021. The approved Bus Plan is a reimagined bus system that focuses on providing fast, frequent, reliable and accessible service to meet the needs of today's riders. The NextGen Plan focused on implementing a number of bus speed and service reliability improvement strategies and infrastructure where and when needed, including bulb outs, all-door boarding, transit signal priority (TSP), and peak-hour curb-running bus lanes. Therefore, NextGen buses would not use center/median running bus lanes and would be unable to use stops requiring left-door boarding. The introduction of a sub-fleet is inefficient, limits our ability to interline service, and increases fleet size with spare ratio requirement.

### **Operational/Maintenance Considerations**

#### 1) Passenger Capacity

One disadvantage associated with buses with doors on both sides is the reduction in passenger capacity by four to six seats per 40-foot bus to accommodate the additional left-side doors. In instances where peak passenger loads are at or near capacity, additional buses may need to be put into revenue service. Currently, the North Hollywood to Pasadena BRT is anticipating the need for a minimum of twenty-four 40-foot vehicles, including spares. With the addition of left-side boarding, an additional net three buses, including spares, are anticipated to be needed to accommodate the loss of seats.

#### 2) Operator/Passenger Interface

Forty-foot buses with left-side doors offer only one rear door to accommodate passengers. An additional front left door conflicts with seating for the bus operator. This requires passengers to board behind the operator, making it more challenging for the operator to assist passengers with any questions and/or needs they may have, potentially lessening the passenger experience significantly.

#### 3) Boarding Times

Having only one door on the left side of a 40-foot vehicle typically affects dwell times as all boardings and alightings must occur through this single door. Therefore, right side boarding and alighting is slightly more efficient as it offers an additional door for the boarding and alighting of passengers.

This helps reduce the amount of time a bus is waiting at a station.

#### 4) Division Capacity/Resiliency and Operational Flexibility

The addition of these vehicles also needs to be looked at in the context of operating division capacity as most of our existing divisions are either at or very close to full capacity. Having a dedicated fleet with reduced seating capacity and its own 20% spare ratio results in a need for additional space at the divisions. Resiliency and operational flexibility also need to be considered as operating divisions would lose some flexibility in bus assignments to ensure these vehicles are appropriately assigned to the BRT corridors. Should any type of fleet defect occur that takes the left-side door buses out of service, Metro's existing buses could not be used without impact to the BRT service or operations. However, these vehicles could be used on other lines if needed as they will also have right-side doors. Additionally, if the buses need to be based at one division, this could also result in longer deadheading.

#### Bus Manufacturers

Although there are several transit agencies that currently own and/or plan to own vehicles with dual-sided doors, including BRT systems in Oakland, San Bernardino, Cleveland, Indianapolis, Houston, Albuquerque, Eugene, and Provo (Attachment E), most of these vehicles are not fully electric. These vehicles are either CNG, diesel, or diesel-electric hybrids. Indianapolis, who originally planned on using 60-foot electric vehicles from BYD, eventually cancelled the order for additional vehicles as they could not meet expectations. They have since added 60-foot diesel vehicles. Albuquerque also canceled an order of 15 electric buses from BYD in 2018 and has also gone with 60-foot diesel vehicles instead.

The only other bus manufacturer other than BYD who has indicated that they could manufacture zero-emission vehicles with left-side doors in multiple sizes (35-, 40-, and 60-foot) is New Flyer. San Bernardino, who is currently working on a second BRT project, plans on procuring 40-foot electric vehicles with doors on both sides for center platforms. Their new BRT service is expected to start in 2024 with plans to release the solicitation for buses sometime in 2022. This may or may not be an opportunity to partner with Omnitrans on the purchase of these same vehicles. Proterra has indicated to staff that they would consider engineering this type of vehicle but only with a considerably sized order. Therefore, there is currently limited competition for these vehicles.

#### Bus Procurements

Due to the Board-adopted goal of 100% electrification by 2030, Metro is currently undertaking a systemwide modernization and replacement of its entire bus fleet. In addition, the California Air Resources Board's (CARB) newer Innovative Clean Transit Regulation <<https://www.arb.ca.gov/regact/2018/ict2018/ict2018.htm>> requires transit agencies to transition their fleets to zero-emission technologies by 2040. This does seem to provide the agency with the opportunity to look at upcoming bus procurements and identify any potential opportunities and challenges to introducing a new vehicle type, such as left-side boarding buses, without substantial extra costs.

