

Metro

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



Agenda - Final

Thursday, July 23, 2015

9:00 AM

Regular Board Meeting

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

Board of Directors

Mark Ridley-Thomas, Chair

John Fasana, 1st Vice Chair

Eric Garcetti, 2nd Vice Chair

Michael Antonovich

Mike Bonin

James Butts

Diane DuBois

Jacquelyn Dupont-Walker

Don Knabe

Paul Krekorian

Sheila Kuehl

Ara Najarian

Hilda Solis

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

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

PUBLIC INPUT

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary. Individuals requesting to speak on more than three (3) agenda items will be allowed to speak up to a maximum of three (3) minutes per meeting. For individuals requiring translation service, time allowed will be doubled.

The public may also address the Board on non-agenda items within the subject matter jurisdiction of the Board during the public comment period, which will be held at the beginning and/or end of each meeting. Each person will be allowed to speak for up to three (3) minutes per meeting and may speak no more than once during the Public Comment period. Speakers will be called according to the order in which the speaker request forms are received. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

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

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

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

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

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

CALL TO ORDER**ROLL CALL**

1. APPROVE Consent Calendar Items: 2, 21, 23, 28, 34, 35, 36, 37, 39**, 55, 58**, 59, 61, 68, 69, 70, 70.1, 72 and 74

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

***Item requires 2/3 vote*

CONSENT CALENDAR

2. APPROVE **Minutes of the Regular Board Meeting held June 25, 2015.** [2015-1110](#)
Attachments: [Minutes of the Regular Board Meeting held June 25, 2015.](#)
21. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) [2015-0877](#)
adopting the locally developed **2016-2019 Coordinated Public Transit-Human Services Transportation Plan** for Los Angeles County (see Attachment A for Executive Summary) to comply with the requirements of the federal Moving Ahead for Progress in the 21st Century Act (MAP-21).
Attachments: [Attachment A - Executive Summary of the Coordinated Plan](#)
23. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) [2015-0556](#)
authorizing the Chief Executive Officer to negotiate and execute a **grant agreement with the South Bay Cities Council of Governments (SBCCOG) to implement a ride share demonstration project for events.** Amount of funding to be granted to SBCCOG is not to exceed \$250,000.
28. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0): [2015-0878](#)
A. approving the recommended **federal Section 5310 funding awards totaling \$4,713,220 for Traditional Capital Projects and up to \$1,615,177 for Other Capital and Operating Projects**, as shown in Attachments A and B, respectively;
B. amending the fiscal year (FY) 2016 Budget to add the necessary revenues and expenses for the recommended and previously approved Section 5310 funded projects, once the Federal Transit Administration (FTA) awards grant funds (see Attachment C for the

Allocation Process);

- C. authorizing the Chief Executive Officer or his designee to negotiate and execute pass-through agreements with agencies as sub-recipients approved for funding once the FTA awards Section 5310 grant funds;
- D. certifying that the Section 5310 funds were fairly and equitably allocated to eligible sub-recipients and that to the maximum extent feasible, Section 5310 funded services are coordinated with transportation services assisted by other federal departments and agencies; and
- E. certifying that all projects recommended for Section 5310 funding are included in the locally developed 2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County ("Coordinated Plan") that was developed and approved through a process that included participation by seniors and individuals with disabilities, as well as by representatives of public, private, and nonprofit transportation and human service providers and other members of the public.

Attachments:

[Attachment A - Funding Recommendations for Traditional Capital Projects](#)

[Attachment B - Funding Recommendations for Other Capital and Operating Pro](#)

[Attachment C - Summary of Application Package & Allocation and Application P](#)

- 34. CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to amend the **FY16 budget to add 33 non-contract full-time equivalent (FTE) positions:****

[2015-0955](#)

- A. 18 non-contract FTE positions (with 7 non-contract FTE positions already accounted in the FY 16 budget) by converting new Construction Management Support Services(CMSS)/consultant positions to support Measure R transit projects for Engineering & Construction (E&C) Department;
- B. 2 non-contract FTE positions by converting consultant positions to support Environmental Compliance and Sustainability projects for E&C Department (Refer to Appendix 1);
- C. 3 non-contract FTE positions to support capital transit projects for E&C Department (refer to Appendix 2);
- D. 4 non-contract FTE positions by converting new CMSS/consultant positions to support Measure R transit projects for Program Management Office (Refer to Appendix 3);

- E. 4 non-contract FTE positions by converting new CMSS/consultant positions to support Measure R transit projects for Vendor/Contract Management Department (Refer to Appendix 4); and
- F. 2 non-contract FTE positions to support Measure R transit projects for Countywide Planning and Development Department (Refer to Appendix 6).

It should be noted that the positions A through F are project related positions that can be terminated upon completion of the projects.

Attachments: [Attachment A Table A EC \(7-10-15\)](#)
[Attachment A-1 Table A-1 Potential Cost Savings of 5 Metro FTEs 7-10-15](#)
[Attachment B Table B Pilot Project Study \(6JUL15\).pdf](#)
[Attachment C Table C Cost Benefit Analysis 6Jul15.pdf](#)
[Attachment D Table C-1 CMSS Consultant Conversion Cost Savings for FY16](#)
[Attachment E Appendix 1 - Staffing Request for Environmental Compliance](#)
[Attachment F Appendix 2 Capital Projects Support Staff 7_9_15](#)
[Attachment G Appendix 3PMO CMSS Consultant Conversion to Metro Staff re](#)
[Attachment H Appendix 4 Staffing Request for Vendor-Contract Management](#)
[Attachment I Appendix 6 Revised 6 12 15 \(JO Comment 6Jul15\).pdf](#)

35. CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing: [2015-0958](#)

- A. an increase to the total contract value for Contract No. MC069, with Stantec Consulting, Inc., to provide **Construction Management Support Services** in an amount not-to-exceed \$10,953,136 for the FY16 six-month Work Program Funding from \$86,459,000 to \$97,412,136; and
- B. the Chief Executive Officer to execute individual Contract Work Orders and Modifications within the Board approved contract value.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Work Value Summary](#)
[Attachment C - July 2015 to June 2016 FY16 Work Program Funding](#)

36. CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute Contract Modification No. 3 to Contract No. MC070, to ARCADIS U.S., Inc., to **continue providing Construction Management Support Services (CMSS) through December 31, 2015 for the Regional Connector Transit Corridor Project**, in the amount of \$5,955,000, increasing the total contract value from \$11,180,690 to \$17,135,690. [2015-0960](#)
- Attachments:** [Attachment A - MC070 Procurement Summary](#)
[Attachment B - Contract Modification Log](#)
37. CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer (CEO) to execute Change Modification No. 2 to Contract No. MC071, Westside Extension Support Team (WEST), to continue providing **Construction Management Support Services (CMSS) for six months of FY16 for the Westside Purple Line Extension Section 1 Project**, in an amount not-to-exceed \$6,487,628, increasing the total contract value from \$14,513,451 to \$21,001,079. [2015-0961](#)
- Attachments:** [A - Procurement Summary](#)
[B - Contract Modification Authority/Change Order Log](#)
39. CONSTRUCTION COMMITTEE RECOMMENDED (5-0): [2015-0215](#)
- A. finding that awarding design-build contracts pursuant to **Public Utilities Code Section 130242 (a)** will achieve private sector efficiencies in the integration of the design, project work, and components related to the construction and installation of energy efficient lights in Metro's Gateway Headquarters Building;
- (REQUIRES TWO-THIRDS VOTE)**
- B. authorizing the Chief Executive Officer to award the competitively bid design-build contract to the lowest responsive, responsible bidder, pursuant to Public Utilities Code Section 130051.9 (c); and
- C. approving an increase of Contract Modification Authority (CMA) for Contract No. PS07643022 with Control Technologies to provide Building Management System upgrades in the amount of \$1,000,000, increasing the CMA from \$100,000 to \$1,100,000.
- Attachments:** [Attach A -Procurement Summary](#)
[Attach B -Contract Modification/Change Order Log .docx](#)
[Attach C -Cost Benefit Analysis for 5,000 2x4 Fixtures .docx](#)

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55. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE [2015-0812](#)
RECOMMENDED (5-0) approving nominees for **membership on Metro's Gateway Cities, San Fernando Valley, and San Gabriel Valley Service Councils.**
Attachments: [Attachment A: New Appointees Biographies and Listing of Qualifications](#)
[Attachment B: Appointing Authority Nomination Letters](#)
58. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE [2015-0863](#)
RECOMMENDED (4-0) finding that awarding this low-bid design-build contract pursuant to **Public Utilities Code Section 130242 (a)** will achieve private sector efficiencies by integrating the design project work and components, obtaining Los Angeles County Fire Department approval for project work, and replacing the **Fire Sprinkler System in Metro's Gateway Headquarters Building;**

REQUIRES TWO-THIRDS VOTE
Attachments: [Att A - Obser from Insp](#)
59. SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE [2015-0872](#)
RECOMMENDED (4-0) authorizing the award of a sole source, non-competitive firm fixed price contract to Dematic Corporation (Dematic) for the **upgrade of Metro's Automatic Storage and Retrieval System (ASRS) Mini-Load and Unit Load**, CP# 209072, for an amount not to exceed \$1,294,517 for a period of ten months.
61. SYSTEM SAFETY, SECURITY AND OPERATIONS RECOMMENDED [2015-0842](#)
(3-0) authorizing the Chief Executive Officer to execute contract Modification No. 8 to Contract No, OP24122716 with Xerox State and Local Solutions, Inc to **provide Transit Court Citation Processing Services** to extend the contract for up to three (3) months for the period covering September 1, 2015, through November 30, 2015, for a not-to-exceed amount of \$195,000, thereby increasing the total contract value from \$2,069,692.20 to \$2,264,692.20.
Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification/Change Order Log](#)
69. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0): [2015-1038](#)

A. adopting the attached **Parking Ordinance, as set forth in Attachment A ("Metro Parking Ordinance")**, enacting a new **Title 8 to Metro's existing Administrative Code;**

- B. adopting the attached Fee Resolution, as set forth in Attachment B (“Metro Parking Rates and Permit Fee Resolution”) establishing parking rates and permit fees at all Metro operated parking facilities and proposed new parking fees at Los Angeles Union Station;
- C. authorizing the Chief Executive Officer to implement and begin regulating the adopted Metro Parking Ordinance and Parking Fee Resolution at all Metro operated parking facilities. Systemwide including proposed new fees at Los Angeles Union Station; and
- D. authorizing the Chief Executive Officer to deposit all additional revenues generated into the Risk Allocation Matrix Internal Savings Account (RISA), pending Board approval of the full concept later this year.

Attachments: [Attachment A - Metro Parking Ordinance](#)
 [Attachment B - Metro Parking Fee Resolution](#)

- 70.** EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED AS AMENDED (5-0) adopting the following Official and Operational station names for the eight stations that comprise **Metro Rail’s Crenshaw/LAX line:**

[2015-1063](#)

| <u>Official Station Name</u> | <u>Operational Station Name</u> |
|------------------------------|---------------------------------|
| 1. Expo/Crenshaw | Expo/Crenshaw |
| 2. Martin Luther King Jr. | Martin Luther King Jr. |
| 3. Leimert Park | Leimert Park |
| 4. Hyde Park | Hyde Park |
| 5. Fairview Heights | Fairview Heights |
| 6. Downtown Inglewood | Downtown Inglewood |
| 7. Westchester | Westchester |
| 8. Aviation/Century | Aviation/Century |

Attachments: [Attachment A - Property Naming Policy](#)
 [Attachment B - Map of Crenshaw-LAX line with proposed Operational Station N](#)
 [Attachment C - Table of alternate names for each station](#)

- 70.1 EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0) [2015-1092](#)
approving **Motion by Directors Ridley-Thomas and Butts** that the Board of Directors adopt Westchester/Veterans as the official and operational name for the station of the Crenshaw/LAX Line which is located at the intersection of Florence Avenue and Hindry Avenue.
72. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) [2015-1083](#)
authorizing the obligation of \$90 million in **federal Regional Surface Transportation Program funds for the Interstate 405 Sepulveda Pass Improvements project.**
74. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0) [2015-1091](#)
authorizing the Chief Executive Officer to negotiate salaries within the pay range for the following positions:
- A. **Executive Director, Program Management**, pay grade CC (\$222,476 - \$273,894 - \$325,353)
 - B. **Executive Director, Transit Project Delivery**, pay grade BB (\$166,462 - \$208,083 - \$249,704)
 - C. **Executive Officer, System Security and Law Enforcement**, pay grade AA (\$156,832 - \$196,060 - \$235,227)
 - D. **Deputy Chief Executive Officer**, pay grade DD (\$278,470 - \$339,747 - \$401,003)

Attachments: [A - Executive Director, Program Management](#)
 [B - Executive Director, Transit Project Delivery](#)
 [C - Executive Officer, System Security and Law Enforcement](#)
 [D - Deputy Chief Executive Officer](#)

END OF CONSENT CALENDAR

NON-CONSENT

3. Chair's Report [2015-1111](#)
4. Report of the Chief Executive Officer. [2015-1112](#)

11. ADOPT the **FY16 Proposed Audit Plan**. [2015-1042](#)

Attachments: [FY16 Audit Plan final](#)

12. CONSIDER: [2015-0737](#)

- A. supporting the establishment of the **proposed Central Avenue Historic Business Improvement District (“BID”) in the City of Los Angeles** and the resulting assessments on properties within the District boundaries owned by LACMTA; and
- B. authorizing the Chief Executive Officer or his delegate to sign any necessary petition and cast any subsequent ballots in support of the BID and property assessments.

Attachments: [Attachment A -Central Avenue Management District Plan](#)
[Attachment B- Evaluation of Central Avenue Historic District Business Improver](#)

13. AUTHORIZE the Chief Executive Officer to: [2015-0310](#)

- A. **establish an IT Services Bench**, through (RFIQ) No. PS92403383, consisting solely of vendors who have been deemed qualified to participate in future IT task order work for technical disciplines 1 through 16 below. The qualified vendors recommended in Attachment B for a five-year period will openly compete to perform individual professional service task orders for a cumulative total value of \$17 million. Individual task orders will be awarded based on a competition via the Request for Proposal (RFP) process.
1. Platform / End User Computing Systems
 2. Database Services / Data Management
 3. Storage Services
 4. Telecom and Network Communication Services
 5. Applications and Web Development
 6. Business Intelligence and Analytics
 7. Content Management
 8. Mobile Solutions
 9. Oracle E-business Suite
 10. Transit Operations and Automated Fare Collection Systems
 11. Asset Material and Management Systems
 12. Intelligent Transportation/Transit services
 13. Project/Program Management
 14. IT Strategy Planning / Enterprise Architecture / Governance
 15. Agency-Wide Information Security and Compliance
 16. SCADA Control Systems Cyber Security

B. execute individual task orders under the ITS Services Bench Contract for up to \$1,000,000 per task order.

Attachments: [ATTACHMENT A Procurement Summary Amended](#)
 [Attachment B-Recommended List of Firms Amended](#)

14. AUTHORIZE the Chief Executive Officer to **negotiate and award excess liability insurance policies** with up to \$250 million in limits at a cost not to exceed \$3.65 million for the 12-month period effective August 1, 2015 to August 1, 2016. [2015-0801](#)

Attachments: [Attachment A - Options, Premiums and Loss History.pdf](#)
 [Attachment B - 2015 2016 Pricing and Carriers.pdf](#)

22. PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION receiving and filing potential financial impacts of June 2015 Item 14 Board motions on **Metro Countywide Bikeshare**. [2015-0995](#)

Attachments: [Attachment A-1 Bikeshare Amendment #14 June 2015 \(6\) \(3\).doc](#)
 [Attachment A-2 Motion Expo Vermont Bike Hub .docx](#)
 [Attachment A3 update_06302015.pdf](#)
 [Attachment B Accelerated Schedule](#)

- 22.1 PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving **Ridley-Thomas Motion** that the Metro Board of Directors instruct the Chief Executive Officer to proceed as follows: [2015-1093](#)

- A. Continue to work with the cities of Santa Monica and Long Beach, which have executed a contract and plan to move forward with an alternate bikeshare provider to achieve the Interoperability Objectives as presented at the June 2015 Board meeting, including title sponsorship, branding and marketing, membership reciprocity, reciprocal docks, a unified fare structure and data sharing;
- B. Consistent with the Interoperability Objectives, require that any city with an existing bikeshare vendor contract as of June 25, 2015, using a bikeshare system other than Metro's selected system, shall be eligible for up to 35% of operating and maintenance funding support from Metro on condition that the city or cities agree to fully participate in a Metro Countywide Bikeshare Title Sponsorship by reserving on bike title placement and associated branding for Metro's Sponsor (including branding, color, and ad space on baskets, skirt guards and bike frame) and agree to meeting the

other Interoperability Objectives, consistent with the agreement developed between Metro and the City of Los Angeles for the pilot phase of Metro's Countywide Bikeshare Program. Such cities shall also agree to participate in and provide data for the evaluation study described in Directive 8 below;

- C. Proceed with awarding Call for Projects funding to the Cities of Beverly Hills, Pasadena and West Hollywood, consistent with the staff recommendations for the 2015 Call for Projects, for the capital costs associated with their proposed bikeshare programs.
- D. Include in the 2015 Call for Projects bikeshare funding contracts, that if any of the cities select a bikeshare system other than Metro's, operations and maintenance funding will not be provided unless each city agrees to the Interoperability Objectives outlined above. All costs associated with providing duplicative dock or other systems within adjacent jurisdictions to enhance interoperability shall be borne by such cities and shall not be funded with Metro funds.
- E. Specify in future Call for Projects applications that any city requesting bikeshare funding for either capital or operations and maintenance expenses must commit to using Metro's selected vendor and Title Sponsorship, and other Interoperability Objectives;
- F. Engage Bicycle Transit Systems in accelerating the roll out of all identified project phases so that implementation can be accomplished no later than 2017. Staff shall work with each city to secure local funding commitments and report to the Board for specific approval of any expansion beyond the downtown Los Angeles Pilot, together with a proposed funding plan;
- G. Conduct additional feasibility studies and preliminary station placement assessments to incorporate the communities of Boyle Heights (centering around the Mariachi Plaza Gold Line Station), El Monte (centering around the Bus Station) and the Westside of Los Angeles (along the Exposition Line as well as Venice), as part of the Bikeshare Program;
- H. Conduct an evaluation of the bikeshare systems operating within Los Angeles County after 12 months from the Downtown Los Angeles Pilot launch date. Evaluation of the systems shall, at a minimum, address operations and user experience, including the following:
 - 1. Timeliness and success of roll-out;

2. Experience of the respective agencies in working with their respective vendors;
 3. Ability of bikeshare providers to meet performance criteria including bicycle distribution, removal and replacement of inoperable bicycles and cleanliness of bikeshare facilities;
 4. Customer satisfaction as measured by a survey;
 5. Fare structure;
 6. Equity/effectiveness serving disadvantaged community; and
 7. Bicycle use/behavioral change; and
- I. Once the independent evaluation of both systems is complete, the Board should consider funding for future bikeshare systems that opt to not use Metro's selected vendor on a case-by-case basis subject to the respective city fulfilling Metro's Interoperability Objectives.

26. PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION DUE TO ABSENCES AND CONFLICTS authorizing the Chief Executive Officer (CEO) to:

[2015-0809](#)

- A. award a seven-year cost-plus-fixed fee Contract No. PS298340011486 (RFP No. PS11486), to Gruen Associates for the **Airport Metro Connector (AMC) 96th Street Transit Station** for a not-to-exceed amount of \$17,789,897 for architectural and engineering services to design the AMC 96th Street Transit Station and provide design support services during construction; and
- B. approve Contract Modification Authority specific to Contract No. PS298340011486 in the amount of \$3,557,979 to cover the cost of any unforeseen issues that may arise during the course of the contract.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - June 2014 Board Motion.docx](#)
 [Attachment C - AMC Project Map.docx](#)

27. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED AS AMENDED (3-0) authorizing the Chief Executive Officer to:

[2015-0706](#)

- A. execute Contract Modification No. 12 for Contract No. PS4320-2003, **Metro Eastside Transit Corridor Phase 2 Project Alternatives Analysis, Environmental Clearance and Conceptual Engineering Consultant Services, with CDM Smith/AECOM**, Joint Venture, in the amount of \$2,898,336 to address post-Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/EIR) Cooperating Agency comments and investigate refinements as directed by the Metro Board in November 2014, increasing the total contract value from \$15,548,379 to \$18,446,715;
- B. increase Contract Modification Authority (CMA) specific to Contract No. PS4320-2003, Metro Eastside Transit Corridor Phase 2 Project Alternatives Analysis, Environmental Clearance and Conceptual Engineering Consultant Services in the amount of \$580,000, increasing the total CMA amount from \$1,952,711 to \$2,532,711;
- C. execute Contract Modification No. 11 for Contract No. PS4320-2006 Metro Eastside Transit Corridor Phase 2 - Outreach, with Arellano Associates, in the amount of \$296,533 to provide Outreach services in support of the Technical Study, increasing the total contract value from \$2,145,732 to \$2,442,247; and
- D. increase Contract Modification Authority (CMA) specific to Contract No. PS4320-2006, Metro Eastside Transit Corridor Phase 2 - Outreach in the amount of \$40,000, increase the total CMA amount from \$515,000 to \$555,000.

Attachments: [Attachment A-1 Procurement Summary.docx](#)
[Attachment A-2 Procurement Summary.docx](#)
[Attachment B - November 2014 Board Motion](#)
[Attachment C - Project Area Map](#)

27.1 PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) [2015-1105](#)

approving amending **Motion by Directors Garcetti, Knabe, Solis, DuBois, Fasana and Dupont-Walker** that the Board instruct the CEO to provide quarterly updates starting with the September 2015 Board cycle as follows:

- A. Report on the project contractual scope of work and provide a description of the task orders for the technical study;
- B. Provide the project schedule and related milestones for both the technical analysis and environmental planning process for all the alternatives under consideration and study; and
- C. In the regular quarterly updates, provide, at a minimum, the following:
 1. Project schedule updates;
 2. Progress reports with third-party agencies on the local, state, and federal level; and
 3. Community outreach schedule and meeting results, including any concerns raised by stakeholders.

38. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION: [2015-0848](#)

- A. authorizing an increase to the total authorized funding for Contract No. PS100800-2641 with MARRS Services, Inc., for **pending and future task orders to provide Construction Management Consultant (CMC) Support Services**, in an amount not to exceed \$2,144,000, increasing the total contract value from \$7,744,000 to \$9,888,000; and
- B. authorizing the Chief Executive Officer to execute individual Task Orders (TOs) and Contract Modifications within the Board approved contract funding amount.

Attachments: [Attachment A - Procurement Summary MARRS July 2015](#)
 [Attachment B - Contract Task Order/Modification Log](#)

- 40.** CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award a 28 month firm fixed price contract, under Invitation for Bid No. C1078, with Clark Construction Group, the lowest responsive and responsible bidder for the **final design and construction of the Maintenance of Way/Non-Revenue Vehicle Maintenance Building** to be constructed as part of the Division 20 Yard and Shops expansion for a firm fixed price of \$52,830,310.

[2015-0223](#)

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B Motion - 83 by Director Molina October 2014.pdf](#)
[Attachment C - Summary of Extended Outreach Efforts](#)

- 40.1** CONSIDER **Motion by Directors Dupont-Walker and Solis** that the Board instruct the CEO to:

[2015-1148](#)

- A. direct staff to establish a design advisory working group that includes representatives from the following entities:
1. Metro Operations
 2. Metro Construction
 3. Metro Arts
 4. Metro Planning
 5. MOW Design-Build Team
 6. City of Los Angeles 6th Street Bridge Design-Build Team
 7. Arts District Community
- B. direct staff to report back to the board on a monthly basis on progress that is made with the advisory group to explore the following objectives:
1. Site placement of the MOW Facility is placed the farthest distance from Santa Fe as allowed by operational functionality and applicable building codes.
 2. Parking on the site is optimized
 3. Adoption of architectural design that reflects Metro's most recent efforts

C. direct staff to report back in 60 days with a detailed outreach and engagement process for incorporating art into the Maintenance of Way Facility including the following elements:

1. Forming a selection panel including Downtown-based art professionals to select the artist to work on the Maintenance of Way Facility.
2. Soliciting larger arts district and community feedback for consideration in artist selection from the existing MTA pre-approved artist pool.
3. Coordination with the aforementioned design advisory group.

41. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award and execute a five year contract, Contract No. PS84203243, with Cumming Construction Management, Inc. for **Sustainability Program Assistance Services on Task Orders** for a total amount not-to-exceed \$12,481,230 inclusive of three base years (not to exceed \$7,339,981) with two one-year options (year one = \$2,545,173 and year two = \$2,596,076.) [2015-0224](#)
- Attachments:** [Attachment A - Procurement Summary Report - PS84203243 05-June-15 \(2\).dc](#)
[Attachment B - Types and Total Value Estimates of Projects](#)
42. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award and execute a five year contract, Contract No. PS84203274, with Kleinfelder, Inc. for **Environmental Engineering and Consulting services on Task Orders**, inclusive of three base years and two one-year option years with a total not-to-exceed amount of \$12,000,000.00. Base year contract value is \$7.2 million; Option year one contract value is \$2.4 million; and Option year two contract value is \$2.4 million. [2015-0542](#)
- Attachments:** [Attachment A - Procurement Summary](#)
[Attachment B - Types and Total Value Estimates of Projects FY15 to FY19](#)
43. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION: [2015-0722](#)
- A. authorizing a Contract Modification No. 40 (a.k.a. Contract Change Order, CCO 40) by Caltrans for **Segment 3 construction contract of the I-5 North Capacity Enhancements from SR-134 to SR-118** under the Funding Agreement No. MOU.P0008355/8501 A/A5, in the amount of \$1,000,000 without an increase in the project budget or contract value. The contract value of this project remains

\$405,575,000; and

- B. authorizing a Contract Modification No. 74 (a.k.a. Contract Change Order, CCO 74) by Caltrans for Segment 3 construction contract of the I-5 North Capacity Enhancements from SR-134 to SR-118 under the Funding Agreement No. MOU.P0008355/8501 A/A5, in the amount of \$1,500,000 without an increase in the project budget or contract value. The contract value of this project remains \$405,575,000.

44. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving an increase in the Contract Modification Authority (CMA) to Contract No. PS0933432406A with STV Incorporated (STV) in the amount of \$250,000, increasing the total CMA from \$500,000 to \$750,000 for the **design support during construction for the Patsaouras Plaza Busway Station.** [2015-0849](#)

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification Authority \(CMA\)/Change Order Log](#)

45. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION: [2015-0952](#)

- A. authorizing the Chief Executive Officer (CEO) to **continue issuing task orders within the previously Board approved total contract not-to-exceed amount of \$38,000,000 for Contract EN077, with ARCADIS U.S., Inc.,** for the life of the contract, of which only \$21,200,000 the Board had authorized for expenditure in FY12 through FY14; and

- B. authorizing the CEO to exercise Option Year One for FY16.

Attachments: [Attachment A Procurement Summary - EN077 .docx](#)
[Attachment B Contract Modification- Change Log - EN077 .docx](#)
[Attachment C - Current and Proposed EN077 Work C.docx](#)

46. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving an increase in the Contract Modification Authority (CMA) to Contract No. OP33402180 with Maintenance Design Group (MDG) in the amount of \$350,000, increasing the total CMA from \$1,350,000 to \$1,700,000 for **design support during construction for the Division 13 Bus Maintenance and Operations Facility.** [2015-0586](#)

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

47. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer (CEO) to execute Contract Modification No. 39 to Contract No. E0117 with Hatch Mott MacDonald (HMM), to **continue Phase III Design Services During Construction (DSDC) support**, in the amount of \$6,656,000, increasing the total contract value from \$54,414,652 to \$61,070,652. [2015-0851](#)
- Attachments:** [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification Authority](#)
48. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the CEO to execute Contract Modification No. 22 to Contract No. E0119 with The Connector Partnership Joint Venture (CPJV) Inc. to continue providing **Design Support Services During Construction through FY16 for the Regional Connector Transit Corridor Project**, in the amount of \$8,283,594, increasing the total contract value from \$54,770,985 to \$63,054,579. This action does not increase Life of Project Budget. [2015-0957](#)
- Attachments:** [A - Procurement Summary](#)
[B - Contract Modification Authority \(CMA\) Summary](#)
49. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to execute a cost-plus-fixed-fee Contract No. PS2415-3412 with STV, Inc. for the **Brighton to Roxford Double Track Project** in the amount of \$12,500,000 inclusive of all design phases. This contract is for three years. [2015-1069](#)
- Attachments:** [Attachment A - Brighton to Roxford Procurement Summary](#)
[Attachment B - Brighton to Roxford - Map](#)
50. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION: [2015-0805](#)
- A. adopting Life-of-Project (LOP) budget for Project 205104 (**Metro Blue Line (MBL) Pedestrian Active Grade Crossing Improvements Installation**) of \$30,175,000;
 - B. increasing the Fiscal Year 2016 Budget for Project 205104 in Cost Center, 3960 - Rail Transit Engineering, by \$12,897,000 to fund the FY 2016 cash flow for these pedestrian grade crossing safety enhancements; and
 - C. authorizing the CEO to negotiate and execute a Public Highway

at-Grade Crossing Improvement Agreement with Union Pacific Railroad (UPRR) according to the Term Sheet (Attachment B).

Attachments: [Attachment A - Funding Expenditure Plan](#)
[Attachment B - UPRR Term Sheet for Public Highway At-Grade Crossing Impro](#)
[Attachment C - Reconciliation of Estimates Related to Projects](#)
[Attachment D - Incremental Costs and Benefits for Improvements](#)

65. EXECUTIVE MANAGEMENT COMMITTEE FORWARDED WITHOUT RECOMMENDATION receiving and filing the **Federal Fiscal Year 2016 through 2018 (FFY 2016 - 2018) 18% Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE)** overall goal and goal methodology report. [2015-0895](#)

Attachments: [Attachment A - Overall Disadvantaged Business Goal Report FFY 2016 – 2018](#)

68. EXECUTIVE MANAGEMENT RECOMMENDED (4-0-1) adopting **updated Metro Joint Development Policy** (Attachment B). [2015-0554](#)

Attachments: [Attachment A - Motion51.1](#)
[Attachment B - Proposed Joint Development Policy](#)

75. CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION amending the FY 16 Budget to add \$800,000 to Project 405556 Systemwide Planning in Cost Center 4330, Countywide Planning and Development to cover the design costs for modifications to the Crenshaw/LAX (C/LAX) station design for consistency with the Systemwide Station Design. [2015-0577](#)

Attachments: [Attachment A Crenshaw LAX Plaza Ticketing Area.docx](#)

76. CONSIDER **Motion by Mayor Garcetti** to direct the CEO to report back in 60 days on the following items related to the operations of Angels Flight; the historic funicular operating in the Bunker Hill area of downtown Los Angeles:

[2015-1149](#)

- A. A historical summary of operations for Angels Flight including past closures and safety related issues;
- B. A summary of State and Federal safety findings pertaining to Angels Flight; and
- C. Recommendations for resuming operations.

END OF NON-CONSENT ITEMS

77. **CLOSED SESSION:**

[2015-1150](#)

- A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1):
Jerry Tovar, et al. v. LACMTA, LASC Case No. TC018015
- B. Public Employee Performance Evaluation - G.C. 54957(b)(1):
Title: Chief Executive Officer
- C. Conference with Real Property Negotiator - G.C. 54956.8:
 - 1. Property Description: 8421 Wilshire Blvd., Beverly Hills, CA 90211
Agency Negotiator: Velma Marshall
Negotiating Party: Mattie Leshem dba Protagonist
Under Negotiation: Price and Terms
 - 2. Property Description: 9432 Bellanca Ave., Los Angeles, CA 90045
Agency Negotiator: Carol A. Chiodo and/or designee
Negotiating Party: Owens Premier, Inc. dba Gourmet Logistics Co. and NZG Specialties, Inc. dba Gourmet Trading Company
Under Negotiation: Price and Terms
 - 3. Property Description: 3839 Wilshire Blvd., Los Angeles, CA 90010
Agency Negotiator: Carol A. Chiodo and/or designee
Negotiating Party: Chong S. Kim dba Pang Village Bakery
Under Negotiation: Price and Terms
 - 4. Property Description: 3839 Wilshire Blvd., Los Angeles, CA 90010

- Agency Negotiator: Carol A. Chiodo and/or designee
Negotiating Party: Ho Bin Choi dba Hite Kwang Jang Restaurant
Under Negotiation: Price and Terms
5. Property Description: 317 S. Broadway, Los Angeles, CA 90013
Agency Negotiator: Greg Angelo and Cal Hollis
Negotiating Party: Grand Central Square Limited Partnership
Under Negotiation: Price and Terms

D. Conference Regarding Potential Threats to Public Services or Facilities - G.C. 54957:

Consultation with Los Angeles Sheriff Department Chief Ronene M. Anda or her designee.

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 #: 2015-1110, **File Type:** Informational Report

Agenda Number: 2.

**REGULAR BOARD MEETING
JULY 23, 2015**

SUBJECT: REGULAR BOARD MEETING MINUTES HELD JUNE 25, 2015

APPROVE Minutes of the Regular Board Meeting held June 25, 2015.

ATTACHMENT

Attachment A - Regular Board Meeting Minutes on June 25, 2015



MINUTES

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

Thursday, June 25, 2015

9:00 AM

Directors Present:

Eric Garcetti, Chair

Mark Ridley-Thomas, 1st Vice Chair

John Fasana, 2nd Vice Chair

Michael Antonovich

Mike Bonin

James Butts

Diane DuBois

Jacquelyn Dupont-Walker

Don Knabe

Paul Krekorian

Sheila Kuehl

Hilda Solis

Shirley Choate, non-voting member

CALL TO ORDER at 9:18 a.m.

ROLL CALL

1. APPROVE Consent Calendar Items: 2, 7, 8, 9, 15, 46, 17, 18, 21, 31, 32, 43, 53, 61, 62, 64, 65 and 66.

Consent Calendar items were approved by one motion except items 16 and 43 which were held by a Director for discussion and/or separate action.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| A | A | Y | Y | Y | A | Y | A | Y | Y | Y | A | A |

2. APPROVED ON CONSENT CALENDAR **Minutes of the Regular Board Meeting held May 28, 2015, Special Board Meeting held May 28, 2015 and Fiscal Year 2016 Budget Special Board Workshop held May 21, 2015.**

3. RECEIVED **Chair’s Report.**

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| A | P | P | P | P | P | P | P | P | P | P | P | A |

4. RECEIVED **report of the Chief Executive Officer.**

- Employee of the Month
- Risk Allocation Matrix

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| P | P | P | P | P | P | P | P | P | P | P | P | A |

| | | | |
|--------------------|------------------------|------------------------|------------------|
| MA = M. Antonovich | MB = M. Bonin | DD = D. DuBois | AN = A. Najarian |
| PK = P. Krekorian | JF = J. Fasana | JDW = J. Dupont-Walker | |
| JB = J. Butts | EG = E. Garcetti | HS = H. Solis | |
| SK = S. Kuehl | MRT = M. Ridley-Thomas | DK = D. Knabe | |

LEGEND: Y = YES, N = NO, C = HARD CONFLICT, S = SOFT CONFLICT ABS = ABSTAIN, A = ABSENT, P = PRESENT

5/19. APPROVED:

- A. the summary of delegated Chief Executive Officer fund type assignments; and
- B. receiving and filing this information as a **response to Motion 5.1 which directed staff to undertake a Fiscal Stability Overview and Funding Commitments Inventory**, subject to further review and validation.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| Y | Y | Y | Y | Y | Y | A | A | Y | Y | Y | Y | A |

6. APPROVED:

- A. the **Southern California Regional Rail Authority’s (SCRRA) FY 2015-16 Annual Work Program** pursuant to their April 17, 2015, budget transmittal and subsequent May 28, 2015, revised budget transmittal;
- B. the Los Angeles County Metropolitan Transportation Authority’s (LACMTA) share of SCRRA FY 2015-16 Metrolink funding totaling \$87,514,128 to reflect the programming of funds as follows:
 - 1. \$65,481,000 for Metrolink Operations;
 - 2. \$2,578,128 for Right of Way (ROW) Security;
 - 3. \$5,806,000 for ROTEM Reimbursement;
 - 4. \$13,074,000 for New TVM Purchase in Los Angeles County;
 - 5. \$475,000 for Capital Projects; and
 - 6. \$100,000 for one-time special events
- C. authorizing the Chief Executive Officer (CEO) to defer LACMTA’s share of SCRRA FY 2015-16 Renovation and Rehabilitation budget and extend the lapsing dates of expiring MOUs until the agreed upon cash flow and reconciliation of SCRRA’s Renovation and Rehabilitation program is provided to LACMTA or until September 30, 2015;
- D. the FY 2015-16 Transfers to Other Operators payment rate of \$1.10 per boarding to LACMTA and an EZ Pass reimbursement cap to LACMTA of \$5,592,000;
- E. authorizing the CEO to amend LACMTA’s Commuter Rail Program budget as described in the financial impact section of this report and to negotiate and execute all necessary agreements between LACMTA and the SCRRA for the approved funding; and

(Continued on next page)

(Item 6 – continued from previous page)

F. authorizing the CEO to amend LACMTA’s adopted budget to reflect the above recommendations.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| Y | Y | Y | Y | Y | Y | Y | A | Y | Y | Y | Y | A |

6.1. APPROVED UNDER RECONSIDERATION AS AMENDED **Antonovich, Knabe, Solis and Najarian Motion** that the Board directs the CEO to develop a policy on the use of Metrolink-dedicated sources of funding (Proposition C 10% and Measure R 3%) that embodies at minimum the following principles.

- A. The first priority for the use of these funding categories is for Metrolink core functions of operations, maintenance, safety and rehabilitation capital improvements, and State of Good Repair projects;
- B. All subordinate demands for these sources of funding shall not draw down funding from nor encumber debt upon these funding sources that are necessary to support the projected demands of Metrolink core functions unless sufficient capacity for future years can be demonstrated; and
- C. A quarterly written report shall be presented to the Board that reviews and tracks at minimum the project implementation timelines, cashflow, costs, and Life-of-Project budget for Metrolink (Los Angeles County) and Metro Regional Rail programs and projects.

FURTHER MOVE that the Board directs the CEO to work with Metrolink to identify projected Operating and Maintenance expenses over the next five Fiscal Years (through FY20), with a report back to the Board within 90 days.

ALSO MOVE that the Board (1) supports the staff recommendation for Item #6C to defer Metro’s share of the Metrolink FY16 Renovation and Rehabilitation budget and (2) directs the CEO to request from Metrolink within 30 days a full accounting of its Capital and State of Good Repair needs, including but not limited to the following:

- A. A current inventory and status of all New Capital, Capital Rehabilitation, and State of Good Repair projects, including at minimum the following elements:
 - 1. Year of original Metro fund allocation to these projects;
 - 2. Life-of-Project budgets;
 - 3. Project implementation timelines and progress to date;

(Continued on next page)

(Item 6.1 continued from previous page)

4. Percent completion of each project versus percent of funds spent;
 5. All unspent funds;
 6. Reasons for any delay in project implementation;
 7. Estimated cashflow requirements for each project over the next five Fiscal Years (through FY20);
- B. New projects expected over the next five Fiscal Years (through FY20); and
- C. An inventory of all currently unfunded State of Good Repair and safety improvement needs for the Metrolink system within Los Angeles County.

FURTHER MOVE that the Board directs the CEO to provide within 60 days a full accounting of all Regional Rail capital projects managed by Metro, including but not limited to the following elements:

- A. Life-of-Project budgets;
- B. Project implementation timelines;
- C. Cashflow needs;
- D. An accounting of all project delays and cost increases over the past three years; and
- E. A review of project scope for extraneous or deferrable elements to relieve demand upon Metrolink-eligible funding.

ALSO MOVE that the Board directs the CEO to develop within 120 days for the Board an ongoing short-range Metrolink program (Program) that plans out five years of funding commitments for Metrolink operations, maintenance, capital, and state of good repair.

- This Program will reconcile and prioritize the various demands on Metrolink-eligible funding and instill accountability and discipline for how Metro spends its Metrolink-eligible funding, with the possibility that Metro could provide multiyear funding commitments to Metrolink to reduce risk and costs for multiyear Metrolink programs and projects resulting from Metro's year-to-year annual budget process.

(Continued on next page)

(Item 6.1 continued from previous page)

FURTHER MOVE that the Board defer approving the inclusion and/or debt encumbrance of Proposition C 10% as a funding source for the 2015 Call for Projects, except for projects which have a clear and direct nexus to a current or planned Metrolink station as determined by the CEO, until which time the Program is completed and capacity for Proposition C 10% is determined to be available.

- Should such Proposition C 10% capacity not be available, the Board directs the CEO to provide an alternative funding plan, excluding funding eligible for Metrolink and Metro bus and rail operations, for projects that would no longer have Proposition C 10% available as a funding source.

AMENDMENT by Dupont-Walker to evaluate whether Metro or Metrolink should procure Architectural and Engineering contracts.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| Y | Y | Y | Y | Y | Y | Y | A | Y | Y | Y | Y | A |

7. ADOPTED ON CONSENT CALENDAR:

A. findings and recommendations for **allocating fiscal year (FY) 2015-16 Transportation Development Act (TDA) Article 8 funds estimated at \$23,988,324** as follows:

1. In the City of Avalon there are unmet transit needs that are reasonable to meet, and the City of Avalon will use \$146,632 of their Article 8 funds for their transit services. Therefore, TDA Article 8 funds will be used to meet the unmet transit needs;
2. In the Antelope Valley, which includes the Cities of Lancaster and Palmdale, and in the Los Angeles County Unincorporated areas of the Antelope Valley, transit needs are met using other funding sources, such as Proposition A and Proposition C Local Return. Therefore, TDA Article 8 funds in the amount of \$6,011,397 and \$5,852,688 (Lancaster and Palmdale, respectively), may be used for street and road purposes and/or transit, as long as long as their transit needs continue to be met;
3. In the Santa Clarita Valley, which includes the City of Santa Clarita and the Los Angeles County unincorporated areas of the Santa Clarita Valley, transit needs are met with other funding sources, such as Proposition A and Proposition C Local Return. Therefore, TDA Article 8 funds in the amount of \$7,863,268 for the City of Santa Clarita may be used for street and road and/or transit, as long as their transit needs continue to be met;

(Continued on next page)

(Item 7 - continued from previous page)

4. In the Los Angeles County Unincorporated areas of North County, the areas encompass both the Antelope Valley and the Santa Clarita Valley, transit needs are met with other funding sources, such as Proposition A and Proposition C Local Return. Therefore, TDA Article 8 funds in the amount of \$4,117,340 may be used for street and road purposes and/or transit, as long as their transit needs continue to be met; and
- B. a resolution making a determination of unmet public transportation needs in the areas of Los Angeles County outside the Metro service area.

8. APPROVED ON CONSENT CALENDAR:

A. **\$1.8 billion in FY2016 Transit Fund Allocations for Los Angeles County jurisdictions, transit operators and Metro Operations.** These allocations comply with federal and state regulations and LACMTA Board policies and guidelines:

1. Planning and Administrative allocations of Transportation Development Act (TDA), Proposition A, Proposition C and Measure R in the amount of \$70.4 million;
2. Bus Transit Subsidies of State and Local funds in the amount of \$939.5 million;
3. \$6.0 million for the continuation of the Tier 2 Operators Funding Program
4. Allocation of Federal Formula Grants in the amount of \$333.6 million.
5. Proposition A Incentive Programs in the amount of \$14.7 million.
6. Proposition A Local Return, Proposition C Local Return, Measure R Local Return, TDA Article 3 (Pedestrian and Bikeways) and TDA Article 8 (Street and Highways) for \$476.1 million.

B. authorizing the Chief Executive Officer to adjust FY2016 Federal Section 5307 (Urbanized Formula), Section 5339 (Bus and Bus Facilities) and Section 5337 (State of Good Repair) estimated allocations upon receipt of final apportionment from the Federal Transit Authority and amend FY2016 budget as necessary to reflect the aforementioned adjustment.

C. approving fund exchange in the amount of \$6 million of Santa Monica's Big Blue Bus' FY2016 Federal Section 5307 formula share allocation with Metro's TDA Article 4 allocation.

(Continued on next page)

(Item 8 - continued from previous page)

- D. approving fund exchange of Federal Section 5307 discretionary fund awarded to the Southern California Regional Transit Training Consortium (SCR TTC) through Long Beach Transit in the amount of \$250,000 with Metro's TDA Article 4 allocation.
- E. approving fund exchanges in the amount totaling \$10.7 million of Metro's share of Federal Section 5307 with municipal operators' shares of Federal Sections 5339 and 5337.
- F. adopting a resolution required by state law designating Transportation Development Act (TDA) and State Transit Assistance (STA) fund allocations in compliance to the terms and conditions of the allocation; and
- G. upon approval, authorizing the Chief Executive Officer to negotiate and execute all necessary agreements to implement the above funding programs.

9. ADOPTED ON CONSENT CALENDAR:

- A. the **proposed change to the Policy on Use of Interagency Transfers**;
- B. finding that the proposed policy change results in a Disparate Impact but there is substantial legitimate justification for the proposed change and there are no alternatives that would have a less disparate impact on minority riders; and
- C. the recommendation to distribute up to 1 million TAP cards free to bus riders purchasing transfers in advance of the effective date of the policy to address the underlying cause of the Disparate Impact finding (current TAP card possession).

14. APPROVED AS AMENDED:

- A. adopting the **Regional Bikeshare Implementation Plan for Los Angeles County** ("Plan").
- B. awarding a two-year firm fixed price Contract No. PS272680011357 (RFP No. PS11357), to Bicycle Transit Systems, Inc. (BTS) for the equipment, installation and operations of the Metro Countywide Bikeshare Phase 1 Pilot in the amount of \$11,065,673 contingent upon the execution of an MOU between the City of Los Angeles and Metro. Authorization of future phases will be presented for Board approval contingent upon successful completion and operation of the Phase 1 Pilot, and completion and operation of each subsequent phase, availability of funding and interest of participating communities.

(Continued on next page)

(Item 14 - continued from previous page)

C. authorizing the Chief Executive Officer (CEO) to take the following actions to implement the Metro Countywide Bikeshare Phase 1 Pilot in downtown Los Angeles ("Pilot"):

1. negotiating and executing a Memorandum of Understanding (MOU) between City of Los Angeles and Metro to set the terms of fiscal and administrative responsibility as described in the January 2015 Receive and File; and
2. amending the Fiscal Year 15/16 bikeshare project budget to include an additional \$2.64M for the capital and operating and maintenance costs of the Metro Countywide Bikeshare Phase 1 Pilot.

APPROVED Motion by Butts, DuBois, Knabe and Najarian as amended by Garcetti, Ridley-Thomas, Bonin and Solis that the Board approve the staff recommendations ~~contained in Section B and C~~ and proceed with the recommended Countywide Bikeshare Phase 1 Pilot.

~~Further move that the Board continue the adoption of the Regional Bikeshare Implementation Plan for Los Angeles County as described in Section A for a period of five (5) months as follows:—~~

Coordinate a monthly meeting, beginning in July 2015 with the cities of Long Beach, Santa Monica, Beverly Hills, West Hollywood, Culver City, Pasadena and City of Los Angeles in an effort to reconcile and incorporate the principles outlines below (and reflected in the letter from the city managers) for inclusion in the Regional Bikeshare Implementation Plan for Los Angeles County.

- A. Report back with an oral report to the Planning and Programming Committee on a monthly basis beginning in September 2015; and
- B. Return to the Board in the November/December 2015 cycle with a revised Regional Bikeshare Implementation Plan for Los Angeles County reflecting the progress towards resolution and incorporation of the principles described below:
 1. Recognize the right for cities to operate independently while still being part of a regional system. Cities need to be able to make choices that best fit their needs without being excluded from the option of participating in a regional system.
 2. Acknowledge that bike share systems are already being developed by several cities in collaboration with Metro, and facilitate those systems as part of a regional system, rather than being viewed as in competition with Metro, and without imposing a singular model.

(Continued on next page)

(Item 14 - continued from previous page)

3. Do not require cities currently receiving any grant funds for Bikeshare (such as Metro’s Call for Projects or operating subsidies) to use Metro’s chosen bicycle technology;
 - i. Allow cities the discretion to choose the most cost-effective and locally-appropriate technology between BTS/BCycle and CH/SoBi; two systems selected through a competitive process with vendor contracts executed prior to Metro’s NTP.

4. Recognize that cities must make sound business decisions in order to afford providing on-going bike share operations, even when fully committed to regional integration.
 - i. Allow cities to pursue other revenue sources and retain the option for primary sponsorship, and be identified with the regional system in an alternative way.
 - ii. Require revenue decisions, including membership and fare structures, to be established in a cooperative, fair and equal decision-making process with local cities. Recognize the need to coordinate with existing revenue structures.

5. Create a decision-making structure for day-to-day county wide bike share oversight and collaboration that represents all system owners, similar to governance structures established for Arlington, Virginia/D.C. bike share.

6. Accept Metro’s responsibility for collecting and sharing data from all system owners, and funding technology upgrades necessary to facilitate that sharing of information for the purposes of regional integration.

AMENDMENT by Ridley-Thomas to direct the CEO to assess the feasibility of including Exposition/Vermont Station as one of the hubs for the Metro Countywide Bikeshare.

AMENDMENT by Bonin to include Venice and Playa Vista as part of the Westside.

AMENDMENT by Solis to assess inclusion of Mariachi Plaza in Boyle Heights, Baldwin Park and other communities with a high number of bus riders and low income members, as well as local community colleges that are nearby.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| N | Y | Y | Y | Y | Y | Y | A | N | Y | Y | N | A |

15. APPROVED ON CONSENT CALENDAR:
- A. preliminary transportation modal category funding marks; and
 - B. fund estimate of \$199.4 million.
16. APPROVED AS AMENDED the four recommendations detailed that address the following improvements to the **Call for Projects (Call) process for future Calls beyond 2015:**
- A. Strengthen Subregional Partnership in Countywide Call Process;
 - B. Simplify and Improve the Call Process for Local Agencies;
 - C. Strengthen Focus on Greenhouse Gas Reductions; and
 - D. Maximize Funding Availability.

AMENDMENT by DuBois, Butts and Najarian to instruct staff to work on the following with the proposed subregional steering committee and other interested stakeholders:

- A. To continue addressing the use of subregional project allocations through a process that meets state and federal mandates. Build upon the transportation mobility matrix process underway for the LRTP update.
- B. Work with the Councils of Government to develop a viable subregional category that will encourage/facilitate coordination, collaboration and creation of multi-jurisdictional or programmatic projects that improve mobility.
- C. Report back to the Board every six months on the development changes to the CFP structure and processes.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
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17. APPROVED ON CONSENT CALENDAR:

- A. recertifying \$76.8 million in existing Fiscal Year (FY) 2015-16 commitments from previously approved **Countywide Calls for Projects** and authorizing the expenditure of funds to meet these commitments;
- B. deobligating \$29.1 million of previously approved Countywide Calls for Projects funding. Continue to prioritize 2015 and future deobligated dollars to fund as the first priority the three previously approved County of Los Angeles Signal Call projects: 1) San Gabriel Valley Traffic Signal Corridors Project (#F3308); 2) Gateway Cities Traffic Signal Corridors Phase VI Project (#F3309); and 3) South Bay Traffic Signal Corridors Project (#F3310) that were not near-term priorities per the 2011 Long Range Transportation Plan (LRTP) Transportation Improvement Program (TIP) Priority List, and the second priority, the City of Palmdale North County ITS - Palmdale Extension Project (#F7304);
- C. authorizing:
 - 1. The Chief Executive Officer (CEO) to: 1) Negotiate and execute all necessary agreements for approved projects; and 2) Amend the FY 2015-16 budget, as necessary, to include the 2015 Countywide Call for Projects Recertification and Extension funding in the Regional Programs' budget;
 - 2. Staff to amend the agreements with the County of Los Angeles to add the Mobile Source Air Pollution Reduction Review Committee (MSRC) grant funds for design of previously down scoped elements for three projects: 1) South Bay Forum Traffic Signal Corridors Project (#F1311); 2) Gateway Cities Forum Traffic Signal Corridors Project Phase V (#F1321), and 3) San Gabriel Valley Forum Traffic Signal Corridors Project (#F1321);
- D. approving changes to the scope of work for the City of Baldwin Park - Metrolink Parking Resource Demonstration Project (#F3712);
- E. reprogramming:
 - 1. \$47.1 million of previously approved Countywide Call for Projects funding, for those projects that applied for, but were not awarded funds through the State Active Transportation Program (ATP) according to Metro's policy for transitioning to the State ATP;

(Continued on next page)

(Item 17 - continued from previous page)

2. Funding for the 1) City of El Monte - El Monte Clean Fuel Bus Replacement Project (#F7420) from FY 2016-17 and FY 2017-18 to FY 2015-16; 2) City of Culver City - City of Culver City Network-Wide Signal Synchronization with Video and Arterial Performance Measurement System Project (#F7303) from FY 2014-15, FY 2015-16 and FY 2016-17 to FY 2016-17; 3) City of Downey - City of Downey Woodruff Ave Fiber-Optic Traffic Signal Communication Project (#F3304) from FY 2014-15 to FY 2016-17; 4) City of Los Angeles - Stocker/MLK Crenshaw Access to Expo LRT Station from FY 2013-14 and FY 2014-15 to FY 2015-16 and FY 2016-17; 5) Los Angeles County - ExperienceLA 3.0 - Mobility in the Cloud Project (#F7703) from FY 2015-16, FY 2016-17, FY 2017-18 and FY 2018-19 to FY 2015-16; 6) City of Monrovia - Huntington Drive Phase II Project (#8211) from FY 2011-12 to FY 2016-17; and 7) City of San Dimas - City of San Dimas Intersection Improvements on Bonita Ave at Cataract Ave (#F3307) from FY 2014-15 to FY 2017-18;

F. reallocating funds originally programmed to the City of Los Angeles for: 1) Figueroa Corridor Bike Station and Cycling Enhancements (#F3510); and 2) Expo Line Bike Hubs South Los Angeles (#F5523) to Metro towards the implementation of the Countywide Bikeshare Phase 1 Pilot in Downtown Los Angeles; and

G. receiving and filing time extensions for the 112 projects.

18. APPROVED ON CONSENT CALENDAR the **Wayfinding Signage Grant Pilot Program Guidelines**.

20. APPROVED AS AMENDED:

A. receiving the **Doran Street and Broadway/Brazil Safety and Access Project Study Report Equivalent (PSRE)**; and

B. adopting Locally Preferred Alternative (LPA) 2 from the PSRE to advance into the Final Environmental Document.

APPROVED Najarian Motion to amend Item 20 so that staff proceeds with the Alternative 2 environmental work with the following stipulations:

A. Staff to work with the City of Glendale and the City of Los Angeles on furthering this alternative;

(Continued on next page)

(Item 20 - continued from previous page)

B. Staff to examine the access to the area without the Fairmont Connector; and

C. Staff to report to the Metro Board periodically on progress in developing an alternative that meets the short term and long term goals of the region and local communities.

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21. APPROVED ON CONSENT CALENDAR amending the **Metro Gold Line Extension Phase 2A Funding Agreement** to increase funds for Phase 2B for environmental, engineering and preconstruction activities.

25. APPROVED awarding and executing a Firm Fixed Labor-Hour Contract No. AE275020011497 to Parsons Brinckerhoff (PB) for a three-year period for **ExpressLanes Program Management Support Services** for a total contract value not-to-exceed \$7,700,000.

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31. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute a Memorandum of Understanding with the Los Angeles Trade Technical College for FY16 - FY18 to provide continuation services in support of the **Rail Technical Training and Rail Apprentice Programs**, for up to \$500,000 each year for a total value of \$1,500,000 to support Rail Technical Training for Metro's workforce.

32. APPROVED ON CONSENT CALENDAR the nominees for **membership on Metro's San Fernando Valley, San Gabriel Valley, South Bay, and Westside Central Service Councils**.

33. RECEIVED AND FILED report responding to **Motion 21: Bus Rapid Transit Service - Silver Line**, brought forward at the February 2015 System Safety, Security and Operations Committee.

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43. APPROVED UNDER RECONSIDERATION authorizing the Chief Executive Officer to execute Change Order 195.00 to Contract No. C0882, with **Kiewit Infrastructure West Company, for settlement of Claim No.115 for the Additional Work for the Preparation of Fact Sheet Exceptions for Mandatory and Advisory Design Standards**, in the Agreed to amount of \$1,550,000, increasing the total contract value from \$911,755,372 to \$913,305,372. Requested funds are within the Life-of-Project budget.

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50. RECEIVED AND FILED status report on **response to Board Motion No. 8: MTA Ridership** (March 19, 2015) to develop an Action Plan to increase Metro ridership.

APPROVED **Garcetti Motion as amended by DuBois** that the Board instruct the CEO to:

- A. implement the Immediate Action Plan within existing budget resources as described by the Ridership Initiatives staff report, including but not limited to beginning implementation of a frequent bus network based on the Strategic Bus Network Plan currently under development;
- B. complement the opening of the Expo Phase 2 and Gold Line Foothill Phase 2A rail lines, develop a bus service integration plan that takes advantage of new rail service and work with municipal operators located along those new extensions.
- C. continue with further evaluation of cost, benefit, and implementation of Other Ridership Increase Strategies as described by the Ridership Initiatives staff report.
- D. include the following additional programs in the study of Other Ridership Increase Strategies:
 - 1. A list of bus service bottlenecks that would benefit from strategically-placed bus-only facilities
 - 2. A specific plan to improve the accuracy and reliability and expand placement of real-time arrival countdown clocks at rail stations and high-volume bus stops
 - 3. A revenue-neutral residential TAP purchase program similar to the Denver Regional Transportation District's Neighborhood EcoPass program

(Continued on next page)

(Item 50 - continued from previous page)

- 4. A customer loyalty reward program such as the Montreal *Merci*, Singapore *Travel Smart Rewards*, or Minneapolis-St. Paul *Ride to Rewards* programs

- E. Report to the Board with a quarterly Ridership and Customer Service Initiatives Report beginning in September 2015.

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52. APPROVED **Garcetti Motion** that the Board instruct the CEO to:

- A. Reduce all potable water use by 20% by 2017 using 2015 as the benchmark.
- B. Restrict irrigation using potable water to no more than two days per week. Facilities will be required to post their watering schedules. Drip Irrigation systems are exempt.
- C. Remove or limit ornamental turf to reduce water consumption.
 - 1. Initiate a turf removal program using all available rebates.
 - 2. Replace landscaped areas with drought tolerant or California native plants during the renovation of existing facilities.
 - 3. Where possible, limit potable water use to plant establishment.
- D. Within 90 days, report back on the status of all 15 water conservation strategies outlined in MTA's 2010 Water Action Plan and an accelerated implementation plan that identifies additional water conservation efforts that can be implemented since the Plan's adoption.
- E. By October 2015, MTA will disclose, via a public database, water use at all MTA facilities. The database is to be updated with each facility's water billing cycle. This data shall be integrated into the agency's Environmental Management System (EMS) training efforts.
- F. MTA shall install water sub meters at all facilities to understand and track water consumption for individual operations.
- G. MTA shall educate the public on water conservation measures via websites and other exiting information outlets.

(Continued on next page)

(Item 52 - continued from previous page)

- H. Identify funding opportunities and collaborate with local and state agencies to implement water-related projects including groundwater re-charge, low impact development, reuse of industrial wastewater, construction of recycling and water reuse facilities, and similar infrastructure.
- I. Report back to the Board within one year on the agency’s resiliency to maintain service and reliability in light of diminishing water supplies and limited resources; and MTA’s progress on the development and implementation of alternative technologies, procedures, and design innovations to reduce potable water use in all of the agency’s activities.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
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53. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer (CEO) to **negotiate salaries within the pay range** for the following positions:

- A. Chief Operations Officer, pay grade CC
(\$215,987 - \$265,907 - \$315,868)
- B. Chief Communications Officer, pay grade BB
(\$161,616 - \$202,030 - \$242,424)

61. APPROVED ON CONSENT CALENDAR:

- A. receiving and filing **response to Motion by Director James Butts**; and
- B. directing the CEO to pursue in the 2016 State Legislative Session legislation that would clarify the status of Transit Security Officers and their authority.

62. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute Modification No. 12 to Contract No. PS2610LASD with the **County of Los Angeles Sheriff’s Department (LASD) to provide law enforcement services** for up to twelve (12) months for the period covering July 1, 2015 through June 30, 2016 in the amount of \$102,851,600, thereby increasing the total contract value from \$466,719,113 to \$569,570,713.

64. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to enter into a joint partnership agreement between the Los Angeles County Metropolitan Transportation Authority and the **2015 Special Olympics (World Games)**.

65. ADOPTED ON CONSENT CALENDAR the following positions:
- A. **H.R. 2485 (Torres)** - Regional Infrastructure Accelerator Act of 2015
SUPPORT
 - B. **H.R. 2495 (Waters)** - TIGER Grants for Job Creation Act -
SUPPORT
 - C. **H.R. 2410 (DeFazio)** - Grow America Act - **SUPPORT**
66. ADOPTED ON CONSENT CALENDAR the following positions:
- A. **SB 350 (De Leon)** - Golden State Standards - **SUPPORT**
 - B. **SB 32 (Pavley)** - Green House Gas Emissions - **SUPPORT**
 - C. **AB 338 (Hernandez)** - Sales Tax Measure - **OPPOSE**
67. **WITHDRAWN:** ~~AUTHORIZING the Chief Executive Officer to execute a cost-plus-fixed-fee Contract No. PS2415-3412 with STV, Inc. for the Brighton to Roxford Double Track Project in the amount of \$12,500,000 \$13,594,016, inclusive of all design phases. This contract is for three years.~~
68. RECEIVED update on **State of California Special Session on Infrastructure.**
- APPROVED **Motion by Garcetti, Antonovich, Ridley-Thomas and Krekorian** directing the CEO to:
- A. Amend the 2015 State Legislative Program to seek legislation which would authorize MTA to access private capital and resources to advance/accelerate infrastructure projects.
 - B. Pursue and seek legislation for Public Private Partnership authority in the first extraordinary session of the State Legislature.
 - C. Report back to the July 2015 Board with an update on the above and provide any guidance in order for the MTA to gain P3 authority.

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69. ELECTED UNDER RECONSIDERATION **Board Officers:**

Chair: Mark Ridley-Thomas
 1st Vice Chair: John Fasana
 2nd Vice Chair: Eric Garcetti

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70. **CLOSED SESSION:**

A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1):

1. 515/555 Flower Associates, LLC v. LACMTA, LASC Case No. BS137371

NO REPORT.

2. Edward Tabin, et al. v. LACMTA, et al., LASC Case No. TC026910

APPROVED settlement of \$4.5 million.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
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3. Kiewit Infrastructure West Co. f/k/a Kiewit Pacific Company v. LACMTA, LASC Case No. BC545331

NO REPORT.

4. City of Beverly Hills v. LACMTA, Second District Court of Appeal, Case No. B25660; and Beverly Hills Unified School District v. LACMTA, Second District Court of Appeal, Case No. B256753

NO REPORT.

B. Conference with Labor Negotiator - G.C. 54957.6:

Agency Designated Representative: Don Ott or designee
 Employee Organizations: SMART, ATU, TCU, AFSCME and Teamsters

NO REPORT.

ADJOURNED at 1:46 p.m. in Memory of Goldy Norton.

Prepared by: Collette Langston
 Board Specialist

 Michele Jackson, Board Secretary



Board Report

File #: 2015-0877, File Type: Plan

Agenda Number: 21.

PLANNING AND PROGRAMMING COMMITTEE JULY 15, 2015

**SUBJECT: COORDINATED PUBLIC TRANSIT-HUMAN SERVICES
TRANSPORTATION PLAN FOR LOS ANGELES COUNTY**

ACTION: ADOPT COORDINATED PLAN FOR LOS ANGELES COUNTY

RECOMMENDATION

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) adopting the locally developed **2016-2019 Coordinated Public Transit-Human Services Transportation Plan** for Los Angeles County (see Attachment A for Executive Summary) to comply with the requirements of the federal Moving Ahead for Progress in the 21st Century Act (MAP-21).

ISSUE

Metro is the Designated Recipient of Federal Transit Administration (FTA) Section 5310 funds in urbanized areas of Los Angeles County (about \$6.9 million per year) and is responsible for the planning, programming, distribution, and management of these funds. To fulfill Designated Recipient obligations required by FTA, including awarding Section 5310 funds for eligible projects, the locally developed 2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County ("Coordinated Plan") must be adopted. It will update and replace the 2008 Coordinated Plan that was approved by the Board as required by MAP-21.

POLICY IMPLICATIONS

The adoption of the Coordinated Plan by the Board would allow complying with FTA guidance requiring that such plans be developed and approved through a process that included participation by seniors and individuals with disabilities, representatives of public, private, and nonprofit transportation and human service providers, and other members of the public. By adopting the Coordinated Plan as recommended, Metro will be able to certify that projects recommended for Section 5310 funding are included in the adopted Coordinated Plan to be eligible for a grant award by FTA.

DISCUSSION

In January 2012, the Board approved the staff recommendation to update the 2008 Coordinated Plan. This task was delayed due to the uncertainty in the reauthorization of federal funding legislation

and FTA guidance (including Designated Recipient responsibilities). In July 2013, staff informed the Board of changes to federal transit formula programs as authorized by Congress in MAP-21, including the new Section 5310 Program. The goal of the Section 5310 Program is to improve mobility for seniors and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the transportation mobility options available to them.

The Board subsequently approved pursuing Designated Recipient status for Section 5310 funds allocated to Los Angeles County for the Los Angeles-Long Beach-Anaheim, Lancaster-Palmdale, and the Santa Clarita Urbanized Areas (UZAs). On April 23, 2014, the Governor authorized Metro to be the Designated Recipient of Section 5310 funds for these UZAs, following our request for such designation. The goal of seeking this designation was to ensure that Los Angeles County would receive and have control over its formula share of Section 5310 funds and to allow Metro to select projects that would better address local and regional needs.

With FTA's publication of its final guidance for the Section 5310 Program in June 2014, staff consulted with Metro's Bus Operations Subcommittee (BOS), Local Transit Systems Subcommittee (LTSS), and Accessibility Advisory Committee (AAC) about: 1) determining which agency has the lead for the outreach and development of the Coordinated Plan; and 2) specifying the areas to be covered. As a result, Metro was confirmed to be lead agency responsible for the outreach and development of the Coordinated Plan. It was also agreed that the Coordinated Plan would cover all areas in Los Angeles County, including nonurbanized areas for which the California Department of Transportation is the Designated Recipient of Section 5310 funds apportioned by FTA for these areas in the state. Professional services were procured to assist staff with the extensive public outreach and overall development of the Coordinated Plan.

The Coordinated Plan

The Coordinated Plan was developed by taking into consideration planning assumptions consistent with those assumed in the development of other planning documents for Los Angeles County, including Metro's Long Range Transportation Plan and the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) of the Southern California Association of Governments (SCAG). In addition, the development of the Coordinated Plan also considered existing documentation relevant to the target populations of the Coordinated Plan (i.e., seniors, individuals with disabilities, veterans, and persons of low-income) from Metro, SCAG, Access Services, local governments and nonprofit organizations. Several activities were conducted countywide to comply with the federal requirement that the Coordinated Plan be developed and approved through a process that included participation by seniors and individuals with disabilities, representatives of public, private, and nonprofit transportation and human service providers, and other members of the public. Among these activities are the following:

- Developed a database of 6,300 stakeholder agencies, which were informed of the opportunities to participate in the development and approval of the Coordinated Plan and asked to share the information with the members of the public they serve.
- Conducted nine Stakeholder Forums, with active participation by 87 stakeholders, followed by some one-to-one interviews with some of the major stakeholders.
- Conducted ten Consumer Focus Groups that overall comprised 146 participants.

-
- Developed a survey that was sent electronically and by regular mail to 6,300 agencies to assess the services they currently provide, as well as their needs and potential strategies to address such needs, and their priorities for funding and implementation through 2019.
 - Conducted a Prioritization Workshop with participation of representatives from 45 agencies involved with the target populations of the Coordinated Plan.
 - Presented to Metro's TAC, BOS, LTSS, AAC, Service Councils, and General Managers.
 - Conducted eight public hearings and allowed a 30-day public comment period for the Draft Coordinated Plan.

The Coordinated Plan that is presented to the Board for adoption addresses all comments received at the public hearings and during the 30-day public comment period that lasted through June 12, 2015. In general, the comments that were received were positive. In summary, the Coordinated Plan:

- Identifies transportation providers and services available to the target populations;
- Identifies the transportation needs of individuals with disabilities, seniors, veterans and people with low incomes;
- Identifies strategies for meeting those needs; and
- Prioritizes transportation strategies for funding and implementation.

The Coordinated Plan maximizes the collective coverage of projects and services funded by the Section 5310 Program by minimizing duplication through the assessment and incorporation of activities offered under other programs sponsored by federal, state, and local agencies while ensuring that participation in coordinated service delivery will continue to meet the purposes of all programs. It identifies five goals and prioritizes 38 regional and Subregional strategies to meet them (as detailed in Attachment A). The five goals are the following:

1. Fund Mobility Options: Sustain, fund, and continue to expand the rich array of public, human services and private transportation services available in Los Angeles County.
2. Address Mobility Gaps: Improve coordination between public transportation and human services transportation to address identified mobility gaps.
3. Provide Support Services: Provide necessary support services to enable access to public and human service transportation services by older adult, disability, low income and veteran populations.
4. Promote and Improve Information Portals: Promote, improve and expand multi-lingual information portals on mobility options.
5. Enhance Accountable Performance Monitoring Systems: Build upon customer feedback and accountable performance monitoring system to ensure that responsive, high quality service is maintained.

DETERMINATION OF SAFETY IMPACT

Approval of the recommendation will have no impact on safety.

FINANCIAL IMPACT

Approval of the Coordinated Public Transit-Human Services Transportation Plan for Los Angeles

County will allow Metro to fulfill its Designated Recipient obligations, including securing FTA's approval of Section 5310 grant awards for eligible projects approved for funding by the Board. Designated Recipients can use Section 5310 funds to administer the program. The funding is included in the FY16 Budget in Cost Center 4440, Project Number 500005. No additional Metro funding will be required to administer the Coordinated Plan.

Impact to Budget

Administration of the Coordinated Plan is funded by federal Section 5310 administration funds that are only eligible for this purpose. Therefore, approving the recommended action will not impact Metro's bus and rail operating and capital budgets, as Section 5310 Program administration funds are not eligible for these purposes.

ALTERNATIVES CONSIDERED

The Board may choose not to approve the Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County. Staff does not recommend this alternative because without Board approval, Metro cannot fulfill its responsibilities as the Designated Recipient of Section 5310 Program funds, including securing FTA's approval of Section 5310 grant awards for eligible projects approved for funding by the Board. Metro would risk losing about \$7 million per year in federal funding for transportation programs and services for seniors and individuals with disabilities and projects approved by the Board for funding will not be implemented.

NEXT STEPS

With Board adoption, we will file the Coordinated Plan with the FTA as applicable. This plan will be used to support Section 5310 Program funding awards.

ATTACHMENTS

Attachment A - Executive Summary of the Coordinated Plan

Prepared by: Ashad Hamideh, Director, (213) 922-4299
Cosette Stark, Deputy Executive Officer, (213) 922-2822

Reviewed by: Martha Welborne, Chief Planning Officer, (213) 922-7267



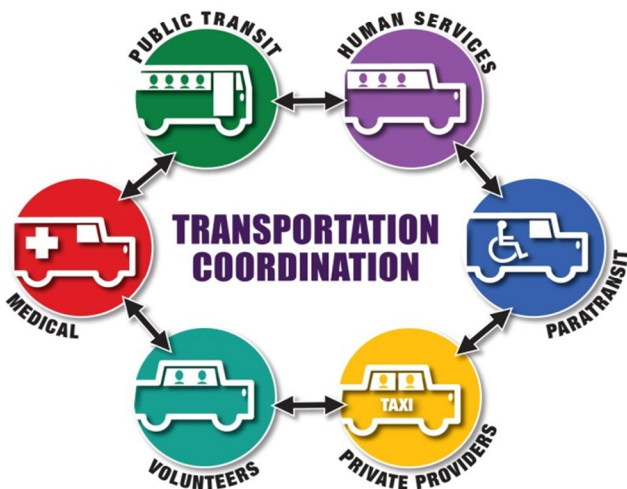
Phillip A. Washington
Chief Executive Officer



Metro™

2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County

EXECUTIVE SUMMARY



July 2015

The 2016-2019 Coordinated Plan could not have been developed without the thoughtful input of many persons. These included individual consumers and personnel of public transit providers and human service agencies, of private sector and public agency representatives, as well as elected officials. This document is stronger because each of these persons took the time to consider the issues, report their experience and comment through the development and approval process.

Consulting Team

*AMMA Transit Planning
Transit Marketing, LLC
Mobility Planners, LLC
Ellen Blackman Consulting
GIS Workshop*

2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County

| | |
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2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County

1.0 Background

The Los Angeles County Metropolitan Transportation Authority (Metro) is the State of California designated Regional Transportation Planning Agency (RTPA) for Los Angeles County. As such, Metro is responsible for planning and programming in Los Angeles County. Metro also operates the third largest public transportation system in the United States with over 2,000 peak hour buses and nearly 88 miles of rail service within its service area of about 1,433 square miles. As the RTPA, the agency is responsible for developing and overseeing transportation plans, policies, funding programs and both short-term and long-range solutions that address the increasing mobility, accessibility and environmental needs of Los Angeles County.

Per the authority delegated by the Governor of the State of California in April 2014, Metro is the Designated Recipient of federal funds (about \$7 million per year) allocated to three large urbanized areas (UZAs) within Los Angeles County from the federal Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program. The Section 5310 Program was authorized in 2012 by the Moving Ahead for Progress in the 21st Century Act (MAP-21). The California Department of Transportation (Caltrans) is the Designated Recipient of Section 5310 funds apportioned to California for small UZAs and nonurbanized areas (including those in Los Angeles County). The goal of the Section 5310 Program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding the availability of transportation mobility options. Section 5310 funds are available for capital and operating expenses, including those that exceed the requirements of the Americans with Disabilities Act of 1990 (ADA). A detailed description of the Section 5310 Program is included in the guidance published by the Federal Transit Administration (FTA) in June 2014 (Circular 9070.1G). As determined by the U.S. 2010 Census: i) large UZAs comprise at least 200,000 people; ii) small UZAs have populations between 50,000 and less than 200,000 people; and iii) nonurbanized areas (all other areas in a state) have less than 50,000 people.

Metro is also the Designated Recipient of federal funds (about \$10.7 million per year) allocated during the period 2006-2012 to two large UZAs within Los Angeles County from the federal Section 5316 Job Access and Reverse Commute (JARC) Program and the federal Section 5317 New Freedom Program. These two programs were authorized in 2005 by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). As authorized, the goal of the JARC Program is to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities. Similarly, the goal of the New Freedom Program is to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond ADA requirements.

MAP-21 repealed the New Freedom Program and merged previously eligible activities into the Section 5310 Program. MAP-21 also repealed the JARC Program and merged previously eligible activities into the Section 5307 Urbanized Area Formula Grant Program and the Section 5311 Formula Grants for Rural Areas Program.

2.0 Objectives

MAP-21 requires that projects selected for Section 5310 funding awards be included in a locally developed, coordinated public transit-human services transportation plan (“Coordinated Plan”). It also requires a Coordinated Plan to be developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private and nonprofit transportation and human services providers, and other members of the public (e.g., veterans, persons of low-income, etc.).

FTA maintains flexibility in how projects appear in a Coordination Plan. Accordingly, projects may be identified as strategies, activities, and/or specific projects addressing an identified service gap or transportation coordination objective articulated and prioritized within the plan. MAP-21 also requires, to the maximum extent feasible, that funded services be coordinated with transportation services assisted by other federal departments and agencies. MAP-21 also requires updating an approved Coordinated Plan every four years in air quality nonattainment areas, such as those comprised within Los Angeles County. Due to changes in MAP-21 compared to SAFETEA-LU, the Coordinated Plan for Los Angeles County that was adopted by the Metro Board of Directors in 2008 (“2008 Coordinated Plan”) cannot be used to comply with federal requirements and needs to be updated. The updated Coordinated Plan for Los Angeles County covers the four-year period during 2016-2019 (“2016-2019 Coordinated Plan”). It comprises all urbanized and nonurbanized areas in Los Angeles County, as shown in Exhibit 1.

The 2016-2019 Coordinated Plan will allow:

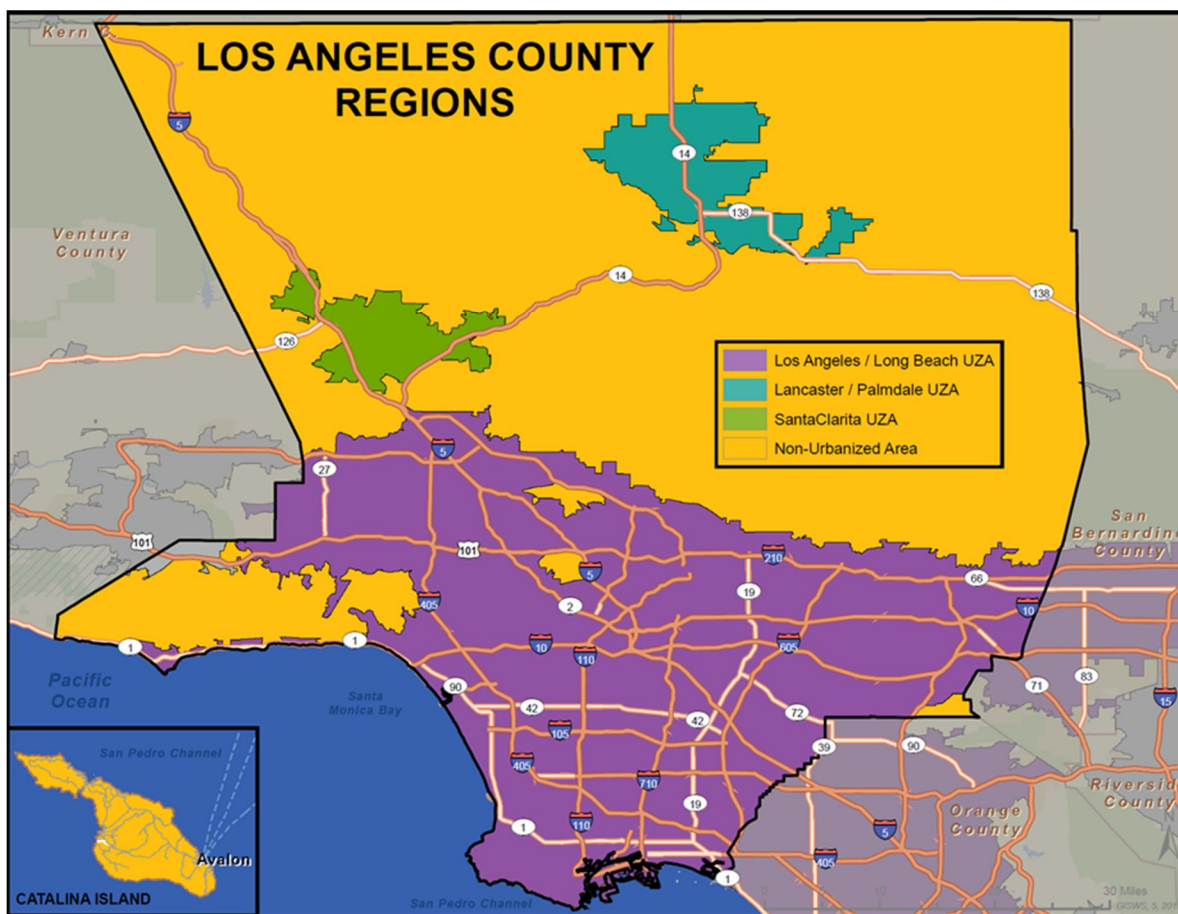
- Metro to fulfill its responsibilities as the Designated Recipient of federal funds;
- FTA to make grant awards to projects selected for funding by Metro;
- Metro’s subgrantees to implement their projects;
- Individuals with disabilities, seniors, people with low incomes, and military veterans (“Target Populations”) to benefit from enhanced mobility;
- Transit and human services agencies to better coordinate transportation services; and
- Stakeholders to pursue other federal, state and local funding sources to address the mobility needs of the Target Populations.

3.0 Funding

MAP-21 authorized funds for the Section 5310 Program for federal fiscal year (FFY) 2013 and FFY2014 for a combined total of about \$13.9 million allocated to urbanized areas located within Los Angeles County as follows: about \$13.2 million to areas in Los Angeles County within the Los Angeles-Long

Beach-Anaheim UZA, about \$0.4 million to the Lancaster-Palmdale UZA, and about \$0.3 million to the Santa Clarita UZA. The funds are allocated based on the number of seniors and individuals with disabilities in large urbanized areas. The funding that is available for large UZAs in Los Angeles County represents about 32% of all Section 5310 funds apportioned to large UZAs in California and about 24% of all Section 5310 apportioned to all areas in the state (including small UZAs and nonurbanized areas). Short-term extensions of MAP-21 partially funded the Section 5310 Program in FFY2015 at the same funding level authorized for FFY2014. It is anticipated that any additional short-term extension(s) of MAP-21 or new long-term federal reauthorizing legislation would: i) fund the Section 5310 Program at about the same annual funding level authorized by MAP-21; and ii) continue to require that projects selected for Section 5310 funding awards are included in a Coordinated Plan, while maintaining the flexibility in how projects appear (i.e., strategies, activities, and/or specific projects).

Exhibit 1: Los Angeles County Urbanized and Nonurbanized Areas



In November 2014, the Metro Board of Directors approved the process for allocating Section 5310 funds for which Metro is the Designated Recipient, which consists of: i) funding for projects selected competitively (including the application package for the 2015 Solicitation for Proposals); ii) funding for Access Services to support complementary paratransit services required by the ADA; and iii) funding for Metro (5% of total allocations) to support administrative costs (including administration, planning, and technical assistance) to fulfill its responsibilities as the Designated Recipient of Section 5310 funds

allocated to large UZAs in Los Angeles County. Due to Metro's status as the Designated Recipient of Section 5310 funds allocated to large urbanized areas within Los Angeles County, the Metro Board of Directors has now the authority to select projects for a funding award from the FTA. The California Transportation Commission (CTC), as recommended by Caltrans, will continue to have the authority to select projects for a funding award in small UZAs and nonurbanized areas following a statewide competitive selection process. As authorized by SAFETEA-LU, Caltrans administered the Section 5310 Program for all areas in the state (large UZAs, small UZAs, and nonurbanized areas). Caltrans followed a competitive process to recommend projects for a funding award to the CTC. The Metro Board of Directors was not involved in the approval process. During the period 2006-2012, only 12% (about \$10.4 million) of the total funding awards approved by the CTC were for projects in Los Angeles County. This funding share represents less than half of Los Angeles County's share of the total population of California, as well as of the number of seniors and persons with disabilities in the state. Per the U.S. 2010 Census, Los Angeles County does not have small UZAs, but it does include nonurbanized areas. The 2016-2019 Coordinated Plan comprises nonurbanized areas in Los Angeles County to allow Metro (as the RTPA for Los Angeles County) to verify and provide a certification to potential applicants submitting funding proposals to Caltrans/CTC that their projects are included in this plan.

Additional funding may become available to Los Angeles County through federal legislation reauthorizing the JARC and/or New Freedom programs or authorizing new programs to address the transportation needs of the Target Populations. It is also anticipated that federal law and FTA guidance applicable to these programs will require that projects selected for funding awards are included in a Coordinated Plan, while maintaining the flexibility in how projects appear (i.e., strategies, activities, and/or specific projects). The 2016-2019 Coordinated Plan will also be used to support the award of about \$5.8 million in JARC funds and about \$0.6 million in New Freedom funds authorized by SAFETEA-LU for eligible projects in Los Angeles County within the Los Angeles-Long Beach-Anaheim UZA.

4.0 Development and Approval Process

The 2016-2019 Coordinated Plan was developed in compliance with federal requirements and consistent with the applicable planning process. It was developed and approved through a process that included participation by seniors, individuals with disabilities, people with low incomes, military veterans, other members of the public, and representatives of public, private, nonprofit transportation and human service providers. After FTA's publication of its final guidance for the Section 5310 Program in June 2014, Metro consulted with agencies represented at the Bus Operations Subcommittee (BOS), Local Transit Systems Subcommittee (LTSS), and Accessibility Advisory Committee (AAC) about: i) determining which agency has the lead for the outreach and development of the 2016-2019 Coordinated Plan; and ii) specifying the areas to be covered in this plan. As a result of the inter-agency consultation process, Metro received support to its initiative to be the lead agency responsible for the outreach and development of the 2016-2019 Coordinated Plan. It was also agreed that this plan would cover all areas in Los Angeles County, including nonurbanized areas for which Caltrans is the Designated Recipient of Section 5310 funds apportioned by FTA.

The 2016-2019 Coordinated Plan was developed by Metro with assistance provided by AMMA Transit Planning and its subcontractors, including conducting extensive outreach to comply with FTA requirements and applicable metropolitan and statewide planning public participation and stakeholder consultation provisions. It was developed by taking into consideration relevant planning documents, including: i) Metro's 2009 Long Range Transportation Plan (2009 LRTP) and 2014 Short Range Transportation Plan (2014 SRTP); and ii) the 2012 Regional Transportation Plan/Sustainable Communities Strategy (2012 RTP/SCS) of the Southern California Association of Governments (SCAG), the Metropolitan Planning Organization for the six-county region that includes Los Angeles County. The development of the 2016-2019 Coordinated Plan also considered existing documentation relevant to its Target Populations from Access Services, local governments and nonprofit organizations, as well as from Metro and SCAG.

Several activities were conducted countywide to comply with federal requirements and Metro's public involvement process, as well as to support the analysis. Due to the large geographical area of Los Angeles County, and with the objective to promote the coordination of transportation services to address the mobility needs of the Target Populations, outreach and other activities supporting the analysis were conducted to ensure coverage of the five regions represented by Metro's five Service Councils: San Fernando Valley, San Gabriel Valley, Gateway Cities, South Bay, and Westside/Central. This approach was followed due to the relevance of the objective of the Metro Service Councils (i.e., improve bus service and promote service coordination with municipal and local transit providers) with one of the objectives of the 2016-2019 Coordinated Plan (i.e., improve coordination of transportation services provided by transit and human services agencies). Other areas of Los Angeles County were analyzed at the urbanized/ nonurbanized area level (i.e., Santa Clarita UZA, Lancaster-Palmdale UZA, and nonurbanized areas).

The following is a listing of the main activities that were conducted as part of the development and approval process of the 2016-2019 Coordinated Plan:

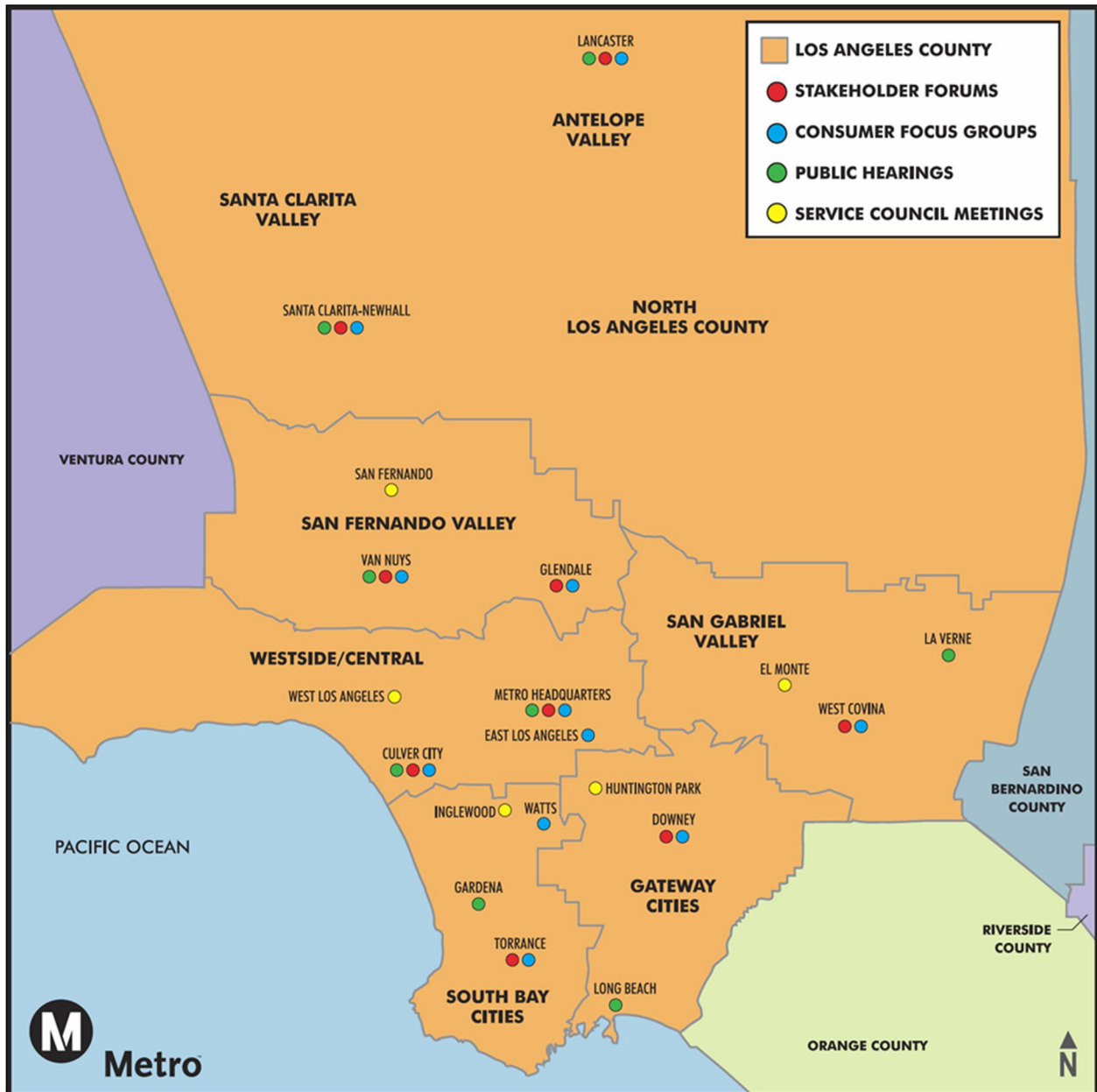
- Developed a database consisting of 6,300 unique stakeholder agencies contacts of either physical addresses or email addresses built from email contact lists provided by 211 LA County.
- Organized nine Stakeholder Forums with participation of representatives from 87 agencies and organizations, which were preceded by extensive recruitment that included contacting about 1,800 persons by telephone and email.
- Conducted one-to-one interviews with representatives from six major stakeholders.
- Conducted ten Consumer Focus Group meetings involving 146 consumers who were recruited through agency stakeholders.
- Developed an Agency Survey that was sent electronically and by regular mail to 6,300 agencies to assess the services they currently provide, as well as their client's needs and potential strategies to address such needs, and their priorities for funding and implementation through 2019.
- Conducted a Prioritization Workshop with participation by representatives of 45 agencies, which was preceded by active recruitment to ensure representation of the Target Populations.
- Analyzed population demographics of the Target Populations and developed travel demand projections through 2019.

- Conducted outreach targeted to military veterans through the LA Veterans Collaborative, a presentation to the Los Angeles County Veterans Advisory Commission, and distribution of the Agency Survey through the Los Angeles Chapter of the National Veterans Foundation.
- Reviewed sixteen studies, plans and documents of relevance to the Target Populations.
- Developed a framework of five goals and thirty-eight priority strategies that were prioritized for implementation to address identified mobility needs and gaps for the Target Populations.
- Presented the Draft 2016-2019 Coordinated Plan to Metro’s Technical Advisory Committee (TAC), BOS, LTSS, AAC, Service Councils, and at the General Managers meeting.
- Conducted eight public hearings and circulated the Draft 2016-2019 Coordinated Plan for a 30-day public review and comment period, inviting comments to be submitted at the public hearings, through the plan’s website, by email, or by regular mail.
- Presented an overview of the Draft 2016-2019 Coordinated Plan at public hearings.
- Published the Notice of Public Hearings for the Draft 2016-2019 Coordinated Plan in two major local newspapers (in English and Spanish).
- Provided the Notice of Public Hearings in English and in Spanish to 156 libraries across Los Angeles County as an additional tool to inform the general public and stakeholders of the availability of the Draft 2016-2019 Coordinated Plan and the opportunity to provide comments.
- Provided a hard copy of the Draft 2016-2019 Coordinated Plan to sixteen major libraries and community-based agencies to make it available to the general public and informed libraries of the possibility to obtain a hard copy of the plan upon request.
- Ensured that all meetings and public hearings were held at facilities that were ADA accessible, in addition to being accessible by transit.
- Provided the opportunity to request accessible formatted copies of the Draft 2016-2019 Coordinated Plan.
- Provided Spanish translation at all ten Consumer Focus Group meetings and all eight public hearings.
- Provided the opportunity for translation to additional languages (other than Spanish) and for special ADA accommodations upon request at least 72 hours in advance of any scheduled meeting or public hearing.
- Addressed public comments received through the public involvement and outreach process, including those submitted during the 30-day public review and comment period.

Exhibit 2 shows the distribution of public involvement and outreach activities conducted throughout Los Angeles County in each one of Metro’s Service Council subregions and in the North Los Angeles County Region, which includes the Lancaster-Palmdale and Santa Clarita UZAs and nonurbanized areas.

In culmination of the development and approval process, the 2016-2019 Coordinated Plan was presented for adoption to Metro’s Planning and Programming Committee and to the Metro Board of Directors in July 2015. The Metro Board of Directors that was presented with the 2016-2019 Coordinated Plan for adoption was comprised of: four City of Los Angeles representatives, five Los Angeles County Supervisors, four members representing the other 87 cities in Los Angeles County, and the Director of Caltrans District 7 (non-voting member appointed by the Governor of California).

Exhibit 2: Public Involvement and Outreach Activities



5.0 Elements

In compliance with FTA guidance, the 2016-2019 Coordinated Plan includes the following four elements:

- An assessment of available transportation services that identifies current providers (public, private, and nonprofit) for the Target Populations;
- An assessment of transportation needs for the Target Populations;
- Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service delivery; and

- Priorities for implementation based on resources (from multiple program sources), time, and feasibility for implementing specific strategies and/or activities identified.

The development of these four elements was based on: i) the analysis of socio-economic and demographic data, including U.S. Census data and that from local/regional sources; ii) input received through the Agency Survey; iii) input received from agencies that were represented at the Stakeholder Forums and Prioritization Workshop; iv) input received from members of the public who participated at the Consumer Focus Groups; v) input received from agencies and members of the public during the 30-day review and comment period and at public hearings; vi) input from agencies represented at Metro's Service Councils, TAC, BOS, LTSS, AAC, and General Managers meeting; vii) the analysis of transit service data from National Transit Database (NTD) and of data used by FTA in the apportionment formulas for several of its programs (including the Section 5310 Program); viii) the use of 211 LA County's database of human services agencies and transit providers; ix) the use of Access Services' database of service providers that was developed as part of the 2014 Social Services Transportation Inventory and Survey; x) the analysis of Section 5310 projects funded by Caltrans during the period 2006-2012, as well as of JARC and New Freedom projects funded by Metro during the period 2007-2014; and xi) the review of sixteen studies, plans and documents of relevance to the Target Populations of the 2016-2016 Coordinated Plan.

5.1 Socio-economic and Demographic Analysis

Los Angeles County is a diverse region that is home to about 10 million people living in 88 incorporated cities as well as the unincorporated areas. It comprises a land area of about 4,058 square miles of which about 35% is urbanized. Per U.S. 2010 Census data (which reported about 9.82 million people living in Los Angeles County in 2010), about 9.72 million people live in the three large UZAs comprised within Los Angeles County, distributed as follows: i) about 9.12 million people live on an area of about 1,227 square miles within the Los Angeles-Long Beach-Anaheim UZA; ii) about 0.34 million people live on an area of about 116 square miles within the Lancaster-Palmdale UZA; iii) about 0.26 million people live on an area of about 77 square miles within the Santa Clarita UZA . The rest of the population of Los Angeles County lives in nonurbanized areas. Nonurbanized (including rural areas) are mainly located in the North Los Angeles County Region surrounding the Lancaster-Palmdale and Santa Clarita UZAs.

The population of Los Angeles County includes significant numbers of individuals that are within the Targeted Populations of the 2016-2019 Coordinated Plan. The analysis of data revealed changes among the Target Populations since the 2008 Coordinated Plan was developed and compared to the U.S. 2000 Census. The following is a summary of relevant changes in population characteristics in Los Angeles County based on 5-year estimates from the 2009-2013 American Community Survey (also shown in Exhibit 3 and Exhibit 4) compared to data from the U.S. 2000 Census:

- The population increased by about 4%.
- About 18% of the population of Los Angeles County lives at or below the federal poverty level.
- Children (0-17 years old) comprise about 24% of the overall population, with one child out of four living at or below the federal poverty level.
- About 3% of children 5-15 years old have a disability.

- Seniors (65 years of age or older) comprise 11% of the county’s population, with 37% having a disability and about 13% living at or below the federal poverty level.
- The number of seniors grew by 20% since the U.S. 2000 Census, but those living at or below of the federal poverty level increased by about 48% during the same period.
- Adults (18-64 years old) represent 65% of the population of Los Angeles County, with about 7% having a disability and about 16% living at or below the federal poverty level. This age cohort increased by 7% since the U.S. 2000 Census.
- Persons with disabilities represent about 9% of the countywide population. Of this total:
 - About 227,435 of adults younger than age 65 have an ambulation difficulty.
 - About 282,452 of adults older than age 65 have an ambulation difficulty.
- There are about 332,000 military veterans in Los Angeles County, of which:
 - 32% are from the Vietnam era (about 106,000 persons).
 - 11% are from the two Gulf wars (about 35,000 persons).

Exhibit 3: Demographic Data for the Target Populations

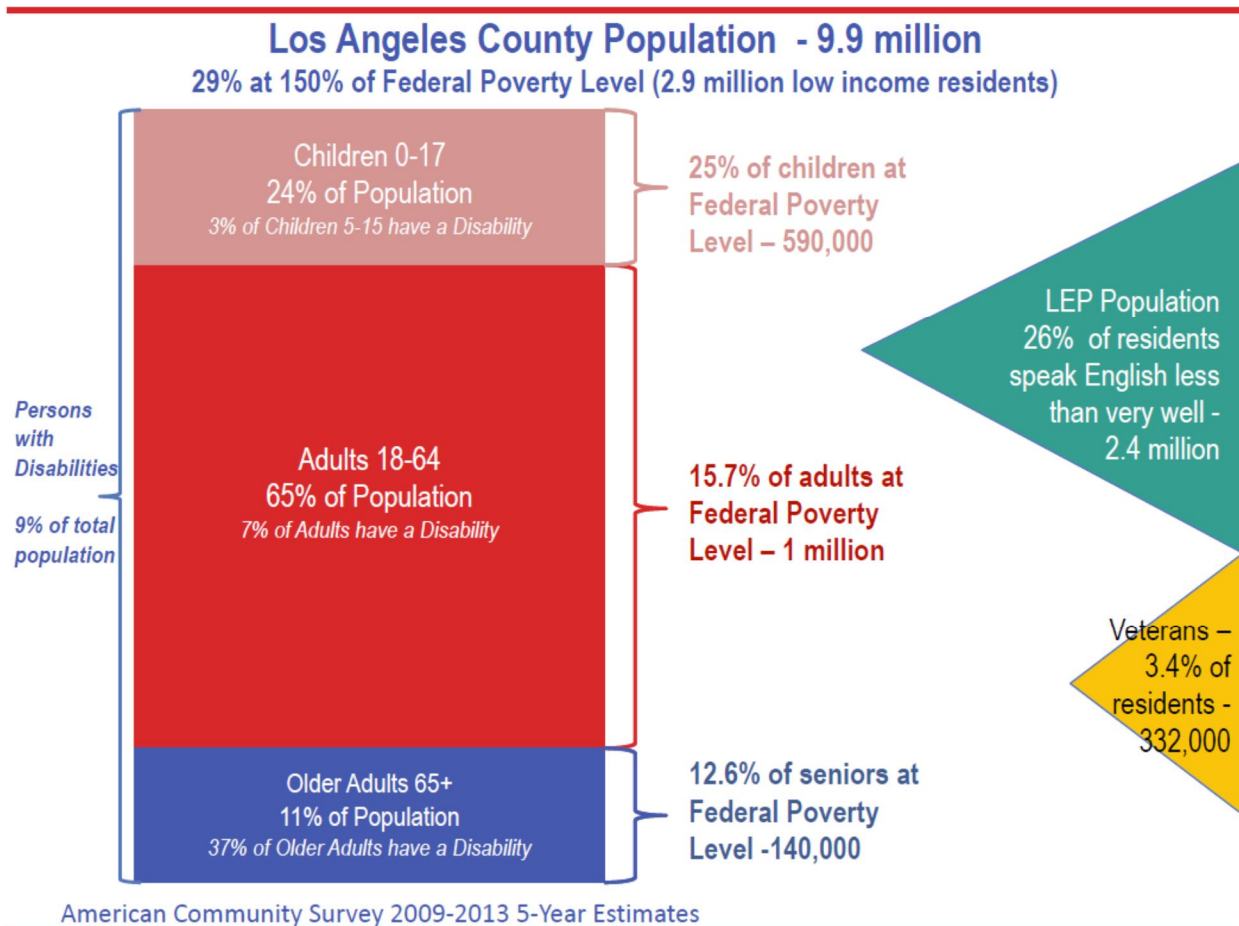


Exhibit 4: Demographic Data Changes for the Target Populations

| COORDINATED PLAN TARGET POPULATIONS IN LOS ANGELES COUNTY | | | | | |
|--|---|------------------------------------|---|------------------------------------|--|
| Seniors, Persons with Disabilities, Persons of Low-Income and Veterans | | | | | |
| 2000 Census Attribute, Summary File 3 2009-2013 American Community Survey 5-year Estimates | [2000 Census] Los Angeles County People by Category | % of Total County Population | [2013 ACS] Los Angeles County People by Category | % of Total County Population | % Change from 2000 to 2013 |
| TOTAL POPULATION [1] | 9,519,338 | 100% | 9,893,481 | 100% | 3.9% |
| CHILDREN AND YOUTH ages 0 -17 | 2,659,802 | 27.9% | 2,371,472 | 24.0% | |
| Children with a Disability, Ages 5 to 15 | n/a | | 68,712 | 2.9% | |
| % of Children age 17 and under | | | 590,526 | 24.9% | |
| Children living in poverty age 17 and under | | | | | |
| % Childrindg living in poverty age 17 and under | | | | | |
| ADULTS 18-64 [2] | 5,932,566 | 62.3% | 6,410,987 | 64.8% | 8.1% |
| Low-income Adults, Ages 18-64 - 100% Federal Poverty Levels [3] | 940,899 | 9.9% | 1,007,230 | 10.2% | 7.0% |
| % of Adults 18-64 | 15.9% | | 15.7% | | |
| Disability [4] (non-institutionalized) Ages 16-64 "go-outside-home" disability (2000) | 628,422 | 6.6% | | | |
| % of Adults 18-64 | 10.6% | | | | |
| Disability [4] (non-institutionalized) Ages 18-64 (2010) | | | 450,160 | 4.6% | |
| with a hearing difficulty | | | 79,289 | 0.8% | |
| with a vision difficulty | | | 87,864 | 0.9% | |
| with a cognitive difficulty | | | 184,431 | 1.9% | |
| with an ambulatory difficulty | | | 227,435 | 2.3% | |
| with a self-care difficulty | | | 101,568 | 1.0% | |
| with an independent living difficulty | | | 172,864 | 1.7% | |
| SENIORS [2] | 926,970 | 9.7% | 1,111,022 | 11.2% | 19.9% |
| Seniors, ages 65-74 | 497,496 | | 600,620 | | |
| with % of all seniors | 53.7% | | 54.1% | | |
| Seniors, ages 75-84 | 323,893 | | 350,713 | | |
| with % of all seniors | 34.9% | | 31.6% | | |
| Seniors, ages 85+ | 105,581 | | 159,689 | | |
| with % of all seniors | 11.4% | | 14.4% | | |
| Low Income Seniors, Ages 65+ - 100% Federal Poverty Levels [3] | 93,555 | 1.0% | 139,468 | 1.4% | 49.1% |
| with % of all seniors | 10.1% | | 12.6% | | |
| Disability [4] (non-institutionalized) Ages 65+ "go-outside-home" disability (2000) | 212,452 | 2.2% | | | |
| with % of all seniors | 22.9% | | | | |
| Disability [4] (non-institutionalized) Ages 65+ (2010) | | | 413,597 | 4.2% | |
| with a hearing difficulty | | | 146,206 | 1.5% | |
| with a vision difficulty | | | 81,833 | 0.8% | |
| with a cognitive difficulty | | | 130,818 | 1.3% | |
| with an ambulatory difficulty | | | 282,452 | 2.9% | |
| with a self-care difficulty | | | 139,449 | 1.4% | |
| with an independent living difficulty | | | 229,664 | 2.3% | |
| VETERANS [5] | | | 331,642 | 3.4% | n/a |
| Civilian Population 18 years and over | | | 7,517,783 | 76.0% | |
| Veterans Period of Service | | | | | |
| Gulf War (9/2001 or later) veterans | | | 10.5% | | |
| Gulf War (8/1990 to 2001) veterans | | | 12.1% | | |
| Vietname era veterans | | | 31.9% | | |
| Korean War veterans | | | 12.7% | | |
| World War II veterans | | | 11.3% | | |
| Veterans ages 18 to 34 years | | | 31,174 | 0.3% | |
| Veterans age 35 to 54 years | | | 69,976 | 0.7% | |
| Veterans age 55 to 64 | | | 68,318 | 0.7% | |
| Veterans age 65 to 74 | | | 71,635 | 0.7% | |
| Veterans age 75 years and older | | | 90,538 | 0.9% | |
| Veteran population unemployment rate | | | 11.7% | | |
| Veteran population poverty status in the past 12 months | | | 7.8% | | |

[1] Census 2000 Summary File 3, Total Population P001. / B01003 Total Population 2013 American Community Survey 5-year Estimates.
 [2] Extrapolated from Census 2000 Summary File 3, Sex by Age P008 / B01001 Sex by Age, 2013 American Community Survey 5-year Estimates.
 [3] Extrapolated from Census 2000 Summary File 3, Poverty Status in 1999 by age P087 / B1701 Poverty Status in the Past 12 Months by Sex by
 [4] Extrapolated from Census 2000 Summary File 3, Age by types of disability for the civilian non-institutionalized population 5 years & over with
 disabilities P041 / S1810 Disability Characteristics - 2013 American Community Survey 5-year Estimates.
 [5] Extrapolated from S2101 Veteran Status - 2013 American Community Survey 5-year Estimates.

5.2 Review of Relevant Studies, Plans and Documents

The development of the 2016-2019 Coordinated Plan included a thorough review of sixteen plans, studies, and other documents relevant to the Target Populations. This was done to ensure consistency with planning assumptions, to prioritize potential strategies for funding and implement, and to address identified mobility needs. In addition to Metro's 2009 LRTP and 2014 SRTP, and SCAG's 2012 RTP/SCS, other planning documents of regional scope that were reviewed include: Metro's 2008 Coordinated Plan, First/Last Mile Strategic Plan, Bicycle Transportation Strategic Plan, and Complete Streets Policy. Reports of regional scope were also reviewed, including Metro's 2014 Final Report on Access Services Customer Survey and Metro's Quarterly Wheelchair Accessibility Reports. Overall, these plans and reports document mobility needs and emphasize the importance of public transportation (including ADA complementary paratransit service provided by Access Services) to address these needs by proposing strategies and projects for funding and implementation, while also taking into consideration funding availability and uncertainties.

While fixed route bus and rail transit are options for some individuals in the Target Populations, paratransit services and those provided through the operation of alternatives to public transportation address the mobility needs of those who require more specialized transportation services. Human service organizations and institutions of higher education document the need for specialized transportation services in their studies. Studies that were reviewed include the Los Angeles County Area Agency on Aging Area Plan Update and the City of Los Angeles Department of Aging 4-Year Area Plan on Aging, as well as the Door Assistance Transportation Needs Assessment that was prepared by the County of Los Angeles Community and Senior Services (CSS). All three studies identified the need for door-assistance transportation for frail seniors and the need to better address the challenges seniors face in accessing information needed to use transit and specialized transportation services. Studies conducted by some cities also document these needs. The review of The State of the American Veteran study that was prepared by the University of Southern California (USC) School of Social Work provided valuable information on the transportation needs of military veterans. The USC study found clear differences between the reported needs of military veterans who served before or after September 2001, but identified transportation as an essential service to both groups to access health and other services, as well as work and job-related opportunities.

6.0 Assessment of Available Transportation Services

This first element of the 2016-2019 Coordinated Plan was developed through the analysis of the most recent public transit data reported in the NTD (for FY2013 due to a two-year lag for publishing the data). As the NTD only requires mandatory reporting from recipients or beneficiaries of FTA's Section 5307 and Section 5311 funds, information obtained through the Agency Survey was also used to document trips provided by human service agencies. The analysis revealed that a diverse network of public transit and human transportation services that benefits the Target Populations exists within Los Angeles County. About 621 million passenger trips are provided each year within Los Angeles County on a wide array of public transit and specialized transportation services. This total excludes trips provided by taxi and Transportation Network Companies (TNCs), such as Uber and Lyft.

In aggregate, these services represent the wealth of transportation resources available to Los Angeles County residents, commuters, and visitors. Exhibit 5 details the annual passenger trips in Los Angeles County summarized by mode: rail, fixed route bus, paratransit demand response services, and specialized transportation provided by human service agencies. Combined, these services result in about 63 passenger trips per year for each resident of Los Angeles County using public transit and transportation services provided by human service agencies.

