

Metro

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



Agenda - Final

Thursday, October 25, 2018

9:30 AM

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

Board of Directors - Regular Board Meeting

*Sheila Kuehl, Chair
James Butts, Vice Chair
Eric Garcetti, 2nd Vice Chair
Kathryn Barger
Mike Bonin
Jacquelyn Dupont-Walker
John Fasana
Robert Garcia
Janice Hahn
Paul Krekorian
Ara Najarian
Mark Ridley-Thomas
Hilda Solis
Shirley Choate, non-voting member
Phillip A. Washington, Chief Executive Officer*

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

PUBLIC INPUT

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

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

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

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

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

CALL TO ORDER

ROLL CALL

1. APPROVE Consent Calendar Items: 2, 5, 8, *15, 16, 17, 18, 19, 25, *26, 31, 32, 33, 37, 38, 39, 40.

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. **SUBJECT: MINUTES** [2018-0673](#)

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held September 27, 2018.

Attachments: [September 27, 2018 RBM MINUTES](#)

AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0-1):

5. **SUBJECT: PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED) AND PLANS, SPECIFICATIONS AND ESTIMATES (PS&E) FOR I-605/VALLEY BOULEVARD INTERCHANGE IMPROVEMENTS PROJECT** [2018-0511](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to execute a 24-month, firm fixed price Contract No. AE51806000 with NCM Engineering Corporation in the amount of \$2,059,860 for Architectural & Engineering (A&E) services for the preparation of Project Approval and Environmental Document (PA&ED) and Plans, Specifications and Estimates (PS&E) for the I-605/Valley Boulevard Interchange Improvements Project, subject to resolution of protest(s), if any.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - DEOD Summary](#)

AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

8. **SUBJECT: NORTH COUNTY SUBREGIONAL REPROGRAMMING OF SURPLUS FUNDS FROM THE I-5/SR14 HOV DIRECT CONNECTOR PROJECT** [2018-0529](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING \$35.048 million of additional programming within the capacity of the Measure R 20% Highway funds saved at the completion of the I-5/SR-14 HOV direct connector project to be allocated to the following North County highway operational improvement projects (Attachment A):
1. Sierra Highway Traffic Signal Improvement Project in the amount of \$565,000;
 2. Vista Canyon Road Bridge between Soledad Canyon Road and Lost Canyon Road in the amount of \$20,000,000;
 3. Vista Canyon Transit Center and Metrolink Station in the amount of \$4,000,000;
 4. SR-138 (SR-14) Avenue K Interchange in the amount of \$9,297,500; and
 5. SR-138 Palmdale Blvd South Bound SR-14 Ramps in the amount of \$1,186,250;
- B. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for the approved projects.

Attachments: [Attachment A - Projects Location Map](#)
[Attachment B - I-5/SR-14 Interchange Subregional Reprogramming Projects](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

15. **SUBJECT: BUS C-FRAMES** [2018-0491](#)

RECOMMENDATION

CONSIDER:

- A. FINDING that the procurement of Bus C-Frames under Public Utilities Code (PUC) Section 130237, as an Original Equipment Manufacturer

(OEM) item, constitutes a single source procurement method for the purpose of duplicating equipment already in use; and

- B. AUTHORIZING the Chief Executive Officer to award a single source two-year, Indefinite Delivery, Indefinite Quantity Contract No. MA53981000 to The Aftermarket Parts Company, LLC (New Flyer Parts) for C-Frames Left Hand (LH) and Right Hand (RH). The Contract first year base amount is \$653,889, inclusive of sales tax, and the second year Contract amount is \$653,889, inclusive of sales tax for a total Contract Not-to-Exceed value of \$1,307,778.

(REQUIRES 2/3 VOTE OF THE BOARD)

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 16. **SUBJECT: BUS OPERATOR SEAT ASSEMBLIES** [2018-0570](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA54977000 to The Aftermarket Parts Company, LLC (New Flyer Parts), the lowest responsive and responsible bidder for bus operator seat assemblies. The award is for a base year not-to-exceed amount of \$692,806, inclusive of sales tax, and a one year option for a not-to-exceed amount of \$713,590, inclusive of sales tax, for a total not-to-exceed contract value of \$1,406,397, subject to resolution of protest(s), if any.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 17. **SUBJECT: BUS ENGINE IGNITION CONTROL MODULES** [2018-0572](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA44849-2000 to Cummins Incorporated the lowest responsive and responsible bidder for bus engine ignition control modules. The award is for a Base year not-to-exceed \$678,866, inclusive of sales taxes, and a one year Option for a not-to-exceed amount of \$694,369, inclusive of sales tax, for a total not-to-exceed contract

value of \$1,373,235, subject to resolution of protest(s), if any.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 18. SUBJECT: TRANSIT OPERATIONS SUPERVISORS UNIFORM - [2018-0578](#)**
 BUS/RAIL

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. AWARD a five-year, firm fixed unit rate Contract No. PS113404000 to Becnel Uniforms, Inc. to provide uniforms for Bus and Rail Transit Operations Supervisors (TOS), in an amount not-to-exceed \$819,773 for the three-year base term and \$400,000 for one, two year option, for a combined total not-to-exceed amount of \$1,219,773 effective January 1, 2019, subject to resolution of protest(s), if any; and

- B. AWARD a five-year, firm fixed unit rate Contract No. PS113405000 to LA Uniforms and Tailoring to provide uniforms for Bus and Rail Transit Operations Supervisors (TOS), in an amount not-to-exceed \$221,602 for the three-year base period and \$100,000 for one, two year option, for a combined total not-to-exceed amount of \$321,602 effective January 1, 2019, subject to resolution of protest(s), if any.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 19. SUBJECT: METRO RED LINE (MRL) UNINTERRUPTIBLE POWER [2018-0579](#)**
 SUPPLY (UPS) BATTERIES

RECOMMENDATION

CONSIDER:

- A. ESTABLISHING two contract agreements solicited as Request for Information and Qualification (RFIQ) No. OP44570-2 with M.C. Dean, Incorporated and Skyler Electric Company, Incorporated for goods and services for amount of \$2,244,000 for a two year base period and \$1,000,000 for three one year options for a total not-to-exceed cumulative value of \$3,244,000, subject to resolution of protest(s), if any;

- B. AUTHORIZING the CEO to award Task Orders to qualified UPS Battery suppliers under the approved not-to-exceed cumulative total value of \$3,244,000; and
- C. AUTHORIZING the CEO to add additional qualified Uninterruptible Power Supply (UPS) Battery suppliers to the Bench subject to each potential supplier meeting the same RFIQ evaluation criteria qualifications; and award Task Orders to these qualified suppliers within the approved not-to-exceed cumulative total value of \$3,244,000.

Attachments: [Attachment A- Expenditure Plan](#)
 [Attachment B- Procurement Summary](#)
 [Attachment C - DEOD Summary](#)

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

25. SUBJECT: TELEPHONE SYSTEM MAINTENANCE [2018-0609](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed price Contract No. PS51796000 for telephone system maintenance, service, and repair to Scottel Voice & Data, Inc., dba Black Box Network Services, for a not-to-exceed amount of \$1,521,764 for the three-year base period effective November 1, 2018, plus \$1,037,075 for the first two-year option, and \$1,058,899 for the second two-year option, inclusive of sales tax, for a combined total not-to-exceed amount of \$3,617,738, subject to resolution of protest(s), if any.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

26. SUBJECT: DIVISION 21 MIDWAY YARD, MAIN SHOP, BLOWDOWN MODIFICATION [2018-0576](#)

RECOMMENDATION

CONSIDER:

- A. FINDING that awarding a design-build contract pursuant to Public Utilities Code Section 130242(a) will achieve certain private sector efficiencies in the integration of design, project work, and components related to real property renovation, improvements, and construction work for Project 204094, Division 21 Midway Yard, Main Shop, Blowdown Modification;

and

(REQUIRES A 2/3 VOTE OF THE BOARD)

B. AUTHORIZING the Chief Executive Officer to solicit and award low bid design-build contracts for renovations, improvements, and construction for Division 21 Midway Yard, Main Shop, Blowdown Modification, pursuant to Public Utilities Code Section 130242.

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

**31. SUBJECT: RAIL OPERATIONS CENTER TRANSIT PASSENGER
INFORMATION SYSTEM**

[2018-0531](#)

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to award Contract No. OP111922000 for the Crenshaw/LAX Rail Operations Center (ROC) Transit Passenger Information System (TPIS) to B&C Transit, Inc. for an amount of \$719,950 for the Base Work; an amount of \$378,774 for the Regional Connector Option 1; an amount of \$378,774 for the Westside Purple Line Extension (WPLE) Segment-1 Option 2; an amount of \$100,274 for the WPLE Segment-2 Option-3; and an amount of \$100,274 for the WPLE Segment-3 Option-4, for a total firm fixed price contract amount of \$1,678,046, subject to resolution of any properly submitted protest, if any; and
- B. APPROVING Contract Modification Authority in the amount of \$500,000 and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority for potential change orders and cost increase associated with the contract extended period.

Attachments: [Attachment A - Procurement Summary R5](#)
[Attachment B - DEOD Summary.pdf](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

**32. SUBJECT: DIVISION 20 PORTAL WIDENING AND TURNBACK
FACILITY**

[2018-0588](#)

RECOMMENDATION

CONSIDER:

- A. CERTIFYING the Final Environmental Impact Report (FEIR);

-
- B. AUTHORIZING the Chief Executive Officer (CEO) to file a Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse;
 - C. ADOPTING the:
 - 1. Findings of Fact and Statement of Overriding Considerations (FF/SOC) in accordance with the California Environmental Quality Act (CEQA); and
 - 2. Mitigation Monitoring and Reporting Plan (MMRP).

Attachments: [Attachment A - Findings of Fact and Statement of Overriding Considerations.pdf](#)
[Attachment B - Mitigation Monitoring and Reporting Plan](#)
[Attachment C – Notice of Determination](#)
[Attachment D – Project Map](#)
[Attachment E – Public Engagement Summary Report](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):

- 33. SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 2 PROJECT** [2018-0364](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute a Memorandum of Agreement (MOA) with the City of Beverly Hills (City) to accommodate construction of the Wilshire/Rodeo Station, contingent upon execution of a settlement agreement.

Attachments: [MOA with CBH Purple Line Section 2 10 12 18 \(4\)](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (6-0):

- 37. SUBJECT: FEDERAL LEGISLATION** [2018-0653](#)

RECOMMENDATION

ADOPT staff recommended position:

- A. House Resolution 5857 (DeFazio) - Stop Sexual Assault And Harassment In Transportation Act **SUPPORT**

Attachments: [Attachment A - HR 5857 \(DeFazio\) FINAL](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (6-0):

38. SUBJECT: MOBILITY ON DEMAND PILOT PROJECT

[2018-0355](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute a twelve-month sole source contract to NoMad Transit LLC in an amount not-to-exceed \$2,506,410, inclusive of sales tax, to operate a first and last mile(s) transportation network company pilot service to/from the North Hollywood, Artesia, and El Monte stations, with the option to renew for an additional one year at a baseline amount of \$2,506,410, to be negotiated based on the information and data analysis collected during the initial twelve-month pilot period for a total amount of \$5,012,820.

Attachments: [Attachment A - Procurement Summary MOD](#)
[Attachment B - DEOD Summary](#)
[Attachment C - Catchment Areas Map](#)
[Presentation](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (6-0):

39. SUBJECT: METRO TRANSPORTATION SCHOOL

[2018-0606](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING the programming of up to \$2.875 Million in FY21, \$3.631 Million in FY22, \$4.494 Million in FY23, and \$5 Million annually from FY 24 through FY35 (cumulatively, up to ~~\$75~~ \$71 Million over 15 Fiscal Years), to support the operations of Los Angeles County's first transportation infrastructure school; and

- B. AUTHORIZING the Chief Executive Officer or his designee to negotiate and execute a Funding Agreement for the transportation infrastructure school with the County of Los Angeles.

Attachments: [Attachment A - Motion #43](#)
[Attachment B - The SEED School of Los Angeles County](#)
[Attachment C - Transportation School FAQ](#)
[Attachment D - External Stakeholders](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION

(5-0):

40. SUBJECT: FREE TRANSIT SERVICE ON ELECTION DAY

[2018-0687](#)

RECOMMENDATION

APPROVE MOTION by Garcetti, Kuehl, Ridley-Thomas and Garcia that the Board direct the CEO to:

- A. provide transit services free of fare on the November 6, 2018 election day;
- B. partner with Access Services to examine providing enhanced and/or reduced-fare services on the November 6, 2018 election day; and
- C. in consultation with the Los Angeles County Registrar-Recorder/County Clerk, report back to the Board by the February 2019 cycle on whether or not to make free transit permanent on federal and statewide election days.

NON-CONSENT

3. SUBJECT: REMARKS BY THE CHAIR

[2018-0701](#)

RECOMMENDATION

RECEIVE remarks by the **Chair**.

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER

[2018-0700](#)

RECOMMENDATION

RECEIVE report by the **Chief Executive Officer**.

AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE MADE THE FOLLOWING RECOMMENDATION AS AMENDED (4-0):

**9. SUBJECT: MEASURE R HIGHWAY SUBREGIONAL PROGRAM
SEMI-ANNUAL UPDATE**

[2018-0530](#)

RECOMMENDATION

CONSIDER:

- A. APPROVING \$41.3 million of additional programming within the capacity of the Measure R Highway Subregional Programs and funding changes via the updated project list, as shown in Attachment A for:

- Highway Operational Improvements in Arroyo Verdugo
 - Highway Operational Improvement in Las Virgenes Malibu
 - I-405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay)
 - I-605 Corridor “Hot Spots” Interchange Improvements in Gateway Cities
 - I-710 South and/or Early Action Projects in Gateway Cities
- B. APPROVING time extension for 20 projects as shown in Attachment B;
- C. DEOBLIGATING \$4.4 million of previously approved measure R Highway Subregional Program funds;
- D. DELEGATING to the Chief Executive Officer (CEO) or his designee the authority to deobligate/reprogram funds and administratively extend funding agreement lapse dates for Measure R Highway Subregional project agreements to meet design, right of way and construction time frames; and
- E. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for approved projects.

Attachments: [Attachment A - Projects Rec. Measure R](#)
 [Attachment B - Time Extensions List.pdf](#)

9.1 SUBJECT: COUNTYWIDE SOUNDWALL PROGRAM

[2018-0702](#)

RECOMMENDATION

APPROVE Amending Motion by Barger and Najarian as amended by Solis that:

- A. \$3.288 million be allocated to this project from the Call for Projects Reserve Fund, and;
- B. The CEO direct staff to analyze the existing Countywide Soundwall Program, phases I & II, in coordination with appropriate local and state agencies, and report back to the board in 120 days on available options to fund and construct the remaining soundwalls, including a short term plan for completion of phase I and a long term plan for implementation of phase II; and
- C. Metro will proactively seek and exhaust all resources and explore other funding opportunities, including, but not limited to, any funding that may

become available from the sales of Caltrans-owned surplus properties related to the I-710 Corridor as well as Federal, State, and Regional resources to reimburse the Call for Projects Reserve Fund.

12. SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2

[2018-0303](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 18 to Contract No. PS4320-2003 with CDM Smith/AECOM Joint Venture (JV) Technical Services, Inc. for the Eastside Transit Corridor Phase 2 Project to complete the reinitiated environmental clearance study, in the amount of \$7,847,298, increasing the total current contract value from \$19,048,725 to \$26,896,023;
- B. INCREASE in Contract Modification Authority (CMA) specific to Contract No. PS4320-2003, for the Eastside Transit Corridor Phase 2 Project, in the amount of \$784,000, increasing the total CMA amount from \$2,532,711 to \$3,316,711, due to the complexity of the environmental study effort and authorize the CEO to execute individual contract modifications within the Board-approved CMA;
- C. AWARD and execute a 36-month firm fixed price Contract No. AE51242000 with Cordoba HNTB Design Partners, Inc. in an amount not to exceed \$16,154,225 to provide the advanced conceptual engineering (ACE) design and urban design services for the Eastside Transit Corridor Phase 2 Project for work in support of the reinitiated environmental clearance study, subject to resolution of protest(s), if any; and
- D. APPROVE Contract Modification Authority specific to Contract No. AE51242000 in the amount of \$3,230,845 due to the complexity of the engineering and urban design effort and authorize the CEO to execute individual contract modifications within the Board-approved CMA.

Attachments: [Attachment A-1 Procurement Summary](#)
 [Attachment A-2 Procurement Summary](#)
 [Attachment B Contract Modification Log](#)
 [Attachment C-1 - DEOD Summary.docx](#)
 [Attachment C-2 - DEOD Summary.docx](#)
 [Attachment D Project Area Map](#)
 [Presentation](#)

13. SUBJECT: BUS RAPID TRANSIT VISION AND PRINCIPLES STUDY

[2018-0470](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD AND EXECUTE a 28-month firm fixed price Contract No. PS53553000 to Sutra Research and Analytics, in the amount of \$1,210,607 to complete the Bus Rapid Transit (BRT) Vision and Principles Study, with an optional task to analyze candidate corridors in the amount of \$611,185, for a total contract amount of \$1,821,792, subject to resolution of protest(s), if any; and
- B. APPROVE Contract Modification Authority (CMA) specific to Contract No. PS53553000 in the amount of \$273,269 to account for the complexity of the countywide effort and anticipated level of coordination.

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)
 [Presentation](#)

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE FORWARDED THE FOLLOWING DUE TO ABSENCES AND CONFLICTS:

14. SUBJECT: ARTICULATED ZERO EMISSION TRANSIT BUSES

[2018-0488](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 3 to Contract No. OP28367-001, Part D, awarded to New Flyer of America, for the acquisition of sixty foot Zero Emission Buses (ZEB), to upgrade and increase the onboard bus battery capacity in the firm fixed price amount of \$2,792,074, for a total contract amount of \$70,970,417; and
- B. NEGOTIATE AND EXECUTE with New Flyer of America future contract modifications to Contract No. OP28367-001, Part D, for a not to exceed amount of \$1,000,000 for each contract modification.

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

21. SUBJECT: ORAL REPORT ON OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE

[2018-0509](#)

RECOMMENDATION

RECEIVE oral report on System Safety, Security and Operations.

Attachments: [Presentation](#)

21.1 SUBJECT: CLEANLINESS MOTION

[2018-0704](#)

RECOMMENDATION

APPROVE Motion by Garcia, Hahn, Ridley-Thomas and Bonin to direct the CEO to report back to the Board in January 2019 on the following:

- A. A review of current cleanliness measures and recommendations for possible improvements, with any associated costs if applicable, with full consideration of customer expectations;
- B. Proposed coordinative efforts to help address cleanliness on non-Metro property, along Metro-owned rights-of-way and adjacent to Metro bus rapid transit and rail stations, including graffiti abatement and trash pick-up;
- C. Recommendations for improved coordination among Metro departments that are responsible for components of the customer experience at Metro bus rapid transit and rail stations, including cleanliness; and
- D. Recommendations for improved coordination with other public agencies with oversight over non-Metro property along Metro-owned rights-of-way and adjacent to Metro bus rapid transit and rail stations.

CARRIED OVER FROM SEPTEMBER BOARD DUE TO ABSENCES AND CONFLICTS:

42. SUBJECT: GROUP INSURANCE PLANS

[2018-0525](#)

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to renew existing group insurance policies covering Non-Contract and AFSCME employees for the one-year period beginning January 1, 2019 as outlined in Attachment A.

Attachments: [Attachment A - Monthly Premium Rates](#)
[Attachment B - Monthly Employee Contributions](#)

43. SUBJECT: PURPLE LINE WESTSIDE SUBWAY EXTENSION TRANSIT PROJECT SECTION 2

[2018-0689](#)

RECOMMENDATION

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolutions of Necessity; and
- B. ADOPTING the Resolutions of Necessity (Attachment B) authorizing the commencement of an eminent domain action to acquire a subsurface easement in the properties identified as Parcels: W-3301 (APN: 4328-014-005); W-3302 (APN: 4328-009-003); W-3303 (APN: 4328-009-023); W-3304 (APN: 4328-009-043); W-3402 (APN: 4328-008-002); W-3405 (APN: 4328-008-029 through 4328-008-048); W-3408 (APN: 4328-08-014); W-3503* (APN: 4328-007-107 through 4328-007-110); W-3504* (APN 4328-007-017); W-3505* (APN 4328-005-001).

*These parcels were previously included in the Resolutions of Necessity presented to the Board at its September 27, 2018 meeting. However, two-thirds of the Board was not present at the time of the vote and the item did not pass.

(REQUIRES 2/3 VOTE OF THE BOARD)

Attachments: [Attachment A - Staff Report](#)
 [Attachment B - Resolutions of Necessity](#)

44. SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

[2018-0677](#)

RECOMMENDATION

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolution of Necessity; and
- B. ADOPTING a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire fee simple interest in the property identified as Parcel RM-10 (APN 8069-003-008).

(REQUIRES 2/3 VOTE OF THE BOARD)

Attachments: [Attachment A- Staff Report](#)
 [Attachment B- Resolution of Necessity](#)

END OF NON-CONSENT ITEMS

45. SUBJECT: CLOSED SESSION

[2018-0699](#)

- A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1)
City of Beverly Hills v. LACMTA, USDC Case No. CV-18-3891-GW(SSx)

- B. Public Employee Performance Evaluation - G.C. 54957(b)(1)
Titles: CEO, General Counsel, Board Secretary, Inspector General; and Chief Ethics Officer

- C. Conference with Real Property Negotiator - G.C. 54956.8
 - 1. Property Description: 2029-2049 Century Park East, Los Angeles, CA
Agency Negotiator: Velma C. Marshall
Negotiating Party: One Hundred Towers, LLC
Under Negotiation: Terms and Price

 - 2. Property Description: 1950 Century Park East, Los Angeles, CA
Agency Negotiator: Velma C. Marshall
Negotiating Party: Automobile Club of Southern California
Under Negotiation: Terms and Price

SUBJECT: GENERAL PUBLIC COMMENT

[2018-0698](#)

RECEIVE General Public Comment

GENERAL PUBLIC COMMENT

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

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

Adjournment



Board Report

File #: 2018-0673, **File Type:** Minutes

Agenda Number: 2.

**REGULAR BOARD MEETING
OCTOBER 25, 2018**

SUBJECT: MINUTES

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held September 27, 2018.

Metro

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



MINUTES

Thursday, September 27, 2018

9:30 AM

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

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

Sheila Kuehl, Chair
James Butts, Vice Chair
Eric Garcetti, 2nd Vice Chair
Kathryn Barger
Mike Bonin
Jacquelyn Dupont-Walker
John Fasana
Janice Hahn
Paul Krekorian
Ara Najarian
Mark Ridley-Thomas
Hilda Solis
Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER: 9:34 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 6, 9, 14, 15, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 31, 35, 36, 37, 38, 40, 41, 42, 43, and 44.

Consent Calendar items were approved by one motion except for 14, 17, and 42 which were held by a Director for discussion and/or separate action.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	Y	Y	Y	Y	A	Y	Y	A	Y	A

2. **SUBJECT: MINUTES** 2018-0502

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held July 26, 2018.

3. **SUBJECT: REPORT BY THE CHAIR** 2018-0632

RECEIVED report by the Chair.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
P	P	P	P	P	P	P	P	P	P	A	P	A

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** 2018-0633

RECEIVED report by the Chief Executive Officer.

- Letter from Solis, Hahn, and Garcetti.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
P	P	P	A	P	P	P	P	P	P	P	P	A

PK = P. Krekorian	HS = H. Solis	KB = K. Barger	RG = R. Garcia
JF = J. Fasana	JB = J. Butts	JDW = J. Dupont-Walker	
JH = J. Hahn	EG = E. Garcetti	MRT = M. Ridley-Thomas	
MB = M. Bonin	SK = S. Kuehl	AN = A. Najarian	

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

4.1 SUBJECT: MOTION BY SOLIS, GARCETTI, HAHN, AND BUTTS

2018-0655

APPROVED Motion by Solis, Garcetti, Hahn, and Butts as amended THAT the Board direct the CEO to:

- A. Adopt and approve as policy and priority the 28 by 2028 initiative;
- B. Develop and report back on a 28 by 2028 financial and funding plan with details on the following:
 - 1. Cash flow requirements;
 - 2. Operations and State of Good Repair costs;
 - 3. Public Private Partnership project assumptions;
 - 4. State and Federal funding assumptions;
 - 5. Potential Impact on Fares
- ~~C. Develop an amendment to the Measure M Ordinance and Expenditure Plan to advance the "Schedule of Funds Available" dates for the accelerated transit and highway projects to comply with the 28 by 2028 schedule; and~~
- D. Report with an update to the above by the December 2018 Board meeting and report back with the full 28 by 2028 financial plan and policy for Board consideration in February 2019.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	A

5. SUBJECT: I-5 NORTH CAPACITY ENHANCEMENTS FROM SR-134 TO 2018-0510 SR-118

AUTHORIZED ON CONSENT CALENDAR Contract Modification No. 168 (CCO 168) by the California Department of Transportation (Caltrans) for the construction contract of Segment 2 of the I-5 North Capacity Enhancements Project from SR-134 to SR-118 (Project) under Funding Agreement No. MOU.P0008355/8501A/A7, in the amount of \$11 million within the overall corridor LOP budget.

6. **SUBJECT: PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED) AND PLANS, SPECIFICATIONS AND ESTIMATES (PS&E) FOR EASTBOUND SR-91 ATLANTIC AVENUE TO CHERRY AVENUE AUXILIARY LANE IMPROVEMENT PROJECT** **2018-0515**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to execute a two-year, firm fixed price Contract No. AE5302500 with TRC Solutions, Inc. in the amount of \$7,394,536 for Architectural and Engineering (A&E) services for the preparation of a Project Approval and Environmental Document (PA&ED) and Plans, Specifications and Estimates (PS&E) for EB SR-91 Atlantic Avenue to Cherry Avenue Auxiliary Lane Improvement Project, subject to resolution of protest(s), if any.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
		C	C					C				

7. **SUBJECT: GROUP INSURANCE PLANS** **2018-0525**

CARRIED OVER TO OCTOBER BOARD DUE TO ABSENCES AND CONFLICTS authorizing the Chief Executive Officer to renew existing group insurance policies covering Non-Contract and AFSCME employees for the one-year period beginning January 1, 2019 as outlined in Attachment A.

8. **SUBJECT: LICENSE AGREEMENT WITH CLEAR CHANNEL OUTDOOR FOR CONSTRUCTION AND OPERATION OF A DIGITAL BILLBOARD ON METRO PROPERTY** **2017-0670**

AUTHORIZED the CEO to execute a license agreement with Clear Channel Outdoor for a digital billboard on Metro Parcel 7406-026-915 for a term of thirty years upon commencement with guaranteed revenue of \$4,365,000.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
A	Y	Y	A	Y	Y	C	Y	A	Y	C	Y	A

9. SUBJECT: CONSOLIDATED AUDIT FOR FISCAL YEARS 2016-20 2018-0480

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 3 to Contract No. PS4489300, with Simpson and Simpson, CPA's for Package B of the Fiscal Years (FY) 2016-2020 to provide financial and compliance Measure M audits in the amount of \$324,060 increasing the contract value from \$3,897,330 to \$4,221,390.

11. SUBJECT: EXPO/CRENSHAW STATION JOINT DEVELOPMENT PROJECT 2018-0140

AUTHORIZED AS AMENDED (BY 11.1) the Chief Executive Officer (CEO) to execute an Exclusive Negotiation Agreement and Planning Document (ENA) with Watt Companies, doing business as WIP-A, LLC (Developer) and the County of Los Angeles (County) for the development of 1.77 acres of Metro-owned property and 1.66 acres of County-owned property at the Expo/Crenshaw Station (Site).

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	C	A	Y	Y	Y	C	A	Y	C	Y	A

11.1 SUBJECT: AMENDING MOTION BY DUPONT-WALKER

APPROVED amending **Motion by Dupont-Walker AS AMENDED by Butts** THAT the Board direct the CEO to:

- A. Approve ENA for a period not to exceed 12 14 months, including continued outreach in the community, and report back on these results in the most transparent way possible.
- B. In order to consider an extension to the ENA after 12 14 months, the developer shall demonstrate the following: any decision and changes in partnership roles, contracting and vendor outreach, balance between market and affordable housing, range of affordability for retail leasing, commercial/retail selection criteria, local hire policy for permanent positions, and other factors referenced in the community meetings.
- C. Provide an update of the above by the March 2019 Board meeting
- D. Report the final results, as described above, which includes all benefits to Metro (including terms of ground lease) and penalties for non-performance by the ~~September~~ November 2019 Board meeting.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	C	A	Y	Y	Y	C	A	Y	C	Y	A

14. SUBJECT: GREEN LINE EXTENSION TO TORRANCE

2018-0317

APPROVED:

- A. RECEIVING AND FILING the Green Line Extension to Torrance Supplemental Alternative Analysis (SAA) Report; and
- B. AUTHORIZING the CEO to carry forward the following two build alternatives (modified):
 - 1. Alternative 1: Metro right-of-way (ROW) and overcrossing, without a station at Manhattan/Inglewood
 - 2. Alternative 3: Hawthorne to 190th Street, without a station at Hawthorne/166th Street; and
- C. AUTHORIZING the CEO to initiate the Draft Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) for the two build alternatives as modified.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
A	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	A

15. SUBJECT: INGLEWOOD FIRST/LAST MILE PLAN 2018-0407

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. EXECUTE Modification No. 3 to Contract No. PS45023000 with Here Design Studio, LLC, to provide consultant services to develop a funding plan for the Aviation/96th St. station in the amount of \$15,769, increasing the total contract value from \$307,864 to \$323,633; and
- B. INCREASE Contract Modification Authority (CMA) specific to Contract No. PS45023000 in the amount of \$100,000, increasing the CMA amount from \$100,000 to \$200,000, in support of additional services related to the Project.

16. SUBJECT: OPEN STREETS GRANT PROGRAM

2018-0410

APPROVED:

- A. AWARDING \$4 million to 15 new Open Streets events scheduled through December 2020 (Attachment B-1);
- B. REPROGRAMMING \$447,000 from two cancellations of Open Street Cycle Two events, Meet the Hollywoods and Burbank on the Boulevard, towards Cycle Three; and
- C. AMENDING the award amount of the lowest scored event application (Paramount & Bellflower Open Streets Neighborhood Connectivity Event) to \$161,000 per Cycle Three Application and Guidelines (Attachment C).

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
A	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	A

16.1 SUBJECT: MOTION BY HAHN, GARCIA, AND DUPONT-WALKER

2018-0642

APPROVED OPEN STREETS GRANT PROGRAM MOTION THAT THE CEO:

- A. report back to the Board in 120 days with potential strategies and methods that Metro may employ in future Open Streets funding processes in order to ensure resources are spread across a wider geographical area, such as examining the impact of the current maximum grant allocation and coordinating with Councils of Governments and other cross-jurisdictional entities to assist with grant-writing for smaller, more disadvantaged cities;
- B. create a “mini-cycle” in FY2020 of Open Street Grant applications that is open to communities that have not received funding from the Cycle 3 Grants, with a focus on regional equity; and
- C. identify potential funding sources, including Prop C 25%, of up to \$1 million for the “mini-cycle” Open Streets event applications.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
A	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	A

**17. SUBJECT: PROGRAMMING FOR FEDERALLY MANDATED
PARATRANSIT SERVICES**

2018-0478

APPROVED:

- A. the programming of \$281.5 million in federal Surface Transportation Block Grant Program (STBGP) funds for Access Services as shown in Attachment A for Fiscal Years (FY) 2020 through FY 2023; and
- B. AUTHORIZING the Chief Executive Officer to negotiate and execute funding agreements between Metro and Access Services.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	Y	Y	Y	Y	A	A	Y	A	Y	A

18. SUBJECT: BUS ENGINE CYLINDER HEAD ASSEMBLIES

2018-0484

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA49128000 to Cummins Inc., for bus engine cylinder head assemblies. The Contract first year base amount is \$834,968, inclusive of sales tax, and the second year Contract amount is \$855,843, inclusive of sales tax, for a total contract value of \$1,690,811.

19. SUBJECT: BUS ENGINE IGNITION COILS

2018-0496

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA48849-2000 to Cummins Inc. for bus engine ignition coils with a first year base contract amount of \$678,129, inclusive of sales tax, and a second year contract amount of \$695,106, inclusive of sales tax, for a total contract value of \$1,373,235, subject to resolution of protest(s), if any.

**20. SUBJECT: A650 STATIC CONVERTER LOW VOLTAGE POWER
SUPPLY (LVPS) ASSEMBLY (OPTION-BUY FLEET)**

2018-0503

AWARDED ON CONSENT CALENDAR a 60-month indefinite quantity/indefinite delivery Contract No. MA48386000 to Knorr-Bremse PowerTech to overhaul up to 42 Static Converter LVPS Assemblies for the A650 Option Rail Vehicle for a not-to-exceed amount of \$1,308,394, subject to resolution of protest(s), if any.

22.1 SUBJECT: SECURE BIKE PARKING AT METRO STATIONS

2018-0637

APPROVED Motion by Bonin, Solis, and Garcia directing the CEO to:

- A. inventory existing secure bike parking facilities;
- B. assess demand for additional secure bike parking, including wait lists for bike lockers, utilization of existing bike racks, reports of bike theft, and the availability of alternative first/last mile options, such as bike share;
- C. evaluate alternative rental models for bike lockers used by other transit agencies, including hourly or daily rentals;
- D. identify high-demand locations that could be good candidates for future Bike Hubs;
- E. evaluate interim steps that can be taken to deter theft at existing bike parking, such as lighting, surveillance cameras, targeted enforcement, etc.; and
- F. report back to the Board with the above information in February 2019.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
A	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	A

23. SUBJECT: BUS SAFETY TECHNOLOGY DEMONSTRATION

2018-0046

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a sole source Contract No. PS111340000 to New Flyer of America Inc. in the amount of \$1,191,500 to furnish and install a collision avoidance and mitigation technology system on forty (40) Metro transit buses.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
			C									

**24. SUBJECT: DOOR ENABLE SYSTEM (CORRECT SIDE DOOR 2018-0483
OPENING PROJECT)**

RECOMMENDATION

APPROVED ON CONSENT CALENDAR:

- A. FINDING that awarding a design-build contract pursuant to Public Utilities Code Section 130242(b) will achieve for Metro certain private sector efficiencies through the integration of design, project work and components at Metro rail facilities and in Metro light rail vehicles in Los Angeles County as defined by the project listed in Attachment A. Approval requires a two-thirds affirmative vote;
- B. ADOPTING the use of the design-build process pursuant to Public Utilities Code Section 130242 et seq. will result in a reduction in project costs and expedite project completion. Approval requires a two-thirds affirmative vote; and
- C. AUTHORIZING the Chief Executive Officer to solicit a design-build contract for design and construction of the project listed in Attachment A pursuant to Public Utilities Code Section 130242 (a), (c), (d) and (e).

25. SUBJECT: A650-2015, HEAVY RAIL VEHICLE OVERHAUL AND CRITICAL COMPONENT REPLACEMENT PROGRAM 2018-0486

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Contract Modification No. 2 to Contract No. A650-2015, with Talgo Inc. for the Heavy Rail Vehicle Overhaul and Critical Component Replacement Program (OCCRP), for the design and installation of an on-board Mist Fire Suppression System (MFSS) on 74 A650 Heavy Rail Vehicles (HRV) in the firm-fixed price amount of \$10,355,000 for a total contract value not-to-exceed \$83,325,494. The inclusion of the MFSS into the OCCRP will extend the period of performance by eight months.

26. SUBJECT: P3010, LIGHT RAIL VEHICLE PROCUREMENT CONTRACT 2018-0489

APPROVED ON CONSENT CALENDAR Modification No. 36 to Contract No. P3010 with Kinkisharyo International LLC to reduce the existing 100% performance bond requirements for Contract deliverables to realize a project savings of \$4,386,957, decreasing the total Contract value from \$926,142,679 to \$921,755,722. The Contract decrease does not affect the Life of Project Budget.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
								C				

27. SUBJECT: MEMBERSHIP ON METRO SERVICE COUNCILS 2018-0495

APPROVED ON CONSENT CALENDAR nominee for membership on Metro's Service Councils (Attachment A).

28. SUBJECT: RAIL EMERGENCY RESPONSE UNIT CONTRACT 2018-0497

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a firm fixed price Contract No. OP51822000 with Brandt Group, Road Rail Division, the lowest responsive and responsible bidder, for one (1) Rail Emergency Response Unit in the amount of \$1,429,680 inclusive of sales tax, subject to resolution of protest(s), if any.

29. SUBJECT: A650 TRACTION GEAR UNIT OVERHAUL (OPTION-BUY FLEET) 2018-0504

AWARDED ON CONSENT CALENDAR a 74-month indefinite delivery/indefinite quantity Contract No. MA47351000 for the overhaul of up to 296 traction gear units for 74 Breda A650 Option Rail Vehicles to ORX, for a not-to-exceed amount of \$4,925,746, subject to resolution of protest, if any.

31. SUBJECT: COPY CENTER EQUIPMENT AND SERVICES 2018-0523

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year Contract No. PS110638000 to Canon Solutions America Inc. for Copy Center and Design Studio equipment and services in an amount not-to-exceed \$1,590,568, inclusive of sales taxes; subject to the resolution of protest(s), if any.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
		C				C		C				

34. SUBJECT: MATERIALS VERIFICATION TESTING AND INSPECTION SERVICES 2018-0391

AUTHORIZED the Chief Executive Officer to:

- A. AWARD AND EXECUTE a cost plus fixed fee Contract No. PS46817 to Ninyo & Moore for materials verification testing and inspection services with a base period of seven years for an amount not-to-exceed \$12,000,000, plus three one-year options; and

(Item 34 – continued from previous page)

B. EXECUTE individual Task Orders and changes within the Board approved not-to-exceed amount.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
A	Y	C	A	Y	Y	Y	C	A	Y	Y	Y	A

35. SUBJECT: CITY OF LOS ANGELES FY19 ANNUAL WORK PLAN APPROVAL 2018-0533

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute an annual expenditure budget plan in the amount of ~~\$37,920,890~~ \$37,930,890 for the FY19 Annual Work Plan for the City of Los Angeles.

36. SUBJECT: THE BLOC/METRO CONNECTION JOINT DEVELOPMENT 2018-0542

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to:

- A. authorize staff to execute the Settlement Agreement;
- B. INCREASE the Life of Project Budget for The Bloc/Metro Connection Joint Development by \$270,000, increasing the Life of Project from \$4,650,000 to \$4,920,000; and
- C. AMEND the FY19 annual budget by \$270,000.

37. SUBJECT: FOOTHILL GOLD LINE EXTENSION PHASE 2B 2018-0556

AUTHORIZED ON CONSENT CALENDAR Amendment No. 1 for the Funding Agreement between the Foothill Gold Line Extension Construction Authority ("Authority") and the Los Angeles County Metropolitan Transportation Authority ("Metro") to reflect award of Cap & Trade Funding in the amount of \$290,200,000 and to increase the Measure M 3% Local Funding Commitment estimate from \$33,000,000 to \$36,161,067.

38. SUBJECT: CUSTOMER CODE OF CONDUCT AMENDMENTS - TRANSIT COURT 2018-0561

APPROVED ON CONSENT CALENDAR amendment of Title 6, Chapter 6-05 of the Los Angeles County Metropolitan Transportation Authority ("Metro") Administrative Code (the "Code"), otherwise known as the Metro Customer Code of Conduct, as set forth in Attachment A. The amended Code will become effective October 1, 2018.

40. SUBJECT: METRO TRANSPORTATION SCHOOL

2018-0358

APPROVED ON CONSENT CALENDAR:

- A. RECEIVING AND FILING the Final Feasibility Report for the Metro Transportation School;
- B. AMENDING the FY19 budget with up to \$1,000,000 for predevelopment activities associated with the school site;
- C. AUTHORIZING the Chief Executive Officer to execute Modification No. 3 to Contract No. PS45385000 with cause/IMPACTS LLC for additional support services for the Transportation School Consulting Services contract in the amount of \$200,709, increasing the total contract value from \$402,530 to \$603,239 and extending the contract period of performance by 12 months; and
- D. INCREASING Contract Modification Authority (CMA) specific to Contract No. PS45385000 in the amount of \$100,000 increasing the total authorized CMA amount from \$100,000 to \$200,000.

41. SUBJECT: DISADVANTAGED AND SMALL BUSINESS ENTERPRISE CERTIFICATION SERVICES 2018-0534

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

- A. AWARD task order based bench Contract Nos. PS51863000 through PS51863002 to the firms listed below to provide disadvantaged and small business enterprise certification services for a four-year base term in an amount not to exceed \$1,997,880, with two, one-year options, each in an amount not to exceed \$499,470, for a total not to exceed amount of \$2,996,820, subject to resolution of protest(s), if any. The following firms are recommended for award:
 - 1. Gail Charles Consulting Services, LLC
 - 2. HSW Services, Inc.
 - 3. Small Business Enterprise Utilization Services
- B. EXECUTE individual task orders under these Contracts for disadvantaged and small business enterprise certification services in a total amount not-to-exceed \$2,996,820; and
- C. award contracts to additional qualified firms throughout the term of this Contract to assist in the performance of this work.

42. SUBJECT: TRANSIT LINE OPERATIONAL NAMING CONVENTION 2018-0577

DIRECTED the Chief Executive Officer to return to the December 2018 Board meeting with a recommendation on a Transit Line Operational Naming Convention, including an implementation plan, and cost estimate.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	A	Y	Y	A	Y	A	Y	A

43. SUBJECT: RAYMER TO BERNSON DOUBLE TRACK PROJECT UPDATE 2018-0591

AUTHORIZED ON CONSENT CALENDAR the CEO to support the State’s intention to reprogram \$74 million from Raymer to Bernson Double Track and suspend the project.

44. SUBJECT: METRO BIKE SHARE PROGRAM 2018-0479

APPROVED ON CONSENT CALENDAR:

- A. RECEIVING AND FILING report on the status of performance of the new fare structure for the Metro Bike Share Program and potential integration with other Bike Share programs in Los Angeles County, and
- B. DIRECTING the CEO to complete an evaluation of the feasibility of continuing the Metro Bike Share Program after 12 months of performance data under the new fare structure authorized in May 2018.

45. SUBJECT: PASADENA SUBDIVISION SHARED USE AGREEMENT FOR THE GOLD LINE FOOTHILL EXTENSION PHASE 2B 2018-0399

AUTHORIZED the Chief Executive Officer to execute an amendment to the Pasadena Subdivision Shared Use Agreement (SUA) with BNSF Railway Company (“BNSF”) for the Gold Line Foothill Extension Phase 2B Project (Attachment A).

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	C	A	Y	Y	Y	C	A	Y	Y	Y	A

46. SUBJECT: CONSULTING SERVICES FOR BUS CONTRACTS - PROJECT CONTROL SUPPORT

2017-0810

AWARDED a cost plus fixed fee Contract No. PS50321 for consulting services for bus contracts, and project control support to Capitol Government Contract Specialists (Capitol GCS), in the not-to-exceed amount of \$1,884,286, for a period of up to 30 months from issuance of a Notice-to-Proceed (NTP), in support of the current bus acquisition contracts, subject to resolution of protest(s), if any.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	S	A	Y	Y	C	C	A	Y	Y	Y	A

47. SUBJECT: PLANS, SPECIFICATIONS AND ESTIMATES (PS&E) FOR SR-57/SR-60 INTERCHANGE IMPROVEMENTS

2018-0238

AUTHORIZED the Chief Executive Officer (CEO) to execute a three-year, firm fixed price Contract No. AE51890000 to WKE, Inc. in the amount of \$21,771,625 for Architectural and Engineering (A&E) services for the preparation of Plans, Specifications and Estimates (PS&E) for SR-57/SR-60 Interchange Improvements, subject to resolution of protest(s), if any.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	C	A	Y	Y	Y	C	Y	Y	C	C	A

48. SUBJECT: CONSTRUCTION MANAGEMENT SUPPORT SERVICES FOR METRO RAIL PROJECTS

2018-0244

AUTHORIZED:

- A. an increase to the total authorized funding for Contract No. PS601830026445 with Destination Enterprises, Inc., for pending and future task orders to provide Construction Management Support Services (CMSS), in an amount not to exceed \$6,123,000 increasing the total contract value from \$3,000,000 to \$9,123,000; and
- B. the Chief Executive Officer to execute individual Task Orders (TOs) and Contract Modifications within the Board approved contract funding amount.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	C	Y	Y	C	A	Y	Y	Y	A

**49. SUBJECT: TECHNICAL CONSULTANT FOR ZERO EMISSION BUS 2017-0782
(ZEB) PROGRAM MASTER PLAN**

APPROVED:

- A. AWARDING a cost plus fixed fee Contract No. PS51220 to ZEBGO Partners, JV for technical consultant services for the Zero Emission Bus (ZEB) Program Master Plan, in the not-to-exceed amount of \$7,139,376 for a period of performance of up to 21 months from issuance of a Notice-to-Proceed (NTP), subject to resolution of protest(s), if any; and
- B. AMENDING the FY19 budget by \$6,111,500 for anticipated contract expenses.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	Y	Y	C	A	Y	Y	Y	A

50. SUBJECT: CRENSHAW NORTHERN EXTENSION PROJECT 2018-0589

AUTHORIZED:

- A. the preparation of an Advanced Alternatives Screening Study with further engineering design, initiation of the procurement process for a Project Environmental Impact Report (EIR) with additional studies to facilitate subsequent National Environmental Quality Act (NEPA) review, conducting public/stakeholder engagement and supporting the City of West Hollywood in preparing a Funding and Delivery Strategic Plan, with all work efforts subject to subsequent funding appropriations by the Board of Directors; and
- B. the Chief Executive Officer to increase Contract Modification Authority (CMA) specific to Task Order No. PS4686900 with AECOM Technical Services, Inc. in the amount of \$400,000, increasing the CMA amount from \$100,000 to \$500,000, for the Advanced Alternatives Screening Study.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	Y	A	Y	Y	Y	A	Y	A	Y	A

51. SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 2

2018-0559

FAILED to:

- A. HOLD a public hearing on proposed Resolutions of Necessity (Attachment B); and
- B. ADOPT Resolutions of Necessity authorizing the commencement of eminent domain actions to acquire subsurface easements in the properties identified as Parcels W-3404 (APN 4328-008-050 through 4328-008-053); W-3501 (APN 4328-007-020); W-3503 (APN: 4328-007-107, 4328-007-108, 4328-007-109, and 4328-007-110); W-3504 (APN 4328-007-017); and W-3505 (APN 4328-005-001) (hereinafter the "Property").

(REQUIRED 2/3 VOTE BY THE BOARD)

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	A	A	Y	A	Y	Y	A	Y	A	Y	A

52. SUBJECT: CLOSED SESSION

2018-0634

CLOSED SESSION:

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

- 1. Isidra Corrales, et al v. LACMTA, et al., LASC Case No. BC630760

APPROVED settlement in the amount of \$1 million.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	A	Y	Y	A	Y	A	Y	A

- 2. Maria Cuaron v. LACMTA, LASC Case No. BC643187

APPROVED settlement in the amount of \$360,000.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	A	Y	Y	A	Y	A	Y	A

(continued on next page)

(Item 52 – continued on next page)

3. City of Beverly Hills v. LACMTA, USDC Case No. CV-18-3891
-GW(SSx)

NO REPORT.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	A	Y	Y	A	Y	A	Y	A

- B. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9(d)(2)

Significant Exposure to Litigation (One Case)

NO REPORT.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	A	Y	Y	A	Y	A	Y	A

- C. Conference with Real Property Negotiator - G.C. 54956.8

1. Property Description: 2029-2049 Century Park East, Los Angeles, CA
Agency Negotiator: Velma C. Marshall
Negotiating Party: Brian X. Okrent
Under Negotiation: Terms and Price

CARRIED OVER due to absences and conflicts.

2. Property Description: 6101 Wilshire Boulevard, Los Angeles, CA
Agency Negotiator: Velma C. Marshall
Negotiating Party: Jesse Allan
Under Negotiation: Terms and Price

APPROVED settlement in the amount of \$1,640,000.

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	A	Y	Y	A	Y	A	Y	A

(continued on next page)

(Item 52 – continued from previous page)

3. Property Description: 2848 E. 208th Street, Long Beach, CA
90810
Agency Negotiator: John T. Potts
Negotiating Party: Nick Martin
Under Negotiation: Terms and Price

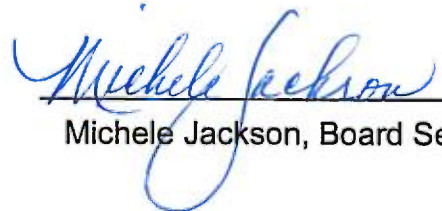
APPROVED settlement in the amount of \$1.2 million

PK	JF	JH	MB	HS	JB	SK	EG	KB	JDW	MRT	AN	RG
Y	Y	Y	A	Y	A	Y	Y	A	Y	A	Y	A

RECEIVED General Public Comment

ADJOURNED in memory of Eric Barnes at 2:19 p.m.

Prepared by: Eric Chun
Administrative Analyst, Board Administration


Michele Jackson, Board Secretary

**Board Report**

File #: 2018-0511, **File Type:** Contract**Agenda Number:** 5.

**AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE
OCTOBER 17, 2018****SUBJECT: PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED) AND PLANS,
SPECIFICATIONS AND ESTIMATES (PS&E) FOR I-605/VALLEY BOULEVARD
INTERCHANGE IMPROVEMENTS PROJECT****ACTION: APPROVE PROFESSIONAL SERVICES CONTRACT****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to execute a 24-month, firm fixed price Contract No. AE51806000 with NCM Engineering Corporation in the amount of \$2,059,860 for Architectural & Engineering (A&E) services for the preparation of Project Approval and Environmental Document (PA&ED) and Plans, Specifications and Estimates (PS&E) for the I-605/Valley Boulevard Interchange Improvements Project, subject to resolution of protest(s), if any.

ISSUE

Metro, in collaboration with Caltrans District 7, the Gateway Cities Council of Governments (GCCOG), and the San Gabriel Valley Council of Governments (SGVCOG), is advancing the development and implementation of the I-605/Valley Boulevard Interchange Improvements Project (the Project) to alleviate operational deficiencies and improve mobility and safety at this location, consistent with the goals and recommendations of the SR-91/I-605/I-405 Hot Spots Program.

BACKGROUND

The I-605 is a major north-south regional Interstate Freeway in Los Angeles County used for interregional travel and goods movement. The I-605/Valley Boulevard interchange experiences significant congestion, heavy truck traffic and operational deficiencies that are forecast to increase and exacerbate existing traffic conditions without planned improvements.

The Project will reconfigure the I-605/Valley Boulevard interchange on-and-off ramps to reduce congestion and improve freeway and local interchange operations and safety. This project has been identified as a subregional priority project by Metro, Caltrans, GCCOG, and SGVCOG.

DISCUSSION

The Metro Board designated \$590 million in Measure R funds for the “Hot Spots” congestion relief

improvements along the I-605, SR-91 and I-405 Corridors in the Gateway Cities sub-region. In March 2013, Metro completed a feasibility study of the corridors to identify congestion “Hot Spots” and develop preliminary improvement concepts. The I-605/Valley Boulevard Interchange Improvement Project is one of the “Hot Spot” or “Early Action” Projects being pursued to improve mobility along the I-605 Corridor.

Metro completed a Project Study Report-Project Development Support (PSR-PDS) for the I-605 and SR-60 Interchange that was approved by Caltrans in December 2015. The PSR-PDS is an initial scoping and resourcing document that identifies transportation deficiencies, major elements that should be investigated, and the resources needed to complete the environmental and preliminary engineering phase. While Metro/Caltrans are preparing a corridor-level PA&ED for the I-605 between the I-105 and the I-10, smaller scale “Early Action” projects like the I-605/Valley Boulevard Interchange Improvement Project have been identified and are being advanced independently.

Caltrans is the lead agency responsible for compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). Metro will be responsible for completion of the PA&ED and PS&E for the Project. Upon completion of this phase by 2020, the Project will be ready for construction.

DETERMINATION OF SAFETY IMPACT

The proposed action has no adverse impact on safety of Metro’s patrons, employees or users of these facilities.

FINANCIAL IMPACT

For FY19, \$1,000,000 has been budgeted in Highway Program Cost Center 4730, under I-605/Valley Boulevard Interchange Improvement Project No. 460348, Task Nos. 5.2.100 and 5.3.100, Professional Services Account No. 50316.

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

Impact to Budget

The source of funds will be Measure R Highway Capital (20%) Funds. These funds are not eligible for bus and rail operations and/or capital expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed project is consistent with the following Metro Vision 2028 Strategic Plan Goals:

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling by alleviating the current operational deficiencies and improving mobility along the mainline and the I-605/Valley Boulevard interchange.

Goal 2: Transform LA County through regional collaboration by partnering with Caltrans, GCCOG, SGVCOG, City of Industry and LA County to identify needed improvements and taking the lead in the developing and implementing the Project.

ALTERNATIVES CONSIDERED

The Board may elect not to award the Contract. However, this alternative is not recommended because this Project is included in the Measure R and Measure M Expenditure Plans, and reflects general consensus on the importance of the Project in improving corridor mobility and safety. Approval to proceed with contract award to complete the pre-construction phases of the project is consistent with the goals of Measure R.

NEXT STEPS

Upon Board approval, staff will execute Contract No. AE51806000 to prepare the PA&ED and PS&E for the I-605/Valley Boulevard Interchange Improvements Project.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

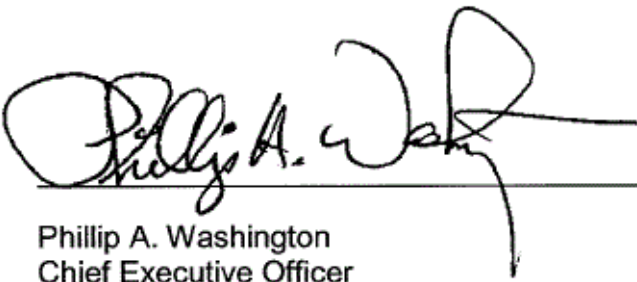
Prepared by: Michelle Smith, Sr. Director, Countywide Planning (213) 922-3057

Abdollah Ansari, Sr. Executive Officer, Construction & Engineering (213) 922-4781

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

Reviewed by: Richard F. Clarke, Chief Program Management Officer (213) 922-7557

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



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**PA/ED and PS&E FOR I-605/VALLEY BOULEVARD INTERCHANGE
IMPROVEMENTS PROJECT/AE51806000**

1.	Contract Number: AE51806000	
2.	Recommended Vendor: NCM Engineering Corporation	
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: March 7, 2018	
	B. Advertised/Publicized: March 7, 2018	
	C. Pre-Proposal Conference: March 12, 2018	
	D. Proposals Due: April 2, 2018	
	E. Pre-Qualification Completed: June 25, 2018	
	F. Conflict of Interest Form Submitted to Ethics: April 12, 2018	
	G. Protest Period End Date: October 22, 2018	
5.	Solicitations Picked up/Downloaded: 81	Bids/Proposals Received: 7
6.	Contract Administrator: David Chia	Telephone Number: (213) 922-1064
7.	Project Manager: Michelle Smith	Telephone Number: (213) 922-3057

A. Procurement Background

This Board Action is to approve Contract No. AE51806000 issued in support of the Project Approval/Environmental Document (PA/ED) and Plans, Specifications and Estimate (PS&E) for construction of the Interstate 605 (I-605) and Valley Boulevard Interchange Improvements. Board approval of contract awards are subject to resolution of any properly submitted protest.

The Request for Proposals (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is firm fixed price. The RFP was a Small Business Prime (set-aside) solicitation that was open to Metro Certified Small Businesses only.

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

- Amendment No. 1, issued on March 13, 2018, extended the proposal due date from March 19, 2018 to April 2, 2018.
- Amendment No. 2, issued on March 23, 2018, updated the Statement of Work and associated attachments.
- Amendment No. 3, issued on March 29, 2018, updated the Submittal Requirements.

A pre-proposal conference was held on March 12, 2018, and was attended by 29 participants representing 20 companies. There were 25 questions asked and responses were released prior to the proposal due date.

A total of 81 firms downloaded the RFP and were registered on the planholders' list. A total of seven proposals were received on April 2, 2018.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET), consisting of Metro staff from the Highway Programs department and one external transportation expert from the California Department of Transportation (Caltrans), convened and a comprehensive technical evaluation of the proposals was conducted.

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

- | | |
|---|------------|
| • Firm/Team Qualifications | 25 percent |
| • Project Manager, Key Staff & Subconsultant Qualifications | 25 percent |
| • Project Understanding & Approach | 30 percent |
| • Work Plan | 20 percent |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architectural-and-Engineering (A&E) highway improvement procurements. Several factors were considered when developing these weights, giving the greatest importance to the proposer's project understanding and approach.

This is an A&E, qualifications based procurement; therefore, price cannot be used as an evaluation factor pursuant to state and federal law.

During the period from April 4, 2018 through April 26, 2018, the PET completed its independent evaluation of all proposals received. Three firms, listed in alphabetical order below, were determined to be within the competitive range:

1. Advanced Civil Technologies (ACT)
2. ADVANTEC Consulting Engineers, Inc. (Advantec)
3. NCM Engineering Corporation (NCM)

The remaining firms were determined to be outside the competitive range and were not included for further consideration.

On April 26, 2018, oral presentations were held with the three firms within the competitive range. At each firm's interview, project managers and key team members discussed what differentiated their firm from others and elaborated on their proposed designs.

All firms also responded to the PET's questions. They responded to questions inquiring about critical environmental issues, resolving stakeholder conflicts, project area impacts, schedule delays, and their preferred alternative design.

Qualifications Summary of Recommended Firm:

NCM Engineering Corporation

NCM is an engineering firm that specializes in transportation infrastructure projects. Its expertise includes roads, highways, freeways, bridges, and related highway and railroad structures.

NCM presented a well-qualified team that demonstrated substantial experience in relevant PA/ED and PS&E projects. The team's project experience includes the I-605/I-5 Interchange Improvements PA/ED, I-605/I-5 Interchange Improvements PSR-PDS, I-605/SR 60 Interchange Improvements PA/ED, I-605/SR 60 Interchange Improvements PSR-PDS, I-605/SR 91 Interchange Improvements PA/ED, and SR 91/I-605/I-405 Congestion Hot Spots Feasibility Report.

NCM demonstrated substantial understanding of project requirements. It detailed project issues that included operational deficiencies, tight turn radiuses, double right turn destinations, unbalanced traffic volumes, short weaving lengths, tight spacing, environmentally sensitive areas, accident rates, pedestrian and cyclist safety, railroad crossings and crossovers, and unsafe driver behavior.

NCM's preferred design included innovative features that included free-flow nonstop right turns, additional on-ramp lanes, raised medians, additional turn lanes, sidewalk removals, ramp widening, and ramp lengthening. Four separate site maps in each direction were provided to highlight the benefits of the features. Additional site maps were provided to illustrate the proposed enhancements.

NCM elaborated on its risk management strategy. A risk matrix would be used to track project issues. A detailed 90-day plan would be developed to jumpstart the project.

Final scoring determined that NCM is the highest qualified firm. Set forth below is a summary of the scores in order of rank:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	NCM Engineering Corporation				
3	Firm/Team Qualifications	79.73	25.00%	19.93	
4	Project Manager, Key Staff & Subcontractor Qualifications	83.33	25.00%	20.83	

5	Project Understanding & Approach	89.67	30.00%	26.90	
6	Work Plan	87.67	20.00%	17.53	
7	Total		100.00%	85.19	1
8	Advanced Civil Technologies				
9	Firm/Team Qualifications	80.40	25.00%	20.10	
10	Project Manager, Key Staff & Subcontractor Qualifications	75.33	25.00%	18.83	
11	Project Understanding & Approach	75.33	30.00%	22.60	
12	Work Plan	76.67	20.00%	15.33	
13	Total		100.00%	76.86	2
14	ADVANTEC Consulting Engineers, Inc.				
15	Firm/Team Qualifications	73.20	25.00%	18.30	
16	Project Manager, Key Staff & Subcontractor Qualifications	74.13	25.00%	18.53	
17	Project Understanding & Approach	81.33	30.00%	24.40	
18	Work Plan	61.00	20.00%	12.20	
19	Total		100.00%	73.43	3

C. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate, cost analysis, technical analysis, fact finding, and negotiations. Significant cost savings resulted primarily from a reduction in project management services and environmental tasks.

Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
NCM Engineering Corporation	\$3,724,545.24	\$2,970,840	\$2,059,860

D. Background on Recommended Contractor

The recommended firm, NCM, is a transportation engineering firm composed of a highly qualified group of engineers who have delivered an array of large scale highway projects throughout Southern California. These projects include the I-605/I-5 Interchange Improvements PA/ED, Caltrans On-Call Highway Design, Project Development and Construction Services for Districts 6, 9 and 10, I-805 North HOV/BRT Design-Build in San Diego, I-15 Mira Mesa/Scripps Ranch Direct Access Ramps in San Diego, I-15 Express Lanes Design-Build in Riverside County, and Union Station/Patsaouras Plaza Busway Design-Build.

The proposed project manager possesses 31 years of highway engineering management experience that includes delivery of the PA/ED and PS&E for the I-15/Duncan Canyon Interchange, PA/ED and PS&E for the I-10/Riverside Avenue Interchange, PA/ED and PS&E for the I-15/Mojave Drive Interchange, PA/ED for the I-10/Cherry Avenue Interchange, PA/ED for the I-10/Citrus Avenue Interchange, PA/ED for the I-215 Bi-County HOV Lane Gap Closure, and PS&E for the I-215 Segment 1 and Segment 2 Widening and Reconstruction. Key personnel possess a combined experience spanning over 100 years.

DEOD SUMMARY

**PA/ED and PS&E FOR I-605/VALLEY BOULEVARD INTERCHANGE
IMPROVEMENTS PROJECT/AE51806000**

A. Small Business Participation

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

NCM Engineering Corporation, an SBE Prime, is performing 35.56% of the work with its own workforce and made a total SBE commitment of 64.84%. The prime also listed six (6) SBE firms, GPA Consulting, Intueor Consulting, Inc., Guida Surveying, Inc., Optitrans, Arellano Associates, and Epic Land Solutions, Inc.; and four (4) non-SBE firms, WKE, Inc., Group Delta Consultants, AZTEC Engineering Group, and Wilson & Company, Inc., as subcontractors on this project.

SMALL BUSINESS PRIME (SET-ASIDE)

	SBE Contractors	SBE % Committed
1.	NCM Engineering Corporation (Prime)	35.56%
2.	GPA Consulting	7.90%
3.	Intueor Consulting, Inc.	8.36%
4.	Guida Surveying, Inc.	6.72%
5.	Arellano Associates	0.49%
6.	Optitrans	4.41%
7.	Epic Land Solutions, Inc.	1.40%
	Total Commitment	64.84%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0529, File Type: Program

Agenda Number: 8.

AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE OCTOBER 17, 2018

**SUBJECT: NORTH COUNTY SUBREGIONAL REPROGRAMMING OF SURPLUS FUNDS
FROM THE I-5/SR14 HOV DIRECT CONNECTOR PROJECT**

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

CONSIDER:

A. APPROVING \$35.048 million of additional programming within the capacity of the Measure R 20% Highway funds saved at the completion of the I-5/SR-14 HOV direct connector project to be allocated to the following North County highway operational improvement projects (Attachment A):

1. Sierra Highway Traffic Signal Improvement Project in the amount of \$565,000;
2. Vista Canyon Road Bridge between Soledad Canyon Road and Lost Canyon Road in the amount of \$20,000,000;
3. Vista Canyon Transit Center and Metrolink Station in the amount of \$4,000,000;
4. SR-138 (SR-14) Avenue K Interchange in the amount of \$9,297,500; and
5. SR-138 Palmdale Blvd South Bound SR-14 Ramps in the amount of \$1,186,250;

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

ISSUE

On July 19, 2017, the Metro Board of Directors certified the completion of the I-5/SR-14 HOV Direct Connector Project (#2017-0384). This action also authorized the release of \$85.8 million of unspent Measure R 20% highway funds from the project to other eligible highway operational improvements in the North County Subregion.

On May 24, 2018, the Metro Board of Directors approved \$50.046 million in Measure R 20% Highway Funds (#2018-0172) for 3 eligible projects in the North County Subregion for the Cities of

Lancaster and Palmdale and County of Los Angeles, leaving a balance of \$35.753 million.

This report recommends programming \$35.048 million of the remaining funds to other eligible projects in the North County Subregion.

BACKGROUND

As part of the 2008 Measure R half cent sales tax, Line 26 of the expenditure plan allocated \$90.8 million to the I-5/SR-14 HOV Capacity Enhancements. The project is complete and this action programs unspent Measure R Highway 20% funds to other eligible operational improvement projects in the North County Subregion.

DISCUSSION

The Measure R Ordinance (Ordinance) states that for projects completed without expending all Measure R funds, the surplus shall be credited to the Highway Capital Subfund and spent within the subregion in which the project is located. The Ordinance allocated \$90.8 million in Measure R 20% highway funding to the I-5/SR-14 HOV Capacity Enhancements project (Line 26 of the Measure R Expenditure Plan).

Caltrans substantially completed the I-5/SR-14 HOV direct connector project on December 23, 2012. The Metro Board determined the project was completed on July 19, 2017. At the completion of the project, there was a \$90.8 million surplus of Measure R 20% funds.

Caltrans and Southern California Edison determined that \$5 million would be needed to complete utility relocations and close-out the project. This resulted in a total of \$85.8 million of Measure R 20% funds available for reprogramming to the North County Subregion. The surplus can be spent on eligible highway operational improvement projects or programs of regional significance as described in the Ordinance.

Upon approval of this item, staff will move forward with the completion of funding agreements for the projects. The Cities of Santa Clarita, Lancaster, Palmdale and the County of Los Angeles have identified \$85.094 million worth of eligible projects. The project funding amounts and regional shares of the \$85.8 million is consistent with the information reviewed and provided by the subregion. Metro staff concurs with these projects.

Project Descriptions:

City of Santa Clarita - Sierra Highway Traffic Signal Improvement Project

The proposed project integrates traffic signals along Sierra Highway in Santa Clarita to the City's Intelligent Transportation System, providing coordinated signal timing along the arterial to improve traffic operations and reduce congestion. The project also includes various intersection improvements along Sierra Highway, including left-turn pocket extensions, restriping to provide additional lanes, and dynamic lane utilization technology.

City of Santa Clarita - Vista Canyon Road Bridge at Lost Canyon Road

The proposed project will provide a new bridge from Soledad Canyon Road at Lost Canyons Rd, over the Santa Clara River to the Vista Canyon Metrolink station. The project includes the Vista Canyon Bridge and associated intersection improvements including new traffic signals and extension of the existing westbound left-turn pocket to accommodate commuters and other users of the Vista Canyon Metrolink station. This project will provide commuters with an alternate to SR-14 when trying to access the Los Angeles Basin.

City of Santa Clarita - Vista Canyon Transit Center and Metrolink Station

The proposed project will design and construct a new Transit Center and Metrolink Station immediately adjacent to SR-14 near Soledad Canyon Road in the master planned Vista Canyon community. The new Transit Center will serve as the Santa Clarita Valley's major eastern transfer point for commuting passengers who need to access the Los Angeles Basin or the Antelope Valley destinations. The project includes street and roadway improvements, a park and ride lot and street signal improvements. The project will alleviate congestion along the I-5 and SR-14 freeways by providing commuters with an alternate mode of travel to access the Los Angeles basin. Measure R 20% Highway funds will be limited to eligible highway related elements of the planned Transit Center project.

City of Lancaster - SR138 (SR-14) Avenue K Interchange - MR330.02

The project will improve the northbound off ramps at Avenue K, and modify the SR-138 (SR-14) mainline to accommodate the new off ramp configuration and adjacent intersection impacted by the project. This project previously received \$15,000,000 in Measure R funds for the interchange improvements. The city has asked to program an additional \$9,297,500 due to the revised PAED cost estimates.

City of Palmdale - SR-138 Palmdale Blvd SB SR-14 Ramps - MR330.08

This project will improve the SR-138/Palmdale Blvd on and off-ramps, widen SR-14 to provide a new auxiliary lane on the freeway mainline, and modify SR-138/Palmdale Blvd to include double left-turn lanes, three westbound through lanes and other safety improvements. This project previously received \$25,000,000 in Measure R funds for the interchange improvements. The city has asked to program an additional \$1,186,250 due to revised project estimates.

DETERMINATION OF SAFETY IMPACT

Approval of this item will have no negative impact to the safety standards of Metro.

FINANCIAL IMPACT

Adoption of I-5/SR-14 Interchange Subregional Reprogramming initiates multi-year programming and expenditure of Measure R 20% funds starting in FY 19 based on the project schedule of development

and implementation of projects submitted by the four local jurisdictions (Attachment B). Prior Board action File # 2018-0172) programmed these surplus funds in 2030 to 2039. This item will advance the expenditures and potentially result in additional debt financing. Highway project staff will refine future cashflow needs for the recommendations and coordinate the financial impact mitigation as part of the agency's future debt planning. The amount of financing is mitigated due to the historically slower than expected rate of spending on other highway programs and projects.

The new North County Highway Operational Improvement Projects originated from surplus funds from the I-5/SR 14 HOV Direct Connector Project were not planned in the FY19 Budget. Upon approval of this recommendation, staff will use the approved FY19 Budget within Highway Program Cost Center 0442 to allocate \$560,000 for the FY19-projected Sierra Highway Traffic Signal Improvements project in the City of Santa Clarita, and establish a new program/project number to track expenditures on all the projects programmed under Measure R Line 26. No increase to the FY19 budget is required at this time. Measure R 20% Highway funds allocated to the Vista Canyon Transit Center and Metrolink Station project shall only be utilized for the highway fund eligible aspects of the project workscope.

Since this is a multi-year program, the Project Manager, the Cost Center Manager, and the Senior Executive Office, Program Management- Highway Program will be responsible for budgeting costs in future fiscal years.

Impact to Budget

The source of funds for this recommendation is Measure R 20% Highway Funds, which is not eligible for bus and rail operating expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

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

Goal 4: Transform LA County through regional collaboration by partnering with the North County Subregions to identify the needed improvements and take the lead in development and implementation of the project.

ALTERNATIVES CONSIDERED

The Board could elect to not approve staff's recommended actions. This alternative is not recommend as the staff recommendation is consistent with the Board's prior decisions and actions and the projects to be funded will be eligible to receive the funds.

NEXT STEPS

Upon Board approval, staff will initiate the funding agreement process to allow for delivery of the recipient projects and will continue to coordinate with the jurisdictions in the subregion for the remaining \$700,000 unprogrammed amount.

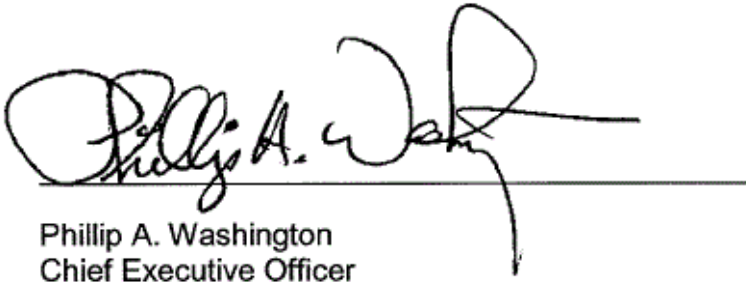
ATTACHMENT

Attachment A - Projects Location Map

Attachment B - I-5/SR-14 Interchange Subregional Reprogramming Projects

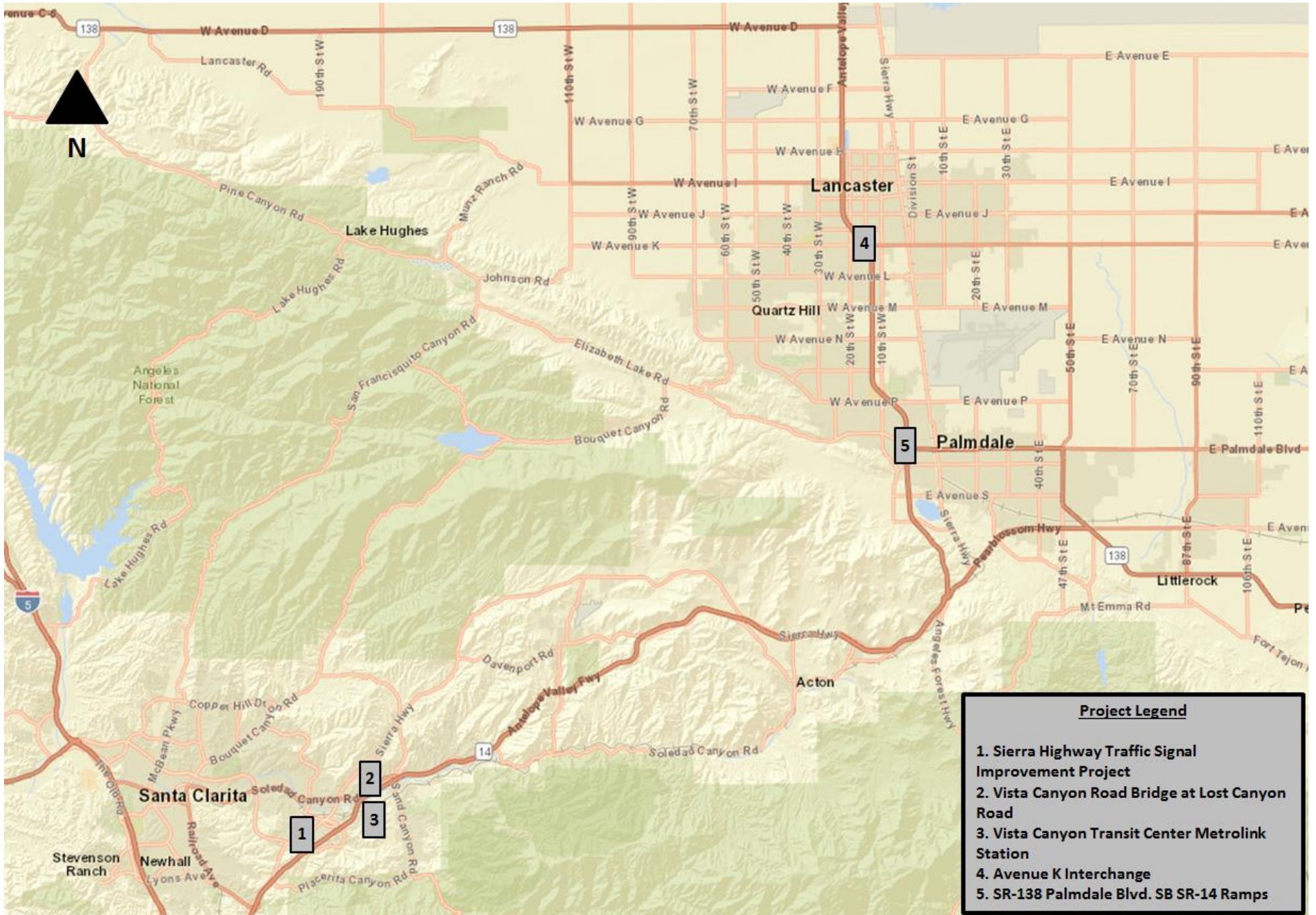
Prepared by: Isidro Panuco, Manager Transportation Planning, (213) 418-3208
Abdollah Ansari, Sr. Executive Office, (213) 922-4781

Reviewed by: Richard F. Clarke, Chief Program Management Officer, (213) 922-7557



Phillip A. Washington
Chief Executive Officer

Attachment A – Projects Location Map



I-5/SR-14 Interchange Subregional Reprogramming Projects

Measure R Highway Operational Improvements														
<i>(Dollars in Thousands)</i>														
Lead Agency	Fund Agr (FA) No.	Project/Location	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY19	FY20	FY21	FY22	FY23	FY24	
Measure R Line 26: I-5/ St. Route 14 Capacity Enhancements														
LANCASTER	MR330.06	SR-138 (SR-14) Avenue M Interchange		12,446.2	-	12,446.2				5,046.2	7,400.00			
LANCASTER	MR330.02	SR-138 (SR-14) Avenue K Interchange	Add	0.0	9,297.5	9,297.5			4,000.0	5,297.5				
TOTAL LANCASTER				12,446.2	9,297.5	21,743.7			4,000.00	10,343.70	7,400.00	-	-	
LA COUNTY		The Old Road - Magic Mountain Parkway to Turnberry Lane		25,000.0	-	25,000.0				1,000.00	6,000.00	7,000.00	11,000.00	
TOTAL LA COUNTY				25,000.0	-	25,000.0			-	-	1,000.00	6,000.00	7,000.00	11,000.00
PALMDALE	MR330.09	State Route 138 (SR-14), 10 th Street West Widening / Interchange Project		12,600.0		12,600.0			3,000.0	9,600.0				
PALMDALE	MR330.08	SR-138 Palmdale Blvd SB 14 Ramps	Add	-	1,186.2	1,186.2			1,186.2					
TOTAL PALMDALE				12,600.0	1,186.2	13,786.2	-	-	4,186.2	9,600.0	-	-	-	
SANTA CLARITA		Sierra Highway Traffic Signal Improvements	Add	-	565.0	565.0		565.0						
SANTA CLARITA		Vista Canyon Road Bridge at Lost Canyon Road	Add	-	20,000.0	20,000.0			4,000.0	8,000.0	8,000.00			
SANTA CLARITA		Vista Canyon MetroLink Station	Add	-	4,000.0	4,000.0			2,000.0	2,000.0				
TOTAL SANTA CLARITA					24,565.0	24,565.0		565.0	6,000.0	10,000.0	8,000.00			
Total Measure R Line 26: I-5 / St. Route 14 Capacity Enhancements				50,046.2	35,048.7	85,094.9	-	565.0	14,186.2	30,943.7	21,400.0	7,000.0	11,000.0	



Board Report

File #: 2018-0491, File Type: Contract

Agenda Number: 15.