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However, most of the planned BRT corridors are either too early in the planning process or have not yet begun to determine how many vehicles we would need to accommodate dual-side boarding/alighting. The North Hollywood to Pasadena BRT project is the furthest along with a minimum number of twenty-seven 40-foot vehicles needed should this type of vehicle be obtained. Currently, the average life-of-project budget per 40-foot electric vehicle with right-side boarding is approximately \$1.29 million. It is not clear if the addition of left-side doors would be comparable in cost or higher.

Omnitrans, in San Bernardino, indicated to staff that when they first procured their 60-foot CNG vehicles with left-side doors, they were responsible for paying the initial engineering costs for the manufacturer to develop the new design. The manufacturing of electric vehicles with dual-side doors may result in an initial higher price to absorb some of the engineering and/or testing costs, passing them down to some of the early transit agencies until demand for these vehicles increases.

### **Other Left-Side Door Considerations**

The following are other considerations when designing the stations and/or vehicles with left-side doors:

- While riding the bus, passengers would need to adjust to the added complexity of exiting either the right-side or left-side doors, depending on the configuration of each station.
- In instances where the bus may be crowded or for passengers who are visually impaired, a communication system announcing the appropriate side and/or doors to exit at each stop may be needed, although this type of announcement is not made on rail.
- The doors may also require special operator training and/or a built-in mechanism (interlocking system) to ensure that only the doors on the correct side are opened. In speaking with maintenance staff at Omnitrans, it is up to the Operator to select the left-side or right-side door switch. There is no special mechanism in place, nor any special announcements made. They have yet to experience any problems.

### **Other Considerations/Issues Heard from Omnitrans**

- Most of Omnitrans's initial maintenance issues were with the bridge plates installed with the vehicles to accommodate level boarding and alighting for wheelchairs. These issues have since been resolved.
- Omnitrans stated that left-side doors operate identically to the right-side doors. Therefore, there was no special mechanic training needed nor additional or unique parts.
- For most other boardings and alightings, Omnitrans operators rely on special curb feelers that indicate how close or far they are from the edge of the station to minimize gaps and avoid damage to the vehicles.

- Omnitrans platforms were also designed at a height of thirteen inches to coincide with the average height between the ground and the vehicle door (level boarding).

### **Equity Platform**

The consideration of left-side boarding is consistent with the following pillars of Metro's adopted Equity Platform Framework: Pillar 2: Listen and Learn and Pillar 3: Focus and Deliver.

The ability to board on either the left or right side of the bus can help improve street design and reduce conflicts with other street users by increasing compatibility with important community amenities such as street trees, landscaped medians and protected bike lanes. Additionally, more BRT design flexibility may provide opportunities to provide higher quality service with lower travel times, increased service reliability and enhanced customer experience for the transit-dependent and low-income communities, as well as enhance mobility and improve regional access.

### **FINANCIAL IMPACT**

There is no financial impact associated with this Receive and File report.

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

The purpose of studying left-side boarding is to advance the goal of identifying and implementing both capital and operating strategies for improving bus service along multiple BRT corridors. This report supports the following goals outlined in the Metro Vision 2028 Strategic Plan:

- Strategic Goal #1: Provide high-quality mobility options that enable people to spend less time traveling;
- Strategic Goal #2: Deliver outstanding trip experiences for all users of the transportation system; and
- Strategic Goal #3: Enhance communities and lives through mobility and access to opportunity.

### **ALTERNATIVES CONSIDERED**

No alternatives were considered in this Receive and File report.

### **NEXT STEPS**

Staff will continue to work on the planned BRT corridors, implementation of the NextGen Bus Plan and conversion to a fully electric bus fleet.