Exhibit 5: Los Angeles County Annual Transit Trips Provided by Mode

| LOS ANGELES COUNTY PUBLIC and SPECIALIZED TRANSPORTATION | | | | | | |
|---|------------------------|--------------------------|--------------------------|--------------|--------------------------|-------------|
| National Transit Database Reporting, FY 2013 | | | | | | |
| *2016-2019 Coordinated Plan Agency Survey | | | | | | |
| MODES | Operator Totals | | Mode Level Totals | | | |
| | Passenger Trips | Vehicles in Max. Service | Passenger Trips | % of Total | Vehicles in Max. Service | % of Total |
| RAIL | 126,613,414 | excluded | 126,613,414 | 20.4% | excluded | n/a |
| Metrolink (Heavy Rail) | 13,444,752 | | | | | |
| Metro Rail (Heavy Rail - Purple/Red Lines) | 49,516,465 | | | | | |
| Metro Rail (Light Rail - Blue/Green/Gold/Expo) | 63,652,197 | | | | | |
| BUS - Core Regional Network | 375,995,480 | 2,267 | 486,646,259 | 78.4% | 3,233 | 67% |
| Metro (Bus) | 350,385,593 | 1,860 | | | | |
| Metro (Bus Rapid Transit) | 9,118,437 | 32 | | | | |
| Commuter Bus | 2,432,521 | 109 | | | | |
| Foothill Transit | 14,058,929 | 266 | | | | |
| BUS - Inter-Community and Community Service | 110,650,779 | 966 | | | | |
| Municipal/City (Bus) 13 cities | 99,730,950 | 782 | | | | |
| Small operators (Bus) - 32 of 48 city programs | 10,919,829 | 184 | | | | |
| PARATRANSIT - Regional Demand Response Services | 3,481,204 | 674 | 5,727,107 | 0.9% | 1,228 | 25% |
| Access Services | 3,481,204 | 674 | | | | |
| PARATRANSIT - Municipal Demand Response Service | 2,245,903 | 554 | | | | |
| Demand Response | 813,453 | 277 | | | | |
| Small Operators DR (Dial-A-Ride) | 1,432,450 | 277 | | | | |
| TOTAL ALL NTD REPORTED PUBLIC TRANSIT | | | 618,986,780 | 99.7% | 4,461 | 92% |
| * Coordinated Plan Agency Survey - Human Services | 1,678,596 | 374 | 1,678,596 | 0.3% | 374 | 8% |
| Contracted Services | 1,226,232 | | | | | |
| Directly Operated | 428,928 | | | | | |
| Volunteer Provided | 23,436 | | | | | |
| TOTAL ALL LOS ANGELES COUNTY TRANSPORTATION DOCUMENTED | | | 620,665,376 | 100% | 4,835 | 100% |

*Human service totals exclude survey reported trips and vehicles from city operated services and school districts to avoid double counting.

Of the total of about 621 million annual passenger trips reported in Exhibit 5:

- Rail trips accounted for about 20.4%.
- Fixed route bus trips represented 78.4%, including ridership on Metro Bus, Metro Bus Rapid Transit and Commuter Bus, Foothill Transit, and large and small municipal fixed route bus operators.
- Paratransit trips accounted for about 0.9%, including about 3.5 million passenger trips provided by Access Services and about 2.2 million passenger trips provided by municipal Dial-A-Ride systems.

- Specialized trips through human service agencies transportation programs represent about 0.3%, and are mainly trips that are difficult to serve with either fixed route or traditional paratransit service.

Among the 4,835 transit vehicles (other than rail) documented, about 67% are fixed route buses operated by public transit providers (including Metro), about 25% are paratransit vehicles operated by public transit providers, and almost 8% are owned by human service agencies.

An inventory of public transit and human services transportation providers was prepared for the 2016-2019 Coordinated Plan. This inventory (included in the 2016-2019 Coordinated Plan Technical Document) details the transportation services offered by each regional transportation provider, municipal transit operators, and human service agencies. Responses from the Agency Survey supplement the inventory by providing details about the service provided by 102 agencies that reported having a transportation function (out of 224 agencies that completed the survey, other than Metro). The transportation services that were reported are provided by different types of agencies, including: i) public agencies that only provide public transit (34%); ii) other public agencies (16%); iii) non-profit organizations (36%); iv) faith-based non-profit organizations (5%); v) for-profit transportation contractors (2%); and vi) other for-profit organizations (7%). Combined, these agencies reported about 14.7 million annual passenger trips. Of this total, about 12% are trips provided by human services agencies that provide transportation services to one or more groups of the Target Populations (excluding trips reported by school districts and municipalities). About 39% of all the trips are provided through a contractor compared to 30% directly provided by the agency. The number of trips completed through volunteer transportation services (e.g., mileage reimbursement/ volunteer driver programs, etc.) represents only 7% of the total. Regarding their service areas, about 25% of all agencies reported providing service countywide compared to 75% providing service in a locally defined service area (either within a city, groups of cities or a particular region).

Agency Survey respondents reported the use of 4,382 vehicles and almost 4,000 drivers to provide transportation services. Overall, about 53% of the vehicles that were reported are ramp or lift equipped, and therefore, are wheelchair accessible. Of these totals, 374 vehicles and 936 drivers were reported by human service agencies, including 178 volunteer drivers who were reported by six agencies (about 5% of all drivers reported). The comparatively small number of volunteer drivers and the number of trips they provide is noteworthy, as the role of this type of service is gaining importance as an alternative to public transportation to meet the travel needs of the Target Populations.

Funding plays an important role in the availability and operation of transportation services, particularly for specialized transportation services, and has an impact on the assessment of transportation needs. Survey respondents (other than Metro) reported spending about \$158 million in 2014 on transportation. Expenditures reported by human service agencies represent about 15% of this total. A variety of funding sources were used to pay for these transportation costs, distributed as follows: federal (20%), state (30%), local (27%), and donations and fares (23%).

Specialized transportation services within Los Angeles County are supported by a variety of funding sources and programs, including: i) FTA's JARC, New Freedom, and Section 5310 funds; ii) voter-

approved countywide sales tax increases dedicated to transportation (Proposition A, Proposition C, and Measure R); and iii) subsidy programs funded by Metro and other transit agencies, as well as by human service agencies.

FTA's JARC, New Freedom, and Section 5310 funds have helped agencies across Los Angeles County to address the hard-to-meet transportation needs among the Target Populations of the 2016-2019 Coordinated Plan, including public agencies, cities and non-profit human and social services agencies. Metro funded 79 projects using about \$66.2 million in JARC and New Freedom funds authorized by SAFETEA-LU during the seven-year period during FFY2006-FFY2012. This includes the procurement of 117 vehicles to expand the services available to persons with disabilities beyond those required by the ADA and improve the accessibility of persons of low income seeking access to jobs and job-related opportunities. The projects that Metro funded, some of which are still providing transportation services to the Target Populations, included capital and operating assistance for eligible activities, such as: i) mobility management; ii) travel training; iii) volunteer driver programs; iv) procurement of replacement vehicles; v) procurement of vehicles for service expansion; vi) bus route extension and service expansion, including evening service; vii) door-through-door, door-to-door, and travel voucher programs; viii) mobility hubs and other first mile- last mile improvements ; ix) Dial-A-Ride and rideshare programs; and x) trip brokerage, referral services, and development of information portals. During the same period, Caltrans funded the procurement of 233 vehicles in Los Angeles County with about \$10.4 million in Section 5310 funds to meet the special needs of seniors and individuals with disabilities where public transportation is insufficient, inappropriate, or unavailable.

Other major non-federal sources of funding used to support specialized transportation in Los Angeles County include the following:

- Metro's spends approximately \$10.5 million per year to subsidize transit fares for disadvantaged populations through three programs: Support for Homeless On Re-entry (SHORE) Program, Rider Relief Transportation Program and Immediate Needs Transportation Program.
- Access Services annual budget for FY2016 is approximately \$167.4 million to provide ADA complementary services throughout Los Angeles County. This budget includes \$84.2 million in Proposition C funds in addition to \$62.0 million in Federal Highway Administration Surface Transportation Program funds that are flexed as FTA Section 5310 funds. An additional \$2.0 million in Proposition C is allocated directly to Metrolink's commuter rail service for the Access Free Fare Program.
- Voter-approved countywide sales tax increases: 25% of the Proposition A tax revenues, 20% of the Proposition C tax revenues, and 15% of Measure R tax revenues are earmarked for the Local Return Programs to be used by cities and the County of Los Angeles in developing and/or improving local public transit, paratransit and related transportation infrastructure. A combined total of about \$445 million was allocated by Metro for FY2016.
- The Proposition A Incentive Program earmarks 5 percent of the 40 percent Proposition A Discretionary funds to promote projects that encourage the development of an integrated public transportation system that addresses the varied transportation needs of Los Angeles County residents. This includes subregional paratransit, eligible fixed-route services, locally funded

community based transportation services and other specialized transportation services. About \$14.7 million was allocated in FY2016 by Metro to 67 subregional and other local transit operators according to defined funding priorities.

- Some human service agencies, such as the County of Los Angeles Department of Public Social Services, use non-transit funding to subsidize transit fare media for their clients.
- For-profit businesses use funds from private sources to offer escorted transportation and other services relevant to consumers with specialized transportation needs.

7.0 Assessment of Transportation Needs

This second element of the 2016-2019 Coordinated Plan was developed through the analysis of 224 fully completed Agency Surveys that were returned by organizations representing all groups of the Target Populations and all regions of Los Angeles County. The assessment was supported by the input received from members of the Target Populations who participated at the ten Consumer Focus Groups, a well from agencies participating at the nine Stakeholder forums that were organized countywide. Key findings include the following:

- ***Los Angeles County residents enjoy a wealth of public transportation option.*** Consumers demonstrated a heavy reliance on both the local and regional transit services among the Target Populations. Agency survey respondents also indicated that their clients use a wide variety of transportation services ranging from fixed route to specialized services such as escorted door-through-door transportation.
- ***The North County communities have additional transit needs.*** Residents in the Santa Clarita Valley and Antelope Valley areas have additional transit needs that are not fully met by local transportation services. In addition, consumers and stakeholders strongly expressed the need for increased connectivity to the San Fernando Valley and other activity centers in Los Angeles County. Stakeholders and consumers in the North County area were particularly eager to talk about service gaps and needs, as they perceive an “invisible wall” separating the North County area from the rest of Los Angeles County.
- ***Specific mobility challenges exist in using the established transportation network effectively.*** Although it is very clear that Metro, other regional transportation providers and the various jurisdictions in Los Angeles County have worked hard to put a robust network of transit and paratransit services into place, there are still transportation needs to be addressed, including:
 - **Connectivity**: The most commonly heard concerns related to the need for improved connectivity among the various transit services.
 - **Information**: Closely related to the issue of connectivity is the question of how to navigate the multiple transportation options and how to know what is available for a given trip or set of circumstances. Human service agencies emphasize this need. Although 90% of the agencies responding to the Agency Survey report that they provide some type of transportation information assistance to clients, there is need for improvement. Overall, there is a need to improve existing information portals to provide a better tool to

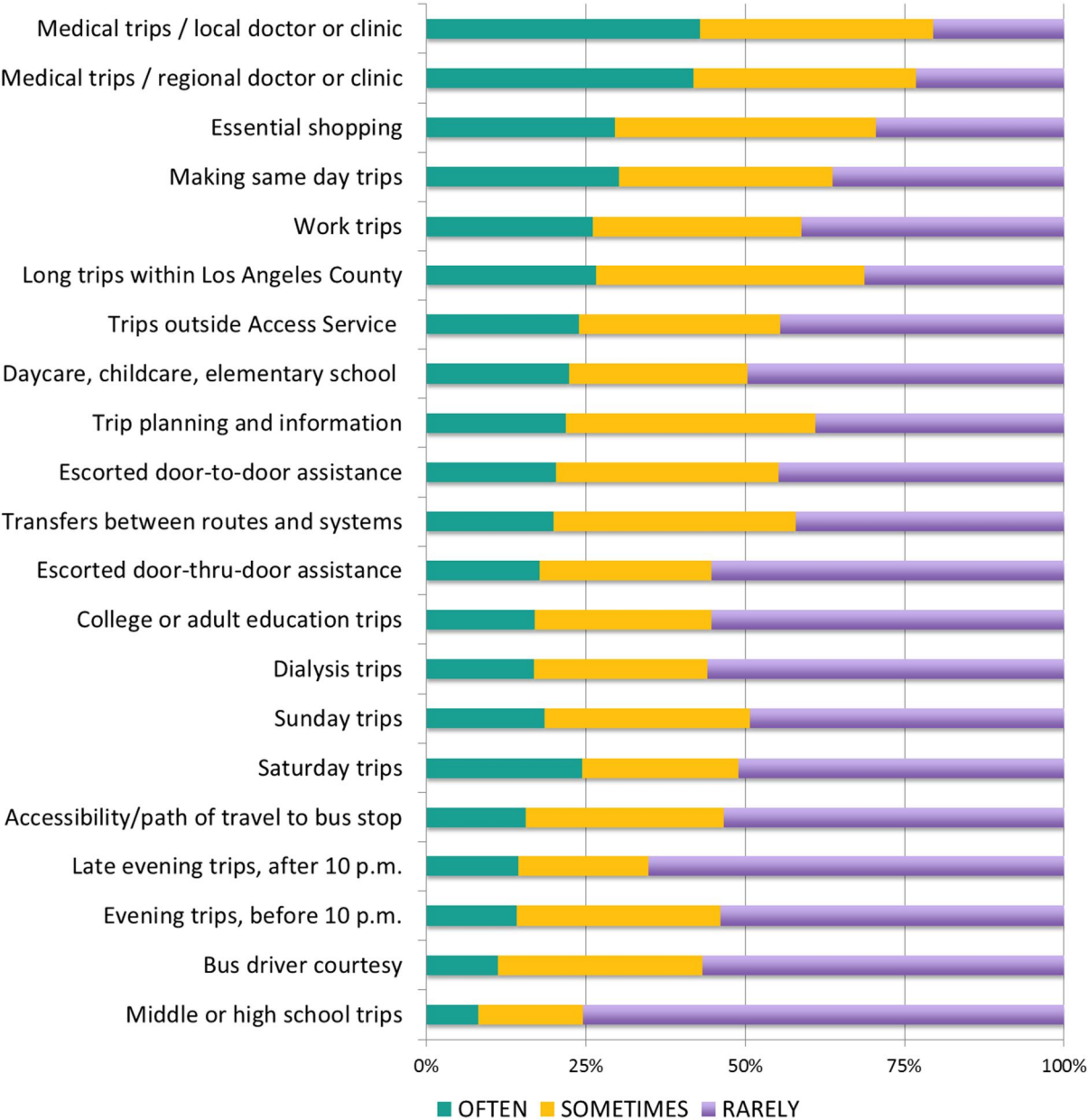
consumers to plan their trips from origin to destination that incorporates transportation services provided by both public transit agencies and human service agencies.

- **Travel Training**: For many individuals new to public transportation, more than just information is needed. They need to learn to use the transit network, with consideration given to their individual abilities and circumstances. The need for travel training has now evolved to include the large number of seniors who are no longer able to drive, as well as persons with disabilities who want to enjoy more freedom of travel by not depending on complementary ADA transportation.
- **Mobility Management**: Although senior centers and many human services systems have some knowledge of Los Angeles County's myriad of transportation services, need was expressed for greater institutional knowledge of where and how to access available services and transportation programs and for improving coordination among public transportation and other transportation service providers.
- **Affordability**: For very low income populations, affordability is an additional challenge to access transportation services. This was the most frequently cited "barrier" to accessing transportation in the Agency Survey responses. When possible, consumers make decisions about which transportation services to use based on their out-of-pocket costs and select the option with the lowest cost/fare. Both the outreach efforts and the Agency Survey demonstrated a wide variety of programs which have been put in place by Metro, other transit agencies, cities and human service agencies to provide subsidized or free transit fare media to consumers.
- **Aging Fleet**: Agencies are operating vehicles well beyond their useful lifespans due to inadequate funding to procure replacement vehicles. The total of 350 vehicles that were funded by Metro and Caltrans using JARC, New Freedom, and Section 5310 funds during the seven-year period FF2006-FFY2012 contrasts markedly with the nearly 1,000 vehicles that were reported through the Agency Survey as needing replacement (about 22% of the total number of vehicles reported). This underscores the importance of identifying additional or expanded funding sources to support vehicle replacement, as well as operations, for specialized transportation programs.
- ***Changes in demographics are increasing the challenges of providing needed transportation.***
 - **Aging Population**: As the population continues to age and more people age-in-place, there is an increasing need for door-to-door, door-through-door and escorted trips. Persons with disabilities and seniors who are very frail or have dementia require higher levels of service than can be provided by either fixed route or traditional paratransit services. A significant number of Agency Survey respondents either provide or subsidize escorts or travel aides.
 - **Language**: With over 120 languages spoken in Los Angeles County, the Target Populations comprise persons from diverse language groups who need to access transportation services. This need presents a special communications challenge to transportation providers, both public transit and human service agencies.

- **Difficulty in accessing medical trips:** More than three quarters of Agency Survey respondents report medical trips as often or sometimes difficult for their clients to make. Other areas of difficulty which were reported as “often” or “sometimes” difficult by 55% to 70% of agency respondents include essential shopping trips, same day trips (without prior day reservation), long trips, and work trips.

Exhibit 6 presents the ratings of agency responses about how often their clients communicate difficulty with transportation needs by trip purpose.

Exhibit 6: Consumer Reported Difficulty with Transportation Needs



- **Challenges in meeting operational needs within their communities.** The following are some of these challenges, as expressed by agency representatives who participated at the Stakeholder Forums or completed the Agency Survey:
 - Demand for transportation service is outstripping supply: This is evidenced by fixed routes that are overcrowded and Dial-A-Ride services that are fully booked days in advance.
 - Medical trips are increasingly regional: This is mainly due to changes in health insurance and provider networks that require long distance travel to reach medical facilities or specialists within and outside Los Angeles County. The Agency Survey ranked “difficulty with making medical trips” as the greatest transportation need communicated by consumers.
 - Demand for transportation does not adhere to city boundaries: In addition to better accessibility to medical trips, members of the Target Populations want to travel beyond their city boundaries to shop or do business at locations. These destinations may be close to the consumers spatially, but because they are located in another jurisdiction, they are not eligible to obtain Dial-A-Ride or other paratransit services or those provided through alternatives to public transportation (such as volunteer driver programs).
 - Demand for same-day demand response services is growing: Although this applies to most trip purposes, the need to address medical trips is growing at a faster rate than other trips.
 - Los Angeles County’s 24/7 economy: Economic activity is driving the desire for transportation services, public transportation in particular, later at night and on weekends. This is particularly true in areas with lower transit service levels, such as the Antelope Valley and the Santa Clarita Valley.
 - Increasing number of persons travelling with mobility devices: This trend, including larger mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, creates operating challenges. Not only it reduces the seating capacity of vehicles, but it also results in fixed route operators not being able to stop for passengers with mobility devices due to the lack of additional designated spaces to accommodate such devices.
- **Seniors are using a diversity of transportation services to meet their needs.** The desire for improved mobility is evident from their use of multiple transportation services for different trip purposes, even on a single day, as described by many Consumer Focus Group participants. Staff at human service agencies throughout Los Angeles County, particularly at senior centers, is playing an important role in connecting seniors with appropriate transportation services. However, more needs to be done to improve trip brokerage, referrals, and coordination.
- **Persons with disabilities also are using a mix of services.** The following is a listing of some of the main transportation services used to meet their travel needs in the most convenient and affordable manner.
 - Taxi services and the emerging transportation network companies: They play an important role in augmenting local and regional paratransit services, particularly for same day travel.

- ADA complementary transportation service: Consumers acknowledge the important and difficult role that Access Services plays in Los Angeles County by serving thousands of trip origins and destinations over a huge geographic area. However, users would like to see continued attention to service quality.
- New programs: A number of initiatives are being implemented to enhance service and customer satisfaction. For example, Access Services is currently implementing the “Beyond the Curb Transportation Program” (as opposed to curb-to-curb service) and allowing on-line reservations. Fixed route transit operators are also allowing Access Services’ clients to use their service without paying a fare, which is an enormous benefit to persons with disabilities (especially those living on limited disability incomes) and provides a strong incentive for individuals to use fixed route services whenever viable.
- Dial-A-Ride service: This type of transportation service also plays an important role in meeting the travel demand of persons with disabilities and reduces the demand for trips provided by Access Services. Because Dial-A-Ride fares are generally lower than those charged by Access Services, persons with disabilities are more likely to use this type of service for trips within their local communities, while relying on Access Service when necessary for longer trips.
- ***Military veterans’ access to quality health care and adequate housing.*** This is an issue of major concern for many military veterans, including adequate access to mental health support. Although many of them use the public transit network to meet these needs, there is need for transportation service improvements that address their specific needs, including better access to jobs and job related opportunities.
- ***Importance of station and stop facilities.*** The need for improving station and stop transportation amenities was communicated strongly by those members among the Target Populations who are striving to use fixed route and rail services. Amenities at transit and paratransit stops and stations increase the attractiveness of the transportation services provided and improve perceptions about safety and comfort from using such services.
- ***Better options for inter-county paratransit trips.*** These are desired among highly active consumers who have learned to use the transportation network to travel effectively throughout Los Angeles County, including to/from the Santa Clarita and Lancaster-Palmdale UZAs. The most frequent destinations for trips outside Los Angeles County are in Orange and San Bernardino counties.
- ***Roadblocks to further coordination.*** Several were identified, including the following:
 - Funding restrictions;
 - Capacity constraints;
 - Residency requirements for local Dial-A-Ride systems;
 - Quality concerns regarding taxi providers;
 - The increasing difficulty of recruiting volunteer drivers;
 - Agency jurisdiction issues related to service area boundaries, place of residence, and transporting consumers of other transit or human service agencies.

8.0 Strategies to Address Identified Gaps

For the third element of the 2016-2019 Coordinated Plan, a set of thirty-eight strategies (shown in Exhibit 7) were developed to address the needs and gaps of the Target Populations that were previously identified. These strategies are the core of the 2016-2019 Coordinated Plan. Each strategy is clearly illustrated by making reference to several eligible projects and activities. As applicable, strategies are also identified as being regional or subregional. These strategies are organized around five main goals aimed enhance the mobility of the Target Populations:

- ▶ **Goal 1- Fund Mobility Options:** Sustain, fund and continue to expand the rich array of public, human services and private transportation available in Los Angeles County.
- ▶ **Goal 2- Address Mobility Gaps:** Improve coordination of transportation services provided by public transit operators, human service agencies, and private sources to address identified mobility gaps.
- ▶ **Goal 3 – Provide Support Services:** Provide necessary support services to enable better accessibility to transportation services by seniors, disability, low-income and military veteran populations.
- ▶ **Goal 4 – Promote and Improve Information Portals:** Promote, improve and expand multi-lingual information portals on mobility options.
- ▶ **Goal 5 – Enhance Accountable Performance Monitoring Systems:** Build upon customer feedback and accountable performance monitoring systems to ensure that responsive, high quality service is maintained.

9.0 Priorities for Implementation

For the fourth and last element of the 2016-2019 Coordinated Plan, a three-step prioritization process was used to prioritize the strategies that were identified for implementation. Forty-five agency representatives who attended the Prioritization Workshop rated the thirty-eight strategies that were identified based on perceived importance to their clients’ needs. The priority ratings were further adjusted based on the results of the qualitative and quantitative analysis and the findings from the outreach activities that were performed. Finally, an assessment of each strategy’s impact on the overall mobility of the Target Populations of the 2016-2019 Coordinated Plan was made. As the result of this process, three levels of priority were established:

Priority 1 – Critical, immediate priority

Priority 2 – Important, medium-term priority

Priority 3 – Important, long-term priority

Exhibit 7 presents the five goals, thirty-eight strategies and priority ratings. Projects and activities to be implemented with federal Section 5310 funds must address one or more of these strategies to be eligible for funding. The Metro Board of Directors, as well as FTA, and other federal, state, regional or local agencies may have a similar requirement for other funding programs.

Exhibit 7: Prioritization of Strategies for Implementation by Goal

| GOAL | STRATEGY | PRIORITY |
|--|---|----------|
| GOAL 1 FUND MOBILITY OPTIONS | | |
| Sustain, fund and continue to expand the rich array of public, human services and private transportation service available in Los Angeles County. | | |
| REGIONAL STRATEGIES | | |
| 1.1 | <u>Strategy:</u> Fund regional services of Metro, Foothill Transit and municipal operators, as well as Access Services, vanpool, and other travel assistance services, while addressing recommendations included in SCAG’s Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS) and Metro’s Short Range Transportation Plan (SRTP) and Long Range Transportation Plan (LRTP) to support regional trip making and address capacity and service level issues. | 1 |
| 1.2 | <u>Strategy:</u> Fund projects and activities that address high priorities identified in the 2016-2019 Coordinated Plan to enhance the mobility of seniors, persons with disabilities, persons of low income and veterans, including through dedicated funding from potential voter approved countywide sales tax measures. | 1 |
| 1.3 | <u>Strategy:</u> Develop profiles of best practices for improving mobility options for the Target Populations of the 2016-2019 Coordinated Plan to increase adoption by interested agencies and programs. | 2 |
| 1.4 | <u>Strategy:</u> Broaden cost-effective mobility choices that support achieving goals included in applicable regional plans, including SCAG’s RTP/SCS and Metro’s SRTP and LRTP. | 1 |
| SUBREGIONAL STRATEGIES | | |
| 1.5 | <u>Strategy:</u> Improve bus service within/between the Santa Clarita Valley and the Antelope Valley and to provide better connections to the San Fernando Valley and the rest of Los Angeles County. | 1 |
| 1.6 | <u>Strategy:</u> Develop first and last mile access improvements to Metro’s expanding light rail network, including bicycle and transit connections to Metro rail stations. | 2 |
| 1.7 | <u>Strategy:</u> Fund city-based and other local short range transit plans and service-level improvements to address capacity and service level issues. | 1 |
| 1.8 | <u>Strategy:</u> Upgrade human service agency vehicle fleets to become accessible by persons with disabilities and encourage private sector taxi companies and Transportation Network Companies, such as Uber and Lyft, to operate accessible vehicles. | 2 |
| 1.9 | <u>Strategy:</u> Institute vehicle replacement for human service agencies to serve the Target Populations. | 2 |
| 1.10 | <u>Strategy:</u> Institute vehicle replacement for public transportation agencies to serve the Target Populations. | 2 |
| 1.11 | <u>Strategy:</u> Institute vehicle expansion for human service agencies to serve the Target Populations. | 1 |
| 1.12 | <u>Strategy:</u> Institute vehicle expansion for public transportation agencies to serve the Target Populations. | 2 |

| GOAL | STRATEGY | PRIORITY |
|---|---|----------|
| Goal 2 Address Mobility Needs | | |
| Improve coordination between public transportation and human service organizations to address identified mobility gaps. | | |
| REGIONAL STRATEGIES | | |
| 2.1 | <u>Strategy:</u> Improve county-to-county paratransit trips through best practice solutions and formalized inter-agency agreements. | 3 |
| 2.2 | <u>Strategy:</u> Expand incentive programs to encourage subregional coordination of specialized transportation services and promote mobility management strategies to connect riders with local and subregional transportation options. | 1 |
| SUBREGIONAL STRATEGIES | | |
| 2.3 | <u>Strategy:</u> Provide same-day transportation for critical transportation needs of the Target Populations, such as for medical care, job interviews, training and education. | 1 |
| 2.4 | <u>Strategy:</u> Address connectivity, including transfer and fare issues, to improve the customer experience with trips involving multiple operators. | 2 |
| 2.5 | <u>Strategy:</u> Improve first and last mile bus access connections within local communities, including sidewalks, and enhance safety of transit users who are also pedestrians or bicyclists. | 1 |
| 2.6 | <u>Strategy:</u> Provide enhanced incentives and support collaborative partnerships to better address the need for medical trips and other hard-to meet trip purposes. | 1 |
| 2.7 | <u>Strategy:</u> Increase span of service on weekdays and weekends on public transportation services, recognizing riders' needs for evening community college classes, retail work shifts and others. | 2 |
| 2.8 | <u>Strategy:</u> Fill mobility gaps for low-income job seekers to assist transition to stable employment. | 2 |
| Goal 3 Provide Support Services | | |
| Provide necessary support services to enable access to public and human service transportation services by seniors, persons with disabilities, persons of low-income and the veteran population. | | |
| 3.1 | <u>Strategy:</u> Increase resources for travel training programs, and related rider campaigns, to encourage use of fixed route transportation by seniors and persons with disabilities when feasible. | 1 |
| 3.2 | <u>Strategy:</u> Develop, fund and support additional volunteer driver/mileage reimbursement programs for difficult-to-serve trips for seniors and persons with disabilities, replicating mileage reimbursement models already successful with these populations. | 1 |
| 3.3 | <u>Strategy:</u> Broaden availability of best practice solutions for door-to-door and door-through-door transportation for persons who are frail or isolated and/or need additional assistance at the trip origin or destination. | 2 |
| 3.4 | <u>Strategy:</u> Develop bus stop, path-of-access and other pedestrian or bicycle improvement projects. | 2 |
| 3.5 | <u>Strategy:</u> Incorporate lower-cost ridesharing options including Transportation Network Companies (such as Uber and Lyft) into subsidy and voucher based programs that benefit users and support other activities that promote cost-efficient, cost-effective, coordinated transportation. | 2 |
| 3.6 | <u>Strategy:</u> Support and broaden means-based fare discounts to very low income populations to enhance their accessibility and use of public transportation services. | 2 |

| GOAL | STRATEGY | PRIORITY |
|---|--|----------|
| Goal 4 Promote and Improve Information Portals | | |
| Promote, improve and expand multi-cultural information portals and mobility management tools to increase mobility options. | | |
| REGIONAL STRATEGIES | | |
| 4.1 | <u>Strategy:</u> Enhance trip planning to incorporate transportation services offered by public transit agencies, human service agencies, and private sources to provide current and specific origin and destination trip plans, providing current and updated information to the Target Populations and other users. This includes establishing an easily accessible multi-modal “find-a-ride” function and maintaining it with up-to-date information. | 1 |
| 4.2 | <u>Strategy:</u> Increase the effectiveness in use of social media to promote mobility options to the Target Populations. | 3 |
| SUBREGIONAL STRATEGIES | | |
| 4.3 | <u>Strategy:</u> Support local and regional public transportation services by providing real-time transit information. | 2 |
| 4.4 | <u>Strategy:</u> Provide route/schedule information, including bus stop identification information at the bus stop, including for low-frequency routes. | 3 |
| 4.5 | <u>Strategy:</u> Ensure that transit information is available in multiple languages and formats due to the diverse populations of Los Angeles County, including via call centers, to address the transportation needs of members of the Target Populations who may not be proficient in English. | 3 |
| 4.6 | <u>Strategy:</u> Develop mobility management functions at subregional major transit centers and other locations. | 3 |
| 4.7 | <u>Strategy:</u> Promote agency-based mobility management functions to assist seniors and other members of the Target Populations connect with available transit and other transportation options, as well as to establish agency-level knowledge of local and regional transportation and effective specialized transportation programs. | 1 |
| Goal 5 Enhance Accountable Performance Monitoring Systems | | |
| Enhance customer feedback and accountable performance monitoring systems to ensure that high quality is maintained. | | |
| 5.1 | <u>Strategy:</u> Expand annual passenger satisfaction surveys to include all publicly funded transportation services. | 2 |
| 5.2 | <u>Strategy:</u> Ensure continued attention to the quality of the ride for specialized transportation users. | 2 |
| 5.3 | <u>Strategy:</u> Adopt standard complaint resolution policies that are also applicable to municipal transit and Dial-A-Ride services, as well as to human service agencies that provide transportation services. | 3 |
| 5.4 | <u>Strategy:</u> Establish a performance measurement monitoring and reporting program for specialized transportation projects based on agency-established performance goals that also includes a customer satisfaction component and provides technical support to encourage the funding and implementation of projects that best address the transportation needs of the Target Populations. | 3 |
| 5.5 | <u>Strategy:</u> Develop connectivity performance standards among all service modes. | 2 |

10. Moving Forward

The 2016-2019 Coordinated Plan has described the mobility needs and challenges of Los Angeles County's seniors, persons with disabilities, persons of low income and military veterans. It has also provided strategies for how these can be addressed. It has also documented the considerable investment in transportation which has been made within Los Angeles County and its significant benefits to address some of the mobility needs of the Target Populations.

Addressing the remaining mobility gaps and needs of the Target Populations will require maintaining the breadth of existing transportation options that are already in place and expanding these to accommodate demographic and other changes. It will also require supporting non-traditional modes that provide transportation alternatives to the Target Populations of the 2016-2019 Coordinated Plan and encouraging innovation and pilot efforts to meet some hard-to-serve trip needs. Finally, it will require more collaboration and coordination among the different transportation service providers. It will also require coordination with agencies that fund, but which do not necessarily operate the services.

Whether it involves addressing the needs of a senior who had to give up her driver's license last week or a military veteran who is not yet employed and does not own or have access to a car, a key factor in the success of the 2016-2019 Coordinated Plan is connecting individuals with the appropriate transportation option. The thirty-eight strategies that are identified and prioritized in the 2016-2019 Coordinated Plan will assist in achieving this objective and enhancing the overall mobility of members of the Target Populations. In addition to more funding dedicated for transportation to address identified needs of the Target Populations, also critical to the achievement of the goals of the 2016-2019 Coordinated Plan is to establish and maintain up-to-date information for a multi-modal "find-a-ride" function that reflects the full breadth of available transportation services provided by public transit operators, human service agencies, and the private sector.

The 2016-2019 Coordinated Plan was developed and approved through an extensive process that included participation by seniors, individuals with disabilities, representatives of public, private and nonprofit transportation and human services providers, and other members of the public. It allows Metro to fulfill its responsibilities as the Designated Recipient of federal JARC, New Freedom, and Section 5310 funds. Metro can also certify that projects selected for a funding award from the federal JARC, New Freedom, and Section 5310 programs (or from any other federal, state, or local funding program with the same or similar requirement) are included in the 2016-2019 Coordinated Plan, and therefore, are eligible for a grant award by the Federal Transit Administration (or other by other funding agencies, as applicable).

Metro, as the Designated Recipient of federal JARC, New Freedom, and Section 5310 funds in urbanized areas of Los Angeles County, will conduct competitive solicitations for proposals to select projects for funding. Metro will also allocate Section 5310 funds to Access Services to support complementary paratransit services required by the Americans with Disabilities Act of 1990. Metro will also prepare and submit grant applications to the Federal Transit Administration on behalf of all agencies approved by the Metro Board of Directors to receive a Section 5310 funding award, and as applicable, on behalf of agencies selected to receive a funding award from the JARC, New Freedom, or other federal programs.



Board Report

File #: 2015-0878, **File Type:** Program

Agenda Number: 28.

**PLANNING AND PROGRAMMING COMMITTEE
JULY 15, 2015**

SUBJECT: FUNDING AWARD RECOMMENDATION FOR FEDERAL SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM

ACTION: APPROVE FUNDING AWARD RECOMMENDATIONS AND RELATED ACTIONS

RECOMMENDATION

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0):

- A. approving the recommended **federal Section 5310 funding awards totaling \$4,713,220 for Traditional Capital Projects and up to \$1,615,177 for Other Capital and Operating Projects**, as shown in Attachments A and B, respectively;
- B. amending the fiscal year (FY) 2016 Budget to add the necessary revenues and expenses for the recommended and previously approved Section 5310 funded projects, once the Federal Transit Administration (FTA) awards grant funds (see Attachment C for the Allocation Process);
- C. authorizing the Chief Executive Officer or his designee to negotiate and execute pass-through agreements with agencies as sub-recipients approved for funding once the FTA awards Section 5310 grant funds;
- D. certifying that the Section 5310 funds were fairly and equitably allocated to eligible sub-recipients and that to the maximum extent feasible, Section 5310 funded services are coordinated with transportation services assisted by other federal departments and agencies; and
- E. certifying that all projects recommended for Section 5310 funding are included in the locally developed 2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County ("Coordinated Plan") that was developed and approved through a process that included participation by seniors and individuals with disabilities, as well as by representatives of public, private, and nonprofit transportation and human service providers and other members of the public.

ISSUE

Metro is the Designated Recipient of FTA Section 5310 funds in urbanized areas of Los Angeles County and is responsible for the planning, programming, distribution, and management of these funds (about \$6.9 million per year). To fulfill Metro's Designated Recipient obligations, the Board approved in November 2014 the competitive Section 5310 Fiscal Year (FY) 2015 Solicitation for Proposals and the allocation of available funds for Los Angeles County. This report presents the resulting Section 5310 funding recommendation for Board review and approval and summarizes the evaluation process conducted in response to this solicitation.

DISCUSSION

In July 2013, staff informed the Board of changes to federal transit formula programs as authorized by Congress in the Moving Ahead for Progress in the 21st Century Act (MAP-21), including the new Section 5310 Program. The goal of the Section 5310 Program is to improve mobility for seniors and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the transportation mobility options available. The Board subsequently approved pursuing Designated Recipient status for Section 5310 funds allocated to Los Angeles County for the Los Angeles-Long Beach-Anaheim, Lancaster-Palmdale, and the Santa Clarita Urbanized Areas (UZAs). On April 23, 2014, the Governor authorized Metro to be the Designated Recipient of Section 5310 funds for these UZAs, following our request for such designation. The goal of seeking this designation was to ensure that Los Angeles County would receive and have control over its formula share of Section 5310 funds and to allow Metro to select projects that would better address local and regional needs.

The FTA published its final guidance for the Section 5310 Program in June 2014. A Section 5310 Working Group consisting of representatives from the Bus Operations Subcommittee (BOS) and the Local Transit Systems Subcommittee (LTSS) was established to ensure compliance with FTA's guidelines. This group provided input to the Application Package for the FY 2015 Solicitation for Proposals and also discussed and approved the Allocation Process for Section 5310 funds (also approved by BOS and LTSS). The Application Package and Allocation Process were later approved by the Board in November 2014. A summary of the Application Package, Allocation Process (i.e., funding availability), and Application Process is included in Attachment C.

Evaluation Process

An Evaluation Panel composed of nine representatives from Metro, the Southern California Association of Governments, the Orange County Transportation Authority, Metro's Accessibility Advisory Committee, BOS, and LTSS was assembled to evaluate, score, and rank the applications. The Evaluation Panel was divided into: 1) a five-member Evaluation Team responsible for the assessment of 16 applications requesting funding for Traditional Capital Projects; and 2) a five-member Evaluation Team responsible for the assessment of 10 applications requesting funding for Other Capital and Operating Projects. The average score of the individual scores of members of each Evaluation Team was used as the final score for each application and for ranking purposes (as shown in Attachments A and B, respectively). It was also used by Metro staff for making full or partial funding award recommendations, taking into consideration the eligibility and extent of the proposed project scope, the funding request and commitment of local match, and Section 5310 funding

availability for the UZA(s) and project type (i.e., Traditional Capital Projects and Other Capital and Operating Projects). As part of the evaluation process, and in response to the Board's January 2015 directive to establish an appeals process for all Metro competitive grant programs, the Guidelines on Funding Appeals for the Section 5310 Program were approved by the Technical Advisory Committee (TAC) on April 1, 2015 following the approval by BOS and LTSS.

On May 14, 2015, a Notification of Preliminary Funding Award Recommendation was sent by Metro to each project sponsor to inform them about the outcome of the evaluation of their applications (i.e., recommended to be fully funded, recommended to be partially funded, or not recommended for a funding award). This notification also included the score received by each application and an assessment of how it addressed the evaluation criteria. It also provided the opportunity to project sponsors to appeal the preliminary funding award recommendations to Metro's TAC at its June 3, 2015 meeting. As a result, 21 projects were initially recommended to receive a funding award. Staff also received confirmation from those agencies that were recommended for partial funding awards about their acceptance to receive less funding than what they had requested in their applications to implement their projects. Four of the remaining five projects were not recommended for a funding award as they failed to score the required minimum of 70 points. These four applications were submitted by the City of Gardena, Santa Clarita Valley Committee on Aging Inc. (SCV), Mobility Management Partners Inc. (MMP), and the Antelope Valley Transit Authority (AVTA). The fifth application, which was submitted by the City of Gardena requesting operating assistance from the funding category for Other Capital and Operating Projects, was also not recommended for a funding award although it received a score of 76 points. The use of these operating funds by the City of Gardena was contingent on a funding award recommendation for the agency's other application it had submitted requesting capital assistance from the funding category for Traditional Capital Projects to procure two vehicles. The City of Gardena, MMP, and SCV appealed to TAC. TAC did not approve the appeals made by MMP and SCV to fund their applications (scored 66 points and 63 points, respectively).

TAC approved a motion to reevaluate the City of Gardena's application for capital assistance from the Traditional Capital funding category to procure two vehicles, using the information provided by the agency in its operating assistance application for these vehicles from the Other Capital and Operating funding category. TAC indicated that the City of Gardena's project should be recommended for a funding award if the reevaluation results in a score above 70 points. The reevaluation of the City of Gardena's project, as requested by TAC, resulted in a score of 58 points. Therefore, the two applications submitted by the City of Gardena were not recommended for funding award.

With Access Services eligible to receive any remaining funds for Traditional Capital Projects made available for the competitive selection process, the funding award recommendations include the following for this agency to implement projects that support complementary paratransit services required by the ADA: \$92,231 for projects in the Santa Clarita UZA and \$143,715 for projects in the Lancaster-Palmdale UZA. The funding award recommendations exclude the funds that were made available for Other Capital and Operating Projects for the Santa Clarita and Lancaster-Palmdale UZAs (\$36,861 and \$52,709, respectively), as the two applications that were received requesting all or part of these funds received scores lower than the minimum required 70 points. These funding balances are proposed to be made available for the next Section 5310 competitive cycle.

DETERMINATION OF SAFETY IMPACT

Approval of the recommendation will have no impact on safety.

FINANCIAL IMPACT

Approval of the funding award recommendation and FY 2016 Budget amendment will be fully funded through the federal Section 5310 Program that is managed by Metro. No other Metro funds will be required to manage, administer and oversee the program or to administer projects recommended for a funding award. No expenses for any of the projects recommended for funding awards are included in the FY 2016 Budget. However, these are multi-year projects and the project manager(s) will be responsible for budgeting project expenses in future years.

Impact to Budget

Consistent with federal guidelines and per the Allocation Process that was approved by the Board, Section 5310 funds may be used only: 1) for operating or capital projects that were selected competitively to meet the specific requirements, goals and objectives of the Section 5310 Program; or 2) to support complementary paratransit services provided by Access Services, as required by the ADA. Therefore, approving the recommended actions will not impact Metro's bus and rail operating and capital budgets, as Section 5310 Program funds are not eligible for these purposes.

ALTERNATIVES CONSIDERED

The Board may choose not to approve all or some of the recommended actions. Staff does not recommend this alternative because without Board approval, Metro cannot fulfill its responsibilities as the Designated Recipient of Section 5310 Program funds and the projects recommended for funding awards in Attachments A and B would not be implemented. Without Board approval, Metro also could risk losing about \$6.3 million in Section 5310 Program funds that will lapse, if not obligated through the FTA approval of a grant by September 30, 2016.

The Board also may choose to fund applications that received a score lower than the minimum funding threshold of 70 points. Consistent with the recommendation by the Evaluation Panel and TAC, as well as the Application Package that was approved by the Board, staff does not recommend this alternative because it would create a precedent by funding projects that do not adequately address the evaluation and funding eligibility criteria.

NEXT STEPS

With Board approval, staff will send a Notification of Final Funding Award Recommendation to each project sponsor and will prepare and submit Section 5310 grant applications to FTA on their behalf. Once the FTA awards the grant funds, staff will develop and execute grant pass-through agreements with those agencies as sub-recipients and amend the FY 2016 Budget as required. As the

Designated Recipient for Section 5310 funds for urbanized areas in Los Angeles County, staff will work to ensure that sub-recipients comply with all federal rules, regulations and requirements. Staff will also coordinate with the Section 5310 Working Group and seek Board approval for a new Section 5310 Solicitation for Proposals to award the balance of \$89,570 and funds appropriated by Congress for federal FY 2015 and for future years, as authorized by an extension of MAP-21 or new federal authorizing legislation.

ATTACHMENTS

Attachment A - Funding Recommendations for Traditional Capital Projects

Attachment B - Funding Recommendations for Other Capital and Operating Projects

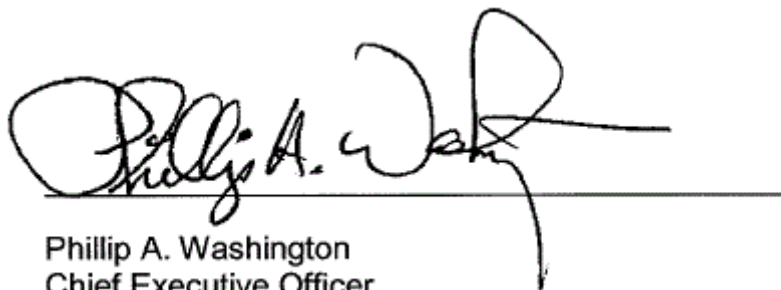
Attachment C - Summary of Application Package & Allocation and Application Processes

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Phillip A. Washington
Chief Executive Officer

**FTA SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM
FY 2015 SOLICITATION FOR PROPOSALS
Funding Award Recommendations- Traditional Capital Projects**

| AGENCY/ FUNDING RECOMMENDATION | PROJECT | SCORE | ELIGIBLE COST (\$) | LOCAL MATCH (\$) ^d | VEHICLES | AWARD |
|---|---|-----------|--------------------|-------------------------------|-----------|------------------|
| RECOMMENDED FOR FUNDING AWARD | | | | | | |
| 1. Therapeutic Living Centers for the Blind | On-Demand Transportation Program Vehicle Replacement: capital assistance for the procurement of one Class A small bus and two Class D minivans. | 95 | 165,000 | 16,500 | 3 | 148,500 |
| 2. City of Glendale | Dial-a-Ride Program Vehicle Replacement: capital assistance for the procurement of four Class D minivans and two Class F/G low floor vehicles. | 95 | 460,000 | 46,000 | 6 | 414,000 |
| 3. Pomona Valley Transportation Authority | Get About Program Vehicle Replacement: capital assistance for the procurement of six Class C large buses. | 93 | 450,000 | 45,000 | 6 | 405,000 |
| 4. Valley Village | On-Demand Transportation Program Vehicle Replacement: capital assistance for the procurement of three Class D minivans and two Class K (or similar) paratransit vans. | 93 | 280,000 | 28,000 | 5 | 252,000 |
| 5. AltaMed Health Services | Senior Services Transportation Program Vehicle Replacement: capital assistance for the procurement of eight Class B medium buses. | 92 | 552,000 | 55,200 | 8 | 496,800 |
| 6. Tarzana Treatment Centers | Transportation Services Program Vehicle Replacement and Expansion: capital assistance for the procurement of two Class D minivans (one for vehicle replacement and the other one to support service expansion). | 90 | 100,000 | 10,000 | 2 | 90,000 |
| 7. City of Whittier | Dial-a-Ride Program Vehicle Replacement: capital assistance for the procurement of five Class B medium buses. | 88 | 345,000 | 34,500 | 5 | 310,500 |
| 8. City of West Hollywood | Dial-a-Ride Program Vehicle Replacement: capital assistance for the procurement of four Class D minivans and one Class F/G low floor vehicle. | 87 | 330,000 | 33,000 | 5 | 297,000 |
| 9. Institute for the Redesign of Learning | Transportation Program Vehicle Replacement: capital assistance for the procurement of five Class A small buses and three Class B medium buses. | 84 | 532,000 | 53,200 | 8 | 478,800 |
| 10. City of La Habra Heights | Dial-A-Ride Program Vehicle Expansion: capital assistance for the procurement of one Class D minivan. | 84 | 50,000 | 5,000 | 1 | 45,000 |
| 11. City of Pasadena | Dial-A-Ride Program Vehicle Replacement: capital assistance for the procurement of seven Class B medium buses. | 77 | 483,000 | 48,300 | 7 | 434,700 |
| 12. East Los Angeles Remarkable Citizens' Association | Transportation Services Program Vehicle Expansion: capital assistance for the procurement of four Class B medium buses. | 74 | 276,000 | 27,600 | 4 | 248,400 |
| 13. City of Downey | Dial-a-Ride Program Vehicle Replacement and Equipment Procurement and Installation: capital assistance for the procurement of two Class B medium buses, four Class D minivans, and computer equipment, as well as for the installation of radio communication equipment. | 73 | 398,412 | 61,838 | 6 | 336,574 |
| 14. County of Los Angeles Department of Public Works | Dial-A-Ride Program Vehicle Replacement: capital assistance for the procurement of thirteen Class D minivans. | 70 | 650,000 | 130,000 | 13 | 520,000 |
| 15. Access Services ^a | ADA Paratransit Services: capital assistance for the procurement of up to two Class B medium buses and two Class C large buses to support complementary paratransit services required by the Americans with Disabilities Act of 1990. | NA | 288,000 | 52,054 | 4 | 235,946 |
| TOTAL/ AVERAGE SCORE | | 85 | 5,359,412 | 646,192 | 83 | 4,713,220 |

**FTA SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM
FY 2015 SOLICITATION FOR PROPOSALS
Funding Award Recommendations- Traditional Capital Projects**

| AGENCY/ FUNDING RECOMMENDATION | PROJECT | SCORE | ELIGIBLE COST (\$) | LOCAL MATCH (\$) ^d | VEHICLES | AWARD |
|---|---|-----------|--------------------|-------------------------------|----------|----------|
| NOT RECOMMENDED FOR FUNDING AWARD | | | | | | |
| 1. Santa Clarita Valley Committee on Aging ^b | Improved Community Mobility Program Vehicle Replacement and Procurement of Related Equipment: capital assistance for the procurement of one Class C large bus (including wheelchair lift, fare box, camera system, etc.), as well as a computer and navigation and tracking equipment. | 63 | 92,231 | 9,223 | 1 | 0 |
| 2. City of Gardena ^c | Gardena Paratransit Program Vehicle Procurement: capital assistance for the procurement of two Class D minivans for new proposed transportation service. | 58 | 100,000 | 10,000 | 2 | 0 |
| TOTAL/ AVERAGE SCORE | | 61 | 192,231 | 19,223 | 3 | 0 |

a. Per the Allocation Process approved by the Board of Directors in November 2014, Access Services is eligible to receive any funds that remain available for Traditional Capital Projects after the evaluation of projects submitted in response to the competitive FY 2015 Solicitation for Proposals. No proposals were received requesting the total of \$143,715 that was made available for the Lancaster-Palmdale urbanized area. Although one proposal was received requesting the total of \$92,231 that was made available for Santa Clarita urbanized area, it was not recommended for a funding award by the Evaluation Panel and by the Technical Advisory Committee after going through the Appeals Process. Access Services will use the balance of \$235,946 to procure vehicles to provide ADA complementary paratransit services in the Lancaster-Palmdale and Santa Clarita urbanized areas.

b. Not recommended for a funding award by the Evaluation Panel and by the Technical Advisory Committee after going through the Appeals Process.

c. Not recommended for a funding award by the Evaluation Panel and by the Technical Advisory Committee after going through the Appeals Process.

d. The minimum local match is 10% of the total eligible project cost. The County of Los Angeles Department of Public Works and the City of Downey proposed an overmatch.

**FTA SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM
FY 2015 SOLICITATION FOR PROPOSALS
Funding Award Recommendations- Other Capital and Operating Projects**

| AGENCY/ FUNDING RECOMMENDATION | PROJECT | SCORE | ELIGIBLE COST (\$) | LOCAL MATCH (\$) ^d | VEHICLES | AWARD |
|--|--|-----------|--------------------|-------------------------------|----------|------------------|
| RECOMMENDED FOR FUNDING AWARD | | | | | | |
| 1. City of Santa Monica | Door-through-Door Program Service Continuation and Expansion: operating assistance to support the continuation of existing service and addition of new weekend service. | 94 | 280,000 | 70,000 | 0 | 210,000 |
| 2. Rancho Research Institute | Transportation Program Expansion: operating and capital assistance, including the procurement of one Class A bus and equipment, to support service expansion. | 90 | 327,193 | 97,253 | 1 | 229,940 |
| 3. Pomona Valley Transportation Authority | Ready Now Transportation Program Service Expansion: operating assistance to support service expansion. | 88 | 192,000 | 96,000 | 0 | 96,000 |
| 4. City of Pasadena | Dial-a-Ride Expansion for Accessibility Enhancement Program: operating and capital assistance, including the procurement of two Class D minivans, to support service expansion. | 87 | 740,994 | 219,837 | 2 | 521,157 |
| 5. City of West Hollywood | Door-to-Door Program Service Expansion: operating and capital assistance, including the procurement of one Class D minivan, to support service expansion. | 83 | 422,711 | 163,085 | 1 | 259,626 |
| 6. The Information and Referral Federation of Los Angeles County | Volunteer Driver Transportation Program: operating assistance to support the development and implementation of a volunteer driver transportation program. | 80 | 450,000 | 210,000 | 0 | 240,000 |
| 7. Disabled Resources Center | Travel Training Program: operating assistance to provide travel training. | 78 | 111,340 | 52,886 | 0 | 58,454 |
| TOTAL/ AVERAGE SCORE | | 86 | 2,524,238 | 909,061 | 4 | 1,615,177 |
| NOT RECOMMENDED FOR FUNDING AWARD | | | | | | |
| 1. City of Gardena ^a | Gardena Paratransit Program: operating assistance for new proposed transportation service. | 76 | 92,231 | 9,223 | 0 | 0 |
| 2. Mobility Management Partners ^b | Catch-a-Ride Mileage Reimbursement and Training Program: operating assistance for new proposed services to provide travel training and mileage reimbursement. | 66 | 149,140 | 59,570 | 0 | 0 |
| 3. Antelope Valley Transit Authority ^c | Dial-a-Ride Program: operating assistance to support existing service. | 47 | 70,279 | 17,570 | 0 | 0 |
| TOTAL/ AVERAGE SCORE | | 63 | 311,650 | 86,363 | 0 | 0 |

a. Although this proposal received a score of 76 points, it was not recommended for a funding award as the proposed new program was also contingent on the funding award for the proposal that was submitted for the procurement of two vehicles from the Traditional Projects funding category. The Evaluation Panel, and the Technical Advisory Committee after going through the Appeals Process, did not recommend funding the procurement of the two vehicles (as shown in Attachment A). Therefore, the funding request for operating assistance was also not recommended for a funding award.

b. Only proposal that requested the total of \$36,861 that was made available for Santa Clarita urbanized area and one of two proposals that competed for the total of \$52,709 that was made available for the Lancaster-Palmdale urbanized area. The Evaluation Panel, and the Technical Advisory Committee after going through the Appeals Process, did not recommend a funding award. The funding balances are proposed to be made available for the next competitive cycle for eligible projects in the Lancaster-Palmdale and Santa Clarita urbanized areas, respectively.

c. Second of two proposals requesting the total of \$52,709 that was made available for the Lancaster-Palmdale urbanized area. The agency did not appeal to the Technical Advisory Committee the Evaluation Panel's recommendation to not fund its project. The funding balance is proposed to be made available for the next competitive cycle for eligible projects in the Lancaster-Palmdale urbanized area.

d. The minimum local match is 10% of the total eligible capital costs and 25% of the total eligible operating costs. Some agencies proposed an overmatch. Also, some agencies requested funding for both capital and operating expenses, while others only requested funding assistance for operations. These factors are taken into consideration in the local match that is shown for each project.

Summary of Application Package & Allocation and Application Processes

Application Package

The Application Package included instructions to complete applications, the evaluation criteria, and required certifications. It also provided an overview of the Section 5310 Program, including: 1) eligible applicants and subrecipients; 2) federal and local funding shares; and 3) eligible projects. Each agency was allowed to submit up to two (2) applications: one for Traditional Capital Projects and one for Other Capital and Operating Projects. Traditional Capital Projects are public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable. Other Capital and Operating Projects include public transportation capital and operating projects that exceed the requirements of the Americans with Disabilities Act of 1990 (ADA) or improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service, as well as alternatives to public transportation that assist seniors and individuals with disabilities with transportation. The funding request was limited to \$600,000 per application. A minimum score of 70 points was required for an application to be considered for a funding award.

Allocation Process

The Allocation Process specified the funding available for the FY 2015 Solicitation for Proposals for projects to be implemented in the urbanized areas (UZAs) of Santa Clarita, Lancaster-Palmdale, and Los Angeles-Long Beach-Anaheim. Funding requests from more than one UZA were also possible provided the proposed project had a nexus to the area(s) allocated Section 5310 funds in federal FY 2013 and FY 2014 (e.g., service to/from the UZA funding the project, vehicle and/or other asset is used in the UZA funding the project, etc.). This process made available \$4,713,220 for Traditional Capital Projects to be awarded following a competitive selection process as follows: \$92,231 for projects in the Santa Clarita UZA, \$143,715 for projects in the Lancaster-Palmdale UZA, and \$4,477,274 for projects in the Los Angeles-Long Beach-Anaheim UZA. It also made available \$1,704,747 for Other Capital and Operating Projects to be awarded as follows: \$36,861 for projects in the Santa Clarita UZA, \$52,709 for projects in the Lancaster-Palmdale UZA, and \$1,615,177 for projects in the Los Angeles-Long Beach-Anaheim UZA. The Allocation Process also specified the eligibility of Access Services to receive any remaining funds available for Traditional Capital Projects after Metro completes the competitive process to select projects for a funding award. It also restricted the eligibility of Access Services to apply for only operating funds from the funding marks for Other Capital and Operating Projects.

In November 2014 the Board approved the allocation of \$6,751,327 for Access Services and to amend the FY 2015 Budget to facilitate the disbursement of \$2,535,635 of the total allocation. However, due to the need to comply with federal requirements, the FTA grant will be approved in the first quarter of FY 2016. Accordingly, and contingent on the Board approval of the funding award recommendation of \$235,946 and budget amendment, the FY 2016 Budget will be amended to show a total of \$6,987,273 in Section 5310 funds for Access Services.

Application Process

On November 5, 2014, a notice was sent electronically to over 500 agencies to announce the FY 2015 Solicitation for Proposals, including applicable deadlines, the schedule of workshops for potential applicants, and the anticipated posting date of the Application Package. After the Board's approval, the Application Package and other relevant information were posted on Metro's website on November 17, 2014. Staff also asked the California Association for Coordinated Transportation and the Center for Nonprofit Management to post the funding opportunity on their websites.

Three applicant workshops were held to review the Application Package, including Section 5310 Program requirements, evaluation criteria and the selection process. A total of 51 persons representing 34 agencies participated in these workshops. Although staff indicated the opportunity to organize additional workshops targeted to specific areas and/or stakeholders, no requests were received. To assess funding eligibility and ensure proposed projects are included in the Coordinated Plan to comply with FTA requirements, staff asked potential applicants to submit a two-page maximum "Project Concept" summarizing a proposed project, including milestones, budget, funding sources, need, service area(s), and target population(s). A total of 32 Project Concepts from 28 agencies were received by the February 5, 2015 deadline (with 4 agencies submitting 2 Project Concepts each). Project Concepts were not scored and comments were provided by staff to project sponsors for their consideration in preparing applications. A total of 26 applications were received by the March 27, 2015 deadline (with 4 agencies each submitting 2 applications). The City of Gardena, which had submitted only one Project Concept, submitted two separate applications.



Board Report

File #: 2015-0955, File Type: Contract

Agenda Number: 34.

REVISED
CONSTRUCTION COMMITTEE
JULY 16, 2015

SUBJECT: STAFFING REQUEST FOR ENGINEERING & CONSTRUCTION DEPARTMENT'S TRANSIT PROJECTS

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to amend the **FY16 budget to add 33 non-contract full-time equivalent (FTE) positions:**

- A. 18 non-contract FTE positions (with 7 non-contract FTE positions already accounted in the FY 16 budget) by converting new Construction Management Support Services(CMSS)/consultant positions to support Measure R transit projects for Engineering & Construction (E&C) Department;
- B. 2 non-contract FTE positions by converting consultant positions to support Environmental Compliance and Sustainability projects for E&C Department (Refer to Appendix 1);
- C. 3 non-contract FTE positions to support capital transit projects for E&C Department (refer to Appendix 2);
- D. 4 non-contract FTE positions by converting new CMSS/consultant positions to support Measure R transit projects for Program Management Office (Refer to Appendix 3);
- E. 4 non-contract FTE positions by converting new CMSS/consultant positions to support Measure R transit projects for Vendor/Contract Management Department (Refer to Appendix 4); and
- F. 2 non-contract FTE positions to support Measure R transit projects for Countywide Planning and Development Department (Refer to Appendix 6).

It should be noted that the positions A through F are project related positions that can be terminated upon completion of the projects.

ISSUE

In recent quarterly meetings with the Federal Transit Authority (FTA), FTA has expressed repeated concerns over Metro's staffing levels. There were also discussions over Metro's succession planning. With the on-going construction of the three main transit projects, Crenshaw/LAX, Regional Connector and Westside Purple Line Extension Section 1 and initiating preliminary engineering design for Westside Purple Line Extension Section 2 in addition to numerous smaller transit capital and state of repair projects, FY 16 represents a year of tremendous growth for E&C department and all the other supporting departments such as Program Management Office, Vendor/Contract Management, Communications and Countywide Planning and Development who provide critical support to these projects. The total capital budget for these four main transit projects alone in FY 15 is approximately \$710 million with a total current staffing of 201 Metro and CMSS/consultant positions. With a proposed capital budget of \$1.150 billion for the four major transit projects in FY 16 (an increase of approximately 25 percent) the total Metro FTE and CMSS/consultant positions will need to increase from 201 positions to approximately 276 positions as the projects ramp up and come on stream.

For the FY 16 budget process, it was agreed to include 10 non-contract Metro positions as seed positions in order to allow staff to commence recruitment by advertising these positions. It was further agreed that the remaining request for 33 positions will go through a separate process via the Board as a direct response to previous Board motions. Last month, as part of the FY16 Budget, the Board approved 7 out of the 10 non-contract Metro positions for E&C. These Board approved positions are highlighted in Table A.

In order to support the main transit projects currently under construction, E&C and supporting departments are requesting a total of 33 non-contract FTE positions. These new non-contract FTE positions may be terminated upon completion of the projects.

- 23 positions for Engineering & Construction (Refer to Table A).
- 4 non-contract Metro FTEs for Program Management Office.
- 4 non-contract Metro FTEs for Vendor/Contract Management.
- 2 non-contract Metro FTEs for Countywide Planning and Development.

Based on the results of the pilot project and cost benefit analysis performed by E&C on the CMSS/consultant model to determine which functions should be brought in-house, staff has determined that partial conversion of the approximately 28 (of the 33) new staffing positions from private to public sector will save up to \$21 million through the life of project for the main transit projects:

- 18 non-contract Metro FTEs (with 7 non-contract FTE positions already accounted in the FY 16 budget) for Engineering & Construction for the main transit projects.

- 2 non-contract Metro FTEs for Engineering & Construction for Environmental Compliance and Sustainability.
- 4 non-contract Metro FTEs for Program Management Office.
- 4 non-contract Metro FTEs for Vendor/Contract Management.

INTRODUCTION

Metro's construction management and consulting services commonly referred to as construction management support services (CMSS) is a concept that began in the mid 1990's in response to a Board-directed investigation to research more effective and innovative approaches to project delivery. At the same time, the Metro Board approved the adoption of a Joint Project Office now called the Integrated Project Management Office (IPMO). The CMSS concept under the IPMO supplements Metro staff with consultants in managing Metro projects. The consultant staff members are an extension of Metro staff and under the direction of Metro.

The scope of the CMSS contract includes a variety of project management and construction management staffing disciplines that may be required during the course of construction. The consultants provide an extension of staff to various Metro Departments represented in the project team or supported by the project team - example Departments are Engineering and Construction, Program Management Office, Vendor/Contract Management, Communications, Enterprise Risk and Safety, and Countywide Planning and Development.

The vast majority of CMSS/consultant staff (used as an extension of Metro staff) are utilized on the main transit projects presently underway - Crenshaw/LAX, Regional Connector, Westside Section 1, with Westside Section 2 imminent. However, consultants are used to a lesser extent to supplement Metro staff for other project areas - Highways, Regional Rail, Capital and Environmental. The need for, and the pattern of usage, varies by project type and is dependent upon the specific needs of the various projects. On a typical transit project, the CMSS/consultant staff comprises of approximately 50 percent of the total staffing with the remaining 50 percent staffed by Metro personnel.

DISCUSSION

In response to several board motions, staff examined the cost of outsourcing construction management and consulting services and completed a pilot project study and a preliminary cost benefit analysis. The key goals and objectives of the pilot project study and preliminary cost benefit analysis were to:

- a. Deliver transportation infrastructure projects safely, on time, and within budget;

- b. Manage resources effectively and efficiently resulting in tangible cost savings;
- c. Build bench strength in the Metro work force and create a succession plan for the future; and
- d. Support Metro's commitment to Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE)

Due to the voter-approved Measure R program, Metro is undertaking one of the largest capital improvement programs in the nation which is an unprecedented challenge for project delivery. The successful project delivery of these transit projects is highly dependent on providing sufficient staffing resources in order to lower cost, exercise fiscal responsibility, enhance our safety-conscious culture and increase quality and efficiency.

Staffing Assumptions

The staffing assumptions used in the staffing analysis, pilot project study and cost benefit analysis consisted of the following:

1. All existing CMSS/consultant and Disadvantage Business Enterprise (DBE) and Small Business Enterprise (SBE) positions in FY 15 shall remain.
2. Highly specialized technical areas of expertise (tunneling resident engineer, noise/vibration engineer, land surveyor, etc.) shall remain as consultants.
3. In order to address peak fluctuations in the work including construction work that requires swing and night shifts, staff shall continue to use CMSS/consultant positions on an as-needed basis.
4. To honor Metro's commitment to DBE and SBE, existing CMSS/consultant positions in these categories shall remain as consultants.
5. The new non-contract Metro positions may be terminated upon completion of the projects.

Staffing Analysis

In preparation for the Metro FY16 budget process that establishes the Metro headcount for each subsequent fiscal year, staff assessed the project work for the coming year and, based on the projected annual capital expenditure per project, the project team established the overall staffing requirements consistent with the overall project management plans submitted to the Federal Transit Administration (FTA) for each project. From this capital budget information, the overall total monthly staffing requirements are estimated for each project using a variety of scenarios dependent on assumed levels of future capital funding. The staffing is broken down by Metro department(s) and divided between the public and private sector. The monthly staffing requirements are reviewed to ascertain the optimal split between public sector and private sector which is typically a 50/50 ratio. Additionally, staff considered a number of potential funding scenarios for potential longer term

projects to assist in providing an understanding of what the staffing requirements might be over an extended period of time.

In order to adequately staff the main transit projects for the first six months of FY16 and effectuate a cost savings of at least 25 percent, staff is requesting a total of 33 new non-contract Metro positions for the first six month of FY 16 to support Measure R transit and capital projects of which 28 CMSS/consultant positions will be converted to new Metro non-contract positions:

1. 23 non-contract positions for Engineering & Construction of which 20 non-contract positions are CMSS/consultant conversions.
 - a. 18 non-contract positions are CMSS/consultant conversions for the main transit projects.
 - b. 2 non-contract positions are consultant conversions for Environmental Compliance and Sustainability.
2. 4 non-contract positions for Program Management Office; all 4 positions are CMSS/consultant conversions.
3. 2 non-contract positions for Countywide Planning and Development.
4. 4 non-contract positions for Vendor/Contract Management; all 4 positions are CMSS/consultant conversions.

Most of the new staffing proposed for E&C for the first six months of FY16 to support two of the main transit projects, Crenshaw/LAX and Regional Connector, approximately 82 percent which is equivalent to 23 of the 28 positions. Approximately 18 percent of new staffing (equivalent to 5 positions of the 28 positions) proposed for E&C for the first 5 months of FY16 support Westside Purple Line Extension Section 1.

The intent is to fully staff the Crenshaw/LAX and Regional Connector Transit Corridor projects so that these new non-contract Metro positions will gradually phase into staffing for Westside Purple Line Extension Sections 1 and 2 by the end of 2017 once the Crenshaw/LAX and Regional Connector Transit Corridor projects start to ramp down. This will mean that Westside Purple Line Section 1 will have a heavier reliance on CMSS/consultant staff for FY 16 and FY17 compared with Crenshaw/LAX and Regional Connector Transit Corridor projects. Staff carefully and conscientiously determined the appropriate staffing levels to ensure that all these new non-contract Metro positions will have work for the next 10 years or more.

Furthermore, attrition plays a significant influence in the staffing analysis of 23 new non-contract E&C positions in FY16. Currently, there are a total of 127 existing staffing positions for Transit in E&C. In the next five to ten years, it is estimated that approximately 44 percent (56 out of 127) of the existing E&C staff in Transit are expected to retire.

There are significant tangible benefits in converting CMSS/consultant functions to new Metro positions such as:

- Providing a cost savings for the life of the project as the average cost of consultants is significantly more than the average cost of Metro positions.
- Preserving the intellectual, political and commercial capital of the organization by maintaining a trained and experienced work force.
- Creating flexibility, career advancement and build a succession plan for the organization.

As for the five (out of 33) new non-contract Metro positions that are not CMSS/consultant conversions, there is a strong business case to use in-house Metro personnel versus consultant positions to support the four main transit corridor projects and the capital improvement projects.

Based on our preliminary calculations, the potential annual cost savings of using five in-house Metro personnel in lieu of CMSS/consultant positions is approximately \$447,000 with up to \$3.1 million in potential savings for the life of projects as outlined in Table A-1.

Pilot Project Study

The pilot project study was initiated in November 2014 for the Crenshaw/LAX Transit Corridor project. For the pilot project study, staff transitioned certain new CMSS/consultant positions with non-contract Metro positions by either using existing “vacant” and/or “borrowed” Metro positions. A total of seven new CMSS/consultant positions were converted to non-contract Metro positions with annual cost savings of approximately \$1.27 million (with a 10 percent discount factor applied to account for market conditions). Two of the seven positions, specifically the Sr. Community Relations Officer and Community Relations Officers, were “borrowed” positions provided by Human Resources Department on a temporary basis only. Therefore, in order to make these two “borrowed” positions permanent, they are included as part of the seven non-contract positions CMSS/consultant conversions under Communications.

As shown in Table B, the total annual cost for these seven positions under the CMSS/consultant contract is approximately \$3.2 million. By converting these seven CMSS/consultant positions to new Metro positions, the total cost for these seven new Metro functions was reduced to \$1.8 million. Since these seven positions were recruited within the mid-point salary ranges of Metro’s pay scale, a 10 percent (in lieu of 30 percent) discount was applied against the cost savings of \$1.4 million to account for current market conditions and salary variations which yielded a total potential cost savings of approximately \$1.27 million.

Cost Benefit Analysis

Due to the successful results of the pilot project study, staff performed a cost benefit analysis that

identified the capital budget, monthly costs and staffing needs of all individual projects underway, including those that may be undertaken in the next five to ten years. In addition, total costs and total staffing needs were compiled over that period. The projected staffing numbers and costs were compared against industry norms and compared to the details provided to and approved by the FTA as part of Full Funding Grant Agreement related submittals for the respective projects.

The cost benefit analysis focused on the four main transit corridor projects such as Crenshaw/LAX, Regional Connector, and Westside Purple Line Extension Sections 1 and 2 and Environmental Compliance and Sustainability division. Based on the staffing assumptions described above, the results of the analysis indicate that a potential cost savings of \$21 million can be achieved by converting 28 new CMSS/consultant positions to new non-contract Metro positions. Refer to Table C and Table C-1.

- 18 positions for Engineering & Construction for the main transit projects.
- 2 positions for Engineering & Construction for Environmental Compliance & Sustainability.
- 4 non-contract Metro FTEs for Program Management Office.
- 4 non-contract Metro FTEs for Vendor/Contract Management.

The total projected budgeted value of the CMSS/consultant contracts for the main transit projects and Environmental Compliance and Sustainability is approximately \$282 million. Refer to the Table D below. The total cost for approximately 28 CMSS/consultant positions for the life of projects for the four main transit projects including Environmental Compliance & Sustainability is approximately \$73 million. By converting these 28 CMSS/consultant positions to non-contract Metro positions, the total cost for these Metro functions is reduced to approximately \$43 million. This results in a potential cost savings of \$30 million. However, by applying a 30 percent discount against \$30 million to account for market conditions, salary variations, and other staffing considerations, the total potential cost savings is approximately \$21 million.

The cost benefit analysis has to be tempered by a number of staffing considerations including but not be limited to, actual market conditions (and associated salaries) for professional staff, availability of staff with approximate qualifications and experience, staffing procurement lead-in times, SBE/DBE, flexibility of using consultant staff on as-needed basis, long term human resource costs related to Metro staff benefits such as pension, obligations, etc.

| TABLE E- PROJECT NAME | CMSS/CONSULTANTS | ESTIMATED CONTRACT VALUE (Life of Project) |
|---------------------------------------|---|--|
| Crenshaw/LAX Transit Corridor Project | Stantec, PMA, CRSS & Hill International | \$67 million |

| | | |
|---|--|--------------|
| Regional Connector Transit Corridor Project | Arcadis, CPVJ, Hill International | \$45 million |
| Westside Purple Line Extension Section 1 | Westside Extension Support team, J.V. & Hill International | \$69 million |
| Westside Purple Line Extension Section 2 | TBD* | \$63 million |
| Environmental Compliance and Sustainability | Arcadis | \$38 million |
| TOTAL | \$282 million | |

*CMSS contracts have not yet been awarded to Westside Purple Line Extension Section2.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards.

FINANCIAL IMPACTS

The following funds are included in the FY 16 budget for this action:

- Project no. 865512 and 860003 Crenshaw/LAX Transit Corridor Project in Cost Centers 6810, 6940, 7160, 8110, 8410, 8420, 8510 and 8610.
- Project no. 860228 Regional Connector Transit Corridor Project in Cost Centers 6810, 6940, 7160, 8110, 8410, 8420, 8510 and 8610.
- Project no. 865518 Westside Purple Line Extension Section 1 in Cost Centers 8010 and 8510.

The conversion of the CMSS/Consultant positions to new Metro non-contract positions effectuates a cost savings of up to \$21 million throughout the life of project for the main transit projects including Environmental Compliance and Sustainability. This potential cost savings incurred will be reallocated to project contingency. Since this is a multi-year project, the Executive Director of Engineering and Construction will be responsible for allocating the costs in future years.

ALTERNATIVES CONSIDERED

The Board may choose not to authorize the conversion of CMSS/Consultant positions to non-contract FTEs. This is not recommended since the impacts of insufficient staffing at appropriate levels include:

- Heavier reliance on CMSS/consultant positions.
- Loss of potential cost savings of up to \$21 million for these positions for life of project.
- Inability to preserve the intellectual and commercial capital of the organization.
- Inability to cross-train in the most effective and efficient manner to provide a wider diversity of

skills and create flexibility in the workforce.

- Inability to create a succession plan for the future.

Furthermore, if the five non-contract Metro positions listed in Table A-1 are not approved by the Board, staff will have to outsource and use CMSS/consultant positions with a loss of potential cost savings of up to \$3.1 million for life of projects.

NEXT STEPS

1. Staff will submit their FY 16 CMSS Contract budget to the Board for approval in July 2015.
2. Staff will report back by December 2015 on the actual number of non-contract Metro positions hired and placed on the projects. This report will include the cost impacts effectuated by the conversion of positions affecting the CMSS, Metro Admin and Contingency line items by project.

ATTACHMENTS

- A. Table A Engineering & Construction FY16 Staffing
- A-1 Table A-1 Potential Cost Savings of 9 Metro FTEs
- B. Table B - Pilot Project Study
- C. Table C - Cost Benefit Analysis
- D. Table C-1 -FY16 CMSS/Consultant Conversion Cost Savings
- E. Appendix 1 - Environmental Compliance & Sustainability
- F. Appendix 2 - Transit Capital Projects
- G. Appendix 3 - Program Management Office
- H. Appendix 4 - Vendor/Contract Management
- I. Appendix 6 - Countywide Planning and Development

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Phillip A. Washington
Chief Executive Officer

| TABLE A-1 Potential Cost Savings of 9.5 Metro FTEs | Annual CMSS Burdened Rate | CMSS Hourly | Metro Annual Burdened Rate | Metro Hourly | Difference in Salary | Cost Savings | Potential Savings |
|---|----------------------------------|--------------------|-----------------------------------|---------------------|-------------------------------------|---------------------|--------------------------|
| Director, Construction Management | \$ 462,560 | \$ 245 | \$ 280,218 | \$ 148 | 61% | 39% | \$ 182,342 |
| Sr. Engineering Manager | \$ 462,560 | \$ 245 | \$ 252,213 | \$ 134 | 55% | 45% | \$ 210,347 |
| Sr. Engineer | \$ 262,432 | \$ 139 | \$ 207,680 | \$ 110 | 79% | 21% | \$ 54,752 |
| Signage Design Manager | \$ 294,528 | \$ 156 | \$ 207,680 | \$ 110 | 70% | 30% | \$ 86,848 |
| Sr. Graphic Designer | \$ 262,432 | \$ 139 | \$ 158,592 | \$ 84 | 60% | 40% | \$ 103,840 |
| | | | | | TOTAL POTENTIAL COST SAVINGS | | \$ 638,139 |
| | | | | | 30% Discount | | \$ 446,690 |
| | | | | | LIFE OF PROJECTS (7 years) | | \$ 3,126,832 |

ATTACHMENT A-1

Table A
Engineering & Construction
FY16 FTE Request for Consultant Conversion Positions

| No. FTE | Cost Center | Project No. | Position Title | Job Description | Justification | QTR Needed |
|-------------------|-------------|--------------|---|--|--|------------|
| 3 | 8410 | 860228 -- RC | Construction Inspector | To inspect each stage of construction of Regional Connector; track, tunnel and stations as well as all contractors activities, to be in accordance with plans and specs. Prepares non-conformance reports; maintains daily logs; monitor contractor testing activities; support construction safety functions; coordinates Metro test lab activities; and oversee DB inspection activities. | Construction Management Department does not have the personnel to assign to these activities at this point in time. | Q1 |
| 1 | 8410 | 860228 -- RC | * Senior Construction Manager | Senior Construction Manager: This position oversees and manages rail facilities Regional Rail construction project, ensures work is accomplished according to specification and plans, and is on schedule and within budget. Sets priorities for staff and ensures that staff are accomplishing assigned tasks. | Construction Management Department does not have the personnel to assign to these activities at this point in time. Metro does not want to use consultants at this time due to the higher cost of consultants. | Q1 |
| 1 | 8320 | 860228 -- RC | Sr. Engineer (Geotechnical) | To supervise geotechnical activities on the Regional Connector project. | The Regional Connector has several geotechnical elements that would require geotechnical engineering reviews. Metro Engineering is expecting to receive a very large number of submittals that require our review. With the Design Builder already on board on two of these projects and their his aggressive schedule to start construction in the summer, a new position is needed in order to assist the project in review of the geotechnical items on these projects. | Q1 |
| 1 | 8330 | 860228 -- RC | Sr. Engineer (Systems) | Supervise and manage all activities related to Systems Integration on the Regional Connector project. | An experienced Systems Integration Engineer is needed to support the Regional Connector project during design & construction. The Sr. Systems Integration Engineer is vital to ensure a seamless integration from existing systems to New Systems, New Systems to Facilities and Integrated Testing (Test Plans, Field Testing etc.). An integrated Rail System is vital for Metro's Operational needs. | Q1 |
| 1 | 8110 | 860228 -- RC | Quality Assurance Manager | Performs quality audits, surveillances, field inspection and monitoring of design, new construction modifications, as required, including monitoring of laboratory and manufacturers audits, surveillance and data analysis as directed. Coordinate with Director of Quality Management in the establishment, implementation and maintenance of Project Quality related goals; and determination and management of budgetary and staffing requirements; implementation of Quality Program requirements for assigned projects, and supervision of subordinate Quality Management staff assigned to the project. | The Quality Management Group is responsible for the establishment, auditing and surveillance of quality programs and inspection and testing of in-place construction by constructors for all Major Capital construction projects, smaller capital projects, and Measure R Projects during the design, construction, testing and startup activities prior to eventual turnover of systems and structures to Metro Operations. The large amount of QA/QC activities (establishment, auditing and surveillance of quality programs and inspection and testing of in-place construction by constructors for all our 3 Major rail projects, plus Regional Rail and several smaller Capital projects is such that our quality management resources need to be augmented. The resources we have at this time are insufficient to handle all the activities in FY' 16. | Q1 |
| 1 | 8420 | 860228 -- RC | * Sr. Environmental Specialist Principal Environmental Specialist | Assist in the execution of environmental compliance and sustainability-related project of the Regional Connector Project. | Currently using consultant staff full-time for Measure R project, environmental compliance, and the sustainability-related program. This is a conversion of full-time seconded staff to regular Metro staff to reduce overall project delivery cost. Loaded per unit labor cost difference between seconded consulting staff and equivalent Metro position is up to 350%, depending on position. | Q1 |
| 8 Subtotal | | | | | | |

Table A
Engineering & Construction
FY16 FTE Request for Consultant Conversion Positions

| No. FTE | Cost Center | Project No. | Position Title | Job Description | Justification | QTR Needed |
|---------|-------------|-----------------|---|--|---|------------|
| 3 | 8410 | 865512 -- C/LAX | Sr. Construction Inspector | Sr. Inspector, Southwest Yard (1): This position is for Southwestern Yard Project. The Inspector will support the R.E. and be required to inspect and monitor installation of the work; review and prepare reports; review and interpret plans and specifications; ensure compliance with codes, standards and contract documents; assist in resolving problems in the field; coordinate work with other agencies. Sr. Inspector, Systems : This position is for Crenshaw/LAX Transit Project. The Systems Inspector will support the project R.E. and be required to inspect and monitor installation of the systems work; review and prepare reports; review and interpret plans and specifications; ensure compliance with codes, standards and contract documents; assist in resolving problems in the field; coordinate work with other agencies. Sr. Inspector, MEP: This position is for Crenshaw/LAX Transit Project. The MEP Inspector will support the project R.E. and be required to inspect and monitor installation of the mechanical, electrical and plumbing work; review and prepare reports; review and interpret plans and specifications; ensure compliance with codes, standards and contract documents; assist in resolving problems in the field; coordinate work with other agencies. | Construction Management Department does not have the personnel to assign to these activities at this point in time. | Q1 |
| 1 | 8410 | 865512 -- C/LAX | Director of Construction Management | Dir. Construction Management: This position is for Crenshaw/LAX Transit Project, Segment B. This individual will oversee and manage construction, development of workplans, schedules and estimates; administer and monitor work for compliance with contract documents; coordinate with Metro staff and outside agencies; review change requests and prepare change notice justifications. | Construction Management Department does not have the personnel to assign to these activities at this point in time. | Q1 |
| 1 | 8410 | 865512 -- C/LAX | Sr Construction Manager (SPECIALIST: SYSTEMS) | <u>This position is for Crenshaw/LAX Transit Project. The Senior Construction Manager will act as Systems Resident Engineer and be required to oversee and manage construction, development of workplans, schedules, estimates and specifications; administer and monitor work for compliance with contract documents; coordinate with Metro staff and outside agencies; review change requests and prepare change notice justifications. This position reports to the Director Construction Management through a matrix organization.</u> | <u>This position requires a Systems specialist to support the Resident Engineers for the Mainline Crenshaw/LAX Project.</u> | Q1 |
| 1 | 8410 | 865512 -- C/LAX | Construction Manager | The Construction Manager will analyze data, specifications, and drawings; assist in monitoring work for compliance with schedule, budget, technical and legal requirements; prepare technical reports and correspondence; assist in coordination with outside agencies; maintain projects records; monitor status of submittal and design reviews. This position reports to the Director Construction Management. | The position is required to support the Office Engineer role for Crenshaw/LAX project. | Q2 |
| 1 | 8420 | 865512 -- C/LAX | * Sr. Environmental Specialist Principal Environmental Specialist | Assist in the execution of environmental compliance and sustainability for the Crenshaw/LAX Project. | Current staff is a full-time consultant supporting Measure R project, environmental, and the sustainability-related program. This request is for a conversion of full-time secunded staff to regular Metro staff to reduce overall project delivery cost. Loaded per unit labor cost difference between secunded consulting staff and equivalent Metro position is up to 350%, depending on position. | Q1 |
| 1 | 8110 | 865512 -- C/LAX | * Sr. Quality Engineer Quality Assurance Manager | The <u>Sr. Quality Engineer Quality Assurance Manager</u> is required to coordinate with construction inspectors and monitor field construction activities; coordinate verification testing; evaluate quality performance. | Performs design document review, construction contract review, design and construction quality audits and surveillances, field inspection for the project as required, including laboratory and manufacturer audits and surveillances. Arranges for Metro's verification test laboratory and coordinates the tests with Inspection and Construction Management. | Q1 |

Table A
Engineering & Construction
FY16 FTE Request for Consultant Conversion Positions

| No. FTE | Cost Center | Project No. | Position Title | Job Description | Justification | QTR Needed |
|-----------------------|-------------|-----------------------------------|--------------------------------------|--|---|------------|
| 8 Subtotal | | | | | | |
| 1 | 8420 | 865518 -- WPL1, 865522 -- WPL2 | * Principal Environmental Specialist | Assist in the execution of environmental compliance and sustainability-related projects of the Purple Line Extension. | Current staff is a full-time consultant supporting Measure R project, environmental, and the sustainability-related program. This request is for a conversion of full-time secunded staff to regular Metro staff to reduce overall project delivery cost. Loaded per unit labor cost difference between secunded consulting staff and equivalent Metro position is up to 350%, depending on position. | Q1 |
| 1 | 8110 | 865518 -- WPL1 | Sr. Construction Inspector | Perform quality audits, surveillances, field inspection and monitoring of design, new construction, modifications, as required, including monitoring of laboratory and manufacturer audits, surveillance and data analysis as directed. | The large amount of quality activities (establishment, auditing and surveillance of quality programs and inspection and testing of in-place construction by constructors for all our 3 Major rail projects, plus several smaller capital projects is such that our QA/ QC resources need to be augmented. The resources we have at this time are insufficient to handle all the activities in FY' 16. | Q1 |
| 1 | 8410 | 865518 -- WPL1 | * Senior Construction Manager | This position oversees and manages rail facilities Westside Purple Line Section 1 construction project, ensures work is accomplished according to specification, plans and is on schedule and within budget. Sets priorities for staff and ensures that staff are accomplishing assigned tasks. | Construction Management Department does not have the personnel to assign to these activities at this point in time. | Q1 |
| 1 | 8010 | 865522 -- WPL2 | *Sr. Engineering Manager | This position is for Section 2 of the Westside Purple Line Extension Project. The position is required to provide direction for the engineering of the Project. The Senior Engineering Manager will provide day-to-day management and interaction with the Engineering Management Services Consultant. This position reports directly to the Director Engineering. | This position is required to deliver quality capital projects on-time and within budget. On December 31, 2014, The Federal Transit Administration (FTA) approved Metro's request for Section 2 of the Westside Purple Line Extension Project to enter the New Starts Engineering Phase of the FTA Capital Investment Grant Program. This is one of the major steps towards obtaining a Fund Funding Grant Agreement (FFGA) for the Project, which is planned for mid-2016. Another major step in obtaining an FFGA is to provide adequate staff to meet FTA's expectations on technical capacity and capabilities to bring the Project on-time and within budget. It is expected that the Advanced Preliminary Engineering will complete in FY16 to support the issuance of the Design/Build RFP procurement. | Q1 |
| 2 Subtotal | | | | | | |
| 18 Grand Total | | | | | | |

* Positions approved by the Board at the May 28, 2015 Special Board Meeting - FY 16 Budget .

| TABLE B- PILOT PROJECT STUDY | Annual CMSS Burdened Rate | CMSS Hourly | Metro Annual Burdened Rate | Metro Hourly | Difference in Salary | Cost Savings | Difference |
|-------------------------------------|----------------------------------|--------------------|-----------------------------------|---------------------|-----------------------------|---------------------|--------------------|
| DEO, Project Mmgt | \$617,376 | \$327 | \$335,996 | \$178 | 54% | 46% | \$281,380 |
| Director, Construction Management | \$462,560 | \$245 | \$280,218 | \$148 | 61% | 39% | \$182,342 |
| Director, Construction Management | \$462,560 | \$245 | \$280,218 | \$148 | 61% | 39% | \$182,342 |
| Director, Construction Management | \$462,560 | \$245 | \$280,218 | \$148 | 61% | 39% | \$182,342 |
| Director, Construction Management | \$462,560 | \$245 | \$280,218 | \$148 | 61% | 39% | \$182,342 |
| Sr. Construction Relations Officer | \$396,480 | \$210 | \$158,592 | \$84 | 40% | 60% | \$237,888 |
| Community Relations Officer | \$319,072 | \$169 | \$158,592 | \$84 | 50% | 50% | \$160,480 |
| TOTAL | \$3,183,168 | | \$1,774,052 | | | 45% | \$1,409,116 |
| | | | | | With 10% DISCOUNT | 41% | \$1,268,204 |

| TABLE C- COST BENEFIT ANALYSIS | FY 16 | | | TOTAL | | |
|--------------------------------|--------------------|---------------------|---------------------|------------------------|----------------------|----------------------|
| | BURDENED COST | CMSS/Consultant | Metro | Potential Cost Savings | CMSS/Consultant | Metro |
| Crenshaw/LAX | \$ 3,795,441 | \$ 2,355,379 | \$ 1,440,084 | \$14,139,945 | \$ 8,603,616 | \$ 5,536,329 |
| Regional Connector | \$ 3,376,713 | \$ 2,133,057 | \$1,243,656 | \$ 13,035,390 | \$ 7,736,037 | \$ 5,299,353 |
| Westside PLE 1 | \$ 1,561,529 | \$ 945,272 | \$ 616,258 | \$ 19,563,375 | \$ 12,394,266 | \$ 7,169,109 |
| Westside PLE 2 | \$ - | \$ - | \$ - | \$ 22,309,702 | \$ 12,428,160 | \$ 9,881,542 |
| Environmental & Sustainability | \$ 627,382 | \$ 345,526 | \$ 281,856 | \$ 4,517,155 | \$ 2,239,008 | \$ 2,278,147 |
| TOTAL | \$9,361,065 | \$ 5,779,234 | \$ 3,581,854 | \$ 73,565,567 | \$ 43,401,087 | \$ 30,164,480 |
| | | 30% Discount | \$ 4,958,916 | | 30% Discount | \$ 21,115,136 |

TABLE C-1
CMSS/Consultant Conversion Cost Savings for FY2016

| WESTSIDE PURPLE LINE EXTENSION SECTION 1 PROJECT | | | | | | |
|--|-----------------------------|------------------------|-------------------------------------|----------------------|------------------------|--------------------------|
| PROJECTED COST OF CMSS/CONSULTANT | | | METRO | | | YEARLY COST SAVINGS FY16 |
| POSITION | HOURLY BURDENED RATE CY2016 | YEARLY BURDENED SALARY | EQUIVALENT POSITION | HOURLY BURDENED RATE | YEARLY BURDENED SALARY | |
| Sr. Configuration Management Analyst | \$87 | \$163,368 | Sr Configuration Management Analyst | \$84 | \$158,858 | \$4,510 |
| Lead Inspector | \$199 | \$375,302 | Sr Construction Inspector (Quality) | \$92 | \$172,764 | \$202,538 |
| Sr. Environmental Specialist | \$128 | \$241,664 | Principal Environmental | \$92 | \$172,763 | \$68,901 |
| Construction Claims Analyst | \$240 | \$453,646 | Sr. Construction Claims Analyst | \$134 | \$252,225 | \$201,421 |
| Sr. Contract Administrator | \$173 | \$327,550 | Sr Contract Administrator | \$100 | \$188,661 | \$138,888 |

| REGIONAL CONNECTOR PROJECT | | | | | | |
|--|-----------------------------|------------------------|-------------------------------------|----------------------|------------------------|--------------------------|
| PROJECTED COST OF CMSS/CONSULTANT | | | METRO | | | YEARLY COST SAVINGS FY16 |
| POSITION | HOURLY BURDENED RATE CY2016 | YEARLY BURDENED SALARY | EQUIVALENT POSITION | HOURLY BURDENED RATE | YEARLY BURDENED SALARY | |
| Inspector (Senior) Structural | \$157 | \$297,150 | Construction Inspector | \$84 | \$158,858 | \$138,292 |
| Inspector (Senior) Mechanical | \$166 | \$314,017 | Construction Inspector | \$84 | \$158,858 | \$155,159 |
| Inspector (Senior) Trackwork | \$197 | \$371,487 | Construction Inspector | \$84 | \$158,858 | \$212,629 |
| Construction Manager (Sr.) | \$303 | \$571,420 | Quality Assurance Manager | \$110 | \$206,981 | \$364,440 |
| Rail Activation Engineer | \$189 | \$356,214 | Sr. Construction Manager | \$134 | \$252,212 | \$104,001 |
| Lead Tunnel/Geotechnical Engineer | \$154 | \$290,701 | Sr. Geotechnical Engineers | \$143 | \$269,456 | \$21,245 |
| Systems Engineer | \$152 | \$287,514 | Sr. Systems Engineers | \$143 | \$269,456 | \$18,058 |
| Environmental Compliance | \$143 | \$270,851 | Sr. Environmental Specialist | \$84 | \$158,859 | \$111,992 |
| Deputy Director Project Controls | \$230 | \$433,988 | DEO Project Controls | \$173 | \$326,755 | \$107,233 |
| Configuration Management/Document Control Supervisor | \$97 | \$183,370 | Configuration Management Supervisor | \$92 | \$172,763 | \$10,607 |

| CRENSHAW/LAX & SOUTHWESTERN YARD PROJECT | | | | | | |
|--|-----------------------------|------------------------|---------------------------|----------------------|------------------------|--------------------------|
| PROJECTED COST OF CMSS/CONSULTANT | | | METRO | | | YEARLY COST SAVINGS FY16 |
| POSITION | HOURLY BURDENED RATE CY2016 | YEARLY BURDENED SALARY | EQUIVALENT POSITION | HOURLY BURDENED RATE | YEARLY BURDENED SALARY | |
| Systems RE | \$245 | \$462,560 | Sr Construction Mgr | \$135 | \$254,090 | \$208,472 |
| Sr Environmtl Spclst | \$171 | \$322,414 | Sr Env Specialist | \$84 | \$158,858 | \$163,557 |
| Sr Quality Engr | \$141 | \$266,208 | Sr Quality Engineer | \$92 | \$172,764 | \$93,446 |
| Inspector | \$141 | \$266,208 | Sr Construction Inspector | \$92 | \$172,764 | \$93,446 |
| Inspector | \$141 | \$266,208 | Sr Construction Inspector | \$92 | \$172,764 | \$93,446 |
| Inspector | \$141 | \$266,208 | Sr Construction Inspector | \$92 | \$172,764 | \$93,446 |
| Dir, Construction Mgmt | \$245 | \$462,560 | Dir Construction Mgmt | \$148 | \$280,219 | \$182,344 |
| Office Engineer | \$133 | \$251,104 | Construction Mgr | \$110 | \$206,981 | \$44,125 |
| Sr Contract Admnstr | \$209 | \$394,781 | Sr Contract Administrator | \$100 | \$188,661 | \$206,121 |
| DEO Claims Avoidance | \$287 | \$541,856 | Deputy Exec Officer | \$171 | \$323,302 | \$218,557 |
| Sr Project Control Manager | \$156 | \$295,335 | Sr Project Control Mgr | \$134 | \$252,212 | \$43,124 |

| ENVIRONMENTAL COMPLIANCE & SUSTAINABILITY | | | | | | |
|---|-----------------------------|------------------------|-------------------------|----------------------|------------------------|--------------------------|
| PROJECTED COST OF CMSS/CONSULTANT | | | METRO | | | YEARLY COST SAVINGS FY16 |
| POSITION | HOURLY BURDENED RATE CY2016 | YEARLY BURDENED SALARY | EQUIVALENT POSITION | HOURLY BURDENED RATE | YEARLY BURDENED SALARY | |
| Principal Environmental Specialist | \$166 | \$313,691 | Principal Environmental | \$92 | \$172,763 | \$140,928 |
| Principal Environmental Specialist | \$166 | \$313,691 | Principal Environmental | \$92 | \$172,763 | \$140,928 |

Note: Total may not add due to rounding.

TABLE C-1
CMSS/Consulting Conversion Cost Savings for FY2016

| Summary | Westside Purple Line | Regional Connector | Crenshaw LAX & | Environmental | Total |
|--|-----------------------|-------------------------|--------------------|------------------|--------------------|
| Total CMSS/Consulting | 6 <u>5</u> | 13 <u>10</u> | 11 | 2 | 32 |
| <i>in Engineering & Construction</i> | 2 | 8 | 8 | 2 | 20 |
| <i>in Support Departments</i> | 4 <u>3</u> | 5 <u>2</u> | 3 | 0 | 12 |
| TOTAL CMSS/Consultant | \$616,258 | \$1, 243,656 | \$1,440,084 | \$281,856 | \$3,581,853 |

APPENDIX 1: STAFFING REQUEST FOR ENVIRONMENTAL COMPLIANCE AND SUSTAINABILITY SERVICES

BACKGROUND

The Environmental Compliance & Sustainability division (ECSD) provides cross functional environmental, sustainability, and technological support to all of Metro's core business units. ECSD consists of staff credentialed and professionally licensed to oversee environmental clearance, environmental compliance and remediation, energy management, resource conservation, environmental management system, climate change management, and environmental liabilities reduction. The department uses internal staff to manage and oversee services and construction contracts; and requires complementary expertise from consulting firms. This cross functional effort aligns with an integrated approach to producing cost-effective, cost-saving, and technologically advanced and most efficient solutions to environmental regulatory compliance and resource management to achieve procedural and process efficiencies and deliver successful support to accomplish Metro's mission, goals and objectives.

ISSUE

LA Metro has formally incorporated sustainable principles, specifically climate, energy, water and resource conservation and management, into its organizational values and core business goals. These principles express the agency's commitment to "reduce, re-use, and recycle all internal resources and reduce greenhouse gas emissions." Operational and construction-related sustainability principles have been formally implemented throughout our agency since 2007, and have been extensively incorporated into major capital projects as early as 2003. Over the past few years, the number of initiatives and projects related to these themes have significantly increased resulting from new statutes, regulations, and ordinances at all levels of government as well as the increasing mandate from our Board to look for cost-effective ways to plan, construct, operate infrastructure and procure for goods and services. These efforts have resulted in significant cost savings and operational efficiencies (up to \$3M per year), while simultaneously providing fresh sources of potential revenue (from the generation of environmental commodities resulting from these efforts) and increasing the health and welfare of our employees and the people we serve through a safe working and customer focused environment.

As we increase our transit and transportation infrastructure, staff's internal ability to oversee these sustainability-related operational and capital projects become more challenging on two fronts: our ability to properly manage the implementation of the cost-saving and environmentally protective projects as well as our ability to ensure that we develop and implement new ideas to ensure continual improvement.

The number of ECSD staff supporting all of these activities has not grown at a pace required to adequately support and oversee these projects. In the past few years, consultants were used to supplement efforts through environmental and sustainability related professional services contracts. The existing number of staff is insufficient to address the increasing number of requirements that need to be implemented for the Crenshaw/LAX, Regional Connector, Westside Purple Line Extension Segments 1/2 projects based on current workload factors. As these projects go into full construction, ECSD must meet all current and construction projects needs to reduce our environmental liabilities over the whole life cycle of an asset: that is from planning, design, construction, and operations and maintenance of the project.

While we can continue to use specialized seconded staff through our consultants to execute these time sensitive and board mandated projects, ECSD proposes to instead procure for two new permanent staff to ensure the consistency of project implementation and reduce risk of losing institutional knowledge as Metro continues to implement its growing environmental and sustainability initiatives to ensure statutory and regulatory compliance, organizational resiliency to evolving extreme weather conditions and climate change, and reduce business continuity risk. These positions will be assisting in the implementation of our agency-wide Environmental Management System, water and resource conservation projects, as well as our climate change and energy programs. Staff will also be assigned to oversee our agency's transition to more stringent requirements as a result of recent industrial wastewater and stormwater regulatory changes as well as new climate change-related- statutes and directives (at the Federal, State, and Local levels). Specifically on the climate change-related efforts, the FTA expects climate change related issues and solutions to be incorporated into an agency's Transit Asset Management Program to ensure a continual state of good repair. These two new positions will take on this additional responsibility, related to their climate change functions in our agency.

DISCUSSION

Through a series of Board actions since 2007, Metro's environmental and sustainability function is now fully incorporated into the fabric of all of our planning, construction, operations, and procurement business units and significantly positively affects Metro's bottom line. The programs and initiatives have been proven to lower operational costs (currently up to \$3M per year), improve safety, increase quality and efficiency, and enhance our system's overall reputation among our customers, elected officials, and the public. In fact, Metro's environmental and sustainability program has been recognized as the highest environmental and programmatic standard by the American Public Transportation Association and has been cited several times by the Federal Transit Administration as an example program for other transit agencies in the country.

By transitioning consultant support to FTEs, Metro will generate continuing benefits of consistency of project implementation and reduce risk of losing institutional knowledge as Metro continues to implement its growing environmental and sustainability initiatives to ensure statutory and regulatory compliance, organizational resiliency to evolving extreme weather

conditions and climate change, and reduce business continuity risk. Procuring for permanent staff increases the pool of skilled staff to build a succession plan for the future.

ALTERNATIVE

The Board may decide not to approve the transition of consultant functions to Metro staff for ECSD. This is not recommended because it would perpetuate heavy reliance on consultants, where specialized staff is necessary to execute these time sensitive and board mandated projects, to fulfill critical needs in the areas of environmental compliance and sustainability. The number of staff requested for ECSD is a compromise to ensuring that we achieve both environmental and sustainability goals, reduce our liabilities, and remain sound in achieving our efficiency and cost-savings goals.

**ATTACHMENT A - TRANSITION FROM CMSS/CONSULTANT TO METRO STAFF
ENVIRONMENTAL COMPLIANCE/SERVICES DEPARTMENT**

| Priority | Funding | Position Title | Job Description (currently performed by consultant) | Justification | Required By |
|-----------------|---|--|---|--|--------------------|
| 1 | 860228 -- RC, 202211 -- FUEL STORAGE TANK | Principal Environmental Specialist | Assist in the execution of environmental compliance and sustainability-related projects . Assist in the oversight of the Underground Storage Program. | This is a conversion of full-time secured staff to regular Metro staff to reduce overall project delivery cost. Staff will be required (part time) to assist in the implementation of backlogged compliance efforts associated with most recent underground and aboveground storage tank regulations. Loaded per unit labor cost difference between secured consulting staff and equivalent Metro position is up to 350%, depending on position. | 1st Q FY16 |
| 1 | 300012 -- SOIL REMEDICATION and various projects overseen by ECSD | Principal Environmental Specialist | Assist in the execution of environmental compliance and sustainability-related projects. Assist in the oversight of the Hazardous Waste Program. | This is a conversion of full-time secured staff to regular Metro staff to reduce overall project delivery cost. Staff will be required (part time) to assist in the oversight of hazardous waste program associated with current and new (currently or about to be built) operating facilities programmed to reduce agency environmental liabilities. Loaded per unit labor cost difference between secured consulting staff and equivalent Metro position is up to 350%, depending on position. | 1st Q FY16 |

APPENDIX 2: REQUEST FOR ENGINEERING & CONSTRUCTION CAPITAL PROJECTS STAFFING

BACKGROUND

In addition to the design, engineering, and construction of the major Measure R rail projects, Engineering and Construction manages a capital program in excess of \$1.0 Billion which is comprised of more than 25 different capital projects, many of which are broken into several separate design and construction contracts. Example projects currently in various stages of design and construction development include the Division 13 Bus Operations and Maintenance (O & M) facility, the Expo Santa Monica O & M facility, the Southwestern Yard O & M facility, the Rosa Parks Station improvements, Patsaouras Plaza Busway Station, the Emergency Security Operations Center (ESOC), and soundwall projects. Additionally, the capital support departments provide management and coordination of all joint development projects at Metro stations, engineering support and design work for Facilities Maintenance and General Services at our facilities and headquarters, and technical support for sustainability projects, highway projects, and regional rail.

ISSUE

The work effort for the capital projects which includes design, engineering, and construction management is done primarily by in-house staff. For larger and more complicated design projects, the services of design consultants are retained. When engineering assistance is needed to supplement staff or specific engineering capabilities are required, a task order contract with Maintenance Design Group is initiated. This contract is used for engineering task orders that are project-based, and may not be used to supplement or second Metro engineering staff.

For construction management (CM) Marris, Inc. and Jackie Patterson Engineering (both SBE's) provide CM services when required. Currently, Marris and JL Patterson are used to support the Division 13, Patsaouras Plaza, the North Hollywood Pedestrian Underpass, and the Universal City Pedestrian Bridge. These contracts are set to expire this year, and will be re-procured competitively to have on-call CM assistance when required.

Due to the expanding workload, new FY16 capital projects, and the number of new building projects such as the Rosa Parks Station and the AMC, the departments supporting the capital projects are currently short on resources and new resources are required to meet the goals and objectives of the departments. Also, interdepartmental resources have been reallocated from the capital projects resources to make sure the major rail projects have adequate management oversight. Therefore, existing staff is not sufficient based on the current workload to efficiently and effectively implement the work effort.

The resource allocation of staff for Capital Projects has not grown at a pace required to adequately support and oversee the engineering and construction of the dynamic and expanding capital program. This situation has created an over dependency on costly consultants to provide technical support.

DISCUSSION

Engineering and Construction is requesting three (3) additional positions to support the Capital Projects Program. These new non-contract positions may be terminated upon completion of the projects. Additional support staff is integral to the success of the Capital Program and new resources are required to meet the goals and objectives of the Division. In order to meet the challenges of the work effort, continue providing high-level and accurate construction and engineering support, and complete work within the schedules required, it is imperative that we increase our Capital Projects support staff as follows:

| No. | Position Title |
|------------|-----------------------------------|
| 1 | Director, Construction Management |
| 1 | Sr. Engineering Manager |
| 1 | Sr. Engineer |
| 3 | Total |

ALTERNATIVE

The Board may decide not to approve the request for additional resources to support the Capital Projects Program. This is not recommended since history has proven that not having proper oversight on any project causes disruptions in the project development with a loss of potential cost savings of \$3.1 million. It is critical that additional resources be added to facilitate the effective and efficient engineering and construction of the projects.

**APPENDIX 2 – ENGINEERING & CONSTRUCTION
FY16 FTE Request for Capital Projects Support Staff**

| No. FTE | Cost Center | Project No. | Position Title | Job Description | Justification | QTR Needed |
|---------|-------------|--|--|--|--|---------------|
| 1 | 8410 | 204071 -- MBL_REFUR, 205063 -- MBL PEDESTRIAN , 211005 -- MBL Signal System, 460323&460324 -- Soundwall | Director of Construction Management | Director of Construction Managers: This position develops and Implement polices and procedures for planning. Organizing, coordinating and controlling major Capital construction projects as well as large number of smaller projects. Plans and assigns work to subordinates, ensures that assignments are being accomplished and that Metro and Contractor staffs are following appropriate policies, plans and specifications. One (1) position is requested. The position will support Minor Capital Projects in support of the Rail Facilities Improvements, Rail Rehabilitation Projects, and Wayside Systems Projects, specifically Metro Blue Line Refurbishments, Blue Line Signal System Rehabilitation, and Pedestrian Swing Gates projects. | Construction Management Department does not have the personnel to assign to these activities at this point in time. Metro does not want to use consultants at this time due to the higher cost of consultants. | Q1 |
| 2 | 8410 | 204071 -- MBL_REFUR, 205063 -- MBL PEDESTRIAN , 211005 -- MBL Signal System, 460323&460324 -- Soundwall | Senior Construction Manager | Senior Construction Managers: This position oversees and manages rail facilities construction projects and ensures work is done according to specifications, within schedule and within budget. One position is requested. The position will support Minor Capital Projects in support of the Rail Facilities Improvements, Rail Rehabilitation Projects and Wayside Systems Projects, specifically Metro Blue Line Refurbishments, Blue Line Signal System Rehabilitation, and Pedestrian Swing Gates projects. | Construction Management Department does not have the personnel to assign to these activities at this point in time. Metro does not want to use consultants at this time due to the higher cost of consultants. | Q1 |
| 1 | 8380 | 202317 -- PATSAOURAS, 202324 -- Div 1, 460303 -- Green Line, 405555 --ROSA PARKS | Sr Engineer Manager (Structural)) | This is an engineering position required to provide design and construction support services for the Rail and Bus Facilities Capital Program. The specific engineering discipline required is a Senior Structural Engineer. The senior engineer duties will include design and engineering of structures for bus and rail facility projects, including all building projects. In addition, the position will manage design and engineering work conducted by outside design professionals, and will also support active construction projects with structural engineering requirements. The position will also support the design of the Rosa Parks and Airport Metro Connector (AMC) projects for the Planning Department, which was not previously budgeted. | There is currently no position available in the department to support the structural building projects and upcoming work related to the Airport Metro Connector (AMC) and Rosa Parks Station projects. This position is required to provide efficient, timely, and high quality engineering services for the \$550 million facilities program portfolio. | Q1 |

**APPENDIX 2 – ENGINEERING & CONSTRUCTION
FY16 FTE Request for Capital Projects Support Staff**

| No. FTE | Cost Center | Project No. | Position Title | Job Description | Justification | QTR Needed |
|---------|-------------|---|--|--|---|------------|
| 1 | 8320 | 860228 -- RC, 865518 -- WPL1, 865522 -- WPL2 | Supervising Engineer (Mechanical ventilation) | To supervise structural items on the Regional and Purple Line Extension Sections 1 and 3 Projects and support upper management on miscellaneous Metro Operation tasks. | The Regional Connector and Purple Line Extension Section 1 and 2 projects have several structural elements that would require structural engineering reviews. Metro Engineering is expecting to receives a very large number of submittals that require our review. With the Design Builder already on board on two of these projects and their aggressive schedule to start construction in the summer, a new position is needed in order to assist the project in review of the structural items on these projects. | Q1 |
| 1 | 8010 | 212121 -- EOC/ROC/BOC | SR. ENGINEER | Project Management support for major capital projects for the Operations Control Center and others, as required. Duties include performing project management support and technical and administrative functions such as overseeing & administering design, procurement, construction and installation of rail and bus facilities and systems; Development of scope of work; Administers and monitors work and contract for compliance with schedule and budget; Evaluation of design proposals, bids & change orders; Conducting field & technical investigations; Manage engineering activities to ensure compliance with design criteria and applicable codes; Interface and coordinates with various Metro depts. and other agencies; and facilitates resolution of design, construction and operational issues. | The OCC Project estimated at over \$125 million is a significant and very complex project entailing integration of the Rail Operations Center (ROC), Bus Operations Center (BOC) and Emergency Operations Center (EOC) functions into a single facility to facilitate a more efficient and coordinated response to normal traffic activities and special events, as well as unexpected emergencies. | Q2 |

APPENDIX 3: STAFFING REQUEST FOR THE PROGRAM MANAGEMENT OFFICE (PMO)

BACKGROUND

The Program Management Office (PMO), created by the Board in September 2010, primarily in response to voter-approved Measure R, provides oversight on Measure R and other on-going projects agency-wide. The PMO is responsible for project controls and oversight, cost estimating, configuration management, and program control management agency-wide. These functions are critical to the successful delivery of the Measure R program. When managed successfully, PMO can help lower project cost, prevent and mitigate project budget cost overrun and schedule delays.