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE OCTOBER 18, 2018

SUBJECT: BUS C-FRAMES

ACTION: AWARD CONTRACT

RECOMMENDATION

CONSIDER:

- A. FINDING that the procurement of Bus C-Frames under Public Utilities Code (PUC) Section 130237, as an Original Equipment Manufacturer (OEM) item, constitutes a single source procurement method for the purpose of duplicating equipment already in use; and
- B. AUTHORIZING the Chief Executive Officer to award a single source two-year, Indefinite Delivery, Indefinite Quantity Contract No. MA53981000 to The Aftermarket Parts Company, LLC (New Flyer Parts) for C-Frames Left Hand (LH) and Right Hand (RH). The Contract first year base amount is \$653,889, inclusive of sales tax, and the second year Contract amount is \$653,889, inclusive of sales tax for a total Contract Not-to-Exceed value of \$1,307,778.

(REQUIRES 2/3 VOTE OF THE BOARD)

ISSUE

This procurement is for the acquisition of bus C-Frames which are required for maintaining the safe and reliable operation of the bus fleet. Award of this Contract will ensure that Bus Maintenance has adequate inventory to repair and maintain buses according to Metro maintenance standards.

BACKGROUND

The component usage reports from Material Management revealed that on an annual basis approximately 130 left-hand and 125 right-hand C-Frame assemblies were issued to Bus Maintenance to support replacement of these components that were damaged during normal operation. The C-Frame assemblies are installed by Metro Mechanics at the Central Maintenance Shops as a part of the Bus Midlife Program and at all bus operating divisions when necessary. Buses cannot operate without C-Frames that are in adequate operating condition.

DISCUSSION

The C-Frames are being replaced during the Bus Midlife Overhaul Project on the 45' composite NABI buses. There is a C-Frame on the right hand-side and left-hand side of the bus that supports the rear drive axle and body of the bus. C-Frame cracks or damage requires that buses be removed from service in accordance with Metro Maintenance Standards and North American Out-of-Service Criteria, which are the guidelines used by the California Highway Patrol (CHP) to inspect our bus fleet during the annual bus operating division inspections.

The Contract to be awarded is a "requirements type" agreement in which we commit to order only from the awardee, up to the specified quantity for a specific duration of time, but there is no obligation or commitment for us to order any or all of the C-Frames that may currently be anticipated. The bid quantities are estimates only, with deliveries to be ordered and released as required. The Diversity and Economic Opportunity Department (DEOD) did not establish a Small Business Enterprise (SBE) goal for this solicitation due to the lack of subcontracting opportunities. The purchased C-Frame assemblies are installed by Metro Mechanics.

C-Frames will be purchased and maintained in inventory and managed by Material Management. As C-Frames are issued, the appropriate budget project numbers and accounts will be charged.

DETERMINATION OF SAFETY IMPACT

Award of contract will ensure that all operating divisions have an adequate inventory to maintain the equipment according to Metro Maintenance standards.

FINANCIAL IMPACT

The funding of \$653,889 for these assemblies is included in the FY19 budget under account 50441, Parts - Revenue Vehicle within multiple bus operating cost centers in project 306002 Operations Maintenance and in the Central Maintenance cost center 3366, under project 203024 Midlife Project.

Since this is a multi-year contract, the cost center manager and Chief Operations Officer will be accountable for budgeting the cost in future fiscal years including any option exercised.

Impact to Budget

The current source of funds for this action are Federal section 5339 and Proposition C 40% local matching. This funding source currently maximizes allowable project fund allocations given approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goal: Deliver outstanding trip experiences for all users of the transportation system. This project will help maintain safety and reliability standards in an effort to provide a world-class transportation system that enhances quality of life for all who live, work, and play within LA County.

ALTERNATIVES CONSIDERED

The alternative is to not award the contract and procure C-Frames on the open market on an as-needed basis. This approach is not recommended since it does not provide a commitment from the supplier to ensure availability and price stability.

NEXT STEPS

Metro's requirements for C-Frames will be fulfilled under the provisions of the Contract.

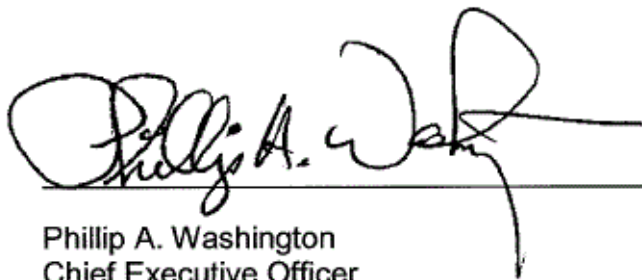
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: James D. Pachan, Superintendent of Maintenance, (213) 922-5804

Reviewed by: Debra Avila, Chief, Vendor/Contract Management (213) 922-6383
James T. Gallagher, Chief Operations Officer (213) 418-3108



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

BUS C-FRAMES LH AND RH/MA53981000

1.	Contract Number: MA53981000	
2.	Recommended Vendor: The Aftermarket Parts Company, LLC (New Flyer Parts), 3229 Sawmill Parkway, Delaware, OH 43015	
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: 6/8/18	
	B. Advertised/Publicized: N/A Sole Source	
	C. Pre-proposal/Pre-Bid Conference: N/A	
	D. Proposals/Bids Due: 7/10/18	
	E. Pre-Qualification Completed: 7/30/18	
	F. Conflict of Interest Form Submitted to Ethics: 7/30/18	
	G. Protest Period End Date: 10/19/18	
5.	Solicitations Picked up/Downloaded: 0	Bids/Proposals Received: 1
6.	Contract Administrator: Tanya Allen	Telephone Number: 213/922-1018
7.	Project Manager: Alex DiNuzzo	Telephone Number: 213/922-5860

A. Procurement Background

This Board Action is to approve Contract No. MA53981 in support of the procurement for C-Frames left hand (LH) and right hand (RH).

The RFP for a sole source was issued to the Original Equipment Manufacturer (OEM) The Aftermarket Parts Company, LLC (New Flyer Parts) on June 8, 2018 in accordance with Metro’s Acquisition Policy and the contract type is a not-to exceed Indefinite Delivery, Indefinite Quantity (IDIQ).

No amendment was issued during the solicitation phase of this RFP:

B. Evaluation of Bids

This is a sole source procurement. The proposal was found to be technically acceptable and fully responsive to all the RFP requirements. The firm recommended for award, New Flyer Parts, was found to be responsive and responsible.

C. Cost/Price Analysis

A price analysis was performed in lieu of a cost analysis in accordance with Metro's Acquisition Policy for a sole source acquisition. Cost element data was not made available by the single source Original Equipment Manufacturer (OEM). Instead, staff conducted market research, and assessed historical price and invoice data to determine price fairness and reasonableness. Based on staff's price analysis assessment it was determined that the total price proposed by the OEM is fair and reasonable.

Proposer Name	Proposal Amount	Metro ICE
New Flyer Parts	\$1,370,778	\$1,194,318

D. Background on Recommended Contractor

The recommended firm, New Flyer Parts is located in Delaware, OH and has been in business for eighty-eight (88) years. New Flyer Parts has provided similar products for other agencies including Metropolitan Paul Revere Transportation (Green Bus Depot), Dallas Area Rapid Transit (DART), Miami Dade Transit, and Transdev Services Incorporated. New Flyer Parts currently has multiple contracts with Metro and in the past they have satisfactorily delivered goods and services to Metro.

DEOD SUMMARY

BUS C-FRAMES LH AND RH/MA53981

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this procurement based on the lack of subcontracting opportunities. This solicitation is a sole source, non-competitive procurement. The Aftermarket Parts Company, LLC dba New Flyer Parts, is the Original Equipment Manufacturer (OEM) of the C-Frames Drive Axles and ships the parts directly to Metro.

B. Living/Prevailing Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wages are not applicable to this Contract.

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0570, File Type: Contract

Agenda Number: 16.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE OCTOBER 18, 2018

SUBJECT: BUS OPERATOR SEAT ASSEMBLIES

ACTION: AWARD CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA54977000 to The Aftermarket Parts Company, LLC (New Flyer Parts), the lowest responsive and responsible bidder for bus operator seat assemblies. The award is for a base year not-to-exceed amount of \$692,806, inclusive of sales tax, and a one year option for a not-to-exceed amount of \$713,590, inclusive of sales tax, for a total not-to-exceed contract value of \$1,406,397, subject to resolution of protest(s), if any.

ISSUE

This procurement is for the acquisition of new bus operator seat assemblies. Bus operator seat assemblies are required for maintaining the safe and reliable operation of the bus fleet. Award of this Contract will ensure that Bus Maintenance has adequate inventory to repair and maintain buses according to Metro maintenance standards.

BACKGROUND

The component usage reports from Material Management revealed that on an annual basis nearly 200 bus operator seat assemblies were issued to Bus Maintenance to support scheduled seat assembly replacement activities during the bus midlife program and to replace any malfunctioning seats on an as-needed basis. The bus operator seat assemblies are installed by Metro Mechanics at the Central Maintenance Shops as a part of the Bus Midlife Program and at all bus operating divisions as necessary. Buses cannot operate safely without a properly functioning operator seat assembly.

DISCUSSION

The USSC Q91 series seats purchased through this procurement are designed to reduce day-to-day operator fatigue and stress. The operator's weight remains centered over the center of the seat scissor suspension system at all adjustment locations, which reduces suspension torque, minimizes maintenance, and increases the life of the seat suspension. The operator seat belts are mounted directly to the seat frame, move with the seat, and provide a completely integrated restraint system for optimized sensitivity, operator comfort and functional use. The USSC Q91 seats have been proven in both transit and off-road applications, and provide durability for extreme-use and various

operator environments.

The contract to be awarded is a “requirements type” agreement in which we commit to order only from the awardee, up to the specified quantity for a specific duration of time, but there is no obligation or commitment for us to order any or all of the bus operator seat assemblies that may be anticipated. The bid quantities are estimates only, with deliveries to be ordered and released as required. The Diversity and Economic Opportunity Department (DEOD) confirmed that the Aftermarket Parts Company met the goal of 2% Disadvantaged Business Enterprise commitment. The purchased bus operator seat assemblies are installed by Metro Mechanics.

Bus operator seat assemblies will be purchased and maintained in inventory and managed by Material Management. As bus operator seat assemblies are issued, the appropriate budget project numbers and accounts will be charged.

DETERMINATION OF SAFETY IMPACT

Award of contract will ensure that all operating divisions and the Central Maintenance Facility have an adequate inventory to maintain equipment according to Metro Maintenance standards.

FINANCIAL IMPACT

Funding in the amount of \$692,806 for these bus operator seat assemblies is included in the FY19 budget under account 50441, Parts - Revenue Vehicle in multiple bus operating cost centers under project 306002 Operations Maintenance, and in the Central Maintenance cost center 3366, under project 203024 Midlife Project.

Since this is a multi-year contract, the cost center manager and Chief Operations Officer will be accountable for budgeting the cost in future fiscal years.

Impact to Budget

The current source of funds for this action are Federal Section 5339 with local matching of Proposition C 40%. This funding source currently maximizes allowable project fund allocations given approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goal: Provide high-quality mobility options that enable people to spend less time traveling. The new bus operator seat assemblies will help maintain safety and reliability standards in an effort to provide a world-class transportation system that enhances quality of life for all who live, work, and play within LA County.

ALTERNATIVES CONSIDERED

The alternative not to award the Contract and procure bus operator seat assemblies on the open market on an as-needed basis is not recommended since it does not provide a commitment from the supplier to ensure availability and price stability.

NEXT STEPS

Metro’s requirements for bus operator seat assemblies will be fulfilled under the provisions of the

Contract.

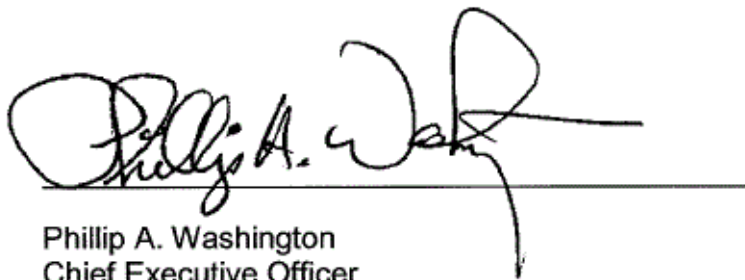
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared By: James D. Pachan, Superintendent of Maintenance, (213) 922-5804

Reviewed by: Debra Avila, Chief Vendor/Contract Management (213) 922-6383
James T. Gallagher, Chief Operations Officer (213) 922-4424



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

BUS OPERATOR SEAT ASSEMBLIES/MA54977000

1.	Contract Number: MA54977000	
2.	Recommended Vendor: The Aftermarket Parts Company, LLC (New Flyer Parts), 3229 Sawmill Parkway, Delaware, OH 43015	
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: 6/27/18	
	B. Advertised/Publicized: 6/27/18	
	C. Pre-proposal/Pre-Bid Conference: N/A	
	D. Proposals/Bids Due: 8/9/18/18	
	E. Pre-Qualification Completed: 8/30/18	
	F. Conflict of Interest Form Submitted to Ethics: 8/30/18	
	G. Protest Period End Date: : October 19, 2018	
5.	Solicitations Picked up/Downloaded: 9	Bids/Proposals Received: 3
6.	Contract Administrator: Tanya Allen	Telephone Number: 213/922-1018
7.	Project Manager: Alex DiNuzzo	Telephone Number: 213/922-5860

A. Procurement Background

This Board Action is to approve Contract No. MA54977000 issued for the procurement of Bus Operator Seat Assemblies. Board approval of contract award is subject to resolution of any properly submitted protest.

IFB No. MA54977 was issued in accordance with Metro's Acquisition Policy and the contract type is Indefinite Delivery, Indefinite Quantity (IDIQ).

No amendment was issued during the solicitation phase of this IFB.

A total of three bids were received on August 9, 2018.

B. Evaluation of Bids

This procurement was conducted in accordance, and complies with Metro's Acquisition Policy for a competitive sealed bid. The three bids are listed below in alphabetical order:

1. Muncie Reclamation and Supply
2. The Aftermarket Parts Company, LLC (New Flyer Parts)
3. Zen Industrial Services, LLC

All firms were determined to be in full compliance with the bid and technical requirements. Each bidder was deemed responsive and responsible to the IFB requirements.

C. Price Analysis

The recommended bid price from The Aftermarket Parts Company, LLC (New Flyer Parts) has been determined to be fair and reasonable based upon adequate price competition and the selection of the lowest responsive and responsible bidder.

Bidder Name	Bid Amount	Metro ICE
The Aftermarket parts Company, LLC (New Flyer Parts)	\$1,406,397.20	\$1,391,400
Muncie Reclamation and Supply	\$1,528,218.79	
Zen Industrial Services. LLC	\$1,564,631.70	

D. Background on Recommended Contractor

The recommended firm, New Flyer Parts is located in Delaware, OH and has been in business for 88 years. New Flyer Parts has provided similar products for other agencies including Metropolitan Paul Revere Transportation (Green Bus Depot), Dallas Area Rapid Transit (DART), Miami Dade Transit, and Transdev Services Inc. New Flyer Parts has provided satisfactory service and product to Metro on previous purchases.

DEOD SUMMARY

BUS OPERATOR SEAT ASSEMBLIES/MA54977000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 2% Disadvantaged Business Enterprise (DBE) goal for this solicitation. The Aftermarket Parts Company, LLC met the goal by making a 2% DBE commitment.

Small Business Goal	2.00% DBE	Small Business Commitment	2.00% DBE
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	DBE Subcontractors	Ethnicity	% Committed
1.	Say Cargo Express, Inc.	Hispanic	2.00%
Total Commitment			2.00%

B. Living/Prevailing Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this Contract.

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0572, File Type: Contract

Agenda Number: 17.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE OCTOBER 18, 2018

SUBJECT: BUS ENGINE IGNITION CONTROL MODULES

ACTION: AWARD CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA44849-2000 to Cummins Incorporated the lowest responsive and responsible bidder for bus engine ignition control modules. The award is for a Base year not-to-exceed \$678,866, inclusive of sales taxes, and a one year Option for a not-to-exceed amount of \$694,369, inclusive of sales tax, for a total not-to-exceed contract value of \$1,373,235, subject to resolution of protest(s), if any.

ISSUE

This procurement is for the acquisition of new bus engine ignition control modules, which are required for maintaining the safe and reliable operation of the bus fleet. Award of this Contract will ensure that Bus Maintenance has adequate inventory to repair and maintain buses according to Metro maintenance standards.

BACKGROUND

The component usage reports from Material Management revealed that on an annual basis nearly 500 engine ignition control modules were issued to Bus Maintenance to replace failed components and to support replacement during engine rebuild programs. The engine ignition control modules are installed by Metro Mechanics at the Central Maintenance Shops and at all bus operating divisions. Buses cannot operate without properly functioning engine ignition control modules.

DISCUSSION

Ignition control modules are an electronic engine management component that is part of the bus's ignition system. The ignition control module energizes the ignition coils for the designated cylinders in the firing sequence for the engine. Problems with the ignition control module can quickly lead to engine performance issues. The engine ignition control modules support over 90% of our bus fleet which have Cummins 8.9 ISLG and L9N Near-Zero engines.

The contract award is a "requirements type" agreement in which Metro commits to order only from

the awardee, up to the specified quantity for a specific duration of time, but there is no obligation or commitment for us to order any or all of the ignition control modules that may be anticipated. The bid quantities are estimates only, with deliveries to be ordered and released as required. The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this solicitation due to lack of subcontracting opportunities.

The purchased engine ignition control modules are installed by Metro Mechanics. Bus engine ignition control modules will be purchased and maintained in inventory and managed by Material Management. As ignition coils are issued, the appropriate budget project numbers and accounts will be charged.

DETERMINATION OF SAFETY IMPACT

Award of Contract will ensure that all operating divisions and the Central Maintenance Facility have an adequate inventory to maintain the equipment according to Metro Maintenance standards.

FINANCIAL IMPACT

Funding in the amount of \$665,829 for these ignition control modules is included in the FY19 budget under account 50441, Parts - Revenue Vehicle in multiple bus operating cost centers under project 306002 Operations Maintenance, and in the Central Maintenance cost center 3366 under project 203025 Bus Engine Replacement Project.

Since this is a multi-year contract, the cost center manager and Chief Operations Officer will be accountable for budgeting the cost in future fiscal years.

Impact to Budget

The source of funds for this action are Federal Section 5339 and TDA Article 4. These funding sources currently maximize allowable funding allocations given approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goals: Provide high-quality mobility options that enable people to spend less time traveling. The new driver seat assemblies will help maintain safety and reliability standards in an effort to provide a world-class transportation system that enhances quality of life for all who live, work, and play within LA County.

ALTERNATIVES CONSIDERED

The alternative to not award the contract and procure engine ignition control modules on the open market on an as-needed basis is not recommended since it does not provide a commitment from the supplier to ensure availability and price stability.

NEXT STEPS

Metro's requirements for bus engine ignition control modules will be fulfilled under the provisions of the Contract.

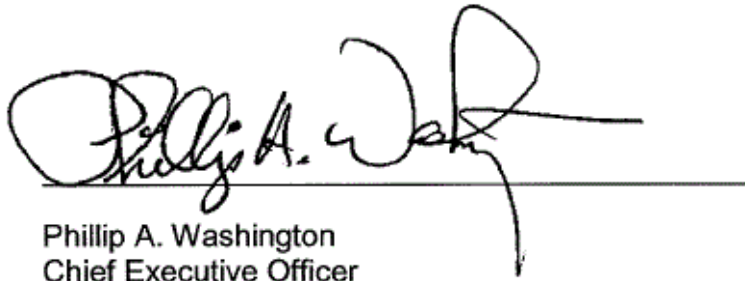
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared By: James D. Pachan, Superintendent of Maintenance, (213) 922-5804

Reviewed by: Debra Avila, Chief Vendor/Contract Management (213) 922-6383
James T. Gallagher, Chief Operations Officer (213) 418-3108



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

BUS ENGINE IGNITION CONTROL MODULES / MA44849-2000

1.	Contract Number: MA48849-2000	
2.	Recommended Vendor:	
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: May 3, 2018	
	B. Advertised/Publicized: May 4, 2018	
	C. Pre-Bid Conference: N/A	
	D. Bids Due: June 6, 2018	
	E. Pre-Qualification Completed: June 25, 2018	
	F. Conflict of Interest Form Submitted to Ethics: June 25, 2018	
	G. Protest Period End Date: October 19, 2018	
5.	Solicitations Picked up/Downloaded: 7	Bids Received: 3
6.	Contract Administrator: Mona Ismail	Telephone Number: 213-922-7376
7.	Project Manager: Alex DiNuzzo	Telephone Number: 213-922-5860

A. Procurement Background

This Board Action is to approve Contract No. MA48849-2000 issued in support of procurement of ignition control modules for Metro's natural gas fueled heavy duty engines. Board approval of contract award is subject to resolution of any properly submitted protest.

IFB No. MA48849-2 was issued in accordance with Metro's Acquisition Policy and the contract type is an Indefinite Delivery, Indefinite Quantity (IDIQ).

No amendments were issued during the solicitation phase of this IFB.

A total of three bids were received on June 6, 2018.

B. Evaluation of Bids

This procurement was conducted in accordance, and complies with Metro's Acquisition Policy for a competitive sealed bid. The three bids received are listed below in alphabetical order:

1. CBM US, Inc.
2. Cummins Inc.
3. The Aftermarket Parts Co. DBA New Flyer Parts

Cummings Inc. and The Aftermarket Parts Co. were determined to be responsive and responsible to the IFB, and in full compliance with the technical requirements. CBM US, Inc. was not compliant to the IFB's Buy America requirement and was deemed non-responsive and ineligible for contract award.

C. Price Analysis

The recommended bid price from Cummins Inc. 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
Cummins Inc.	\$1,373,235.12	\$1,353,600.00
The Aftermarket Parts Co.	\$1,622,684.88	\$1,353,600.00

D. Background on Recommended Contractor

The recommended firm, Cummins Inc., located in Irvine, CA has been in business for 99 years, and is a leader in heavy duty commercial engines. Cummins currently has multiple contracts with Metro for fuel flow valves, head assembly kits and for fuel pressure regulator valves. Cummins has and continues provided satisfactory products and services to Metro.

DEOD SUMMARY

BUS ENGINE IGNITION CONTROL MODULES /MA44849-2000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this solicitation due to lack of subcontracting opportunities. Cummins Inc. is an Original Equipment Manufacturer (OEM) of the Bus Engine Ignition Coil part that is shipped directly to Metro and installed by Metro staff.

B. Living/Prevailing Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wages are not applicable to this Contract.

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0578, File Type: Contract

Agenda Number: 18.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE OCTOBER 18, 2018

SUBJECT: TRANSIT OPERATIONS SUPERVISORS UNIFORM - BUS/RAIL

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. AWARD a five-year, firm fixed unit rate Contract No. PS113404000 to Becnel Uniforms, Inc. to provide uniforms for Bus and Rail Transit Operations Supervisors (TOS), in an amount not-to-exceed \$819,773 for the three-year base term and \$400,000 for one, two year option, for a combined total not-to-exceed amount of \$1,219,773 effective January 1, 2019, subject to resolution of protest(s), if any; and
- B. AWARD a five-year, firm fixed unit rate Contract No. PS113405000 to LA Uniforms and Tailoring to provide uniforms for Bus and Rail Transit Operations Supervisors (TOS), in an amount not-to-exceed \$221,602 for the three-year base period and \$100,000 for one, two year option, for a combined total not-to-exceed amount of \$321,602 effective January 1, 2019, subject to resolution of protest(s), if any.

ISSUE

The existing uniform contract with Galls, LLC will expire on December 31, 2018. A new uniform contract is required to comply with Metro's collective bargaining agreement.

BACKGROUND

Per the current AFSCME collective bargaining unit agreement Article 35, Metro is required to provide each eligible full time TOS employee an annual credit of \$475 to purchase a uniform on the employee AFSCME classification date.

DISCUSSION

In order to gather recommendations for selecting a uniform company vendor to best meet Metro's requirements, a TOS Uniform Review Committee comprised of a diverse group of Bus and Rail Operations represented/non-represented employees was established over the past year. This

approach was taken to help integrate employee feedback and address concerns regarding quality and garment preference, improve customer service delivery, and enhance vendor accessibility for TOS staff requiring uniform replenishment. The following departments were represented as a part of the committee: Operations Central Instruction (OCI), Vehicle Operations (VO), Bus Operations Control (BOC), Division (Admin), Rail Operations Control (ROC), and Rail Field Supervision. One of the committee's recommendations focused on requiring uniform vendors to allow TOS staff to physically visit the uniform site to select and be measured for uniforms.

The new contracts will facilitate the standardization of TOS uniforms and enhance the appearance and visibility of supervisory staff in Operations uniforms items at a pre-determined price. Each TOS will receive an annual voucher to use with selected vendors. Supervisors will travel to the physical location of vendor stores to purchase necessary uniform item(s). The uniform voucher amount is in accordance with the union agreement which provides an annual individual stipend in the amount of \$475. The new uniform will provide consistency in appearance for TOS staff as there will be no major changes in color or style from the existing uniform. Also, the approved uniform is made to withstand prolonged wear and ease of maintenance. The selection and choices of uniform garment pieces may be expanded or changed contingent on recommendations from the TOS uniform committee and review from Metro management. Lastly, Metro customers and emergency first responders will continue to easily identify Metro Supervisors for assistance as we deliver transportation service.

This procurement is eligible for Metro's Small Business Prime Program which sets aside applicable contracts, such as the TOS Uniform Contract, where only Metro certified Small Business Enterprise (SBEs) can compete. As a result, staff is recommending awarding to multiple awardees, Becnel Uniforms and LA Uniforms and Tailoring, as they are certified SBEs who have been determined as responsive and qualified to provide TOS uniforms to Metro for the duration of this contract term.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the required supply of uniforms to Metro represented labor employees as they work to deliver safety, service, reliability, and cleanliness on our system.

FINANCIAL IMPACT

Funding of \$166,250 for this Contract is included in the FY19 budget in multiple transportation cost centers, account - 50215 (F/B Uniforms), projects 306001 (Bus Operations), 300022 (Blue Line Operations), 300033 (Green Line Operations), 300044 (Red Line Operations), 300055 (Gold Line Operations), 301012 (Orange Line Operations), and 300066 (Expo Line).

Since this is a multi-year contract, the cost center manager, and the Sr. Executive Officer, Transportation will be accountable for budgeting the cost in future fiscal years, including any option(s) exercised.

Impact to Budget

The current source of funds for this action are Federal Section 5307, Proposition A/

C, Measure R/M, TDA Article 4, and include Passenger Fares. These funding sources currently maximize allowable fund allocation given approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goal: Provide responsive, accountable, and trustworthy governance within the Metro organization. This uniform contract will allow Metro supervisory personnel to be easily identified and continue to represent the agency and our commitment to safety, service, reliability, as we work to provide a world-class transportation system that enhances quality of life for all who live, work, and play within LA County.

ALTERNATIVES CONSIDERED

The board may choose not award these Contracts; however, this alternative is not recommended as Metro supervisory staff would not be provided adequate uniform services which are a requirement per the current AFSCME collective bargaining agreement.

NEXT STEPS

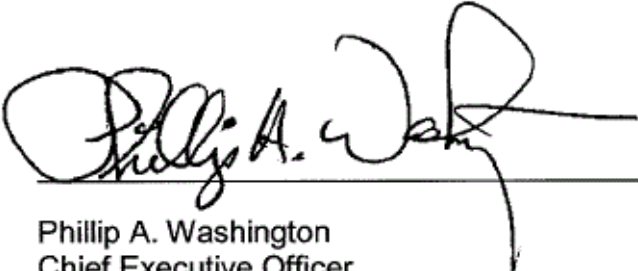
Upon approval by the Board, staff will execute Contract No. PS113404000 to Becnel Uniforms, Inc. and Contract No. PS113405000 to LA Uniforms and Tailoring effective January 1, 2019, to provide uniform services to Metro represented bus and rail Transit Operation Supervisors.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared by: Gary Shiroishi, Mgr, Transportation Planning, Operations, (213) 922-1305
Liz Elkins, Chief Adm. Analyst, Operations, (213) 418-3321
Demetrius Jones, Director, Transportation Operations, (310) 854-3101

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 922-4424
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**TRANSIT OPERATIONS SUPERVISOR UNIFORMS – BUS/RAIL
PS113404000 and PS113405000**

1.	Contract Number A: PS113404000 Contract Number B: PS113405000	
2.	Recommended Vendor A: Becnel Uniforms, Inc. Recommended Vendor B: LA Uniforms and Tailoring	
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: May 17, 2018	
	B. Advertised/Publicized: May 17, 2018	
	C. Pre-Proposal/Pre-Bid Conference: May 24, 2018	
	D. Proposals/Bids Due: July 12, 2018	
	E. Pre-Qualification Completed: July 25, 2018	
	F. Conflict of Interest Form Submitted to Ethics: August 22, 2018	
	G. Protest Period End Date: October 23, 2018	
5.	Solicitations Picked up/Downloaded: 7	Bids/Proposals Received: 2
6.	Contract Administrator: Rommel Hilario	Telephone Number: (213) 922-4654
7.	Project Manager: Gary Shiroishi	Telephone Number: (213) 922-21305

A. Procurement Background

This Board Action is to approve two contract awards to provide uniform and work apparel to approximately 550 bus and rail Transit Operation Supervisors (TOS), both men and women, with new quality embroidered clothing per the current American Federation of State, County and Municipal Employees (AFSCME) agreement between Metro and AFSCME Local 3624, as outlined in Request for Proposal (RFP) No PS53045. Board approval of contract awards are subject to resolution of any properly submitted protest(s).

Prior to the release of the RFP, the Diversity and Economic Opportunity Department (DEOD) conducted outreach to uniform firms in the Los Angeles County area. In April 2018, an email was sent out to a number of firms, including the incumbent, highlighting the contract opportunity and providing information on how to obtain an SBE certification which was a condition of award. Additionally, the RFP due date was extended three weeks to accommodate SBE applications that were pending approval with DEOD.

On May 17, 2018, the RFP was released into the SBE Prime Program, and issued as a competitively negotiated procurement in accordance with Metro's Acquisition Policy. The contract type is firm fixed unit rate. As stated in the RFP, it was Metro's intention to award multiple contracts to local SBE firms to maximize accessibility to

TOS supervisors to purchase their uniforms and work apparel at store front businesses throughout Los Angeles County.

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

- Amendment No. 1, issued on May 30, 2018, included pre-proposal documents - agenda, sign-in sheets, reference check form, and planholder's list.
- Amendment No. 2, issued on June 12, 2018, extended the proposal due date.

A pre-proposal conference was held on May 24, 2018. A total of two participants representing two firms were in attendance.

On July 12, 2018, Metro received two proposals from the firms listed below in alphabetical order:

1. Becnel Uniforms, Inc.
2. LA Uniform and Tailoring

B. Evaluation of Proposals

The Proposal Evaluation Team (PET), consisting of members representing Transit Operation Supervisors and Rail Transit Operator Supervisors, was convened and conducted a comprehensive technical evaluation of the proposals received.

The Evaluation was divided into three phases: Minimum Qualifications Review, Technical Review, and Site Visits. Proposals were evaluated based on the following criteria and weights:

- Degree of Contractor's (Firm and Staff) Skills & Experience 40%
- Understanding of the Work Plan 40%
- Cost 20%

The following is a summary of the PET scores:

1	FIRM	Average Score	Factor Weight	Weighted Average Score	Rank
2	Becnel Uniforms, Inc.				
3	Degree of Contractor's (Firm and Staff) Skills & Experience	98.30	40%	39.32	
4	Understanding of the Work Plan	98.30	40%	39.32	

5	Cost	100.00	20%	20.00	
6	Total		100.00%	98.64	1
7	LA Uniform and Tailoring				
8	Degree of Contractor's (Firm and Staff) Skills & Experience	80.00	40%	32.00	
9	Understanding of the Work Plan	84.30	40%	33.72	
10	Cost	85.00	20%	17.00	
11	Total		100.00%	82.72	2

C. Cost/Price Analysis

The two contract awards represent the best value to Metro. The recommended prices have been determined to be fair and reasonable based upon adequate competition, unit rate price analysis, fact finding, and technical evaluation.

PROPOSER	PROPOSED AMOUNT	METRO ICE	AWARD AMOUNT
Becnel Uniforms, Inc.	\$1,219,772.50	\$1,541,375	\$1,219,773
LA Uniforms and Tailoring	\$1,456,361.60		\$321,602

As stated earlier, it was Metro's intention to award multiple contracts to local SBE firms who provide TOS supervisors the ability to purchase their uniforms and work apparel at store front businesses in Los Angeles County. As a result, the decision was made to award a contract to LA Uniforms and Tailoring located within 25 miles of Metro Headquarters. It is anticipated that a number of employees living near the City of Lawndale and adjacent areas can conveniently access uniforms at the store.

The rationale to award Becnel a not-to-exceed amount of \$1,219,773 is due to an anticipated majority of supervisors purchasing their uniforms at their store located less than a mile from Metro Headquarters.

D. Background on Recommended Contractors

Becnel Uniforms

Becnel Uniforms, Inc. (Becnel), a Metro certified SBE, was established in 1952 and was incorporated in 1976. Becnel employs expert tailors and embroidery personnel. Many of their employees have decades of experience. In addition, they carry a large

inventory of uniforms available to Metro employees. Currently, Becnel has three contracts with Metro and have performed satisfactorily.

LA Uniform and Tailoring

LA Uniforms and Tailoring (LA Uniforms), a Metro certified SBE, was founded in 2017. The firm has invested in advanced machinery that offers all the functions and tools to create embroidery projects. LA Uniforms provide customized tailoring for any uniform purchased. The owner carries over 25 years of experience in tailoring and embroidery.

DEOD SUMMARY

**TRANSIT OPERATIONS SUPERVISOR UNIFORMS – BUS/RAIL
PS113404000 and PS113405000**

A. Small Business Participation

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

Becnel Uniforms, Inc., and LA Uniforms ~~and~~ Tailoring, both SBE primes, committed to perform 100% of the work with their own workforce.

SMALL BUSINESS PRIME (SET-ASIDE)

	SBE Contractors	SBE % Committed
1.	Becnel Uniforms, Inc. (Prime)	100%
2.	LA Uniforms and Tailoring (Prime)	100%
	Total Commitment	100%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this ~~C~~econtract.

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0579, File Type: Agreement

Agenda Number: 19.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE OCTOBER 18, 2018

SUBJECT: METRO RED LINE (MRL) UNINTERRUPTIBLE POWER SUPPLY (UPS) BATTERIES

ACTION: ESTABLISH A MRL UPS BATTERY SUPPLIER BENCH

RECOMMENDATION

CONSIDER:

- A. ESTABLISHING two contract agreements solicited as Request for Information and Qualification (RFIQ) No. OP44570-2 with M.C. Dean, Incorporated and Skyler Electric Company, Incorporated for goods and services for amount of \$2,244,000 for a two year base period and \$1,000,000 for three one year options for a total not-to-exceed cumulative value of \$3,244,000, subject to resolution of protest(s), if any;
- B. AUTHORIZING the CEO to award Task Orders to qualified UPS Battery suppliers under the approved not-to-exceed cumulative total value of \$3,244,000; and
- C. AUTHORIZING the CEO to add additional qualified Uninterruptible Power Supply (UPS) Battery suppliers to the Bench subject to each potential supplier meeting the same RFIQ evaluation criteria qualifications; and award Task Orders to these qualified suppliers within the approved not-to-exceed cumulative total value of \$3,244,000.

ISSUE

The Uninterruptible Power Supply units and batteries on the Metro Red Line Segments 2 and 3 are in need of replacement as this system has become obsolete. During the July 2018 Board meeting, Contract No. OP36847000 was approved (File ID 2018-0069) for the purchase of the UPS units and staff is now seeking approval to award Bench contracts for the purchase of MRL UPS batteries as they are critical in providing backup power for emergency lighting, fire and life safety equipment, and communications in the event of power loss on the Red and Purple Lines.

Task Orders for the efficient and timely procurement of MRL UPS batteries is necessary as batteries have a shelf life or period in which they remain effective, useful, or suitable for consumption, of only a few months. Therefore, it is neither recommended nor cost effective to order more quantities than needed at any specific time to have in inventory ready for field installation. In addition, UPS Batteries are manufactured with metals such as lead and copper and their cost varies with fluctuations in the

commodity market, affecting pricing stability. Also, commercial UPS batteries required for critical Metro emergency systems are produced by manufacturers, which have impacted acquisition lead times by approximately eight to ten weeks.

This bench will ensure that Metro has multiple qualified, reliable vendors who are able to provide batteries at a competitive price and within a reasonable timeframe over a five year period, particularly during emergencies or situations that can adversely impact safety, service and reliability for our customers and employees. The bench will also allow additional prospective suppliers to apply, be evaluated against the same RFIQ evaluation criteria, and if deemed qualified, join the MRL UPS bench, increasing competitive pricing, stability and reliability relative to battery supply for Metro.

BACKGROUND

The Metro Red Line has sixteen passenger stations and two facilities underground. These locations have a total of 36 UPS' with two or four hour battery banks in service. These banks of batteries are required to operate the UPS' and are critical for Fire and Life Safety functions. The UPS batteries provide emergency power for lighting and communication systems in order to evacuate patrons and employees when normal utility power to the underground passenger stations and facilities is interrupted or lost.

DISCUSSION

The UPS in the Red and Purple Lines provides backup power for emergency lighting, fire and life safety equipment, and communications in the event of power loss. These systems facilitate the safe evacuation of passengers and staff during an emergency on the subway system. The UPS equipment is a complex system of electronic controls, transformers, inverters, circuit boards, battery banks, and a battery charger. When battery or other system failures occur, it is essential that Metro have the staff and battery components available to restore system functionality in the shortest possible time to minimize risk and continue the delivery of service.

In the event of a loss of utility power, each station has one or two banks of emergency back-up batteries that provide up to four hours of emergency power to (1) provide traction power control power, (2) provide power to operate Supervisory Control and Data Acquisition systems (SCADA), (3) operate Communication Systems, (4) operate Fire Life Safety monitoring (such as fire alarm, gas analyzers, etc.), and (5) Fire Life Safety mitigation systems (such as standpipes, deluge systems, etc.). The banks of batteries being proposed for replacement have reached the end of their useful life.

Staff recommends Task Orders to cover the immediate replacement of batteries that have reached the end of their useful life and subsequent batteries as they reach their lifespan end during the next five years.

DETERMINATION OF SAFETY IMPACT

Approval of this award will have a positive impact on safety as the UPS is required for the proper functioning of critical emergency lighting for tunnels and passenger station evacuations. UPS

batteries also provide electrical power to operate law enforcement and Metro Security radio and communication systems, Variable Message Signs and Supervisory Control and Data Acquisition systems (SCADA). UPS batteries are also required for the control power to operate substation High Voltage Switchgears.

FINANCIAL IMPACT

The total five-year contract amount is not to exceed \$3,244,000. Funding for Task Orders will come from Capital Project (CP) 205106 - Metro Red Line UPS Batteries Replacement and any future or ongoing capital projects established for the purchase of batteries for the Red Line as a part of Metro's State of Good Repair program . The Board approved a Life-of-Project (LOP) budget of \$3,684,000 in FY 17 for CP 205106. Funding of \$943,232 in CP 205106 is included in the FY 19 budget in cost center 3960 Rail Transit Engineering, project 205106, account 53102 - acquisition of equipment.

Since this is a multi-year contract, the Project Manager will ensure that the balance of funds is budgeted in future fiscal years in the appropriate capital projects.

Impact to Budget

The current source of funds for this action are Proposition A 35%. This funding source currently maximizes allowable project funding allocations given approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goal 1: Provide responsive, accountable, and trustworthy governance within the Metro organization. This project will help maintain safety, service and reliability standards in an effort to provide a world-class transportation system that enhances quality of life for all who live, work, and play within LA County.

ALTERNATIVES CONSIDERED

These requirements could be filled, as they occur, through a series of single source procurements, however, this approach is not recommended since it adds unnecessary cycle time and adds to the risk brought about by a battery failure. There are no other suitable energy sources to operate the critical emergency loads.

NEXT STEPS

Upon Board approval, staff will proceed with issuing contracts and compete Task Orders among qualified suppliers on the bench.

ATTACHMENTS

Attachment A - Expenditure Plan


Attachment B - Procurement Summary

Attachment C - DEOD Summary

Prepared by: Winston Dixon, Manager, Wayside Systems (213) 272-8229

Errol Taylor, Senior Executive Officer, Maintenance and Engineering, (213) 922-3227

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108
Debra Avila, Chief, Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

Expenditure Plan and Source of Funds

Metro Red Line Uninterrupted Power Supply (UPS) and Batteries Replacement

Item	Past ITD	Current FY 2019	Future FY 2020	Future FY 2021	Future FY 2022+	Total
OP44570-2000 - UPS Batteries (Skyler Electric Co. and McDean Inc.)		\$ 500,000	\$ 400,000	\$ 1,344,000	\$ 1,000,000	\$ 3,244,000
OP36847000 - Uninterruptible Power Supply (Tristar Power Solutions)		\$ 300,000	\$ 240,000	\$ 240,000	\$ 224,000	\$ 1,004,000
OP10599800048045 - Rigging Services (United Riggers and Erectors)		\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 100,000
PS54830-MOW-TO4 - Project Control Services (Gannett Fleming)		\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 24,000
Services	\$ 18,724					\$ 18,724
Metro Labor	\$ -	\$ 114,200	\$ 118,460	\$ 122,669	\$ 134,680	\$ 490,009
Total	\$ 18,724	\$ 945,200	\$ 789,460	\$ 1,737,669	\$ 1,389,680	\$ 4,880,733

Yearly Cash Flow Forecast:

Project 205106 - MRL UPS Batteries	\$ 18,724	\$ 945,200	\$ 789,460	\$ 993,669	\$ 936,947	\$ 3,684,000
Other Capital Projects Established/Utilized for the Purchase of MRL Batteries				\$ 744,000	\$ 452,733	\$ 1,196,733

PROCUREMENT SUMMARY

Metro Red Line UPS Batteries OP44570-2000

1.	Contract Number: OP44570-2000	
2.	Recommended Vendor: M.C. Dean Inc. & Skyler Electric Co. Inc.	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input checked="" type="checkbox"/> Task Order RFIQ	
4.	Procurement Dates:	
	A. Issued: 5/4/18	
	B. Advertised/Publicized: 4/27/18	
	C. Pre-Proposal Conference: 5/10/18	
	D. Proposals Due: 7/3/18	
	E. Pre-Qualification Completed:	
	F. Conflict of Interest Form Submitted to Ethics: 7/13/18	
	G. Protest Period End Date: 10/19/18	
5.	Solicitations Picked up/Downloaded: 22	Bids/Proposals Received: 2
6.	Contract Administrator: Aryani L. Guzman	Telephone Number: 213-922-1387
7.	Project Manager: Winston Dixon	Telephone Number: 213-922-3323

A. Procurement Background

This Board Action is to establish a pool of qualified vendors to be on a Task Order Bench to support Metro's Maintenance of Way (MOW) Department in the procurement of various UPS battery types for Metro Red Line (MRL) Station locations. Board approval of no cost contract agreements to be subsequently assigned competed Task Orders, are subject to resolution of any properly submitted protest.

A Request for Interest and Qualifications (RFIQ) was issued in accordance with Metro's Acquisition Policy.

Two (2) amendments were issued during the solicitation phase of this RFIQ:

- Amendment No. 1, issued May 31, 2018; to add battery types to Statement of Work.
- Amendment No. 2, issued June 5, 2018; to revise proposal due date.

A total of two (2) Interest and Qualification Statements were received on July 3, 2018.

B. Evaluation of Interest & Qualification Statement

Interest and Qualification Statements were reviewed by the Source Selection Committee (SSC). The SSC consisted of technical staff members from Metro's MOW department that conducted a "Go" or "No-Go" evaluation based the following minimum qualifications as were defined in the RFIQ:

Experience

- Knowledge and technical understanding of UPS Batteries
- A minimum of five (5) years of active engagement in installing and commissioning of industrial battery banks
- List of completed UPS Battery projects

Technical

- Required to have a current & valid C10 electrical license
- Required to have a qualified technical & operations team (resumes required)
- Provide sample battery bank design, sizing, calculation similar to Metro's application
- Provide sample of battery Midtronics or Cellcorder test instrument test results for review

To qualify to be on the UPS Battery Bench a proposer was required to meet all the defined RFIQ minimum qualifications. Accordingly, an assigned "No Go" rating against any defined minimum qualification was cause for elimination from the evaluation process deeming the proposer non-responsive and ineligible for participation on Bench.

The following two firms met the RFIQ minimum qualifications, and were deemed responsive and responsible to the RFIQ solicitation requirements:

1. M.C. Dean, Incorporated
2. Skyler Electric Company, Incorporated

Placement on the Bench will not guarantee an award of any task order.

C. Cost/Price Analysis

There was no price information required for the Interest and Qualification evaluation phase. Cost/Price Analysis will be performed, as appropriate, on resultant Task Order competitions.

D. Background on Recommended Contractor

M.C. Dean Inc.

M.C. Dean, Incorporated has over 69 years of experience in providing electrical services to federal, state, and local governments, as well as transportation

authorities throughout the nation. M.C. Dean has local offices in California, including in Torrance, Concord, and Santa Clara. The Torrance office in Southern California will be the operational center for this project, with reach-back from their other California offices and their corporate headquarters located in the Washington, D.C. Metropolitan area. M.C. Dean has performed over 1,000 plus battery installations throughout hundreds of jobs in Southern California.

Skyler Electric Co. Inc.

Skyler Electric Company, Incorporated was founded in 1997 specializing in maintenance of complete DC plants and battery systems for telecommunications, rail systems, utilities, data centers and UPS industries. Its products include batteries, rectifiers, power distribution, power boards, converters, inverters and UPS systems. The firm has extensive experience in providing services to public agencies including Metro, and private entities such as AT&T and T-Mobile. Skyler has provided and installed UPS batteries at multiple Metro rail stations and their performance has been satisfactory. Skyler have local offices in Huntington Beach and Grass Valley California, and office locations in Kent, Washington and Bedford, Texas.

DEOD SUMMARY

METRO RED LINES UPS BATTERIES / OP44570-2000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 5% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. M.C. Dean, Inc. and Skyler Electric Company, Inc. formed teams that included SBE and DVBE firms without schedules or specific dollar commitments prior to the establishment of this Task Order Contract and have committed to meeting the 5% SBE and 3% DVBE goals.

In response to a task order request, the prime contractor will be required to identify SBE/DVBE subcontractor activity and actual dollar value commitments for that task order.

Prime: M.C. Dean, Inc.

Small Business Goal	5% SBE 3% DVBE	Small Business Commitment	5% SBE 3% DVBE
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	SBE Subcontractor	% Committed
1.	RBT Electric	5%
	Total SBE Commitment	5%

	DVBE Subcontractor	% Committed
1.	3531 Trucking Inc.	3%
	Total DVBE Commitment	3%

Prime: Skyler Electric Company, Inc.

Small Business Goal	5% SBE 3% DVBE	Small Business Commitment	5% SBE 3% DVBE
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	SBE Subcontractor	% Committed
1.	Southbay Transport Inc.	5%
	Total SBE Commitment	5%

	DVBE Subcontractor	% Committed
1.	SigTel, Inc	3%
	Total DVBE Commitment	3%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this Contract.

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0609, File Type: Contract

Agenda Number: 25.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE OCTOBER 18, 2018

SUBJECT: TELEPHONE SYSTEM MAINTENANCE

ACTION: CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed price Contract No. PS51796000 for telephone system maintenance, service, and repair to Scottel Voice & Data, Inc., dba Black Box Network Services, for a not-to-exceed amount of \$1,521,764 for the three-year base period effective November 1, 2018, plus \$1,037,075 for the first two-year option, and \$1,058,899 for the second two-year option, inclusive of sales tax, for a combined total not-to-exceed amount of \$3,617,738, subject to resolution of protest(s), if any.

ISSUE

The current contract expires on October 31, 2018. The services of a qualified contractor are required to provide maintenance and repair services for the Metro owned legacy NORTEL Networks (NORTEL) telephone systems and Cisco Network VoIP telephone equipment.

BACKGROUND

These telephone systems provide telephone service at Metro Headquarters, Central Maintenance Facility (CMF), Bus/Rail operating divisions, Metro Red Line Stations, and other Metro support facilities. Maintenance, service, and repair of the telephones systems must be performed by NORTEL and Cisco certified engineers and technicians. Although Metro technicians perform basic maintenance and repair on the NORTEL telephone system, they are not certified to perform the higher levels of maintenance and repair required for the major components. Also, it is not economical for Metro to maintain the extensive inventory of replacement parts necessary to keep the telephone system operational. Therefore, Metro has historically contracted with a qualified service provider.

DISCUSSION

Metro operates six major Rail Lines, Bus Operating Divisions, Facilities Maintenance locations, and the Metro Headquarters. The telephone maintenance contract will provide maintenance and

installation service to all telephone systems Nortel/Avaya, and Cisco VoIP, and call center equipment.

The proposals were due June 28, 2018. Evaluations were conducted in July with clarifications and negotiations leading into August. Staff requested further detail breakdown of the cost elements provided by Scottel Voice & Data, Inc. dba Black Box Network Services in order to better analyze the reasonableness of the proposed costs. Final negotiations were completed the first week of September.

This maintenance contract will ensure voice network connectivity to maintain an agency wide customer and employee safety environment. In addition, this contract will provide technical and engineering support for future Nortel/Avaya legacy equipment conversion to Cisco VoIP network system. This contract will prepare Metro for future state of the art communications systems.

DETERMINATION OF SAFETY IMPACT

Making available a telephone maintenance provider will strengthen employees and public safety, while ensuring the security and movement of people throughout Metro Transportation network. Metro's telephone communications network is a major support system in providing public safety.

FINANCIAL IMPACT

The annual funding of \$516,819 for this service is included in the FY19 budget in cost center 9220, ITS Operations, under project number 100001, General Overhead, 01.01 Contract Maintenance Services. Since this is a multi-year contract, the Chief Information Technology Officer will be accountable for budgeting the cost in the future years, including any option exercised.

Impact to Budget

This service is funded via Metro's federally approved indirect cost allocation plan and includes sales tax, fares and grant funds. No other sources of funds were considered because this service is used enterprise-wide.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended contract award supports **Metro Vision 2028 Strategic Goal 2: Metro will foster and maintain a strong safety culture.** The telephone system maintenance contract will improve the ongoing commitment to safety culture as well as to continue to enhance and support programs designed to address workplace safety and security throughout the agency.

ALTERNATIVES CONSIDERED

The alternative of not awarding the contract would be to shift the responsibility for repair and maintenance of the entire telephone system to Metro staff. This would require Metro to train and obtain NORTEL and Cisco certification for existing staff, hire a minimum of two additional

NORTEL/Cisco Network Engineers and two additional NORTEL/Cisco trained technicians. Metro would need to maintain an extensive inventory of replacement parts. The expense to bring repair and maintenance of the telephone system in house would substantially exceed the cost to retain a service provider.

NEXT STEPS

Upon approval of the Board, staff will execute Contract No. PS51796000 with Scottel Voice & Data, Inc. dba Black Box Network Services for Metro telephone systems maintenance, service and repair.

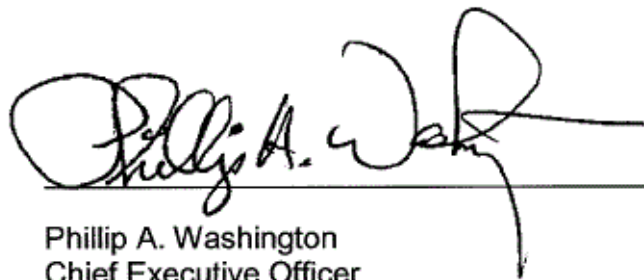
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Roger Largaespada, Sr Manager, Systems Maintenance, (213) 922-3490
Joe Giba, EO, Information Technology - (213) 922-3450

Reviewed by: Bryan Sastokas, Chief Information Technology Officer - (213) 922-5510
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

TELEPHONE SYSTEM MAINTENANCE / PS51796000

1.	Contract Number: PS51796000	
2.	Recommended Vendor: Scottel Voice & Data, Inc., dba Black Box Network Services	
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: May 17, 2018	
	B. Advertised/Publicized: May 17, 2018	
	C. Pre-Proposal Conference: May 24, 2018	
	D. Proposals Due: June 28, 2018	
	E. Pre-Qualification Completed: September 26, 2018	
	F. Conflict of Interest Form Submitted to Ethics: July 2, 2018	
	G. Protest Period End Date: October 23, 2018	
5.	Solicitations Picked up/Downloaded: 14	Bids/Proposals Received: 2
6.	Contract Administrator: Manchi Yi	Telephone Number: (213) 418-3332
7.	Project Manager: Roger Largaespada	Telephone Number: (213) 922-3490

A. Procurement Background

This Board Action is to approve the award of Contract No. PS51796000 to Scottel Voice and Data, Inc. dba Black Box Network Services to provide maintenance, service, and repair of Metro telephone system network. Board approval of contract awards are subject to resolution of any properly submitted protest.

Request for Proposal (RFP) No. PS51796 was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

No amendment was issued during the solicitation phase of this RFP.

A total of 14 firms downloaded the RFP and were included on the plan holders list. A total of two proposals were received on the due date of June 28, 2018, listed below in alphabetical order:

- Scottel Voice & Data, Inc. dba Black Box Network Services (Black Box)
- VOX Network Solutions (VOX).

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of members representing the Operations and Service Delivery, ITS Administration, and Systems Architecture and Technology Integration departments was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on the established pass/fail technical qualification criteria as published in the RFP in order to ensure the recommended firm can support all of Metro's service requirements. The firms that pass the technical qualification with the lowest price will be awarded the contract. The pass/fail criteria are listed below:

1. The Proposer shall provide proof in form of a Letter of Agreement, or similar document, between the Proposer and Nortel/Avaya Networks stating that the Proposer is an authorized Nortel/Avaya Networks 3C Service Performance Partner. The Nortel/Avaya Networks 3C Service Performance Program officially recognizes the expertise of distributors who offer the highest level of support by certifying their Competency, Capacity and Capability, while supporting their efforts to improve quality. The 3C Service Performance Program gives customers the assurance that certified service providers have a service and support organization designed around meeting the customer's business needs by focusing on the 3C's.
2. If any Sub-Contractors will be employed on this contract, the Proposer shall provide proof in form of a Letter of Agreement, or similar document, between the Sub-Contractor and Nortel/Avaya Networks stating that the Sub-Contractor is an authorized Nortel/Avaya Networks Partner.
3. The Proposer shall have the ability to provide maintenance and service to all LACMTA's Nortel Networks (Nortel/Avaya) PBXs and all CISCO Call Manager VoIP Telephone Systems including Servers associated with each system.
4. The Proposer shall have the ability to support all of LACMTA's existing telephone systems such as Nortel/Avaya PBXs, VoIP CISCO phone systems and Call Managers, including new upgrade/converting Nortel/Avaya telephone systems to VoIP telephone systems.
5. The Proposer may sub-contract for, or be a CISCO Gold Certified Partner and be designated at no less than at the advance Unified Communications Specialization Partnership level.
6. The Engineer and Professional Services personnel must have a Bachelor degree in IT or related field, experience, or equivalent combination of education and 5+ years' experience in Telecom. In-depth knowledge of Telecommunication systems and a clear understanding of Nortel/Avaya PBX network architecture. They must have a detailed knowledge of the voice network planning, design, acquisition, and implementation. Have experience with leading brands of most common voice communication equipment including PBX, Automatic Call Distributor (ACD), Interactive Voice Response (IVR), voice mail systems, reporting systems, Nortel to VoIP conversion, and video conferencing.

Of the two proposals received, Black Box's proposal was determined to be technically acceptable and the cost proposal was opened. Black Box was chosen as the most technically qualified firm.

VOX's proposal was determined to be not technically acceptable because it did not include a technical proposal for the CISCO VoIP maintenance which was a requirement in the RFP. As a result, VOX was not included for further consideration.

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon technical evaluation, fact finding, price analysis, and negotiations.

Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
Scottel Voice & Data, Inc. d/b/a Black Box Network Services	\$4,836,786	\$2,848,650 *	\$3,617,738

*The initial Independent Cost Estimate (ICE) was based on the Nortel and CISCO VoIP basic maintenance services. The ICE for the CISCO VoIP maintenance did not include additional cost for migrating network software such as TelStrat Portfolio, Diagenix, Audio Codes, Innova, and Calabrio support. Therefore, the ICE is lower than the negotiated amount.

D. Background on Recommended Contractor

The recommended firm, Black Box, is located in Eden Prairie, Minnesota, with 200 offices serving 150 countries, including a location in Los Angeles, California. Black Box has been in business for over 40 years. The firm provides comprehensive communications and infrastructure solutions services. Black Box's centralized support resources and field service personnel have an average of more than 14 years of experience. Additionally, Black Box is the incumbent of the current contract and has worked with Metro for the past seven years and has performed satisfactorily.

DEOD SUMMARY

TELEPHONE SYSTEM MAINTENANCE / PS51796000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this solicitation, which requires that the contractor must be an authorized Nortel/Avaya Networks 3C service performance partner. A subsequent market survey conducted by the Contract Administrator/Project Manager revealed that there were no certified firms meeting the minimum qualifications. Scottel Voice & Data, Inc., dba Black Box Network Services did not make a DBE commitment.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0531, File Type: Contract

Agenda Number: 31.

CONSTRUCTION COMMITTEE OCTOBER 18, 2018

SUBJECT: RAIL OPERATIONS CENTER TRANSIT PASSENGER INFORMATION SYSTEM

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to award Contract No. OP111922000 for the Crenshaw/LAX Rail Operations Center (ROC) Transit Passenger Information System (TPIS) to B&C Transit, Inc. for an amount of \$719,950 for the Base Work; an amount of \$378,774 for the Regional Connector Option 1; an amount of \$378,774 for the Westside Purple Line Extension (WPLE) Segment-1 Option 2; an amount of \$100,274 for the WPLE Segment-2 Option-3; and an amount of \$100,274 for the WPLE Segment-3 Option-4, for a total firm fixed price contract amount of \$1,678,046, subject to resolution of any properly submitted protest, if any; and
- B. APPROVING Contract Modification Authority in the amount of \$500,000 and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority for potential change orders and cost increase associated with the contract extended period.

ISSUE

The various public address and variable messaging systems introduced with the commissioning of past rail projects over the years are not consistent and are obsolete in terms of meeting the demands of Metro's expanding service network. One exception to this is the recent implementation of the Nucleus system implemented with Expo Phase II and Foothill Extension over two years ago that has proven quite successful coupled with its capacity for expansion and upgrade.

Approval of this action will expand on the current Nucleus system to provide public address and variable message sign capabilities for the new stations of Crenshaw\LAX, Regional Connector and WPLE Sections 1, 2 and 3 Projects.

BACKGROUND

The Measure R projects including Crenshaw/LAX, Regional Connector and WPLE Sections 1, 2 and 3 Projects requires expansion and upgrades to the existing ROC facility and systems that include the TPIS system. This work at central control is managed by Metro under the ROC Reconfiguration Project that is separate from the mainline work with the Projects' design/build contractor work as it involves coordination and integration with active operations and systems coupled with extensive support from contract and non-contract staff from several departments. In general, the ROC upgrades and expansions are completed respective to the central control needs of the sponsor projects for system integration and testing with the mainline systems before the new rail projects are commissioned into revenue service.

DISCUSSION

Operations and technical staff identified the Nucleus System as the desired standard to carry forward for the future rail projects for consistency and maintainability in lieu of the other three public address systems currently in use. Staff highly recommends the Nucleus system as it is user friendly with reliable performance and is backed by responsive vendor support when needed.

A proof of concept was successfully demonstrated at Willowbrook Station over the course of a year to show that the Nucleus system is capable of supporting Metro's public address and variable message signage needs in a unified platform.

DETERMINATION OF SAFETY IMPACT

The award of this contract will result in a positive impact on safety. The Nucleus TPIS system provides a vital interface between central control operations staff of Metro in sharing useful operational and safety information to the patrons at the rail stations.

FINANCIAL IMPACT

The base contract value of \$719,950 is included in the FY19 budget in Cost Center 8510, under Crenshaw/LAX Project 865512. Options 1 through 4 will be exercised in future fiscal years using respective project budget. Since this is a multi-year contract, the Chief Program Management Officer and the respective Project Managers will be responsible for budgeting the costs in future fiscal years.

Impact to Budget

The sources of the funds parallel the respective direct charged projects' funding and budgets. This procurement is within each projects' LOP budget.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports Strategic Goal 2: Deliver outstanding trip experience for all users of the transportation system. Expansion of the existing Nucleus public address installation at ROC to accommodate the new stations for Crenshaw/LAX and the optional future projects of Regional Connector and WPLE Sections 1, 2 and 3 Projects will improve information shared with the patrons

with increased efficiency and quality that is built upon a scalable architecture allowing for expansion as the rail system grows. The expanded Nucleus system will provide automated, scheduled\prerecorded, and live message broadcasts with capability to manage voice and visual messages at the stations.

ALTERNATIVES CONSIDERED

The Board may choose not to authorize this action. However, it is not recommended as the alternative would require re-solicitation for any type of TPIS system available. This alternative would include other systems besides Nucleus, and will present training and maintenance difficulties that will negatively affect the overall safe, effective and efficient operations. Additionally, awarding to a new contractor will present significant schedule and cost risks to the Crenshaw/LAX Project.

NEXT STEPS

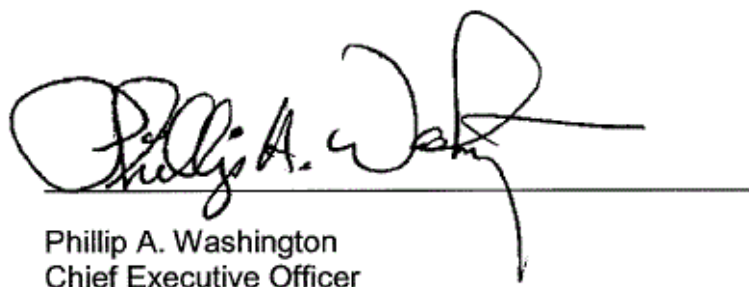
Upon approval by the Board, staff will execute Contract No. OP111922000 with B&C Transit, Inc. to ensure the delivery of the expanded Nucleus TPIS System to support the Crenshaw/LAX, Regional Connector and WPLE Sections 1, 2 and 3 Projects.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

RAIL OPERATIONS CENTER PASSENGER INFORMATION SYSTEM/OP111922000

1.	Contract Number: OP111922000	
2.	Recommended Vendor: B&C Transit 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: 6/20/2018	
	B. Advertised/Publicized: 6/20/2018	
	C. Pre-Bid Conference: N/A	
	D. Proposals/Bids Due: 7/20/2018	
	E. Pre-Qualification Completed: 9/19/2018	
	F. Conflict of Interest Form Submitted to Ethics: 08/02/2018	
	G. Protest Period End Date: 10/19/2018	
5.	Solicitations Picked Up/Downloaded: 19	Bids Received: 2
6.	Contract Administrator: Edmund Gonzales	Telephone Number: 213/418-3073
7.	Project Manager: Rupert Bicarme	Telephone Number: 213/418-3396

A. Procurement Background

This Board Action is to approve Contract No. OP111922000 in support of Metro's Rail Operations Center (ROC) to procure and upgrade the Transit Passenger Information System (TPIS) to support the Crenshaw/LAX Line and Purple Line expansions. The system upgrade will provide greater capability to display real-time information regarding rail line arrivals and departures at stations and allow enhanced ability to provide passenger information. Board approval of contract award is subject to resolution of any properly submitted protest, if any.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a Firm Fixed Price.

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

- Amendment No. 1, issued on July 10, 2018; provided planholders list to potential proposers.

A total of two proposals were received on July 20, 2018.

B. Evaluation of Proposals

This procurement was conducted in accordance with, and complies with LACMTA's Acquisition Policy for a competitive RFP using evaluation criteria and factors. Respondents were evaluated based on the following evaluation criteria and weights:

Degree of the Prime's Skills and Experience	30%
Experience and Capabilities of the Firms on the Contractor's Team	20%
Effectiveness of Management Plan & Ability to Meet Schedule	25%
Price	<u>25%</u>

Total 100%

The firms that submitted proposals are listed below in alphabetical order:

1. B&C Transit, Incorporated
2. JM Fiber Optics

The firms were deemed responsive to the RFP requirements.

The Source Selection Committee (SSC) conducted a technical evaluation of proposals received from B&C Transit, Inc. and JM Fiber Optics, Inc. The SSC found B&C Transit's proposal to be technically responsive and responsible to the RFP Statement of Work (SOW) requirements. B&C Transit's technical proposal satisfactorily responded to all the TPIS system requirements defined in the RFP.

The SSC determined that B&C Transit has a sound history of providing support to Metro's end users and maintenance staff by responding to any questions or resolving all issues.

The SSC found that JM Fiber Optics' TPIS system was entirely different than the TPIS system defined in Metro's RFP. The TPIS System defined in the RFP is a sequel database driven by a state of the art product available in the open market. The TPIS defined in the RFP has proven to be successful in the most recent TPIS installation at ROC for Expo II and Foothill Extension 2A.

The SSC also found that JM Fiber Optics' proposed TPIS system was more prone to failures as has been experienced on Metro's Red, Blue, Green, and Pasadena\Gold Lines. The following is a summary of the SSC's ranking/scores for this procurement:

	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
	B&C Transit, Inc.				
	Degree of Prime's Skills and Experience	80.00	30.00%	24.00	
	Experience & Capabilities of the Firms	76.66	20.00%	15.33	
	Effectiveness of Mgmt. Plan & Ability to Meet Schedule	80.00	25.00%	20.00	
	Price	51.42	25.00%	12.86	
	Total		100.00%	72.19	1
	JM Fiber Optics				
	Degree of Prime's Skills and Experience	47.22	30.00%	14.17	
	Experience & Capabilities of the Firms	40.00	20.00%	8.00	

	Effectiveness of Mgmt. Plan & Ability to Meet Schedule	46.66	25.00%	11.67	
	Price	100.00	25.00%	25.00	
	Total		100.00%	58.84	2

The firm recommended for award, B&C Transit, Inc. was found to be in full compliance with the RFP, technical requirements and received the highest ranking.

C. Cost/Price Analysis

The recommended total price has been determined to be fair and reasonable based on adequate price competition, cost analysis, technical evaluation and negotiation. Staff conducted a cost analysis of B&C's transit's price proposal, as the price offer from JM Fiber Optics was not comparable. The recommended price is 1.4% lower than Metro's Independent Cost Estimate.

Proposer Name	Proposed Price	Negotiated Price	Metro ICE
B&C Transit, Inc.	\$1,712,150	\$1,678,046	\$1,701,820
JM Fiber Optics	\$862,783	\$862,783	

D. Background on Recommended Contractor:

B&C Transit, Inc., located in Oakland, CA, has been in business for 19 years. They serve the public transit sector in automated train control design, technical engineering, system installations, network control, and station communications. B&C Transit has provided similar products to other transit agencies including Miami-Dade Transit, Phoenix Valley Metro Rail and Hampton Roads Transit (HRT) Norfolk. B&C has also provided satisfactory products and services to Metro on previous awarded goods and services.

DEOD SUMMARY

RAIL OPERATIONS CENTER PASSENGER INFORMATION SYSTEM/OP111922000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 21% Disadvantaged Business Enterprise (DBE) goal for this solicitation. B&C Transit Inc. met the goal by making a 21% DBE commitment.

Small Business Goal	DBE 21%	Small Business Commitment	DBE 21%
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	DBE/SBE Subcontractors	Ethnicity	DBE Committed %
1.	KPA Constructors	African American	21%
	Total Commitment		21%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2018-0588, File Type: Contract

Agenda Number: 32.

CONSTRUCTION COMMITTEE OCTOBER 18, 2018

SUBJECT: DIVISION 20 PORTAL WIDENING AND TURNBACK FACILITY

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. CERTIFYING the Final Environmental Impact Report (FEIR);
- B. AUTHORIZING the Chief Executive Officer (CEO) to file a Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse;
- C. ADOPTING the:
 1. Findings of Fact and Statement of Overriding Considerations (FF/SOC) in accordance with the California Environmental Quality Act (CEQA); and
 2. Mitigation Monitoring and Reporting Plan (MMRP).

ISSUE

Division 20 is located at 300 S. Santa Fe Ave near 4th Street in downtown Los Angeles. Metro committed to the Federal Transit Administration (FTA), as part of the Full Funding Grant Agreement for the Westside Purple Line Extension (WPLE) Section 1, to make appropriate infrastructure modifications to allow the Purple Line system to operate at reduced headways. The Full Funding Grant Agreement states that reduced headways must be achievable by late 2024.

To achieve the required headways for the Red and Purple Lines, the existing portal between Union Station and Metro Rail Division 20 must be widened, and existing tracks must be modified where Purple and Red Line trains transition from the existing twin bored tunnels to the current rail yard facilities at Metro Rail Division 20. In addition to the portal widening, a turnback facility must be constructed to maximize and optimize the ability of trains to change directions to and from Union Station. The portal widening and turnback facility are herein referred to as the Proposed Project.

After considerable technical study and internal and external stakeholder outreach, staff is

recommending that the Board: certify the FEIR; adopt the FF/SOC (Attachment A) and the MMRP (Attachment B); and authorize the CEO to file a Notice of Determination (Attachment C). The Proposed Project and the environmental process are described in the FF/SOC. The FEIR, FF/SOC, and MMRP are available at <https://www.metro.net/projects/division-20/>.

BACKGROUND

On March 23, 2017, the Metro Board of Directors certified the Final Initial Study/Mitigated Negative Declaration (IS/MND) and approved the award of a design contract for the Division 20 Portal Widening Turnback Project (original project). The scope of the project was to construct a turnback facility on the west side of the Red and Purple Line yard (Division 20) with the turnback facility terminating east of the One Santa Fe residence and within Metro property located between 1st and 3rd Streets. It also included widening the existing tunnel portal to accommodate the additional tracks. The adopted IS/MND environmental analysis prepared for this original project included full acquisition of the Viertel's Tow Yard property (just northwest of the portal opening).

On April 27, 2017, the Board received an update (File #2017-0130) on Metro's long-term needs at Division 20 in the Downtown Los Angeles Arts District and the accommodations necessary for a potential future Arts District passenger rail station (the majority of public comments on the certified IS/MND showed a strong preference for a station to be located in the Arts District near 6th Street). The report also addressed the increased need for additional storage capacity for Metro's growing rail fleet including accommodations for storage of WPLE trains at Division 20.

Subsequently, the Division 20 Portal Widening Turnback Project has been revised to include storage tracks for WPLE as well as a modified turnback facility that not only meets operational requirements and flexibility, but minimizes significant future infrastructure modifications and interruptions to service if the 6th Street Station is approved and funded. The combination of portal widening and turnback tracks to support two-minute headways, additional storage tracks and accommodation for a future station at 6th Street - all within a constrained footprint of an active rail maintenance and storage site - have significantly increased the size and complexity of this project.

Due to these changes in scope, an EIR has been prepared for the modified project (the Proposed Project), incorporating relevant analysis from the IS/MND.