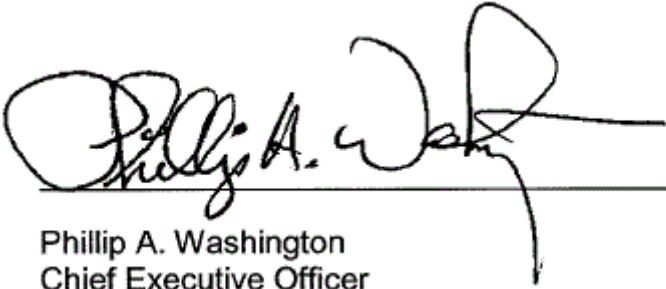
### **ATTACHMENTS**

Attachment A - Board Motion 43, December 3, 2020  
Attachment B - Center Station Concepts

Attachment C - Map of North Hollywood to Pasadena BRT  
Attachment D - Map of Vermont Transit Corridor  
Attachment E - Other BRT Systems with Left-Side Boarding

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Phillip A. Washington  
Chief Executive Officer



## Metro



## Board Report

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**File #:** 2020-0813, **File Type:** Motion / Motion Response

**Agenda Number:** 43.

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**REGULAR BOARD MEETING  
DECEMBER 3, 2020**

**Motion by:**

**DIRECTORS BONIN, SOLIS, NAJARIAN, KREKORIAN, AND KEUHL**

**Buses with Optional Left-Side Boarding**

Metro is developing multiple new Bus Rapid Transit (BRT) lines throughout Los Angeles County as part of an unprecedented expansion. These BRT lines will operate in a variety of urban environments, including mixed-flow city streets, curbside dedicated lanes, center-running dedicated lanes, and freeways. In such complicated settings, the ability to board on either the left or right side of the bus can help improve street design and reduce conflicts with other street users by increasing compatibility with amenities such as street trees, landscaped medians, protected bike lanes, and on-street parking.

Metro has previously considered the use of left-side boarding in individual BRT projects, but the benefits of project design flexibility were outweighed by concerns over introducing operational and maintenance complexity into the bus fleet. However, Metro has never before had so many BRT projects in simultaneous project development, which could increase the benefits and reduce the costs of introducing left-side boarding as a design alternative. Once primarily used internationally, left-side boarding is now common in cities throughout the United States, including planned or operating BRT systems in Oakland, San Bernardino, Cleveland, Indianapolis, Houston, Albuquerque, Eugene, and Provo.

Metro is currently undertaking the systemwide modernization and replacement of its entire bus fleet due to the Board-adopted goal of 100% electrification by 2030. While this is already a challenging and complex feat, upcoming bus procurements also present the potential opportunity to introduce new vehicle types into the fleet without substantial extra costs. Metro should therefore reconsider the potential for buses with boarding on both sides in the context of ongoing BRT project development and upcoming bus procurements and present a comprehensive evaluation of the benefits and costs of this feature.