ISSUE

Since 2010 the number of Metro staff in the PMO has not grown at a pace that is required to adequately support and oversee the fast-growing transit construction and capital program at Metro. In effort to meet project needs, consultants have been brought in to supplement PMO staff to fulfill project controls and oversight, cost estimation, and configuration management functions. To increase greater project controls and to maintain continuous oversight of the Measure R program, staff recommends transitioning four (4) positions (1 Crenshaw/LAX, 2 Regional Connector, and 1 Westside Purple Line Extension Section 1) to Metro equivalent staff positions. See Attachment 3-A for job description and justification detailed for each proposed Metro staffing position. These positions may be terminated upon completion of the transit projects.

DISCUSSION

In addition to effecting cost savings, staff has determined by transitioning certain consultant functions in-house to new Metro staff may generate other potential benefits, including, 1) decrease reliance on consultants will increase Metro's control of its project; and 2) increase a pool of skilled work force to build a succession plan for the future. Transition to Metro staff positions on the Regional Connector and Westside Purple Line Extension Section 2 Project will directly address the FTA and their Project Management Oversight Contractor's (PMOC) concerns of Metro not having adequate staff for the effort required for Regional Connector and Westside Purple Line Extension Section 1 projects. Also, approval of staffing request will allow Metro to add developed human capital to the Metro's work force to maintain continuity of technical expertise and knowledge on the project.

ALTERNATIVE

The Board may decide not to approve the transition of consultant functions to Metro staff for the Program Management Office (PMO). This is not recommended because it would perpetuate heavy reliance on consultants to fulfill critical project controls and oversight, cost estimating, and configuration management required to support the major transit construction program. Positions continued to be filled by existing consultants instead of Metro staff positions will present a greater cost to the projects, Metro, and public tax payers.

**ATTACHMENT 3A – DESCRIPTION & JUSTIFICATION BY METRO STAFF POSITION
PROGRAM MANAGEMENT OFFICE (PMO) DEPARTMENT**

| Priority | Funding | Position Title | Job Description | Justification | Required by |
|----------|--|--|--|--|----------------|
| 1 | 860228 Regional Connector | Deputy Executive Officer, Program Management | Deputy Executive Officer, Program Management provides direction for managing project budgets, schedules and project risks on the Regional Connector Project. This position ensures that the project management team interfaces effectively with Countywide Planning and Development (including Real Estate), Procurement, Operations and various departments with Engineering and Construction to establish and adhere to project budget and schedule. | Deputy Executive Officer, Program Management position is critical delivering the Regional Connector project on-time and within budget. Approval of a FTE position will allow elimination and transition of this function from a consultant to a Metro FTE assigned to the project. If this position is not approved, Metro must continue to retain a consultant to fulfill the responsibilities at greater cost. Creation of this position addresses the FTA and their PMOC's concerns of Metro not having adequate staff for the effort required for the Regional Connector project. | July 2015 |
| 2 | 860228 Regional Connector | Configuration Management Supervisor | Configuration Management Supervisor oversees, supervises, trains Configuration Management Analysts, supports related database systems and technical system support, and coordinates document and change control activities required on the Regional Connector Project. This position manages the processing of contractual documentation regarding request for information, change notices, contract modifications, submittals, drawings, claims, and project correspondence for compliance with laws, regulations and requirements. | Configuration Management Supervisor is critical to ensure the document control role and change control function is fulfilled on the Regional Connector Project. Approval of a FTE position will allow elimination and transition of this function from a consultant to a Metro FTE assigned to the project. If this FTE position is not approved, Metro must retain a consultant to perform this work at a greater cost. Creation of this position addresses the FTA and their PMOC's concerns of Metro not having adequate staff for the effort required for the Regional Connector project. | July 2015 |
| 3 | 865518 Westside Purple Line Section 1 | Senior Configuration Management Analyst | Senior Configuration Management Analyst supports related database systems and technical system support, and coordinates document and change control activities required on the Westside Purple Line Extension Section 1 Project. This position manages the processing of contractual documentation regarding request for information, change notices, contract modifications, submittals, drawings, claims, and project correspondence for compliance with laws, regulations and requirements. | Senior Configuration Management Analyst is critical to ensure document control and change control functions are fulfilled on the Westside Purple Line Extension Section 1 Project. Approval of a FTE position will allow elimination and transition of this function from a consultant to a Metro FTE assigned to the project. If this position is not approved, Metro must retain a consultant to perform this work at a greater cost to the project. Creation of this position addresses the FTA and their PMOC's concerns of Metro not having adequate staff for the effort required for the project. | July 2015 |
| 4 | 865512 Crenshaw/ LAX | Senior Project Control Manager | Senior Project Control Manager develops and oversees all budgeting, schedule development and performance measurement, cost management and control, and reporting activities required on the Crenshaw/LAX Transit Project. This position is required to maintain the life-of-project budget and manage the master schedule. | Senior Project Control Manager is critical to the project control and oversight responsibilities on the Crenshaw/LAX project. Approval of a FTE position will allow for elimination and transition of this function from a consultant to a Metro FTE assigned to the project. If this position is not approved, Metro must retain a consultant to perform this work at a greater cost. | August 2015 |

APPENDIX 4: STAFFING REQUEST FOR VENDOR/CONTRACT MANAGEMENT

BACKGROUND

The Vendor/Contract Management (V/CM) Department provides cross functional administrative and technological support to Metro's core business units. V/CM is comprised of the Diversity and Economic Opportunity, Procurement, Supply Chain Management, Administration and Policy and Project Management organized as functional units with integrated processes to achieve procedural and process efficiencies and deliver successful support to accomplish Metro's mission, goals and objectives.

ISSUE

The successful delivery of the voter approved Measure R program is highly dependent on a strong V/CM team that utilizes industry-best practices to fulfill Metro's Mission as the agency responsible for the continuous improvement of an efficient and effective transportation system for Los Angeles County.

The number of V/CM staff supporting Engineering and Construction has not grown at a pace required to adequately support and oversee the rapidly developing transit construction and capital program. Therefore, existing staff is not sufficient for the Crenshaw/LAX, Regional Connector and Westside Purple Line Extension Section 1 projects based on current workload factors. To meet project needs, the Projects have utilized consultants to supplement V/CM in the areas of contract administration management and senior contract administration. However, specialized staff is necessary to execute these time sensitive and board mandated project in order to increase continuity of the process and prevent risk. In an effort to remedy the current shortage of V/CM staff support, four Senior Contract Administrator positions, with the possibility of reclassifying any of these positions to create Claims Avoidance Specialists for Crenshaw/LAX, Regional Connector and Westside Purple Line Extension Section 1 were submitted and discussed with the Engineering and Construction department. They have acknowledged their need of this support and included the positions in their staffing plans for FY16. These positions may be terminated upon completion of the transit projects.

DISCUSSION

The procurement function and contract management is an important factor for Metro's bottom line. When managed successfully, it can lower costs, improve safety, increase quality and efficiency, and enhance our system's overall reputation among our customers, elected officials, and the public. In addition, by transitioning consultant to FTEs Metro may generate other potential benefits such as continuity within the process, prevention of risk of disruption for our customer and an increase in the pool of skilled staff to build a succession plan for the future.

ALTERNATIVE

The Board may decide not to approve the transition of consultant functions to Metro staff for V/CM. This is not recommended because it would perpetuate heavy reliance on consultants, where specialized staff is necessary to execute these time sensitive and board mandated projects, to fulfill critical needs in the areas of acquisition planning, coordination of pre-award actions to produce executable contracts, price and cost analysis, value engineering review, contract price negotiations and claims management, change order processing, post-award contract administration, and contract close-out.

**ATTACHMENT 4A - TRANSITION FROM CMSS/CONSULTANT TO METRO STAFF
VENDOR/CONTRACT MANAGEMENT (V/CM) DEPARTMENT**

| Priority | Funding | Position Title | Job Description (currently performed by consultant) | Justification | Required By |
|----------|---|----------------------------|---|--|---------------|
| 1 | Crenshaw/LAX (2 FTEs) Westside PLE section 2 (2 FTE) | Sr. Contract Administrator | The Sr. CA is responsible for the efficient and effective acquisition of goods and services in support of assigned clients. The Sr. CA leads a Contract Administration Team that supports assigned client departments, and performs senior level, complex procurements for major projects and services to ensure timely, efficient support in compliance with Authority, local, state, and federal laws, rules and regulations. Prepares and reviews solicitation documents, evaluates bid results, chairs source selection committees, establishes and enforces evaluation criteria, sets schedules, and makes award recommendation on contract procurements. Selects vendors, obtains and compares price quotations, completes cost/price analysis process, negotiates price, terms and conditions. Evaluates contractor performance to determine compliance with contract obligations. SR CA works with contractor and client department to ensure timely contract completion and/or renewal; timely submission of scopes, technical descriptions, Board reports, and the submission of work product specified in the contract. Responds to award protests and holds debriefings with unsuccessful proposers. Completes final draft of contract documents, negotiates change orders and amendments. Prepares Board reports for contract approval. Prepares status reports, summaries and correspondence. | Positions will support projects in the areas of Crenshaw/LAX, and Westside/Purple Line Extension 1. These positions were submitted and discussed with the Engineering and Construction Dept. and they have acknowledged their need of this support and included in their staffing plans for FY16. Specialized staff is needed to execute these time sensitive and board mandated projects. Existing staff is not sufficient for these types of projects based on current workload factors. | 1st Q FY16 |

APPENDIX 6: STAFFING REQUEST FOR SIGNAGE AND GRAPHIC DESIGN TO SUPPORT CRENSHAW/LAX, REGIONAL CONNECTOR, AND PURPLE LINE EXTENSION CONSTRUCTION PROJECTS

BACKGROUND

The Signage and Graphic Design unit improves customer navigation and environmental graphic design consistency through the development of essential system-wide signage and way-finding design standards and guidelines. The unit staff is at capacity responding to day to day requests for new signage and backlog of required modifications at the existing 100 plus operating stations (including the 13 new stations opening next year) and multiple vehicle types resulting from new safety, security, gating, fare enforcement, code of conduct, Civil Rights/ADA updates and other growing and ongoing operational needs.

The 2010 Measure R Strategic Advisor Report cited “one of the largest capital improvement programs ever undertaken by a single transportation agency in the US [and] an unprecedented challenge for project delivery” and called for the agency “to significantly increase the capacity and improve skill sets throughout construction functions...and allocate resources to improving wayfinding/signage.”

In order to adequately meet the demands of the Crenshaw/LAX, Regional Connector, and Purple Line Extension, while also meeting increasing agency operational needs not related to the construction program, it is necessary to increase staffing resources. Each of these corridor projects includes multiple stations, facilities, parking areas, and vehicles which will require significant signage, wayfinding and overall environmental graphic design support, reviews, unique design solutions, and site visits in order to ensure the safety and movement of future riders. The Regional Connector alone will have a major impact on existing signage throughout the system.

ISSUE

Signage and way-finding are core elements of project delivery. Without functional signage in place the project will not meet safety, accessibility or operational requirements for Revenue Operations. The incorporation of functional signage into the project requires numerous submittals, reviews, and appropriate management and oversight.

Funds for Construction Management Support Services (CMSS) to provide signage and wayfinding support have been included in life-of-project budgets and the FY16 budget and are forecasted for inclusion in individual project-based Contract Work Orders (CWO) within the overall Board approved CMSS Contract Values. There are no impacts to the current CMSS contracts as the consultant positions have not been included in current CWOs pending Board approval of the new Metro positions.

Because these positions are core to the agency, and there is an ongoing need to improve signage and maintain consistency across projects, as well as the desire to build in-house

capacity, the recommendation make these Metro positions rather than multiple CMSS consultant positions. These positions may also be terminated upon completion of the projects. See Attachment 6-A for job descriptions and justifications.

DISCUSSION

The new staff positions will ensure that 1) over 4,000 signs and related Design/Builder submittals for the three corridor projects are reviewed and coordinated; 2) requests for information, over the shoulder reviews, approval of samples/finishes/mock-ups, fabrication shop drawings are fulfilled; 3) construction site visits and punch listing for quality control and compliance through resolution are conducted; and 4) signage needs during corridor start-up phase operations are accomplished. The positions being requested are not short term. While signage and wayfinding is installed prior to line opening, Metro has historically experienced an average “break-in” period of 18 months when actual customer usage generates modification requests from various departments to address operations, safety and accessibility concerns. It is envisioned that these FTEs will move to new Measure R projects including Purple Line Extension Section 2 and other corridor projects.

In addition to effective cost savings, staff determined that by not having multiple consultants do this work on a project by project basis, but rather with Metro staff, it will support the agency’s strategy to: 1) build-in house capacity; 2) decrease reliance on consultants; 3) maintain a trained and experienced workforce; and 4) maintain institutional knowledge and continuity across projects. Signage requests are growing, not diminishing and it is increasingly important to develop and maintain the continuity of our signage system.

ALTERNATIVE

The Board may decide not to approve new Metro staff positions in which case the work will be completed by individual corridor consultants through CWO requests to the CMSS contracts for each project utilizing the hourly rates set forth in these Contracts. This is not recommended because: 1) it would require multiple consultants for each project rather than consolidated in-house staff; 2) signage is a core ongoing agency function which should be done by in-house Metro staff in order to ensure continuity across projects; 3) consultant dependency results in loss of institutional knowledge; and 4) application of lessons learned and long term success and effectiveness will be compromised.

ATTACHMENT 6-A – SIGNAGE & GRAPHIC DESIGN (Cost Center 7121)

| Funding | Position Title | Job Description | Justification | Required by |
|---|---|--|---|--------------|
| 865512 Crenshaw/ LAX, 860228 Regional Connector, 865518 Purple Line Section 1 | Signage & Graphic Design Manager | Position will provide signage and graphic design management for Crenshaw/LAX, the highly complex Regional Connector project (which will impact dozens of stations throughout the Metro system) as well as support the Purple Line Extension project. The position will ensure that the latest signage standards, drawings and specifications are included in contract documents and will review and respond to contractor RFIs, signage criteria clarifications, review and approve all contractor signage submittals and shop drawings, and develop and resolve punch lists. This position will participate in design resolution processes and address new station architectural design conditions requiring unique signage design solutions. It will also develop and implement lessons learned and update the design criteria for corridors. The position will coordinate with ADA, engineers, safety personnel and others to ensure uniformity and consistency of customer signage and wayfinding. | 2/18/15 Board Box on construction project delivery and consultant services included this FTE to support the FY16 corridor construction projects and outlined the need for staffing as projects enter into active construction. The 2010 Measure R Strategic Advisor Report called the Measure R program “one of the largest capital improvement programs ever undertaken by a single transportation agency in the US” and recommended “increasing the capacity and improving skill sets...and allocating resources to improving wayfinding/signage.” Currently, there are no in-house agency staff reviewing contractor signage submittals, RFIs, etc for the 3 major corridor projects. This position is required to provide day-to-day management, coordination, reviews, site visits & support to the projects as well as coordinate with Operations and others on the many station signs in the existing system that will be impacted by these projects, especially the Regional Connector. There is an immediate need for signage management on these projects as without adequate in-house oversight, criteria updates & design reviews, costly corrections & retrofits will be necessary & signage will not be consistent across projects. Upon completion of these corridor projects, the FTE will be transitioned to address Section 2 and other future construction projects requiring new and/or modified signage management and coordination. | July 2015 |
| 865512 Crenshaw/ LAX, 860228 Regional Connector, 865518 Purple Line Section 1 | Senior Signage & Graphic Designer | Position will develop conceptual signage and graphic design solutions from concept to final design for Crenshaw/LAX, Regional Connector and Purple Line Extension; they will provide ADA, safety and signage design support to addresses issues that arise during construction. They will also ensure that the latest standards and requirements for gating, fare enforcement, and other signs are used to design signage correctly. Signs often require specialized in-house designs for a range of unique station configurations or needs. This position will investigate and resolve signage design problems to arrive at best technical solutions in a wide range of mediums including static and digital signage. This position will also prepare visual presentations of proposed signage solutions for management level staff using variety of software, mockups and samples. | 2/18/15 Board Box on construction project delivery and consultant services included this FTE to support the FY16 corridor construction projects and outlined the need for staffing in core agency functions as projects enter into active construction. The 2010 Measure R Strategic Advisor Report called the Measure R program “one of the largest capital improvement programs ever undertaken by a single transportation agency in the US” and recommended “increasing the capacity and improving skill sets...and allocating resources to improving wayfinding/signage.” Currently, there are no in-house agency staff providing design support for the Crenshaw/LAX, Regional Connector or Purple Line Extension corridor construction projects. The Crenshaw/LAX stations have multiple configurations (underground, above ground, split platform, side platform) which require unique signage design solutions and the Regional Connector will impact stations throughout the system. Upon completion of these corridor projects, the FTE will be transitioned to address Section 2 and other future construction projects requiring signage design solutions. | July 2015 |

**Board Report**

File #: 2015-0958, **File Type:** Contract

Agenda Number: 35.

**CONSTRUCTION COMMITTEE
JULY 16, 2015**

SUBJECT: CONSTRUCTION MANAGEMENT SUPPORT SERVICES CONTRACT

**ACTION: INCREASE CONTRACT VALUE FOR FY16 6-MONTH WORK PROGRAM FUNDING
FOR STANTEC CONSULTING, INC**

RECOMMENDATION

CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing:

- A. an increase to the total contract value for Contract No. MC069, with Stantec Consulting, Inc., to provide **Construction Management Support Services** in an amount not-to-exceed \$10,953,136 for the FY16 six-month Work Program Funding from \$86,459,000 to \$97,412,136; and
- B. the Chief Executive Officer to execute individual Contract Work Orders and Modifications within the Board approved contract value.

ISSUE

On February 19, 2009, the Board approved the Construction Management Support Services (CMSS) contract to support Board adopted capital projects. The recommended action is for FY16 six-month Work Program funding to continue the construction management support services for capital projects pending the CEO's mid-year cost-budgeting exercise. The services being provided are for the closeout of the I-405 Sepulveda Pass Widening and continuing construction management of the Crenshaw/LAX Transit Project and the Patsaouras Plaza Bus Station.

DISCUSSION

The primary role of the CMSS is to provide skilled and qualified staff to support Metro with construction management of Metro's construction contracts. Both Metro and CMSS consultant staff, in most cases, work side-by-side in an integrated project management offices (IPMO). The CMSS contract funds are authorized by issuing separate contract work orders (CWOs) for various projects for labor classifications and rates set forth in the contract. Modifications to existing CWOs are issued

as additional work is identified.

In February 2009, the Metro Board authorized the Chief Executive Officer to award CMSS to Stantec Consulting, Inc., and execute individual CWOs and modifications within the Board approved contract value. The CMSS contract is an indefinite delivery/indefinite quantity labor-hour contract for a term of seven years, inclusive of two one-year options. The Contract was executed on March 18, 2009, and the expiration date of the five-year base contract was March 18, 2014. In FY14, based on prior board approvals, Metro exercised both one year options on March 10, 2014 to extend the contract period of performance through March 18, 2016. This CMSS contract allows the continuation of funding of existing CWO's beyond the contract end date of March 18, 2016 to June 30, 2016 in order to ensure continuity of the staffing for these projects to the end of the fiscal year.

The request for six months of FY16 funding has been reduced compared to previous fiscal years as the I-405 Sepulveda Pass Widening is closing out. In addition, some of the CMSS consultant positions were converted and supported by new non-contract Metro positions as in the case for Crenshaw/LAX Transit Corridor Project where a pilot project study was initiated in November 2014. The pilot project study consisted of converting seven new CMSS/consultant positions with non-contract Metro positions that generated a potential annual cost savings of \$1.27 million. As a result of the pilot project study for Crenshaw/LAX, staff performed a cost benefit analysis that focused on the four main transit corridor projects such as Crenshaw/LAX, Regional Connector, and Westside Purple Line Extension Sections 1 and 2 and Environmental Compliance and Sustainability division. The results of the analysis indicate that a potential cost savings can be achieved by converting new CMSS/consultant positions to new non-contract Metro positions.

Therefore, in a parallel process under a separate board report, staff is recommending a total of 33 new non-contract Metro positions for FY 16 by converting 28 new Construction Management Support Services (CMSS)/Consultant positions. Eleven of the 28 CMSS/Consultant positions proposed for conversion to new Metro non-contract positions fall under Stantec Consulting, Inc.'s scope of work under CWO No. 16 and CWO No. 27. If the Board approves the new non-contract Metro positions, a reduction of up to \$1,970,898 (for 8 CMSS consultant positions) may be deducted from CWO No. 16 and a reduction of up to \$685,910 (for 3 CMSS positions) may be deducted from CWO No. 27 for these eleven new non-contract Metro positions. A prorated rate of \$20,530 per month (per position) may be deducted from CWO No. 16 and prorated rate of \$19,053 per month (per position) may be deducted from CWO No. 27 for every CMSS/consultant position that is converted to new non-contract Metro position and placed on the project.

For the Crenshaw/LAX Project, the FY16 funding for the CMSS contract is intended to fund the existing CMSS staff currently on the project and eleven additional new CMSS positions for FY 16. Staff is proposing to convert eleven new CMSS positions to new non-contract Metro positions. However, due to the uncertainty of the hiring of new Metro positions in a timely manner, CMSS staff will be added as an interim measure.

CWO No. 16 - Crenshaw/LAX Transit Corridor Project Support

At the present time, staff is intending to initiate a new three-year CMSS solicitation for the Crenshaw/LAX Transit Project. This new solicitation would be needed to complement the existing Metro staff and provide SBE/DBE participation and specialty services on an as-needed basis. The solicitation for a new CMSS contract would be initiated as early as October 2015 with a projected award in the spring of 2016. Metro would then have the new CMSS staff on board prior to March 2016 which is when the Stantec Consulting, Inc. CMSS contract period of performance for the recommended action is complete.

CWO No. 2 - I-405 HOV Sepulveda Pass Widening

The continuation of the CMSS Contract with the same consultants is critical to the continuity and completion of closeout of the contract. In addition, these consultants know the history of the remaining claims to be negotiated and closed.

CWO No. 15 - Projects Contract Administration Support- The recommended action does not include funding for this effort but for continuity of the project, if additional work is required Metro would like to use the same CMSS staff support.

CWO No. 27 - Southwestern Yard

The recommended action provides 5 new CMSS consultants as described above for this project.

CWO No. 29 - Patsaouras Plaza Busway Station

Currently there is one CMSS consultant working as the Resident Engineer. It is critical that this person stay in this position to carry on the continuity of the job and to be able to relay the history to any Metro employee beginning to work on the project.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

The funding of \$10,953,136 for these services is included in the proposed FY16 budget in various capital projects. CWOs will be modified or issued and funded from the associated life-of-project budgets. The funding source differs depending on the individual project. These activities will remain within the approved life-of-project budget for each project.

Since this is a multi-year contract, the cost center managers and Executive Director, Engineering and Construction, will be accountable for budgeting the cost of the annual work program for each fiscal year for the term of the contract including any option exercised.

Impact to Budget

The funding will come from various sources of funds. Funding allocations planned for the Crenshaw /LAX and the I-405 Project will have no impact to Bus and Rail Operation funding sources. However, FY16 local funding sources eligible for Bus and Rail Operations will be utilized due to planned allocations for Patsaouras Plaza. FY16 Bus and Rail eligible funding impacts can potentially total \$489,005 with approval of this action.

ALTERNATIVES CONSIDERED

The Board may elect to discontinue using Stantec Consulting, Inc., for CMSS in FY16. Staff does not recommend this alternative as the construction projects they are assigned are in various degrees of completion and loss of experienced staff would be a detriment to the completion of these projects. There is insufficient time to hire all staff required or to solicit a new CMSS consultant by July 31, 2015. This alternative would also seriously impact the near and long term businesses of the local, DBE firms that make up the Stantec Consulting, Inc., team's nearly 30% DBE percentage.

NEXT STEPS

1. Staff will proceed with processing the required CWOs for FY16.
2. At the present time, staff is intending to initiate a new three-year CMSS solicitation for the Crenshaw/LAX Transit Project.

ATTACHMENTS

- A. Procurement Summary
- B. Contract Work Value Summary
- C. FY16 Six-Month Work Program (July 2015 to December 2015) Funding

Prepared by:

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Reviewed by:

Ivan Page, Interim Executive Director, Vendor/Contract Management (213) 922-6383

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Bryan Pennington, Executive Director, Engineering and Construction (213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

CONSTRUCTION MANAGEMENT SUPPORT SERVICES

| | | | | |
|---|---|----------|--|--------------|
| 1 | Contract Number: MC069 | | | |
| 2 | Contractor: Stantec, Inc. | | | |
| 3 | Mod. Work Description: 6-Month_Funding | | | |
| 4 | Work Description: Construction Management Support Services | | | |
| 5 | The following data is current as of: | | | |
| 6 | Contract Completion Status: | | Financial Status: | |
| | Award Date: | 2/19/09 | Prior Board Approved Contract Annual Work Program Funding | \$86,459,000 |
| | Notice to Proceed (NTP): | 3/18/09 | Increased Annual Work Program Funding for this recommended action | \$10,953,136 |
| | Original Completion Date: | 3/18/16 | Total Annual Work Program Funding including this action | \$97,412,136 |
| | Current Est. Complete Date: | 06/30/16 | | |
| 7 | Contract Administrator: Valerie Dean | | Telephone Number: 323-903-4123 | |
| 8 | Project Manager: Michael Barbour | | Telephone Number: 213-922-2261 | |

A. Contract Action Summary

This Board Action is to approve an increase in 6-month work program funding to provide construction management support services. Any contract modifications required for this work will be processed in accordance with Metro's Acquisition Policy.

In February 2009, Metro Board authorized the Chief Executive Officer to award Contract No. MC069 to Stantec Consulting, Inc., (Stantec) and execute individual Contract Work Orders (CWOs) and Modifications within the Board approved annual work program funding.

The recommended actions will provide funding for the FY16 6-month Work Program. The funding amount requested is calculated based on the forecasted construction management support needs of the capital projects.

Metro staff continuously monitors Stantec’s performance and cost for each CWO. Stantec provides a separate invoice for each CWO. Each invoice submitted by Stantec is reviewed by the respective project manager, contract administrator and project control manager before payment is authorized.

See Attachment B for the Contract Work Value Summary.

B. Cost/Price Analysis

In accordance with Metro’s Acquisition Policies and Procedures, a cost analysis will be performed prior to issuing a CWO modification that increases the value of the existing CWO. Metro will negotiate the cost for each CWO based on the cost analysis, which will consider estimated level of effort required to perform the work, an independent cost estimate and evaluated or provisional contract labor rates, overheads and other direct costs determined to be fair and reasonable.

Stantec Consulting Services has been audited by Metro’s Management Audit Services Department (MASD). The audit was done in accordance with the standard as established by the American Institute of Certified Public Accountant, applicable Government Auditing Standards issued by the Comptroller General of the United States and the Institute of Internal Auditors International Standards for the Professional Practice of Internal Auditing. The MASD audited rate will be used for future task orders.

c. Small Business Participation

Stantec Consulting Services made a 17.89% Disadvantaged Business Enterprise (DBE) Anticipated Level of Participation (DALP) commitment. The current DBE participation is 29.01% Stantec is exceeding its DALP commitment.

| Small Business Goal | DALP 17.89% | Small Business Commitment | DALP 29.01% | |
|----------------------------|-----------------------------|----------------------------------|---------------------|--------------------------------|
| | DBE Subcontractors | Status | % Commitment | Current % Participation |
| 1. | Arellano Associates | Performing | 0.20% | 0.17% |
| 2. | Diaz Yourman & Associates | Performing | 0.03% | 0.09% |
| 3. | Kal Krishnan Consulting | Performing | 12.02% | 13.52% |
| 4. | Lenax Construction Services | Performing | 2.02% | 5.47% |
| 5. | LKG-CMC | Performing | 0.99% | 1.17% |
| 6. | Safework | Performing | 2.63% | 8.15% |
| 7. | Power-Tech Engineers | Added | 0.00% | 0.44% |
| Total Commitment | | | 17.89% | 29.01% |

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

D. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this modification. Existing Prevailing Wage requirements still apply.

**ATTACHMENT B
CONTRACT WORK VALUE SUMMARY**

| Contract Work Order (CWO) | Description | Value | Status |
|--|---|---------------------|---------------|
| 0 | Contract Award | \$0.00 | Complete |
| 1 | Metro Orange Line Extension | \$4,399,025 | Complete |
| 2 | I-405 HOV Sepulveda Pass Widening | \$41,811,761 | Open |
| 3 | Union Division (Division 13) Contract Administration Support | \$1,300,899 | Open |
| 4 | I-405 HOV Partnering Sessions | \$244,433 | Complete |
| 5 | I-405 HOV Performance Assessment | \$171,379 | Complete |
| 6 | MRL Station Canopy Support | \$212,252 | Complete |
| 7 | Express Lanes Support | \$7,722,319 | Complete |
| 8 | Cancelled | \$0 | Cancelled |
| 9 | I-10 & I-110 Express Toll Lanes Constructability Review | \$210,170 | Complete |
| 10 | I-710 Value Engineering Analysis | \$33,838 | Complete |
| 11 | LA Congestion Reduction Demonstration Program- El Monte Transit Center and Patsaouras Plaza | \$3,174,572 | Complete |
| 12 | Design & Implement PMIS - Measure R | \$1,341,932 | Complete |
| 13 | Document Control Support | \$15,000 | Complete |
| 14 | Soundwall Package # 4 Support | \$540,698 | Complete |
| 15 | Multiple projects Contract Administration Support | \$982,056 | Open |
| 16 | Crenshaw/LAX Transit Corridor Project Support | \$19,189,116 | Open |
| 17 | Bauchet Street Storage Project Support | \$25,000 | Complete |
| 18 | ATMS Upgrade Project Support | \$139,430 | Complete |
| 19 | Escalator Replacement at Civic Center Support | \$248,304 | Complete |
| 20 | Measure R Project Control Support | \$178,065 | Complete |
| 21 | Division 20 Carwash and Cleaning Platform Support | \$198,686 | Complete |
| 22 | Martin Luther King Transit Center Support | \$54,801 | Complete |
| 23 | Soundwall Packages 5,6,7 & 8 Contract Administration Support | \$431,679 | Complete |
| 24 | I-405 HOV Claims Support | \$145,408 | Complete |
| 25 | Crenshaw/LAX Transit Corridor Project Security | \$40,752 | Complete |
| 26 | Metro Red Line North Hollywood West Entrance Contract Administration Support | \$119,187 | Complete |
| 27 | Southwestern Yard Project Support | \$686,772 | Open |
| 28 | Cancelled | \$0 | Cancelled |
| 29 | Patsaouras Plaza Busway Station Project | \$704,566 | Open |
| Subtotal – CWO’s issued-to-date | | \$84,322,100 | |
| Subtotal – pending CWO’s/Modifications | | \$0 | |
| Total Approved CWO’s/Modifications | | \$84,322,100 | |
| Prior Board Approved Annual Work Program Funding | | \$86,459,000 | |
| Increased Annual Work Program Funding for this Recommended Action | | \$10,953,136 | |
| Total Annual Work Program Funding including this action | | \$97,412,136 | |

ATTACHMENT C

JULY 2015 TO DECEMBER 2015
 FY16 6-MONTH WORK PROGRAM FUNDING

| Contract Work Order | Description | Total \$'s Required for Board Action |
|----------------------------|---|---|
| 2 | I-405 HOV Sepulveda Pass Widening | \$1,013,930 |
| 16 | Crenshaw/LAX Transit Corridor Project Support | \$8,328,162 |
| 27 | Southwestern Yard | \$669,601 |
| 29 | Patsaouras Plaza Busway Station | \$241,443 |
| | Subtotal | \$10,253,136 |
| | Unallocated Contingency | \$700,000 |
| | Total | \$10,953,136 |

**Board Report**

File #: 2015-0960, **File Type:** Contract**Agenda Number:** 36.

REVISED
CONSTRUCTION COMMITTEE
JULY 16, 2015

SUBJECT: REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT**ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE CONTRACT MODIFICATION****RECOMMENDATION**

CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to execute Contract Modification No. 3 to Contract No. MC070, to ARCADIS U.S., Inc., to **continue providing Construction Management Support Services (CMSS) through December 31, 2015 for the Regional Connector Transit Corridor Project**, in the amount of \$5,955,000, increasing the total contract value from \$11,180,690 to \$17,135,690.

ISSUE

On March 21, 2013, the Board approved and awarded Contract MC070 to Arcadis U.S., Inc., for Construction Management Support Services in the amount of \$3,499,990 for this project. On April 24, 2014, the Board approved a modification in the amount of \$7,680,700 to the contract to continue Construction Management Support Services during FY15. Construction management support services are professional services that are required to assist Metro by providing technical expertise and staff augmentation in the oversight and management of the final design and construction, and assist in closeout of the Regional Connector Transit Corridor Project. The executed contract is an eight year (with two one-year options for contract duration extension) cost-plus fixed fee contract with provisions for Board approval of the contract value every fiscal year by Contract Modification. This report requests approval through December 31, 2015 (the first half of FY16) pending the CEO's mid-year cost-budgeting exercise. The history of the contract's awarded amount and all Contract Modifications is contained in Attachment B. Contract No. C0981R, "Advanced Utility Relocations" was awarded on January 13, 2014, and the Design-Build Contract No. C0980 was awarded on May 6, 2014, with revenue service projected in 2020. Metro Project Management requires additional consultant staff with the expertise to oversee the design-builder's construction operations and assist Metro with the management of the Project.

The recommended Board action will provide sufficient contract funding through December 31, 2015. A separate funding request for the second half of FY16 (January 1, 2016 through June 30, 2016) will be processed for approval. Future work will be funded on a year-to-year basis. This approach will result in more accurate budgeting for each year, while providing better control over consultant services costs.

DISCUSSION

The primary role of the CMSS is to provide highly skilled and qualified individuals to assist Metro with the construction management of the Project by becoming part of a fully-integrated construction management team residing in the project field office, under the oversight of Metro Project Management. The CMSS consultant provides administration, inspection services and technical support during the final design, construction, pre-revenue operations and closeout phases of the Project. As part of this request Metro's Project Manager identified and evaluated the annual work plan and negotiated with Arcadis, U.S., Inc. to determine the recommended Contract Modification value.

The CMSS contact work plan for FY15 has been running at approximately 20 full-time equivalents (FTEs) per month, most of which are providing construction-related field services, technical expertise on ongoing construction work plans, and staff augmentation. These 20 FTEs in FY15 are planned to continue and carry over through FY16. The CMSS FY16 work plan level of effort is estimated to increase by approximately 20 FTEs from the FY15 expenditure level. The increase in the staffing level is due to work needed to manage and oversee the construction activities as it significantly ramps up in FY16.

In a parallel process under a separate board report, staff is recommending a total of ~~37~~ 33 new non-contract Metro positions for FY16 by converting ~~32~~ 28 new Construction Management Support Services (CMSS)/Consultant positions based on the assumption that all existing CMSS/consultant positions in FY15 shall remain. ~~Eleven~~ Eight of the new ~~32~~ 28 CMSS/Consultant positions proposed for conversion in FY16 to new Metro non-contract positions fall under the ARCADIS scope of work under Contract Modification No. 3. If the Board approves the new non-contract Metro positions, a reduction of up to ~~\$2,749,965~~ \$1,931,549 (for the entire FY 16) may be deducted from Contract Modifications to Arcadis for CMSS during FY 16 for these ~~eleven~~ eight new non-contract Metro positions ~~provided that these Metro positions are in place at the Regional Connector Transit Project on July 1, 2015.~~ Otherwise a A prorated rate of ~~\$17,559~~ \$20,120 per month (per CMSS position) may be deducted from those Contract Modifications for every CMSS consultant position that is converted to a new non-contract Metro position and placed on the Project.

Due to uncertainty of when, and if, Metro positions will be available, as a contingency factor, this contract assumes all 11 CMSS/Consultant positions identified to be converted to Metro positions will be temporarily filled with CMSS positions for at least the first six months of FY16. The other new CMSS/Consultant positions for FY16 are for specialty positions which are not planned to be

converted into non-contract Metro position.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards for Metro's construction projects. The CMSS contract provides services that support Metro's internal safety staff on the Regional Connector Transit Corridor Project. The scope of services for the CMSS contract includes provisions for staff members to ensure that safety is the highest priority during oversight of all phases of construction.

FINANCIAL IMPACT

Funding for the CMSS contract is included in the FY16 budget in Cost Center 8510, (Construction Project Management) under Project 860228 (Regional Connector Transit Corridor Project), Account 50316, (Professional Services). Since this is a multi-year contract, the Executive Director of Engineering and Construction and the Project Manager will be accountable to budget the cost for future years on an annual basis.

Impact to Budget

The sources of funds for this report's Recommendation are Federal 5309 New Starts, State Prop 1B PTMISEA, and State Repayment of Capital Project Loans. The approved budget through December 31, 2015, is designated for the Regional Connector Transit Corridor Project and does not have an impact to operations funding sources. These funds were assumed in the LRTP for the Regional Connector Transit Corridor Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project. Availability of Measure R funds begin again in FY16 and continue through FY23. No other funds were considered.

ALTERNATIVES CONSIDERED

The Metro Board could decide not to approve the recommended contract modification. This is not recommended because Metro does not have sufficient staff with expertise in the many different fields, including construction managers, resident engineers and inspectors in the disciplines of systems, tunnels, stations, cut and cover work, sequential excavation method work, trackwork, civil, architecture, geology, mechanical and electrical, rail activation, systems integration, survey, among many others. The recommendation by staff will provide adequate staff and expertise during the first half of FY16 to continue to successfully deliver the completion of the project's construction on schedule and within budget.

Should the Board approve the separate board item to hire additional non-contract Metro positions (as presented above herein), positions anticipated to be filled with consultant staff through the recommended action would be converted to Metro staff via a transition plan to be determined by the Executive Director of Engineering and Construction.

NEXT STEPS

1. After Board approval and execution of the contract modification, staff will direct the consultant to continue providing construction management support services for the Regional Connector Transit Corridor project through FY16.
2. Staff will report back by December 2015 on the actual number of non-contract Metro positions hired and placed on the project with the corresponding reduction in the CMSS contract value.
3. Staff will report back by December 2015 with a proposed work plan request for the second half of FY16.

ATTACHMENTS

- A. Procurement Summary
- B. Contract Modification/Change Order Log

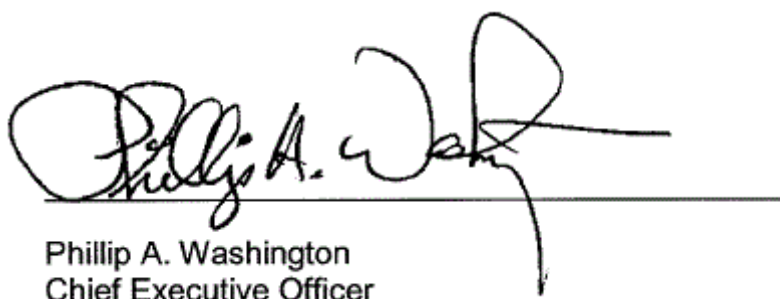
Prepared by: Girish Roy, Deputy Executive Officer and Project Manager
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Reviewed by: Ivan Page Interim Executive Director Vendor/Contract Management
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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**MODIFICATION FOR CONTRACT NO. MC070
REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT
CONSTRUCTION MANAGEMENT SUPPORT SERVICES**

| | | | |
|----|--|----------|---|
| 1. | Contract Number: MC070 | | |
| 2. | Contractor: ARCADIS, U.S., Inc. | | |
| 3. | Mod. Work Description: Provide construction management support services during construction of Design-Build Contract C0980 for the Regional Connector Transit Corridor Project through December 31, 2015 (the first half of FY 16). | | |
| 4. | Contract Work Description: Construction Management Support Services | | |
| 5. | The following data is current as of: 04/03/15 | | |
| 6. | Contract Completion Status | | Financial Status |
| | Contract Awarded: | 05/13/13 | Contract Award Amount: \$3,499,990 |
| | Notice to Proceed (NTP): | 05/17/13 | Total of Modifications Approved: \$7,680,700 |
| | Original Complete Date: | 05/2021 | Pending Modifications (including this action): \$5,955,000 |
| | Current Est. Complete Date: | 05/2021 | Current Contract Value (with this action): \$17,135,690 |
| 7. | Contract Administrator: Susan Santoro | | Telephone Number: 213-893-7144 |
| 8. | Project Manager: Girish Roy | | Telephone Number: 213-893-7119 |

A. Procurement Background

This Board Action is to approve Contract Modification No. 3 to continue providing construction management support services through December 31, 2015 (the first half of FY16) for the Regional Connector Transit Corridor Project.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract is a Cost Plus Fixed Fee type contract.

On May 13, 2013, Metro awarded Contract No. MC070, an eight year, cost plus fixed fee type contract to ARCADIS, U.S., Inc. with a not to exceed amount of \$3,499,990 for the first year FY14 to provide construction management support services on the Regional Connector Transit corridor Project.

Attachment B shows two modifications have been issued to date.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon fact-finding, clarifications, and cost analysis, taking into consideration an independent cost estimate (ICE), technical evaluation, and negotiations, pending a completed audit of the consultant’s provisional overhead rates. The most current fiscal year data was requested from the consultant, and is expected to be provided shortly. Upon receipt of this data, an audit request will be submitted to MASD and any findings resulting in an increase or decrease to the contract amount will be incorporated into the contract via a Contract Modification.

| Proposed Amount | Adjusted Metro ICE | Negotiated Amount | Amount to Be Funded (First half of FY16) |
|------------------------|---------------------------|--------------------------|---|
| \$13,869,000 | \$12,055,606 | \$11,910,669 | \$5,955,000 |

The above referenced Contractor’s cost proposal, Metro ICE, cost analysis, and negotiated amount were developed based on the assumption of full FY16 funding. Metro recommends funding only for the first half of FY16 at this time. The additional amount necessary to fund the remainder of FY16 CMSS services will be brought to the Board for approval at a later date.

C. Small Business Participation

Arcadis made a 26.79% Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment. Arcadis’ current DBE participation is 55.84%. Arcadis is exceeding its DBE commitment.

| | | | |
|------------|---------------|------------|---------------|
| DBE | 26.79% | DBE | 55.84% |
|------------|---------------|------------|---------------|

| | DBE Subcontractors | Ethnicity | % Committed | Current Participation¹ |
|--------------|----------------------------|-----------------------------|--------------------|--|
| 1. | ABA Global | Caucasian Female | 3.14% | 10.87% |
| 2. | DHS Consulting | Subcontinent Asian American | 8.29% | 15.28% |
| 3. | EPC Consultants | Subcontinent Asian American | 6.59% | 13.93% |
| 4. | Ghirardelli Associates | Caucasian Female | 3.60% | 8.64% |
| 5. | MBI Media | Caucasian Female | 0.99% | 0.00% |
| 6. | Ramos CS | Hispanic American | 2.34% | 4.64% |
| 7. | R Industrial & Healthcare | African American | 0.59% | 0.95% |
| 8. | Allied Protection Services | African American | 1.25% | 1.52% |
| Total | | | 26.79% | 55.84% |

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

D. Living Wage and Service Contract Worker Retention Policy Applicability

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

E. Prevailing Wage

Prevailing wage is applicable to this modification. Labor Wage and Retention Programs will monitor this project for compliance with the payment of prevailing wages.

CONTRACT MODIFICATION/CHANGE LOG**MODIFICATION FOR CONTRACT NO. MC070
REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT
CONSTRUCTION MANAGEMENT SUPPORT SERVICES**

| | | | |
|-----------------|--|----------|---------------------|
| Mod. No. | Original Contract | 05/13/13 | \$3,499,990 |
| 1 | FY 2015 Incremental Funding | 07/01/14 | \$7,680,700 |
| 2 | Add Junior Staff Engineer Position | 07/21/14 | \$0.00 |
| 3 | FY 2016 Incremental Funding (through December 31, 2015 only) | Pending | \$5,955,000 |
| | | | |
| | Total: | | \$17,135,690 |

**Board Report**

File #: 2015-0961, **File Type:** Contract**Agenda Number:** 37.

REVISED
CONSTRUCTION COMMITTEE
JULY 16, 2015

SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 1 PROJECT**ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE CONTRACT MODIFICATION****RECOMMENDATION**

CONSTRUCTION COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer (CEO) to execute Change Modification No. 2 to Contract No. MC071, Westside Extension Support Team (WEST), to continue providing **Construction Management Support Services (CMSS) for six months of FY16 for the Westside Purple Line Extension Section 1 Project**, in an amount not-to-exceed \$6,487,628, increasing the total contract value from \$14,513,451 to \$21,001,079.

ISSUE

On July 25, 2013, the Board approved and awarded, to WEST, the Construction Management Support Services contract for this project. Construction management support services are required to oversee and manage the construction and assist in closeout of the Westside Purple Line Extension Section 1 Project. Metro Project Management requires the continuation of construction management support services to provide the expertise to oversee the construction of the advanced utility relocations at the three station areas, Division 20 Maintenance-of-Way/Non-Revenue Vehicle Maintenance Building, the Design/Builder's construction operations and assist Metro with the management of the Project. On May 22, 2014, the Board authorized annual funding for WEST to continue to provide construction management support services through FY15, for a total contract value in an amount not-to-exceed \$14,513,451.

The recommended Board action will provide sufficient contract funding for six months of FY16, pending the CEO's mid-year cost budgeting exercise. Future work will be funded on an Annual Work Program, year-to-year basis. This approach will result in more accurate budgeting for each year, while providing better control over consultant services costs.

DISCUSSION

The primary role of the CMSS is to provide highly skilled and qualified individuals to assist Metro with the construction management of the Project by becoming part of a fully-integrated construction management team residing in the construction field office, under the oversight of Metro Project Management. The CMSS consultant will provide administration, maintenance, inspection services and technical support during the construction, pre-revenue operations and closeout phases of the Project.

In a parallel process under a separate board report, staff is recommending a total of ~~37~~ 33 new non-contract Metro Engineering and Construction (E&C) positions for FY16 by converting ~~32~~ 28 new Construction Management Support Services (CMSS)/Consultant positions. ~~Six~~ Five of the ~~32~~ 28 CMSS/Consultant positions proposed for conversion to new Metro non-contract positions fall under the WEST's scope of work under Contract Modification No. 2. If the Board approves the new non-contract Metro E&C positions, a reduction of up to ~~\$1,264,787~~ \$1,093,070 may be deducted from Contract Modification No. 2 for these ~~six~~ five new non-contract Metro positions ~~provided that these Metro positions are in place at the Westside Purple Line Extension Section 1 Project on July 1, 2015.~~ ~~Otherwise,~~ a A prorated rate of ~~\$17,567~~ \$18,218 per month (per position) may be deducted from Contract Modification No. 2 for every CMSS/Consultant position that is converted to new non-contract Metro position and placed on the project.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards for Metro's construction projects. The CMSS contract will provide services that support Metro's internal safety staff on the Westside Purple Line Extension Section 1 Project. The scope of services for the CMSS contract includes provisions for staff members to ensure that safety is the highest priority during oversight of all phases of construction.

FINANCIAL IMPACT

Funds are included in the FY16 budget for this action under Project 865518 - Westside Purple Line Extension Section 1 Project in Cost Center 8510 (Construction Project Management), and Account Number 50316 (Professional Services). Since this is a multi-year project, the Executive Director of Engineering and Construction and the Project Manager will be accountable to budget the cost for future years on an annual basis, including the exercise of any options for future phases.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts, Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan proceeds and Measure R 35%. The approved FY16 budget is designated for the Westside Purple Line Extension Section 1 Project and does not have an impact to operations funding sources. These funds were assumed in the Long Range Transportation Plan (LRTP) for the Westside Purple Line Extension Section 1 Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may elect to discontinue using WEST for CMSS in FY16. Staff does not recommend this alternative as the construction projects they are assigned are in various degrees of completion and loss of experienced staff would be a detriment to the completion of these projects. There is insufficient time to hire all Metro staff required or to solicit a new CMSS consultant. Therefore, this action will extend the services of all the existing FY15 CMSS positions including approximately 30% DBE. Furthermore, a portion of CMSS positions are needed on an as-needed basis only and not on a full-time basis. Some of the CMSS positions also provide specialty work on an as-needed basis of which is not representative of Metro's core functions.

In a parallel process under a separate board report, staff is proposing to convert ~~six~~ five new CMSS positions to new non-contract Metro positions. However, due to the uncertainty of the hiring of new Metro positions in a timely manner, new CMSS positions are added as an interim measure.

NEXT STEPS

1. After Board approval and execution of the contract modification, staff will direct the consultant to continue providing construction management support services for the Westside Purple Line Extension Section 1 Project for six months of FY16.
2. Staff will report back by December 2015 on the actual number of non-contract Metro positions hired and placed on the project with the corresponding reduction in the CMSS contract value.

ATTACHMENTS

- A. Procurement Summary
- B. Contract Modification Authority/Change Order Log

Prepared by:

Dennis Mori, Executive Officer, Project Director, (213) 922-7221

James Cohen, Deputy Executive Officer, Project Management, (323) 900-2114


Rick Wilson, Director Project Control (213) 922-3627

Reviewed by:

Ivan Page, Interim Executive Director, Vendor/Contract Management (213) 922-6383

Nalini Ahuja, Executive Director, Finance and Budget (213) 922-3088

Bryan Pennington, Executive Director, Engineering & Construction (213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**WESTSIDE PURPLE LINE EXTENSION SECTION 1 PROJECT
CONSTRUCTION MANAGEMENT SUPPORT SERVICES
CONTRACT MODIFICATION NO. 2**

| | | | |
|-----------|--|---------|---|
| 1. | Contract Number: MC071 | | |
| 2. | Contractor: Westside Extension Support Team, J.V. (WEST) | | |
| 3. | Mod. Work Description: Continue Construction Management Support Services for six months of Fiscal Year 2016 | | |
| 4. | Contract Work Description: Construction Management Support Services | | |
| 5. | The following data is current as of: April 14, 2015 | | |
| 6. | Contract Completion Status | | Financial Status |
| | Contract Awarded: | 7/26/13 | Contract Award Amount: \$4,683,115 |
| | Notice to Proceed (NTP): | 8/09/13 | Total of Modifications Approved: \$9,830,336 |
| | Original Complete Date: | 8/09/24 | Pending Modifications (including this action): \$6,487,628 |
| | Current Est. Complete Date: | 8/09/24 | Current Contract Value (with this action): \$21,007,079 |
| 7. | Contract Administrator: Zachary Munoz | | Telephone Number: 213-922-7301 |
| 8. | Project Manager: Dennis Mori | | Telephone Number: 213-922-7221 |

A. Procurement Background

This Board Action is to approve Contract Modification No. 2 to continue Construction Management Support Services for Section 1 of the Westside Purple Line Extension Project.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is cost plus fixed fee.

On July 25, 2013, the Metro Board authorized the Chief Executive Officer to execute a cost-plus fixed fee type contract (Contract No. MC071) for Construction Management Support Services with West Extension Support Team (WEST), for an amount not-to-exceed \$4,683,115, for the first year of the Contract, FY14. On May 22, 2014, the Board authorized WEST to continue to provide Construction

Management Support Services through FY15 for an amount not-to-exceed \$9,830,336.

Attachment B shows that only the one modification has been issued to date, and this recommended modification is currently pending.

The proposed Contract Modification is for an amount not-to-exceed of \$6,487,628 to continue the necessary Construction Management Support Services for six months of FY16.

B. Cost/Price Analysis

The negotiated amount complies with all requirements of Metro Procurement policies and procedures and was determined fair and reasonable through fact-finding, clarifications, and cost analysis. An independent cost estimate (ICE) was obtained as part of the cost analysis before negotiating.

An audit request has been submitted to the Metro Management Audit Services Department (MASD) to determine actual overhead rates incurred. In order to prevent any unnecessary interruption to the Project, provisional overhead rates have been established and used for the negotiated amount. The negotiated amount is subject to retroactive adjustments to the Contract upon completion of the audit. In accordance with FTA Circular 4220.1F, if an audit has been performed by any other cognizant agency within the last twelve month period Metro will receive and accept the audit report rather than perform another audit.

| <u>Proposal Amount (for 12 months)</u> | <u>Metro ICE (for 12 months)</u> | <u>Negotiated Amount (for 6 months)</u> |
|---|---|--|
| \$14,323,790 | \$13,955,737 | \$6,487,628 |

C. Disadvantaged Business Participation

Westside Extension Support Team made a 28.26% Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment. Westside Extension Support Team is currently exceeding its DALP commitment with 33.17% DBE participation.

| | | | |
|----------------------------------|--------------------|-------------------------------------|--------------------|
| SMALL BUSINESS COMMITMENT | DALP 28.26% | SMALL BUSINESS PARTICIPATION | DALP 33.17% |
|----------------------------------|--------------------|-------------------------------------|--------------------|

| | DBE Subcontractors | Ethnicity | % Committed | Current Participation¹ |
|----|-----------------------------|-----------------------------|--------------------|--|
| 1. | Anil Verma Associates, Inc. | Asian Subcontinent American | 0.39% | 0.00% |

| | | | | |
|--------------|--|-----------------------------|---------------|---------------|
| 2. | Cabrinha Hearn & Associates | Hispanic American | 10.37% | 5.11% |
| 3. | Cogstone Resource Management | Caucasian Female | 2.15% | 2.37% |
| 4. | D'Leon Consulting Engineers | Hispanic American | 0.00% | 1.38% |
| 5. | Diana Ho Consulting Group | Asian Pacific American | 0.00% | 0.06% |
| 7. | Kal Krishnan Consulting Services, Inc. | Asian Subcontinent American | 0.00% | 0.74% |
| 8. | Lenax Construction Services, Inc. | Caucasian Female | 1.72% | 0.86% |
| | MARRS Services, Inc. | Asian Subcontinent American | 6.85% | 10.53% |
| | Ramos Consulting Engineers, Inc. | Hispanic American | 6.78% | 11.18% |
| | Safework, Inc. | Caucasian Female | 0.00% | 0.96% |
| Total | | | 28.26% | 33.17% |

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

D. Living Wage and Service Contract Worker Retention Policy Applicability

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

ATTACHMENT B

**Contract Modification Authority (CMA) / Change Order Log
Westside Purple Line Extension Section 1 Project**

ATTACHMENT B

| Mod. no. | Description | Date | Amount |
|-----------------|--|-------------|---------------------|
| 1 | Continue Construction Management Support Services thru FY 15 | 5/22/14 | \$9,830,336 |
| 2 | Continue Construction Management Support Services for six months of FY 16 Pending Board Approval | | \$6,487,628 |
| | | | |
| | Total mods: | | \$16,317,964 |



Board Report

File #: 2015-0215, File Type: Contract

Agenda Number: 39.

**CONSTRUCTION COMMITTEE
JULY 16, 2015**

SUBJECT: GATEWAY LIGHTING RETROFIT PROJECT

ACTION: APPROVE USE OF DESIGN-BUILD CONTRACTING DELIVERY APPROACH FOR THE GATEWAY LIGHTING RETROFIT PROJECT

RECOMMENDATION

CONSTRUCTION COMMITTEE RECOMMENDED (5-0):

A. finding that awarding design-build contracts pursuant to **Public Utilities Code Section 130242 (a)** will achieve private sector efficiencies in the integration of the design, project work, and components related to the construction and installation of energy efficient lights in Metro's Gateway Headquarters Building;

(REQUIRES TWO-THIRDS VOTE)

- B. authorizing the Chief Executive Officer to award the competitively bid design-build contract to the lowest responsive, responsible bidder, pursuant to Public Utilities Code Section 130051.9 (c); and
- C. approving an increase of Contract Modification Authority (CMA) for Contract No. PS07643022 with Control Technologies to provide Building Management System upgrades in the amount of \$1,000,000, increasing the CMA from \$100,000 to \$1,100,000.

ISSUE

Metro is authorized to enter into design-build contracts pursuant to Public Utilities Code Section 130242. This section requires that the Board make the finding set forth in Recommendation A.

The Metro Gateway Lighting Retrofit Project will remove existing recessed fluorescent light fixtures and replace them with new, energy efficient, LED light fixtures. This project is consistent with the

intent and identified action to reduce energy use in our facilities as outlined in our Environmental Policy and Energy Conservation and Management Plan. A cost-benefit analysis of the Gateway Lighting Retrofit Project provides a cost and savings comparison between LED fixtures and fluorescent fixtures (see Attachment C).

The current Gateway building management system is proprietary therefore Control Technologies, Inc. must be part of the project team. As part of the project team, the control systems contractor must work with the design build contractor and be involved in the design, specification, installation, and commissioning of the lighting and the control components to ensure that the lighting controls will operate with the existing building management system.

DISCUSSION

The primary benefit of the design-build process is a shortened project schedule where the design-builder is able to start construction while the design is being completed. Other possible benefits include additional efficiencies in project management, administration and coordination.

Utilization of a design-build process is allowed under Public Utilities Code Section 130242, which provides for award of a design-build contract to the lowest responsive and responsible bidder. As set forth above, awarding design-build contracts will achieve certain efficiencies in the projects, such as reducing project administration and management costs, and expediting project completion.

Approval of this action would allow staff to proceed with a solicitation utilizing the Design-Build Contracting Delivery Approach pursuant to Public Utilities Code Section 130242.

The project was selected for the Design-Build Contracting Delivery Approach based on the following considerations:

- A single point of responsibility for design and construction will increase the time and management efficiency on the implementation of the projects;
- Metro will have the benefit of an integrated team that provides engineering, construction management, and administrative resources, resulting in cost savings;
- Staff project development resources are limited, so more budgeted projects can be accomplished by adding design-build capability;
- Metro's design risks are shifted to Design-Builder, while changes related to design are minimized;
- The project requires standard or minimal design effort and it therefore more conducive to being implemented by design-build contractors with general engineering and contracting capacity.

The major cost savings on this project is controlling the use of electricity via the building management control systems. Controls will be installed that will monitor the lighting levels and reduce the lighting in all areas via these automatic controls. Thus the lighting control system must be compatible with the existing building systems. The major Gateway building systems are already controlled by the building management control system. The building management system is a computerized building-automation and energy management system consisting of thousands of automatic devices and controls for the building heating, ventilation, air conditioning and lighting. It is imperative that the new system not only support the controls necessary for the lighting project to be a success but it must communicate with the entire building system.

FINANCIAL IMPACT

The FY16 funding for this project will come from Project Number 210802, Gateway Lighting Retrofit Project, in the amount of \$239,438 in Cost Center 8510, Construction Contracts/Procurement. Since this is a multi-year capital project, the cost center manager and Executive Director, Engineering & Construction will be responsible for budgeting in future years.

Impact to Budget

The source or funds for this project is the Sustainability Implementation Program funds which is a board approved annual allocation and is eligible to fund Bus and Rail Operations. No other source of funds were considered.

ALTERNATIVES CONSIDERED

This project is needed to avoid increasing electricity rates. This work could be accomplished utilizing consultants to prepare separate designs or with designs prepared by staff for bid and construction. Staff does not recommend this approach. There are distinct and clear advantages to having a single contractor responsible for both design and construction, primarily in the avoidance of certain project management, staff, administration and coordination costs, as well as significant reductions in contract cost and overall project schedule. The scope and size of the project lend itself to the more streamlined design-build project delivery method.

ATTACHMENTS

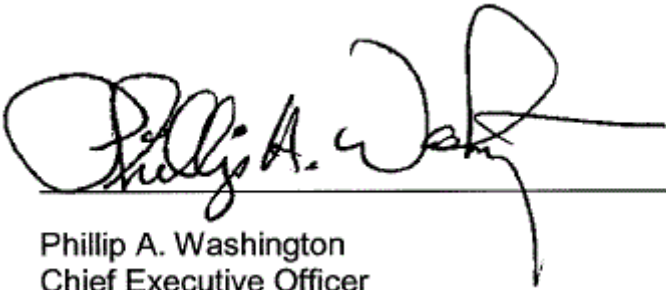
- A Procurement Summary
- B Contract Modification/Change Log
- C Cost Benefit Analysis for 5,000 2x4 Fixtures

Prepared By:

Cris B. Liban, Executive Officer, Environmental Compliance and Sustainability (213) 922-2471

Reviewed By:

Ivan Page, Interim Executive Director Vendor/Contract Management, 213 922-6383
Bryan Pennington, Executive Director, Engineering & Construction, 213 922-7449



Phillip A. Washington
Chief Executive Officer

**PROCUREMENT SUMMARY
GATEWAY BUILDING MANAGEMENT SYSTEM
GATEWAY LIGHTING RETROFIT PROJECT**

| | | | | |
|----|--|----------------|---|----------------|
| 1. | Contract No.: PS07643022 | | | |
| 2. | Contractor: Control Technologies | | | |
| 3. | Mod. Work Description: Increase Contract Modification Authority | | | |
| 4. | Work Description: Gateway Building Management System | | | |
| 5. | The following data is current as of : | March 10, 2015 | | |
| 6. | Contract Completion Status: | | | |
| | | | | |
| | Bids Opened: | N/A | Financial Status: | |
| | Contract Awarded: | 2/22/07 | Contract Award Amount: | \$640,000.00 |
| | NTP: | N/A | Total of Modifications approved: | \$1,389,345.00 |
| | Orig. Complete Date: | 2/21/17 | Pending Modifications (including this action): | \$1,000,000.00 |
| | Current Est. Complete Date: | 2/21/17 | Current Contract Value (with this action): | \$3,029,345.00 |
| | | | | |
| 7. | Contract Administrator: Kenneth Takahashi | | Telephone Number: (213) 922-1047 | |
| 8. | Project Manager: John Flores | | Telephone Number: (213) 922-7770 | |

A. Procurement Background

In February 2007, sole source Contract No. PS07643022 was awarded to Yamas Controls Southern California, Inc. for a term of ten years, in the amount of \$640,000, for maintenance of the Gateway Building Management System. In January 2008, Yamas Controls Southern California, Inc. was acquired by Control Technologies.

Attachment B shows that four modifications have been issued to date to add work.

B. Cost/Price Analysis

The recommended price of any future changes will be determined to be fair and reasonable based upon cost analysis, technical evaluation, fact finding, and negotiations.

C. Small Business Participation

At the time of contract award, in February 2007, the Diversity and Economic Opportunity Department did not establish a Small Business Enterprise (SBE) goal for this procurement, as the Control Technologies System is proprietary. However, for this contract modification, there will be limited opportunities for supply equipment, contingent upon the equipment not voiding proprietary electrical warranties associated with the Gateway lighting work. Control Technologies made a 5% SBE commitment.

| | | | |
|----------------------------|------------|----------------------------------|---------------|
| Small Business Goal | N/A | Small Business Commitment | 5% SBE |
|----------------------------|------------|----------------------------------|---------------|

| | SBE Subcontractor | % Commitment |
|----|--------------------------|---------------------|
| 1. | Global Electric | 5% |
| | TOTAL | 5% |

ATTACHMENT B

**CONTRACT MODIFICATION/CHANGE ORDER LOG
GATEWAY BUILDING MANAGEMENT SYSTEM**

GATEWAY LIGHTING RETROFIT PROJECT

| Mod no. | Description | Status | Cost |
|---|--|-------------------|-----------------------|
| 1 | Add Trend Log | Approved | \$6,000.00 |
| 2 | Equipment Upgrades | Approved by Board | \$1,153,845.00 |
| 3 | Additional Contract Authority | Approved | \$94,000.00 |
| 4 | Additional Contract Authority | Approved by Board | \$135,500.00 |
| 5 | Increase Contract Modification Authority | Pending | \$1,000,000.00 |
| Subtotal – Approved Modifications | | | \$1,389,345.00 |
| Subtotal – Pending Changes/Modifications | | | \$1,000,000.00 |
| Subtotal Totals: Mods. + Pending Changes/Modifications | | | \$2,389,345.00 |
| Previously Authorized CMA | | | \$100,000.00 |
| CMA Necessary to Execute Pending Changes/Mods + Possible Claims | | | \$1,000,000.00 |
| Total CMA including this Action | | | \$1,100,000.00 |
| CMA Remaining for Future Changes/Mods after this Action | | | \$1,000,000.00 |

ATTACHMENT C

Gateway Lighting Retrofit Project - Cost-Benefit Analysis for 5,000 2x4 Fixtures

| Cost of Fixtures & Installation | Return on Investment (years) | Location / Area | | Existing Conditions | Conditions After Retrofits | Projected Annual Savings |
|---------------------------------|------------------------------|--|--------------------|---------------------|----------------------------|--------------------------|
| \$1,044,808.20 | 4.276 | Gateway Office Spaces (2) T8, low watt | Energy Usage (kWh) | 3,248,708 | 1,399,833 | 1,848,875 |
| | | | Operating Costs | \$448,438.05 | \$204,090.30 | \$244,347.75 |
| | | | GHGe (metric tons) | 1,814.87 | 782.01 | 1,032.86 |
| \$1,426,426.20 | 4.873 | Gateway Office Spaces Volumetric LED | Energy Usage (kWh) | 3,248,708 | 990,845 | 2,257,862 |
| | | | Operating Costs | \$448,438.05 | \$155,711.24 | \$292,726.80 |
| | | | GHGe (metric tons) | 1,814.87 | 553.53 | 1,261.34 |

Energy and Operational Cost Savings Over the Operational Life

| Year | Energy Cost (per kWh) | Existing | Option A - (2) T8, low watt | | Option B - Volumetric LED | |
|--------------|-----------------------|---------------------|-----------------------------|--------------------|---------------------------|--------------------|
| | | | Cost | Savings | Cost | Savings |
| 2015 | \$0.125 | \$448,438 | \$204,090 | \$244,348 | \$155,711 | \$292,727 |
| 2016 | \$0.132 | \$470,952 | \$213,845 | \$257,106 | \$162,672 | \$308,279 |
| 2017 | \$0.139 | \$494,691 | \$224,129 | \$270,562 | \$170,008 | \$324,684 |
| 2018 | \$0.140 | \$499,419 | \$226,220 | \$273,199 | \$171,544 | \$327,875 |
| 2019 | \$0.142 | \$504,192 | \$228,331 | \$275,861 | \$173,095 | \$331,097 |
| 2020 | \$0.143 | \$509,010 | \$230,462 | \$278,548 | \$174,659 | \$334,351 |
| 2021 | \$0.145 | \$513,874 | \$232,612 | \$281,262 | \$176,237 | \$337,637 |
| 2022 | \$0.146 | \$518,785 | \$234,782 | \$284,003 | \$177,830 | \$340,955 |
| 2023 | \$0.147 | \$523,743 | \$236,973 | \$286,770 | \$179,437 | \$344,306 |
| 2024 | \$0.149 | \$528,748 | \$239,184 | \$289,564 | \$181,058 | \$347,690 |
| 2025 | \$0.150 | \$533,801 | \$241,415 | \$292,386 | \$182,694 | \$351,107 |
| 2026 | \$0.152 | \$538,902 | \$243,668 | \$295,235 | \$184,344 | \$354,558 |
| 2027 | \$0.153 | \$544,053 | \$245,941 | \$298,111 | \$186,010 | \$358,043 |
| 2028 | \$0.155 | \$549,252 | \$248,236 | \$301,016 | \$187,690 | \$361,562 |
| 2029 | \$0.157 | \$554,502 | \$250,552 | \$303,949 | \$189,386 | \$365,116 |
| 2030 | \$0.158 | \$559,802 | \$252,890 | \$306,911 | \$191,097 | \$368,705 |
| 2031 | \$0.160 | \$565,152 | \$255,250 | \$309,902 | \$192,824 | \$372,329 |
| 2032 | \$0.161 | \$570,555 | \$257,632 | \$312,922 | \$194,566 | \$375,988 |
| 2033 | \$0.163 | \$576,008 | \$260,037 | \$315,972 | \$196,324 | \$379,684 |
| 2034 | \$0.165 | \$581,515 | \$262,464 | \$319,051 | \$198,098 | \$383,416 |
| 2035 | \$0.166 | \$587,074 | \$264,913 | \$322,161 | \$199,889 | \$387,185 |
| 2036 | \$0.168 | \$592,687 | \$267,386 | \$325,301 | \$201,695 | \$390,991 |
| 2037 | \$0.169 | \$598,353 | \$269,882 | \$328,471 | \$203,518 | \$394,835 |
| 2038 | \$0.171 | \$604,074 | \$272,402 | \$331,673 | \$205,358 | \$398,717 |
| 2039 | \$0.173 | \$609,851 | \$274,945 | \$334,906 | \$207,214 | \$402,636 |
| 2040 | \$0.175 | \$615,683 | \$277,512 | \$338,171 | \$209,088 | \$406,595 |
| TOTAL | | \$14,193,116 | \$6,415,756 | \$7,777,360 | \$4,852,047 | \$9,341,069 |

Installation, Annual Lamp Replacement and Annual Maintenance Costs

| | Total Existing | (2) T8, low watt usage | (2) T8, low watt savings | Volumetric LED usage | Volumetric LED savings |
|-----------------------|--------------------------------------|--------------------------------|----------------------------|------------------------------|----------------------------|
| Fixtures/Installation | \$0 | \$1,044,808 | | \$1,426,426 | |
| Lamps/Maintenance | \$43,011.74 | \$29,396.55 | \$13,615.20 | \$32,057.54 | \$10,954.21 |
| TOTAL | \$43,012 | \$1,074,205 | | \$1,458,484 | |
| Power Usage (kWh/yr) | Existing Lighting (kWh) 3,248,708 | Consumption (kWh) 1,399,833 | Savings (kWh) 1,848,875 | Consumption (kWh) 990,845 | Savings (kWh) 2,257,862 |

ATTACHMENT B

**CONTRACT MODIFICATION/CHANGE ORDER LOG
GATEWAY BUILDING MANAGEMENT SYSTEM**

GATEWAY LIGHTING RETROFIT PROJECT

| Mod no. | Description | Status | Cost |
|---|---------------------------------------|-------------------|-----------------------|
| 1 | Add Trend Log | Approved | \$6,000.00 |
| 2 | Equipment Upgrades | Approved by Board | \$1,153,845.00 |
| 3 | Additional Control System Maintenance | Approved | \$94,000.00 |
| 4 | Add Union Station East Complex | Approved by Board | \$135,500.00 |
| 5 | LED Lighting Retrofit Project | Pending | TBD |
| Subtotal – Approved Modifications | | | \$1,389,345.00 |
| Subtotal – Pending Changes/Modifications | | | \$1,000,000.00 |
| Subtotal Totals: Mods. + Pending Changes/Modifications | | | \$2,389,345.00 |
| Previously Authorized CMA | | | \$100,000.00 |
| CMA Necessary to Execute Pending Changes/Mods + Possible Claims | | | \$1,000,000.00 |
| Total CMA including this Action | | | \$1,100,000.00 |
| CMA Remaining for Future Changes/Mods after this Action | | | \$1,000,000.00 |

ATTACHMENT C

Gateway Lighting Retrofit Project - Cost-Benefit Analysis for 5,000 2x4 Fixtures

| Cost of Fixtures & Installation | Return on Investment (years) | Location / Area | | Existing Conditions | Conditions After Retrofits | Projected Annual Savings |
|---------------------------------|------------------------------|--|--------------------|---------------------|----------------------------|--------------------------|
| \$1,044,808.20 | 4.276 | Gateway Office Spaces (2) T8, low watt | Energy Usage (kWh) | 3,248,708 | 1,399,833 | 1,848,875 |
| | | | Operating Costs | \$448,438.05 | \$204,090.30 | \$244,347.75 |
| | | | GHGe (metric tons) | 1,814.87 | 782.01 | 1,032.86 |
| \$1,426,426.20 | 4.873 | Gateway Office Spaces Volumetric LED | Energy Usage (kWh) | 3,248,708 | 990,845 | 2,257,862 |
| | | | Operating Costs | \$448,438.05 | \$155,711.24 | \$292,726.80 |
| | | | GHGe (metric tons) | 1,814.87 | 553.53 | 1,261.34 |

Energy and Operational Cost Savings Over the Operational Life

| Year | Energy Cost (per kWh) | Existing | Option A - (2) T8, low watt | | Option B - Volumetric LED | |
|--------------|-----------------------|---------------------|-----------------------------|--------------------|---------------------------|--------------------|
| | | | Cost | Savings | Cost | Savings |
| 2015 | \$0.125 | \$448,438 | \$204,090 | \$244,348 | \$155,711 | \$292,727 |
| 2016 | \$0.132 | \$470,952 | \$213,845 | \$257,106 | \$162,672 | \$308,279 |
| 2017 | \$0.139 | \$494,691 | \$224,129 | \$270,562 | \$170,008 | \$324,684 |
| 2018 | \$0.140 | \$499,419 | \$226,220 | \$273,199 | \$171,544 | \$327,875 |
| 2019 | \$0.142 | \$504,192 | \$228,331 | \$275,861 | \$173,095 | \$331,097 |
| 2020 | \$0.143 | \$509,010 | \$230,462 | \$278,548 | \$174,659 | \$334,351 |
| 2021 | \$0.145 | \$513,874 | \$232,612 | \$281,262 | \$176,237 | \$337,637 |
| 2022 | \$0.146 | \$518,785 | \$234,782 | \$284,003 | \$177,830 | \$340,955 |
| 2023 | \$0.147 | \$523,743 | \$236,973 | \$286,770 | \$179,437 | \$344,306 |
| 2024 | \$0.149 | \$528,748 | \$239,184 | \$289,564 | \$181,058 | \$347,690 |
| 2025 | \$0.150 | \$533,801 | \$241,415 | \$292,386 | \$182,694 | \$351,107 |
| 2026 | \$0.152 | \$538,902 | \$243,668 | \$295,235 | \$184,344 | \$354,558 |
| 2027 | \$0.153 | \$544,053 | \$245,941 | \$298,111 | \$186,010 | \$358,043 |
| 2028 | \$0.155 | \$549,252 | \$248,236 | \$301,016 | \$187,690 | \$361,562 |
| 2029 | \$0.157 | \$554,502 | \$250,552 | \$303,949 | \$189,386 | \$365,116 |
| 2030 | \$0.158 | \$559,802 | \$252,890 | \$306,911 | \$191,097 | \$368,705 |
| 2031 | \$0.160 | \$565,152 | \$255,250 | \$309,902 | \$192,824 | \$372,329 |
| 2032 | \$0.161 | \$570,555 | \$257,632 | \$312,922 | \$194,566 | \$375,988 |
| 2033 | \$0.163 | \$576,008 | \$260,037 | \$315,972 | \$196,324 | \$379,684 |
| 2034 | \$0.165 | \$581,515 | \$262,464 | \$319,051 | \$198,098 | \$383,416 |
| 2035 | \$0.166 | \$587,074 | \$264,913 | \$322,161 | \$199,889 | \$387,185 |
| 2036 | \$0.168 | \$592,687 | \$267,386 | \$325,301 | \$201,695 | \$390,991 |
| 2037 | \$0.169 | \$598,353 | \$269,882 | \$328,471 | \$203,518 | \$394,835 |
| 2038 | \$0.171 | \$604,074 | \$272,402 | \$331,673 | \$205,358 | \$398,717 |
| 2039 | \$0.173 | \$609,851 | \$274,945 | \$334,906 | \$207,214 | \$402,636 |
| 2040 | \$0.175 | \$615,683 | \$277,512 | \$338,171 | \$209,088 | \$406,595 |
| TOTAL | | \$14,193,116 | \$6,415,756 | \$7,777,360 | \$4,852,047 | \$9,341,069 |

Installation, Annual Lamp Replacement and Annual Maintenance Costs

| | Total Existing | (2) T8, low watt usage | (2) T8, low watt savings | Volumetric LED usage | Volumetric LED savings |
|-----------------------|--------------------------------------|--------------------------------|----------------------------|------------------------------|----------------------------|
| Fixtures/Installation | \$0 | \$1,044,808 | | \$1,426,426 | |
| Lamps/Maintenance | \$43,011.74 | \$29,396.55 | \$13,615.20 | \$32,057.54 | \$10,954.21 |
| TOTAL | \$43,012 | \$1,074,205 | | \$1,458,484 | |
| Power Usage (kWh/yr) | Existing Lighting (kWh) 3,248,708 | Consumption (kWh) 1,399,833 | Savings (kWh) 1,848,875 | Consumption (kWh) 990,845 | Savings (kWh) 2,257,862 |

ATTACHMENT C

Gateway Lighting Retrofit Project - Cost-Benefit Analysis for 5,000 2x4 Fixtures

| Cost of Fixtures & Installation | Return on Investment (years) | Location / Area | | Existing Conditions | Conditions After Retrofits | Projected Annual Savings |
|---------------------------------|------------------------------|--|--------------------|---------------------|----------------------------|--------------------------|
| \$1,044,808.20 | 4.276 | Gateway Office Spaces (2) T8, low watt | Energy Usage (kWh) | 3,248,708 | 1,399,833 | 1,848,875 |
| | | | Operating Costs | \$448,438.05 | \$204,090.30 | \$244,347.75 |
| | | | GHGe (metric tons) | 1,814.87 | 782.01 | 1,032.86 |
| \$1,426,426.20 | 4.873 | Gateway Office Spaces Volumetric LED | Energy Usage (kWh) | 3,248,708 | 990,845 | 2,257,862 |
| | | | Operating Costs | \$448,438.05 | \$155,711.24 | \$292,726.80 |
| | | | GHGe (metric tons) | 1,814.87 | 553.53 | 1,261.34 |

Energy and Operational Cost Savings Over the Operational Life

| Year | Energy Cost (per kWh) | Existing | Option A - (2) T8, low watt | | Option B - Volumetric LED | |
|--------------|-----------------------|---------------------|-----------------------------|--------------------|---------------------------|--------------------|
| | | | Cost | Savings | Cost | Savings |
| 2015 | \$0.125 | \$448,438 | \$204,090 | \$244,348 | \$155,711 | \$292,727 |
| 2016 | \$0.132 | \$470,952 | \$213,845 | \$257,106 | \$162,672 | \$308,279 |
| 2017 | \$0.139 | \$494,691 | \$224,129 | \$270,562 | \$170,008 | \$324,684 |
| 2018 | \$0.140 | \$499,419 | \$226,220 | \$273,199 | \$171,544 | \$327,875 |
| 2019 | \$0.142 | \$504,192 | \$228,331 | \$275,861 | \$173,095 | \$331,097 |
| 2020 | \$0.143 | \$509,010 | \$230,462 | \$278,548 | \$174,659 | \$334,351 |
| 2021 | \$0.145 | \$513,874 | \$232,612 | \$281,262 | \$176,237 | \$337,637 |
| 2022 | \$0.146 | \$518,785 | \$234,782 | \$284,003 | \$177,830 | \$340,955 |
| 2023 | \$0.147 | \$523,743 | \$236,973 | \$286,770 | \$179,437 | \$344,306 |
| 2024 | \$0.149 | \$528,748 | \$239,184 | \$289,564 | \$181,058 | \$347,690 |
| 2025 | \$0.150 | \$533,801 | \$241,415 | \$292,386 | \$182,694 | \$351,107 |
| 2026 | \$0.152 | \$538,902 | \$243,668 | \$295,235 | \$184,344 | \$354,558 |
| 2027 | \$0.153 | \$544,053 | \$245,941 | \$298,111 | \$186,010 | \$358,043 |
| 2028 | \$0.155 | \$549,252 | \$248,236 | \$301,016 | \$187,690 | \$361,562 |
| 2029 | \$0.157 | \$554,502 | \$250,552 | \$303,949 | \$189,386 | \$365,116 |
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| 2038 | \$0.171 | \$604,074 | \$272,402 | \$331,673 | \$205,358 | \$398,717 |
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| TOTAL | | \$14,193,116 | \$6,415,756 | \$7,777,360 | \$4,852,047 | \$9,341,069 |

Installation, Annual Lamp Replacement and Annual Maintenance Costs

| | Total Existing | (2) T8, low watt usage | (2) T8, low watt savings | Volumetric LED usage | Volumetric LED savings |
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| Fixtures/Installation | \$0 | \$1,044,808 | | \$1,426,426 | |
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| TOTAL | \$43,012 | \$1,074,205 | | \$1,458,484 | |
| Power Usage (kWh/yr) | Existing Lighting (kWh) 3,248,708 | Consumption (kWh) 1,399,833 | Savings (kWh) 1,848,875 | Consumption (kWh) 990,845 | Savings (kWh) 2,257,862 |



Board Report

File #: 2015-0812, File Type: Motion / Motion Response

Agenda Number: 55.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JULY 16, 2015**

SUBJECT: MEMBERSHIP ON METRO SERVICE COUNCILS

ACTION: APPROVE NOMINEES FOR APPOINTMENT TO METRO SERVICE COUNCILS

RECOMMENDATION

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (5-0) approving nominees for **membership on Metro’s Gateway Cities, San Fernando Valley, and San Gabriel Valley Service Councils.**

ISSUE

Each Metro Service Council is comprised of nine Representatives that serve a term of three years; terms are staggered so that the terms of three of each Council’s nine members expire annually on June 30. Incumbent Representatives can serve additional terms if re-nominated by the nominating authority and confirmed by the Metro Board.

DISCUSSION

Metro seeks to appoint Service Council members reflective of the demographics of each respective region. The 2010 Census demographics of each of the Service Council regions are as follows:

| % Sector Total | Hispanic | White | Asian | Black | Other | Total Pop |
|--------------------|----------|-------|-------|-------|-------|-----------|
| SGV | 50.0% | 19.9% | 24.9% | 3.3% | 2.0% | 100.0% |
| SFV | 41.0% | 42.0% | 10.7% | 3.4% | 2.9% | 100.0% |
| South Bay | 42.5% | 23.8% | 12.0% | 18.3% | 3.4% | 100.0% |
| Westside/Central | 43.5% | 30.7% | 13.0% | 10.0% | 2.8% | 100.0% |
| Gateway Cities | 63.9% | 16.7% | 8.5% | 8.6% | 2.3% | 100.0% |
| Service Area Total | 48.5% | 26.8% | 14.0% | 8.2% | 2.6% | 100.0% |

The individuals listed below have been nominated or re-nominated to serve by their respective Council’s appointing authorities. If approved by the Board, these appointments will serve a three-year term or the remainder of the seat’s three-year term as indicated. A brief listing of qualifications for new nominees is provided along with the nomination letter(s) from the nominating authorities for all nominees:

A. Jo Ann Eros Delgado, Gateway Cities Service Council, Re-Appointment
Nominated by: Gateway Cities Council of Governments
Term Ending: June 30, 2018

B. Richard Burnett, Gateway Cities Service Council, Re-Appointment
Nominated by: Gateway Cities Council of Governments
Term Ending: June 30, 2018

C. Wally Shidler, Gateway Cities Service Council, Re-Appointment
Nominated by: Gateway Cities Council of Governments
Term Ending: June 30, 2018

The demographic makeup of the Gateway Cities Service Council with the appointment of these nominees will consist of five (5) Hispanic members, three (3) White members, and one (1) Black member as self-identified by the members in terms of racial/ethnic identity. The gender breakdown of the Council will be six (6) men and three (3) women.

D. Jess Talamontes, San Fernando Valley Service Council, New Appointment
Nominated by: City of Burbank
Term Ending: June 30, 2018

The demographic makeup of the San Fernando Valley Service Council with the appointment of these nominees will consist of six (6) Hispanic members and two (2) White members as self-identified by the members in terms of racial/ethnic identity. The gender breakdown of the Council will be seven (7) men and one (1) woman.

E. Bruce Heard, San Gabriel Valley Service Council, Re-Appointment
Nominated by: San Gabriel Valley Council of Governments
Term Ending: June 30, 2018

The demographic makeup of the San Gabriel Valley Service Council with the appointment of these nominees will consist of five (5) White members, one (1) Hispanic member, one (1) Asian member, and one (1) Native/Other member as self-identified by the members in terms of racial/ethnic identity. The gender breakdown of the Council will be eight (8) men and zero (0) women.

DETERMINATION OF SAFETY IMPACT

Maintaining the full complement of representatives on each Service Council to represent each service area is important. As each representative is to be a regular user of public transit, and each Council is composed of people from diverse areas and backgrounds, this enables each Council to better understand the needs of transit consumers including the need for safe operation of transit service and safe location of bus stops.

FINANCIAL IMPACT

There is no financial impact imparted by approving the recommended action.

ALTERNATIVES CONSIDERED

The alternative to approving these appointments would be for these nominees to not be approved for appointment. To do so would result in reduced effectiveness of the Service Councils, as it would increase the difficulty of obtaining the quorum necessary to allow the Service Councils to formulate and submit their recommendations to the Board. It would also result in each of the Service Councils having less diverse representation of their respective service areas.

NEXT STEPS

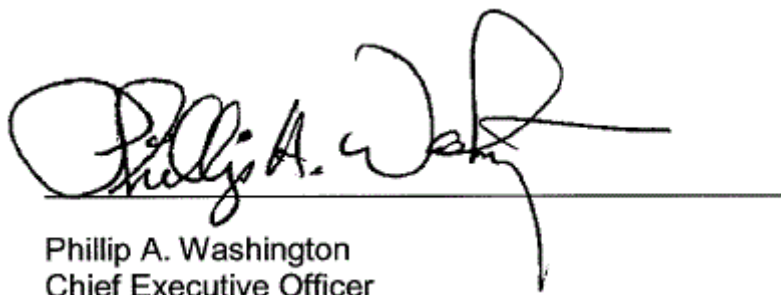
There are five (5) vacant Service Council seats for which no nomination to reappoint or replace has been received. Staff will continue to work closely with the nominating authorities to identify candidates for these vacant positions. When the Board of Directors approves the nominating authority's candidate(s), those appointees will then be eligible to vote at their Service Council meeting(s).

ATTACHMENTS

- A. New Appointees Biographies and Listing of Qualifications
- B. Appointing Authority Nomination Letters

Prepared by: Jon Hillmer, Executive Officer of Service Development, Scheduling & Analysis, (213) 922-6972

Reviewed by: Robert Holland, Interim Chief Operations Officer
(213) 922-4438



Phillip A. Washington
Chief Executive Officer

NEW APPOINTEE BIOGRAPHY AND LISTING OF QUALIFICATIONS

Jess Talamontes, Nominee for San Fernando Valley Service Council

Jess Talamontes was elected to Burbank City Council 2009, served as Centennial Mayor during the City's Centennial Celebration in 2011 and was named Vice Mayor in 2015. He was re-elected in 2013 and is currently serving his second four year term. Prior to serving as an elected official, Vice Mayor Talamontes had a 32-year career as a Burbank Firefighter working on the frontlines in public safety. Mr. Talamontes has also been involved in a number of boards and commissions, including: League of California Cities, San Fernando Valley Council of Governments, Southern California Association of Governments (SCAG), Burbank City Federal Credit Union. While serving on Council, he also remains an active community member, dedicating his time to youth programs and civic outreach. A Burbank resident since 1962, Jess is a graduate of John Burroughs High School. He earned his B.S. in Fire Protection Administration and Technology from California State University at Los Angeles.

APPOINTING AUTHORITY NOMINATION LETTERS

SOUTHEAST LOS ANGELES COUNTY

- Artesia
- Avalon
- Bell
- Bellflower
- Redondo Beach
- Cerritos
- Compton
- Covina
- Downey
- Hawthorne
- Huntington Park
- La Habra
- La Habra-Northgate
- La Puente
- Long Beach
- Lynwood
- Maywood
- Monterey Park
- Norwalk
- Pasadena
- Pico Rivera
- Santa Fe Springs
- Signal Hill
- South Gate
- Vernon
- Wilmington
- County of Los Angeles
- Port of Long Beach



GATEWAY CITIES
COUNCIL OF GOVERNMENTS

June 18, 2015

Mr. Phillip A. Washington, CEO
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

Dear Mr. Washington:

Nominees for the Metro Gateway Cities Service Council

Acting in its capacity as the convening coalition of the Metro Gateway Cities Service Council, the Board of Directors of the Gateway Cities Council of Governments has nominated three Service Council members to fill current vacant seats, which expire June 30, 2015.

At its regularly scheduled meeting of June 3, 2015, the Gateway Cities Council of Governments Board of Directors nominated Mr. Wally Shidler, Mr. Richard Burnett, and Ms. Jo Ann Eros Delgado current members of the Service Council. A copy of the nominee's application is enclosed.

We would appreciate your assistance in agendaizing the nominations for confirmation by the MTA Board of Directors at the next regularly scheduled meeting.

Sincerely,

Richard Powers
Executive Director

Enclosure

cc: Mr. David Hershenson, Metro Community Relations Manager

CITY OF BURBANK
OFFICE OF THE CITY MANAGER

June 16, 2015

Mr. Gary Spivack
Deputy Executive Officer
Metro Regional Service Councils
One Gateway Plaza MS 99-7-2
Los Angeles, CA 90012

Dear Mr. Spivack,

On behalf of the Eastern Cluster Cities of Burbank, Glendale and San Fernando, I submit the nomination of Burbank's Vice Mayor Jess Talamantes to serve on the San Fernando Valley Service Council for the term of July 1, 2015 - June 30, 2018.

After consultation with the City Managers of the Cities of Burbank, Glendale and San Fernando, I believe there is agreement regarding the nomination of Vice Mayor Talamantes to fill the vacancy left by the end of former Burbank Council Member Gary Bric's term.

Please let me know if you need any additional information. I can be reached at (818) 238-5800.

Respectfully,



Mark Scott
City of Burbank



OFFICERS

President
Gene Murabito

1st Vice President
Vacant

2nd Vice President
Vacant

3rd Vice President
Vacant

MEMBERS

Alhambra

Arcadia

Azusa

Baldwin Park

Bradbury

Claremont

Covina

Diamond Bar

Duarte

El Monte

Glendora

Industry

Irwindale

La Cañada Flintridge

La Puente

La Verne

Monrovia

Montebello

Monterey Park

Pasadena

Pomona

Rosemead

San Dimas

San Gabriel

San Marino

Sierra Madre

South El Monte

South Pasadena

Temple City

Walnut

West Covina

First District, LA County

Unincorporated Communities

Fourth District, LA County

Unincorporated Communities

Fifth District, LA County

Unincorporated Communities

SGV Water Districts

June 9, 2015

Lilian De Loza-Gutierrez
Community Relations Manager
San Gabriel Valley Area Deputy
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

RE: MTA SERVICE SECTOR APPOINTMENT

Dear Ms. De Loza-Gutierrez:

This letter is to confirm that at its April 16, 2015 meeting, the San Gabriel Valley Council of Government's (SGVCOG) Governing Board recommended Bruce Heard to continue serving as one of the SGVCOG on the MTA San Gabriel Valley Service Sector Board of Directors. Attached are a copy of the minutes from that meeting.

If you have any questions or require further information, please do not hesitate to contact our office at (626) 457-1800 or sgv@sgvcog.org.

Sincerely,

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Francis M. Delach

ATTACHMENT:

April 16, 2015 Governing Board Minutes

San Gabriel Valley Council of Governments
1000 South Fremont Avenue, Unit #42 ♦ Alhambra, California 91803

**Board Report**

File #: 2015-0863, **File Type:** Contract**Agenda Number:** 58.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JULY 16, 2015****SUBJECT: REPAIR/REPLACE GATEWAY FIRE SPRINKLER SYSTEM****ACTION: APPROVE USE OF DESIGN-BUILD CONTRACTING DELIVERY APPROACH****RECOMMENDATION**

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE RECOMMENDED (4-0) finding that awarding this low-bid design-build contract pursuant to **Public Utilities Code Section 130242 (a)** will achieve private sector efficiencies by integrating the design project work and components, obtaining Los Angeles County Fire Department approval for project work, and replacing the **Fire Sprinkler System in Metro's Gateway Headquarters Building;**

REQUIRES TWO-THIRDS VOTE

ISSUE

The Fire Sprinkler Piping Replacement Project will remove existing compromised fire sprinkler piping and replace with new piping. Metro is authorized to enter into design-build contracts pursuant to Public Utilities Code Section 130242 upon approval from the Board as set forth in the Recommendation.

DISCUSSION

The primary benefit of the design-build process is a shortened project schedule where the design-builder is able to start repairs of critical components while the design is being completed for any modifications to the system. Other possible benefits include additional efficiencies in project management, administration and coordination.

Utilization of a design-build process is allowed under Public Utilities Code Section 130242, which provides for award of a design-build contract to the lowest responsive and responsible bidder. As set forth above, awarding design-build contracts will achieve certain efficiencies in the projects, such as reducing project administration and management costs, and expediting project completion.

The project was selected for the Design-Build Contracting Delivery Approach based on the following considerations:

- A single point of responsibility for design and construction will improve the schedule and

- management efficiency on the implementation of the project;
- An integrated team that provides engineering, construction management, and administrative resources will result in cost savings;
- Adding design-build capability facilitates project delivery where staff project development resources are limited; and
- Design risks are shifted to Design-Builder, while changes related to design are minimized.

Renovation of the headquarters building fire sprinkler system is an element of the Board approved USG Building Renovation Project (CP# 210131). Sprinkler system renovation is required to ensure the integrity of the building fire-life-safety system and that it operates properly in case of emergency.

A preliminary engineering study, including ultrasonic wave scanning, determined that approximately 65% of building fire sprinkler lines have enough corrosion to warrant replacement. The report from the engineering survey also identified the following issues:

- Some of the piping was thinner than was the standard expected;
- Seeping moisture was found throughout the entire building;
- The 3" main vertical drain running the length of the building showed excessive corrosion;
- Air was found on every floor throughout the building. Trapped air and water within a pipe system creates an environment for additional corrosion;
- Water was found in dry systems; and
- A corrosion inhibitor should be used to extend the life of the existing piping; however severely pitted (corroded) pipes should be replaced with new.

The design build contractor will work with Metro staff and the engineering consultant to design and schedule the replacement of the compromised fire sprinkler piping with little to no impact on the building occupants.

DETERMINATION OF SAFETY IMPACT

Approval of this item will ensure the integrity of the building fire-life-safety system as well as the safety of our patrons and employees.

FINANCIAL IMPACT

The estimated cost of this project element is \$8.3 million and is included within the Life of Project budget for the USG Building Renovation Project (CP 210131). FY16 funding of \$996,000 is budgeted in cost center 6430 (Building Services), account 53102 (Acquisition of Equipment), project 210131 (USG Building Renovation Project). Since this will be a multi-year contract, the cost center manager and Executive Director will be responsible for budgeting the cost in future years.

Impact to Budget

Funding for this project is from the General Fund which can be used to fund Bus and Rail Operations. Funding for this action is within the existing LOP budget and no additional funds are required.

ALTERNATIVES CONSIDERED

The first alternative would be not to continue with this project, however this is not recommended because this would compromise USG Building fire-life-safety system. A second alternative is to replace damaged piping when it leaks or floods an office area. This alternative is not recommended because inevitable but unscheduled leaking or flooding will disrupt the work of building occupants and damage the building and equipment. The third alternative would be to pursue a Design-Bid-Build approach to the contract. This alternative is not recommended because it would provide none of the schedule, accountability, cost and risk advantages discussed in the body of the report.

NEXT STEPS

Approval of this action would allow staff to proceed with a solicitation utilizing the Design-Build Contracting Delivery Approach pursuant to Public Utilities Code Section 130242.

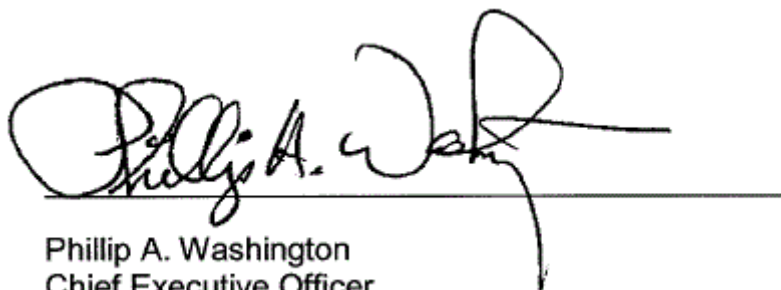
ATTACHMENT

Attachment A - Observations from Ultrasonic Inspection

Prepared by: Steve Jaffe, DEO General Services
(213) 922-6284

Reviewed by: Donald E. Ott, Executive Director, Employee & Labor Relations
(213) 922-8864

Stephanie Wiggins, Interim Deputy Chief Executive Officer
(213) 922-1023



Phillip A. Washington
Chief Executive Officer

Key Observations from Ultrasonic Inspection

- Seeping seams found throughout building on threaded branch lines.
- 3-inch drain pipes running the length of the building showed severe issues..
- Over 65% of piping has interior wall loss of 11% or more.
- Air found within wet pipes on all floors.
- Trapped water found within pipes in the dry systems.

Photos of Fire Sprinkler System Components at Time of Ultrasonic Testing



**Board Report**

File #: 2015-0842, **File Type:** Contract**Agenda Number:** 61.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JULY 16, 2015****SUBJECT: TRANSIT COURT CITATION PROCESSING SERVICES****ACTION: CONTRACT MODIFICATION AUTHORIZATION****RECOMMENDATION**

SYSTEM SAFETY, SECURITY AND OPERATIONS RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute contract Modification No. 8 to Contract No, OP24122716 with Xerox State and Local Solutions, Inc to **provide Transit Court Citation Processing Services** to extend the contract for up to three (3) months for the period covering September 1, 2015, through November 30, 2015, for a not-to-exceed amount of \$195,000, thereby increasing the total contract value from \$2,069,692.20 to \$2,264,692.20.

ISSUE

In July 2010, the Board approved the establishment and implementation of an administrative process to resolve certain citations. At that time, the Board approved the ordinance required to create an administrative review process, referred to as the Customer Code of Conduct. The goal of the new system is to improve the Metro customer experience by providing a more direct, easier process for resolving citations received in the Metro system. Metro's approach has been anticipated by the Los Angeles Superior Courts for a number of years, the Court prefers to spend court time addressing other more serious offenses. In February 2012, Metro Transit Court opened its doors and to serve patrons who receive transit and parking citations. The need to execute the recommended contract modification allows sufficient time to complete the current solicitation process and award a new contract for these services.

DISCUSSION

Transit Court staff requires that a contractor provide citation processing services to support Citation Enforcement and Transit Court and the handling of transit and parking citations issued in accordance with the applicable state laws related to each type of citation. The Contractor needs to provide Transit Court staff with a computer information system that allows staff the ability to view citations, customer correspondence, citation records, record payments or dispositions of cases. In addition to installment payment plans, community service and the disposition of fines for Transit School, the contractor is also required to generate notices to transit customers with unpaid citations. In order to

move forward with awarding a new contract and avoid disruption in ticket processing, the recommended contract modification is necessary.

DETERMINATION OF SAFETY IMPACT

Deterring fare evasion and addressing quality of life issues can be labor and cost intensive. The use of deployment strategies for both law enforcement and transit security are crucial in an effort to promote fare compliance as well as the perception of safety for the public and Metro employees with uniform presence throughout the system. Rail stations and bus intersections are selected to conduct fare enforcement operations in both a roving and static operation on a daily basis. As a result, transit related citations will be issued for patrons who do not comply with Metro's Customer Code of Conduct. In addition, daily patrols of parking lots and bus zones are conducted to enhance safety and ease in traffic congestion along busy streets.

FINANCIAL IMPACT

Funding for this service is included in the FY16 budget in cost center 2412, Transit Court, under project number 300111 and task number 01.01 for Professional and Technical Services. Since this is a multi-year contract, the Deputy Executive Officer and cost center manager will be accountable for budgeting the cost in future years, including any options exercised.

ALTERNATIVES CONSIDERED

Staff considered providing services with in-house resources; however, this is not recommended for several reasons. This would require adding FTE's to Metro's workforce and budget. The fixed overhead burden, acquisition of qualified personnel and equipment would be significantly higher than the flexible cost proposed by the service provider.

NEXT STEPS

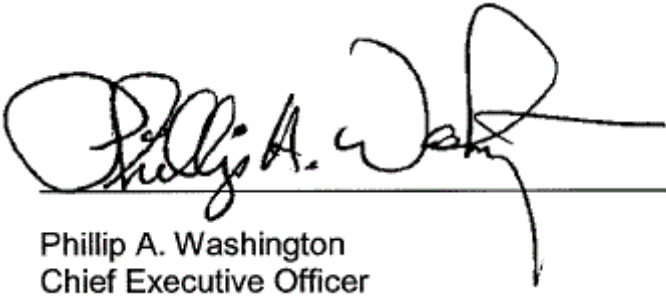
Upon approval, staff will move forward with the process of awarding a new contract.

ATTACHMENTS

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

Prepared by: Duane Martin, DEO, Project Management, (213) 922-7460

Reviewed by: Duane Martin, DEO, Project Management, (213) 922-7460
Ivan Page, Interim Executive Director, Vendor/Contract Management,
(213) 922-6383



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

TRANSIT COURT CITATION PROCESSING SERVICES

| | | | |
|----|--|--|---|
| 1. | Contract No.: OP24122716 | | |
| 2. | Contractor: Xerox State and Local Solutions | | |
| 3. | Mod. Work Description: Increase Contract Modification Authority | | |
| 4. | Work Description: Citation Processing Services | | |
| 5. | The following data is current as of : | June 18, 2015 | |
| 6. | Contract Completion Status: | | |
| | Bids Opened | N/A | Financial Status |
| | Contract Awarded | 8/29/11 | Contract Award Amount \$1,871,490.00 |
| | NTP | N/A | Total of Modifications approved \$198,202.20 |
| | Orig. Complete Date | 6/30/12 | Pending Modifications (including this action) \$195,000.00 |
| | Current Est. Complete Date | 8/31/15 | Current Contract Value (with this action) \$2,264,692.20 |
| 7. | Contract Administrator: James Nolan | Telephone Number: (213) 922-7312 | |
| 8. | Project Manager: Helen Valenzuela | Telephone Number: (213) 922-6928 | |

A. Procurement Background

On August 2, 2011, competitively procured Contract No. OP24122716 was awarded to ACS, Inc, a Xerox subsidiary, on a unit price basis for a period of three years for a not-to-exceed amount of \$1,871,490 to provide citation processing services for Metro's Transit Court.

Attachment B shows that seven modifications have been issued to add work.

B. Cost/Price Analysis Explanation of Variances

The contract unit prices have been determined to be fair and reasonable based upon adequate price competition and price analysis at time of award. The contract rates will remain the same.

C. Small Business Participation

The Diversity and Economic Opportunity Department recommended a 9% Small Business Enterprise (SBE) goal for this solicitation. ACS, Inc. made a 9% SBE commitment.

| | | | |
|----------------------------|----|----------------------------------|----|
| SMALL BUSINESS GOAL | 9% | SMALL BUSINESS COMMITMENT | 9% |
|----------------------------|----|----------------------------------|----|

| | Subcontractor | % Committed |
|----|-------------------------------|--------------------|
| 1. | International Word Processing | 9% |
| | Total Commitment | 9% |

D. Living Wage Service Contract Worker Retention Policy

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

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

TRANSIT COURT CITATION PROCESSING SERVICES

| Mod no. | Description | Status | Cost |
|---|---|---------------|---------------------|
| | Original Award | Approved | \$1,871,490.00 |
| 1 | This was a no-cost extension | Approved | \$0.00 |
| 2 | Exercised Option 1 to extend term and added Board approved funding | Approved | \$0.00 |
| 3 | Exercised Option 2 to extend term and added Board approved funding plus \$123,202.20 for new scope. | Approved | \$123,202.20 |
| 4 | This was a no-cost extension. | Approved | \$0.00 |
| 5 | Added funding to contract | Approved | \$75,000.00 |
| 6 | This was a no-cost extension. | Approved | \$0.00 |
| 7 | This was a no-cost extension. | Approved | \$0.00 |
| 8 | To extend period of performance through November, 2015 and add funding. | Pending | \$195,000.00 |
| Subtotal – Approved Modifications | | | \$198,202.20 |
| Subtotal – Pending Changes/Modifications | | | \$195,000.00 |
| Subtotal Totals: Mods. + Pending Changes/Modifications | | | \$393,202.20 |
| Previously Authorized CMA | | | \$187,149.00 |
| CMA Necessary to Execute Pending Changes/Mods + Possible Claims | | | \$393,202.20 |
| Total CMA including this Action | | | \$393,202.20 |
| CMA Remaining for Future Changes/Mods after this Action | | | \$0.00 |



Board Report

File #: 2015-1038, **File Type:** Ordinance / Administrative Code

Agenda Number: 69.

REVISED
EXECUTIVE MANAGEMENT COMMITTEE
JULY 16, 2015

SUBJECT: METRO PARKING ORDINANCE, METRO PARKING RATES AND PERMIT FEE RESOLUTION

ACTION: ADOPT METRO PARKING ORDINANCE, METRO PARKING RATES AND PERMIT FEE RESOLUTION

RECOMMENDATION

EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0):

- A. adopting the attached **Parking Ordinance, as set forth in Attachment A (“Metro Parking Ordinance”)**, enacting a new Title 8 to Metro’s existing Administrative Code;
- B. adopting the attached Fee Resolution, as set forth in Attachment B (“Metro Parking Rates and Permit Fee Resolution”) establishing parking rates and permit fees at all Metro operated parking facilities and proposed new parking fees at Los Angeles Union Station;
- C. authorizing the Chief Executive Officer to implement and begin regulating the adopted Metro Parking Ordinance and Parking Fee Resolution at all Metro operated parking facilities. Systemwide including proposed new fees at Los Angeles Union Station; and
- D. authorizing the Chief Executive Officer to deposit all additional revenues generated into the Risk Allocation Matrix Internal Savings Account (RISA), pending Board approval of the full concept later this year.

ISSUE

At the March 2015 Board Meeting, staff introduced to the Board a draft of Metro’s first Parking Ordinance, and Parking Rates and Permit Fee Resolution to regulate parking and standardize existing parking rates and policies. The objective of the Parking Ordinance is to establish enforcement tools that promote safety and enhances the patrons’ experience. Metro is currently operating without a parking ordinance, which makes enforcement difficult, if not impossible. The California Vehicle Code (“CVC”) 21113 (d) allows government agencies to adopt their own parking ordinances to regulate parking. If adopted, the Parking Ordinance will be incorporated into Metro’s Administrative Code as Title 8 to regulate at Metro parking facilities.

Furthermore, Metro is currently operating its preferred parking permit program at several locations and at Union Station without a Board adopted Parking Rates and Permit Fee Resolution. Adopting a Parking and Permit Fee Resolution will standardize the existing fee structure at all parking facilities and set up parameters for future parking fee adjustments. Included in the Fee Resolution will be the parking fee adjustments at Los Angeles Union Station which are expected to go into effect in winter of 2015. The Parking Rates and Permit Fee Resolution will also include a fee structure for all parking violations.

DISCUSSION

The recommended Parking Ordinance does not contain significant substantive changes from current parking law, policy or practices. The Parking Ordinance standardizes existing policies which include, but are not limited to, the following; (1) obeying posted signage; (2) ensuring vehicles park within a single parking space; (3) non parking related activities are prohibited; (4) ensuring that vehicles parked within a parking facility do not exceed 14,000 lbs. or twenty-four (24) feet in length; and (5) prohibit vehicles from parking longer than seventy-two (72) consecutive hours in a parking space or exceeding the posted time limit at park and ride facilities.

Vehicles other than automobiles such as bicycles and electric carts will also be regulated through the proposed Parking Ordinance when parked or left standing at any Metro parking facility. The Parking Ordinance also includes parking citation issuance procedures, the appeal process, hearing process and the policy on removal of vehicles.

The Parking Rates and Permit Fee Resolution does not propose any changes in the parking rates at park and ride facilities. However, it proposes new rates at Los Angeles Union Station. Below are the new proposed parking rates for the Los Angeles Union Station;

| Los Angeles Union Station Parking Rates | | |
|--|----------------|-----------------------|
| Parking Rates | Current | Proposed Rates |
| Transient (Time Increment) | \$2.00/20min. | \$2.00/15min. |
| Daily Max | \$6.00 | \$8.00 |
| Monthly (General Public) | \$70.00 | \$110.00 |

- Event parking fees will be established based on market rate conditions.
- Special monthly parking rates may be negotiated between Metro and tenant, government, or business entity.

Following the March 2015 Board meeting, staff published the draft Parking Ordinance and Parking Rates and Permit Fee Resolution for public comment. Staff has presented the Ordinance to Regional Service Councils and other stakeholders groups, and has received and responded to all comments. Modifications were made to the Parking Ordinance and Parking Rates and Permit Fee Resolution in response to the comments and are reflected in the final Parking Ordinance and the Parking Rates and Permit Fee Resolution attached (Attachment A & B)

The Parking Ordinance and Parking Rates and Permit Fee Resolution will go into effect 30 days after the required “cooling off” period following the adoption by the Board.

BACKGROUND

Currently, there are over 22,000 parking spaces along the Metro Rail, Orange and Silver Line Stations. With current and future rail station expansions under way, and assuming the Caltrans park and ride facilities are transferred to Metro this number will continue to grow. It is essential to have policies in place that address current issues and allow for a more efficient operation of our parking system. Since Metro does not currently have an adopted Parking Ordinance in place, Metro cannot properly enforce rules that protect Metro transit riders.

This Parking Ordinance and Parking Rates and Permit Fee Resolution are a part of a larger set of activities developed to improve Metro’s parking program to better serve our patrons. Additional activities will include returning to the Board for the authorization of the Supportive Transit Parking Program (STPP) Master Plan Study in Fall 2015. Staff will also be returning to the Board for the adoption of a parking management strategy, Metro’s Parking Strategic Implementation Plan (5 to 10 year program) and the STPP Master Plan Study. Staff anticipates the STPP Master Plan Study will be completed by Fall 2016. Modifications to the Ordinance and Parking Rates may be proposed as part of the STPP Master Plan Study.

POLICY IMPLICATIONS

Adoption of the Parking Ordinance and Parking Rates and Permit Fee Resolution will essentially continue existing policies, with minor updates to comply with current law. It will administratively consolidate current policies into one document and clarify parking citation issuance procedures and the appeals process.

ALTERNATIVES CONSIDERED

The Board may choose to maintain the status quo. This is not recommended, as Metro authorized enforcement agencies capabilities are currently limited. Maintaining the status quo would also result in no adjustment of Metro policies to address concerns regarding security, non-transit rider use and long term parking.

FINANCIAL IMPACT

The total cost associated with the implementation of the Parking Ordinance is estimated at \$100,000. Funding is available in the FY16 budget in cost center 3046 - Parking Management with Enterprise Funds under Project 308001. Enterprise Funds are eligible for bus/rail operating and capital expenses. Costs are associated with signage fabrication at all park and ride entrances and various locations within the parking lots. Additional costs include printing materials such as flyers, pamphlets and flyer distribution.

The gross revenue impact by the adjustment of parking rates at the Los Angeles Union Station is estimated at \$400,000 annually. The additional revenues generated will be deposited into the RISA,

pending Board approval of the full concept.

NEXT STEPS

Upon Board approval of this item, staff will initiate the installation of official signage at park and ride facility entrances and major pathways and make the Parking Ordinance and Parking Rates and Permit Fee Resolution available online. To notify customers, staff will distribute printed information and continue community outreach. Staff anticipates enforcement will begin next fiscal year.