Staff is recommending approval of this Board action to certify the FEIR. Certifying the FEIR establishes that the FEIR complies with CEQA; the FEIR was presented to the Board and that the Board reviewed and considered the information contained in the Final EIR prior to approving the Proposed Project; and the Final EIR reflects Metro's independent judgment and analysis.

Staff also recommends authorizing the CEO to file a Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse. In addition, staff is recommending the adoption of the FF/SOC and the MMRP.

DISCUSSION

The Proposed Project will widen the existing portal for the Metro Red and Purple Lines Maintenance Yard (Division 20), develop a high-capacity turnback facility, increase train storage capacity, and reconfigure the existing internal tracks and access roads at Division 20 (Attachment D, Project Map) so as not to preclude a future Arts District/6th St. Station. In April 2016, the Board approved a budget of \$3.5M to initiate design of the project.

The elements of the Proposed Project described in the EIR include:

- Widening the tunnel portal that currently connects the Metro Red and Purple Lines to Division 20, including construction of a column in the portal area and a new ventilation shaft building;
- Constructing new storage tracks;
- Reconfiguring existing tracks and access roads to accommodate a turnback facility;
- Installing a new Traction Power Substation (TPSS) and emergency backup power generator;
- Expanding the rail yard west, into areas currently occupied by the Citizens Warehouse/Lysle Storage Company building, the LAPD Viertel's Central Division Police Garage, and the National Cold Storage facility;
- Repurposing an existing building at 100-120 North Santa Fe Avenue for MOW activities (however, Metro does not intend to acquire this property as it's no longer needed for the Project);
- Modifying the 1st Street Bridge piers and superstructure; and
- Vacating portions of three City streets (i.e., Jackson, Banning, and Ducommun Streets east of Center Street).

Project Goals and Objectives

Given the ongoing Metro Purple Line Extension Project, storage constraints that inhibit fleet expansion, and the absence of a turnback facility, the goal of the Proposed Project is to accommodate the expansion and associated increased ridership of the Metro Red and Purple Lines while reducing existing headways. The two objectives of the Proposed Project are:

- Objective #1: Provide core capacity improvements needed to accommodate increased service levels on Metro Red and Purple Lines.

Objective #2: Provide new tracks and switches that will allow trains to provide faster service times than the current turnback at Union Station.

Environmental Analysis

The Project was analyzed through an Environmental Impact Report (EIR) under CEQA.

The EIR Notice of Preparation was published on October 18, 2017 (with a 30-day public comment period) and the Notice of Availability of the DEIR was published on March 16, 2018 (and circulated for a 45-day public comment period). The Proposed Project was analyzed under all CEQA issue areas and was found to have no impacts or less than significant impacts in 16 issue areas, less than significant impacts with mitigation measures in two issue areas (Aesthetics and Tribal Cultural Resources), and significant and unavoidable impacts related to Cultural Resources (due to the partial demolition of a historic building, complete demolition of a historically significant facility, and

modification to the 1st Street Bridge), and Noise and Vibration during construction (due to potential exceedance of FTA noise standards near One Santa Fe residential buildings and potential generation of excessive groundborne vibration).

Mitigation Measures

The FEIR includes a total of fifteen mitigation measures for impacts related to Aesthetics (two mitigation measures), Cultural Resources (nine mitigation measures), Noise and Vibration (three mitigation measures), and Tribal Cultural Resources (one mitigation measure). Metro is responsible for administering and implementing the mitigation measures during construction and operation of the Proposed Project. A full description of the mitigation measures is included in the MMRP (Attachment B).

Significant and Unavoidable Impacts

Cultural Resources (Historical Resources). The Citizens Warehouse/Lysle Storage Company building (formerly known as the Pickle Works building) is considered a historical resource under CEQA. Demolition of approximately 30,000 square feet of the eastern portion of the Citizens Warehouse/Lysle Storage Company building would result in a significant and unavoidable impact. The MMRP includes mitigation measures to preserve and protect approximately 24,000 square feet of floor area on three floors (including a basement) of the extant portion of the building, including the Art Dock and the frontage facing Center Street. In addition, as required by Mitigation Measure CR-3, Metro will preserve the opportunity to expand the extant portion of the historical resource to the south to provide an additional 2,700 square feet of floor area on three floors (including a basement). This would amount to a maximum total floor area of approximately 26,700 square feet for potential future reuse and historic rehabilitation. However, even with mitigation, the impact to this historic resource would still be significant and unavoidable.

Another historic resource to which the Proposed Project would create significant and unavoidable impacts is the 1st Street Bridge, designated by the City as a Historic-Cultural Monument. The Proposed Project would remove two bents from the Bridge and widen two bents and one pylon to accommodate new tracks. Modifications to the Bridge would result in a significant and unavoidable impact. The MMRP includes mitigation measures to retain the original decorative brackets, reflect the original board-form appearance on new concrete, and use an infill treatment similar to the treatment used when the Bridge was first widened to accommodate the Metro Gold Line. However, even with mitigation, the remaining impact would be significant and unavoidable.

Demolition of the National Ice and Cold Storage facility, which is listed as historically significant on SurveyLA, the City of Los Angeles' official historical resources survey, would result in a significant and unavoidable impact. The MMRP includes mitigation measures to document the historic nature of the building. However, even with mitigation, the impact would still be significant and unavoidable.

Noise and Vibration (Construction Noise and Vibration). The Proposed Project would include construction activities involving heavy-duty equipment directly adjacent to One Santa Fe. In addition, nighttime construction may be required to limit operational impacts to the existing Rail Yard. Noise levels would potentially exceed FTA standards near One Santa Fe residential buildings. Additionally,

the Proposed Project may generate excessive groundborne vibration. The MMRP includes the preparation of a Noise Control and Monitoring Plan and a Vibration Monitoring Plan as mitigation measures. However, no feasible mitigation measures were identified that would reduce the significant impact to a less-than-significant level. Therefore, even with mitigation, the impact would still be significant and unavoidable.

Alternatives

CEQA requires an analysis of alternatives to the Proposed Project to reduce or eliminate significant impacts associated with project development. An EIR must briefly describe the rationale for selection and rejection of alternatives. Alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effects. This section describes potential alternatives to the Proposed Project that have been carried forward for comparative analysis with respect to the significant environmental impacts.

Three alternatives were evaluated:

- Alternative 1, “no project” alternative, (required by CEQA) will leave the current conditions in place;
- Track Design Alternative 2 would include many of the same project elements as the Proposed Project, which includes widening the tunnel portal, construction of a new ventilation building, constructing new storage tracks, installing a new TPSS and backup generator, vacating portions of City streets, and accommodating a turnback facility. This alternative would reduce impacts to cultural resources by not requiring modification of the 1st Street Bridge. However, the track configuration for the new storage yards would create a single point of failure for connections to the new storage tracks; and
- Track Design Alternative 3 would have the same project elements as Track Design Alternative 2 and would include two points of failure. Because this alternative would only modify two, rather than four, of the 1st Street Bridge’s bents, it would reduce impacts to cultural resources as compared to the Proposed Project. However, this alternative would only allow four-car train lengths, which would be inadequate for projected passenger loads.

Alternative 1, “no project” alternative, would avoid the Proposed Project’s significant impacts. However, in pursuing the No Project Alternative, Metro would not be able to meet the Proposed Project’s objectives of providing core capacity improvements to accommodate increased service levels on the Metro Red and Purple Lines and providing new tracks and turnouts to allow trains to provide faster service times at Union Station, and makes Alternative 1 infeasible. Track Design Alternatives 2 and 3 would each result in lesser impacts to cultural resources. However, Track Design Alternative 2 does not provide operational redundancy in its single point of failure. Failures at the double slip switch to the storage yard access points would render the storage facility unusable until the issue is addressed, creating inefficiency and poor reliability in operations. This deficiency would conflict with the Proposed Project Objective #2, which is to provide new tracks and switches that will allow trains to provide faster service times than the current turnback at Union Station, and makes Track Design Alternative 2 infeasible. Track Design Alternative 3 does not provide the six-car train lengths that would satisfy the capacity requirements of the Westside Purple Line Extension. This deficiency would conflict with the Proposed Project Objective #1, which is to provide core capacity improvements needed to accommodate increased service levels on Metro Red and Purple Lines, and

makes Track Design Alternative 3 infeasible.

Outreach

Staff led a robust outreach program during the preparation of the EIR, and continued engagement with stakeholders beyond the requirements of CEQA leading up to the release of the FEIR. The initial Scoping public comment period lasted forty-five days from October 18 to November 17, 2017, during which time two public scoping meetings were hosted on October 25, 2017 and November 8, 2017 to receive public input. The Proposed Project's scope was later revised to include additional property, which initiated a revised Scoping public comment period, lasting from January 3 to February 2, 2018. During this process, several briefings and meetings took place with local community groups, community members, elected officials, public agencies, and other stakeholders. Similar briefings were held upon the release of the DEIR and in advance of Metro's public hearing at Metro Headquarters on April 12, 2018 with 11 members of the public present and 15 members of the public viewing via a live webcast. In total, over 20 briefings were held with stakeholders; Attachment E includes a summary of the stakeholder engagement during the environmental process.

During the DEIR public comment period, a total of 50 distinct public comments were received, and 4 commenters spoke during the April 12 public hearing. Broadly, the comments focused on the following topics:

- Cultural Resources
- Transportation/Traffic
- Air Quality
- Noise
- Land Use and Planning
- Aesthetics

Responses were prepared for all comments received and, where applicable, changes (as indicated below) were incorporated into the FEIR. The comments and responses are presented in Chapter 3 of the FEIR.

Of note, the most prevalent public comment concerned the partial demolition of the Citizens Warehouse/Lysle Storage Company building and public requests for preservation, if feasible, or utilization of the space for a community use.

In response, Metro has revised Mitigation Measure CR-3 to provide more details related to preserving and rehabilitating the Citizens Warehouse/Lysle Storage Company building for future reoccupancy. These include:

- Metro will retain and stabilize approximately 24,000 square feet of floor area for potential future reuse.
- Metro shall consult with the Arts District community to identify an appropriate future use for the Citizens Warehouse/Lysle Storage Company building.

- Upon identification of an appropriate future use for the Citizens Warehouse/Lysle Storage Company building, Metro shall develop an adaptive reuse plan in consultation with the Los Angeles Conservancy and the City of Los Angeles Office of Historic Resources.
 - The identified use shall preserve the building's character-defining features and not preclude its eligibility to be designated as a Los Angeles Historic-Cultural Monument.
- Metro shall preserve the opportunity to expand the Citizens Warehouse/Lysle Storage Company building towards the 1st Street Bridge to provide up to approximately 2,700 square feet of additional floor area.
- Metro shall apply to nominate the Citizens Warehouse/Lysle Storage Company building as a Los Angeles Historic-Cultural Monument.
- A certificate of occupancy shall be recorded on the property for its future reuse within five years of Metro's purchase of the property from the City.

Other stakeholders' comments focused on design considerations, construction impacts, and operational concerns, and were addressed with stakeholders during the design process. These include:

- Addition of a column structure to accommodate high-speed rail service and avoid potential long-term closure of the Metro Purple and Red lines during future high-speed rail construction activities;
- Clarification regarding the study of a potential future revenue station in the Arts District, undertaken as a separate effort per Board direction in June 2018;
- Incorporation of additional historic features such as notation of the original boundaries of old Chinatown;
- Inclusion of analysis regarding total volatile organic compound (VOC) operational emissions.
- Clarification of Metro's policy for construction engine specifications, as described in the Metro Green Construction Policy.
- Reconsideration of purchase of additional property.
- Reassurance that a robust outreach process will be in place during construction.
- Confirmation that Construction of the Proposed Project would not involve road closures or impacts to neighboring businesses.

FEIR Recommendations

Staff recommends that the Board certify the FEIR with the Proposed Project. Although Track Design Alternative 2 would result in lesser impacts to cultural resources than the Proposed Project, the Proposed Project better achieves the desired project benefits and project objectives.

Statement of Overriding Considerations and Findings of Fact

CEQA Guidelines Section 15091(a) states that if the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse effects, those effects may be considered acceptable. The Board must find that notwithstanding the disclosure of these significant and unavoidable impacts, there are specific overriding reasons for approving the Proposed Project and that these reasons override and outweigh the Proposed Project's significant unavoidable effects. CEQA requires Metro to support, in writing, the specific reasons for considering a project acceptable

when significant impacts cannot be avoided or substantially lessened. The findings are described below and in the necessary Statement of Overriding Considerations.

Though the Proposed Project would result in significant and unavoidable impacts related to cultural resources and noise and vibration, the Proposed Project would create regional environmental and social benefits. The main benefits of the Proposed Project are described below and in greater detail in the Statement of Overriding Considerations.

- *Regional Transit Capacity.* The Proposed Project will substantially improve capacity of the Metro Red and Purple Lines. In November 2016, over 70 percent of Los Angeles County's voters approved Metro's Measure M ballot measure to raise sales taxes to pay for critical transportation improvements, including the acceleration of the Purple Line Extension. The improvements to the Division 20 Rail Yard will provide core capacity improvements to accommodate increased service levels previously approved for the Metro Red and Purple Lines and allow trains to provide faster service times at Union Station. Metro Red and Purple Line ridership is expected to increase by approximately 49,000 following the Purple Line Extension to the U.S. Department of Veterans Affairs West Los Angeles Medical Center. In order to effectively serve the additional patronage during weekday peak hours, planned service improvements include operating trains every four minutes on each line - which is every two minutes in the trunk portion of the system - and expanding the fleet. Currently, eastbound trains in the trunk portion of the system use special trackwork at Union Station to reverse directions (i.e., 'turnback'). However, the capability of turning back trains is capped at 7.5 minutes on each line, or 3.75 minutes combined due to the original design of Union Station. In addition to improving Metro Red Line service, the Proposed Project would provide quicker turnaround times and capacity for storing trains for the full build-out of the Purple Line Extension.
- *Reduced Vehicle Miles Traveled (VMT) and Associated Emissions.* The Proposed Project would allow for the increase in service and expansion of the geographical reach of the Metro Red and Purple Lines. This would increase the appeal and viability of heavy rail transit as a mode of transportation in Los Angeles County. Such improvements to alternative modes of transportation would provide the opportunity for reductions in regional single-occupancy vehicle VMT and associated air pollutant and greenhouse gas emissions. In combination with the Purple Line Extension, the Proposed Project would result in an annual net reduction of approximately 19,960 metric tons of carbon dioxide equivalent. The entirety of the Purple Line Extension was incorporated into the Southern California Association of Governments Regional Transportation Plan. Enhancing and expanding the public transit network is at the crux of reducing regional VMT and associated GHG emissions, which is the top priority of the regional and local transportation and sustainability plans, as well as the California Air Resources Board Scoping Plan. The Proposed Project would contribute to regional efforts to improve sustainability and reduce VMT.

Notwithstanding the significant and unavoidable Project impacts, changes or alterations have been required in, or incorporated into, the Proposed Project which avoid or substantially lessen the significant environmental effects as identified in the EIR.

DETERMINATION OF SAFETY IMPACT

Approval of this item will have no impact on safety.

FINANCIAL IMPACT

There is no impact to the FY19 budget for the proposed recommendations. Funding for the environmental services was included in the FY18 budget in Project 865119 Division 20 Portal Widening and Turnback Facility, cost center 8510, account number 50316 Professional and Technical Services. This is a multi-year project requiring expenditure authorizations in fiscal year increments until a Board Authorized Life of Project Budget is adopted. It is the responsibility of the Project Manager and Chief Program Management Officer to budget for this project in the future fiscal years.

Impact to Budget

There is no change to the FY19 approved budget. The current funding for the project is CTC approved Transit and Intercity Rail Capital Program (TIRCP) funds and Measure R 35% funds.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goals:

1. Provide high-quality mobility options that enable people to spend less time travelling;
2. Deliver outstanding trip experience for all users of the transportation system; and
3. Enhance communities and lives through mobility and access to opportunity.

ALTERNATIVES CONSIDERED

The Board could delay action to certify the FEIR, adopt the Findings of Fact and Statement of Overriding Considerations, as well as the MMRP. Deferral of these actions is not recommended as they would delay the Proposed Project's overall schedule to be complete before opening of the WPLE Section 1 in 2023 as well as delay the achievement of the FFGA reduced headway capabilities by late 2024.

The Board could decide to certify the FEIR but reject the staff recommendation to approve the Proposed Project and instead advance Track Design Alternative 2 or 3 as the Preferred Alternative. This is not recommended. The Proposed Project and Track Design Alternatives 2 and 3 are similar in overall design but have key operational differences to the Proposed Project. Track Design Alternative 2 does not provide operational redundancy in its points of failure, which would prevent continuing rail service in the case of a trackwork failure. Track Design Alternative 3 does not provide for the six-car train lengths that would satisfy the capacity requirements of the Westside Purple Line Extension. The selection of Track Design Alternative 2 or 3 would thus conflict with the Proposed Project's objectives. As a result, Track Design Alternatives 2 or 3 are infeasible.

The Board could decide to select Alternative 1, "no project." This is not recommended as it would maintain existing conditions, would be contrary to the overall vision for future revenue service, and

would not fulfill Metro's commitment through the WPLE FFGA to provide reduced headway capabilities by late 2024. The selection of Alternative 1, "no project," would thus conflict with the Proposed Project's objectives. Additionally, Metro has secured State grant funding to advance this project. As a result, the No Project Alternative is not feasible.

NEXT STEPS

Upon Board certification of the FEIR, staff will file a Notice of Determination with the State of California and Los Angeles County, and advance key project contracts for Early Demolition and Construction.

The project is advancing to complete final design by the end of the calendar year with construction bid documents to be released in early 2019. Once construction bids are received and the lowest bidder is identified, staff will establish a LOP budget and will return to the Board for adoption.

Staff will also return to the Board for approval of any final property required for the project.

ATTACHMENTS

Attachment A - Findings of Fact and Statement of Overriding Considerations

Attachment B - Mitigation Monitoring and Reporting Plan

Attachment C - Notice of Determination

Attachment D - Project Map

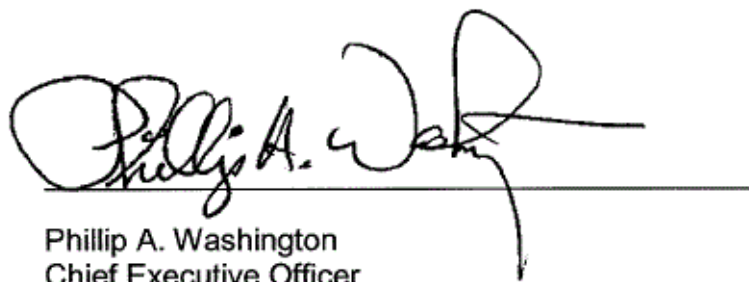
Attachment E - Summary of Outreach

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Los Angeles County
Metropolitan Transportation Authority

Division 20 Portal Widening and Turnback Facility Project

FINDINGS OF FACT AND STATEMENT
OF OVERRIDING CONSIDERATIONS

State Clearinghouse No. 2017101034
September 2018



Metro®

**Findings of Fact and
Statement of Overriding Considerations**

**Pursuant to CEQA Guidelines Section 15091 and
Public Resources Code Section 21081**

**Division 20 Portal Widening/
Turnback Facility Project**

October 2018



In Association with:

**Terry A. Hayes Associates Inc.
ICF
ATS Consulting**

**GlobalASR
Paleo Solutions, Inc.
Arellano Associates**

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ABBREVIATIONS/ACRONYMS

AQMP	Air Quality Management Plan
CEQA	California Environmental Quality Act
CRHR	.....	California Register of Historical Resources
CRMMP	.....	Cultural Resources Monitoring and Mitigation Plan
DTSC	.....	Department of Toxic Substances Control
EIR	.....	Environmental Impact Report
ESA	.....	Environmentally Sensitive Area
GHG	.....	Greenhouse Gases
Metro	.....	Los Angeles County Metropolitan Transportation Authority
MLD	.....	Most Likely Descendent
MMRP	.....	Mitigation Monitoring and Reporting Program
NAHC	.....	Native American Heritage Commission
OSF	.....	One Santa Fe
PRC	.....	Public Resources Code
PMMP	.....	Paleontological Monitoring and Mitigation Plan
RTP/SCS	.....	Regional Transportation Plan/Sustainable Communities Strategy
SCI-Arc	.....	Southern California Institute of Architecture
SCAQMD	.....	South Coast Air Quality Management District
SOI	.....	Secretary of the Interior
SWPPP	.....	Stormwater Pollution Prevention Plan

1. INTRODUCTION

The Los Angeles County Metropolitan Transportation Authority (Metro) followed a prescribed process, in accordance with California Environmental Quality Act (CEQA) regulations, to identify the issues to be analyzed, including the solicitation of input from the public, stakeholders, elected officials, and other affected parties. Implementation of the Division 20 Portal Widening/Turnback Facility Project (Proposed Project) would result in significant unavoidable impacts related to cultural resources and temporary construction noise and vibration, even with the incorporation of certain mitigation measures as part of the Proposed Project's approval. In accordance with CEQA, Metro, in adopting these Findings of Fact, also adopts a Mitigation Monitoring and Reporting Program (MMRP). Metro finds that the MMRP, which is included in Chapter 4 of the Final EIR and is provided as a part of these findings as Attachment B to the October Metro Board Report, meets the requirements of Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures to mitigate potentially significant effects of the Proposed Project.

In accordance with the CEQA Guidelines, Metro adopts these findings as part of the approval of the Proposed Project. Pursuant to PRC Section 21082.1(c)(3) and CEQA Guidelines Section 15090, Metro certifies that the Final Environmental Impact Report (EIR):

1. Has been completed in compliance with the CEQA;
2. The FEIR was presented to the Board of Directors and that the Board reviewed and considered the information contained in the Final EIR prior to approving the Proposed Project; and
3. The Final EIR reflects Metro's independent judgment and analysis.

2. ORGANIZATION

The Findings of Fact and Statement of Overriding Considerations is comprised of the following sections:

Section 3. A brief description of the Proposed Project and its objectives;

Section 4. Statutory requirements of the findings and a record of proceedings;

Section 5. Significant impacts of the Proposed Project that cannot be mitigated to a less-than-significant level even with the identification and incorporation of all feasible mitigation measures;

Section 6. Potentially significant impacts of the Proposed Project that can be mitigated to a less-than-significant level;

Section 7. Potentially significant impacts of the Proposed Project that are not significant with implementation of regulatory compliance measures;

Section 8. Environmental impacts that are less than significant;

Section 9. Environmental resources to which the Proposed Project would have no impact;

Section 10. Potential cumulative impacts;

Section 11. Alternatives analyzed in the evaluation of the Proposed Project and findings on mitigation measures; and

Section 12. Statement of Overriding Considerations.

3. PROJECT DESCRIPTION AND OBJECTIVES

Metro is proposing a widening of the existing portal for the Metro Red and Purple Lines Maintenance Yard (Division 20 Rail Yard), development of a high-capacity turnback facility, an increase of train storage capacity, and a reconfiguration of existing internal tracks and access roads.

The improvements to the Division 20 Rail Yard will provide core capacity improvements to accommodate increased service levels previously approved for the Metro Red and Purple Lines and allow trains to provide faster service times at Union Station. Collectively, the Metro Red and Purple Lines carry over 140,000 passengers daily, with ridership expected to increase by 49,000 following the extension of the Metro Purple Line to the Veterans Affairs West Los Angeles Medical Center. To effectively serve the additional patronage during weekday peak hours, Metro plans to operate trains every four minutes on each line – which is every two minutes in the trunk portion of the system – and expand the fleet. Currently, eastbound trains in the trunk portion of the system use special trackwork at Union Station to reverse directions (i.e., ‘turnback’). However, the capability of turning back trains is capped at 7.5 minutes on each line, or 3.75 minutes combined due to the original design of Union Station. The Proposed Project aims to address the service and capacity limitations with three core improvements, which include:

- Widening the heavy rail tunnel portal south of the U.S. Highway 101 (US-101) freeway to accommodate additional special trackwork and high-speed train movements;
- Developing a new, surface-level turnback facility in the existing Division 20 Rail Yard; and
- Reconfiguring and expanding the surface-level rail storage tracks.

The Proposed Project is more fully described in the Draft EIR, pages 2-6 to 2-12 and the Final EIR, page 2-4. Given the ongoing Metro Purple Line Extension Project, storage constraints that inhibit fleet expansion, and the absence of a turnback facility, the goal of the Proposed Project is to accommodate the expansion and associated increased ridership of the Metro Red and Purple Lines. The two objectives of the Proposed Project are:

Objective #1: Provide core capacity improvements needed to accommodate increased service levels on Metro Red and Purple Lines.

Objective #2: Provide new tracks and turnouts that will allow trains to provide faster service times at Union Station.

4. STATUTORY REQUIREMENTS

CEQA (PRC Section 21081), and particularly the CEQA Guidelines (Title 14 California Code Regulations Section 15091) require that:

- (a) No public agency shall approve or carry out a project for which a certified EIR identifies one or more significant environmental effects of the Proposed Project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
1. Changes or alterations have been required in, or incorporated into, the Proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. (**CEQA Finding 1**)
 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (**CEQA Finding 2**)
 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (**CEQA Finding 3**)
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a) (2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a) (3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

- (d) When making the findings required in subdivision (a) (1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that would otherwise occur with implementation of the Proposed Project. However, mitigation or alternatives are not required if they are infeasible or if the responsibility for modifying the Proposed Project lies with another agency.¹

For those significant impacts that cannot be mitigated to less-than-significant levels, the lead agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the Proposed Project outweigh the significant impacts on the environment.² CEQA Guidelines Section 15093 (a) states that, "If the specific economic, legal, social, technological, or other benefits of a Proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'" If the adverse environmental effects are considered acceptable, as is the case with the Proposed Project, the lead agency is required to prepare a Statement of Overriding Considerations.

4.1 RECORD OF PROCEEDINGS

For purposes of CEQA and the findings set forth herein, the record of proceedings for Metro's decision on the Proposed Project consists of: (a) matters of common knowledge to Metro, including, but not limited to, federal, State, and local laws and regulations; and (b) the following documents which are in the custody of Metro, One Gateway Plaza, Records Management, MS 99-PL-5, Los Angeles, CA 90012:

- Preparation (NOP) and other public notices issued by Metro in conjunction with the Proposed Project;

¹ CEQA Guidelines Section 15091 (a) and (b).

² Public Resources Code Section 21081 (b).

- The Draft EIR dated March 2018, including all associated appendices and documents that were incorporated by reference;
- All testimony, documentary evidence, and all correspondence submitted in response to the Proposed Project during the scoping meeting or by agencies or members of the public during the public comment period on the Draft EIR, and responses to those comments (Chapter 3 Response to Comments of the Final EIR);
- The Final EIR dated September 2018, including all associated appendices and documents that were incorporated by reference;
- The MMRP (Chapter 4 Mitigation Monitoring and Reporting Program of the Final EIR);
- All findings and resolutions adopted by Metro in connection with the Proposed Project, and all documents cited or referred to therein;
- All final technical reports and addenda, studies, memoranda, maps, correspondence, and all planning documents prepared by Metro or the consultants relating to the Proposed Project;
- All documents submitted to Metro by agencies or members of the public in connection with development of the Proposed Project;
- All actions of Metro with respect to the Proposed Project; and
- Any other materials required by PRC Section 21167.6(e) to be in the record of proceedings.

5. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT WITH MITIGATION

Metro finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Proposed Project would be significant or have the potential to be significant despite the implementation of all feasible mitigation measures.

5.1 CULTURAL RESOURCES

The Proposed Project would create a significant impact related to cultural resources if it were to:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

The Proposed Project would cause a substantial adverse change in the significance of three historical resources. The Proposed Project would remove two of the 1st Street Bridge's bents and widen two bents and one pylon. The removal of these character-defining features is not consistent with the Secretary of the Interior's Standards (SOI) for the Treatment of Historic Properties. The Proposed Project would also demolish the eastern portion of the remnants of the Citizens Warehouse/Lysle Storage Company building (in the location of the former Pickle Works building listed on the California Register of Historical Resources [CRHR]). Lastly, the Proposed Project would demolish the National Cold Storage facility, which is listed as historically significant on SurveyLA, the City of Los Angeles' official historic resources survey.

Reference. Section 3.3 Cultural Resources of the Draft EIR, pages 3.3-17 through 3.3-28, and pages 2-7 through 2-10 of the Final EIR.

Mitigation Measures

- CR-1** Design measures shall be developed by the Project Architect and Engineer and implemented by the Project Contractor to minimize harm due to alterations to the 1st Street Bridge. Design measures shall include surface treatment of new concrete to reflect but be distinguishable from the original board-form appearance, retention of the decorative brackets, and an infill treatment of the incising arches in a manner similar to the treatment used when the Bridge was first widened to accommodate the Eastside Light-Rail Extension of the Metro Gold Line Project.
- CR-2** Metro shall conduct further historical research and analysis to document, in an exhibit, report, or website, the historic association and significance of the Citizens Warehouse/Lysle Storage Company building. The documentation shall include a discussion of who lived and worked in the building and its role in the early settlement history of the Arts District. A description of the construction history of the complex from 1888 until the present time shall also be included in the documentation. Copies of the report or exhibit shall be provided to the City of Los Angeles Public Library for public education purposes. The documentation shall be completed prior to commencement of any Project construction activities that could adversely affect the Citizens Warehouse/Lysle Storage Company building.
- CR-3** Metro shall do the following to minimize impacts to the Citizens Warehouse/Lysle Storage Company building:
- A.** Metro shall retain and stabilize approximately 24,000 square feet of floor area of the extant portion of the Citizens Warehouse/Lysle Storage Company building along Center Street (8,000 square feet per story on the basement, the ground floor, and the second floor), including the former location of the Art Dock, for potential future reuse.
 - 1. Stabilization of the remaining portions of the building to remain shall be designed and conducted in a manner consistent with the applicable SOI's Standards. The stabilization design shall be prepared prior to commencement of any of the Proposed Project's construction activities that could adversely affect the Citizens Warehouse/Lysle Storage Company building.
 - 2. In order to preserve the maximum amount of historic materials comprising the floors and ceiling joists, Metro shall saw-cut through the first floor, second floor, and roof along the eastern side to be stabilized.
 - 3. Demolition of the eastern portion of the building may not occur until after the stabilization (item A.1) and saw-cut (item A.2) are complete.
 - 4. Brick exterior cladding material, windows, and other character-defining materials and features obtained from the demolition of the eastern wall of the Citizens Warehouse/Lysle Storage Company building shall be salvaged and

stored so that those original materials can be re-used to clad the southern façade of the existing building or to clad any proposed Pickle Works replication addition to the south.

- B.** Metro shall consult with the Arts District community to identify an appropriate future use for the Citizens Warehouse/Lysle Storage Company building. Renovations to accommodate the new use shall not preclude the building's eligibility to be considered as a City of Los Angeles Historic-Cultural Monument.
- C.** Upon identification of an appropriate future use for the Citizens Warehouse/Lysle Storage Company building, Metro shall develop an adaptive reuse plan in consultation with the Los Angeles Conservancy and the City of Los Angeles Office of Historic Resources. The adaptive reuse plan shall:
 - 1. Develop an adaptive reuse design for historic rehabilitation consistent with the SOI's Standards for Rehabilitation to a total of up to approximately 26,700 square feet of floor area.
 - a. The adaptive reuse design shall include replication of the original southern façade of the former Pickle Works building to the maximum extent possible.
 - b. The adaptive reuse plan shall be developed by Metro in consultation with the Los Angeles Conservancy and the City of Los Angeles Office of Historic Resources to ensure that adequate guidance is in place for historic rehabilitation principles to be incorporated into the needs of potential future reuse.
 - c. Metro shall obtain the services of a firm specializing in historic preservation rehabilitation projects to provide guidance for development of the plan.
- D.** Metro shall do the following to enable the Cultural Heritage Commission's consideration of the Citizens Warehouse/Lysle Storage Company as a City of Los Angeles Historic-Cultural Monument:
 - 1. Ensure the following character-defining features are preserved in the adaptive reuse design along the north and west elevations to convey the building's association with the Los Angeles Arts District during the 1970s and 1980s:
 - a. Common-bond brick work
 - b. Patterned but irregular spacing of fenestration and openings
 - c. Segmentally arched windows of variegated dimensions
 - d. Four-part corbelling at west and north elevation rooflines
 - e. Ceramic insulators affixed to west elevation
 - f. Sawtooth element at roof
 - g. Recessed wood-frame multi-light windows
 - h. Faux shutters and planters

- i. The Art Dock bay, located at 112 Center Street (west elevation, second dock from north)
 - j. Elevated single-bay loading docks
 - k. Basement windows
 - l. Stucco-capped stepped parapets at the roofline
2. Apply to the City of Los Angeles Office of Historic Resources and Cultural Heritage Commission for their consideration of the Citizens Warehouse/Lysle Storage Company to be designated as a City of Los Angeles Historic-Cultural Monument.
- a. The application shall base the statement of significance on the building's association with the Los Angeles Arts District during the 1970s and 1980s under Criterion 1: Is identified with important events of national, state, or local history, or exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city or community.
 - b. The nomination for Historic-Cultural Monument status would be prepared after the stabilization is complete.
- E.** Metro shall preserve the opportunity to expand the Citizens Warehouse/Lysle Storage Company building towards the 1st Street Bridge to provide up to approximately 2,700 square feet of floor area (900 square feet per story on the basement, the ground floor, and the second floor). The determination whether to expand the building towards the 1st Street Bridge shall be made by Metro in consultation with the Arts District community, the Los Angeles Conservancy, and the City of Los Angeles Office of Historic Resources.
1. Any expansion of the building towards the 1st Street Bridge area shall be conducive to replicating the appearance of the no-longer extant portion of the former Pickle Works building built in 1888, which was demolished by a different entity for a previous project – the widening of the 1st Street Bridge.
- F.** A certificate of occupancy shall be recorded on the property for the future reuse within five years of Metro's purchase of the property from the City.
- CR-4** Metro shall prepare a report that documents, in-depth, the history and context of ice making and cold storage facilities in Los Angeles and the role played by National Ice and Cold Storage during its most significant years. Copies of the report shall be provided to the City of Los Angeles Public Library for public education purposes. The report shall be prepared prior to any demolition activities that would affect the National Ice and Cold Storage facility.

Finding. For the reasons stated above, Metro finds that despite the implementation of Mitigation Measures **CR-1** through **CR-4**, this impact to cultural resources would be significant.

Mitigation Measures **CR-1** through **CR-4** would reduce impacts to historic resources. However, physical constraints due to track geometry and location necessitate the demolition of historic resources. Adoption of the alternatives in the Draft EIR or otherwise changing the Proposed

Project to avoid impacts related to historic resources would not be feasible as it would not meet the underlying purpose of the Proposed Project. For the reasons stated above, Metro finds that despite the implementation of Mitigation Measures **CR-1** through **CR-4**, these historic resources impacts would be significant. **Metro adopts CEQA Findings 1 and 3, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

5.2 NOISE AND VIBRATION

The Proposed Project would create a significant impact related to noise and vibration if it were to result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; and/or
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

This section of the Findings of Fact focuses on construction noise and vibration. The Proposed Project would generate noise levels in excess of Federal Transit Administration (FTA) standards as well as substantial temporary increases in ambient noise levels compared to levels existing without the Proposed Project. During construction, daytime noise levels would exceed the 90 A-weighted decibel FTA criteria at the One Santa Fe (OSF) apartment complex during all analyzed phases of construction activity. Similarly, nighttime noise levels would exceed the limits at the OSF building. The FTA has identified a 100 A-weighted decibel threshold for commercial and industrial land uses. This noise level would be exceeded for land uses located within approximately 20 feet of heavy-duty equipment.

The Proposed Project would expose persons to excessive groundborne vibration. Construction activities occurring adjacent to the OSF building include the demolition of existing structures and facilities and the construction of storage tracks. These activities require the use of heavy-duty equipment that cannot be avoided based on applicable construction methods. The results predict that the vibration levels would exceed the FTA standards when equipment operates very close to the receiver, as is the case near the OSF during the building and concrete demolition operations.

Reference. Section 3.7 Noise and Vibration of the Draft EIR, pages 3.7-13 through 3.7-23, and page 2-10 of the Final EIR.

Mitigation Measures

NV-1 The Contractor shall submit a Noise Control and Monitoring Plan to Metro that is prepared, stamped, and administered by the Contractor's Acoustical Engineer. This plan shall state that:

- Equipment shall include enclosed engines, acoustically attenuating shields, and/or high-performance mufflers;

- Equipment and staging areas shall be located away from noise-sensitive receivers;
- Idling of construction equipment shall be restricted to a maximum of five minutes in accordance with Title 13, Section 2485 of the California Code of Regulations, except as provided in the exceptions to the applicable California Air Resources Board regulations regarding idling;
- Temporary noise barriers and/or noise control curtains shall be installed;
- Construction-related truck traffic shall be routed away from local residential streets and/or sensitive receivers;
- Impact pile driving shall be prohibited.
- The use of impact devices such as jackhammers and hoe rams shall be minimized, using concrete crushers and pavement saws instead;
- The Noise Control and Monitoring Plan shall include a site drawing, an inventory of equipment, calculations of the one-hour L_{eq} noise levels at sensitive receptors (i.e., OSF), and compliance with FTA noise criteria. An updated Noise Control and Monitoring Plan shall be completed and submitted within ten days of the start of each quarterly period, or whenever there is a major change in work schedule, construction methods, or equipment operations.

NV-2 Metro shall install low-impact frogs at locations with special trackwork. This applies to the OSF-adjacent storage yard and yard tracks within a 200-foot radius of the northern portion of the northern OSF building. This also applies to existing yard tracks leading to the Maintenance Facility, as well as new yard tracks within a 200-foot radius of the northern portion of the southern OSF building.

NV-3 The Contractor shall submit a Vibration Monitoring Plan to Metro that is prepared, stamped, and administered by the Contractor's Acoustical Engineer. This plan shall include:

- A survey of OSF building foundations with photographs of existing conditions limited to buildings within 25 feet of high-vibration-generating construction activities. Another survey shall be completed at the end of construction activities to assess potential damage. Damaged structures shall be returned to the preconstruction state by the Contractor.
- A requirement to monitor vibration at any building where vibratory rollers or similar high-vibration-generating equipment would be operated within 25 feet of buildings and at any location where complaints about vibration are received from building occupants. Construction activities shall be stopped and alternative methods introduced if vibration levels exceed 0.2 inches per second at OSF. Examples of high-vibration construction activities include the use of vibratory compaction or hoe rams next to sensitive buildings. Alternative procedures include use of non-vibratory compaction in limited areas and a concrete saw in place of a hoe ram to break up pavement.

- Nighttime construction activities near OSF shall not include equipment operations within the minimum distances shown in Table 3.7.9 of the Draft EIR.

Finding. Mitigation Measures **NV-1** through **NV-3** would reduce construction noise and vibration levels at noise-sensitive receptors during construction activities. Construction activity would be short-term and temporary at each location; however, noise levels from various mechanized construction equipment would exceed the relevant standards. No additional mitigation measures were identified to reduce significant impacts related to construction noise and vibration. Adoption of the alternatives in the Draft EIR or otherwise changing the Proposed Project to avoid impacts related to construction noise and vibration would not be feasible as it would not meet the underlying purpose of the Proposed Project. For the reasons stated above, Metro finds that despite the implementation of Mitigation Measures **NV-1** through **NV-3**, these noise and vibration impacts would be significant. **Metro adopts CEQA Findings 1 and 3, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH MITIGATION

Metro finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Proposed Project are significant, but can be reduced to less-than-significant levels through the proposed mitigation measures listed below and in the MMRP. Therefore, as identified in the EIR, changes or alterations which avoid or substantially lessen the significant environmental effects have been required in, or incorporated into, the Proposed Project.

6.1 AESTHETICS

The Proposed Project would create a significant impact related to aesthetics if it were to:

- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact. Construction activities would occur during daytime and nighttime hours, and construction-related illumination would be temporary and limited to safety and security purposes. Due to the reconfiguration of the yard, this would involve the removal of some existing Division 20 Rail Yard lighting fixtures. Temporary construction-related lighting poles and fixtures would be installed in their place to provide comparable illuminance levels. Notwithstanding this action, pursuant to Occupational Safety and Health Administration Standard 1926.56(a), all new construction-related lighting would be lit to an illuminance level of at least five foot-candles. This construction-related lighting would be in addition to existing Division 20 Rail Yard operations-related lighting, since Metro Red and Purple Lines operations would continue during construction of the Proposed Project. If not aimed at and positioned close to the area to be illuminated, the increased levels of ambient light due to construction-related lighting could potentially disturb residents at OSF.

During operation, the Proposed Project would be lit to provide adequate lighting for maintenance activities and ensure a safe environment. New light sources would include security lighting and point sources of lighting within the yard used for vehicle maintenance and cleaning. All new lighting fixtures to be installed in the areas closest to light-sensitive land uses on Santa Fe Avenue and Center Street (i.e., adjacent to OSF and in the location of the Citizens Warehouse/Lysle Storage Company building) would be mounted on 35-foot poles, which are shorter than the 40-foot poles used elsewhere in the yard. This would reduce the potential for spillover light. However, backlight and uplight from these new nearby lighting fixtures could potentially disturb residents at OSF and any other future light-sensitive uses that may occupy the Citizens Warehouse/Lysle Storage Company building.

Reference. Section 3.1 Aesthetics of the Draft EIR, pages 3.1-27 through 3.1-28.

Mitigation Measures

AES-1 Construction-related light fixtures shall be equipped with glare diffusers and feature directional shielding in order to avoid the spillover of light onto adjacent residences.

AES-2 Permanent operations-related light fixtures shall feature directional shielding in order to avoid the spillover of backlight and uplight onto adjacent residences.

Finding. Mitigation Measures **AES-1** and **AES-2** would ensure that Metro aim nighttime lighting away from adjacent residences during construction and operations and diffuse the glare associated with construction-related lighting. These mitigation measures would substantially reduce the amount of light from the Proposed Project that would spillover onto residences at OSF. For the reasons stated above and as set forth in the EIR, Metro finds that, through implementation Mitigation Measures **AES-1** and **AES-2**, this impact related to aesthetics would be reduced to a less-than-significant. **Metro adopts CEQA Finding 1, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6.2 CULTURAL RESOURCES

As stated at the beginning of Section 6, the following significant impacts to cultural resources are differentiated from those listed in Section 5.1 by their ability to be reduced to less-than-significant levels with the incorporation of mitigation measures.

The Proposed Project would create a significant impact related to cultural resources if it were to:

- Cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
- Disturb human remains, including those interred outside of formal cemeteries.

Impact. The Project Site lies on two sites that were previously recorded as containing archaeological resources. The first of these sites is the historic-era alignment of railroad

tracks. A 2017 archaeological survey confirmed that this portion of the railroad no longer contains sufficient historical integrity to reflect its original historical association.

The second site that was previously recorded as containing archaeological resources was a subsurface refuse deposit identified in 1997. This subsurface refuse deposit contained historic-age refuse such as glass and stoneware bottles, cans, ceramics, smoking pipe fragments, railroad spikes, bricks, metal fragments, horseshoes, butchered bone, shells, and some Chinese artifacts. However, a 2017 archaeological survey found that this area has been developed and paved with a modern building situated on top of it, and that the soils in the area contain large amounts of imported fill material that diminish the integrity of the site. Therefore, neither of the two sites qualify as historical resources under the CEQA Guidelines.

In addition to these two sites, eight historic-age sites were identified within a quarter-mile of the Project Site, where archaeological deposits may be buried. In this area, Native American burials and prehistoric materials may exist below existing buildings, tracks and pavement, with a higher likelihood to be under the Citizens Warehouse/Lysle Storage Company building, the National Cold Storage facility, and the fill material south of Commercial Street where grading will be required.

There are no documented paleontological localities on the surface of the Project Site. However, geotechnical logs indicate that paleontologically sensitive Older Surficial Sediments will be present at least 20 feet below the ground surface, and possibly at shallower depths within the Project Site. There is potential to penetrate older Pleistocene alluvium below the surface as the excavation activities would generally extend approximately 25 feet below the ground surface for most of the Project Site, and 80 to 100 feet below the ground surface near the portal.

Native American burials have been recorded within a quarter-mile of the Project Site. Consultation with Native American tribes has indicated that the Project Site is likely to contain human remains. Since planned excavations for the Proposed Project extend approximately 25 feet below the ground surface, construction activities have the potential to encounter human remains.

Reference. Section 3.3 Cultural Resources of the Draft EIR, pages 3.3-28 through 3.3-33 and Section 3.8 Tribal Cultural Resources of the Draft EIR, page 3.8-5.

Mitigation Measures

CR-5 A qualified archaeologist who meets the standards of the Secretary of the Interior for Archaeology (Project Archaeologist) shall be retained to provide and supervise archaeological monitoring of all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. A Cultural Resources Monitoring and Mitigation Plan (CRMMP) shall be developed prior to the start of ground-disturbing activities outlining qualifications and roles of the Project Archaeologist and archaeological monitor, monitoring procedures, reporting requirements, and procedures to follow if cultural resources are encountered during construction. The Project Archaeologist

shall prepare monthly cultural resources monitoring progress reports to be filed with Metro. In the event that cultural resources are exposed during construction, the archaeological monitor shall temporarily halt construction within 50 feet (15 meters) of the discovery (if safe) while the potential resource is evaluated for significance (i.e., eligible for listing in the CRHR per PRC Section 5024.1(c), or in a local register of historical resources as defined in PRC Section 5020.1(k)). Construction activities could continue in other areas that are a distance of at least 50 feet from the discovered resource. If the discovery proves to be significant, representatives of Metro and the Project Archaeologist shall meet to determine the appropriate avoidance or minimization measures. In considering suggested mitigation, Metro shall determine whether avoidance and preservation in place is feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations. Under CEQA Guidelines Section 15126.6(b)(3), preservation in place is the preferred method of mitigation and, if feasible, shall be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of the impacts. If avoidance and preservation in place is infeasible, other appropriate measures, such as data recovery excavation, shall be instituted. If data recovery is deemed appropriate, a Treatment or Data Recovery Plan (Plan) outlining the field and laboratory methods to be used shall be prepared by the Project Archaeologist in accordance with CEQA Guidelines Section 15064.5(f) and approved by Metro prior to initiation of data recovery work. The Plan shall specify the appropriate treatment and/or curation of collected materials.

- CR-6** A qualified paleontological monitor shall be retained to monitor project-related excavation activities on a full-time basis in previously undisturbed Pleistocene deposits, if encountered. Project-related excavation activities of less than ten feet in depth shall be monitored on a part-time basis to ensure that underlying paleontologically sensitive sediments are not being affected. In addition, the monitor shall ensure the proper differentiation between paleontological and archaeological resources.
- CR-7** A Paleontological Monitoring and Mitigation Plan (PMMP) shall be developed by a qualified professional paleontologist prior to the start of ground disturbing activities. A qualified professional paleontologist shall be retained to supervise the monitoring of construction. Paleontological resource monitoring shall include inspection of exposed geologic units during active excavations within sensitive geologic sediments, as defined by the PMMP and as needed. The monitor shall have authority to temporarily divert grading away from exposed fossils in order to efficiently recover the fossil specimens and collect associated data. The qualified paleontologist shall prepare monthly progress reports to be filed with Metro. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Matrix sampling shall be conducted to test for the presence of microfossils.

- CR-8** Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility. The most likely repository would be the Natural History Museum of Los Angeles County.
- CR-9** In the event that human remains, as defined above, are encountered at the Project Site, procedures specified in the Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the CEQA Guidelines Section 15064.5(e) shall be followed. In this event, all work within 100 feet (30 meters) of the burial shall cease, and any necessary steps to ensure the integrity of the immediate area shall be taken. This shall include establishment of a temporary Environmentally Sensitive Area (ESA) marked with stakes and flagging tape around the find and 100-foot buffer. The Los Angeles County Coroner shall be immediately notified. The Coroner must then determine whether the remains are Native American. Work shall continue to be diverted while the Coroner determines whether the remains are Native American. Should the Coroner determine that the remains are Native American, the Coroner has 24 hours to notify the NAHC, who shall in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions shall be determined in consultation with the MLD. Upon being granted access to the site, the MLD has 48 hours to make recommendations regarding the treatment or disposition of the remains of the discovery. If requested by the MLD, measures shall be taken to the extent feasible to preserve and protect the remains in situ. If preservation in place is not feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations, the appropriate treatment, reburial, or repatriation of the remains shall be determined in consultation with the MLD. If the MLD does not make recommendations within 48 hours of being granted access to the site, Metro shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if Metro does not accept the MLD's recommendations, Metro or the MLD may request mediation by the NAHC. The location of the remains shall be kept confidential and secured from disturbances and looting until the appropriate treatment has been identified and implemented. No information regarding the discovery of human remains shall be publicized.

Finding. Mitigation Measures **CR-5** through **CR-9** would mitigate inadvertent impacts to potential subsurface archaeological deposits, paleontological resources, and potential human remains. Metro finds that, through implementation of Mitigation Measures **CR-5** through **CR-9**, this impact related to cultural resources would be reduced to a less-than-significant level. **Metro adopts CEQA Finding 1, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6.3 NOISE AND VIBRATION

As stated at the beginning of Section 6, the following significant noise impact is differentiated from those listed in Section 5.2 by its ability to be reduced to a less-than-significant level with the incorporation of mitigation measures.

This section of the Findings of Fact focuses on operational noise. The Proposed Project would create a significant impact related to noise if it were to result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and/or
- Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies;
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Train movements on curved tracks and special trackwork of the Proposed Project would cause significant noise impacts on exterior portions of the OSF building during operations. Impacted areas include two sections of the north building and the north section of the south building.

Reference. Section 3.7 Noise and Vibration of the Draft EIR, page 3.7-16.

Mitigation Measures

NV-2 Metro shall install low-impact frogs at locations with special trackwork. This applies to the OSF-adjacent storage yard and yard tracks within a 200-foot radius of the northern portion of the northern OSF building. This also applies to existing yard tracks leading to the Maintenance Facility, as well as new yard tracks within a 200-foot radius of the northern portion of the southeastern OSF building.

Finding. Mitigation Measure **NV-2** would ensure that Metro install low-impact frogs at locations with special trackwork to reduce noise associated with train movements near sensitive receivers that would otherwise be significantly impacted. For the reasons stated above and as set forth in the EIR, Metro finds that, through implementation of Mitigation Measure **NV-2**, this impact related to operational noise would be reduced to a less-than-significant level. **Metro adopts CEQA Finding 1, as identified in Section 4 above and in Section 15091(a) of the CEQA Guidelines.**

6.4 TRIBAL CULTURAL RESOURCES

The Proposed Project would create a significant impact related to tribal cultural resources if it were to:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k); and/or

- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision(c) of PRC Section 5024.1?

A tribal cultural resource can be classified as a site, feature, place, cultural landscape, sacred place, or object per the CEQA Guidelines. The specific classification type would be determined based on the nature of the find and the significance of the find to the Native American tribe.

Impact. Metro consulted with Native American tribes pursuant to Assembly Bill 52. Although no resources eligible for listing in the CRHR or local register, or tribal cultural resources as defined in PRC Section 21074 have been identified on the Project Site, ground-disturbing activities have the potential to reveal, damage, and/or disturb additional, unidentified Native American burials and subsurface deposits of prehistoric and historic tribal cultural resources.

Reference. Section 3.8 Tribal Cultural Resources of the Draft EIR, pages 3.8-5 through 3.8-6.

Mitigation Measures

Mitigation Measures **CR-5** and **CR-9** would mitigate or reduce potential impacts to archaeological resources and human remains, respectively, to a level that is less than significant. Mitigation Measure **TCR-1**, provided below, addresses potential impacts to tribal cultural resources that do not include human remains.

TCR-1 Because of the potential for tribal cultural resources, a Native American monitor shall be retained to monitor all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. The appropriate Native American monitor shall be selected based on ongoing consultation under AB 52 and shall be identified in the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as described in Mitigation Measure CR-5. Monitoring procedures and the role and responsibilities of the Native American monitor shall be outlined in the project CRMMP. In the event the Native American monitor identifies cultural or archeological resources, the monitor shall be given the authority to temporarily halt construction (if safe) within 50 feet (15 meters) of the discovery to investigate the find and contact the Project Archaeologist and Metro. The Native American monitor and consulting tribe(s) shall be provided an opportunity to participate in the documentation and evaluation of the find. If a Treatment Plan or Data Recovery Plan is prepared, the consulting tribe(s) shall be provided an opportunity to review and provide input on the Plan.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that, through implementation of Mitigation Measures **CR-5**, **CR-9**, and **TCR-1**, this impact related to tribal cultural resources would be reduced to a less-than-significant level. **Metro adopts CEQA Finding 1.**

7. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH REGULATORY COMPLIANCE

The following impacts of the Proposed Project would be less than significant with the incorporation of applicable laws and regulations.

7.1 BIOLOGICAL RESOURCES

The Proposed Project would create a significant impact related to biological resources if it were to:

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

Impact. The Proposed Project has the potential to interfere with native wildlife. Ten species that are native to the area have been identified within a one- to five-mile radius of the Project Site. Six species were identified as still inhabiting the area, one species was determined to have been eradicated or displaced from the area, and three species were identified as possibly having been eradicated or displaced from the area. However, no native species or migratory birds have been observed on the Project Site itself. Nonetheless, as standard Metro practice, a survey of potential bird nesting sites would be conducted if construction were to commence during the nesting season of March through August to determine if any nesting birds are present that could be adversely affected by construction activities. Any identified nests would be protected in place to ensure compliance with all applicable laws and regulations, including the Migratory Bird Treaty Act, Sections 3503 and 3503.5 of the California Fish and Wildlife Code, and Section 3513 of the Taking Migratory Bird Treaty Act.

Reference. Chapter 4 Other Environmental Considerations of the Draft EIR, page 4-4.

Mitigation Measures. This impact would be less than significant with the incorporation of applicable laws and regulations and does not require mitigation measures.

Finding. For the reasons stated above, Metro finds that this impact related to biological resources would be less than significant with regulatory compliance.

7.2 GEOLOGY AND SOILS

The Proposed Project would create a significant impact related to geology and soils if it were to:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
 - Strong seismic ground shaking; and/or

- Seismic-related ground failure, including liquefaction;
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Proposed Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; and/or
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

Impact. The Project Site is not situated within an Alquist-Priolo Fault Zone and there is no substantial evidence of another fault that could create surface rupture hazards. However, the Project Site is approximately a mile away from its closest fault (Upper Elysian Park Fault). It also has the potential to be affected by seismic activities associated with the Hollywood, Raymond, Newport, Sierra Madre, San Andreas, Puente Hills, and Compton faults. Moreover, the northern portion of the Project Site is located within an earthquake-induced liquefaction zone, which may lose its ability to support some of the Proposed Project's features. To reduce the risk of exposure of people or structures to potential substantial adverse effects involving rupture of faults, seismic ground shaking, or seismic-related ground failure, Metro would comply with the California Department of Conservation, Division of Mines and Geology Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California; the International Building Code; the California Building Code; and the Los Angeles Building Code.

Construction of the Proposed Project would result in ground surface disturbance during site clearance, excavation, and grading, which could create opportunities for soil erosion. However, it is not expected that there is substantial topsoil present on the Project Site. Furthermore, construction activities would be performed in accordance with the Los Angeles Building Code and the Los Angeles Regional Water Quality Control Board through the City's Stormwater Management Division. Metro would implement Best Management Practices so as to reduce soil erosion due to grading and excavation activities. In addition, Metro would comply with the Clean Water Act and prepare a Stormwater Pollution Prevention Plan (SWPPP), which would include the implementation of an erosion control plan to reduce the potential for wind or waterborne erosion during construction activities.

The Project Site is on top of subsurface Hanford soil, which is considered a stable soil for industrial purposes. However, it is partially located on ground that could be subject to liquefaction. Metro would comply with Section 1613 of the California Building Code and assess the area's liquefaction potential. The recommendations (including structural and foundation design features) recommended as part of this assessment would be incorporated into grading and construction plans to address the risk of liquefaction.

The Hanford soil under the Project Site may be considered expansive due to their clay content, giving them the potential to shrink and swell with changes in moisture. However, the Proposed Project would comply with the International Building Code, the Los Angeles Building Code, and other applicable building codes to reduce impacts related to expansive soils.

Reference. Chapter 4 Other Environmental Considerations of the Draft EIR, pages 4-5 through 4-8.

Mitigation Measures. These impacts would be less than significant with the incorporation of applicable laws and regulations and do not require mitigation measures.

Finding. For the reasons stated above, Metro finds that impacts related to geology and soils would be less than significant with regulatory compliance.

7.3 HAZARDS AND HAZARDOUS MATERIALS

The Proposed Project would create a significant impact related to hazards and hazardous materials if it were to:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; and/or
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

Impact. The demolition, renovation, and excavation associated with the Proposed Project would require the transport and disposal of hazardous waste, which could create a significant hazard to the public or environment. Some of the higher-risk hazardous waste (e.g., asbestos-containing materials and lead-based paint) can pose a significant hazard to the public or environment. However, the use and transport of hazardous materials is strictly regulated by local, State, and federal agencies, including, but not limited to, the California Division of Occupational Safety and Health, the City of Los Angeles Fire Code, and the South Coast Air Quality Management District (SCAQMD). Metro would be required to comply with all their applicable rules and regulations, including the 1994 Federal Occupational Exposure to Asbestos Standards; SCAQMD Rules 1403 (Asbestos Emissions from Demolition/Renovation Activities), 1166 (Volatile Organic Compound Emissions from Decontamination of Soil), and 1466 (Control of Particulate Emissions from Soils with Toxic Air Contaminants); Title 22 of the California Code of Regulations Division 4.5 (Hazardous Waste); the U.S. Department of Housing and Urban Development Lead-Based Paint Guidelines; and Title 40 of the Code of Federal Regulations Part 761.

There are foreseeable upset and accident conditions associated with the Proposed Project that may involve the release of hazardous materials into the environment. The risks would primarily be related to the disturbance of subterranean utilities and the Project Site's situation within the City of Los Angeles' methane and methane buffer zones. However, prior to

construction, demolition, and excavation activities, Metro would conduct a utility conflict relocation study and comply with the City of Los Angeles Methane Code to avoid explosions.

The Project Site is located within a quarter-mile of the Felicitas & Gonzalo Mendez High School, Utah Street Elementary School, and SCI-Arc. Only SCI-Arc is along the haul route and near construction activities. Students and personnel at SCI-Arc could be exposed to hazardous construction materials. However, Metro would comply with all relevant rules and regulations, many of which are listed above, to reduce the exposure of SCI-Arc students and personnel to these hazardous materials.

The Project Site is also located on several sites identified by the Department of Toxic Substances Control (DTSC) as being contaminated. These include Blocks K, N, Q, and R of Sector C of the former Aliso Street Manufactured Gas Plant. The construction, demolition, and excavation activities on these DTSC sites would be conducted in conformance with all applicable local, State, and federal regulations, including those listed above.

Reference. Section 3.6 Hazards and Hazardous Materials of the Draft EIR, pages 3.6-8 through 3.6-13.

Mitigation Measures. These impacts would be less than significant with the incorporation of applicable laws and regulations and do not require mitigation measures.

Finding. For the reasons stated above, Metro finds that these impacts related to hazards and hazardous materials would be less than significant with regulatory compliance.

7.4 HYDROLOGY AND WATER QUALITY

The Proposed Project would create a significant impact related to hydrology and water quality if it were to:

- Violate any water quality standards of waste discharge requirements;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; and/or;
- Otherwise substantially degrade water quality.

Impact. Construction of the Proposed Project may contribute to pollution of stormwater runoff during earth moving, maintenance/operation of construction equipment, and the use, storage, and disposal of materials. However, it is Metro's standard practice to require contractors to control water runoff quality in accordance with the guidance of the California

Stormwater Quality Association's Industrial & Commercial and Construction Best Management Practice Handbooks. Moreover, Metro would comply with the Clean Water Act and other federal regulations (namely, Title 40 of the Code of Federal Regulations 123.25 and 111.26) which require nearly all construction site operators engaged in clearing, grading, and excavating activities that disturb one acre or more land to obtain coverage under a National Pollutant Discharge Elimination System permit for their stormwater discharges. The Proposed Project's SWPPP would be consistent with the requirements of the National Pollutant Discharge Elimination System permit and would specify source and treatment control to prevent pollutants from entering stormwater discharges. Metro would also prepare a Standard Urban Stormwater Mitigation Plan in accordance with the requirements of the Los Angeles Regional Water Quality Control.

The introduction of the two proposed storage yards would slightly increase the permeable land surface area, and the Proposed Project would maintain the existing drainage patterns on the Project Site. These factors would allow the Proposed Project to be implemented without altering the course of the Los Angeles River, and allow urban runoff to be collected by the existing stormwater drainage system. The SWPPP mentioned above would control and minimize erosion and siltation.

During operations of the Proposed Project, stormwater and any irrigation runoff water would be directed into existing storm drains. The SWPPP would control and minimize the potential for flooding, and Metro would finalize a drainage plan that is consistent with the SWPPP.

As mentioned above, the SWPPP would ensure that surface runoff water would continue to flow to the City's storm drain system. However, the Proposed Project would neither create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system nor provide substantial additional sources of polluted runoff. Water applied during construction (e.g., for dust control) would be minimal and easily accommodated by the storm drain system. Water runoff after development would not exceed the capacity of the existing or planned drainage systems.

The source and treatment control required of the Proposed Project's SWPPP would minimize any pollutant discharges into storm drains, thus avoiding substantial degradations in water quality.

Reference. Chapter 4 Other Environmental Considerations of the Draft EIR, pages 4-4 to 4-11.

Mitigation Measures. This impact would be less than significant with the incorporation of applicable laws and regulations and does not require mitigation measures.

Finding. For the reasons stated above, Metro finds that these impacts related to hydrology and water quality would be less than significant with regulatory compliance.

8. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT

Metro finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Proposed Project are less than significant, and no mitigation is required.

8.1 AESTHETICS

The Proposed Project would create a significant impact related to aesthetics if it were to:

- Substantially degrade the existing visual character or quality of the site and its surroundings.

Impact. The temporary materials staging, equipment use, and signage during construction of the Proposed Project would be consistent with the Project Site's surrounding industrial character. Also, the Proposed Project's physical perimeter along Center Street would be similar in character to other improvements to be provided by Metro for other projects along Center Street. Furthermore, modifications to the 1st Street Bridge and the Citizens Warehouse/Lysle Storage Company building would mainly be visible from moving trains for a short duration.

The proposed ventilation shaft building would be 42 feet long, 70 feet wide, and 32 feet tall, and be located on the southeastern end of Commercial Street. The minimum height required for exhaust is 32 feet. The ventilation shaft building would still be shorter than some of its surrounding buildings. Furthermore, its industrial character would be consistent its surroundings. Hence, even though it would be visible from the US-101 freeway, the ventilation shaft building would not degrade the quality of the Project Site and its surroundings.

The proposed high-speed rail column would extend approximately 15 to 17 feet above the bottom of the portal but only approximately five feet above the top of the portal wall. The column would be lower than the second floor of the future four-story ESOC building. Because it would be shorter than all surrounding buildings, the column would only be visible from Commercial Street and Center Street, where views are not currently sensitive. Thus, the introduction of the column would not substantially degrade the existing visual character or quality of the Project Site and its surroundings.

Reference. Section 3.1 Aesthetics of the Draft EIR, pages 3.1-22 through 3.1-27.

Mitigation Measures. This impact would be less than significant and does not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that this impact related to aesthetics would be less than significant.

8.2 AIR QUALITY

The Proposed Project would create a significant impact related to air quality if it were to:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

Impact. The Air Quality Management Plan (AQMP) is the applicable air quality plan, and the emissions forecasting is based on projected population and employment growth. The Proposed Project does not contain a residential component and would not introduce population growth to the region. Operation of the Proposed Project would result in an estimated increase in employment of 107 workers. The Proposed Project was included in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and would be consistent with the assumptions upon which the AQMP was devised. The Proposed Project would facilitate the reduction of headways on the Metro Red and Purple Lines, which would increase their appeal as an alternative mode of transportation to automobiles. The potential conversion of automobile trips to transit trips would be consistent with regional and local emissions reduction goals. The Proposed Project would be required to comply with all applicable SCAQMD rules and regulations that are in effect at the time of development and would not conflict with or obstruct implementation of the AQMP.

Construction emissions would be generated by equipment, trucks, and worker vehicles. Emissions of air pollutants that would result from construction of the Proposed Project were quantified using the California Emission Estimator Model. The analysis showed that regional and localized construction emissions would not exceed the SCAQMD significance thresholds. In addition, Metro has a Green Construction Policy, which includes Tier 4 emission standards for off-road diesel-powered construction equipment greater than 50 horsepower and restricting idling to a maximum of five minutes. The project contractor would be required to comply with the Green Construction Policy.

Reference. Section 3.2 Air Quality of the Draft EIR, pages 3.2-19 through 3.2-28.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to air quality would be less than significant.

8.3 ENERGY

The Proposed Project would create a significant impact related to energy if it were to:

- Conflict with adopted energy conservation plans;
- Use non-renewable resources in a wasteful or inefficient manner; and/or
- Result in a need for energy supplies and distribution infrastructure or capacity enhancing alterations to existing power or natural gas facilities, the construction of which could cause significant environmental effects.

Impact. Construction of the Proposed Project would primarily use energy from petroleum-based fuels for vehicles and equipment), electricity for water conveyance, and any energy used in the production of construction materials.

The use of petroleum-based fuels would be temporary and cease upon the completion of construction. Moreover, the Proposed Project would adhere to Metro's Green Construction Policy and use less polluting construction equipment and vehicles, which would translate to greater fuel efficiency and lower energy consumption. The Proposed Project would also comply with the California Air Resources Board's limitation of the idling of diesel-powered commercial vehicles weighing over 10,000 pounds to five minutes at any location during construction.

Electricity for water conveyance would only be used for fugitive dust control during site preparation, excavation, and grading. It is estimated that this would amount to 24,969 kilowatt-hours of electricity. Additional electricity would be used for lighting as well as appliances and equipment associated with temporary construction trailers. Some of this temporary electricity use would be offset by the temporary discontinuation of certain on-site operations (e.g., those occurring at the Maintenance of Way building to be demolished).

Although it is difficult to measure the energy used in the production of construction materials, it is assumed that the production of construction materials would employ all reasonable energy conservation practices in the interest of minimizing costs.

Most operational energy would be associated with illumination on the Project Site and the powering of rail cars. The Proposed Project would use approximately 107 megawatt-hours per day of electricity, which is less than 0.2 percent of the Los Angeles Department of Water and Power total daily electricity consumption. Operational activities would also use approximately 26,519 British thermal units of natural gas (including the negligible commute-related vehicle fuel for the 107 employees), which would account for 0.2 percent or less of available natural gas based on estimates by the Southern California Gas Company for the year 2024.

The Proposed Project would be designed and constructed in accordance with State and local green building standards and design criteria that would reduce its energy demand. These would include, among others, Metro Rail Design Criteria and California Code of Regulations Title 24.

The Proposed Project would not result in the wasteful, inefficient, or unnecessary use of energy resources, create energy utility system capacity problems, create problems with the provision of energy services, or result in a significant impact associated with the construction of new or expanded energy facilities.

On a final note, the Proposed Project is a necessary precursor for the full implementation of the Metro Purple Line Extension Project, which would encourage public transit as a viable alternative to driving. Hence, the Proposed Project would assist in reductions of regional vehicle miles traveled and their associated energy consumption in the long run.

Reference. Section 3.4 Energy Resources of the Draft EIR, pages 3.4-9 through 3.4-13.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to energy would be less than significant.

8.4 GREENHOUSE GAS EMISSIONS

The Proposed Project would create a significant impact related to greenhouse gas (GHG) emissions if it were to:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Impact. Sources of temporary GHG emissions associated with construction include off-road heavy-duty equipment and on-road motor vehicle travel to and from the Project Site. Operational GHG emissions associated with the Proposed Project would be generated through electricity demand and utilities of the new facilities, as well as additional vehicle miles traveled resulting from the addition 107 employees. The analysis showed that the Proposed Project would not significantly increase GHG emissions when compared to the CEQA baseline condition.

Reference. Section 3.5 Greenhouse Gas Emissions of the Draft EIR, pages 3.5-14 through 3.5-19.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to GHG emissions would be less than significant.

8.5 HAZARDS AND HAZARDOUS MATERIALS

The Proposed Project would create a significant impact related to hazards and hazardous materials if it were to:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment; and/or
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Impact. Operation of the Proposed Project would involve the occasional use, storage, and disposal of limited quantities of hazardous materials such as vehicle fuels, oils, transmission fluids, paints, solvents, cleaners, and pesticides. The Proposed Project would not generate significant amounts of hazardous materials that would require routine transport, use, or disposal. Hence, there would be a limited extent of exposure to the public and environment. Metro staff is available 24 hours a day through the Quality Assurance Department to respond to hazardous materials releases, and Metro sites frequently undergo emergency response drills. Moreover, since operations would occur on the Division 20 Rail Yard itself, exposure to and contamination from hazardous materials associated with the Proposed Project would be minimal at existing or proposed schools nearby. The Proposed Project would not include the use or storage of chemicals that have the potential to result in off-site upset or accident conditions.

The hazardous site conditions for the Proposed Project related to Government Code Section 65962.5 are associated with contaminated soils and demolition debris, which would cease after construction activities.

The Proposed Project would not require the permanent closure of any of the County's designated emergency/disaster routes near the Project Site (i.e., 4th Street, Alameda Street, Soto Street, Cesar Chavez, and the US-101 freeway) and would not impede emergency vehicle access to the Project Site or its surrounding area. The Proposed Project would comply with State and local regulations and maintain emergency vehicle access. Furthermore, the Proposed Project would provide an additional emergency access road along the western border of the Project Site.

Reference. Section 3.6 Hazards and Hazardous Materials of the Draft EIR, pages 3.6-8 through 3.6-14.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to hazards and hazardous materials would be less than significant.

8.6 NOISE

This section of the Findings of Fact focuses on operational vibration. The Proposed Project would create a significant impact related to vibration if it were to:

- Expose persons to or generation of excessive groundborne vibration or groundborne noise levels

Impact. Vibration levels associated with operational activities were estimated using FTA guidance. Vibration-sensitive land uses along the corridor were identified using the same procedure as that which was used in the noise analysis. The vibration levels at specific buildings were estimated by reading values from an FTA reference curve and applying adjustments to account for factors such as track support system, vehicle speed, type of building, and track and wheel condition. Prediction models were used to predict vibration levels from train operations at all sensitive receivers in the vicinity of the Project Site. The predictions were compared to the applicable FTA impact thresholds to identify potential vibration impacts. As shown in the EIR, using FTA methods and limits, no groundborne vibration or noise impacts are predicted to occur at any sensitive receivers. Therefore, the Proposed Project would result in a less-than-significant impact related to operational groundborne vibration or noise.

Reference. Section 3.7 Noise and Vibration of the Draft EIR, page 3.7-20.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to operational groundborne vibration or noise would be less than significant.

8.7 TRANSPORTATION AND TRAFFIC

The Proposed Project would create a significant impact related to transportation and traffic if it were to:

- Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections); and/or
- Result in inadequate emergency access.

Impact. Construction activities would temporarily add trucks and worker vehicles to the roadway network. Trucks would likely travel between the US-101 freeway and the Project Site via Commercial and Center Streets. It is anticipated that there would be a maximum of 50 truck trips per day (i.e., 50 inbound and 50 outbound) during portal widening activities and an average of three truck trips per day throughout the first year of construction, followed by a gradual reduction to 25 to 30 truck trips per day. This truck volume spread throughout the day is not expected to significantly affect operating conditions along Commercial and Center Streets. Regarding workers, the actual peak-hour trip generation would vary depending on work hours, but typical construction worker shifts start and end before the AM and PM peak hours. Assuming 60 percent of construction worker trips occur outside of the peak hours, there would be approximately 16 peak-hour worker trips. The peak-hour trips would be spread throughout the hour resulting in an average of approximately one trip every four minutes, or less than one trip per light cycle. This level of trip activity is not expected to significantly affect the operating conditions along local roadways.

Construction laydown and staging areas would be located on the Project Site or the existing soils remediation site adjacent to the LAPD Viertel's Central Division Police Garage, which would eliminate on-street queuing that could interfere with existing businesses and associated traffic along Commercial Street north of the Project Site, Center Street, and local streets west of Center Street. Construction trucks would access the Project Site from Center Street and not from Commercial Street. Furthermore, street closures are not anticipated on Center Street and commercial access to existing businesses, east and west of Center Street, would not be impacted by truck activities. The Project Site and existing Division 20 Rail Yard have ample room for construction parking and standard Metro practices prohibit construction workers from parking on public streets when space is available. It is standard Metro practice to coordinate oversized transport vehicles, if necessary, with the California Department of Transportation. In addition, the Proposed Project would not adversely affect US-101 ramp queues based on the 16 peak-hour worker trips discussed above and the standard Metro practice to prohibit hauling during peak hours when roadways are most congested.

Impacts on the roadway system due to construction activities would be less than significant based on the above analysis.

Construction activities have the potential to affect emergency access by adding construction traffic to the street network. Some temporary and minor impacts due to encroachment may occur on Center and Commercial Streets, although full lane closures are not anticipated as part of the Proposed Project. Emergency access to the Project Site would be maintained during construction, these impacts would be negligible and temporary, and the Proposed Project would be required to prepare a Construction Staging and Traffic Management Plan that would address traffic and access control during construction. Regarding operations, the Proposed Project would comply with standard engineering practices and design standards and would not include design elements that would increase roadway hazards or impede emergency access. In addition, the Proposed Project would not create a substantial increase in demand for emergency services. Therefore, impacts would be less than significant.

Reference. Subsection 4.1.10 Transportation and Traffic of the Draft EIR, page 4-19.

Mitigation Measures. These impacts would be less than significant and do not require mitigation measures.

Finding. For the reasons stated above and as set forth in the EIR, Metro finds that impacts related to transportation and traffic would be less than significant.

9. ENVIRONMENTAL RESOURCES FOUND TO NOT BE IMPACTED

One or more aspects of the following environmental resources would not be impacted by the Proposed Project: Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation and Traffic, Utilities and Service Systems, and Growth-Inducing Impacts. The Draft EIR also explained that there would be no potential for certain impacts associated with Aesthetics (effects on scenic vistas and scenic resources within a State scenic highway), Hazards and Hazardous Materials (proximity to private airstrips, public-use airports, or wildlands), and Noise and Vibration (exposure of persons to noise from private airstrips or public-use airports).

Impact. No impacts would occur.