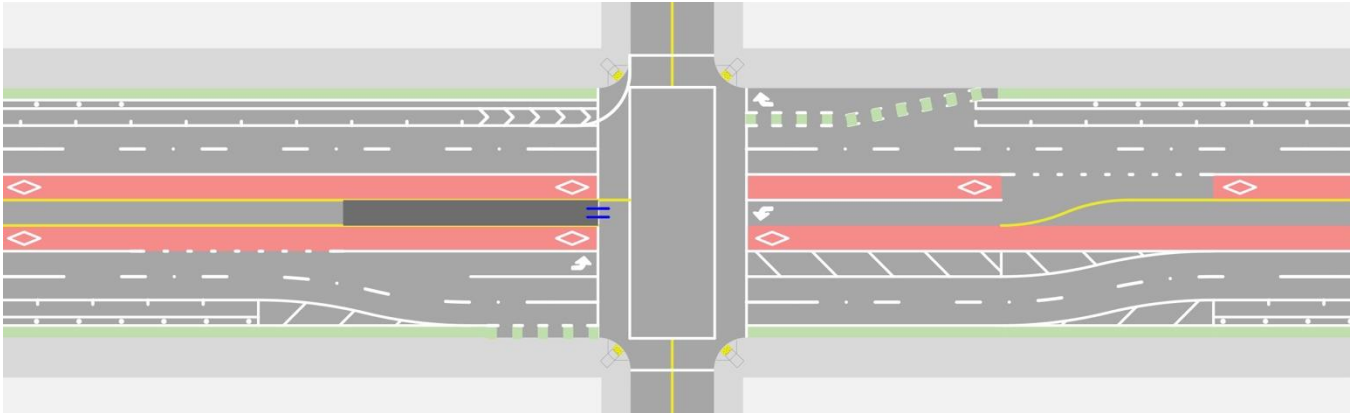
**SUBJECT: BUSES WITH OPTIONAL LEFT-SIDE BOARDING**

**RECOMMENDATION**

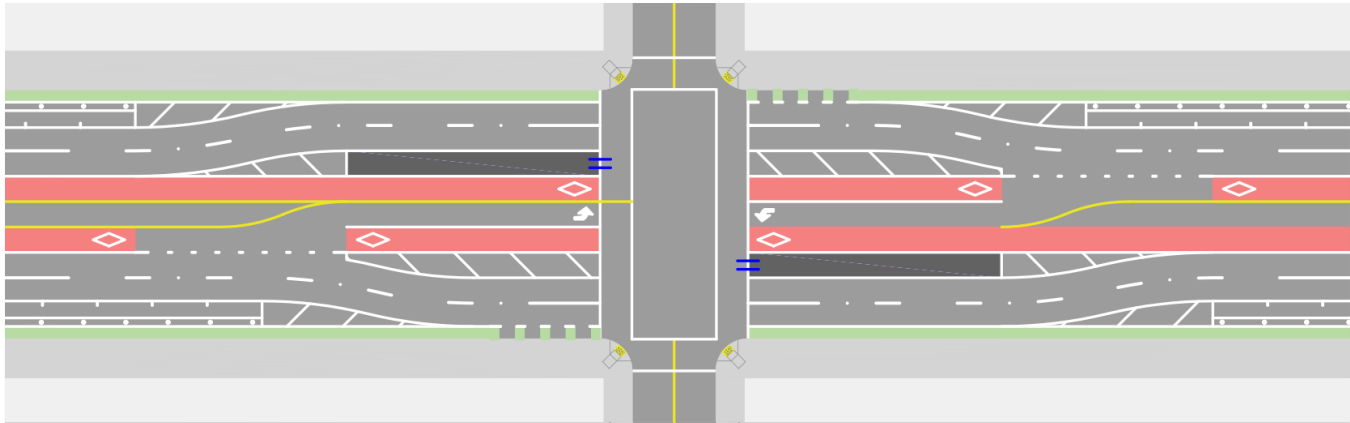
APPROVE Motion by Directors Bonin, Solis, Najarian, Krekorian, and Kuehl that the Board direct the CEO to report back to the Planning & Programming Committee in February 2021 with the following information:

- A. Which projects could benefit from the additional street design flexibility created by left-side bus boarding? Can community-supported amenities, such as street trees, medians, and bike lanes be added/retained if left-side boarding is introduced?
- B. What tradeoffs are there for passenger capacity and/or customer experience, if any?
- C. How did other U.S. transit agencies procure their buses with boarding on both sides and are those procurement options available to Metro?
- D. How many buses would need to have this feature if left-side boarding were pursued on BRT projects currently under development? What would be the marginal capital and/or operational/maintenance costs, if any?
- E. Would existing BRT lines, such as the Silver Line, operationally benefit from the introduction of left-side boarding?
- F. How could buses with boarding on both sides be incorporated into upcoming purchases of electric buses?






**Diagrams of Single Platform and Split Platform  
Center-Running Bus Rapid Transit (BRT) Stations**



*Figure 1: Single platform Center-Running BRT Station. Accommodates Center/Median-Running BRT with left-side boarding.*



*Figure 2: Split Platform Center-Running BRT Stations. Accommodates Center/Median-Running BRT with standard right-side boarding.*