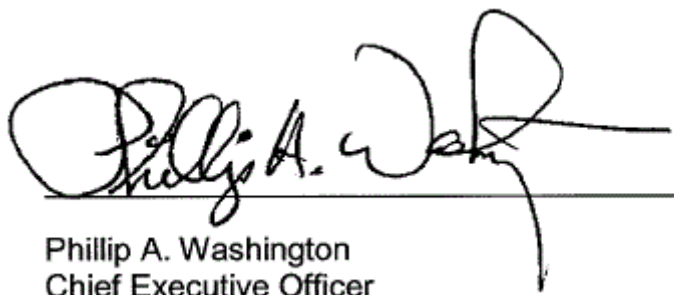
Staff will continue efforts on the STPP Master Plan Study and return to the Board for the adoption of a parking management strategy. Any additional net revenues generated through modification of the parking rates will be deposited into the RISA.

ATTACHMENTS

- A. Metro Parking Ordinance
- B. Metro Parking Rates and Permit Fee Resolution

Prepared by: Adela Felix, Transportation Planning Manager, (213) 922-4333
Frank Ching, Director, Parking Management, (213) 922-3033
Jenna Hornstock, Deputy Executive Officer, (213) 922-7437

Reviewed By: Martha Welborne, FAIA, Chief Planning Officer, (213) 922-7267



Phillip A. Washington
Chief Executive Officer

Los Angeles County Metropolitan Transportation Authority

**Administrative Code
Title 8**

METRO Parking Ordinance

Chapter 8-01

General

8-01-010 Authority to Regulate

The Los Angeles County Metropolitan Transportation Authority's ("METRO") authority to regulate parking, Vehicles (including vehicles other than automobiles), and traffic upon the driveways, paths, parking facilities or the grounds of METRO is conferred by section 21113 of the California Vehicle Code ("CVC").

8-01-020 Laws and Enforcement on the METRO Property

The California Vehicle Code and the regulations contained within this Title (Title 8, METRO Parking Ordinance) shall be in effect and will be enforced on METRO property 24 hours daily, 365 Days a Year, including holidays.

8-01-030 Responsibility for Compliance

Temporary parking on properties owned, leased, financed, contracted, operated or managed for METRO use is a privilege available only as provided by the parking policies and regulations of METRO, which reserves unto itself the right to revoke this privilege at any time because of inappropriate behavior, violation of any regulation in this ordinance or misuse of parking facilities or services. METRO reserves the right to establish what are inappropriate behaviors and the misuse of its property.

The operator of a vehicle on property owned, leased, financed, contracted, operated and managed for METRO use is responsible for complying with all state, local or METRO parking and traffic laws, ordinances and regulations and is subject to established penalties for violations thereof.

If a vehicle operator's identity cannot be determined, as in the case of a parked and locked vehicle, the registered owner and driver, rentee, or lessee of a vehicle cited for any violation of any regulation governing the parking of a vehicle under this code, under any federal statute or regulation, or under any ordinance enacted by a local authority shall be jointly liable for parking penalties imposed under this article, unless the owner can show that the vehicle was used without the consent of that person, express or implied. An owner who pays any parking penalty, civil judgment, costs, or administrative fees pursuant to this Article shall have the right to recover the same from the driver, rentee, or lessee in accordance with CVC section 40200(b).

By entering onto METRO owned, leased, financed, operated, managed or contracted for property, the owner of a Vehicle grants METRO the right to examine the exterior of their vehicle for any legal purpose described herein, including the authorization to remove or tow the Vehicle from the property.

8-01-040 Parking Fee Establishment and Adjustment

All parking fees and rate structures, including hourly, daily, weekly, and monthly and any event parking shall be approved and established by resolution of the METRO Board.

METRO shall review and recommend parking fee adjustments based on parking demand. The Chief Executive Officer or its designee is hereby authorized to approve parking fee adjustments within a twenty-five percent (25%) margin of the posted parking rate and is not to exceed an accumulated fee increase of more than 100% in a fiscal year. Frequency of rate increases cannot occur less than ninety (90) days after an established parking fee. Any increases or decreases of parking fees beyond the twenty-five (25%) margin or more frequent than ninety (90) days shall require METRO Board approval. Metro CEO is also authorized to establish parking rates at additional parking facilities. Parking rates at additional parking facilities will be established within the current fee range and based on the demographic location of the facility.

8-01-050 Fees to be Paid for Parking in METRO Parking Facilities

No Vehicle shall be parked in any METRO parking facilities at any time without payment of the applicable fee established by the Parking Rates and Permit Fee Resolution. Except as otherwise provided herein, such fees shall be collected from all persons desiring to park Vehicles in such facilities, including the officers and employees of METRO, the state, any public or private firm or corporation, any municipality, state or federal agency or any public district. No fee shall be charged to nor collected from any officer or employee of METRO for the parking of a METRO-owned Vehicle in any METRO

parking facility at such times when such officer or employee is engaged in METRO business.

All parking fees, rates and charges for the use of the facilities shall be collected in cash or electronic payment from the registered owner, operator or person in charge of the Vehicle desiring to park. Any person who willfully fails to pay the fees, rate and charges for use of the METRO parking facilities after having been given a notice to pay will be considered as violating the METRO parking ordinance in this Chapter.

No Vehicle may be removed from any METRO parking facility until all fees, rates and charges have been paid and discharged, except as provided in subsections (a) of this section:

- a. In the event that the person operating a Vehicle parked in any METRO parking facilities attempts to remove the Vehicle from the facility but is unable to pay all fees, rates and charges due at such time, such person shall, prior to removing such Vehicle from the facility, be required to sign an agreement to pay any unpaid fees, rates and charges. A copy of such agreement shall be given to the person signing the agreement. Such agreement shall set forth the location of the facility, the date and approximate time that the vehicle is removed, the name of such person, the vehicle license number, the registration expiration date, if visible, the last four digits of the Vehicle identification number, if available, the color of the Vehicle, and, if possible, the make of the Vehicle. Such agreement shall require payment to METRO of all unpaid fees, rates and charges, plus an administration fee in an amount established by resolution of the Board or its designee, no later than seven days after the agreement is signed, and shall indicate the address to which payment may be delivered or sent. If full payment is not made within such seven day period, METRO shall mail a notice of late payment to the vehicle's registered owner. Such notice shall require payment to METRO of the unpaid fees, rates and charges, and administration fee, plus a late payment fee in an amount established by resolution of the Board, no later than seven days after the date of such notice. In the event that such amount is not fully paid within such seven day period, a final notice of late payment, requiring payment of all owed parking and late fees in an amount established by resolution of the Board, shall be mailed to the Vehicle's registered owner. All owed parking fee will be subject to submit for collection process. The above agreement shall include a reference to this section.
- b. **Evidence of parking fee payment**, such as, but not limited to, parking permit, tickets, receipt or electronic display devices, is required during entire parking duration time.

- c. **Prohibition of Selling, Reselling, Leasing or Reserving for Compensation of Parking Spaces.** No person shall sell, resell, lease or reserve for compensation, or facilitate the selling, reselling, leasing or reserving for compensation of any METRO owned, leased, financed, contracted, managed and operated spaces or property without authorization from METRO.

By entering a METRO parking facility and parking a Vehicle in such facility, the registered owner, operator or person in charge of such Vehicle shall be deemed to have consented to the provisions of subsections A and B of this section. Any notices required to be mailed under subsections A and B of this section, shall be deemed served on the day that they are deposited in the U.S. mail, first class, postage prepaid. The issuance and review of notices of parking violation and delinquent parking violation, and the liability for and payment and collection of parking violation penalties, shall be governed by sections 40200 et seq. of the CVC and this Chapter.

8-01-060 Parking Facility Use, Designation, and Closure

METRO reserves the right to limit the temporary use of its parking area to specific Vehicle types as required by facility design or aesthetic considerations. METRO may change any parking zone designation. METRO may close, either temporarily or permanently, any parking area. Notice of parking area changes or closings will be provided whenever practical. However, failure to give such notice shall not create any liability on the part of METRO, its directors, officers, employees, agents, representatives, assigns or successors to any third party.

8-01-070 Liability

The use of a METRO owned, leased, financed, contracted, operated and managed parking facilities shall not create, simply by the condition of ownership, management or operation liability or responsibility for damage to any person or personal property. In addition, such use shall not result in METRO assuming liability or responsibility for damage, vandalism, theft or fire to any person or personal property, which may result from the use of parking facilities or services, or enforcement of laws or regulations.

8-01-080 Parking Policy and Regulation Notification or Changes

Parking policies and regulations are public information and are available online on METRO's website at metro.net/parking. Changes in parking policy or regulation are effective upon approval by the Board of Directors.

Whenever possible, the public will be notified in a timely manner prior to implementation of changes to METRO's parking policies and regulations.

8-01-090 Administrative Review of Parking Citation Issuance

A registered owner or operator of a Vehicle who believes a parking citation has been issued in error or in an improper manner may request an administrative review of the conditions for issuance of the citation as set forth in section 8-12-020.

8-01-100 Towing Vehicles

METRO is authorized by CVC section 21113 and CVC section 22650 et seq. to remove Vehicles as set forth below in Chapter 8-20.

Chapter 8-05

Parking Definitions

Chapter 8-05-010 Definitions

The words or phrases hereinafter in this Chapter are defined in this chapter and; they shall have the meanings respectively ascribed to them unless the context indicates the contrary.

Accessible Parking Space. "Accessible Parking Space" means any parking space designated for the exclusive use of a vehicle displaying a special identification license plate or distinguishing valid placard subject to

the provisions stated in section 22511.5 of the CVC. Accessible parking spaces shall be marked in accordance with section 22511.7 of the CVC.

Accessible Parking Space Path of Travel. “Accessible Parking Space Path of ” means any blue cross-hatched path between accessible parking spaces or along the designated path for which a vehicle operator with disabilities may travel from an accessible parking space to the accessible entry of a building, pedestrian area, or METRO transit or rail vehicle.

Agency. “Agency” shall mean METRO or its authorized agent that processes and issues parking citations and issues notices of delinquent parking violations on behalf of METRO.

Alley. “Alley” means any highway, as defined in this Chapter, unnamed, and having a width of less than twenty-five feet, and not provided with a sidewalk or sidewalks.

Board. “Board” means the METRO Board of Directors.

Bus Loading Zone. “Bus Loading Zone” means the space adjacent to the curb or edge of a roadway reserved for the exclusive use of buses during the loading and unloading of passengers.

Chief Executive Officer. “Chief Executive Officer” or “CEO” is the person designated by the METRO Board of Directors as the CEO of the Los Angeles County Metropolitan Transportation Authority.

Commercial Vehicle Loading Zone. “Commercial Vehicle Loading Zone” means that space adjacent to the curb reserved for the exclusive use of vehicles during the loading or unloading of passengers and materials marked and designated as hereinafter provided in this document.

Department of Motor Vehicles. “Department of Motor Vehicles” or “DMV”, or “Department” for this section shall mean the California Department of Motor Vehicles.

Enforcement Officer. “Enforcement Officer” shall mean a peace officer as defined in Chapter 4.5, commencing with section 830 of Title 3 of the California Penal Code, or the successor statutes thereto, or other issuing officer that is authorized or contracted by METRO to issue a parking citation.

Hearing Officer. “Hearing Officer” shall mean any qualified individual as set forth in the CVC section 40215 appointed or contracted by METRO to adjudicate parking citation contests administratively.

Highway. “Highway” means every way set apart for public travel except bridle trails and footpaths.

METRO. “METRO” shall mean the Los Angeles County Metropolitan Transportation Authority.

METRO Facility. “METRO Facility” includes all property and equipment, including rights of way and related tracks, rails, signals, power, fuel, communication systems, ventilation systems, power plants, cameras, signs, loudspeakers, fare collectors or registers, sound walls, stations, vacant parcels, bicycle paths, terminals, platforms, plazas, waiting areas, signs, art work, storage yards, depots, repair and maintenance shops, yards, offices, parking areas, parking lots, facilities, and other real estate or personal property owned or leased by METRO, used for any METRO activity, or authorized to be located on METRO property.

METRO Representative. “METRO Representative” shall mean a METRO security officer, transit operator, or other authorized METRO employee, Board or service council member, or METRO authorized contractor or entity.

METRO Transit Court. “METRO Transit Court” means the department authorized by the METRO Board of Directors to conduct parking, fare evasion or similar hearings and assign penalties for this Chapter.

METRO Vehicle. “METRO Vehicle” means a vehicle owned or operated by METRO.

Operator. “Operator” means any person who is in actual physical control of a vehicle or streetcar.

Owner of the Vehicle. “Owner of the Vehicle” shall mean that last registered owner and legal owner of record.

Park. “Park” means to stop or to allow standing any vehicle, whether occupied or not, vehicle stopped in obedience to official traffic-control devices or by direction of a police officer are not parked for the purposes of this section.

Parker. “Parker” means any person who holds a valid California driver’s license and intends to park a validly registered motor vehicle on METRO owned, leased, financed or contracted for property.

Parking Citation. “Parking Citation” is a notice to the vehicle owner of any failure to comply with METRO parking regulations or the CVC, municipalities

or county ordinances. A penalty shall be attached to each violation as described on each violation notice unless otherwise noticed.

Parking Facility. “Parking Facility” includes any covered, enclosed parking garage, facility, and/or deck, any open air or individually covered parking space and or a multiple space parking area. Parking facility types include above grade, below grade or underground, mechanical and automated parking facilities.

Parking Penalty. “Parking Penalty” includes the fine authorized by law for the particular violation, any late payment penalties, administrative fees, assessments, costs of collection as provided by law, and other related fees.

Parking Permit. “Parking Permit” is a non-transferable decal, printed card or tag, or other form of temporary authorization issued for a specific period of time by authority of METRO which is authorized to grant to any eligible person permission to park on METRO owned, leased, financed or contracted property. A parking permit is valid only when issued to an eligible person who has complied with all terms of issuance prescribed by METRO and when the permit is properly displayed.

Parking Space. “Parking Space” is all painted parking stalls located in Parking Facility that may or may not be marked by a sign, parking meter, and/or other restrictive designation painted on the ground or lot/facility surface.

Parking Violation. “Parking Violation” means the breach or intrusion of a vehicle required to comply with any general parking legislation enforced under the provision of METRO parking regulations or the CVC, municipalities and county ordinances that warrants the issuance of a parking citation penalty to the vehicle’s registered owner.

Parkway. “Parkway” means the portion of a highway other than a roadway or a sidewalk.

Passenger Bus. “Passenger Bus” is any multiple passenger conveyance vehicle over 20’ long and carrying more than 15 persons or exceeding 6,000 pounds in gross weight.

Passenger Loading Zone. “Passenger Loading Zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during loading and unloading of passengers, marked and designated with white paint.

Pedestrian. “Pedestrian” means any person afoot.

Pedestrian Conveyance Device. “Pedestrian Conveyance Device” includes skateboards, roller skates, rollerblades, in-line skates, other skating devices, foot-powered scooters and other similar devices.

Person. “Person” means and includes every individual, firm, government entity and business entity.

Rail Car. “Rail Car” includes any passenger railway rolling stock that is designed to carry passengers. This term includes heavy weight, lightweight, commuter, bi-level or other type of rail industry vehicles.

Registered Owner. “Registered Owner” shall mean the individual or entity whose name is recorded by the Department of Motor Vehicles as having ownership of a particular vehicle.

Respondent. “Respondent” shall mean any “operator” or “registered owner” as defined in this section who contests a parking citation.

Roadway. “Roadway” means that portion of a highway between the regularly established curb lines or, when no curb exists, that portion improved, designated, and ordinarily used for vehicular travel and parking.

Safety Zone. “Safety Zone” means that portion of a roadway reserved for the exclusive use of pedestrians, marked and designated as hereinafter provided in this section.

Section. “Section” means a section of the ordinance codified in this Division 1 unless some other ordinance or statute is specifically mentioned.

Sidewalk. “Sidewalk” means that portion of a highway between the curb line or traversable roadway and the adjacent property lines that dedicate for pedestrian use.

Street. “Street” means and includes the portion of any public street, road, highway, freeway, lane, alley, sidewalk, parkway or public place which now exists or which may hereafter exist within METRO Facilities.

Taxicab. “Taxicab” means any passenger vehicle for hire for the directed transportation of not more than eight passengers, excluding the driver, at rates based on the distance, duration or number of trips, or waiting time, or any combination of such rates.

Taxicab Zone. “Taxicab Zone” means and includes the portion of the street area designated for the standing or stopping of taxicabs while awaiting employment.

Vehicle. “Vehicle” means every motorized device by which any person or property is or may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

Vehicle Operator. “Vehicle Operator” shall mean any individual driving and/or in possession of a vehicle at the time a citation is issued or the registered owner of the vehicle.

Violation. “Violation” shall mean any parking, equipment, or other vehicle violations as established pursuant to state law or METRO ordinances and administrative code.

Chapter 8 - 07

Parking Regulations

8-07-010 Parking Activities

Unless otherwise authorized by METRO in writing, METRO owned, leased, financed, contracted, operated and managed parking facilities shall only be used for parking, entering and exiting, loading and unloading activities.

8-07-020 Enforcement Practice

Citations will be issued according to the printed and posted regulations as appropriate. The frequency with which parking citations are issued is dependent on the nature of the violation and time control restrictions for each of the various parking zones. METRO is also authorized by CVC section 21113 to remove vehicles consistent with Chapter 10 (commencing with Section 22650) of Division 11 of the CVC.

8-07-030 Illegal Parking Outside of a Defined Parking Space or Parking Space Markings

No Vehicle shall be parked or cause to be parked within any parking facility except between the lines indicating where Vehicles shall be parked and shall not park any Vehicle as to use or occupy more than one marked parking space. METRO may install and maintain parking space markings to indicate parking spaces adjacent to any curb where parking is permitted. When such parking space markings are placed in the right-of-way, no Vehicle shall be stopped or left standing other than within the markings of a single space.

8-07-040 Failure to Obey Signs

No person shall fail or refuse to obey or comply with any sign, marking or device erected, made or placed to indicate and carry out the provisions of this Chapter.

8-07-050 Exceeding Posted Time Limit

METRO may post signs indicating a maximum parking time limit in a space of lot. If a vehicle has been parked in an area restricting parking to a specific time interval, such Vehicle shall not be re-parked in the same spaces, or same lot, or within a distance of five hundred feet of the place initially parked within a period of four hours thereafter. Vehicles used for vending or peddling purposes shall also comply with the provisions of this section.

8-07-060 Temporary No Parking

Whenever METRO finds that traffic congestion, or the disruption of the normal flow of traffic is likely to result from the operation, stopping, standing or parking of Vehicles during the holding of public or private special events, assemblages, gatherings or functions, during construction, alteration, repair, sweeping, filming or other reasons, METRO may place or cause to be placed temporary signs prohibiting the operation, stopping, standing or parking of Vehicles at least seventy-two hours prior to and during the period such condition exists. In the event of an emergency, METRO may act under this section without providing the seventy-two-hour notice required herein.

8-07-070 Restricted Parking

Whenever any parking area is assigned for the exclusive use of the occupants of a facility a person, other than an occupant of the facility shall not park any vehicle in such parking area. The property owner manager or manager's designee responsible for overseeing the parking area may request that a parking violation be issued by METRO.

8-07-080 Parking Within Marked Bicycle Lane

A vehicle shall not be parked in a bicycle lane except to cross at a permanent or temporary driveway, or for the purpose of parking a vehicle where parking is permitted or where the vehicle is disabled.

8-07-090 Illegal Parking in Loading Zone

A Vehicle shall not be stopped for any purpose other than loading or unloading between the hours of 6:00 a.m. and 6:00 p.m. on any day except Sunday, or at such other times as designated by METRO in a place marked as a commercial and passenger loading zone. Such stop shall not exceed

the time it takes to load and unload passengers or goods for a commercial vehicle. METRO shall place signs or curb markings to designate areas as commercial loading zones. Commercial loading zones shall be a minimum of thirty feet and not exceed forty-eight feet in length, and may be established in a parking meter / pay station location. Parking meters / pay station spaces shall be enforced during posted hours when the loading zone is not in effect.

8-07-100 Vehicle Exceeds Load Size Limit

- a. No person shall park or leave standing in METRO facility and/or lot any Vehicle having either of the following:
 1. A manufacturer's rated load capacity greater than 14,000 lbs; or
 2. A length in excess of twenty-four (24) feet.
 - b. The following vehicles are hereby exempt from the provisions of this section:
 1. Any Vehicles properly displaying a large vehicle permit. Large Vehicle permits shall be issued for special events. Under any circumstances on any of the following Vehicles: tour buses, movie, television, or photographic production Vehicles, limousines, or mobile billboards in accordance with Chapter 8 of this code.
 - ~~2.~~
 3. Any authorized emergency Vehicle, METRO Transit Security, any authorized highway work vehicle or any Vehicle used in the construction, installation, or repair of a utility or public utility in accordance with sections 22512 and 35702 of the CVC;
 4. Any Vehicle engaged in loading or unloading;
 5. Any Vehicle making pickups or deliveries of goods, wares, and merchandise; and
 6. Any Vehicle picking up or delivering materials used in the actual or bona fide repair, alternation, remodeling or construction of any building or structure for which a building permit or building construction authorization has been obtained.
 - c. Pursuant to section 40200 *et seq.*, of the CVC, any violation of this section shall be punishable as a civil penalty in accordance with the provisions of Chapter 8-12 of the METRO Administrative Code. Any Vehicle parked or left standing in violation of this section may be removed in accordance with provisions of section 22650 *et seq.* of the CVC.
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- d. Large Vehicle parking permits shall be issued by METRO pursuant to Metro policies and procedures for the issuance of such permits. Such policies shall be consistent with the provisions of sections 8-07-010 through 8-07-440 of the METRO Administrative Code.
- e. The fee for a large Vehicle parking permit shall be according to METRO fee schedule.

8-07-110 Disconnected Trailer

Parking any trailer or semi-trailer in any METRO facility, while detached from or attached to a Vehicle is prohibited.

8-07-120 Bus Loading Zones

A Vehicle shall not be parked or stopped from in any METRO owned, leased, financed, contracted, operated and managed parking facilities in a bus loading zone. No bus shall stop in any bus loading zone longer than necessary to load or unload passengers, except at a terminus station. Appropriate signs or red curb markings or both shall indicate a bus loading zones. METRO shall place signs or red curb markings or both at locations where Metro determines appropriate to establish. Unless otherwise specified by METRO or its designees, such loading zones shall not exceed eighty feet in length.

8-07-130 Illegal Parking in Kiss and Ride Spaces and Passenger Loading Zone

- a. A Vehicle shall not be parked more than three (3) minutes, or for such other amount of time as may be indicated on the posted sign, to load and unload passengers at any designated Kiss and Ride passenger loading and unloading zone.
- b. METRO may place curb paint markings with ADA compliance design criteria including ramps, minimum dimensions, proper signage and level pavement at locations to make passenger loading feasible.

8-07-140 No Parking - Alley

A Vehicle shall not be parked or stopped in any alley for any other purpose other than the loading or unloading of passengers or materials, or both. A Vehicle shall not be stopped for the loading or unloading of passengers for more than three minutes nor for the loading or unloading of materials for more than twenty minutes at any time in any alley.

8-07-150 Illegal Parking in Red Zones

A Vehicle shall not be stopped, parked or otherwise left standing, whether attended or unattended, except in compliance with a traffic sign or signal or direction of an authorized enforcement officer, between a safety zone and the adjacent right hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, where a sign or paint was erected METRO owned, leased, financed, contracted, operated and managed parking facilities. Violating vehicle(s) will be towed at the registered owner's expense.

8-07-160 Vehicle Parked Seventy-Two (72) or More Hours

Any vehicle observed parked or left standing longer than seventy-two (72) consecutive hours without authorized permit in the same location may be cited. Any Vehicle parked longer than seventy-two (72) hours must obtain permission in advance from METRO.

8-07-170 Parking on Grades

When METRO has placed or caused to be placed appropriate signs, a Vehicle shall not be parked upon any grade of six percent or more within any METRO facilities without turning the wheels of the Vehicle toward the curb while parked facing downhill and turning the wheels of the Vehicle away from the curb while the Vehicle is parked facing an uphill grade.

8-07-180 Angled Parking

Whenever the width of a parking lot, parking bay, parking facility, travel lane, and traffic conditions are such that the parking of Vehicles at an angle to the curb instead of parallel to the curb will not impede traffic flow, and where there is need for the additional parking spaces which parking at an

angle will provide, METRO shall indicate at what angle Vehicles shall be parked by placing parallel white lines on the surface of the roadway. An operator shall not stop, stand, or park any Vehicle except between, at the angle indicated by, and parallel to both such adjacent white lines, with the nearest wheel not more than one foot from the curb.

8-07-190 Double Parking

Vehicle shall not be parked on the roadway side of another Vehicle that is stopped, parked or standing at the curb or edge of the public right-of-way, whether attended or unattended. Violating Vehicle(s) will be towed on registered owner's expense immediately.

Authorized emergency vehicles exempt from this section may display flashing or revolving amber warning lights when engaged in the enforcement of parking and traffic policies.

8-07-200 No Parking Anytime/Posted Hours

Whenever the parking of Vehicles at all or certain hours of the day upon any portion of METRO Parking Facilities, travel lanes, or alleys which are open for public constitutes a traffic hazard or impedes the free flow of traffic, or both, METRO shall erect signs stating that parking is prohibited at all or certain hours of the day.

8-07-210 Wrong Side Two Way Traffic or Roadway

A Vehicle shall not be parked, whether attended or unattended, regardless of loading or unloading in the public right-of-way within METRO facilities, or other transit/rail/park-n-ride facilities in such a manner where the Vehicle is parked in the direction of opposing traffic. Violating Vehicle(s) will be towed at registered owner's expense immediately.

8-07-220 Blocking Street or Access

A Vehicle shall not be parked, whether attended or unattended, upon any traffic or travel lane, or alley where the roadway is bordered by adjacent curbs which is open to the public, whether bordered by curbs or not, unless no less than eight feet of the width of the paved or improved or main traveled portion of such traffic, travel lane or alley opposite such parked Vehicle is left clear or unobstructed for the free passage of other Vehicles. Violating Vehicle(s) will be towed at registered owner's expense immediately.

8-07-230 Parking Special Hazard

At any place for a distance not to exceed one hundred feet where METRO finds that parking would unduly hamper the free flow of traffic, resulting in a special traffic hazard, or endanger public health or safety, METRO shall place appropriate signs or markings prohibiting such parking.

8-07-240 Illegal Parking at Fire Hydrant

A Vehicle shall not be parked within fifteen feet of a fire hydrant along any unmarked curb or in front of or as prohibited by section 22514 of the CVC or by any other state law. Violating Vehicle(s) will be towed at registered owner's expense.

8-07-250 Illegal Parking at Assigned / Reserved Spaces

Whenever any Vehicle parking space is assigned for the exclusive use of the occupant of any building, whether residential, commercial or industrial, which parking space is within such building or elsewhere, and at, in or near such parking space there is a legible sign stating either that such space is exclusively assigned, or that parking is prohibited, or both, a person, other than the person to whom such parking space is assigned, shall not park any Vehicle in such parking space except with the permission of the person to whom such parking space is assigned.

8-07-260 Illegal Parking at Taxicab Stands

The use of taxicab stand or stands shall be limited exclusively to Vehicles that display a taxicab vehicle permit by METRO pursuant to Chapter 8 and attended by a driver in possession of a valid taxi drivers permit issued by the METRO. No person shall park, stop, or stand any attended or unattended vehicle in METRO taxicab stand except as provided in this section.

8-07-270 Illegal Parking at/ adjacent to a Landscape Island or Planter

A Vehicle shall not be stopped, parked or otherwise left standing whether attended or unattended except in compliance with a traffic sign or signal or direction of a police officer, at or adjacent to a Landscape Island or Planter.

8-07-280 Transient, Daily or Preferred Monthly Parking Permits

Parking permits for transient, daily and monthly parking shall be issued by METRO. METRO shall be responsible for establishing policies, administering

procedures and disseminating information regarding the distribution of parking permits for parking in METRO Parking Facilities.

Preferred Parking is an optional program that secures a patron a parking space prior to a specified time according to signage. All spaces become available to the public after the specified time according to signage. Spaces are available on a first come first serve basis.

- a. The number of permits to be issued shall be determined by the parking demand and conditions within each Parking Facility.
- b. Parking permits shall not be issued to any person who has outstanding parking citations.

Permittee shall obey all rules of the parking permit program. Failure to obey such rules may result in the termination or denial of a permit.

8-07-290 Posting Signs in Preferred Permit Parking Area

- a. METRO shall cause appropriate signs to be erected in parking facilities, indicating prominently thereon the parking limitation, period for its application, and motor Vehicles with valid permits shall be exempt from the limitations.
- b. If preferred permit parking is allowed in partial areas of a parking lot or parking facility, signs shall be posted only on the selected spaces or portions of a parking lot or parking facility within the prescribed METRO Facility.
- c. A parking permit shall not guarantee or reserve to the holder thereof a parking space within a parking lot or parking facility.
- d. A motor Vehicle on which a valid permit is displayed shall be permitted to stand or be parked in the authorized parking lot or parking facility or designated area within the parking lot or parking facility within the limits of the parking permit program. Except as provided below, all Vehicles parking within a permit designated area or parking lot or parking facility shall be subject to the parking restrictions and penalties as provided in this Chapter.

8-07-300 Exemption of Certain Vehicles to Permit Restrictions

No person shall, without a permit therefor, park or leave standing any vehicle or trailer in a designated parking permit area or parking lot and parking

facility in excess of the parking restrictions authorized pursuant to this Chapter, except for the following:

- a. Repair, maintenance, refuel, utility, fuel or delivery vehicle providing services to METRO within the METRO facility with METRO's prior written consent.
- b. Emergency Vehicles

8-07-310 Permit Penalty Provisions

- a. Unless exempted by the provisions of this Chapter, no person shall stand or park a motor Vehicle in any designated permit parking area or parking lot or parking facility established pursuant to this Chapter. A violation of this section shall result in the revocation of the parking permit and rights in any METRO parking facilities, which is also punishable by an administrative fine established by the Parking Rates and Permit Fee Resolution adopted by the METRO Board. METRO also reserves the rights to refer the case to local law enforcement.
- b. No person shall copy, produce or create facsimile or counterfeit a parking permit, nor shall any person use or display a counterfeited parking permit.
- c. Permit holders shall report to METRO a lost, stolen or missing permit within five days of loss, at which time that permit shall be canceled and a new permit issued for the full face value of the parking permit. No pro-ratio or refund requests will be accepted.
- d. No person shall misuse a permit or display a stolen permit.
- e. No person who has been issued a parking permit for a specific designated area, lot or facility shall use the permit in another area, lot or facility.
- f. No person shall alter, deface, or intentionally conceal an expiration date on the face of a parking permit which is displayed in a Vehicle parked on a METRO Facility.
- g. Violation of this sub-Chapter may be subject to parking privileges and permit to be immediately revoked.

8-07-320 Expired Meter or Pay Station

- a. **Deposit of Fees Required.** A person shall be required to deposit the proper fee for occupying a parking metered /pay station space at a charge set in METRO's fee resolution during the posted hours and days of operation.
- b. **Parking Lot Requirements when Meters or Pay Station Installed.** A person shall not park any Vehicle on any parking lot, parking facility or public right of way maintained or operated by METRO on which a parking meter or multi-space pay machine is installed at any time without paying the posted and adopted parking fees.

8-07-330 Parking Facilities Cleaning, Maintenance and Capital Projects

No vehicular parking shall be permitted at specific locations in any parking facilities during posted hours to allow for routine cleaning, maintenance and capital project implementation.

8-07-340 Electric Vehicle Parking Spaces

METRO has established *Electric Vehicle (EV) Charging Station Spaces* in Parking Facilities for use by electric Vehicles. No person shall park or leave standing vehicles in EV spaces except as follows:

- a. EV spaces must be signed or marked for EV charging purposes only.
- b. Electric Vehicles must be actively charging when parking in EV Charging Station Spaces.
- c. Non-Electric Vehicles shall not park in EV Charging Station Spaces at any time.
- d. Electric Vehicles may only use designated EV Charging Station Spaces for charging vehicles. No other source of vehicle charging will be allowed at METRO facilities.

When not charging, Electric Vehicles may park in any designated parking space at METRO facilities.

8-07-350 Parking on Sidewalk/ Parkway

No vehicular parking shall be permitted on any portion of a sidewalk, nor shall any portion of a Vehicle be parked in such a manner to overhang or encroach onto any portion of the sidewalk or parkway. Violating Vehicle(s)

will be towed at registered owner's expense immediately. Metro is authorized by CVC section 21113 and CVC section 22651 to remove a vehicle found to have been parked in violation.

8-07-360 Areas Adjacent to Schools

Whenever METRO finds that parking on Metro property adjacent to any school property would unduly hamper the free flow of traffic or otherwise constitute a traffic hazard, appropriate signs or markings prohibiting such parking on METRO property shall be posted.

8-07-370 Peak Hour Traffic Zones

Whenever METRO finds that traffic congestion is such that the movement or flow of traffic may be improved by the elimination of parking on Metro property during certain peak travel times, signs prohibiting the stopping, standing or parking of vehicles shall be posted. No Vehicle shall park or be left standing a Vehicle where a sign indicating a peak hour traffic zone has been posted. Vehicles in violation shall be cited and/or towed whenever the parking of Vehicles constitutes a traffic hazard or impedes the free flow of traffic, or both.

8-07-380 Parking Prohibition for Vehicles Over Six Feet High, Near Intersections

Whenever METRO finds that the parking of Vehicles, with a height of six feet or more, within one hundred feet of an intersection, creates a visibility limitation resulting in a potential traffic hazard, METRO shall erect signs or markings stating that the parking of Vehicles with a height of six feet or more is prohibited within one hundred feet of an intersection.

8-07-390 Interim Parking Regulations

METRO can temporarily waive existing or establish new parking regulations in order to accommodate or to mitigate the impacts of construction projects in the vicinity of the parking lot and parking facility.

8-07-400 Car Share or Vanpool Authorization Required

No Vehicle shall be stopped, parked or left standing any Vehicle in a place or a parking space designated for the exclusive parking of Car Share or Vanpool vehicles participating in the METRO Car Share or Vanpool Program, unless the vehicle obtained authorization as a METRO Car Share or Vanpool Program participant and registered as direct by METRO.

8-07-410 Speed Limit

METRO speed limit is five (5) miles per hour in all parking areas, access roads and drives unless otherwise posted.

8-07-420 Motor Vehicle Access

Operating a motor Vehicle on sidewalks, mall, lawns, or any surface not specifically designated as a road, street, highway or driveway is prohibited.

8-07-430 Penalty for Non-Compliance

Unless exempted by the provisions of this part, no Vehicle shall be parked in violation of any parking restrictions established pursuant to this section. Except as provided in Chapter 8-07-100 paragraph (b), a violation of this section may result in the revocation of the parking permit and rights at any METRO parking facilities, which is also punishable by METRO's administrative fine schedule for parking violations. METRO may also refer the case to the local law enforcement. Any Vehicle with more than three (3) outstanding parking citations will be towed away at the registered owner's expense. All administrative fines and penalties must be paid and obtain applicable law enforcement agency clearance prior to release of the towed Vehicle in addition to two fees.

8-07-440 Accessible Parking Spaces Designated for Vehicle Operators with Disabilities

Parking in accessible spaces designated for vehicle operators with disability is restricted to those individuals who have secured an authorized disabled license plate or disabled placard pursuant to CVC section 5007, 22511.55 or 22511.59 that is currently in effect. No Vehicle shall be stopped, parked or left standing in a parking stall or space in a METRO facility that has been designated as parking for vehicle operators with a disability in the manner required by CVC section 22507.8. In order for a vehicle to be parked in a designated accessible parking space, disabled parking placards must not be expired and must be properly displayed. Parking is prohibited in any area adjacent to a parking stall or space designated for disabled persons or disabled veterans that is marked by crosshatched lines or space identified as for the loading and unloading of Vehicles parked in such stall or space.

Vehicle operators with a disability are not exempt from the payment of fees for parking a vehicle on METRO facility. METRO reserves the right to adopt or amend the disabled parking pricing policy at all METRO facility. However, Vehicle operators with a disability shall not be charged more than the

established parking fees listed for all parking spaces. Valid out of state disabled placards will be accepted at parking facilities.

The number and dimension of accessible parking spaces and van-accessible parking spaces are determined by ADA guidelines and specifications.



Chapter 8-09

Vehicles Other Than Automobiles

8-09-010 Authority to Create Vehicle Regulations

The METRO Board of Directors is authorized pursuant to section 21113 of the CVC to set forth conditions and regulations pertaining to the operation and parking of Vehicles, bicycles and pedestrian conveyance devices upon METRO property.

All rules and regulations of the CVC shall apply to Vehicles, bicycles and pedestrian conveyance devices operated on METRO Facilities. All Vehicles and bicycles must meet the equipment requirements of the CVC, including brakes, lights and reflectors.

8-09-020 Enforcement

This Chapter may be enforced by verbal or written warnings, administrative citations, fines vehicle towing and suspension or expulsion from Metro Facilities. Violations by METRO employees may also result in corrective or disciplinary action. Any appeal arising from the enforcement of this Chapter should be reported to METRO Transit Court, or as otherwise directed.

8-09-030 Parking Bicycles at METRO Facilities

1. Parking Bicycles

- a. Bicycles may be left, parked or stored on METRO Facilities only in areas designed for bicycle parking. These areas are: bike racks, bike lockers, or enclosed rooms with controlled access, or where signage designates the space as a bicycle parking area. However, METRO shall not be liable for any loss, theft, fire or damage of a bicycle or any personal property attached thereto for any bicycle left, parked or stored on METRO Facilities, regardless of whether the bicycle was in an area designated for bicycle parking.
- b. Bicycles parked in designated parking areas may not extend into the landscape. Bicycles may not be parked anywhere that interferes with the maintenance of landscaped or lawn areas or blocks any road or passageway.

2. Removal of Bicycles

- a. METRO may cause bicycles to be removed under any of the following circumstances:
 - Is secured to any item other than a bicycle rack designed for parking bicycles.
 - Prevents use of available Vehicle parking spaces.

- Poses a hazard or impedes pedestrian access.
 - Has been reported stolen and verified by the Agency.
 - Appears to be abandoned. A bicycle is considered abandoned if it remains in the same position for more than 72 hours and shows signs of intentional neglect. Signs included, but not limited to, deflated tires, missing wheels, and other parts.
- b. If a locking device must be detached to remove a bicycle, METRO may remove the securing mechanism, using whatever reasonable means are necessary. METRO is not responsible for any damage to the locking device or for its replacement.
- c. METRO or METRO authorized enforcement agencies' personnel may attach on to an abandoned bicycle a notice identifying the condition of the bicycle and the removal date.
- d. Removed bicycles may be recovered with proof of ownership after required fees are paid within 30 days; before they are released.
- e. Removed bicycles are held for a minimum of 30 days, after which time the bicycle owner is presumed to have relinquished legal title; these bicycles are disposed of in accordance with METRO policy.

8-09-040 Parking of Motorized Bicycles, Motorcycles and Mopeds

1. Motorized bicycles, motorcycles and mopeds must obtain permission, display a valid parking permit when parking on METRO Facilities to the same extent as a vehicle would be required.
2. Motorized bicycles, motorcycles and mopeds shall be parked only in designated area of parking facilities.
3. Motorized bicycles, motorcycles and mopeds shall not be operated on bicycle pathways or sidewalk.

Motorized bicycles, motorcycles and mopeds may be cited or towed for the same reasons as automobiles in violation of any regulations stated in this ordinance.

Chapter 8-12

Parking Citations

This Chapter shall be known as the “Parking Citation Processing Ordinance” of METRO.

8-12-010 Authority to Contract with Outside Agencies

METRO may issue and/or process parking citations and notices of delinquent parking violations, or it may enter into a contract with a private parking citation Agency, or with another city, county, or other public issuing or Agency.

Any contract entered into pursuant to this section shall provide for monthly distribution of amounts collected between the parties, except amounts payable to the County pursuant to Chapter 12 (commencing with section 76000) of Title 8 of the California Government Code, or the successor statutes thereto, and amounts payable to the METRO pursuant to CVC section 4763 or the successor statute thereto.

METRO’s Board of Directors or Chief Executive Officer shall designate the officers, employees or law enforcement contractors who shall be authorized to issue notices of violation and citation and any requisite training for such persons.

8-12-020 Appeal Review Process

The Agency may review appeals or other objections to a parking citation pursuant to the procedures set forth in METRO’s Administrative Code.

- a. A Person who violates any provision of the Title 8 may, within twenty-one (21) days of the issuance of such notice of violation, request an initial review of the notice of violation by METRO. The request for review may be made in writing, by telephone or in person. There shall be no charge for this review. If following the initial review METRO is satisfied that the violation did not occur, or that extenuating circumstances exist, and that the dismissal of the notice of violation is appropriate in the interest of justice, METRO may cancel the notice of violation. METRO shall notify, the person requesting the review of the results of the initial review. If the notice of violation is not dismissed,

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reasons shall be provided for the denial. Notice of the results of the review shall be deemed to have been received by the person who requested the initial review within five (5) working days following the mailing of the decision by METRO.

- b. If the Person subject to the notice of violation is not satisfied with the result of the initial review, the Person may no later than twenty-one (21) days following the mailing of the initial review decision request an administrative hearing of the violation. The request may be made by telephone, in person, or by mail. The person requesting the administrative hearing shall deposit with METRO the amount due under the notice of violation for which the administrative review hearing is requested. A person may request administrative review without payment of the amount due upon providing METRO with satisfactory evidence of an inability to pay the amount due. An administrative hearing shall be held within ninety (90) days of the receipt of request for an administrative hearing.

If the Person prevails at the administrative hearing, the full amount of the parking penalty deposited shall be refunded.

- c. The administrative hearing shall consist of the following:
 1. The person requesting the hearing shall have the choice of a hearing in person or by mail. An in person hearing shall be held within the jurisdiction of METRO, and shall be conducted according to such written procedures as may from time to time be approved by the Chief Executive Officer of METRO or the Chief Hearing Officer. The hearing shall provide an independent, objective, fair and impartial review of the contested violations. METRO will provide an interpreter for the hearing if necessary.
 2. The hearing shall be conducted before a hearing officer designated to conduct the review by METRO's Chief Executive Officer or Chief Hearing Officer. In addition, to any other requirements of employment the hearing officer shall demonstrate those qualifications, training, and objectivity as are necessary and consistent with the duties and responsibilities of the position as determined by METRO's Chief Executive Officer or Chief Hearing Officer.
 3. The person who issued the notice of violation shall not be required to participate in an administrative hearing. The issuing Agency shall not be required to produce any evidence other than the parking citation or copy thereof, photographs taken by citation issuing

equipment at the time of the citation (date and time stamped), and information received from the department identifying the registered owner of the vehicle. This documentation in proper form shall be the prima facie evidence of the violation.

The hearing officer's decision following the administrative hearing may be delivered personally by the hearing officer or may be sent by first class mail.

4. The hearing officer's decision at administrative review is final except as otherwise provided by law.

If the contestant is not the registered owner of the vehicle, all notices to the contestant required under this section shall also be given to the registered owner by first-class mail.

8-12-030 Procedures of Parking Citations Issuance

Parking citations shall be issued in accordance with the following procedures:

- a. If a Vehicle is unattended at the time that the parking citation is issued for a parking violation, the issuing officer shall securely attach to the Vehicle the parking citation setting forth the violation, including reference to the section of the CVC, the METRO Administrative Code or other parking regulation in the adopted ordinance violated; the date; the approximate time of the violation; the location of the violation; a statement printed on the notice indicating that payment is required to be made not later than twenty-one (21) calendar days from the date of issuance of the parking citation; and the date by which the operation is to deposit the parking penalty or contest the parking citation pursuant to section 8-12-050. The citation shall state the amount of the parking penalty and the address of the agent authorized to receive deposit of the parking penalty.

The parking citation shall also set forth the Vehicle license number and registration expiration date, if such date is readable; the last four digits of the vehicle identification number, if the number is readable through the windshield; the color of the vehicle; and, if possible, the make of the vehicle.

ATTACHMENT A

The parking citation or copy thereof shall be considered a record kept in the ordinary course of business of the issuing agency and the agency, and shall be prima facie evidence of the facts contained therein.

- a. The parking citation shall be served by attaching it to the Vehicle either under the windshield wiper or in another conspicuous place upon the Vehicle so as to be easily observed by the person in charge of the Vehicle upon the return of that person.
- b. Once the parking citation is prepared and attached to the Vehicle pursuant to paragraph (a), above, the issuing officer shall file notice of the parking violation with the Agency.
- c. If during issuance of the parking citation, without regard to whether the Vehicle was initially attended or unattended, the vehicle is driven away prior to attaching the parking citation to the Vehicle, the issuing officer shall file the notice with the Agency. The Agency shall mail, within fifteen (15) calendar days of issuance of the parking citation, a copy of the parking citation to the registered owner of the Vehicle.
- d. If within twenty-one (21) calendar days after the parking citation is issued, the issuing agency or the issuing officer determines that, in the interests of justice, the parking citation should be canceled, the issuing agency shall cancel the citation, or, if the issuing agency has contracted with the a agency, shall notify the agency to cancel the parking citation. The reason for the cancellation shall be set forth in writing.
- e. If after the copy of the notice of parking violation is attached to the Vehicle, the issuing officer determines that there is incorrect data on the notice, including but not limited to the date or time, the issuing office may indicate in writing, on a form attached to the original notice, the necessary correction to allow for the timely entry of the notice on the agency's data system. A copy of the correction shall be mailed to the registered owner of the Vehicle.

Under no circumstances shall a personal relationship with any public official, officer, issuing officer, or law enforcement Agency be grounds for cancellation of a citation. Initial Review and Hearing shall only be candidates by a Person who has no close personal or financial relationship with the Person cited.

- f. If an agency makes a finding that there are grounds for cancellation as set forth in the METRO Administrative Code, or pursuant to any other basis provided by law, then the finding or findings shall be filed

with the agency, and the parking citation shall be canceled pursuant to subsection (c)(3) of section 8-12-120.

8-12-040 Parking Administrative Penalties

- a. Administrative penalties shall initially be established by resolution of the METRO Board and amended throughout to the extent delegated to the Chief Executive Officer or Chief Hearing Officer.
- b. Administrative penalties received by Metro shall accrue to the benefit of METRO.

8-12-050 Parking Penalties Received by Date Fixed - No Contest / Request to Contest

If the parking penalty is received by the Agency and there is not contest by the date fixed on the parking citation, all proceedings as to the parking citation shall terminate.

If the operator contests the parking citation, the Agency shall proceed in accordance with section 8-12-020.

8-12-060 Parking Penalties Not Received by Date Fixed

If payment of the parking penalty is not received by METRO by the date fixed on the parking citation, the agency shall deliver to the registered owner a notice of delinquent parking violation pursuant to section 8-12-110.

Delivery of a notice of delinquent parking violation may be made by personal service or by first class mail addressed to the registered owner of the Vehicle as shown on the records of the department.

8-12-070 Notice of Delinquent Parking Violation - Contents

The notice of delinquent parking violation shall contain the information required to be included in a parking citation pursuant to section 8-12-030. The notice of delinquent parking violation shall also contain a notice to the registered owner that, unless the registered owner: (a) pays the parking penalty or contests the citation within twenty-one calendar days from the date of issuance of the parking citation, or (b) within fourteen calendar days after the mailing of the notice of delinquent parking violation or completes and files an affidavit of non-liability that complies with section 8-12-90 or section 8-12-100, the Vehicle registration shall not be renewed until the parking penalties have been paid. In addition, the notice of delinquent parking violation shall contain, or be accompanied by, an affidavit of non-

liability and information of what constitutes non-liability, information as to the effect of executing an affidavit, and instructions for returning the affidavit to the issuing agency.

If the parking penalty is paid within twenty-one (21) calendar days from the issuance of the parking citation or within fourteen (14) calendar days after the mailing of the notice of delinquent parking violation, no late penalty or similar fee shall be charged to the registered owner.

8-12-080 Copy of Citation upon Request of Registered Owner

- a. Within fifteen (15) calendar days of request, made by mail or in person, the agency shall mail or otherwise provide to the registered owner, or the registered owner's agent, who has received a notice of delinquent parking violation, a copy of the original parking citation.

The issuing agency may charge a fee sufficient to cover the actual cost of copying and/or locating the original parking citation, not to exceed two dollars (\$2.00) per page. Until the issuing or agency complies with a request to provide a copy of the parking citation, the agency may not proceed to immobilize the vehicle merely because the registered owner has received five or more outstanding parking violations over a period of five or more calendar days.

- b. If the description of the vehicle on the parking citation does not substantially match the corresponding information on the registration card for that vehicle, the agency shall, on written request of the operator, cancel the notice of the parking violation.

8-12-090 Affidavit of Non-liability - Leased or Rented Vehicle

A registered owner shall be released from liability for a parking citation if the registered owner files with the agency an affidavit of non-liability in a form satisfactory to METRO and such form is returned within thirty (30) calendar days after the mailing of the notice of delinquent parking violation together with proof of a written lease or lessee and provides the operator's driver's license number, name and address.

8-12-100 Affidavit of Non-liability - Sale

A registered owner of a Vehicle shall be released from liability for a parking citation issued to that Vehicle if the registered owner served with a notice of delinquent parking violation files with the agency, within thirty (30) calendar days of receipt of the notice of delinquent parking violation, an affidavit of non-liability together with proof that the registered owner served with a

notice of delinquent parking violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged violation. The agency shall obtain verification from the department that the former owner has complied with the requirements necessary to release the former owner from liability pursuant to CVC section 5602 or the successor statute thereto.

If the registered owner has complied with CVC section 5602 or the successor statute thereto, the agency shall cancel the notice of delinquent parking violation with respect to the registered owner.

If the registered owner has not complied with the requirement necessary to release the owner from liability pursuant to CVC section 5602, or the successor statute thereto, the agency shall inform the registered owner that the citation must be paid in full or contested pursuant to section 8-12-050. If the registered owner does not comply, the agency shall proceed pursuant to section 8-12-060.

8-12-110 Collection of Unpaid Parking Penalties

Except as otherwise provided below, the agency shall proceed under subsection (a) or subsection (b), but not both, in order to collect an unpaid parking penalty:

- a. File an itemization of unpaid parking penalties and other related fees with the California Department of Motor Vehicle collection unit pursuant to CVC section 4760 or the successor statute thereto.
- b. If more than four hundred dollars (\$400.00) in unpaid parking penalties and other related fees have been accrued by any one registered owner or the registered owner's renter, lessee or sales transferee, proof thereof may be filed with the court which has the same effect as a civil judgment. Execution may be levied and such other measures may be taken for the collection of the judgment as are authorized for the collection of unpaid civil judgments entered against a defendant in an action against a debtor.

The agency shall send notice by first-class mail to the registered owner or renter, lessee, or sales transferee indicating that a civil judgment has been filed and the date that the judgment shall become effective. The notice shall also indicate the time that execution may be levied against that person's assets, that liens may be placed against that person's property, that the person's wages may be garnished, and that other steps may be taken to satisfy the judgment. The notice shall also state that the agency will terminate the commencement of a civil judgment proceeding if all parking

penalties and other related fees are paid prior to the date set for hearing. If judgment is entered, then the Agency may file a writ of execution or an abstract with the court clerk's office identifying the means by which the civil judgment is to be satisfied.

If a judgment is rendered for the agency, that agency may contract with a collection agency.

The agency shall pay the established first paper civil filing fee at the time an entry of civil judgment is requested.

- c. If the registration of the Vehicle has not been renewed for sixty (60) calendar days beyond the renewal date, and the citation has not been collected by the department pursuant to CVC section 4760, or the successor statute thereto, then the agency may file proof of unpaid penalties and fees with the court which has the same effect as a civil judgment as provided above in section 8-12-110 (a).
- d. The agency shall not file a civil judgment with the court relating to a parking citation filed with the Agency unless the agency has determined that the registration of the Vehicle has not been renewed for sixty (60) calendar days beyond the renewal date and the citation has not been collected by the Agency pursuant to CVC section 4760 or the successor statute thereto.

8-12-120 Obligation of Agency Once Parking Penalty Paid

If the operator or registered owner served with notice of delinquent parking violation, or any other person who presents the parking citation or notice of delinquent parking violation, deposits the penalty with the person authorized to receive it, the agency shall do both of the following:

- 1. Upon request, provide the operator, registered owner, or the registered owner's agent with a copy of the citation information presented in the notice of delinquent parking violation. The agency shall, in turn, obtain and record in its records the name, address and driver's license number of the person actually given the copy of the citation information.
- 2. Determine whether the notice of delinquent parking violation has been filed with the department or a civil judgment has been entered pursuant to section 8-12-110 (b).
 - a. If the agency receives full payment of all parking penalties and other related fees and the agency neither files a notice of delinquent parking

violation nor entered a civil judgment, then all proceedings for that citation shall cease.

- b. If a notice of delinquent parking violation has been filed with the department and has been returned by the department pursuant to the provisions of the CVC and payment of the parking penalty has been made, along with any other related fees, then the proceedings for that citation shall cease.
- c. If the notice of delinquent parking violation has been filed with the department and has not been returned by the department, and payment of the parking penalty along with any other fees applied by either the department or the agency or both have been made, the agency shall do all of the following:
 - 1. Deliver a certificate of payment to the operator, or other person making payment;
 - 2. Within five working days transmit payment information to the department in the manner prescribed by the department;
 - 3. Terminate proceedings on the notice of delinquent parking violation;
 - 4. Deposit all parking penalties and other fees as required by law.

8-12-130 Deposit of Parking Penalties with METRO

All parking penalties collected, including process services fees and costs related to civil debt collection, shall be deposited to the account of the agency, and then remitted to METRO, if METRO is not also the agency.

If METRO is not the agency, then METRO shall enter into an agreement with the agency for periodic transfer of parking citation receipts, along with a report setting forth the number of cases processed and the sums received.

8-12-140 Bailment Schedule

METRO shall adopt a penalty schedule for parking violation penalties and administrative penalties and any necessary additional procedures in furtherance of enforcement of this Code. The schedule and any procedures deemed necessary shall be subject to the approval of the Chief Executive Officer. The Schedule shall be deposited and maintained at all times by the METRO Transit Court for use and examination by the public.

Chapter 8-20

Removal of Vehicles

8-20-010 Towing and Impounding Vehicles

METRO may remove, tow or impound Vehicles in accordance with CVC section 22650 et seq., including but not limited to Vehicles that:

- a. Have three or more outstanding (unpaid) METRO parking violations.
- b. Have five or more outstanding (unpaid) parking violations from any agency in the State.
- c. Display lost, stolen, altered, counterfeit, or unauthorized permits.
- d. Have expired vehicle registration (more than six months).
- e. Park in tow away zones, such as disabled, reserved and no parking areas.
- f. Park in emergency/fire access lanes.
- g. Park on any surface not specifically marked for parking of motor vehicles, such as, but not limited to: lawns, open spaces, sidewalks, plazas, unmarked curbs, roadways, drive aisles, and bikeways.

8-20-020 Poststorage Hearing

- a. Whenever METRO directs removal of a Vehicle pursuant to this Chapter, the Vehicle's registered and legal owners of record, or their agents, will be provided an opportunity for a post storage hearing to determine the validity of the storage.

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- b. METRO will mail or personally deliver a notice of the storage to the registered and legal owners within 48 hours, excluding weekends and holidays, and shall include all of the following information:
 - 1. The name, address, and telephone number of the agency providing the notice.
 - 2. The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
 - 3. The authority and purpose for the removal of the vehicle.
 - 4. A statement that, in order to receive their post storage hearing, the owners, or their agents, shall request the hearing in person, writing, or by telephone within 10 days of the date appearing on the notice.
- c. The post storage hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. METRO may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the storage of the vehicle.
- d. Failure of either the registered or legal owner, or his or her agent, to request or to attend a scheduled hearing shall satisfy the post storage hearing requirement.

ATTACHMENT B

A RESOLUTION OF THE METRO BOARD OF LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ESTABLISHING PARKING RATES AND PERMIT FEES FOR ALL METRO PARKING FACILITIES AND RESOURCES

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) operates parking facilities throughout the Los Angeles County in the City of Los Angeles, Pasadena, Long Beach, North Hollywood, Culver City, Norwalk, Downey, Lynwood, Hawthorne, Inglewood, El Segundo, Redondo Beach, Compton, El Monte and Gardena. At Metro Blue Line Stations at: Florence, Willowbrook, Artesia, Del Amo Willow and Wardlow Stations. Metro Gold Line Stations at: Atlantic, Indiana, Heritage, Lincoln Heights and Sierra Madre and Metro Red Line Stations at: Universal, North Hollywood and MacArthur Park. Metro Expo Line Stations at Expo/Crenshaw, La Cienega/Jefferson and Culver City. Metro Orange Line Stations at: Van Nuys, Sepulveda, Balboa, Reseda, Pierce College, Canoga, Sherman Way and Chatsworth Stations. Metro Silver Line Stations at: Slauson, Manchester, Rosecrans, Harbor Freeway, Harbor Gateway Transit Center and El Monte. Metro also operates the parking at Los Angeles Union Station.

WHEREAS, Metro has designated preferred parking zones throughout its parking facilities with parking restrictions to manage parking availability to patrons; and

WHEREAS, the Metro Board of Directors is authorized to set parking rates and permit fees, by resolution, at Metro owned, leased, operated, contracted and managed parking facilities and preferred parking zones; and

WHEREAS, the Metro Chief Executive Officer (CEO) or its designee is hereby authorized to approve parking fee adjustments within a twenty-five percent (25%) margin of the posted parking rate and is not to exceed an accumulated fee increase of more than 100% in a fiscal year as referred to in the Metro Parking Ordinance Chapter 8-01-040. Metro CEO is also authorized to establish parking rates at additional parking facilities. Parking rates at additional parking facilities will be established within the current fee range and based on the demographic location of the facility; and

WHEREAS, adopting the parking rates and permit fees as a means of regulating the use of all Metro parking facilities and resources will distribute the parking load more evenly between transit patrons and non-transit users, and maximize the utility and use of Metro operated parking facilities and resources, enhance transit ridership and customer service experience, thereby making parking easier, reducing traffic hazards and congestion, and promoting the public convenience, safety, and welfare;

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NOW, THEREFORE, THE BOARD OF DIRECTORS OF METRO DOES RESOLVE AS FOLLOWS:

SECTION 1. The parking rates established in this Resolution are effective as of May 28, 2015 at all Metro Parking Facilities.

SECTION 2. As used in this Resolution, the term “daily” means a consecutive 24-hour period commencing upon the time of entry of a vehicle into a parking facility.

SECTION 3. The parking rates listed in this Resolution shall apply to vehicles entering the specified Metro off-street parking facility for the specified times, and rates unless a special event is scheduled that is anticipated to increase traffic and parking demands. If an event is scheduled, the rate may be determined by Metro with approval of Parking Management staff, which approval may be granted based on Metro’s best interests. The maximum rate may be set as either a flat rate per entry or an increased incremental rate based upon time of entry and duration of parking.

SECTION 4. The following fees are established at the Metro Florence Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 5. The following fees are established at the Metro Willowbrook Blue Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 6. The following fees are established at the Metro Artesia Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.

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- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 7. The following fees are established at the Metro Del Amo Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 8. The following fees are established at the Metro Wardlow Blue Line Station:

- a. Parking rates shall be as follows:
- b. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 9. The following fees are established at the Metro Willow Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 10. The following fees are established at the Metro Norwalk Green Line Station:

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Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 11. The following fees are established at the Metro Lakewood Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 12. The following fees are established at the Metro Long Beach Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 13. The following fees are established at the Metro Avalon Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 14. The following fees are established at the Metro Harbor Freeway Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 15. The following fees are established at the Metro Vermont Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 16. The following fees are established at the Metro Crenshaw Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

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SECTION 17. The following fees are established at the Metro Hawthorne Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 18. The following fees are established at the Metro Aviation Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 19. The following fees are established at the Metro El Segundo Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 20. The following fees are established at the Metro Redondo Beach Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 21. The following fees are established at the Metro MacArthur Park Red Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 22. The following fees are established at the Metro Universal Red Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$55.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

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SECTION 23. The following fees are established at the Metro North Hollywood Red Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$59.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 24. The following fees are established at the Metro Atlantic Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 25. The following fees are established at the Metro Indiana Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 26. The following fees are established at the Metro Lincoln/Cypress Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis.

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- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 27. The following fees are established at the Metro Heritage Square Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$20.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 28. The following fees are established at the Metro Fillmore Gold Line Station:

Parking rates shall be as follows:

- a. Parking will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking is only available Monday through Friday.
- c. Parking is available on a first come first serve basis.

SECTION 29. The following fees are established at the Metro Sierra Madre Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 30. The following fees are established at the Metro Expo/Crenshaw Expo Line Station:

Parking rates shall be as follows:

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- a. Parking is available free of charge.
- b. Parking is only available from Monday at 2 am through Sunday at 2am.
- c. Parking is available on a first come first serve basis.

SECTION 31. The following fees are established at the Metro La Cienega/Jefferson Expo Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 32. The following fees are established at the Metro Culver City Expo Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 33. The following fees are established at the Metro Van Nuys Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 34. The following fees are established at the Metro Sepulveda Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 35. The following fees are established at the Metro Balboa Orange Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$20.00 flat rate at designated preferred parking spaces on a monthly basis.
- b. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- c. After 11am all parking spaces become available to all transit patrons.
- d. Parking on weekends is free to all transit users.
- e. Parking is available on a first come first serve basis.

SECTION 36. The following fees are established at the Metro Reseda Orange Line Station:

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Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 37. The following fees are established at the Metro Pierce College Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 38. The following fees are established at the Metro Canoga Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 39. The following fees are established at the Metro Sherman Way Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 40. The following fees are established at the Metro El Monte Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 41. The following fees are established at the Metro Slauson Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 42. The following fees are established at the Metro Manchester Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

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SECTION 43. The following fees are established at the Metro Rosecrans Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 44. The following fees are established at the Metro Harbor Gateway Transit Center Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 45. The following fees are established at Los Angeles Union Station Gateway:

Parking rates shall be as follows:

- a. Each 15 minutes is \$2.00.
- b. Daily Maximum shall be \$8.00 per entry per every 24 hour stay.
- c. Monthly fees for the general public are \$110.00
- d. Event parking fees can be established based on market rate conditions.
- e. Special monthly parking rates may be negotiated between Metro and tenant, government, or business entity.
- f. Metro is hereby authorized to adjust parking rates at Union Station for special events in the area based on parking demand.
- g. Parking is available on a first come first serve basis.
- h. All rates apply seven days a week.

SECTION 46. The following fees are established at Los Angeles Union Station West:

Parking rates shall be as follows:

- a. Monthly fees for parking garage reserved stalls shall be \$130.00.
- b. Monthly fees for parking garage tandem spaces shall be \$82.50.
- c. Valet parking shall be \$20.00.
- d. Valet parking for special events shall be \$25.00.
- e. Special monthly parking rates may be negotiated between Metro and tenant, government, or business entity.
- f. Metro is hereby authorized to adjust parking rates at Union Station for special events in the area based on parking demand.

SECTION 47. The Metro Board is hereby authorized to adjust the parking rates higher or lower for any off street parking facilities, including

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parking structures and parking lots, in order to facilitate the parking goals, based on occupancy, comparable location. The Chief Executive Officer or its designee is hereby authorized to approve parking fee adjustments within a twenty-five percent (25%) margin and less frequent than ninety (90) days of the established parking fee. Any increases or decreases of parking fees beyond the twenty-five (25%) margin or more frequent than ninety (90) days shall require METRO Board, or its designee's, approval.

SECTION 48. The following fees shall be established for all preferred parking zones:

1. Initiation fee shall be \$7.00.
2. Replacement of a lost or stolen preferred parking permit shall be \$7.00.

SECTION 49. Short-term reserved parking may be purchased by phone or by internet web-page.

SECTION 50. All parking rates and permit fees shall be per vehicle for the specified period and non-refundable once issued.

SECTION 51. Parking passes or permits that are issued via access cards shall require payment of an initial non-refundable fee of \$25.00.

SECTION 52. All parking rates set forth in this Resolution include city's parking tax if applicable.

SECTION 53. The following fees are established for each type of violation:

1. Failure to Obey Signs shall be \$63.00.
2. Non-Parking Activities are Prohibited shall be \$63.00.
3. Vehicles parked longer than seventy-two (72) hours shall be \$53.00.
4. Temporary No Parking shall be \$53.00.
5. Illegal Parking Outside of Defined Space or Parking Space Markings shall be \$63.00.
6. Parking in a Restricted Parking Space area shall be \$38.00.
7. Parking within a Marked Bicycle Lanes shall be \$48.00.
8. Illegal Parking in a Bus Loading Zone shall be \$263.00.
9. Illegal Parking in a Loading Zone shall be \$53.00.
10. Illegal Parking in a Commercial Loading Zone shall be \$78.00.
11. Vehicles Exceeding Posted Weight Limits shall be \$53.00.
12. Parking a Disconnected Trailer shall be \$53.00.
13. Vehicle Parking in Alleys shall be \$53.00.
14. Illegal Parking in Red Zones shall be \$53.00.
15. Failure to pay for adopted parking fees at Metro Park and Ride Facilities shall be \$55.00.

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16. Parking in an Accessible Parking Space without a valid placard or Authorization and Misuse of the Placard or Parking in a Crosshatched Accessible Area shall be \$338.00.
17. Parking on Grades shall be \$48.00.
18. Angled Parking shall be \$48.00.
19. Double Parking shall be \$53.00.
20. No Parking Anytime shall be \$53.00.
21. Parking on the Wrong Side of the Street shall be \$53.00.
22. Blocking Street or Access shall be \$53.00.
23. Improper Parking of a Vehicle causing a Special Hazard shall be \$53.00.
24. Parking at/blocking a Fire Hydrant shall be \$68.00.
25. Parking at Assigned / Reserved Space without a valid permit or permission shall be \$53.00.
26. Non Taxi Vehicle Parked in a Taxicab Assigned Stand shall be \$33.00.
27. Parking At/Adjacent to a Landscape Island or Planter shall be \$53.00.
28. Permit Provisions Violation shall be \$63.00.
29. Expired Meter or Pay Station shall be \$53.00.
30. Illegal Parking during Facilities Cleaning, Maintenance and Capital Projects areas \$53.00.
31. Non Electric Vehicle Parked in an Electrical Vehicle Assigned Parking Space shall be \$53.00.
32. Parking on Sidewalk/Parkway shall be \$53.00.
33. Parking in Peak Hour Traffic Zones shall be \$53.00.
34. Parking Prohibited for Vehicles over Six (6) Feet High, Near Intersections shall be \$53.00.
35. Non Car Share or Vanpool Vehicle Parked in a Car Share or Vanpool Assigned Space shall be \$53.00.
36. Exceeding Posted Speed Limit shall be \$35.00.
37. Operating a Vehicle in a Non-Vehicular Access location shall be \$63.00.
38. Bicycle Violations shall be \$38.00.
39. Parking of Motorized Bicycles, Motorcycles and Mopeds Violations shall be \$38.00.

SECTION 54. The Parking Fee Resolution adopted by the Metro Board of Directors on, July 23, 2015, is repealed as of the effective date of the parking rates set forth in this Resolution.

SECTION 55. If there are any conflicts between the parking rates adopted in this Resolution and any parking rates adopted by prior resolution, the rates adopted in this Resolution shall take precedence.

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SECTION 56. The Metro Board shall certify to the adoption of this Resolution, which shall become effective at such time as appropriate signs notifying the public of the provisions herein have been posted by the Metro Parking Management unit.



Board Report

File #: 2015-1063, File Type: Informational Report

Agenda Number: 70.

EXECUTIVE MANAGEMENT COMMITTEE JULY 16, 2015

SUBJECT: RAIL STATION NAMES

ACTION: ADOPT STATION NAMES FOR CRENSHAW/LAX LINE

RECOMMENDATION

EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED AS AMENDED (5-0) adopting the following Official and Operational station names for the eight stations that comprise **Metro Rail's Crenshaw/LAX line**:

| <u>Official Station Name</u> | <u>Operational Station Name</u> |
|------------------------------|---------------------------------|
| 1. Expo/Crenshaw | Expo/Crenshaw |
| 2. Martin Luther King Jr. | Martin Luther King Jr. |
| 3. Leimert Park | Leimert Park |
| 4. Hyde Park | Hyde Park |
| 5. Fairview Heights | Fairview Heights |
| 6. Downtown Inglewood | Downtown Inglewood |
| 7. Westchester | Westchester |
| 8. Aviation/Century | Aviation/Century |

ISSUE

Since its inception, stations on the Crenshaw/LAX line have been identified by placeholder names based on street intersection. With construction in progress, final names need to be adopted by the Board in order to facilitate station signage design and fabrication without incurring extra costs for changes.

DISCUSSION

Property Naming Policy

The 2003 Board-approved Property Naming Policy (Attachment A) states that rail stations will be named in a simple and straightforward way to assist customers in navigating the system and the region. It indicates that names must be brief enough for quick recognition and retention, and must be based primarily on geographic location, referring to a nearby street or freeway, a well-known destination or landmark, a community or district name, or a city name. The policy also states that

single names for stations are preferable, and that if multiple names are used, they are to be separated by a slash.

The policy further indicates that properties may have a Board-adopted official name and a shorter operational name; the official name is used in Board documents and legal notices while the operational name is used more commonly on station signage, maps and customer materials. The policy recommends keeping the length of the operational name to a maximum of 24 characters to ensure readability and compliance with ADA type size requirements.

Community Input

Per the policy, staff sought community input on station names from various entities. Potential names were discussed at 10 community meetings attended by approximately 450 people from August 26, 2014 to October 9, 2014.

Based on this input, staff recommends adoption of the names shown in the table below. A map of these stations showing the proposed Operational names is included as Attachment B. Alternate names for each station are shown in Attachment C.

| Placeholder Name - Original | Official Name - Proposed | Operational Name - Proposed |
|-----------------------------|--------------------------|-----------------------------|
| Expo/Crenshaw | Expo/Crenshaw | Expo/Crenshaw |
| Crenshaw/MLK | Martin Luther King Jr. | Martin Luther King Jr. |
| Crenshaw/Vernon | Leimert Park | Leimert Park |
| Crenshaw/Slauson | Hyde Park | Hyde Park |
| Florence/West | Fairview Heights | Fairview Heights |
| Florence/La Brea | Downtown Inglewood | Downtown Inglewood |
| Florence/Hindry | Westchester | Westchester |
| Aviation/Century | Aviation/Century | Aviation/Century |

1. Expo/Crenshaw Station

This station is the transfer point between the Crenshaw/LAX Line and the Expo Line. As the existing station on the Expo Line is named Expo/Crenshaw, the same name is recommended for the new station on the Crenshaw/LAX line. The situation and proximity are similar to the transfer point between the Red Line and the Orange Line; the stations for these two lines are across the street from each other and share the name “North Hollywood.” If adopted, both the Official and Operational names for this station will be “Expo/Crenshaw.”

2. Martin Luther King Jr. Station

This station lies at the intersection of Crenshaw and Martin Luther King Jr. Boulevards. Several station names incorporating “Martin Luther King Jr.” were suggested by community members and elected officials. The community also would prefer that “Martin Luther King Jr.” not be abbreviated in the station name. To avoid the need for any abbreviation and to meet the naming policy’s recommended 24-character maximum ensuring signage readability and compliance with ADA type size requirements, staff recommends the name “Martin Luther King Jr.” If adopted, this will be both the Official and Operational station name.

3. Leimert Park Station

The name “Leimert Park” was suggested by community members and elected officials. The name is consistent with the naming policy as the station is identified by a neighborhood landmark. If adopted, both the Official and Operational names for this station will be “Leimert Park.”

4. Hyde Park Station

The name “Hyde Park” was suggested by community members and elected officials. The name is appropriate as the station lies within the Hyde Park neighborhood boundary, and it is consistent with the naming policy as the station is identified by a neighborhood name. If adopted, both the Official and Operational names will be “Hyde Park.”

5. Fairview Heights Station

The name “Fairview Heights” was suggested by community members, Crenshaw/LAX Community Leadership Council (CLC) members and elected officials. The name is appropriate as the station lies within the Fairview Heights neighborhood boundary, and it is consistent with the naming policy as the property is identified by a neighborhood name. If adopted, both the Official and Operational names will be “Fairview Heights.”

6. Downtown Inglewood Station

The name “Downtown Inglewood” was suggested by community members and city officials. The name is consistent with the naming policy as the station is identified by a city name, and it distinguishes the station from the Fairview Heights station which is also in the City of Inglewood. If adopted, both the Official and Operational names will be “Downtown Inglewood.”

7. Westchester Station

This station is located at the northwest corner of Florence and Hindry Avenues, at the border of Inglewood and Westchester but within the city limits of Inglewood. This station received the most varied community input for names. The City of Inglewood preferred “Hindry/Veteran” to identify the station by the street on which it lies as well as by the destination of nearby veteran housing. The Westchester community supported the name “Hindry/Westchester” to reflect the station’s proximity to the area. Staff believes customers will be best served when navigating the system by referencing the community targeted for service, which is Westchester. If adopted, both the Official and Operational names will be “Westchester.” Upon direction from the Board, a commemorative plaque could be installed at the station acknowledging the nearby veteran housing, with final language to be determined prior to station opening.

8. Aviation/Century

The name “Aviation/Century” was suggested by community members, the Gateway to LA BID, Westchester stakeholders and elected officials. The name is consistent with the naming policy as it identifies the station by its street intersection. If adopted, both the Official and Operational names will be “Aviation/Century.”

DETERMINATION OF SAFETY IMPACT

Adoption of these names does not affect the incidence of injuries or healthful conditions for patrons

or employees. Therefore, approval will have no impact on safety.

FINANCIAL IMPACT

Approval of this item will result in no financial impact to Metro.

Impact to Budget

Approval of this item will have no impact to Metro's budget.

ALTERNATIVES CONSIDERED

The proposed names were developed as the result of community input and are consistent both with Metro's naming policy and the names of other stations in the system. The Board may elect to substitute one or more of the alternate station names shown in Attachment C, some of which also are consistent with Metro's naming policy.

NEXT STEPS

Staff will work with the Crenshaw/LAX construction project to ensure that the Board-adopted station names are implemented.

ATTACHMENTS

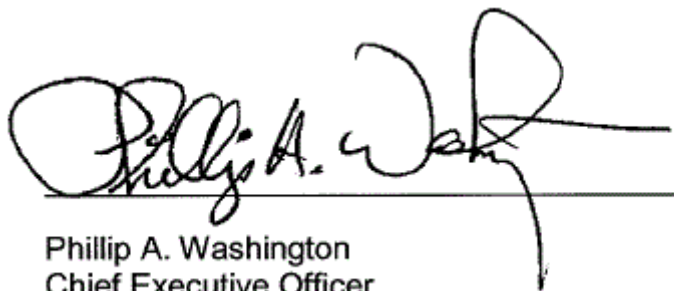
Attachment A - Property Naming Policy

Attachment B - Map of Crenshaw/LAX line with proposed Operational Station Names

Attachment C - Table of alternate names for each station

Prepared by: Glen Becerra, Deputy Executive Officer, Marketing, (213) 922-5661
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Reviewed by: Ann Kerman, Interim Chief Communications Officer, (213) 922-7671
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Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

PROPERTY NAMING POLICY

Purpose

Through implementation of this policy, Metro seeks to establish guidelines regarding the naming of Metro properties frequented by the public that will provide clear transit information to our customers – both frequent patrons as well as visitors and infrequent users. In addition, the policy is intended to ensure timely, cost-effective and rider-friendly property naming efforts.

Properties will be named with the maximum benefit and convenience of the transit system user in mind. Naming will provide customers with travel information in a simple, straightforward and unified way in order to assist patrons in successfully navigating the transit system and correspondingly the region. Property names will reflect the following principles:

- **Transit system context** – Names will provide information as to where a property is located within the context of the entire transit system; property names will be clearly distinguishable with no duplication.
- **Property area context** – Names will provide specific information as to the location of the property within the context of the surrounding street system, so that users can find their way around after their arrival and to support system access via automobile drop-off and parking.
- **Neighborhood identity** – Where appropriate, property naming will acknowledge that system stations and stops serve as entry points to the region's communities and neighborhoods.
- **Simplicity** – Names will be brief enough for quick recognition and retention by a passenger in a moving vehicle, and to fit within signage and mapping technical parameters.

Policy Points

1. Property naming will identify transit facilities so as to provide immediate recognition and identification for daily riders as well as periodic users and visitors. Transit facilities include rail stations, bus rapidway stations, transit centers, bus stops and other properties frequented by the public. Property names will be identified based on the following:
 - Adjacent or nearby street or freeway
 - Well-known destination or landmark
 - Community or district name
 - City name – if only one Metro property is located within a city

If space permits, property names can be a combination of street system location and well-known destination, particularly when the street system name may not be recognizable to transit riders and visitors. No business, product or personal names shall be used unless that name is part of a

street name or well-known destination; or as part of a corporate sponsorship or cooperative advertising revenue contract.

2. The following criteria will ensure simple, succinct property names that are easily understood and retained by transit riders:

- Minimize the use of multiple names for a property. A single name identifiable by the general public is preferred, with a maximum of two distinct names separated by one slash. For example, Westlake/ MacArthur Park Station.
- Minimize the length of property names to ensure comprehension and retention by system riders. The property name shall have a preferred maximum of 24 characters in order to ensure general public and ADA readability, and fit within Metro's signage system.
- Minimize the inclusion of unneeded words in property names such as ones that are inherently understood or added when verbally stating the property's name. Avoid inclusion of unnecessary words that may describe the property's location, but are not part of that location's commonly known name.

3. In consideration of the various applications where the property name will be used and displayed, properties may have a Board-adopted official name as well as a shorter operational name. The official property name would be used for Board documents, contracts and legal documents and notices. The operational name would be used for station/stop announcements by vehicle operators, and on printed materials due to readability and size constraints. In addition, the property name may be further abbreviated for other operational uses such as vehicle headsigns and fare media.

4. The property naming process will include the following steps:

- A. Initial property names will be identified during the project planning process primarily based on geographic location.
- B. When a project is approved by the Board to proceed into the preliminary engineering phase, a formal naming process will be initiated.
- C. Staff will solicit input from cities, communities and other stakeholders on preferred property names based on the Board-adopted naming criteria.
- D. The resulting property names will be reviewed by a focus group comprised of both transit system users and non-users for general public recognizability.
- E. Staff will return to the appropriate Board committee and then to the full Board for adoption of the final set of official property names.
- F. The adopted official property names will then be included in any final engineering bid documents and other agency materials.
- G. Requests to rename properties after Board action and the release of project construction documents may be considered by the Board. Property name changes must be approved by a vote of two-thirds of the Board members. All costs associated with changing a

property name, including any signage revisions and market research to determine if the proposed name is recognizable by the general public, will be paid for by the requestor unless otherwise determined by the Board.

5. If the Board wishes to bestow a special honor to a deceased individual, it may choose to dedicate a site to him/her. The act of dedicating a Metro property to an individual should be rare and reserved as a means to honor those who, in the view of the Board, have demonstrated a unique and extraordinary degree of service to public transportation in Los Angeles County. Such dedications shall be viewed as secondary information with regard to signage and other identification issues. Properties/facilities frequented by the public may not be renamed for individuals.

Such dedications are made in the form of a motion presented by a Board Member to the appropriate committee of the Board for review and approval, and then forwarded to the full Board for final approval. With Board action, individuals will be honored with plaques where space is available.

Crenshaw/LAX Transit Project



Station Naming – Community Feedback Matrix

| Original (Planning Name) | Community Recommended Names | Community Comments | Recommendation forwarded for consideration |
|--------------------------|--|---|--|
| Crenshaw/MLK | <ul style="list-style-type: none"> • Crenshaw/Martin L. King, Jr. • Baldwin Hills/Crenshaw • Baldwin Hills/Martin L. King, Jr. • Crenshaw/MLK • District Square • Martin Luther King, Jr. • MLK BI • MLK | <p>All recommended names meet the station naming criteria.</p> <p>Community preferred that Martin L. King, Jr. not be abbreviated to MLK.</p> | <p>Martin Luther King, Jr.</p> <p>Wide community support.</p> |
| Crenshaw/Vernon | <ul style="list-style-type: none"> • Leimert Park • Leimert Park Village • Crenshaw/Vernon • Freedom Square • Bernard Parks | <p>All recommended names meet the station naming criteria.</p> | <p>Leimert Park</p> <p>Wide community support.</p> |
| Crenshaw/Slauson | <ul style="list-style-type: none"> • Hyde Park • Park Mesa Heights • Crenshaw/Slauson • Park Mesa/Slauson | <p>All recommended names meet the station naming criteria.</p> | <p>Hyde Park</p> <p>Wide community support.</p> |
| Florence/West | <ul style="list-style-type: none"> • Fairview Heights • Florence/West • Fairview Heights/Florence | <p>All recommended names meet the station naming criteria.</p> | <p>Fairview Heights</p> <p>Wide community support.</p> |
| Florence/La Brea | <ul style="list-style-type: none"> • Downtown Inglewood • Florence/La Brea • Inglewood | <p>All recommended names meet the station naming criteria.</p> | <p>Downtown Inglewood</p> <p>Wide community support.</p> |
| Florence/Hindry | <ul style="list-style-type: none"> • Hindry/Westchester • Westchester • Florence/Hindry • Westchester/Gateway • Kentwood • Hindry/Veteran | <p>All recommended names meet the station naming criteria except Westchester/Gateway and Hindry Veteran.</p> | <p>Westchester</p> <p>High level of community support.</p> |
| Aviation/Century | <ul style="list-style-type: none"> • Aviation/Century • Century/LAX • LAX • Century/Gateway | <p>All recommended names meet the station naming criteria.</p> | <p>Aviation/Century</p> <p>Wide community support.</p> |

* Community recommended names listed in order of greatest community support.



Board Report

File #: 2015-1091, File Type: Policy

Agenda Number: 74.

EXECUTIVE MANAGEMENT COMMITTEE
JULY 16, 2015

SUBJECT: PERSONNEL MATTER

ACTION: AUTHORIZE CHIEF EXECUTIVE OFFICER TO NEGOTIATE SALARIES

RECOMMENDATION

EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDED (5-0) authorizing the Chief Executive Officer to negotiate salaries within the pay range for the following positions:

- A. **Executive Director, Program Management**, pay grade CC (\$222,476 - \$273,894 - \$325,353)
- B. **Executive Director, Transit Project Delivery**, pay grade BB (\$166,462 - \$208,083 - \$249,704)
- C. **Executive Officer, System Security and Law Enforcement**, pay grade AA (\$156,832 - \$196,060 - \$235,227)
- D. **Deputy Chief Executive Officer**, pay grade DD (\$278,470 - \$339,747 - \$401,003)

ISSUE

Executive-level recruiting is extremely sensitive and sometimes difficult if the potential candidate is considering leaving current employment. Delegating authority for salary negotiation to the CEO for these positions will speed up the process and ameliorate any concerns the potential candidates may have regarding confidentiality.

DISCUSSION

These key executive positions are responsible for major functional areas of the agency and need to be filled with personnel whose salaries are competitive and reflect the level of their responsibilities and qualifications.

Executive Director, Program Management

The Executive Director, Program Management position is responsible for the engineering and

construction of transit projects, as well as Highway Programs and Program Control. With Metro's ambitious multi-billion dollar capital programs, this position is critical for delivery of projects on time and on budget.

Executive Director, Transit Project Delivery

The Executive Director, Transit Project Delivery is responsible for executive management of all rail projects under construction. These include the Crenshaw Line, the Purple Line extension, the Regional Connector and the Foothill/Exposition lines.

Executive Officer, System Security and Law Enforcement

The Executive Officer, System Security and Law Enforcement, provides executive direction to Metro's system security and ensures law enforcement contract compliance and strategic plan, while supporting a community oriented policing philosophy.

Deputy Chief Executive Officer

The DCEO position is responsible for Management Audit Services, Labor and Employee Relations, Vendor/Contract Management, Los Angeles Metro Protective Services and Congestion Reduction, as well as the day-to-day operation of the organization. The position also provides counsel to the CEO on major issues and formulates policy recommendations for the Board of Directors, attends Board meetings, and represents the CEO as designated in meetings and before community and business groups.

FINANCIAL IMPACT

No additional FTEs are being added to the FY16 Budget.

Funds for the Executive Director, Program Management position are included in the FY16 budget in cost center 8010, Executive Office, Construction, projects 100055, Admin - Measure R, and 100800, Construction Admin.

Funds for the Executive Director, Transit Project Delivery are included in the FY16 budget in cost center 8010, Executive Office, Construction, project number 100800, Construction Admin.

Funds for the Executive Officer, System Security and Law Enforcement are included in the FY16 budget in cost center 2610, System Security and Law Enforcement, project number 100001, General Overhead.

Funds for the Deputy Chief Executive Officer are included in the FY16 budget in cost center 2010, Chief Executive Office, project number 100002, Governmental and Oversight Activities.

Impact to Budget

FY16 funding for the Executive Director, Program Management will use projects 100055, Admin -

Measure R, and 100800, Construction Admin., which are not eligible for bus or rail operating projects.

FY16 funding for the Executive Director, Transit Project Delivery will use project 100800, Construction Admin., which is not eligible for bus or rail operating projects.

FY16 funding for the Executive Officer, System Security and Law Enforcement will use project 100001 General Overhead, which is allocated through General Overhead funding which is based on MTA's federally approved indirect-cost-allocation plan which distributes costs agency-wide including eligible bus and rail operating projects.

FY16 funding for the Deputy Chief Executive Officer will use 100002, Governmental and Oversight Activities, which is not eligible for bus and rail operations.

ALTERNATIVES CONSIDERED

An alternative would be not to authorize the CEO to negotiate salaries within the pay range for the positions and come back to the Board of Directors for approval. Staff does not recommend this alternative as Executive-level recruiting is extremely sensitive and sometimes difficult if the potential candidate is considering leaving current employment. Delegating the authority for salary negotiation to the CEO for these positions will expedite the process and ameliorate any concerns the potential candidates may have regarding confidentiality.

NEXT STEPS

Staff will continue to recruit for these positions with negotiations being conducted within the CEO's authorization

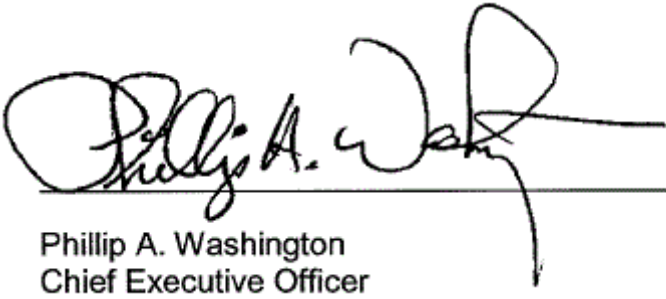
ATTACHMENTS

Job specifications for:

- A. Executive Director, Program Management
- B. Executive Director, Transit Project Delivery
- C. Executive Officer, System Security and Law Enforcement
- D. Deputy Chief Executive Officer

Prepared by: Don Ott, Executive Director, Employee and Labor Relations
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Reviewed by: Stephanie Wiggins, Interim Deputy Chief Executive Officer
(213) 922-1023



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

Los Angeles County Metropolitan Transportation Authority

Job Class Specification

EXECUTIVE DIRECTOR, PROGRAM MANAGEMENT

Pay Grade HCC

(\$222,476 - \$273,894 - \$325,353)

Basic Function

Leads the Program Management units of Metro including responsibility for Highway Project Delivery, Transit Project Delivery, Engineering and Project Management Oversight

Classification Characteristics

This classification is exempt/at-will and the incumbent serves at the pleasure of the hiring authority.

Supervised by: Chief Executive Officer

Supervises: Executive Director, Engineering; Executive Director, Project Management Oversight, Managing Executive Officer, Highways; Executive Director, Transit Project Delivery

FLSA: Exempt

Work Environment

In order to achieve the Agency's goals in support of its mission, potential candidates are required to commit and continuously practice and demonstrate the following work values:

- **Safety** – To ensure that our employees, passengers and the general public's safety is always our first consideration.
- **Services Excellence** – To provide safe, clean, reliable, on-time, courteous service for our clients and customers.
- **Workforce Development** – To make Metro a learning organization that attracts, develops, motivates and retains a world-class workforce.
- **Fiscal Responsibility** – To manage every taxpayer and customer-generated dollar as if it were coming from our own pocket.
- **Innovation and Technology** – To actively participate in identifying best practices for continuous improvement.
- **Sustainability** – To reduce, reuse and recycle all internal resources and reduce greenhouse gas emissions.
- **Integrity** – To rely on the professional ethics and honesty of every Metro employee.

- **Teamwork** - To actively blend our individual talents to achieve world-class performance and service.
- **Civil Rights** - To actively promote compliance with all civil rights statutes, regulations and policies.
- **Community** - To actively engage with the Community as it relates to Metro interest/services.

Examples of Duties

- Leads the Program Management department including Highway Project Delivery, Transit Project Delivery, Engineering and Project Management Oversight.
- Provides policy recommendations, technical advice and information to the Chief Executive Officer and Metro Board on matters related to Metro's transit and highway design, and, construction projects, and on Regional Rail.
- Presents, explains and defends project actions requiring Board approval.
- Meets shared responsibility goals for SBE and DBE contracting.
- Ensures contractors implement Project Labor Agreements and Construction Careers Programs.
- Provides overall direction in the management, studies, investigations, and analyses of major capital engineering and construction projects at the direction of the CEO and Board of Directors, including reports of findings and recommendations.
- Administers major funds, acquisitions, contracts and vendor relations.
- Directs the implementation of transit project goals and objectives, policies, work standards, and controls for professional staff and consultants; evaluates project performance against goals and takes necessary action to address deviations.
- Represents Metro at meetings and conferences with elected and public officials, the community, private citizens, and public and private organizations.
- Assists in the development of Metro's regional long-range strategic plans.
- Ensures coordination and cooperation of services among assigned departments.
- Ensures adequate funding to meet ongoing and project commitments.
- Leads the development of agency-wide business continuity and emergency management programs and plans.
- Contributes to ensuring that the EEO policies and programs of Metro are carried out.

Essential Knowledge and Abilities

Knowledge of:

- Theories, principles, and practices of mass transit and highway systems design, construction, operations, maintenance, safety, accident prevention, and emergency response.
- Applicable local, state, and federal laws, rules, and regulations governing the design, engineering, and construction of mass transit, highway and other capital projects.
- Capital and operating budgets.
- Management of capital programs and construction of large-scale mass transit and highway projects.
- Social, political, civil rights and environmental issues influencing transit and highway programs.
- Principles and practices of public administration.
- Modern management theory.

Ability to:

- Plan, develop and implement objectives, policies, procedures, and work standards to organize and control the design and construction of highway and major rail transit projects.
- Understand, interpret, and apply applicable laws, rules, regulations, policies, procedures, budgets, contracts, and labor/management agreements.
- Represent Metro before elected officials and the public as requested.
- Analyze situations, identify problems, implement solutions, and evaluate outcome.
- Prepare reports and correspondence.
- Establish and maintain cooperative working relationships.
- Exercise judgment and creativity in making decisions.
- Communicate effectively orally and in writing.
- Interact professionally with various levels of Metro employees, outside representatives, and public officials.
- Read, write, speak, and understand English.

Minimum Qualifications

Potential candidates interested in the EXECUTIVE DIRECTOR, PROGRAM MANAGEMENT position MUST meet the following requirements:

- Bachelor's degree - Engineering, Construction Management, Architecture, Project Management or other related field.
- Eight years' senior management-level experience at the department-head level or higher level in large-scale rail-transit/tunneling construction project with experience in design and construction of major design build projects, including extensive experience managing highway projects, commuter rail and/or transportation operations.

- Master's degree in Engineering or Management and experience working with construction of capital projects in a mass transit environment is highly desirable.
- Valid California Class C driver's license.

Special Conditions

- None

Disclaimer

This job specification is not to be construed as an exhaustive statement of duties, responsibilities, or requirements. Employees may be required to perform any other job-related instructions as requested by their supervisor.

ATTACHMENT B

Los Angeles County Metropolitan Transportation Authority

Job Classification Specification

EXECUTIVE DIRECTOR, TRANSIT PROJECT DELIVERY

Pay Grade HBB

(\$166,462 - \$208,083 - \$249,704)

Basic Function

To provide executive direction of the construction management, quality, safety, environmental and third party support activities of all transit projects managed by the Transit Project Delivery unit.

Classification Characteristics

This classification is exempt/at-will and the incumbent serves at the pleasure of the hiring authority.

Supervised by: Executive Director, Program Management

Supervises: Executive Officers

FLSA: Exempt

Work Environment

In order to achieve the Agency's goals in support of its mission, potential candidates are required to commit and continuously practice and demonstrate the following work values:

- **Safety** - To ensure that our employees, passengers and the general public's safety is always our first consideration.
- **Services Excellence** - To provide safe, clean, reliable, on-time, courteous service for our clients and customers.
- **Workforce Development** - To make Metro a learning organization that attracts, develops, motivates and retains a world-class workforce.
- **Fiscal Responsibility** - To manage every taxpayer and customer-generated dollar as if it were coming from our own pocket.
- **Innovation and Technology** - To actively participate in identifying best practices for continuous improvement.
- **Sustainability** - To reduce, reuse and recycle all internal resources and reduce greenhouse gas emissions.
- **Integrity** - To rely on the professional ethics and honesty of every Metro employee.

- **Teamwork** - To actively blend our individual talents to achieve world-class performance and service.
- **Civil Rights** - To actively promote compliance with all civil rights statutes, regulations and policies.
- **Community** - To actively engage with the Community as it relates to Metro interest/services.

Examples of Duties

- Provides management oversight on all transit projects under construction.
- Establishes and monitors short-range and long-range project goals, budgets, schedules, progress, and strategies.
- Directs performance of services by consultants and contractors for successful completion of projects.
- Manages and directs third-party coordination and public affairs activities related to project construction.
- Ensures all construction meets operations and maintenance quality standards and expectations.
- Sets and implements project policies, procedures, safety and work standards, and controls.
- Ensures cooperation and coordination of services amongst departments to achieve agency-wide goals and objectives.
- Provides policy recommendations, technical assistance, and information to the Board of Directors, executive management, and departments involved in the design, construction, and management of capital projects.
- Ensures compliance with Metro's policies and procedures and applicable state, federal and local regulations and laws.
- Prepares and presents reports to executive and management staff, the Board of Directors, and outside regulatory agencies.
- Represents Metro at meetings, conferences, and public events.
- Communicates Metro's safety vision and goals; oversees the implementation of agency and departmental safety rules, policies, and procedures; and maintaining accountability for safety performance of all subordinate employees.
- Contributes to ensuring that the EEO policies and programs of Metro are carried out.

Essential Knowledge and Abilities

Knowledge of:

- Theories, principles, and practices of program control and project management related to heavy civil projects, including cost estimating, cost engineering, project planning, budgeting, critical path scheduling, cost and schedule progress measurement, and project status reporting.
- Construction methods and material and construction costs.

- Public agency procurement procedures and contract administration.
- Modern management theory.

Ability to:

- Plan, organize, and direct the work of a program control department.
- Analyze situations, identify problems, and implement solutions.
- Understand, interpret, and apply laws, rules, regulations, policies, procedures, contracts, budgets, and labor/management agreements.
- Prepare comprehensive reports and correspondence.
- Interact professionally with various levels of Authority employees and outside representatives.
- Communicate effectively orally and in writing.
- Exercise critical thinking, analytical problem solving, and decision-making expertise.
- Supervise subordinate staff.
- Travel to offsite locations within a reasonable timeframe.
- Read, write, speak, and understand English.

Minimum Qualifications

Potential candidates interested in the EXECUTIVE DIRECTOR, TRANSIT PROJECT DELIVERY position MUST meet the following requirements:

- Bachelor's degree - Engineering, Business, Finance, or other related field.
- 5 years' senior management-level experience in program control of major public works projects.
- Master's degree in related field desirable.
- Valid California Class C driver's license.

Special Conditions

- Exposure to hazards during site visits.

Disclaimer

This job specification is not to be construed as an exhaustive statement of duties, responsibilities, or requirements. Employees may be required to perform any other job-related instructions as requested by their supervisor.

ATTACHMENT C

Los Angeles County Metropolitan Transportation Authority

Job Classification Specification

EXECUTIVE OFFICER, SYSTEM SECURITY AND LAW ENFORCEMENT

Pay Grade HAA

(\$156,832 - \$196,060 - \$235,227)

Basic Function

To provide executive direction to Metro's overall security and law enforcement contract compliance and strategic plan while supporting a community oriented policing philosophy.

Classification Characteristics

This classification is exempt/at-will and the incumbent serves at the pleasure of the hiring authority.

Supervised by: Deputy Chief Executive Officer

Supervises: DEO, Project Management

FLSA: Exempt

Work Environment

In order to achieve Metro's goals in support of its mission, potential candidates are required to commit and continuously practice and demonstrate the following work values:

- **Safety** – To ensure that our employees, passengers and the general public's safety is always our first consideration.
- **Service Excellence** – To provide safe, clean, reliable, on-time, courteous service for our clients and customers.
- **Workforce Development** – To make Metro a learning organization that attracts, develops, motivates and retains a world-class workforce.
- **Fiscal Responsibility** – To manage every taxpayer and customer-generated dollar as if it were coming from our own pocket.
- **Innovation and Technology** – To actively participate in identifying best practices for continuous improvement.
- **Sustainability** – To reduce, reuse and recycle all internal resources and reduce green-house gas emissions.
- **Integrity** – To rely on the professional ethics and honesty of every Metro employee.

- **Teamwork** - To actively blend our individual talents to achieve world-class performance and service.
- **Civil Rights** - To actively promote compliance with all civil rights statutes, regulations and policies.
- **Community** - To actively engage with the Community as it relates to Metro interest/services.

Examples of Duties

- Provides overall direction and management in the establishment and development of policies, goals, performance measures and strategies, for Los Angeles Metro Protective Service (LAMPS) Department while embracing a community oriented policing philosophy
- Manages transit operations using risk assessments to determine threats and guide an empowered workforce that is capable of utilizing a variety of tools (e.g., standard operating procedures, intuition, situation assessment skills, teammates, flexibility, cooperative problem solving and decision making) to mitigate threats
- Acts as key liaison between all contract law enforcement Departments and Metro
- Responds proactively to the needs of Metro and the community
- Oversees the security and law enforcement contracts and reports on contract performance and compliance
- Oversees and directs through the direction of the Deputy Chief Executive Officer the security and law enforcement management assigned to the Transit Policing Contract with Metro
- Oversees and approves security and law enforcement communications
- Encourages partnership with the community to assist in reducing crime; provides quality law enforcement services
- Partners and collaborates with community leaders to improve Metro's relationship with the community
- Oversees security and law enforcement audits and directs the implementation of corrective actions
- Participates in contract negotiations and represents security and law enforcement
- Ensures continuation of grant funding for critical security and law enforcement programs
- Directs preparation and administration of the Transit Security Department Budget
- Consults and advises management staff and the Board of Directors on transit security and law enforcement contract activities and issues

- Advocates Metro's safety vision; approves and adopts the agency's safety rules, policies, and procedures; communicates safety expectations; and maintains accountability for the safety performance of the entire agency
- Mentors, coaches, and develops subordinate staff
- Manages department including developing, monitoring and adhering to Metro's policies/procedures, budget and achieving units goals and objectives
- Works with the EO of Risk Management on strategies, regulatory compliance, and grant implementation for Emergency Management
- Engages and solicits feedback from all departments and contract service providers
- Contributes to ensuring that the EEO policies and programs of Metro are carried out

Essential Knowledge and Abilities

Knowledge of:

- Theories, principles, and practices of public procurement processes, law enforcement, community based policing and risk management
- Effective Project Management skills and techniques
- Methods and procedures for implementing sensitivity training throughout the department

Ability to:

- Communicate openly and honestly and maintain open lines of communication with all stakeholders while being receptive to feedback
- Establish and maintain effective working relationships with a variety of individuals
- Demonstrate honesty, integrity, and a strong appreciation for diversity while overseeing Metro's security and law enforcement contract compliance and strategic plan
- Motivate staff to partner with the community to build and improve relations between Metro and the public
- Ensure key organizational goals, priorities, values and other issues are considered in making program decisions
- Exercise leadership to implement and to ensure that Metro's mission and strategic vision are reflected in the management of its people

- Establish program/policy goals and the structure and processes necessary to implement Metro's mission and strategic vision
- Ensure that programs and policies are being implemented and adjusted as necessary, that the appropriate results are being achieved, and that a process for continually examining the quality of program activities is in place
- Acquire and administer financial, material, and information resources to accomplish Metro's mission, support program policy objectives, and promote strategic vision
- Explain, advocate, and negotiate with individuals and groups internally and externally to develop an expansive professional network with other organizations and organizational units
- Communicate effectively orally and in writing
- Prepare comprehensive reports and correspondence
- Read, write, speak, and understand English

Minimum Qualifications

Potential candidates interested in the EXECUTIVE OFFICER, SYSTEM SECURITY AND LAW ENFORCEMENT position MUST meet the following requirements:

- Bachelor's degree - Business, Public Administration or other related field
- 10 years' law enforcement experience as a peace officer, 8 years of which must be at or above senior management-level, active within the last 3 years, with 4 years' law enforcement experience in a public transit environment
- Must satisfy the POST standards for peace officers
- Must have an advanced POST certificate
- Must have completed a POST- approved law enforcement management course

Special Conditions

Disclaimer

This job specification is not to be construed as an exhaustive list of duties, responsibilities, or requirements. Employees may be required to perform other related job duties.

ATTACHMENT D

Los Angeles County Metropolitan Transportation Authority

Job Class Specification

DEPUTY CHIEF EXECUTIVE OFFICER

Pay Grade HDD

(\$278,470 - \$339,747 - \$401,003)

Basic Function

To assist the Chief Executive Officer in executing the overall mission of Metro.

Classification Characteristics

This classification is exempt/at-will and the incumbent serves at the pleasure of the hiring authority.

Supervised by: Chief Executive Officer

Supervises: Chief Auditor; Executive Director, Vendor/Contract Management; Executive Director, Employee & Labor Relations; Executive Officer, Congestion Reduction; Deputy Executive Officer, Project Management, Executive Secretary/CEO/OIG

FLSA: Exempt

Work Environment

In order to achieve the Agency's goals in support of its mission, potential candidates are required to commit and continuously practice and demonstrate the following work values:

- **Safety** - To ensure that our employees, passengers and the general public's safety is always our first consideration.
- **Services Excellence** - To provide safe, clean, reliable, on-time, courteous service for our clients and customers.
- **Workforce Development** - To make Metro a learning organization that attracts, develops, motivates and retains a world-class workforce.
- **Fiscal Responsibility** - To manage every taxpayer and customer-generated dollar as if it were coming from our own pocket.
- **Innovation and Technology** - To actively participate in identifying best practices for continuous improvement.
- **Sustainability** - To reduce, reuse and recycle all internal resources and reduce greenhouse gas emissions.

- **Integrity** - To rely on the professional ethics and honesty of every Metro employee.
- **Teamwork** - To actively blend our individual talents to achieve world-class performance and service.
- **Civil Rights** - To actively promote compliance with all civil rights statutes, regulations and policies.
- **Community** - To actively engage with the Community as it relates to Metro interest/services.

Examples of Duties

- Assists the Chief Executive Officer in providing overall leadership of Metro in formulating and achieving public transportation objectives.
- Provides counsel to the CEO on significant matters affecting Metro operations and policies.
- Assists the CEO in developing and implementing short-range and long-range goals and business plans.
- Formulates policy recommendations for the Board of Directors, attends Board meetings, and advises Board.
- Formulates and recommends operating policies and procedures or changes in existing policies or procedures.
- Chairs and serves as a member of interdepartmental and interagency committees.
- Represents Metro and the CEO as designated in meetings, as committee member, and before community and business groups.
- Monitors activities of assigned departments to ensure conformance with goals and objectives of reporting unit and eliminate impediments to peak performance.
- Directs the conduct of studies, investigations, and analyses at the direction of the CEO, presenting oral and written reports of findings and recommendations.
- Supervises subordinate department heads and managerial staff.
- Creates Metro's safety vision; approves and adopts the agency's safety rules, policies, procedures; communicates safety expectations; and maintains accountability for the safety performance of the entire agency.
- Contributes to ensuring that the EEO policies and programs of Metro are carried out.

Essential Knowledge and Abilities

Knowledge of:

- Administrative principles and methods, including goal setting, program and budget development and implementation.
- Capital and operating budgets.
- Principles, practices, and program areas related to transit operations.

- Social, political, and environmental issues influencing transit programs.
- Applicable local, state, and federal laws, rules, and regulations.
- Principles and practices of public administration.
- Modern management theory.

Ability to:

- Assist in planning, organizing, and controlling the integrated work of a multi-tiered public transit organization.
- Develop and implement objectives, policies, procedures, work standards, and internal controls.
- Determine strategies to achieve goals.
- Understand, interpret, and apply laws, rules, regulations, policies, procedures, budgets, contracts, and labor/management agreements.
- Represent Metro before elected officials and the public.
- Analyze situations, identify problems, implement solutions, and evaluate outcome.
- Prepare reports and correspondence.
- Establish and maintain cooperative working relationships.
- Exercise judgment and creativity in making decisions.
- Communicate effectively orally and in writing.
- Interact professionally with various levels of Metro employees, outside representatives, and public officials.
- Read, write, speak, and understand English.

Minimum Qualifications

Potential candidates interested in the DEPUTY CHIEF EXECUTIVE OFFICER position MUST meet the following requirements:

- Bachelor's degree - Business, Public Administration, or other related field.
- 5 years' senior management-level experience in public transit operations.
- Valid California Class C driver license.
- Master's degree - Business, Public Administration, or other related field desirable.

Special Conditions

- None.

Disclaimer

This job specification is not to be construed as an exhaustive statement of duties, responsibilities, or requirements. Employees may be required to perform any other job-related instructions as requested by their supervisor.

**Board Report**

File #: 2015-1042, **File Type:** Policy

Agenda Number: 11.

**FINANCE, BUDGET AND AUDIT COMMITTEE
JULY 15, 2015**

SUBJECT: FY16 AUDIT PLAN

ACTION: APPROVE ADOPTION OF THE FY16 PROPOSED AUDIT PLAN

RECOMMENDATION

ADOPT the **FY16 Proposed Audit Plan**.

ISSUE

At its January 2008 meeting, the Board adopted modifications to the FY07 Financial Stability Policy. The Financial Stability Policy requires Management Audit Services (Management Audit) to develop a risk assessment and an audit plan each year and present it to the Board. It also requires that the Finance, Budget and Audit Committee, as the audit committee for the agency, provide input and approval of the audit plan.

DISCUSSION

Instrumental to the development of the FY16 Audit Plan was completion of the FY15 agency-wide risk assessment. The agency-wide risk assessment is continually being refined and adjusted based upon events, issues identified during audits and agency priorities. The risk assessment continues to place a strong emphasis on the agency's internal control framework and vulnerability to fraud. We believe this year's risk assessment portrays the agency's risks in light of the changes to our risk environment and the challenges the agency faces in the next few years. The result is the FY16 Proposed Audit Plan (Attachment A).

This is the eleventh year an audit plan has been developed and presented to the Board for input and adoption.

Policy Implications

An audit plan defines the work that will be completed or directed by Management Audit each fiscal year. It indicates both the depth and breadth of audit activities addressing financial, operational and compliance risks for the agency. The audit plan also identifies the extent to which controls are being assessed by routine audit activities, addressed proactively through advisory services, or as a result of concerns from management.

The annual audit plan is driven by two key factors: (1) risk assessment results, and (2) audit resources. The goal in drafting the audit plan is to address the highest risk areas at the agency given the resources available to complete the audits.

In developing the plan, the hours included for each audit are an estimate. There are occasions where some reviews may take longer and therefore absorb more hours than proposed and in other cases, the audit will be completed in fewer hours than estimated. In addition, urgent requests arise that need audit support. When this occurs, the plan must be reassessed and Management Audit may supplement internal resources with outside consultants as long as there is funding and consultants available for the task. Therefore, not all planned audit work may be completed and the audit plan may be reassessed and adjusted during the year for unanticipated risks and work.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funding for the annual audit plan will be included in the FY16 budget in Management Audit's cost centers and the appropriate projects throughout the agency.

ALTERNATIVES CONSIDERED

One option would be not to complete an annual audit plan. This is not recommended since the audit plan is a management tool to systematically assign resources to areas that are a concern or high risk to the agency. Communicating the audit plan to the Board is required by audit standards.

NEXT STEPS

Once the Board adopts the annual audit plan, Management Audit will develop the audit schedule for FY16. Management Audit will report to the Board quarterly on its progress in completing the annual audit plan.

ATTACHMENTS

Attachment A - FY16 Annual Business Plan and Proposed Audit Plan

Prepared by: Yvette Suarez, Interim Chief Auditor, (213) 922-1096

Reviewed by: Yvette Suarez, Interim Chief Auditor, (213) 922-1096



Phillip A. Washington
Chief Executive Officer

**FISCAL YEAR 2016
ANNUAL BUSINESS PLAN
AND
PROPOSED AUDIT PLAN**



Metro

Management Audit Services

Fiscal Year 2016 Annual Business Plan
And Proposed Audit Plan

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Executive Summary

OVERVIEW

Annually, the Board requires Management Audit Services (Management Audit) to complete an agency-wide risk assessment and submit an audit plan to the Board for its input and approval.

An agency-wide risk assessment is the process of understanding an organization's strategic, operational, compliance and financial objectives to identify and prioritize threats/risks that could inhibit successful completion of these objectives. Risk assessments provide management with meaningful information needed to understand factors that can negatively influence operations and outcomes.

An audit plan is driven by two key factors: 1) risk assessment results, and 2) audit resources. The goal of preparing an audit plan is to address the highest risk areas at the agency given the resources available to complete the audits.