Reference. Section 3.1 Aesthetics, pages 3.1-21 through 3.1-22; Section 3.6 Hazards and Hazardous Materials, pages 3.6-13 through 3.6-14; Section 3.7 Noise and Vibration, pages 3.7-23 through 3.7-24; and Chapter 4 Other Environmental Considerations of the Draft EIR, pages 4-1 through 4-27.

Mitigation Measures. No impact would occur and mitigation measures are not required.

Findings. Metro finds that the Proposed Project would not result in impacts to:

- Agriculture and Forestry Resources
- Biological Resources
- Geology and Soils
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services, Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Growth-Inducing Impacts

10. CUMULATIVE IMPACTS

The cumulative impact analysis in the Draft EIR considers the combined effect of the Proposed Project and “Related Projects” in the vicinity, including, but not limited to, Metro’s Emergency Security Operations Center (ESOC), Location 64 Maintenance of Way building, West Santa Ana Branch Transit Corridor, Link Union Station (Link US), and Eastside Access Improvements: 1st & Central projects. Refer to Chapter 5 Cumulative Impacts of the Draft EIR for a comprehensive list of projects considered in the cumulative analysis.

As stated in CEQA Guidelines Section 15130(a)(1), the cumulative impacts discussion in an EIR need not discuss impacts that do not result in part from a proposed project. Metro finds that for there is no potential for a cumulative impact related to Agricultural and Forestry Resources, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, or Utilities and Service Systems.

10.1 AESTHETICS

Scenic Vistas. The Project Site and its surroundings are not within a scenic vista. Views of these sites are limited to those from adjacent buildings, and the sites themselves do not offer panoramic views. For these reasons, Metro finds that there is no potential for the Proposed Project to combine with past, present, and reasonably foreseeable future projects to create a cumulative impact related to scenic vistas.

Scenic Resources within State Scenic Highway Corridors. The Project Site and its surroundings are not within the viewshed of the closest scenic highway (State Route 110). For this reason, Metro finds that there is no potential for the Proposed Project to combine with past, present, and reasonably foreseeable future projects to create a cumulative impact related to scenic resources within State scenic highway corridors.

Visual Character or Quality. The Proposed Project’s demolition of buildings along Center Street and introduction of streetscape improvements would alter the area’s appearance. Related Projects in the area, namely the ESOC Project, the Santa Fe – Alpine Spine Project, and the Link US Project, would also modify the appearance of the area. However, these modifications would be consistent with the industrial rail yard aesthetic. For this reason, Metro finds that the Proposed Project combined with other past, present, and reasonably foreseeable future projects would not create a significant cumulative impact related to visual character or quality.

Light and Glare. The Proposed Project would introduce street lighting along Center Street and additional rail yard lighting. However, there is already a moderate level of ambient nighttime light in these areas, and yard lighting would be directed away from the only light-sensitive use in the vicinity (OSF). For this reason, Metro finds that there is no potential for the Proposed Project to combine with past, present, and reasonably foreseeable future projects to create a cumulative impact related to light and glare.

10.2 AIR QUALITY

Consistency with Plans. SCAQMD's 2016 AQMP applies to projects, including the Proposed Project, within the South Coast Air Basin. Projects that are consistent with the AQMP would not interfere with the attainment of federal and State air quality standards because growth associated with these projects is considered in the Plan's formulation through the projects' inclusion in the 2016-2040 RTP/SCS. Since the Proposed Project is included in the 2016-2040 RTP/SCS as Project 1TL0703 and CEQA Guidelines Section 15130(d) states that no additional analysis is required for projects included in an approved regional plan that adequately addresses the affected resource area, Metro finds that the impact related to the Proposed Project's consistency with the AQMP would not be cumulatively considerable.

Air Quality Standards Violations, Exposure of Sensitive Receptors to Substantial Pollutant Concentrations, and Nonattainment Pollutant Emissions. The South Coast Air Basin is currently designated nonattainment for ozone and particulate matter. Emissions generated by the Proposed Project combined with past, present, and reasonably probable future projects could impede attainment efforts or result in locally significant pollutant concentrations. Therefore, the Proposed Project combined with past, present, and reasonably probable future projects could result in a cumulative impact. Project emissions would not exceed significance thresholds and, therefore, would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. For the reasons stated above, Metro finds that the Proposed Project's incremental contribution to the significant cumulative impact associated with violations of air quality standards and substantial pollutant concentrations is not cumulatively considerable.

Objectionable Odors. Neither the Project Site's vicinity nor the Proposed Project includes land uses identified by the SCAQMD as commonly associated with odor complaints. Metro is not aware of existing noxious odors and did not observe any during site visits. Hence, Metro finds that the Proposed Project combined with other past, present, and reasonably foreseeable future projects would not create a significant cumulative impact related to objectionable odors.

10.3 CULTURAL RESOURCES

Historical Resources. The Proposed Project would create significant impacts to the 1st Street Bridge, the National Cold Storage facility, and the Citizens Warehouse/Lysle Storage Company building. Metro finds that since these impacts are significant and unavoidable, that the Proposed Project would result in a cumulatively considerable significant impact to those individual historical resources. Furthermore, since the Proposed Project's impact on these three resources adds to the Related Projects' overall substantial alteration of the setting of the Arts District with respect to historical resources, Metro finds that the Proposed Project's contribution to the potentially significant cumulative impact to historical resources would be cumulatively considerable.

Archaeological Resources. A records search identified eight historic-age sites within a quarter-mile of the Project Site, many of which contained buried archaeological deposits. Native

American burials and subsurface prehistoric artifacts have also been recorded in this search distance. Therefore, it is possible that additional buried deposits exist beneath the surface of the Project Site. These unidentified buried deposits could be damaged by the Proposed Project's ground-disturbing activities such as grading and excavation. However, Mitigation Measures **CR-6** and **CR-9** would temporarily halt all nearby construction work upon the encounter of possible archaeological resources or human remains, including funerary objects, until a qualified expert verifies the find and determines the appropriate treatment. These would reduce impacts to less-than-significant levels. Hence, with mitigation incorporated into the Proposed Project, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to archaeological resources would not be cumulatively considerable.

Paleontological Resources. There are no documented paleontological localities within the boundaries of the Project Site. Furthermore, the Project Site is underlain with low-paleontological sensitivity surficial alluvium and previously disturbed sediments. However, the Proposed Project includes excavation to 25 feet below the ground surface, and 80 to 100 feet below the ground surface near the portal opening, where paleontological resources may be encountered. Implementation of Mitigation Measures **CR-6**, **CR-7**, and **CR-8** would avoid inadvertent impacts to such subsurface paleontological resources and reduce impacts to less-than-significant levels. Hence, with mitigation incorporated into the Proposed Project, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to paleontological resources would not be cumulatively considerable.

10.4 ENERGY RESOURCES

The Proposed Project would be designed and constructed in accordance with State, City, and Metro green building standards that would serve to reduce the Proposed Project's energy demand. The Proposed Project does not conflict with Metro design criteria or California Code of Regulations Title 24 (including Part 1 - California Building Standards Administrative Code, Part 2 - California Building Code, Part 6 - California Energy Code, Part 11 - California Green Building Standards Code (CAL Green Code), and Part 12 - California Reference Standards Code). In addition, energy demand would be within the existing and planned electricity and natural gas capacities. Therefore, the Proposed Project's incremental contribution to the potentially significant cumulative impact is not cumulatively considerable.

10.5 GREENHOUSE GAS EMISSIONS

Implementation of the Proposed Project and the Purple Line Extension would reduce regional GHG emissions by approximately 19,959.9 metric tons of emissions. The Proposed Project combined with Related Projects would improve Metro Red and Purple Lines service thereby promoting decreased vehicles miles traveled. There is no potential for the Proposed Project to interfere with State and regional GHG reduction targets. Therefore, the Proposed Project's incremental contribution to the potentially significant cumulative impact is not cumulatively considerable.

10.6 HAZARDS AND HAZARDOUS MATERIALS

Significant Hazard to the Public or Environment. The Project Site is known to contain contaminated soils and to encompass several sites that the DTSC has identified as being contaminated. However, through regulatory compliance, construction activities associated with the Proposed Project would include certain procedures that would reduce impacts to less-than-significant levels as well as minimize the Proposed Project's potential to contribute to the cumulative impact. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to significant hazards to the public or environment during construction activities would not be cumulatively considerable.

Operations associated with the Proposed Project and the Related Projects within 500 feet of the Project Site would most likely involve the occasional use, storage, and disposal of hazardous materials such as vehicle fuels, oils, transmission fluids, paints, solvents, cleaners, and pesticides. Therefore, the Proposed Project combined with past, present, and reasonably foreseeable future projects could result in a potentially significant cumulative impact. However, all hazardous materials from the Proposed Project's operations would be contained, stored, and used in accordance with manufacturers' instructions and handled by staff members who have had safety training. It is thus not expected that the Proposed Project's operations would result in the release of hazardous materials that could combine with off-site operations. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to significant hazards to the public or environment during operations would not be cumulatively considerable.

Release of Hazardous Materials from Upset or Accident Conditions. The potential for a cumulative impact would be limited to the combined effect of the Proposed Projects and Related Projects within 500 feet of the Project Site, as upset and accident conditions are site-specific effects. During construction, the Proposed Project would involve ground disturbance and utility relocation within designated methane and methane buffer zones, which may present risk of fire or explosion. Most modifications and relocations of utilities would occur prior to construction. Moreover, regulatory compliance would ensure that the Proposed Project would not create significant upset or accidental hazardous conditions during construction. For these reasons, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to the release of hazardous materials from upset or accident conditions during construction activities would not be cumulatively considerable.

Operations associated with the Proposed Project and the Related Projects within 500 feet of the Project Site would most likely involve the occasional use, storage, and disposal of hazardous materials such as vehicle fuels, oils, transmission fluids, paints, solvents, cleaners, and pesticides. These hazardous materials could be released during upset or accident conditions. However, all projects would be required to comply with all laws, rules and regulations that control hazardous materials and mitigate impacts to less-than-significant levels. For this reason, Metro finds that the Proposed Project's incremental contribution to

the potentially significant cumulative impact related to the release of hazardous materials from upset or accident conditions during operations would not be cumulatively considerable.

Hazardous Conditions at Schools. There are three schools located within a quarter-mile of the Project Site. However, the Proposed Project and Related Projects would comply with strict regulations administered by local, State, and federal agencies, ensuring that their impacts to schools would be less than significant. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to hazardous materials at schools would not be cumulatively considerable.

Safety Hazard Near Public Airports or Private Airstrips. The Project Site and its surroundings are not located near public airports or private airstrips. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would have no impact related to safety hazards near public airports or private airstrips.

Exposure of People or Structures to Risk Involving Wildland Fires. Neither the Project Site nor its surroundings are susceptible to wildland fires. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would have no impact related to wildland fires.

Physical Interference of Emergency Plans and Emergency Evacuation Plans. The Proposed Project and the Related Projects would not require the permanent closure of emergency/disaster routes or impede emergency vehicle access to the Project Site and its surrounding area. Per state and local regulations, emergency vehicle access would be maintained at all times during construction and operation of the Proposed Project and Related Projects. For the reasons stated above, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to adopted emergency response plans or emergency evacuation plans would not be cumulatively considerable.

10.7 NOISE AND VIBRATION

Exposure to Excessive Noise Levels. The Proposed Project's construction activities would create a significant and unavoidable noise impact due to demolition and construction planned for areas adjacent to sensitive receptors at OSF. Therefore, Metro finds that the Proposed Project's contribution to the potentially significant cumulative construction noise impact would be cumulatively considerable.

Operational noise of the Proposed Project and Related Projects (namely, through-tracks associated with the Link US Project) are primarily related to slow-moving trains and their associated wheel squeal, horns, traction power substation, and maintenance. Because of the Metro Red and Purple Lines trains' low speeds within the Division 20 Rail Yard and their separation from OSF, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative operational noise impact would not be cumulatively considerable.

Exposure to Excessive Groundborne Vibration. The theoretical worst-case maximum vibration level for the purposes of determining potential construction vibration impacts is observed 75 feet away from construction equipment. Therefore, a cumulative groundborne vibration impact would result only if construction of the Proposed Project and Related Projects would occur simultaneously within 75 feet of the same sensitive receptors. It is not anticipated that this would be the case due to the locations and anticipated schedules of the Related Projects. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would not create a cumulative impact related to exposing sensitive receptors to excessive groundborne vibration.

Exposure to Excessive Noise Levels Associated with Public Airports. The Proposed Project and Related Projects are not within the proximity of a public airport. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would not create a cumulative impact related to excessive noise associated with public airports.

Exposure to Excessive Noise Levels Associated with Private Airstrips. The Proposed Project and Related Projects are not within the proximity of a private airstrip. For this reason, Metro finds that the Proposed Project combined with past, present, and reasonably probable future projects would not create a cumulative impact related to excessive noise associated with private airstrips.

10.8 TRIBAL CULTURAL RESOURCES

Archaeological Deposits and Tribal Cultural Resources. As stated in Section 10.3 of these Findings of Fact, cumulative growth and development in the Arts District and the rest of downtown Los Angeles could have impacts on significant archaeological resources. The Proposed Project combined with past, present, and reasonably probable future projects could contribute to a cumulative impact of this kind. However, in accordance with Assembly Bill 52, Metro consulted with Native American tribes affiliated with the Project Site's surrounding area to determine the appropriate mitigation measures, including tribal monitoring during construction activities and the appropriate disposition of any human remains encountered, that would reduce inadvertent impacts to potential subsurface archaeological deposits or tribal cultural resources to less-than-significant levels. All Related Projects would have to undergo the same process to comply with Assembly Bill 52. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to tribal cultural resources is not cumulatively considerable.

10.9 TRAFFIC AND TRANSPORTATION

Traffic Congestion. During construction, the Proposed Project and Related Projects would add vehicle trips, primarily from haul trucks and worker vehicles, to the roadway network. Haul trucks would likely travel between the US-101 freeway and the areas prone to cumulative impact (generally within 500 feet of the Project Site) via Commercial and Center Streets. It is acknowledged that the Arts District has congested roadways, especially during peak traffic hours. The Related Projects, especially the Santa Fe – Alpine Spine Project, are likely to

necessitate road closures that have the potential for a cumulative traffic impact during construction. However, it is anticipated that the Proposed Project's construction-related trip generation would be minimal. It is unlikely that the Proposed Project would add more than 12 truck trips or 16 passenger vehicle trips to the roadway network. During peak hours, it should generate one trip every four minutes, or less than one trip per light cycle. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to traffic congestion is not cumulatively considerable during construction.

During operations, the Proposed Project would add vehicle trips associated with its approximately 107 employees' commutes. These employees may arrive via single-occupancy vehicles, carpools, and public transit. Many of these employees operate trains during the day. Since peak road traffic hours coincide with peak train activities, it is not expected that the Proposed Project's operations-related workers would add to peak-period traffic. Additionally, the Proposed Project, in combination with Related Projects such as the Santa Fe – Alpine Spine Project, would promote active transportation such as walking and cycling that may offset some of the added vehicle trips. For this reason, Metro finds that the Proposed Project's incremental contribution to the potentially significant cumulative impact related to traffic congestion is not cumulatively considerable during operations.

11. ALTERNATIVES AND MITIGATION MEASURES

11.1 ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6(a), the Draft EIR described and evaluated the relative merits of a range of reasonable alternatives to the Proposed Project that would avoid or create substantially lesser impacts than the significant impacts of the Proposed Project.

During the preparation of the Draft EIR, it was determined that, inclusive of the implementation of mitigation measures, the Proposed Project would have significant unavoidable impacts related to Cultural Resources and Noise and Vibration. As indicated in Section 5 Environmental Impacts Found to be Significant with Mitigation of these Findings of Fact, the Proposed Project's significant unavoidable impacts to cultural resources would be related to a substantial adverse change in the significance of these historical resources: (1) the 1st Street Bridge, (2) the Citizens Warehouse/Lysle Storage Company building, and (3) the National Cold Storage facility. Although these impacts would be reduced by Mitigation Measures **CR-1** through **CR-4** of the MMRP, they would remain significant. A total avoidance of these impacts would necessitate an alternative Project Site. However, due to the location of the existing tunnel portal and Division 20 Rail Yard facilities that the Proposed Project seeks to alter, there is no reasonable alternative Project Site.

Regarding alternatives to the Proposed Project that would create lesser impacts, two alternative track layouts (Alternative 2 and Alternative 3) that would create lesser impacts to cultural resources were analyzed in the Draft EIR. These two alternative track layouts have similar designs as one another and result in similar environmental effects. They would create lesser impacts to the 1st Street Bridge than the Proposed Project would because they would

necessitate fewer modifications to the bridge by allowing trains to travel under the bridge's existing arches. Alternative 2 would preserve all the 1st Street Bridge's existing bents, and Alternative 3 would modify two bents (two fewer than the Proposed Project would modify). There were no alternatives that would avoid or minimize impacts to the National Cold Storage facility or the Citizens Warehouse/Lysle Storage Company building. Therefore, both alternative track layouts would still create a significant impact to cultural resources. Although the alternative track layouts would result in lesser impacts to cultural resources, both alternatives have deficiencies that would result in Metro not achieving the Proposed Project objectives. Alternative 2 does not provide operational redundancy in its points of failure. Failures at the double slip switch to the storage yard access points would render the facility unusable until the issue is addressed. This deficiency would conflict with the Proposed Project Objective #2, which is to provide new tracks and switches that will allow trains to provide faster service times at Union Station. Alternative 3 does not provide for the six-car train lengths that would satisfy the capacity requirements of the Westside Purple Line Extension. This deficiency would conflict with the Proposed Project Objective #1, which is to provide core capacity improvements needed to accommodate increased service levels on Metro Red and Purple Lines. Therefore Alternatives 2 and 3 are infeasible.

11.2 NO PROJECT ALTERNATIVE

The No Project Alternative is required by Section 15126.6 of the CEQA Guidelines and would forgo development related to the Proposed Project. The Project Site would persist as the existing Division 20 Rail Yard and its MOW facility and trackwork, the LAPD Viertel's Central Division Police Garage, the vacant National Cold Storage facility, and the unoccupied Citizens Warehouse/Lysle Storage Company building. No existing structures would be altered or demolished. Metro would not purchase the Citizens Warehouse/Lysle Storage Company building or perform any of the preservation and potential reconstruction on the building associated with the Proposed Project's mitigation measures. Metro would not be able to operate the Westside Purple Line Extension at optimal headways or support a fleet consisting of only six-car trains. The No Project Alternative would also forgo streetscape improvements on Center Street that would otherwise add to community cohesion and create a more pedestrian and bike-friendly environment.

11.3 FINDINGS FOR THE NO PROJECT ALTERNATIVE

Although pursuing the No Project Alternative would avoid the Proposed Project's significant impacts, Metro finds that specific economic, legal, social, technological, and other considerations render the No Project Alternative identified in the Draft EIR infeasible (CEQA Guidelines Section 15091(a)(3)). By pursuing the No Project Alternative, Metro would forgo the removal of soil that could potentially be contaminated by hazardous materials. In pursuing the No Project Alternative, Metro would also forgo the benefits of operating the Westside Purple Line Extension at six-car lengths such as reductions in regional vehicle miles traveled and their associated energy use and air pollutant and greenhouse gas emissions. Most importantly, Metro would not be able to meet the Proposed Project's objectives of providing core capacity improvements to accommodate increased service levels on the Metro Red and Purple Lines and providing new tracks and turnouts to allow trains to provide faster

service times at Union Station. For these reasons, Metro finds that the No Project Alternative is not feasible.

11.4 FINDINGS FOR ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA Guidelines Section 15126.6 requires that an “environmentally superior” alternative be selected among the alternatives that are evaluated in the EIR. As described in the Draft EIR, the No Project Alternative has been found to have the least amount of environmental impacts and is the environmentally superior alternative. If the No Project Alternative is identified as the environmentally superior alternative, the next-best environmentally superior alternative must be identified. In the case of the Proposed Project, Alternative 2 was identified in the Draft EIR as being the environmentally superior alternative because it would avoid the cultural resources impact to the 1st Street Bridge. Nevertheless, Alternative 2 would create significant unavoidable construction noise and vibration impacts comparable to those of the Proposed Project.

CEQA Guidelines requires alternatives to be analyzed with respect to their ability to satisfy the objectives of a proposed project. As referenced above, Alternative 2 does not provide operational redundancy in its points of failure. Failures at the double slip switch to the storage yard access points would render the facility unusable until the issue is addressed. This deficiency would conflict with the Proposed Project Objective #2, which is to provide new tracks and switches that will allow trains to provide faster service times at Union Station. For this reason, Metro finds that the environmentally superior alternative, Alternative 2, does not adequately satisfy the objectives of the Proposed Project and is therefore infeasible.

11.5 FINDINGS FOR MITIGATION MEASURES

Metro has considered every mitigation measure recommended in the EIR. To the extent that these Findings conclude that the mitigation measures outlined in the EIR are feasible and have not been modified, superseded or withdrawn, Metro hereby binds itself to implement or, as appropriate, require implementation of these measures. These Findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when Metro adopts a resolution approving the Proposed Project. The mitigation measures are referenced in the MMRP adopted concurrently with these Findings and will be effectuated through the process of constructing and implementing the Proposed Project.

12. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Guidelines Section 15093, if a project’s EIR and administrative record substantiate that the project would result in significant and unavoidable impacts, then the lead agency is required to balance the project’s significant and unavoidable impacts against its economic, legal, social, technological, or other benefits. If these benefits outweigh the significant and unavoidable impacts, then the significant and unavoidable impacts may be deemed acceptable. In such a case, the lead agency must state, in writing, the specific reasons that support this conclusion. This section presents the Proposed Project potential significant

and unavoidable impacts followed by a demonstration of how they are outweighed by the Proposed Project's benefits.

12.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The Proposed Project would result in the following localized significant and unavoidable impacts:

Adverse Change in the Significance of a Historical Resource. The Proposed Project would remove two of the 1st Street Bridge's bents and widen two bents and one pylon. The removal of these character-defining features is not consistent with the SOI Standards for the Treatment of Historic Properties. The Proposed Project would also demolish the eastern portion of the remnants of the Citizens Warehouse/Lysle Storage Company building (in the location of the former Pickle Works building listed on the CRHR). Lastly, the Proposed Project would demolish the National Cold Storage facility, which is listed as historically significant on SurveyLA, the City of Los Angeles' official historical resources survey. Mitigation measures have been added to the MMRP to reduce these impacts to the extent possible. However, these permanent alterations of "historical resources", as defined in Section 15064.5 of the CEQA Guidelines, would still constitute significant and unavoidable impacts.

Demolition and Construction Noise and Vibration. The Proposed Project would generate noise levels in excess of FTA standards during demolition and construction. This would adversely affect sensitive receptors at the OSF. Furthermore, all commercial and industrial uses within 20 feet of the Proposed Project's heavy-duty equipment would also be subject to adverse effects.

The Proposed Project would also expose persons to excessive groundborne vibration during demolition and excavation. These activities require the use of heavy-duty equipment that cannot be avoided based on applicable construction methods. Mitigation measures have been added to the MMRP to reduce these impacts to the extent possible. However, due to standard demolition and construction procedures and the proximity of sensitive receptors to the area of demolition and construction work, these adverse effects would constitute significant and unavoidable impacts.

12.2 DETERMINATION

Given the following reasons, Metro concludes that the overall benefits of the Proposed Project outweigh the significant and unavoidable impacts discussed in Section 1.1 Significant and Unavoidable Impacts, and that the significant and unavoidable impacts are thus considered acceptable.

Regional Transit Capacity. The Proposed Project will substantially improve capacity of the Metro Red and Purple Lines. In November 2016, over 70 percent of Los Angeles County's voters voted in support for Metro's Measure M ballot measure to raise sales taxes to pay for critical transportation improvements. The improvements to the Division 20 Rail Yard will provide core capacity improvements to accommodate increased service levels previously approved for the Metro Red and Purple Lines and allow trains to provide faster service times

at Union Station. Metro Red and Purple Lines ridership is expected to increase by approximately 49,000 following the Purple Line Extension to the U.S. Department of Veterans Affairs West Los Angeles Medical Center. In order to effectively serve the additional patronage during weekday peak hours, planned service improvements include operating trains every four minutes on each line – which is every two minutes in the trunk portion of the system – and expanding the fleet. Currently, eastbound trains in the trunk portion of the system use special trackwork at Union Station to reverse directions (i.e., ‘turnback’). However, the capability of turning back trains is capped at 7.5 minutes on each line, or 3.75 minutes combined due to the original design of Union Station. In addition to improving Metro Red Line service, the Proposed Project would provide quicker turnaround times and capacity for storing trains for the full build-out of the Purple Line Extension Transit Project.

Reduced Vehicle Miles Traveled (VMT) and Associated Emissions. The Proposed Project would allow for the increase in service and expansion of the geographical reach of the Metro Red and Purple Lines. This would increase the appeal and viability of heavy-rail transit as a mode of transportation in Los Angeles County. Such improvements to alternative modes of transportation would provide the opportunity for reductions in regional single-occupancy vehicle VMT and their associated air pollutant and greenhouse gas emissions. In combination with the Purple Line Extension, the Proposed Project would result in an annual net reduction of approximately 19,960 metric tons of carbon dioxide equivalent. The entirety of the Purple Line Extension was incorporated into the Southern California Association of Governments Regional Transportation Plan. Enhancing and expanding the public transit network is at the crux of reducing regional VMT and associated GHG emissions, which is the top priority of the regional and local transportation and sustainability plans, as well as the California Air Resources Board Scoping Plan. The Proposed Project would contribute to regional efforts to improve sustainability and reduce VMT.

Though the Proposed Project’s would result in potential significant and unavoidable impacts related to cultural resources and noise and vibration, the Proposed Project would create regional economic and social benefit of providing more frequent transit service as well as the overall environmental and social benefit of cleaner air and reduced greenhouse gases. Thus, although the Proposed Project has the potential to create significant and unavoidable impacts, these impacts would be greatly outweighed by the benefits that it would bring to the region.

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4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1. INTRODUCTION

Section 21081.6 of the PRC requires a lead agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). As lead agency for the Proposed Project, Metro is responsible for administering and implementing the MMRP. The decisionmakers must define specific monitoring requirements to be enforced during project implementation prior to final approval of the Proposed Project. The primary purpose of the MMRP is to ensure that the mitigation measures identified in the Draft and Final EIR are implemented, effectively minimizing the identified environmental effects.

4.2. PURPOSE

Table 4.1 has been prepared to ensure compliance with all mitigation measures identified in the Draft EIR and this Final EIR which would lessen or avoid potentially significant adverse environmental impacts resulting from implementation of the Proposed Project. Each mitigation measure is identified in Table 4.1 and is categorized by environmental topic and corresponding number, with identification of:

- Monitoring Action – The criteria that would determine when the measure has been accomplished and/or the monitoring actions to be undertaken to ensure the measure is implemented.
- Party Responsible for Implementing Mitigation – The entity accountable for the action.
- Enforcement Agency, Monitoring Agency, and Monitoring Phase – The agencies responsible for overseeing the implementation of mitigation and when the implementation is verified.

Table 4.1 Mitigation Monitoring and Reporting Program

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
Aesthetics	Light and Glare	AES-1 Construction-related light fixtures shall be equipped with glare diffusers and feature directional shielding in order to avoid the spillover of light onto adjacent residences.	Equip construction lighting with glare diffusers and directional shielding	Metro/ Contractor	1. Metro 2. Metro 3. Construction
		AES-2 Permanent operations-related light fixtures shall feature directional shielding in order to avoid the spillover of backlight and uplight onto adjacent residences.	Equip permanent operations-related lighting with directional shielding	Metro/ Contractor	1. Metro 2. Metro 3. Operations
Cultural Resources	Significance of a Historical Resource	CR-1 Design measures shall be developed by the Project Architect and Engineer and implemented by the Project Contractor to minimize harm due to alterations to the 1 st Street Bridge. Design measures shall include surface treatment of new concrete to reflect but be distinguishable from the original board-form appearance, retention of the decorative brackets, and an infill treatment of the incising arches in a manner similar to the treatment used when the Bridge was first widened to accommodate the Eastside Light-Rail Extension of the Metro Gold Line Project.	Develop and implement design measures to minimize harm resulting from alterations to the 1 st Street Bridge.	Metro/ Contractor	1. Metro/City of Los Angeles Office of Historic Resources 2. Metro 3. Pre-construction
		CR-2 Metro shall conduct further historical research and analysis to document, in an exhibit, report, or website, the historic association and significance of the Citizens Warehouse/Lysle Storage Company building. The documentation shall include a discussion of who lived	Document the historic association and significance of the Citizens Warehouse/Lysle Storage Company building, including a	Metro/Cultural Resources Consultant	1. Metro/City of Los Angeles Office of Historic Resources 2. Metro 3. Prior to demolition of the Citizens Warehouse/Lysle

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		and worked in the building and its role in the early settlement history of the Arts District. A description of the construction history of the complex from 1888 until the present time shall also be included in the documentation. Copies of the report or exhibit shall be provided to the City of Los Angeles Public Library for public education purposes. The documentation shall be completed prior to commencement of any Project construction activities that could adversely affect the Citizens Warehouse/Lysle Storage Company building.	discussion of its role in the early settlement history of the Arts District and its former occupants. Provide this research and analysis to the City of Los Angeles Public Library.		Storage Company building
Cultural Resources	Significance of a Historical Resource	CR-3 Metro shall do the following to minimize impacts to the Citizens Warehouse/Lysle Storage Company building: A. Metro shall retain and stabilize approximately 24,000 square feet of floor area of the extant portion of the Citizens Warehouse/Lysle Storage Company building along Center Street (8,000 square feet per story on the basement, the ground floor, and the second floor), including the former location of the Art Dock, for potential future reuse. 1. Stabilization of the remaining portions of the building to remain shall be designed and conducted in a manner consistent with the applicable SOI's Standards. The	Prepare and implement a plan to retain, stabilize, and preserve the opportunity to expand the Citizens Warehouse/Lysle Storage Company building for potential reuse and retain eligibility for designation as a City of Los Angeles Historic-Cultural Monument..	Metro/ Contractor	1. Metro/City of Los Angeles Office of Historic Resources 2. Metro 3. Pre-construction

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<p>stabilization design shall be prepared prior to commencement of any of the Proposed Project's construction activities that could adversely affect the Citizens Warehouse/Lysle Storage Company building.</p> <ol style="list-style-type: none"> 2. In order to preserve the maximum amount of historic materials comprising the floors and ceiling joists, Metro shall saw-cut through the first floor, second floor, and roof along the eastern side to be stabilized. 3. Demolition of the eastern portion of the building may not occur until after the stabilization (item A.1) and saw-cut (item A.2) are complete. 4. Brick exterior cladding material, windows, and other character-defining materials and features obtained from the demolition of the eastern wall of the Citizens Warehouse/Lysle Storage Company building shall be salvaged and stored so that those original materials can be re-used to clad the southern façade of the existing building or to clad any proposed Pickle Works replication addition to the south. 			

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<p>B. Metro shall consult with the Arts District community to identify an appropriate future use for the Citizens Warehouse/Lysle Storage Company building. Renovations to accommodate the new use shall not preclude the building's eligibility to be considered as a City of Los Angeles Historic-Cultural Monument.</p> <p>C. Upon identification of an appropriate future use for the Citizens Warehouse/Lysle Storage Company building, Metro shall develop an adaptive reuse plan in consultation with the Los Angeles Conservancy and the City of Los Angeles Office of Historic Resources. The adaptive reuse plan shall:</p> <ol style="list-style-type: none"> 1. Develop an adaptive reuse design for historic rehabilitation consistent with the SOI's Standards for Rehabilitation to a total of up to approximately 26,700 square feet of floor area. <ol style="list-style-type: none"> a. The adaptive reuse design shall include replication of the original southern façade of the former Pickle Works building to the maximum extent possible. b. The adaptive reuse plan shall be developed by Metro 			

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<p>in consultation with the Los Angeles Conservancy and the City of Los Angeles Office of Historic Resources to ensure that adequate guidance is in place for historic rehabilitation principles to be incorporated into the needs of potential future reuse.</p> <p>c. Metro shall obtain the services of a firm specializing in historic preservation rehabilitation projects to provide guidance for development of the plan.</p> <p>D. Metro shall do the following to enable the Cultural Heritage Commission's consideration of the Citizens Warehouse/Lysle Storage Company as a City of Los Angeles Historic-Cultural Monument:</p> <p>1. Ensure the following character-defining features are preserved in the adaptive reuse design along the north and west elevations to convey the building's association with the Los Angeles Arts District during the 1970s and 1980s:</p> <p>a. Common-bond brick work b. Patterned but irregular spacing of fenestration and</p>			

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<ul style="list-style-type: none"> openings c. Segmentally arched windows of variegated dimensions d. Four-part corbelling at west and north elevation rooflines e. Ceramic insulators affixed to west elevation f. Sawtooth element at roof g. Recessed wood-frame multi-light windows h. Faux shutters and planters i. The Art Dock bay, located at 112 Center Street (west elevation, second dock from north) j. Elevated single-bay loading docks k. Basement windows l. Stucco-capped stepped parapets at the roofline <p>4. Apply to the City of Los Angeles Office of Historic Resources and Cultural Heritage Commission for their consideration of the Citizens Warehouse/Lysle Storage Company to be designated as a City of Los Angeles Historic-Cultural Monument.</p> <ul style="list-style-type: none"> a. The application shall base the statement of significance on the 			

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<p>building's association with the Los Angeles Arts District during the 1970s and 1980s under Criterion 1: Is identified with important events of national, state, or local history, or exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city or community.</p> <p>b. The nomination for Historic-Cultural Monument status would be prepared after the stabilization is complete.</p> <p>E. Metro shall preserve the opportunity to expand the Citizens Warehouse/Lysle Storage Company building towards the 1st Street Bridge to provide up to approximately 2,700 square feet of floor area (900 square feet per story on the basement, the ground floor, and the second floor). The determination whether to expand the building towards the 1st Street Bridge shall be made by Metro in consultation with the Arts District community, the Los Angeles Conservancy, and the City of Los Angeles Office of Historic</p>			

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<p>Resources.</p> <p>1. Any expansion of the building towards the 1st Street Bridge area shall be conducive to replicating the appearance of the no-longer extant portion of the former Pickle Works building built in 1888, which was demolished by a different entity for a previous project – the widening of the 1st Street Bridge.</p> <p>F. A certificate of occupancy shall be recorded on the property for the future reuse within five years of Metro’s purchase of the property from the City.</p>			
		<p>CR-4 Metro shall prepare a report that documents, in-depth, the history and context of ice making and cold storage facilities in Los Angeles and the role played by National Ice and Cold Storage during its most significant years. Copies of the report shall be provided to the City of Los Angeles Public Library for public education purposes. The report shall be prepared prior to any demolition activities that would affect the National Ice and Cold Storage facility.</p>	<p>Prepare report on the history and context of ice making and cold storage facilities in Los Angeles and the role played by National Ice and Cold Storage during its most significant years. Provide copies of the report to the City of Los Angeles Public Library.</p>	<p>Metro/Cultural Resources Consultant</p>	<p>1. Metro/City of Los Angeles Office of Historic Resources 2. Metro 3. Prior to demolition of National Ice and Cold Storage facility.</p>
<p>Cultural Resources</p>	<p>Significance of an Archaeological</p>	<p>CR-5 A qualified archaeologist who meets the standards of the Secretary of the Interior for Archaeology (Project Archaeologist)</p>	<p>1. Retain qualified archaeologist 2. Develop CRMMP</p>	<p>Metro/Project Archaeologist</p>	<p>1. Metro/California Office of Historic Preservation</p>

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
	Resource	<p>shall be retained to provide and supervise archaeological monitoring of all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. A Cultural Resources Monitoring and Mitigation Plan (CRMMP) shall be developed prior to the start of ground-disturbing activities outlining qualifications and roles of the Project Archaeologist and archaeological monitor, monitoring procedures, reporting requirements, and procedures to follow if cultural resources are encountered during construction.</p> <p>The Project Archaeologist shall prepare monthly cultural resources monitoring progress reports to be filed with Metro. In the event that cultural resources are exposed during construction, the archaeological monitor shall temporarily halt construction within 50 feet (15 meters) of the discovery (if safe) while the potential resource is evaluated for significance (i.e., eligible for listing in the CRHR per PRC Section 5024.1 (c), or in a local register of historical resources as defined in PRC Section 5020.1 (k)). Construction activities could continue in other areas that are a distance of at least 50 feet from the discovered resource. If the discovery proves to be significant, representatives of Metro and the Project Archaeologist shall meet to determine</p>	3. Monitor all ground-disturbing activities 4. Monthly Reports 5. Discovery Protocols 6. Data Recovery		2. Metro 3. Construction

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		the appropriate avoidance or minimization measures. In considering suggested mitigation, Metro shall determine whether avoidance and preservation in place is feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations. Under CEQA Guidelines Section 15126.6(b)(3), preservation in place is the preferred method of mitigation and, if feasible, shall be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of the impacts. If avoidance and preservation in place is infeasible, other appropriate measures, such as data recovery excavation, shall be instituted. If data recovery is deemed appropriate, a Treatment or Data Recovery Plan (Plan) outlining the field and laboratory methods to be used shall be prepared by the Project Archaeologist in accordance with CEQA Guidelines Section 15064.5(f) and approved by Metro prior to initiation of data recovery work. The Plan shall specify the appropriate treatment and/or curation of collected materials.			
Cultural Resources	Destruction of a Paleontological Resource or	CR-6 A qualified paleontological monitor shall be retained to monitor project-related excavation activities on a full-time basis in previously undisturbed Pleistocene	1. Full-time monitoring in area of undisturbed Pleistocene	Metro/ Paleontological Monitor	1. Metro 2. Metro 3. Construction

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
	Site or Unique Geologic Feature	deposits, if encountered. Project-related excavation activities of less than ten feet in depth shall be monitored on a part-time basis to ensure that underlying paleontologically sensitive sediments are not being affected. In addition, the monitor shall ensure the proper differentiation between paleontological and archaeological resources.	deposits 2. Part-time monitoring when excavation is less than ten feet. 3. Review recovered resources to differentiate between paleontological and archaeological resources		

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<p>CR-7 A Paleontological Monitoring and Mitigation Plan (PMMP) shall be developed by a qualified professional paleontologist prior to the start of ground-disturbing activities. A qualified professional paleontologist shall be retained to supervise the monitoring of construction. Paleontological resource monitoring shall include inspection of exposed geologic units during active excavations within sensitive geologic sediments, as defined by the PMMP and as needed. The monitor shall have authority to temporarily divert grading away from exposed fossils in order to efficiently recover the fossil specimens and collect associated data. The qualified paleontologist shall prepare monthly progress reports to be filed with Metro. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis. Matrix sampling shall be conducted to test for the presence of microfossils.</p>	<ol style="list-style-type: none"> 1. PMMP development 2. Retain paleontologist 3. Monitoring 4. Monthly reporting 5. Matrix sampling 	Metro/ Paleontological Monitor	<ol style="list-style-type: none"> 1. Metro 2. Metro 3. Pre-construction/ Construction

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
Cultural Resources	Destruction of a Paleontological Resource or Site or Unique Geologic Feature	CR-8 Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility. The most likely repository would be the Natural History Museum of Los Angeles County.	Curate recovered fossils and deposit in designated curation facility.	Metro/ Paleontological Monitor	1. Metro 2. Metro 3. Construction
	Disturbance of Human Remains	CR-9 In the event that human remains, as defined above, are encountered at the Project Site, procedures specified in the Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e) shall be followed. In this event, all work within 100 feet (30 meters) of the burial shall cease, and any necessary steps to ensure the integrity of the immediate area shall be taken. This shall include establishment of a temporary Environmentally Sensitive Area (ESA) marked with stakes and flagging tape around the find and 100-foot buffer. The Los Angeles County Coroner shall be immediately notified. The Coroner must then determine whether the remains are Native American. Work shall continue to be diverted while the Coroner determines whether the remains are Native American. Should the Coroner determine that the remains are Native American, the Coroner has 24 hours to notify the NAHC, who shall in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions shall	1. Cease work within 100 feet of discovery. 2. Notify Los Angeles County Coroner 3. Preserve in place/reburial/repatriation of remains in consultation with MLD	Metro/ Archaeological Monitor	1. Los Angeles County Department of Medical Examiner-Coroner 2. Metro 3. Construction

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		be determined in consultation with the MLD. Upon being granted access to the site, the-MLD has 48 hours to make recommendations regarding the treatment or disposition of the remains of the discovery. If requested by the MLD, measures shall be taken to the extent feasible to preserve and protect the remains in situ. If preservation in place is not feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations, the appropriate treatment, reburial, or repatriation of the remains shall be determined in consultation with the MLD. If the MLD does not make recommendations within 48, Metro shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if Metro does not accept the MLD's recommendations, Metro or the MLD may request mediation by the NAHC. The location of the remains shall be kept confidential and secured from disturbances and looting until the appropriate treatment has been identified and implemented. No information regarding the discovery of human remains shall be publicized.			
Noise and Vibration	Exceedance of Applicable Standards	NV-1 The Contractor shall submit a Noise Control and Monitoring Plan to Metro that is prepared, stamped, and administered by the Contractor's Acoustical Engineer. This plan shall state that:	Prepare Noise Control and Monitoring Plan and submit to Metro.	Metro/ Contractor	1. Metro 2. Metro 3. Pre-construction

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<ul style="list-style-type: none"> • Equipment shall include enclosed engines, acoustically attenuating shields, and/or high-performance mufflers; • Equipment and staging areas shall be located away from noise-sensitive receivers; • Idling of construction equipment shall be restricted to a maximum of five minutes, except as provided in the exceptions to the applicable California Air Resources Board regulations regarding idling; • Temporary noise barriers and/or noise control curtains shall be installed; • Construction-related truck traffic shall be routed away from local residential streets and/or sensitive receivers; • Impact pile driving shall be prohibited; • The use of impact devices such as jackhammers and hoe rams shall be minimized, using concrete crushers and pavement saws instead; • The Noise Control and Monitoring Plan shall include a site drawing, an inventory of equipment, calculations of the one-hour L_{eq} noise levels at sensitive receptors (i.e., OSF), and compliance with FTA noise criteria. <p>An updated Noise Control and Monitoring Plan shall be completed and submitted within ten days of the start of each quarterly period, or whenever there</p>			

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		is a major change in work schedule, construction methods, or equipment operations.			
Noise and Vibration	Exceedance of Applicable Standards	NV-2 Metro shall install low-impact frogs at locations with special trackwork. This applies to the OSF-adjacent storage yard and yard tracks within a 200-foot radius of the northern portion of the northern OSF building. This also applies to existing yard tracks leading to the Maintenance Facility, as well as new yard tracks within a 200-foot radius of the northern portion of the southern OSF building.	Install low-impact frogs	Metro/ Contractor	1. Metro 2. Metro 3. Construction
	Exposure of Persons to or Generation of Excessive Groundborne Vibration or Noise	NV-3 The Contractor shall submit a Vibration Monitoring Plan to Metro that is prepared, stamped, and administered by the Contractor's Acoustical Engineer. This plan shall include: <ul style="list-style-type: none"> • A survey of OSF building foundations with photographs of existing conditions limited to buildings within 25 feet of high-vibration-generating construction activities. Another survey shall be completed at the end of construction activities to assess potential damage. Damaged structures shall be returned to the preconstruction state by the Contractor. • A requirement to monitor vibration at any building where vibratory rollers or similar high-vibration-generating 	Prepare Vibration Monitoring Plan and submit to Metro.	Metro/ Contractor	1. Metro 2. Metro 3. Pre-construction

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
		<p>equipment would be operated within 25 feet of buildings and at any location where complaints about vibration are received from building occupants. Construction activities shall be stopped and alternative methods introduced if vibration levels exceed 0.2 inches per second at OSF. Examples of high-vibration construction activities include the use of vibratory compaction or hoe rams next to sensitive buildings. Alternative procedures include use of non-vibratory compaction in limited areas and a concrete saw in place of a hoe ram to break up pavement.</p> <ul style="list-style-type: none"> Nighttime construction activities near OSF shall not include equipment operations within the minimum distances shown in Table 3.7.9. 			

Impact Area	Potential Effects	Mitigation Measures	Action	Responsible Party	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
Tribal Cultural Resources		<p>TCR-1 Because of the potential for tribal cultural resources, a Native American monitor shall be retained to monitor all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. The appropriate Native American monitor shall be selected based on ongoing consultation under AB 52 and shall be identified in the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as described in Mitigation Measure CR-5. Monitoring procedures and the role and responsibilities of the Native American monitor shall be outlined in the project CRMMP. In the event the Native American monitor identifies cultural or archeological resources, the monitor shall be given the authority to temporarily halt construction (if safe) within 50 feet (15 meters) of the discovery to investigate the find and contact the Project Archaeologist and Metro. The Native American monitor and consulting tribe(s) shall be provided an opportunity to participate in the documentation and evaluation of the find. If a Treatment Plan or Data Recovery Plan is prepared, the consulting tribe(s) shall be provided an opportunity to review and provide input on the Plan.</p>	Retain Native American Monitor	Native American Monitor/ Project Archaeologist	1. Metro 2. Metro 3. Construction

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: _____ *Street Address:* _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
 County of: _____
 Address: _____

From:

Public Agency: _____
 Address: _____

Contact: _____
 Phone: _____

Lead Agency (if different from above): _____
 Address: _____

Contact: _____
 Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: _____

Project Applicant: _____

Project Location (include county): _____

Project Description:

This is to advise that the _____ has approved the above
 (Lead Agency or Responsible Agency)

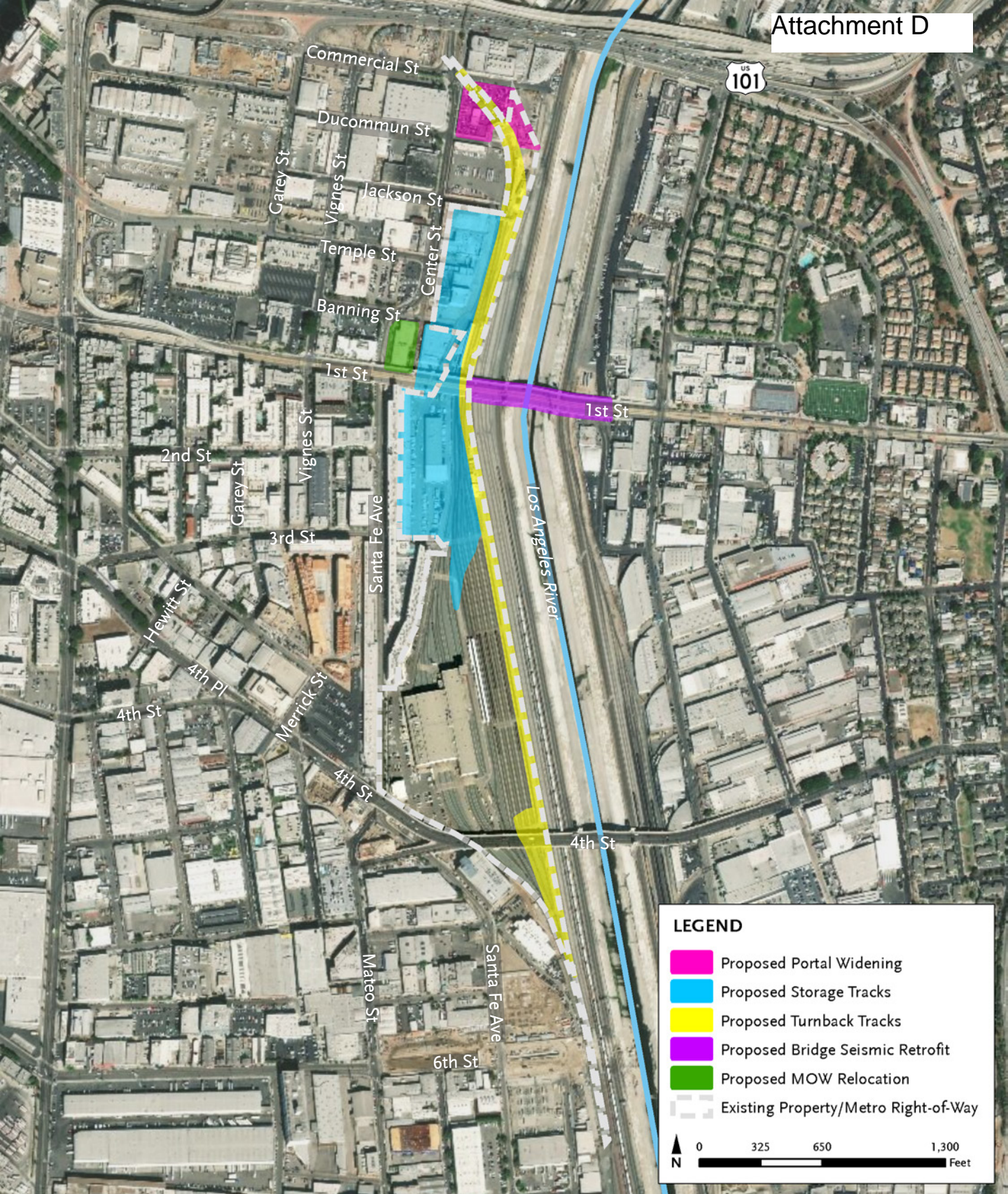
described project on _____ and has made the following determinations regarding the above
 (date)
 described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

 Signature (Public Agency): _____ Title: _____

Date: _____ Date Received for filing at OPR: _____



LEGEND

- Proposed Portal Widening
- Proposed Storage Tracks
- Proposed Turnback Tracks
- Proposed Bridge Seismic Retrofit
- Proposed MOW Relocation
- Existing Property/Metro Right-of-Way

0 325 650 1,300 Feet

NOTE: Exact location of storage tracks and turnback tracks to be determined.

Source: Terry A. Hayes Associates Inc., 2018.

Division 20 Portal Widening and Turnback Facility



Public Engagement Summary Report: Scoping through DEIR

October 2018

Submitted by



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1. Overview

The Los Angeles County Metropolitan Transportation Authority (Metro) is proposing service improvements for its Red and Purple Lines with the Division 20 Portal Widening and Turnback Facility project (Proposed Project). Collectively, the Red and Purple Lines carry over 140,000 passengers daily, with ridership expected to increase by 49,000 following the Purple Line Extension to the Veterans Affairs West Los Angeles Medical Center. Currently, these trains reverse at Union Station, which limits the frequency of service. The Proposed Project aims to address these service reliability and safety issues with three core improvements, which include:

- Widening the heavy rail tunnel south of U.S. Highway 101 freeway (Portal Widening) to accommodate additional special trackwork and high-speed train movements;
- Developing of a new, surface-level Turnback Facility in the existing Division 20 Rail Yard; and
- Reconfiguring and expanding the surface-level rail storage tracks.



Image 2: Project Area Map

In preparation for the Proposed Project’s environmental review process, an outreach engagement strategy was developed by Arellano Associates (AA) in agreement with and approved by Metro and the technical team, consisting of ICF International, Inc. and Terry Hayes and Associates, Inc. (TAHA), collectively known as the Project Team. This Public Participation Plan (PPP) provided the Project Team initial direction and guidance throughout the environmental phase, including:

- A general understanding of the project area’s demographics and languages;
- An initial list of key stakeholders and stakeholder groups;
- A plan to compile, develop and maintain a database of project stakeholders and other interested parties;
- Detail on additional management tools, which would be employed to direct and document outreach outcomes;
- Identify communication tools, such as branding and messaging, key messages, printed materials, and digital and web-based tools to facilitate public as well as agency awareness and inclusion in the environmental process; and
- Layout the types of meetings and notifications, which would be used to execute the Project Team’s objectives for public and agency inclusion and participation.

The PPP’s intended period of engagement was set to include all activities occurring between the start of the scoping process (October 18, 2017) and the close of the hearing process (April 30, 2018), which included the release of Draft Environmental Impact Report (DEIR). Subsequent to the end of this initial scoping period, the Proposed Project footprint was expanded to include an additional property that had been offered to Metro at 100-120 North Santa Fe Avenue. This change initiated a revised scoping (lasting from January 3, 2018 to February, 2, 2018), resulting in additional process notifications and comment feedback. Record of each process and the outreach conducted to involve, both, agency and public participation can be found in the Public Scoping Summary Report and in the DEIR Public Engagement Summary Report.

Table 1 provides a summary of executed project outreach initiatives.

Table 1: Executed Outreach Initiatives

Type	Executed Outreach
Project Database	✓
Project Communication Resources	✓
Branding and Languages Served (English, Spanish and Japanese)	✓
Key Messages	✓
Fact Sheet	✓
Frequently Asked Questions	✓
Project Website	✓
Webcast (or Webinar) Meeting	✓
Project Video	✓
Elected Official Briefings	✓
Stakeholder Briefings	✓
Meetings & Meeting Notifications	✓
Scoping	✓
Hearing	✓
Print Meeting Notices (Mail, Posted and Counter Drop)	✓
Electronic Mail Notifications (E-blasts)	✓
Newspaper Advertisements (or Press Releases)	✓
Facebook	✓
Twitter	✓
Blogs	✓

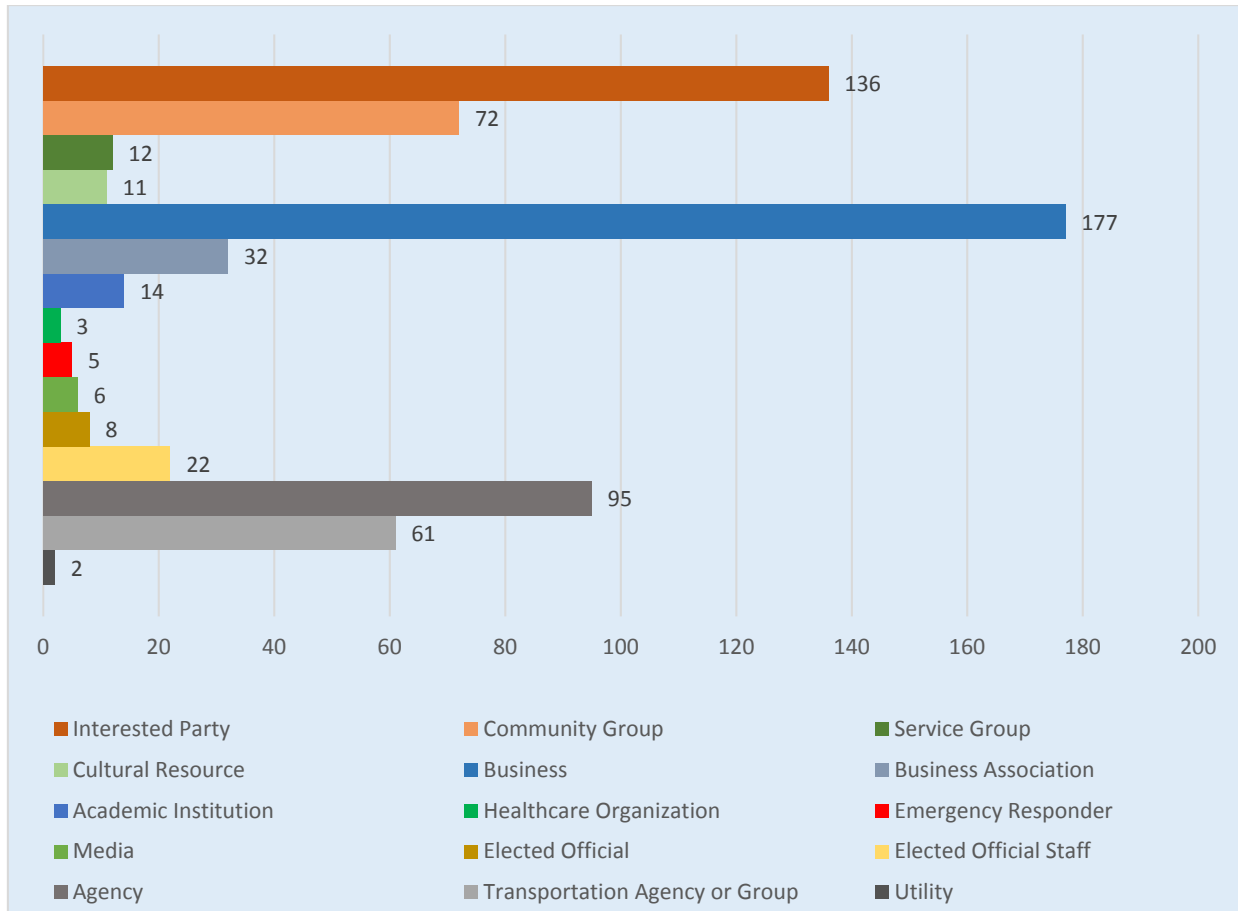
Executed outreach initiatives and highlights are designated in each of the sections below, sorted by Project phase “timing.” Timing stages include: Scoping, Revised Scoping, Release of DEIR/Hearing and Release of FEIR/Board.

2. Project Database

The project database has served as the primary resource for public notification. Database contacts have received noticed invitations to community meetings by means of direct mail, e-blasts, and through extended outreach to key stakeholders. Additional notification list for use in the release of preliminary

notifications, were also generated to include project database contacts. At the project’s start, an initial list of database contacts was developed and included 577 stakeholders. This list of stakeholders grew to 683 by the end of project. The project database includes a total of 478 contacts with mailing addresses, and 84% of all contact records include email. Database contact categories and count are as follows in the graph below.

Figure 1: Project Database by Category



3. Project Communication Resources

Outreach proposed in the PPP included a number of communications tools to aid in building public awareness to encourage public participation.

a. Branding

In conjunction with Metro Marketing, the Project Team established a clean and representative branding, which was used for all print and electronic tools and notifications. Branded project templates were created to facilitate the development of fact sheets and other handouts, meeting PowerPoint presentations, and display boards.

b. Messaging

A vision for project outreach and core messaging was developed early in the process by the Project Team. This messaging was used in print collateral, such as fact sheets and meeting notices, and share electronically, via webpage and e-blasts. Messaging was modified and materials updated to meet with the demands of project timing and to reflect mitigations or response to public comment.

c. Fact Sheets

An 8 ½” W x 11” L branded Fact Sheet was developed by the Project Team as the foundational collateral outreach tool. This two-sided project summary outlined the project partners and goals, highlighted project work, and presented a schedule of proposed activity. The Fact Sheet also provided links to key resources and project contacts. The handout was updated once during the project as result of the revised scoping process.



Image 3: Project Fact Sheet & Frequently Asked Questions

d. Frequently Asked Questions (FAQ)

A two-sided, 8 ½” W x 11” L branded FAQ was also prepared to assist in communicating proposed project work, schedule and contacts. This hand-out includes a series of project questions and responses in an easy to digest format. A second copy of the FAQ was also prepared for the revised scoping.

e. Project Website

The project website (<https://www.metro.net/projects/division-20/>) has served as both, anchor and archive, for the project’s outreach initiatives, providing the public access to:

- Core, project information;
- An online comment form for the DEIR and project contact information for other methods of comment;
- Posts for upcoming meeting notifications;
- Meeting summary reports and other meeting materials for continued reference;
- A link to the recorded project hearing webcast; and
- Links to additional projects operating within the greater Proposed Project area.

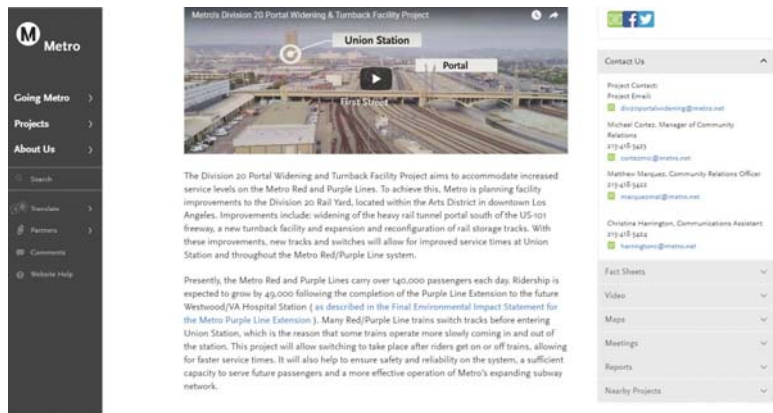


Image 4: Project Website Landing Page

The website remains a primary method for interested parties to sign-up for future information and meeting updates.

f. Webcast

A live webcast was implemented to enhance the reach of the project’s DEIR hearing and increase comment participation. The hearing presentation and oral comments were recorded and broadcasted live to expand meeting participation on the night of the event and to capture the experience for project record. The webcast video has since been posted on the Metro project website (www.metro.net/projects/division-20). An English, Spanish and Japanese version of the hearing PowerPoint presentation was also prepared and uploaded to the project webpage, providing an additional reference for those interested in reviewing Metro’s progress at that stage of the project.



Image 5: Metro Board Room

g. Project Video

An educational project video was created and shared with the public via Metro’s English-language blog The Source and Spanish-language blog El Pasajero, by way of e-blasts to the project’s database contacts, through the project website, and at the projects’ DEIR hearing. The video assisted with visualizing the project’s proposed improvements and to-date has received almost 5,000 views.

4. Meeting Notification Efforts

A variety of notification methods were employed to reach-out to the public and encourage participation in upcoming public meetings, including print and electronic meeting notices. The sections below further details each notification method used.

a. Preliminary Notice

Either a Notice of Preparation (NOP) or Notice of Availability (NOA) had been prepared and distributed for each stage of the Proposed Project to announce the progress on the Environmental Impact Report (EIR). Each of the three (3) notices were drafted and finalized in agreement with California State and Metro standards. The initial distribution list was developed by the Project Team, including 69 key stakeholders. Each subsequent notification list was reviewed and updated to include the previous stakeholders as well as the most current list of those whom had shared public comment. All preliminary notices were delivered by both, postal mail and e-mail, when available.

A comparative summary of each can be found in Table 2.

Table 2: Distribution of Preliminary Notice of Action and Environmental Report

Timing	Notice	Review (R) and/or Comment Period (CP)	Method of Distribution	Date of Mail & Counter Distribution	Date of Newspaper Distribution	Key Stakeholder Notices	Hard Copy Locations
Scoping	NOP for Preparation of Draft EIR	30-day R/CP	Postal Mail & Print Newspaper Ads	10/18/17	10/18/17	69	N/A
Revised Scoping	NOP for Preparation of Draft EIR	30-day R/CP		01/03/18	01/03/18 – 01/08/18	104	N/A
Release of DEIR/ Hearing	NOA for Release of Draft EIR	45-day R/CP	Postal Mail, Print Newspaper Ads, & Public Counter Placement	03/16/18	03/16/18 – 03/22/18	107	3

Print copies of each NOA, along with the corresponding Draft or Final EIR, were also placed at three (3) public counters to provide community access to hard copy notices and reports for review and public comment. The following libraries supported this method of distribution:

- Los Angeles Public Library, Central Library
- Los Angeles Public Library, Little Tokyo Branch
- Kappe Library at SCI-Arc

b. Newspaper Advertisements

As noted in Table 2 above, print newspaper advertisements were also used to publicly share all NOP and NOA notifications to announce the different stages of the Proposed Project. Five (5) local papers with diverse audiences and language preference were identified and used in this notification effort. Collectively, each notice newspaper circulation reached approximately 409,000 community addresses.

Newspapers used to engage the public follow in Table 3, below.

Table 3: Distribution of Newspaper Advertisements

Timing	Method of Distribution	Language	Approximate Readers/Subscribers
All	Downtown News	English	150,000
	Eastside Journal	English	24,000
	La Opinion	Spanish	115,000
	Los Angeles Daily News	English	80,000
	Rafu Shimpo	Japanese	40,000



Image 6: Notification Area Boundary Map

c. Primary Notice

Print public meeting notices were developed in English, Spanish, and Japanese, by the Project Team and served as the primary means of project meeting notification. Three (3) meeting invitations were produced and distributed to mailing addresses, consisting of database stakeholders, property owners, and occupants located within 1,000 feet of the Proposed Project area to build project awareness, to encourage public involvement, and to solicit comment.

Table 4 includes a summation of each notice.

Table 4: Primary Meeting Notices

Timing	Type	Date of Distribution	Method of Distribution	Notices	Messaging
Scoping	Trifold 8 ½" W x 11" L	10/18/17	Postal Mail & Door to Door Outreach	1,903*	<ul style="list-style-type: none"> • Invitation to scoping meetings • Description of project • Purpose of scoping meetings • Overall project benefits • Meeting details, including: date, time, location and parking information • Request and methods to provide public comment
Release of DEIR/ Hearing	Postcard 11" W x 6" L	03/16/18	Postal Mail & Door to Door Outreach	2,366**	<ul style="list-style-type: none"> • Invitation to attend the public hearing • Meeting details, including: date, time, location and parking information • Request and methods to provide public comment

* Postal notification included 1,608 for scoping.

** Postal notification included 1,812 for hearing and 90 for Metro Committee distributions.

d. Door to Door Outreach

As noted in Table 4 above, the primary public meeting notices were also shared via door to door outreach through the support of key stakeholders in and around the project area. Metro focused this effort on building project awareness within the Little Tokyo/Arts District area to help spread the word about upcoming meetings to community stakeholders. Bundles of notices were placed with approval at key stakeholder locations, providing additional opportunities for public engagement. AA provided support, as needed, to Metro staff in distributing the notices throughout the community. Collectively, 759 notices were shared with the public via this method of outreach.

The level and reach of extended outreach can be found below in Table 5.

Table 5: Door to Door Distribution of Public Meeting Notices to Key Stakeholders

Timing	Name	Date of Distribution	Key Stakeholders	Public Counter Notices
Scoping	Arts District	10/19/2017	16	95
	Little Tokyo	10/19/2017	4	200
Release of DEIR/ Hearing	Arts District	03/27/18	22	209
	Little Tokyo	03/27/18	6	180
	Center Street & Vicinity	03/27/18	8	75

e. Electronic Mail Notifications

Metro prepared and scheduled 23 electronic mail notices during the project. These e-blasts were sent to e-mails collected in the project database and via MyEmma and Salesforce platforms.

A complete detail of electronic notices can be found below (Table 6).

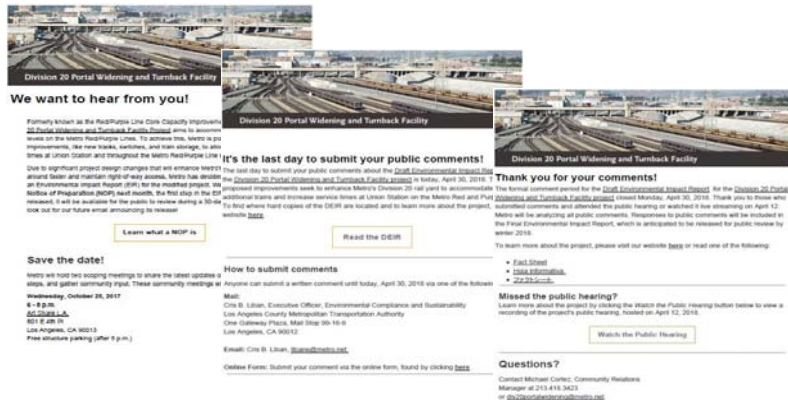


Image 7: Project E-blasts

Table 6: Distribution of E-blast Notifications

Timing	Date of Distribution	E-blasts	Sent Notices	Delivered Notices	Opened Notices
Scoping	10-03/17 – 11/17/17	8	2,844	2,814	1,156
Revised Scoping	01/03/18 – 02/06/18	5	5,180	5,163	1,384
Release of DEIR/ Hearing	03/16/18 – 05/03/18	10	4,822	4,725	1,382

f. Social Media Posts

Social media was used to support the public hearing notification process. A total of 17 social media posts were scheduled and posted from March 19th through April 11th to give audiences the most advanced and timely noticing regarding the public hearing and public comment period. Posts were published and shared by several Facebook and Twitter users and sparked dialogue among followers.

Table 7 (below) details each use of social media and metric results.

Table 7: Distribution of Social Media Posts

Timing	Method of Distribution	Post Date	Posts	Metrics
Scoping	Facebook	10/18/17	1	92 Likes, 2 Comments
	Twitter	10/20/17 – 11/06/17	4	15 Likes, 15 Retweets, 1 Comment
Revised Scoping	Facebook	01/04/18	1	48 Likes, 4 Shares, 3 Comments
	Twitter	01/04/18 – 01/29/18	4	22 Likes, 11 Shares, 2 Comments
Release of DEIR/ Hearing	Facebook	03/19/18 – 4/11/18	3	125 Likes, 14 Shares
	Twitter	03/19/18 – 4/03/18	4	30 Likes, 13 Retweets, 1 Comment

g. Blog Publications

Blog publications provided additional notification support and aided in building project awareness. Metro’s online blog publications, The Source (English) and El Pasajero (Spanish), ran nine (9) project-focused or -related articles during the course of the project. Two additional, unsolicited earned media blogs articles, posted by notable transportation blogs, were also identified.

A summary of project blogs, which had reported on the project, are shown in Table 8, below.

Table 8: Distribution of Blog Publication Posts

Timing	Method of Distribution (Language)	Post Date	Posts
Scoping	The Source (English)	10/18/17	1
	El Pasajero (Spanish)	10/18/17	1
	Other (English)	10/16/18 – 11/16/18	5
Revised Scoping	The Source (English)	01/03/18 – 01/31/18	2
	El Pasajero (Spanish)	01/04/18 – 01/31/18	2
	Other (English)	01/04/18 – 01/17/18	2
Release of DEIR/ Hearing	The Source (English)	03/16/18 – 04/11/18	2
	El Pasajero (Spanish)	04/11/18	1
	Other (English)	03/20/18 – 03/21/18	2

5. Community Engagements

The focus of project outreach has been to involve and collect feedback from agencies, key stakeholders and the general public, to adhere to and go beyond CEQA standards. Meetings and briefings were organized and held for this purpose. Meetings marked key milestones during the project schedule, while briefings reached-out to elected officials and stakeholders to assist in guiding the project forward and to address items of interest and concern. A total of three (3) public meetings and six (6) briefings with elected officials and 16 with key stakeholders were conducted with the following goals in mind (Table 9). The Metro Board meeting was not considered as an outreach meeting, rather only the corresponding notification effort was recorded as outreach initiative.

Table 9: Meetings & Briefings

Type	Date	Purpose	Meetings/ Briefings
Briefings			
Elected Official Briefings	Sept 26, 2017 – Feb 13, 2018	<ul style="list-style-type: none"> Educate and build awareness with an overview of project, process and technical studies Gather feedback and collaborate on the mitigating potential issues of concern Build consensus and garner support for an ideal outreach strategy Provide project updates before each community meeting Review next steps and anticipated project schedule 	6

Key Stakeholder Briefings	Oct 12, 2017 – Apr 11, 2018	<ul style="list-style-type: none"> Educate and build awareness with an overview of project, process and technical studies Gather feedback and collaborate on the mitigating potential issues of concern Build consensus and garner support for an ideal outreach strategy Review next steps and anticipated project schedule 	16
Meetings			
Scoping Meeting	10/25/17 – 11/08/17	<ul style="list-style-type: none"> Present a description of Proposed Project, corresponding purpose and need, list of criteria, environmental limitations, and potential alternative concepts Share an overview of the process and technical studies that will be conducted Review next steps and anticipated project schedule Communicate tips on how to “Stay Connected” Generate public input on issues that will be addressed in the upcoming technical studies 	2
Public Hearing	04/12/17	<ul style="list-style-type: none"> Update Public on project status Report on technical efforts and findings Set stage for next phase of development Included a live webcast, which was recorded and later distributed via e-mail and project website 	1

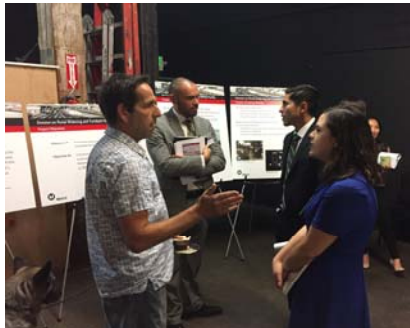


Image 8: Art Share L.A.



Image 9 & 10: Japanese American Cultural & Community Center

In support of this summary, all project meetings and briefings were documented and details recorded using Smartsheet.

a. Elected Official Staff Briefings

Prior to the initial public meetings and throughout the process, Metro maintained contact with staff of local elected official offices with interest in the Proposed Project area. A total of seven (7) elected official briefings were conducted throughout the course of the project. These briefings provided staff an opportunity to learn about the project and provide feedback and guidance on collaboration with their respective communities.

Below in Table 10, a list of Metro’s engagement with elected offices are summated.



Image 11: Metro Headquarters, 3rd Floor Lobby

Table 10: Briefings to Elected Official

Timing	Type	Briefing Date	Briefings
Scoping	Los Angeles County Supervisor Solis’s Office, District 1 City of Los Angeles Councilmember Huizar’s Office, District 14 City of Los Angeles Mayor Garcetti’s Office	09/26/17 – 12/01/17	5
Revised Scoping	City of Los Angeles Councilmember Huizar’s Office, District 14	01/12/18	1
Release of DEIR/ Hearing	City of Los Angeles Councilmember Huizar’s Office, District 14	02/13/18	1

b. Stakeholder Briefings and Technical Advisory Meetings

Additional briefings were also provided to a number of key stakeholder groups to provide open communication on poignant project issues and to encourage continued engagement during the public comment period.

The following matrix (Table 11) represents these efforts.

Table 11: Briefings to Key Stakeholders

Timing	Type	Briefing Date	Briefings
Scoping	Business Organizations, Community Organizations, Cultural and Historic Resource Groups & Metro Councils and Committees	10/12/17 – 12/14/17	7
Revised Scoping	Business Organizations, Community Organizations & Cultural and Historic Resource Groups	01/12/18 – 01/31/18	4
Release of DEIR/ Hearing	Business Organizations, Cultural and Historic Resource Groups & Metro Councils and Committees	02/26/18 – 04/11/18	5

Stakeholders Briefed included:

Business Organizations

- Arts District Los Angeles (ADLA) BID
- Central City Association (CCA) Transportation, Infrastructure, and Environment Committee

Community Organizations

- Historic Cultural Neighborhood Council (HCNC) Urban Design and Land Use Committee (LUC)
- Little Tokyo Community Council
- Los Angeles Downtown Arts District Space

Cultural and Historic Resource Groups

- Gabrieleño Band of Indians – Kizh Nation: Tribal Consultation
- LA Conservancy

Metro Councils and Committees

- Westside/Central Service Council
- Metro Technical Advisory Committee (TAC)
- Metro’s Union Station Area Roundtable
- Regional Connector Community Leadership Council (RCCLC)

c. Public Meetings

Public scoping meetings and a public hearing were used to inform the public and receive input. The Proposed Project included three (3) outreach meetings. Meeting highlights are noted (in Table 12) below.