-  Roadway
-  BRT Lane
-  Ped Access to Station
-  Station
-  Bike Lane

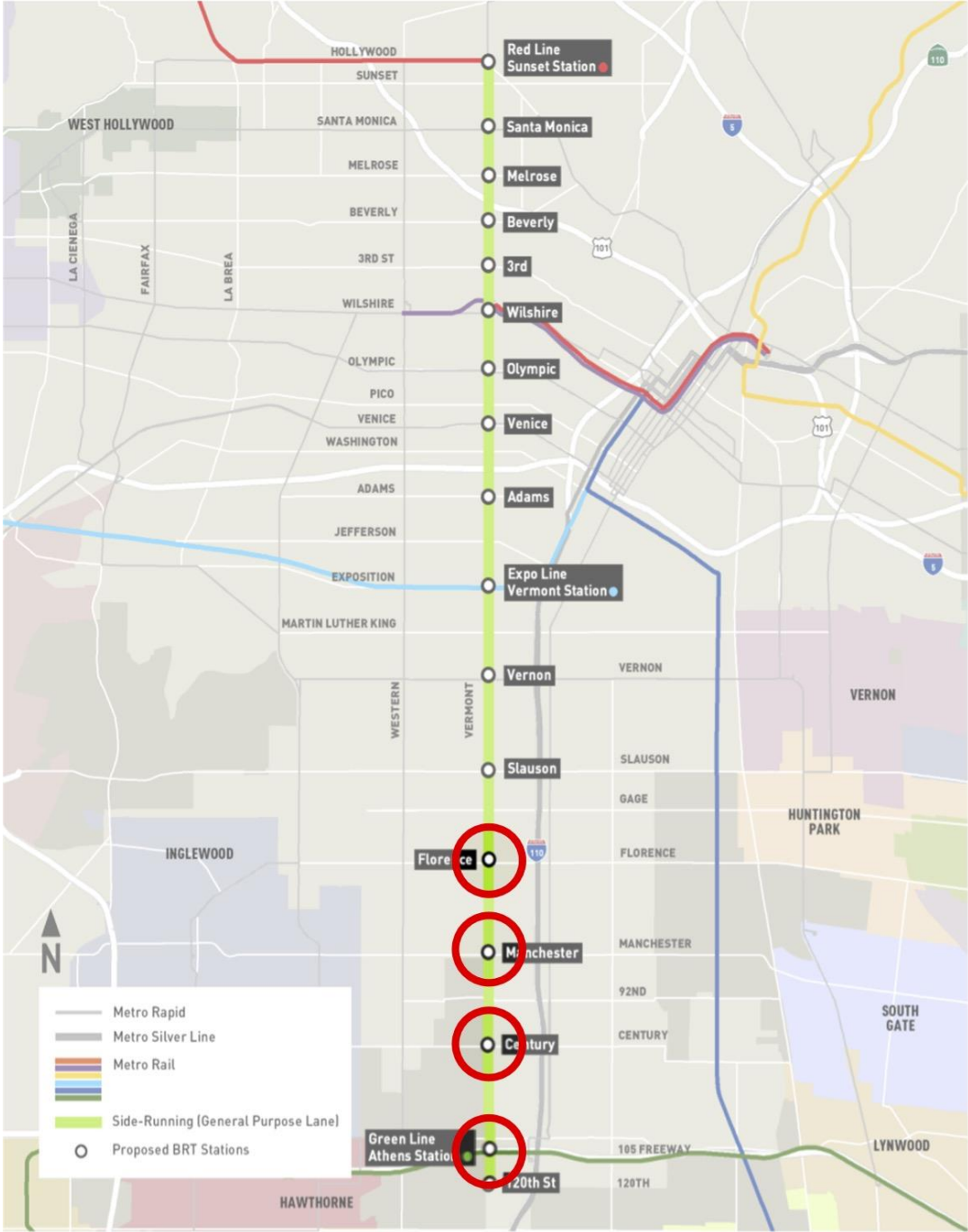
### North Hollywood to Pasadena BRT Corridor Potential Center Station Platforms/Left Side Boarding



Potential Center Station/Left-Side Boarding Locations:

- Vineland Ave. & Hesby St.
- Glenoaks Blvd. & Alameda Ave.
- Glenoaks Blvd. & Western Ave.
- Glenoaks Blvd. & Grandview Ave.
- Glenoaks Blvd. & Pacific Ave.
- Colorado Blvd. & Eagle Rock Blvd.
- Colorado Blvd. & Townsend Ave.