RISK ASSESSMENT

Instrumental to the development of the FY16 Audit Plan was completion of the FY15 agency-wide risk assessment. The agency-wide risk assessment is continually being refined and adjusted based upon events, issues identified during audits and agency priorities. The categorization of risks used corresponds with the current nine key imperatives identified in the Budget document:

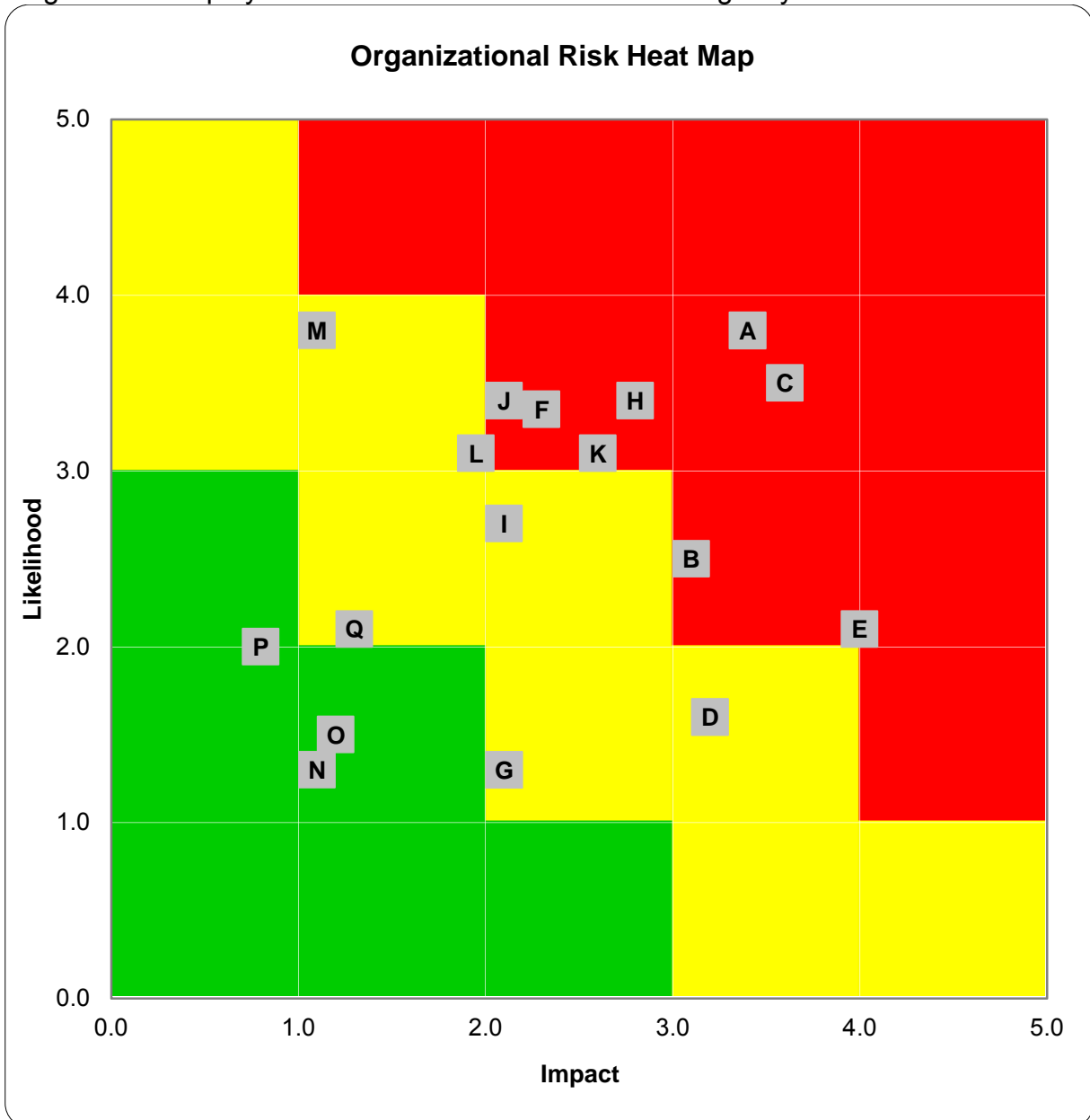
1. Improve Transit Services,
2. Deliver quality capital projects on time and within budget,
3. Exercise fiscal responsibility,
4. Provide leadership for the region's mobility agenda,
5. Develop an effective and efficient workforce,
6. Secure local, state and federal funding,
7. Maintain open communication,
8. Enhance safety conscious culture with employees, contractors and customers,
9. Sustain the environment with energy efficiency and reduced greenhouse emissions.

The risk assessment continues to place a strong emphasis on the agency's internal control framework and vulnerability to fraud. We believe this year's risk assessment portrays the agency's risks in light of the changes to our risk environment and the challenges the agency faces in the next few years.

The risk environment continues to evolve with the focus this year on capital projects, internal controls, and the agency's ability to achieve all of its goals successfully with available staffing.

The agency-wide risk assessment process began by reviewing and analyzing key documents such as the annual budget, the Basic Financial Statements, status reports on major projects, past audit reports, open and late corrective actions to prior audit findings, and the transportation plans. We then completed an extensive assessment of

the different areas within the agency. We supplemented this assessment by interviewing key personnel to obtain additional information. All of this information was used to identify risks and concerns specific to individual cost centers as well as risks impacting the entire agency. In addition, similar to last year we evaluated risks related to five outside agencies that receive significant funding from MTA: Access Services, Metrolink, Exposition Authority (Expo), Pasadena Foothill Extension Authority (Foothill), and Alameda Corridor East (ACE). Risks were then scored using two factors, magnitude of impact and likelihood of occurrence. As in prior years, a heat map is still being used to display the overall risk assessment of the agency.



| | |
|-------------------------------|--|
| A. Engineering & Construction | I. Program Management |
| B. Planning & Development | J. Enterprise Risk & Safety Management |
| C. Metro Operations | K. LA Metro Protective Services |
| D. Finance & Budget | L. Access Services |
| E. Information Technology | M. Metrolink |
| F. Vendor/Contract Management | N. Pasadena Foothill Authority |
| G. Communications | O. Expo Authority |
| H. Labor/Employee Relations | P. Alameda Corridor East |
| | Q. Congestion Reduction |

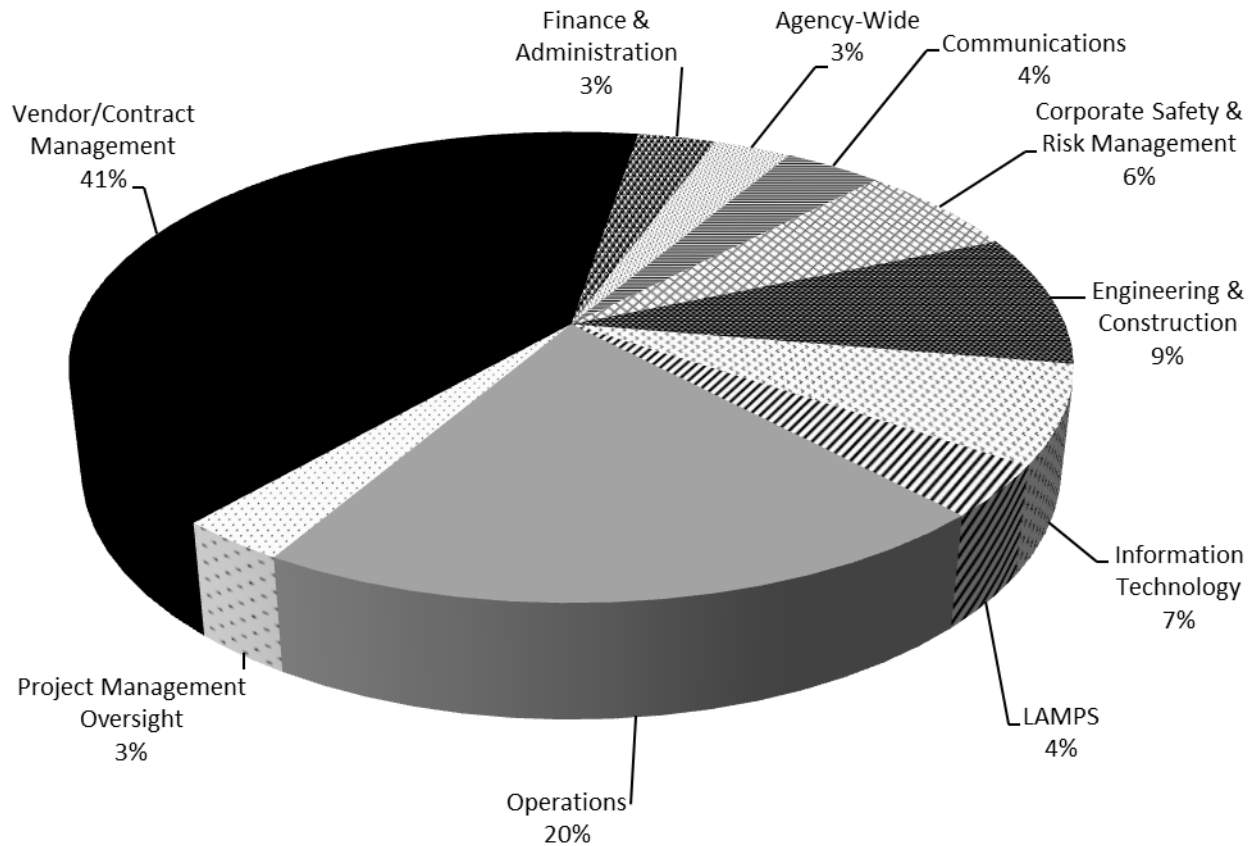
High Risk Areas

The top internal risks include aging infrastructure, key information systems and completion of multiple corridor projects within the same timeframe. The top external risks include Metrolink and Access Services.

- 1) Ability to hire qualified technical staff, minimal increase in support staffing and increased efforts needed for multiple major capital projects are pervasive concerns that surfaced in most of the risk assessment discussions. Lean support staffing combined with multiple complex Measure R funded projects is one of the key risks the agency still faces. This risk is higher because multiple, major rail transit projects such as Crenshaw/LAX, Westside Subway Extension and Regional Connector will be competing for services from a limited pool of project support staff. There have been ongoing discussions with Senior Management to address these concerns and to shift available resources to key risk areas, but the ability of the support staff to provide oversight to these projects is still considered a significant risk.
- 2) Operations' overall risk score is impacted by aging infrastructure coupled with a significant amount of deferred maintenance that is being addressed and is still considered a risk to achieving some of the agency's key goals.
- 3) The interrelationship of key information systems and increased reliance on data generated from systems to manage daily systems continues to impact the overall technology risk scoring. In addition, lean staffing in the support areas is also seen in Information Technology Services. Several key information systems have been identified with "single points of failure", meaning some systems have only a single individual with extensive knowledge of that system. This impacts coordination of services, disaster recovery planning, backup and strong central internal controls.
- 4) Access Services' risk ranking increased because of increased costs in their current budget, and projected increases in passengers that will need to use Access Services in the future as the baby boomers continue to age.
- 5) Metrolink's risk ranking is based upon reports that cite concerns regarding availability of financial information, Metrolink's struggle to complete their required financial statement and A-133 audits on time and a prior OCTA review of Metrolink's Internal Audit function.
- 6) Management has identified an issue in the architecture and engineering area of procurement regarding project management oversight. As a result, Engineering and Construction and Project Management Oversight are working on developing a plan to expand the current process for oversight of major construction projects to all projects. We will review the efficiency and effectiveness of this in FY16, once the plan has been developed. In addition, we have included 750 hours in the proposed audit plan to assess the administration of indefinite delivery, indefinite quantity contracts including the appropriateness of consultant hours and tasks.

AUDIT PLAN

For purposes of the audit plan, the agency has been organized into 11 departmental functions and 5 other agencies funded by MTA. The FY16 audit plan is summarized as follows:



A detailed list of audits is included in Appendix A.

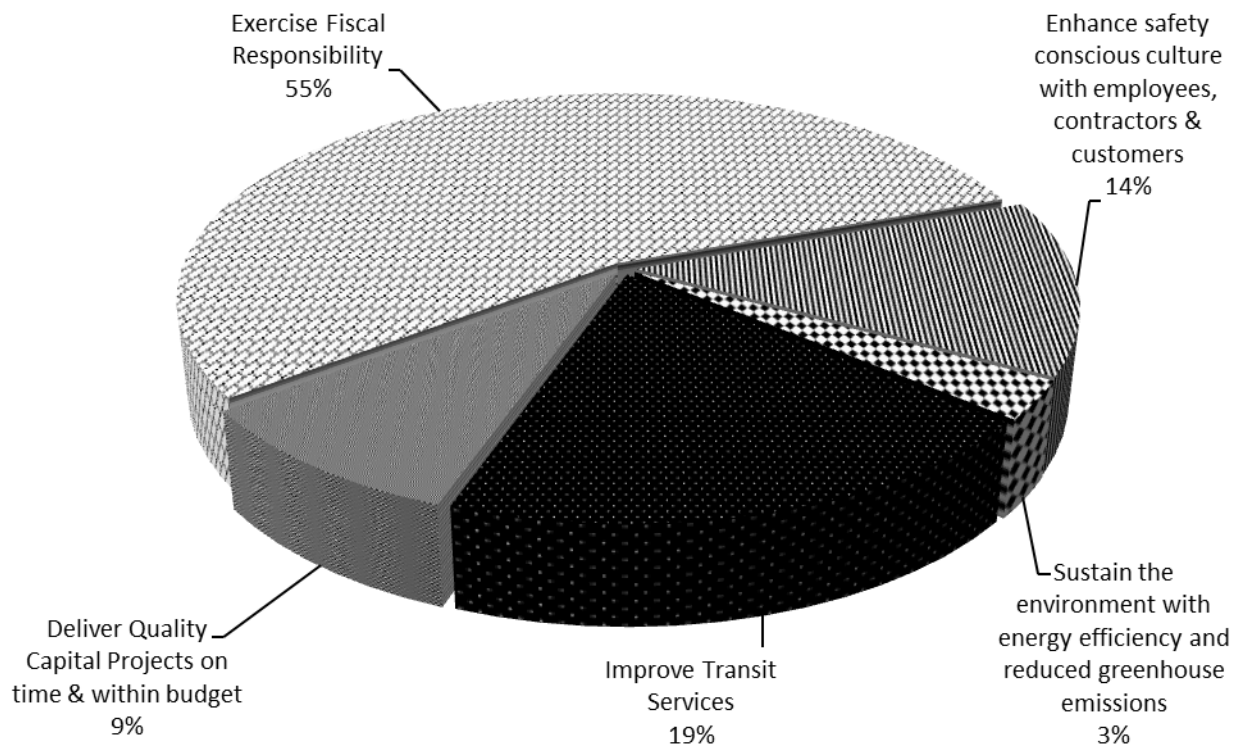
Audit Plan Strategy

The audit plan leveraged the information obtained during the agency-wide risk assessment process and included audits in those areas identified as critical or high risk to the agency.

The projects proposed in the audit plan correlate to the 9 agency strategic goals:

1. Improve Transit Services,
2. Deliver quality capital projects on time and within budget,
3. Exercise fiscal responsibility,
4. Provide leadership for the region's mobility agenda,
5. Develop an effective and efficient workforce,
6. Secure local, state and federal funding,
7. Maintain open communication,
8. Enhance safety conscious culture with employees, contractors and customers,
9. Sustain the environment with energy efficiency and reduced greenhouse emissions.

The following chart summarizes the audits by the primary agency strategic goal.



Audit Resources

Management Audit is constrained by available staff resources and budgeted professional services dollars. In FY16, the audit plan is based on budgeted staffing and resources.

In developing the plan, the hours included for each audit are an estimate. There are occasions where some audits may take longer and therefore absorb more hours than proposed and in other cases; the audit will be completed in fewer hours than estimated.

In addition, urgent requests arise that need audit support. When this occurs, the plan must be reassessed and Management Audit may supplement internal resources with outside consultants as long as there is funding and consultants available for the task. Therefore, all planned audit work may not be completed and the audit plan may be reassessed and adjusted during the year for unanticipated risks and work.

AUDIT PLAN AREAS

Internal Audits

The internal audits were selected based on the results of the FY15 agency-wide risk assessment. Areas identified as critical or high risk during the agency-wide risk assessment were given priority when identifying potential audits for the FY16 audit plan. Since there are more risks than available resources, resources were the key factor in selecting the number of risks and areas to audit. The audits identified for the FY16 proposed audit plan were selected based on one of the following four strategic audit objectives:

1. Support agency-wide goals and objectives
2. Evaluate governance, risk and internal control environment
3. Review efficiency and effectiveness of operations
4. Validate compliance to regulatory requirements

Beginning in FY09, Management Audit started focusing audit resources on information systems identified as critical to agency operations. Audit resources will continue to be focused on information technology controls in FY16. In selecting potential FY16 audits, Management Audit identified areas that would provide assurance that the critical system's internal controls are adequate and working effectively and that the system is providing timely and accurate information to management.

The majority of Management Audit's projects are focused on completing assurance work on "hard controls", such as segregation of duties, safeguarding agency assets, accurate original entries and transactions, and compliance with regulations, contracts, and memorandums of understanding (MOUs). However, business process improvement is also an important focus for the agency. Therefore, the FY16 audit plan contains projects that assess whether greater efficiencies can be achieved and where appropriate provide recommendations for business process improvements.

Contract Pre-Award & Incurred Cost Audits

Incurred Cost Audits review costs associated with MOU's issued under the Call for Projects program or contract incurred costs and Contract Pre-award Audits review costs proposed for contracts and change orders issued by Procurement. The planned audits were identified based on discussions with project managers and contract administration staff, analysis of Call for Project's audit universe and Financial Information Systems' (FIS) data for contract audits. The universe of audits was balanced against the associated budget authorized to complete the work. Any additional work required beyond what is planned in the FY16 audit plan or unplanned audits requested will need to be outsourced to consultant firms and funded by the project. The grant audit work was completely outsourced in FY15 and will continue to be outsourced in FY16 because of audit staff reductions. The MOU's selected for grant audit work are either projects that expect to be finished next fiscal year or in the case of longer term projects whether

an audit has been completed in the last few years.

Currently, contract audits requested for large construction projects, Corridor Projects, and rolling stock regulatory projects are the highest priority. The next highest priority is pre-award audits for all other projects, and incurred cost and closeout audits have the lowest priority when assigning work. Because staffing in Management Audit is limited, external resources will be used if there are available funds to meet critical project deadlines.

Special Request Audits

The FY16 plan also includes 3,000 hours or approximately 10% of available hours for special projects requested by the CEO. These hours provide some flexibility in the audit plan to respond to emerging issues where the CEO needs audit resources to review and provide recommendations to correct a problem or to provide information about a specific issue.

Also, in order to comply with Government Accountability Office's Generally Accepted Government Auditing Standards and Institute of Internal Auditor's (IIA) International Standards for the Professional Practice of Internal Auditing (Standards), this year the self-assessment will be completed with audit management and external sources. The Standards require the audit activity adopt a process to monitor and assess the overall effectiveness of the audit quality process. The work will assess compliance to the Standards and to Management Audit's Charter, mission statement, objectives, audit policy manual, supervision, and staff development. In addition, the internal quality assurance review assesses our effectiveness and promotes continuous improvement within Management Audit. This internal review will also help prepare Management Audit for the external quality assurance review mandated by the Standards that is scheduled for Fall of 2016.

OTHER PLANNED ACTIVITIES

Audit Tracking and Follow-up

For all external audit findings (OIG, State of California, FTA etc.), Management Audit is required to track and follow-up on all audit recommendations until the audit finding is closed. In addition, Management Audit tracks and follows up on internal audit findings in compliance with the Standards. To do this, Management Audit maintains an audit database which staff uses to manage, track and follow-up on all recommendations.

Beginning in March 2005, Management Audit assumed responsibility to report to the Board on all outstanding audit issues. These reports include all outstanding audit findings and a summary of the findings closed. Both the CEO and Management Audit continue to focus on this area to ensure that any significant risks to the agency are addressed in a timely manner.

MANAGEMENT AUDIT SERVICES FRAMEWORK

Metro's vision is to provide excellence in service and support. Management Audit is committed to providing essential support to achieve this vision. To do this we have developed our department vision which is to deliver value by driving positive change

through partnership and trust. In order to ensure our work is consistently reliable, independent and objective, Management Audit completes work under the framework of our Board approved Audit Charter. The Audit Charter includes Management Audit's mission, the standards we must comply with, and our department's objectives and core function.

Mission

Our mission is to provide highly reliable, independent, objective assurance and consulting services designed to add value and improve operations. The department accomplishes this by bringing a systematic, disciplined approach to evaluating and recommending improvements to the effectiveness of risk management, controls and governance processes.

Standards

To meet our client's expectations and for us to function with reliability and credibility, Management Audit must ensure our audits are independent, objective and accurate. Therefore, Management Audit follows the ethical and professional standards promulgated by the Government Accountability Office, Generally Accepted Government Auditing Standards (GAGAS) and the Institute of Internal Auditors International Professional Practices Framework. Depending on the type of audit being done, Management Audit also follows the standards promulgated by the American Institute of Certified Public Accountants (AICPA) and by the Information Systems Audit and Control Association (ISACA).

Objectives and Core Functions

As summarized in our Audit Charter, the primary objective of Management Audit is to assist the CEO and his management team with their important business and financial decisions by:

- Monitor and verify key regulatory and legislative compliance;
- Assess internal controls effectiveness and fiscal responsibility;
- Evaluate cost reasonableness of contracts and grants;
- Identify and recommend business process improvements;
- Evaluate and recommend efficiencies and effectiveness of programs and functions;
- Evaluate safety and security of agency systems, programs and initiatives; and
- Track and report on all outstanding external and internal audit findings.

In addition, Management Audit's objective is to foster a system and environment that supports the highest level of integrity and ethical conduct and provides assurance of an acceptable level of risk to management for all key business processes.

INTRODUCTION

The Institute of Internal Auditors (IIA) defines internal auditing as:

“...an independent, objective, assurance and consulting activity designed to add value and improve an organization’s operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve effectiveness of risk management, control, and governance processes.”

The FY16 audit plan included in Appendix A is based on IIA’s definition and attempts to provide a balanced and effective review of the entire agency constrained by Management Audit resource limitations. Our FY16 plan is based on 29,750 direct audit hours to be provided by 13 budgeted audit professionals, 4 entry-level trainees and 1 intern. The audit hours for the Chief Auditor and her management team are not included in the direct audit hours.

This is the CEO's audit plan being presented to the Board for approval. The CEO has the discretion based on agency need or Board direction to reprioritize audit resources. We are dedicated to completing our audit plan while continuing to be flexible and responsive to the agency’s needs.

ALLOCATION OF AUDIT RESOURCES

The direct audit hours are allocated as follows:

- 22,900 hours (77%) for new audits,
- 3,000 hours (10%) for CEO requested projects, and
- 3,850 hours (13%) for audits which are still in process.

OUTSOURCED & CO-SOURCED AUDITS

Based on industry best practices, we outsource some of the audits. On some of the work that we outsource, Management Audit now includes at least one staff auditor on the contracted work (co-sourcing) so that information is transferred internally. In addition, on some audits, staff auditors manage the work and external consultants are added to provide subject matter expertise.

This methodology trains internal auditors in specialized areas and ensures Management Audit receives the specialized expertise needed at the most economical price. The audits that we plan on either outsourcing or co-sourcing have been identified in the FY16 detailed listing of audits.

APPENDIX A

DETAILED LISTING OF AUDITS

Strategic Goal #1 – Improve transit services

| | Title | Objective | Area |
|----|--|---|----------------------------|
| 1. | Buy America Post Award | Post award audit for Kinkisharyo and New Flyer Bus. | Vendor/Contract Management |
| 2. | Rail Overhaul and Maintenance Audit | Efficiency and effectiveness of the rail overhaul and Refurbishment Projects programs. Operations | |
| 3. | Audit of Wayside System | Evaluate effectiveness of maintenance of the rail traction, track and signals. | Operations |
| 4. | Performance Audit of SCADA | Evaluate system-wide security of SCADA. | Operations |
| 5. | Performance Audit of M3 | Evaluate reliability of data in M3 system. | Operations |
| 6. | Performance Audit of Power Maintenance & Usage | Evaluate efficiency and effectiveness of rail operations power maintenance and usage. | Operations |
| 7. | Performance Audit of Division Practices | Evaluate efficiency and effectiveness of Division practices and processes. | Operations |

Strategic Goal #2 – Deliver quality capital projects on-time and within budget

| | Title | Objective | Area |
|----|--|---|------------------------------|
| 1. | Audit of Contract Information Management System (CIMS) Phase I & II DEOD | Evaluate efficiency and effectiveness of system implementation success. | Vendor/Contract Management |
| 2. | Performance Audit of Project Control Practices | Evaluate accuracy and completeness of project information. | Project Management Oversight |
| 3. | Performance Audit of Effectiveness of Quality Assurance processes | Evaluate effectiveness of quality assurance practices and processes. | Engineering & Construction |

Strategic Goal #3 – Exercise fiscal responsibility

| | Title | Objective | Area |
|-----|---|---|----------------------------|
| 1. | Pre-award audits | Pre-award for procurements and modifications. | Vendor/Contract Management |
| 2. | Incurred Cost Contract Audits | Verify costs are reasonable, allowable and allocable on cost reimbursable contracts for Contractors. | Vendor/Contract Management |
| 3. | Incurred Cost Grant Audits | Verify costs are reasonable, allowable and allocable on cost reimbursable contracts for Cities & County MOUs. | Planning & Development |
| 4. | Incurred Cost Grant Audits | Verify costs are reasonable, allowable and allocable on cost reimbursable contracts for Caltrans MOUs. | Engineering & Construction |
| 5. | Audit of agency-wide IT Security | Evaluate effectiveness of internal controls for cyber security. | Information Technology |
| 6. | Audit of Accounts Receivable | Validate adequacy of current policies and procedures; compliance with policies and procedures; and appropriate segregation of duties exists. | Finance & Administration |
| 7. | Performance Audit of Request for Proposal Process | Evaluate efficiency and effectiveness of RFP process and risk of non-compliance with FTA funding requirements. | Vendor/Contract Management |
| 8. | Audit of P-card Purchases | Evaluate compliance to P-card purchase requirements. | Vendor/Contract Management |
| 9. | Performance Audit of Overtime Usage | Evaluate the use of Overtime. | Agency-Wide |
| 10. | Performance Audit of IT Asset Management | Evaluate effective management of technology asset process. | Information Technology |
| 11. | Performance Audit of Special Fare Programs | Audit of effectiveness of internal controls of A-TAP, B-TAP, I-TAP, YOTM, LACTOA and other special fare programs. | Communications |
| 12. | Performance Audit of IDIQ type contracts | Evaluate efficiency and administration of Indefinite delivery, indefinite quantity (IDIQ) type contracts including appropriateness of consultant hours/tasks. | Engineering & Construction |
| 13. | Annual Business Interruption Fund Audit | Annual required audit of Business Interruption Fund program. | Vendor/Contract Management |

| | Title | Objective | Area |
|-----|------------------------------|--|--------------------------|
| 14. | Annual Access Services Audit | Required annual audit of Access Services. | Finance & Administration |
| 15. | External Audits | Outsourced audits of Measure R, Prop A&C, Consolidated, EZ pass, Metrolink, non-profits, STIP, Express Lanes, Metro Financial Audit and PRMA | Finance & Administration |

Strategic Goal #8 – Enhance safety conscious culture with employees, contractors and customers

| | Title | Objective | Area |
|----|--|---|------------------------------------|
| 1. | Annual Audit of Sheriff’s Contract | Verify contract compliance and performance requirements of LASD contract. | LAMPS |
| 2. | Performance Audit of Business Continuity Program | Evaluate efficiency and effectiveness of the plan to restore essential operations and functions after an emergency. | Corporate Safety & Risk Management |
| 3. | Performance Audit of Safety Program | Evaluate efficiency and effectiveness of the agency wide safety program including the accuracy of reported metrics. | Corporate Safety & Risk Management |
| 4. | Performance Audit of Accident Prevention Practices | Evaluate efficiency and effectiveness of accident prevention practices. Operations | |

Strategic Goal #9 – Sustain the environment with energy and reduced greenhouse emissions

| | Title | Objective | Area |
|----|---|--|----------------------------|
| 1. | Performance Audit of Management of Environmental Compliance | Evaluate the effectiveness of agency’s environmental compliance program. | Engineering & Construction |



Board Report

File #: 2015-0737, File Type: Policy

Agenda Number: 12.

FINANCE, BUDGET & AUDIT COMMITTEE JULY 15, 2015

SUBJECT: CENTRAL AVENUE HISTORIC BUSINESS IMPROVEMENT DISTRICT

ACTION: AUTHORIZE PARTICIPATION IN THE CENTRAL AVENUE HISTORIC BUSINESS IMPROVEMENT DISTRICT

RECOMMENDATION

CONSIDER:

- A. supporting the establishment of the **proposed Central Avenue Historic Business Improvement District (“BID”) in the City of Los Angeles** and the resulting assessments on properties within the District boundaries owned by LACMTA; and
- B. authorizing the Chief Executive Officer or his delegate to sign any necessary petition and cast any subsequent ballots in support of the BID and property assessments.

ISSUE

The MTA Board adopted Guidelines on LACMTA Participation in Proposed Assessment Districts (“Guidelines”) in June 1998 (See Attachment A). The Guidelines require staff to analyze each assessment district and/or improvement based on whether they improve MTA property or facility, benefit MTA employees, benefit Metro’s passengers, or reduce costs for the agency. Staff is to provide the Board with an analysis, on a case by case basis, that determines whether MTA property benefits from the proposed services or improvements; and whether the benefit to the property exceeds the cost of the assessment. Based on the guidelines, the Board must determine whether or not to participate in the proposed district.

POLICY IMPLICATIONS

Proposition 218, which was approved in November 1996, requires that all public property previously exempted from business improvement district assessments be assessed, unless the public agency can demonstrate that the property will receive no benefit.

DISCUSSION

The Central Avenue Historic BID is a property-based benefit assessment type district being established for a five (5) year term pursuant to the California Street and Highway Code (as

amended). The BID is proposed to improve and convey special benefits to assessed properties located within the District area. The District will provide continued improvements and activities, including streetscape services, enhanced safety, parking demand management, branding, and district management. Each of the programs is designed to meet the goals of the District; to improve safety and cleanliness and increase building occupancy within the District, to attract more customers to District businesses, to encourage new business development and attract ancillary businesses and services for parcels within the District and to promote cultural events in the District.

The LACMTA has four properties located in the proposed District which is generally located along Central Avenue between Washington Blvd and Vernon Avenue. The properties are former railroad right of way and are currently leased to adjacent property owners for parking and storage. A map showing the BID Boundary is attached as Attachment A.

The project properties are currently on a month-to-month rental as they are holdovers from expired leases. The annual lease revenue from the four properties is \$42,000.

Pursuant to the existing Guidelines on MTA Participation in Proposed Assessment District ("Guidelines), it is necessary for the Board to authorize LACMTA's support of the establishment of a new BID and to authorize the signing of any necessary petitions and ballots to participate in the BID. The Guidelines requires staff to analyze each new assessment district services and/or improvements based on whether it (1) improve MTA property or facility; (2) benefits MTA employees; (3) benefit the riding public; or (4) reduce costs for the MTA. The anticipated annual assessment to MTA is expected to be approximately \$10,139.76 which represents 2.34% the BID. An evaluation of the benefits that the Central Avenue BID will provide to the LACMTA Property is included in Attachment B.

DETERMINATION OF SAFETY IMPACT

This Board Action will not have an impact on safety standards for MTA operations.

FINANCIAL IMPACT

LACMTA's estimated annual assessment for the Year 2016 under the proposed BID is \$10,139.76. The funding to participate in this BID was not included in the FY16 budget in Cost Center 0651, Account No. 50799 (Taxes) as the establishment of the BID was not known at the time the budget was developed. The properties that are included in the BID are leased to adjacent property owner who are also included in the BID area. The MTA leases require the lessee pay the assessments stating that "Tenant shall be liable for all taxes levied or assessed against real property, personal property, furniture, fixtures, and equipment located or placed on the Premises, whether owned by the Tenant, or otherwise. The possessory interest created by the Lease may be subject to property taxation so that Tenant may be subject to the payment of property taxes levied on the interest and Tenant also agrees to pay before delinquency any and all possessory interest taxes due and arising from the Lease". Funds will be included in the FY17 Budget in Cost Center 0651, Account No. 50799 (Taxes), Project 610061 budget if the BID is approved and any of the leases are terminated. This activity will increase ongoing operating costs.

ALTERNATIVES CONSIDERED

The formation of the BID requires favorable petitions from property owners representing more than 50% of total assessments to be paid and the return of mail ballots evidencing a majority of ballots cast in favor of the assessment. Ballots are weighted by each property owner's assessment as proportionate to the total proposed District assessment amount. The Property owned by LACMTA represents 2.34% of the total Bid. If MTA does not support the BID by signing the petition and casting a ballot, it possible that the BID will not be established. It will take more individual private property owners to support the BID, if public agencies do not vote to participate in the BID.

NEXT STEPS

If the recommendation is approved, staff will sign the petition and subsequently cast a ballot for the establishment of the BID.

ATTACHMENTS

Attachment A - Map of BID's Boundary

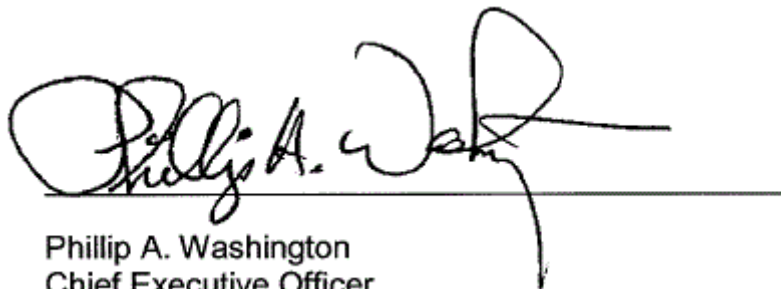
Attachment B - Evaluation of Fashion District Benefit of LACMTA

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Reviewed By: Martha Welborne, FAIA, Chief Planning Officer, (213) 922-7267



Phillip A. Washington
Chief Executive Officer

**EVALUATION OF CENTRAL AVENUE HISTORIC DISTRICT BUSINESS
IMPROVEMENT DISTRICT
BENEFITS TO MTA**

Evaluation of Benefits to MTA

The proposed BID includes two (2) parcels owned by MTA. Both parcels are former railroad right of way and have been leased to adjacent property owners. The combined total area of the two parcels is 101,679 square feet.

The total proposed District budget for the 2016 year of operation is approximately \$438,475. Assessments will be subject to annual increases not to exceed 4% each year if implemented. The budget will cover improvements, activities and services which include (1) streetscape services which include sidewalk and gutter cleaning, graffiti removal, trash collection and removal and other cleaning as necessary; (2) enhanced safety including Community Safety Ambassadors to assist visitors and employees, pass out information about local businesses and programs, and report concerns to the local police and other security services. Enhanced safety also includes security monitoring involving a security camera system with an online monitoring program which the Safety Ambassador can access through cell phones; (3) parking demand management which will consist of a parking demand analysis report in the first year only; (4) branding which will tell the story of the District, its history, its cultural attractions, and its ongoing improvement through a website, social media sites, video promoting the district, a newsletter, flyers and brochures promoting the district and (5) district management which oversees the BID contracts, facilitate community development and public p[olicy] efforts and promote the District. The proposed Central Avenue Historic District BID assessment to MTA over the five year period is estimated to be \$44,780.44.

Analysis of Benefit to MTA

The Guidelines on MTA Participation in Proposed Assessment Districts (“Guidelines”) established general guidelines for determining benefits to MTA properties as outlined below. A list of MTA properties included in the proposed BID is attached, with an indication of the assessment to each parcel. The guidelines requires an analysis of each new assessment district service and/or improvement based on whether it improves MTA property or facility, benefit MTA employees, benefit the MTA riding public or reduce costs for the MTA.

Following is the analysis of benefits to MTA from the Central Avenue Historical District Business Improvement District based on the Guidelines.

TIER 1 – NO BENEFIT

- Subsurface easement – Not Applicable

- Aerial easements – Not Applicable
- Right of Way
 - The right of way located in the BID area is currently leased to adjacent property owners who have the responsibility for maintaining the leased right of way.

TIER 2 – MINOR OR NO POTENTIAL BENEFIT

- Vacant Land
- Parking Lots
 - The right of way is basically vacant and is leased to adjacent property owners for use as storage and parking

TIER 3 – MINOR OR SOME POTENTIAL BENEFIT

- Bus Operating and Maintenance Facility – Not Applicable
- Bus Terminals – Not Applicable
- Customer Service Centers – Not Applicable
- USG Headquarters Building – Not Applicable
- Maintenance Facilities – Not Applicable
- Rail Division – Not Applicable
- Rail Terminus – Not Applicable
- Stations – Not Applicable

TIER 4 – ACTUAL BENEFITS

The properties within the boundaries of the District will receive special benefits from the establishment and services provided by the District. Since MTA's properties are leased to adjacent property owners, the services will benefit from the District's streetscape services program which will create a cleaner and more welcoming environment for their customers, patrons, tenants, visitors and employees. The program will improve aesthetic appeal for patrons, visitors and employees of the area by reducing litter and debris which are detractors to commerce and commercial occupancy rates if not contained and properly managed. The MTA tenants are more likely to remain in the area and continue to occupy the MTA owned parcels if the area is improved. The safety program is designed to improve security for patrons, visitors and employees of the assessed parcels by reducing crime in the area. All of the programs that will be funded through the BID are designed to improve the conditions of the area and to provide supplemental programs, services and improvements that are not currently provided by the City of Los Angeles.

The MTA tenants will benefit from these programs. The lease between MTA and the tenants require the tenants to be liable for all taxes levied or assessed against the property.

**Board Report**

File #: 2015-0310, **File Type:** Contract

Agenda Number: 13.

**REVISED
FINANCE, BUDGET AND AUDIT COMMITTEE
JULY 15, 2015**

SUBJECT: INFORMATION TECHNOLOGY (IT) SERVICES BENCH

ACTION: ESTABLISH AN IT SERVICES BENCH

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. **establish an IT Services Bench**, through (RFIQ) No. PS92403383, consisting solely of vendors who have been deemed qualified to participate in future IT task order work for technical disciplines 1 through 16 below. The qualified vendors recommended in Attachment B for a five-year period will openly compete to perform individual professional service task orders for a cumulative total value of \$17 million. Individual task orders will be awarded based on a competition via the Request for Proposal (RFP) process.

1. Platform / End User Computing Systems

ISSUE

The Information and Technology Services Department (ITS) manages multiple programs to support the Agency's technology goals and objectives. Each program utilizes specialized technical services to maintain, plan, and enhance Metro's vast array of technology services.

Many of the Agency's technology projects require substantial support from various technical disciplines through all phases of the project lifecycle and, based on project schedule needs, the number of concurrent resources required for limited durations may exceed the number of available budgeted full time equivalents in the Information and Technology Services (ITS) department. Use of contracted resources on an as-needed basis is the most cost-effective method to address the varied project support requirements in a timely manner.

The IT Services Bench will enable many small/mid-scale task orders to be awarded more efficiently since the initial qualification reviews have been completed. All the recommended firms for the proposed IT Services Bench have been determined to have the skills and experience needed to provide the required services identified for their respective technical disciplines.

DISCUSSION

The IT Services Bench model has proven to be a very successful method for the procurement of these services and has allowed for projects to be completed in a more efficient manner.

Thirty-four (34) firms are recommended, of which 13 are SBEs and/or DBEs. The scope for the bench consists of 16 technical disciplines. The Diversity and Economic Opportunity Department (DEOD) has recommended a 12% overall SBE/DBE goal and requirements will be established in the competition for the task orders. Source Selection Committees (SSCs) were established for each discipline and were comprised of technically qualified staff. All SSC members have experience in their respective disciplines and were qualified to perform the evaluations. In addition, the stated evaluation criteria were included in the solicitation package to afford interested proposers the opportunity to review them prior to submitting proposal. The submitted Qualification Statements were rated strictly on the basis of the evaluation criteria and scored accordingly.

THE BENCH EXPANSION IS DIRECTLY RELATED TO THE EXPANDING ROLE OF ITS

ITS has been utilizing Technology Services benches since 2003. The first bench was established in 2003 and expired in 2008. It consisted of 3 vendors with one discipline.

The past IT Service Bench was established in 2008. It expired in 2014 and consisted of 10 vendors with 6 disciplines. The current bench will have 34 vendors with 16 disciplines. The increased number of disciplines is a direct relationship to both the expanding role of ITS and the increasing technology needs of the Agency.

ITS consists of seven major program areas: Business Application Services, IT Operations and Service Delivery, Information Security Services, Systems Architecture and Technology Integration, IT Project Management Office, Research and Records Information Management, and Digital Strategy and Innovation Services. As the agency expands its initiatives and projects, the roles and functions of the ITS department have also increased. ITS' expanded responsibilities since the previous 2008 bench are detailed below:

- **Digital Strategy and Innovative Services** - The goal of this new program is to coordinate and contribute efforts to transform the Metro customer experience through the use of technology and innovation. Among other objectives, the program keeps a pulse on emerging trends, developing and implementing a roadmap for investments in technology to enhance mobility in the region.
- **Business Application Services (BAS)** program provides functional, business and technical programming services to support approximately 125 business applications used daily for Transit Operations, Finance, Vendor and Contract Management and other business units in Metro. ITS now provides system support services for the Advanced Transportation Management Systems (ATMS) and HASTUS systems that were previously managed outside the ITS department.

- **Operations and Service Delivery (OSD)** program provides 24x7 installation and maintenance services for Metro's enterprise technology infrastructure including over 4,000 desktop/laptop/kiosk computers, 45 telephone PBX systems, 8,000 phone devices, 2,100 telecommunications data lines and audio-visual services covering the USG facility and over 35 divisions and other Metro locations. With the increase in Measure R construction projects, ITS is responsible for supporting all the technology growth to support this program.
- **Information Security Services** program provides the Agency's cyber security activities protection and ensures the confidentiality, integrity and availability of the agency's critical information assets while ensuring its goals and objectives are being met. ITS now provides cyber security oversight services to Metro's operational and business systems (SCADA, TAP, Express Lanes, and the Project Management Information System) that are managed outside of the ITS department.
- **Systems Architecture and Technology Integration** program provides system administration, 24/7 data center operations, and disaster recovery services for Metro's enterprise technology network communications and database infrastructure. This includes over 350 physical and virtual servers, more than a petabyte of data, 4,500 network accounts and over 500 leased line circuits. ITS now provides data center and infrastructure support services to TAP operations that were traditionally outsourced.
- **IT Project Management Office** provides ITS strategic program/project planning, IT support for construction projects, financial administration, and policy & audit administration services. ITS has developed this departmental PMO to better support the technology expansion requirements for the new Measure R projects as well as for strategic planning.
- **Research and Records Information Management** program administers the well-regarded transportation research library, as well as creates and governs policy on storage of Metro records. ITS now provides management support for this program that was previously managed outside the ITS department.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funding for FY16 is included in the department, cost center budgets. Each task order awarded to a Contractor will be funded with the source of funds identified for that project. Since this is a multi-year contract, the departmental cost center managers will be responsible for budgeting costs in future years.

Impact to Budget

The funding for these task orders is dependent upon the specific projects.

ALTERNATIVES CONSIDERED

1. Solicit competitive proposals to contract for each individual task as it becomes due. This is not recommended as it would require extensive additional staff time to process each request and result in project delays due to the lead time required to complete each procurement cycle. Additionally, contracting for these services on a per assignment basis does not provide opportunities for economies of scale. Additionally, the Board could elect not to increase the CEO's administrative authority to award individual task orders up to \$1 million. This is not recommended as our experience has shown that the requested task order threshold is needed as it will allow for many mid-scale project procurements to be expedited.
2. Utilize existing Information & Technology Services staff to provide the required technical support. This is not feasible as the current budgeted ITS capacity is fully utilized to maintain Metro's existing computer and network systems. There would not be sufficient existing staff to re-assign to provide technical support to the various ITS capital projects.

NEXT STEPS

Upon Board approval, we will notify successful proposers and establish the IT Services Bench. As needed, we will solicit responses to individual task orders from specific disciplines.

ATTACHMENTS

Attachment A -Procurement Summary

Attachment B -Recommended Firms by Disciplines

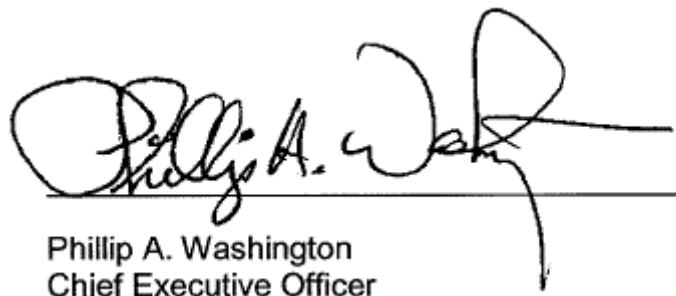
Prepared by: William Balter, Director, ITS Administration/PMO (213) 922-4511

Reviewed by:

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Ivan Page, Interim-Executive Director, Vendor/Contract Management - (213) 922-6383

Nalini Ahuja, Executive Director/Chief Financial Officer - (213) 922-3088



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

IT SERVICES BENCH

| | | |
|-----------|---|--|
| 1. | Contract Number: PS92403883 (Task orders will be identified by sequential numbers) | |
| 2. | Recommended Vendor: 34 Contractors (see Attachment B). | |
| 3. | Type of Procurement (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input checked="" type="checkbox"/> RFIQ <input type="checkbox"/> Non-Competitive <input checked="" type="checkbox"/> Modification | |
| 4. | Procurement Dates: | |
| | A. Issued: August 28, 2014 | |
| | B. Advertised/Publicized: in the following eight (8) publications: LA Opinion (8/30/2014), Rafu Shimpo (9/3/2014), LA Watts Times (9/4/2014), Daily News Los Angeles (8/30/2014), Los Angeles Times (8/29/2014), Govtech website (8/28/2014), Silicon Beach Tech website (8/28/2014), Passenger Transport C/O America (9/8/2014) | |
| | C. Pre-proposal/Pre-Bid Conference: September 8, 2014 | |
| | D. Proposals/Bids Due: October 2, 2014 | |
| | E. Pre-Qualification Completed: In process | |
| | F. Conflict of Interest Form Submitted to Ethics: Yes | |
| | G. Protest Period End Date: July 22, 2015 | |
| 5. | Solicitations Picked up/Downloaded: 143 | Bids/Proposals Received: 41 |
| 6. | Contract Administrator: Terry Schaefer | Telephone Number: 213-922-2613 |
| 7. | Project Manager: Bill Balter | Telephone Number: 213-922-4511 |

A. Procurement Background

This Board Action is to establish a pool of qualified vendors to be on a Task Order Bench (Bench) to support the Information Technology Services (ITS) Department in 16 ITS disciplines.

A Request for Information and Qualifications (RFIQ) was issued in accordance with Metro's Acquisition Policy and Procedures.

Four amendments were issued during the solicitation phase as follows:

- Amendment No. 1, issued August 29, 2014, provided clarification on the Pre-Proposal Conference date;
- Amendment No. 2 issued September 18, 2014, provided due date for questions pertaining to the RFIQ;
- Amendment No. 3 issued September 24, 2014, changed the proposal due date; provided documentation related to the Pre-Proposal conference; and responses to questions received; and
- Amendment No. 4 issued October 6, 2014, provided responses to questions received.

All firms listed have previously conducted work for Metro and have performed satisfactorily.

This professional services Bench is anticipated to have a cumulative total of \$17,000,000 in task orders over the five year life of the Bench. Individual task orders will be issued for each IT Statement of Work requirement and will be competed via a Request for Proposal (RFP). The RFP will only be released to those qualified vendors under the Bench within the designated IT discipline area.

The Task Order performance period may exceed the five year Bench period of performance provided that the Task Order is fully executed and performance started prior to expiration of the Bench.

Task Order requirements will be competed among Bench firms qualified for that skill set and each of the qualified firms will be sent an RFP for that specific Task Order requirement. The proposal must be compliant with any small business requirements set forth in the RFP. Additionally, price fair and reasonableness determination will be made for each Task Order at the time of Task Order award.

Due to unforeseeable circumstances, such as loss of contracted for technical skills, change of ownership, bankruptcy, cessation of business, or similar kind of change of business circumstance, of any of the selected Bench Contractors during the active period of performance of the Bench, Metro reserves the right to replace such Contractor (s) through a competitive procurement process. Any Contractor replaced as a result of this process shall not be permitted to participate in the replacement solicitation process.

B. Evaluations of Proposals

Qualification Statements were sought and reviewed by the Source Selection Committee (SSC). They were evaluated for qualification content and technical competency to perform the required work in the specific disciplines proposed.

The RFIQ contained neither price nor a specific Statement of Work. Each future contract/Task Order will contain a specific Statement of Work which will be sent to all qualified vendors under the Bench in the specific discipline area. The qualified vendors will propose according to the requirements of the RFP.

Placement on the Bench will not guarantee an award of any contract/Task Order.

- A total of 41 proposals were received on October 15, 2014, covering sixteen (16) disciplines. Source Selection Committees (SSC) were established for each discipline consisting of staff from the following departments: Information and Technology Services and the TAP Departments. Each SSC conducted an independent, comprehensive technical evaluation on the qualification statements received for each designated disciplines.

The proposals were evaluated based on the following evaluation criteria:

- o Contractor’s Business Profile 10%
- o Technical Discipline Qualifications 30%
- o Technical Discipline Experience 60%

The evaluation criteria are appropriate and consistent with criteria developed for other, similar professional services Bench procurements. The intent of the Bench is to have a pool of qualified contractors’ pre-qualified/pre-screened in one or more disciplines that will compete for task orders. Placement on the Bench will not guarantee an award of any task order.

Of the 41 proposals received, 34 proposals were determined to be qualified and are listed in Attachment B. Of the 34 proposals 13 proposals came from certified Metro Small Business Enterprises (SBE) and/or Disadvantaged Business Enterprises (DBE). Several of the SBE/DBE firms have been qualified for one or more disciplines.

C. Cost/Price Analysis Explanation of Variances

This Section is not applicable to the Bench. Cost/Price analysis will be performed, as appropriate, on resultant Task Order.

D. Qualifications Summary of Firms Within the Competitive Range:

22nd Century Technologies, Inc.

22nd Century Technologies, Inc. (TSCTI) is a large, well-developed and matured IT consulting and staffing company incorporated in 1997 and headquartered in Somerset, New Jersey. TSCTI is government focused and has a strong presence in 37 states. They are CMMI Level 3, ISO 9001, and have established many state and federal contracts, multiple CA awards, with 263 employees, and \$25M in revenues.

Accenture LLP

Accenture LLP (Accenture) is a multinational management consulting, technology services and outsourcing company established in 1989 and is headquartered in Dublin, Ireland. Accenture operates in a matrix structure and has five Operating Groups (Communications, Media & Technology, Financial Services, Products, Resources, and Health & Public Service). Accenture has experience working with similar projects to those identified under the discipline for which they have qualified. Accenture has previously worked with Metro and has performed satisfactorily.

Accuvant

Accuvant delivers comprehensive suite of solutions and services for enterprise–class businesses, government agencies and educational institutions to successfully plan, build and operate their security systems and programs. Accuvant is headquartered in Denver, CO, incorporated in 2002 and has 652 employees.

Accuvant has previously worked with Metro and is currently performing circuit board engineering work.

Aeon Group, LLC

The AEON Group, LLC (AEON) is a women-owned, small business and disadvantaged enterprise established in 2001 and based in Los Angeles, CA. They have two (2) employees and earned \$1.5M in revenue over 5 years. AEON is a management and technology consulting company that specializes in staffing. AEON's team has a history in providing consulting services covering the technical disciplines applied for in both government and commercial sectors including transit providers, regional planning organizations, cities, and other like organizations. AEON is very familiar with Metro's culture and requirements and is currently engaged on multiple projects with Metro.

ALINC Consulting, Inc.

ALINC Consulting, Inc. (ALINC) founded in 2003 is based in California (Daly City and Del Mar). ALINC provides technical, payment systems consulting, bank card industry expertise, "installation-to-operations" solutions, and program management assistance to transit agencies, in the areas related to fare collection, fare technology, fare policy, revenue tracking, credit/debit card payment processing, financial clearing, settlement and reconciliation, inter-agency revenue agreements, complete card procurement and card services management, sales device (point of sales) installation oversight and operations management, bank-card technology, and program integration. The principals and staff at ALINC have collectively over 30+ years of experience in Electronic Fare Collection Systems, Program Management, Planning, Technology Evaluation, and Operational Support and are currently engaged with Metro.

AST Corporation

Application Software Technology Corporation (AST) founded in July, 1995 specializes in Oracle systems integration. AST's headquarters are located in Naperville, IL. They are a well-developed and mature business with \$50M in annual revenues in 2013. AST works exclusively with Oracle software and is one of the largest providers of ERP software in the industry and have a working track record with Metro ITS on large scale Oracle upgrade projects.

AT&T

AT&T Consulting, a wholly owned subsidiary of AT&T, is a strategic IT consulting firm that focuses on assisting business and government customers with some of their most complex IT challenges. AT&T has been in business for more than 138 years and continues to show positive growth in total operating revenues. AT&T serves 110 million wireless subscribers and is a premier provider of broadband, long distance and local voice services.

Auriga Corporation

The Auriga Corporation, a certified "Small Business" was established in 1990 and is located in Milpitas, California. Auriga provides management and technical consulting services to federal, state and local agencies. Auriga has a proven track

record of providing services to rail and transit agencies in the Bay Area and other parts of the US for the past 24 years. They have offices in LA, have worked with LACMTA on projects, and are on the current IT Services Bench working with another firm, Capgemini, to support them with IT consulting services. Auriga has experience with Transit agencies and their core service is in infrastructure and construction startup.

Birdi & Associates, Inc.

Birdi & Associates, Inc. (B&A) was established in 2006, are headquartered in Los Angeles, CA and is a certified Small Business and Disadvantaged Business. B&A has a staff of 45 members and has provided services to government agencies throughout Los Angeles. B&A has successfully provided On-Call and task-based Information Technology Services to several agencies including the Port of LA, LA World Airports, LA Department of Transportation and LA Department of Building and Safety. B&A's core services are aligned with the disciplines they subscribed to.

Black Box Network Services

Black Box was founded in 1976 and is a publicly traded organization with a large client base and 4,000 Team Members worldwide. Black Box claims that it's the world's largest technical services company that is dedicated to designing, building and maintaining data and voice infrastructure systems. Black Box is a well-developed and mature company that has previously provided work for LA Metro. Black Box's core services are aligned with the disciplines they subscribe to.

CH2M HILL

CH2M HILL, founded in 1946, provides consulting, design, design-build, operations and program management services. They are headquartered in Englewood, Colorado with offices and staff worldwide including Los Angeles. CH2M HILL offers a wide spectrum of expertise, knowledge, and services across various industries and government agencies. CH2M HILL has provided Metro with many of the technical services including Fare Collection, Geology, Communications, Train Control Engineer, Civil Engineering, Testing/Commissioning, Electrical Engineering, Structural Engineering, Vehicle Integration, Traffic Engineering, CADD, ITS System, and other engineering disciplines. CH2M HILL has worked on several Metro projects and has performed satisfactorily.

CIVIC RESOURCE GROUP

Located in Los Angeles, California, Civic Resource Group (CRG) was founded in 2002 and provides services in technology and programming. They specialize in software and Web development coupled with analytics, research and optimization solutions. CRG has worked on several Metro projects and has performed satisfactorily.

DIGITAL SCEPTER

Digital Scepter was established in 2007 and is a leading provider of robust and reliable information security systems. Digital Scepter has seven (7) years of experience implementing and integrating a variety of technologies to enable

security programs. Digital Scepter has experience working with LA Metro on the ASA/PIX firewall conversion project and has performed satisfactorily.

E DEMAND INC

E Demand established in 2004 is a small boutique transit technology consulting practice that is a Small Business Entity. E Demand is incorporated and is headquartered in Georgia. The company's core competencies are aligned with the disciplines they subscribed to and they have ample resources for the specialized services they provide, UFS/TAP and PCI compliance, and security.

ECO & ASSOCIATES

Eco & Associates (Eco) was founded in June, 2001 and is a Women-owned Business Enterprise (WBE) and Disadvantaged Business Enterprise (DBE) business. Eco's core service competencies include environmental services as well as IT services that are focused on application development, GIS, trip Master, and large scale hosting support expertise. Eco is headquartered in Orange, California and the company's core services are aligned to the IT disciplines.

EPLUS TECHNOLOGY INC

ePlus Technology, Inc. was founded in 1990 and is a publically reporting entity with annual revenues totaling \$1.057 Billion fiscal ending March 31, 2014. ePlus is headquartered in Herndon, VA and has a local office in Irvine, CA. The company is an enterprise solutions integrator that can design, implement, and manage an IT infrastructure throughout its complete lifecycle. ePlus has more than 900 associates serving federal, state, municipal and commercial customers nationally. The company's core services are aligned to the IT disciplines.

HERSHEY TECHNOLOGIES

Hershey Technologies was founded in 1991 is based in San Diego, CA with consultants located in Los Angeles, Orange and Riverside Counties. Hershey has 20 full-time employees and is a certified Small Business and a Disadvantaged Business Enterprise. Hershey specializes in document management and its core service is aligned to the IT discipline.

HUB COMPANIES LLC

Hub Companies, LLC founded in 2011 is a mobile development organization and marketing company. Hub Company develops mobile applications for governments and municipalities with a focus on Transportation Agencies and Organizations. Hub Companies' core services are aligned to the IT discipline.

INFORMATION MANAGEMENT RESOURCES INC

Information Management Resources, Inc. (IMRI) was established in California in 1986. On April 1, 1992, the company was acquired by the present owner, and sole shareholder. IMRI provides business and technology consulting services to public and private sector clients, state and local and federal agencies. IMRI core competencies include; computer operation support, data center/cloud computing, cyber security, software development and they are ISO certified. The company's core services are aligned to the IT disciplines.

INTRATEK COMPUTER INC

Intratek Computer, Inc. (Intratek) was founded in 1989 and initially focused on hardware maintenance and support. In 1991, Intratek began providing outsourced IT professionals to government entities. Intratek's annual service revenue in 2013 was \$17 Million. They have 333 employees with 103 in California. Intratek is headquartered in Irvine, CA.

INTUEOR CONSULTING INC

Intueor Consulting, Inc. (Intueor) was incorporated in June, 2005 and is headquartered in Irvine, CA. Intueor is a strategy, operations and business technology consulting firm that specialized in the Public Sector Transit and Transportation agencies. The company has a well-developed subcontractor relationship. The company showed positive financial growth to \$8M in FY13 and its core services are aligned to the IT disciplines.

MYTHICS

Mythics, Inc. was founded and incorporated in 2000 and is based in Virginia with a focus of helping Oracle government and commercial customers. Mythics will provide their Oracle expertise across the full range of Oracle cloud, software, hardware, storage and engineered systems. Mythics is a medium size company with staff of 178 and revenues of \$187M in the past five years and growing. Its core services are aligned to the IT disciplines.

PI TECHNOLOGY INC

PI Technology (PI) was founded in February, 1986 and has been providing Information Technology consulting, integration, and project management services since its inception. PI's staff is well seasoned in the implementation of large systems and has experience with most development environments. PI is currently working with METRO ITS with several projects and is also participating in the METRO's 2002 IT Master Agreement. PI's core services are aligned to the IT disciplines.

PLANTE MORAN PLLC

Plante & Moran, PLLC (Plante Moran) was founded in 1924 and is the thirteenth largest management consulting and public accounting firm in the US. Over the past several years, Plante Moran has expanded their scope and experiences of its Management Consulting Services into all major aspects of government addressing their client's unique needs related to information technology, security, compliance and policy. Plante Moran is large and well established with net revenues of \$412M fiscal year ending June 30, 2014. The company's core services are aligned to the IT disciplines.

SIDEPATH INC

Sidepath, Inc. (Sidepath) was founded in 2002 and is headquartered in Irvine, CA. Sidepath's Core Competency is based around Dell's Data Center Enterprise Stack. This includes Dell Storage, Dell Servers and Dell Networking Devices. One of the focus areas for Sidepath is on the Dell Compellent platform. Sidepath has been providing professional services for the Compellent (SAN) data storage solution

since 2007 and Compellent is one of our lead practice areas. The company's average annual service revenue is \$0.5M/annually and a staff of about 24.

SIERRA CEDAR INC

Sierra-Cedar, Inc. (Sierra-Cedar) was formed as a result of a July, 2014 merger combining the operations of Sierra Systems US, Inc., CedarCrestone, Inc., and Analytic Vision, Inc. Sierra-Cedar is a Delaware corporation registered to do business in all US States. Sierra-Cedar has been in the consulting market dating back to 1981. The company's core services are aligned to the IT disciplines.

SIERRA CYBERNETICS INC

Sierra Cybernetics, Inc. (Sierra) was incorporated in 1981 and is based and operated from Orange County, CA. Sierra's primary services include IT services, software, and engineering-oriented personnel and solutions. Sierra has successfully demonstrated relationship and experience with government companies with 30 staff and revenues between \$1.7M to \$2.7M in the last five (5) years. The company's core services are aligned to the IT disciplines.

T-KARTOR

T-Kartor has been in business for nearly 30 years and primarily focuses on developing geospatial IT solutions for the transit industry such as large transportation city signage maps and geography. T-Kartor is an international group of companies and is represented in six countries with it's headquarters in Sweden. The company's core services are aligned to the IT disciplines.

TSTREET SOLUTIONS LLC

tStreet Solutions, LLC was organized and formed in May, 2014. The Georgia based company was a result of a merger of five separate companies with some of the original employees that existed since 2010. tStreet specializes in transit market and asset management. They currently have six (6) employees and estimate \$1.5M in revenues. The company's core services are aligned to the IT disciplines.

VAN & ASSOCIATES INC

Van & Associates has been providing IT consulting services to clients in the Los Angeles County over the past 10 years. Van & Associates has a working relationship with MTA, has completed four major projects and is currently working on the fifth project. The company's core services are aligned to the IT disciplines.

VISION TECHNOLOGIES INC

Vision Technologies, Inc. dba in CA as Vision Interconnect, Inc. (Vision) organized in the state of Maryland on May 5, 2000 is a Service-Disabled Veteran-Owned professional IT services company that provides a suite of solutions for both government and commercial customers. Vision's core competencies include network, telecom, security, and staff augmentation. The company's revenues average over \$75M annually. The company's core services are aligned to the IT disciplines.

VIVA USA INC

VIVA USA Inc. (VIVA) started in 1996 and is a full IT consulting company based in Illinois. VIVA has over 18 years of experience in providing IT and related services including Systems Integration and IT staffing and software consulting to large clients and government agencies. VIVA specializes in providing IT professionals in areas of software developers, testers, business analysts, architects, project managers and database/system administrators. The company’s core services are aligned to the IT disciplines.

WEST COAST CABLE INC

West Coast Cable, Inc. (West Coast Cable) established in 2003 specializes in the design, installation and maintenance of cost effective network cabling. West Coast Cable has over 40 years of combined leadership experience and 35 employees. West Coast Cable has performed multiple projects for METRO and has provided excellent services. The company’s core services are aligned to the IT disciplines.

ZENSAR TECHNOLOGIES INC

Zensar Technologies, Inc. has been in business for 13 years and is based in San Jose, CA. Zensar provides software and infrastructure services and solutions for manufacturing, retail, insurance, utilities, banking, financial services and government agencies. Zensar is a \$390 Million organization and is a part of the \$3 billion company RPG Group. The company’s core services are aligned to the IT disciplines.

E. Small Business Participation

IT Services Bench Proposers were encouraged to form teams that included DBE and SBE firms without schedules or specific dollar commitments prior to the establishment of the Bench. The IT Services Bench is subject to the Small Business Prime Program. If there are at least three certified small businesses within a bench discipline, the task order solicitation shall be set aside for small businesses only. ~~Eight Six~~ Disciplines currently have at least 3 SBE firms: B – Database, E - Applications, H - Mobile Solutions, J – Transit Operations, L – Intelligent Transit, M – Program Management, N – IT Strategy, and P. SCADA.

If a task order solicitation is not issued through the Small Business Prime Program, participants on the Bench will be required to meet the 12% DBE or SBE contract-specific goal by obtaining enough DBE or SBE participation to meet the goal or by successfully demonstrating Good Faith Efforts. DBE and SBE commitments will be determined based on the aggregate of all Task Orders issued.

| | | | |
|------------------------------------|------------------------------------|--|------------------------------------|
| SMALL BUSINESS GOAL | 12% SBE and 12% DBE | SMALL BUSINESS COMMITMENT | 12% SBE and 12% DBE |
|------------------------------------|------------------------------------|--|------------------------------------|

F. Living Wage Service Contract Worker Policy

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

ATTACHMENT B

**RECOMMENDED FIRMS BY DISCIPLINE
IT SERVICES BENCH**

| A. Platform |
|-------------------------------------|
| EPLUS TECHNOLOY INC |
| ACCENTURE |
| INTRATEK COMPUTER INC |
| SIERRA CYBERNETICS INC |
| 22nd CENTURY TECHNOLOGIES INC (DBE) |
| INTUEOR CONSULTING INC (DBE/SBE) |
| ZENSAR TECHNOLOGIES INC |
| |
| VISION TECHNOLOGIES INC |

| B. Database |
|---|
| AST CORPORATION |
| ACCENTURE |
| ZENSAR TECHNOLOGIES INC |
| AURIGA CORPORATION (DBE/SBE) |
| MYTHICS |
| PI TECHNOLOGY INC (SBE) |
| INTRATEK COMPUTER INC |
| INFORMATION MANAGEMENT RESOURCES (DBE/SBE) |

| C. Storage |
|-------------------------------------|
| SIDEPATH INC |
| AT&T |
| EPLUS TECHNOLOY INC |
| 22nd CENTURY TECHNOLOGIES INC (DBE) |
| ZENSAR TECHNOLOGIES INC |
| INTUEOR CONSULTING INC (DBE/SBE) |
| BIRDI & ASSOCIATES INC (DBE/SBE) |
| |

| D. Telecom |
|------------------------------|
| EPLUS TECHNOLOY INC |
| AT&T |
| BLACK BOX NETWORK SERVICES |
| ACCUVANT |
| ACCENTURE |
| CH2M HILL INC |
| WEST COAST CABLE INC (SBE) |
| AURIGA CORPORATION (DBE/SBE) |

| E. Applications |
|-------------------------------------|
| ACCENTURE |
| INTRATEK COMPUTER INC |
| INTUEOR CONSULTING INC (DBE/SBE) |
| ECO & ASSOCIATES (DBE/SBE) |
| ZENSAR TECHNOLOGIES INC |
| PI TECHNOLOGY INC (SBE) |
| T-KARTOR |
| 22nd CENTURY TECHNOLOGIES INC (DBE) |

| F. Business Intel |
|-------------------------------------|
| ZENSAR TECHNOLOGIES INC |
| AST CORPORATION |
| ACCENTURE |
| SIERRA CEDAR INC |
| AURIGA CORPORATION (DBE/SBE) |
| 22nd CENTURY TECHNOLOGIES INC (DBE) |
| INTRATEK COMPUTER INC |
| VIVA USA INC (DBE) |

| G. Content Mgmt |
|---|
| ZENSAR TECHNOLOGIES INC |
| ACCENTURE |
| HERSHEY TECHNOLOGIES |
| AST CORPORATION |
| MYTHICS |
| PI TECHNOLOGY INC (SBE) |
| INTRATEK COMPUTER INC |
| INFORMATION MANAGEMENT RESOURCES (DBE/SBE) |

| H. Mobile Solutions |
|----------------------------------|
| ACCENTURE |
| CIVIC RESOURCE GROUP (CRG) |
| HUB COMPANIES LLC |
| ZENSAR TECHNOLOGIES INC |
| ALINC CONSULTING INC (DBE/SBE) |
| PI TECHNOLOGY INC (SBE) |
| AEON GROUP LLC (DBE/SBE) |
| |
| BIRDI & ASSOCIATES INC (DBE/SBE) |

| I. Oracle |
|------------------|
| ACCENTURE |

| J. Transit Ops & AFC |
|---------------------------------|
| E DEMAND INC (SBE) |

| |
|------------------------------|
| ZENSAR TECHNOLOGIES INC |
| AST CORPORATION |
| SIERRA CEDAR INC |
| PI TECHNOLOGY INC (SBE) |
| MYTHICS |
| INTRATEK COMPUTER INC |
| AURIGA CORPORATION (DBE/SBE) |

| |
|---|
| CH2M HILL INC |
| ALINC CONSULTING INC (DBE/SBE) |
| ACCENTURE |
| AST CORPORATION |
| AURIGA CORPORATION (DBE/SBE) |
| INFORMATION MANAGEMENT RESOURCES (DBE/SBE) |
| |

| |
|-------------------------------------|
| K. Asset Material |
| ACCENTURE |
| CH2M HILL INC |
| TSTREET SOLUTIONS LLC |
| INTUEOR CONSULTING INC (DBE/SBE) |
| PI TECHNOLOGY INC (SBE) |
| 22nd CENTURY TECHNOLOGIES INC (DBE) |
| |
| |

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|---|
| L. Intelligent Transit |
| CH2M HILL INC |
| INTUEOR CONSULTING INC (DBE/SBE) |
| INFORMATION MANAGEMENT RESOURCES (DBE/SBE) |
| AURIGA CORPORATION (DBE/SBE) |
| AEON GROUP LLC (DBE/SBE) |
| |
| |
| |

| |
|----------------------------------|
| M. Program /Prj Mgmt |
| ACCENTURE |
| ZENSAR TECHNOLOGIES INC |
| PLANTE MORAN PLLC |
| E DEMAND INC (SBE) |
| INTUEOR CONSULTING INC (DBE/SBE) |
| PI TECHNOLOGY INC (SBE) |
| SIERRA CEDAR INC |
| AEON GROUP LLC (DBE/SBE) |

| |
|---|
| N. IT Strategy |
| PLANTE MORAN PLLC |
| ACCENTURE |
| INTUEOR CONSULTING INC (DBE/SBE) |
| AEON GROUP LLC (DBE/SBE) |
| INFORMATION MANAGEMENT RESOURCES (DBE/SBE) |
| CH2M HILL INC |
| AST CORPORATION |
| E DEMAND INC (SBE) |

| |
|-------------------------------------|
| O. Agency-Wide Info |
| ACCUVANT |
| DIGITAL SCEPTER (SBE) |
| ACCENTURE |
| PLANTE MORAN PLLC |
| EPLUS TECHNOLOY INC |
| PI TECHNOLOGY INC (SBE) |
| AT&T |
| 22nd CENTURY TECHNOLOGIES INC (DBE) |

| |
|---|
| P. SCADA |
| AURIGA CORPORATION (DBE/SBE) |
| INFORMATION MANAGEMENT RESOURCES (DBE/SBE) |
| EPLUS TECHNOLOY INC |
| DIGITAL SCEPTER (SBE) |
| VAN ASSOCIATES |
| AT&T |
| |
| |

**Board Report**

File #: 2015-0801, **File Type:** Program**Agenda Number:** 14.

**FINANCE, BUDGET AND AUDIT COMMITTEE
JULY 15, 2015****SUBJECT: EXCESS LIABILITY INSURANCE PROGRAM****ACTION: PURCHASE EXCESS LIABILITY INSURANCE****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to **negotiate and award excess liability insurance policies** with up to \$250 million in limits at a cost not to exceed \$3.65 million for the 12-month period effective August 1, 2015 to August 1, 2016.

ISSUE

The excess liability insurance policies expire August 1, 2015. Metro is required by some agreements (e.g., shared use agreements with the freight railroads) to carry excess liability insurance. Without this insurance, Metro would be subject to unlimited liability for bodily injury and property damage claims resulting from, primarily, bus and rail operations.

DISCUSSION

Our insurance broker, Wells Fargo Insurance Services ("Wells"), is responsible for marketing the excess liability insurance program to qualified insurance carriers. Quotes were received from carriers with A.M. Best ratings indicative of acceptable financial soundness and ability to pay claims.

High profile transportation related fatality accidents including the February 2015 Metrolink truck/train collision, January 2015 Washington Metropolitan Area Transit Authority subway fire, December 2013 Metro North high speed derailment in New York, April 2014 FedEx truck/bus collision in Northern California and, most recent, May 2015 Amtrak high speed derailment in Philadelphia, are proving problematic for the transportation sector. After years of positive acceptance, the casualty insurance market for the transportation sector is undergoing change with insurers revisiting their underwriting methods. Negative nationwide transportation risk perception is increasing the difficulty in placing primary insurance coverage with the domestic markets.

To complicate the marketing of Metro's excess liability program this year, our incumbent carrier on the lead \$10 million layer for the last seven years, Starr Indemnity, withdrew from Public Entity business in California and transit business nation-wide this year, necessitating replacing them on our lead insurance layer. Starr has been involved in high value claims in California. They participated in the excess liability program procured by the Los Angeles Unified School District and is currently a

party in a lawsuit regarding the \$30 million settlement to 58 plaintiffs in the Miramonte abuse case. Roughly 130 additional claims have yet to be resolved.

Staff and Wells developed a 2015/2016 excess liability insurance renewal strategy with the following objectives. First, our insurance underwriter marketing presentations emphasized the low risk of light rail and bus rapid transit services added over the past years in order to mitigate insurer's concerns with increased operating exposures. Second, we wanted to maintain a diversified mix of international and domestic insurers to maintain competition and reduce our dependence on any single insurance carrier. Third, we desired to maintain total limits of \$250 million and \$7.5 million retention but considering additional levels of self-insured retention to obtain competitive pricing at the primary layer and maintain flat premiums over the primary layer of coverage.

We conducted a global search to replace Starr Indemnity on the lead layer, meeting with all markets including personal meetings with the London markets in April. Insurance executives both nationally and internationally expressed that increased underwriting discipline was returning to the market in particular for transportation risks. In that context, more insurers asked for detailed loss information on Metro risks than last year. Insurers perform detailed actuarial valuations on our book of business to set their premiums. Because of the scope and size of Metro's operations, only four markets agreed to offer terms on the lead layer. The London markets required a self-insured retention of \$10 million at nearly double the current premium indicating a low tolerance for transportation risks. Only domestic carrier Alteris quoted a program comparable to our current program with a premium decrease. Should Alteris exit the transportation sector, we would be left with higher future pricing and retention options.

We have been a beneficiary of very soft pricing for several years. Last year, we obtained \$250 million in coverage with a \$7.5 million retention for \$3.8 million. This year's recommended program maintains the prior year coverage and retention for \$3.65 million. The premium decrease in the first layer of coverage results in a premium savings of over 4% from the prior year renewal. To put this renewal in perspective, \$100 million in limits with a \$4.5 million retention cost \$5.1 million in 2005-2006. The cost was \$1.45 million more than we propose with this renewal with much higher limits.

Attachment A provides an overview of the current program, renewal options and associated premiums, and the agency's loss history. The Recommended Program, Option A, maintains total limits of \$250 million and \$7.5 million retention with terrorism coverage at all levels.

Attachment B shows the final carriers selected and pricing.

DETERMINATION OF SAFETY IMPACT

Approval of this recommendation will not impact the safety of Metro's patrons or employees.

FINANCIAL IMPACT

The funding for eleven months of \$3.4 million for this action is included in the FY16 budget in cost center 0531, Risk Management - Non Departmental Costs, under projects 300022 - Rail Operations - Blue Line, 300033 - Rail Operations - Green Line, 300044 - Rail Operations - Red Line, 300055 -

Gold Line, 300066 - Rail Operations - Expo Line, 301012 - Metro Orange Line, 306001 - Operations Transportation, 320011 - Union Station, and 405533 - Commuter Rail in account 50602 (Ins Prem For Gen Liability). The remaining month of premiums will be included in the FY16 budget, cost center 0531, Risk Management - Non Departmental Costs, under projects under projects 300022 - Rail Operations - Blue Line, 300033 - Rail Operations - Green Line, 300044 - Rail Operations - Red Line, 300055 - Gold Line, 300066 - Rail Operations - Expo Line, 301012 - Metro Orange Line, 306001 - Operations Transportation, 320011 - Union Station, and 405533 - Commuter Rail in account 50602 (Ins Prem For Gen Liability). In FY15, an estimated \$3.8 million will be expensed for excess liability insurance.

Impact to Budget

Approval of this action has no impact on the FY16 budget. The sources of funds for this action are bus and rail operations eligible. No other sources of funds were considered because these are the activities that benefit from the insurance coverage.

ALTERNATIVES CONSIDERED

Various deductibles and limits of coverage options were considered as described in Attachment A. Our estimated penetration of the excess layer and premium history is also shown in this attachment. The recommended Option A maintains \$250 million limits with a SIR of \$7.5 million. Option B keeps \$250 million limits and increases the SIR to \$10 million. Option B is not recommended because the estimated cost of retaining a loss exceeds the cost benefit of decreasing the total premium.

NEXT STEPS

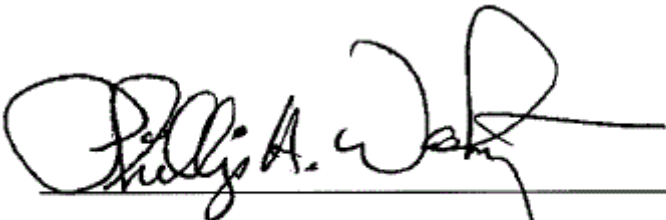
Upon Board approval of this action, we will advise Wells to proceed with placement of the excess liability insurance program outlined herein effective August 1, 2015.

ATTACHMENTS

Attachment A - Options, Premiums and Loss History
Attachment B - 2015/2016 Pricing and Carriers

Prepared by: Tim Rosevear, Risk Financing Manager, (213) 922-6354

Reviewed by: Greg Kildare, Executive Director, Enterprise Risk and Safety Management, (213) 922-4971
Nalini Ahuja, Executive Director, Finance and Budget, (213) 922-3088



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

Options, Premiums and Loss History

| | CURRENT PROGRAM | OPTIONS (Estimated) | |
|------------------------|------------------------|----------------------------|------------|
| | | A | B |
| Self-Insured Retention | \$7.5 mil | \$7.5 mil | \$10.0 mil |
| Limit of Coverage | \$250 mil | \$250 mil | \$250 mil |
| Terrorism Coverage | Yes | Yes | Yes |
| Not to Exceed Premium | \$3.8 mil | \$3.65 mil | \$3.4 mil |

**Premium History for Excess Liability Policies
Ending in the Following Policy Periods**

| | 2006/2007 | 2007/2008 | 2008/2009 | 2009/2010 | 2010/2011 | 2011/2012 | 2012/2013 | 2013/2014 | 2014/2015 |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Self-Insured Retention | \$4.5 mil | \$4.5 mil | \$4.5 mil | \$4.5 mil | \$4.5 mil | \$5.0 mil | \$5.0 mil | \$7.5 mil | \$7.5 mil |
| Insurance Premium | \$5 mil | \$4.9 mil | \$4.3 mil | \$3.8 mil | \$3.8 mil | \$3.9 mil | \$3.9 mil | \$3.6 mil | \$3.7 mil |
| Claims in Excess of Retention | 0 | 0 | 3 | 1 | 0 | 0 (est.) | 1 | 0 (est.) | 0 (est.) |
| Estimated Amount in Excess of Retention | 0 | 0 | \$14.8 mil | \$1.0 mil | 0 | unknown | \$0.5 mil | unknown | unknown |

ATTACHMENT B

2015/2016 Pricing and Carriers

**Excess Liability Insurance Quotes
Policy Term: August 1, 2015 to August 1, 2016**

| Excess Limit | | Layer(s) | Participation | Carrier | Pricing | A.M. Best Rating |
|--------------|-------------------|---------------------|--|---|--------------------|------------------|
| \$250M | Excess Liability | \$50M xs \$200M | \$35,000,000 \$15,000,000 | Argo Re Swiss Re | \$140,000 | A XII |
| | | | | | \$61,920 | A XV |
| | | | | | \$201,920 | |
| \$200M | Excess Liability | \$100M xs \$100M | \$40,000,000 \$25,000,000 \$12,500,000 \$12,500,000 \$10,000,000 | Aspen IronStarr Endurance Canopus Argo Re | \$227,040 | A XV |
| | | | | | \$137,500 | A XIV/A XIV |
| | | | | | \$68,750 | A XV |
| | | | | | \$68,750 | A- VII |
| | | | | | \$55,000 | A XII |
| | | | | | \$557,040 | |
| \$100M | Excess Liability | \$50M xs \$50M | \$15,000,000 \$15,000,000 \$10,000,000 \$10,000,000 | Great American Allied World XL Specialty Ironshore | \$150,000 | A+ XIII |
| | | | | | \$150,000 | A XV |
| | | | | | \$100,000 | A XV |
| | | | | | \$103,200 | A XIV |
| | | | | | \$503,200 | |
| \$50M | Excess Liability | \$10M xs \$40M | \$10,000,000 | XL Specialty | \$157,500 | A XV |
| \$40M | Excess Liability | \$10M xs \$30M | \$10,000,000 | Great American | \$195,000 | A+ XIII |
| \$30M | Excess Liability | \$10M xs \$20M | \$10,000,000 | Endurance | \$239,424 | A XV |
| \$20M | Excess Liability | \$10M xs \$10M | \$10,000,000 | National Casualty | \$309,000 | A+ XV |
| \$10M | Primary Liability | \$10M | \$10,000,000 | Alteris | \$1,430,000 | A XII |
| | | Total Limits: | \$250,000,000 | Total Pricing: | \$3,593,084 | |
| | | | | Less Rebate: | -\$4,500 | |
| | | | | Final Pricing: | \$3,588,584 | |

Pricing includes premium, stamping fees, taxes and commission as applicable.



Board Report

File #: 2015-0995, File Type: Program

Agenda Number: 22.

PLANNING AND PROGRAMMING COMMITTEE JULY 15, 2015

SUBJECT: METRO COUNTYWIDE BIKESHARE

ACTION: RECEIVE AND FILE

RECOMMENDATION

PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION receiving and filing potential financial impacts of June 2015 Item 14 Board motions on **Metro Countywide Bikeshare**.

ISSUE

At the June 25, 2015 meeting, the Board adopted the Regional Bikeshare Implementation Plan (Plan) for Los Angeles County and awarded a two-year contract to Bicycle Transit Systems, Inc. (BTS) for the equipment, installation and operations of the Metro Countywide Bikeshare Phase 1 Pilot in downtown Los Angeles (Pilot). During the discussion period, several motions (Attachment A) were introduced as they relate to regional interoperability and expediting the implementation of the expansion communities. Portions of these amendments were referred to in an omnibus motion put forward by the Chair and approved by the Board. The specifics of the omnibus motion were not clear to staff. The following summarizes the potential financial impacts of the motions as expressed at the June meeting.

DISCUSSION

Motion by Directors Butts, Dubois, Knabe and Najarian

At the June 2015 meeting, Directors Butts, Dubois, Knabe and Najarian introduced Motion Item 14 addressing regional interoperability and funding (Attachment A-1). The following addresses the potential financial impact of some of the provisions included within the motion.

“3) Do not require cities receiving any grant funds (such as Metro’s Call for Projects or operating subsidies) to use Metro’s chosen bicycle technology.

Allow cities the discretion to choose the most cost-effective and locally-appropriate technology between BTS/BCycle and CH/SoBi; two systems selected through a competitive process with vendor contracts executed prior to Metro’s NTP.”

Potential Financial Impact: The 2015 Call for Projects (CFP) Preliminary Recommendations

includes three bikeshare projects for Metro funding. The City of Pasadena is recommended to receive \$1,527,416, City of West Hollywood is recommended to receive \$510,500 and the City of Beverly Hills is recommended to receive \$412,731. These amounts reflect only Metro's discretionary allocation and is not inclusive of each city's local match. In total, Metro would award \$2,450,647.

Cities that applied under the 2015 call were evaluated with the understanding that they would become a part of Metro's Countywide system. The CFP application specified that "Bikeshare programs must have interoperability and interchangeability with the Regional Bikeshare System. The program should strive to utilize the same products and services used by the Regional Bikeshare System. " In addition, the cities that submitted for CFP funding based their project costs and allocation requests on numbers indicated in the Metro Plan. Staff's evaluation and related scoring reflects the assumption that these cities would join Metro's system. A decision to join another vendor calls into question their evaluation scores and funding amounts.

Funding cities to select a bikeshare vendor other than Metro's may lead to two or more different systems. Multiple vendors further jeopardizes the likelihood of achieving interoperability, increases economic inefficiencies, requires duplication of bikeshare stations in overlapping service areas and risks the user experience. The full cost of addressing interoperability is unknown at this point, however it is anticipated that costs would increase depending on how many systems would need to be integrated. Staff will return to the Board with cost information.

"4) Recognize that cities must make sound business decisions in order to afford providing on-going bike share operations, even when fully committed to regional integration.

- a. Allow cities to pursue other revenue sources and retain the option for primary sponsorship, and be identified with the regional system in an alternative way."

Potential Financial Impact: a. In an effort to ensure Metro's Bikeshare system is financially sustainable and fiscally responsible, the January 2015 Receive and File (Attachment D) presented to the Board noted that as part of Metro's business structure, Metro would retain on-bike title sponsorship and reserve the right to sell to sponsor(s) as a source of Metro's funding commitment. Title sponsorship is the only source of revenue available to Metro that would allow us to fulfill our funding commitment of providing cities with ongoing capital and O&M support. Failure to retain title sponsorship would risk Metro's funding commitment, make the program financially unsustainable, reduce the opportunity to expand the system to other communities and may require the use of already strained local revenues used to fund rail and bus operations.

Additionally, Metro is best positioned to secure and manage a regional bikeshare title sponsor since Metro has an existing regional advertising contract that we can utilize for bikeshare. The experience and resources leveraged by Metro in this arena will prove to be an essential asset towards securing a regional long-term lucrative title sponsorship.

As the bikeshare market in Los Angeles County is yet untested, it is unclear what the

region's revenue potential may be. However, an average of other system title sponsorships, including Denver Bcycle, Minneapolis Nice Ride, New York CitiBike and Philadelphia Indego shows an average of title sponsorship revenue of approximately \$2 million per year based on a system of 1000+ bicycles. Retaining and selling the title sponsorship as a regional package may also be the most lucrative approach and would further secure Metro's ability to continue to invest in communities by sustaining and expanding bikeshare.

Retaining a steady source of revenue via a title sponsor, allows Metro to continue to invest in the bikeshare program, and sustain and expand the program to other communities. Under the terms of the MOU being negotiated with the City of Los Angeles, the City has agreed to this provision, and the agreement permits allocation of excess title sponsorship revenues to local partners once the Metro cost have been covered. Allowing local communities to seek their own title sponsorship would eliminate or severely reduce the funds available to Metro by as much as \$2 million per year.

"6) Accept Metro's responsibility for collecting and sharing data from all system owners, and funding technology upgrades necessary to facilitate that sharing of information for the purposes of regional integration."

Potential Financial Impact: Meeting these interoperability objectives will be complex and require staff and financial resources. And is dependent upon cooperation of Santa Monica and Long Beach vendors. As the full cost of achieving this has not been finalized, staff will return to the Board at the appropriate time with a cost estimate.

Motion by Director Ridley-Thomas

At the June 2015 meeting, Director Ridley-Thomas introduced a motion directing staff to include the Exposition/Vermont station area as part of the pilot effort (Attachment A-2).

Potential Financial Impact: The downtown Los Angeles Pilot includes stations that are adjacent to the Exposition/Vermont station. As such, including a station at the Exposition/Vermont station fits within the parameters of the Pilot and can be absorbed as one of the 65 station locations at no additional cost.

Motion by Directors Bonin and Kuehl

At the June 2015 meeting, Directors Bonin and Kuehl introduced a motion directing staff to accelerate bikeshare implementation (Attachment A-3). The motion which directs staff to compress a six-year bikeshare expansion program into two years, thereby launching all five phases by 2017 aims to ensure interoperability by not delaying roll out and reducing the risk of cities opting-out of Metro's system. Furthermore, in addition to expediting Venice's implementation, the motion also calls for the inclusion of the Playa Vista community.

Potential Financial Impact: Accelerating a six-year program into two years will be a labor intensive goal to achieve and will require additional staffing resources. Coordination with the City

of Los Angeles for the Pilot, oversight of the BTS contract and day-to-day administration of the program is requiring approximately two full time employees. With the award of contract to BTS, staff will now shift into implementation phase. As a nine-month roll out for the Pilot is contingent on several critical path items, amongst several other tasks, staff will be focused on coordinating with the City of Los Angeles on finalizing station locations and permitting processes, securing a title sponsor, working with the Bikeshare cities on identifying a recommended fare structure, and addressing interoperability objectives.

Moving towards an expedited implementation will require that staff engage each of the nine communities and at a minimum, conduct preliminary station siting, provide technical assistance to each city in regards to their respective permitting process and intra-departmental coordination and facilitate the implementation of bicycle infrastructure that will support the use of bikeshare and pursue grant funding in partnership with each city.

In response to Director Solis' interest of studying the feasibility of having a bikeshare network in Boyle Heights, particularly at the Mariachi Plaza station area and other communities within the San Gabriel Valley, staff would need to carry out preliminary station siting, develop the financial plan and work with the local jurisdiction to identify funding for a network in Boyle Heights. Staff will also reach out to the San Gabriel Valley cities through the Council of Government as we proceed with identifying bikeshare ready communities in the sub-region.

Pending Board resolution of the Amendments, staff will return with a proposed staffing plan to meet the Board's requirements.

In addition, conducting new feasibility studies and station siting for an accelerated launch will also require that staff modify the existing Implementation Plan contract. It is anticipated that the cost of this additional work would not exceed \$200,000.

The capital and annual operating cost of implementing all five phases, including interested Westside cities for a total of 4,012 bicycles and 269 stations is currently proposed to cost approximately \$22 million and \$13.5 million annually, respectively. As this cost reflects a later year launch with associated escalation rates, staff would engage BTS in renegotiating an expedited launch. In line with Motion 58, Metro's funding commitment would be approximately \$11 million for the capital commitment and \$4.7 million annually for O&M. The ability to quickly expand the system will also require the local communities to identify and commit capital and operating funding that will need to be accelerated and enter into an MOU with Metro. Attachment B includes each participating city's financial obligation.

To date, Metro has secured \$2.9 million for the Metro capital cost of the downtown Los Angeles Pilot, leaving approximately \$8.2 million to be found as Metro's capital cost for balances of the five phases identified in the capital plan. In partnership with the City of Pasadena and the City of Los Angeles, two ATP applications have been submitted. The City of Pasadena request is in the amount of \$5.171 million to cover capital and some

operating costs and the City of Los Angeles expansion to South Los Angeles and South downtown Los Angeles is in the amount of \$2.805 million for capital costs. We anticipate learning of funding awards in the fall.

It is anticipated that user fees and sponsorship revenue will cover a portion, but not all of the annual operating cost. It is anticipated that a combination of user fees and title sponsorship may reduce Metro's funding responsibility.

In response to Director Kuehl's interest of Metro conducting an evaluation of the bikeshare systems operating in Los Angeles County after an initial operating period, staff would contract a consultant to at a minimum evaluate the experience of the respective agency working with their respective vendors, the ability to meet performance criteria including bicycle distribution, removal and replacement of inoperable bicycles and system cleanliness, conduct a customer satisfaction survey, evaluate impact of bike share on businesses near bike share stations and evaluate fare structure. It is anticipated that this evaluation study would not exceed \$150,000.

DETERMINATION OF SAFETY IMPACT

The Countywide Bikeshare Phase 1 Pilot will not have any adverse safety impacts on our employees and patrons.

FINANCIAL IMPACT

The cost of implementing all five phases is currently a one-time capital cost of \$22 million and O&M is \$13.5 million annually. As this cost reflects a later year launch with associated escalation rates, staff would engage BTS in renegotiating an expedited launch. In line with Motion 58, Metro's funding commitment would be approximately \$11 million for the capital commitment and \$4.7 million annually for O&M. Of this amount, \$2.9 million has been secured for the Metro capital cost of the downtown Los Angeles Pilot, leaving approximately \$8.2 million to be found as Metro's capital cost for balances of the five phases identified in the capital plan. Staff is pursuing additional grant funds through the ATP program. However, funding awards will not be known until fall.

It is anticipated that user fees and sponsorship revenue would cover a portion, but not all of the annual operating cost. It is anticipated that a combination of user fees and title sponsorship may reduce Metro's funding responsibility.

Metro would need to work with interested cities in identifying grant funds and confirming their capital and O&M commitment. Staff will return to the Board once each city has confirmed funding and an MOU has been executed with a recommended funding source (s).

Impact to Budget

The additional funds needed for the accelerated implementation plan would be Proposition A, C and TDA Administration, which is not eligible for bus/rail operating or capital expense.

NEXT STEPS

Staff will engage the Bikeshare communities and begin to meet on a monthly basis. Staff will return to the Metro Board in September with an oral report on progress made.

ATTACHMENTS

Attachment A-1 - June 2015 Amendment by Directors Butts, Dubois, Knabe, Najarian

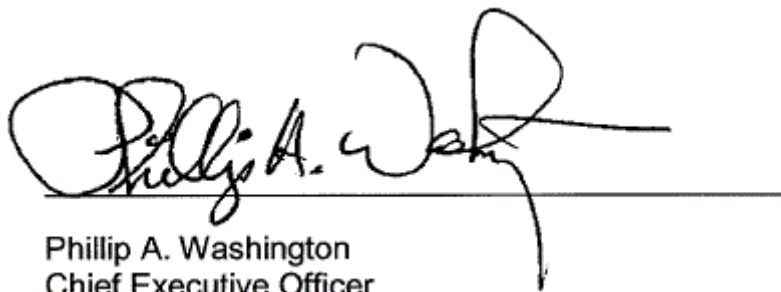
Attachment A-2 - June 2015 Motion by Director Ridley-Thomas

Attachment A-3 - June 2015 Motion by Directors Bonin and Kuehl

Attachment B - Countywide Bikeshare Expansion Cost

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(213) 922-3088
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Phillip A. Washington
Chief Executive Officer

June 25, 2015

Amendment to Item No 14**by****Directors Butts, Dubois, Knabe and Najarian**

The item before this Board is to approve a two year “pilot program” in downtown Los Angeles to test the feasibility of a Countywide Bikeshare system and the adoption of the Regional Bikeshare Implementation Plan for Los Angeles County.

By definition, a pilot program is used to test the design of the full-scale envisioned program which then can be subsequently adjusted. In the case of Metro Bikeshare, the cities of Santa Monica and Long Beach, as well as probably Beverly Hills and West Hollywood, are offering a parallel opportunity to further test variations of the proposed Metro business model using alternative Bikeshare technology.

Contained within the Bike Share Implementation Plan recommendation are a number of still unresolved areas such as Interoperability Objectives, fare structures and sponsorship management and revenue distribution where Metro is envisioned as the “single-point.. lead agency...that will manage and procure a robust bicycle share program...” on a countywide regional basis. We believe it is premature for the Board to adopt this singular agency approach, a concern that has been echoed in letters from the City Managers of Beverly Hills, Santa Monica, Culver City and West Hollywood and Assemblymember Richard Bloom. If the acceptance by small cities of Metro’s proposed terms is imposed as a condition of regional participation, we fear it is unlikely that the Los Angeles county region will successfully achieve the development of a user-friendly, integrated system.

Instead, we believe the most constructive path is to continue to further involve the cities in the resolution of outstanding issues presented in the Plan through regular monthly meetings, accompanied by monthly oral reports by Metro staff to the Planning and Programming Committee, and for a willingness on all sides to make concessions on these matters in an effort to resolve the concerns expressed by the participating cities.

This is an historic moment for Metro and the cities to embark on a pilot program with the City of Los Angeles in Phase 1 and Pasadena in Phase 2 and to support a growing, successful and integrated bike share system in the Westside cities and Long Beach, and eventually throughout all of Los Angeles County.

We, Therefore, Move that the Board Approve the staff Recommendations contained in Sections B and C and proceed with the recommended Countywide Bikeshare Phase 1 Pilot.

We Further Move that the Board continue the adoption of the **Regional Bikeshare Implementation Plan for Los Angeles County** as described in Section A for a period of five (5) months as follows:

Coordinate a monthly meeting, beginning in July, 2015 with the cities of Long Beach, Santa Monica, Beverly Hills, West Hollywood, Culver City, Pasadena and City of Los Angeles in an effort to reconcile and incorporate the principles outlined below (and in the letter from the city managers) for inclusion in the Regional Bikeshare Implementation Plan for Los Angeles County.

- a. Report back with an oral report to the Planning and Programming Committee on a monthly basis beginning in September, 2015; and
 - b. Return to the Board in the November/December, 2015 cycle with a revised Regional Bikeshare Implementation Plan for Los Angeles County reflecting the progress towards resolution and incorporation of the principles described below.
- 1) Recognize the right for cities to operate independently while still being part of a regional system. Cities need to be able to make choices that best fit their needs without being excluded from the option of participating in a regional system.
 - 2) Acknowledge that bike share systems are already being developed by several cities in collaboration with Metro, and facilitate those systems as part of a regional system, rather than being viewed as in competition with Metro, and without imposing a singular model.
 - 3) Do not require cities receiving any grant funds (such as Metro's Call for Projects or operating subsidies) to use Metro's chosen bicycle technology.
 - a. Allow cities the discretion to choose the most cost-effective and locally-appropriate technology between BTS/BCycle and CH/SoBi; two systems selected through a competitive process with vendor contracts executed prior to Metro's NTP.
 - 4) Recognize that cities must make sound business decisions in order to afford providing on-going bike share operations, even when fully committed to regional integration.
 - a. Allow cities to pursue other revenue sources and retain the option for primary sponsorship, and be identified with the regional system in an alternative way.
 - b. Require revenue decisions, including membership and fare structures, to be established in a cooperative, fair and equal decision-making process with local cities. Recognize the need to coordinate with existing revenue structures.

- 5) Create a decision-making structure for day-to-day countywide bike share oversight and collaboration that represents all system owners, similar to governance structures established for Arlington, Virginia/D.C. bike share.
- 6) Accept Metro's responsibility for collecting and sharing data from all system owners, and funding technology upgrades necessary to facilitate that sharing of information for the purposes of regional integration.

INCLUSION OF EXPOSITION/VERMONT STATION HUB IN BIKESHARE PILOT

Motion by Director Ridley-Thomas

June 25, 2015

The Metro Countywide Bikeshare Program will undoubtedly provide increased accessibility and connectivity to our public transit system, while also furthering our goals to reduce vehicle miles travels and improve the livability of the region. Downtown Los Angeles is an ideal location to pilot this effort, given the density, diverse work centers, thriving academic institutions and number of residential units.

While the pilot phase includes a significant number of hubs throughout Downtown Los Angeles and outlying areas, a hub at the Exposition/Vermont Station is not included. A hub at this location would create a significant resource for the surrounding low-income residential communities, facilitate improved access to the significant network of local, Rapids and DASH bus lines at that intersection, as well as improve connections to the Exposition Line, Exposition Park and the University of Southern California. Additional study is merited to determine whether to include this location as part of the pilot project.

I Therefore Move that the Metro Board of Directors:

Direct the Chief Executive Officer to assess the feasibility of including the Exposition/Vermont Station as one of the hubs for the Metro Countywide Bikeshare Downtown Los Angeles Pilot Program and report back to the Board of Directors in writing by September 2015 with his recommendation.

MOTION TO ACCELERATE BIKESHARE IMPLEMENTATION

Director Bonin and Director Kuehl

The Metro Board has made clear its desire for regional interoperability of any bikeshare program that it authorizes for implementation. We believe that intelligent transportation systems and integration of various components of transportation technology can provide a seamless user experience across multiple transportation modes. That is our goal.

Metro staff recommends implementation of a two-year pilot bikeshare program using vendor BTS beginning in 2015 in Downtown LA, and further recommends implementation of four additional phases in areas outside of Downtown starting in 2017 and ending in 2021. A six-year wait for bike share in communities with a large population of cyclists and active transportation makes little sense and encourages other communities to opt-out of the Metro system, undermining efforts at interoperability.

Additionally, With the opening of Expo Line in 2016, and with the need for greater first-mile/last-mile opportunities, it makes sense to accelerate implementation of bike share on the Westside of Los Angeles including the bike-ready areas of Venice and Playa Vista. Possible funding sources for acceleration include title sponsorships.

WE, THEREFORE, MOVE THAT THE METRO BOARD:

Instruct the CEO to direct staff to explore funding sources, including title sponsorships, that would accelerate the rollout of all five phases of bikeshare so that implementation is accomplished no later than 2017, and to include both Venice and Playa Vista in the phasing list for the Westside.

Accelerated Bikeshare Plan Costs

| City | Bikes | Stations | Capital* | | O&M * | | Community |
|----------------------------|--------------|------------|---------------------|--------------------|---------------------|--------------------|----------------------------------|
| | | | Total | 50% Share | Annual | 65% Share | |
| Beverly Hills | 72 | 5 | \$420,428 | \$210,214 | \$270,000 | \$175,500 | Westside |
| Culver City | 144 | 10 | \$840,856 | \$420,428 | \$540,000 | \$351,000 | Expo Line |
| Huntington Park | 144 | 10 | \$840,856 | \$420,428 | \$540,000 | \$351,000 | South LA |
| Los Angeles | 1,090 | 65 | \$5,806,034 | \$2,903,017 | \$3,201,330 | \$2,080,865 | DTLA |
| Los Angeles | 936 | 65 | \$5,145,040 | \$2,572,520 | \$3,119,688 | \$2,027,797 | Expo / Central / University Park |
| Los Angeles | 605 | 42 | \$3,423,036 | \$1,711,518 | \$2,024,870 | \$1,316,166 | Metro Red Line Corridor |
| Los Angeles | 144 | 10 | \$840,856 | \$420,428 | \$540,000 | \$351,000 | SFV - Noho |
| Los Angeles | 101 | 7 | \$588,599 | \$294,299 | \$378,000 | \$245,700 | Venice & Marina Del Rey |
| TOTAL - Los Angeles | | | | <u>\$7,901,782</u> | | <u>\$6,021,527</u> | |
| Los Angeles County | 144 | 10 | \$840,856 | \$420,428 | \$540,000 | \$351,000 | East LA |
| Pasadena | 490 | 34 | \$2,618,574 | \$1,309,287 | \$1,771,350 | \$1,151,378 | Pasadena |
| West Hollywood | 158 | 11 | \$896,509 | \$448,255 | \$530,323 | \$344,710 | Metro Red Line Corridor |
| TOTAL | 4,028 | 269 | \$22,261,643 | | \$13,455,562 | | |

Metro Share 50% capital / 35% O&M \$11,130,821 \$4,709,447
Cities Share 50% capital / 65% O&M \$11,130,821 \$8,746,115

* Costs based on BTS Original 5 phase proposal implemented by FY21. A Board directed accelerated schedule would require renegotiations with BTS.

**Board Report**

File #: 2015-0809, **File Type:** Contract**Agenda Number:** 26.

**REVISED
PLANNING AND PROGRAMMING COMMITTEE
JULY 15, 2015****SUBJECT: AIRPORT METRO CONNECTOR 96th STREET TRANSIT STATION****ACTION: AWARD CONTRACT****RECOMMENDATION**

PLANNING AND PROGRAMMING COMMITTEE FORWARDED WITHOUT RECOMMENDATION DUE TO ABSENCES AND CONFLICTS authorizing the Chief Executive Officer (CEO) to:

- A. award a seven-year cost-plus-fixed fee Contract No. PS298340011486 (RFP No. PS11486), to Gruen Associates for the **Airport Metro Connector (AMC) 96th Street Transit Station** for a not-to-exceed amount of \$17,789,897 for architectural and engineering services to design the AMC 96th Street Transit Station and provide design support services during construction; and
- B. approve Contract Modification Authority specific to Contract No. PS298340011486 in the amount of \$3,557,979 to cover the cost of any unforeseen issues that may arise during the course of the contract.

ISSUE

On June 26, 2014, the Board approved adding a new transit station at 96th Street to the Crenshaw/LAX Transit Corridor as the preferred alternative for the AMC project. The new Metro station is planned to connect with the future Automated People Mover (APM) system, to be built and operated by the Los Angeles World Airports (LAWA). The APM will provide direct service to and from the terminal area at Los Angeles International Airport (LAX). At the same June 2014 meeting, the Board directed staff to procure a qualified architectural firm to design the new Metro station and provided some design guidelines to be coordinated with LAWA. Attachment B contains the June 2014 Board Motion.

In February 2015, Metro released Request for Proposals (RFP) PS11486 seeking architectural and engineering services to design the AMC Transit Station. Staff is requesting Board authorization to award the design contract for the AMC 96th Street Transit Station.

BACKGROUND

In parallel with the procurement activities for the design contractor, staff has worked with internal and external stakeholders to better define the various transit operations planned for the new Metro station and how those operations influence the design of the intermodal transit facility. In addition to meetings with Metro Rail and Bus Operations, staff met with local municipal bus operators, including LAWA, to gather input on the design and operation of the planned bus facility.

In response to the Board directed design guidelines for the new station, staff met with Metro departments to gather initial input on the services, amenities and ancillary space that may be needed on the planned station site and within the transit facilities. With a preliminary list of Metro requirements, staff continues to work with LAWA to identify airport-specific functions and amenities that may share space at the new Metro station. This programming of station elements will be advanced as part of the environmental review and design processes.

Project Site and Components

The AMC 96th Street Transit Station project area is generally bounded by Manchester Avenue on the north, Aviation Boulevard to the east, Century Boulevard to the south and Bellanca Avenue to the west. Attachment C contains the AMC Project Map. The station is envisioned to include an at-grade light rail station that is served by the Crenshaw/LAX and Metro Green lines; a new bus plaza sized to accommodate bus terminal and layover functions for Metro buses as well as municipal bus operators that serve the LAX area; private vehicle pick-up/drop-off area; bicycle station; pedestrian amenities, including clear signage and passenger information; and an enclosed transit center/terminal building that connects the at-grade transit services with LAWA's aerial APM station. The recommended firm is tasked with developing the conceptual design for all station elements and advancing that design to construction documents. During construction of the AMC transit station, the firm shall also provide design support services to the construction contractor.

Design Coordination

The design for the AMC 96th Street Transit Station will require extensive coordination with LAWA during the environmental review, design and construction phases for the LAX Landside Access Modernization Program, with particular focus on integration with LAWA's APM system. The design team will also coordinate with Metro's environmental consultant team preparing the environmental impact analysis and mitigation requirements for the AMC 96th Street Transit Station. Other additional design activities include coordination with the Crenshaw/LAX project during construction of the new light rail corridor and maintenance facility as well as consultation with third party entities during development, review and/or approval of design documents.

DETERMINATION OF SAFETY IMPACT

Award of contract will have no adverse impacts to the safety of our customers and/or employees.

FINANCIAL IMPACT

The FY16 budget includes \$3,490,000 for the AMC project in Cost Center 4350 (Transit Corridors-Westside), Project 460303 (Airport Metro Connector). Since this is a multi-year contract, the cost center manager and Chief Planning Officer will be responsible for budgeting funds in future years.

Impact to Budget

The source of funds is Measure R Transit Capital 35% and federal funds. No other sources of funds were considered because these funds are designated for the Airport Metro Connector project. These funds are not available for use on bus and rail capital or operations.

ALTERNATIVES CONSIDERED

Postponing the contract award is not recommended as design coordination with LAWA and the Crenshaw/LAX project is ongoing and increasing in detail and complexity. Additionally, this would not be consistent with prior Board direction to hire the architectural and design services for this transit station.

NEXT STEPS

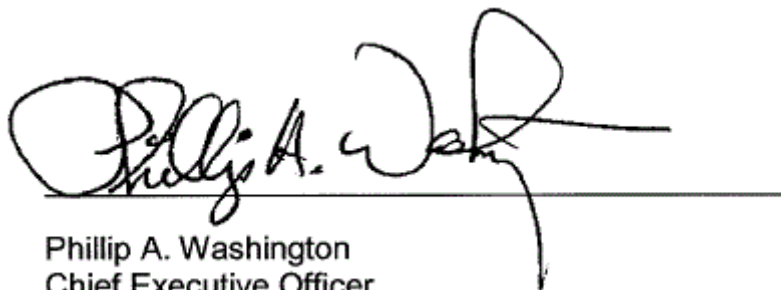
Upon approval, staff will execute the contract and issue a Notice to Proceed to initiate the design work.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - June 2014 Board Motion
- Attachment C - AMC Project Map

Prepared by: Cory Zelmer, Transportation Planning Manager, (213) 922-1079
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Reviewed by: Martha Welborne, FAIA, Chief Planning Officer, (213) 922-7267
Ivan Page, Interim Executive Director, (213) 922-6383



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

AIRPORT METRO CONNECTOR 96th STREET TRANSIT STATION

| | | |
|----|---|--|
| 1. | Contract Number: PS298340011486 (RFP No. PS11486) | |
| 2. | Recommended Vendor: Gruen Associates | |
| 3. | Type of Procurement (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. | Procurement Dates: | |
| | A. Issued: February 2, 2015 | |
| | B. Advertised/Publicized: February 2, 2015 | |
| | C. Pre-proposal Conference: February 10, 2015 | |
| | D. Proposals Due: March 13, 2015 | |
| | E. Pre-Qualification Completed: May 20, 2015 | |
| | F. Conflict of Interest Form Submitted to Ethics: March 18, 2015 | |
| | G. Protest Period End Date: July 22, 2015 | |
| 5. | Solicitations Picked up/Downloaded: 191 | Proposals Received: 7 |
| 6. | Contract Administrator: Lily Lopez | Telephone Number: (213) 922-4639 |
| 7. | Project Manager: Cory Zelmer | Telephone Number: (213) 922-1079 |

A. Procurement Background

This Board Action is to approve Contract No. PS298340011486 (RFP No. PS11486) for Architectural and Engineering (A&E) services to design the Airport Metro Connector (AMC) 96th Street Transit Station. The project will be implemented in three (3) phases for a term of seven (7) years as follows:

- Phase 1: Conceptual Design and Schematic Design (approximately 18 months).
- Phase 2: Design Development and Construction Documents (approximately 24 months).
- Phase 3: Bid and Design Support during Construction (approximately 42 months).

The RFP was issued in accordance with Metro's Acquisition Policy and Procedure Manual and the contract type is cost plus fixed fee. This solicitation is exempt from the Small Business Set-Aside Program guidelines. Therefore, the contract may be awarded to a non-SBE firm.

Three (3) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on February 17, 2015, provided documents related to the Pre-Proposal conference convened on February 10, 2015, revisions to the evaluation criteria, responses to questions received and extended the proposal due date;

- Amendment No. 2, issued on February 20, 2015, provided responses to questions received and supplemental reference material;
- Amendment No. 3, issued on March 2, 2015, provided responses to questions received.

A pre-proposal conference was held on February 10, 2015, attended by one hundred and ten (110) participants representing sixty-six (66) firms. Thirty (35) questions were asked during the pre-proposal conference and an additional twenty-six (26) questions were asked during the solicitation phase.

One hundred ninety-one (191) firms downloaded the RFP and were included in the planholders list. A total of seven (7) proposals were received on March 13, 2015.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Countywide Planning and Development, Metro's Engineering and Construction and LAWA was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- | | |
|--|-----|
| • Degree of Skills and Experience of Team | 25% |
| • Experience and Capabilities of Personnel of the Team | 20% |
| • Effectiveness of Team Management Plan | 20% |
| • Understanding of Work and Appropriateness of Approach for Implementation | 35% |

The evaluation criteria are appropriate and consistent with criteria developed for similar A&E procurements. Several factors were considered when developing these weights, giving the greatest importance to the understanding of work and appropriateness of approach for implementation. The PET evaluated the proposals according to the pre-established evaluation criteria.