Table 12: Meeting Attendance, Participation & Comments Collected

Timing	Date of Meeting	Meetings	Participant Sign-ins	Webcast Observers	Meeting Oral Speakers	Meeting Comment Cards	Written Public Comments	Written Agency & Elected Office Comments
Scoping	10/25/17 and 11/08/17	2	47	N/A	N/A	4	28	5
Revised Scoping	N/A	N/A	N/A	N/A	N/A	0	9	2
Release of DEIR/ Hearing	04/12/18	1	11	15	4	0	44	5

* Duplicate written comments, such as that received by postal letter, e-mail or online form, have been reflected as one.

During the course of the project, Metro received 99 formal comments from the public and participating agencies in written form and from oral speakers. Submitted comments were tracked and documented using Smartsheet in the project’s Comment Log & Issues Matrix. Comments collected pointed to a number of topics, among them cultural resources, transportation/traffic and land use & planning to name a few.

Agencies providing comment included:

- California High-Speed Rail Authority (CHSRA)
- State of California Department of Transportation, District 7 (Caltrans)
- State of California Native American Heritage Commission (NAHC)
- South Coast Air Quality Management District (SCAQMD)
- Southern California Regional Rail Authority (SCRRA)



Board Report

File #: 2018-0364, File Type: Agreement

Agenda Number: 33.

CONSTRUCTION COMMITTEE OCTOBER 20, 2018

SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 2 PROJECT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute a Memorandum of Agreement (MOA) with the City of Beverly Hills (City) to accommodate construction of the Wilshire/Rodeo Station, contingent upon execution of a settlement agreement.

ISSUE

Metro staff began drafting and negotiating an agreement with the City in August 2017 for the Design/Build elements of the Project. The attached MOA concludes the negotiations for those elements of the Project. The MOA describes how Metro (and the C1120 Design/Build Contractor) and the City will coordinate and cooperate in the construction of the Wilshire/Rodeo Station and related street restoration in the vicinity of the station.

BACKGROUND

Prior MOAs have been established with the City of Beverly Hills for work on the Westside Purple Line Extension Section 1 and Section 2 Projects. The first MOAs were executed in 2014 and 2017 for the advanced utility relocations work at the Wilshire/La Cienega Station and the Design/Build elements of the station. MOAs were also executed in 2017 for the advanced utility relocations work specific to the Wilshire/Rodeo Station.

DISCUSSION

The MOA describes the roles, responsibilities and obligations of Metro, its Design/Builder, and the City as it pertains to the construction of the Wilshire/Rodeo Station. The MOA specifies the procedures which the parties will follow as it relates to such tasks as the permitting process, design reviews, coordination efforts, meeting attendance, inspections, traffic control, construction staging requirements, allowable work hours, environmental mitigations and other essential elements. The MOA further describes the manner in which the City will be reimbursed for its costs related to such activities and support services.

On August 21, 2018, the Beverly City Council approved the terms of the MOA, including language related to Beverly Hills participation in law enforcement services for the Wilshire/Rodeo Station upon the start of revenue service. The version of the MOA attached to this report modifies this language to indicate that Metro and the City will commence negotiations for a security contract in good faith no later than July 1, 2021.

The City has two lawsuits pending related to the Westside Subway Extension: *City of Beverly Hills v. Federal Transit Administration, et al.*, United States District Court Case No. CV-18-03891 GW (SSx) and *City of Beverly Hills v. Los Angeles County Metropolitan Transportation Authority*, Los Angeles Superior Court Case No. BS144164. The MOA will not take effect until both the City Council and the LACMTA Board of Directors approve a settlement agreement for the two pending lawsuits.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funds required in fiscal year 2019 for this Board action are included in Project 865522 Westside Purple Line Extension Section 2 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 Chief Program Management Officer and the Project Manager will be responsible for budgeting costs in future fiscal years.

Impact to Budget

Additional costs may be incurred by the WPLE-2 project for differences in this final agreement compared to the draft contained in the bid documents. The cost associated with the recommended action is included in the Project's life-of-project cost. The sources of funds for the Project are Federal 5309 New Starts, Congestion Mitigation and Air Quality (CMAQ), Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan proceeds and Measure R 35%. These funds are designated for this Project and do not have an impact to operations funding sources. 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.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports Strategic Plan Goal #3 - Plan and deliver capital projects on time and on budget while increasing opportunities for small business development and innovation. Support of the design and construction of the Wilshire/Rodeo Station by various departments of the City is extremely critical to the Project being completed on schedule and on budget. Timely execution of the MOA allows the Project's design and construction to proceed on schedule, thereby facilitating utilization of the Design/Builder's planned and contractual DBE commitment of 25.31% and 17.00% for design and construction, respectively.

ALTERNATIVES CONSIDERED

The Board may choose not to execute this MOA, however if the MOA is not executed, the City will not issue a permit for the C1120 Design/Build Contractor to begin construction of the Wilshire/Rodeo Station. This would potentially delay the Project.

NEXT STEPS

The next step is for both parties to execute the MOA so that the City can proceed with the required construction related activities to support the construction start of the Wilshire/Rodeo Station.

ATTACHMENTS

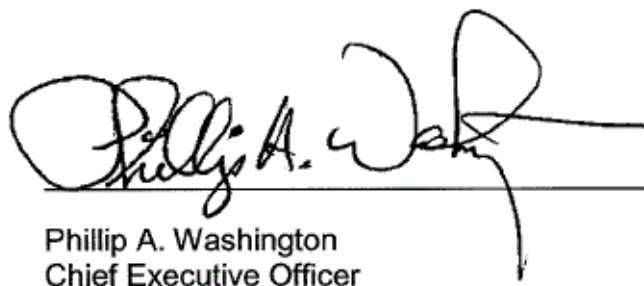
Attachment A - Memorandum of Agreement for Contract C1120 between the City of Beverly Hills and the LACMTA

Prepared by:

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Rick Wilson, Executive Officer, Program Control (213) 312-3108

Reviewed by:

Richard Clarke, Chief Program Management Officer, (213) 922-7557



Phillip A. Washington
Chief Executive Officer

**MEMORANDUM OF AGREEMENT
FOR CONTRACT C1120
OF THE PURPLE LINE EXTENSION PROJECT – SECTION 2
BETWEEN
THE CITY OF BEVERLY HILLS
AND
THE LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY**

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Exhibits

- A – PDD Permit and City of Beverly Hills Conditions for Approval
- B – Reserved
- C – Template Form 60
- D – Detour Routes During Full Closures of Wilshire Boulevard
- E – Metro 5-Step Noise Control Plan
- F – Ambient Noise Testing Sites
- G – Public Information Graphics Program
- H – LACMTA Claims Form
- I – Design and Construction Plans Provided to City of Beverly Hills
- J – Noise and Vibration Mitigation Measures
- K – Air Quality Mitigation Measures
- L – Construction Equipment Noise Levels
- M – Vibration Monitoring Locations
- N – Pre-Construction Survey Properties

**MEMORANDUM OF AGREEMENT
FOR CONTRACT 1120
OF THE PURPLE LINE EXTENSION PROJECT – SECTION 2
BETWEEN
THE CITY OF BEVERLY HILLS
AND
THE LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY**

THIS MEMORANDUM OF AGREEMENT (“Agreement”), dated, _____, 2018 (“Effective Date”) is made by and between the Los Angeles County Metropolitan Transportation Authority (the “LACMTA”) and the City of Beverly Hills (the “City”), collectively referred to herein as “the Parties.”

**ARTICLE I
Recitals**

The City and the LACMTA desire to enter into this Agreement to accommodate Construction pursuant to the C1120 Contract; this is part of Section 2 of the Purple Line Extension Project. This Agreement solely covers the C1120 Contract Construction required for the Project, including advance relocation of City-owned utilities. The City and the LACMTA have entered into separate agreements to cover the third party advance utility relocation work for the Project.

The Project is defined as a heavy rail project extending from the future Wilshire/La Cienega Station, traversing through the City of Beverly Hills and the City of Los Angeles and ending at the proposed Constellation Station in Century City. The LACMTA has informed the City that the C1120 Contract Construction is necessary to build the Wilshire/Rodeo Station and tunnels as part of the Project. The Wilshire/Rodeo Station is the only station for the Project located within the jurisdictional boundaries of the City. The Wilshire/Rodeo Station box will be located under Wilshire Boulevard generally bounded by Beverly Drive on the west, S. Canon Drive on the east and within/below the Wilshire Boulevard right-of-way. The subway tunnel will traverse underneath City Rights-of-Way, public properties, and private properties.

The scope of the C1120 Contract includes the demolition of existing buildings and the clearing of two properties within the City to facilitate the future Station entrance and Construction operations. The scope of work includes all tunneling, excavation, and Station Construction work including architectural finishes, mechanical and electrical systems and equipment including train control, traction power, communications, track work and the system tie-in to the existing Metro Purple Line, including testing and commissioning.

The C1120 Contract is a Design-Build Contract with the C1120 Contractor being responsible for the final Design and Construction of the C1120 Contract’s scope of work. The Parties desire to cooperate so that, among other things: (1) the C1120 scope of work is completed in a safe and timely manner; (2) the City has assurances that it will receive reimbursements for its costs; (3) the City has assurances that the environmental and public safety impacts of the Project are mitigated

to reasonable and equitable levels; (4) the City has assurances that, unless the Parties agree otherwise, the LACMTA complies with the requirements and standards of the Beverly Hills Municipal Code; and (5) the LACMTA has assurances that the City will issue permit(s) and review submittals in a timely fashion and perform all appropriate inspections.

By this Agreement neither party is conceding any legal position that it may assert regarding its rights to use, regulate, or construct in the public right of way in the City of Beverly Hills.

This Memorandum of Agreement for the C1120 Contract addresses the following:

- Designation of the City Representative and LACMTA Representative and the development of an emergency contact list;
- Procedures that the LACMTA and the City will follow in reviewing and approving plans, submittals, and permit applications associated with the C1120 Contract Construction, which may include the planning, designing and effecting the Rearrangement of City Facilities, City utilities and various other public and private utilities, including certain work outside of City Rights-of-Way, such as demolition of buildings;
- Manner in which the City will be reimbursed for its costs for activities associated with the Project;
- Construction staging and traffic control requirements;
- Allowable work hours and workdays, including the process for requesting work outside of the allowable work hours/days;
- Noise and light spill mitigation measures;
- Tree removal and replacement procedures;
- Mitigation measures for businesses impacted by Construction;
- Air quality mitigation measures;
- Protections for Beverly Hills High School;
- Advance notification process for all construction activities, including any planned service interruptions, and establishment of a public phone line;
- Inspection during Construction and enforcement and remedies for violations of mitigation conditions;
- Operation and maintenance of City Facilities;
- Indemnity, warranties and insurance requirements;
- Federal and other requirements; and

- Penalties for delays.

ARTICLE II

Term Of Agreement And Definitions

The term of this Agreement shall commence on the Effective Date and shall terminate when all C1120 Contract work within the jurisdiction of the City is completed and any Rearrangement of City Facilities is inspected and accepted by the City and a notice of completion is finalized and recorded.

For the purposes of this Agreement, the following terms shall have the meanings set forth below:

- (a) “Betterment” is defined as an upgrade (*i.e.* increasing capacity, capability, durability, efficiency or function) to an existing City Facility, Replacement Facility or component thereof, which is specifically identified by the City as a Betterment and requested by the City to be incorporated into the Project, or which is requested by the City and identified as a Betterment by the LACMTA and which the Parties agree is a Betterment before construction of the Betterment (whether constructed by the LACMTA or by the City or by their respective contractors), which will increase or upgrade the service capacity, capability, appearance, efficiency or function of such City Facility or Replacement Facility over that which was provided by the corresponding existing City Facility or Conflicting Facility. A Betterment may also include a redesign, upgrade, or modification to the appearance of the Project’s Design. Notwithstanding the foregoing, the following shall not be considered Betterments:
- (i) An upgrade, which the Parties mutually agree, will be of direct and principal benefit to the Construction or operation of the Project;
 - (ii) An upgrade resulting from Design or Construction in accordance with applicable City Standards;
 - (iii) Measures to mitigate Construction impacts or environmental impacts identified in the Project’s Final Environmental Impact Report or Statement, any supplemental environmental reports or this Agreement and all attachments and exhibits herein;
 - (iv) Replacement of devices or materials no longer regularly manufactured with an equivalent grade or size (or as provided in the next sentence, a better grade or size), regardless of whether the replacement grade or size exceeds the City Standard. If an equivalent grade or size is not available, the next higher grade or size shall be used unless otherwise approved by the City Representative;
 - (v) A Replacement Facility that is the consequence of changes made by the LACMTA or its designers/contractors after the release of the RFP;
 - (vi) Any Replacement Facility that is equivalent to the City Facility being replaced or surrounding City Facilities; and
 - (vii) Compliance with any permit conditions.

- (b) “C1120” or “C1120 Contract” means the contract awarded by LACMTA for the Design and Construction of the stations and tunnels for Section 2 of the Purple Line Extension Project.
- (c) “C1120 Contractor” or “Contractor” means the design build contractor under the C1120 Contract, including its designers, engineers, consultants, and subcontractors who have been contracted to design and construct the C1120 scope of work.
- (d) “City Facility” means City Rights-of-Way and real or personal property under the ownership or the exclusive operation of the City. City Facilities may include, but are not limited to, public streets, curbs and gutters, sidewalks, traffic signals, signing, roadways, bridges, retaining walls, alleys, water lines, storm drains, sanitary sewers, parking lots, parks, public landscaping and trees, traffic control devices/systems, street lighting systems, street furniture, benches, trash cans and public, police and fire alarm systems. City Facility does not include utility lateral lines that extend from a main line into private property.
- (e) “City Representative” means the person or persons designated by the City Manager pursuant to Article III of this Agreement, to represent the City who shall manage and coordinate interactions between the City and the LACMTA concerning the Project and each component thereof in a timely manner, in accordance with Article III. City Representative may include a Consultant. The City Representative is authorized to bind the City where City approval is required under this Agreement, unless (i) otherwise specified herein; or (ii) the City Council requests to exercise such approval authority for a particular discretionary decision or decisions.
- (f) “City Rights-of-Way” means real property owned by the City, whether title is held in fee, easement, right-of-way, or otherwise, whether recorded or unrecorded, including prescriptive rights and licenses.
- (g) “City Standard” means the City’s rules, regulations, ordinances, practices and codes of the City, including, but not limited to, standards, plans, specifications, general provisions and approved materials for public works projects that the City has documented in writing or has previously implemented. City Standards may also include published standards of appropriate, recognized professional organizations or requirements of the State of California or Federal Government.
- (h) “Conflicting Facility” means an existing City Facility, which the City and the LACMTA determine is so situated as to require Rearrangement in order to design and construct or operate the Project without adversely impacting the operation and maintenance of that City Facility.
- (i) “Construction” means the work of removal, demolition, replacement, alteration, realignment, building, fabricating, landscaping of all City Facilities, Facilities, Replacement Facilities, and new fixed facilities to be built and systems and equipment to be procured and installed that are necessary to complete the Project and the C1120 Contract in accordance with approved plans and specifications.

- (j) “Construction Staging Plans” means construction phasing/sequencing plans, which may include Traffic Management Plans developed for the C1120 Contract.
- (k) “Consultant” means the person, persons or entity contracted by the City for the purpose of performing work on behalf of the City, which is necessary to meet the City’s obligations under this Agreement. Consultant does not refer to the “Independent Compliance Monitor” for monitoring sound and other conditions and mitigation measure requirements.
- (l) “Costs” shall mean all Direct and Indirect Costs incurred by the City and the LACMTA.
- (m) “Days” means calendar days including Saturdays, Sundays, and legal holidays. See also definition of Working Days.
- (n) “Design” means engineering, architectural and other design work and the resulting maps, plans, specifications, special provisions, drawings, calculations, computer software and estimates which are needed to construct the Project.
- (o) “Design Review” means the process of critical evaluation of plans and specifications by the LACMTA, the City and others as necessarily required to complete the C1120 Contract.
- (p) “Direct Costs” means labor costs, Consultant costs and costs of purchasing equipment and/or materials, without markup or overhead of any kind. Direct Costs may be determined by the City’s pre-existing labor costs standards which the City may revise on an annual basis.
- (q) “Effective Date” means the date set forth in the Preamble.
- (r) “Facility” means real or personal property now or in the future to be located within the City Rights-of-Way, including but not limited to, roadways, pipes, mains, services, meters, regulators and any equipment, apparatus and/or structure appurtenant thereto or associated therewith.
- (s) “Fiscal Year” means July 1 through June 30.
- (t) “Hazardous Material” means any material that meets the definition of hazardous waste, materials, or substances set forth in: (i) California Health and Safety Code Sections 25115, 25117, 25122.7, 25316, and 25281; (ii) the Federal Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, *et seq.* (42 U.S.C. Section 6903); and (iii) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 6901.
- (u) “Independent Compliance Monitor” or “Compliance Monitor” means the LACMTA funded independent compliance monitor selected jointly by the LACMTA and the City to ensure compliance with the conditions and required mitigation measures for the Project pursuant to Article XVI of this Agreement.
- (v) “Indirect Costs” means administrative and overhead costs.

- (w) “LACMTA Representative” means the person designated by the Chief Executive Officer of the LACMTA pursuant to Article III of this Agreement to represent the LACMTA in all dealings with the City for purposes of this Agreement, in accordance with Article III. The LACMTA Representative is authorized to bind the LACMTA where LACMTA approval is required under this Agreement, unless otherwise specified herein.
- (x) “PDD Permit” means a permit approved by the City Council and issued by City staff that authorizes the LACMTA and its contractors to proceed with construction in a manner consistent with the Project Definition Documents submitted to and reviewed by the City.
- (y) “Project” means Section 2 of the Purple Line Extension Project within the City of Beverly Hills.
- (z) “Project Definition Documents” or “PDD” mean the C1120 Contract drawings, plans, and specifications provided to the City by the LACMTA, that define the anticipated scope of the C1120 Contract.
- (aa) “Rearrangement” means the alteration, removal, replacement, reconstruction, support or relocation of a City Facility or portion thereof or Facility or portion thereof, whether permanent or temporary, which facility the LACMTA determines must be rearranged in order to complete the Project.
- (bb) “Replacement Facility” means a facility, which is constructed or provided under the terms of this Agreement as a consequence of the Rearrangement of a Conflicting Facility or portion thereof.
- (cc) “RFP” means the Request for Proposals issued by the LACMTA in connection with the C1120 Contract.
- (dd) “School District” shall mean the Beverly Hills Unified School District.
- (ee) “Section 2” means the portion of the Purple Line Extension Project generally between La Cienega Boulevard and Avenue of the Stars.
- (ff) “Traffic Management Plan” means the various Worksite Traffic Control Plans and any other measures intended to mitigate traffic circulation, which may be included in Construction Staging Plans, for the various stages of Construction that the LACMTA may submit as part of its permit applications.
- (gg) “Wilshire/Rodeo Station” or “Station” shall refer to the proposed Purple Line subway station to be constructed substantially under Wilshire Boulevard generally between Beverly and Canon Drives within the City of Beverly Hills.
- (hh) “Working Days” or “Work Days” means those days that Beverly Hills City Hall is open for business.
- (ii) “Worksite Traffic Control Plan(s)” means the plans depicting the stages of traffic control for each stage of Construction for the C1120 Contract.

ARTICLE III

Designation Of The City Representative And The LACMTA Representative; Emergency Contact List

The City Manager, with the concurrence of the City Council, shall designate as the City Representative a person, persons, the holder of specified offices or positions or a third-party Consultant or Consultants to act as the City Representative for the Project. The City Representative(s) will have the responsibility to manage and coordinate the City interaction with the LACMTA concerning the Project and each component thereof in a timely manner. The City may change its designated representative(s) by providing seven (7) Days written notice to the LACMTA.

The Chief Executive Officer of the LACMTA shall designate a person, or the holder of a specified office or position, to act as the LACMTA Representative for the Project. The LACMTA Representative will have the responsibility to manage and coordinate the LACMTA's interaction with the City concerning the Project. The LACMTA may change its designated representative by providing seven (7) Days written notice to the City.

The City Representative(s) and the LACMTA Representative shall confer from time to time to coordinate the work required to complete the C1120 Contract.

The LACMTA Representative and the City Representative shall establish an emergency contact list. Contact information for all organizations involved in the Project or organizations that have Facilities in the Project area including agencies, utility companies, contractors, sub-contractors, consultants and any other entity shall be included. The Parties shall require that each organization shall designate an emergency contact process that provides for the availability of resources twenty-four (24) hours per Day/seven (7) Days per week in the event of an emergency.

ARTICLE IV

Permitting and Submittal Process

Concurrent with the City Council approval of this Agreement, the City Council has approved the PDD Permit with appropriate conditions of approval attached as Exhibit A.

The following process shall govern City review and approval of Design submittals that are consistent with the PDD Permit approved by the City Council:

- (a) Within ten (10) Working Days after receipt of a Design submittal (i) the City shall inform the LACMTA whether the documents, including the plans and specifications, are complete for the City's technical review purposes, and (ii) if not complete, the City shall so notify the LACMTA and shall return the submittals to the LACMTA together with an identification of those portions that are not complete and a description of the missing information listing the deficiencies.
- (b) Within thirty (30) Days after the City deems the Design submittal complete, City staff shall complete its review, and (i) approve the Design submittal or (ii) transmit its comments in the form of a comment matrix and annotated plans (as appropriate) to the LACMTA.

- (c) Before the thirty (30) Day review period ends, the City and the LACMTA may mutually agree to an extension of the review period. A request for an extension by either party shall not be unreasonably withheld.
- (d) If the LACMTA wishes to pursue a Design submittal that the City determines is not consistent with the City Council-approved PDD Permit, then within thirty (30) Days after City staff has completed its review of the Design submittal, an agenda item will be included on the City Council's agenda in connection with a regularly scheduled meeting of the City Council where the Council shall consider whether to approve the Design submittal. The City Council may vote on the Design submittal or continue the matter to another meeting of the City Council. During consideration of the Design submittal, the City Council is permitted to impose conditions of approval for protection of the public health, safety or welfare. A Design submittal shall be considered consistent with the City Council approved PDD Permit if, in the opinion of the City Representative, it does not change the purpose of the PDD Permit, is de minimis and will not have material effects on City Facilities or City services or material adverse construction effects on adjacent properties.
- (e) Within seventy-two (72) hours after approval of the Design submittal by the City Council, the City must issue a revised PDD Permit and/or transmit a letter to the LACMTA approving the Design submittal, which shall include any conditions of approval.

The provisions of subsections (a) through (e) of this Article will also apply to any re-submittal of Design submittals by the LACMTA, whether in response to a City notice or return of incomplete Design submittals, or in response to the City's comments. Re-submittals shall include the City's comment matrix, the City's annotated plans and confirmation of comment resolution. The LACMTA will use its best efforts to ensure that the City's comments are resolved prior to re-submittal. The LACMTA may conduct comment resolution meetings to address concerns with the City's comments for the purpose of reaching a satisfactory resolution.

The LACMTA, its consultants, its contractors, including the C1120 Contractor, and respective third parties will be responsible for errors and omissions in the application materials, including plans, specifications, submittals and all other related contract documents that they prepare. The City's exercise of its Design Review and approval rights hereunder is solely for the City's benefit, and the City hereby disclaims any representation or warranty based on or arising out of any such approval that the Design, plans, and/or specifications are constructible, free from errors or omissions, or in compliance with applicable laws.

All changes required to accommodate differing existing site conditions are the responsibility of the LACMTA, its consultants and contractors.

ARTICLE V

Permit Fees

All Costs (Direct and Indirect) incurred by City staff or its Consultant(s) as a result of permit issuance, including without limitation, plan and/or Design Review and approval, Construction

inspection, coordination, and testing, will be reimbursed by the LACMTA through reimbursement procedures as provided for in this Agreement (see Article XI). Except for the fees associated with the permits listed below, any fees imposed will be pursuant to City Standards in place at the time the fee is triggered. The City shall not enact new fees for the primary or sole purpose of imposing new fees on LACMTA or the Project.

The Design submittal and construction approval processes as set forth in this Agreement shall be in lieu of the requirements listed below. Any costs associated with the requirements listed below shall be reimbursed by LACMTA to the City through the procedures set forth in this Agreement:

- Excavation Permits
- Demolition Permits
- Potholing Permits
- Utility Permits
- Street Improvement Permits
- Encroachment Permits
- Exemptions from Holiday Season Restrictions
- Lateral Support Bonds
- Liability Insurance
- Street Damage Restoration Fees
- Engineering Process Fees
- Discharge of Excess Water into Street Permits
- Major Transit and Transportation Construction Impact Area Traffic Management Fees
- Peak Hour Exemption
- Lane Closure Permits (including Sidewalk Closure Permits)
- Staging Material Permits (Street or Sidewalk Closure)
- Overload Permits
- Storm Drain Permits
- Connection Permits
- Revocable Encroachment Permits
- Overload Permits
- Building Material Permits
- Tree Removal Permits
- Tree Prune or Root Prune Permits
- Tree Planting Permits

Nothing in this Article relieves the C1120 Contractor from its obligation to pay the City's Business License Tax.

The LACMTA represents that the C1120 Contractor must comply with the City's Dewatering Ordinance, found at Section 9-4-610 of the Beverly Hills Municipal Code. Unless the City and C1120 Contractor mutually agree to an alternative compliance option, the agreed upon method by which the C1120 Contractor shall satisfy its obligations under the Ordinance is by obtaining a dewatering permit from the City and paying an annual replenishment fee. The City shall annually

establish the replenishment fee amount, which shall be based on the City's cost (using Metropolitan Water District rates then in effect) to purchase an equivalent amount of water removed from the City Right-of-Way in furtherance of the Project, less the City's avoided costs to extract/pump and treat the water. The fee shall be paid by January 31st following each year that the C1120 Contractor undertakes dewatering activities.

ARTICLE VI

Design Criteria and Operation and Maintenance of City Facilities

The Design, Construction, Rearrangement, and/or relocation of temporary City Facilities, including utilities, street and sidewalk restoration, traffic control, and any repair, replacement, or other construction of City Facilities shall be made, at the LACMTA's sole responsibility and expense, to conform to the City Standards in effect at the time of PDD Permit issuance, except as mutually agreed between the City and LACMTA. The Design and Construction of street and sidewalk restoration, traffic control, tree restoration, and any repair, replacement or construction of any other City Facilities, except for City utilities, for permanent use thereafter shall be located and constructed in accordance with applicable City Standards in place 180 days prior to the time permanent Construction begins. The City Standards and procedure for permanently relocating City utilities shall be governed by Article XXII. No work shall cause a material increase to maintenance and/or operation costs of the City. The City agrees that it shall not adopt any new City Standards, or otherwise amend or supplement any existing City Standards, for the sole or primary purpose of delaying or frustrating the Project. In the event that the City adopts any new City Standard, or otherwise amends or supplements an existing City Standard, the City shall immediately thereafter give notice to the LACMTA of the new, amended, or supplemented City Standard.

LACMTA agrees to be responsible, at LACMTA's expense, for operation and maintenance of City Facilities and other Facilities placed into a temporary condition as a result of the Project. The responsibility includes financial responsibility for any water quality or other regulatory violations or other violations of law that result from operation and maintenance problems with the City Facilities or other Facilities while they are being operated and maintained by the LACMTA in a long-term, temporary condition and remedying the cause of any such violations. The responsibility for operation and maintenance begins when the existing City Facilities or other Facilities are modified in any way or if access to existing City Facilities or other Facilities is not available due to Project-related Construction. The LACMTA's responsibility for operation and maintenance ends when the City Facilities and other Facilities are relocated/rearranged to their permanent location (if required by the City) and accepted in accordance with Article XXI. LACMTA further agrees to coordinate with the City and conduct utility operation or maintenance, including regulatory compliance measures, when the City Facilities or other Facilities are in a temporary condition.

Notwithstanding the LACMTA's responsibility to operate and maintain City Facilities placed in a temporary condition as a result of the Project, the City may repair such facilities if, in the City's reasonable opinion, the LACMTA has not adequately or timely addressed a malfunction, defect or maintenance problem with the City Facility. The LACMTA shall reimburse the City for all reasonable Costs associated with the City's repair of a temporary City Facility. The LACMTA shall provide the City access to repair or maintain all City Facilities.

ARTICLE VII
Betterments

At any time the City may request a Betterment to a City Facility or to LACMTA infrastructure, provided that a Betterment of LACMTA infrastructure requires LACMTA approval, which shall not unreasonably be withheld. Within forty-five (45) Days of the City's request, LACMTA shall clearly identify to the City any Design or Design change requested by the City that the LACMTA considers a Betterment. If the LACMTA fails to do so, then the City's requested Design or Design change shall not be considered a Betterment. Any Betterment requested by City staff is to be approved by City Council.

Any Design or Design change initiated by the City shall specifically identify any Betterment included in such Design or Design change.

It is understood and agreed that no Betterment may be performed in connection with the Project (whether designed or constructed by the City or by the LACMTA) which is incompatible with the Project or which cannot be performed within the constraints of applicable law, and/or any applicable governmental approvals. The City or a third party designated by the City shall bear the Cost of all Betterments. The LACMTA shall make all commercially reasonable efforts to obtain the best possible price for all Betterments requested by the City. The City may participate directly in any negotiations between the LACMTA and the Contractor concerning the price of any Betterments.

ARTICLE VIII
City Rights-of-Way And Cost Liability

The LACMTA shall be responsible for the cost of all Construction associated with the Project and C1120 Contract, including the cost of all Rearrangements and restoration of the City Rights-of-Way. If City Facilities will be relocated from the existing City Rights-of-Way to a new location that falls outside existing City Rights-of-Way, then the LACMTA, at no cost to the City, shall convey to the City a new right-of-way approved by the City for such relocated City Facilities.

ARTICLE IX
Hazardous Materials

Upon discovery of Hazardous Material in connection with any work associated with the Project, the LACMTA shall immediately notify the City regarding the proper course of action for disposition of the Hazardous Material. The C1120 Contractor will handle, treat, and dispose of encountered Hazardous Materials in accordance with specifications in the C1120 Contract. The LACMTA and C1120 Contractor will comply with all laws regarding the disposition of any Hazardous Material disturbed, and the City shall not be responsible for any costs associated with such compliance.

ARTICLE X
“As-Built” Drawings

The LACMTA shall maintain a set of “as-built” plans and “working drawings” of C1120 Contract Construction performed by the LACMTA during the progress of Construction, which shall be subject to City review. The LACMTA shall cause the Contractor to update the plans to incorporate all City-approved changes. Once the C1120 Contract Construction is approved by the City, the LACMTA shall arrange for the transfer of reproducible “as-built” drawings showing all City Facilities installed by the performing party within sixty (60) Days. All “as-built” plans shall be in a format that conforms to the electronic formats in use by the City.

ARTICLE XI
Manner In Which The City Will Be Reimbursed For Costs

The LACMTA agrees to reimburse the City in the manner provided by this Agreement for its Costs (Direct and Indirect) for all staff and Consultants performing work associated with the Contract consistent with this Agreement. Indirect Costs shall be computed based upon the maximum rates allowable under federal and/or state law. Unless the Internal Revenue Service or the California Public Utilities Commission issues regulations or rulings to the contrary, reimbursable Costs will not include taxes purportedly arising or resulting from the LACMTA’s payments to the City under this Agreement.

The City agrees to procure, and the LACMTA agrees to reimburse the City for, a third-party Consultant or Consultants who will assist the City in meeting its obligations and exercising its rights under this Agreement, except for rights exercised under Article XXX (“Resolution of Disputes”). The Consultant(s) may include a team of individuals who provide a variety of services on behalf of the City, which, at minimum, shall include the following: 1) coordinating and facilitating plan review/approval and Construction management/observation; 2) observing, inspecting and approving the installation of City Facilities; 3) monitoring and enforcing the mitigation control measures provided in the Final Environmental Impact Report, this Agreement and its attachments and exhibits; and 4) conducting community outreach. In order to perform all services at a sufficient level, with the City’s approval, the Consultant may hire a sub-consultant or sub-consultants to perform specific services when necessary. The LACMTA shall only reimburse the City for Consultant(s) work that is performed in furtherance of the Project and the Contract.

City staff may oversee, review or comment on the work of the Consultant(s) and the City shall be entitled to reimbursement for such work. The LACMTA agrees to reimburse the City for Direct and Indirect Costs of City staff performing work or providing services associated with the Project and the Contract.

To assist the LACMTA and the City in estimating the level of service to be provided for work associated with the Contract which will require work by the City and its Consultant(s) pursuant to this Agreement, the LACMTA and the City will cooperate to develop a mutually agreeable annual work plan for each Fiscal Year for which such work by the City will be required, in accordance with the following provisions:

- (a) The LACMTA has previously approved the City's Fiscal Year 2017-18 annual work plan for the Project, including the scope of work required by this Agreement, via a Form 60. Concurrent with the approval of this Agreement, the LACMTA will approve the City's Fiscal Year 2018-19 annual work plan for the Project, including the scope of work required by this Agreement, via a Form 60.
- (b) Not later than April 28 of 2019, for Fiscal Year 2019-20 and each calendar year thereafter during the term of this Agreement, the LACMTA shall provide City with information regarding anticipated Project requirements. The LACMTA's provided information shall include a list of each item of work that the LACMTA anticipates to request from the City for the Contract or the work item that the LACMTA anticipates to request from the City. Within thirty (30) Working Days after receiving the required information from the LACMTA, the City shall submit a preliminary annual work plan to the LACMTA for required work by the City during the upcoming Fiscal Year, which would include an estimated amount of money, via a Form 60 (a copy of which is attached as Exhibit C to this Agreement), that the City will require for reimbursement of work performed and purchase of requested items.
- (c) The Form 60 shall include an explanation of overhead rates for the City, including the method of computation and application of overhead expenses.

Completion of the Form 60 is required by the LACMTA to authorize the performance of all work and the purchase of all materials and equipment required under the terms and conditions of this Agreement. The City and the Consultant(s) may perform any work so authorized. The City shall not be authorized to do any work, and shall not be paid, credited or reimbursed for Costs or expenses associated with any work, not outlined in the Form 60, unless otherwise mutually agreed in writing. The City shall not be required to perform any work not included in the Form 60 or not otherwise to be reimbursed pursuant to written agreement. The City shall be reimbursed for all Costs for work included in the Form 60. The Parties will negotiate in good faith an amendment to the Form 60 if it becomes apparent that the City will exceed the Form 60's estimates. Notwithstanding the foregoing, the City shall be reimbursed for all reasonable Costs associated with the repair of a temporary City Facility or Facility.

The City shall submit billings for reimbursement of Costs on a monthly basis. Each billing shall be addressed to the LACMTA Representative, and shall include a certification that the charges identified in such billing were appropriate and necessary to perform the referenced work, and have not previously been billed or paid. The LACMTA shall reimburse the City for all undisputed amounts in each submitted billing within thirty (30) Days of receipt and shall resolve any disputes and reimburse the City for all remaining amounts within sixty (60) Days of receipt.

Except in cases of previously unscheduled Construction or emergencies, City shall provide reasonable notice to the LACMTA prior to incurring overtime rates for City staff time.

City shall be reimbursed by the LACMTA for all Costs incurred in developing and executing this Agreement and Consultant(s) contracts within thirty (30) Days of the date of this Agreement.

ARTICLE XII
Construction Staging, Traffic Control And Parking Requirements

Construction staging and traffic control requirements (including lane closures, street closures and hauling restrictions) shall be in accordance with the standards set forth in: this Article; all Construction Staging Plans, Traffic Management Plans, and Worksite Traffic Control Plans; the LACMTA's completed PDD Permit and submittals for the C1120 Contract at issue; and any conditions of approval included in a City-issued permit. To the extent that there is any conflict between those documents, the standards included in this Article shall control over the conditions in the Construction Staging Plans, Traffic Management Plans, and Worksite Traffic Control Plans, the PDD Permit and any other City-issued permits. The City-approved Construction Staging Plans, Traffic Management Plans, and Worksite Traffic Control Plans shall all control over the PDD Permit and any other City-issued permits. Standards of other City-issued permits shall control over the PDD Permit. Notwithstanding the foregoing, a more restrictive standard in a later issued permit or plan shall control over a conflicting standard in an earlier issued permit or plan.

The LACMTA and its consultants and contractors shall develop and submit to the City Worksite Traffic Control Plans that demonstrate vehicle, public safety vehicle, and pedestrian access within the Project area or approved detours at all times. The City Council hereby approves, as part of the PDD Permit, the following minimum criteria for Worksite Traffic Control Plans to be used when the LACMTA closes any traffic lanes. If after City Council approval, conditions necessitate additional criteria for Worksite Traffic Control Plans or revised Worksite Traffic Control Plans to protect public safety or accommodate business or resident needs that are immediately required, then such plans may be approved by the City Representative.

Using the traffic management system described in Exhibit A and other available monitoring devices, the City will at all times monitor traffic to ensure that the Worksite Traffic Control Plans are adequately mitigating Construction-related traffic impacts. If the City determines that traffic impacts have not been mitigated, then, at any time, the City's traffic engineer may revise the Worksite Traffic Control Plans to incorporate additional mitigation measures or to modify traffic control.

Working with City residents, City staff will develop an order of priority for traffic mitigation measures that will be included in City-approved Worksite Traffic Control Plans. The order of magnitude shall be developed within three (3) months of the effective date of this Agreement, but only after conducting a public meeting with City residents. The order of priority may only be changed by the City after consultation with City residents.

The LACMTA shall comply with the following requirements:

- (a) Except as provided in the work hours matrix in Article XIII, the minimum traffic lane requirements for arterial streets (Beverly Drive and Wilshire Boulevard) impacted by Construction activities shall be as follows:
 - Wilshire Boulevard: (1) three lanes in each direction between the hours of 7 AM and 9 AM (except when K-rail is permitted on Wilshire Boulevard pursuant to a City-approved Worksite Traffic Control Plan, in which case the minimum traffic

lane requirements are two lanes in each direction); (2) two lanes in each direction between the hours of 9 AM and 4 PM; (3) three lanes in each direction between the hours of 4 PM and 8:15 PM (except when K-rail is permitted on Wilshire Boulevard pursuant to a City-approved Worksite Traffic Control Plan, in which case the minimum traffic lane requirements are two lanes in each direction); and (4) one lane in each direction between the hours of 8:15 PM and 7 AM. With prior approval of the City, Wilshire Boulevard may be reduced to two lanes in each direction when pile installation and ground improvement (e.g., jet grouting) activities occur behind K-rail, provided that the City will not permit lane reductions until the Contractor is prepared to immediately begin Construction on those activities and then only for the least amount of time and area necessary in order to effectuate the planned Construction.

- Beverly Drive: (1) two lanes in each direction between the hours of 7 AM and 9 AM; (2) one lane in each direction between the hours of 9 AM and 4 PM; (3) two lanes in each direction between the hours of 4 PM and 8 PM; and (4) one lane in each direction between the hours of 8 PM and 7 AM.

These minimum traffic requirements may be varied by a City-approved Worksite Traffic Control Plan that protects the surrounding residential and business neighborhoods and promotes the free flow of traffic along the arterial streets.

- (b) The minimum traffic lane requirements for all other commercial and residential streets impacted by Construction activities shall be one lane in each direction, unless varied by a City-approved Worksite Traffic Control Plan that protects the surrounding residential and business neighborhoods.
- (c) Access shall be maintained to and from all alleys at one or both ends of the alley. If an alley is obstructed at one end such that a turnaround by any vehicle is not feasible, then at its sole expense the LACMTA will provide flaggers to control the alley.
- (d) The Worksite Traffic Control Plans shall be designed to minimize traffic impacts on residential streets.
- (e) Parking, staging, or queuing of Project-related vehicles, including workers' vehicles, trucks, and heavy vehicles, shall be prohibited on City streets at all times, including for miscellaneous trips, outside of a permitted workspace identified in a City-approved Worksite Traffic Control Plan or if otherwise approved by the City. The LACMTA shall notify the City thirty (30) Days in advance of any agreement for off-street parking with any owner of a private parking facility within the City. In an effort to assist the LACMTA meet its obligations hereunder, the City will provide the LACMTA with ten (10) parking spaces in a City-owned parking facility near the Project's staging yards during Construction.
- (f) The Construction Staging Plans or Worksite Traffic Control Plans developed by the C1120 Contractor shall include a parking management plan that observes the conditions set forth in this Agreement. The Worksite Traffic Control Plans shall also address how Construction

vehicles and trucks will arrive at the worksite, queue, and enter and exit the Construction area along the designated haul route.

- (g) On-street parking may not be used by the LACMTA or the C1120 Contractor for their vehicles or equipment unless the City and the LACMTA agree that such use is necessary. If the Parties agree that such use is necessary, then a parking management plan satisfactory to the City Representative shall provide for equivalent overnight replacement parking for removed residential permit parking spots at the nearest possible location to the location where parking has been removed. In the event that any on-street metered parking spaces are removed because the work is directly beneath the subject parking space or a Worksite Traffic Control Plan or other form of traffic control requires the removal of the parking space, including spaces removed by the City to provide loading or valet zones for impacted businesses, the LACMTA shall reimburse the City for the City's lost parking meter revenue due to the removal of the metered parking space. Additionally, the LACMTA shall mitigate the loss of metered parking spaces by making available an equivalent number of parking spaces in an off street parking facility located along Wilshire Boulevard between Rodeo Drive and S. Canon Drive. If off street parking is not available along Wilshire Boulevard due to a street closure, then the LACMTA shall procure parking spaces in the nearest off street available facility. The parking spaces shall be provided for public use at a rate no greater than the metered parking rate. The LACMTA shall provide public notice of the availability of the alternative parking spaces through consultation with businesses and the use of signage. The LACMTA shall further post appropriate signage on on-street metered parking spaces when Construction activities may restrict the use of a metered parking space.

- (h) Temporary Street Closures and Detours:

Temporary full street closures are permitted upon thirty (30) days' notice to the City only for the following work activities:

- Installation of piles across Wilshire Boulevard;
- Installation of decking along Wilshire Boulevard;
- Installation of piles and decking for appendages along and across Beverly Drive, S. Canon Drive, and Reeves Drive; and
- Removal of decking.

The City and LACMTA shall meet and confer ninety (90) days prior to the planned date of the temporary full street closure to coordinate community outreach for the closure. Such community outreach will include at least one meeting with businesses and residents to discuss and receive comments for each temporary full street closure.

Temporary directional street closures for ground improvement activities on residential streets (e.g., Moreno Drive) may be permitted with prior approval from the City, provided that the LACMTA gives thirty (30) days' notice to the School District and the Construction

is conducted during Beverly Hills High School's summer holiday schedule. The minimum traffic lane requirements at all other times shall be one lane in each direction.

Additional activities may be conducted concurrently with the above activities during a full street closure. The LACMTA shall comply with the work hours provided for in Article XIII of this Agreement during any temporary street closure. All detour routes during temporary street closures shall be subject to review and approval by the City. Detour routes must not use residential streets as depicted in Exhibit D and the City-approved Worksite Traffic Control Plans. Advance public notification of street closures in accordance with the notification process outlined in this Agreement is required.

- (i) The Construction Staging Plans and Worksite Traffic Control Plans shall include Pedestrian Access Plans which shall be approved by the City. Pedestrian Access Plans shall be subject to the following minimum criteria:
- Pedestrian access to buildings shall be maintained during all times that the buildings are open to the public.
 - The LACMTA shall maintain all crosswalks, unless infeasible to do so. Whenever the LACMTA or its Contractor removes a crosswalk from service, the LACMTA shall establish and maintain temporary replacement crosswalks as close as practicable to the original crosswalk locations unless the City determines that a replacement crosswalk is not necessary to maintain an adequate level of service. Replacement crosswalks shall be identified and controlled by wayfinding signs approved by the City.
 - The Pedestrian Access Plans shall include a program of wayfinding signage.
 - The sidewalk shall be used exclusively for pedestrian use and shall not be used for Construction activities or staging, unless Construction is taking place within the sidewalk.
 - Sidewalks that are being maintained in a temporary condition shall meet all applicable safety standards and meet the following criteria:
 - Sidewalks in a temporary condition in excess of one month shall be constructed of pre-cast concrete panels or cast in place concrete; unless pre-cast or cast in place concrete is infeasible and the City grants approval to use metal replacement panels, asphalt, or other satisfactory material;
 - Sidewalks in a temporary condition up to one month shall be covered on a temporary basis by a material satisfactory to the City; and
 - Asphalt shall not be used as a temporary sidewalk material unless approved in advance by the City.

- At all times the LACMTA shall cause the C1120 Contractor to protect pedestrians from Construction-related debris, dust, and noise, and such protection may include the use of dedicated pedestrian barriers.
- Temporary sidewalks and any sidewalk adjacent to Construction activities shall be illuminated to City Standards in order to protect public safety.
- Temporary lighting shall be set to turn on automatically when ambient light falls below City Standards.
- Sidewalks that are being maintained in a temporary condition shall meet then current standards required by the Federal Americans with Disabilities Act and similar California laws for sidewalks being maintained in a temporary condition.
- Temporary street light and traffic signal foundations outside of the Construction work zones shall be wrapped in an aesthetically pleasing material satisfactory to the City and changed out periodically. Overhead electrical wiring shall be maintained in a neatly bundled condition.
- Sidewalk closures in accordance with an approved Construction Staging Plan or Worksite Traffic Control Plan are permitted only when necessary to facilitate C1120 Contract work and when approved by the City.
- The LACMTA will provide crossing guards at locations requested by the City when crosswalks or sidewalks are closed.
- Unless subject to an approved closure or an approved width reduction, the minimum sidewalk width shall be five (5) feet and additional width shall be required as necessary to protect the public safety and the operational needs of impacted properties within the Project area, when requested by the City. The C1120 Contractor shall endeavor to maintain the maximum width of sidewalk possible.

(j) Preliminary Haul routes and Overload routes:

Haul routes and overload/oversized vehicle routes must be reviewed and approved by the City. Hauling is prohibited on the residential portions of City streets. Hauling is prohibited between the hours of 7 AM – 9 AM and 4 PM – 7 PM). The following streets are designated for use by vehicles exceeding a maximum gross weight, including the vehicle and its load, of three (3) tons:

La Cienega Boulevard;

Wilshire Boulevard; and

Robertson Boulevard (only if approved by the City Representative because other haul routes are impracticable)

The City may restrict one or more of the above haul routes during special events within the City or situations when lane restrictions affect a haul route, except that the City must leave open at least one haul route at all times.

Additional haul routes may be approved by the City Council, provided that the routes are approved City haul routes and consistent with the Final EIR.

- (k) The LACMTA shall at all times provide adequate street access to public safety vehicles, including when lane or street closures are in place. All Worksite Traffic Control Plans shall demonstrate the manner in which public safety vehicles access properties within the Project area vicinity.
- (l) The LACMTA shall provide adequate street access to City service vehicles, including but not limited to trash pickup and street sweeping service vehicles, during planned service times.
- (m) Prior to the start of any street piling activities, but after January 1, 2019, at its own expense the LACMTA, through the C1120 Contractor, shall design and construct a temporary, twenty (20) feet tall sound wall across N. Canon Drive at Wilshire Boulevard to improve Construction operations and mitigate Construction traffic and noise impacts. The sound wall shall have a wall assembly of STC-25 or greater, and the ability to reduce noise by at least 5 dBA. The LACMTA shall also rearrange Crescent Drive, Clifton Way, and N. Canon Drive with traffic control, signage, and striping, and other Facilities and improvements identified in a City-provided design plan to facilitate the temporary use of the area as a cul-de-sac. The LACMTA shall remove the sound wall and associated pilings and restore the street and traffic controls at the conclusion of Construction, unless the City allows a traffic control device to remain in place.
- (n) The LACMTA shall reimburse the City for the Cost of traffic control officers (TCOs) to assist in mitigating cut-through traffic on residential streets. The LACMTA shall also reimburse the City for the Cost of TCOs for all City-approved special events impacted by Construction.
- (o) The LACMTA shall discontinue the use of LACMTA bus stops within the work zone when lane or street closures are in place.

Prior to Construction, the LACMTA will establish monitoring stations across residential streets and other non-arterial streets designated by the City (“Designated Streets”) to determine pre-existing traffic levels along those Designated Streets (“Baseline Traffic Levels”). Thirty (30) Days after the LACMTA commences Construction, periodically thereafter at least every sixty (60) Days when lane restrictions are in place, and at times of any full street closures, the City shall review traffic levels on those Designated Streets. If the City finds that Construction-related impacts have caused a material amount of traffic to divert onto the Designated Streets, then the City shall notify the LACMTA of this traffic condition. Thereafter, the Parties shall work collaboratively to develop and implement additional mitigation intended to reduce street traffic onto the Designated Streets caused by Construction, to the maximum extent practicable, levels that meet Baseline Traffic Levels. Such additional mitigation will be developed and implemented at the expense of

the LACMTA, and the City may also contribute funding from the Mitigation Fund defined in Article XVII for such purposes. If after implementation of the additional mitigation the City finds that a material amount of traffic continues to divert onto the Designated Streets due to Construction, the City may engage the services of a traffic engineer to conduct a study of traffic levels and develop further mitigation measures to reduce traffic on the Designated Streets. The LACMTA shall pay for the monitoring, the services of this traffic engineer, and mitigation of Construction related impacts. For the purposes of this paragraph, a material amount of diverted traffic shall consist of the following percentage increases over Baseline Traffic Levels:

Baseline Total Traffic Levels	ADT Increase Caused By Construction
Average Daily Trips (ADT) less than 2,000	16%
ADT greater than 2,001 but less than 4,000	12%
ADT greater than 4,001 but less than 6,750	8%
ADT greater than 6,750	6.25%

ARTICLE XIII

Allowable Work Hours And Workdays

Allowable work hours and workdays, including after hours construction, holiday moratorium exceptions and peak hour exemptions shall be in accordance with the standards set forth in: this Article; the PDD Permit and submittals for the C1120 Contract; and any conditions of approval included in a City-issued permit. To the extent that there is any conflict between those documents, the standards of this Article shall control over standards included in the PDD Permit and submittals for the C1120 Contract and any other City-issued permit. Conditions of other City-issued permits shall control over the PDD Permit and submittals for the C1120 Contract. Notwithstanding the foregoing, a more restrictive standard in a later issued permit or plan shall control over a conflicting standard in an earlier issued permit or plan.

The City and the LACMTA agree that the following shall apply, unless the Parties agree that it is unsafe to perform the scope of work in question under the requirements below:

Construction Activity	Weekdays	Weekends
Engineering (Survey / Potholing / Geotechnical Borings / Instrumentation & Monitoring), unless in conjunction with another activity listed below	Wilshire: 7:00am to 4:00pm 8:00pm to 7:00am*	Wilshire & Off Wilshire: 8:00am to 7:00pm*
Well installation and dewatering activities occurring outside K-rail enclosures	Off Wilshire: 8:00am to 6:00pm 8:00pm to 7:00am*	
Utility relocations & new utility services	9:00am to 4:00pm, unless conducted with another construction activity in	10:00am to 6:00pm*, unless conducted with another construction activity in which

	<p>which case the hours for that activity apply</p> <p>8:00pm to 7:00am*</p>	<p>case the hours for that activity apply</p>
<p>Pile installation & ground improvement along Wilshire/well installation and dewatering activities (behind K-rail enclosures)</p>	<p>8:00am to 9:00pm</p> <p>Breakdown, clean-up and other non-drilling activities may occur between 9:00pm and 11:00pm.</p>	<p>8:00am to 9:00pm</p> <p>Breakdown, clean-up and other non-drilling activities may occur between 9:00pm and 11:00pm.</p>
<p>Ground improvement on residential streets</p>	<p>8:00am to 6:00pm</p>	<p>Not Permitted</p>
<p>Pile installation (across Wilshire, Beverly, & S. Canon)</p>	<p>Not Permitted</p>	<p>7:00am to 8:00pm</p> <p>Breakdown, clean-up and other non-drilling activities may occur between 8:00pm and 10:00pm.</p>
<p>Deck installation in the public right-of-way</p>	<p>Friday 8:00pm to Monday 7:00am (59 hours)</p>	<p>Friday 8:00pm to Monday 7:00am (59 hours)</p>
<p>Activities that support deck installation in the staging yard that occur within the public right-of-way</p>	<p>7:00am to 4:00pm</p> <p>8:00pm to 7:00am*</p>	<p>8:00am to 6:00pm</p> <p>6:00pm to 8:00am*</p>
<p>Access through deck panels for excavation</p>	<p>7:00am to 4:00pm</p> <p>Additional or alternate work hours may be approved by the City Council when and if the LACMTA or the Contractor provides a noise study to the City, which finds that excavation work occurring between 4:00pm and 7:00am will comply with the Municipal Code and not cause an unreasonable impact to surrounding residential, transient occupancy, and business uses. The City Council will review the noise study and may approve additional work hours and conditions during those hours. The Independent Compliance Monitor will have the ability to stop nighttime excavation in</p>	<p>8:00am to 6:00pm</p> <p>Additional or alternate work hours may be approved by the City Council when and if the LACMTA or the Contractor provides a noise study to the City, which finds that excavation work occurring between 6:00pm and 8:00am will comply with the Municipal Code and not cause an unreasonable impact to surrounding residential, transient occupancy, and business uses. The City Council will review the noise study and may approve additional work hours and conditions during those hours. The Independent Compliance Monitor will have the ability to stop nighttime excavation in</p>

	<p>accordance with Article XVII.</p> <p>If excavation between 4:00pm and 7:00am causes an unreasonable impact to the surrounding residential and business neighborhoods, additional mitigation will be added to the construction work plan for that activity. If the unreasonable impact continues despite further mitigation, the City may require that activity to be conducted between 7:00am and 4:00pm or such other hours as determined by the City. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the proximity to the work site, and other similar factors.</p>	<p>accordance with Article XVII.</p> <p>If excavation between 4:00pm and 7:00am causes an unreasonable impact to the surrounding residential and business neighborhoods, additional mitigation will be added to the construction work plan for that activity. If the unreasonable impact continues despite further mitigation, the City may require that activity to be conducted between 7:00am and 4:00pm or such other hours as determined by the City. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the proximity to the work site, and other similar factors.</p>
<p>Access through deck panels for occasional material delivery and utility maintenance</p>	<p>9:00am to 4:00pm</p> <p>9:00pm to 7:00am The LACMTA shall present to the City a construction work plan, which shall contain noise, light and other types of targeted mitigation measures, for each activity conducted during these hours demonstrating that the activity will not have an unreasonable impact on the surrounding residential and business neighborhoods. The City and the LACMTA shall jointly agree on the contents of each construction work plan. If any activity during these hours causes an unreasonable impact to the surrounding residential or business neighborhood, additional mitigation will be added to the construction work plan for that activity. If the unreasonable impact continues despite further mitigation, the City may require that activity to be</p>	<p>8:00am to 6:00pm</p> <p>9:00pm to 7:00am The LACMTA shall present to the City a construction work plan, which shall contain noise, light and other types of targeted mitigation measures, for each activity conducted during these hours demonstrating that the activity will not have an unreasonable impact on the surrounding residential and business neighborhoods. The City and the LACMTA shall jointly agree on the contents of each construction work plan. If any activity during these hours causes an unreasonable impact to the surrounding residential or business neighborhood, additional mitigation will be added to the construction work plan for that activity. If the unreasonable impact continues despite further mitigation, the City may require that activity to be</p>

	<p>conducted exclusively during the following hours: 9:00am to 4:00pm. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the proximity to the work site, and other similar factors.</p>	<p>conducted exclusively during the following hours: 8:00am to 6:00pm. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the proximity to the work site, and other similar factors.</p>
<p>Work conducted in the staging yards to support Station Construction or other work within the staging yards</p>	<p>8:00am to 8:00pm</p> <p>8:00pm to 8:00am. The LACMTA shall present to the City a construction work plan, which shall contain noise, light and other types of targeted mitigation measures, for each activity conducted during these night hours demonstrating that the activity will not have an unreasonable impact on the surrounding residential and business neighborhoods. The City and the LACMTA shall jointly agree on the contents of each construction work plan. If any activity during these hours causes an unreasonable impact to the surrounding residential or business neighborhood, additional mitigation will be added to the construction work plan for that activity. If the unreasonable impact continues despite further mitigation, the City may require that activity to be conducted exclusively during the following hours: 8:00am to 8:00pm. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the proximity to the work site, and other similar factors.</p> <p>If work conducted in the staging yards to support Station Construction or other work within the staging yards is limited to 8:00am to 8:00pm, then any dependent</p>	<p>8:00am to 8:00pm</p> <p>8:00pm to 8:00am. The LACMTA shall present to the City a construction work plan, which shall contain noise, light and other types of targeted mitigation measures, for each activity conducted during these night hours demonstrating that the activity will not have an unreasonable impact on the surrounding residential and business neighborhoods. The City and the LACMTA shall jointly agree on the contents of each construction work plan. If any activity during these hours causes an unreasonable impact to the surrounding residential or business neighborhood, additional mitigation will be added to the construction work plan for that activity. If the unreasonable impact continues despite further mitigation, the City may require that activity to be conducted exclusively during the following hours: 8:00am to 8:00pm. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the proximity to the work site, and other similar factors.</p> <p>If work conducted in the staging yards to support Station Construction or other work within the staging yards is limited to 8:00am to 8:00pm, then any dependent</p>

	work requiring access through the deck panels for material delivery or utility maintenance on Wilshire Boulevard may be performed from 9:00am to 8:00pm while maintaining two lanes in each direction, if required.	work requiring access through the deck panels for material delivery or utility maintenance on Wilshire Boulevard may be performed from 8:00am to 8:00pm while maintaining two lanes in each direction, if required.
Deck Removal in the public right-of-way	Friday 8:00pm to Monday 7:00am (59 hours)	Friday 8:00pm to Monday 7:00am (59 hours)
Activities that support deck removal in the staging yard that occur within the public right-of-way	7:00am to 4:00pm 8:00pm to 7:00am*	8:00am to 6:00pm 6:00pm to 8:00am*
Street Restoration behind concrete barriers for curb, gutter, bus pad and sidewalk	8:00am to 9:00pm Breakdown, clean-up and other quiet activities may occur between 9:00pm and 11:00pm. 11:00pm to 8:00am*	8:00am to 9:00pm Breakdown, clean-up and other quiet activities may occur between 9:00pm and 11:00pm. 11:00pm to 8:00am*
Utility restoration work	7:00am to 4:00pm 8:00pm to 7:00am*	8:00am to 6:00pm 6:00pm to 8:00am*
Final street restoration	7:00am to 4:00pm 8:00pm to 7:00am*	8:00am to 6:00pm 6:00pm to 8:00am*

For activities not shown in the table above, the default work hours shall be as follows:

Weekdays	Weekends
7:00am to 4:00pm	8:00am to 6:00pm
8:00pm to 7:00am*	6:00pm to 8:00am*

The work hours designated by an asterisk may be permitted only for the following activities and by pre-approval of the City:

- Construction that will create planned service interruptions for water, electrical power, and sewer;
- Construction activities requiring the reduction of available traffic lanes on Wilshire Boulevard to one lane in either direction;

- Construction where the work zone is located in the sidewalk and building entrances or adequate pedestrian access cannot be provided; and
- Construction activities when the work zone requires the complete closure of driveways.

For those activities when Construction is permitted to begin at 7 AM, traffic control for those activities may begin at 6:30 AM on Wilshire Boulevard. No other Construction is permitted during this one half hour time period.

Full Street Closure Completion Incentives

The following activities shall be completed exclusively during continuous weekends when Wilshire Boulevard or Beverly Drive, as applicable, will be fully closed to traffic:

- Deck installation along Wilshire Boulevard and pile installation across Wilshire Boulevard;
- Deck removal along Wilshire Boulevard;
- Deck and pile installation along and across Beverly Drive; and
- Deck removal along and across Beverly Drive.

The LACMTA shall pay the City fifty thousand dollars (\$50,000) per day, excluding a Friday or Monday, that the C1120 Contractor must close Wilshire Boulevard or Beverly Drive, as the case may be, in order to continue work beyond the respective number of authorized weekends for each phase of work (e.g., beginning the Saturday of the 14th weekend for deck installation along Wilshire Boulevard and pile installation across Wilshire Boulevard), in accordance with the following schedule:

- Deck installation along Wilshire Boulevard and pile installation across Wilshire Boulevard (collectively, 13 weekends);
- Deck removal along Wilshire Boulevard (13 weekends);
- Deck and pile installation along and across Beverly Drive (collectively, 5 weekends); and
- Deck removal along and across Beverly Drive (5 weekends).

The City shall submit an invoice to the LACMTA for any amounts incurred pursuant to this subsection, and the LACMTA shall pay the invoice within thirty (30) days of receipt. Funds received by the City for this purpose shall be expended on activities or programs reasonably related to mitigating or preventing construction impacts to businesses or residents. The LACMTA shall not be required to make payments to the City pursuant to this paragraph if the delay is caused by a Permitted Delay as defined in Article XXIX. If the LACMTA believes that a delay is caused by a Permitted Delay, the LACMTA shall provide documentation to the City demonstrating the basis for this conclusion accompanied by all available supporting evidence within thirty (30) Days of receipt of the City's invoice. If the City, after reviewing the evidence, finds that the delay was not caused by a Permitted Delay, then the Parties shall resolve the dispute in accordance with Article XXX.

As provided in Article V and Exhibit A, the C1120 Contractor must pay the City's Business License Tax in accordance with Article 2, Chapter 1, Title 3 of the Beverly Hills Municipal Code. For each day, excluding a Friday or Monday, that the C1120 Contractor completes each phase of work prior to the conclusion of the number of authorized weekends in accordance with the following schedule, the C1120 Contractor shall receive a credit of twenty-five thousand dollars (\$25,000) against the C1120 Contractor's total Business License Tax liability:

- Deck installation along Wilshire Boulevard and pile installation across Wilshire Boulevard (collectively, 9 weekends);
- Deck removal along Wilshire Boulevard (9 weekends);
- Deck and pile installation along and across Beverly Drive (collectively, 3 weekends); and
- Deck removal along and across Beverly Drive (3 weekends).

The C1120 Contractor shall not receive a credit if the work is completed on the Sunday of the final Authorized Weekend for each phase of work. Under no circumstances shall the total credit value exceed the Contractor's total Business License Tax liability.

If a holiday moratorium falls on a Friday, Saturday, Sunday, or Monday, then the C1120 Contractor will not close Wilshire Boulevard or Beverly Drive, as the case may be, for the weekend, and that weekend will not count against the authorized weekends for the phase of work. Wilshire Boulevard and Beverly Drive shall remain fully open during this period. Upon request by the C1120 Contractor, the City may permit the C1120 Contractor to work over a weekend that includes a holiday moratorium, and that weekend shall count against the number of weekends authorized for the respective phase of work. The C1120 Contractor shall submit the request to the City six (6) months prior to the beginning of such phase of work.

The LACMTA shall provide the City notice of the start date of each full closure at the earliest possible time, but in no case less than sixty (60) Days prior to the start of the full closure.

After-Hours Work Permits

For any additional work hours, the LACMTA may file an application for an after-hours construction permit, which describes the type of construction activities that will take place during the hours authorized by the permit and provides justification, satisfactory to the City, that the after-hours construction is necessary for one of the five reasons set forth above. The City Council may approve an after-hours permit for additional construction activities.

If the City denies a request for an after-hours permit or additional authorized work hours for work that would conflict with a requirement of this Agreement to 1) maintain pedestrian or driveway access during business hours, or 2) maintain minimum traffic requirements on Wilshire Boulevard, then the LACMTA may nevertheless conduct the work during the hours as shown in the table above. In that event, the LACMTA shall identify to the City the conflicting requirement and shall identify to the satisfaction of the City how the LACMTA will minimize the conflict's duration. Upon doing so, the LACMTA may proceed with the work hours shown in the table above.

The Independent Compliance Monitor (see Article XVI) shall be responsible for monitoring enforcement of the conditions of after-hours construction permits and enforcing available remedies pursuant to the procedures of Article XVII of this Agreement.

Holiday Moratorium

Except when work is otherwise permitted by the City in accordance with this Article, no work shall be permitted during a holiday moratorium. For the purpose of this Article, a “holiday moratorium” shall mean:

- New Year’s Day
- The Golden Globe Awards
- Martin Luther King Jr. Day
- President’s Day
- The Academy Awards
- Easter Sunday
- The Erev Passover and First Two Days of Passover
- Mother’s Day
- Memorial Day
- Father’s Day
- Independence Day
- Next Night Block Party (work on Beverly Drive only)
- Labor Day
- Erev Rosh Hashanah and Rosh Hashanah
- Erev Yom Kippur and Yom Kippur
- Veteran’s Day
- Thanksgiving Day through New Year’s Day (work outside staging areas and City Rights-of-Way north of Charleville Boulevard only)

For the purposes of this Article, “Erev” begins one hour before sundown.

The LACMTA may file an application for a permit to work during a holiday moratorium. The application shall be filed 60 Days prior to the proposed holiday moratorium work day(s), and by August 1st of each year for any Construction proposed between Thanksgiving Day through New Year’s Day. The application shall describe the types of Construction activities that will take place during the holiday moratorium and the proposed days and hours of such work. The City Council shall have sole and absolute discretion to approve the permit.

ARTICLE XIV Noise and Vibration Control Plans And Mitigation Measures

Noise control plans and mitigation measures shall be in accordance with the standards set forth in: this Article; Exhibit E, attached hereto (entitled “Metro 5-Step Noise Control Plan”); specific Noise Control and Noise Monitoring Plans; the PDD Permit and the LACMTA’s submittals for the Project work at issue; and any conditions of approval included in a City-issued permit. To the extent that there is any conflict between those documents, the standards of this Article shall control

over Exhibit E, specific Noise Control and Noise Monitoring Plans, the PDD Permit and other City-issued permits. Exhibit E shall control over specific Noise Control and Noise Monitoring Plans, the PDD Permit and other City-issued permits. The conditions included in the PDD Permit shall control over specific Noise Control and Noise Monitoring Plans and other City-issued permits. Other City-issued permits shall control over specific Noise Control and Noise Monitoring Plans. Notwithstanding the foregoing, a more restrictive standard in a later issued permit or plan shall control over a conflicting standard in an earlier issued permit or plan.

Noise Control Plans

The LACMTA, through its consultants, contractors, subcontractors or agents, shall follow the Metro 5-Step Noise Control Plan incorporated into this Agreement as Exhibit E. Additionally, the LACMTA, through its consultants, contractors, subcontractors or agents, shall develop specific Noise Control and Noise Monitoring Plans that include all requirements contained in this Agreement and Exhibit E and submit such plans to the City Representative for approval prior to commencing Construction on the associated phase of work.

In evaluating the effectiveness of specific Noise Control and Noise Monitoring Plans, the factors which may be considered include, but are not limited to, the following:

- A. The volume of the noise;
- B. The intensity of the noise;
- C. Whether the nature of the noise is Construction or non-Construction related;
- D. Whether the origin of the noise is natural or unnatural;
- E. The volume and intensity of the background noise, if any;
- F. The proximity of the noise to residential or transient occupancy sleeping facilities;
- G. The nature and zoning of the area within which the noise emanates;
- H. The density of the inhabitation of the area within which the noise emanates;
- I. The time of the day or night the noise occurs;
- J. The duration of the noise; and
- K. Whether the noise is recurrent, intermittent, or constant.

Noise Control Measures

As part of the Metro 5-Step Noise Control Plan and specific Noise Control and Noise Monitoring Plans, the LACMTA and the C1120 Contractor shall employ the following noise control measures:

<u>Source</u>	<u>Noise Control Measures</u>
Backup alarms	When backup alarms are used, they shall be low impact alarms, which include manually-adjustable alarms, self-adjusting alarms and broadband alarms. Configure traffic pattern to minimize backing movement.
Truck tailgates	No slamming tailgates. Establish truck cleanout staging areas as needed.

	Use rubber gaskets or functional equivalent or decrease speed of tailgate closure.
Pavement breakers (jackhammers)	Fit with manufacturer approved exhaust muffler. Tightly enclose pavement breaker and cutting activities within a four-sided noise barrier enclosure or equivalent, with the addition of a roof when the equipment does not exceed eight (8) feet in height.
Vibratory rollers and packers	The use of vibratory rollers and packers will be avoided near vibration sensitive areas and structures. The vibration sensitive areas and structures shall be determined by a structural engineer as part of the preconstruction surveys and subject to verification by the City. The LACMTA shall also conduct a preconstruction survey for any property owner of a structure identified in Exhibit N.
Drilling for Piles	No impact pile driving will be used.
Prolonged idling of Equipment	No idling of heavy equipment or vehicles when not in use. Locate equipment away from noise sensitive areas to the extent practicable.
Construction Operations Planning	No truck traffic shall be permitted on residentially zoned streets, except for access to laydown yards when necessary and only by using a route approved by the City. Use modern equipment equipped with state of the art engine insulation and mufflers, in accordance with all applicable City, State, and Federal standards. Where a generator is necessary, it shall be equipped with the best available technology to minimize noise. Operate equipment at the lowest possible power levels. Provide noise muffling enclosures for fixed equipment. Provide noise awareness training to contractors/workers. Use solar, battery powered, or hybrid equipment whenever practical. All staging areas shall be enclosed with a minimum 20' high sound wall. All sound walls shall have a wall assembly of STC-25 or greater, and the ability to reduce noise by at least 5 dBA. Place plywood or dirt beds on all trucks or any other mutually agreed to effective noise mitigations when loading concrete or steel on beds of trucks.

The following noise mitigation techniques shall be employed at all times to reduce the impact of construction noise:

- Use of temporary noise barriers and sound control curtains or an equivalent form of solid object to either destroy part of the sound energy by absorption, or to redirect part of the energy by wave deflection.

- All jackhammers, pavement breakers and saw cutters used at the Construction site shall be tightly enclosed on four sides with shields, acoustical barrier enclosures, noise barriers, or equivalent, with the addition of a roof when the equipment does not exceed eight (8) feet in height.
- Enclose activities likely to create a noise disturbance and enclose stationary equipment.
- Employ sound blankets over a movable fence, including the use of state-of-the-art technology where necessary to achieve no more than 5dBA above pre-existing ambient noise levels at the property line of the nearest residential or transient occupancy building. If sound blankets are to remain in place for more than five (5) Days, the LACMTA must seek approval from the City.
- Employ targeted noise mitigation when Construction is proximate to historic structures and transit occupancy uses and may exceed 5dBA (Leq 15 min) above pre-existing ambient noise levels during business hours at historic structures and transit occupancy uses.
- Only use equipment that complies with the maximum noise levels set forth in Exhibit L.

If any activity causes an unreasonable noise impact to the surrounding residential or business neighborhood, then mitigation shall be implemented to reduce the impact to a reasonable level. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the proximity to the work site, and other similar factors.

Except by written permission from the City during emergencies that may threaten public health and safety, sawcutting, jackhammering, and the use of vacuum trucks are prohibited at the following times and locations:

- 12 PM to 2:30 PM, Monday through Saturday, on N. Canon Drive
- 6 PM to 9 AM, Monday through Friday, on all streets
- 6 PM to 10 AM, Saturday through Sunday, on all streets

Noise and Vibration Control Monitoring

Construction noise levels will be limited to the following:

- No more than five (5) dBA above pre-existing ambient noise levels at all times at the property line of any residential and transient occupancy buildings evaluated on a fifteen (15) minute average noise level (Leq 15 min);
- No more than two (2) instances within a one (1) hour period between the hours of 9 PM and 11 PM above eighty-five (85) dBA evaluated at an instantaneous maximum noise level (Lmax) at the property line of any residential and transient occupancy buildings;

- No more than one (1) instance within a two (2) hour period between the hours of 11 PM and 9 AM above eighty-five (85) dBA evaluated at an instantaneous maximum noise level (Lmax) at the property line of any residential and transient occupancy buildings;
- No more than ten (10) instances within a one (1) week period between the hours of 9 PM and 9 AM above eighty-five (85) dBA evaluated at an instantaneous maximum noise level (Lmax) at the property line of any residential and transient occupancy buildings; or
- No more than two (2) instances within a one (1) week period between the hours of 9 PM and 9 AM above ninety-five (95) dBA evaluated at an instantaneous maximum noise level (Lmax) at the property line of any residential and transient occupancy buildings.

The above-referenced noise limits are collectively referred to as the “Noise Standard.” The LACMTA and the City shall jointly establish the preexisting ambient hourly noise levels at properties with residential and transient occupancy uses and at Beverly Hills High School that are closest to C1120 Construction activities, as identified in Exhibit F, and incorporated herein by this reference.

Exhibit F shall include locations on the property lines of transient occupancy uses at elevations and locations determined by the City, in consultation with noise experts provided by the LACMTA and the Compliance Monitor, for the purpose of establishing the preexisting ambient hourly noise levels. Thereafter, the Noise Standard will be applied and noise monitoring will be evaluated using noise monitors installed and maintained by the Compliance Monitor at the property line of each building and at heights above the sound walls, noise barriers, and the line of sight of Construction activities below.

In the event that the Compliance Monitor identifies a potential violation of the Noise Standard at a property line where the ambient noise level has not previously been established: (1) the Compliance Monitor shall use the ambient noise level established at the nearest pre-existing monitoring location unless and until a new ambient noise level is established at the location of the potential violation; (2) LACMTA shall take the steps necessary to meet the Noise Standard at the location of the potential violation; and (3) LACMTA may elect to jointly establish with the City a new ambient noise level at the location of the potential violation. The Compliance Monitor shall then use the ambient noise level established at the pre-existing location or the newly established ambient level, as applicable, as the baseline for determining whether to impose a monetary contribution as provided for under Article XVII.

If the Compliance Monitor identifies an exceedance of the Noise Standard, then the LACMTA and the Contractor shall promptly discontinue the Construction activity that caused the exceedance until additional mitigation measures, possibly including reduction of Construction activities, are implemented to reduce noise levels below the Noise Standard. In addition, an exceedance of the Noise Standard shall constitute a violation of the Permit Conditions. However, an exceedance of the Noise Standard, which would otherwise cause the LACMTA to make a monetary contribution into the Mitigation Fund, shall be excused if the Compliance Monitor does not identify any further exceedances of the Noise Standard within a thirty (30) Day period following the date of the exceedance that caused the monetary contribution. The terms “Permit Conditions” and “Mitigation Fund” have the definitions ascribed to those terms in Article XVII.