### Vermont BRT Corridor Stations with Potential Center Station Platforms/Left Side Boarding



Potential Center Station/Left-Side Boarding Locations:

- Vermont Ave. & Florence Ave.
- Vermont Ave. & Manchester Ave.
- Vermont Ave. & Century Blvd.
- Vermont / Athens Station

**Other BRT Systems with  
Left-Side Boarding**

**ATTACHMENT E**





Figure 1: SBX Line, Omnitrans, San Bernardino



Figure 2: Tempo Line, AC Transit, Oakland



Figure 3: METRORapid Silver Line, METRO, Houston



Figure 4: UVX Line, UTA, Utah County



Figure 5: HealthLine, RTA, Cleveland



Figure 6: Red Line, IndyGo, Indianapolis



Figure 7: ART Line, ABQ RIDE, Albuquerque



Figure 8: EmX, Lane District Transit, Eugene



# Buses with Optional Left-side Boarding

Planning & Programming Committee

April 2021

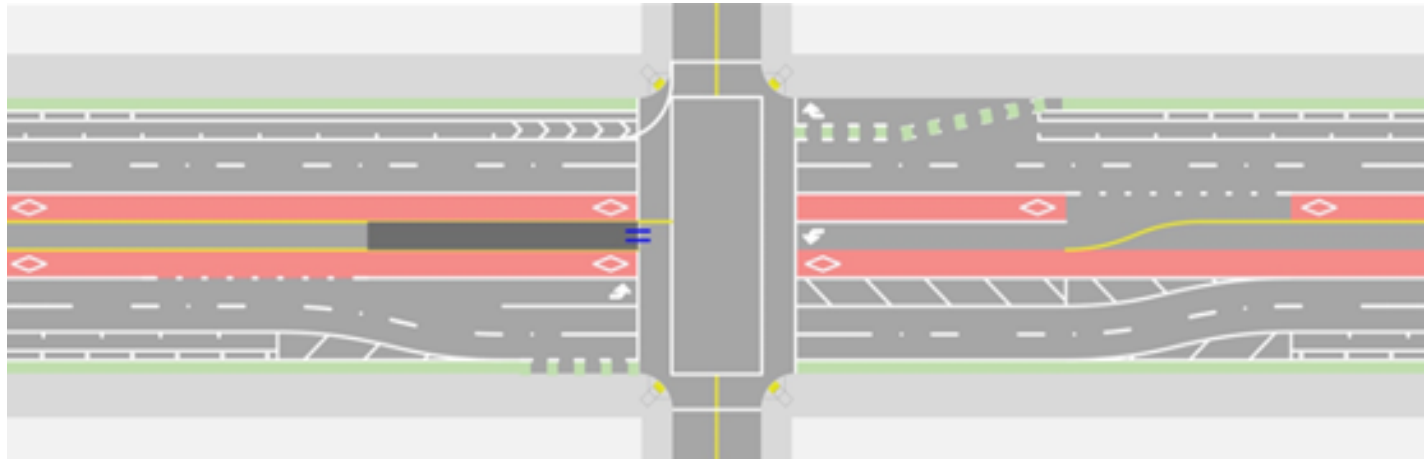
Item 20



# Background

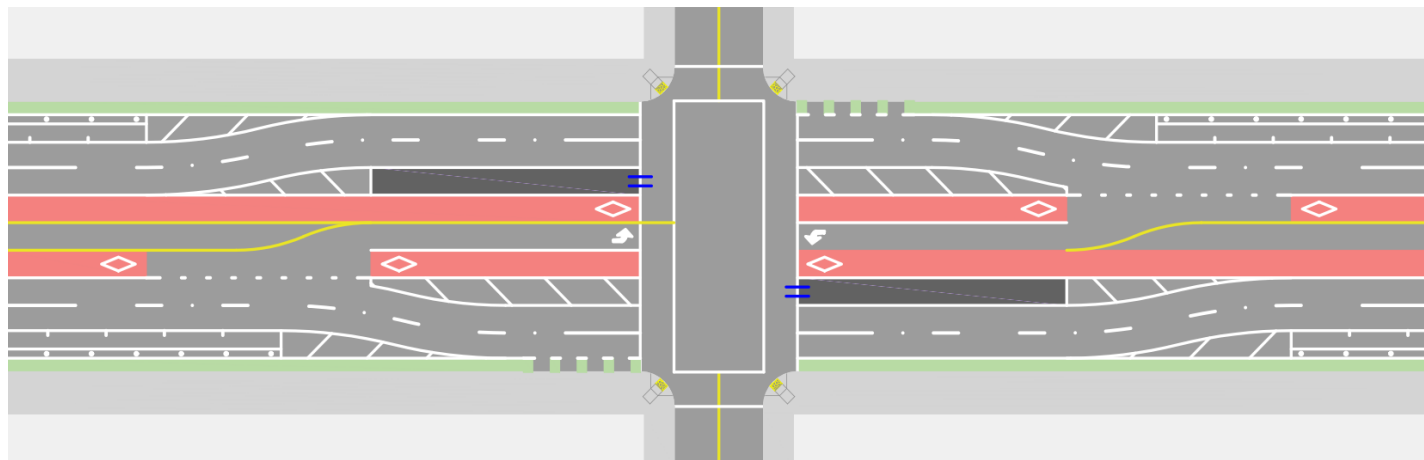
- > Measure M provided funding for BRT capital improvements.
- > Metro operates the G (Orange) Line and J (Silver Line) BRTs.
- > BRT Vision & Principles Study identified 5 new BRT corridors.
- > Bus speed improvement is part of NextGen implementation.
- > December 2020 – Board approved motion directing staff to report on buses with optional left-side boarding, including:
  - Existing and future BRT corridors that could benefit
  - Operational and maintenance benefits and/or tradeoffs
  - Future bus procurement opportunities and/or challenges