This is an A&E qualifications based procurement. Price cannot be used as an evaluation factor pursuant to state and federal law.

During the week of April 2, 2015, the PET completed its independent evaluation of the seven (7) proposals received and determined that four (4) were deemed the most highly qualified to provide the services required. The four (4) firms within the competitive range are listed below in alphabetical order:

1. Gensler
2. Gruen Associates (Gruen)
3. Hellmuth, Obata, & Kassabaum, Inc. (HOK)
4. RNL Interplan, Inc. (RNL)

Three (3) firms, Anil Verma Associates, Inc., Michael Maltzan Architecture and McKissack & McKissack Midwest, Inc. were determined to be outside the competitive range and were not included for further consideration as proposals did

not demonstrate having the required experience on transit/multi-modal projects similar in scale.

After evaluations of the written proposals, the PET determined that oral presentations by the four firms deemed to be the most qualified were required. During the week of April 6, 2015, the firms were scheduled for oral presentations. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the PET's questions. In general, each team addressed the requirements of the RFP, experience with all aspects of the required scope, and stressed each firm's commitment to the success of the project. Each team was asked questions relative to each firm's proposed staffing plans, perceived project issues, implementation of similar projects and previous experience.

The final scoring, after the oral presentations, determined Gruen to be the most qualified firm.

Qualifications of the Recommended Firm

Gruen has experience in designing transportation facilities in Los Angeles and is partnered with Grimshaw, an architectural firm with extensive experience in designing complex multi-modal transportation centers throughout the world. The team demonstrated a strong understanding of the Statement of Work and their team's ability to perform. Gruen offered strong project management with widespread experience in managing complex design assignments with sub-consultants.

Following is a summary of the PET scores:

| 1 | Firm | Average Score | Factor Weight | Weighted Average Score | Rank |
|-----------|--|----------------------|----------------------|-------------------------------|-------------|
| 2 | Gruen | | | | |
| 3 | Degree of Skills and Experience of Team | 93.00 | 25.00% | 23.25 | |
| 4 | Experience and Capabilities of Personnel of the Team | 92.44 | 20.00% | 18.49 | |
| 5 | Effectiveness of Team Management Plan | 85.20 | 20.00% | 17.04 | |
| 6 | Understanding of Work and Appropriateness of Approach for Implementation | 91.60 | 35.00% | 32.06 | |
| 7 | Total | | 100.00% | 90.84 | 1 |
| 8 | HOK | | | | |
| 9 | Degree of Skills and Experience of Team | 90.40 | 25.00% | 22.60 | |
| 10 | Experience and Capabilities of Personnel of the Team | 90.40 | 20.00% | 18.08 | |
| 11 | Effectiveness of Team Management Plan | 88.80 | 20.00% | 17.76 | |

| | | | | | |
|-----------|--|-------|----------------|--------------|----------|
| 12 | Understanding of Work and Appropriateness of Approach for Implementation | 89.80 | 35.00% | 31.43 | |
| 13 | Total | | 100.00% | 89.87 | 2 |
| 14 | Gensler | | | | |
| 15 | Degree of Skills and Experience of Team | 90.20 | 25.00% | 22.55 | |
| 16 | Experience and Capabilities of Personnel of the Team | 84.60 | 20.00% | 16.92 | |
| 17 | Effectiveness of Team Management Plan | 91.20 | 20.00% | 18.24 | |
| 18 | Understanding of Work and Appropriateness of Approach for Implementation | 90.20 | 35.00% | 31.57 | |
| 19 | Total | | 100.00% | 89.28 | 3 |
| 20 | RNL | | | | |
| 21 | Degree of Skills and Experience of Team | 85.00 | 25.00% | 21.25 | |
| 22 | Experience and Capabilities of Personnel of the Team | 84.20 | 20.00% | 16.84 | |
| 23 | Effectiveness of Team Management Plan | 85.40 | 20.00% | 17.08 | |
| 24 | Understanding of Work and Appropriateness of Approach for Implementation | 88.80 | 35.00% | 31.08 | |
| 25 | Total | | 100.00% | 86.25 | 4 |

C. Cost Analysis

The recommended price of \$17,789,897 has been determined to be fair and reasonable based upon Metro's Management and Audit Services Department (MASD) audit findings, an independent cost estimate (ICE), a Project Manager's technical analysis, a cost analysis, fact finding, and negotiations.

| | Proposer Name | Proposal Amount | Metro ICE | Negotiated |
|----|----------------------|------------------------|------------------|-------------------|
| 1. | Gruen | \$35,327,410 | \$24,548,141 | \$17,789,897 |

D. Background on Recommended Contractor

The recommended firm, Gruen, headquartered in Los Angeles, has been in business since 1946 and is a planning and architecture firm. Gruen will be the prime contractor for the design the AMC 96th Street Transit Station in collaboration with Grimshaw Architects (Grimshaw). Gruen will be the project manager and contractual leader for the team. Gruen's Metro key projects include: Union Station Master Plan, Mid-City Exposition Corridor Light Rail Transit Project, and Metro Canoga Orange Line Extension.

Gruen will subcontract the architectural design lead tasks to Grimshaw as the firm has experience in providing complete architectural service, from master planning, feasibility studies, and planning applications through construction and inspections on site. The firm's specialty is designing urban intermodal transit projects through the undertaking of strategic studies, comprehensive transit oriented master planning, and the execution of award-winning transit buildings. Their designs are characterized by structural legibility, innovation and rigorous approach to detailing. Grimshaw, founded in London in 1980, operates from four offices worldwide and will draw from an international base of research and project experience.

E. Small Business Participation

The Diversity & Economic Opportunity Department (DEOD) established a 20% Race Conscious Disadvantaged Business Enterprise (DBE) goal for this solicitation. Gruen Associates exceeded the goal by making a 22.71% RC DBE commitment and a 4.0% Race Neutral (RN) DBE commitment.

| | | | |
|------------|----------------|------------|-------------------|
| DBE | 20% DBE | DBE | 22.71% DBE |
|------------|----------------|------------|-------------------|

| | DBE Subcontractors | Ethnicity | % Commitment |
|-----|------------------------------|------------------|---------------------|
| 1. | JC Engineering | Hispanic | 1.64% 2.70% |
| 2. | Innovative Engineering Group | Asian Pacific | 5.01% 7.90% |
| 3. | BA , Inc | African American | 1.74% 3.20% |
| 4. | DRC | Hispanic | 1.31% 2.20% |
| 5. | FLP | Asian Pacific | 0.68% 1.21% |
| 6. | Bobby Knox Architects | African American | 0.29% 0.40% |
| 7. | Diaz Yourman Associates | Hispanic | 0.41% 0.70% |
| 8. | Coast Survey | Hispanic | 0.20% 0.40% |
| 9. | SKA Design | Hispanic | 0.18% 0.40% |
| 10. | The Robert Group | African American | 1.16% 1.70% |
| 11. | Soteria | Hispanic | 1.24% 1.70% |
| 12. | Land Econ Group | Asian Pacific | 0.14% 0.20% |
| | Total Commitment | | 22.71% |

| Race Neutral DBE Commitment | | 4.00% RN DBE | |
|------------------------------------|--------------------------|----------------------|---------------------|
| | DBE Subcontractor | Ethnicity | % Commitment |
| 1 | Lenax | Non- Minority Female | 4.00% |
| | Total Commitment | | 4.00% |

F. Living Wage and Service Contract Worker Retention Policy Applicability

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

G. Prevailing Wages

Prevailing wage is applicable to portions of this contract.

H. All Subcontractors Included with Recommended Contractor’s Proposal

| | Subcontractor | Services Provided |
|-----|--|--|
| 1. | Arup North America, Ltd. | Structural Engineering, Pedestrian Flow Modeling (Building), Fire/Life Safety, Lighting, Acoustics, Façades, Communications, Security, LEED/Sustainability/Energy Modeling |
| 2. | BA, Inc. | Drainage and Grading/SWPPP |
| 3. | Bobby Knox Architects | Develop Specifications |
| 4. | Coast Surveying, Inc. | Survey |
| 5. | Diaz Yourman Associates | Geotechnical |
| 6. | DR Consultants & Designers | Dry Utilities |
| 7. | Fehr & Peers | Transportation Planning/Modeling |
| 8. | FPL and Associates, Inc. | Off-Site Civil |
| 9. | Grimshaw Architects | Design Architect |
| 10. | Hatch Mott MacDonald | Rail Engineering, Site Civil, Site Utilities |
| 11. | Innovative Engineering Group | MEP Engineers |
| 12. | JCE Structural Engineering Group, Inc. | Associate Structural |
| 13. | Land Econ Group | Economic Consultant |
| 14. | Lenax Construction Services, Inc. | Cost Estimating |
| 15. | SKA Design | Environmental Graphics |
| 16. | Solteria | Safety Certification Plan |
| 17. | Syska Hennessy Group, Inc. | Vertical Transportation |
| 18. | The Robert Group | Outreach |

MOTION BY:

MAYOR ERIC GARCETTI, COUNCILMEMBER MIKE BONIN, SUPERVISOR DON KNABE & SUPERVISOR MARK RIDLEY-THOMAS AS AMENDED BY COUNCILMEMBER JOHN FASANA

MTA Board Meeting

June 26, 2014

Creating a State of the Art LAX Airport Metro Connector at 96th Street

For decades, the biggest missing piece of the transportation puzzle in Los Angeles has been a quick, convenient, and viable option for the traveling public to connect to our airport using our mass transit system. Making that connection has been a high priority for all Angelenos, who clearly made their position known by overwhelmingly supporting the construction of a direct airport connection as part of Measure R.

Several criteria are essential in evaluating the various alternatives that have been proposed for the Airport Metro Connector including cost, travel time, and interoperability with the regional network. However, given the considerable importance that the transit riders have placed on a seamless and robust airport connection, the final project will be judged largely by its ability to deliver on one critical aspect: passenger convenience.

The desire to provide an exceptional passenger experience should guide the Metro Board in designing this project. This airport connection will only be as good as the passenger experience it delivers, and the ridership numbers will largely reflect our ability to anticipate, meet, and exceed the expectations of the traveling public.

Done right, Alternative A2 (96th Street Station) could be the airport rail connection that Angelenos have longed for. It would provide a direct rail connection that will not only help address the ground transportation challenges at LAX, but also continue to expand MTA's regional transportation network, and has the potential to provide a world-class passenger experience to the traveling public.

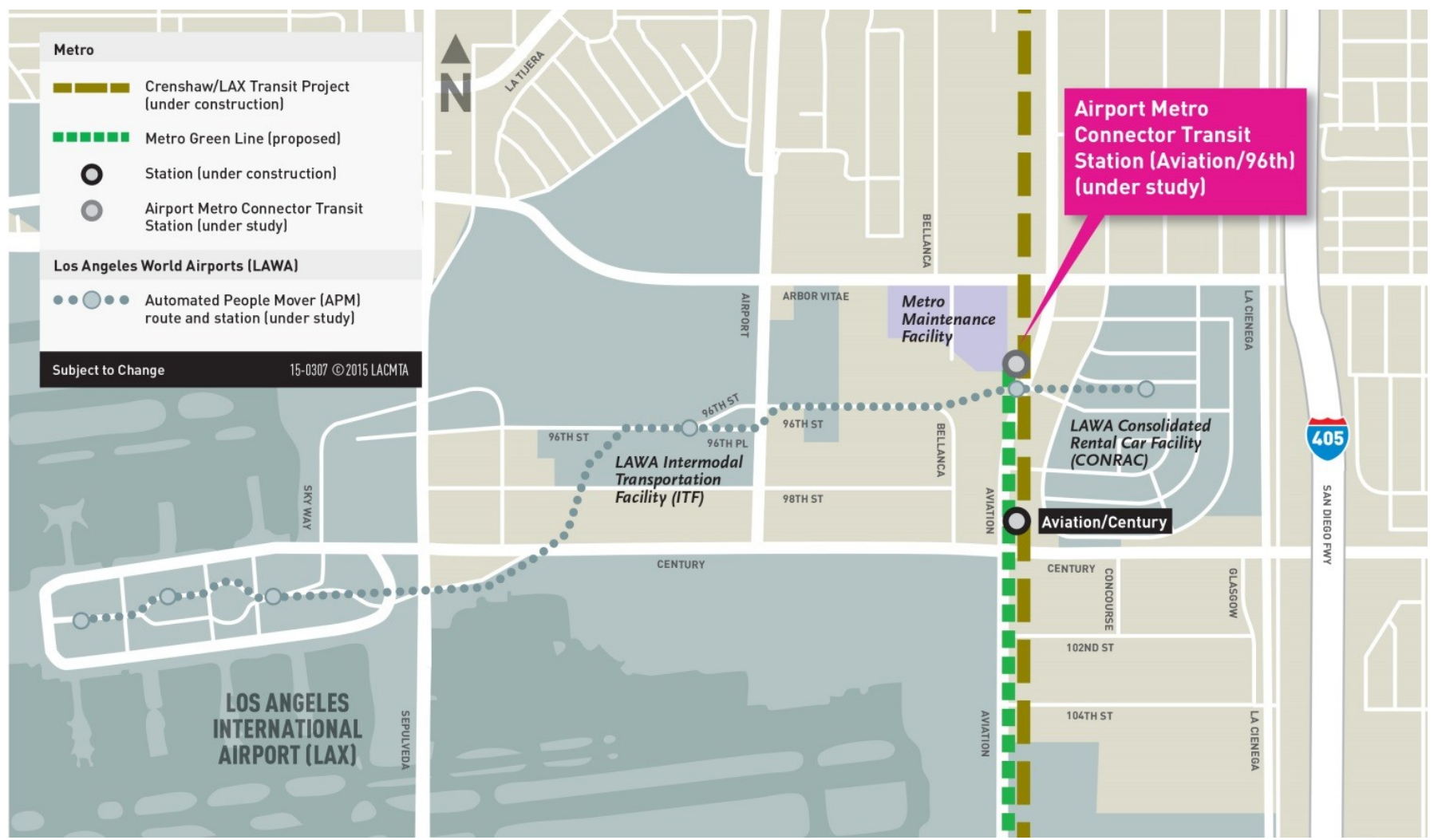
The 96th Street Station can be the new "front door" to LAX for transit riders, and MTA and LAWA should work together and think imaginatively to meet and exceed the needs of the traveling public, and create a robust, visionary transit facility.

WE THEREFORE MOVE THAT the MTA Board of Directors adopt and direct the Chief Executive Officer to do the following:

1. Develop the 96th Street Station, in consultation with LAWA, using the following design guidelines:
 - a. Enclosed facility
 - b. Integrated APM/Light Rail station, minimizing walk distances
 - c. Concourse areas
 - d. LAX airline check-in with flight information boards
 - e. Station restrooms
 - f. Free public WiFi & device charging areas
 - g. Private vehicle drop-off area, and taxi stand
 - h. Pedestrian plaza with landscaping and street furniture
 - i. Metro Bike Hub with parking, a bike repair stand and bike pump, showers, lockers, controlled access and 24-hour security cameras
 - j. Retail (food/beverage and convenience)
 - k. L.A. visitor info and LAX info kiosk
 - l. Connectivity to Manchester Square and surrounding areas, including walkways
 - m. At a minimum, LEED Silver certification
 - n. Public art installation
 - o. Other amenities for airport travelers, including currency exchange and bank/ATM machines
 - p. Passenger safety

2. Report back at the September 2014 MTA Board meeting, in consultation with LAWA, with a review of baggage check amenities that are available at other transportation centers that serve major airports, including an assessment of the feasibility of offering baggage check at the proposed 96th Street Station.
3. Procure a qualified architectural firm to design the station as described under no. 1 above.
4. Provide quarterly updates, in coordination with LAWA staff, including, but not limited to, on the development of the 96th Street Station, the Intermodal Transportation Facility and Automated People Mover, of the following:
 - a. Design
 - b. Schedule
 - c. Cost Estimates
5. Report back at the September 2014 MTA Board meeting with a conceptual and station design approach plan as described above, and provide quarterly updates on implementation progress thereafter; and
6. Instruct the CEO to work with LAWA and the Board of Airport Commissioners to obtain their written commitment to construct and operate an automated people mover connecting the airport's central terminal area to a planned Metro Rail Station, and to report back at next month's (July 2014) Planning and Programming and Construction Committees, and at Committees each month thereafter until this written commitment is obtained, in order to ensure that the light rail connection to LAX that was promised to the voters in Measure R becomes a reality.

AMC Project Map



**Board Report**

File #: 2015-0706, **File Type:** Contract

Agenda Number: 27.

**PLANNING AND PROGRAMMING COMMITTEE
JULY 15, 2015**

SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2

ACTION: APPROVE CONTRACT MODIFICATIONS

RECOMMENDATION

PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED AS AMENDED (3-0) authorizing the Chief Executive Officer to:

- A. execute Contract Modification No. 12 for Contract No. PS4320-2003, **Metro Eastside Transit Corridor Phase 2 Project Alternatives Analysis, Environmental Clearance and Conceptual Engineering Consultant Services, with CDM Smith/AECOM**, Joint Venture, in the amount of \$2,898,336 to address post-Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/EIR) Cooperating Agency comments and investigate refinements as directed by the Metro Board in November 2014, increasing the total contract value from \$15,548,379 to \$18,446,715;

ISSUE

At the November 2014 meeting, the Board received the Eastside Transit Corridor DEIS/EIR and approved carrying forward two build alternatives, SR-60 Light Rail Transit (LRT) Alternative North Side Design Variation (NSDV) and the Washington Blvd. Alternative into further technical study. Staff was directed to address comments received from Cooperating and Public Agencies, identify a potential alternative north-south connection to Washington Blvd., and analyze environmental impacts and performance of both alternatives in operation, including conducting cost containment studies. Attachment B contains the Board directive. Board approval is needed to modify the technical and outreach services contracts in order to proceed with the directed Technical Study.

DISCUSSION

Both the SR-60 NSDV and Washington Blvd. Alternatives studied in the DEIS/EIR would provide environmental and social benefits and would address mobility challenges faced in the project area by 2035, including connecting the project area to Metro's regional rail network and providing much needed transportation services.

Comments received from stakeholders and project cities during the 60-day Public Comment period from August 22, 2014 to October 21, 2014 indicated strong support for both Alternatives.

Comments received from Cooperating and Participating Public Agencies identified the need to conduct further technical study that supplies the additional detail requested to inform decisions relating to future approvals and permits in their area of jurisdictional responsibility.

SR 60 North Side Design Variation (NSDV) Alternative

The SR 60 NSDV would extend the existing Metro Gold Line Eastside line from the Atlantic/Pomona Station approximately 6.9 miles to Peck Rd. in the City of South El Monte. The Alternative would operate primarily within the southern portion of the SR 60 Freeway right of way (ROW). To minimize potential impacts near the Operating Industries, Inc. (OII) Superfund site, the alignment transitions to the north side of the SR 60 just west of Greenwood Ave. and back to the south side just west of Paramount Blvd. This Alternative proposes four stations with supporting park and ride lots. Attachment C shows the alignment.

Washington Blvd Alternative

The Washington Blvd. Alternative would extend the existing Metro Gold Line Eastside line from the existing Atlantic/Pomona station approximately 9.5 miles to Lambert Rd. in the City of Whittier. It transitions to an aerial guideway on the south side of SR 60 to Garfield Ave., then continues east on Washington Blvd. all in an aerial configuration. At Montebello Blvd., the Alternative would continue at-grade to the terminus station at Lambert Rd. This Alternative proposes six stations with supporting park-and-ride lots at five stations. Attachment C shows the alignment. Two design variations were studied as part of the Washington Blvd. Alternative. The first is an aerial crossing at Rosemead Blvd. to minimize potential traffic impacts at that intersection. The second is an aerial crossing over the San Gabriel River/I-605 Freeway and Pioneer Blvd. to address potential physical constraints.

The DEIS/EIR concluded that the aerial structure on Garfield Ave. between Via Campo and Whittier Blvd. would result in unavoidable adverse impacts after mitigations are implemented. There would be removal of community resources, resulting in a change to the social and physical character within the immediate community. There would also be significant impacts to the visual character of Garfield Ave. due to the presence of shade and shadows cast by the aerial guideway structure. For these reasons, in November 2014, the Board eliminated from further consideration the aerial configuration on Garfield Ave. and directed staff to explore other north-south alignments to Washington Blvd.

Technical Study

The Technical Study will involve consultation with the multiple jurisdictions and agencies and additional investigation in the following areas:

- Environmental Protection Agency (EPA) to further address comments regarding the impact of construction and operation of the project on the OII Superfund site, and comments regarding the Omega Superfund Site;
- United States Army Corps of Engineers (USACE) to address Executive Order 11988 and Section 408 as they relate to the construction and operation of the proposed Santa Anita

Station in the City of South El Monte and supporting park and ride on the site of the Whittier Narrows Dam Basin;

- Caltrans to address comments regarding design of the SR 60 NSDV Alternative;
- Department of Interior and California Department of Fish and Wildlife to address comments related to habitat and wetlands delineation;
- Southern California Edison (SCE) to address potential conflicts with existing and planned transmission lines and facilities;
- City of Monterey Park to address comments regarding visibility;
- Refine the Washington Blvd. Alternative to identify an alternate north-south connection to Washington Blvd.

The DEIS/EIR analyzed each alternative independent of one another. Given the demonstrated need for transit service in each subregion, strong community support from the subregions for their respective Alternative and the identification of two Eastside Phase 2 Alternatives, the Board directed staff to study the impacts, performance and cost of having both alternatives in operation.

Technical work to evaluate how two Alternatives could be operated would build upon the analysis in the DEIS/EIR to identify potential environmental impacts, impacts on ridership and operational issues. Staff was also directed to update project costs, explore cost containment strategies, including analyzing a minimum operable segment.

The Technical Study findings will inform the DEIS/EIR, and a potential implementation strategy for the Eastside Transit Corridor Phase 2 project.

West Santa Ana Branch - Eastside Phase 2 Connection Study

Through a separate study effort, staff is procuring consultant services through the Countywide Planning Bench to conduct the Board-directed West Santa Ana Branch - Eastside Phase 2 Connection Study. The purpose of this study effort is to investigate the feasibility of connecting the Washington Blvd. Alternative to the West Santa Ana Branch project to access downtown Los Angeles. Staff will work closely with the West Santa Ana Branch - Eastside Phase 2 Connection study team to ensure both study efforts are coordinated and fully informed of each other's developments.

DETERMINATION OF SAFETY IMPACT

The Technical Refinement Study will not have any adverse safety impacts on our customers or employees.

FINANCIAL IMPACT

The FY16 Budget includes \$1,225,000 in Cost Center 4350 (Transit Corridors-Westside), under Project 460232 (Eastside Extension Phase 2). Since this is a multi-year project, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting costs in future

years.

Impact to Budget

The source of funds is Repayment of Capital Project Loans Fund 3562. These funds are eligible for bus and/or rail operating and capital expenses.

ALTERNATIVES CONSIDERED

The Board could consider using in-house resources to perform the Technical Study. Using in-house staff is not recommended because extensive specialized technical expertise is needed to perform the requirements of a study of this magnitude and scope.

NEXT STEPS

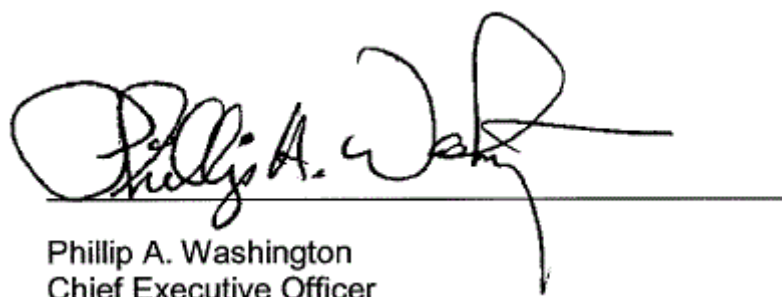
Upon Board approval, staff will execute contract modifications with CDM Smith/AECOM and Arellano Associates for the Technical Study and Outreach support. Additionally, staff will continue the procurement of professional services using the Countywide Planning Bench to conduct the West Santa Ana Branch - Eastside Phase 2 Connection Study.

ATTACHMENTS

Attachment A-1 - Procurement Summary
Attachment A-2 - Procurement Summary
Attachment B - November 2014 Board Action
Attachment C - Study Area Map

Prepared by: Laura Cornejo, Deputy Executive Officer, (213) 922-2885
Eugene J. Kim, Deputy Executive Officer, (213) 922-3080
David Mieger, Executive Officer, (213) 922-3040
Renee Berlin, Managing Executive Officer, Countywide Planning, (213) 922-2035

Reviewed by: Martha Welborne, FAIA, Chief Planning Officer, (213) 922-7267
Ivan Page, Interim Executive Director, (213) 922-6383



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

EASTSIDE TRANSIT CORRIDOR PHASE 2 PROJECT/PS4320-2003

| | | | |
|----|---|---------|---|
| 1. | Contract Number: PS4320-2003 | | |
| 2. | Contractor: CDM Smith/AECOM: A Joint Venture | | |
| 3. | Mod. Work Description: Increased Scope and Period of Performance Extension | | |
| 4. | Contract Work Description: Eastside Transit Corridor Phase 2 Project - Technical | | |
| 5. | The following data is current as of: June 5, 2015 | | |
| 6. | Contract Completion Status | | Financial Status |
| | Contract Awarded: | 7/31/07 | Contract Award Amount: \$2,203,584 |
| | Notice to Proceed (NTP): | 8/9/07 | Total of Modifications Approved: \$13,344,795 |
| | Original Complete Date: | 6/6/08 | Pending Modifications (including this action): \$2,898,336 |
| | Current Est. Complete Date: | 1/31/17 | Current Contract Value (with this action): \$18,446,715 |
| 7. | Contract Administrator: Samira Baghdikian | | Telephone Number: (213) 922-1033 |
| 8. | Project Manager: Eugene Kim | | Telephone Number: (213) 922-3080 |

A. Procurement Background

This Board Action is to approve Modification No. 12 for further study on the two alternatives evaluated in the Draft EIS/EIR for the Eastside Transit Corridor Phase 2 project. On November 5, 2014, the Board authorized staff to proceed with further study on the two alternatives evaluated in the Draft EIS/EIR for the Eastside Transit Corridor Phase 2 project. This Board direction focused on the need to respond to the comments received by the participating/cooperating agencies as well as considering options to the aerial Garfield Blvd. connection to Washington Blvd. This contract modification will extend the contract through January 31, 2017.

This contract modification has been processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

On July 31, 2007, the Board approved award of Contract No. PS4320-2003 to CDM Smith/AECOM, a Joint Venture, in the firm fixed price contract amount of \$2,203,584 to perform full environmental clearance under federal and state law for Phase 2 of the Los Angeles Eastside Transit Corridor.

A total of eleven (11) modifications have been executed to date. Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate, MASD audit, cost analysis, technical evaluation, and fact finding.

| Proposal Amount | Metro ICE | Negotiated Amount |
|------------------------|------------------|--------------------------|
| \$4,028,439 | \$2,439,408 | \$2,898,336 |

C. Small Business Participation

CDM Smith/AECOM, a Joint Venture, made a 16.32% Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment. Current DBE participation is 17.03%. CDM Smith/AECOM is exceeding their commitment.

| DALP Commitment | 16.32% | DALP Participation | 17.03% |
|------------------------|---------------|---------------------------|---------------|
|------------------------|---------------|---------------------------|---------------|

| | DBE Subcontractors | Ethnicity | % Commitment | Current Participation¹ |
|----|---------------------------|-------------------|---------------------|--|
| 1. | D'Leon Consulting | Hispanic American | 8.58% | 5.68% |
| 2. | LKG-CMC, Inc. | Non-Minority | 3.20% | 3.30% |
| 3. | Morgner Construction | Hispanic American | 4.54% | 2.53% |
| 4. | Barrio Planners, Inc. | Hispanic American | 0.00% | 2.44% |
| 5. | Wagner Engineering | Non-Minority | 0.00% | 2.66% |
| 6. | JBG Environmental | Non-Minority | 0.00% | 0.42% |
| | Total | | 16.32% | 17.03% |

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

D. Living Wage and Service Contract Worker Retention Policy Applicability

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

CONTRACT MODIFICATION/CHANGE ORDER LOG

EASTSIDE PHASE 2 PROJECT/PS4320-2003

| Mod. No. | Original Contract | 7-31-07 | \$2,203,584 |
|-----------------|--|----------------|---------------------|
| 1 | Exercise DEIS/R Option (Board Approved) | 3-4-09 | \$11,418,071 |
| 2 | Performed Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR). Extend period of performance by 1 year through 5/31/12. | 4-18-11 | \$395,643 |
| 3 | Revisited previous studies, conduct any additional research, and prepare a discussion of how the items in the Sunnyvale decision impact the Eastside Transit Corridor Phase 2. | 5-25-11 | \$72,258 |
| 4 | Removed New Starts Related Tasks, added Qualitative and Quantitative Analyses and added SR 60 LRT Alternative North Option. | 7-5-11 | \$0 |
| 5 | Extended the period of performance through 2/28/13. | 3-19-12 | \$0 |
| 6 | Updated to the Administrative Draft EIS/EIR, prepared the DEIS/DEIR, and various modeling processes. Extended period of performance through 2/28/14. | 2-27-13 | \$1,165,737 |
| 7 | Based on changes to the project schedule, seven month extension of period of performance through 9/30/14. | 2-25-14 | \$221,877 |
| 8 | Extended the period of performance through 10/31/14. | 9-30-14 | \$0 |
| 9 | Based on changes to the project schedule, five month extension of period of performance through 2/28/15. | 10-29-14 | \$71,209 |
| 10 | Extended the period of performance through 6/30/15. | 1-12-15 | \$0 |
| 11 | Extended the period of performance through 7/31/15. | 5-28-15 | \$0 |
| 12 | Pending Board Approval Technical efforts on further study on the two alternatives evaluated in the Draft EIS/EIR for the Eastside Transit Corridor Phase 2 Project and extend the period of performance through 1/31/17. | TBD | \$2,898,336 |
| | Total: | | \$18,446,715 |

PROCUREMENT SUMMARY

EASTSIDE TRANSIT CORRIDOR PHASE 2 PROJECT OUTREACH/PS4320-2006

| | | | |
|----|--|---------|---|
| 1. | Contract Number: PS4320-2006 | | |
| 2. | Contractor: Arellano Associates | | |
| 3. | Mod. Work Description: Increased Scope and Period of Performance Extension | | |
| 4. | Contract Work Description: Eastside Transit Corridor Phase 2 Project - Outreach | | |
| 5. | The following data is current as of: June 5, 2015 | | |
| 6. | Contract Completion Status | | Financial Status |
| | Contract Awarded: | 6/28/07 | Contract Award Amount: \$358,428 |
| | Notice to Proceed (NTP): | 7/31/07 | Total of Modifications Approved: \$1,787,286 |
| | Original Complete Date: | 6/30/08 | Pending Modifications (including this action): \$296,533 |
| | Current Est. Complete Date: | 1/31/17 | Current Contract Value (with this action): \$2,442,247 |
| 7. | Contract Administrator: Samira Baghdikian | | Telephone Number: (213) 922-1033 |
| 8. | Project Manager: David Hershenson | | Telephone Number: (213) 922-1340 |

A. Procurement Background

This Board Action is to approve Modification No. 11 issued in support for additional community outreach efforts on the two alternatives evaluated in the Draft EIS/EIR for the Eastside Transit Corridor Phase 2 project. On November 5, 2014, the Board authorized staff to proceed with additional community outreach efforts on the two alternatives evaluated in the Draft EIS/EIR for the Eastside Transit Corridor Phase 2 project. This Board direction focused on the need for outreach services to support the technical process and engage stakeholders. This contract modification will extend the contract through January 31, 2017.

This contract modification has been processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

On June 28, 2007, the Board approved award of Contract No. PS4320-2006 to Arellano Associates in the firm fixed price contract amount of \$358,428 to conduct public outreach for the Alternative Analysis (AA) work for the Eastside Transit Corridor Phase 2 Project.

A total of ten (10) modifications have been executed to date. Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate, cost analysis, technical evaluation, and fact finding.

| Proposal Amount | Metro ICE | Negotiated Amount |
|------------------------|------------------|--------------------------|
| \$412,997 | \$245,985 | \$296,533 |

C. Small Business Participation

Arellano Associates, a DBE Prime, made a Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment of 76.9%. At the time of contract award, Arellano Associates listed two (2) subcontractors, Marketing & Communications and Frank Cardenas & Associates. With the initiation of the Alternative Analysis process in 2007-2008, Arellano & Associates, in collaboration with Metro, created a Public Participation Plan that outlines the agreed outreach activities for the early scoping process. Given the final work plan, Frank Cardenas & Associates' services for a financial analysis was not needed and therefore eliminated from the contract. Current DBE participation is 96.44%. Arellano & Associates is exceeding their DBE commitment.

| | | | |
|--|-------------------|---|--------------------|
| Disadvantaged Business Enterprise Anticipated Level of Participation Commitment | 76.9% DALP | Disadvantaged Business Enterprise Anticipated Level of Participation | 96.44% DALP |
|--|-------------------|---|--------------------|

| | DBE Subcontractors | Ethnicity | % Commitment | Current Participation¹ |
|----|--|-------------------|---------------------|--|
| 1. | Arellano Associates (DBE Prime) | Hispanic American | 68.5% | 95.80% |
| 2. | Marketing & Communications | Hispanic American | 4.2% | 0.64% |
| 3. | Frank Cardenas & Associates ² | Hispanic American | 4.2% | 0.00% |
| | Total | | 76.9% | 96.44% |

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

²The scope of work (Financial Analysis) identified for Frank Cardenas & Associates was eliminated.

D. Living Wage and Service Contract Worker Retention Policy Applicability

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

CONTRACT MODIFICATION/CHANGE ORDER LOG

EASTSIDE ACCESS PHASE 2 PROJECT OUTREACH/PS4320-2006

| Mod. No. | Original Contract | 6-28-07 | \$358,428 |
|-----------------|---|----------------|--------------------|
| 1 | Outreach effort for the DEIS/DEIR, advanced conceptual engineering and station area planning. (Board Approved) | 1-22-09 | \$1,167,000 |
| 2 | Facilitation of community participation for the DEIS/DEIR. | 4-6-11 | \$256,864 |
| 3 | Extended the period of performance through 6/30/12. | 5-8-12 | \$0 |
| 4 | Updated the SOW reflecting outreach needs of project moving forward for additional 11 months to complete DEIS/R and advanced conceptual drawings. | 6-14-12 | \$151,479 |
| 5 | Extended the period of performance through 7/5/13. | 4-24-13 | \$0 |
| 6 | Increase scope and term of contract for expanded tasks and project timeline through 3/31/14. | 6-27-13 | \$105,254 |
| 7 | Supplemental Outreach Task. | 2-7-14 | \$50,519 |
| 8 | Based on changes to the project schedule, a five month extension of the period of performance through 2/28/15. | 9-19-14 | \$43,806 |
| 9 | Supplemental outreach task related to the technical studies. Extension of the period of performance through 6/30/15. | 1-26-15 | \$12,364 |
| 10 | Extended the period of performance through 7/31/15. | 5-28-15 | \$0 |
| 11 | Pending Board Approval Outreach efforts on further studies on the two alternatives evaluated in the Draft EIS/EIR for the Eastside Transit Corridor Phase 2 project and extension of period of performance through 1/31/17. | TBD | \$296,533 |
| | Total: | | \$2,442,247 |

Motion by Directors DuBois and Knabe

The staff recommendation on moving forward with two build options for the Metro Gold Line Eastside Extension Phase II includes analyzing environmental impacts and performance with both Alternatives in operation, including conducting cost containment studies.

Both alternative alignments combined have the potential to add an additional 36,000 new riders to the main Metro Gold Line Eastside Phase II.

Integration via a connector or other line integration with the West Santa Ana Branch (Eco-Rapid Transit Line) may provide relief for some of this ridership as well as provide more system options for area residents. If there is any potential connectivity with the West Santa Ana Branch then now is the time to analyze this option.

Therefore as part of this analysis we recommend that:

Staff investigate coordination or potential connectivity that does not preclude integration of the Metro Gold Line Eastside Extension and the West Santa Ana Branch (Eco-Rapid Transit) Project.

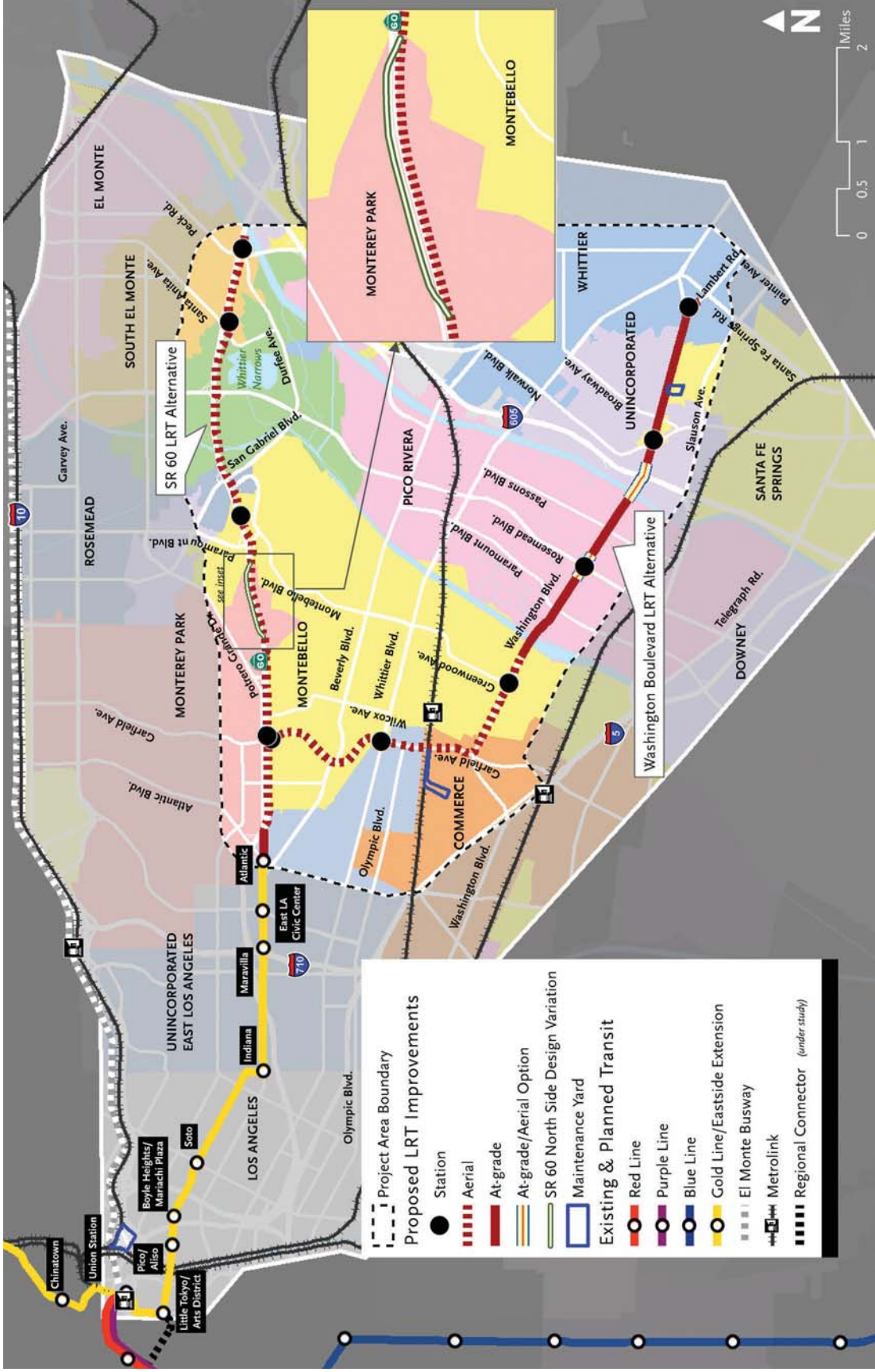


Figure ES-5: Build LRT Alternatives Studied in the EIS/EIR



Board Report

File #: 2015-0848, File Type: Contract

Agenda Number: 11.

**REVISED
CONSTRUCTION COMMITTEE
JULY 16, 2015**

**SUBJECT: CONSTRUCTION MANAGEMENT CONSULTANT SUPPORT
SERVICES CONTRACT, CONTRACT PS100800-2641**

**ACTION: AUTHORIZE ADDITIONAL CONTRACT VALUE IN AN AMOUNT NOT-
TO-EXCEED \$2,144,000**

RECOMMENDATION

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION:

- A. authorizing an increase to the total authorized funding for Contract No. PS100800-2641 with MARRS Services, Inc., for **pending and future task orders to provide Construction Management Consultant (CMC) Support Services**, in an amount not to exceed \$2,144,000, increasing the total contract value from \$7,744,000 to \$9,888,000; and
- B. authorizing the Chief Executive Officer to execute individual Task Orders (TOs) and Contract Modifications within the Board approved contract funding amount.

ISSUE

Staff came to the Construction Committee in November 2014 seeking to increase the value of contract PS100800-2641 by \$4,288,000 for work it forecasted through the end of the contract in June 2016 (FY16). At the Construction Committee meeting, the Committee recommended an increase of only half that amount, \$2,144,000. Staff has awarded task orders totaling \$7,452,264 and has less than \$300,000 of the authorized funding remaining. Staff comes to the Board asking for funding in the amount of last November's reduction, \$2,144,000, because its forecast for work through the end of FY16 has not changed, but it no longer has sufficient funding to award additional task orders.

MARRS is a Small Business Enterprise (SBE) company, and has provided Construction Management Consultant (CMC) services on current bus facilities capital projects including Division 13, Harbor Transitway Improvements, Bus Division Facility Improvements, Harbor Gateway Transit Center Improvements, Slauson Bus Stop improvements, and a bollard safety project along the San

Bernardino (I-10) Freeway. MARRS has performed satisfactorily since initial award of the contract.

DISCUSSION

The primary role of the CMC is to provide skilled and qualified staff to support and augment Metro staff with construction management of Metro's bus facilities construction contracts. Both Metro and CMC staff, in most cases, work side-by-side in integrated project management offices (IPMO). In essence, the CMC contract allows us to efficiently and effectively augment Metro Construction Management staff as required, so that the proper resources required to manage a contract are available to us both in terms of staff availability and technical expertise. The CMC contract funds are authorized by issuing separate Task Orders (TOs) for various projects using labor classifications and rates set forth in the contract. This method of contracting results in more efficient cost and schedule management, since TOs and modifications to existing TOs are negotiated and issued as additional work is identified. For each task order or modification, Metro prepares a scope of work and an estimate of hours, and the contractor subsequently provides a proposal. If there is a discrepancy, Metro and the contractor fact-find and negotiate the hours. After agreement, the task order is issued and the work proceeds.

In April 2011, the MTA Board authorized the Chief Executive Officer to award the MARRS contract and execute individual TOs and modifications for an amount not to exceed \$2,500,000. The CMC contract is a Time and Material Contract with a base contract term of three years and two one-year options. The contract was executed on June 17, 2011, and the expiration date of the three year base contract was June 17, 2014. Primarily due to satisfactory performance, staff has exercised the options and extended the period of performance through June 17, 2016.

The initial \$2,500,000 was calculated based on three years of small TOs, primarily for inspectors and night-time oversight on construction jobsites for bus facilities capital projects. However, due to the technical expertise of MARRS staff, the MARRS team has also assisted Metro with its underground storage tank (UST) replacement program and the Division 13 Bus Operations and Maintenance Facility. MARRS's services are also being used to support projects funded by departments outside of Engineering and Construction. For example, MARRS is being used for CMC support for the Bus Shelters and Pylons along Rapid Bus Lines on Wilshire Blvd, and earlier this spring, staff also began using MARRS to oversee construction of a joint development project at 1st and Boyle off the Gold Line's Mariachi Plaza Station. Nonetheless, the single largest TO has been for CMC support on the Division 13 project. Since the start of construction of Division 13 in August 2012, MARRS has provided a resident engineer, office engineers, construction field inspectors, schedulers, and estimators to support the project.

On July 25, 2013 the Board approved an increase to the total contract value in the amount of \$3,100,000, increasing the total contract value to \$5,600,000. This action was required primarily to accommodate the addition of the Division 13 project to the MARRS contract. Due to the current needs of our capital program, and staff's desire to continue using MARRS for CMC services,

additional contracting authority is now required to provide CMC support for our bus facility projects.

With Contract PS100800-2641 extended through June 2016, the current contracting authorization of \$7,744,000 is already subscribed through Division 13 and other smaller capital projects. As a result, additional contracting authority is now required to continue supporting approved bus facility capital projects through the contract period of performance. Furthermore, due to the technical expertise provided by MARRS, staff intends to use MARRS personnel to assist with the Patsaouras Plaza Improvements Project (202317) which will start construction this summer. A listing of the current task orders, proposed projects, and forecasted task order amounts is included as Attachment B. As shown on the attachment, the requested contract value through expiration in June 17, 2016 is \$9,888,000.

In regards to small business participation, upon contract award MARRS made an 80% SBE commitment. To date, MARRS has maintained a 100% SBE participation.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

The funding for these services is included in the approved FY16 budget in various bus facilities capital projects, and the 1st and Boyle joint development project. Task Orders will be issued and funded from the associated life-of-project (LOP) budgets. The funding source differs depending on the individual project. These activities will remain within the approved life-of-project budget for each respective project.

Since this is a multi-year contract, the cost center manager and Executive Director, Engineering and Construction, will be accountable for budgeting the cost of the annual work program for each fiscal year for the term of the contract, including any option(s) exercised.

Impact to Budget

Funding for this action will come from various sources eligible for bus / rail facilities capital expenditures and major construction projects funded with specific grant sources. Approval of this action will result in use of funding which are also eligible for Bus and Rail Operations.

ALTERNATIVES CONSIDERED

The Board may elect to discontinue using MARRS Services, Inc., for CMC services. Staff does not recommend this alternative as the construction projects they are assigned to are in various degrees

of completion and the loss of staff would cause these projects to be significantly impacted. Given that the MARRS contract will expire in June 2016, staff intends to conduct a new CMC procurement shortly so that a new contractor is available before the existing contract expires.

Another alternative would be to hire Metro staff to perform the required services. This alternative is also not recommended since the intent of the CMC is to augment Metro staff in terms of technical expertise and availability of personnel. CMC services are typically required on a periodic or short-term basis to accommodate for peak workloads or specific tasks over the life of the projects. Further, for some projects, the specific technical expertise required may not be available within the ranks of Metro staff, whereas the CMC consultant can provide the technical expertise on an as-needed basis.

NEXT STEPS

Staff will issue a contract modification and issue task orders, as needed.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - Contract Task Order/Modification Log

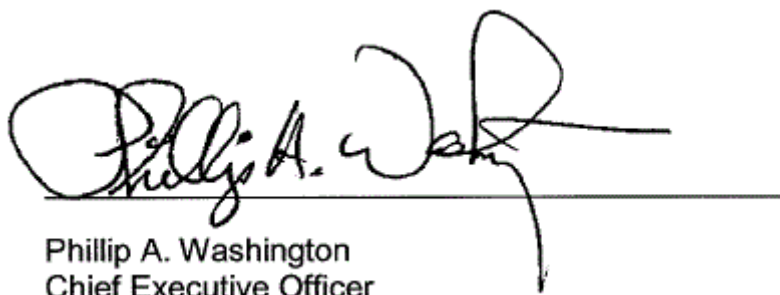
Prepared by: James S. Gleig, Director of Construction, (213) 922-7453

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Reviewed by:

Ivan Page, Interim Executive Director, Vendor/Contracts Management, (213) 922-6383

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

CONSTRUCTION MANAGEMENT CONSULTANT SUPPORT SERVICES
CONTRACT

| | | | |
|----|---|--|--|
| 1. | Contract Number: PS-100800-2641 | | |
| 2. | Contractor: MARRS Services, Inc. | | |
| 3. | Mod Work Description: Increase Contract Value for pending task orders/modifications to support ongoing projects. | | |
| 4. | Work Description: Construction Management | | |
| 5. | The following data is current as of: June 10, 2015 | | |
| 6. | Contract Completion Status: | | |
| | Award Date: | 6/17/11 | Board Approved NTE Amount: \$7,744,000 |
| | Notice to Proceed (NTP): | 6/17/11 | Total Contract Modification Authority (CMA): \$7,744,000 |
| | Orig. Completion Date: | 6/17/14 | Value of Task Order and mods. issued to date (including this action): \$7,452,264 |
| | Estimated Completion Date: | 6/17/16 | Remaining Board Approved NTE Amount: \$291,736 |
| 7. | Contract Administrator: Frederick Origel | Telephone Number: (213) 922-7331 | |
| 8. | Project Director: Jim Gleig | Telephone Number: (213) 922-7453 | |

A. Contract Action Summary

This Board Action is to increase the contract NTE value. All task orders and contract modifications are handled in accordance with Metro's acquisition Policy. The contract type is Time and Material.

In April 2011, the Board authorized the CEO to award Contract PS-100800-2641 to MARRS Services, Inc. and execute individual Task Orders within the Board approved contract value (Item # 3). This recommended action is to increase the contract value for pending task orders and modifications.

Attachment B shows task orders and modifications issued to date, and the additional task orders and modifications that are currently pending authorization.

B. Cost/Price Analysis

The price for all future task orders and modifications will be determined to be fair and reasonable based on audit of the labor and overhead rates, cost analysis, technical evaluation, fact finding, and negotiations.

An audit request has been submitted to the Metro Management Audit Services Department (MASD) to determine all allowable and allocable direct and overhead rates. Task Orders and Modifications are subject to retroactive adjustments to the Contract upon completion of the audit for the actual direct and overhead rates incurred.

C. Small Business Participation

MARRS Services made an 80% Disadvantaged Business Enterprise (DBE) Anticipated Level of Participation (DALP) commitment. MARRS Services is currently exceeding their DALP commitment with a current DBE participation amount of 100%.

| | | | |
|-----------------------|------------|--------------------------|-------------|
| DBE COMMITMENT | 80% | DBE PARTICIPATION | 100% |
|-----------------------|------------|--------------------------|-------------|

| | DBE Prime and Subcontractors | Status | Ethnicity | % Committed | Participation¹ |
|-------------------------|-------------------------------------|---------------|-----------------------------|--------------------|----------------------------------|
| 1. | MARRS Services, Inc. | Performing | Subcontinent Asian American | 74.00% | 98.89% |
| 2. | Safework, Inc. | Will Perform | Non-Minority Female | 2.00% | 0.00% |
| 3. | Simplex Construction Management | Will Perform | Subcontinent Asian American | 2.00% | 0.00% |
| 4. | Ramos Consulting Services | Performing | Hispanic American | 2.00% | 0.11% |
| Total Commitment | | | | 80% | 100% |

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

ATTACHMENT B

CONTRACT TASK ORDER/ MODIFICATION LOG

**CONSTRUCTION MANAGEMENT CONSULTANT SUPPORT SERVICES
CONTRACT**

| Task Order/Mod No. | Description | Status | Cost |
|---|---|---------------|-------------|
| 1 | Division 13 | Approved | \$5,366,826 |
| 2 | Environmental Services UST Support | Approved | \$668,992 |
| 3 | Safety Bollards on I-10 | Approved | \$33,475 |
| 4 | Harbor Transitway CDRP | Approved | \$38,193 |
| 5 | Bus Facilities Improvements | Approved | \$328,324 |
| 6 | Slauson Bus Stop Amenity Improvements | Approved | \$40,765 |
| 7 | Artesia Transit Center Improvements | Approved | \$8,256 |
| 8 | Location 61 Roof Replacement | Approved | \$53,045 |
| 9 | Rail Operations – Red Line | Approved | \$10,617 |
| 10 | Bus Facilities Improvements and Enhancements II | Approved | \$219,056 |
| 11 | Wilshire Customer Service Center | Approved | \$38,569 |
| 12 | Patsaouras Plaza Bus Station Construction | Approved | \$32,889 |
| 13 | Environmental Field Inspection – UST LA Times Bldg. | Approved | \$86,956 |
| 14 | FY15-17 Fuel Storage Tank Systems 202211 | Approved | \$375,715 |
| 15 | Terminal 47 and Terminal 48 Corrosion Repairs | Approved | \$35,585 |
| 16 | Sealing of El Monte Station Deck | Approved | \$29,222 |
| 17 | El Monte Bike Hub | Approved | \$29,222 |
| 18 | Sylmar Child Care | Approved | \$28,279 |
| 19 | Wilshire Rapid Bus Shelters | Approved | \$28,279 |
| Subtotal – Approved Task Orders/Modifications | | | \$7,452,264 |
| 12 | Add Estimator to Support Patsaouras Plaza | Pending | \$160,000 |
| TBD | First and Boyle Joint Development FY16 | Pending | \$80,000 |
| 1 | Division 13 (FY16) | Forecast | \$284,000 |
| 12 | Patsaouras Plaza Bus Station Construction FY16 | Forecast | \$995,000 |
| TBD | First and Boyle Joint Development FY16 (401039) | Forecast | \$100,000 |
| TBD | BLOC Construction (204025) | Forecast | \$40,000 |
| TBD | Facilities Improvements (202331) | Forecast | \$40,000 |
| 14 | Environmental Services UST Support FY16 | Forecast | \$290,000 |

| | | | |
|--|--|----------|--|
| TBD | Silver Line Improvements (202319) FY16 | Forecast | \$75,000 |
| TBD | Facilities Improvements (202320) FY16 | Forecast | \$50,000 |
| TBD | Facilities Improvements Div 1 (202324) | Forecast | \$90,000 |
| TBD | Facilities Improvements BRT (202326) | Forecast | \$90,000 |
| TBD | Facilities Improvements LRT (204083) | Forecast | \$90,000 |
| Subtotal – Approved Task Orders/Modifications | | | \$7,452,264 |
| Subtotal – Pending or Forecasted Changes/Modifications | | | \$2,384,000 |
| Total Mods/Task Orders and Pending or Forecasted Task Orders (including this request) | | | \$9,836,264 |
| | | | |
| Contract Value and Prior CMA Authorized by the Board (including award and modifications) | | | \$7,144,000 <u>\$7,744,000</u> |
| Increased CMA and Contract Value for this recommended action | | | \$2,144,000 |
| Total CMA and Contract Value including this action | | | \$9,888,000 |
| Remaining CMA for Future Changes | | | 0 <u>\$51,736</u> |

**Board Report**

File #: 2015-0223, **File Type:** Contract

Agenda Number: 40.

REVISED
CONSTRUCTION COMMITTEE
JULY 16, 2015

SUBJECT: WESTSIDE PURPLE LINE EXTENSION PROJECT

ACTION: AUTHORIZE THE AWARD OF CONTRACT C1078 MAINTENANCE OF WAY/NON-REVENUE VEHICLE MAINTENANCE BUILDING

RECOMMENDATION

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award a 28 month firm fixed price contract, under Invitation for Bid No. C1078, with Clark Construction Group, the lowest responsive and responsible bidder for the **final design and construction of the Maintenance of Way/Non-Revenue Vehicle Maintenance Building** to be constructed as part of the Division 20 Yard and Shops expansion for a firm fixed price of \$52,830,310.

ISSUE

On September 19, 2013, the Board approved the use of the Design/Build delivery method for the Maintenance of Way/Non-Revenue Vehicle Maintenance Building, but did not approve the staff recommendation to authorize the CEO to award the contract after the receipt of bids. An Invitation For Bid (IFB) was advertised on September 19, 2014, under CPUC 130242 (a). Bids were received on February 6, 2015. Under CPUC 130242 (e) the contract shall be awarded to the lowest responsive and responsible bidder.

Board approval of the Recommendation is required to fulfill the scope related to the Division 20 Yard and Shops expansion and modifications as part of the requirements for the Westside Purple Line Extension Section 1 Project, as described in the Federal Transit Administration (FTA) Full Funding Grant Agreement (FFGA).

BACKGROUND

In April 2012, the Board of Directors certified the Final EIS/EIR for the Westside Purple Line Extension Project as a nine-mile, dual track heavy-rail transit subway project that will operate as an

extension of the Metro Purple Line heavy rail transit subway system. The Project received the Full Funding Grant Agreement (FFGA) on May 21, 2014 for work on Section 1 (3.92 miles of twin-tunnels from Wilshire/Western to Wilshire/La Cienega, with three subway stations) that includes expansion and modifications to the Division 20 rail yard and shops facilities to support the extension of the Purple Line and the anticipated growth in service of both the Purple Line and Red Line.

In addition, the Maintenance of Way/NRV Maintenance Building is a replacement building for existing buildings that will be displaced in order to construct a turn-back facility within Division 20 beyond the existing terminus at Union Station. This area will also be required as a temporary laydown area for the C1045 Design/Build Contract (Tunnels, Stations, Trackwork, Systems and Systems Integration Testing) to allow the C1045 Contractor to stage and weld rail that will be fed into the 3.92 miles of the Westside Purple Line Extension Section 1 Project, via the existing tunnel portal located at Division 20.

Since the time of the certification of the Final EIS/EIR in 2012, staff has worked with stakeholders and the City of Los Angeles on requested changes to the Maintenance of Way/NRV Building. In 2012/13, these included accommodations for the City supported project to construct the Lucky Brand Jeans design/production facility on a portion of the identified yard expansion site and accommodations for the City's 6th Street Viaduct Replacement Project.

In 2014, residents and activists in the Arts District who had been working with the City of Los Angeles on the proposed new park and river access as part of the 6th Street Viaduct Replacement Project, raised concerns about the appropriateness of the Maintenance of Way/NRV (MOW/NRV) Building and its design adjacent to the proposed new park and river access. In response to these concerns, the Board approved Motion #83 on October 2, 2014, directing the CEO to work with the Arts District residents and other stakeholders to identify changes that could be made to the planned maintenance of way building to ensure that the building complements the proposed arts park and river walk.

Per the Board directive, Metro staff further engaged Arts District Representatives to explore their requests to develop design alternatives that would either relocate the building to an alternate site north of the 1st Street Bridge or provide design changes on the previously approved site adjacent to the future 6th Street Bridge. Attachment C provides a summary of these outreach efforts which included over 18 stakeholder meetings and more than 30 internal meetings to review and prepare the necessary analyses and responses to community requests. During this time, the stakeholders actively participated with their own proposals prepared by faculty at the Southern California Institute of Architecture and an outside architectural firm commissioned by the stakeholders to present alternative concepts and ideas.

Many of the above requests for changes and accommodations have been made and others can still be made during the Design/Build phase. However, it was determined that moving the building to a completely different site would have significant cost and schedule impacts to the Westside Purple Line Extension Project at this late stage in project development. Therefore, other alternatives were

explored during more recent meetings held between Metro and the Arts District Stakeholders to retain the MOW Building on the Metro owned site at 6th/Santa Fe. The revised site plan would maintain the current building footprint which includes rooftop parking and surface parking but reconfigures the site plan by increasing the distance to the 6th Street Bridge by moving the location of the building farther back on the current property that MTA has already acquired. Other concepts such as underground parking or a second level of rooftop parking were determined to be financially infeasible.

The revised plan will provide a building setback of at least 85 feet from the 6th Street property line and at least 50 feet from the Santa Fe Avenue property line. This will improve site lines and views of the new bridge from Santa Fe Avenue. We will also continue to explore the feasibility of pushing the building farther back from the bridge toward the northeastern property boundary if fire/life safety conditions mandated by the Los Angeles City Fire Department and operational requirements of our Division 20 Railyard Operations and Maintenance functions can be met..

We will continue to work with stakeholders and the City during the Final Design and Construction phase following the award of Contract C1078 to include possible additional elements requested by the stakeholders including landscaping, color & lighting treatments and an art component.

Metro Art staff normally work with the Project Team and Design Builder to explore how an art opportunity may be integrated. In this case, opportunities would be explored in exterior locations facing Santa Fe Avenue and the 6th Street Bridge. Opportunities may include enhanced architectural glass, grilles, panels or lighting. The Metro process convenes a Curatorial Advisory Committee of high profile Los Angeles area museum curators with a background in contemporary visual art to establish a Prequalified Artist Pool.

In the longer term, staff will work with the Los Angeles Bureau of Engineering as they develop designs for the Arts Park and River Gateway under the new 6th Street Bridge. One concept to be explored with the City would utilize some of the setback area that will be provided on the Metro owned MOW Building site to expand the Arts Plaza in return for City owned surplus properties that are expected to remain on the south side of the bridge following construction. These opportunities will be better understood when the City further develops their plans for the Arts Park and River Gateway immediately adjacent to the MOW Building site.

Board approval of the Recommendation at this time is required to maintain the overall schedule for the Westside Purple Line Extension Section 1 Project and reduce the potential of schedule delays and cost impacts.

DETERMINATION OF SAFETY IMPACT

The recommended action has no impact on safety.

FINANCIAL IMPACT

Funds are included in the FY16 budget for this action under Project 865518 - Westside Purple Line Extension Section 1 Project in Cost Center 8510 (Construction Project Management), and Account Number 53101 (Acquisition of Building and Structure). Since this is a multi-year project, the Executive Director of Engineering and Construction and the Project Manager will be responsible for budgeting costs in future years.

Board approval of the Recommendation at this time is required to maintain the overall schedule for the Westside Purple Line Extension Section 1 Project and reduce the potential of schedule delays and their resulting cost impacts. Staff will continue to work with Arts District Stakeholders following the award of the bid to address changes to the design on the 6th/Santa Fe approved site. As the recommended bid award amount is more than the budget line item for the Maintenance of Way/Non-Revenue Vehicle Maintenance Building included in the FTA Full Funding Grant Agreement, the additional costs related to the base scope will be funded by project contingency. In the event that further changes in the design result in new costs outside of the approved project budget, staff will return to the Board with a supplemental funding plan for approval.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts and Measure R 35% (Cash). The approved FY16 budget is designated for the Westside Purple Line Extension Section 1 Project and does not have an impact to operations funding sources. These funds were assumed in the LRTP for the Westside Purple Line Extension Section 1 Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board could decide to reject the staff Recommendation to award the C1078 Contract. However, this alternative is not recommended because there is no assurance of better prices and the Maintenance of Way/Non-Revenue Vehicle Repair Building is required to replace existing buildings that will need to be demolished on their current site to provide a site for a future turn-back facility that will be required to support increased service levels on the Red/Purple Lines and satisfy the required headways for passenger revenue service. The current building site will also be required for the C1045 (Tunnels, Stations, Trackwork, Systems and Systems Integration Testing) Design/Build Contract to provide a temporary laydown and welding area for the trackwork that will be installed in the new tunnels and stations for the Westside Purple Line Extension Project.

NEXT STEPS

Project staff will issue a Notice of Award, execute a contract with the recommended contractor and once bonds, insurance, and project labor agreement requirements are met, issue a Notice to Proceed.

ATTACHMENT

- A. Procurement Summary
- B. Motion No. 83 by Director Molina - October 2014
- C. Summary of Extended Outreach Efforts

Prepared By:

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Rick Wilson, Director Project Control (213-922-3627)

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Phillip A. Washington
Chief Executive Officer

**PROCUREMENT SUMMARY
WESTSIDE PURPLE LINE EXTENSION PROJECT
MAINTENANCE OF WAY / NON REVENUE VEHICLE BUILDING
/CONTRACT NO. C1078**

| | | |
|----|---|--|
| 1. | Contract Number: C1078 | |
| 2. | Recommended Vendor: Clark Construction Group | |
| 3. | Type of Procurement (check one): <input checked="" type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order | |
| 4. | Procurement Dates: | |
| | A. Issued: 9/19/14 | |
| | B. Advertised/Publicized: 9/20/14 | |
| | C. Pre-proposal/Pre-Bid Conference: 10/15/14 | |
| | D. Proposals/Bids Due: 2/6/15 | |
| | E. Pre-Qualification Completed: 3/18/15 | |
| | F. Conflict of Interest Form Submitted to Ethics: 3/12/15 | |
| | G. Protest Period End Date: June 23, 2015 | |
| 5. | Solicitations Picked up/Downloaded: 61 | Bids/Proposals Received: 2 |
| 6. | Contract Administrator: Zachary Munoz | Telephone Number: (213)922-7301 |
| 7. | Project Manager: Dennis Mori | Telephone Number: (213)922-7238 |

A. Procurement Background

This Board Action is to approve Contract no. C1078 issued in support of Westside Purple Line Extension Project.

IFB No. C1078 was issued in accordance with Metro’s Acquisition Policy and the contract type is a firm fixed price.

Invitation for Bid (IFB) No. C1078 was issued on September 19, 2014. The Notice requesting bids was published in several newspapers of general circulation on September 20, 2014. The IFB was also posted on Metro’s website and notice of availability postcards were mailed to potential bidders. A Pre-Bid conference was held on October 15, 2014, with 48 firms in attendance. A total of 3 Amendments were issued.

- Amendment No. 1 issued on October 31, 2014, revised various Project Definition Documents and revised the bid due date;
- Amendment No. 2 issued on December 12, 2014, revised various Project Definition Documents, added various Reference Documents, and revised the bid due date;

- Amendment No. 3 issued on January 16, 2015, revised various Volume I Documents and Project Definition Documents.

Sixty-one firms purchased the IFB package. Metro responded to one hundred and two clarification inquiries from the plan holders. Metro received two bids at a public bid opening, held on February 6, 2015.

B. Evaluation of Bids

The firm recommended for award, Clark Construction Group, was found to be in full compliance with the bid requirements.

| No. | Bidder Name | Bid Amount |
|-----|---------------------------|--------------|
| 1. | Clark Construction Group | \$52,923,000 |
| 2. | S.J. Amoroso Construction | \$57,277,000 |

C. Price Analysis

The recommended bid price has been determined to be fair and reasonable based upon adequate price competition and selection of the lowest responsive and responsible bidder.

| Bidder Name | Bid Amount | Metro ICE | Negotiated or NTE amount |
|--------------------------|--------------|--------------|--------------------------|
| Clark Construction Group | \$52,923,000 | \$61,119,226 | N/A |

As part of the IFB, Metro requested that bidders provide separate price schedules for unit prices for potential contract changes and delay compensation. These pricing schedules are not part of the base contract award, but are available to Metro to expedite negotiation of contract changes and compensable delay claims. Clark Construction Group’s Total Bid Price of \$52,923,000 included \$62,690 for unit price work for potential contract changes and \$30,000 for compensable delay compensation. These line items were included for evaluation purposes only, and are not included in the Total Contract Award amount of \$52,830,310.

D. Background on Recommended Contractor

Clark Construction Group (Clark) has been in operation since 1906. Clark has 4,200 employees spread across offices and jobsites throughout the United States. They have completed projects of all sizes and levels of complexity. Some of Clark’s past projects include, Washington Metropolitan Area Transit Authority Brentwood Shop Extension in Washington D.C., Anaheim Regional Transportation Intermodal Center (ARTIC) in Anaheim CA, and LAX Tom Bradley International Terminal in Los Angeles CA).

E. (1)Small Business Participation - Design

The Diversity and Economic Opportunity Department (DEOD) established a 20% Disadvantaged Business Enterprise (DBE) goal for design. Clark Construction Group exceeded the goal and made a 24.07% DBE commitment.

| | | | |
|-----------------|------------|-----------------------|---------------|
| DBE Goal | 20% | DBE Commitment | 24.07% |
|-----------------|------------|-----------------------|---------------|

| | DBE | Ethnicity | % Committed |
|-------------------------|----------------------------------|------------------------|--------------------|
| 1. | Bobby Knox | African American | 0.72% |
| 2. | Innovative Engineering Group | Asian Pacific American | 8.47% |
| 3. | JCE Structural Engineering Group | Hispanic American | 2.41% |
| 4. | Sanchez/Kamps Associated Designs | Hispanic American | 1.16% |
| 5. | V&A | Hispanic American | 11.13% |
| 6. | AP Engineering & Testing, Inc. | Asian Pacific American | 0.18% |
| Total Commitment | | | 24.07% |

E. (2)Small Business Participation - Construction

The Diversity and Economic Opportunity Department (DEOD) established a Race Conscious DBE goal of 16% for construction. To be responsive to DBE requirements, Clark Construction Group was required to identify all known DBE subcontractors at time of proposal. Clark Construction Group listed one DBE firm as noted below. In addition, Clark Construction Group was required to submit a DBE Contracting Plan identifying construction opportunities to meet its DBE commitment. Clark Construction Group must update its Contracting Plan monthly, as contract work is bid and awarded to DBE firms. DEOD reviewed and approved the Contracting Plan submitted by Clark Construction Group.

| | | | |
|-----------------|------------|-----------------------|------------|
| DBE Goal | 16% | DBE Commitment | 16% |
|-----------------|------------|-----------------------|------------|

| | DBE | Ethnicity | % Committed |
|-------------------------|--------------|------------------|--------------------|
| 1. | BBC Electric | African American | 1.95% |
| 2. | TBD | TBD | 14.05% |
| Total Commitment | | | 16.00% |

F. All Subcontractors Included with Recommended Contractor’s Proposal

| | Subcontractor | Services Provided |
|-----|--|--------------------------|
| 1. | Gruen & Associates | Urban Design |
| 2. | Bobby Knox | Specifications |
| 3. | Exponent | Life Safety |
| 4. | Gannett Fleming | Structural Engineering |
| 5. | Innovative Engineering Group | Mechanical Engineering |
| 6. | JCE Structural Engineering Group, Inc. | Structural Engineering |
| 7. | Menlo Scientific | AV/Acoustics |
| 8. | Sanchez/Kams Associated Design | Environmental Graphics |
| 9. | TK1SC | Low Voltage Engineering |
| 10. | V&A | Civil Engineering |
| 11. | Haley & Aldrich | Geotech |
| 12. | AP Engineering & Testing, Inc. | Lab Testing |
| 13. | McMurray Stern | High Density Storage |
| 14. | Letner Roofing Company | Metal Panels |
| 15. | Control Air Conditioning | HVAC & Plumbing |
| 16. | Cosco | Fire Sprinklers |
| 17. | Neal Electric | Electrical |
| 18. | BBC Electric | Electrical Supplier |

G. Living/Prevailing Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable on Professional Service Contracts listed below that are \$25,000.00 or greater and have a contract term of three (3) months or more. The LW/SCWRP will apply to professional service contracts for Asphalt and Concrete Repair, Facility and Building Maintenance, Food Services, Janitorial and Custodial, Landscaping, Laundry Services, Moving Services, Office and Clerical (copier maintenance, facsimile maintenance, courier mailing, photographic, printing, collections), Parking Lot Management, Pest Control, Security, Street Sweeping, Towing, Trash Collection, Tree Trimming, Weed Abatement and Debris Removal; and any other Service or labor determined by Metro’s Board of Directors, Executive Management or DEOD, to meet the intent of the Policy.

H. Prevailing Wage Applicability

Prevailing wages are applicable on Public Works contracts that are funded by State/Local and/or Federal dollars. The California Labor Code requires the payment of prevailing wages on state and local contracts in excess of \$1,000; and in the case of federally assisted projects, Federal Labor Standards Provisions require the payment of prevailing wages for contract in excess of \$2,000.

In the event that this Contract is subject to the provisions of California law regarding Public Works, including, but not limited to California Labor Code Sections 227, 1021, and 1720 through and including 1861, together with all applicable regulations (e.g. Title 8 California Code of Regulations, Section 16001 et. seq.), prevailing wages will be applicable to the contract. In addition to the requirements for payment of prevailing wages set forth in the Labor Compliance Manual, this Contract, if federally funded, is also subject to payment of prevailing wages under federal law by the Davis Bacon Act, as determined by the US Department of Labor. All pertinent federal and state statutes and regulations, including but not limited to those referred to above will be incorporated by reference into the contract document.

Motion by Director Molina

October 2, 2014

Metro is planning to construct a new maintenance of way building at the south portion of the Division 20 maintenance facility to accommodate additional service due to the subway expansion. In 2012, the project was environmentally cleared as a part of the Westside Subway. More recently, the City of Los Angeles unveiled plans for the Sixth Street viaduct replacement project which includes an arts park and performance space as well as a river gateway tunnel connection under the rail yard to the Los Angeles River.

Residents and activists in the Arts District only recently became aware of the proposed maintenance of way building after working collaboratively with the City of Los Angeles on the proposed new park and river access for a number of years. The community has raised concerns about the appropriateness of the new building and its design adjacent to the proposed new park and river access. Metro is now ready to procure a design builder for the maintenance of way building. It is imperative that Metro address the community's concerns prior to selecting a design/build contractor for the project.

I THEREFORE MOVE that the Board direct the CEO to work with Arts District residents and other stakeholders to identify changes that can be made to the planned maintenance of way building, to ensure that the building compliments the proposed arts park and river walk, and report back to the Board at the November Board meeting.

**SUMMARY OF EXTENDED
OUTREACH EFFORTS WITH
ARTS DISTRICT STAKEHOLDERS**

OCTOBER 2014 – JULY 2015

| Date | Activities | Internal Metro Meetings | Meetings with Arts District Stakeholders |
|---------------------------|--|-------------------------|--|
| October 2, 2014 | Metro Board Motion to work with stakeholders on MOW building | - | - |
| October 2014 - March 2015 | Stakeholder requested review of alternative site feasibility assessment to move MOW building north of 1 st Street | 20 | 8 |
| May 2015 – July 2015 | Refocused reviews of changes to original site owned by Metro at 6 th /Santa Fe | 10 | 10 |
| TOTAL MEETINGS | | 30 | 18 |



Board Report

File #: 2015-0223, File Type: Contract

Agenda Number: 40.

REVISED
CONSTRUCTION COMMITTEE
JULY 16, 2015

SUBJECT: WESTSIDE PURPLE LINE EXTENSION PROJECT

ACTION: AUTHORIZE THE AWARD OF CONTRACT C1078 MAINTENANCE OF WAY/NON-REVENUE VEHICLE MAINTENANCE BUILDING

RECOMMENDATION

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award a 28 month firm fixed price contract, under Invitation for Bid No. C1078, with Clark Construction Group, the lowest responsive and responsible bidder for the **final design and construction of the Maintenance of Way/Non-Revenue Vehicle Maintenance Building** to be constructed as part of the Division 20 Yard and Shops expansion for a firm fixed price of \$52,830,310.

ISSUE

On September 19, 2013, the Board approved the use of the Design/Build delivery method for the Maintenance of Way/Non-Revenue Vehicle Maintenance Building, but did not approve the staff recommendation to authorize the CEO to award the contract after the receipt of bids. An Invitation For Bid (IFB) was advertised on September 19, 2014, under CPUC 130242 (a). Bids were received on February 6, 2015. Under CPUC 130242 (e) the contract shall be awarded to the lowest responsive and responsible bidder.

Board approval of the Recommendation is required to fulfill the scope related to the Division 20 Yard and Shops expansion and modifications as part of the requirements for the Westside Purple Line Extension Section 1 Project, as described in the Federal Transit Administration (FTA) Full Funding Grant Agreement (FFGA).

BACKGROUND

In April 2012, the Board of Directors certified the Final EIS/EIR for the Westside Purple Line Extension Project as a nine-mile, dual track heavy-rail transit subway project that will operate as an

extension of the Metro Purple Line heavy rail transit subway system. The Project received the Full Funding Grant Agreement (FFGA) on May 21, 2014 for work on Section 1 (3.92 miles of twin-tunnels from Wilshire/Western to Wilshire/La Cienega, with three subway stations) that includes expansion and modifications to the Division 20 rail yard and shops facilities to support the extension of the Purple Line and the anticipated growth in service of both the Purple Line and Red Line.

In addition, the Maintenance of Way/NRV Maintenance Building is a replacement building for existing buildings that will be displaced in order to construct a turn-back facility within Division 20 beyond the existing terminus at Union Station. This area will also be required as a temporary laydown area for the C1045 Design/Build Contract (Tunnels, Stations, Trackwork, Systems and Systems Integration Testing) to allow the C1045 Contractor to stage and weld rail that will be fed into the 3.92 miles of the Westside Purple Line Extension Section 1 Project, via the existing tunnel portal located at Division 20.

Since the time of the certification of the Final EIS/EIR in 2012, staff has worked with stakeholders and the City of Los Angeles on requested changes to the Maintenance of Way/NRV Building. In 2012/13, these included accommodations for the City supported project to construct the Lucky Brand Jeans design/production facility on a portion of the identified yard expansion site and accommodations for the City's 6th Street Viaduct Replacement Project.

In 2014, residents and activists in the Arts District who had been working with the City of Los Angeles on the proposed new park and river access as part of the 6th Street Viaduct Replacement Project, raised concerns about the appropriateness of the Maintenance of Way/NRV (MOW/NRV) Building and its design adjacent to the proposed new park and river access. In response to these concerns, the Board approved Motion #83 on October 2, 2014, directing the CEO to work with the Arts District residents and other stakeholders to identify changes that could be made to the planned maintenance of way building to ensure that the building complements the proposed arts park and river walk.

Per the Board directive, Metro staff further engaged Arts District Representatives to explore their requests to develop design alternatives that would either relocate the building to an alternate site north of the 1st Street Bridge or provide design changes on the previously approved site adjacent to the future 6th Street Bridge. Attachment C provides a summary of these outreach efforts which included over 18 stakeholder meetings and more than 30 internal meetings to review and prepare the necessary analyses and responses to community requests. During this time, the stakeholders actively participated with their own proposals prepared by faculty at the Southern California Institute of Architecture and an outside architectural firm commissioned by the stakeholders to present alternative concepts and ideas.

Many of the above requests for changes and accommodations have been made and others can still be made during the Design/Build phase. However, it was determined that moving the building to a completely different site would have significant cost and schedule impacts to the Westside Purple Line Extension Project at this late stage in project development. Therefore, other alternatives were

explored during more recent meetings held between Metro and the Arts District Stakeholders to retain the MOW Building on the Metro owned site at 6th/Santa Fe. The revised site plan would maintain the current building footprint which includes rooftop parking and surface parking but reconfigures the site plan by increasing the distance to the 6th Street Bridge by moving the location of the building farther back on the current property that MTA has already acquired. Other concepts such as underground parking or a second level of rooftop parking were determined to be financially infeasible.

The revised plan will provide a building setback of at least 85 feet from the 6th Street property line and at least 50 feet from the Santa Fe Avenue property line. This will improve site lines and views of the new bridge from Santa Fe Avenue. We will also continue to explore the feasibility of pushing the building farther back from the bridge toward the northeastern property boundary if fire/life safety conditions mandated by the Los Angeles City Fire Department and operational requirements of our Division 20 Railyard Operations and Maintenance functions can be met..

We will continue to work with stakeholders and the City during the Final Design and Construction phase following the award of Contract C1078 to include possible additional elements requested by the stakeholders including landscaping, color & lighting treatments and an art component.

Metro Art staff normally work with the Project Team and Design Builder to explore how an art opportunity may be integrated. In this case, opportunities would be explored in exterior locations facing Santa Fe Avenue and the 6th Street Bridge. Opportunities may include enhanced architectural glass, grilles, panels or lighting. The Metro process convenes a Curatorial Advisory Committee of high profile Los Angeles area museum curators with a background in contemporary visual art to establish a Prequalified Artist Pool.

In the longer term, staff will work with the Los Angeles Bureau of Engineering as they develop designs for the Arts Park and River Gateway under the new 6th Street Bridge. One concept to be explored with the City would utilize some of the setback area that will be provided on the Metro owned MOW Building site to expand the Arts Plaza in return for City owned surplus properties that are expected to remain on the south side of the bridge following construction. These opportunities will be better understood when the City further develops their plans for the Arts Park and River Gateway immediately adjacent to the MOW Building site.

Board approval of the Recommendation at this time is required to maintain the overall schedule for the Westside Purple Line Extension Section 1 Project and reduce the potential of schedule delays and cost impacts.

DETERMINATION OF SAFETY IMPACT

The recommended action has no impact on safety.

FINANCIAL IMPACT

Funds are included in the FY16 budget for this action under Project 865518 - Westside Purple Line Extension Section 1 Project in Cost Center 8510 (Construction Project Management), and Account Number 53101 (Acquisition of Building and Structure). Since this is a multi-year project, the Executive Director of Engineering and Construction and the Project Manager will be responsible for budgeting costs in future years.

Board approval of the Recommendation at this time is required to maintain the overall schedule for the Westside Purple Line Extension Section 1 Project and reduce the potential of schedule delays and their resulting cost impacts. Staff will continue to work with Arts District Stakeholders following the award of the bid to address changes to the design on the 6th/Santa Fe approved site. As the recommended bid award amount is more than the budget line item for the Maintenance of Way/Non-Revenue Vehicle Maintenance Building included in the FTA Full Funding Grant Agreement, the additional costs related to the base scope will be funded by project contingency. In the event that further changes in the design result in new costs outside of the approved project budget, staff will return to the Board with a supplemental funding plan for approval.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts and Measure R 35% (Cash). The approved FY16 budget is designated for the Westside Purple Line Extension Section 1 Project and does not have an impact to operations funding sources. These funds were assumed in the LRTP for the Westside Purple Line Extension Section 1 Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board could decide to reject the staff Recommendation to award the C1078 Contract. However, this alternative is not recommended because there is no assurance of better prices and the Maintenance of Way/Non-Revenue Vehicle Repair Building is required to replace existing buildings that will need to be demolished on their current site to provide a site for a future turn-back facility that will be required to support increased service levels on the Red/Purple Lines and satisfy the required headways for passenger revenue service. The current building site will also be required for the C1045 (Tunnels, Stations, Trackwork, Systems and Systems Integration Testing) Design/Build Contract to provide a temporary laydown and welding area for the trackwork that will be installed in the new tunnels and stations for the Westside Purple Line Extension Project.

NEXT STEPS

Project staff will issue a Notice of Award, execute a contract with the recommended contractor and once bonds, insurance, and project labor agreement requirements are met, issue a Notice to Proceed.

ATTACHMENT

- A. Procurement Summary
- B. Motion No. 83 by Director Molina - October 2014
- C. Summary of Extended Outreach Efforts

Prepared By:

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Tim Clark, Interim Director Contract Administration (213-922-7246)

Rick Wilson, Director Project Control (213-922-3627)

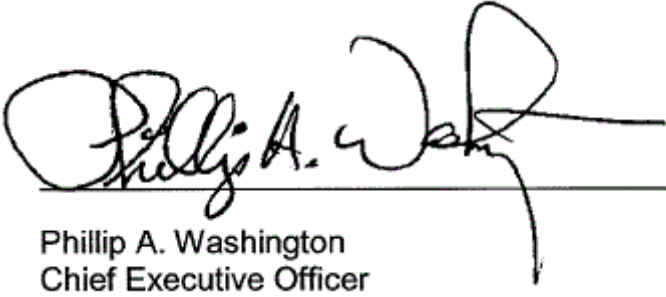
Reviewed By:

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Phillip A. Washington
Chief Executive Officer

**Board Report**

File #: 2015-0224, **File Type:** Contract**Agenda Number:** 41.

**CONSTRUCTION COMMITTEE
JULY 16, 2015****SUBJECT: SUSTAINABILITY PROGRAM ASSISTANT SERVICES****ACTION: AWARD AND EXECUTE PROFESSIONAL SERVICES CONTRACT FOR
SUSTAINABILITY PROGRAM ASSISTANT SERVICES****RECOMMENDATION**

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award and execute a five year contract, Contract No. PS84203243, with Cumming Construction Management, Inc. for **Sustainability Program Assistance Services on Task Orders** for a total amount not-to-exceed \$12,481,230 inclusive of three base years (not to exceed \$7,339,981) with two one-year options (year one = \$2,545,173 and year two = \$2,596,076.)

ISSUE

The Los Angeles County Metropolitan Transportation Authority (Metro) has incorporated sustainable principles, specifically climate, energy, water and resource conservation and management, into its organizational values and core business goals. These principles express the agency's commitment to "reduce, re-use, and recycle all internal resources and reduce greenhouse gas emissions." Operational and construction-related sustainability principles have been formally implemented throughout our agency since 2007. Over the past few years, the number of initiatives and projects related to these themes has evolved resulting in significant cost savings and operational efficiencies, while simultaneously increasing the health and welfare of our employees and the people we serve through a safe working and customer focused environment.

As we increase our transit and transportation infrastructure, staff's internal ability to oversee these sustainability-related operational and capital projects become more challenging on two fronts: our ability to properly manage the implementation of the cost-saving and environmentally protective projects as well as our ability to ensure that we develop and implement new ideas to ensure continual improvement. To this end, staff has solicited and recommends the execution of a professional services contract for sustainability program assistance services to provide as-needed analysis, studies, surveys, investigations, modeling, predictions, and/or reports related to the operation and

maintenance of Metro's transportation system, facilities, and support activities.

Metro's existing Environmental Engineering Consultant Services contract includes sustainability project implementation. This recommended contract award was solicited to increase participation of firms that work in the sustainability industry in Metro's programs, especially those which can provide programmatic sustainability oversight for a large transit agency, such as Metro.

The Environmental Compliance and Sustainability (ECSD) group is in the midst of an unprecedented time to consider new responsibilities and revenue generating opportunities as a result of evolving environmental and climatic statutory and regulatory needs to ensure the protection of human health and environment; as well as to constantly address the challenge of operational sustainability while ensuring resiliency and maintaining a state of good repair. As technology in the energy, water, resource management conservation and environmental space also continues to evolve at a very fast pace, ECSD has a need for several specialty contracts to respond to these continuously challenging agency-wide and project needs while continually balancing our short- and long-term goals of succession planning, cost-savings, employee development, economic growth, and project success. The process to procure for such specialty contracts is consistent with ECSD's Business Plan submitted and presented to our Board in January 2015 and as reviewed with OMB through the FY16 budget process.

DISCUSSION

Metro's existing Environmental Engineering Consultant Services contract supports numerous sustainability projects, such as planning for recycled water irrigation lines, deployment of a water recycling system, design of lighting retrofits and energy efficiency measures, engineering of renewable energy systems, other resource reduction initiatives at Metro facilities and alignments, and the implementation of Metro's Environmental Management System (EMS).

Staff divided the current scope of sustainability-related work into four new individual scopes of work to increase participation of firms that work in the sustainability industry, specifically in the field of programmatic sustainability assistance and EMS implementation. This Contract No. PS84203243 is the third contract award being presented to the Board for approval. Earlier contract award include Contract No. PS84203244, Energy and Renewable Energy Consultant Services and Contract No. PS84203245, Solid Waste and Natural Resource Management Consultant Services. A fourth consultant contract for climate change mitigation/adaptation implementation will be released in the summer of 2015.

Contract No. PS84203243 will be an indefinite delivery/indefinite quantity contract. The consultant is not guaranteed any work. The services are only required on an as needed basis for specific program assistance. When consulting service requirements arise staff will issue Contract Work Orders and Task Orders.. These Task Orders will be funded from an existing project's budget with consideration of any information available at the time of planning and applicable time constraints on performance of the work.

All Task Orders will be fully negotiated based on agreed upon rates established in the Contract. .

Staff applies strict project controls in the execution of each of these Task Orders to closely monitor the Consultant's budget and Task Order schedules. No funds are obligated until a Contract Work Order/Task Order is awarded against a valid project.

The Contract No. PS84203243 includes a 25% Disadvantaged Business Enterprise (DBE)/Small Business Enterprise (SBE) goal. DBE attainment is based on the aggregate value of all task orders issued.

The success of Metro's sustainability program has resulted in a significant expansion of the program over the last few years, prompting the diversification and focus of Metro's sustainability consultant support into several disciplines. The services that this contract provides include the oversight of all sustainability-related efforts including those for our major capital projects, energy and resource management, implementation of sustainability related infrastructure, Environmental Management System implementation, and carbon emissions reduction projects oversight. This consultant will provide expert assistance to Metro staff on all matters that relate to the sustainability programmatic implementation.

To accomplish the assigned tasks, the consultant will provide necessary staff, sub-consultants, equipment, software, supplies, and services. Consultant shall employ or subcontract as necessary with such diverse professionals as Environmental Management System Specialists; Geographic Information Services (GIS) Specialist; Air Quality Engineers; Sustainability Engineers; Climate Engineer/Scientist; and such other professional practitioners as may be needed to support the required EMS, training and program guidance activities.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an adverse impact on safety standards for Metro. It will however increase safety as sustainability related projects and programs are implemented to increase the health and safety of our staff and enhance customer experience of our system.

FINANCIAL IMPACT

Contract No. PS84203243 will be an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. No MTA funds are obligated until a Contract Work Order (CWO) is issued by an MTA authorized Contracting Officer against a valid project budget. No expenditures are authorized until a Task Order is awarded by an MTA authorized Contracting Officer for a specific package of work within the CWO. All task orders are to be individually negotiated and level of effort fully defined prior to the authorization of any project specific funds. Execution of work under those Task Orders within those CWO awards can continue beyond the contract end date.

Obligations and authorizations made within the total Contract Amount will be against specific project or operations budgets which make up the Board-approved MTA budget for this particular fiscal year. Specific funding for this contract will parallel the project approved by Board under separate actions. The Executive Directors and Project Managers of each of the business units and projects overseeing

these projects will be responsible for providing appropriate budgets.

Impact to Budget

There will be no net impact to Bus and Rail Operating Budgets. The initial source of funds for this contract is included in the FY15 budget under Project Number 450003 - Sustainability Environment, Cost Center 8420 Environmental Compliance and Services, Account 50316 Professional and Technical Services.

ALTERNATIVES CONSIDERED

The Metro Board has provided significant guidance in Metro's vision of sustainability. Many projects have been implemented, constructed, and currently being maintained to fulfill this vision. These programs have provided significant financial, employee welfare, and enhanced customer experience for our agency. The benefits from these initial efforts are constrained by the number of staff currently able to provide implementation oversight. Contract PS84203243 is designed to accelerate many of these efforts specifically the cost-saving measures that have been programmed for the next few years. Having no support will result in missed opportunities for achieving operational and construction cost benefits.

During the last five years, the Metro Board has also approved various plans to achieve reductions in operational greenhouse gas emissions; implement innovative approaches and strategies to enhance customer experience, reduce limited natural and energy resource use; investigate public-private partnerships to supplement limited funds to design, build, operate, and maintain sustainability related infrastructure; and increase operational efficiency. Metro's operational sustainability program administered through the Environmental Compliance and Services Department has executed significant portions of that mandate; and will continue to do so using all of the sustainability-related consulting contracts (including Contract No. PS84203243) as an expert supplement for current staff's expertise.

The Metro Board has already desired staff to do programmatic implementation activities in house. However, there is an inherent risk in hiring for too many credentialed and highly skilled staff members full-time. While there are cost efficiencies that may be achieved by having some of these types of staff, current Metro staff determined that there is an optimum number of staff that we should internally hire to oversee these projects, then seek supplementary consultant Sustainability Project Assistance subject matter experts to complement staff skillsets only as-needed. We have seen the effectiveness of this management style (i.e., as-needed combination of internal staff and expert consultants), especially in large programs such as the energy and EMS. Unlike the other three contracts mentioned previously (i.e., Energy, Waster and Resource Management, and Climate Change) this contract being approved does not provide design services, but instead provides the programmatic expertise to make sure that design and construction of sustainability-related infrastructure and related projects and programs are appropriately implemented.

Staff can solicit and award individual contracts every time additional staff is needed for oversight in any of the programmed sustainability-related efforts. Individually procuring these micro-contracts have associated inconsistent and most likely cumulative higher administrative and execution costs, especially in a sustainability program as large as Metro's. As many of our projects overlap with one another in a single major capital project or facility, having multiple consultants with overlapping skills will cause delays and result in administrative inefficiencies. ECSD currently oversees or supports over 100 task orders in any single fiscal year.

NEXT STEPS

After the recommended Board Action is approved, staff will execute the conformed contract and proceed with issuing Task Orders and Contract Work Orders.

ATTACHMENTS

- A. Procurement Summary
- B. Types and Total Value Estimates of Projects - FY15 to FY 19

Prepared By:

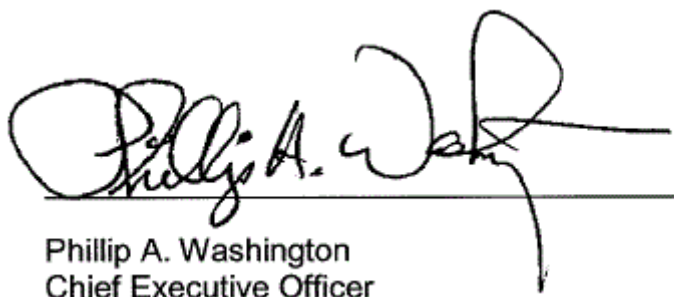
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Bryan Pennington, Executive Director, Engineering & Construction (213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

SUSTAINABILITY PROGRAM ASSISTANCE SERVICES/PS84203243

| | | |
|----|---|--|
| 1. | Contract Number: PS84203243 | |
| 2. | Recommended Vendor: Cumming Construction Management, Inc. | |
| 3. | Type of Procurement (check one): <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. | Procurement Dates: | |
| | A. Issued: 09/09/2014 | |
| | B. Advertised/Publicized: 09/20/14 | |
| | C. Pre-proposal/Pre-Bid Conference: 10/01/2014 | |
| | D. Proposals/Bids Due: 11/21/2014 | |
| | E. Pre-Qualification Completed: Pending | |
| | F. Conflict of Interest Form Submitted to Ethics: 01/29/2015 | |
| | G. Protest Period End Date: (15 Calendar Days after Notification of Intent to Award) | |
| 5. | Solicitations Picked up/Downloaded: 143 | Bids/Proposals Received: 3 |
| 6. | Contract Administrator: Alan Leung | Telephone Number: (213) 922-7574 |
| 7. | Project Manager: Emmanuel Liban | Telephone Number: (213) 922-2471 |

A. Procurement Background

This Board Action is to approve the execution of Contract No. PS84203243 issued in support of Sustainability Program Assistance Services.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract will issue contract work orders on a Cost-Plus-Fixed Fee basis based on the Scope of Work and level of effort for each project participating in the services of this contract.

One (1) amendment was issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on October 21, 2014 revised the Due Date, the Submittal Requirements, and Form V1.0.

Metro held a pre-proposal conference on October 1, 2014, in the Gateway Conference Room on the 3rd floor of the Gateway Building. There were thirty-five (35) representatives from twenty-seven (27) firms that signed in at the pre-proposal conference. One-hundred forty three (143) individuals from various firms picked up the RFP Package. There one (1) amendment issued during the solicitation phase of this RFP. The firms that picked up or downloaded the RFP asked a total of forty-seven (47) Questions.

Metro received three (3) proposals on the due date November 21, 2014.

B. Evaluation of Proposals/Bids

The Proposal Evaluation Team (PET) consisted of two (2) members from Metro’s Environmental Department and one (1) member from Metro’s Planning Department, with good working knowledge of the contract requirements and technical capabilities to evaluate the proposals fairly without prejudice. The PET evaluated each firm and its proposed team of subcontractors, in accordance with the following Evaluation Criteria set forth in the RFP documents, and performance requirements included in the scope of services, utilizing the scoring guidelines shown in the table below.

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

- Price 30 percent
- Degree of Skills and Experience of Personnel on Team 25 percent
- Experience of Firms on Team 20 percent
- Project management approach 15 percent
- Effectiveness of Management Plan and Quality 10 Percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar types of procurements. Several factors were considered when developing these weights, giving the greatest importance to the Proposer team’s capabilities and experience.

The solicitation was a competitively negotiated (non-A&E) procurement with price as a factor, as governed by the Metro ACQ-2 and FTA Circular 4220.1f. Price and technical factors were considered in the overall scoring of the proposals and award is based on the Proposal deemed in Metro’s best interests, followed by negotiations with the selected firm.

Metro received three (3) proposals on the due date of November 21, 2014, from the following firms:

1. CDM Smith, Inc. (CDM Smith)
2. Cumming Construction Management, Inc. (Cumming)
3. Urban Collaborative Studios, LLC. (UCS)

During the week of December 15, 2014, the evaluation committee met and interviewed the firms. The firms’ project managers and key team members had an opportunity to present each team’s qualifications and respond to the evaluation committee’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 staffing plans, work plans, and perceived project issues. Each team was asked questions relative to each firm's proposed alternatives and previous experience.

Qualifications Summary of Recommended Firm:

The Cumming team exhibited a clear and thorough understanding of the project and approach, as evidenced by their proposal and oral interview. Both their written proposal and oral answers described a programmatic approach to the Scope of Services that seemed to align well with Metro's sustainability goals, policies, and practices. The approach demonstrated deep understanding of each section of the scope and addressed each item individually, along with best practices on how to execute each item. Additionally, Cumming's presentation also addressed both near and long term issues they expect to encounter.

| 1 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|----------|--|----------------------|----------------------|-------------------------------|-------------|
| 2 | Cumming | | | | |
| 3 | Price | | 30.00% | 28 | |
| 4 | Degree of Skills and Experience of Personnel on Team | | 25.00% | 23 | |
| 5 | Experience of Firms on Team | | 20.00% | 18 | |
| 6 | Project Understanding and Approach | | 15.00% | 14 | |
| 7 | Effectiveness of Management Plan and Quality | | 10.00% | 9 | |
| 8 | Total | | 100.00% | 92 | 1 |

| 9 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|-----------|--|----------------------|----------------------|-------------------------------|-------------|
| 10 | CDM Smith | | | | |
| 11 | Price | | 30.00% | 19 | |
| 12 | Degree of Skills and Experience of Personnel on Team | | 25.00% | 18 | |
| 13 | Experience of Firms on Team | | 20.00% | 15 | |
| 14 | Project Understanding and Approach | | 15.00% | 12 | |

| | | | | | |
|-----------|--|--|----------------|-----------|----------|
| 15 | Effectiveness of Management Plan and Quality | | 10.00% | 9 | |
| 16 | Total | | 100.00% | 73 | 2 |

| 17 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|-----------|--|----------------------|----------------------|-------------------------------|-------------|
| 18 | UCS | | | | |
| 19 | Price | | 30.00% | 30 | |
| 20 | Degree of Skills and Experience of Personnel on Team | | 25.00% | 10 | |
| 21 | Experience of Firms on Team | | 20.00% | 9 | |
| 22 | Project Understanding and Approach | | 15.00% | 5 | |
| 23 | Effectiveness of Management Plan and Quality | | 10.00% | 5 | |
| 24 | Total | | 100.00% | 59 | 3 |

C. Cost/Price Analysis

The cost analysis included (1) a comparison with historical data of other firms offering similar services; (2) an analysis of audited rates and factors for labor, equipment and other direct costs, and (3) compliance with both the Federal Acquisition Regulation (FAR) Part 31 guidelines and Generally Accepted Accounting Principles (GAAP). Metro has negotiated fixed billing rates for direct labor and equipment, terms and conditions, level of effort, a provisional overhead rate, and a factor to establish a fixed fee for each task order. The pricing for each task order will use the negotiated labor rates plus the provisional overhead rate and negotiated fee factor to establish a not-to-exceed amount on a cost-plus-fixed fee basis.

An audit request has been submitted to the Metro Management Audit Services Department (MASD). In order to prevent any unnecessary delay in contract award, provisional rates have been established subject to retroactive adjustments upon completion of any necessary audits. In accordance with FTA Circular 4220.1.F, if an audit has been performed by any other cognizant agency within the last twelve month period, Metro will receive and accept that audit report for the above purposes rather than perform another audit.

A fair and reasonable price for all future Contract Work Orders will be determined based upon a cost analysis, technical evaluation, fact finding, and negotiations, before issuing work to the Consultant.

The total evaluated contract prices are listed below.

| | Bidder/Proposer Name | Proposal Amount for Evaluation | Negotiated |
|---|-----------------------------|---------------------------------------|-------------------|
| 1 | Cumming | \$12,823,943 | \$12,481,230 |

| | Bidder/Proposer Name | Proposal Amount for Evaluation | Negotiated |
|----|-----------------------------|---------------------------------------|-------------------|
| 2. | CDM Smith | \$19,007,825 | \$19,007,825 |

| | Bidder/Proposer Name | Proposal Amount for Evaluation | Negotiated |
|----|-----------------------------|---------------------------------------|-------------------|
| 3. | UCS | \$5,096,122 | \$11,830,629 |

UCS submitted an updated cost proposal that increased their proposal amount from \$5,096,122 to \$11,830,629 as part of their Best and Final Offer because the proposer chose to address clarifications in the scope of services and anticipated level of effort.

The evaluated prices were scored based on the following formula:

Proposer Cost Score = Lowest Cost Proposal / Proposer's Cost * 30 (maximum score)

D. Background on Recommended Contractor

Cumming is an international company that provides consultancy services in a wide variety of fields, including environmental, sustainability, and support services. Since opening for business nearly two decades ago, Cumming has grown consistently and substantially. Today, they have nearly 350 team members and have completed projects in more than 25 countries around the world.

The recommended contractor also has experience working in the Los Angeles area with public agencies to provide environmental project management services similar to the scope of services required under this contract. Cumming offers support and management services necessary to address Metro's expanding sustainable capital building programs, including construction support, environmental and sustainability policy development and implementation, energy conservation and renewable energy management, environmental management systems, and climate change and greenhouse gas emissions management.

E. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 25% Disadvantaged Business Enterprise (DBE) goal for this solicitation. Cumming Construction Management, Inc. exceeded the goal by making a 43.83% RC DBE and 6.19% RN DBE commitments.

| | | | |
|---|----------------|---|---------------------------------------|
| Disadvantaged Business Enterprise Goal | 25% DBE | Disadvantaged Business Enterprise Commitment | 43.83% RC DBE 6.19% RN DBE |
|---|----------------|---|---------------------------------------|

| | DBE Subcontractors | Ethnicity | % Commitment |
|-----|--------------------------------|------------------------|---------------------|
| 1. | ICI Engineers | Asian Pacific American | 2.92% |
| 2. | C2PM | Asian Pacific American | 4.87% |
| 3. | Paragon | Asian Pacific American | 9.90% |
| 4. | GC Green | Hispanic American | 4.99% |
| 5. | Century Diversified, Inc. | Hispanic American | 1.64% |
| 6. | W2Design | Asian Pacific American | 5.95% |
| 7. | The Solis Group | Hispanic American | 3.04% |
| 8. | Power-Tech Engineers | Hispanic American | 10.51% |
| | Total RC DBE Commitment | | 43.83% |
| 9. | Coto Consulting, Inc. | Non-Minority Women | 4.24% |
| 10. | Integrated Engineering Mgmt. | Non-Minority Women | 1.95% |
| | Total RN DBE Commitment | | 6.19% |

F. Living Wage and Service Contract Worker Retention Policy

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

G. All Subcontractors Included with Recommended Contractor’s Proposal

| | Subcontractor | Services Provided |
|----|----------------------|---------------------------------------|
| 1. | Century Diversified | Engineering and CADD services |
| 2. | W2Design | Engineering and GIS expertise |
| 3. | Coto Consulting | Certified ISO14001 and EMS consulting |
| 4. | ICI Engineers | Energy engineering |
| 5. | C2PM | EMS and Project Management |
| 6. | Paragon | EMS and Project Management |
| 7. | GC Green | Energy engineering |
| 8. | Okapi Architecture | Energy & Sustainability planning |
| 9. | The Solis Group | Project management |

| | | |
|-----|-----------------------------------|---|
| 10. | Integrated Engineering Management | Engineering |
| 11. | Empowered Solutions | Energy engineering and renewable energy |
| 12. | Power-Tech Engineers | Energy engineering |
| 13. | Eckersall | GIS Services |
| 14. | Evans Brooks Associates | Sustainability policy and planning |
| 15. | Lentini Design | Graphic design and marketing |

Types and Total Value Estimates of Projects – FY15 to FY19

| EMS, Training, and Sustainability Program Guidance | No. of Units (yrs., projs.,etc.) | Estimated Cost of Consultant Services per Unit | Total Estimated Cost for Consultant Services |
|--|-------------------------------------|--|--|
| a. EMS Program Maintenance Support | 5 years | \$1,500,000 | \$7,500,000 |
| b. Environmental Training Institute | 5 years | \$500,000 | \$2,500,000 |
| c. Sustainability Policies, Programs, and Guidance | 5 years | \$450,000 | \$2,250,000 |
| 1. Sustainability Policy Development | 5 years | \$75,000 | \$375,000 |
| 2. Coordinate Sustainability Projects and Initiatives | 5 years | \$75,000 | \$375,000 |
| 3. Sustainability Program Guidance and Oversight | 5 years | \$75,000 | \$375,000 |
| 4. Develop and Maintain the Sustainability Dashboard & GIS | 5 years | \$75,000 | \$375,000 |
| 5. Prepare Annual Energy and Resource Report | 5 years | \$150,000 | \$750,000 |
| d. EMS & Training Plans, Studies, Reports | 5 reports | \$100,000 | \$500,000 |
| e. Innovative Sustainability Initiatives/ Solutions | 5 years | \$50,000 | \$250,000 |

LOP Amount

ROM/Recommended
\$13,000,000

**Board Report**

File #: 2015-0542, **File Type:** Contract**Agenda Number:** 42.

**CONSTRUCTION COMMITTEE
JULY 16, 2015****SUBJECT: ENVIRONMENTAL ENGINEERING SERVICES****ACTION: AWARD AND EXECUTE PROFESSIONAL SERVICES
CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES****RECOMMENDATION**

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to award and execute a five year contract, Contract No. PS84203274, with Kleinfelder, Inc. for **Environmental Engineering and Consulting services on Task Orders**, inclusive of three base years and two one-year option years with a total not-to-exceed amount of \$12,000,000.00. Base year contract value is \$7.2 million; Option year one contract value is \$2.4 million; and Option year two contract value is \$2.4 million.

ISSUE

Every Capital Project and many ongoing facilities maintenance and restoration activities undertaken by LA METRO requires environmental engineering and consulting services. METRO must remain in compliance with all applicable environmental laws and regulations to avoid potential fines, and civil and criminal liability. This contract is anticipated to be a critical component for technical and environmental engineering support for any of our capital and operating projects. This contract provides technical expert environmental assistance to ensure timely environmental compliance and execution of needed environmental design, data generation and analysis, and environmental measurement and monitoring necessary and as required by Federal and State statutes and regulations and local ordinances.

The Environmental Compliance and Sustainability (ECSD) group is in the midst of an unprecedented time to consider new responsibilities and revenue generating opportunities as a result of evolving environmental and climatic statutory and regulatory needs to ensure the protection of human health and environment; as well as to constantly address the challenge of operational sustainability while ensuring resiliency and maintaining a state of good repair. As technology in the energy, water, resource management conservation and environmental space also continues to evolve at a very fast pace, ECSD has a need for several specialty contracts to respond to these continuously challenging

agency-wide and project needs while continually balancing our short- and long-term goals of succession planning, cost-savings, employee development, economic growth, and project success. The process to procure for such specialty contracts is consistent with ECSD's Business Plan submitted and presented to our Board in January 2015 and as reviewed with OMB through the FY16 budget process.

DISCUSSION

Metro's environmental engineering and consulting contract scopes include continued effort on performing environmental and geotechnical assessments, Phase I environmental site assessments, lead based paint and asbestos surveys, stormwater monitoring, air quality monitoring, soil and groundwater sampling, industrial wastewater sampling, GASB 49 Environmental Liability Reporting, fuel storage tank system design, permitting assistance and other regulatory reporting requirements.

Contract No. PS84203274 will be an indefinite delivery/indefinite quantity contract. The consultant is not guaranteed any work. When the need for environmental engineering and consulting services arises, only then will staff be able to issue Contract Work Orders from which Task Orders or changes are drawn. These Task Orders and changes will be funded from an existing project's budget with consideration of any information available at the time of planning and applicable time constraints on performance of the work.

All of the Task Orders will be fully negotiated based on agreed upon rates that will be negotiated at the onset of the project. Staff applies strict project controls in the execution of each of these Task Orders to closely monitor the Consultant's budget and Task Order schedules. No funds are obligated until a Contract Work Order/Task Order is awarded against a valid project.

The Contract No. PS84203274 includes a 15% Disadvantaged Business Enterprise (DBE)/Small Business Enterprise (SBE) goal. DBE attainment is based on the aggregate value of all task orders issued.

To accomplish the assigned tasks, the consultant will provide necessary staff, sub-consultants, equipment, software, supplies, and services. The consultant shall employ or subcontract as necessary with diverse environmental professionals such as professional engineers; registered geologists, qualified stormwater developers (QSD), Certified Industrial Hygienists (CIH), and Certified Asbestos Consultants (CAC).

DETERMINATION OF SAFETY IMPACT

This Board action will not have an adverse impact on safety standards for Metro.

FINANCIAL IMPACT

Contract No. PS84203274 will be an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. No MTA funds are obligated until a Contract Work Order (CWO) is issued by an MTA authorized Contracting Officer against a valid project budget. No expenditures are authorized until a Task Order is awarded

by an MTA authorized Contracting Officer for a specific package of work within the CWO. In other words, all task orders are to be individually negotiated and level of effort fully defined prior to the authorization of any project specific funds. Execution of work under those Task Orders within those CWO awards can continue beyond the contract end date.

Obligations and authorizations made within the total Contract Amount will be against specific project or operations budgets which make up the Board-approved MTA budget for this particular fiscal year. Specific funding for this contract will parallel the project approved by Board under separate actions. The Executive Directors and Project Managers of each of the business units and projects overseeing these projects will be responsible for providing appropriate budgets.

Impact to Budget

There will be no net impact to Bus and Rail Operating Budgets. The initial source of funds for this contract is included in the FY15 budget under Project Number 300012 - Site Remediation, Cost Center 8420 Environmental Compliance and Services, Account 50316 Professional and Technical Services. Future task orders are to be individually negotiated and level of effort fully defined prior to the authorization of any project specific funds from the projects that would use these services.

ALTERNATIVES CONSIDERED

If Contract PS84203274 is not awarded, staff's ability to support and respond to current environmental projects would be limited. As a consequence; we would not be able to immediately address the potential and existing environmental liabilities generated through our execution of construction and operating efforts. Such situation would also increase the likelihood of non-compliance resulting in potential fines, or orders to comply with regulatory requirements.

As another alternative, the Metro Board may recommended action and direct staff to do all Environmental Engineering services and technical support work in house. Under such situation, Metro would have to hire a much larger staff, and purchase of equipment that staff currently do not have. These would include the hiring of Drilling Crews and purchase of Drill Rigs field equipment and require additional storage, an in house Certified Analytical Lab, Lab Technicians, Certified Industrial Hygienists, additional qualified stormwater developers, UST design engineers, and other related disciplines. While Metro is in the process of adding new environmental staff, the number of staff needed in the short term will not be sufficient to have the ability to respond to all the large and small projects we anticipate to be supporting for the next 5 years.