At all times, Construction vibration levels at a distance of 50 feet from Construction limits or at the property line of any building shall be limited to no more than the root-mean square unweighted vibration velocity levels in vertical direction over a frequency range of 1 to 100 Hz, as listed below:

Vibration Type	Permissible Aggregate Duration	Vibration Limit (peak particle velocity (PPV))	Vibration Limit (VdB re 10 ⁻⁶ in/sec)
Sustained	>1 hour/day	0.01 in/sec	80
Transient	<1 hour/day	0.03 in/sec	90
Transient	<10 minutes/day	0.10 in/sec	100

At all times, Construction peak particle vibration levels at the property line of any building shall be no greater than the peak particle vibration levels as listed below:

Building Category	Allowable Peak Vibration (peak particle velocity (PPV) in/sec)	Allowable Peak Vibration (VdB re 10 ⁻⁶ in/sec)
Reinforced-concrete, steel or timber (no plaster)	0.50	114
Engineered concrete and masonry (no plaster)	0.30	110
Non-engineered timber and masonry buildings	0.20	106
Buildings extremely susceptible to vibration damage	0.12	101

The LACMTA, at its sole expense, shall place and continuously operate vibration monitoring equipment at the property line of the building or buildings depicted in Exhibit M closest to any Construction activity in order to verify compliance with the above-referenced limits. If at any time a Construction activity results in vibration levels that exceed such limits, then (i) the LACMTA shall immediately halt Construction on the offending activity until such time as additional mitigation can be implemented and/or an alternative Construction method can be used that will result in lower vibration levels within the prescribed limits; and (ii) thereafter conduct additional monitoring at the property line of the nearest building to the exceedance identified as a “secondary monitoring location” in Exhibit M for a continuous period of sixty (60) Days following identification of the exceedance.

ARTICLE XV
Light Plans And Mitigation Measures

Light plans and mitigation measures shall be in accordance with the standards set forth in: this Article; the PDD Permit and submittals for the Project work at issue; and any conditions of approval included in a City-issued permit. To the extent that there is any conflict between those documents, the standards of this Article shall control over the PDD Permit. The conditions included in the PDD Permit shall control over other City-issued permits.

Lighting Spill Mitigation Measures

Construction activities during evening and nighttime hours may require the use of temporary lighting. To minimize the impact of temporary lighting on adjacent properties, the following mitigation measures shall be implemented:

- Lighting will be directed downwards and shielded. Care shall be taken in the placement and orientation of portable lighting fixtures to avoid directing lights toward sensitive receptors, including automobile drivers.
- Temporary lighting will be limited to the amount necessary to safely perform the required work.
- In addition to minimizing light spill, sensitive receptors and motorists on public streets will not have direct views of the light source (glare) from construction lighting. Light sensitive receptors include but are not limited to residential areas and transient occupancy uses.
- Light trespass shall not exceed one foot-candle above ambient light level as measured at any adjacent property.

ARTICLE XVI
Independent Compliance Monitor

The LACMTA shall fund an Independent Compliance Monitor to ensure compliance with the conditions and required mitigation measures covered under this Agreement, all exhibits attached hereto and any conditions of approval included in the PDD Permit or other City-issued permits. The Compliance Monitor shall be an independent contractor, not otherwise employed by the LACMTA or the City, and shall be selected jointly by the LACMTA and the City. The Compliance Monitor shall have no pre-existing relationship with either Party, unless this requirement is specifically waived by the Parties. The City, the LACMTA and the Compliance Monitor have entered into a three-party contract to engage the services of the Compliance Monitor. The Compliance Monitor shall invoice the LACMTA or the City for its work and, subject to the City's and the LACMTA's verification and approval of the invoice, the LACMTA shall pay the Compliance Monitor. Alternatively, the City may pay the Compliance Monitor and the LACMTA shall reimburse the City. The engagement of the Compliance Monitor shall be for a term of one year increments, with said engagement to be reviewed annually by both the City and the LACMTA and subject to renewal by consensus of both the City and the LACMTA or to termination by either the City or LACMTA. Unless otherwise agreed to by the Parties, a Compliance Monitor shall be

employed and on site during all hours which the C1120 Contract Construction within the scope of this Agreement is being performed. The Compliance Monitor will exercise its independent judgment to determine appropriate staffing levels necessary to verify compliance with the Permit Conditions, as that term is defined in Article XVII. Nothing in this Article shall be construed to limit the ability of: (1) the City Engineer, City Representative, or Consultant(s) to notify or inform the LACMTA or the Compliance Monitor of any alleged violations of mitigation measures or conditions of approval; or (2) the LACMTA Representative or Contractor to respond to any alleged violations of mitigation measures or conditions of approval with the City or the Compliance Monitor.

ARTICLE XVII
Enforcement Of Permit Conditions And Mitigation Measures

When the Compliance Monitor finds that the LACMTA or its Contractor have violated the terms of the PDD Permit or modifications to the PDD Permit for the work at issue or conditions and required mitigation measures covered under this Agreement and all exhibits attached hereto (collectively for the purposes of this Article “the Permit Conditions”), the Compliance Monitor shall provide documentation of the violation to both the City and the LACMTA within twenty-four (24) hours of the violation. The LACMTA shall provide a written response to the nonconformance report within forty-eight (48) hours that shall include a description of the investigative actions taken to resolve the nonconformance, a description of the cause of the nonconformance, the actions taken or planned to correct the nonconformance, and the actions taken to prevent recurrence of the nonconformance.

The Compliance Monitor shall have the power to order compliance with the Permit Conditions. If the Compliance Monitor identifies two or more violations of the same Permit Condition with impacts on the same business, residence, or within a one hundred fifty (150) foot radius of the violation, within a fourteen (14) Day period, the LACMTA shall be required to make a monetary contribution into a fund established for the purpose of mitigating construction impacts on businesses and residents impacted by the construction (“Mitigation Fund”) as follows:

- Violation 2: \$15,000
- Violations 3 or more: \$25,000 per violation

If the LACMTA or the Contractor deliberately disregards an order from the Compliance Monitor to comply with the Permit Conditions or the Compliance Monitor identifies a willful or reckless violation of the Permit Conditions, then the LACMTA shall be required to make a monetary contribution into the Mitigation Fund as follows, unless the City Representative determines in writing that the LACMTA took appropriate action to cure the conduct or violation:

- Violation 1: \$25,000
- Violation 2: \$50,000
- Violation 3: \$75,000
- Violation 4: \$100,000

5 or more violations: An additional \$25,000 for each successive violation (e.g., \$125,000 for the fifth violation, \$150,000 for the sixth violation, and so on)

The City shall control the Mitigation Fund and shall direct expenditures to mitigate construction impacts on businesses and residents or to additional enforcement, monitoring, or other remedial actions deemed reasonably appropriate to address the violation upon finding a link between the violation and the impact to businesses or residents. The City shall hold at least one meeting with impacted businesses and/or residents, as applicable, before making a final determination on an expenditure of such funds. This Article is in lieu of any other method set forth in the Beverly Hills Municipal Code for imposing monetary fines or penalties upon the LACMTA for violations of the Permit Conditions. Nothing herein shall impair or diminish the rights or claims of any property owner, business owner, or other person with respect to any damage to his, her, or its real or personal property.

In addition to any monetary contributions required under this Article, the Compliance Monitor may order an immediate halt to the work causing a violation or prohibit work that would imminently and obviously cause a violation until the LACMTA, its Contractor or other third parties take action to correct the violation and prevent the violation from being repeated. If the work is halted or prohibited, the Compliance Monitor shall not allow resumption of the work causing the violation or that would imminently and obviously cause a violation until the violation is resolved and will not be repeated. The Compliance Monitor may only preemptively halt the work if the work would cause a violation of a specific Permit Condition that leaves no room for discretion, such as failing to utilize proper noise mitigation equipment or conducting work at an unpermitted time.

The Compliance Monitor shall also order a halt to any work that poses a clear and immediate threat to public safety. If work is halted for reasons of public safety, the Compliance Monitor shall not allow resumption of the work until the threat to public safety has been abated. This paragraph shall not be construed to limit the authority of any authorized safety engineer, inspector, police or fire official, or other person to halt any work that poses a threat to public safety.

The Compliance Monitor shall provide a written report to the City and the LACMTA on no less than a weekly basis regarding compliance with the Permit Conditions for the work covered by the scope of this Agreement.

City inspectors, including the Consultant and delegates of the City Representative may notify the LACMTA and/or its Contractor of alleged violations of Permit Conditions. When a City inspector provides written notice to the LACMTA and/or its Contractor of an alleged violation of a Permit Condition, then the LACMTA shall provide documentation of the violation to the City within forty-eight (48) hours of the written notice of violation that shall include a description of the investigative actions taken to resolve the violation, a description of the cause of the violation, the actions taken or planned to correct the violation, and the actions taken to prevent recurrence of the violation. This process of notifying the LACMTA and/or its Contractor of an alleged violation is separate and distinct from the Compliance Monitor's authorities described above and will not result in a monetary contribution if a violation has actually occurred.

ARTICLE XVIII
Tree Removal And Replacement

Tree removal will be avoided wherever possible. The LACMTA shall strictly comply with a tree removal and replacement plan that will ensure that any landscaping removed as a result of C1120 Contract Construction is eventually returned to its condition prior to removal. The tree removal and replacement plan shall be approved in writing by the City before any trees are removed and shall substantially conform to the following requirements:

- New replacement trees shall be a 36” box of the same species and planted in the same location as the removed tree when not in conflict with new infrastructure, in which case the City’s arborist shall designate an alternative location and/or size;
- New replacement palm trees shall be a minimum 20’ in height;
- The LACMTA shall replace trees within six (6) months of restoration and completion of that portion of Wilshire Boulevard that may impact the tree. To the extent feasible, the LACMTA shall replace trees on an ongoing basis so long as doing so does not conflict with future C1120 Contract Construction; and
- The LACMTA shall mitigate the City’s lost value as a result of tree removal by compensating the City for the difference in lost value between removed trees and new replacement trees, with the difference in value determined using the TFM (Trunk Formula Method) as defined in “Guide for Plant Appraisal, 9th Edition”.

The LACMTA shall coordinate with the City’s arborist to ensure that the tree removal and replacement plan is executed to the satisfaction of the City’s arborist. The LACMTA or its Contractor shall maintain all trees and other landscaping installed by the LACMTA or its Contractor for a period of three (3) years from the date of planting and shall warranty the trees and landscaping for one (1) year after planting. Prior to the end of the one year warranty period, the City, LACMTA and its Contractor will conduct an inspection of all replacement trees and landscaping for general health as a condition of final acceptance by the City. If, in the City’s determination, a replacement tree or landscaping does not meet the health requirements of the City, then the LACMTA shall replace that tree within thirty (30) days. For any trees or landscaping that must then be removed, the original warranty shall be deemed renewed commencing from when the tree or landscaping is replaced.

ARTICLE XIX
Construction Mitigation

The LACMTA and the City shall implement business mitigation measures for the purpose of assisting those businesses financially affected by the C1120 Contract Construction performed under this Agreement. Business mitigation assistance will include, but is not limited to, the following:

- Advertising
 - Weekly advertisement in a local or regional newspaper

- Social media
- Sign advertising in the event that the City Council authorizes the establishment of signs at the Project site
- Eat, Shop, Play (ESP) program
 - The ESP program allows businesses (“Participating Businesses”) to advertise on Metro.net/purplelineext
 - Participating Businesses will be highlighted in The Source
 - Participating Businesses will be included in marketing materials
 - Participating Businesses will be included in local and regional publications
- Parking mitigation
 - Parking validation and other incentives for local businesses
 - If the LACMTA’s obligated replacement parking is unavailable, then the LACMTA shall provide either a valet service or shuttle service or reimburse the City for such services.
 - Additional valet parking services if the LACMTA interrupts a pre-existing valet parking operation.
 - Signage advertising where and when parking incentives have been made available and how to access the parking
 - Social media shall be used to advise customers on alternate parking locations
- Communications and Outreach support
 - Provide on-call public relations representatives, including City staff and consultants to the City. The average Cost of up to two (2) full time equivalent consultants (excluding City staff time) for this purpose will be paid for by the LACMTA over the course of the Project.
 - Radio, print and social media advertising of detours during closures of Wilshire Boulevard
 - One community meeting at night per month within the City, one monthly coordination meeting with Project stakeholders at the Beverly Hills Chamber of Commerce, and one-on-one meetings with individual stakeholders as requested by the particular stakeholder. In addition, the City will conduct meetings with the Beverly Hills Chamber of Commerce and individual stakeholders as much as necessary to keep them informed about the Project.
- Banners/signage
 - “Businesses Open During Construction” signage will be provided to all affected local business
 - The LACMTA will work directly with business owners to develop customized and appropriate signage
 - All LACMTA signage not related to traffic control or noise control placed in the City shall be mutually approved by the City and the LACMTA
 - Fund cost of production and installation of street banners promoting local businesses as approved by the City
 - Pedestrian-oriented wayfinding signage, including but not limited to, illustrations of parking areas and open businesses, will be provided in appropriate areas
- Marketing

- The LACMTA will work directly with businesses to develop and procure marketing materials
- Public Information Graphics
 - Design, produce, and install the items included in Exhibit G (“Public Information Graphics Program”)
 - At the City’s request, replace Public Information Graphics with the City’s desired design(s) up to two (2) times per year during the duration of the Construction.
- Additional lighting of streets and sidewalks during Construction to promote a business friendly atmosphere or when not in compliance with the City Standard of no less than 1.2 foot candle.
- Additional support from the Beverly Hills Fire Department during decking operations.
- The LACMTA and City shall notify commonly used GPS services and applications such as Google Maps, Waze and Apple Maps of extended road closures.
- Other urban design, mitigation, public outreach, lighting, and business assistance projects as mutually agreed upon by the Parties.

The LACMTA shall fund the above-referenced business mitigation measures until all surface Construction on the Project is complete, Wilshire Boulevard and Beverly Drive are fully restored, and all punch list items are completed. The City may request funding or reimbursement for any business mitigation measures referenced above. In the event that the LACMTA disagrees on the use of funds for the requested business mitigation measure, and the City desires to implement the measure using LACMTA funds, then the following dispute resolution process will be followed:

- Within ten (10) Days of the City’s request, the LACMTA’s General Counsel shall provide a written explanation of the reasons that it is unable or unwilling to fund the measure;
- If the expenditure would violate federal or state law or cause a breach of LACMTA’s federal funding agreement, then the LACMTA shall provide legal citations to the applicable federal or state law or regulation causing the violation or breach;
- If the City agrees with the General Counsel’s reasons, then the measure shall not be funded using business mitigation funds;
- If the City disagrees with the General Counsel’s reasons, then the dispute will be resolved according to Article XXX (Arbitration - Work Stoppage), provided that the arbitrator’s decision to require or not require the LACMTA to make the expenditure, as the case may be, will be based on a finding of whether or not the City’s proposed business mitigation measure reasonably mitigates an impact(s) on businesses that is directly or indirectly caused by the Project or insufficient business mitigation funds. The City may implement its requested measure while the arbitration is pending, provided that the LACMTA may not reimburse the City for its expenses if the arbitrator agrees with the LACMTA’s determination. The City will not withhold review or approval of Construction or Design plans solely on account that an arbitration is pending.

If the General Counsel does not provide a written explanation of the LACMTA’s reasons that it is unable or unwilling to fund the City-requested measure within ten (10) days of the City’s request,

then the measure shall be deemed approved and the LACMTA shall reimburse the City for its Cost of implementing the measure.

The LACMTA also agrees to provide the following additional environmental and business mitigation, either as part of current LACMTA operations or by a third party as part of the C1120 Contract and the cost of these activities shall not be funded with funding devoted to business mitigation above:

- Clean worksite and adjacent areas, including street and sidewalk sweeping, at least once each work day and remove and/or paint over graffiti within twenty-four (24) hours of discovery. The City may undertake similar activities more frequently if it determines that additional cleaning, street sweeping, or graffiti removal is necessary to promote a business friendly atmosphere. The City's decision to exercise this option shall not excuse the LACMTA's or the Contractor's obligation to perform. The LACMTA shall reimburse the City for its reasonable expenses, provided that the City provides an invoice to the LACMTA detailing the City's expenditures and a written justification explaining why the additional cleaning, street sweeping, or graffiti removal was necessary due to Construction.
- Remove visible construction-related roadway dust tracked out on public sidewalks at the conclusion of each shift.
- Placement of large, clearly visible signage indicating that all businesses are open during construction at locations identified by the City.

ARTICLE XX

Community Outreach

The advance notification process and establishment of a public phone line shall be in accordance with the standards set forth in: this Article; the LACMTA's completed PDD Permit and submittals for the Project work at issue; and any conditions of approval included in a City-issued permit. To the extent that there is any conflict between those documents, conditions included in this Article shall control over the PDD Permit. The conditions included in the PDD Permit shall control over other City-issued permits.

The Project area is a sensitive area for residents, businesses, commuters, and visitors. The LACMTA and the C1120 Contractor and consultants will be required to minimize any inconvenience to the public and provide advance notification to the public of Construction activities and planned service interruptions. The plan shall include monthly public meetings to provide Project Construction information to residents and businesses nearby the Project, unless the City and the LACMTA mutually agree to reduce the meeting frequency. The LACMTA shall provide to the City for review all notices, presentations, and other materials presented to the public at least seventy-two (72) hours in advance of distribution or presentation to the public, and any substantive changes to the materials made thereafter shall be provided to the City as soon as practicable.

The LACMTA shall be responsible for all advance notifications to the public for work associated with the Project. The notification distribution area shall be reviewed and approved by the City. Project information and Construction notifications may be provided in multiple formats including, electronic mail, Project website, social media and on-street portable changeable message boards.

All signage not related to traffic controls or noise control shall be mutually approved by the City and the LACMTA. The City will design wayfinding signage relating to the Project within the City and the LACMTA will procure and install the wayfinding signage based on the approved design. The LACMTA shall maintain all signage, including signage related to traffic and noise control, detours, and business promotion, in a neat, clean, presentable manner and free of dirt, graffiti, dents, or tears. The LACMTA shall replace any signage within twelve (12) hours after notification from the City that such signage's appearance is unsatisfactory.

The LACMTA will continue to provide advance notification for the following activities:

- a) Start of Each Major Construction Activity Listed in Article XIII (pile installation, street decking, jet grouting, and deck removal) and the Demolition of any Building
 - i) 21 Days – On-street Changeable Message Signs (CMS)
 - ii) 60 Days (1st notice) – Mail or hand deliver and email to affected businesses and residents
 - iii) 2 Days (2nd notice) – Mail or hand deliver and email to affected businesses and residents
 - iv) Updates via Eblast, website, Facebook and Twitter
- b) Utility Service Interruption
 - i) 60 Days if possible, but no less than 30 Days – Mail or hand deliver and email to affected businesses and residents
 - ii) 2 Days – Hand deliver and email to affected businesses and residents
- c) Driveway Closure
 - i) 7 Days – Mail or hand deliver and email to affected businesses and residents
 - ii) 2 Days – Mail or Hand deliver and email to affected businesses and residents
- d) Sidewalk Closure
 - i) 7 Days – On-sidewalk signs
 - ii) 2 Days – Hand deliver and email to affected businesses and residents
 - iii) Updates via Eblast, website, Facebook and Twitter
- e) Lane Closure
 - i) 7 Days – On-street Changeable Message Signs (CMS)
 - ii) Updates via Eblast, website, Facebook and Twitter
- f) No Parking
 - i) 7 Days – On-street signs
 - ii) Updates via Eblast, website, Facebook and Twitter

- g) Bus Stop Relocations
 - i) 14 Days – Mail or hand deliver and email to affected businesses and residents
 - ii) 14 Days – Notification sign placed on bus stop

In addition to the foregoing, the LACMTA shall send all such notices in electronic format to businesses, residents, and other interested persons that request to receive notices by email. The LACMTA shall continuously maintain an email list for such purpose and a website dedicated to the Project where persons may sign up to receive notices. The LACMTA shall also post all Project-related notices on an LACMTA website dedicated to the Project and conspicuously visible to the public.

The LACMTA shall also provide the City with the following information on the first Working Day of each calendar month: (i) a detailed schedule of Construction activities to occur over the next sixty (60) Days; and (ii) a schedule of Construction activities anticipated to occur over the next two (2) years.

On-street changeable message boards related to lane closures, driveway closures, sidewalk closures and parking restrictions will be located based on traffic engineering plans and documents. They shall be removed during periods when no changeable messages are required by this Agreement or the City of Beverly Hills. The requirements of this Article will be incorporated into traffic plans as they are submitted by the C1120 Contractor.

The LACMTA shall provide to the City a monthly schedule of all proposed activities within the City.

Establishment of a Public Phone Line

The LACMTA shall establish and fund a toll-free phone line that is available twenty-four (24) hours a Day to respond to concerns related to construction disturbances within the City. This phone line shall incorporate a construction relations phone line prompt for immediate live response. Contact information for the public liaison person and phone line shall be included in all Construction notices. The LACMTA shall respond to complaints within twenty-four (24) hours of receipt and, where possible, shall address the complaint by corrective action in a timely manner. The LACMTA shall provide documentation to the City Representative that the complaint was effectively resolved. The LACMTA will immediately log the complaint and immediately notify the City Representative and the Compliance Monitor. The City will post the complaint on its website.

The City may use its own dedicated phone line, in addition to the LACMTA-established toll-free phone line. If the City uses its own dedicated phone line, then at the City's request all LACMTA notices and signs relating to Construction must include both the LACMTA's and City's phone numbers.

ARTICLE XXI
Inspection of City Facilities During Construction

The City and the LACMTA agree that all work on City Facilities will conform to City Standards as they relate to inspection, sampling, and testing. The LACMTA agrees to require adherence to such policies and practices by the Contractor and other contractors and will include those requirements in its contracts with its Contractor and other contractors.

Notwithstanding City inspection or approval of any Construction, all work performed by either party for Construction of the Project shall be subject to LACMTA inspection and final approval. The LACMTA also may inspect the Construction of Rearrangements to ensure that the work has been performed in accordance with the approved Designs.

All Rearrangement and Construction of City Facilities by the LACMTA shall be offered by LACMTA to the City for inspection. Reimbursement for inspection services shall be in accordance with Article XI. The City shall provide inspectors, who may be either City staff or Consultant(s), who will be available throughout Project Construction, at the LACMTA's expense and as needed to observe and inspect the Rearrangement of City Facilities so that upon completion of Construction, the City will have a basis for acceptance of the work. The City's inspectors shall coordinate with the LACMTA Representative and the Contractor. The City's inspection shall also include planned field reviews for compliance with all requirements of this Agreement, including any relevant exhibits. Inspection will involve the verification of the safety and adequacy of vehicular and pedestrian access and circulation immediately adjacent to the Construction area, and maintenance of appropriate access to businesses, as provided in the Construction Staging Plans and Worksite Traffic Control Plans.

During any inspection, each party shall cooperate to quickly resolve any deviations from, or violations of, any approved plans discovered in the course of such inspection. The City will provide immediate verbal notice of any deviation, violation or nonconformance to the LACMTA's construction manager as well as to the LACMTA staff (as designated by the LACMTA Representative), followed by a written notice not later than twenty-four (24) hours after discovery. Each notice shall include an explanation of the resolution desired by the inspector. Failure to provide notice shall not constitute a waiver by the City.

As soon as the work of any specific Rearrangement has been completed (and tested when called for by the approved Design), the party which performed the Construction work, shall notify the other party in writing that the Rearrangement is ready for final inspection. After notification is provided in writing, the inspection shall take place within twenty-four (24) hours of such notification. The final inspection of any Rearrangement shall be attended by the LACMTA Representative and the City Representative, at the LACMTA's expense. Each party will provide to the other party's representative immediate verbal notice of any deficiencies or discrepancies in any Construction on any Rearrangements or any other issues discovered in the course of the final inspection, followed by a written notice within five (5) Days thereafter. Each notice shall include an explanation of the resolution desired by the notifying party. Promptly upon completion of the City Facility Rearrangement (including if applicable, completion of any corrective work performed), the City shall furnish its written notice that Construction of the City Facility complies with Design submittals and City Standards. Notwithstanding the preceding, the City's final

inspection and acceptance of any City Facility shall not occur until the portion of Wilshire Boulevard that may impact the City Facility is restored and completed and all punch list items are closed, except in those instances when beneficial and exclusive use of a City Facility or utility is transferred to the City by mutual agreement prior to the complete restoration of Wilshire Boulevard within City limits.

Interim inspection of those City Facilities that will be covered, buried and/or no longer visible due to some future Construction or other activity will have the appropriate level of City inspection performed and punch-lists created prior to cover-up.

ARTICLE XXII

Operation And Maintenance Of City Utilities

The LACMTA proposes to relocate and rearrange existing City owned utilities including, water distribution pipelines and facilities, sanitary sewer collection systems, storm drain pipelines, traffic signal systems, fiber optic communications facilities and street light systems. The LACMTA and the City recognize that Rearrangement of City-owned utilities is necessary to accommodate the Construction of the Rodeo Station. The LACMTA and the City further acknowledge that certain relocated/rearranged City-owned utilities will remain within the limits of Station construction in a long-term, temporary condition and may rely on the Station excavation shoring system for support.

Upon completion of the Rodeo Station Construction, the City-owned utilities will be relocated into their permanent location and constructed in accordance with applicable City Standards, including standards for depth and materials. All permanently relocated City-owned utilities shall conform to the City Standards in place at the time the permanent relocation work begins. At its sole discretion, the City may allow certain utilities to remain in their long-term, temporary condition or location on a permanent basis.

LACMTA agrees to be responsible, at LACMTA's expense, for operation and maintenance of City-owned utilities in their temporary condition. The responsibility includes financial responsibility for any water quality or other regulatory violations that result from operation and maintenance problems while the utilities are in a long-term, temporary condition and remedying the cause of any such violations. The responsibility for operation and maintenance begins when the existing utilities are modified in any way or if access to existing utilities is not available due to Project-related construction. The responsibility for operation and maintenance ends when the City-owned utilities are relocated/rearranged to their permanent location (if required by the City) and accepted in accordance with this Agreement. LACMTA further agrees to coordinate with the City and conduct utility operation or maintenance, including regulatory compliance measures, when the City-owned utilities are in a temporary condition.

LACMTA and its Contractor will be required to operate and maintain all utilities in accordance with City Standards and the City's Utility Maintenance Plan for the Project, as amended from time to time and on file with the City's Public Works Department. The LACMTA will provide uninterrupted service to the maximum extent feasible by minimizing any utility service interruptions. Additionally, LACMTA agrees to provide emergency response twenty-four (24) hours per day, seven days per week, to utility operation and maintenance issues for the City-owned utilities under its control in accordance with City service standards. Under no circumstances will

the LACMTA or the Contractor undertake Construction that will interfere with the City's ability to operate its utilities.

Notwithstanding the LACMTA's responsibility to operate and maintain all utilities placed in a temporary condition as a result of the Project, the City may repair such utilities if, in the City's reasonable opinion, the LACMTA has not adequately or timely addressed a malfunction, defect or maintenance problem with the utility. The LACMTA shall reimburse the City for all reasonable Costs associated with the City's repair or operation of a temporary utility. The LACMTA shall provide the City access to repair or maintain all utilities.

Nothing in this Agreement shall be construed as providing the LACMTA authority to replace lateral lines that extend from a main line into private property because the City does not own such lateral lines. LACMTA shall be responsible for any damage to lateral lines during Construction. LACMTA shall promptly take corrective action to fix any damaged lateral lines, but in no case more than forty-eight (48) hours after the damage is identified. This provision is included in this Agreement for the benefit of property owners whose lateral lines are affected by the C1120 Contract.

ARTICLE XXIII Indemnity, Warranties And Insurance Requirements

The LACMTA shall defend, hold harmless, and indemnify the City and its directors, elected officials, officers, agents and employees against any and all loss, liability, damage, or expense for injury or death to persons, including employees of either Party, and damage to property, including property of either Party, arising out of the Project's Design, the LACMTA's or the Contractor's handling, treating, or disposing of Hazardous Materials, or in connection with intentional, willful, wanton, reckless or negligent conduct arising out of or relating to (i) the C1120 Contract and/or any other contract for Construction; and (ii) the performance of the LACMTA's obligations hereunder. However, the LACMTA shall not defend and indemnify the City hereunder for any loss, liability, damage, or expense resulting from its sole negligence, willful misconduct, or resulting directly out of the color of the City-requested K-rail. The requirements of this paragraph shall survive the termination of this Agreement.

The City shall defend, hold harmless, and indemnify the LACMTA and its directors, elected officials, officers, agents and employees against any and all loss, liability, damage, or expense for injury or death to persons, including employees of either Party, and damage to property, including property of either Party, arising out of or in connection with intentional, willful, wanton, reckless or negligent conduct arising out of or in connection with the City's actual proprietary Design or Construction performance for any work or Betterment undertaken by the City pursuant to this Agreement. However, the LACMTA shall not be indemnified hereunder for any loss, liability, damage, or expense resulting from its or its Contractor's sole negligence or willful misconduct. The requirements of this paragraph shall survive the termination of this Agreement.

The LACMTA shall maintain an administrative claims process throughout the term of this Agreement that may be initiated by filing a claim substantially in the form set forth in Exhibit H. The City shall make copies of Exhibit H available upon request at City Hall and on its website to

any persons or businesses claiming damage caused by the LACMTA. The LACMTA shall inform the City of any claims submitted through the administrative claims process.

In contemplation of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement as defined by Section 895 of said Code, the Parties hereto, as between themselves pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, contract out of Section 895.2 of said Code and agree to indemnify and defend the other in accordance with the terms of this Article for the full liability imposed upon it, or any of its officers, agents or employees, by law for injury caused by a negligent or wrongful act or omission occurring in the performance of this Agreement to the same extent that such party would be responsible under this Article.

The LACMTA hereby warrants that Project Construction will maintain the structural integrity of all City Rights-of-Way and buildings adjacent to the Project for a period of at least two (2) years following completion of the C1120 Contract. The LACMTA hereby warrants Project Rearrangement work for at least one (1) year following the City's acceptance of any work. Said warranties shall require the LACMTA, its contractors (including the C1120 Contractor) and suppliers to warrant that any work shall be free from defect and include the City as a beneficiary of said warranties. Defects may include, but are not limited to, damage to the City Rights-of-Way and City Facilities caused by excavation activities or the failure of any Rearrangements. The LACMTA must promptly remedy or cause to be remedied any defect or damage subject to the warranties. The LACMTA must include provisions for the warranties provided for under this Article in any contracts it enters into with contractors for Project work. Nothing in this Article shall be construed to limit or reduce the City's ability to claim that any Project work suffers from a latent or patent defect and to enforce any rights it may have to remedy a latent or patent defect. If warranted work fails and is replaced, removed, or substantially rebuilt, then the original warranty on such work shall be deemed renewed commencing from when the warranted work was replaced, removed, or rebuilt and accepted by the City.

Promptly, but no later than thirty (30) Days after the execution of this Agreement, the LACMTA shall cause and shall provide to the City a certificate to each of the following policies naming the City and the LACMTA as additional insureds: 1) unless otherwise mutually agreed by the Parties, Construction contractors shall provide evidence of insurance in at least the following amounts or any greater amounts otherwise required by law: \$2,000,000 in General Liability with an aggregate limit of \$4,000,000, \$2,000,000 in Workers' Compensation / Employer's Liability, \$10,000,000 in Combined Single Limit (CSL) in Auto Liability, and \$250,000,000 in excess liability coverage; 2) unless otherwise mutually agreed by the Parties, Design contractors shall provide evidence of insurance in at least the following amounts or any greater amounts otherwise required by law: \$2,000,000 in General Liability with an aggregate limit of \$4,000,000, \$2,000,000 in Workers' Compensation / Employer's Liability, \$10,000,000 (CSL) in Auto Liability, \$2,000,000 in Professional Liability, and \$250,000,000 in excess liability coverage. In the event of a cancellation or reduction of insurance, the contractors or suppliers shall be required to give at minimum thirty (30) Days prior written notice to the LACMTA and the City. The City recognizes and agrees that insurance can be provided through a contractor-controlled insurance program, or a program of self-insurance. The aforementioned policies of insurance shall contain endorsements that (i) waive all

rights of subrogation; and (ii) require the insurer(s) to give at minimum thirty (30) Days prior written notice to the LACMTA and the City before cancelling and/or reducing the insurance.

ARTICLE XXIV Audit And Inspection

Upon reasonable notice, each party (and its authorized representatives) shall have reasonable rights to inspect, audit and copy, during normal business hours, and upon reasonable notice, the other's records relating to its performance hereunder (and all costs incurred with respect thereto) for the C1120 Contract, from the date hereof through and until expiration of three (3) years after the accepted completion of the C1120 Contract, or such later date as is required under other provisions of this Agreement. By providing any of its records to the other party for examination, the party providing such records represents and warrants that such records are accurate and complete. The Parties shall mutually agree upon any financial adjustment found necessary by any audit. If the Parties are unable to agree on such adjustment, then the matter shall be resolved pursuant to Article XXX. The City and the LACMTA shall insert into any contracts entered into by the City or the LACMTA, respectively, for the performance of work hereunder the above requirements and also a clause requiring their respective contractors to include the above requirements in any subcontracts or purchase orders. In the case of such contractors, subcontractors and suppliers, the records subject to the above requirements shall include, without limitation, any relevant records as to which a tax privilege might otherwise be asserted.

ARTICLE XXV Federal And Other Requirements

This Agreement may be subject to a financial assistance agreement with the U.S. Department of Transportation, Federal Transit Administration, and is therefore subject to the following terms and conditions:

The City agrees to comply with all financial record keeping, reporting and such other requirements as may be imposed as a condition to or requirement of funding obtained by the LACMTA from third parties, but only if the LACMTA provides to the City reasonable notice and evidence of such requirements demonstrating the City's requirements and obligations. In that event, the City shall permit the authorized representatives of the LACMTA, the U.S. Department of Transportation, the Comptroller General of the United States, and any other government agency providing funding or oversight on the Project, to inspect, audit and copy, during normal business hours and upon reasonable notice, all Costs and other relevant records relating to performance by the City, its contractors and subcontractors for the Project or Rearrangements of City Facilities related thereto, from the date of this Agreement through and until expiration of three (3) years after the accepted completion of all Rearrangements for the Project, or such later date as is required by the rules and regulations of any such government agency (provided that the LACMTA gives reasonable notice of such later date to the City). Examination of a document or record on one occasion shall not preclude further examination of such document or record on subsequent occasions. By providing any of its records for examination, the City represents and warrants that such records are accurate and complete to the knowledge of the City Representative. The City shall insert into any contracts it enters into for the performance of work hereunder the above requirements and also a clause requiring the contractors (or consultants) to include the above requirements in any subcontracts or

purchase orders. In the case of such contractors, consultants, subcontractors and suppliers, the records subject to the above requirements shall include, without limitation, any relevant records as to which a tax privilege might otherwise be asserted.

No members of or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or to any benefit arising therefrom.

No member, officer, elected official or employee of the LACMTA, or of the City, during his or her tenure or for one year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof, except in his or her capacity as a resident of the City. To the LACMTA's and the City's knowledge, no board member, officer or employee of the LACMTA has any interest, whether contractual, non-contractual, financial or otherwise in this transaction, or in the business of the City; and if any such interest comes to the knowledge of either party at any time, a full and complete disclosure of all such information will be made in writing to the other party, even if such interest would not be considered a conflict under Article 4 of Division 4 (commencing with Section 1090) or Division 4.5 (commencing with Section 3690) of the Government Code of the State of California.

In connection with the performance of this Agreement, the Parties shall not discriminate against any employee or applicant for employment because of age, race, religion, color, sex, sexual orientation, national origin or disability. The Parties shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their age, race, religion, color, sex, sexual orientation, national origin, or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

In connection with the performance of this Agreement, the City will cooperate with the LACMTA so that the LACMTA may meet all applicable federal regulations imposed on the LACMTA with regard to the maximum utilization of disadvantaged business enterprises. Nothing in this Agreement shall require the City to adopt or implement a Disadvantaged Business Enterprise program or preference.

Without limiting any other provision of this Article, the City agrees to comply, and to cause all of its contractors who work on projects subject to this Agreement to comply with, all applicable nondiscrimination laws, rules and regulations, imposed on the City, whether imposed by Federal, State or local authority.

Both Parties understand that the Buy America requirements in Title 49 USC § 5323(j)(1) and the applicable regulations in 49 CFR Part 661 ("Buy America") may apply to the procurement of certain manufactured products and other materials procured for use in the work outlined in this Agreement. If all good faith efforts are made to obtain and utilize Buy America-compliant material, but such material is not produced in sufficient and reasonably available quantities of a satisfactory quality (meeting the City's standards), the LACMTA will seek a waiver from the Federal Transit Administration pursuant to Part 661.7 of the Buy America regulations. The City will cooperate with the LACMTA, and provide supporting documentation, in pursuit of any such

waiver from Buy America requirements. All costs of using Buy America-compliant material or material that is subject to a waiver request shall be borne by the LACMTA.

ARTICLE XXVI

Construction Review Deadlines And Delays

LACMTA shall provide to the City for its review and, as authorized by this Agreement, approval all Design and Construction plans falling within the categories outlined in Exhibit I. The City shall have the authority to approve any Design and Construction plan that impacts a City Facility. In addition, the LACMTA shall provide to the City for its review any other Design and Construction plans requested by the City following the City's review of the Contract Data Requirements List (CDRL). Any changes to the CDRL shall be provided to the City following execution of this Agreement. Exhibit I may be amended from time to time to reflect material changes to the CDRL.

City shall complete its review and take action on any Construction submittals that are consistent with the PDD Permit approved by the City Council within twenty (20) Days from the date a complete application is submitted to the City. City staff shall transmit its comments in the form of a comment matrix and annotated plans (as appropriate) to the LACMTA. If the City has not completed its review within that time, the LACMTA may provide the City notice to cure. The City shall have ten (10) Days to cure by completing its review after receipt of the LACMTA notice. If, in the City's discretion, the LACMTA or its Contractor has submitted a Construction submittal or series of submittals that cannot reasonably be completed within twenty (20) days due to the submittal's volume, complexity or other condition beyond the City's control, City staff shall provide notice within seven (7) Days of receipt of a submittal to the LACMTA of its inability to complete its review to the LACMTA. The City and the LACMTA shall thereafter mutually agree on a new deadline for the City to complete its review of any or all pending Construction submittals, provided that in no event shall the review period exceed forty-five (45) Days.

City shall complete its review and take action on any Requests for Information that are consistent with the PDD Permit as approved by the City Council within seven (7) Days from the date a complete application is submitted to the City. If the City has not completed its review within that time, the LACMTA may provide the City notice to cure. The City shall have seven (7) Days to cure by responding to the Request for Information after receipt of the LACMTA notice.

City shall complete its review and take action on any Requests for Change that are consistent with the PDD Permit as approved by the City Council within three (3) Working Days from the date a complete application is submitted to the City. If the City has not completed its review within that time, the LACMTA may provide the City notice to cure. The City shall have two (2) Working Days to cure by completing its review after receipt of the LACMTA notice.

If the City fails to meet the established deadlines in this Article and additionally fails to respond to the notice to cure established in this Article, and if the LACMTA demonstrates to the City that this failure constitutes an adverse impact to the Cost of the Project that is a direct result of the delays to the C1120 Contract's critical path work from the City's failure to meet the established deadlines, then the LACMTA may direct its Contractor to perform the work, on a conditional basis pending the City's compliance.

If a Party or its contractor fails to meet any review deadline, then any affected time deadlines for the other Party or other activities under this Agreement shall be revised accordingly.

ARTICLE XXVII

Protections for Beverly Hills High School

The LACMTA shall meet and confer with representatives of the School District as necessary to discuss and coordinate Construction with School District operations.

The LACMTA and Contractor shall not conduct any surface Construction on School District property in connection with the Project's cross passages, including ground improvement activities. The LACMTA and Contractor shall conduct all piling activities on the east side of Century Park East after 3:30 PM on weekdays or on weekends in order to avoid impacting Beverly Hills High School, if the work occurs during the School District's academic year.

The LACMTA shall provide the City with the following plans at least ninety (90) Days before tunneling may begin underneath Beverly Hills High School: (i) Building and Utility Settlement Assessment Report; and (ii) Action Plan for Tunneling and Settlement Control. The City may comment on such plans. The LACMTA shall consider such comments in good faith and attempt to address comments relating to settlement at the High School.

Noise and Vibration Monitoring

The LACMTA shall develop noise criteria for the school classrooms and occupied spaces at Beverly Hills High School in consultation with the School District and Beverly Hills High School administrators. With the School District's consent, the LACMTA shall conduct noise monitoring within the property encompassing Beverly Hills High School at locations mutually agreed upon by the LACMTA and School District. The noise monitoring shall ensure compliance with the noise criteria developed in consultation with the School District and school administrators. The LACMTA shall develop, through the Contractor, noise control plans to maintain the noise criteria within the school classrooms and occupied spaces. Such noise control plans shall be updated at three (3) month intervals and submitted to the City for review within ten (10) days of the start of each quarterly period or upon any major change in work schedule, construction methods, or equipment operations not included in the most recent noise control plan.

The LACMTA shall comply with the vibration levels set forth in Article XIV at the property line of Beverly Hills High School nearest to the adjacent Construction. The LACMTA shall not exceed a groundborne noise level of forty-five (45) dBA (dB re 20 micro Pascals) in any school space, including temporary classrooms. If the School District consents, the LACMTA shall place monitoring equipment at such property line in order to verify compliance with the levels set forth in Article XIV, which shall operate continuously during all Construction activity.

The LACMTA shall also comply with all mitigation measures identified in the Final and Supplemental EIR and EIS, as more particularly described in Exhibit J, in order to protect Beverly Hills High School from C1120 construction-related vibration and noise impacts. The LACMTA shall conduct daily monitoring of all construction in the City and the City of Los Angeles to verify compliance with such mitigation measures. If the LACMTA identifies a violation of a mitigation

measure or receives a complaint of excessive noise or vibration, then the LACMTA shall promptly review its noise and vibration monitoring or conduct additional monitoring to ensure construction-related noise and vibration levels do not exceed applicable criteria levels and, if an exceedance is identified, promptly implement additional mitigation measures, possibly including reduction of construction activities, to reduce noise and vibration levels below the criteria levels.

Air Quality Monitoring

Construction shall not cause air quality levels to exceed 100 ppb for nitrogen oxides (NO₂) over a one (1) hour period and 50 µg/m³ for particulate matter smaller than or equal to 10 microns (PM₁₀) and 2.5 microns (PM_{2.5}) in size over a five (5) hour period (collectively, the “Threshold Levels”). If a Threshold Level is exceeded, then the LACMTA and the Contractor shall immediately stop Construction and promptly implement additional mitigation measures, possibly including reduction of Construction activities, to reduce air quality levels below the Threshold Levels before Construction may resume.

Alert levels will be set at eighty (80) percent of the Threshold Levels (“Alert Levels”). If an Alert Level is exceeded, then the LACMTA and the Contractor shall promptly implement additional mitigation measures to prevent an exceedance of the Threshold Levels.

The LACMTA shall identify at least three locations (one upwind and two downwind) at Beverly Hills High School where the LACMTA will place monitors to verify compliance with such air quality levels. Separate monitors will be used for PM₁₀, PM_{2.5} and NO₂. The monitors shall be positioned to monitor the Project’s contribution to ambient PM_{2.5}, PM₁₀, and NO₂, and in secure locations with access to power and limited public access. The monitors will meet the requirements set forth by the federal Environmental Protection Agency and SCAQMD. Monitoring shall be continuous during tunneling construction activities in Century City. An anemometer shall also be used to measure wind speeds and directions. Monitoring data shall be made available to the Independent Compliance Monitor, the City, the LACMTA, and the Contractor. Monthly reports shall also be provided to the City and made available to interested persons.

The Compliance Monitor shall provide immediate notification (via visual alarm and email notification) to the LACMTA, the Contractor, and the Independent Compliance Monitor when the Alert Levels or Threshold Levels are exceeded.

The LACMTA shall also comply with the air quality requirements established under Article XXVIII. The LACMTA shall also comply with all mitigation measures identified in the Final and Supplemental EIR and EIS, as more particularly described in Exhibit K, in order to protect Beverly Hills High School from C1120 construction-related air quality impacts. Such mitigation measures include “CON 97,” which provides in full:

Install MERV 16-rated filters on the air intakes at the Beverly Hills High School temporary classroom site and the medical rehabilitation facility. As these areas are predicted to potentially experience air quality levels above the SCAQMD PM10 significance threshold for a limited time period, the installation of these filters is recommended during this time period. MERV 16-rated filters are designed to

control particulate contamination in the size range of 0.3 – 1.0 microns, which is expected to reduce PM10 and PM2.5 levels within the buildings by over 95 percent.

Enforcement

The Independent Compliance Monitor shall be responsible for monitoring enforcement of the conditions of this Article and enforcing available remedies pursuant to the procedures of Article XVII of this Agreement between the hours of 7 AM and 3:30 PM on days when Beverly Hills High School is in session. However, the LACMTA shall not be responsible for the Independent Compliance Monitor's costs attributable to enforcing this Article.

ARTICLE XXVIII

Air Quality

The LACMTA and the Contractor shall comply with all SCAQMD standards and regulations to reduce the amount of particulate matter caused by Construction, including SCAQMD Rule 403. SCAQMD Rule 403 includes limits on PM₁₀ levels.

The Independent Compliance Monitor shall monitor compliance with such standards and regulations during Construction, which standards and regulations shall be enforceable under the terms of Article XVII, above. In addition to visual inspections conducted by the Compliance Monitor, a monitoring device shall be implemented when Construction occurs to alert the LACMTA of potential fugitive dust and particulate matter impacts. If the monitoring identifies fugitive dust and/or particulate matter, then the LACMTA shall implement additional mitigation measures to prevent dust and/or particulate matter from spreading to adjacent properties. The LACMTA shall also comply with the mitigation measures in Exhibit K.

ARTICLE XXIX

Miscellaneous

Under no circumstances shall the City be liable to the LACMTA for damages to the LACMTA for delays associated with the Project work under this Agreement. The LACMTA and the City acknowledge and agree that this Agreement and the City's exercise of its rights hereunder are deemed to be in furtherance of the Project, other than Article XXX ("Resolution of Disputes").

The Parties and their contractors shall timely commence, diligently prosecute and complete the Construction and other activities on or before the applicable deadlines established in this Agreement.

Neither Party shall arbitrarily or capriciously withhold or delay any action or approval required under this Agreement or necessary to complete the C1120 Contract.

In no event shall work be stopped in the event of a claim or dispute, except for reasons of public health or safety, or where the Independent Compliance Monitor orders a halt to the work pursuant to Article XVII, or where it is absolutely necessary to first resolve the dispute in order to be able to continue work.

The LACMTA and its Contractor shall protect and maintain all basement walls, footing encroachments, and marquees of all buildings adjacent to the Construction work zone.

The City Representative or his or her designees, the City Engineer, and Consultant(s), as well as the Independent Compliance Monitor, shall at all times be permitted to enter the Project area, including LACMTA work sites, in order to conduct monitoring for compliance with this Agreement, mitigation measures, and C1120 Contract requirements. The City Representative, City Engineer, and Consultant(s) shall further be permitted to communicate any alleged violations of this Agreement or mitigation measures or technical defects they independently identify to the LACMTA Representative and/or the Compliance Monitor.

All persons entering the Project area, including LACMTA work sites, shall comply with the LACMTA's safety plan.

The City has two lawsuits pending related to the Westside Subway Extension: *City of Beverly Hills v. Federal Transit Administration, et al.*, United States District Court Case No. CV-18-03891 GW (SSx) and *City of Beverly Hills v. Los Angeles County Metropolitan Transportation Authority*, Los Angeles Superior Court Case No. BS144164. The Parties acknowledge that nothing in this Agreement is intended to waive the causes of action or defenses asserted in this lawsuit or to relinquish or otherwise modify in any way the positions of the parties in this lawsuit.

This Agreement and the rights conferred upon the LACMTA hereunder shall not take effect until both the City Council and the LACMTA Board of Directors duly approve a settlement agreement for the two pending lawsuits stated in the preceding paragraph. The settlement agreement will include the following terms: (1) the City's purchase of 9393 Wilshire Boulevard and the air rights above 9385 Wilshire Boulevard; (2) the City's acquisition of an access easement across 1940 Century Park East in the City of Los Angeles; and (3) the City's acquisition of options for the air rights above the properties encompassing La Cienega and Wilshire/Rodeo Stations.

Throughout the term of this Agreement, if the City plans to construct new facilities unrelated to Construction that would cross or otherwise occupy locations that might conflict with Construction, the City will coordinate the Design and installation of such facilities with the LACMTA.

Performance by any Party of its obligations hereunder (other than for payment of money) shall be excused during any period of "Permitted Delay." Permitted Delay shall mean and include delay beyond a Party's reasonable control (despite the good faith efforts of such Party), including without limitation, all of the following: acts of God; civil commotion; riots; strikes; picketing or other labor disputes; shortages of materials or supplies; damage to work in progress by reason of fire, floods, earthquake, or other casualties; failure, delay or inability of the other Party to act; and litigation brought by a third party attacking the validity of this Agreement.

In recognition of the City's interest in neighborhood identity, the LACMTA agrees that it will not name a rail/subway station in the City without the City Council's Consent. The requirements of this paragraph shall survive the termination of this Agreement.

The City will participate in partnering sessions between the LACMTA and the Contractor relating to City Facilities and other partnering sessions when appropriate.

All preconstruction surveys required by this Agreement shall be provided to the respective property owners within thirty (30) Days of completion.

The Project's tunnel alignment does not travel underneath any detached single family structures in the City.

No later than July 1, 2021, the LACMTA and the City shall commence negotiating, in good faith, a security agreement allowing the Beverly Hills Police Department to provide security and law enforcement services to the portions of the Project within the City.

ARTICLE XXX Resolution Of Disputes

Attempt to Resolve: In the event of a claim or dispute arising out of or relating to this Agreement, both Parties shall make good faith efforts to resolve the claim or dispute through negotiation or voluntary mediation.

Arbitration – No Work Stoppage: Failing a resolution through these “good faith efforts,” or in the absence of good faith efforts to resolve, either party may serve upon the other a written demand for arbitration. The Parties shall, within ten (10) Days thereafter, or within such extended period as they shall agree to in writing, attempt to agree upon a mutually satisfactory arbitrator. If they are unable to agree, each party, prior to the expiration of the ten (10) Day or extended period, shall designate one person to act as arbitrator. The two designated arbitrators shall promptly select a third arbitrator (“neutral arbitrator”) to form a three person panel. If either party fails to designate its arbitrator within ten (10) Days after the date of delivery of the demand for arbitration or the agreed extended period, or if the two designated arbitrators are unable to select a neutral arbitrator within five (5) Days after appointment, a neutral arbitrator shall be designated pursuant to Section 1281.6 of the California Code of Civil Procedure who shall hear the matter as the sole arbitrator.

California Law: Section 1283.05 of the California Code of Civil Procedure is specifically made applicable, but only with respect to those issues not involving work stoppage. A hearing date shall be set as promptly as possible following selection of the arbitrator(s). The arbitrator(s) award shall follow promptly the hearing's conclusion, shall be supported by law and substantial evidence and the issuance of written findings of fact and conclusions of law. The making of an award failing to comply with the requirements of the immediately preceding sentence shall be deemed to be in excess of the arbitrator(s)' power and the court shall vacate the award if after review it determines that the award cannot be corrected without affecting the merits of the decision upon the controversy submitted.

Arbitration - Work Stoppage: In the event that work is stopped and it is necessary to resolve a claim or dispute in order to resume work, either party may serve upon the other a written demand for arbitration. A neutral arbitrator shall be immediately designated pursuant to Section 1281.6 of the California Code of Civil Procedure.

Arbitrator: No person shall act as neutral arbitrator who in any way has any material financial or personal interest in the results of the arbitration. Failure to disclose any such interest or relation shall be grounds for vacating the award. Notwithstanding Sections 1282.2(b) and Section 1282(e)

To LACMTA: Michael McKenna
Executive Officer, Project Management
One Gateway Plaza
MS 99-17-5
Los Angeles, California 90012

With copy to: Charles Safer
Assistant County Counsel
One Gateway Plaza, 24th Floor
Los Angeles, California 90012

Notices given by certified mail shall be deemed delivered on the date of delivery or attempted delivery shown on the return receipt. Notices given by messenger or reputable overnight delivery service shall be deemed delivered one (1) business day after delivery to the messenger or overnight delivery service unless a later actual delivery date is confirmed by the records of the messenger or overnight delivery service, in which case that actual delivery date shall govern. Any signatory hereto may from time to time, by notice given to the other signatories hereto change the address to which communications to such signatory are to be sent or designate one or more additional persons or entities to which communications are to be sent.

Time is of the essence of each provision hereof in which time is a factor.

If any provision of this Agreement shall for any reason be held to be invalid, illegal or unenforceable by any court of competent jurisdiction, the validity of the other provisions of this Agreement shall in no way be affected thereby.

No alteration, amendment or modification of this Agreement shall be valid unless evidenced by a written instrument executed by the Parties hereto with the same formality as this Agreement.

No waiver by any party of the rights, conditions, or the performance of any covenant or promise herein shall be effective unless contained in a writing signed by such party. No such written waiver shall reduce the rights or remedies of the Parties nor shall it invalidate this Agreement, nor shall it be deemed to be a waiver by such party of any other rights, conditions, or the performance of any covenant or promise (whether preceding or succeeding and whether or not of the same or similar nature). No failure or delay by one party to exercise any right or remedy it may have by reason of the default of any other party shall operate as a waiver of default or modification of this Agreement or shall prevent the exercise of any right or remedy by such party while the other party continues to be so in default. No grant of a permit or extended hours shall be construed as a grant of any other permit or extended hours, nor shall it be construed as a commitment to grant additional permits or extended hours.

Except as otherwise expressly provided in this Agreement, the Parties do not intend by any provision herein to confer any right, remedy or benefit upon any third party (express or implied), and no third party shall be entitled to enforce or otherwise shall acquire any right, remedy or benefit by reason of any provision of this Agreement.

The Parties agree that specific performance and injunctive relief are available to enforce the rights of the Parties under this Agreement, including the provisions of any Construction Staging Plan or Worksite Traffic Control Plan or other measure developed pursuant to this Agreement.

The section headings used in this Agreement are for convenient reference only and shall not be used in construing this Agreement. The words “include,” “including” or other words of like import are intended as words of illustration and not limitation and shall be construed to mean “including, without limitation.”

WHEREOF, the Parties have caused this Agreement to be executed as of the dates set forth above.

City of Beverly Hills,
A Municipal Corporation

Los Angeles County Metropolitan
Transportation Authority

JULIAN A. GOLD, M.D.
Mayor of the City of Beverly Hills, California

By: _____
Its: _____

ATTEST:

_____ (SEAL)
BYRON POPE
City Clerk

Approved as to Form:

Approved as to Form:

LAURENCE S. WIENER
City Attorney

RONALD W. STAMM
Principal Deputy County Counsel

Exhibit A
PDD Permit and City of Beverly Hills Conditions for Approval

CITY OF BEVERLY HILLS
CONDITIONS FOR APPROVAL OF
SUBWAY CONSTRUCTION PERMITS

The following permit conditions (the “Permit Conditions”) shall constitute the terms of the Project Definition Documents (“PDD”) permit for the C1120 Contract work. The Permit Conditions are based on that certain Memorandum of Agreement between the City of Beverly Hills (the “City”) and the Los Angeles County Metropolitan Transportation Authority (the “LACMTA”) entitled “Memorandum of Agreement for Contract C1120 of the Purple Line Extension Project – Section 2” (the “Agreement”); all exhibits attached thereto; Worksite Traffic Control Plans, Traffic Management Plans, Construction Staging Plans, Noise Control and Noise Monitoring Plans, Tree Removal and Replacement Plans and other plans submitted by the LACMTA; the March 2012 Final Environmental Impact Report for the Westside Subway Extension (the “Final EIR”); the November 2017 Final Supplemental Environmental Impact Report for the Westside Subway Extension (the “Supplemental SEIS”); and all completed permit applications and submittals for the scope of work at issue. Any conflicts between the Permit Conditions and those documents shall be interpreted and resolved pursuant to the applicable provisions of the Agreement.

The following Permit Conditions shall be enforceable by the Independent Compliance Monitor established by Article XVI of the Agreement to the fullest extent provided under Article XVII of the Agreement:

Construction Staging and Traffic Control

- The LACMTA shall abide by the provisions of Article XII of the Agreement, “Construction Staging, Traffic Control and Parking Requirements.”

Pedestrian Access and Sidewalk Maintenance

- The LACMTA shall abide by the provisions of Article XII of the Agreement, “Construction Staging, Traffic Control and Parking Requirements.”

Parking

- The LACMTA shall abide by the provisions of Article XII of the Agreement, “Construction Staging, Traffic Control and Parking Requirements.”

Hauling Routes

- The LACMTA shall abide by the provisions of Article XII of the Agreement, “Construction Staging, Traffic Control and Parking Requirements.”

Allowable Work Hours and Workdays

- The LACMTA shall abide by the provisions of Article XIII of the Agreement, “Allowable Work Hours and Workdays.”
- Unless work is otherwise permitted within the street during evening hours, full street access shall be restored at the end of each working day.
- The LACMTA shall comply with all conditions of any afterhours construction permit issued by the City.

Noise and Vibration Mitigation Measures

- The LACMTA shall abide by the provisions of Article XIV of the Agreement, “Noise and Vibration Control Plans and Mitigation Measures.”
- The LACMTA shall abide by Exhibit E of the Agreement, “Metro 5-Step Noise Control Plan.”

Light Mitigation Measures

- The LACMTA shall abide by the provisions of Article XV of the Agreement, “Light Plans and Mitigation Measures.”

Tree Removal and Replacement

- The LACMTA shall abide by the provisions of Article XVIII of the Agreement, “Tree Removal and Replacement.”

Advance Public Notification

- The LACMTA shall abide by the provisions of Article XX of the Agreement, “Community Outreach.”

Final EIR

- The LACMTA shall comply with all mitigation measures of the Final EIR and Supplemental SEIS applicable to the C1120 Contract work.

Business Mitigation

- Clean worksite and adjacent areas at least once each work day and remove and paint over graffiti within twenty-four (24) hours of discovery.
- Remove visible Construction-related roadway dust tracked out on public sidewalks at the conclusion of each shift.

- Place large clearly visible signage, at locations identified by the City, indicating that all businesses are open during construction.

Beverly Hills High School

- The LACMTA shall abide by the provisions of Article XXVII of the Agreement, “Protections for Beverly Hills High School.”

Air Quality Mitigation Measures

- The LACMTA shall abide by the provisions of Article XXVIII of the Agreement, “Air Quality.”

Miscellaneous

- The LACMTA shall provide the public with at least thirty (30) days’ written notice prior to conducting any Construction activities located outside the staging yard on the south side of Wilshire Boulevard, including the installation and demolition of sound walls around the staging yard and hauling activities through the adjacent alley. If such Construction activities would threaten the safe use of Reeves Park by the public, as determined in the City Representative’s sole discretion, then the LACMTA shall close a portion of the park, deemed reasonably necessary by the City Representative to protect public safety, before Construction begins and the public notice shall address the park closure. Notwithstanding anything to the contrary in Article V of the Agreement, the LACMTA shall pay the City’s park rental fee at the rate then in effect for “event strike/prep time” for non-residents, or a similar fee if such fee no longer exists. The fee for Fiscal Year 2017-18 is currently \$2,250 per day that the park is closed, and the fee for Fiscal Year 2018-19 will be \$2,330 per day that the park is closed.
- On a monthly basis, the LACMTA shall provide the City Representative with those portions of the Critical Path Method (CPM) schedule relevant to surface Construction outside the staging yards, as updated or modified from time to time by the Contractor. The CPM is provided for informational purposes only and not subject to City approval or formal comment. On a weekly basis, the LACMTA shall provide a three-week look ahead schedule.
- The LACMTA shall protect and maintain all basement walls, footing encroachments, and marquees of all buildings adjacent to the construction work zone.
- The LACMTA’s Contractor shall comply with the City’s Business License Tax Ordinance. No Construction within the City of Beverly Hills may commence until the Contractor has paid the City’s Business License Tax in full.
- The LACMTA or its Contractor shall ensure that all dewatering complies with the City’s Dewatering Ordinance found at Section 9-4-610 of the Beverly Hills Municipal Code.
- The closed-circuit television (CCTV) system monitoring the Station plaza and the Station’s interior public spaces shall include a live feed provided to the City’s Police and Fire Departments for safety purposes.

- In order to mitigate traffic impacts during Construction, LACMTA shall reimburse City for a traffic management system that allows the City to review traffic conditions in real time and remotely adjust traffic controls. The new traffic management system will include the installation of CCTV cameras and accessory equipment at the following locations: (1) Robertson Blvd./ Olympic Blvd.; (2) Robertson Blvd./Wilshire Blvd.; (3) S. Santa Monica Blvd./Rexford Dr.; (4) S. Santa Monica Blvd./Crescent Dr.; (5) S. Santa Monica Blvd./Canon Dr.; (6) S. Santa Monica Blvd./Beverly Dr.; (7) Olympic Blvd./ Rexford Dr.; (8) Olympic Blvd./ Doheny Dr.; (9) Olympic Blvd./La Peer Dr.; (10) Olympic Blvd./Robertson Blvd.; (11) Burton Wy./Maple Dr.; and (12) Burton Wy./Foothill Rd. Such CCTV cameras will be mounted on existing City poles or other infrastructure and will connect via City-owned fiber optic cables to the City's traffic management center. Signal system upgrades will include controllers, IP switches, traffic software upgrades, and cabinet upgrades at intersections. The City will be responsible for installing the CCTV cameras and accessory equipment. As soon as practicable after execution of the Agreement, City will provide to LACMTA specifications for the traffic management system. The traffic management system will be included in a Form 60 that is submitted to the LACMTA in accordance with Article XI of the Agreement.
- To the extent possible, the Station's emergency generator shall reduce diesel exhaust from intruding onto private property.
- The Station's electrical equipment at 9385 Wilshire Boulevard shall be screened with an aesthetically pleasing and reasonably priced material satisfactory to City.
- To the extent possible, grates shall be constructed away from the sidewalk. Methane vents shall be located in tree wells where possible, and designed to be isolated from tree roots.
- Evaluate and coordinate with City on joint development potential of Metro property.
- The LACMTA will be responsible for reviewing and approving the support of excavation's structural design for compliance with the LACMTA's design criteria provided in the PDD. No later than thirty (30) Days prior to the support of excavation and decking work (not including implementation of the traffic control plans required to allow potholing and pile installation behind K-rail), the LACMTA or the Contractor shall submit to the City a comprehensive Support of Excavation Final Design Package for review and comment, which will include as a minimum the following:
 - a) Geotechnical Report for the Wilshire/Rodeo Station Area;
 - b) SOE Design Drawings & Calculations for Wilshire/Rodeo Station;
 - c) Dewatering Design Report & Drawings;
 - d) Wastewater Management Plan;
 - e) Building Settlement Assessment Report including analyses related to the Contractor's impact assessment for predicted dewatering and ground movements;
 - f) Utility Settlement Assessment Report;
 - g) Geotechnical Instrumentation Drawings;
 - h) Geotechnical Monitoring Threshold Report that outlines the maximum allowable values for the installed instrumentation;

- i) Contingency Plan(s) that explain what actions will be taken if monitoring threshold values are exceeded. The Contingency Plan will be submitted to the City's Public Works Department prior to the start of excavation, and shall constitute the Project's final and approved Contingency Plan. The Contingency Plan may be amended from time to time by the LACMTA without City approval, except that any change affecting the junctures where dewatering or excavation must stop or the City's role or approval authority with respect to the plan shall require the City's written consent; and
- j) Completed preconstruction survey reports for adjacent structures and those structures identified in Exhibit N of the Agreement, including historic structures (subject to the structure owners written consent).

The Support of Excavation Final Design Package may be submitted to the City for review and comment in discreet submittals as they are completed. The City shall provide comments, if any, to the LACMTA, in the time and manner prescribed under Article XXVI for Construction submittals. To the extent permitted by law, the LACMTA or the Contractor shall provide copies of pre-construction surveys of all properties to property owners for record only prior to any support of excavation work.

- The Contractor shall conduct daily monitoring of the ground, buildings and utilities adjacent to the work area during the excavation, shoring and dewatering work, and the LACMTA shall provide to the City any reports and other written results, analyses, interpretations, and conclusions generated as a result of such monitoring and received by the LACMTA. If building or utility movements exceed the threshold values specified in the approved Geotechnical Monitoring Threshold Report then the Contractor will evaluate the movement per the Contingency Plan. If settlement-related building damage is observed, then the Contractor and its engineer of record shall immediately investigate the cause and severity of the damage in accordance with the approved Contingency Plan. If the observed damage and geotechnical instrumentation data indicate that the structural integrity of the building is at risk, excavation shall be temporarily halted in the affected area. The Contractor and its engineering staff shall propose appropriate mitigation measures to safely rectify the problem, if necessary. Excavation in the affected area shall not resume until an evaluation is performed, mitigations are implemented to prevent further damage to the affected building, and the City is in agreement.
- In the event that a building within the City is proven to be significantly damaged by the Project, then the LACMTA shall provide the City with a report identifying the cause of the damage and the steps the LACMTA will undertake to fix the damage or compensate the property owner. In addition, if the damaged building is a historic structure, then the LACMTA shall undertake all remediation and restoration measures required by law.

In addition to the Permit Conditions provided above, the following standard permit conditions of the City shall apply to the PDD Permit for the 1120 Contract work.

- Restoration of City facilities shall be per City Standards, as defined in the Agreement, City of Beverly Hills Standard Detail Drawings and approved plans.

- Trash collection service shall be maintained at all times. Applicant to coordinate work with appropriate trash collection service providers. Call Public Works Customer Service at (310) 285-2467 for service provider information.
- Contact Dig Alert prior to excavation.
- Schedule pre-construction inspection two (2) days prior to work on any City facilities. Contact: Robert Welch, Project Manager, at 310-285-2497 or email: rwelch@beverlyhills.org.
- Restore full street access at the end of each working day.
- Trench plates shall be recessed and secured per City Standard drawings and requirements.
- Unsecured trench plates shall be re-secured within six (6) hours of notification from the City Representative, but in no case shall remain unsecured past the hours of 10 PM.
- Posting of “No Parking” signs indicating the dates and time of the parking restriction seven (7) days prior to work activity or as required by the City Representative.
- Contact parking enforcement to register parking restrictions 72 hours in advance of proposed restriction. Unregistered parking restrictions or parking restrictions with improperly maintained signage will not be enforced.
- Hauling that meets the following criteria may require engineering investigations, routing definition, coordination, police escort, and control of permit movement:
 - a. Loads in excess of 14 feet wide.
 - b. Loads in excess of 135 feet in overall length.
 - c. Loads that are of a weight that require:
 - i. More than a 13-axle, single-vehicle width hauling combination, or
 - ii. A 13-axle, single-vehicle width hauling combination with a load deck where the inner axles in the groups bordering the load deck are 40 feet or more apart, or
 - iii. Two or more side-by-side vehicles with a combined width of 14 feet or more supporting the load.
- Damage to public improvements as a result of permitted transport shall be reported to the Police Department immediately.

Exhibit B
RESERVED

Exhibit C
Template Form 60

CONTRACT PRICING PROPOSAL (Professional Services)		LACMTA "FORM 60"		PAGE 1 of 2	
Name of Proposer:		Service to be Furnished			
Home Office Address					
Project /Location (s) Where work is performed		Total Amount of Proposal		Contract No.	
DETAILED DESCRIPTION OF COST ELEMENTS					
1a. Direct Labor (Specify)		Est. Hours	Rate/ Hour	Est. Cost(\$)	Total Est. Cost
Administration					
Construction Management					
Inspection					
1b. Overtime					
Total Direct Labor					\$ -
2. Labor Overhead		O.H. (%)	x Base=	Est. Cost(\$)	
Labor Overhead					
Construction Labor Overhead					
Total Labor Overhead					\$ -
3. Travel*				Est. Cost(\$)	
a. Transportation					
b. Per Diem or Subsistence					
Total Travel					\$ -
4. Subcontractors/Subconsultants **				Est. Cost(\$)	
Total Subcontractors					\$ -
Fee on Subcontractors					
5. Other Direct Costs *					\$0.00
6. General & Admin. Expenses					
TOTAL ESTIMATED COST					\$ -
7. Fee					
TOTAL ESTIMATED COST AND FEE					\$ -
* Itemize on "Form 60" - Continuation Page					
** Attach LACMTA "Form 60" for all proposed subcontractors/subconsultants					

CONTRACT PRICING PROPOSAL (Professional Services) <i>Continuation Page</i>		LACMTA "FORM 60"	PAGE 2 of 2
SUPPORTING SCHEDULE			
ITEM NO.	ITEM DESCRIPTION	Est. Cost (\$)	Total Est. Cost (\$)
Travel:			
Other Direct Costs:	Reimbursables		
	Mileage		
		TOTAL	
Type Name and Title:		Signature:	
Name of Firm:		Date:	

Exhibit D
Detour Routes During Full Closures of Wilshire Boulevard



Metro Purple Line Extension Project

Section 2 Rodeo Station

Decking Detour Map

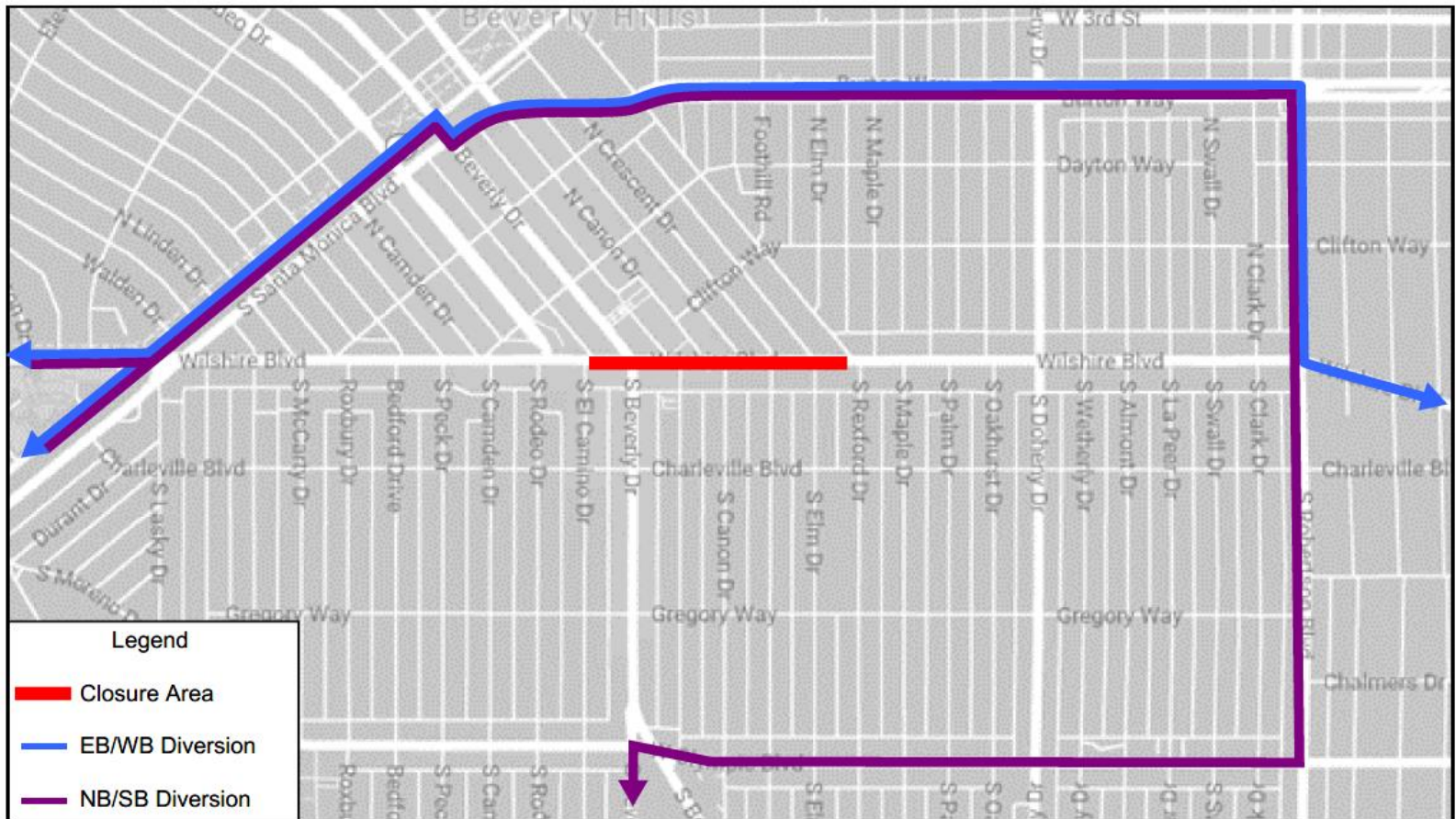


Exhibit E
Metro 5-Step Noise Control Plan

5-Step Noise Control Plan

1. Training
2. Scheduling of Noisy Activities
3. Noise Control Measures
4. Monitoring
5. Response

The measures contained in this 5-Step Noise Control Plan (“Plan”) are for Contract C1120 of the Purple Line Extension Project – Section 2 between the City and Metro (“Agreement”). To the extent that there is any conflict between the Plan and the Agreement, the standards set for in the Agreement shall control over the Plan. Any omission of a noise mitigation measure or standard provided for in the Agreement shall not be construed as a waiver of that measure or standard.

Part 1 - Training

- 1.1 Employees must take Noise Awareness Training.
- 1.2 Metro shall provide mandatory training to all construction personnel.
- 1.3 Emphasize the importance of noise control.
- 1.4 Inform workers that Metro is working under an agreement with Beverly Hills that governs work hours and noise mitigation standards and an After Hours Construction Permit with Beverly Hills.
- 1.5 Discuss methods of limiting noise on the construction site:
 - (a) No yelling or loud music;
 - (b) No idling of equipment;
 - (c) Avoid staging equipment in front of residences or other noise sensitive areas; and
 - (d) Use Noise control measures such as noise blankets, quiet equipment, placing materials instead of dropping, etc.

Part 2 - Scheduling of Work

2.1 Schedule noisiest activities during daytime hours (however traffic restrictions may require that some of this work occur at night, to the extent permitted by the Agreement and with permission by City). Examples of noisy activities include:

- (a) Saw-cutting
- (b) Pile-drilling
- (c) Jack-hammering
- (d) vacuum trucks

2.2 Comply with all work hour restrictions contained in Article XIII of the Memorandum of Agreement for Contract C1120 of the Purple Line Extension Project – Section 2 (“Agreement”).

Part 3 - Noise Control Measures

Noise Control Measures include:

Equipment

3.1 When a backup alarm must be used, use low impact backup alarms on equipment, which include manually-adjustable alarms, self-adjusting alarms, and broadband alarms. Ambient-sensitive self-adjusting backup alarms shall be strategically placed on vehicles to minimize engine noise interference. Configure traffic patterns to minimize backing movements.