# Center-/Median-Running BRT



- Roadway
- Station
- BRT Lane
- Bike Lane
- Ped Access to Station

**Single platform BRT station with left-side boarding**



**Split platform BRT station with right-side boarding**

# Advantages/Challenges

## Advantages:

- > Center-/median-running bus lane configuration allows for a single "center platform" similar to rail.
- > Potential to reduce station footprint; shared passenger amenities may also reduce infrastructure/operating costs
- > Center platform buffers passengers from general travel lanes.

## Some Operations/Maintenance Challenges

- > Reduced passenger capacity - loss of 4-6 seats on typical 40-ft bus
- > Reduced operational and maintenance flexibility at divisions
- > Boarding/alighting from single left-side door on 40-ft buses could affect dwell times and passenger experience
  - 60-ft buses include two doors on left. However, plan is to standardize fleet to mostly 40-ft electric buses for operational efficiencies (one charging lane size)



# Bus Corridors with Potential Left-side Boarding

## > NoHo to Pasadena

- 18-mile corridor with 7 potential center station locations
- Glenoaks stations would remain split platforms due to right-of-way constraints

## > Vermont

- 12.4-mile corridor will include two alternatives in the environmental study with center-running BRT
- 4 potential left-side boarding stations south of Gage where right-of-way is widest

## • BRT Vision & Principles Study

## > 5 new potential corridors identified

## > Each corridor can be evaluated to identify potential opportunities for center stations with left-door boarding

### NoHo to Pasadena Transit Corridor



### Vermont Transit Corridor



# Other Bus Services

## Existing BRT Corridors

- > Facilities for both G (Orange) Line or J (Silver) Line were specifically designed and constructed for right-side boarding
- > J Line stations on I-10 & I-110 are served by several transit agencies
  - Any modifications, if possible, to accommodate left-side boarding would require them to operate vehicles with dual-side boarding

## North San Fernando Valley BRT

- > Center-running configuration removed from consideration due to right-of-way constraints and required street reconstruction

## NextGen Bus Plan

- > Implementing several bus speed/reliability improvements including curb-running lanes; buses would not use center/median lanes

# Procurement Considerations and Next Steps

## Bus Procurement/Manufacturers

- > Metro is transitioning to a 100% electric fleet by 2030.
  - Opportunity to consider buses with dual-side boarding
- > Several agencies operate buses with dual-side doors, but not electric.
- > Few manufacturers have indicated they could produce electric buses with dual-side doors in multiple sizes.
  - Manufacturers could pass on initial engineering/testing costs to Metro.
- > Type of bus (and its capacity) will affect quantity of buses needed.

## Next Steps

- > Staff will continue to work on the planned BRT corridors, NextGen Bus Plan and conversion to a fully electric bus fleet.
- > Staff will continue to identify left-door boarding opportunities as future bus corridors are evaluated and in coordination with the Zero Emissions Bus Plan.