Staff can solicit and award individual contracts for each environmental task as the need arises. Staff does not recommend this alternative. Individually procuring these CWO's and Task Orders have associated inconsistent and most likely cumulative higher administrative and execution costs and inefficiencies. Each of our Project Managers would also have to competitively procure for environmental services for each individual task order and would significantly delay our ability to

respond to time sensitive requirements from within the agency and from the regulatory agencies.

NEXT STEPS

After the recommended Board Action is approved, staff will execute the conformed contract and proceed with issuing Task Orders and Contract Work Orders.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - Types and Total Value Estimates of Projects FY15 to FY19

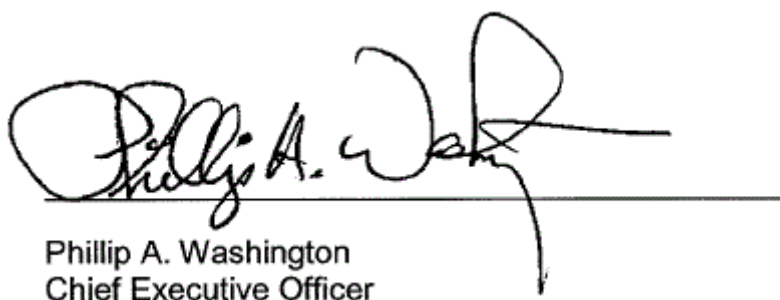
Prepared by: Cris B. Liban, Executive Officer, Environmental Compliance and Sustainability (213) 922-2471

Reviewed by:

Ivan Page, Interim Executive Director, Vendor/Contract Management (213) 922-6383

Bryan Pennington, Executive Director, Engineering and Construction (213) 922-7449

Nalini Ahuja, Executive Director, Finance & Budget (213) 922-3088



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

ENVIRONMENTAL ENGINEERING SERVICES

| | | |
|----|---|--|
| 1. | Contract Number: PS84203274 | |
| 2. | Recommended Vendor: Kleinfelder, Inc. | |
| 3. | Type of Procurement (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. | Procurement Dates: | |
| | A. Issued: 07/14/2014 | |
| | B. Advertised/Publicized: 08/08/14 | |
| | C. Pre-proposal/Pre-Bid Conference: 07/21/14 | |
| | D. Proposals/Bids Due: 08/13/14 | |
| | E. Pre-Qualification Completed: Pending | |
| | F. Conflict of Interest Form Submitted to Ethics: 01/29/2015 | |
| | G. Protest Period End Date: (15 Calendar Days after Notification of Intent to Award) | |
| 5. | Solicitations Picked up/Downloaded: 164 | Bids/Proposals Received: 6 |
| 6. | Contract Administrator: Alan Leung | Telephone Number: (213) 922-7574 |
| 7. | Project Manager: Emmanuel Liban | Telephone Number: (213) 922-2471 |

A. Procurement Background

This Board Action is to approve the execution of Contract No. PS84203274 issued in support of Environmental Engineering Services.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract will issue task orders on a Firm Fixed Price, Unit Rate, Cost-Plus-Fixed Fee, or Time and Materials basis based on the Scope of Work for each task.

Two (2) RFP amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on July 31, 2014 revised the Letter of Invitation and updated the responsible Contract Administrator;
- Amendment No. 2, issued on August 4, 2014 clarified Scope of Services and submittal requirements.

Metro held a pre-proposal conference on July 21, 2014, in the Gateway Conference Room on the 3rd floor of the Gateway Building. There were twenty-four (24) representatives from sixteen (16) firms that signed in at the pre-proposal conference. One-hundred sixty four (164) individuals from various firms picked up the RFP Package. There were two (2) amendments issued during the solicitation phase of

this RFP. The firms that picked up or downloaded the RFP asked a total of thirty-three (33) Questions.

Metro received six (6) proposals on the due date August 13, 2014.

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff from Metro's Facilities Engineering and Environmental Compliance/Services Departments was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Proposer teams capabilities and experience 30 percent
- Role and relevant experiences and capability of the firms on the prime contractors team 25 percent
- Staff positions identified in the Scope of Services 25 percent
- Project management approach 20 percent

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

This is an Architect and Engineers, qualifications based procurement. Price cannot be used as an evaluation factor pursuant to state and federal law.

Of the six (6) proposals received, six (6) were determined to be within the competitive range. The six (6) firms within the competitive range are listed below in alphabetical order:

1. AECOM, Inc. (AECOM)
2. Cardno, Inc. (Cardno)
3. Kleinfelder, Inc. (Kleinfelder)
4. Tetra Tech, Inc. (Tetra Tech)
5. TRC Solutions, Inc. (TRC)
6. Worley Parsons, Ltd. (Worley Parsons)

During the week of November 3, 2014, the evaluation committee met and interviewed the firms. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee'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 staffing plans, work plans, and perceived project issues. Each team was

asked questions relative to each firm’s proposed alternatives and previous experience.

Qualifications Summary of Recommended Firm:

Kleinfelder is an employee-owned engineering, consulting, and construction management firm that provides engineering services across the nation. Kleinfelder has assembled a team of experts and qualified subcontractors to help address Metro’s needs in the field of environmental engineering.

Kleinfelder’s proposal contained a relevant project list that displayed a successful working history with subcontractors, all of whom meet or exceed the requirements of the Scope of Services. The proposed staff also exhibited a high level of expertise, as evidenced by training, education, and relevant experience.

The PET ranked the proposals and assessed strengths, weaknesses and associated risks of each of the Proposers to determine the most qualified firm. The evaluation performed by the PET determined Kleinfelder as the most qualified firm to provide the services as required in the RFP.

| 1 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|----------|---|----------------------|----------------------|-------------------------------|-------------|
| 2 | Kleinfelder | | | | |
| 3 | Proposer Teams Capabilities and experience | | 30.00% | 28.87 | |
| 4 | Role and relevant experiences and capability of the Firms on the Prime Contractors Team | | 25.00% | 23.80 | |
| 5 | Staff Positions Identified in the Scope of Services | | 25.00% | 23.25 | |
| 6 | Project Management Approach | | 20.00% | 19.27 | |
| 7 | Total | | 100.00% | 95.19 | 1 |

| 8 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|-----------|---|----------------------|----------------------|-------------------------------|-------------|
| 9 | TRC | | | | |
| 10 | Proposer Teams Capabilities and experience | | 30.00% | 27.30 | |
| 11 | Role and relevant experiences and capability of the Firms on the Prime Contractors Team | | 25.00% | 22.72 | |

| | | | | | |
|--------|---|--|----------------|--------------|----------|
| 1 2 | Staff Positions Identified in the Scope of Services | | 25.00% | 21.25 | |
| 1 3 | Project Management Approach | | 20.00% | 17.00 | |
| 1 4 | Total | | 100.00% | 88.27 | 2 |

| 1 5 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|--------|---|---------------|----------------|------------------------|----------|
| 1 6 | Tetra Tech | | | | |
| 1 7 | Proposer Teams Capabilities and experience | | 30.00% | 27.07 | |
| 1 8 | Role and relevant experiences and capability of the Firms on the Prime Contractors Team | | 25.00% | 22.39 | |
| 1 9 | Staff Positions Identified in the Scope of Services | | 25.00% | 21.83 | |
| 2 0 | Project Management Approach | | 20.00% | 16.81 | |
| 2 1 | Total | | 100.00% | 88.10 | 3 |

| 2 2 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|--------|---|---------------|----------------|------------------------|----------|
| 2 3 | AECOM | | | | |
| 2 4 | Proposer Teams Capabilities and experience | | 30.00% | 26.97 | |
| 2 5 | Role and relevant experiences and capability of the Firms on the Prime Contractors Team | | 25.00% | 21.97 | |
| 2 6 | Staff Positions Identified in the Scope of Services | | 25.00% | 21.08 | |
| 2 7 | Project Management Approach | | 20.00% | 16.21 | |
| 2 8 | Total | | 100.00% | 85.23 | 4 |

| 2 9 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|--------|------|---------------|---------------|------------------------|------|
|--------|------|---------------|---------------|------------------------|------|

| | | | | | |
|-----------|---|--|----------------|--------------|----------|
| | | | | Score | |
| 30 | Cardno | | | | |
| 31 | Proposer Teams Capabilities and experience | | 30.00% | 25.83 | |
| 32 | Role and relevant experiences and capability of the Firms on the Prime Contractors Team | | 25.00% | 20.75 | |
| 33 | Staff Positions Identified in the Scope of Services | | 25.00% | 20.42 | |
| 34 | Project Management Approach | | 20.00% | 16.04 | |
| 35 | Total | | 100.00% | 83.04 | 5 |

| | | | | | |
|-----------|---|----------------------|----------------------|-------------------------------|-------------|
| | | | | Weighted Average Score | |
| 36 | FIRM | Average Score | Factor Weight | | Rank |
| 37 | Worley Parsons | | | | |
| 38 | Proposer Teams Capabilities and experience | | 30.00% | 25.80 | |
| 39 | Role and relevant experiences and capability of the Firms on the Prime Contractors Team | | 25.00% | 21.64 | |
| 40 | Staff Positions Identified in the Scope of Services | | 25.00% | 19.75 | |
| 41 | Project Management Approach | | 20.00% | 14.90 | |
| 42 | Total | | 100.00% | 82.09 | 6 |

C. Cost Analysis

The cost analysis included among other things, (1) a comparison with historical data of other firms offering similar services; (2) an analysis of prior audited direct and overhead rates, and factors for labor, equipment and other direct costs, and (3) compliance with both the Federal Acquisition Regulation (FAR) Part 31 guidelines and Generally Accepted Accounting Principles (GAAP). Metro has negotiated fixed billing rates for direct labor and equipment, a provisional overhead rate, and a factor to establish a fixed fee for each task order. The pricing for each task order will use the contract defined fixed rates plus the negotiated fee factor to establish a lump sum price or a not-to-exceed amount on a unit price, cost-plus-fixed fee, or time and materials basis.

An audit request has been submitted to the Metro Management Audit Services Department (MASD). In order to prevent any unnecessary delay in contract award, provisional overhead rates have been established subject to retroactive Contract adjustments. In accordance with FTA Circular 4220.1.F, if an audit has been performed by any other cognizant agency within the last twelve month period, Metro will receive and accept that audit report for the above purposes rather than perform another audit.

A fair and reasonable price for all future Task Orders and Contract Work Orders will be determined based upon a cost analysis, technical evaluation, fact finding, and negotiations, before issuing work to the Consultant.

D. Background on Recommended Contractor

The recommended firm, Kleinfelder, located in San Diego, California, has been in business since 1961, and is a leader in the fields of Engineering, Architecture, and Science Consulting. Kleinfelder has nearly 1,900 employees across 68 offices across the United States, Canada, and Australia. They have been working in Los Angeles since 1984.

Mark Peabody will lead the team as Project Director. Mr. Peabody is a Professional Engineer and has over 26 years of experience in managing large infrastructure and environmental projects for transportation agencies. He will be the main point of contact regarding new requests for services and will coordinate Cost/Schedule Proposals (CSPs).

Kathleen McDonnell will act as the Project Manager for PS84203274. Ms. McDonnell has over 30 years of experience handling projects related to environmental engineering. She is a Professional Geologist with a strong project management background in projects directly related to the Scope of Services. As Project Manager, Ms. McDonnell will be responsible for identifying key personnel positions, acting as liaison between Metro and the Kleinfelder team, and coordinating tasks and schedules.

E. Small Business Participation

The Diversity & Economic Opportunity Department (DEOD) established a 15% Race Conscious Disadvantaged Business Enterprise (RC DBE) goal for the Environmental Engineering Support Services Bench. To be responsive proposers were required to form teams that included DBE firms, without schedules or specific dollar commitments. Kleinfelder made a 15% RC DBE commitment. RC DBE commitments will be determined based on the aggregate value of all Task Orders issued.

| | | | |
|-------------------------|---------|-------------------------------|---------|
| DBE BUSINESS GOAL | 15% DBE | DBE BUSINESS COMMITMENT | 15% DBE |
|-------------------------|---------|-------------------------------|---------|

| | DBE Subcontractors | % Committed |
|-----|--|--------------------|
| 1. | Advanced Technology Laboratories, Inc. | TBD |
| 2. | Aurora Industrial Hygiene | TBD |
| 3. | Martini Drilling Corporation | TBD |
| 4. | Morgner Construction Management | TBD |
| 5. | APPL, Inc. | TBD |
| 6. | Asset Laboratories | TBD |
| 7. | Casamar Group, LLC | TBD |
| 8. | CoreProbe International | TBD |
| 9. | E-Nor Innovations, Inc. | TBD |
| 10. | Entech Northwest, Inc. | TBD |
| 11. | EMS Laboratories, Inc. | TBD |
| 12. | Industrial Hygiene Management, Inc. | TBD |
| 13. | Innovative Construction Solutions | TBD |
| 14. | Interphase Environmental, Inc. | TBD |
| 15. | MARRS Services | TBD |
| 16. | Projectline Technical Services, Inc. | TBD |
| 17. | Safe Probe, Inc. | TBD |
| 18. | Terry A Hayes and Associates, Inc. | TBD |
| 19. | The Bodhi Group | TBD |
| 20. | Wagner Engineering and Surveying, Inc. | TBD |
| | Total | 15.0% |

F. Living Wage and Service Contract Worker Retention Policy

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

G. All Subcontractors Included with Recommended Contractor's Proposal

| | Subcontractor | Services Provided |
|----|--|--|
| 1. | Advanced Technology Laboratories, Inc. | Analytical testing |
| 2. | Aurora Industrial Hygiene | Industrial hygiene |
| 3. | Martini Drilling Corporation | Drilling services |
| 4. | Morgner Construction Management | Noise, vibration, and stormwater services |
| 5. | APPL, Inc. | Analytical testing |
| 6. | Asset Laboratories | Analytical testing |
| 7. | Barney's Hole Digging Service, Inc. | Large diameter auger drilling |
| 8. | BC2 Environmental Corporation | Drilling services |
| 9. | Belshire Environmental Services | Waste management and UST testing |
| 10 | Casamar Group, LLC | Stormwater compliance |
| 11 | Cascade Drilling | Drilling services |
| 12 | CO's Traffic Control | Traffic control |
| 13 | CoreProbe International | Direct push, in-situ remediation |
| 14 | Drewelow Remediation Equipment | Remediation equipment sales and rental |
| 15 | E-Nor Innovations, Inc. | Traffic control |
| 16 | Entech Northwest, Inc. | Noise and air quality services |
| 17 | EMS Laboratories, Inc. | Analytical testing (asbestos, lead, microbial) |
| 18 | Fiedler Group | UST system design services |
| 19 | Flat and Vertical, Inc. | Concrete cutting and coring |
| 20 | Forensic Analytical Laboratories | Analytical testing (asbestos, lead, microbial) |
| 21 | GeomorphIS | Geographic information system, drafting |
| 22 | Global Probe, Inc | Direct push drilling |
| 22 | Hazardous Technologies, Inc. | Waste management |

| | | |
|--------|---|---|
| 3 | | |
| 2 4 | Industrial Hygiene Management, Inc. | Industrial hygiene |
| 2 5 | Innovative Construction Solutions | Remedial construction support |
| 2 6 | Interphase Environmental, Inc. | Direct push drilling, mobile laboratory |
| 2 7 | Jones Environmental, Inc. | Analytical testing, mobile laboratory |
| 2 8 | K-Vac Environmental Services, Inc. | Waste management |
| 2 9 | MARRS Services | Stormwater compliance |
| 3 0 | Prima Environmental, Inc. | Treatability studies |
| 3 1 | Projectline Technical Services, Inc. | Electrical design |
| 3 2 | Pure Effect, Inc. | Remediation equipment sales and rental |
| 3 3 | Safe Probe, Inc. | Utility clearance |
| 3 4 | Subsurface Surveys & Associations, Inc. | Utility clearance and geophysics |
| 3 5 | Southwest Geophysics, Inc. | Utility clearance and geophysics |
| 3 6 | Terry A Hayes and Associates, Inc. | Noise and air quality |
| 3 7 | The Bodhi Group | Technical and field support |
| 3 8 | Vironex | Direct push drilling, in-situ remediation |
| 3 9 | Wagner Engineering and Surveying, Inc. | Surveying services |
| 4 0 | Wayne Perry, Inc. | UST design and testing |

Types and Total Value Estimates of Projects – FY15 to FY19

| Environmental Engineering | No. of Units (yrs., projs., etc.) | Estimate Cost of Consultant Services per Unit | Total Estimate Cost for Consultant Services |
|---|--|--|--|
| a. Stormwater Compliance | 5 years | \$500,000 | \$2,500,000 |
| b. UST Design Engineering/Tech Support | 5 years | \$250,000 | \$1,000,000 |
| c. Industrial Waste Water Compliance | 5 years | \$140,000 | \$700,000 |
| d. Geotech/Environmental Investigations | 5 years | \$160,000 | \$800,000 |
| e. Lead and Asbestos Consulting/Assessments | 5 years | \$250,000 | \$1,000,000 |
| f. Mitigation Monitoring Support | 5 years | \$1,000,000 | \$5,000,000 |
| g. Real Estate, Joint Development and Highways | 5 years | \$250,000 | \$1,000,000 |
| Total : | | | \$12,000,000 |

Types and Total Value Estimates of Projects – FY16 to FY20

| Environmental Engineering | No. of Units (yrs., projs., etc.) | Estimate Cost of Consultant Services per Unit | Total Estimate Cost for Consultant Services |
|--|--|--|--|
| a. Stormwater Compliance | 5 years | \$500,000 | \$2,500,000 |
| b. UST Design Engineering/Tech Support | 5 years | \$250,000 | \$1,000,000 |
| c. Industrial Waste Water Compliance | 5 years | \$140,000 | \$700,000 |
| d. Geotech/Environmental Investigations | 5 years | \$160,000 | \$800,000 |
| e. Lead and Asbestos Consulting/Assessments | 5 years | \$250,000 | \$1,000,000 |
| f. Mitigation Monitoring Support | 5 years | \$1,000,000 | \$5,000,000 |
| g. Real Estate, Joint Development and Highways | 5 years | \$250,000 | \$1,000,000 |
| Total : | | | \$12,000,000 |

**Board Report**

File #: 2015-0849, **File Type:** Contract**Agenda Number:** 44.

**CONSTRUCTION COMMITTEE
JULY 16, 2015****SUBJECT: DESIGN SUPPORT DURING CONSTRUCTION FOR THE PATSAOURAS PLAZA
BUSWAY STATION, CONTRACT PS093343240A****ACTION: AUTHORIZE ADDITIONAL CONTRACT MODIFICATION AUTHORITY****RECOMMENDATION**

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving an increase in the Contract Modification Authority (CMA) to Contract No. PS0933432406A with STV Incorporated (STV) in the amount of \$250,000, increasing the total CMA from \$500,000 to \$750,000 for the **design support during construction for the Patsaouras Plaza Busway Station.**

ISSUE

Design-Build Contract No. C0970 was awarded for the construction of Patsaouras Plaza Busway Station in February 2014. The Design-Builder has required assistance to address questions related to the preliminary design. This has resulted in a higher than anticipated level of involvement by STV. Staff has used up the CMA that remained in the contract when it issued a Contract Modification for design support during construction (DSDC).

DISCUSSION

Staff came to the Board in January 2013 to authorize the Chief Executive Officer to increase the cumulative Contract Modification Authority (CMA) for Contract No. PS0933432406a to \$500,000. At the time, staff had rejected bids to construct the Patsaouras Plaza Busway Station because all bids exceeded the LOP. Staff needed STV's services to conduct value engineering and re-design the busway station; prepare the project documents for re-bidding the work; and to provide assistance, such as answering questions from prospective bidders, during the re-bid process. A Contract Modification was also issued to provide DSDC services. The design-builder has required a higher than anticipated level of effort from STV to address questions related to the preliminary design and to assist with issues that require coordination with CALTRANS.

DETERMINATION OF SAFETY IMPACT

The Board action will not have an impact on established safety standards.

FINANCIAL IMPACT

Funds for the selected project is included in the FY16 budget in Cost Center 8510 under Project 202317, Account 50316.

Impact to Budget

Since this is a multi-year project, the Project Manager, Cost Center manager, and Executive Director, Engineering and Construction will be responsible for budgeting the cost in future fiscal years.

ALTERNATIVES CONSIDERED

The Board may choose to not approve the continuation of Design Support Services During Construction at this time. However this alternative is not recommended because STV is the only consultant capable of answering questions and addressing issues related to the preliminary design because STV developed it and assisted with the value engineering and re-design of the busway station prior to re-bidding the work.

NEXT STEPS

Staff will issue a Contract Modification to extend the period of performance for DSDC services through the end of construction.

ATTACHMENTS

Attachment A - Procurement Summary

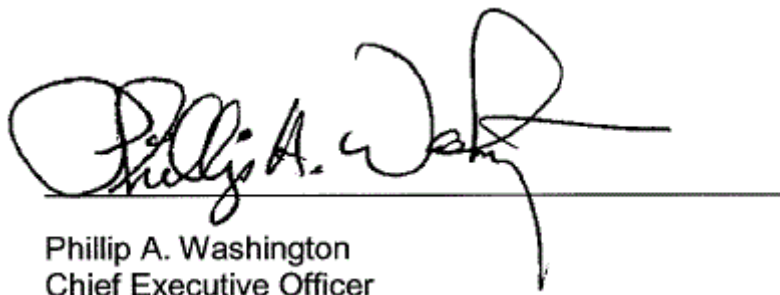
Attachment B - Contract Modification Authority (CMA)/Change Order Log

Prepared by: Manuel Gurrola, Project Manager, (213) 922-8889

Tim Lindholm, Executive Officer, Project Management, (213) 922-7297

Reviewed by: Ivan Page, Interim Executive Director, Vendor/Contracts Management, (213) 922-6383

Bryan Pennington, Executive Director, Engineering and Construction, (213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**INCREASE CONTRACT MODIFICATION AUTHORITY (CMA)
UNION/PATSAOURAS PLAZA BUSWAY STATION ACE DESIGN SERVICES
CONTRACT NO. PS0933432406SA**

| | | | |
|-----------|--|------------|---|
| 1. | Contract Number: PS0933432406A | | |
| 2. | Contractor: STV Incorporated (STV) | | |
| 3. | Work Description: Conceptual Engineering and Design | | |
| 4. | The following data is current as of: May 28, 2015 | | |
| 5. | Contract Status: Active | | |
| | Bids/Proposals Opened: | 2 | Contract Award Amount: \$789,067 |
| | Contract Awarded: | 10/23/2009 | Total of Modifications Approved: \$361,086 |
| | NTP: | 11/24/2009 | Current Contract Value: \$1,150,153 |
| | Original Complete Date: | 12/31/2010 | Current Est. Complete Date: 3/31/2018 |
| 6. | Contract Administrator: Deneise Glover | | Telephone Number: 213-922-7302 |
| 7. | Project Manager: Manuel Gurrola | | Telephone Number: 213-922-8889 |

A. Procurement Background

On October 23, 2009, Contract No. PS0933432406A was awarded to STV Incorporated, the lowest responsive and responsible bidder, in the amount of \$789,067, for the conceptual engineering and design of Patsaouras Plaza Busway Station.

Attachment B shows that six (6) modifications have been issued to date to add work and shows pending requests for changes currently being reviewed for merit.

B. Cost/Price Analysis

The recommended price for any proposed Contract Modification will be determined to be fair and reasonable through fact-finding, clarifications, independent cost estimates, cost analysis, technical evaluation, and negotiations. The negotiations will yield a firm fixed price Contract Modification.

C. Small Business Participation

STV Incorporated made a Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment of 7.39%. STV’s current DBE participation is 6.19%, a shortfall of 1.2%. According to STV, the DBE amount paid-to-date on the project exceeds the amount originally committed. However, the DBE participation as a “percentage” of total project costs is less than the original estimate.

On June 18, 2015, STV provided the following reasons for this shortfall: (1) Metro has increased STV’s scope of services over the last couple of years in order to provide funds for additional support in responding to the Design-Builder’s (D-B) submittals, Request for Information (RFIs), and to participate in meetings with the D-B Contractor. That work needed to be completed by STV management staff. Thus STV’s contract limit increased but Metro did not request scope of work items for DBE services, and (2) Metro decided not to have STV’s team review the various Contractor’s Geotechnical Engineering report submittals, which would have been provided by DBE subcontractor Diaz Yourman & Associates. DEOD will perform a final compliance review to determine if appropriate administrative sanctions are warranted.

| | | | |
|-----------------------|--------------|--------------------------|--------------|
| DBE Commitment | 7.39% | DBE Participation | 6.19% |
|-----------------------|--------------|--------------------------|--------------|

| | DBE Subcontractors | Ethnicity | % Commitment | Current Participation¹ |
|----|---------------------------|-------------------|---------------------|--|
| 1. | Coast Surveying, Inc. | Hispanic American | 5.18% | 5.02% |
| 2. | Diaz Yourman Associates | Hispanic American | 2.21% | 1.17% |
| | Total | | 7.39% | 6.19% |

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

D. Living Wage Service Contract Worker Policy

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

ATTACHMENT B

**CONTRACT MODIFICATION AUTHORITY (CMA)/CHANGE ORDER LOG
UNION/PATSAOURAS PLAZA BUSWAY STATION ACE DESIGN SERVICES
CONTRACT NO. PS0933432406A**

| Modification Number | Description | Status (Approved or Pending) | Contract Value (A) | Modification Amount (B) | Board Approved CMA (C) |
|--|---|-------------------------------------|---------------------------|--------------------------------|-------------------------------|
| N/A | Initial Award | Approved | \$789,067 | | \$200,000 |
| 1 | Exercise Options (Article VI, Contract Options 1-A & 1-B) | Approved | | \$72,732 | |
| 2 | Conceptual Plan for Bus Stop & Pedestrian Bridge | Approved | | \$15,387 | |
| 3 | Prepare Right of Way Exhibits | Approved | | \$29,269 | |
| 4 | Update ACE Design Plans & Specs/Provide Monuments at Denny's Property | Approved | | \$45,000 | |
| 5 | As-Needed Construction Support Services | Approved | | \$99,337 | |
| 6 | Continuing Design Engineering | Approved | | \$99,361 | |
| | | | | | \$300,000 |
| Subtotal (Approved) | | | | \$361,086 | |
| | Additional CMA Request | Pending | | \$250,000 | |
| Subtotal (Pending) | | | | \$250,000 | |
| Subtotal (Approved and Pending) | | | | \$611,086 | |
| Subtotal – Approved Modifications within CMA | | | | \$361,086 | |
| Subtotal – All Approved Modifications | | | | \$361,086 | |
| Pending Changes/Modifications | | | | \$250,000 | |
| Total Modifications and Pending Changes | | | | \$611,086 | |
| Total Contract Value (Including Approved and Pending Modifications including Credits) (Original Contract \$789,067 + \$611,086) | | | \$1,400,153 | | |
| Board Approved cumulative CMA | | | | | \$500,000 |
| Requested CMA (Approved and Pending, \$750,000 minus Board Approved CMA, \$500,000) | | | | | \$250,000 |



Board Report

File #: 2015-0952, File Type: Contract

Agenda Number: 45.

CONSTRUCTION COMMITTEE
JULY 16, 2015

SUBJECT: ENVIRONMENTAL WASTE HANDLING AND ENVIRONMENTALLY-RELATED CONSTRUCTION SERVICES

ACTION: AUTHORIZE FULL FUNDING OF EN077 CONTRACT AND AUTHORIZE EXERCISE OF OPTION YEAR ONE

RECOMMENDATIONS

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION:

- A. authorizing the Chief Executive Officer (CEO) to **continue issuing task orders within the previously Board approved total contract not-to-exceed amount of \$38,000,000 for Contract EN077, with ARCADIS U.S., Inc.**, for the life of the contract, of which only \$21,200,000 the Board had authorized for expenditure in FY12 through FY14; and
- B. authorizing the CEO to exercise Option Year One for FY16.

ISSUE

Our capital projects and many ongoing facilities maintenance or restoration activities require evaluation and, as necessary, removal or treatment of hazardous or contaminated substances. Our agency must be able to do so expeditiously in order to avoid any delays in construction or to protect human health and the environment, wherever necessary. Compliance with all environmental laws under such circumstances is paramount to avoid fines, and civil or criminal liability. In order to ensure that MTA appropriately meets all of these constraints, our agency has solicited and awarded contracts for environmental services.

Under Contract No. EN077, ARCADIS U.S., Inc. currently assists with the proper clean-up, abating, managing, transporting, and disposing of contaminated or hazardous materials at various MTA construction and operating facilities; and sampling and testing at various locations for contaminated and hazardous soils and water. ARCADIS U.S., Inc. also performs, under this contract, construction services that require environmental contractor specialization.

Examples of services which have been performed under the Contract are the following:

- Emergency response to and remediation of aerially deposited lead soil contamination at freeway soundwall sites;
- Transporting and lawfully disposing of contaminated soil from Division 13 construction site and Division 10;
- Removal and disposal of fuel storage tanks at various MTA divisions, and disposal of soil contaminated by leakage from such tanks;
- Construction of leak-resistant and environmentally safe tank and mechanical systems at MTA divisions in order to remain in regulatory compliance; and
- Asbestos and lead-based paint removal from structures demolished in connection with construction of the Crenshaw Light Rail Line.

In June 2011 the Board awarded a five-year indefinite delivery/indefinite quantity contract, Contract No. EN077. The Board approved funding totaling a not-to-exceed amount of \$38 Million, inclusive of sales tax, and expenditures not-to-exceed \$21.2 Million during FY12 through FY14.

EN077 is an indefinite delivery/indefinite quantity contract. The consultant is not guaranteed any work and is issued Contract Work Orders and Task Orders based on specific environmental service needs. These Task Orders are funded from existing capital project's budget with consideration of any information available at the time of planning and applicable time constraints on performance of the work.

All of the work under this framework are negotiated on a not-to-exceed basis, and can only be performed and paid based on agreed upon rates that are defined in the Contract. Staff applies strict project controls in the execution of each of these Task Orders to closely monitor the Consultant's budget and Task Order schedules. No funds are obligated until a Contract Work Order/Task Order is awarded against a valid project.

As a result of the concurrent award and capital construction activities (i.e., Crenshaw Light Rail, Purple Line Extension, Regional Connector), much needed enhancement and refurbishment of existing Metro facilities to maintain a state of good repair, and recently evolved stricter air quality and underground storage tank and aboveground storage tank regulations, MTA staff has determined that there will be an accelerated and significant use of the environmental services of ARCADIS U.S., Inc. beginning in FY15. The specific list of projects expected to require environmental services, along with estimated costs of these services, is shown in Attachment B. Specifically, these include:

- Site Remediation at Divisions 8, 15, and 18 and 20. Emergency response to unforeseen contaminated sites at various ongoing capital projects; Baseline study and preparatory work for the new MTA Temporary Storage Site,
- UST Program (SB 989) Upgrades at Divisions 3, 5, 8. Division 10 Underground Storage Tank

(UST)/Above Ground Storage Tank (AST) replacements and Division 2 Vent Pipe Upgrades.

- Purple Line Extension: Pre-demolition abatement of hazardous materials (i.e., asbestos, lead paint) for properties being acquired. On call hazardous materials remediation services for encountered hazardous materials for advanced utility contract and design build contract. Loc 61 (Purple Line Extension Yard) building abatement and Site Remediation per DTSC voluntary cleanup agreement (VCA),
- Regional Connector: Pre-demolition abatement of hazardous materials (i.e., asbestos, lead paint) for properties being acquired. On call hazardous materials remediation services for encountered hazardous materials for advanced utility and design build contracts,
- Crenshaw Light Rail: Pre-demolition abatement of hazardous materials (i.e., asbestos, lead paint) for properties being acquired. On call hazardous materials remediation services for encountered hazardous materials for advanced utility and design build contracts,
- Various Bus Capital Improvement Projects: Patsaouras Plaza soil and waste water management; Harbor Gateway Transit Center site assessment; handling and disposal of soils encountered at operating divisions; materials encountered along Silver Line alignment during construction; lead based paint contaminated materials associated with corrosion repairs along El Monte Busway, and
- Various Rail Capital Improvement Projects: New Center St. BOC/ROC expansion site assessment and remediation; Metro Gold Line cross-passage remediation and Red Line Tar seepage remediation support.

Due to this accelerated and significant use of ARCADIS U.S., Inc.'s services, MTA staff has determined that the authorized contract value will soon be inadequate to ensure the execution of Contract Work Orders from which Task Orders are negotiated and executed. Staff therefore seeks funding up to the Contract not-to-exceed amount of \$38M through the remainder of the Contract to support the environmental waste handling and related construction services needs of all major capital and capital improvement projects and related services within the scope of ARCADIS U.S., Inc.'s contract.

Additionally, consistent with recent Board direction, the Board is requested to approve the exercise of Option Year One.

The process to procure for such specialty contracts is consistent with ECSD's Business Plan submitted and presented to our Board in January 2015 and as reviewed with OMB and through the FY16 budget process.

DISCUSSION

Capital and transit-related projects undertaken by Metro continue to require evaluation of hazardous substances, contamination, or a need for regulatory compliance under federal, state and local law. In addition, Metro must comply with all environmental laws to avoid fines, and civil or criminal liability. This Environmental Hazardous Materials Handling and Related Construction Services contract assists with emergency response for evaluation, transport and disposal of encountered hazardous and non-hazardous soil, and liquid wastes which also includes asbestos and lead-based paint. The contract also includes: fuel storage tank system upgrades, repairs, removals, replacements in order to remain in regulatory compliance with local, state and federal regulatory requirements. Additional contract requirements include permit assistance, remediation system installation, maintenance and operation. Specifically for Measure R projects, the contract has been used as an emergency response contract and to support project remediation efforts if the contractor on those projects cannot perform such work scopes.

This contract is for as-needed Environmental Services. ARCADIS U.S., Inc. made a 40% DALP commitment at the onset of the project. Current DALP participation is 28.66%, of which 28.66% has been verified by staff. DBE attainment is based on the aggregate value of all task orders issued and payments paid against those task orders.

Attachment C summarizes the obligated costs associated with this contract for FY12 to FY15. Attachment C also indicates forecasted projects and costs from FY16 to FY17. Staff now returns to the Board to request annual funding for FY16 until contract termination date to authorize the use of the remaining contract value (from \$21.2M to \$38M).

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on safety standards for Metro. The increase in contract value will assist in increased safety in that it will provide environmental services to reduce environmental impacts and increase sustainability in all of Metro's construction and operational efforts.

FINANCIAL IMPACT

EN077 is an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. No MTA funds are obligated until a Contract Work Order is issued by a MTA authorized Contracting Officer against a valid project budget. No expenditures are authorized until a Task Order or Modification is awarded by a MTA authorized Contracting Officer for a specific package of work.

To date, MTA's financial and change control systems indicate that a Contract Work Order value of \$ 18,049,152 out of the currently Board-approved \$21.2M contract value has been obligated for completed an ongoing work. This includes \$17,507,691 of Task Orders issued along with \$541,461 in the value of task order modifications.

Due to anticipated significant increase in level of effort, specifically for the Measure R projects, there is needed authority beginning in FY16 to authorize the rest of the remaining balance of the overall contract up to the not-to-exceed amount of \$38M. Obligations and expenditures under the existing Contract will be done on a per task order basis, and will be determined commensurate to the each capital and operational project needs.

Obligations and authorizations made within the EN077 Total Contract Value will be against specific project or operations budgets which make up the Board-approved MTA budget for the particular fiscal year. Specific funding for this contract will parallel the project approved by the Board under separate actions. The Executive Directors and Project Managers of each of the business units and projects overseeing these projects will be responsible for budgeting the costs.

Staff will request for additional EN077 contract value authority if the amount of work associated with each of those projects exceed the new EN077 contract value.

ALTERNATIVES CONSIDERED

The MTA Board of Directors could decide not to authorize expenditures up to the full value of the contract and not authorize the exercise of option year one; ending staff's ability to issue any new task orders under contract EN077 and thus requiring staff to proceed with a new procurement for environmental waste handling and related construction services. Staff does not recommend this alternative, owing to high costs, delays and, for multiple contracts and administrative inefficiencies for procuring separate environmental services contracts to service affected projects.

As an alternative, MTA could perform all the environmental services in-house. Metro would have to hire additional staff with expertise in many different subjects, such as waste profiling, trucking and construction crews and laboratory science as well as purchase specialized equipment such as loaders, excavators and drill rigs which is not practical or cost-effective. Metro would incur more cost to do the work internally than by employing consultants. There is no additional ECSD staff included in the FY15 budget to possibly perform these functions

NEXT STEPS

Upon approval, staff will exercise option year two and initiate new task orders up to the total authorized contract value of the EN077 contract.

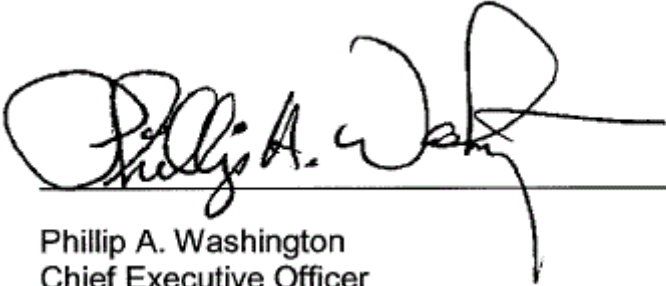
ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Log
Attachment C - Current and Proposed EN077 Work

Prepared by: Cris B. Liban, Executive Officer, Environmental Compliance and Sustainability (213) 922-2471

Reviewed by: Ivan Page, Interim Executive Director, Vendor/Contract Management (213) 922-1005

Bryan Pennington, Executive Director, Engineering and Construction (213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

ENVIRONMENTAL WASTE HANDLING AND ENVIRONMENTALLY RELATED
CONSTRUCTION SERVICES/ EN077

| | | | |
|----|---|---------|---|
| 1. | Contract Number: EN077 | | |
| 2. | Contractor: Arcadis U.S. Inc. (ARCADIS) | | |
| 3. | Mod. Work Description: Continuation of environmental waste handling and environmentally related construction services. | | |
| 4. | Contract Work Description: Environmental waste handling and environmentally related construction services. | | |
| 5. | The following data is current as of: 6/26/15 | | |
| 6. | Contract Completion Status | | Financial Status |
| | Contract Awarded: | 8/15/11 | Contract Award (Funding) Amount: \$ 21,200,000 NTE |
| | Notice to Proceed (NTP): | 9/26/11 | Total of Task Orders Approved: \$18,049,152 |
| | Original Complete Date: | 8/14/14 | Pending Modifications (including this action): \$ 0 |
| | Current Est. Complete Date: | 8/15/16 | Current Contract Value (Funding with this action): \$ 38,000,000 NTE |
| 7. | Contract Administrator: Daniel A. Robb | | Telephone Number: (213) 922-1304 |
| 8. | Project Manager: Emmanuel Liban | | Telephone Number: (213) 922-2471 |

A. Procurement Background

This Board Action is to approve Modification No. 08 issued in support of Contract No. EN077 to provide continued Environmental Waste Handling and Environmentally Related Construction Services as set forth in Contract EN077 currently in effect between Metro and ARCADIS.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a cost reimbursable fixed fee, Indefinite Delivery/Indefinite Quantity Contract.

Contract EN077 with Arcadis US, Inc. is for a five (5) year term covering the period between August 15, 2011 through August 15, 2016. (inclusive of two un-priced one-year options, based on the Consultant's satisfactory performance). This Contract was approved by the Board of Directors on June 16, 2011, with approved expenditure up to \$21.2 Million for FY12 through FY14, of the \$38 Million in total contract value, inclusive of sales tax and the two (2) one-year options. Seven (7) contract modifications have been executed and approved by the Board over the life of the Contract. Modifications 1 through 3 were issued to update the Terms and Conditions

of the Agreement to include the Memorandum of Costs. Modification 4 extended the Contract term from August 14, 2014, to September 30, 2014. Modification 5 extended the Contract term from September 30, 2014, to March 31, 2015. Modification 6 extended the Contract term from March 31, 2015, to June 30, 2015 and Modification 7 extended the Contract term from June 30, 2015, to December 31, 2015. Modification 8 shall extend the Contract term from December 31, 2015, to August 15, 2016.

Additional information regarding all the modifications to EN077 can be found in Attachment B – Contract Modification/Change Log.

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) was previously convened in 2011 and determined ARCADIS to be the most qualified proposer. Contract award was made to the highest qualified Proposer.

This is an Architect and Engineers, qualifications based Contract. Price was not used as an evaluation factor pursuant to state and federal law.

C. Cost/Price Analysis

A fair and reasonable price for all future Contract Work Orders “CWOs” and Task Orders “TO’s” shall be determined based upon a cost analysis, technical evaluation, fact finding, and negotiations, before issuing a CWO or Task Order to the Consultant. An audit to finalize the overhead rate for the first three years of the Contract and to set the provisional overhead rate for FY 15 and FY16 has been completed by the Metro Audit Services Department (MASD). Actual Overhead rates between 2011 through 2013 will be applied per Audit Report 15-CON-A05, as an equitable adjustment to the Contract, within the total authorized funding of \$38 Million.

D. Background on Recommended Contractor

ARCADIS is an international company providing consultancy, design, engineering and management with emphasis on the following fields: environmental, infrastructure, water, and buildings. The company is ranked in the top ten (10) management and engineering consultancies in the world and top three (3) in the global environmental market.

The company’s primary areas of competence include waste management, soil, groundwater, air-quality, geo-technical information services, urban and rural development projects, and real estate projects.

E. Disadvantaged Business Participation

ARCADIS made a Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment of 40%. The project is 73.33% complete and the current DALP participation is 28.66%. In order to address the 11.34% shortfall, ARCADIS confirmed that they are actively seeking DBE firms for future task order awards in the following scope areas: hazardous materials abatement and management; regulatory interaction; soil, water and other hazardous materials disposal; underground tank upgrade work, as well as other nonspecific tasks. DEOD will continue to monitor ARCADIS' efforts to meet their DBE commitment.

| DISADVANTAGED BUSINESS ENTERPRISE ANTICIPATED LEVEL OF PARTICIPATION COMMITMENT | | 40% DALP | DISADVANTAGED BUSINESS ENTERPRISE ANTICIPATED LEVEL OF PARTICIPATION | | 28.66% DALP |
|--|---|-----------------------------|---|--|--------------------|
| DBE Subcontractors | | Ethnicity | % Commitment | Current Participation¹ | |
| 1. | J.C. Palomar Construction | Hispanic American | CWO | 19.05% | |
| 2. | Advanced Technology Laboratories | Hispanic American | CWO | 0.59% | |
| 3. | Jet Drilling | Hispanic American | CWO | 0.51% | |
| 4. | Alliance Environmental Group ² | Hispanic American | CWO | 0.21% | |
| 5. | Tri Span ² | Hispanic American | CWO | 2.96% | |
| 6. | Insight EEC Inc. ² | Subcontinent Asian American | CWO | 3.15% | |
| 7. | Bradley Tank ² | Asian Pacific American | CWO | 2.18% | |
| 8. | AHTNA Government Services ² | Native American | CWO | 0.00% | |
| Total DBE Commitment | | | 40% | 0 | |

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

²DBE Subcontractor added after contract award.

F. Living Wage and Service Contract Worker Retention Policy

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

G. 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 the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

H. All Subcontractors Included with Recommended Contractor's Proposal

| Subcontract List |
|--|
| 21st Century Lock & Key |
| ACCO Engineered Systems |
| Ahtna Government Services |
| Alliance Environmental Group, Inc. |
| AWS Construction, Inc. |
| BC2 Environmental |
| Belshire Environmental Services |
| BTI Environmental Services, Inc. |
| CA Hazardous Services |
| Century Sweeping |
| CI Services, Inc. |
| Coastal Traffic Systems |
| El Capitan Environmental Services |
| EMSL Analytical |
| Hydro Engineering |
| Insight Environmental Engineering & Construction, Inc. |
| J.C. Palomar, Inc. |
| JET Drilling |
| KOPPL |
| Ninyo & Moore |
| Pacific Coast Locators |
| Presidio Systems |
| Siemens Industry, Inc. |
| Specialized Industrial Services, Inc. |
| Spectrum Geophysics |
| TEG/LVI Environmental Services, Inc. |
| Traffic Management, Inc. |
| Tri Span, Inc. |
| TRL Systems |
| WWT Tunnel, LLC |

CONTRACT MODIFICATION/CHANGE LOG
ENVIRONMENTAL WASTE HANDLING AND ENVIRONMENTALLY RELATED
CONSTRUCTION SERVICES/ EN077

| Mod. no. | Original Contract | (Date) | (Contract Total) |
|-----------------|--|-----------------------|-------------------------|
| 1 | Administrative Terms and Conditions | 11/16/14 | \$0.00 |
| 2 | Retention Reduction Per Contract Code Section 7201 | 12/22/13 | \$0.00 |
| 3 | Add Subcontractors Trip Span & BTI | 11/21/13 | \$0.00 |
| 4 | No Cost Period of Performance Extension 8/14/14 to 9/30/14 | 8/5/14 | \$0.00 |
| 5 | No Cost Period of Performance Extension 9/30/14 to 3/31/15 | 9/26/14 | \$0.00 |
| 6 | No Cost Period of Performance Extension 3/31/15 to 6/30/15 | 3/11/15 | \$0.00 |
| 7 | No Cost Period of Performance Extension 6/30/15 to 12/31/15 | 5/15/15 | \$0.00 |
| 8 | Pending Board Approval No Cost Period of Performance Extension 12/31/15 to 8/15/16 | | |
| | | Total All Mods | \$0.00 |

Attachment C. Current and Proposed EN077 Work

| EN077 PROJECT CATEGORIES | OBLIGATED PROJECT FUNDS (FY12-15) (A) | SPECIFIC FY15-FY16 PROJECTS(1) | PROJECTED THRU FY16 (B) | TOTAL (A+B) (2) |
|--|--|--|------------------------------------|----------------------------|
| SITE REMEDIATION | \$ 5,148,939.00 | Site Remediation at Divisions 8, 15, and 18 and 20. Emergency response to unforeseen contaminated sites at various ongoing capital projects ; Baseline study and preparatory work for the new MTA Temporary Storage Site | \$1,851,061.00 | \$7,000,000.00 |
| TANK UPGRADES, STORMWATER AND UST OPERATOR PROGRAM | \$ 7,947,287.00 | UST Program (SB 989) Upgrades at Divisions 3 , 5, 8. Division 10 UST/AST replacements and Division 2 Vent Pipe Upgrades | \$ 52,713.00 | \$8,000,000.00 |
| REGIONAL CONNECTOR(3) | \$ 1,820,498.00 | Pre-demolition abatement of hazardous materials (i.e., asbestos, lead paint) for properties being acquired. On call hazardous materials remediation services for encountered hazardous materials for advanced utility contract and design build contract. Loc 61 (Purple Line Extension Yard) Remediation | \$ 1,179,502.00 | \$3,000,000.00 |
| PURPLE LINE EXTENSION(3) | \$ 841,549.00 | Pre-demolition abatement of hazardous materials (i.e., asbestos, lead paint) for properties being acquired. On call hazardous materials remediation services for encountered hazardous materials for advanced utility and design build contracts | \$ 5,158,451.00 | \$6,000,000.00 |
| CRENSHAW CORRIDOR PROJECT(3) | \$ 205,147.00 | Pre-demolition abatement of hazardous materials (i.e., asbestos, lead paint) for properties being acquired. On call hazardous materials remediation services for encountered hazardous materials for advanced utility and design build contracts | \$ 5,794,853.00 | \$6,000,000.00 |
| BUS FACILITY, VARIOUS | \$648,991.00 | Patsaouras Plaza soil and waste water management; Harbor Gateway Transit Center site assessment; handling and disposal of soils encountered at operating divisions; materials encountered along Silver Line alignment during construction; lead based paint contaminated materials associated with corrosion repairs along El Monte Busway | \$ 3,330,109.00 | \$4,000,000.00 |
| RAIL FACILITY VARIOUS | \$1,436,741.00 | New Center St. BOC/ROC expansion site assessment and remediation; Metro Gold Line and Red Line Tar seepage and cross-passage remediation | \$ 2,563,259.00 | \$4,000,000.00 |
| | \$ 18,049,152.00 | | \$ 19,929,948.00 | \$38,000,000.00 |
| Notes: | | | | |
| (1) Estimated costs based on current level of effort on executed similar projects. Specific amounts on a task by task basis are to be negotiated by staff prior to award. | | | | |
| (2) Note that Measure R projects are included in this forecast. This Contract is currently being used as an emergency response contract for those Measure R projects and small capital improvement projects; and to support project remediation efforts if any of the Constructors cannot perform such scope. | | | | |
| (3) The Measure R related projects estimates were included in the original Board Authorization of EN077 contract and estimated EN077 services are only used as guidance based on assumptions at the onset of contract. Exact not to exceed amount is determined per Measure R project. The estimated total dollar values include any unanticipated environmental waste handling and construction services work due to changed conditions or through the acceleration of any of these projects. | | | | |

**Board Report**

File #: 2015-0586, **File Type:** Contract

Agenda Number: 46.

**CONSTRUCTION COMMITTEE
JULY 16, 2015**

**SUBJECT: DESIGN SUPPORT DURING CONSTRUCTION FOR THE DIVISION 13 BUS
MAINTENANCE AND OPERATIONS FACILITY**

ACTION: AUTHORIZATION FOR CONTRACT MODIFICATION AUTHORITY

RECOMMENDATION

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION approving an increase in the Contract Modification Authority (CMA) to Contract No. OP33402180 with Maintenance Design Group (MDG) in the amount of \$350,000, increasing the total CMA from \$1,350,000 to \$1,700,000 for **design support during construction for the Division 13 Bus Maintenance and Operations Facility.**

ISSUE

Difficulties encountered during construction have resulted in additional involvement by the Designer and Engineer of Record. Additional CMA is required to increase the value of the Task Order for Design Support During Construction (DSDC). MDG will also produce all as-built drawings of the new facility once construction is complete.

DISCUSSION

In November 2008, the Board approved the contract award for the design and engineering of Division 13, and which also included DSDC services. The original period of performance for the construction contract was estimated at 700 calendar days from the notice-to-proceed (NTP). Based on NTP issued May 2012, Division 13 construction was to be completed by July 2014. Construction delays caused primarily by differing site conditions and the collapse of Deck 14 in March 2014 extended the period of performance. Substantial completion is currently scheduled for September 2015. The CMA request of \$350,000 is based on the anticipated level of effort required to support the project through construction and final acceptance.

The DSDC scope of work includes the following tasks: responding to Requests for Information (RFIs); reviewing project submittals, monitoring construction progress, attending weekly project team site walks; issuing site visit reports; conducting inspections and documenting finds; producing

Record Drawings; and providing design support for Metro requested changes.

DETERMINATION OF SAFETY IMPACT

The Board action will not have an impact on established safety standards.

FINANCIAL IMPACT

Funds for the selected project is included in the FY16 budget in Cost Center 8510 under Project 202001, Account 50316. The project is scheduled to be completed in the first quarter of FY16.

Impact to Budget

Since this is a multi-year project, the Project Manager, Cost Center manager, and Executive Director, Engineering and Construction will be responsible for budgeting the cost in future fiscal years.

ALTERNATIVES CONSIDERED

The Board may choose to not approve the continuation of Design Support Services During Construction at this time. However this alternative is not recommended because the MDG team is the "Designer-" and the "Engineer-" of Record for the Division 13 Project.

NEXT STEPS

Staff will issue a Contract Modification and issue a Task Order to extend the period of performance for DSDC services through the end of construction.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - Contract Modification History/Change Order Log

Prepared by: Manuel Gurrola, Project Manager, (213) 922-8889

Tim Lindholm, Executive Officer, Project Management (213) 922-7297

Reviewed by: Ivan Page, Interim Executive Director, Vendor/Contracts Management
(213) 922-6383

Bryan Pennington, Executive Director, Engineering and Construction
(213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

ARCHITECTURE/ENGINEERING SERVICES FOR DIVISION 13

| | | | |
|----|--|------------|---|
| 1. | Contract Number: OP33402180 | | |
| 2. | Contractor: Maintenance Design Group | | |
| 3. | Work Description: Design support during construction of Division 13 | | |
| 4. | The following data is current as of: June 1, 2015 | | |
| 5. | Contract Status: | | |
| | Bids/Proposals Opened: | 07/10/2008 | Contract Award Amount: \$6,792,851 |
| | Contract Awarded: | 11/20/2008 | Total of Modifications Approved: \$1,317,380 |
| | NTP: | 01/05/2009 | Current Contract Value: \$8,110,231 |
| | Original Complete Date: | 12/31/2011 | Current Est. Complete Date: 12/31/2015 |
| 6. | Contract Administrator: Deborah Spottsville | | Telephone Number: (213) 922-1040 |
| 7. | Project Manager: Manuel Gurrola | | Telephone Number: (213) 922-8889 |

A. Procurement Background

In November 2008, Contract No. OP33402180 was awarded to Maintenance Design Group, LLC, the as the most qualified firm, in the amount of \$6,792,851, for architectural and engineering design services and as-needed construction support for the Division 13 project.

Attachment B shows that eight (8) modifications have been issued to date.

B. Cost/Price Analysis

The price of any future Contract Modifications and Task Orders will be determined to be fair and reasonable based upon cost analysis, technical evaluation, fact finding, and negotiations.

An audit request has been submitted to the Metro Management Audit Services Department (MASD) to determine allowable and allocable direct and overhead rates. Task Orders and Contract Modifications are subject to retroactive adjustments to the Contract upon completion of the audit.

C. Small Business Participation

Maintenance Design Group, LLC (MDG) made a 17.27% Small Business Enterprise (SBE) commitment. MDG's current SBE participation is 15.87%, a shortfall of 1.4%. MDG gave the following reasons for the shortfall: (1) this is a Time-and-Materials task order, (2) all consultants perform specialized work; they are not able to commit a specific amount of hours for consultants to respond to Contractor's Request for Information (RFIs), and (3) the only remaining work is attending Construction Progress Meetings and conducting punch-list procedures which are not designated as SBE scope of services. DEOD will perform a final compliance review to determine if appropriate administrative sanctions are warranted.

| | | | |
|----------------------------------|-------------------|-------------------------------------|-------------------|
| Small Business Commitment | SBE 17.27% | Small Business Participation | SBE 15.87% |
|----------------------------------|-------------------|-------------------------------------|-------------------|

| | SBE Subcontractors | % Committed | Current Participation¹ |
|----|----------------------------|--------------------|--|
| 1. | Gonzales Suarez Associates | 1.37% | 1.12% |
| 2. | W2 Design | 5.89% | 5.51% |
| 3. | C&J Technical Services | 9.95% | 9.18% |
| 4. | Diaz-Yourman | 0.07% | 0.06% |
| | Total | 17.25% | 0 |

¹Current Participation = Total Actual Amount Paid-to-Date to Subs ÷ Total Actual Amount Paid-to-Date to Prime

D. Living Wage Service Contract Worker Policy

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

E. 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 the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

ATTACHMENT B

CONTRACT MODIFICATION HISTORY/CHANGE ORDER LOG

**ARCHITECTURE/ENGINEERING SERVICES FOR DIVISION 13/CONTRACT NO.
OP33402180**

| Mod . No. | Description | Status | Cost |
|---|---|---------------|---------------------|
| 1. | Alternative Design Elements and Period of Performance Extension | Approved | \$ 445,179 |
| 2. | 60% Design Submittal, Task No. 3bb | Approved | \$ 185,000 |
| 3. | Period of Performance Extension | Approved | \$ 63,718 |
| 4. | Administrative Change | Approved | \$ 0 |
| 5. | Administrative Change | Approved | \$ 0 |
| 6. | Design Support Services During Construction | Approved | \$ 100,000 |
| 7. | Design Support Services During Construction | Approved | \$ 398,060 |
| 8. | Design Support Services During Construction | Approved | \$ 125,423 |
| Subtotal – Approved Modifications | | | \$ 1,317,380 |
| Subtotal – Pending Changes/Modifications | | | \$ 0 |
| Subtotal Totals: Mods. + Pending Changes/Modifications | | | \$ 1,317,380 |
| Subtotal – Pending Claims | | | \$ 0 |
| Total: Mods + Pending Changes/Mods + Possible Claims | | | \$ 1,317,380 |
| Previous Authorized CMA | | | \$ 1,350,000 |
| CMA Necessary to Execute Pending Changes/Mods + Possible Claims | | | \$ 350,000 |
| Total CMA including this Action | | | \$ 1,700,000 |
| CMA Remaining for Future Changes/Mods after this Action | | | \$ 382,620 |

**Board Report**

File #: 2015-0851, **File Type:** Informational Report

Agenda Number: 47.

**CONSTRUCTION COMMITTEE
JULY 16, 2015**

SUBJECT: CRENSHAW/LAX TRANSIT PROJECT

**ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A
CONTRACT MODIFICATION**

RECOMMENDATION

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer (CEO) to execute Contract Modification No. 39 to Contract No. E0117 with Hatch Mott MacDonald (HMM), to **continue Phase III Design Services During Construction (DSDC) support**, in the amount of \$6,656,000, increasing the total contract value from \$54,414,652 to \$61,070,652.

ISSUE

The Crenshaw/LAX Transit Project continues with final design and construction and requires a two-year extension of the HMM contract to provide specialized engineering consultant services. In addition to Metro staff there continues to be a need for HMM to provide DSDC support for the mainline project as the design-builder (Wash Shea Corridor Constructors) continues with final design and has commenced construction activities. HMM is required to supplement Metro support in the review of contract submittals, requests for information and contract design changes as they are received from the Crenshaw/LAX Transit Project design-build contractor.

In addition to supporting the efforts for the Crenshaw/LAX Transit Project HMM will also provide experienced engineering support for the Southwestern Yard Project in the review of design submittals, requests for information and design changes for the newly awarded design-build contractor (Hensel Phelps/Herzog JV) who will commence final design this summer.

DISCUSSION

In December 2009, the Board selected the Light Rail alternative as the Locally Preferred Alternative and awarded Contract E0117 to HMM for Phase I Advanced Conceptual Engineering, and contract options for Phase II Preliminary Engineering, Construction Contract Development and Bid Period Services; Phase III DSDC; and Phase IV Light Rail Transit (LRT) System Activation.

Phases I and II have been completed. In April 2012 the CEO was authorized by the Board to exercise the Phase III Contract option for DSDC support in the amount of \$13,235,158. This action is to extend the support from HMM for another two years through June 2017.

The Phase III DSDC scope of work includes the review of the design-build contractor's final design submittals, shop drawings, construction contractor's requests for information, review of design change notices/change orders, and support for issues resolution. The scope also includes additional bid support for the main alignment and Southwestern Yard design-build contracts. In addition, HMM provides final design oversight, support technical meetings, provide engineering support to the Metro project team and support the community relations team.

HMM is providing experienced engineering support to supplement existing Metro staff in the final design oversight, review of design submittals, requests for information and design changes, and also provides support to the Metro community relations team for the Crenshaw/LAX Transit Project. They will also provide experienced engineering support for the Southwestern Yard Project. There are not enough existing Metro positions available to provide such DSDC support. Some of the staff from HMM are on an as-needed basis only and not on a full-time basis depending on the type of submittals or questions received from the design-build contractors.

Authorization to exercise the option for Phase IV, LRT System Activation, will be presented to the Board when the project is ready to implement this Phase.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

The funds for this action are included in the FY16 budget under Project 865512 (Crenshaw/LAX Transit Corridor Project) and Project 860003 (Southwestern Yard Project), in Cost Center 8510 (Construction Project Management), and Account No. 50316 (Professional Services). Since this is a multi-year project, the Executive Director, Engineering and Construction will be responsible for budgeting in future years.

Impact to Budget

The sources of funds for this project are Federal STP, CMAQ, State Proposition 1B, Proposition A 35% and Measure R 35% as included in the adopted Long Range Transportation Plan and updated by Board action in June 2013. The FY16 budget does not include any Prop 35% funds which are eligible for rail operations and capital. The other funds are not eligible for bus and rail operating expenditures. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board could decide to not approve the recommended Contract Modification. This is not recommended because there continues to be major elements of final design by the design-builder that HMM is providing engineering support to review design submittals, requests for information and design changes. Not extending HMM would mean a loss of experienced staff that have been working on the Crenshaw/LAX Transit Project and would be a detriment to the completion of this project. There are not enough Metro positions available to provide DSDC support.

NEXT STEPS

After Board approval and execution of the contract modification, staff will direct the consultant to continue providing design support services for the Crenshaw/LAX Transit and Southwestern Yard projects through FY17.

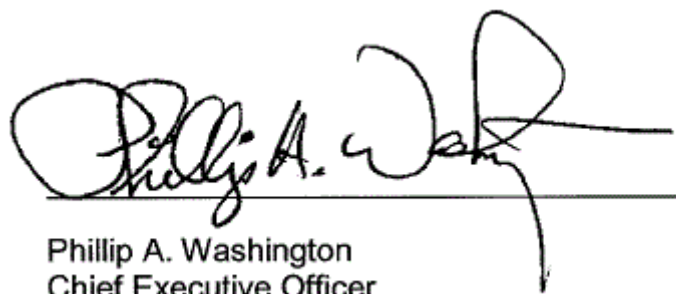
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - Contract Modification Authority (CMA) Change Order Log

Prepared by: Charles H. Beauvoir, DEO Project Management (323) 903-4113
Kimberly Ong, Interim DEO, Project Management (323) 903-4112
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Nalini Ahuja, Executive Director, Finance & Budget
(213) 922-3088
Bryan Pennington, Executive Director, Engineering & Construction
(213) 922-7449



Phillip A. Washington
Chief Executive Officer

**ATTACHMENT A
PROCUREMENT SUMMARY**

Advanced Conceptual/Preliminary Engineering for Crenshaw Transit Corridor

| | | | | |
|---|--|------------|--------------------------------|--------------|
| 1 | Contract Number: E0117 | | | |
| 2 | Contractor: Hatch Mott Macdonald | | | |
| 3 | Mod. Work Description: Continued Funding for Phase III (Design Support During Construction) | | | |
| 4 | Work Description: Construction Management Support Services | | | |
| 5 | The following data is current as of: 06/09/15 | | | |
| 6 | Contract Completion Status: | | Financial Status: | |
| | Award Date: | 01/07/2010 | Award Amount | \$10,311,664 |
| | Notice to Proceed (NTP): | 01/07/2010 | Total Contract Modifications | \$44,102,988 |
| | Original Completion Date: | 06/30/2015 | Current Total Contract Value | \$54,414,652 |
| | Current Est. Complete Date: | 06/30/2017 | | |
| 7 | Contract Administrator: Valerie Dean | | Telephone Number: 323-903-4123 | |
| 8 | Project Manager: Charles Beauvoir | | Telephone Number: 323,903-4113 | |

A. Contract Action Summary

The Request for Proposal (RFP) was an Architecture and Engineering (A&E) qualification-based procurement process in accordance with the California Government Code 4525-4529. This process requires that each of the responding firm's qualifications be evaluated, and the most qualified firm be selected, followed by cost and contract negotiations with the selected firm to establish a fair and reasonable contract price.

On June 26, 2009, the MTA issued a RFP for a Cost Plus Fixed Fee contract. No amendments were issued during the solicitation phase. The proposal evaluation team determined Hatch Mott MacDonald to be the most qualified proposer in October 2009 and the MTA Board authorized the Chief Executive Officer to negotiate and award a 9-year cost-plus fixed fee, Contract, Contract No. E0117, for Crenshaw Transit Corridor Advanced Conceptual Engineering, and

subsequent phases (options) for preliminary engineering, Design-build contract bid support, design support during construction and start-up support services for the LRT Alternative at the December 2009 meeting. The contract was for an amount not to exceed \$10,400,000 million to perform Phase I, Advanced Conceptual Engineering.

On September 23, 2010, the MTA Board of Directors authorized the CEO to exercise a 21 month cost plus fixed fee option for an amount not to exceed \$21,000,000 for Phase II Preliminary Engineering, Construction Contract Development and Bid Period Services.

On January 26, 2012, the MTA Board of Directors approved the recommendation to execute Contract Modification 16 for Advanced Utilities, Contract Modification 17, for BNSF track alignment, Contract Modification 18 for Integrated Project Management and Office Recurring Costs; and an increase of Contract Modification Authority for a not-to-exceed amount of \$2,524,038.

On April 19, 2012, the MTA Board of Directors authorized the Chief Executive Officer to execute contract modification No. 21 to Contract No. E0117 Advance Conceptual/Preliminary Engineering for Crenshaw Transit Corridor, with Hatch Mott MacDonald, to exercise the option for Phase III Design Services During Construction (DSDC), in the amount of \$13,235,158.

Attachment B shows that 37 Modifications have been approved to date and 1 modification is pending. The proposed modification 39 is for an amount of \$6,656,000 for the continued design services during construction of the Crenshaw/LAX Transit Project.

B. Cost/Price Analysis

The negotiated amount complies with all requirements of Metro Procurement policies and procedures and was determined fair and reasonable through fact findings, clarifications, and cost analysis. An independent cost estimate (ICE) was obtained as part of the cost analysis before negotiating.

| Proposal Amount | MTA Estimate | Negotiated Amount |
|-----------------|----------------|-------------------|
| \$7.21 million | \$6.77 million | \$6.65 million |

C. Small Business Participation

Hatch Mott MacDonald (HMM) made a commitment of 25.30% Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) on this contract. Current DBE participation is 21.42%, a shortfall of 3.88%. For Phase I and Phase II, HMM achieved 25.10% DBE participation. HMM provided the following explanation for the shortfall: 1) Phase III Scope Reduction - the HMM team forecasted a greater participation level in the review of Contractor Design-Build documents, which has predominantly been undertaken by Metro staff. This has impacted DBE services in the areas of architectural & general civil reviews, utilities, and management reporting, and 2) Project Continuity - to ensure continuity and efficiency, specialty work forecasted to be filled by DBE firms were maintained by non-DBE firms, who brought ongoing project experience gained during the preliminary engineering phase.

On June 26, 2015, HMM advised that they will continue to examine opportunities to increase their DBE participation for Phases III and IV in the following service areas: 1) Design support for the Contract C0991 - Southwestern Yard, 2) Right-of-Way project acquisition support, 3) Systems Integration for Contracts C0988 and C0991, and 4) Identify specialty services for DBEs such as environmental compliance and clearance. To date, HMM has utilized six (6) additional DBE subcontractors.

| | DBE Subcontractors | Ethnicity | % Commitment | Current ¹ Participation |
|-----|----------------------------|------------------------|--------------|------------------------------------|
| 1. | Anil Verma | Sub Asian American | 10.49% | 7.61% |
| 2. | Earth Mechanics | Asian Pacific American | 4.97% | 2.63% |
| 3. | UltraSystems | Caucasian | 1.52% | 0.28% |
| 4. | Wagner Engineering | Caucasian | 3.48% | 2.29% |
| 5. | The Solis Group | Hispanic American | 3.24% | 1.27% |
| 6. | Epic Land Solutions | Caucasian | 1.41% | 1.76% |
| 7. | E. W. Moon | African American | 0.21% | 0.50% |
| 8. | BASE Architecture (added) | African American | 0.00% | 1.93% |
| 9. | MARRS Services (added) | Sub Asian American | 0.00% | 1.74% |
| 10. | Terry A. Hayes (added) | African American | 0.00% | 0.16% |
| 11. | Cordoba (added) | Hispanic American | 0.00% | 0.36% |
| 12. | The Alliance Group (added) | Asian Pacific American | 0.00% | 0.77% |
| 13. | Armand Consulting (added) | Sub Asian American | 0.00% | 0.11% |
| | Total Commitment | | 0 | 0 |

¹Current Participation = Total Actual Amount Paid-to-Date to Subs ÷ Total Actual Amount Paid-to-Date to Prime

D. Living Wage and Service Contract Worker Retention Policy Applicability

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

ATTACHMENT B
Contract Modification Authority (CMA) Change Order Log

| MOD No. | Description | Value | Status |
|----------------|--|------------------------|-----------------|
| 1 | Context- Sensitive Design and Planning. | \$890,119.00 | Executed |
| 2 | Park Mesa Heights Grade Separation Analysis. | \$249,924.00 | Executed |
| 3 | Cancelled | | Cancelled |
| 4 | Provisional Indirect Rates to Fixed indirect Rate | No Cost | Executed |
| 5 | Crenshaw LAX Phase II (Option) | \$21,000,000 | Executed |
| 6 | Project Administration/Design Consensus | \$382,638.00 | Executed |
| 7 | Maintenance Facility Site | \$257,500.00 | Executed |
| 8 | Period of Performance Time Extension | No Cost | Executed |
| 9 | Article VI Other Direct Costs; | No Cost | Executed |
| 10 | Geotechnical Investigation | \$156,718.00 | Executed |
| 11 | Project Office | \$168,550.00 | Executed |
| 12 | Paint & Body Shop : Special Fund | \$500,000.00 | Executed |
| 13 | Crenshaw/LAX Re-Location Plan | \$72,491.00 | Executed |
| 14 | FAA Options Analysis | \$92,685.00 | Executed |
| 15 | Leimert Park Station | \$366,658.00 | Executed |
| 16 | Utility Re-Location | \$968,678.00 | Executed |
| 17 | BNSF Abandonment | \$832,666.00 | Executed |
| 18 | Project Office Recurring Costs | \$651,208.00 | Executed |
| 19 | Project Office Overhead Rate | No Cost | Executed |
| 20 | Westchester Light Rail Station | \$234,875.00 | Executed |
| 21 | Crenshaw/LAX – Phase III (Option) | \$13,235,158.00 | Executed |
| 22 | Project Management Support | \$439,204.00 | Executed |
| 23 | Guideline Specification Support | \$412,712.00 | Executed |
| 24 | Civil & Structural Design | \$486,055.00 | Executed |
| 25 | Systems | \$380,048.00 | Executed |
| 26 | Overhead Adjustment | \$ 70,038.00 | Executed |
| 27 | Southwestern Yard/3 rd Party Coordination | \$1,959,247.00 | Executed |
| 28 | Geotechnical | \$202,816.00 | Executed |
| 29 | Additional Subcontractor | No Cost | Executed |
| 30 | Adjusted Hourly Rate | No Cost | Executed |
| 31 | Overhead and Fee Adjustment | \$93,000.00 | Executed |
| 32 | Additional Subcontractor | No Cost | Executed |
| 33 | Additional Subcontractor | No Cost | Executed |
| 34 | Period of Performance –Ext | No Cost | Executed |
| 35 | Economic Price Adjustment FY 14 | No Cost | Executed |
| 36 | Overhead Adjustment | No Cost | Executed |
| MOD No. | Description | Value | Status |

| | | | |
|----|---|---------|----------|
| 37 | Economic Price Adjustment FY 15 | No Cost | Executed |
| 38 | Time Extension | No Cost | Pending |
| 39 | Additional Funding for Design Support Phase During Construction Phase III | Pending | Pending |

| | | |
|---|--------------|--|
| Subtotal – Modifications issued-to-date | \$44,102,988 | |
| Subtotal – Award Value | \$10,311,664 | |
| Subtotal – Contract Value | \$54,414,652 | |
| Subtotal –Pending Modification | \$ 6,656,000 | |
| Total Contract Value | \$61,070,652 | |
| | | |
| | | |

| | |
|--|---------------|
| Current CMA Authorized by the Board | \$ 12,023,275 |
| Total Approved CMA Modifications (excluding Phase II and III Options) | -\$ 9,867,830 |
| Remaining CMA | \$ 2,155,445 |
| | |
| | |

**Board Report**

File #: 2015-0957, **File Type:** Contract**Agenda Number:** 48.

**CONSTRUCTION COMMITTEE
JULY 16, 2015****SUBJECT: REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT****ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE CONTRACT MODIFICATION****RECOMMENDATION**

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the CEO to execute Contract Modification No. 22 to Contract No. E0119 with The Connector Partnership Joint Venture (CPJV) Inc. to continue providing **Design Support Services During Construction through FY16 for the Regional Connector Transit Corridor Project**, in the amount of \$8,283,594, increasing the total contract value from \$54,770,985 to \$63,054,579. This action does not increase Life of Project Budget.

BACKGROUND

On October 28, 2010, the Board authorized the CEO to negotiate and execute Contract E0119, Advanced Conceptual Engineering (ACE) and Preliminary Engineering (PE) for The Regional Connector Transit Corridor Project, with an initial not-to-exceed amount of \$21,500,000, and options for Design Support During Construction and System Activation Support. The executed contract is a cost-plus, fixed fee contract with provisions for Board approval of the contract value every fiscal year by Contract Modification. Accordingly, this report requests approval of annual funding for FY16.

The ACE phase (Phase I) encompassed all design activities and products (including all necessary data collection, coordination, and design studies) to fully document environmental impacts, respond to comments from FTA in the Administrative Draft EIS/EIR, and to develop a detailed cost estimate sufficient for advancement to later stages of project delivery. The PE phase (Phase II) established the design of the basic structural, mechanical, electrical, communication systems, trackwork, automatic train control, traction power, third rail contact system, fare collection, and other systemwide interfaces. At the completion of PE, CPJV prepared contract documents for the design/build contracting delivery method.

The Board approved the project definition for the Regional Connector Transit Corridor Project on April 26, 2012. As a result of CPJV's work on the Project, Metro received a Record of Decision from the Federal Transit Administration (FTA) on June 29, 2012, and the Full Funding Grant Agreement

(FFGA) on February 20, 2014.

In 2013, in accordance with CPJV's scope of work for Phase III, the Board authorized the CEO to exercise Contract Modification No. 20 for CPJV to provide design support services related to advanced utility relocations (Metro Contract C0981R and third party construction contracts), and to the procurement phase of the Design/Build Contract (Contract C0980) during FY14. Contract C0981R was awarded on January 13, 2014, and the award of the Design-Build Contract No. C0980 was approved by the Board on April 24, 2014.

ISSUE

Metro's Project Management staff requires continuation of services to provide Design Support Services during Construction to review the design-builder's final design and ensure compliance with Metro's technical requirements, and other technical services during construction. Execution of the recommended Contract Modification No. 22 will provide continuity of the design support services during the final design phase and construction of the Project, as well as continued third-party coordination with the City, County, stakeholders and property owners.

The recommended Board action will provide sufficient contract funding for CPJV services through June 30, 2016. Future work will be funded on a year-to-year basis. This approach will result in more accurate budgeting for each year, while providing better control over consultant services.

In a parallel process under a separate board report, staff is recommending a total of 37 new non-contract Metro positions for FY 16 by converting 32 new Construction Management Support Services (CMSS)/Consultant positions. Three of the 32 CMSS/Consultant positions proposed for conversion to new Metro non-contract positions fall under the CPJV's scope of work under Contract Modification 22. If the Board approves the new non-contract Metro E&C positions, a reduction of up to \$594,346 may be deducted from Contract Modification 22 for these three new non-contract Metro positions provided that these Metro positions are in place at the Regional Connector Transit Corridor project on July 1, 2015. Otherwise, a prorated rate of \$16,510 per month (per position) may be deducted from Contract Modification 22 for every CMSS/consultant position that is converted to new non-contract Metro position and placed on the project.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funds are included in the FY16 budget for this action under Project 860228 - Regional Connector Transit Corridor in Cost Center 8510 (Construction Project Management), and Account Number 50316 (Professional and Technical Services). Because this is a multi-year project, the Executive Director of Engineering and Construction and the Project Manager will be accountable for budgeting costs for future years.

Impact to Budget

The sources of funds for this report's Recommendation are Federal 5309 New Starts, and TIFIA Loan Proceeds. The approved FY15 budget is designated for the Regional Connector Transit Corridor Project and does not have an impact to operations funding sources. These funds are part of the Life-of-Project (LOP) Budget for the Regional Connector Transit Corridor Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project.

ALTERNATIVES CONSIDERED

The Board could decide not to approve the recommended contract modification. This is not recommended because there are major elements of design support services work that are required to support this design-build project, and Metro does not currently have sufficient staff with the required expertise to ensure a timely review of the design-build contractor's Final Design. Since CPJV developed the technical requirements for the design-build contract, it is staff's recommendation that CPJV's services are essential in providing continuity of the work in order to successfully deliver the project on schedule and within budget.

NEXT STEPS

1. After Board approval and execution of the contract modification, staff will direct the consultant to continue providing design support services for the Regional Connector Transit Corridor project through FY15.
2. Staff will report back by December 2015 on the actual number of non-contract Metro positions hired and placed on the project with the corresponding reduction in the contract value.

ATTACHMENTS

- A. Procurement Summary
- B. Contract Modification Authority (CMA) Summary

Prepared by:

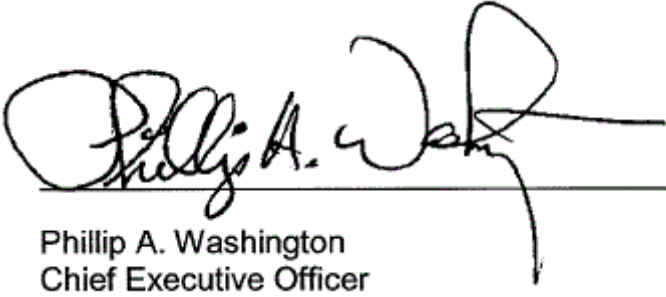
Girish Roy, Deputy Executive Officer, Project Management (213) 922-7221
Kang Hu, Interim Director, Project Engineering (213) 893-7116
Joe O'Donnell, Director, Contract Administration (213) 922-7321

Reviewed by:

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(213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**ADVANCED CONCEPTUAL ENGINEERING AND
PRELIMINARY ENGINEERING FOR THE
REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT (E0119)
MODIFICATION NO. 22**

| | | | |
|-----------|--|---------|---|
| 1. | Contract Number: E0119 | | |
| 2. | Contractor: Connector Partnership Joint Venture (CPJV) | | |
| 3. | Mod. Work Description: Provide FY16 design support services during construction for Contract Nos. C0981R and No. C0980 for the Regional Connector Transit Corridor Project. | | |
| 4. | Contract Work Description: Advanced Conceptual Engineering and Preliminary Engineering for the Regional Connector Transit Corridor Project | | |
| 5. | The following data is current as of: May 15, 2015 | | |
| 6. | Contract Completion Status | | Financial Status |
| | Contract Awarded: | 12/2/10 | Contract Award Amount: \$21,500,000 |
| | Notice to Proceed (NTP): | 12/3/10 | Total of Modifications Approved: \$33,270,985 |
| | Original Complete Date: | 3/2018 | Pending Modifications (including this action): \$8,283,594 |
| | Current Est. Complete Date: | 3/2020 | Current Contract Value (with this action): \$63,054,579 |
| 7. | Contract Administrator: Joe O'Donnell | | Telephone Number: 213-922-7231 |
| 8. | Project Manager: Girish Roy | | Telephone Number: 213-893-7119 |

A. Procurement Background

This Board Action is to approve Modification No. 22 issued in support of Design Support during construction for the Regional Connector Transit Corridor Project.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a cost plus fixed fee.

Contract No. E0119 was awarded through an A&E (qualification-based) procurement process.

On October 28, 2010, the Metro Board authorized the Chief Executive Officer to negotiate and award a cost-plus fixed fee contract (No. E0119), for Regional

Connector Transit Corridor Advanced Conceptual Engineering/Preliminary Engineering to Connector Partnership, for an amount not to exceed \$21,500,000 to perform Phase I, Advanced Conceptual Engineering and Phase II, Preliminary Engineering. On December 2, 2010, Metro awarded a contract for \$21,500,000 for a period of fourteen months

Since that time, twenty-one modifications have been issued to implement additional scope tasks in support of the Regional Connector Transit Corridor Project. Refer to Attachment B – Contract Modification/Change Order Log. Staff anticipates that Connector Partnership Joint Venture services will be required through March 2020.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon fact-finding, clarifications, and cost analysis, taking into consideration an independent cost estimate (ICE), technical evaluation, and negotiations, pending a completed audit of the consultant’s provisional overhead rates. The most current fiscal year data was requested from the consultant, and is expected to be provided shortly. Upon receipt of this data, an audit request will be submitted to MASD and any findings resulting in an increase or decrease to the contract amount will be incorporated via a Contract Modification.

| Proposal Amount | Metro ICE | Negotiated Amount |
|------------------------|------------------|--------------------------|
| \$8,313,342 | \$7,889,138 | \$8,283,594 |

C. Small Business Participation

CPJV made a Disadvantaged Business Enterprise Anticipated Level of Participation (DALP) commitment of 35.01%. The project is 88% complete and the current DALP participation is 28.49%. Although CPJV is not meeting their DALP commitment, they confirmed that they are actively seeking DBE firms to provide necessary structural and other engineering services, and will replace a position currently held by one of their employees. CPJV confirmed that with the projected cost they will achieve a DBE commitment of 35.5% in FY16. To date, CPJV has listed eight (8) additional DBE subcontractors, and is strongly encouraged to continue to make ongoing efforts to meet or exceed their 35.01% DBE commitment.

| | | | |
|------------------------|---------------|---------------------------|---------------|
| DALP COMMITMENT | 35.01% | DALP PARTICIPATION | 28.49% |
|------------------------|---------------|---------------------------|---------------|

| | DBE Subcontractors | Ethnicity | % Commitment | Current Participation¹ |
|-------------------------|---|-----------------------------|---------------------|--|
| 1. | Barrio Planners | Hispanic American | 4.18% | 3.44% |
| 2. | BA, Inc | African American | 3.44% | 5.73% |
| 3. | Dakota Communications | African American | 1.67% | 0.49% |
| 4. | D'Leon Engineers | Hispanic American | 2.35% | 1.76% |
| 5. | E2 Consulting Engineers, Inc. | Subcontinent Asian American | 1.68% | 3.29% |
| 6. | Intueor Consulting, Inc. | Asian Pacific American | 3.34% | 2.73% |
| 7. | LKG-CMC, Inc. | Caucasian | 1.19% | 2.17% |
| 8. | A Cone Zone | Caucasian | 3.51% | 0.31% |
| 9. | Advanced Technologies Lab ² | Hispanic American | 0.00% | 0.04% |
| 10. | AP Engineering & Testing ² | Asian Pacific American | 0.00% | 0.03% |
| 11. | C&L Drilling | Caucasian | 1.50% | 0.00% |
| 12. | Jet Drilling | Hispanic American | 2.71% | 0.22% |
| 13. | Martini Drilling ² | Hispanic American | 0.00% | 0.03% |
| 14. | Tri-County Drilling ² | Caucasian | 0.00% | 0.50% |
| 15. | Murakawa Communications | Asian Pacific American | 0.63% | 0.00% |
| 16. | Ted Tokio Tanaka Architects | Asian Pacific American | 5.01% | 3.36% |
| 17. | Tierra West Advisors, Inc. | Asian Pacific American | 0.76% | 0.64% |
| 18. | Wagner Engineering & survey | Caucasian | 1.79% | 1.31% |
| 19. | Raw International, Inc. | African American | 1.02% | 1.44% |
| 20. | Roy Willis & Associates | African American | 0.25% | 0.02% |
| 21. | Universal Reprographics, Inc. ² | Caucasian | 0.00% | 0.68% |
| 22. | Kal Krishnan Consulting Services ² | Subcontinent Asian American | 0.00% | 0.02% |
| 23. | Lenax Construction Services ² | Caucasian | 0.00% | 0.22% |
| 24. | Sapphos Environmental ² | Hispanic American | 0.00% | 0.05% |
| Total Commitment | | | 0 | 0 |

¹Current Participation = Total Actual Amount Paid-to-Date to Subs Total Actual Amount Paid-to-Date to Prime.

²DBE Subcontractors added after contract award.

D. Living Wage and Service Contract Worker Retention Policy Applicability

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

CONTRACT MODIFICATION/CHANGE LOG

**ADVANCED CONCEPTUAL ENGINEERING AND
PRELIMINARY ENGINEERING FOR THE
REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT/E0119**

| Mod. no. | Description | Date | Amount |
|-----------------|---|-------------|---------------------|
| N/A | Initial Award | 12/3/10 | \$21,500,000 |
| 1 | Risk Management Support | 3/14/11 | \$203,059 |
| 2 | Revisions to Technical Scope of Services | 7/29/11 | \$0 |
| 3 | Additional Geotechnical Borings | 3/21/11 | \$256,215 |
| 4 | Upgrade Division 20 Generator & Tie-In | 12/13/11 | \$108,937 |
| 5 | Increased Level of Effort for Design Services | 12/13/11 | \$444,742 |
| 6 | Increased Level of Cost Estimating | 12/13/11 | \$299,241 |
| 7 | Additional Specification Preparation Efforts | 12/27/11 | \$219,707 |
| 8 | Constructability Design Changes | 12/27/11 | \$139,197 |
| 9 | Flower Street Landscape Design | 1/4/12 | \$138,696 |
| 10 | No Cost Extension | 2/9/12 | \$0 |
| 11 | Advanced Preliminary Engineering | 3/1/12 | \$8,796,669 |
| 12 | 2 nd & Broadway Second Entrance Design | 4/25/12 | \$367,771 |
| 13 | Advanced Utility Final Design | 6/6/12 | \$455,474 |
| 14 | Cost Savings Station Designs | 8/27/12 | \$470,612 |
| 15 | No Cost APE Extension | 11/1/12 | \$0 |
| 16 | Additional Geotechnical Services | 12/8/12 | \$365,972 |
| 17 | Bid Period Services | 12/4/12 | \$0 |
| 18 | No Cost APE Extension | 12/1/12 | \$0 |
| 19 | Bid Period Services | 1/3/13 | \$5,828,270 |
| 20 | Bid Period Services / Design Support Services During Construction (Phase III) | 7/1/13 | \$7,852,815 |
| 21 | Design Support Services During Construction (FY15) | 7/1/14 | \$7,323,608 |
| 22 | Design Support Services During Construction (FY16) | Pending | \$8,283,594 |
| 23 | No Cost Period of Performance Extension to August 31, 2015 | | \$0 |
| | Total: | | \$63,054,579 |

**Board Report**

File #: 2015-1069, **File Type:** Contract**Agenda Number:** 49.

2nd REVISED
CONSTRUCTION COMMITTEE
July 16, 2015

SUBJECT: BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT**ACTION: APPROVE CONTRACT FOR THE BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT****RECOMMENDATION**

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION authorizing the Chief Executive Officer to execute a cost-plus-fixed-fee Contract No. PS2415-3412 with STV, Inc. for the **Brighton to Roxford Double Track Project** in the amount of \$12,500,000 inclusive of all design phases. This contract is for three years.

ISSUE

It is the intent of Metro Regional Rail to award a professional services contract to provide engineering services for completion of the environmental clearance documents, preliminary engineering documents, permitting, and final design engineering of the Brighton to Roxford Double Track Project. In addition the work includes the development of the necessary construction documents for the Project, as well as design support services during bid and construction.

DISCUSSION**Background**

Metro is developing the Brighton to Roxford Double Track project (Project) in Los Angeles, CA, between milepost (MP) 12.7 and MP 23.6 on the Valley Subdivision. At this time, Metro is proceeding with the environmental clearance and the development of Plans, Specifications, and Estimates (PS&E) for construction of the Project.

The Project includes approximately 10.4 miles of new double track beginning at Control Point (CP) Brighton, at MP 12.7, and ending at CP Roxford, at MP 23.6 on the Valley Subdivision of the Antelope Valley Line. At the east end of the Project near CP Brighton, the scope of work includes connecting the new double track to the Brighton Siding extension that is being developed as part of the Empire Avenue and Buena Vista Grade Separation Project. The scope of work also includes connection to the 6,109 foot existing Sun Valley Siding between CP McGinley and CP Sheldon. In

In addition, this Project includes construction of a second side platform at the future Metrolink Hollywood Way Station, and Sylmar/San Fernando Station. Modifications to 15 grade crossings are necessary along the Project corridor. This Project also includes construction of three new railroad bridges, as well as three pedestrian at-grade crossings at the Hollywood Way, & Sylmar/San Fernando Stations as well as improvements to the existing Astoria Street at-grade crossing.

The Project is located mostly within the city of Los Angeles, and partially within the cities of Burbank and San Fernando, California on Metro owned right-of-way. This corridor is operated and maintained by the Southern California Regional Rail Authority (SCRRA) for the Metrolink Commuter Rail Service. In addition, the Union Pacific Railroad (UPRR) provides freight service along this corridor.

The Project is located in close proximity to the Bob Hope Airport /Hollywood Way Station Project between MP 13.5 and MP 13.8. This Project and the Bob Hope Airport Station/Hollywood Way Station Project, represent two related projects that, in combination, will provide for overall operational flexibility along the Valley Subdivision. Both projects are contractually separate. This project adds capacity to Antelope Valley line and improves operations and passenger service while reducing travel times.

Funding Commitment

The Project is funded from Measure R 3% and state funds. This Project is the Number 2 ranked project on the Memorandum of Understanding (MOU) between the California High Speed Rail Authority (CHSRA) and several southern California agencies, including Metro. This MOU provides funding from Proposition 1A bonds and other sources for eligible projects.

| FUNDING SOURCE | FINAL DESIGN |
|-----------------------|----------------------|
| Proposition 1A | \$55 million |
| Measure R 3% | \$3 million |
| Other Sources | \$52 million |
| TOTAL | \$110 million |

DETERMINATION OF SAFETY IMPACT

The Project will upgrade 15 at-grade crossings to current SCRRA design standards. In addition, the Project will incorporate SCRRA’s new Positive Train Control standards.

Site-specific safety features will be identified through the FHWA’s Manual on Uniform Traffic Control Devices grade crossing diagnostic process, whereby the LADOT, Metrolink, and the CPUC will review each crossing in accordance with Metrolink and CPUC best practices. The findings of the diagnostic review will be used to select safety improvement features such as pedestrian gates, emergency egress swing gates, and channelization handrails that will be included on the engineering drawings.

FINANCIAL IMPACT

The total funding from Measure R 3% is \$3 million, which is included in the FY16 budget in department 2415, Regional Rail, Project No. 460074, Task 6.2.02.01. Since this is a multi-year contract, the cost center manager, and Executive Director, Engineering and Construction will be accountable and responsible for budgeting the cost of future fiscal year requirements.

Impact to Budget

Source of Funds: \$3,000,000 million in Measure R 3% funds.

ALTERNATIVES CONSIDERED

The Board could choose not to award the contract to STV and decide not to pursue the Brighton to Roxford Double Track Project. This alternative is not recommended due to the significant benefits that the Brighton to Roxford Double Track Project provides to commuter rail transportation and the SCRRA Antelope Valley subdivision. In addition, it should be noted that this project is currently on CHSRA/Metro MOU listed as second highest priority to receive funding and if not awarded Metro will lose that funding.

NEXT STEPS

Upon approval by the Board, staff will execute the contract, and begin the services for the Brighton to Roxford Double Track Project.

ATTACHMENTS

- A. Procurement Summary
- B. Brighton to Roxford Map

Prepared by: Don Sepulveda, Executive Officer, Regional Rail (213) 922-7491

Reviewed by:

Ivan Page, Executive Director, Vendor/Contract Management (213) 922-1005

Nalini Ahuja, Executive Director, Office of Management and Budget (213) 922-3088

Bryan Pennington, Executive Director, Engineering and Construction (213) 922-7449



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

BRIGHTON TO ROXFORD DOUBLE TRACK PROJECT

| | | |
|----|---|--|
| 1. | Contract Number: PS2415-3412 | |
| 2. | Recommended Vendor: STV, Inc. | |
| 3. | Type of Procurement (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. | Procurement Dates: | |
| | A. Issued: 09/15/14 | |
| | B. Advertised/Publicized: 09/15/14 | |
| | C. Pre-proposal/Pre-Bid Conference: 09/22/14 | |
| | D. Proposals/Bids Due: 10/14/14 | |
| | E. Pre-Qualification Completed: 01/06/15 | |
| | F. Conflict of Interest Form Submitted to Ethics: 11/13/14 | |
| | G. Protest Period End Date: 04/06/15 | |
| 5. | Solicitations Picked up/Downloaded: 108 | Bids/Proposals Received: 2 |
| 6. | Contract Administrator: Ben Calmes | Telephone Number: (213) 922-7341 |
| 7. | Project Manager: Don Sepulveda | Telephone Number: (213) 922-7491 |

A. Procurement Background

This Board Action is to approve Contract No. PS2415-3412 issued in support of the Brighton to Roxford Double Track Project for professional Architectural and Engineering (A&E) services.

The RFP was issued in accordance with Metro's Acquisition Policy and Procedure, and the contract type is cost-plus-fixed-fee.

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

- Amendment No. 1, issued on September 23, 2014, provided minutes of the Pre-Proposal Conference and attendee sign-in sheets;
- Amendment No. 2, issued on September 30, 2014, provided answers to questions received regarding the RFP.

A pre-proposal conference was held on September 22, 2014 and was attended by 38 participants. Seventeen questions were asked and answers were released prior to the proposal due date. Two proposals were received by the due date, October 14, 2014.

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff from Regional Rail, Orange County Transportation Authority, City of Palmdale, and the Southern California Regional Rail Authority (Metrolink) was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Skill and Experience of the Team 35 percent
- Project Management Plan 25 percent
- Project Understanding 40 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar A&E services. Several factors were considered when developing these weights, giving the greatest importance to the qualifications and experience of the personnel and the demonstrated understanding of the project.

This is an A&E qualifications based procurement. Price cannot be used as an evaluation factor pursuant to state and federal law. SBE preference is not applicable to A&E procurements.

Of the two proposals received, both were determined to be within the competitive range. The firms within the competitive range are listed below in alphabetical order:

1. HDR Engineering, Inc.
2. STV, Inc.

During the period October 15, 2014 to October 22, 2014, the PET evaluated and independently scored the technical proposals. The PET met on October 22, 2014 and determined that both proposers were in the competitive range. On October 29, 2014, the PET met to interview the firms and their proposed teams. The firm's proposed project managers and key personnel had an opportunity to present their team's qualifications and respond to the PET's questions.

Each team's presentation addressed the requirements of the RFP, experience with heavy rail engineering tasks, and proposed solutions. Each team was asked questions relative to each firm's qualifications and understanding of the project.

At the conclusion of the interviews, the PET met and completed their technical scores based on both written proposals and oral interviews.

Qualification Summary of the Recommended Firm:

STV, Inc. (STV) has provided continuous services to Metro and Metrolink for over 20 years including work in the Brighton to Roxford rail corridor such as Metro's East San Fernando Valley Transit Corridor project and Metrolink's Sun Valley Siding project. These projects include extensive experience with the stakeholders involved such as the Union Pacific Railroad, Amtrak, the Los Angeles Department of Transportation and the cities of Los Angeles and Burbank.

STV's proposed Project Manager has over 20 years of experience successfully delivering heavy rail projects from conceptual studies to final design, specifications, and construction bidding and administration. STV provides project experience with similar complex issues including Metrolink's Sun Valley Siding, San Gabriel Subdivision Track Improvements, Pomona to Montclair Second Main Track, and the Riverside County Transportation Commission's Perris Valley Line extension.

STV's project team includes Small Business Enterprises with a history performing similar services satisfactorily for Metro.

The final scoring, after the interviews, for the top ranked team is as follows:

| 1 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|----------|---|----------------------|----------------------|-------------------------------|-------------|
| 2 | STV, Inc. | | | | |
| 3 | Skill and Experience of the Team | 84 | 35.00% | 29.40 | |
| 4 | Project Management Plan | 84 | 25.00% | 21.00 | |
| 5 | Project Understanding | 80 | 40.00% | 32.00 | |
| 6 | Total | | 100.00% | 82.40 | 1 |

The final scoring, after the interviews, for the second ranked team is as follows:

| 1 | FIRM | Average Score | Factor Weight | Weighted Average Score | Rank |
|----------|---|----------------------|----------------------|-------------------------------|-------------|
| 2 | HDR Engineering, Inc. | | | | |
| 3 | Skill and Experience of the Team | 84 | 35.00% | 29.40 | |
| 4 | Project Management Plan | 71 | 25.00% | 17.75 | |
| 5 | Project Understanding | 80 | 40.00% | 32.00 | |
| 6 | Total | | 100.00% | 79.15 | 2 |

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon cost analysis including MASD audit, technical evaluation, fact-finding, and negotiations.

| Proposer Name | Proposal Amount | Estimate | Negotiated Amount |
|----------------------|------------------------|-----------------|-------------------------------------|
| STV, Inc. | \$16,580,291 | \$11,103,750 | \$13,594,016 <u>\$12,490,781</u> |

D. Background on Recommended Contractor

The recommended firm, STV, Inc. (STV), headquartered in Douglassville, PA, with offices nationwide, including Los Angeles, has been in business for over 100 years. STV provides engineering services and consistently ranks in the top 25 firms in rail and mass transit.

Rail projects that STV has managed satisfactorily for Metro in the past five years include the San Fernando Valley Subregional Mobility Matrix, Metro Airport Connector draft Environmental Impact Statement (EIS) and Environmental Impact Report (EIR), the South Bay Green Line Extension EIS/EIR, Metro Blue, Green & Gold Lines Operations Capital Improvement Assessment, and Metro Red Line Station Canopies.

E. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 25% Small Business Enterprise (SBE) goal for this solicitation. STV Incorporated exceeded the goal by making a ~~29.21%~~ ~~37.49%~~ 31.52% SBE commitment.

| | | | |
|----------------------------|----------------|----------------------------------|---|
| SMALL BUSINESS GOAL | 25% SBE | SMALL BUSINESS COMMITMENT | 29.21% 37.49% 31.52% SBE |
|----------------------------|----------------|----------------------------------|---|

| | SBE Subcontractors | % Committed |
|-----------|---------------------------------------|--|
| 1. | Bullock & Associates, Inc. | 3.02% <u>3.29%</u> |
| 2. | Cornerstone Studios, Inc. | 0.63% <u>0.58%</u> |
| 3. | Diaz Yourman & Associates | 2.86% <u>3.12%</u> |
| 4. | Epic Land Solutions, Inc. | 1.13% <u>1.06%</u> |
| 5. | Lin Consulting | 3.37% <u>3.66%</u> |
| 6. | Pacific Railway Enterprise, Inc. | 13.11% <u>14.27%</u> |
| 7. | Ryan Snyder Associates, LLC | 0.23% <u>0.26%</u> |
| 8. | Wagner Engineering & Surveying, Inc. | 4.86% <u>5.28%</u> |
| 9. | J.L Patterson & Associates | 5.97% |
| | Total Commitment | 29.21% 37.49% <u>31.52%</u> |

F. Living Wage and Service Contract Worker Retention Policy Non-Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) will not be applicable on this contract.

G. All Subcontractors Included with Recommended Contractor's Proposal

| | Subcontractor | Services Provided |
|----|-----------------------------------|-----------------------------------|
| 1. | Bullock & Associates, Inc. | Utility Engineering |
| 2. | Cornerstone Studios, Inc. | Landscape Architecture |
| 3. | Diaz Yourman & Associates | Geotechnical Services |
| 4. | Epic Land Solutions, Inc. | Right of Way Consulting |
| 5. | HNTB Corporation | Civil Engineering |
| 6. | ICF Jones & Stokes, Inc. | Environmental Compliance Services |
| 7. | J.L. Patterson & Associates, Inc. | Engineering Services |
| 8. | LIN Consulting, Inc. | Traffic Engineering Services |
| 9. | Pacific Railway Enterprises, Inc. | Signal & Communication Design |
| 10 | Ryan Snyder Associates, LLC | Bicycle, Transportation Planning |

| | | |
|---------|-----------------------------------|--------------------|
| 11 . | Wagner Engineering & Survey, Inc. | Surveying, Mapping |
|---------|-----------------------------------|--------------------|

ATTACHMENT B



**Board Report**

File #: 2015-0805, **File Type:** Project

Agenda Number: 50.

**CONSTRUCTION COMMITTEE
JULY 16, 2015**

**SUBJECT: METRO BLUE LINE PEDESTRIAN SAFETY ENHANCEMENTS AT GRADE
CROSSINGS**

ACTION: ADOPT LIFE-OF-PROJECT BUDGET

RECOMMENDATION

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION:

- A. adopting Life-of-Project (LOP) budget for Project 205104 (**Metro Blue Line (MBL) Pedestrian Active Grade Crossing Improvements Installation**) of \$30,175,000;
- B. increasing the Fiscal Year 2016 Budget for Project 205104 in Cost Center, 3960 - Rail Transit Engineering, by \$12,897,000 to fund the FY 2016 cash flow for these pedestrian grade crossing safety enhancements; and
- C. authorizing the CEO to negotiate and execute a Public Highway at-Grade Crossing Improvement Agreement with Union Pacific Railroad (UPRR) according to the Term Sheet (Attachment B).

ISSUE

The existing MBL light rail transit system is over 25 years old and pedestrian crossing protections needs updating to be consistent with Metro's current design standards. The installation of safety devices, such as pedestrian gates and emergency exit swing gates at rail pedestrian crossing intersections is expected to provide similar safety performance to our other light rail lines with at-grade crossings.

BACKGROUND

The Board adopted a motion by Director Yaroslavsky in July 2012 that was subsequently amended by Director Ridley-Thomas in August 2012, directing the CEO to convene a MBL Task Force and report back to the Board for all causes of accidents, including reviewing the design elements of the crossings, developing potential suicide prevention strategies, and to provide solutions for improving

pedestrian safety.

The Task Force was comprised of staff from Metro, the California Public Utilities Commission (CPUC), UPRR, the Cities of Los Angeles and Long Beach (although the City of Compton was invited, staff from the City of Compton was not present at the meetings) and the County of Los Angeles. UPRR was included because the MBL tracks run parallel to their tracks in close proximity along most of the alignment. Therefore, some of the pedestrian improvements will need to be made on UPRR's side of the right of way (ROW). The Task Force members agreed in concept to include pedestrian gates and swing gates on the Metro portion of the shared right of way, and based on feedback from UPRR, only swing gates on the UPRR side of the alignment. Nineteen (19) intersections were considered for improvement in the original project with only eleven (11) active pedestrian gates. An estimate of this project based on this scope resulted in the MBL Pedestrian and Swing Gates Project 205063 being approved by the LACMTA Board with a life of project budget (LOP) of \$7.7 million in November 2012. When Project 205063 was established, the original scope of work and LOP was intended to cover the cost for preliminary engineering (PE) and construction as a design-build contract based on the agreed-upon scope by the Task Force members. The CPUC, subsequently, required active pedestrian gating at all of the intersections (i.e. 27 intersections and 108 active pedestrian gates), dramatically changing the scope of the project, necessitating a new project and new project LOP budget. The prior MBL Grade Crossing Improvement Project 205063 will be cancelled having expended an estimated \$2,865,000 of \$7,700,000 through FY 2015 to complete all of the necessary design work for the new project and for third-party coordination. The balance of the remaining LOP funding for Project 205063 will be transferred to the new Project 205104.

DISCUSSION

Original Project Estimates

Having completed final design for Project 205104, we now have improved estimates on the costs necessary to complete the original MBL pedestrian crossing Project 205063 as well as the greatly expanded new project 205104 which includes many more active pedestrian gates. A table reconciling the original Project 205063 LOP with the costs to complete the much larger Project 205104 is included as Attachment C. We now know that the original LOP budget for Project 205063, established in November of 2012 for the now cancelled project omitted some elements which were identified during the final design of the new project. Specifically, the original project did not account for the following activities totaling \$2,013,954.

- Additional costs of \$350,132 associated with Metro labor were not identified in the original LOP.
- Metro Design costs were underestimated by of \$389,359.

- Metro grade crossing panels were overestimated by \$147,100.
- Flagging on Metro's side of the right-of-way was underestimated by \$74,119.
- Potential for utilities conflict was underestimated by \$125,000.
- Design support during construction, requests for information, and submittal reviews were underestimated by \$545,588.
- Construction Management costs did not account for \$545,588.
- Other agency soft costs such as Project Control, and Procurement were underestimated by \$409,191.
- The Contract Modification Authority (CMA) was overestimated by \$277,922.

External Agency Requirements - Design Changes Required by CPUC and City of Los Angeles

After completing the preliminary design and additional field diagnostic meetings with the Task Force members to refine the design, additional requests from most third parties resulted in a significant increase in the scope of the project. In late 2014, the CPUC informed Metro that the original project scope was no longer feasible as Metro will have to install pedestrian gates in addition to the swing gates on the UPRR side of the alignment to maintain uniformity with the devices proposed to be installed on Metro's side of the alignment. In that regard, CPUC staff urged Metro to continue to work with UPRR to overcome their original resistance to installing pedestrian gates on their side of the alignment. In subsequent discussions with UPRR, Metro was able to reach consensus to include the pedestrian gates on the UPRR side, in addition to only the swing gates as originally agreed at 23 crossings. This change required by the CPUC to now install active gating as well as swing gates on the UPRR side of the right of way was a material, design and construction change to the original scope of the project. Metro staff concurs with the change request by the CPUC because it brings the MBL up to our current design standard. We also believe the change reduces future legal liability risks.

The requirement for active pedestrian gating on the UPRR side of the tracks now required the negotiation of a contract with them to design and install the active gating, to widen and improve crosswalks, and to engineer gating/signal systems in coordination with our own. Further, consistent with their practice, UPRR will not agree to perform this work with a firm completion schedule nor to a firm fixed price. The Public Highway at-Grade Crossing Improvement Agreement with UPRR will be written on a time and material (T&M) basis only and the estimates included in the term sheet may change. Metro has entered into such T&M type agreements with UPRR in the past including the original MBL Construction and Maintenance Agreement and the highly successful MBL four-quadrant

gate improvement agreement. The Alameda Corridor Agency, Caltrans and other public entities have also entered into such agreements with UPRR. However, absent a fixed price and a firm UPRR schedule, a material risk exists for another LOP increase on this project.

Another significant increase in the scope of the project, as a result of CPUC's requirement, was the increase in the number of crossings that needed to be enhanced on Metro's side of the alignment. The field reviews concluded that with additional civil improvements, Metro would be able to improve 8 additional crossings, increasing the number to 27 crossings. Furthermore, the civil improvements would enable Metro to install both pedestrian and swing gates at all 27 crossings, instead of only installing certain improvements at 19 crossings included in the original scope.

Another much smaller improvement to the project was required by the City of Los Angeles and relates to curb cuts along both sides of the right-of-way to facilitate improved access to the mobility impaired. The City believes that such street overlay improvements and reconstruction of existing curb ramps are necessary to comply with current Americans with Disabilities Act Access Guidelines (ADAAG), and their own standards. The reconstruction of curbs, which was not identified in the original estimate, was an added requirement. The incremental costs for all of the improvements not contemplated at the time of the original LOP are as follows with a complete reconciliation of these items is provided in Attachment C.

- Design/installation of pedestrian gates at all 27 crossings on Metro's side of the alignment instead of only 19. In addition, the original project only contemplated 11 active pedestrian gates rather than the 62 active gates now planned. Active gating at these other intersections will include the installation of concrete pedestrian crosswalk panels at many intersections and other associated implementation costs. The significant increase in the number of active pedestrian other civil improvements and systems integration and testing to accommodate them cost an additional \$7,262,711.
- Additional costs of \$375,000 associated with potential utilities conflicts as a result of significant increase in the original scope of work.
- In order to comply with the City's ADA standards, street-resurfacing was required. The work associated with curb cuts and street resurfacing added an extra cost of \$468,518 to the LOP.
- Extend existing railroad concrete panels for pedestrian crosswalks and replace existing deteriorated timber crossings and impacted rubber crossings within the UPRR right of way. As a condition of enhancing their ROW, the UPRR required Metro to implement these crosswalk improvements in the amount of \$1,830,190.
- Design/installation of pedestrian gates at 23 railroad crossing intersections on the UPRR side of the alignment, in addition to the swing gates proposed during the initial preliminary engineering and planning stage. These 46 new active pedestrian gates were not included in

the original scope. This change, required by the CPUC, necessitated Metro to redesign and reconfigure the finalized drawings that included the addition of a substantial amount of civil and signal work in order to accommodate pedestrian gates, increases costs by \$6,371,826.

- Construction activity on the UPRR side of the right of way will require UPRR flagging services in the amount of \$600,000.
- The original project did not take into consideration the costs of obtaining easement rights for the UPRR right-of-way needed to install the added swing and pedestrian gates and panels in the amount of \$470,000.
- Contingency for UPRR work in an amount of \$1,391,000.
- Design support during construction, submittal review, and Construction Management costs, which included Third Party, Project Control, and Procurement costs were increased due to the expanded construction activities as a result of the external agency requirements. The costs associated with these services amounted to \$1,783,370.
- The Contract Modification Authority (CMA) in the amount of \$810,623 was increased due to additional construction activities as a result of the external agency requirements.
- Since this was a Design Bid Build contract and as a result of the external agency requirements in increased scope of work, the design contractor's cost and design review costs for the City of Los Angeles, City of Long Beach, City of Compton, County of Los Angeles, and UPRR was increased by \$1,958,641.

In summary the new design concept improves on the safety of the initial design with the required improvements mandated by the CPUC. The new Project will cost \$30,175,000 to construct, the old project having funded design and third-party coordination and oversight at an estimated cost of \$2,865,000. Both projects together are estimated to cost \$33,040,000.

Mitigation of Potential Utility Conflicts

To reduce the probability of the project being affected by an overrun due to unknown utilities, Metro has completed investigation and potholing for potential impact to the project. Metro identified and notified all public and private utilities for utility conflicts within the project limits. As part of this effort, we obtained as-built and record drawings, field surveyed all the visible manholes, hand holes and above ground utilities, opened Dig Alert tickets for all grade crossings, and back checked as-built utility drawings against the paint marks located through Dig Alert tickets for every crossing. We also performed subsurface utility location services to determine all potential utilities conflicts; employed radar penetrating detection equipment to identify underground utilities conflicts. Resolution of utilities

conflict will be accomplished by using one of the following methods a) protecting the existing utility in place by installation of shallow foundations or encasement of existing underground utility, b) design around the existing utility, c) relocating the conflicted utility. Review of the utility information shows that the grade crossing pedestrian gate installations may conflict with existing signal cables or traffic signal cables at approximately 35 locations. Metro is identifying each conflict to solicit a cost from the construction contractor for relocating or working around the conflicting cable prior to construction work starting, thus reducing cost and schedule impact due to utilities conflicts.

DETERMINATION OF SAFETY IMPACT

| Blue Line | FY10 | FY11 | FY12 | FY13 | FY14 | FY15 Jan, YTD | Total |
|---------------------------------------|-----------|-----------|-----------|-----------|-----------|---------------|------------|
| Train vs. Ped Accidents | 10 | 5 | 15 | 7 | 10 | 4 | 51 |
| Train Miles | 1,650,286 | 1,653,894 | 1,929,804 | 2,001,290 | 2,122,893 | 1,233,546 | 10,591,713 |
| Fatalities (*) | 5 | 3 | 4 | 3 | 2 | 3 | 20 |
| Accident Rate per 100,000 Train Miles | 0.61 | 0.30 | 0.78 | 0.35 | 0.47 | 0.32 | 0.48 |

| Gold Line + EXPO Line | FY10 | FY11 | FY12 | FY13 | FY14 | FY15 Jan, YTD | Total |
|---------------------------------------|-----------|-----------|-----------|-----------|-----------|---------------|------------|
| Train vs. Ped Accidents | 3 | 6 | 2 | 0 | 2 | 2 | 15 |
| Train Miles | 1,311,236 | 1,479,204 | 1,658,395 | 2,386,628 | 2,482,027 | 1,604,431 | 10,921,921 |
| Fatalities (*) | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Accident Rate per 100,000 Train Miles | 0.23 | 0.41 | 0.12 | 0.00 | 0.08 | 0.12 | 0.14 |

*Excludes suicides.