3.2 Use modern equipment equipped with state of the art engine insulation and mufflers, in accordance with all applicable City, State, and Federal standards.

3.3 No generators larger than 950 KVA shall be used and, when a generator is necessary, it shall be equipped with the best available technology to minimize noise, including a sound attenuated enclosure with a silencer. Operate equipment at the lowest possible power levels.

3.4 Use solar-powered, battery-powered, or hybrid equipment, including generators and light stands (not engine powered) whenever practical.

3.5 Fit pavement breakers and other equipment with manufacturer approved exhaust muffler

3.6 Use solar-powered or battery powered arrow boards to the extent practical.

3.7 Use nylon slings for lifting in lieu of chain fall, when permissible by CALOSHA.

Hauling/Staging

3.8 Configure traffic patterns to minimize backing movement.

3.9 Use Approved Haul Routes on Major Streets.

3.10 No truck traffic permitted on residentially zoned streets, except for access to laydown yards when necessary and only by using a route approved by the City.

Work Areas

3.11 Enclose pavement breaker and sawcutting activities within a four-sided noise barrier enclosure or equivalent, with the addition of a roof when the equipment does not exceed eight (8) feet in height. Noise barriers shall include a STC rating of 25 or greater.

3.12 Provide noise muffling enclosures for fixed equipment.

3.13 To minimize slamming tailgates use rubber gaskets or equivalent or decrease speed of tailgate closure.

3.14 Place plywood or dirt beds on all trucks or any other mutually agreed to effective noise mitigations when loading concrete or steel on beds of trucks.

3.15 No slamming tailgates.

- 3.16 Establish truck cleanout staging areas as needed.
- 3.17 No impact pile driving will be used.
- 3.18 Locate equipment away from noise sensitive areas to the extent practicable.
- 3.19 Use noise control signage in work zone that states "Noise Control Zone."
- 3.20 Stage equipment away from residences, where possible.
- 3.21 No idling of heavy equipment or vehicles, when not in use.
- 3.22 The use of vibratory rollers and packers will be avoided near vibration sensitive areas and structures. The vibration sensitive areas and structures shall be determined by a structural engineer as part of the preconstruction surveys and subject to verification by the City.
- 3.23 No parking by construction staff on city streets.

Staging Areas

3.24 Noise barrier walls at all staging areas/lay-down yards to have a wall assembly of STC-25 or greater, and the ability to reduce noise by at least 10 dBA. Noise barrier walls shall be at least 20 feet in height.

3.25 Noise control signage in staging areas that state "Noise Control Zone" and "Slow Down."

Part 4 - Noise Monitoring

- 4.1 4 levels of monitoring:
 - (a) Metro
 - (b) Contractor
 - (c) Environmental consultant
 - (d) Independent Compliance Monitor

4.2 A trained Metro acoustic monitor shall verify that such activities do not generate noise greater than 5dBA above ambient noise levels, when measured at the property line nearest to sensitive receptors and at heights above the line of site of construction activities.

4.3 Unless otherwise agreed to by the Parties, a trained Independent Compliance Monitor shall be present on-site at all times when construction activities are being performed to verify compliance with all terms of this Plan and the Agreement, including verification that such activities do not generate noise greater than noise levels identified in Article XIV of the Agreement, when measured at the property line nearest to sensitive noise receptors.

4.4 The Independent Compliance Monitor shall exercise all of the powers conferred upon it by Article XVII of the Agreement.

4.5 Acoustical engineer interprets results, prepares monthly compliance reports, provides input/comments. Monthly compliance reports will be provided to the City of Beverly Hills, and are available to others upon request.

4.6 Construction noise must be limited to no more than 5 dB above the ambient noise levels jointly agreed to by the City and Metro. In addition, if any activity conducted between the hours of 10 p.m. and 7 a.m. causes an unreasonable noise impact to the surrounding residential or business neighborhood, reasonable mitigation, agreed to by the City and Metro, shall be implemented to reduce the impact to a reasonable level. When determining whether an impact is unreasonable, the City shall take into account the hour of day, the established ambient level at the closest receptor, the proximity to the work site, noise sources not related to the project, and other similar factors.

4.7 Metro and the City shall jointly establish the preexisting ambient hourly noise levels at the property lines of residential and temporary occupancy uses in accordance with Article XIV of the Agreement.

Part 5 - Response

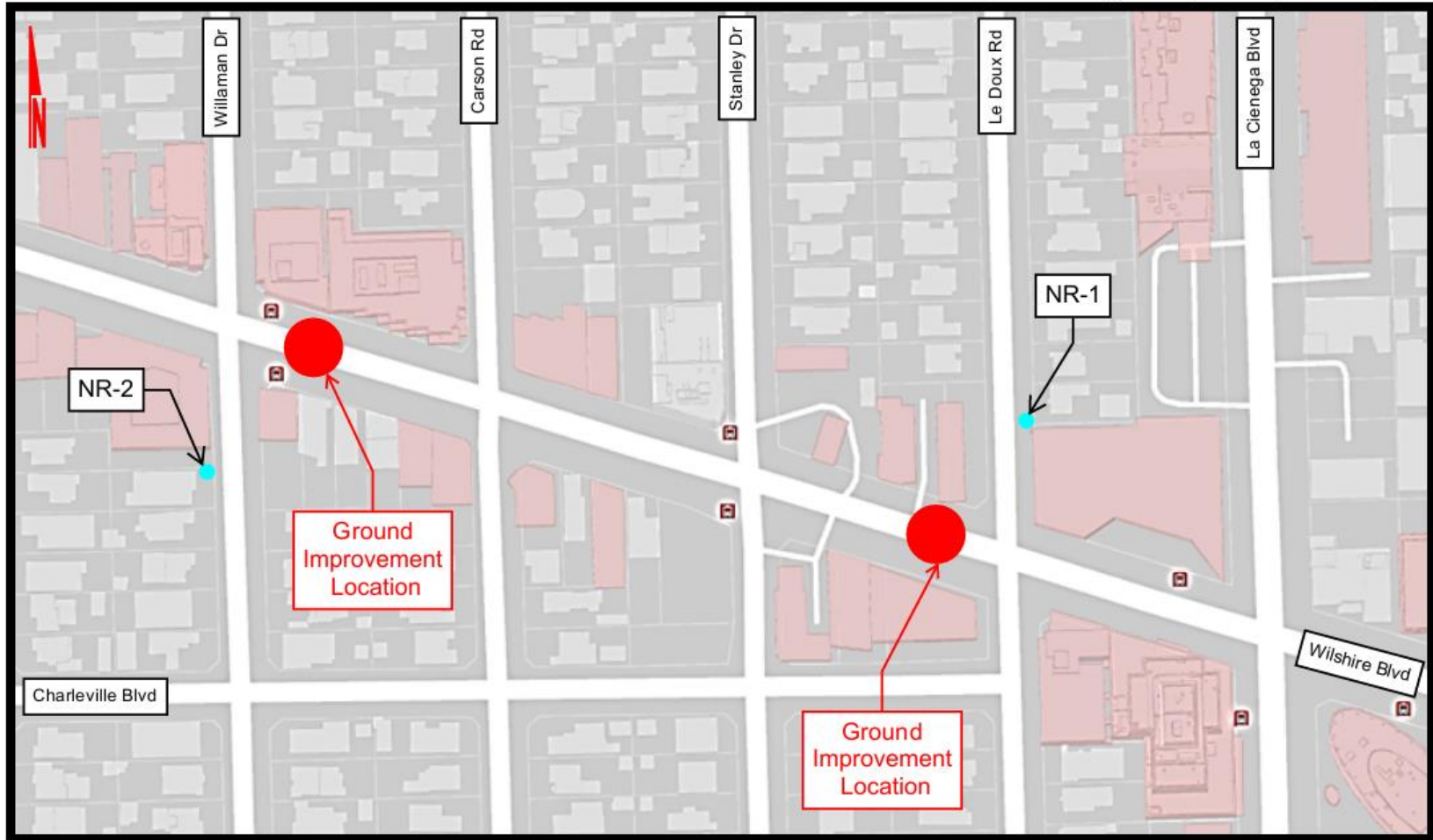
- 5.1 24-hour hotline and email.
- 5.2 Hotline will be monitored by a live person.
- 5.3 Contact information is provided to the community via:
 - (a) All project materials
 - (b) Signs
 - (c) Website
 - (d) Social media channels
 - (e) E-mail

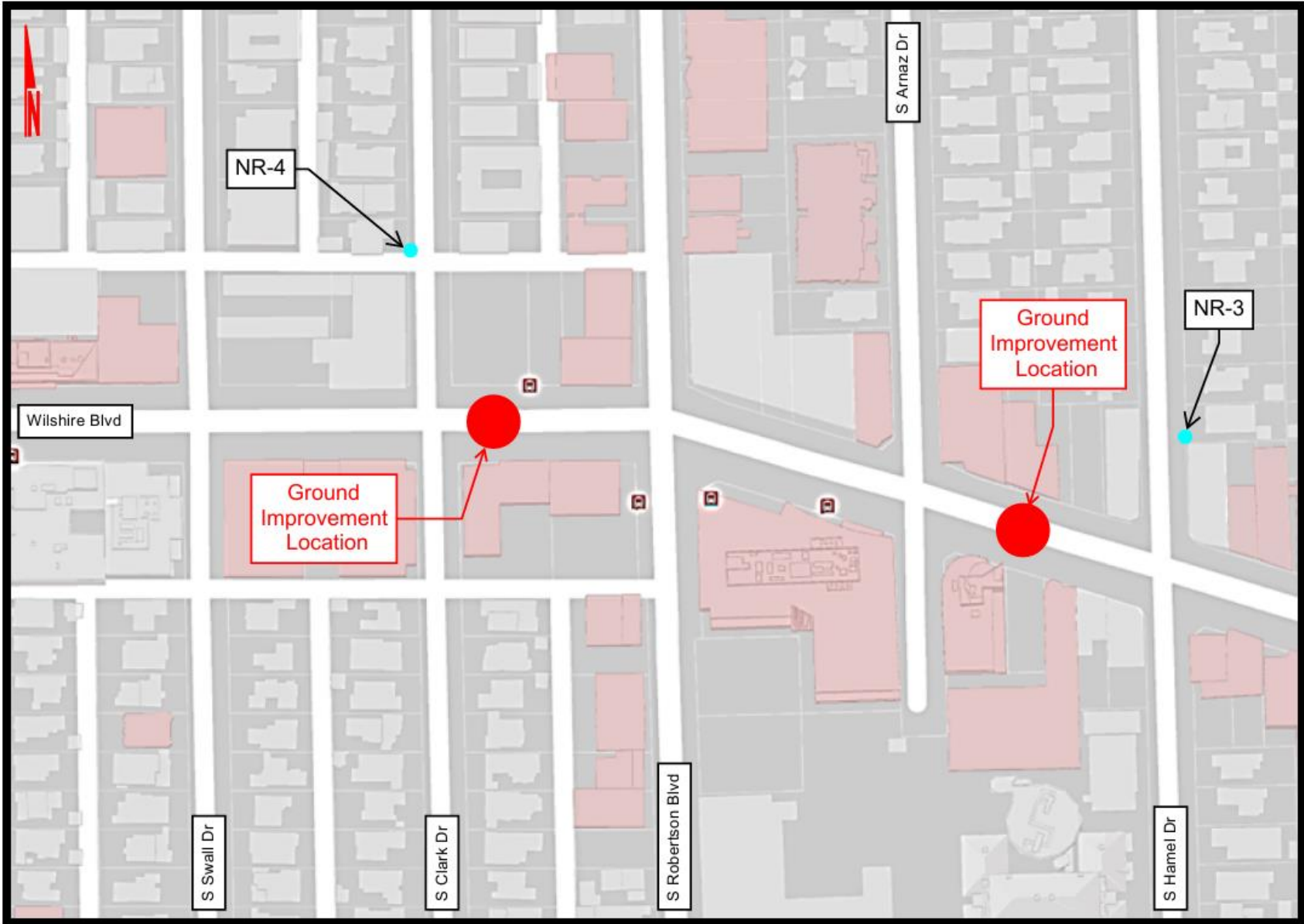
Exhibit F
Ambient Noise Testing Sites

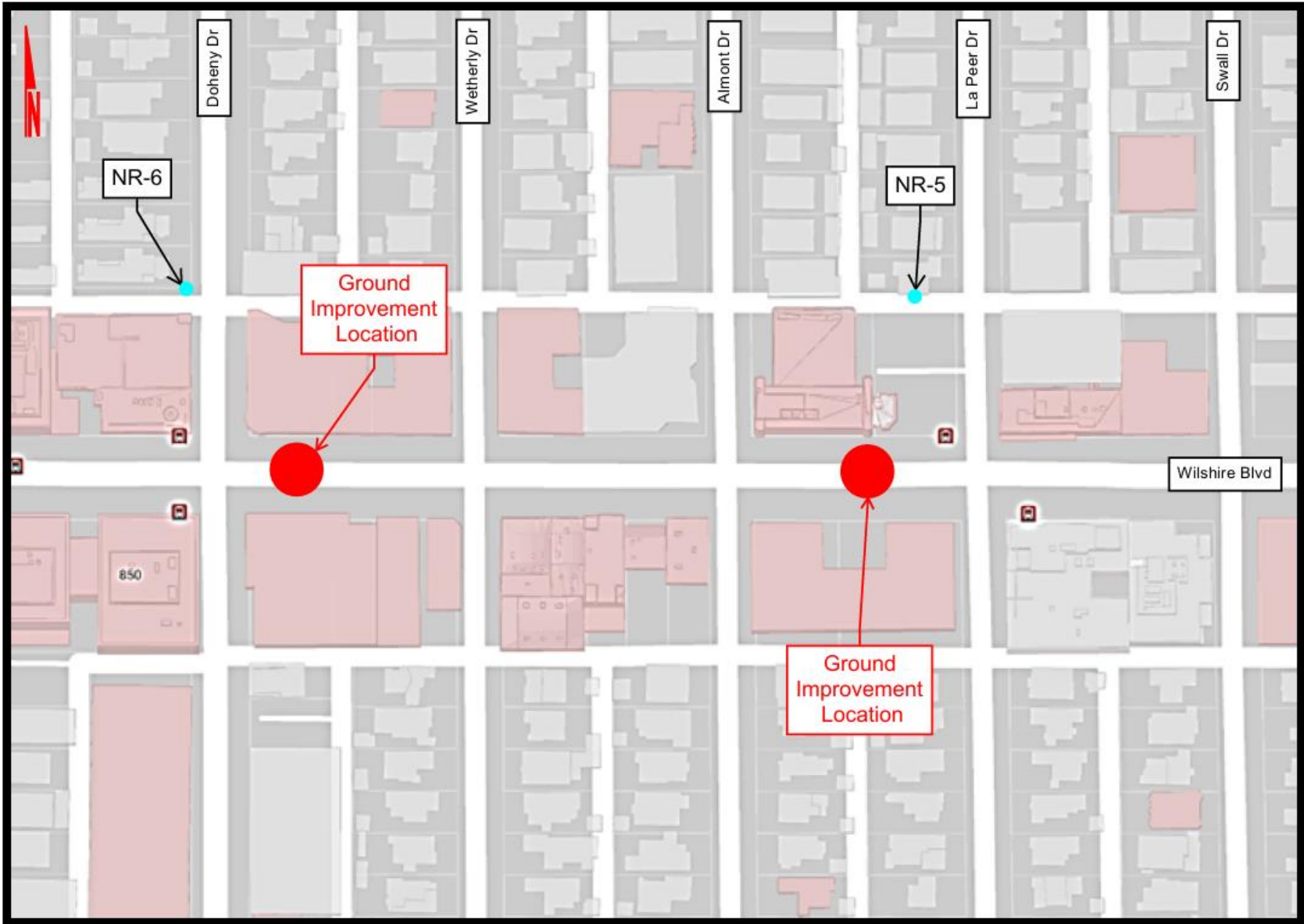
Exhibit F - Noise Monitoring Locations

-  Station Box
-  Construction Staging Yard
-  Hotels
-  Noise Monitoring Location*
-  Elevated Noise Monitoring Location*

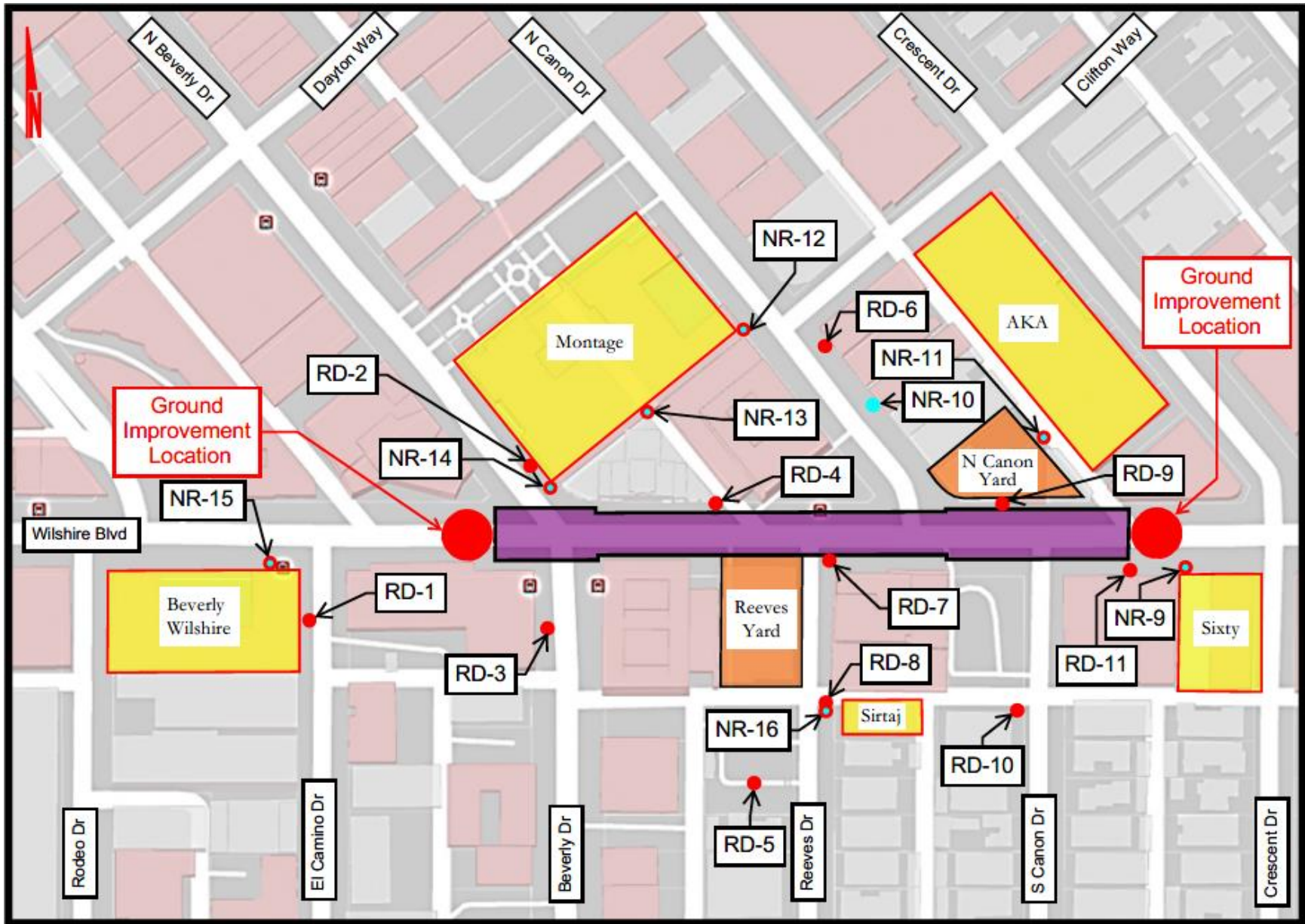
*Locations are subject to final approval by the City of Beverly Hills

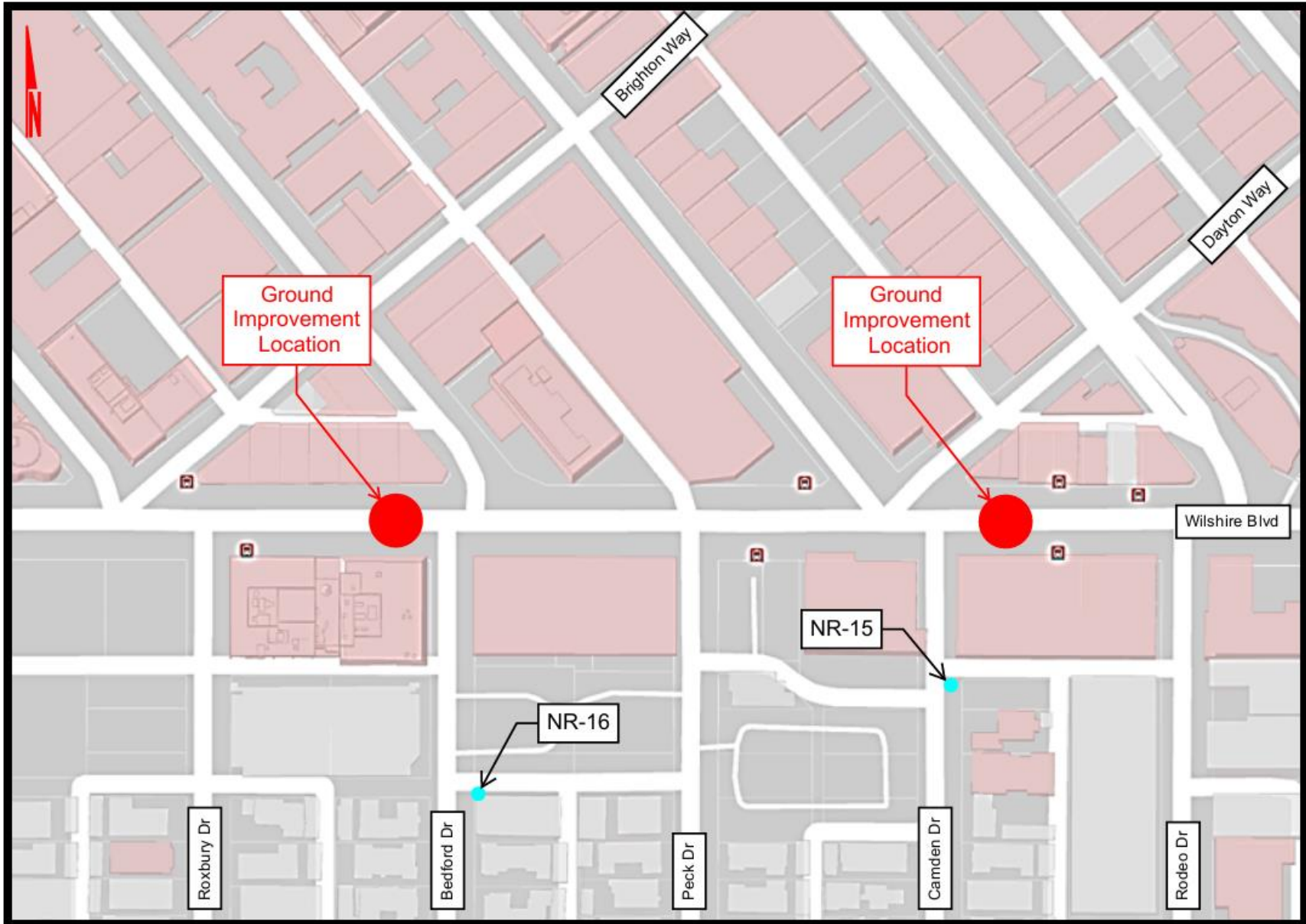


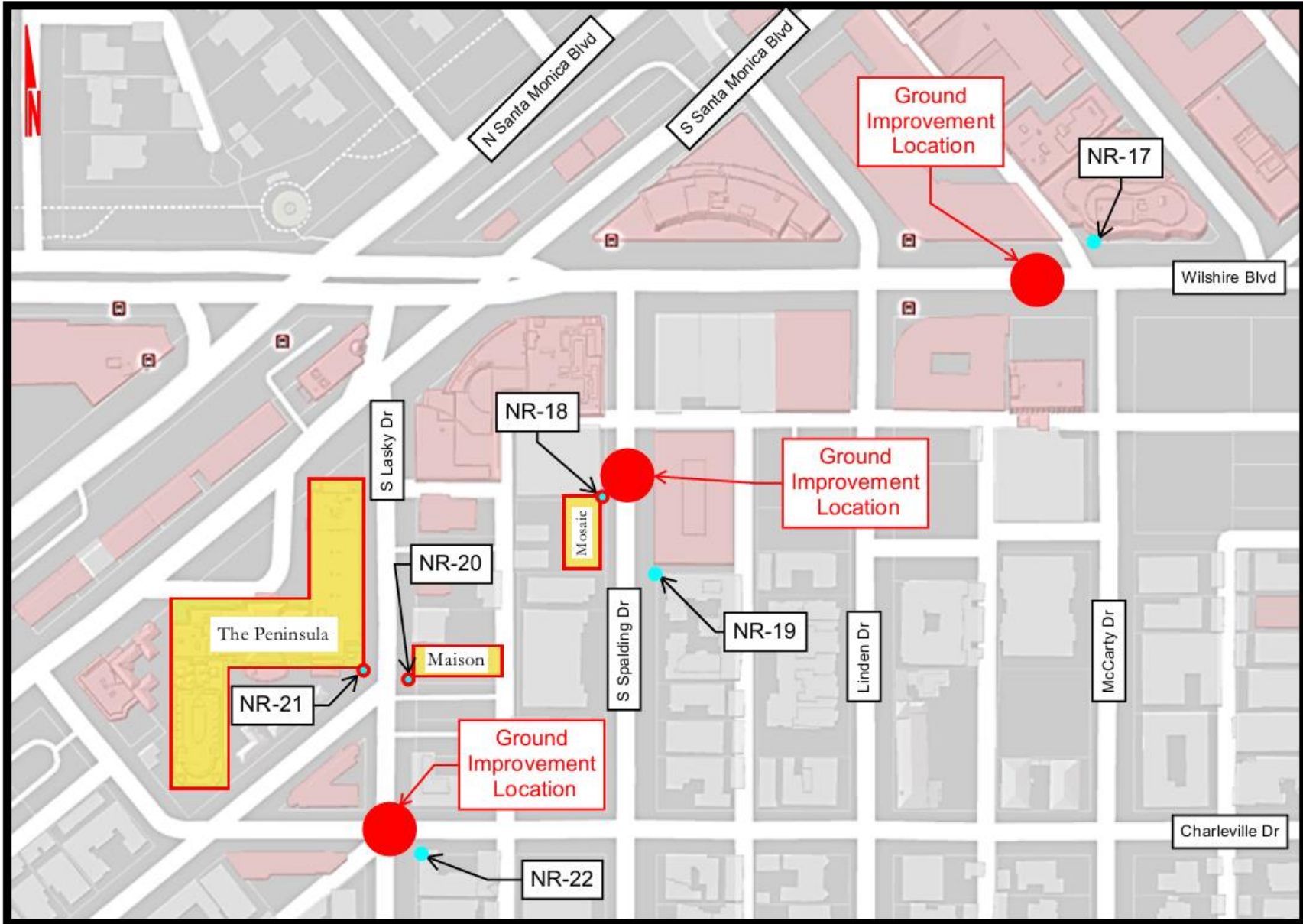


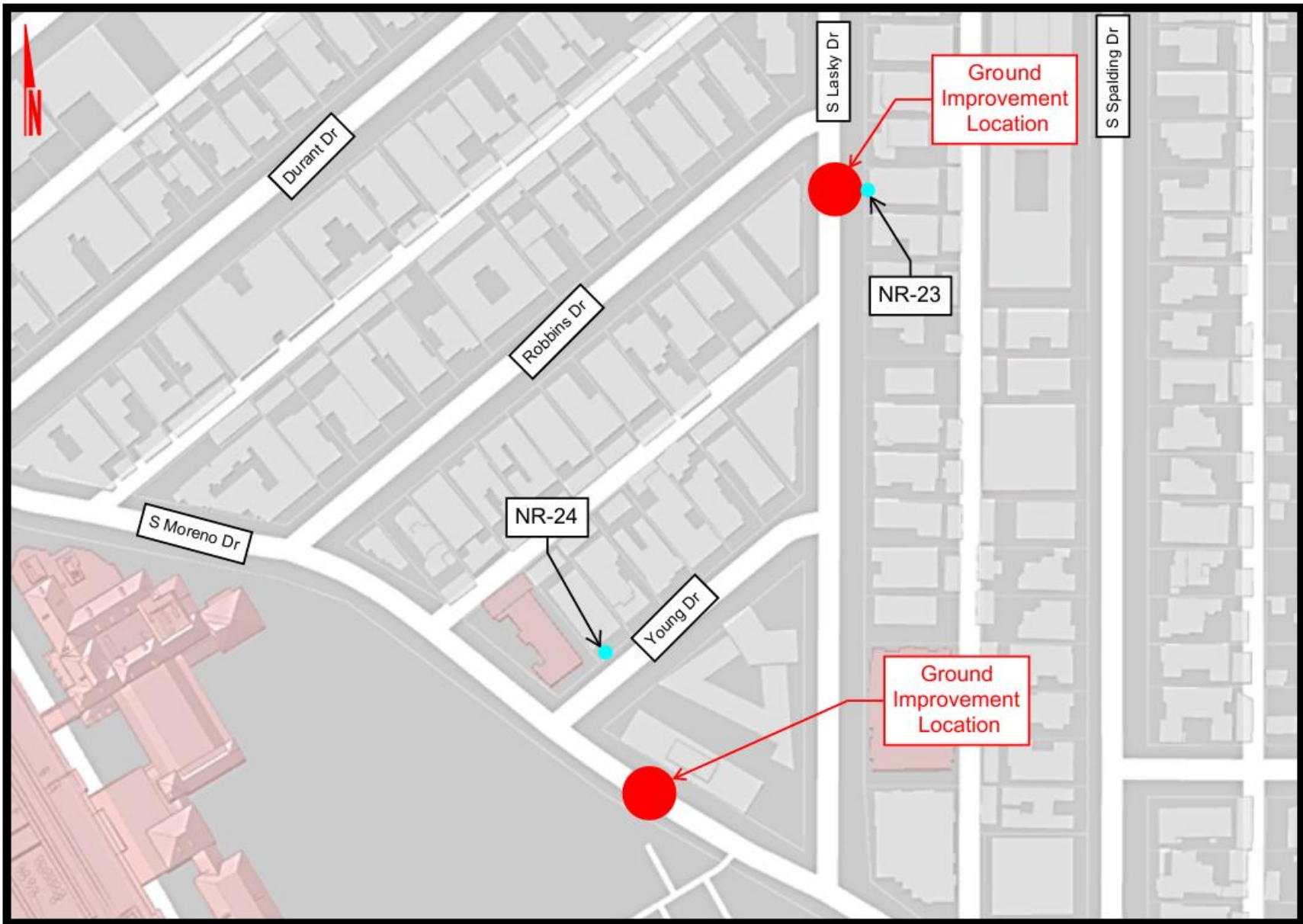












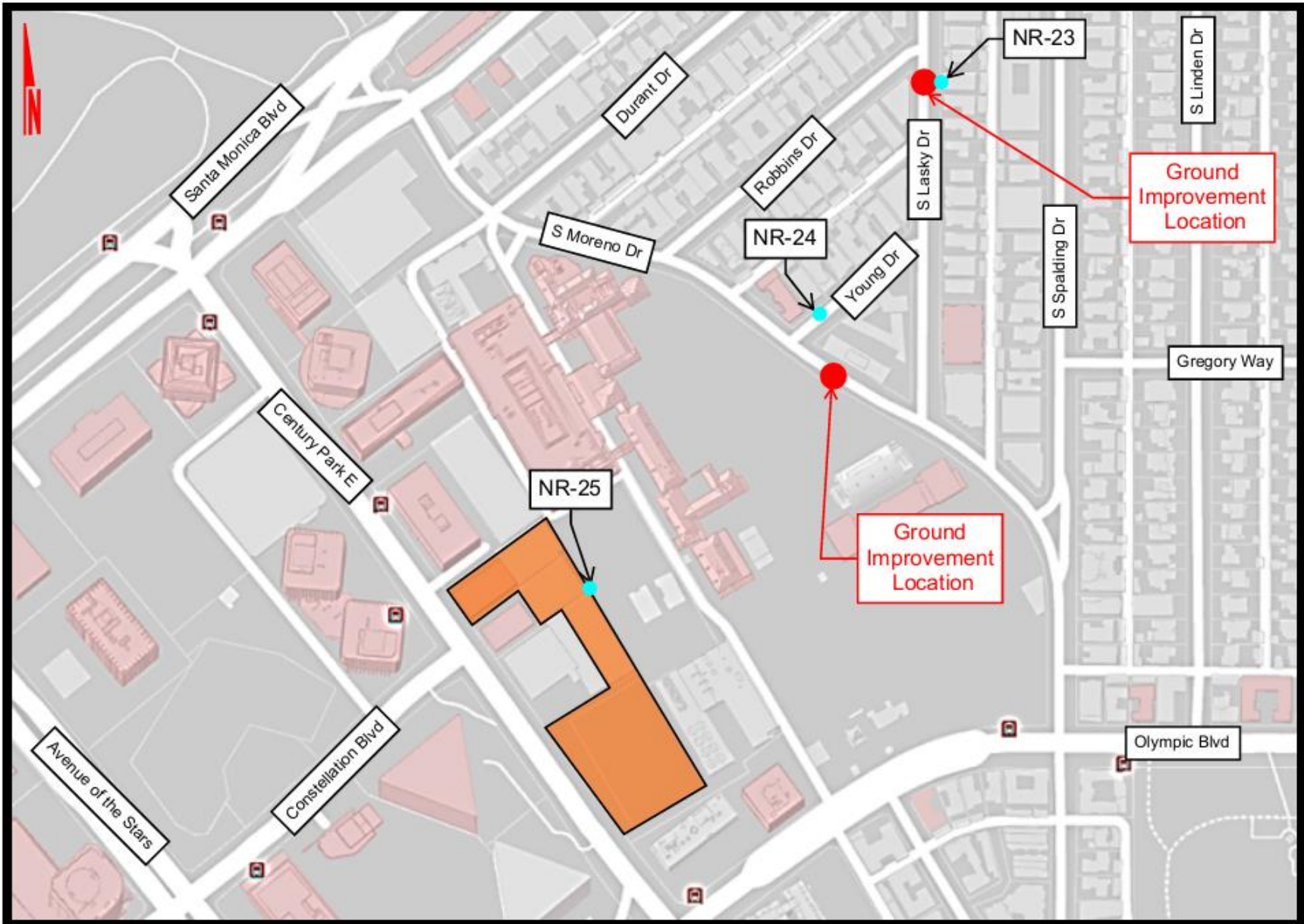


Exhibit G
Public Information Graphics Program

Public Information Graphics Program



Sound Wall



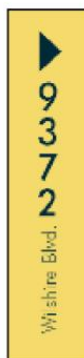
Pedestrian Barrier



Automotive Barrier



Temporary light pole boxes



Wayfinding

Exhibit H
LACMTA Claims Form



Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

Metro

Dear Claimant:

In order to file a Claim for Damages you must fill out the enclosed form as completely as possible, using blue or black pen. Be sure to include your current address, telephone number and signature in spaces provided. In case of automobile damage, only the registered owner may present a claim for repairs and must sign the form.

Mail your completed form to:

BOARD SECRETARY'S OFFICE – LEGAL SERVICES
Los Angeles County Metropolitan Transportation Authority (Metro)
One Gateway Plaza, M/S 99-3-1
Los Angeles, CA 90012- 2952

After your claim is processed our Insurance Adjuster will contact you in approximately ten days.

NOTE: NO PAYMENT WILL BE MADE UNTIL IT IS DETERMINED THAT METRO IS LEGALLY RESPONSIBLE FOR YOUR DAMAGES.

Thank you for the opportunity to assist you in this matter.

Enclosed: Claim for Damages Form

Claim for Damages

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, Mail Stop 99-3-1, Los Angeles, CA 90012-2952

Please type or print.

CLAIMANT INFORMATION

Last Name _____ First Name _____ Middle Name/Initial _____
Occupation _____ Social Security Number _____ Birth date _____
Street Address _____
City | State | Zip _____ Telephone Number _____

IF CLAIMANT IS A MINOR: PARENT OR GUARDIAN INFORMATION

Last Name _____ First Name _____ Middle Name/Initial _____
Street Address _____
City | State | Zip _____ Telephone Number _____

IF YOU HAVE AN ATTORNEY: ATTORNEY INFORMATION

Last Name _____ First Name _____ Middle Name/Initial _____ Telephone Number _____
Street Address _____ City | State | Zip _____

FOR OFFICE USE ONLY

Claim number & Receipt date

INCIDENT INFORMATION

Please indicate if you were a Metro bus or Metro rail passenger: Yes No

- bus rail platform parking lot bus stop terminal other _____
- Other than bus or rail car, vehicle description _____
- Accident date** _____ Time _____ Location _____
- Direction _____ On which street _____ Cross-street _____
- Speed _____ Weather _____ Bus or Rail Car # _____ Line # _____
- Boarding point _____ Operator Name or Badge # _____

OWNER OF PRIVATE VEHICLE PLEASE COMPLETE THIS SECTION:

- Name _____ Driver License # _____
Address _____
Telephone _____ Vehicle: Year _____ Make _____ Model _____
Insured? Yes No Vehicle Lic. # _____ Injured? Yes No Insurance Tel. # _____
Carrier _____ Policy # _____

CONTINUED

Claim for Damages

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, Mail Stop 99-3-1, Los Angeles, CA 90012-2952

Please print or type.

OWNER OF PRIVATE VEHICLE PLEASE COMPLETE THIS SECTION (CONTINUED):

8. Describe what occurred (if necessary, you may add another page):

9. What property damage or bodily injury do you claim? Give full extent of damage or injury claimed:

10. The amount claimed if under \$10,000 as of the date of presentation together with the basis of computation thereof. Attach medical bills and/or repair estimates.

11. Name(s) and address(es) of witness(es):

12. Name(s) and address(es) of doctor(s):

13. Dates of prior claims against the Los Angeles County Metropolitan Transportation Authority (METRO) or Southern California Rapid Transit District (RTD). If none, write "None".

Signature of Claimant

Date

Claims arising after January 1, 1988 must be filed within 6 months from the date of accident. For Law governing filing of claim and statute of limitations as to filing action see Chapter 201 Statutes 1987 (Sec 900 ET SEQ Government Code). For your protection California Law requires the following to appear on this form: Any person who knowingly presents a false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in State Prison. Added by Stats. 1989, c. 1119, S 3.

Please mail your claim to:
Metro Board Secretary's Office – Legal Services
One Gateway Plaza, 99-3-1, Los Angeles, CA 90012-29952



Exhibit I
Design and Construction Plans Provided to City of Beverly Hills

SECTION	DESCRIPTION	COBH	
		FRO	APPROVAL
01 29 76	COST/SCHEDULE INTEGRATION SYSTEM		
01 29 76-1.05.A.06	Current CPM Schedule	x	
01 29 76-1.05.A.13	Three Week Look Ahead Bar Chart Schedule	x	
01 29 76-1.05.A.14	As-Built Schedule	x	
01 31 03	DESIGN MANAGEMENT REQUIREMENTS		
01 31 03-1.05.C-001.00	Design Unit Review Packages and Work Plans	x	
01 31 03-1.05.C-001.01	Design Unit Review Packages and Work Plans	x	
01 31 03-1.05.C-003.00	STV Package 2 60% Design		x
01 31 03-1.05.C-005.00	STV Package 2 85% Design		x
01 31 19	PROJECT MEETINGS		
01 31 19-1.05.B	Meeting Notices and Agendas	x	
01 31 19-1.05.C	Meeting Minutes		x
01 31 31	UTILITY COORDINATION		
01 31 31-1.05.B	Copies of documents, records and minutes from all formal Third Party meetings.		x
01 31 31-1.05.C	Relocate SCG Line at Wilshire		x
01 32 23	GRADES, LINES AND LEVELS		
01 32 23-1.05.C	Additional Survey Control Points including building monitoring		x
01 35 23	WORKSITE SAFETY REQUIREMENTS		
01 35 23-1.05.G.001.00	Injury and Illness Prevention Program	x	
01 35 23-1.05.G-001.02	Heat Illness and Safety First Incentive Plan	x	
01 35 23-1.05.G.01-003.00	Heat Illness Prevention Plan	x	
01 35 23-1.05.G.3	Job Hazard Analysis - Noise	x	
01 35 23-1.05.G.003.00	Job Hazard Analysis	x	
01 35 23-1.05.G.003.01	Job Hazard Analysis	x	
01 35 23-1.05.G.006-001.00	Hazardous Waste Operations and Emergency Response Health and Safety Plan	x	
01 35 23-1.05.G.007-001.00	Excavation Action Plan	x	
01 35 23-1.05.G.016-001.00	Materials Hazards Communication Program	x	
01 35 35	WATER POLLUTION CONTROL		
01 35 35-1.05.C	NPDES Permits		x
01 35 35-1.05.D.2.a-001.00	Stormwater Pollution Prevention Plan (SWPPP)		x
01 35 35-1.05.D.2.c	NOI submittal to State Water Resources Control Board (SWRCB)	x	
01 35 35-1.05.D.2.c.3	Weekly storm water inspection reports required by NPDES permit and SWPPP.	x	
01 35 35-1.05.D.2.c.5	Quarterly non-storm water inspection reports required by NPDES permit and SWPPP.	x	
01 35 35-1.05.D.2.c.6	Annual Report to Metro for review by September 1st or in accordance with permit.	x	
01 35 35-1.05.E .1	Ground Water Pollution Control: Submit to metro all documentation necessary for coverage under RWQCB Dewatering General Permit.	x	

01 35 35-1.05.E .3	Wastewater management plan		x
01 35 35-1.05.F	Post-Construction Permanent Water Pollution Control		x
01 43 10	PROJECT QUALITY PROGRAM REQUIREMENTS – DESIGN/BUILD		
01 43 10-1.05.B.09	Project Instructions, Procedures, and Drawings	x	
01 43 10-1.05.B.10	Source Inspection List	x	
01 43 10-1.05.B.14-001.00	Construction Work Plans	x	
01 50 00	TEMPORARY FACILITIES AND CONTROLS		
01 50 00-1.05.C	Lighting Plan, electrical service location and circuit diagram		x
01 51 23	TEMPORARY CONSTRUCTION VENTILATION		
01 51 23-1.05.B	Project Ventilation Plan		x
01 51 23-1.05.C	Resubmittal of Ventilation Plan as required		x
01 52 13	CONSTRUCTION FACILITIES		
01 52 13-1.05.B	Mobilization Plan		x
01 52 13-1.05.C	Demobilization Plan		x
01 53 05	TEMPORARY DECKING SYSTEMS		
01 53 05-1.05.B	Calculations	x	
01 53 05-1.05.C	Working Drawings		x
01 55 26	CONTROLLING TRAFFIC		
01 55 26-1.05.D-001.1	Traffic Management Plan (TMP)		x
01 55 26-1.05.E	Temporary Traffic Signal Plans (TTSP)		x
01 55 26-1.05.F	Traffic Circulation Plans (TCP) / Traffic Detour Plans (TDP) & Closure		x
01 55 26-1.05.G	Traffic Lane and Sidewalk Closure Plans		x
01 55 26-1.05.H	Access and Haul Plan		x
01 55 26-1.05.I	Construction Duration extension		x
01 55 26-1.05.J	As-Built-Plans		x
01 55 26-3.01.J	Worksite Traffic Control Plans (COBH)		x
01 56 18	OPERATIONAL TRAIN NOISE AND VIBRATION CONTROL		
01 56 18-1.05.C	Operational Train Noise and Vibration Control Plan	x	
01 56 18-1.05.E	List of Installed Groundborne Noise and Vibration Mitigations	x	
01 56 18-3.02.C.2	Noise Measurement Report	x	
01 56 18-3.04.C.2	Vibration Measurement Report	x	
01 56 19	CONSTRUCTION NOISE AND VIBRATION CONTROL		
01 56 19-1.05.B.02	Pre-construction ambient noise level measurement report		x
01 56 19-1.05.B.03-001.00	Contractor's Noise Control Plan		x
01 56 19-1.05.B.04	Noise Monitoring Plan and Noise Measurement Reports		x
01 56 19-1.05.B.05-001.00	Proposed locations		x
01 56 19-1.05.B.06	Pre-construction ambient noise level measurement report.		x
01 56 19-1.05.B.07-001.00	Contractor's Vibration Control Plans and Vibration Monitoring Plan		x
01 56 19-1.05.B.11-002.00	Wilshire Rodeo Station Staging Area Noise Barrier Drawings and Calcs		x

01 56 19-1.05.B.11-003.00	Noise Barrier Panel Construction, Noise Barrier Lumber Material, Noise Barrier Sound Blanket			x
01 56 19-1.05.C	Post-Construction Noise and Vibration Reports			x
01 56 19-1.07.C	Noise Measurement Report			x
01 56 19-1.07.D	Vibration Measurement Report			x
01 56 19-2.04.F	Noise Control Curtain Framework and Support Design			x
01 56 19-3.12.I.3	Haul Route and Staging areas to CoLA, BOE, LADOT, COBH			x
01 56 20	ACOUSTICS, NOISE AND VIBRATION CONTROL FOR STATION ENVIRONMENT			
01 56 20-1.05.C-001.00	Noise and Vibration Testing Plan	x		
01 56 20-1.05.D-001.00	Station Noise Monitoring Plan	x		
01 56 20-1.05.E	Vibration Monitoring Plan	x		
01 56 20-1.05.F-001.00	Acoustical Analysis	x		
01 56 20-1.05.H	Shop and Working Drawings, Calculations, and Material Data	x		
01 56 20-1.05.J	Monitoring Locations and Analysis	x		
01 56 20-1.07.C.2	Noise Measurement Report	x		
01 56 26	CONSTRUCTION FENCING (WOOD)			
01 56 26-1.05.A	Refer to Section 01 33 00 SUBMITTAL PROCEDURES - Product and Material Data			x
01 56 26-1.05.B	Working Drawings and Schedule			x
01 56 39	SHRUB AND TREE PROTECTION			
01 56 39-1.05.B	Location Drawings			x
01 56 39-1.05.C	Test Reports for topsoil	x		
01 56 39-1.05.D	Photographic Documentation	x		
01 57 19	TEMPORARY ENVIRONMENTAL CONTROLS			
01 57 19-1.05.B	Hazardous Waste Management Plan			x
01 57 19-1.05.C	Fugitive Dust Emissions Control Plan			x
01 58 13A	TEMPORARY SIGNS AND BANNERS			
01 58 13A-1.05.C	Safety Signs	x		
01 71 13	MOBILIZATION			
01 71 13-1.05.B	Construction Site Layouts	x		
01 71 24	PRECONSTRUCTION SURVEYS			
01 71 24-1.05.C	Preconstruction Survey Plan	x		
01 71 24-1.05.D	Preconstruction Survey Report	x		
01 71 24-1.05.E	Post Construction Survey Report	x		
01 71 24-1.05.F	Preconstruction Survey Monument Tie Out Notes	x		
01 71 45	NEW UTILITY SERVICES			
01 71 45-1.05.B	Design Documentation			x
01 74 19	WASTE MANAGEMENT AND DISPOSAL			
01 74 19-1.05.B	Waste Management Plan			x
01 74 19-1.05.D	Documentation and Field Reports	x		
01 78 39	AS-BUILT DRAWINGS AND CURRENT STATUS DOCUMENTS			

01 78 39-1.05.D	Milestone As-Builts and Final Project Record Drawings, Updated Files (CAD,PDF, Word, BIM, etc.), As-Built Construction Plans		x
02 41 00	STAGING AREA CLEARING AND DEMOLITION		
02 41 00-1.04.B.1-001.00	Qualifications: Demolition Contractor C-21 License		x
02 41 00-1.05.B.1-001.00	Demolition Plan - 9430 Wilshire Blvd. (Old Ave Gallery Building)		x
02 41 00-1.05.B.1-001.01	Demolition Plan - 9430 Wilshire Blvd. (Old Ave Gallery Building)		x
02 41 00-1.05.B.1-001.02	Demolition Plan - 9430 Wilshire Blvd. (Old Ave Gallery Building)		x
02 41 00-1.05.B.3	Permits		x
02 41 00-1.05.B.4	Letter showing arrangements for disposing of waste at landfill/disposal facility	x	
02 41 00-1.05.B.5	Certificates and Proposed haul route(s)		x
02 41 00-1.05.B.6	Written Releases from owners of private property	x	
02 41 00-1.05.B.8	Permits and Notices authorizing demolition	x	
02 41 00-1.05.C.01	Demolition Permit		x
02 41 00-1.05.C.02	Grading Permit		x
02 41 00-1.05.C.03	SCAQMD / LAFD Underground Tank Removal Permits	x	
02 41 00-1.05.C.04	SCAQMD Hazardous Material Removal Permits	x	
02 41 00-1.05.C.05-001.00	Demolition Plans and Schedules		x
02 41 00-1.05.C.05-001.01	Demolition Plans and Schedules		x
02 41 00-1.05.C.06	List of construction equipment and materials		x
02 41 00-1.05.C.07	Scaffolding/Temporary Support Drawings		x
02 41 00-1.05.C.08	Shoring Permit		x
02 41 00-1.05.D	Final Design Plans		x
02 41 00-1.05.F	Submittals specified in Section 01 35 29 and Section 01 35 43	x	
02 41 00-1.05.G	Record Documentation	x	
02 41 13	SELECTIVE SITE CLEARING & DEMOLITION		
02 41 13-1.05.B.1	Station Site Street Inventory List		x
02 41 13-1.05.B.2	Street Furniture and Equipment condition Survey		x
02 41 13-1.05.B.3	Working Drawings		x
02 41 13-1.05.C.1	As-Built Drawings		x
02 41 13-1.05.C.2	Signed letter of receipt that furniture has been returned to original location		x
03 31 00	PORTLAND CEMENT CONCRETE		
03 31 00-1.05.B	Quality Control Plan describing QA program	x	
03 31 00-1.05.C.1	Concrete Mix Design - Noise Barrier Pile Backfill	x	
03 31 00-1.05.E.1	Test Reports - Mix Design for Each Concrete Class	x	
03 31 00-1.05.E.1.a	Test Reports - Mix Design for Form Removals	x	
03 31 00-1.05.E.1.b	Test Reports - Mix Design Conformance of Ingredients with Specifications	x	
03 31 00-1.05.F.2	Printout of Delivery Tickets	x	
03 33 00	ARCHITECTURAL CONCRETE		
03 33 00-1.05.B	Shop Drawings and Quality Control Plan	x	
03 33 00-1.05.C	Calculations and Mix Design	x	

03 33 00-1.05.D.2	Samples - For CIP Concrete Station Entrance Portal Walls: Aggregate	x	
03 33 00-1.05.G	Mock-Ups	x	
03 35 00	CONCRETE FINISHING		
03 35 00-1.05.B	Shop Drawings	x	
03 35 00-1.05.F	Samples	x	
03 35 00-1.05.G	Mock-Ups	x	
05 12 23	STRUCTURAL STEEL		
05 12 23-1.05.C	Shop and Erection Drawings	x	
05 12 23-1.05.D.1	Specifications, Installation Instructions, and Test Reports for Fasteners	x	
05 12 23-1.05.D.2	Specifications, Installation Instructions, and Test Reports for Washers	x	
05 12 23-1.05.H	Documentation as Specified in Section 05 05 33	x	
05 53 00	GRATINGS		
05 53 00-1.05.C	Shop Drawings		x
07 10 00	WATER AND GAS PROTECTION SYSTEMS		
07 10 00-1.05.B.1	Product and Data Samples		x
07 10 00-1.05.B.3	Test and Evaluation Reports		x
07 10 00-1.05.B.4	Shop Drawings		x
07 10 00-1.05.B.5	Working Drawings		x
07 10 00-1.05.C.2	Record Documentation	x	
07 10 00-1.05.C.3	Operation and Maintenance Manual with Working Drawings	x	
07 80 50	FIREPROOFING AND FIRESTOPPING		
07 80 50-1.05.B	Product Data		x
07 80 50-1.05.C.1	Shop Drawings - each firestop system configuration		x
07 80 50-1.05.C.2	Shop Drawings - where conditions require modification to a qualified agency's illustration		x
07 80 50-1.05.D	Samples		x
07 80 50-1.05.E	Firestop System Schedule		x
07 80 50-1.05.H	Product test reports		x
08 34 80	EQUIPMENT ACCESS HATCHES		
08 34 80-1.05.B	Shop Drawings		x
08 34 92	EMERGENCY EXIT HATCHES		
08 34 92-1.05.B	Shop Drawings		x
08 90 00	LOUVERS AND GRILLES		
08 90 00-1.05.B	Shop Drawings		x
08 90 00-1.05.D	Manufacturer's Product Data	x	
09 96 23	ANTI-GRAFFITI COATING		
09 96 23-1.05.C	Product Data	x	
09 96 23-1.05.D	Certificate of Test	x	
09 96 23-1.05.E	Samples	x	
10 14 00	SIGNAGE		
10 14 00-1.05.C	Shop Drawings	x	

10 14 26	STATION MARKER		
10 14 26-1.05.B	List of required submittals, and date req'd to meet schedule	x	
10 14 26-1.05.E.1.a	Shop Drawings - Sign panels	x	
10 14 26-1.05.E.1.b	Shop Drawings - Post and angle frames	x	
10 14 26-1.05.E.1.c	Shop Drawings - solid state LED fixtures	x	
10 14 26-1.05.E.1.d	Shop Drawings - Structural design calculations	x	
10 14 26-1.05.E.2	Shop Drawings - Crating	x	
10 14 26-1.05.F	Final Artwork and full size patterns for letters and logo-type	x	
10 14 35	ILLUMINATED SIGNS AND EDGE LIGHT		
10 14 35-1.05.C	Shop Drawings	x	
10 14 35-1.05.E	Proposed alignment control and installation procedures	x	
10 14 35-1.05.F	Mock-Ups	x	
10 14 53	TRAFFIC SIGNAGE		
10 14 53-1.05.C	Shop Drawings		x
10 44 13	STAINLESS STEEL CABINETWORK AND FIRE EXTINGUISHERS		
10 44 13-1.05.B	Shop Drawings	x	
10 44 13-1.05.C	Product Data	x	
10 77 00	BICYCLE METAL LOCKERS AND RACKS		
10 77 00-1.05.B	Product Data		x
10 77 00-1.05.C	Shop Drawings		x
10 77 00-1.05.D	Samples		x
10 81 13	BIRD DETERRENT DEVICES		
10 81 13-1.05.B	Product Data, including Installation Instructions	x	
10 81 13-1.05.C	Shop Drawings	x	
12 15 20	ART PROGRAM		
12 15 20-1.05.A	Construction Drawings	x	
12 15 21	STATION ENTRANCE PORTAL		
12 15 21-1.05.B	Design Drawings	x	
12 15 21-1.05.C	Lighting Design	x	
12 15 21-1.05.F	Shop Drawings	x	
12 15 21-1.05.H.1	Mock-up - Glass Enclosure (Wall System)	x	
12 15 21-1.05.H.2	Mock-up - Glass Canopy System	x	
12 15 22	SMOKE PROTECTION DEVICES		
12 15 22-1.05.B	Shop Drawings		x
12 15 22-1.05.C	Calculations		x
12 15 22-1.05.E	Computational Fluid Dynamics analysis, refer to SECTION 23 32 40		x
12 93 14	BICYCLE LOCKERS AND RACKS		
12 93 14-1.05.B	Product Data		x
12 93 14-1.05.C	Shop Drawings		x
12 93 14-1.05.D	Samples		x
21 00 00	FIRE PROTECTION SYSTEMS		
21 00 00-1.05.B	Manufacturer's Literature		x

21 00 00-1.05.C	Shop Drawings		x
21 00 00-1.05.H	As-Built Drawings		x
21 00 00-1.05.I	Calibration Certificates		x
21 00 00-1.05.J	Test Plan, Notification and Report		x
21 00 00-1.05.K	Pipe Flushing Plan		x
21 01 07-1.05.K	Certificate of completion per NFPA 72		x
21 05 00	BASIC FIRE SUPPRESSION REQUIREMENTS		
21 05 00-1.05.B	Materials List		x
21 05 00-1.05.D	Coating Materials		x
21 05 00-1.05.E	Seismic restraint design		x
21 05 00-1.05.F	Factory Test and Inspection Certification		x
21 05 00-1.05.G	Shop and Working Drawings		x
21 05 00-1.05.L	As-Built Drawings		x
21 22 00	CLEAN AGENT FIRE-EXTINGUISHING SYSTEM		
21 22 00-1.05.C	Shop Drawings		x
21 22 00-1.05.D	Calculations		x
21 22 00-1.05.E	Shop Drawings to Fire Marshal		x
21 22 00-1.05.G	Product Data		x
21 22 00-1.05.H	Operation and Maintenance Data		x
21 22 00-1.05.K	As-Built Drawings		x
21 22 00-1.05.N	Pipe Flushing Plan		x
21 30 00	FIRE PUMPS		
21 30 00-1.05.B	Manufacturer's Product Data		x
21 30 00-1.05.C	Shop Drawings		x
21 30 00-1.05.D	Calculations		x
21 30 00-1.05.G	Seismic Restraint Details		x
22 11 00	WATER SUPPLY SYSTEM (PUMPING)		
22 11 00-1.05.B	Manufacturer's Product Data	x	
22 11 00-1.05.C	Shop Drawings	x	
22 11 00-1.05.D	Working Drawings, Hydraulic Calculations and Test Certificates	x	
22 11 00-1.05.F	Schematic Piping Diagram	x	
22 11 00-1.05.H	As-Built Drawings	x	
22 13 00	SANITARY SEWER SYSTEM (PLUMBING)		
22 13 00-1.05.B	Shop Drawings	x	
22 13 00-1.05.F	As-Built Drawings	x	
22 14 00	STORM DRAINAGE SYSTEM (PLUMBING)		
22 14 00-1.05.B	Shop Drawings and Manufacturer's Literature	x	
22 14 00-1.05.E	As-Built Drawings	x	
22 14 29	SUMP PUMPS		
22 14 29-1.05.C	Descriptive Literature	x	
22 14 29-1.05.D	Shop Drawings	x	

23 32 40	EMERGENCY VENTILATION ASSEMBLY		
23 32 40-1.05.A.1	Pre-Construction: Ventilation Report		x
23 32 40-1.05.A.2	Pre-Construction: Computer Simulations		x
23 32 40-1.05.A.3	Pre-Construction: Emergency Ventilation Operating Procedures (EVOP)		x
23 32 40-1.05.A.4	Pre-Construction: Emergency Gas Operating Procedures (EGOP)		x
23 32 40-1.05.B.1	Post-Construction: Testing Procedures to Verify Compliance		x
23 32 40-1.05.B.2	Post-Construction: Testing Procedures for Gas Purging		x
23 32 40-1.05.B.3	Post-Construction: Testing Procedures for Critical and Minimum Velocities		x
23 32 40-1.05.C	Written Test Plan		x
23 32 50	OVERPLATFORM EXHAUST SYSTEM		
23 32 50-1.05.B	Design Drawings		x
23 32 50-1.05.C	Shop Drawings		x
23 32 50-1.05.D	Calculations		x
23 32 50-1.05.E	CFD Analysis, Justification and Documentation		x
26 05 07	ELECTRICAL DEMOLITION		
26 05 07-1.05.B	Notification of Demolition Operations Schedule	x	
26 05 07-1.05.C	Electrical Demolition Phasing Plan	x	
26 05 07-1.05.D	Product Samples and Data Required for Demolition	x	
26 05 07-1.05.E	As-Built Drawing and Detail Modification Plans	x	
26 56 00	EXTERIOR LIGHTING		
26 56 00-1.05.B	Construction Schedules	x	
26 56 00-1.05.C.1	Pre-Construction: Existing Condition Surveys	x	
26 56 00-1.05.C.2	Pre-Construction: Design Submittals	x	
26 56 00-1.05.C.3	Pre-Construction: Samples and Product Data	x	
26 56 00-1.05.C.4	Pre-Construction: Shop Drawings	x	
26 56 00-1.05.C.5	Pre-Construction: Working Drawings	x	
26 56 00-1.05.D.1	Post-Construction: Field QC Submittals	x	
26 56 00-1.05.D.2	Post-Construction: Changed Field Conditions Circuit Diagrams	x	
26 56 00-1.05.D.3	Post-Construction: Redlined As-Builts	x	
26 56 00-1.05.E.1	Closeout: As-Built Drawings	x	
28 23 00	COMMUNICATIONS CLOSED CIRCUIT TELEVISION SYSTEM		
28 23 00-1.05.B	Drawings		x
28 23 00-1.05.C	Additional Estimated Capacity		x
28 23 00-1.05.D	Rack Layouts		x
28 23 00-1.05.E	Fiber Optic Link Loss Budgets		x
28 23 00-1.05.F	Hardware Interface Schematics		x
28 23 00-1.05.G	Internet Protocol (IP) Addressing of All Network Equipment		x
28 23 00-1.05.H	Termination and Interconnection Diagrams		x
28 23 00-1.05.I	Product Data		x
28 23 00-1.05.J	Installation Work Plans and Procedures		x
28 23 00-1.05.O	As-Built Documentation		x

28 23 00-1.05.P	Product Data		x
28 23 00-1.05.Q	Operating and Maintenance Instructions	x	
28 31 00	COMMUNICATIONS FIRE DETECTION SYSTEM		
28 31 00-1.05.B	Floor Plans		x
28 31 00-1.05.C	Standby Battery Calculations		x
28 31 00-1.05.D	Voltage Drop Calculations		x
28 31 00-1.05.E	Sequence Of Operations		x
28 31 00-1.05.F	Single-Line Drawings		x
28 31 00-1.05.G	Interfaces		x
28 31 00-1.05.H	Drawings Signed By California Licensed Fire Safety P.E.		x
28 31 00-1.05.I	Termination and Interconnection Diagrams		x
28 31 00-1.05.J	Product Data		x
28 31 00-1.05.O	As-Built Documentation		x
31 09 13	GEOTECHNICAL INSTRUMENTATION AND MONITORING		
31 09 13-1.05.B.02-001.00	Construction Monitoring Program Plan	x	
31 09 13-1.05.B.03-001-00	Liquid Level Gauge (LG) - Installation WP	x	
31 09 13-1.05.B.03-002.00	Geotechnical Instrumentation and Monitoring	x	
31 09 13-1.05.B.03-002.01	Geotechnical Instrumentation and Monitoring	x	
31 09 13-1.05.B.03-003.00	Geotechnical Instrumentation CWP Load sensing	x	
31 09 13-1.05.B.03-003.01	Geotechnical Instrumentation CWP Load sensing	x	
31 09 13-1.05.B.03-004.00	Geotechnical Instrumentation and Monitoring - Observation Well Work Plan	x	
31 09 13-1.05.B.03-005.00	Geotechnical Instrumentation and Monitoring -Automated Motorized Total Station Work Plan	x	
31 09 13-1.05.B.03-006.00	In-Place Inclinator (IPI) Installation	x	
31 09 13-1.05.B.03-007.00	Multi-Point Borehole Extensometer (MPBX) Installation WP	x	
31 09 13-1.05.B.03-008.00	Liquid Level Gauge (LG) - Installation WP	x	
31 09 13-1.05.B.05	Gas and Groundwater Well Sampling & Reading Procedures	x	
31 09 13-1.05.B.09	Strain Gauges (SG) and Load Cells (LC) WP	x	
31 09 13-1.05.C.2	Soil Boring Logs	x	
31 09 13-1.05.C.3	Field Survey	x	
31 09 13-1.05.C.4	Monthly Monitoring Reports	x	
31 09 13-1.05.D	Post-Construction: Work Plans	x	
31 09 13-1.05.D	Post-Construction: Letter or Certification Document for abandonment of borings	x	
31 09 14	OIL WELL IDENTIFICATION BY HORIZONTAL DIRECTIONAL DRILLING		
31 09 14-1.05.B.4	Pre-Construction: Work Plan	x	
31 09 14-1.05.C.1	Notice for Installation of Geophysical Borehole Sensor Instrumentation	x	

31 09 14-1.05.C.2	Field survey locations of settlement markers	x	
31 09 14-1.05.C.3	As-built records	x	
31 09 14-1.05.C.4	baseline readings	x	
31 09 14-1.05.C.5	calibration reports	x	
31 09 14-1.05.C.7	Weekly Monitoring Reports	x	
31 09 14-1.05.D.1	Post-Construction: Work Plan	x	
31 09 14-1.05.D.2	Post-Construction: Record Documentation	x	
31 09 14-1.05.E	Close-Out: Geophysical Survey and Evaluation Report	x	
31 09 15	GEOTECHNICAL AND ENVIRONMENTAL INVESTIGATION PROGRAM		
31 09 15-1.05.C	Site Investigation Plans	x	
31 09 15-1.05.D	Work Plans for Site Investigation	x	
31 09 15-1.05.D-001	Work Plans for Site Investigation	x	
31 09 15-1.05.D-001	Geotechnical Site Investigation COBH	x	
31 09 15-1.05.D-001	Geotechnical Site Investigation and Groundwater Monitoring Well/Gas Probe Installation	x	
31 09 15-1.05.E	Schedule for Field Investigation	x	
31 09 15-1.05.F-001	Geotechnical Site Investigation COBH	x	
31 09 15-1.05.F-001.00	Health and Safety plan	x	
31 09 15-1.05.G	Records of all work performed	x	
31 09 15-1.05.H-001	Geotechnical Site Investigation COBH	x	
31 09 15-1.05.H-001.01	Geotechnical Site Investigation COBH	x	
31 09 15-1.05.H-001.02	Geotechnical Site Investigation COBH	x	
31 09 15-1.05.H-001.03	Geotechnical Site Investigation COBH	x	
31 09 15-1.05.H-001.00	Noise Reduction Plan	x	
31 09 15-1.05.I-001	Geotechnical Site Investigation COBH	x	
31 09 15-1.05.I-001.00	Spill Response Plan	x	
31 09 15-1.05.I	Spill Response Plan	x	
31 09 15-1.05.J.1	Drafts and Final Geotechnical Design Report	x	
31 09 15-1.05.J.2	Drafts and Final Report of Special Lining Section	x	
31 09 15-1.05.J.3	Drafts and Final Environmental Report	x	
31 20 00	EARTHWORK		
31 20 00-1.05.B.1	Plans and Procedures	x	
31 20 00-1.05.B.2	Haul Route Plan		x
31 20 00-1.05.B.3	Submittals specified in SECTION 01 35 29 and SECTION 01 35 43	x	
31 20 00-1.05.B.4	Excavation and Embankment Plan	x	
31 20 00-1.05.B.5	Structure Excavation and Backfill Plan	x	
31 23 19	DEWATERING		
31 23 19-1.05.B.1	Pre-Construction: Working Drawings (De-watering Design or Launch Box, Access Shaft, Constellation and Wilshire Station)	x	
31 23 19-1.05.D	Closeout : Record Documentation (As-built drawings, physical & functional descriptions)	x	
31 50 00	EXCAVATION SUPPORT SYSTEMS		

31 50 00-1.05.C-002.00	Launch Pit SOE 90% Design Package	x	
31 50 00-1.05.C.1-001.00	SOE Design Approach Report	x	
31 50 00-1.05.C.1-001.00	Wilshire Rodeo Station - Support of Excavation (SOE) 90% Design Package	x	
31 50 00-1.05.C.1-003.00	Wilshire Rodeo Station SOE 100% Design Package	x	
31 50 00-1.05.C.1-004.00	Work Shaft SOE Design	x	
31 50 00-1.05.D.1-001.00	Structural Concrete Mix Design for Soldier Piles	x	
31 50 00-1.05.D.1-001.01	Structural Concrete Mix Design for Soldier Piles	x	
31 50 00-1.05.D.1-002.00	Soldier Pile Lean Mix	x	
31 50 00-1.05.D.3	Preconstruction: Shop Drawings	x	
31 51 00	TIEBACK ANCHORS		
31 51 00-1.05.B.1	Shop Drawings & Design Calculations	x	
31 51 00-1.05.B.2	Working Drawings & Calculations	x	
31 51 00-1.05.D	Post Construction Tieback Final Documentation	x	
31 51 00-1.05.E.1	Closeout: Documentation of tieback removal	x	
31 51 00-1.05.E.2	Closeout: As-Built Report	x	
31 71 16	MINED CROSS PASSAGES		
31 71 16-1.05.C	Shop Drawings and Calculations	x	
31 71 16-1.05.D	Working Drawings	x	
31 71 16-1.05.H	Deformation Measurement Data	x	
31 71 16-1.05.I	Cross-Section Excavation Work Plan	x	
31 71 16-1.05.J	Contingency Plan	x	
31 71 16-1.05.L.1	Final Structure and HCR Lining Layout	x	
31 71 16-1.05.L.2	Final Structure and HCR Lining Work Plans	x	
31 71 16-1.05.L.3	Final Structure and HCR Lining Design Calculations	x	
31 71 19	EXCAVATION BY TUNNEL BORING MACHINE		
31 71 19-1.05.B.1.b	Schedule	x	
31 71 19-1.05.B.2.a	Work Plans, Tunnel Excavation means and methods	x	
31 71 19-1.05.B.3.a	TBM Work Plan	x	
31 71 19-1.05.B.4.b	Building and Utility Settlement Assessment Report	x	
31 71 19-1.05.B.4.c	Action Plan for Tunneling and Settlement Control	x	
31 71 19-1.05.B.4.f	Spill Response Plan	x	
31 71 19-1.05.B.4a	Work Plans	x	
31 71 19-1.05.C.1	Construction Continuous TBM Monitoring	x	
31 71 19-1.05.C.2.e	Test Results (Grout)	x	
31 71 19-1.05.C.2.f	Test Results (Slurry)	x	
31 71 19-1.05.C.2.h	Notice of misalignment	x	
31 71 19-1.05.C.2.i	Notice of slurry or soil spills	x	
31 71 19-1.05.D	Closeout As-Built Survey of Tunnel Bore	x	
31 73 00	TUNNEL GROUTING		
31 73 00-1.05.C.1	General grouting procedures	x	

31 73 00-1.05.C.2	Waste grout and water disposal procedures	x	
31 73 00-1.05.C.3	Acceptance Criteria for completed grouting	x	
31 73 00-1.05.C.4	Method of assurance that grout injection does not damage surroundings	x	
31 74 16	PRECAST CONCRETE SEGMENTAL TUNNEL LINING		
31 74 16-1.05.B	Design Documents	x	
31 74 16-1.05.D.2	Shop Drawings	x	
31 74 17	FABRICATED STEEL TUNNEL LINING		
31 74 17-1.05.B	Design Documents	x	
31 74 17-1.05.B.03	Calculations and Descriptions of Construction Method	x	
31 74 17-1.05.B.04	Calculations and Drawings of Steel Segmental Lining	x	
31 74 17-1.05.B.05	Structural Design Calculations	x	
31 74 17-1.05.C.2	Shop Drawings	x	
31 74 17-1.05.E	Real-Time Seismic Event Detection System	x	
31 81 00	JET GROUTING		
31 81 00-1.05.C	Work Plan		x
31 81 00-1.05.H	Boring Logs and Test Results	x	
31 81 00-1.05.I	Methods for Handling Spoil Return and Spilled Materials	x	
31 81 00-1.05.J	Existing Underground Utilities Protection Program		x
31 82 00	PERMEATION GROUTING		
31 82 00-1.05.C	Working Drawings	x	
31 82 00-1.05.G	Water Quality Monitoring	x	
31 82 00-1.05.I	Schedule of Operations	x	
31 82 00-1.05.J	WTCP and TCP	x	
31 82 00-1.05.N	Records of Grouting Operations	x	
31 82 00-1.05.O	Ground and Facility Monitoring Records	x	
31 82 00-1.05.P	Schedule of Locations and Results of Leakage Monitoring Program	x	
31 82 00-1.05.Q	Contingency plan for TBM excavation operations	x	
32 11 00	(AGGREGATE) BASE COURSE		
32 11 00-1.05.B.1	Product Data		x
32 11 00-1.05.B.3	Working Drawings- Construction Staging Plan		x
32 11 00-1.05.C.1	Post-Construction: Field QC Test and Evaluation Reports		x
32 11 00-1.05.D.1	Closeout: As-built Grading Plans		x
32 12 00	FLEXIBLE PAVING (ASPHALT PAVING)		
32 12 00-1.05.B.2	Street Restoration condition Survey & Impacted Area Survey		x
32 12 00-1.05.B.3	Product Data		x
32 12 00-1.05.B.5	Working Drawings		x
32 12 00-1.05.B.6	Source QC		x
32 12 00-1.05.C.1	Post-Construction: Field QC		x
32 16 00	CURBS, GUTTERS, SIDEWALKS AND DRIVEWAYS		
32 16 00-1.05.B	Designs		x
32 16 00-1.05.C.01	Curbs, Gutters, Sidewalks and Driveways Condition Survey		x

32 16 00-1.05.C.02	Construction schedule		x
32 16 00-1.05.C.03	Product Data, Catalog Cuts, and Certificate of Conformance		x
32 16 00-1.05.C.04	Source QC Samples and Test Reports	x	
32 16 00-1.05.C.05	Test and Evaluation Reports	x	
32 16 00-1.05.C.06	Test Panels	x	
32 16 00-1.05.C.07	Shop drawings		x
32 16 00-1.05.C.08	Working Drawings		x
32 16 00-1.05.D	Field QC Samples and Test Reports	x	
32 17 23	PAVEMENT STRIPING AND MARKINGS		
32 17 23-1.05.B.1	Product Data	x	
32 17 23-1.05.B.2	Shop Drawings		x
32 17 23-1.05.B.3	Test Reports and Certifications	x	
32 17 23-1.05.C	As-Built Drawings		x
32 80 00	IRRIGATION SYSTEMS		
32 80 00-1.05.B.1	Equipment List		x
32 80 00-1.05.B.3	Product Data		x
32 80 00-1.05.B.4	Shop Drawings		x
32 80 00-1.05.C.1	Field QC		x
32 80 00-1.05.D.1	As-Built Drawings		x
32 80 00-1.05.D.2	Operation And Maintenance Data		x
32 80 00-1.05.D.3	Irrigation Controller Charts		x
32 80 00-1.05.D.4	Controller Housing keys		x
32 80 00-1.05.D.5	Special Tools and Spare Parts		x
32 93 00	PLANTING		
32 93 00-1.05.B.1	Tree Removal and Replacement Plan		x
32 93 00-1.05.B.2	List of Materials, Product Data, MSDS		x
32 93 00-1.05.B.2	Shop Drawings		x
32 93 00-1.05.B.6	Photographs at the nursery		x
32 93 00-1.05.C.1	Post-Construction Inspection Certificates		x
32 93 00-1.05.D.1	Warranty Documentation		x
32 93 00-1.05.D.2	As-Built Drawings		x
33 00 01	PIPED UTILITIES		
33 00 01-1.05.C	Product Data		x
33 00 01-1.05.D	Shop Drawings		x
33 00 01-1.05.E	List of Pipe, Fittings, and Appurtenances		x
33 00 01-1.05.G	As-Built Drawings		x
33 11 00	WATER DISTRIBUTION SYSTEM		
33 11 00-1.05.B.1	Project Plan and Schedule		x
33 11 00-1.05.B.2	Product Data		x
33 11 00-1.05.B.3	Shop Drawings		x
33 11 00-1.05.B.4	Working Drawings		x
33 11 00-1.05.B.6	Delegated Design Submittals - Shoring and Traffic Control Plans		x
33 11 00-1.05.C.1.a	Field Quality Control - Hydrostatic test, System test		x
33 11 00-1.05.C.1.b	Field Quality Control - Bacteriological samples (if necessary)		x

33 11 00-1.05.D.2	As-Built Record Drawings and Documents		x
33 11 00-1.05.D.3	Warranty		x
33 17 26-1.07.B	Contractor's/Installer's warranty		x
33 30 00	SANITARY SEWERAGE UTILITIES		
33 30 00-1.05.B.2	Design Submittals		x
33 30 00-1.05.B.3	Bypass and Spill Prevention Plans		x
33 30 00-1.05.B.4	Project Schedule		x
33 30 00-1.05.B.5	Product Data - Manufacturer's product data		x
33 30 00-1.05.B.6	Shop Drawings		x
33 30 00-1.05.B.7	Working Drawings		x
33 30 00-1.05.C.2	High pressure flush test and leakage test results		x
33 30 00-1.05.D.1	As-Built Drawings and Documents		x
33 30 00-1.05.D.2	Final Condition closed circuit television (CCTV) reports		x
33 40 00	STORM DRAINAGE UTILITIES		
33 40 00-1.05.B .2	Project Schedule		x
33 40 00-1.05.B .3	Product Data		x
33 40 00-1.05.B .4	Shop Drawings		x
33 40 00-1.05.B .5	Working Drawings		x
33 40 00-1.05.B .6	Test and Evaluation Reports		x
33 40 00-1.05.B .7	Source Quality Control - Material test results		x
33 40 00-1.05.C.1	Hydrostatic test results		x
33 40 00-1.05.D.2	As-Built Drawings and Documents		x
33 40 00-1.05.D.3	Final Condition closed circuit television (CCTV) reports		x
33 71 19	ELECTRICAL UNDERGROUND DUCTS AND VAULTS		
33 71 19-1.05.B.2	Project Schedule		x
33 71 19-1.05.B.4	Catalog Cuts		x
33 71 19-1.05.B.5	Shop Drawings		x
33 71 19-1.05.B.6	Working Drawings		x
33 71 19-1.05.C.2	As-built drawing and documents		x
34 41 00	ROADWAY SIGNALING AND CONTROL EQUIPMENT		
34 41 00-1.05.B	Pre-Construction (Manufacturer's Product Data, Working Drawings, Shop Drawings, Test and Evaluation Reports)		x
34 41 00-1.05.C	Post-Construction (QA/QC Records)		x
34 41 00-1.05.D	Site Test Results		x
34 41 00-1.05.E	As Built Plans to Metro, City of Beverly Hills and City of Los Angeles		x
34 42 13.97	MARKING AND TAGGING		
34 42 13.97-1.05.B	Tags and Markings Samples		x
34 42 13.97-1.05.C	Tagging and Marking Plans		x
34 42 13.99	SYSTEM TEST PROGRAM		
34 42 13.99-1.05.C	Test Plan (draft and final)		x
	ARCHITECTURAL PLANS		x
	FIRE ALARM SYSTEM PLANS		x

Exhibit J
Noise and Vibration Mitigation Measures

CON-22—Hire or Retain the Services of an Acoustical Engineer

Hire or retain the services of an Acoustical Engineer to be responsible for preparing and overseeing the implementation of the Noise Control and Monitoring Plans. The Noise Control and Monitoring Plan will ensure that noise levels are at or below criteria levels in Metro Baseline Specifications Section 01565, Construction Noise and Vibration Control.