The table above summarizes the pedestrian collision rates and the number of non-suicide fatalities that have occurred on our primarily at grade light rail lines. The pedestrian collision rate on the MBL is more than 3 times higher (i.e., .48 vs .13) than the Pasadena Gold Line (PGL) and Expo Line combined. The number of non-suicide fatalities from FY10 through January 2015 on the MBL is twenty times higher than the PGL and Expo Lines given very similar numbers of train miles operated. While the PGL and Expo lines have more grade separation and other different service characteristics, they also have the most up-to-date pedestrian gating (active and swing) that exists in our light rail system. Metro staff does not believe that the difference in pedestrian gating technology is coincidental to the various lines' pedestrian safety records.

Since the MBL opened, Metro's costs of defense and payments to injured pedestrians or survivors have been very small, because of the comparative negligence of decedents and injured parties as well as existing statutory immunities for rail design. The average annual costs total \$679,448, with \$310,424 spent on Workers' Compensation and \$369,024 spent on third parties. These costs include legal expenses, payments to third parties, temporary and permanent disability payments to Metro

workers, and medical costs, but exclude other unallocated expenses such as Metro staff time to administer or investigate the incident, Sheriff costs and others. Therefore, expected financial benefits to Metro from safety improvements on the MBL today are relatively small, although risks are growing.

The Federal Department of Transportation (DOT) provides guidance as to appropriate evaluation procedures for safety improvements and requires such use by the FAA and others when evaluating policy alternatives and regulations. The DOT requires its member agencies to value the *public* benefit of safety improvements which we follow here. Guidance in 2008 values a statistical life saved (VSL) at \$5.8 million. When adjusted by changes in consumer prices to 2015, that estimated VSL increases to \$6.32. The DOT guidance also provides valuation methods for non-fatal injuries ranging from minor to critical. We have rated our non-fatal MBL train collision injuries very conservatively as serious, which is below critical and severe, but above minor or moderate because of the risk of significant brain injury, amputation, other orthopedic trauma and internal injuries. A serious injury is rated as 5.75% of a fatal injury, or \$360,000 in public benefit if prevented. These estimates are not the savings to Metro from reducing legal liabilities associated with pedestrian fatalities on the MBL.

Although we have not monetized them, other significant benefits exists to reducing fatal and non-fatal pedestrian collisions including fewer service disruptions, the opportunity cost of investigation and administration and the significant expense of providing medical care and disability benefits to highly traumatized rail operators, some of whom never return to work. In an extreme case, lifetime medical care and disability benefits to a rail operator involved in a fatal accident with a pedestrian could exceed \$250,000 or more.

An offset to these expected benefits is the cost to maintain and replace damaged pedestrian gates and swing gates over time. While the obligation to maintain the equipment would be split between Metro and UPRR with UPRR maintaining their pedestrian gates and Metro maintaining the rest, Metro would be responsible for all costs to maintain and replace all the pedestrian and swing gates. We expect Metro's cost to be approximately \$150,000 annually and UPRR's according to their estimate \$200,000 annually, which will be reimbursed by Metro, for a total maintenance cost of \$350,000 every year.

If active pedestrian gating reduces the MBL pedestrian collision rate by half, the expected number of fatalities on the MBL would be reduced from 3.58 annually to 1.79 annually and the number of non-fatal collisions would be reduced from 5.55 annually to 2.78. The annual public benefit of this fatal and non-fatal injury reduction is estimated at \$12.33 million. Subtracting the costs of annual operations and maintenance, the net annual public benefit is roughly \$11.98 million. Over a 25 year useful life, the Net Present Value (NPV) benefits of the pedestrian gating project, using appropriate discounting methods, is roughly \$202 million, far exceeding the sum of the now cancelled project's design costs and the construction costs for the new project of \$33.04 million. A detailed summary of these calculations are included in Attachment D.

FINANCIAL IMPACT

The new Project 205104 will require adopting an FY16 Budget for the project of \$12,897,000 in Cost Center 3960 - Rail Transit Engineering. This increase will be partially offset by eliminating the FY16 Budget for cancelled Project 205063 in Cost Center 3960 - Rail Engineering. The net increase to the FY16 Budget in Cost Center 3960 will be \$7,894,000. Annual operating and maintenance expenses will be required beginning approximately in Fiscal Year 2018. These operating and maintenance costs will be addressed in future years' budgets and will likely require an FTE increase at that time. Since this is a multi-year project, the Project Manager, Cost Center Manager, and Executive Director of Engineering and Construction will ensure that costs will be budgeted in future years.

Impact to Budget

The source of fund for this action is from Prop C 25% Cash and/or Bond funds. These funds are eligible to be used for transit capital improvement to existing rail rights-of-way. No other sources of funds were considered for this procurement. This action will not impact on-going operating expenses.

ALTERNATIVES CONSIDERED

The Board may choose not to authorize the new project budget. This alternative is not recommended since rejecting this project would prohibit staff from capitalizing on a good bid for installation of pedestrian and swing gates to enhance the pedestrian safety at 27 intersections along the Metro Blue Line corridor. The rejection would also result in additional cost and time to rebid the project in the future, extending impact to pedestrian safety if this safety enhancement project is not implemented. The current bids expire at the end of September 2015.

NEXT STEPS

Upon approval of the additional funding, staff will work with Procurement for awarding the Contract C1086 Pedestrian and Swing Gates Installation to the most responsive responsible contractor. Staff anticipates issuing a contract under the CEO's Authority in September 2015, and roughly estimates that the improvements can be completed within 24 months from issuance of Notice to Proceed, provided the UPRR completes their portion of the work concurrent with our schedule.

For the original project, a final LOP could not be estimated until third-party discussions were concluded with LABOE, the CPUC and UPRR. Despite verbal agreement from third parties in 2012 regarding conceptual design, no design had been fully vetted and approved by all of the parties. Going forward, staff will make clear to the Board of Directors when requesting an LOP of possible risks of an increase related to third-party approvals. Staff is also exploring significant change in our LOP process by instituting design LOPs only. A design-only LOP for this project would have eliminated the significant construction LOP increase on this project at the cost of returning to the Board a second time for approval of the construction LOP.

ATTACHMENTS

Attachment A - Funding/Expenditure Plan

Attachment B - UPRR Term Sheet for Public Highway At-Grade Crossing Improvement Agreement
(the "Agreement")

Attachment C - Reconciliation of Estimates Related To Projects

Attachment D - Incremental Costs and Benefits for Improvements

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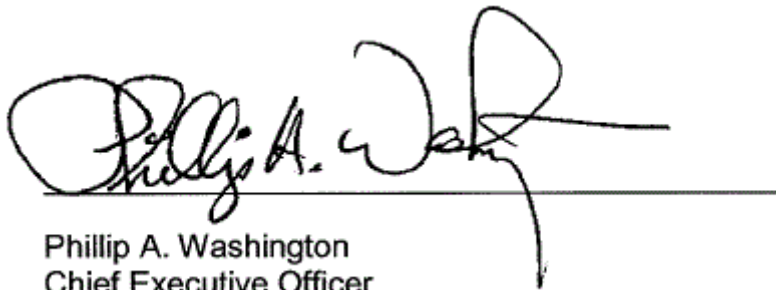
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Phillip A. Washington
Chief Executive Officer

**ATTACHMENT A
FUNDING/EXPENDITURE PLAN
Project 205104 – MBL Pedestrian Safety Enhancement At-Grade Crossings**

| Use of Funds | FY16 | FY17 | FY18 | Capital Costs Total |
|--|-------------------|-------------------|------------------|------------------------|
| Construction Phase (By Metro and Contractor) | | | | |
| Construction Contract Bid (C1086-205063) | 4,967,000 | 5,956,000 | 989,000 | 11,912,000 |
| -Concrete Panels (By Metro) | 561,000 | 673,000 | 112,000 | 1,346,000 |
| -Flagging (By Metro) | 250,000 | 300,000 | 50,000 | 600,000 |
| -Utilities Conflicts (Allowance) | 209,000 | 250,000 | 41,000 | 500,000 |
| -Outside Curb ADA Compliance | 237,000 | 285,000 | 47,000 | 569,000 |
| Subtotal Metro Construction Phase | 6,224,000 | 7,464,000 | 1,239,000 | 14,927,000 |
| Construction Phase (By Union Pacific) | | | | |
| -UPRR Concrete Panels | 763,000 | 915,000 | 152,000 | 1,830,000 |
| -UPRR Active Warning Devices | 2,657,000 | 3,186,000 | 529,000 | 6,372,000 |
| -UPRR Flagging | 250,000 | 300,000 | 50,000 | 600,000 |
| -UPRR ROW Acquisition/Easement | 470,000 | - | - | 470,000 |
| -Contingency on UP Work (T & M) @15% | 621,000 | 660,000 | 110,000 | 1,391,000 |
| Subtotal Union Pacific Construction Phase | 4,761,000 | 5,061,000 | 841,000 | 10,663,000 |
| Construction Soft Costs | | | | |
| Engineering (DSDC, RFI, Submittals Review) | 498,000 | 597,000 | 99,000 | 1,194,000 |
| Construction Management | 498,000 | 597,000 | 99,000 | 1,194,000 |
| Third Party (City of LA et al.) | 126,000 | 151,000 | 25,000 | 302,000 |
| Agency Costs: Project Control, Procurement support, Safety, Communications, etc. | 249,000 | 299,000 | 49,000 | 597,000 |
| Contract Modification Authority (C1086-205063) | 541,000 | 649,000 | 108,000 | 1,298,000 |
| Subtotal Soft Costs | 1,912,000 | 2,293,000 | 380,000 | 4,585,000 |
| Construction Phase Total | 12,897,000 | 14,818,000 | 2,460,000 | 30,175,000 |

Note: All itemized costs have been rounded up to a thousand
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| | | | | |
|------------------------------|-------------|-------------|-------------|----------------------------|
| Total Project Cost | 12,897,000 | 14,818,000 | 2,460,000 | 30,175,000 |
| | | | | |
| Source of Funds | FY16 | FY17 | FY18 | Capital Costs Total |
| Prop C 25% Bond | 7,636,000 | 9,257,000 | 1,419,000 | 18,312,000 |
| Prop C 25% Cash | 5,261,000 | 5,561,000 | 1,041,000 | 11,863,000 |
| | | | | - |
| | - | - | - | - |
| Total Project Funding | 12,897,000 | 14,818,000 | 2,460,000 | 30,175,000 |
| | | | | |

Note: Union Pacific costs are not eligible for Prop C 25% Bonds. Includes \$10,663,000 and \$1,200,000 estimated Union Pacific related soft costs, equaling \$11,863,000 in Prop C 25% Cash.

ATTACHMENT B (page 1 of 2)
ESTIMATED COST FOR UPRR WORK
Project 205104 – MBL Pedestrian Safety Enhancement At Grade Crossings

Term Sheet for

Public Highway At-Grade Crossing Improvement Agreement (the “Agreement”)

The Agreement will allow LACMTA and its contractors entry on Union Pacific Rail Road (“UPRR”) property to install and maintain certain improvements needed for the pedestrian gates project. This Agreement will also obligate UPRR to perform and maintain certain work needed for the pedestrian gates project.

The work to be performed by UPRR includes signal design of the automatic pedestrian gates and installation of the grade crossing panels and the automatic pedestrian gates at 23 specified crossings (the “UPRR Work”).

LACMTA will reimburse UPRR 100% of UPRR’s actual costs (and 50% of certain other UPRR work) incurred in performing the UPRR Work.

LACMTA will purchase easement rights in the amount of \$470,000, which rights are needed –for pedestrian crossing use and for LACMTA to use and maintain certain equipment on UPRR property.

Current estimated costs to reimburse UPRR to perform the UPRR Work is approximately \$8,202,000 plus LACMTA estimated UPRR flagging cost in the amount of \$600,000. Adding in the acquisition cost of needed easement rights, and a 15% contingency, the total cost for UPRR Work is approximately \$10,663,000; provided, however such amount is an estimate only and may be subject to change.

UPRR will provide LACMTA with a heads up if UPRR believes the actual costs will exceed the above estimate. LACMTA can then decide to return to the Board for additional funds or rescope the project.

LACMTA will have rights to audit UPRR’s invoices.

LACMTA will have rights to enter UPRR property to construct, install, maintain, use and repair certain improvements needed to complete the pedestrian gates project.

UPRR will maintain the UPRR Work at an estimated cost of \$200,000 per year. LACMTA is in the process of negotiating a fixed annual maintenance fee with UPRR for these services.

ATTACHMENT B (page 2 of 2)
Estimated Cost for UPRR Work
Project 205104 – MBL Pedestrian Safety Enhancement At Grade Crossings

| Crossing | Track & Surface | | | | | | Install Automatic Flashing Light Crossing Signals | | | | | Real Estate | Annual Maintenance Cost |
|-----------------------------|-----------------|-------------|--------------|---------------|--------------|--------------------|---|-------------|---------------|------------|-------------------|-------------|-------------------------|
| | Engineering | Signal Work | Surface Work | Recollectable | UPRR's Share | Surface Work Total | Engineering | Signal Work | Recollectable | UPRR Share | Signal Work Total | | |
| 20th St | | | | | | | | | | | | | |
| 24th St | | | | | | | | | | | | | |
| 41st St | \$15,408 | \$89,988 | \$28,994 | \$134,390 | \$0 | \$134,390 | \$25,026 | \$123,292 | \$148,318 | \$0 | \$148,318 | | \$3,910 |
| Vernon | \$14,293 | \$90,969 | \$16,596 | \$121,858 | \$0 | \$121,858 | \$25,026 | \$123,295 | \$148,321 | \$0 | \$148,321 | | \$3,910 |
| 48th Pl | \$13,732 | \$82,592 | \$23,284 | \$119,608 | \$0 | \$119,608 | \$25,026 | \$123,295 | \$148,321 | \$0 | \$148,321 | | \$3,910 |
| 55th | \$16,665 | \$91,739 | \$54,728 | \$163,132 | \$0 | \$163,132 | \$49,831 | \$385,053 | \$434,884 | \$0 | \$434,884 | | \$18,190 |
| Gage Ave | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$37,057 | \$332,794 | \$369,851 | \$0 | \$369,851 | | \$6,800 |
| Florence Ave | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$35,685 | \$344,339 | \$380,024 | \$0 | \$380,024 | | \$12,750 |
| Nadeau St | \$15,199 | \$87,971 | \$31,235 | \$134,405 | \$0 | \$134,405 | \$51,068 | \$344,705 | \$395,773 | \$0 | \$395,773 | | \$17,000 |
| 92nd | \$14,941 | \$87,905 | \$28,660 | \$131,506 | \$0 | \$131,506 | \$33,624 | \$277,983 | \$311,607 | \$0 | \$311,607 | | \$12,750 |
| Century Blvd | \$9,806 | \$107,182 | \$17,787 | \$134,775 | \$0 | \$134,775 | \$25,026 | \$163,724 | \$188,750 | \$0 | \$188,750 | | \$8,160 |
| 103rd | \$13,341 | \$95,226 | \$15,990 | \$124,557 | \$0 | \$124,557 | \$39,832 | \$317,342 | \$357,174 | \$0 | \$357,174 | | \$17,850 |
| 108th | \$7,481 | \$43,846 | \$3,802 | \$55,129 | \$0 | \$55,129 | \$37,608 | \$294,772 | \$332,390 | \$0 | \$332,390 | | \$11,390 |
| Wilmington | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$29,503 | \$286,267 | \$315,770 | \$0 | \$315,770 | | \$8,840 |
| 119th St | \$6,379 | \$36,333 | \$19,289 | \$62,001 | \$62,108 | \$124,109 | \$30,878 | \$253,656 | \$284,544 | \$0 | \$284,544 | | \$9,520 |
| 124th St | \$7,277 | \$36,317 | \$17,954 | \$61,548 | \$61,657 | \$123,205 | \$32,250 | \$274,078 | \$306,328 | \$0 | \$306,328 | | \$9,860 |
| El Segundo | \$8,411 | \$36,542 | \$29,891 | \$74,844 | \$74,956 | \$149,800 | \$42,745 | \$345,886 | \$388,631 | \$0 | \$388,631 | | \$9,860 |
| 130th | \$1,670 | \$35,802 | \$18,474 | \$55,896 | \$56,005 | \$111,901 | \$32,250 | \$259,333 | \$291,583 | \$0 | \$291,583 | | \$7,310 |
| Stockwell | \$7,638 | \$36,386 | \$21,546 | \$65,570 | \$65,683 | \$131,253 | \$29,503 | \$245,924 | \$275,427 | \$0 | \$275,427 | | \$8,500 |
| Elm St | \$6,312 | \$48,614 | \$10,179 | \$65,105 | \$0 | \$65,105 | \$23,654 | \$240,056 | \$263,710 | \$0 | \$263,710 | | \$3,570 |
| Compton Blvd | \$7,431 | \$38,953 | \$7,106 | \$53,490 | \$0 | \$53,490 | \$21,593 | \$104,270 | \$125,863 | \$0 | \$125,863 | | \$1,870 |
| Myrrh St | \$7,431 | \$38,953 | \$7,106 | \$53,490 | \$0 | \$53,490 | \$23,683 | \$151,802 | \$175,485 | \$0 | \$175,485 | | \$3,910 |
| Alondra Blvd | \$14,283 | \$90,662 | \$18,032 | \$122,977 | \$0 | \$122,977 | \$23,654 | \$152,969 | \$176,623 | \$0 | \$176,623 | | \$3,910 |
| Greenleaf Blvd | \$11,844 | \$903 | \$83,162 | \$95,909 | \$0 | \$95,909 | \$23,654 | \$151,684 | \$175,338 | \$0 | \$175,338 | | \$3,570 |
| Manville St | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$38,762 | \$338,349 | \$377,111 | \$0 | \$377,111 | | \$9,860 |
| Wardlow Rd | | | | | | | | | | | | | |
| Spring St | | | | | | | | | | | | | |
| Sub Total | \$199,542 | \$1,176,883 | \$453,815 | \$1,830,190 | \$320,409 | \$2,150,599 | \$736,938 | \$5,634,868 | \$6,371,826 | \$0 | \$6,371,826 | \$470,000 | \$197,200 |
| UPRR Estimated Total | | | | \$1,830,190 | | | | | \$6,371,826 | | | \$470,000 | TBD |

Lump Sum Value per David LaPlante on June 04, 2015

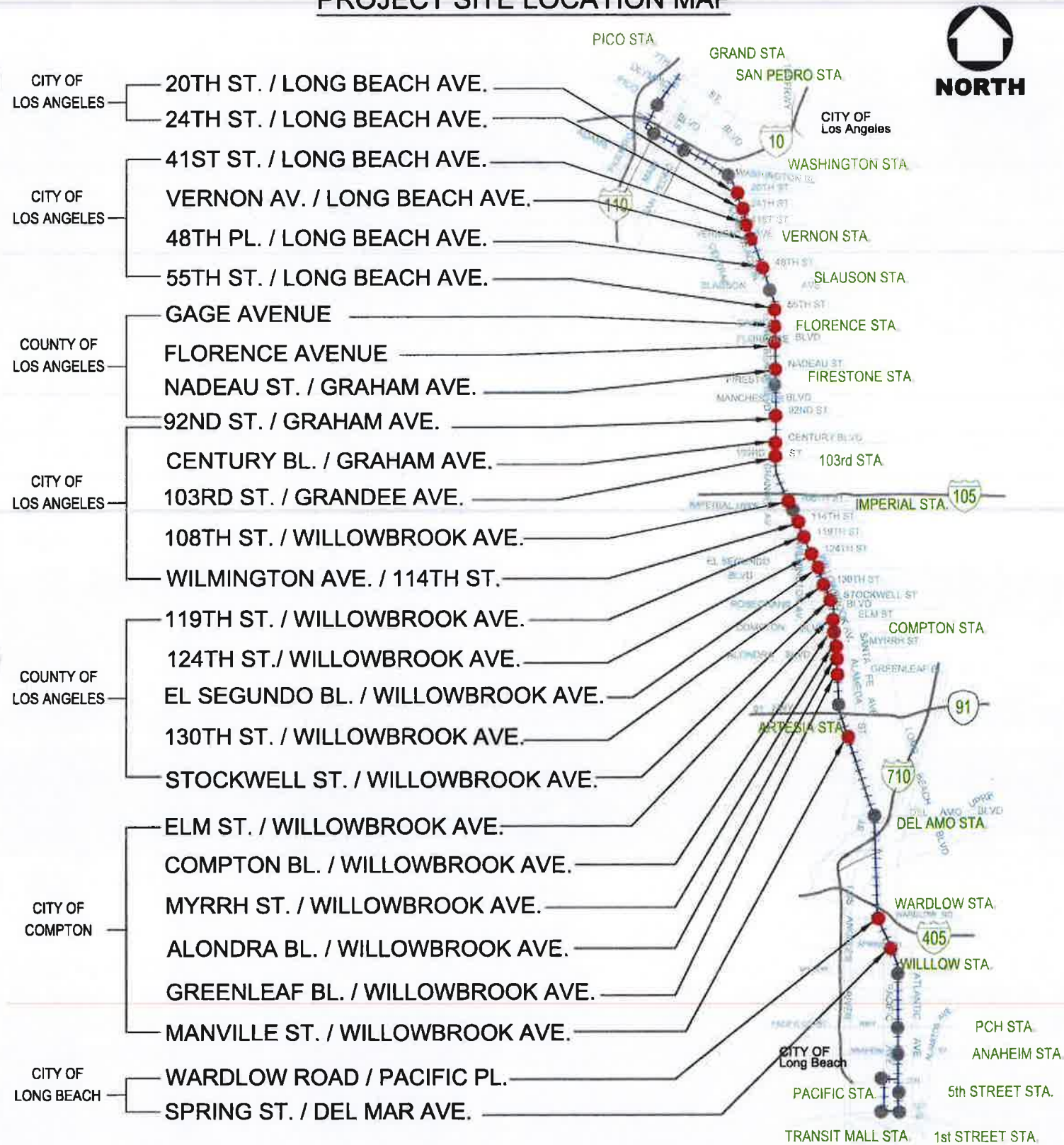
All Recollectable Costs and Real Estate Costs (Excluding Annual Maintenance Costs) **\$8,672,016**
Metro Estimated UPRR Flagging Cost **\$600,000**
Metro 15% Contingency **\$1,390,802**

Total Estimated Cost for UPRR Work \$10,662,818

ATTACHMENT C
RECONCILIATION OF ESTIMATES RELATED TO PROJECTS
205063 and 205104 - MBL Pedestrian Safety Enhancement At Grade Crossings

| Use of Funds | Original Project Estimate (19 intersections; 11 active gates) | Revised Original Project Estimate (19 intersections; 11 active gates) After Final Design | Difference | Incremental Costs for New Safety Upgrades (27 intersections, 108 active gates) | Total Costs New MBL Project (Projects 205104 and 205603) | |
|---|---|--|----------------------|--|--|--|
| Design Phase | | | | | | |
| Engineering Facilities and Systems | \$166,868 | \$327,000 | (\$160,132) | | \$327,000 | |
| Other Metro Departments | \$0 | \$190,000 | (\$190,000) | | \$190,000 | |
| Outside Consultants | \$0 | \$389,359 | (\$389,359) | \$1,958,641 | \$2,348,000 | |
| Design Phase Total | \$166,868 | \$906,359 | (\$739,491) | \$1,958,641 | \$2,865,000 | |
| Construction Phase (By Metro and Contractor) | | | | | | |
| Crossing Panels (By Metro) | \$1,493,100 | \$1,346,000 | \$147,100 | | \$1,346,000 | |
| Flagging (By Metro) | \$525,881 | \$600,000 | (\$74,119) | | \$600,000 | |
| Construction Contract Bid (C1086-205063) | \$4,648,595 | \$4,648,595 | \$0 | \$0 | \$4,648,595 | |
| Construction Contract Bid (C1086-205063) due to CPUC Requirements | \$0 | \$0 | \$0 | \$7,262,711 | \$7,262,711 | Increase in cost due to CPUC requirements for installing active pedestrian gates at all grade crossings |
| Utilities Conflicts (Allowance) | \$0 | \$125,000 | (\$125,000) | \$375,000 | \$500,000 | Potential utilities conflict due not anticipated in the original budget |
| Outside Curb ADA Compliance | \$100,250 | \$100,250 | \$0 | \$468,518 | \$568,768 | |
| Subtotal Metro Construction Phase | \$6,767,826 | \$6,819,845 | (\$52,019) | \$8,106,229 | \$14,926,074 | |
| Construction Phase (By Union Pacific) | | | | | | |
| UPRR Concret Panels | \$0 | \$0 | \$0 | \$1,830,190 | \$1,830,190 | UPRR grade crossing cost required by UPRR and was not anticipated in the original estimate (See UPRR letter dated 03/12/15) |
| UPRR Active Warning Devices | \$0 | \$0 | \$0 | \$6,371,826 | \$6,371,826 | UPRR active warning devices required by CPUC and was not anticipated in the original estimate (See UPRR letter dated 03/12/15) |
| UPRR Flagging | \$0 | \$0 | \$0 | \$600,000 | \$600,000 | |
| UPRR ROW Easement | \$0 | \$0 | \$0 | \$470,000 | \$470,000 | UPRR Right-of-Way cost was not anticipated in the original budget (See UPRR letter dated 03/12/15) |
| Contingency on UP Work (T&M) @15% | \$0 | \$0 | \$0 | \$1,391,000 | \$1,391,000 | |
| Subtotal Union Pacific Construction Phase | \$0 | \$0 | \$0 | \$10,663,016 | \$10,663,016 | |
| Construction Soft Cost | | | | | | |
| | | | | \$0 | | |
| Engineering (DSDC, RFI, Submittals Review) @8% | \$0 | \$545,588 | (\$545,588) | \$648,498 | \$1,194,086 | Soft Cost were not anticipated in the original budget |
| Construction Management @8% | \$0 | \$545,588 | (\$545,588) | \$648,498 | \$1,194,086 | Soft Cost were not anticipated in the original budget |
| Third Party @2% | \$0 | \$136,397 | (\$136,397) | \$162,125 | \$298,521 | Soft Cost were not anticipated in the original budget |
| Agency Costs: Project Control, Procurement, etc. 4% | \$0 | \$272,794 | (\$272,794) | \$324,249 | \$597,043 | Soft Cost were not anticipated in the original budget |
| Contract Modification Authority (CMA) @10% | \$765,306 | \$487,385 | \$277,922 | \$810,623 | \$1,298,007 | Higher due to increase in construction cost |
| Subtotal Soft Costs | \$765,306 | \$1,987,750 | (\$1,222,444) | \$2,593,993 | \$4,581,744 | Higher due to increase in construction cost |
| Construction Phase Total | \$7,533,132 | \$8,807,595 | (\$1,274,463) | \$21,363,238 | \$30,170,834 | |
| Total Project cost | \$7,700,000 | \$9,713,954 | (\$2,013,954) | \$23,321,879 | \$33,035,834 | |

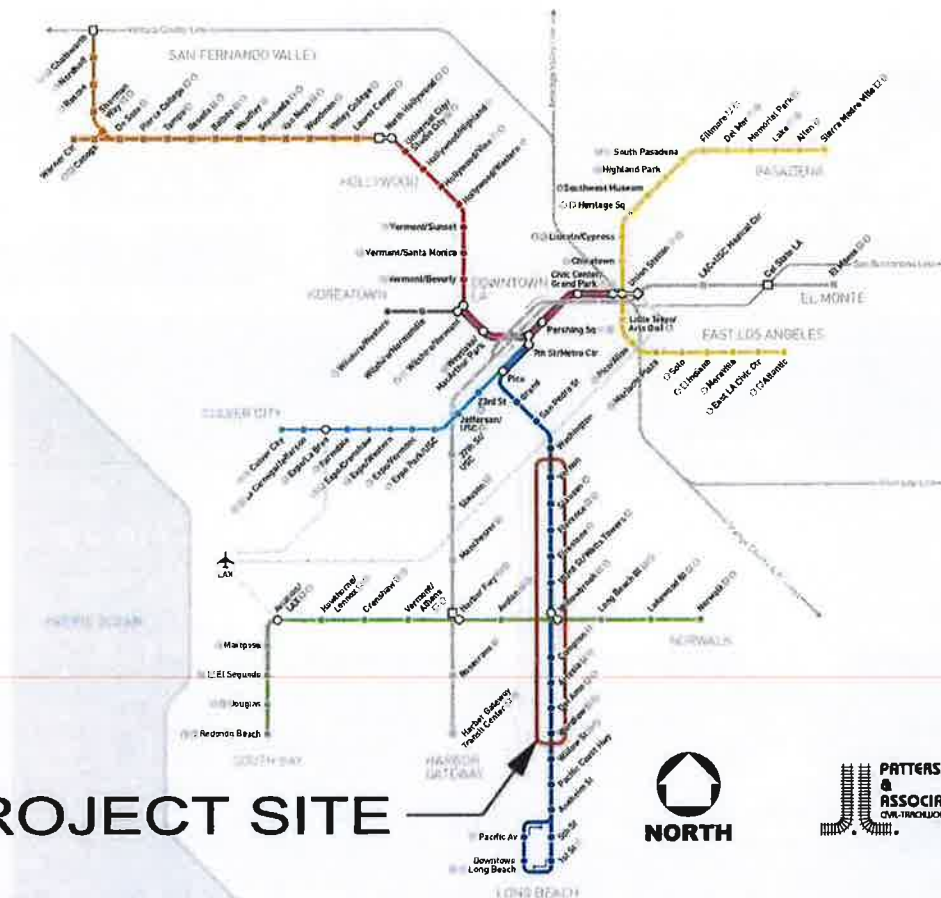
PROJECT SITE LOCATION MAP



**METRO BLUE LINE
PEDESTRIAN AND SWING GATE
INSTALLATION**

CONTRACT NUMBER - C1086

JUNE 25, 2014



PATTERSON & ASSOCIATES, INC.
725 TOWN & COUNTRY RD
SUITE 300
ORANGE, CA 92868



LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

[Signature]
RECOMMENDED

7/28/14
DATE

[Signature]
APPROVED

7/29/2014
DATE

TYPICAL GRADE CROSSING IMPROVEMENT

UPRR GRADE CROSSING PANEL EXTENSION BY UPRR FORCES

ACTIVE PEDESTRIAN GATE REQUIRED BY CPUC (UPRR INSTALLED)

UPRR PROPERTY ENCROACHMENT COST

CITY OF LA REQUIREMENT: FARSIDE ADA RAMP CONSTRUCTION

METRO

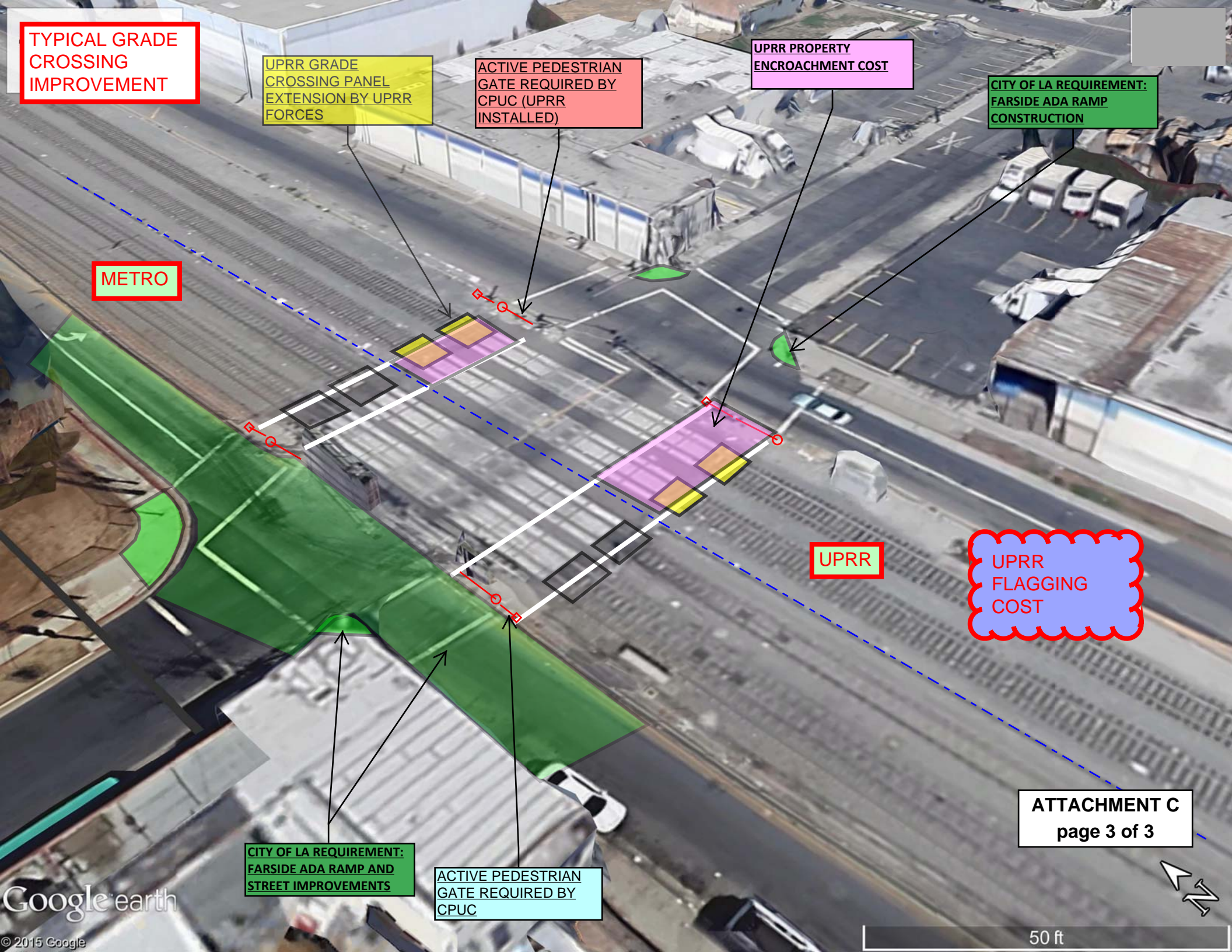
UPRR

UPRR FLAGGING COST

CITY OF LA REQUIREMENT: FARSIDE ADA RAMP AND STREET IMPROVEMENTS

ACTIVE PEDESTRIAN GATE REQUIRED BY CPUC

ATTACHMENT C
page 3 of 3



ATTACHMENT D
INCREMENTAL COSTS AND BENEFITS FOR IMPROVEMENTS
Project 205063 and 205104 – MBL Pedestrian Safety Enhancement at Grade Crossings

| Reduction Percentage | 50% |
|--|------------|
| Annual Non-Fatal Accidents Before Gating | 5.55 |
| Annual Non-Fatal Accidents After Gating | 2.78 |
| Annual Reduction in Non-Fatal Accidents | 2.78 |
| Value of a Non-Fatal Accident Reduction (millions) | \$ 0.36 |
| Estimated Annual Value of Non-Fatal Accident Reduction from Pedestrian Gating (millions) | \$ 1.01 |
| | |
| Annual Fatal Accidents Before Gating | 3.58 |
| Annual Fatal Accidents After Gating | 1.79 |
| Annual Reduction in Fatal Accidents | 1.79 |
| Value of a Fatal Accident Reduction (millions) | \$ 6.32 |
| Estimated Annual Value of Fatal Accident Reduction from Pedestrian Gating (millions) | \$ 11.32 |
| Total Estimated Annual Value of Reduction to Fatal and Non-Fatal Accidents (millions) | \$ 12.33 |
| | |
| Estimated Metro Costs for Gating O&M (millions) | \$ 0.15 |
| Estimated UP Costs for Gating O&M (millions) | \$ 0.20 |
| Total Estimated Annual Costs for Gating O&M (millions) | \$ 0.35 |
| Estimated Annual Public Net-Benefit for Pedestrian Gating (millions) | \$ 11.98 |
| NPV of Public Net-Benefit Over 25 Year Life (3% discount rate) (millions) | \$ 202.50 |
| Project Cost (millions) | \$ (33.04) |
| Public Benefit Net of Project Cost (millions) | \$ 169.46 |
| Payback Period in Months | 37 Months |
| Break Even Collision Reduction | 9.35% |
| Other Benefits | |
| Reduced occupational injuries | |
| Improved service reliability | |
| Lower Metro and other public costs for investigation and administration expenses | |



Board Report

File #: 2015-0895, File Type: Policy

Agenda Number: 65.

REVISED
EXECUTIVE MANAGEMENT COMMITTEE
JULY 16, 2015

SUBJECT: FEDERAL TRANSIT ADMINISTRATION DISADVANTAGED BUSINESS ENTERPRISE OVERALL GOAL

ACTION: RECEIVE AND FILE

RECOMMENDATION

EXECUTIVE MANAGEMENT COMMITTEE FORWARDED WITHOUT RECOMMENDATION receiving and filing the **Federal Fiscal Year 2016 through 2018 (FFY 2016 - 2018) 18% Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE)** overall goal and goal methodology report.

ISSUE

The United States Department of Transportation (USDOT) Disadvantaged Business Enterprise (DBE) Program regulations, 49 Code of Federal Regulations (CFR) Part 26.21, require Federal Transit Administration (FTA) grantees, who can reasonably anticipate awarding \$250,000 or more in prime contracts, to submit an overall goal to FTA for the participation of DBE firms every three years. The regulations applied to FTA grantees are also applied to grantees of the American Recovery and Reinvestment Act of 2009 (ARRA).

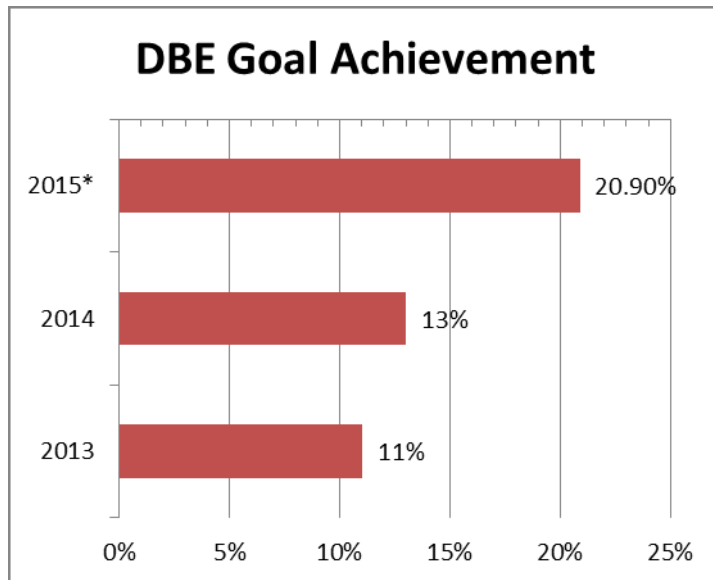
DISCUSSION

The Los Angeles County Metropolitan Transportation Authority's (Metro) proposed DBE overall goal for FFY 2016 - 2018 is 18%, a 9% decrease from the current goal. The current FFY 2013 - 2015 three-year overall goal is 27%. The decrease to the FFY 2016 - 2018 overall goal is a function of fewer contract dollars being awarded during the goal period. Only one megaproject, the Westside Purple Line Extension - Section 2, will be awarded during the goal period. In the current goal period three megaprojects were awarded: Crenshaw LAX, Regional Connector, and Westside Purple Line Extension - Section 1.

This difference in the awards is equivalent to \$3.5 billion. In addition to substantially fewer dollars, the anticipated projects for FFY 2016 - 2018 represent 10 fewer industry categories than anticipated in the FFY 2013 - 2015 goal period. This further reduces the availability of firms to perform Metro's

anticipated projects.

In its utilization reports submitted to FTA, Metro reported DBE goal achievement of 20.90% for FFY 2015, 13% for FFY 2014, and 11% for FFY 2013. FFY 2015 includes dollars reported from October 1, 2014 to March 31, 2015.



Metro proposes to achieve the 18% DBE overall goal through race- and gender-neutral (race-neutral) and race- and gender-conscious (race conscious) means. Of the 18% DBE overall goal, 2% shall be attained through race-neutral measures and 16% shall be achieved through race-conscious measures. Race conscious measures include setting individual contract goals based on subcontracting opportunities on FTA-funded contracts advertised during the goal period. DBE individual contract goals can be set higher or lower than the overall goal based on the scope of work of the contract and the identified subcontracting opportunities.

Overall DBE Goal Calculation Methodology

The proposed DBE overall goal was established using the two-step goal-setting methodology as set forth in 49 CFR Part 26.45 and was derived from the availability data compiled for the 2012 DBE Program Disparity Study (Study) conducted by Mason Tillman Associates, Ltd. (Mason Tillman). The Mason Tillman Study provided comprehensive analyses of DBE utilization, DBE availability and the extent to which race-conscious remedial action can be applied to Metro’s DBE program.

In the proposed *Overall Disadvantaged Business Goal Report FFY 2016 - 2018* (Goal Setting Report), which can be found in *Attachment A*, Step 1 includes establishing a base figure of relative DBE availability. This was done by utilizing quantifiable evidence to determine the relative availability of minority and woman-owned businesses that are ready, willing, and able to perform transportation-related work.

The calculation of available DBEs for the purposes of goal setting is derived from the pool of available businesses calculated by the Study. The contracts examined in the Study represented more industry categories by North American Industry Classification System (NAICS) codes than the contracts Metro anticipates awarding in FFY 2016 - 2018. The calculation of availability presented in the Goal Setting Report is limited to the businesses that have the same NAICS codes as the FFY 2016-2018 anticipated projects. This methodology, recommended by US Department of Transportation Tips For Goal Setting (USDOT Tips), was undertaken in order to ensure that the goals were predicated on the most relevant data. Utilizing this USDOT-recommended methodology, a relative base figure of 40.77% was calculated.

As further recommended by USDOT Tips, after a relative base figure of availability has been established, a weighted base figure may be calculated to further refine the availability number. Weighting ensures that the availability is as accurate as possible by enumerating availability in accordance with the proportion of anticipated dollars in each NAICS code. The weighted base figure is calculated by multiplying the percent of available businesses within each NAICS code by the percent of anticipated contract dollars in each NAICS code. The application of this USDOT-recommended methodology produced a weighted base figure of 18.42%.

Once the base figure has been calculated, Step 2 of the process requires Metro to consider other known factors to determine what additional adjustments, if any, to the base figure are needed. Factors considered in this review include past DBE participation and private sector discrimination. Business practices that are not subject to government requirements and are indicators of marketplace conditions which could affect the formation and growth of DBEs. Additionally, anecdotal evidence collected during the performance of the Disparity Study was reviewed. After taking these factors into account, no material adjustment to the base figure was made. The weighted base figure of 18.42% was rounded downward for an 18% DBE overall goal.

Race-Conscious and Race-Neutral Projections

In accordance with 49 CFR Part 26.35(f) (3), Metro is required to determine the portion of the overall goal that is projected to be met through race-neutral and through race-conscious measures.

A. Race-Neutral Projection

Metro must first meet the maximum feasible portion of the proposed 18% overall DBE goal by using race-neutral methods. Race-neutral measures are a means to obtain DBE participation when: (1) a DBE is awarded a prime contract through customary competitive procurement procedures; (2) a DBE is awarded a subcontract on a prime contract that does not have a DBE goal; (3) DBE participation on a prime contract exceeds the contract goal; and (4) a subcontract is awarded by a prime contractor that did not consider the firm's DBE status when making the award. Additional race-neutral measures are defined in *Section VI of Attachment 1*. The goal methodology shows Metro's median DBE participation (utilization) from FFY 2013 - FFY2015 was 2.23%. Therefore, Metro

projects that it will meet 2% of its overall goal through race-neutral measures.

B. Race-Conscious Projection

Metro proposes to meet the remaining 16% of the overall goal by utilizing race-conscious subcontract goals. Guidance issued by the USDOT and FTA as a result of the decision of the Ninth Circuit Federal Court in the *Western States Paving Co., Inc. v. Washington State Department of Transportation* mandates that race-conscious measures used to remedy effects of discrimination must be “narrowly tailored” to those groups where there is sufficient demonstrable evidence of discrimination.

As such, recipients in the Ninth Circuit cannot consider the use of a race-conscious goal unless a finding of disparity has been made for the ethnic and gender groups to be included in the application. The disparity findings in Metro’s 2012 DBE Program Disparity Study documented a disparity for African Americans, Asian-Pacific Americans, Subcontinent Asian Americans, and Hispanic Americans and Native Americans. Caucasian females were overutilized.

An updated analysis was conducted to determine the current utilization of Caucasian females since the race-conscious program was implemented in 2013 without Caucasian females. Unlike racial discrimination that is subject to strict scrutiny, gender discrimination is only subject to an intermediate scrutiny standard of review. Therefore, Caucasian females need only to be underutilized to be included in a gender-conscious remedy. Current data show that Caucasian female utilization is now considerably lower than documented in the Disparity Study, therefore, this gender group will now be included in the application of DBE contract goals during the FFY 2016 - 2018 goal period.

Public Participation

In accordance with the regulations, Metro must provide opportunity for public participation when establishing the DBE overall goal. The DBE overall goal and goal methodology was posted on the Metro website on June 19, 2015. The 30-day public comment and public inspection period commenced on June 19, 2015 and will conclude on July 20, 2015. Metro presented the Overall Goal to the Transportation Business Advisory Council at its July meeting. In addition, Metro held a public consultation meeting on July 8, 2015, at Metro Headquarters with DBE program stakeholders to receive comment and input on the goal and goal methodology.

NEXT STEPS


- Staff will submit DBE overall goal and goal methodology to FTA by August 1, 2015 deadline, in order to prevent any delay in the receipt of federal funds.
- Implement FFY 2016 - 2018 Overall DBE Goal effective October 1, 2015.

ATTACHMENTS

Attachment A - *Overall Disadvantaged Business Goal Report FFY 2016 - 2018*

Prepared by: Tashai Smith, Deputy Executive Officer, Diversity & Economic Opportunity Department, (213) 922-2128

Reviewed by: Ivan Page, Interim Executive Director, Vendor Contract Management, (213) 922-6383



Phillip A. Washington
Chief Executive Officer



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DISADVANTAGED BUSINESS ENTERPRISE OVERALL GOAL AND GOAL SETTING METHODOLOGY REPORT

FEDERAL FISCAL YEARS 2016-2018

I. INTRODUCTION

The Disadvantaged Business Enterprise (DBE) overall goal setting methodology is a requirement set forth in the United States Department of Transportation (USDOT) DBE regulations, 49 CFR Part 26.45. The DBE regulations require USDOT recipients to set an overall triennial goal for DBE participation in their federally assisted projects.¹

The regulations require that the overall goal be prepared using a two-step process. According to the *USDOT Tips for Goal Setting*² (*USDOT Tips*), approved by the General Counsel of the USDOT, the recipient must first determine a base figure for the relative availability of certified DBEs and potentially certified Minority and Woman-owned Business Enterprises, hereafter collectively referred to as Disadvantaged Business Enterprises (DBEs), in the relevant market area. Next, the recipient must examine all relevant evidence to determine what adjustment, if any, is needed to the base figure in order to arrive at an overall goal. The final adjusted figure is the recipient's overall goal, and represents the proportion of federal transportation funding that the recipient is expected to allocate to DBEs during the subsequent three federal fiscal years (FFY). Once the adjusted overall goal is determined, the process requires considering what portion of the goal will be met by race- and gender-neutral measures.

If a recipient purports that it can meet its overall goal with race- and gender-neutral measures, those measures must be utilized. In contrast, if the recipient determines it cannot achieve the entire overall goal using only race- and gender-neutral measures, it must establish a race- and gender-conscious portion of the overall goal.³

¹ Effective February 28, 2011, the USDOT amended the DBE regulations set forth in 49 CFR Part 26 as described in the Federal Register, Volume 76, Number 19 and Vol. 79 Thursday, No. 191 October 2, 2014 Part II Disadvantaged Business Enterprise: Program Implementation Modifications; 49 CFR Part 26 [Docket No. OST-2012-0147] IN 2105-AE08.

² United States Department of Transportation, *Tips for Goal Setting in the Disadvantaged Business Enterprise (DBE) Program*, U.S. DEPARTMENT OF TRANSPORTATION, May 15, 2015, <http://www.osdbu.dot.gov/DBEProgram/tips.cfm>.

³ Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs, 49 CFR Part 26, §26.51(f)(1), §26.51(d).

Pursuant to *Western States Paving v. State of Washington*⁴ (*Western States*), recipients in the Ninth Circuit cannot consider the use of a race- or gender-conscious goal unless a finding of statistically significant disparity has been made for the ethnic and gender groups to be included in the race- or gender-conscious goal. The Ninth Circuit determined that statistical findings demonstrating a “small disparity” are insufficient probative value to meet the strict scrutiny standard. Citing *Croson*, the Court declared that an inference of discriminatory exclusion could arise where there is a statistically significant disparity between the number of qualified minority contractors willing and able to perform a particular service and the number of such contractors actually engaged by the locality or its prime contractors.

This *Overall DBE Goal Setting Report* is based upon the DBE regulations contained in 49 CFR Part 26.45, as amended, the decisions of the United States Federal Court, and the *USDOT Guidance Memorandum*.

II. PROPOSED OVERALL GOAL FOR FFY 2016-2018

Based on the requirements set forth in 49 CFR Part 26, *Western States* and the *USDOT’s Guidance Memorandum*, Los Angeles County Metropolitan Transportation Authority (Metro) is submitting a goal for FFY 2016-2018. The recommended overall DBE goal for the period is 18%. The weighted figure of 18.42% was rounded down to 18%. The Federal Transit Administration (FTA) reporting period for the recommended overall goal will be October 1, 2016, to September 30, 2018.

III. OVERALL GOAL SETTING METHODOLOGY

The two-step goal setting process required by the regulations and the findings of *Western States* has been used to determine the recommended overall goal for FFY 2016-2018. The two steps for setting an overall goal are to:

- Establish a base figure for the relative availability of DBEs
- Determine the base figure adjustment, if necessary

The base figure is intended to be a measurement of the current ready, willing, and able DBEs as a percentage of all businesses ready, willing, and able to perform the recipient’s anticipated FTA-assisted contracts.⁵ The regulations present five options for establishing a base figure for relative availability of DBEs. The five options as set forth in the regulations are listed in Table 1.01.

Table 1.01: Methods to Determine Baseline Figure

⁴ *Western States Paving Co. v. United States & Washington State Department of Transportation*, 407 F. 3d 983 (9th Cir. 2005).

⁵ United States Department of Transportation, *Tips for Goal Setting in the Disadvantaged Business Enterprise (DBE) Program*, U.S. DEPARTMENT OF TRANSPORTATION, May 15, 2015, <http://www.osdbu.dot.gov/DBEProgram/tips.cfm>.

| Baseline Figure Method |
|---------------------------------|
| Bidders List |
| DBE Directories and Census Data |
| Other Recipient's Base Figure |
| Disparity Study |
| Alternative Method |

1. **Bidders List Method**

This method for calculating a base figure requires Metro to have a comprehensive bidders list with DBE prime contractors and subcontractors classified by industry in order to determine availability. This method limits DBE availability to the number of businesses that have directly participated in, or attempted to participate in, Metro's FTA-assisted contracts in the recent past. It does not include potential DBEs which have not bid on Metro's FTA-assisted contracts as either a prime contractor or subcontractor.

2. **DBE Directories and Census Data Method**

DBE directories of California USDOT recipients are consolidated into the California Unified Certification Program (CUCP) database. Using the CUCP database to determine DBE availability is limited to USDOT-certified businesses. However, to determine availability, *USDOT Tips* requires the inclusion of businesses that are not certified but are potential DBEs to determine availability. The Census Bureau's County Business Pattern (CBP) data is derived from businesses' federal income tax filings and, therefore, cannot address businesses' willingness to do business with Metro. Additionally, the CBP does not have the functionality to filter businesses that work exclusively in the private sector, or those which are not interested in contracting with Metro.

3. **Other Recipient's Base Figure Method**

This method uses the goal of another USDOT recipient as the base figure for relative availability. Metro can only use another recipient's goal if it is set in accordance with DBE regulations and performs similar contracting in a similar market area. This method presumes that there is another USDOT recipient which does the same or similar contracting in the same geographic market area. These conditions cannot be met in Metro's market area.

4. **Alternative Method**

Alternative methods may be used to determine a base figure for the overall goal. Any methodology used to determine a base figure must be based on demonstrable evidence of the local market conditions, and be designed to ultimately attain a goal that is related to the relative availability of DBEs and potential DBEs in the recipient's market area. The alternative method provides the most flexibility, but it is also subject to a higher level of scrutiny.

5. Disparity Study Method

The disparity study methodology is the most comprehensive method for identifying ready, willing, and able DBEs that provide goods and services for Metro's anticipated FTA-assisted projects. A disparity study identifies businesses that made bids to the agency as either a prime or subcontractor, and those that are interested in bidding. It enumerates DBEs that are bidders as well as willing and able businesses which have not bid. This method is also recommended by the *USDOT Guidance Memorandum* for recipients in the Ninth Circuit. The availability data derived from Metro's 2012 Disadvantaged Business Enterprise (DBE) Program Disparity Study was utilized in the goal setting process. The availability of businesses as enumerated in the 2012 DBE Program Disparity Study was augmented with current certification, trade and business association, and chambers of commerce lists.

IV. STEP ONE BASE FIGURE CALCULATION

A. Goal Setting Methodology

The initial phase of the Step One analysis requires the compilation of critical data regarding the recipient's procurement. The relevant data includes:

- Definition of the market area from an analysis of previous contract awards
- Identification of the anticipated federally assisted projects and their costs
- Classification of the anticipated federally assisted projects by North American Industry Classification System (NAICS) code
- Enumeration of qualified businesses in the market area that are willing and able to provide the goods or services Metro anticipates awarding
- Analyses of Metro's expenditures that were funded by federal dollars during the 2008-2011 study period

1. Definition of Metro's Relevant Market Area

The relevant market area in Metro's 2012 DBE Program Disparity Study was determined by the business location of prime contracts awarded during the January 1, 2008, to December 31, 2010 study period. A cluster analysis was prepared by business location and award amount to define the market area. All procurement with non-profits and other government agencies were excluded from the analysis. The analysis shows 71.86% of prime contract dollars were awarded to 107 businesses located in Los Angeles County, Metro's market area. The remaining 75 businesses, which represent 28.14% of contract dollars, were awarded in areas outside of Los Angeles County.⁶ Table 1.02 presents the location of utilized businesses during the study period.

Table 1.02: Vendors Utilized During Study Period

⁶ For complete market area information, see the *Chapter 5: Market Area Analysis* in the 2012 Disadvantaged Business Enterprise (DBE) Program Disparity Study Final Report. The market area distribution for all industries can be found on page 5-11 in Table 5.06.

| Business Location | Total Businesses | Percentage of Contract Dollars |
|----------------------------|-------------------------|---------------------------------------|
| Los Angeles County | 107 | 71.86% |
| Outside Los Angeles County | 75 | 28.14% |
| TOTAL | 182 | 100.00% |

2. Identify Procurement Types by NAICS Codes

A six-digit NAICS code was assigned to each of the anticipated federally funded projects in FFY 2016-2018. The NAICS codes were derived from the descriptions of the anticipated federally assisted projects. Table 1.04 below defines the NAICS codes by industry.

Table 1.03: FFY 2016-2018 Federally Assisted Projects by NAICS Code

| NAICS Code | Industry | NAICS Code Description |
|-------------------|---|--|
| 238190 | Construction | Other Foundation, Structure, and Building Exterior Contractors |
| 237990 | | Other Heavy and Civil Engineering Construction |
| 238990 | | All Other Specialty Trade Contractors |
| 541330 | Architecture and Engineering, Professional Services | Engineering Services |
| 541370 | | Surveying and Mapping (except Geophysical) Services |
| 541380 | | Testing Laboratories |
| 541990 | | All Other Professional, Scientific, and Technical Services |
| 423120 | Goods and Other Services | Motor Vehicle Supplies and New Parts Merchant Wholesalers |

3. Identify Anticipated Federally Assisted Projects

The federally assisted projects Metro anticipates awarding over the next three fiscal years were identified with the estimated cost of each project. Estimated project costs for the three-year projections were grouped by NAICS code based on individual project descriptions. Table 1.03 presents the anticipated FFY 2016-2018 projects with the estimated budget.

Table 1.04: Anticipated Projects Estimated Contract Amount

| NAICS Code | Industry | NAICS Code Description | Anticipated Amount |
|--------------|---|--|---------------------------|
| 238190 | Construction | Other Foundation, Structure, and Building Exterior Contractors | \$12,810,000.00 |
| 237990 | | Other Heavy and Civil Engineering Construction | \$1,608,000,000.00 |
| 238990 | | All Other Specialty Trade Contractors | \$500,000.00 |
| 541330 | Architecture and Engineering, Professional Services | Engineering Services | \$174,601,033.00 |
| 541370 | | Surveying and Mapping (except Geophysical) Services | \$10,000.00 |
| 541380 | | Testing Laboratories | \$60,000.00 |
| 541990 | | All Other Professional, Scientific, and Technical Services | \$20,000.00 |
| 423120 | Goods and Other Services | Motor Vehicle Supplies and New Parts Merchant Wholesalers | \$1,722,400.00 |
| Total | | | \$1,797,723,433.00 |

B. Base Figure Determination

The base figure is intended to be a measurement of the relative percentage of ready, willing, and able DBEs. The recipient is required to measure willing and able businesses in its marketplace, using the best available evidence, to derive a fair and accurate base figure that represents the percentage of available DBEs.

According to Section 26.45(c) and *USDOT Tips*, the overall goal must be based on demonstrable evidence of ready, willing, and able DBEs relative to all ready, willing, and able non-DBEs available to participate on Metro’s FTA-assisted contracts.

The USDOT rules require the calculation of the base figure using the following formula:

$$\text{Step One Base Figure} = \frac{\text{Ready, willing and able DBEs}}{\text{All ready, willing and able businesses (Including DBEs and Non-DBEs)}}$$

The availability database compiled for Metro’s 2012 DBE Program Disparity Study, which was augmented with updated certification and business directories, was used as the source to determine the availability of DBEs and non-DBEs. The availability database was populated using three sources which identified businesses in the market area that provide the goods and services that Metro procures. The first source was Metro’s utilized businesses, the second source was local, state and federal government certification lists, and the third source was business associations’ membership lists. Any business identified from more than one source was counted only once in an industry.

To enumerate a more refined accounting of availability, the database was then queried for businesses within the NAICS codes of the anticipated contracts only. Businesses that do not perform the types of work related to the anticipated contracts were excluded to ensure that the base figure did not overstate the number of available businesses. Table 1.05 below presents the relative availability by NAICS code for FFY 2016-2018. The percent of available businesses in each NAICS code reflects the portion of all available businesses in the market area. The relative availability of DBEs within the market area is 40.77%.⁷

Table 1.05: Relative Availability by NAICS Code for FFY 2016-2018

| NAICS Code | Number of Available Businesses | | Percent of Total Available Businesses | |
|--------------|--------------------------------|-------------|---------------------------------------|----------------|
| | DBE | All | DBE | All |
| 238190 | 167 | 466 | 4.97% | 13.86% |
| 237990 | 6 | 47 | 0.18% | 1.40% |
| 238990 | 238 | 604 | 7.08% | 17.96% |
| 541330 | 532 | 1176 | 15.82% | 34.97% |
| 541370 | 197 | 545 | 5.86% | 16.21% |
| 541380 | 176 | 453 | 5.23% | 13.47% |
| 541990 | 55 | 71 | 1.64% | 2.11% |
| 423120 | 0 | 1 | 0.00% | 0.03% |
| TOTAL | 1371 | 3363 | 40.77% | 100.00% |

C. Weighted Base Figure

Weighting is recommended in *USDOT Tips* to determine the overall goal. The first step is to calculate a weight for each NAICS code, which is the percentage of the estimated budget for FFY 2016-2018 anticipated contracts. The second step is to divide the number of DBEs by the total number of businesses in each NAICS code and multiply the result by the corresponding weight in order to calculate the weighted percentage of DBE

⁷ The availability analysis for goal setting was predicated on businesses in the NAICS codes for anticipated projects only, whereas the 2012 Disadvantaged Business Enterprise (DBE) Program Disparity Study Final Report enumerates the availability of all businesses in the market area.

availability. Lastly, the weighted percentages in each NAICS code are combined to determine the weighted base figure. Table 1.06 presents the calculation of weighted availability. The weighted DBE availability is 18.42%.

Table 1.06: Weighted Base Figure

| NAICS Code | Percent of Firms | | Anticipated Contract Amount | Weight | Percent of Weighted Firms | |
|------------|------------------|---------|-----------------------------|---------|---------------------------|---------|
| | DBE | Non-DBE | | | DBE | Non-DBE |
| 238190 | 0.358 | 0.642 | \$12,810,000 | 0.71% | 0.26% | 0.46% |
| 237990 | 0.154 | 0.846 | \$1,608,000,000 | 89.45% | 13.76% | 75.69% |
| 238990 | 0.389 | 0.611 | \$500,000 | 0.03% | 0.01% | 0.02% |
| 541330 | 0.452 | 0.548 | \$174,601,033 | 9.71% | 4.39% | 5.32% |
| 541370 | 0.361 | 0.639 | \$10,000 | 0.00% | 0.00% | 0.00% |
| 541380 | 0.389 | 0.611 | \$60,000 | 0.00% | 0.00% | 0.00% |
| 541990 | 0.775 | 0.225 | \$20,000 | 0.00% | 0.00% | 0.00% |
| 423120 | 0.000 | 1.000 | \$1,722,400 | 0.10% | 0.00% | 0.10% |
| TOTAL | | | \$1,797,723,433 | 100.00% | 18.42% | 81.58% |

V. STEP TWO BASE FIGURE ADJUSTMENT

A. Considerations for Adjustments to the Base Figure

The Step Two base figure adjustment, as recommended in *USDOT Tips*, requires examining relevant and reliable data in the recipient’s market area to determine if an adjustment to the base figure is warranted. The consideration of an adjustment is intended to account for any impact the relevant factors may have on DBEs’ contracting opportunities with Metro. The following factors were considered for the Step Two adjustment:

- Past DBE participation
- Documented private-sector discrimination
- Anecdotal evidence from the Metro 2012 DBE Program Disparity Study

1. Past DBE Participation

DBE participation during FFY 2013-2015 was documented in Metro’s FFY13 2nd Semi-Annual Report, FFY14 1st and 2nd Semi-Annual Reports, and FFY15 1st Semi-Annual Report. Table 1.07 details the median prime and subcontractor race- and gender-neutral and race- and gender-conscious DBE participation during FFY 2013-2015. The median figure is the center point among an ordered list of figures. Metro achieved 2.23% median prime and subcontractor race- and gender-neutral and race- and gender-conscious DBE utilization; the highest overall DBE utilization of 22.41% was achieved in FFY 2014.

Table 1.07: FFY 2013-2015 Median Past DBE Participation

| FFY13 | FFY14 | FFY15 |
|-------|-------|-------|
|-------|-------|-------|

| | | |
|---------------------------------------|--------|-------|
| 0.51% | 22.41% | 2.23% |
| Median DBE Participation 2.23% | | |

Table 1.08 details DBE utilization as a percent of all dollars during FFY 2013-2015.

Table 1.08: FFY 2013-2015 DBE Utilization

| FFY | Total Dollars | Total Race-Conscious Dollars | Total Race-Neutral Dollars | DBE Utilization |
|--------------|--------------------------|------------------------------|----------------------------|-----------------|
| 2013 | \$ 28,541,837.00 | \$ - | \$ 2,332,669.00 | 0.51% |
| 2014 | \$ 349,839,369.00 | \$ 96,830,502.00 | \$ 6,019,377.00 | 22.41% |
| 2015 | \$ 80,569,469.00 | \$ 7,168,806.00 | \$ 3,045,735.00 | 2.23% |
| Total | \$ 458,950,675.00 | \$ 103,999,308.00 | \$ 11,397,781.00 | |

2. Documented Private Sector Discrimination

Private sector business practices, which are not subject to government requirements, are indicators of marketplace conditions which could affect the formation and growth of DBEs. *Concrete Works of Colorado v. City of Denver*¹ (*Concrete Works II*) set forth a framework for considering evidence of discrimination in private sector business practices. In accordance with *Concrete Works II*, three regression models were used to examine three outcome variables—business ownership rates, business earnings, and business loan approval. Each regression model compared minority males and females and Caucasian females to similarly situated non-minority males by controlling for race- and gender-neutral explanatory variables such as age, education, marital status, and access to capital. This adjustment factor was considered, however, no adjustment was made due to the various exemplary practices and support services Metro has implemented in order to decrease the barriers that DBEs confront when attempting to do business.

3. Anecdotal Evidence from Metro’s 2012 DBE Program Disparity Study

In the anecdotal accounts from interviews conducted for Metro’s 2012 DBE Program, Metro’s Small Business Office was credited for providing valuable technical assistance services to DBEs. Many DBEs reported that Metro’s DBE program was instrumental in building capacity for their businesses as well as aiding them in securing work from other public agencies. This adjustment factor was considered, however no adjustment was made because the anecdotal accounts were not quantifiable.

B. Adjustments to the Base Figure

As required by the *USDOT Tips*, the factors noted above were considered and no adjustments were made for the Step Two analysis. The weighted figure of 18.42% was rounded down to 18%.

FINAL OVERALL DBE GOAL
18%

¹ *Concrete Works of Colo., Inc. v. City of Denver*, 86 F. Supp. 2d 1042, 1073 (D. Colo. 2000); rev'd on other grounds, 321 F.3d 950 (10th Cir. 2003); cert. denied, 540 U.S. 1027 (2003).

VI. RACE- AND GENDER-NEUTRAL GOAL

A. Formulation of the Race- and Gender-Conscious/Neutral Portions of the Goal

The final requirement of the goal setting process, as noted in 49 CFR 26.51, is to determine the projected portion of the overall goal that will be achieved by race- and gender-neutral measures. The DBE regulations in 49 CFR 26.51 require that a recipient meet the maximum feasible portion of its overall goal by using race- and gender-neutral measures. Based on Metro's median past DBE participation, as documented in Table 1.09, it is expected that 2% of the 18% overall can be achieved using race- and gender-neutral measures. The remaining 16% will be met through race- and gender-conscious measures.

Table 1.09: Race and Gender-Neutral/Conscious Portions of the Goal

| FFY | DBE Utilization |
|------|-----------------|
| 2013 | 0.51% |
| 2014 | 22.41% |
| 2015 | 2.23% |

$$2\% \text{ Race Neutral} + 16\% \text{ Race Conscious} = 18\% \text{ Overall DBE Goal}$$

Recipients in the Ninth Circuit cannot consider the use of a race-conscious goal unless a finding of disparity has been made for the ethnic groups to be included in the application. The disparity findings in Metro's 2012 DBE Program Disparity Study documented a disparity for African Americans, Asian-Pacific Americans, Subcontinent Asian Americans, and Hispanic Americans.² Caucasian females were over utilized.

An updated analysis was conducted to determine the current utilization of Caucasian females since the race-conscious program was implemented in 2013 without Caucasian females. Unlike racial discrimination which is subject to strict scrutiny, gender discrimination is only subject to an intermediate scrutiny standard of review. Therefore, Caucasian females need only to be underutilized to be included in a gender-conscious remedy. Since not including Caucasian females in the DBE goal, utilization is now considerably lower than in the 2012 DBE Program Disparity Study. Given the fact that Caucasian females are currently underutilized, this gender group will be included in the FFY 2016-2018 overall DBE goal.

B. Race and Gender-Neutral Initiatives

a) Small Business Prime

² For the complete disparity analysis findings, see *Chapter 9: Disparity Analysis* in the 2012 Disadvantaged Business Enterprise (DBE) Program Disparity Study Final Report.

Launched in June of 2014, this set-aside initiative reserves certain types of contracts for Small Business Enterprises (SBEs) qualified under the appropriate North American Industry Classification System codes. The program covers competitively negotiated contracts, sealed bids and public works that meet threshold criteria from \$3,000 up to \$5 million. Applicable procurements will be set aside for competition among SBEs when and if there is a competitive pool of three or more SBE firms available to perform the work. To date, SBE prime awards have increased 72% in FY15 from FY14.

b) Metro Connect

This site is designed to give small businesses a direct route to working and growing with Metro. The site gives access to tools and resources that are designed to support small business growth, such as networking events, an online Tool Kit, and certification information. Small business can also view current contracting opportunities, or visit the 12-Month Look Ahead page to see future opportunities. Metro Connect aims to increase the opportunity for small businesses through various efforts that provide greater access and transparency around the agency's procurement process and a direct route to Metro's small business programs.

c) Vendor Portal (Beta)

Metro's Vendor Portal is a "one-stop shop" with all the information and resources that make doing business with Metro easier and more efficient than ever.

The site includes online tools to:

- Access current & future metro business opportunities
- Learn about guidelines & qualification programs
- Complete online programs
- Complete online forms
- Access small business tools
- Learn about the latest procurement news & tips

d) Twelve Month Look-Ahead

The information listed on the twelve month look-ahead in the vendor portal is a preview of Metro's planned solicitations for the next twelve months. Newly designed in response to feedback from the business community, this web-based, single source of upcoming agency-wide procurement opportunities will enable businesses to better plan for pursuing bids. (The information is subject to change at any time without notice.)

e) Meet the Project Managers Networking/Relationship Building Event

Metro and the Transportation Business Advisory Council (see below) introduced this new networking opportunity in May of 2015. The event provides small businesses the opportunity to meet face-to-face with Project Managers (PMs) who oversee large and

small Metro projects, a vital link to working with Metro, given the vast number of projects that are in the works or being considered for future development. A listing of PMs and their areas of expertise is sent to all who register for this event.

f) Meet the Primes Network/Relationship Building Event

These events provide opportunities for small businesses to build relationships with large contractors that do business with Metro, and other agencies in the Southern California region. At these events, small businesses can share their products, services and professional expertise with approximately 20 large businesses, and with Metro personnel.

g) Meet the Buyers Network/Relationship Building Event

This event, conducted at least twice per year, provides an opportunity to meet in person with Metro’s Contract Administrators and Buyers. DBEs and other small businesses can share their products and services with pertinent Metro staff. They can also receive information and assistance on registering as a vendor, certification as a DBE, completing prequalification requirements, enrolling in the Small Business Orientation sessions, and meeting key Metro personnel.

h) Monthly “How to Do Business with MTA” Workshops

The Small Business Orientation helps small and disadvantaged businesses understand how to do business with Metro. The orientation covers the requirements a business must meet in order to do business with Metro, the certifications that are required for certain programs or types of projects, the types of contracts Metro typically performs, where to find project solicitations, and how to obtain other information about Metro. Small business owners also meet procurement staff in their area of expertise to ask questions, as staff is available.

i) Small Business Enterprise Program

The Small Business Enterprise (SBE) Program was first adopted in 1997 and was designed to comply with California’s Proposition 209, which prohibits explicit consideration of race or gender in the award of state and locally funded contracts. The 15 percent SBE utilization in federally assisted contracts was increased to 30 percent for fiscal years 2012 and 2013. The SBE Program applies a SBE subcontracting goal to competitively bid and negotiated contracts, and is identical in practice and scope to Metro’s DBE program. Metro uses the California Unified Certification Program (CUCP) DBE application for the SBE program, as the requirements are similar, except for the necessity to establish the owner’s social disadvantage for DBE Program eligibility. All businesses which received DBE certification are also certified as a SBE.³

³ 1 Los Angeles County Metropolitan Transportation Authority, Small Business Enterprise (SBE), <http://www.metro.net/about/deod/sbe/>

2 Los Angeles County Metropolitan Transportation Authority, Transportation Business Advisory Council (TBAC), <http://www.metro.net/about/deod/tbac/>

j) Shared Responsibility Program

In 2011, Metro launched a new Chief Executive Officer initiative agency-wide in order to engage departments at the highest level in increasing DBE participation. Metro has established an internal 20 percent small and disadvantaged business target for each department. This shared responsibility requires department executives to identify contracting opportunities within their respective departments for small business participation. Department year-end performance is tracked and reported to the Chief Executive Officer, and is included in executive performance reviews.

k) Transportation Business Advisory Council

Small Business owners and interested parties are welcomed and encouraged to attend the monthly Transportation Business Advisory Council (TBAC) meeting. TBAC meetings provide small businesses a forum to discuss topics and issues impacting business owners throughout the contracting community. Particularly, TBAC advocates for small business owners to have increased access to Metro's procurement process. TBAC meetings are beneficial for all business interests. The meetings feature: a monthly speaker series, Metro current and future contract opportunities, legislation updates, and current trends in transportation. TBAC is comprised of professional business associations representing an array of industries and trades. TBAC has been instrumental in working with the Diversity & Economic Opportunity Department to develop a successful path toward bridging relationships between small businesses and Metro.⁴

l) Unbundling Prime Contracts

Metro currently unbundles large contracts in order to facilitate the participation of DBE businesses. In addition to ongoing efforts, Metro will take additional affirmative steps to break up large contracts, when feasible, in order to increase small business contracting opportunities and participation.

m) Insurance Broker Panel

Metro has established a panel of commercial insurance brokers to assist businesses that lack required insurance coverage. The panel provides proposals and insurance placement for contractors in order to assist them in meeting Metro's risk management requirements. The broker panel is disseminated to small businesses through the Transportation Business Advisory Council (TBAC), small business outreach events, Metro's small business orientation classes and published on Metro's website.

4

n) Attendance at Vendor Fairs/Business Networking Events

Metro representatives attend vendor fairs of other agencies to provide information on how to do business with Metro, and to provide information on upcoming contracting opportunities.

o) Memberships in Contracting Organizations

Metro is a member of various contracting organizations, and attends membership meetings and membership events to provide information on how to register as a Metro vendor and become SBE or DBE certified.

**Board Report**

File #: 2015-0554, **File Type:** Policy**Agenda Number:** 68.

**EXECUTIVE MANAGEMENT COMMITTEE
JULY 16, 2015****SUBJECT: RESPONSE TO REQUEST FOR ACTION REGARDING METRO
INVOLVEMENT IN AFFORDABLE HOUSING****ACTION: ADOPT UPDATED METRO JOINT DEVELOPMENT POLICY****RECOMMENDATION**

EXECUTIVE MANAGEMENT RECOMMENDED (4-0-1) adopting **updated Metro Joint Development Policy** (Attachment B).

ISSUE

In March of this year, the Metro Board of Directors approved a motion (Attachment A) directing staff to report back on several actions that support affordable housing creation and preservation around transit. Two of those actions can be implemented through amendments to the Metro Joint Development (JD) Policy.

In addition, since November of 2014, Metro has engaged in outreach in several communities as well as to the development community surrounding JD projects that are in the project definition and negotiation phase. Throughout this outreach, staff has been explaining the joint development process, increasing its focus on meaningful community engagement, and has reconsidered the process for the creation of Development Guidelines, to become more community-driven. Staff is recommending additional amendments to the JD Policy such that the policy matches the commitments the JD team has made to its community stakeholders, and to elevate transparency for all stakeholders participating in the Joint Development (JD) process.

Beyond the recent and ongoing outreach regarding the JD Process, the JD Team has heard from some stakeholders that there is interest in revisiting the JD Policy once the projects currently in the process of project definition, community engagement and negotiations are more clearly defined. The JD Team will evaluate the lessons learned in the outreach process used for the current projects and bring to the Board any suggested modifications at that time.

The proposed new *Joint Development Program: Policies and Process* (Proposed JD Policy) is included as Attachment B and is summarized herein. The remaining actions requested in the March motion are under development and will be brought to the Board in September of this year.

DISCUSSION

Nexus / Background

As Metro transportation investments expand, the potential exists for land values to increase near transit. A large portion of Metro ridership is made up of lower-income, transit dependent patrons. It is within Metro's mission to promote ridership along existing and planned transit corridors by promoting affordable housing near transit. It is also in keeping with federal and state guidance surrounding greenhouse gas emissions reductions strategies.

The Metro JD Program is a real estate management program that seeks to collaborate with private sector developers to create developments on Metro properties. The JD Program is guided by the existing joint development policy document, the Joint Development Policy and Procedures ("JD Policy"), which was last updated in October 2009.

The proposed changes have two goals: (1) to implement direction from the Board regarding affordable housing and (2) to reinforce the recent conversations with community stakeholders regarding the need for more transparency and meaningful engagement in the JD Process. The policy changes are summarized below.

Summary of JD Policy Changes

Affordability Goal: The Board of Directors instructed staff to establish a goal of 35% affordable units in Metro joint developments in the aggregate, portfolio-wide. This goal is included as a new Joint Development Objective in the Proposed JD Policy. The portfolio-wide goal allows for flexibility between projects and between communities which have varying affordability goals.

Proportional Discount: The Board of Directors also instructed staff to recommend criteria under which Metro would allow proportional discounts to Metro JD properties for the purpose of contributing towards the cost of affordable housing. Staff recommends a proportional discount that would be capped at 30% of the land value. The recommended policy language regarding this discount has been submitted to the Federal Transit Administration (FTA) for consideration and approval with regard to joint development sites that are subject to FTA review.

Staff is recommending a 30% maximum discount to ensure that Metro will maintain value in its properties and generate revenue from its assets for public transportation benefit, in keeping with the mission of the agency and pursuant to FTA requirements. It is proposed that discounts to affordable housing projects will be proportionate to the percentage of affordable units in the project. For example, a project that includes 20% affordable units could be discounted up to 20%. Given the proposed maximum 30% discount, land values for a project with 100% affordable units, could be discounted up to 30%.

Joint Development Process and Community Engagement: Over the past six months, the JD team has engaged in significant outreach in several communities where JD is either already active or where the process is about to begin. Much of this outreach has focused on, and caused a recalibration of, the JD Process and how community stakeholders are engaged. Further, with

increased attention on Metro's expansion of the transit system, JD has become a popular topic at conferences and events related to real estate and community development. The JD team has participated in these conferences to share the JD Process and has stressed the importance of meaningful community engagement in the JD process. In addition, the JD Team has developed a pilot program using experienced design firms to lead community charrettes in the creation of Development Guidelines.

Upon review of the existing JD Policy, it became apparent that parts of the policy were outdated and should be amended to match Metro's focused efforts around community engagement and clarification of the JD Process. The Proposed JD Policy reflects the recent recalibration of the community engagement process, efforts at ensuring that Development Guidelines are meaningful, and includes an explanation of the JD Process. These amendments are critical to increasing transparency for all stakeholders involved in the process. The policy does not prescribe a "cookie cutter" community engagement process. Rather they require that for each JD project, a community engagement process designed for the specific affected community is required to be developed as an initial step in the process.

Other Requested Actions in March Board Motions

In addition to the updated policy, Metro staff is working on several other actions that were requested in the March motion.

Affordable Housing and Small Business Collaborative Loan Fund: Metro staff has been working with a diverse stakeholder group to develop the vision, goals, and action plan for a Metro collaborative loan fund(s) for affordable housing and small businesses near transit. Staff will return to the Board in September with a progress report.

Group Rate TAP Purchase Program: Metro Planning and Communications departments are working together to develop an affordable housing TAP purchase program. The Board will be presented with options for the TAP program in September. The main considerations of the program will be the price of the TAP pass, the revenue impact of the program, and whether it is available to Metro affordable housing joint development projects only or to any transit-oriented affordable housing project.

Memorandum of Understanding with Cities: Staff is working work with County Counsel to outline an MOU with cities for co-investment in affordable housing on Metro sites, and other opportunities for cities to promote affordable housing near transit, and will then convene cities to solicit feedback. Staff will report back to the Board in September with a draft MOU and request authority to execute MOUs with cities.

DETERMINATION OF SAFETY IMPACT

This Board action will have no impact on safety.

FINANCIAL IMPACT

Adoption of the Proposed JD Policy would potentially reduce the revenue that Metro receives in ground lease payments on its JD projects.

In approximate terms, staff has estimated how much revenue would have been forgone for existing

Metro joint developments, were Metro to have had this policy in place previously (and housing projects received the maximum proportional discount). It is difficult to calculate the precise financial impact, because ground leases are negotiated using a variety of project-specific inputs. As a rough estimation, Metro would have foregone approximately \$5.5 million from ground lease payments from affordable housing projects. This is out of the approximately \$22 million that has otherwise been generated from completed affordable housing joint development projects to date.

ALTERNATIVES CONSIDERED

The Board could elect not to adopt the policy. This is not recommended because it would not accomplish the goals and instructions requested by the Board in the March motion. It would also leave the current JD Policy in place, and the language in the policy does not make clear the JD Process or Metro's commitment to meaningful community engagement in the JD Process.

NEXT STEPS

Upon approval of the updated Proposed JD Policy, staff will update the JD Policy which will take effect immediately.

In response to feedback that staff has received, once the projects currently in the process of project definition, community engagement and negotiations are more clearly defined, the JD Team will evaluate the lessons learned in the outreach process and bring to the Board any suggested modifications.

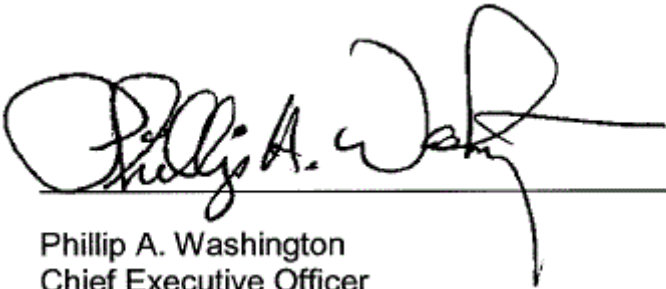
ATTACHMENTS

Attachment A - Motion 51.1

Attachment B - Proposed Joint Development Policy

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Phillip A. Washington
Chief Executive Officer

51.1 **APPROVED REVISED MOTION by Directors Garcetti, Ridley-Thomas, Kuehl, Solis, Bonin and Dupont-Walker AS AMENDED by Directors DuBois and Knabe** that the CEO direct staff to report back to the Board with the following items:

- A. amendment to MTA's Joint Development Policy, establishing a goal that in the aggregate, affordable housing units represent 35% of all residential units developed on MTA-owned property;
- B. recommended criteria under which MTA would allow proportional discounts to the fair market value of MTA owned property for the purpose of contributing towards the cost of affordable housing;

FURTHERMORE, that the CEO direct staff to:

- C. develop a memorandum of understanding with interested local cities and the County of Los Angeles to promote co-investment along transit corridors, such as leveraging municipally-controlled affordable housing and small business dollars for MTA's Joint Development affordable housing sites;
- D. negotiate terms and conditions for the Board's consideration that reflect MTA's participation in the collaborative creation of a multi-partner Countywide Transit Oriented Affordable Housing and Business loan fund. Potential partners should include community development financing institutions and community-based development organizations whose primary goal is to develop, invest in or preserve affordable homes or businesses within ½ mile of MTA rail stations, bus rapid transit or rapid bus stops. Through the loan fund, developers would be able to access flexible, affordable capital to purchase or improve available property near transit lines for the development or preservation of affordable housing and small business, creating and retaining community job opportunities for MTA's joint development. and
- E. report back to the Board on the following:
 - 1. criteria for eligible joint development projects, including neighborhood serving businesses to be funded by the loan fund;

(Continued on next page)

(Item 51.1 – continued from previous page)

2. administration of the fund;
 3. loan program structure;
 4. potential sources of funds including, but not limited to partners/collaborators.
- F. report back to the Board during the FY2015-16 Budget regarding the feasibility to budget \$2 million annually for 5 years, up to \$10 million to establish the revolving loan fund; and from sources, including but not limited to, non-operations/maintenance eligible funding sources, such as cap and trade affordable housing funds and with a plan to geographically disperse the funds equitably so that sites within each subregion are eligible for a share of the funds
- G. work with a diverse stakeholder the affordable housing community to establish a revenue neutral TAP purchase program that provides passes to current and future occupants of MTA joint developments.
- H. reference MTA’s Sustainability Planning Policy to insure a compatible and integrated approach to joint development and any potential loan fund
- I. to the extent possible, provide an estimate or projection of the “proportional discount” to the fair market value of MTA-owned properties listed in Attachment C of the report using the “typical subsidy” level of \$80,000 to \$150,000 per unit.

| MA | PK | JB | SK | MB | JF | EG | MRT | DD | JDW | HS | DK | AN |
|-----|----|----|----|----|----|----|-----|----|-----|----|----|----|
| ABS | Y | A | Y | A | Y | Y | Y | Y | Y | Y | Y | Y |

PROPOSED
METRO JOINT DEVELOPMENT PROGRAM:
POLICIES AND PROCESS
July 2015

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LIST OF EXHIBITS

A. JOINT DEVELOPMENT PROCESS CHART 14

I. INTRODUCTION / PURPOSE

The Metro Joint Development Program is a real estate development program for properties owned by the Los Angeles County Metropolitan Transportation Authority (Metro). It is a real property asset development and management program designed to secure the most appropriate private and/or public sector developments for Metro-owned properties.

This document outlines the goals, policies and process that will guide the Metro Joint Development Program as it develops Metro-owned properties. It serves to inform communities in which joint developments take place, developers who build them, and the general public, about the objectives, policies, and processes that govern the Joint Development Program.

II. OBJECTIVES / GOALS

The Joint Development Program is centered on three main goals:

A. Transit Prioritization:

1. Preserve Properties for Transit Use. Metro will preserve the ability to safely operate and maintain transportation facilities on its properties.
2. Increase Transit Ridership. The Joint Development Program aims to reduce greenhouse gas emissions and increase transit ridership by attracting new riders and increasing the number of trips generated from joint development projects.

B. Community Integration, Engagement, Affordable Housing and Design:

Metro's Joint Development Program will seek projects that engage stakeholders and create vibrant, transit-oriented communities that offer a range of housing types, job opportunities, and services centered around public transit facilities.

1. Community Integration. Metro will seek to create projects that are compatible with the surrounding community and reflect the needs and desires of the neighborhood in which they are situated. Like any private development, joint developments are subject to the land use policies and approval processes of the host jurisdiction.
2. Community Engagement. Metro will ensure that the Joint Development Process actively engages community members at every development stage.
3. Affordable Housing. Metro's Joint Development Program seeks to facilitate construction of affordable housing units, such that 35% of the total housing units in the Metro joint development portfolio are affordable. (The joint development portfolio includes properties for which Metro maintains long term ownership. It does not include surplus land that is sold in fee.) (Affordable housing is defined as housing that is covenant-controlled, provided on an income-restricted basis to qualifying tenants at rents below the current private market, and often subsidized by public or non-profit funding sources.)
4. Design and Placemaking. Metro's Joint Development Program will pursue high quality design that enhances the surrounding community and creates inviting spaces and places around Metro transit facilities.

C. Fiscal Responsibility:

1. Maximize Revenue. Joint development projects are expected to generate value to Metro based on maximizing ground rent revenues received, or equivalent benefits negotiated, for the use of Metro property.
2. Minimize Risk. Projects should minimize financial risk to Metro.
3. Feasibility. Projects should be viable, now and in the future.

III. POLICIES

To achieve its goals, the Joint Development Program shall conform to the following policies:

A. Transit Prioritization and Integration:

1. Preservation of Transit Facilities. Metro shall retain authority over its transit facilities and services, and no development shall negatively impact existing or future public transportation facilities, nor shall any development obligate Metro to any particular operational level of service.
2. Density and Program. Metro will prioritize dense, trip generating uses on joint development sites.
3. Transit Connections. Metro will maximize connections to transit facilities from and through joint developments, where appropriate. Projects are encouraged which provide for increased station access using buses, active transportation and other alternative modes of travel.

B. Community Outreach:

1. Community Engagement. Metro will pro-actively engage with the communities where the joint development projects occur through a variety of methods, which may include charrettes, focus groups, workshops, email updates and social media communications. Developers selected for joint development projects shall be required to create a community engagement plan.
2. Local Collaboration. Metro will consult and work cooperatively with local jurisdictions and developers to encourage intensive, high-quality development at stations and surrounding properties.
3. Design Rigor. Projects shall demonstrate a high quality of design that is both sensitive to community context and enhances the surrounding community.

C. Financial Policies:

1. Risk Minimization. Projects should not require commitment of Metro financial resources, should minimize any investment risk to Metro, and should maximize asset security for Metro.
2. Collaborative Contribution. Projects are encouraged which obtain capital or in-lieu contributions from other public agencies to create greater community economic benefit to Metro-sponsored joint development projects.
3. Ground Lease Preference. Use of a long term ground lease is generally preferred to fee disposition.

D. Affordable Housing Policies:

A large portion of Metro riders are low-income and transit dependent. Meanwhile, Metro transportation investments have the potential to raise the value of property near Metro transit investments. Thus, it is in Metro's and the community's interest to maintain and grow ridership by promoting the development of affordable housing on appropriate Metro joint development sites. In addition, State and Federal guidance encourages coordination of investments and policies to accommodate affordable housing near transit. Metro will use the following policies to promote affordable housing on joint development sites:

1. Range of Types. Joint development projects with a residential component are encouraged to provide a range of housing types to meet the needs of a diversity of household incomes, sizes, and ages.
2. Land Discounting. Where appropriate, and subject to Federal Transit Authority (FTA) approval (if applicable), Metro may discount joint development ground leases below the fair market value in order to accommodate affordable housing. Such a land discount may not be greater than 30% of the fair market value.
3. Proportional Land Discounting for Affordable Housing. The proportional discount of the ground lease may not be greater than the proportion of affordable units to the total number of housing units in the project, with a maximum discount of 30%. For example, land value for a project that has 20% affordable units could be discounted up to 20%. Land value for a project with 100% affordable housing could be discounted up to 30%. In the case of mixed use projects, the discount will be to the land value attributable to the housing portion of the project.

E. Development Solicitation Policies:

1. Competitive Solicitation. Metro will seek to develop joint development sites via a competitive selection process that is further detailed in the following Process Section. The competitive process will be managed through the Vendor/Contract Management Department and will be consistent with Procurement Policies.
2. Unsolicited Proposals. Metro does not encourage unsolicited proposals. Metro will consider unsolicited proposals in limited cases, including, but not limited to, the instance of small or constrained sites with adjacent landowners whose property could be combined with Metro property to create a suitable development site. Further detail regarding the process for unsolicited proposals is also included in the following Process Section.

F. Acquisition Policies:

1. To encourage opportunities for joint developments surrounding transit investments, when appropriate, Metro will consider joint development opportunities in the acquisition of required property, location of new station sites, and construction of station facilities.
2. In the initial planning of a transit corridor project (e.g., during the environmental and preliminary engineering phases), Metro may conduct site analysis, include a preliminary layout of each passenger station site, develop conceptual urban design strategies integrating station sites with adjacent communities, and evaluate proposed station sites for their joint development potential.

IV. PROCESS

A. Inventory and Site Selection:

1. Inventory. Metro maintains an inventory of properties that are potential sites for future joint development. Metro staff will monitor market conditions and communicate with local jurisdictions and stakeholders about development potential.
2. Site Selection. The determination to select sites for joint development is dependent on several factors including, but not limited to: market conditions, community input, local jurisdictions, and Metro resources. These factors may provide the basis for establishing project priorities, project implementation strategies, and ultimately the creation of Development Guidelines, to ensure maximum attainment of Metro's Joint Development Objectives.
3. Determination of Financing Requirements. Upon the selection of a site for a joint development project, Metro staff will determine the funding sources that were involved in the acquisition of the selected site. Depending upon the financing that was used, the project may be subject to review by the FTA, the California Department of Transportation (Caltrans), and/or review pertaining to the presence of tax-exempt bonds.

B. Community Outreach and Scoping

1. Community Engagement. Once a site has been selected for a potential joint development, Metro will consult with local jurisdictions, and conduct outreach to solicit input from the community surrounding the site. The Joint Development Program staff, working closely with Metro Community Relations, will work with the community stakeholders and local jurisdiction to determine a vision for the potential project.
2. Development Guidelines. Upon determination of a unified vision that is desirable to the community and economically feasible, Metro will prepare Development Guidelines specific to the site. The Development Guidelines will articulate the intensity and type of land uses that Metro and the community desire for that site, as well as any desired transit and urban design features. The Development Guidelines will be presented to the Metro Board for approval. Within Metro, the Development Guidelines shall be informed by:
 - a. Existing or planned transit stations or stops
 - b. Metro Rail Design Criteria
 - c. Input from the Metro Operations Department
 - d. The First/Last Mile Strategic Plan
 - e. The Complete Streets Policy
 - f. The Sustainability Policy
 - g. The Supportive Transit Parking Plan (once completed and adopted)

h. The Public Restroom Policy

C. Competitive Solicitation Process:

1. Solicitation. After Board approval of the Development Guidelines, Metro will solicit proposals for joint development of the site through a Request for Information and Qualifications (RFIQ) and/or a Request for Proposals (RFP). The standard RFIQ/RFP procedure will be managed through the Vendor/Contract Management Department and will be consistent with Procurement Policies.
2. Evaluation. Joint development proposals should be evaluated based on their support of the Joint Development Objectives and conformance with the site-specific Development Guidelines. Staff will assemble an evaluation panel generally consisting of key Metro personnel, and a representative of the governing jurisdiction. Additionally, an urban design or development consultant, financial services consultant and/or local jurisdiction technical staff may be used to provide support and advisory services in the evaluation of proposals. The evaluation panel shall evaluate joint development proposals and advise the Metro Chief Executive Officer (CEO) on a developer to be recommended to the Board. The CEO may recommend a developer to the Board or defer joint development if none of the proposals maximize Joint Development Objectives.
3. Unsolicited Proposals. Neither Metro nor the FTA encourages unsolicited proposals. If Metro receives an unsolicited proposal for a joint development site, staff will evaluate the proposal and determine if further action should be taken. Unsolicited proposals shall only be recommended to the Metro Board for consideration under certain limited circumstances, including but not limited to:
 - The Metro property is a small or constrained site and the proposal is from an adjacent landowner(s) (or Developer(s) with site control of adjacent properties) that make the Metro site feasible or better able achieve the Joint Development Objectives.
 - The proposal is feasible and meets the Joint Development Policy Objectives.

In any case, unsolicited proposals on properties with an FTA interest are subject to FTA approval. If these and any other conditions identified during review of the unsolicited proposal are met, staff may recommend that the Developer reach out to community stakeholders to seek input, and then may recommend the proposal to the Metro Board. Even if these conditions are met, staff may open the site to a competitive solicitation process.

D. Development Phase:

1. Exclusive Negotiation and Planning Agreement. Before the CEO recommends the selected developer's proposal to the Metro Board, developer shall negotiate and execute an Exclusive Negotiation and Planning Agreement ("ENA") with a project concept, terms and conditions regarding community engagement, general planning and development goals, deposit and fees, design review and a predevelopment schedule agreed to by the proposed developer and Metro staff. Upon approval of a recommended developer and authorization by the Metro Board, the CEO shall execute the ENA with the developer.

Developer Responsibilities under the ENA include but are not limited to:

- a. Negotiate in good faith, including such project design and project financing information as necessary for Metro staff to negotiate a transaction.
- b. In consideration for entering into the ENA, developer shall provide Metro a non-refundable fee in an amount determined by the CEO but in no event less than fifty thousand dollars \$50,000 or such other consideration as determined by the CEO or designee.
- c. In addition to the fee, developer shall also provide Metro with a deposit in an initial amount determined by the CEO or designee to pay Metro's actual costs to negotiate and evaluate the proposal, including Metro in-house and third party costs.
- d. Create a robust community engagement plan that will carry throughout the design, entitlement and construction process for the project.

Metro Responsibilities under the ENA:

- e. During the negotiation period, provided that developer is not in default of its obligations under the ENA, Metro shall negotiate exclusively and in good faith with the developer a Joint Development Agreement ("JDA") and Ground Lease to be entered into between Metro and the developer, and shall not solicit or entertain offers or proposals from other parties concerning the site.

Term of the ENA:

- f. The term of the ENA shall generally be eighteen (18) months; provided, the term and any extensions shall not exceed thirty (30) months. In considering an extension, the CEO or designee shall determine whether substantial progress has been made towards fulfillment of the requirements of the ENA and may require payment of additional fee and/or deposit amounts.

2. Joint Development Agreement.

ATTACHMENT B

- a. Before the Metro Board can authorize a JDA for a project, the project must be environmentally cleared through the California Environmental Quality Act (CEQA). Metro is not the lead CEQA agency for joint development projects; the agency with local regulatory land use authority generally serves that function.
 - b. Upon satisfactory fulfillment of the development requirements in the ENA, negotiation of acceptable terms, and adoption of CEQA findings by the lead agency, Metro staff will recommend to the Metro Board to (a) adopt the CEQA findings as a responsible party and (b) enter a Joint Development Agreement (JDA) for the implementation of a project. The JDA shall describe the rights and responsibilities of both parties. The recommendations may also include the terms for a Ground Lease, or another form of purchase and sale agreement as appropriate.
3. Ground Lease. Upon satisfactory fulfillment of the closing conditions required in the JDA, Metro shall enter into a Ground Lease for the lease of the site. The Ground Lease shall describe the rights and responsibilities of both parties with respect to the site. The Metro CEO or designee may also enter into such other documents and agreements to implement and administer the project as described in the JDA and Ground Lease.
4. Environmental Compliance. As noted above, Metro shall not approve or be committed to a project until the Metro Board as a responsible agency under CEQA and/or NEPA considers and analyzes the environmental impacts of the project. The project must be cleared through CEQA before a JDA or a Ground Lease can be approved by the Board.

V. LEGAL FRAMEWORK

A. Statutory Basis:

The Metro Joint Development Program maintains statutory basis as obtained by a predecessor agency, the Southern California Rapid Transit District. Under California Public Utilities Code, Section 30600: “the district may take by grant, purchase, gift, devise, or lease, or by condemnation, or otherwise acquire, and hold and enjoy, real and personal property of every kind within or without the district necessary or incidental to the full or convenient exercise of its powers. That property includes, but is not limited to, property necessary for, incidental to, or convenient for joint development and property physically or functionally related to rapid transit service or facilities. The Board may lease, sell, jointly develop, or otherwise dispose of any real or personal property within or without the district when, in its judgment, it is for the best interests of the district to do so.”

B. FTA Regulations:

Metro joint development sites which were acquired with assistance from the FTA are subject to FTA joint development policies. Current guidance in FTA Circular 7050.1 on FTA-funded real property for joint development, stipulates that joint developments follow four criteria:

1. Economic Benefit – project must enhance economic benefit or incorporate private investment.
2. Public Transportation Benefit – project must provide physical transit improvement or enhanced connection between modes.
3. Revenue – generally, project must generate a fair share of revenue (at least equal to the amount of original federal investment) and be used for public transportation purposes.
4. Tenant Contributions – tenants pay a fair share of the costs through rental payments or other means.





Metro joint development sites which were acquired with FTA funds are subject to and will follow FTA guidance as it is updated from time to time. Joint development projects will be reviewed individually by the FTA to ensure compliance.

In addition, Metro is responsible to ensure that joint development projects comply with FTA Title VI Civil Rights and Environmental Justice requirements. Compliance with Title VI will be required of Developer’s selected for joint development projects.

C. Local Jurisdictions:

Metro joint developments are subject to local land use policies and procedures in the host jurisdiction, similar to any private development. The selected developer for any joint development site must follow the land use, zoning, permitting, and entitlement process for the local jurisdiction of that site.

EXHIBIT A: JOINT DEVELOPMENT PROCESS CHART

| Metro Joint Development Process | | | | | |
|--|---|--|---|--|--|
| STAGE | Initial Community Outreach | Developer Solicitation/ Selection** | Project Refinement, Joint Development Agreement (JDA) and Ground Lease (GL) Negotiations | Permitting and Construction | |
| |  |  |  |  | |
| ACTIONS | <ul style="list-style-type: none"> >Community Meetings >Creation of Development Guidelines* | <ul style="list-style-type: none"> >Issue Request for Information and Qualifications (RFIQ) and/or Request for Proposals (RFP) >Evaluate Proposals >Community update | <ul style="list-style-type: none"> >Developers progress architectural design >Community outreach and input - several iterations >Entitlements and CEQA process*** >Negotiation of financial terms | <ul style="list-style-type: none"> >City engineering >Construction documents >City building permits >City-related approvals >On-site construction >Occupancy | |
| RESULT | Board approves Development Guidelines | Metro Board authorizes Exclusive Negotiation Agreement (ENA) with recommended developer(s) | Metro Board approves JDA and GL | Completed project | |
| approximate overall time frame: 42 - 60 months | | | | | |
| | 6 months | 6 months | 12 - 24 months | 18 - 24 months | |

*Staff may undertake preliminary market analysis or related studies prior to the drafting of development guidelines.

**Once the RFIQ/RFP is released, Metro is in a "blackout" period. During this period, Metro cannot discuss the specific content of proposals until staff releases their recommendations for a developer. Metro can do general outreach to keep stakeholders apprised of the process and key dates.

***Proposed use requires local jurisdiction approval and may include environmental, zoning, and local plan consistency review and public hearings.



Board Report

File #: 2015-0577, **File Type:** Budget

Agenda Number: 75.

CONSTRUCTION COMMITTEE JULY 16, 2015

SUBJECT: CRENSHAW/LAX TRANSIT PROJECT

ACTION: AMEND FY16 BUDGET

RECOMMENDATION

CONSTRUCTION COMMITTEE FORWARDED WITHOUT RECOMMENDATION amending the FY 16 Budget to add \$800,000 to Project 405556 Systemwide Planning in Cost Center 4330, Countywide Planning and Development to cover the design costs for modifications to the Crenshaw/LAX (C/LAX) station design for consistency with the Systemwide Station Design.

ISSUE

A notice-to-proceed was issued to Walsh/Shea Corridor Constructors (WSCC) on September 10, 2013 for the C0988 contract. The C0988 contract included the Metro Systemwide Station Design Concept report as a requirement. Since that time, Metro has further developed the Systemwide Station Design into drawings and adopted the new standard drawings as part of Metro Baseline documents that is required for all future light rail stations. Additionally, Board policy requires that all Light Rail Stations have fare gates which were not included in the Systemwide Station Design Concept report or the C0988 contract. For the most part, the C/LAX stations incorporate the intent of the Systemwide Station Design. The design modifications recommended will bring four of the C/LAX stations into better conformity with the Systemwide Station Design. Staff is requesting Board authorization to amend the FY16 Budget to add \$800,000 using Countywide Systemwide Planning funds to modify portions of the platform configuration and the Florence/La Brea ticketing structure design as shown in Attachment.

DISCUSSION

Throughout the Los Angeles region, Metro's station architecture and finishes vary dramatically from station to station, resulting in the lack of a clear architectural identity for Metro Rail, not to mention higher maintenance costs. With Metro's rail system rapidly expanding, staff procured an architectural design team to conduct an independent review of existing Metro rail stations, conduct interviews with Metro personnel, survey other transit systems, and establish a list of best practices and lessons learned related to design, functionality and maintainability of urban rail stations. With information gathered during the initial review phase, the design team established a set of design objectives,

based on a modular approach that allowed station components to be arranged in multiple ways to accommodate different station types (i.e. at-grade, aerial and subway) and site conditions. Other key design objectives include: the consistent application of highly durable materials to reduce maintenance costs; better integration of signage and equipment to improve the customer experience; and a distinctive and recognizable architecture that conveys high quality, yet does not reference a specific style, time period or geographic location. The station's art and landscape components are intended to be the strongest mediums for community expression.

The Systemwide Station Design has been presented and discussed at public meetings for the Crenshaw/LAX, Regional Connector and Purple Line Extension projects. The systemwide approach was also the subject of articles in the Los Angeles Times, Metro's Source and other local publications.

For the most part, C/LAX stations conform. However, design changes are required at four at-grade stations to change elements at the platform area and the Florence/La Brea fare gate zone to ensure that the C/LAX project has the same "quality of design" as the upcoming emerging system and is more compliant with Board policy. The \$800,000 will not address all design changes for full compliance with the Systemwide Station Design, but will address inclusion of more durable materials and better integration of fare gate equipment at the La Brea station. Implementation of these changes after the C/LAX Transit Project is constructed would be cost prohibitive and disruptive to service.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on safety of our employees and/or patrons.

FINANCIAL IMPACT

Staff is requesting to add \$800,000 to the FY2016 Budget in Project 405556, Cost Center 4330 (Systemwide Planning) to cover the design costs associated with the changes. Since the funding is separate from the C/LAX budget, the life-of-project budget for the C/LAX Transit Project will not be impacted. Since this is a multi-year project, the Chief Planning Officer and Executive Director Engineering and Construction will be responsible for requesting funding in future years.

Impact to Budget

The source of funds for this modification is Propositions A and C and Transportation Development Act (TDA) Administration or Measure R Administration. These funds are not eligible for bus and rail capital and operations expenses.

NEXT STEPS

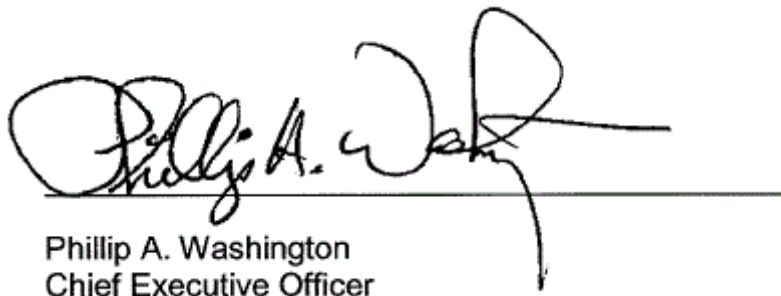
A request for rough order magnitude construction cost and schedule impact has been requested from the C/LAX project contractor in parallel with this action. Upon receipt of the rough order magnitude construction costs and potential schedule impacts, staff will determine if the C/LAX project can proceed with these changes without impacting the project schedule and whether the project can absorb the construction cost impacts using project contingency or if supplemental funding mechanisms are required.

ATTACHMENTS

Attachment A - Crenshaw/LAX Ticketing Area

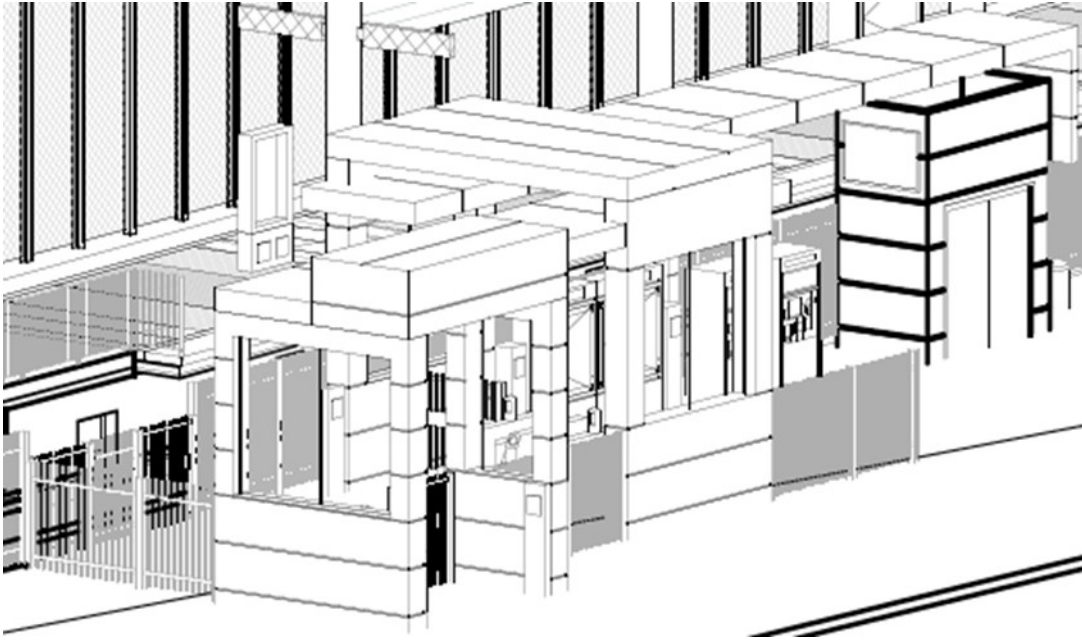
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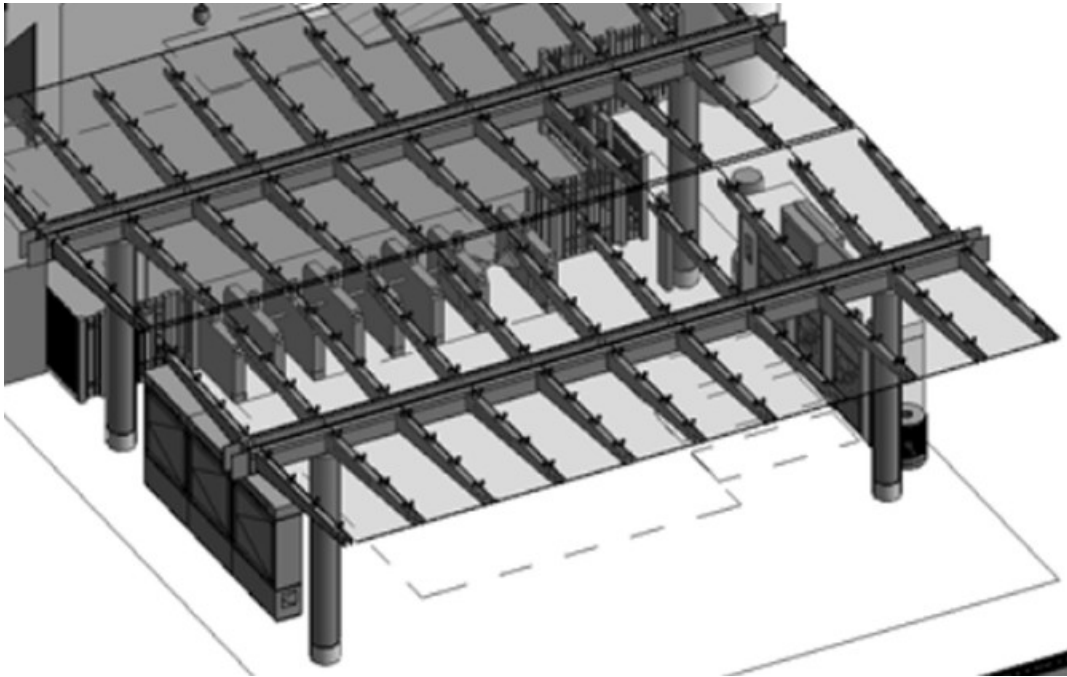


Phillip A. Washington
Chief Executive Officer

Attachment A
Crenshaw/LAX Plaza Ticketing Area



Current Florence/La Brea Ticketing Area Design



Current Aviation/Century Ticketing Area Design