CON-23—Prepare a Noise Control Plan

Prepare a Noise Control Plan that includes an inventory of construction equipment used during daytime and nighttime hours, an estimate of projected construction noise levels, and locations and types of noise abatement measures that may be required to meet the noise limits specified in the Noise Control and Monitoring Plan.

CON-24—Comply with the Provisions of the Nighttime Noise Variance

In the case of nighttime construction, the contractor will comply with the provisions of the nighttime noise variance issued by local jurisdictions. The variance processes for the Cities of Los Angeles and Beverly Hills and the County of Los Angeles require the applicant to provide a noise mitigation plan and to hold additional public meetings before granting the variance to allow work that would be performed outside of the permitted working hours.

CON-25—Noise Monitoring

Conduct periodic noise measurement in accordance with an approved Noise Monitoring Plan, specifying monitoring locations, equipment, procedures, and schedule of measurements and reporting methods to be used.

CON-28—Comply with Local Noise Ordinances

The LPA will comply as applicable with the City of Los Angeles, City of Beverly Hills, and County of Los Angeles noise ordinances during construction hours. Compliance with City of Los Angeles, City of Beverly Hills, and County of Los Angeles standards for short-term operation of mobile equipment and long-term construction operations of stationary equipment, including noise levels and hours of operation, also will occur. Hours of construction activity will be varied to meet special circumstances and restrictions. Municipal and building codes of each city in the Study Area include restrictions on construction hours. The City of Los Angeles limits construction activity to 8 a.m. to p.m. on Monday through Friday and 9 am. to 5 p.m. on Saturdays, with no construction on Sundays and Federal holidays. The City of Beverly Hills identifies general construction hours of 8:00 a.m. to 6:00 p.m. from Monday through Saturday. For all the cities in the Study Area, construction is prohibited on Sundays and city holidays. Construction outside of these working periods will require a variance from the applicable city. The variance processes for the Cities of Los Angeles and Beverly Hills and the County of Los Angeles require the applicant to provide a noise mitigation plan and hold additional public meeting.

CON-29—Signage

Readily visible signs indicating "Noise Control Zone" will be prepared and posted on or near construction equipment operating close to sensitive noise sites.

CON-30—Use of Noise Control Devices

Noise-control devices that meet original specifications and performance will be used.

CON-31—Use of Fixed Noise-Producing Equipment for Compliance

Fixed noise-producing equipment will be used to comply with regulations in the course of LPA-related construction activity.

CON-32—Use of Mobile or Fixed Noise-Producing Equipment

Mobile or fixed noise-producing construction equipment that are equipped to operate within noise levels will be used to the extent practical.

CON-33—Use of Electrically Powered Equipment

Electrically powered equipment will be used to the extent practical

CON-34—Use of Temporary Noise Barriers and Sound-Control Curtains

Temporary noise barriers and sound-control curtains will be erected where LPA related construction activity is unavoidably close to noise-sensitive receivers.

CON-35—Distance from Noise-Sensitive Receivers

Within each construction area, earth-moving equipment, fixed noise-generating equipment, stockpiles, staging areas, and other noise-producing operations will be located as far as practicable from noise-sensitive receivers.

CON-36—Limited Use of Horns, Whistles, Alarms, and Bells

Use of horns, whistles, alarms, and bells will be limited for use as warning devices, as required for safety.

CON-37—Requirements on Project Equipment

All noise-producing project equipment, including vehicles that use internal combustion engines, will be required to be equipped with mufflers and air-inlet silencers, where appropriate, and kept in good operating condition that meets or exceeds original factory specifications. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors) will be equipped with shrouds and noise-control features that are readily available for that type of equipment.

CON-38—Limited Audibility of Project Related Public Addresses or Music

Any LPA-related public address or music system will not be audible at any adjacent sensitive receiver.

CON-39—Use of Haul Routes with the Least Overall Noise Impact

To the extent practical, based on traffic flow, designated haul routes for construction-related traffic will be used based on the least overall noise impact. For example, heavily loaded truck will be routed away from residential streets if possible. Where no alternatives are available, haul routes will take into consideration streets with the fewest noise-sensitive receivers.

CON-40—Designated Parking Areas for Construction-Related Traffic

Non-noise-sensitive designated parking areas for LPA-related traffic will be used.

CON-41—Enclosures for Fixed Equipment

Enclosures for fixed equipment, such as TBM slurry processing plants, will be required to reduce noise.

CON-92—Additional Noise Control Measures

If needed to comply with City of Los Angeles or City of Beverly Hills noise ordinances at the Century City Constellation Station construction sites, the Contractor shall be responsible for providing additional noise control measures and/or limiting the equipment and construction activities to reduce the construction noise at these sites to comply with the noise level limits by implementing the following or similar measures:

- Moveable noise barriers that can be located within the construction site in close proximity to the equipment and activities that are exceeded the impact thresholds. The moveable noise barriers shall be constructed in accordance with Metro's Specification Section 01 56 19, Construction Noise and Vibration Control, Article 2.03, Moveable Noise Barriers. The height of the moveable noise barrier shall be a minimum of 14 feet.
- Noise control curtains that can be tented over the area where the noisy equipment is operating. The noise curtain shall be constructed in accordance with Metro's Specification Section 01 56 19, Construction Noise and Vibration Control, Article 2.04, Noise Control Curtains.
- Replacing the standard engine exhaust muffler with a hospital grade engine silencer for stationary cranes, front end loaders, dozers, and any other diesel powered equipment operating during nighttime hours.

CON-93—Backup Alarms

All equipment operating during nighttime hours at all construction sites shall use low impact backup alarms. The low impact back-up alarms shall comply with CCR Title 8, Section 1592, Warning Methods. For equipment that must comply with CCR Title 8, Section 1592(a), equip these vehicles with compliant white sound, broadband and multi-frequency type back-up alarm devices. For equipment subject to the requirements of CCR Title 8, Section 1592(b) the Contractor may choose to equip with automatic back-up audible alarms. Such alarms shall only be of a compliant white sound, broadband or multi-frequency back-up alarm type device.

The compliant white sound, broadband and multi-frequency type back-up alarm device shall be a self-adjusting, "smart" reversing, alarm that continually adjusts to 5 dB above ambient. Acceptable manufacturers are Brigade, ECCO or approved equal. The compliant white sound, broadband and multi-frequency type back-up alarm device shall be rated as medium duty or heavy duty, as the field conditions and/or usage would dictate.

CON-94—Haul Truck Noise Emission Limits

Limit trucks operating off-site between the hours of 12:00 midnight and 5:00 AM to the extent feasible. Trucks that must operate during these hours should be fitted with equipment such as high grade engine exhaust silences and engine casing sound insulation or other equivalent devices.

CON-95—Vibration Control for Tunnel Train

If ground-borne noise limits or ground-borne vibration limits are exceeded, the contractor will be required to take action to reduce noise and/or vibrations to acceptable levels. Such action could include: 1. A durable resilient system to support the tunnel train tracks. Such as system would include: a. Resilient mat under the tracks b. A resilient grommet or bushing under the heads of any track fasteners. 2. The hardness of the resilient mat should be in the 40 to 50 durometer range and be about 1 to 2” thick, depending on how heavily loaded the cars would be. 3. The Contractor shall select the mat thickness so that the rail doesn’t bottom out during a train pass by. 4. Reduce the speed of the tunnel trains. 5. Maintain the tunnel train track and train wheels in good order to reduce potential vibration impacts, including keeping gaps between track sections to a minimum and frequent maintenance to avoid wheel flats.

CON-96—Vibration Monitoring Plan

The Contractor is required to submit a Vibration Monitoring Plan prepared, stamped, and administered by the Contractor's Acoustical Engineer. As part of the implementation of this plan, vibration monitoring will be performed at the historic Sterling Plaza/Bank of California, Union Bank Building, and AAA Building closest to the locations where equipment and/or construction activities generate a substantial amount of ground-borne vibration. Vibration monitoring will consist of continuous measurements at the building façade closest to the construction activities. All vibration monitors used will be equipped with an “alarm” feature to provide notification if the 0.2 PPV vibration damage risk threshold has been approached or exceeded.

Exhibit K
Air Quality Mitigation Measures

CON-6—Meet Mine Safety (MSHA) Standards

Tunnel locomotives (hauling spoils and other equipment to the tunnel heading) will be approved by Metro to meet mine safety (MSHA) standards.

CON-7—Meet SCAQMD Standards

Metro and its contractors will set and maintain work equipment and standards to meet SCAQMD standards, including NOx.

CON-8—Monitoring and Recording of Hazardous Gasses at Worksites

Monitoring and recording of hazardous gas levels at the worksites will be conducted. In areas of gassy soil conditions, hazardous gas levels in the working environment will be continually monitored and recorded. Construction will be altered as required to maintain a safe working atmosphere. The working environment will be kept in compliance with Federal, State, and local regulations, including SCAQMD and Cal/OSHA standards.

CON-9—No Idling of Heavy Equipment

Metro specifications will require that contractors not unnecessarily idle heavy equipment.

CON-10—Maintenance of Construction Equipment

Metro will require its contractors to maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies. Metro will also require periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications.

CON-11—Prohibit Tampering of Equipment

Metro will prohibit its contractors from tampering with engines and require continuing adherence to manufacturer's recommendations.

CON-12—Use of Best Available Emissions Control Technologies

Metro will encourage its contractors to lease new, clean equipment meeting the most stringent of applicable Federal or State standards (e.g., Tier 3 or greater engine standards) or best available emissions control technologies on all equipment.

CON-13—Placement of Construction Equipment

Construction equipment and staging zones will be located away from sensitive receptors and fresh air intakes to buildings and air conditioners. In addition, equipment will be placed to minimize dust and exhaust away from outdoor areas where feasible. Refinements to construction mitigation measures may be incorporated during the Final Design phase, prior to the preparation of construction bid documents.

CON-14—Measures to Reduce the Predicted PM10 Levels

Mitigation measures such as watering, the use of soil stabilizers, etc. will be applied to reduce the predicted PM10 levels to below the SCAQMD daily construction threshold levels. A watering schedule will be established to prevent soil stockpiles from drying out.

CON-15—Reduce Street Debris

At truck exit areas, wheel washing equipment will be installed to prevent soil from being tracked onto city streets, and followed by street sweeping as required to clean streets.

CON-16—Dust Control During Transport

Trucks will be covered to control dust during transport of spoils and will have 6” freeboards above the top of the hauled load.

CON-17—Fugitive Dust Control

To control fugitive dust, wind fencing and phase grading operations, where appropriate, will be implemented along with the use of water trucks for stabilization of surfaces under windy conditions.

CON-18—Street Watering

Surrounding streets at construction sites will be watered by trucks as needed to eliminate air-borne dust. In keeping with Metro’s prior policy on the Eastside Gold Line, the contractor will water streets in the station area impacted by dust not less than once a day and more often if needed.

CON-19—Spillage Prevention for Non-Earthmoving Equipment

Provisions will be made to prevent spillage when hauling materials and operating non-earthmoving equipment. Additionally, speed will be limited to 15 mph for these activities at construction sites.

CON-20—Spillage Prevention for Earthmoving Equipment

Provisions will be made to prevent spillage when hauling materials and operating earth-moving equipment. Additionally, speed will be limited to 10 mph for these activities at construction sites.

CON-21—Additional Controls to Reduce Emissions

EPA-registered particulate traps and other appropriate controls will be used where suitable to reduce emissions of particulate matter and other pollutants at the construction site.

CON-90—AERMOD Verification

The estimated maximum localized pollutant levels are based on a series of assumptions made about contractor’s equipment and schedule. These levels will be verified, through additional AERMOD modeling, using the actual equipment and schedule proposed by the contractor prior to start of construction. Based on the results of the verification, the contractor will be mandated to alter operating procedures/schedule/equipment if an exceedance of the applicable standards is predicted. Contractor will be required to keep a log of construction equipment used during construction along with hours of operation of each specific piece of equipment to ensure that modeled assumptions are verifiable based on field activity. It is expected that the contractor will supply plans and field data on a quarterly basis.

CON-97—MERV 16-rated Filters

Install MERV 16-rated filters on the air intakes at the Beverly Hills High School temporary classroom site and the medical rehabilitation facility. As these areas are predicted to potentially

experience air quality levels above the SCAQMD PM10 significance threshold for a limited time period, the installation of these filters is recommended during this time period. MERV 16-rated filters are designed to control particulate contamination in the size range of 0.3 – 1.0 microns, which is expected to reduce PM10 and PM2.5 levels within the buildings by over 95 percent.

CON-53—Oil Well Locations and Abandonment

Pre-construction geophysical surveys will be conducted to screen further for unmapped abandoned oil wells along the tunnel alignment. It is anticipated that the geophysical surveys will be performed along the proposed tunnel alignment prior to construction in the areas of known oil production and mapped or otherwise suspected wells. This survey will incorporate techniques such as ground-penetrating radar and electromagnetic testing procedures to screen for oil well casings and other subsurface obstructions along the tunnel alignment. These procedures could be implemented from the ground surface, using horizontal directional drilling techniques at the tunnel elevation, or a combination of both methods. Shallow excavations may be made to expose and observe anomalies that are detected.

Where the tunnel alignment cannot be adjusted to avoid well casings, the California Department of Conservation (Department of Oil, Gas and Geothermal Resources) and a re-abandonment specialty contractor will be contacted to determine the appropriate method of re-abandoning the well. Oil well abandonment must proceed in accordance with California Laws for Conservation of Petroleum and Gas (1997), Division 3. Oil and gas, Chapter 1. Oil and Gas Conservation, Article 4, Sections 3228, 3229, 3230, and 3232. The requirements include written notification to DOGGR, protection of adjacent property, and before commencing any work to abandon any well, obtaining approval by the DOGGR. Abandonment work, including sealing off oil/gas bearing units, pressure grouting, etc., must be performed by a state-licensed contractor under the regulatory oversight and approval of DOGGR. If an unknown well is encountered during construction, the contractor will notify Metro, Cal/OSHA, and DOGGR and proceed in accordance with state requirements.

CON-89 – Gas Monitoring Assessment

Gas wells were installed along the alignment during the preliminary geotechnical investigations. Additional multi-stage (varying depths) soil gas wells (or probes) will be installed along the alignment in areas where elevated gas has been detected. The probes will be monitored for methane, hydrogen sulfide, oxygen, and carbon dioxide before, during, and after tunneling. Ambient air monitoring will also be performed at the ground surface to screen for indications of soil gas emissions. While elevated gas levels have not been detected at Beverly Hills High School, monitoring will be conducted in response to concerns from the school district. Monitoring will be conducted daily during the tunneling operation beneath Beverly Hills High School and less frequently before and after tunneling. Any instance where methane is detected at or above a concentration of 5,500 ppm (10 percent LEL) or hydrogen sulfide is detected at or above a concentration of 20 ppm (OSHA PEL) in a soil probe (5 feet below the ground surface) will be investigated. Where these levels are exceeded, combustible gas monitoring will be performed in the interior of the closest building. In the unlikely event that elevated gas levels are found—and persist—the affected building(s) will be ventilated to reduce the gas levels.

Exhibit L
Construction Equipment Noise Levels

Equipment Category	Lmax Level (dBA)
All other equipment > 5HP	81
Auger Drill Rig	81
Backhoe	75
Bar Bender	75
Boring Jack Power Unit	80
Chain Saw	81
Compactor	75
Compressor (2)	65
Compressor (other)	75
Concrete Mixer	71
Concrete Pump	77
Concrete Saw	81
Crane	81
Dozer	81
Dump Truck	81
Excavator	81
Flat Bed Truck	81
Front End Loader	75
Generator	77
Gradall	81
Grader	81
Horizontal Boring Hydraulic Jack	80
Jackhammer	81
Paver	81
Pickup Truck	55
Pneumatic Tools	81
Pumps	77
Rock Drill	81
Scraper	81
Soil Mix Drill Rig	80
Tractor	79
Vacuum Excavator (Vac Truck)	81
Vacuum Street Sweeper	80
Welder	73
Notes: (1) Noise emission limits apply to equipment used at surface on the construction site during nighttime hours of 9 pm to 7 am. (2) Portable Air Compressor that is rated at 75 cfm or greater and that operates at greater than 50 psi	

Exhibit M
Vibration Monitoring Locations

Exhibit M - Vibration Monitoring Locations

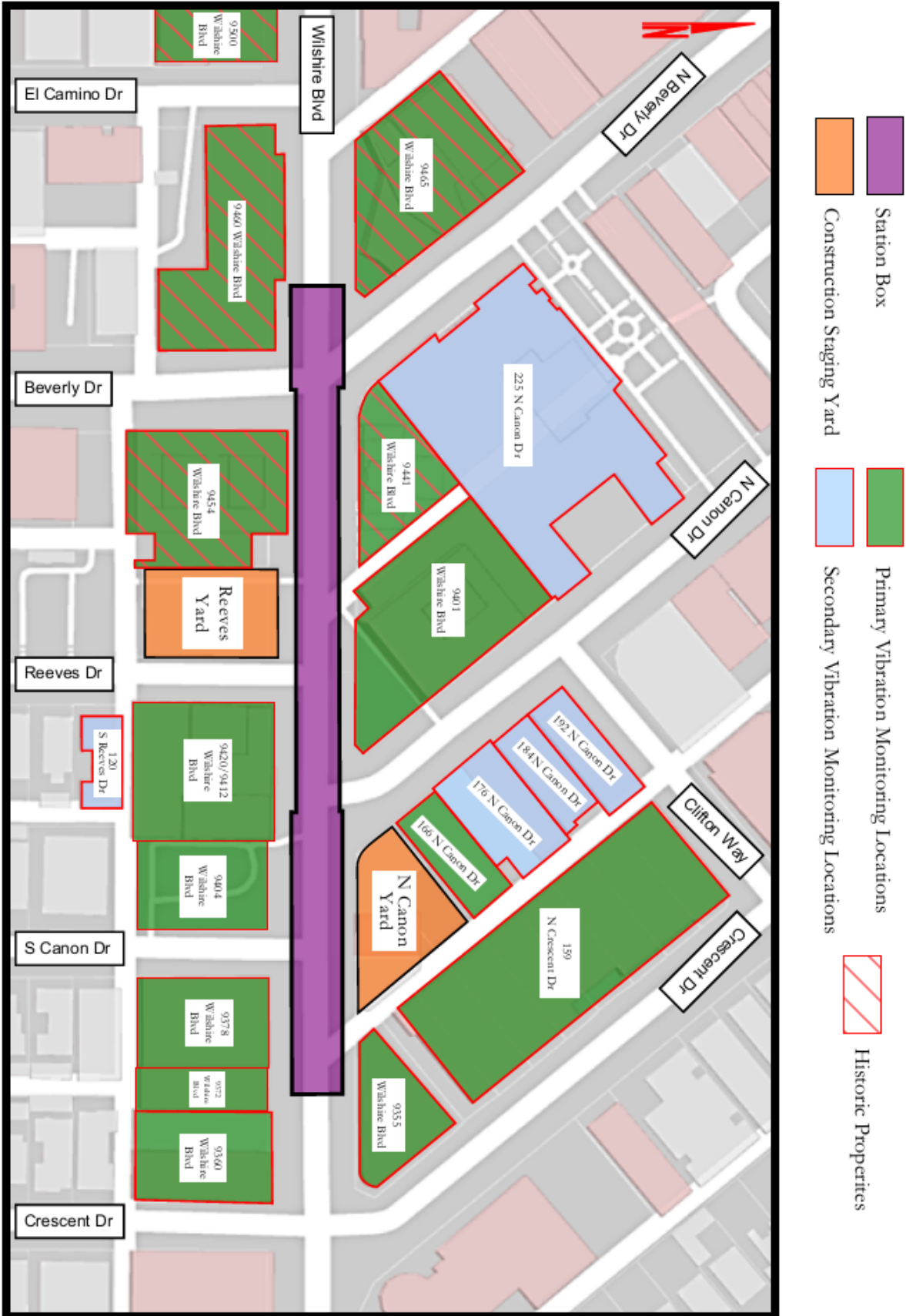



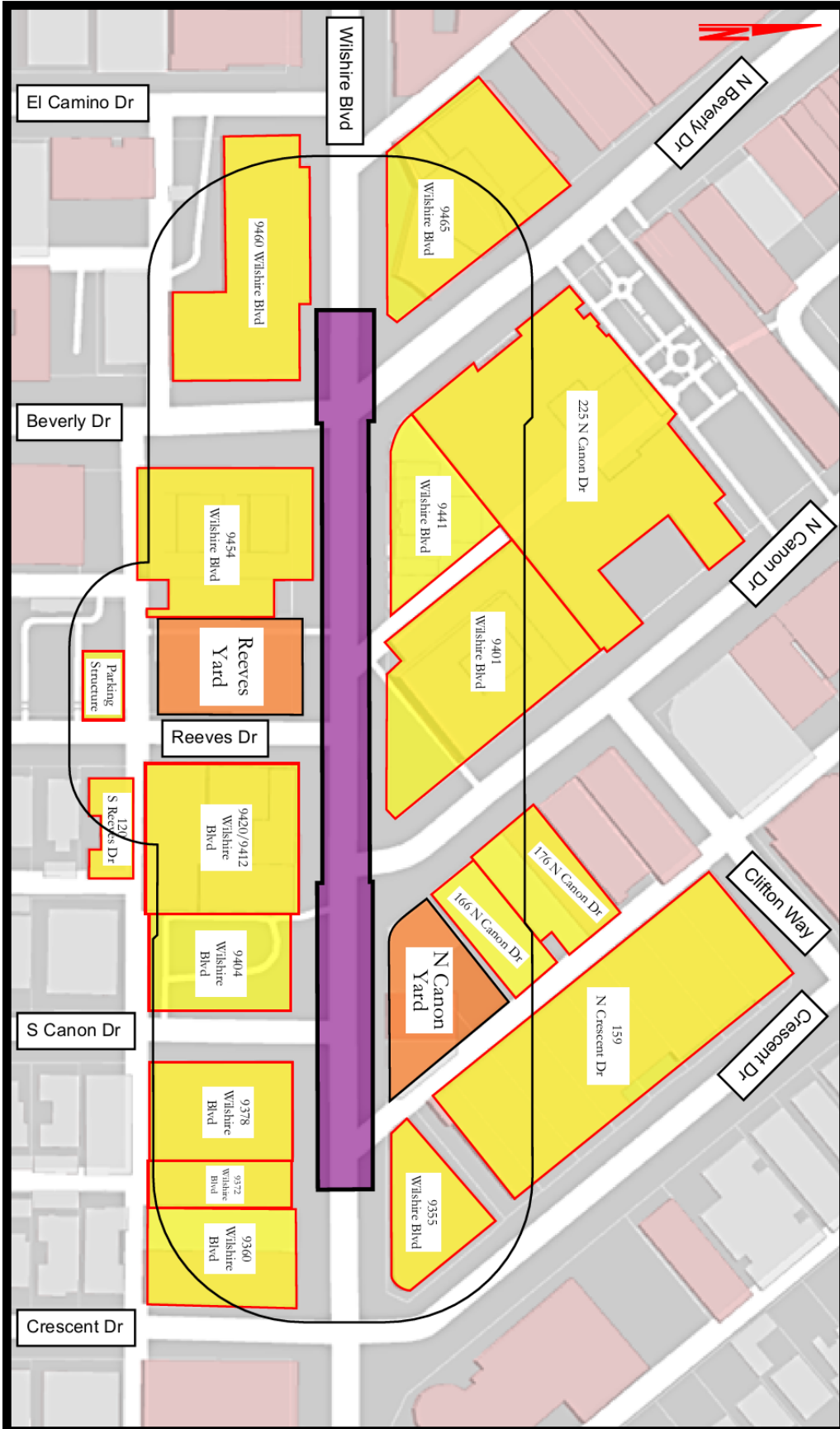


Exhibit N
Pre-Construction Survey Properties

Exhibit N - Pre-Construction Survey Properties

-  Station Box
-  Pre-Construction Survey Properties
-  Construction Staging Yard
- Pre-Construction Survey Perimeter





File #: 2018-0653, File Type: Federal Legislation / State Legislation (Position)

Agenda Number: 37.

**EXECUTIVE MANAGEMENT COMMITTEE
OCTOBER 18, 2018**

SUBJECT: FEDERAL LEGISLATION

ACTION: ADOPT STAFF RECOMMENDED POSITION

RECOMMENDATION

ADOPT staff recommended position:

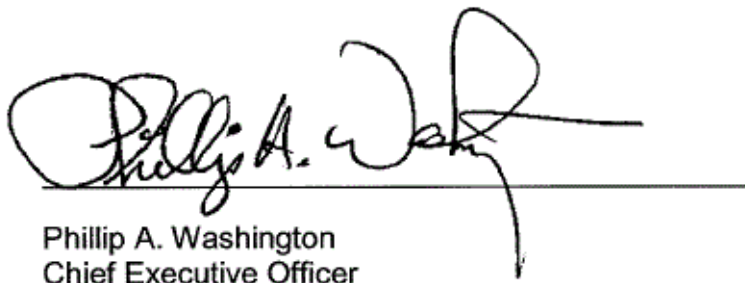
- A. House Resolution 5857 (DeFazio) - Stop Sexual Assault And Harassment In Transportation Act **SUPPORT**

ATTACHMENTS

Attachment A - H.R. 5857 (DeFazio) Legislative Analysis

Prepared by: Marisa Yeager, Senior Manager, Government Relations (213) 922-2262
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Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

BILL: HOUSE RESOLUTION 5857

AUTHOR: U.S. REPRESENTATIVE PETER DEFAZIO (4-OR)

SUBJECT: STOP SEXUAL ASSAULT AND HARASSMENT IN TRANSPORTATION ACT

STATUS: HOUSE – REFERRED TO THE TRANSPORTATION AND INFRASTRUCTURE SUBCOMMITTEE ON RAILROADS, PIPELINES AND HAZARDOUS MATERIALS

ACTION: SUPPORT

RECOMMENDATION

Staff recommends that the Board of Directors adopt a SUPPORT position on H.R. 5857– the Stop Sexual Assault and Harassment in Transportation Act authored by Representative Peter DeFazio of Oregon.

ISSUE

H.R. 5857 would require transportation providers to adopt a formal policy providing that sexual assault and harassment in transportation is unacceptable under any circumstance. These providers must prominently display, on their websites or otherwise, a statement that they have adopted such a policy as well as the procedures their passengers can follow for reporting incidents of sexual assault and harassment. The policy must facilitate the reporting of these incidents; establish procedures for employees to follow if such an incident is reported; and require all appropriate employees to be trained on the policy. Additionally, the bill requires the Secretary of Transportation to annually collect data on incidents of sexual assault and harassment and make this data publicly available.

DISCUSSION

Metro has taken strong and sustained actions to stop sexual assaults on and around our transportation network. Metro increased its efforts to reduce sexual harassment on our bus and rail system in April 2015 with our “It’s Off Limits” campaign that encourages victims and witnesses to contact police with reports of harassment. The campaign has included advertisements posted on buses and train cars in addition to distributing tens of thousands of information cards throughout the transit system. Our agency has also maintained a 24/7 hotline 844-Off-Limits (633-5464) that features counselors who are trained to address issues related to sexual harassment on a transit system. They can complete their reports on our digital complaint form on the Customer Relations site in 9 different Title VI languages that is offered by Metro.

Metro’s Civil Rights Complaint process is also posted throughout the system so that patrons know how to submit a civil rights complaint, which includes sexual harassment.

In addition, Metro provides the following within the agency:

- Conducts 2 hour Sexual Harassment Correction & Prevention trainings;
- Sexual Harassment online training for non-supervisors;
- Conduct Sexual Harassment training for new Bus Operators;
- Metro provides discussion during onboarding regarding Office of Civil Rights and Equal Employment Opportunities protected categories; and
- Metro has Civil Rights Policies 3 and 4 which cover Discrimination/Harassment/Retaliation and the Internal Complaint Process respectively; and Metro posts these policies and the CEO's statement about Sexual Harassment throughout the company.

For these reasons, staff recommends that the Board of Directors adopt a SUPPORT position on H.R. 5857. This recommendation is also consistent with Metro's Women and Girls Governing Council's support for this federal measure.

DETERMINATION OF SAFETY IMPACT

Staff has reviewed this proposal and has determined that the legislation would assist in improving safety in Los Angeles County and nationwide.

FINANCIAL IMPACT

Staff has not determined the financial impact of the bill.

ALTERNATIVES CONSIDERED

Staff has considered adopting either an oppose or neutral position on the bill. An oppose or neutral position would be inconsistent with previous direction from Metro's Board of Directors with respect to the agency's Federal Legislative program goals.

NEXT STEPS

Should the Board approve a SUPPORT position for H.R.5857, staff will prepare a position letter for the bill and work with Representative Peter DeFazio and other members of Congress as this bill continues to be considered by the appropriate congressional committees.

**Board Report**

File #: 2018-0355, **File Type:** Contract**Agenda Number:** 38.

**EXECUTIVE MANAGEMENT COMMITTEE
OCTOBER 18, 2018****SUBJECT: MOBILITY ON DEMAND PILOT PROJECT****ACTION: AWARD CONTRACT****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a twelve-month sole source contract to NoMad Transit LLC in an amount not-to-exceed \$2,506,410, inclusive of sales tax, to operate a first and last mile(s) transportation network company pilot service to/from the North Hollywood, Artesia, and El Monte stations, with the option to renew for an additional one year at a baseline amount of \$2,506,410, to be negotiated based on the information and data analysis collected during the initial twelve-month pilot period for a total amount of \$5,012,820.

ISSUE

In October 2016, Metro was awarded \$1,350,000 from the FTA to partner with a transportation network company (TNC) to explore the viability and benefit of using TNC services to provide first and last mile solutions. Through this pilot, Metro aims to harness the mobility benefits provided by TNCs, open them up for a larger group of users, and direct them towards Metro's existing fixed-guideway facilities. Metro will partner with NoMad Transit LLC to provide first and last mile shared rides for trips originating and ending at North Hollywood, Artesia, and El Monte stations.

BACKGROUND

All transit users must contend with the first and last mile challenge. Improving connections to/from transit is critical to ensuring a more seamless journey and making it easier for customers to access the system. Technological innovations by new mobility services provide an opportunity for Metro to harness their benefits and apply them towards the first and last mile challenge.

In July 2016, together with King County Metro and Sound Transit in the Puget Sound region of Washington, Metro applied to the Federal Transit Administration's (FTA) Notice of Funding Opportunity and Solicitation of Project Proposals for the Mobility on Demand (MOD) Sandbox Demonstration Program. Foothill Transit, Access Services, City of Los Angeles, and UCLA are named partners in this grant for the LA region. The program is part of a larger research effort at FTA and USDOT that seeks to support transit agencies and communities as they navigate the evolving landscape of personal mobility and integrated multimodal transportation efforts.

Metro's proposal sought to partner with a transportation network company (TNC) to explore the

viability and benefit of using TNC services to provide first and last mile solutions for trips originating and ending at select transit stops in the Los Angeles County and Puget Sound regions.

In October 2016, Metro was one of 11 applicants selected for funding award from the MOD program. A total of \$1,350,000 in Section 5312 funds were awarded to Metro, including \$350,000 for the Puget Sound region, \$400,000 for research, and \$600,000 for Metro. Metro entered into a cooperative agreement with the FTA for the Federal funds in February 2017.

At the time of award, Lyft, Inc. (Lyft) was Metro’s named TNC partner. However, as the team moved forward in project scoping, negotiations failed with Lyft. With FTA’s express permission, in November of 2017, Metro substituted Lyft with NoMad Transit LLC, a wholly owned subsidiary of Via Transportation, Inc. (Via) as partner on the project.

Between November 2017 and September 2018, in line with the parameters of the project set forth by the FTA, Metro worked with Via to design the scope of service and to come to contract terms.

DISCUSSION

One key theme of Vision 2028 is that the market for personal mobility is changing rapidly due to changing social and cultural trends, as well as technological advances such as smart phones, information processing, and widespread data connectivity. New mobility concepts and solutions, such as TNCs, have expanded mobility options for those who have access to them. However, not everyone can afford them or has the ability to use them, because most TNCs require the possession of a smartphone with a data plan, and many TNCs do not accommodate users who need vehicles that can accommodate mobility devices. With funding assistance from the FTA, Metro aims to harness the mobility benefits provided by TNCs, open them up for a larger group of users, and direct them towards Metro’s existing fixed-guideway facilities. Metro will partner with Via to provide first and last mile rides for trips originating and ending at North Hollywood, Artesia, and El Monte stations.

Operation Details

The service will operate for 52 weeks, Monday through Friday, from 6:00 am to 8:00 pm for fourteen hours each day. Rides will be shared and on-demand. Customers can register for an account and request rides either by using Via’s mobile application or by dialing Via’s call center, which can accommodate customers with limited English proficiency. Customers who need additional assistance boarding or alighting vehicles or who need vehicles that can accommodate mobility devices can also request rides in the Via application or through Via’s call center. Via will provide equivalent service to ambulatory customers, non-ambulatory customers, and customers who need additional assistance to get in or out of a vehicle. Via will accept payment from both credit cards and pre-paid debit cards.

Fares

The following fares have been established for rides:

Eligibility	Fare Amount
Customers who input or provide a TAP card number during account registration prior to requesting a ride.	Base fare of \$1.75 (flat)

Customers who do not input or provide a TAP card number during account registration or do not update their account with a TAP card number prior to requesting a ride	Base fare plus \$2 fee (flat)
Customers who are registered LIFE participants	Free fare

Via is entitled to collect and retain all fare revenue generated by the service. As part of this twelve-month pilot, Via has agreed to share in a portion of the financial risks associated with the project. Via will credit Metro in the amount of \$285,650 towards payment of the Contract price. This amount is based on the fare revenue of maintaining 3 riders per driver hour on the platform and is one mechanism for incentivizing Via to ensure successful rider acquisition.

TAP Integration

While this twelve-month pilot will not have full TAP integration and customers cannot pay for rides using their TAP card, the fare structure incentivizes customers to input their TAP card number when registering for the service. This allows for a more accurate understanding of travel patterns. It is also designed to ensure that regional TAP customers use the service to connect to/from Metro’s stations. Full TAP integration will be explored further if the pilot continues beyond the twelve months.

Catchment Areas

The service will be split into three catchment areas around the North Hollywood, El Monte, and Artesia stations. Catchment areas are approximately 6 square miles. Several criteria were considered when selecting stations and catchment areas, including geographic diversity, thresholds for percentage of low income and minority populations, current first and last mile access, and compelling use-cases to test. In addition to meeting this criteria, North Hollywood was identified for its strong first and last mile connections, and to test if the service can successfully connect riders to/from difficult-to-serve residential networks. Artesia Station was also identified for its strong first and last mile connections, and to test if the service can substitute for difficult walking and biking trips. Foothill Transit and LADOT are partners on the FTA grant, which made El Monte a logical choice. Additionally, as the terminus of the Silver Line, El Monte station has paid parking that are fully occupied daily. Metro and FTA also want to test the first and last mile service to/from BRT, light rail, and heavy rail stations.

Independent Contractor Drivers

Via is responsible for recruiting and registering independent contractor drivers to drive on the Via platform using their own personal, qualified vehicles. Metro will not own, operate, or maintain any vehicles. Via is responsible for administering background checks and drug and alcohol testing prior to onboarding drivers. In line with the California Public Utilities Commission (CPUC) standards, background checks will be conducted by an accredited consumer reporting agency, known as Checkr, and includes a multi-jurisdictional database search, federal criminal search, sex offender search, global watchlist search, county criminal search, and motor vehicle record search. Additionally, per CPUC, Via is required to participate in the DMV’s Employer Pull Notice (EPN) Program, which enables Via to regularly check records of drivers. The EPN Program notifies Via of a change in a

driver's record at any time, including new convictions, failure to appear, accidents, license suspension, or revocation.

Data Sharing

As part of the agreed upon scope, Via has agreed to a level of data sharing that is unprecedented with these types of new mobility partnerships. Upon service start, Via will provide Metro with access to an online dashboard that will serve as a data portal. Data regarding service performance will be inputted on a regular basis. The dashboard will also be used to report monthly Key Performance Indicators (KPIs) and to provide an overview for the service performance across a number of dimensions.

Research

This grant is funded under FTA's Research, Development, Demonstration and Deployment program authority. As such, data collection and research analysis are integral components to this pilot and will allow Metro to better understand the costs and benefits of this new mobility service. \$400,000 of the grant funds is devoted to research. The Eno Center for Transportation is leading a research team supported by the University of California Los Angeles and the University of Washington to document the entire project process, analyze resulting data, develop lessons learned and recommendations, and disseminate the final reports to the industry.

Option Term

Based on information and data analysis that is derived during the initial twelve-months of the pilot, Staff may return to the Board to ask approval to exercise the option term. In the event the level of effort for the option term exceeds the initial pilot project amount, Staff will negotiate with NoMad Transit LLC prior to returning to the Board to seek approval.

DETERMINATION OF SAFETY IMPACT

The Mobility on Demand pilot project will not have any adverse safety impacts on Metro employees and patrons.

FINANCIAL IMPACT

This project is funded in part by a \$1.35M grant from the FTA. The total project cost is \$3,386,910. This includes a 12-month contract with Via, amounts due to King County Metro and the Eno Center for Transportation for their portion of the grant, and LA Metro-specific costs related to project implementation.

The total contract with NoMad Transit is an amount not to exceed \$2,506,410. Via has agreed to share in a portion of the financial risks associated with the project and will credit Metro in the amount of \$286,650 towards payment of the Contract price, amortized over 12 months.

Per the cooperative agreement with the FTA, Metro will be able to invoice the FTA for up to \$1,350,000. \$350,000 of this will serve as a pass-through to King County Metro to put towards their pilot, for which they will invoice LA Metro. \$400,000 is encumbered to the Eno Center to conduct research. Of the remaining grant, \$130,500 will be put towards costs borne by LA Metro to

accommodate the project and \$469,500 will be dedicated to LA Metro's contractual cost. The remaining \$1,750,260 of the total project cost will encompass Metro's net local match.

The FY19 Budget includes \$1,934,013.25 in Project 100002 for Mobility on Demand and is funded with Prop A/C/TDA Admin funds. Project Manager will be responsible for budgeting for future project costs.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Staff's recommendation supports initiative 1.3 from Vision 2028: To manage transportation demand in a fair and equitable manner, Metro will explore opportunities for expanding access to shared, demand-responsive transportation options for everyone. Staff's recommendation also supports initiative 1.2 from Vision 2028: To improve LA County's overall transit network and assets, Metro will improve connectivity to provide seamless journeys.

ALTERNATIVES CONSIDERED

The Board may decide not to establish the project cost and/or authorize the CEO to execute a contract with NoMad Transit. This alternative is not recommended as it does not allow Metro to explore opportunities for expanding access to shared, demand-respond transportation options for everyone-an initiative identified in Metro Vision 2028. Metro would also need to return the grant to FTA.

NEXT STEPS

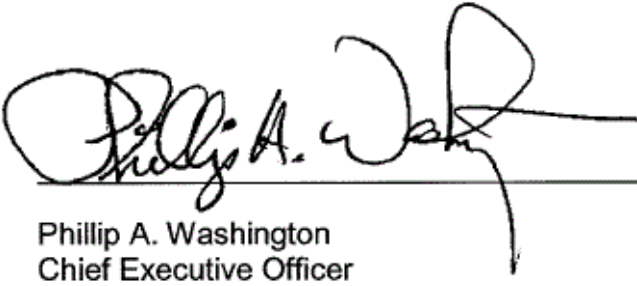
Upon Board approval, Metro staff will execute a contract with NoMad Transit LLC for the Mobility on Demand project. Service is expected to launch the last week of January 2019 for a period of twelve months, with an option to extend for one year. Via is responsible for executing a comprehensive communications and marketing plan around this service, with support and guidance from Metro. Updates on the pilot's progress will be provided to the Board.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Catchment Areas Map

Prepared by: Emma Huang, Principal Transportation Planner, (213) 922-5445

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



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

MOBILITY ON DEMAND PILOT PROJECT

1.	Recommended Vendor: NoMad Transit LLC, a wholly owned subsidiary of Via Transportation, Inc.	
2.	Type of Procurement (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input checked="" type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
3.	Procurement Dates:	
	A. Issued: N/A	
	B. Advertised/Publicized: N/A	
	C. Pre-Proposal Conference: N/A	
	D. Proposals Due: N/A	
	E. Pre-Qualification Completed: N/A – FTA Issued Grant	
	F. Conflict of Interest Form Submitted to Ethics: September	
	G. Protest Period End Date: N/A	
4.	Contract Administrator: Carolina Coppolo	Telephone Number: (213) 922-4471
5.	Project Manager: Emma Huang	Telephone Number: (213) 922-5445

A. Procurement Background

This Board Action is to approve a twelve-month contract, with the option of an additional twelve months, to NoMad Transit LLC, a wholly owned subsidiary of Via Transportation, Inc. (Via), issued in support of an FTA-grant funded Mobility on Demand Pilot Project.

In July 2016, Metro, together with King County Metro and Sound Transit in the Puget Sound region of Washington, applied to the Federal Transit Administration's (FTA) Notice of Funding Opportunity and Solicitation of Project Proposals for the Mobility on Demand Sandbox Demonstration Program. At the time of grant award, Lyft, Inc. was named Metro's named transportation network company. However, after negotiations failed with Lyft, and with FTA's express permission, Metro substituted Lyft with NoMad Transit, LLC.

B. Evaluation of Proposals

Metro staff worked in parallel with Via to design the scope of services as set forth by the FTA. The service will operate for 52 weeks, Monday through Friday, from 6:00 am to 8:00 pm. Rides will be shared and on-demand, with independent contractor drivers utilizing their own vehicles.

Customers can register for an account and request rides either by using Via's mobile application or by dialing Via's call center, which can accommodate customers with limited English proficiency. Customers who need additional assistance boarding or alighting vehicles or who need vehicles that can accommodate mobility devices can also request rides. Via will provide equivalent service to ambulatory customers, non-

ambulatory customers, and customers who need additional assistance to get in or out of a vehicle. Service is expected to launch in late January 2019.

C. Cost/Price Analysis

The price has been found to be fair and reasonable based upon a cost analysis, technical analysis, fact finding, negotiations and payroll records for drivers.

Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
NoMad Transit LLC, a wholly owned subsidiary of Via Transportation, Inc.	\$2,150,970	\$2,502,380	\$2,506,410*

* The negotiated amount includes the cost of insurance (including excess coverage), additional reporting and driver onboarding and registration.

D. Background on Contractor

The contractor, NoMad Transit LLC (Via), is a wholly-owned subsidiary of Via Transportation, Inc. Via is a ridesharing company based in New York City. The company was founded in 2012 and operates in all five boroughs of New York City, areas of Chicago, and Washington DC. The company's technology is used in ridesharing projects in Paris, United Kingdom and Austin, Texas. Via has delivered more than 25 million rides. The company has partnerships with Arriva, Keolis, the Capital Metropolitan Transportation Authority in Austin, Texas, the City of Arlington, Texas, and the City of West Sacramento.

DEOD SUMMARY

MOBILITY ON DEMAND PILOT PROJECT

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal on this sole source contract. FTA identified in advance which contractors would be performing the work in the grant award and as such, the work was not competitively bid. Metro encouraged NoMad Transit LLC to create opportunities to include DBE firms in the project and has provided a listing of certified translation service providers as an outreach resource for call center support of the project.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

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

North Hollywood Catchment Area

Legend

- Red Line Stations
- Burbank Metrolink Station
- Metrolink
- Red Line
- Orange Line
- Catchment Area*

Catchment area = customers within this area can request rides to/from the North Hollywood station

*Catchment area is subject to refinement



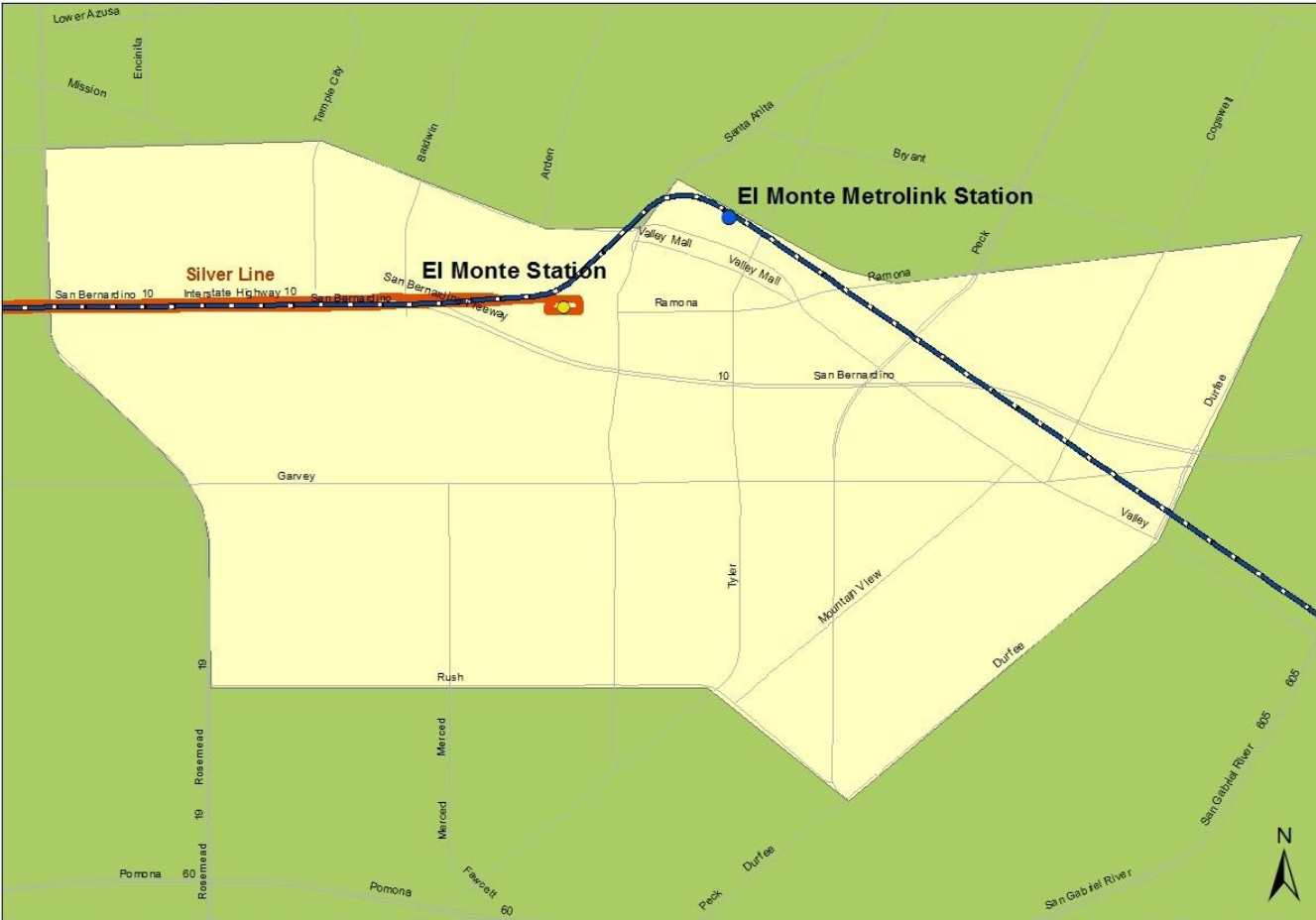
El Monte Catchment Area

Legend

- El Monte Station
- El Monte Metrolink Station
- Metrolink
- Silver Line
- Catchment Area*

Catchment area = customers within this area can request rides to/from the El Monte station

*Catchment area is subject to refinement



0 0.25 0.5 1.0 Miles

Artesia Catchment Area

Legend

- Blue Line Stations
- +—+—+ Blue Line
- Catchment area*

Catchment area = customers within this area can request rides to/from the Artesia station

*Catchment area is subject to refinement



The background of the entire image is a long-exposure photograph of a train at night. The train is blurred into horizontal streaks of light, with a prominent blue and white streak across the middle and red streaks below. In the background, there are dark silhouettes of trees and a building with some lit windows. A street lamp with two glowing lights is visible in the upper center.

OEI

OFFICE OF EXTRAORDINARY
INNOVATION



Metro®

MOBILITY ON DEMAND PILOT

Oct. 18, 2018

MOBILITY ON DEMAND

- \$1.35M FTA Sandbox Demonstration grantee
- First and last mile rides to and from 3 transit stations
- Partnership driven



VIA



King County



Metro®



Foothill Transit



PILOT GOALS

- Test new method to get customers to/from stations
- Open mobility benefits provided by TNCs to larger group of users
- Create a replicable business model



OVERVIEW

Rides will be

- Shared
- Affordable
- Accessible

Timeline

- January 2019 launch
- 12 month pilot with option to extend

KEY DIFFERENCES

Mobility on Demand

- Serving first and last mile rides to/from Metro stations
- 1 year of operation with option for one additional year
- 3 zones focused around Metro stations
- Testing a business model using independent contractors
- Mixed fleet of driver-owned vehicles, inspected and approved by Via
- Lite TAP integration for pilot period
- Rides are requested using Via's app or Via's call center

MicroTransit Pilot

- Serving all trip types
- Up to three years of operations in pilot phase
- Number and types of zones to be determined
- Testing a business model using Metro operators
- Mixed fleet of vehicles to be leased by private sector
- TAP Integration anticipated
- Rides are requested using an app and call center



Metro

METHODOLOGY

Criteria Considered

- Geographic diversity
- Thresholds for percentage of low income and minority populations
- Current first and last mile access
- Compelling use-cases to test


Process

- Worked with service planning to shortlist stations based on criteria
- Worked with Via and analyzed list to determine where Via can provide the greatest value
- Negotiated total square mileage to maximize value of service

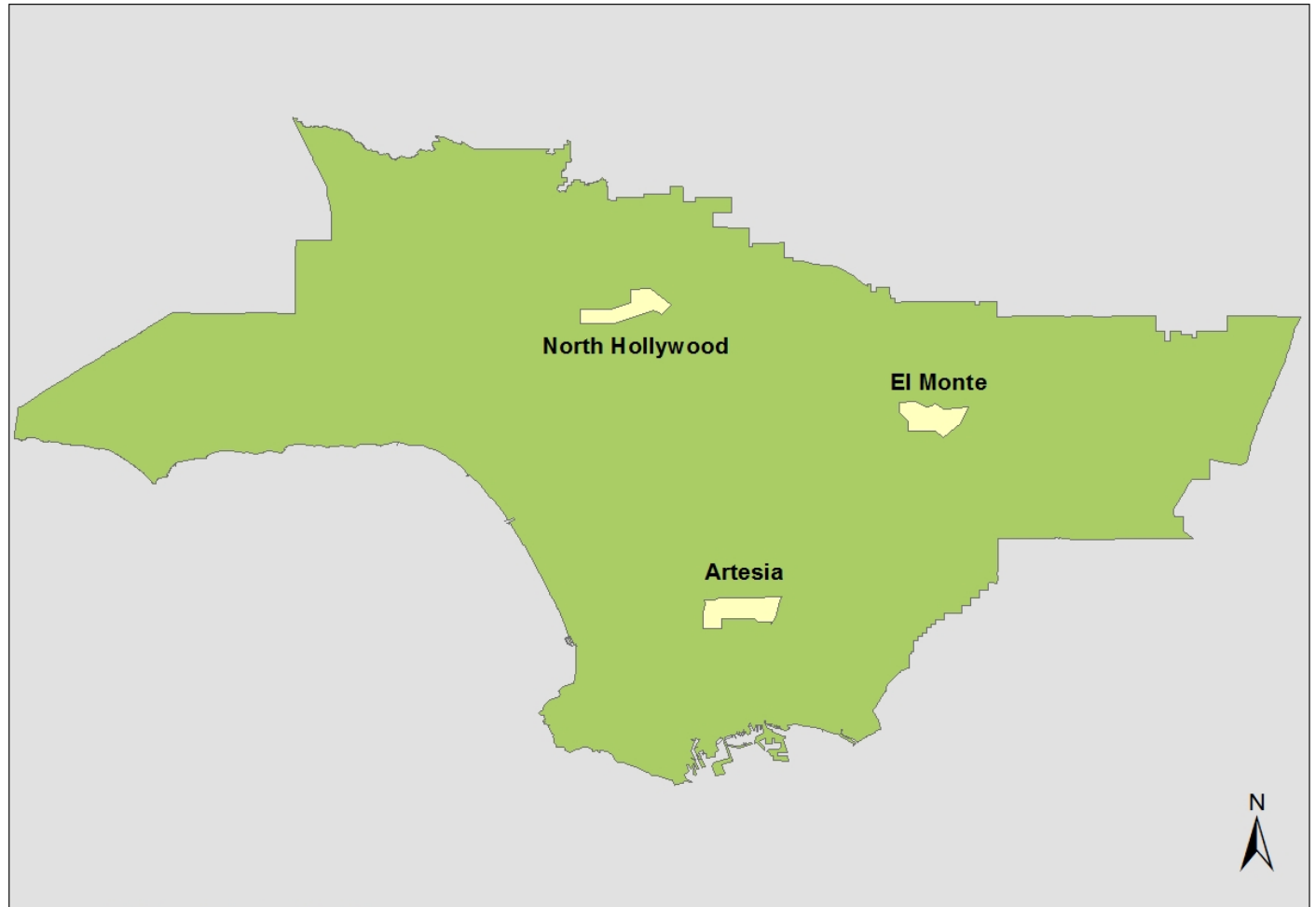
STATION SELECTIONS

Mobility on Demand Pilot Metro Service Area

Legend

 Catchment Area







* Catchment areas are subject to refinement.



NORTH HOLLYWOOD

North Hollywood Catchment Area

Legend

-  Red Line Stations
-  Burbank Metrolink Station
-  Metrolink
-  Red Line
-  Orange Line
-  Catchment Area*

Catchment area = customers within this area can request rides to/from the North Hollywood station






*Catchment area is subject to refinement



EL MONTE

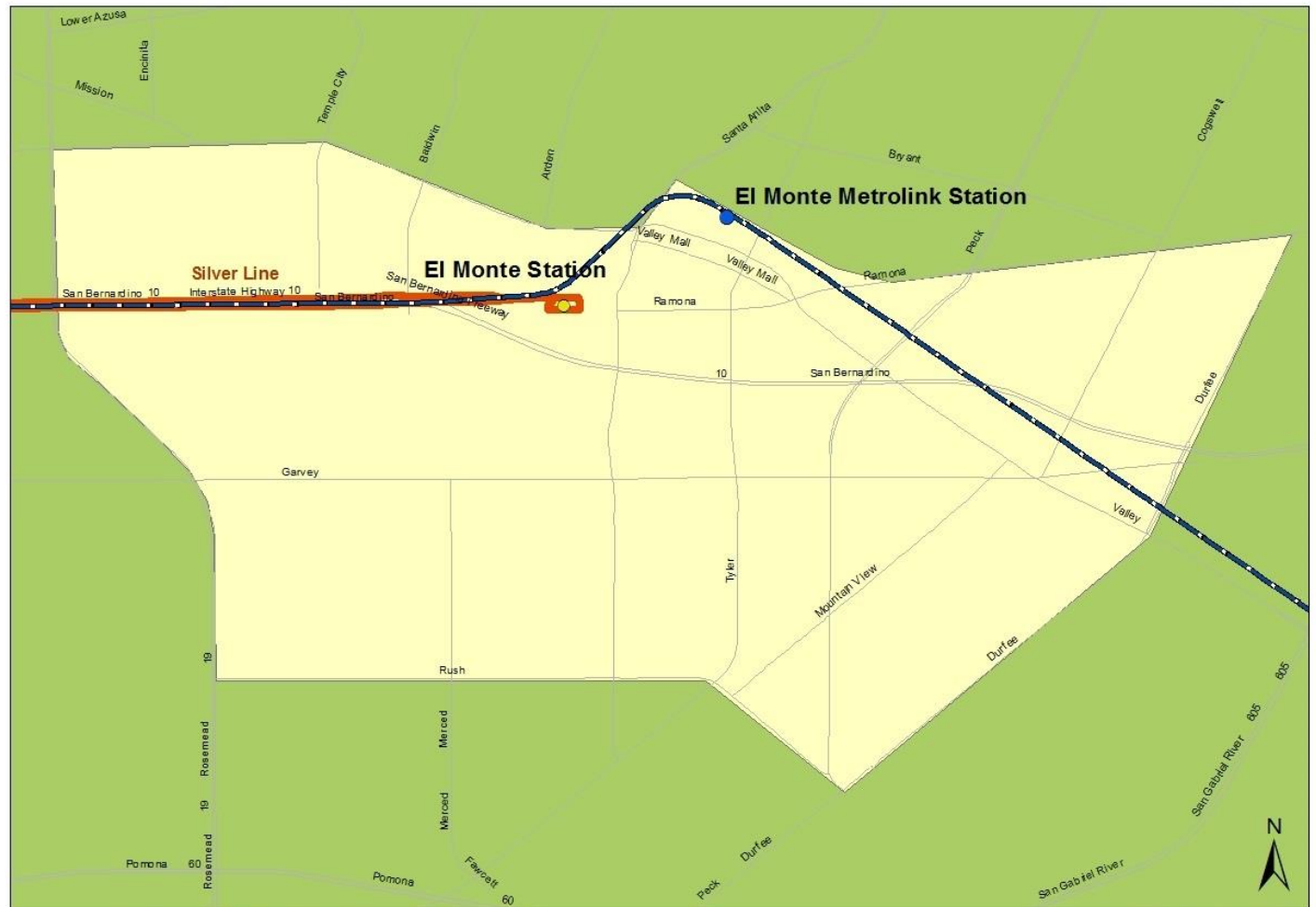
El Monte Catchment Area

Legend

-  El Monte Station
-  El Monte Metrolink Station
-  Metrolink
-  Silver Line
-  Catchment Area*

Catchment area = customers within this area can request rides to/from the El Monte station

*Catchment area is subject to refinement



ARTESIA

Artesia Catchment Area

Legend

- Blue Line Stations
- +—+—+ Blue Line
- ▭ Catchment area*

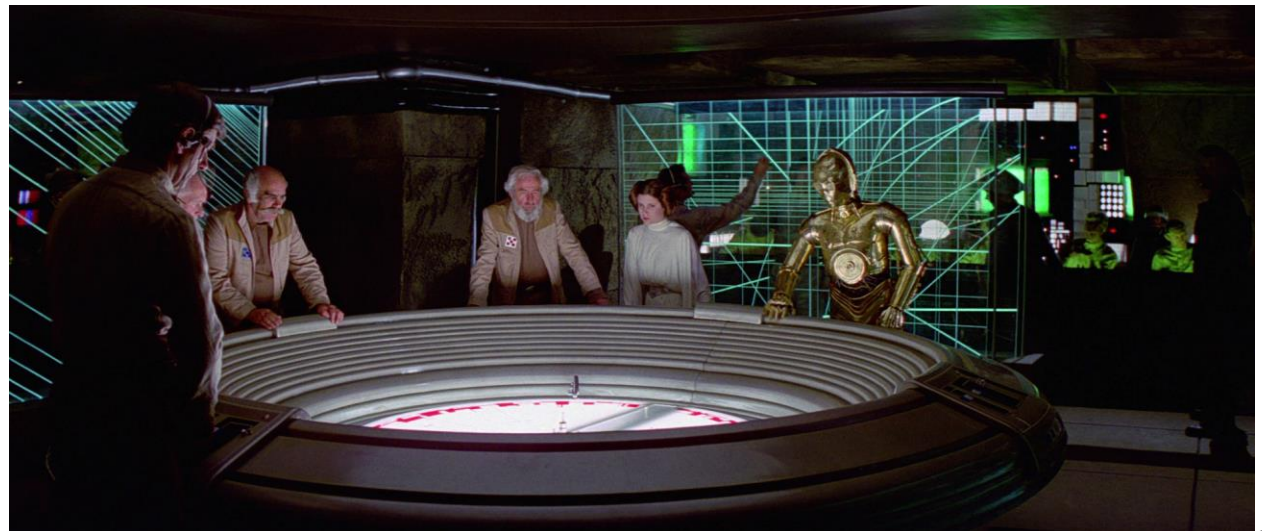
Catchment area = customers within this area can request rides to/from the Artesia station

*Catchment area is subject to refinement



OPERATION DETAILS

- Monday – Friday, 6:00am-8:00pm
- Via's mobile application and call center
- Credit cards or pre-paid debit cards
- Wheelchair accessible vehicles



BACKGROUND CHECKS

- Independent contractor drivers
- FTC accredited consumer reporting agency runs checks
- DMV's Employer Pull Notice Program
- Meets all CPUC requirements



FARES

Eligibility

Input TAP card number

No TAP card number provided

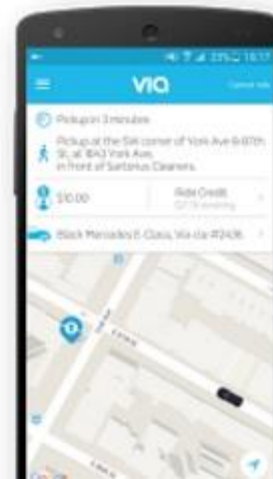
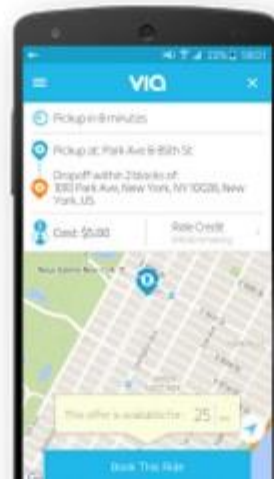
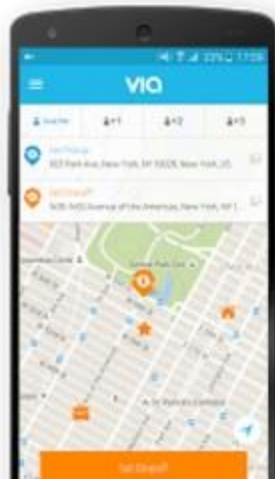
Registered LIFE Participants

Amount

\$1.75 base fare

Base fare + \$2

Free



PILOT COSTS

Project Costs	
12-month contract with Via	\$2,506,410
Pass through to grant partners	\$750,000
Admin., signage & striping	\$130,500
Total Project Costs	\$3,386,910
Funding Sources	
FTA grant (\$750k pass through and \$600k Metro allocation)	\$1,350,000
Via's risk sharing contribution	\$286,650
Metro's net local match	\$1,750,260
Total Funding Sources	\$3,386,910

MEASURING SUCCESS

Project Goals	Key Performance Indicator	Targets
1. Improve mobility by increasing ridership for the Agency through pilot service	Number of trips per week	1000 trips/week
2. Provide a reliable, high quality FLM customer experience	Average wait time	10 minutes or less
	Average ride feedback rating	Average ride rating of 4.5
	Percent demand met	80%
3. Increase vehicle utilization of FLM vehicles by aggregating multiple riders into single vehicles when possible	Average riders per driver per hour	2.5 rides per driver hour
4. Ensure access for disadvantaged populations through LEP enabled call center and affordability of service	Percent demand met; average wait times	80%; 10 minutes or less
	Percent demand met; average wait times	80%; 10 minutes or less
5. Ensure cost efficiency to the Agency and the Contractor	Utilization (Average rides per driver hour)	2.5 rides per driver hour

INNOVATIVE CHARACTERISTICS

- Via's risk-sharing contribution
- Data sharing
- Ability to iterate
- Insurance and indemnification



QUESTIONS?

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Board Report

File #: 2018-0606, File Type: Program

Agenda Number: 39.

REVISED
FINANCE, BUDGET AND AUDIT COMMITTEE
OCTOBER 17, 2018
EXECUTIVE MANAGEMENT COMMITTEE
OCTOBER 18, 2018

SUBJECT: METRO TRANSPORTATION SCHOOL

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. APPROVING the programming of up to \$2.875 Million in FY21, \$3.631 Million in FY22, \$4.494 Million in FY23, and \$5 Million annually from FY 24 through FY35 (cumulatively, up to ~~\$75~~ \$71 Million over 15 Fiscal Years), to support the operations of Los Angeles County’s first transportation infrastructure school; and
- B. AUTHORIZING the Chief Executive Officer or his designee to negotiate and execute a Funding Agreement for the transportation infrastructure school with the County of Los Angeles.

ISSUE

Metro is poised to dramatically transform the transportation infrastructure of the region with the passage of Measure M, and in doing so, propel the development of a sizeable well-trained and well-paid skilled workforce to support the planning, construction, operations, and maintenance of our expanding system. This increasing demand for a skilled transportation workforce both within the agency and the industry at-large, combined with local at-risk youth’s employment needs, create a strategic opportunity for Metro to impact the cycle of poverty by serving as an engaged, founding industry partner in a public charter boarding school to provide students with real word learning opportunities that will educate, engage, expose, and employ students within the transportation and infrastructure industry.

The County of Los Angeles has entered into an Exclusive Negotiating Agreement (ENA) with the SEED Foundation to serve as the boarding school operator, with plans to open the school in FY2021. The SEED Foundation will be responsible for facilitating the financing and construction of the boarding school. Ten-million dollars in funds are required annually, once the school reaches full

enrollment in Year 4 of operation, to facilitate the operations of the boarding school. This would be leveraged by Average Daily Attendance revenue from the State which would offset the costs of operating the traditional academic functions of the school.

A firm operating subsidy is required for the SEED Foundation to seek financing for the construction of the boarding school. The proposal is for the County and Metro to share the operating subsidy equally.

An early determination of a long-term commitment to the operating subsidy is also a best practice to demonstrate the long-term commitment of the public partners to the school to prospective philanthropic donors.

BACKGROUND

At its April 2017 meeting, the Metro Board approved Motion #43 by Directors Ridley-Thomas, Fasana, Garcetti, Barger, Garcia, and Dupont-Walker directing the CEO to develop a framework for a pilot educational and job training program, specifically, though not exclusively, targeting at-risk probation youth who had exposure to the County's safety net and who had historically been under-served educationally. (Attachment A).

At its June 2017 meeting, the Metro Board received and filed the proposed framework for a pilot educational and job training program with the objective of facilitating career pathways for local youth in Los Angeles County's transportation sector.

At the May 2018 meeting, the Metro Board authorized the CEO to negotiate and enter into an MOU with the County for the development of the transportation school. The MOU action did not address funding.

At its June 2018 meeting, the Los Angeles County Board of Supervisors authorized an ENA with the SEED Foundation to serve as the boarding school operator for a site in the County's possession on the 8500 block of South Vermont Avenue in Los Angeles.

At the September 2018 meeting, the Metro Board approved \$1M for the predevelopment activities associated with the school site.

DISCUSSION

Transportation School Framework

Attachment B, *The SEED School of Los Angeles County*, outlines the Mission, Vision, and the Educational Model for the boarding high school. The high-school (grades 9 -12), *SEED LA*, will be the first public boarding school nationwide to focus specifically on the future workforce needs of the global transportation infrastructure industry.

SEED LA will fill the missing link within Metro's Career Pathway. Metro has built a clear pathway to careers in transportation and combined this roadmap with investments in people development. SEED LA will serve as the portal to this career pathway by preparing members of our future workforce to be educated, engaged, exposed, experienced and employed within the transportation

industry, readying them, through experienced based learning activities and practicums, internships, mentorships and related strategies, for a meaningful career in the industry.

The SEED LA School will recruit students who can most benefit from this structured boarding school experience. There are over 18,000 youth in foster care in Los Angeles County, while nearly 78,000 youth are homeless. The SEED Foundation has demonstrated success at its three established campuses in Washington D.C., Baltimore, and Miami, in creating positive educational and personal experiences for young people, specifically those with multiple poverty indicators, who have had experience with the local safety nets, including the juvenile justice and child welfare systems. The students at the SEED Foundation's existing boarding schools are twice as likely to graduate and three times more likely to graduate from college. The SEED Foundation has produced graduates who enroll in college at the rate of 94% and graduate at 3.5 times the rate of low-income, first generation students. Due to the diverse needs of the targeted students, the SEED Foundation provides an extensive wrap-around services model. Locally, this model will leverage our partnership with Los Angeles County to bring a high-level of support for the students of SEED LA.

The SEED LA School will be open to all youth in Los Angeles County, with a special focus on "opportunity youth" that have, or are at risk, of contact with Los Angeles County's public safety, child protection and welfare departments, or youth who have historically been under-served educationally. High school graduation rates for this population are 45% in California compared to 71%-76% for the general population. The SEED Foundation's graduation rate for a population with consistent poverty indicators is 92%.

Relevance to the Industry

The concept of bringing a college-prep and career-readiness experience has been embraced by the transportation industry partners including private companies who operate within the Transportation Infrastructure space. Metro has consistently heard from leaders within Transportation Infrastructure of their concerns regarding their ability to recruit and retain the future workforce. For example, Metro's recent Disparity Study suggests that there is insufficient availability of minority-owned professional firms to accommodate the amount of business that Metro has to offer. To prepare students for careers in the industry, the following approaches will be used:

- Innovation will be embedded in all aspects of the school through an infused transportation infrastructure curriculum in both the traditional academic setting and as part of after-school programming. Focus areas may include engineering, information technology, public administration and policy, urban and regional planning, and logistics and supply chain management.
- An alignment of the curriculum development for synergy with Metro's workforce demands, to include the full arc of possibilities for youth, including career readiness for college preparatory education and options for immediate job opportunities through Metro and its contractors.
- While not offered in the inaugural years, the curriculum will be developed such that students will have the opportunity to attain industry certifications or training programs to successfully transition to transportation related careers with Metro, other transit industries or pursue related Bachelor degrees. Pathways may also be created to offer dual enrollment in college courses

while in high school with the potential of graduating with an Associates' degree (AA). Ultimately, providing various strategies for students to receive a post-secondary education will be paramount. This aligns with the goal of creating a pipeline for future Metro employees, as 65% of Metro's job classifications require a college degree, and the needs of the industry to fill management and leadership positions; and

- SEED LA will partner with labor, the private sector, community colleges and community organizations to develop culturally-sensitive training programs with wrap-around services (as needed).

In addition to the SEED LA School, the Vermont Manchester campus will also have an on-site transit job training center, that will expand the opportunities for disadvantaged non-school aged residents from across the County to seek opportunities for job training to prepare themselves for careers in the transit industry in coordination with Metro's WIN LA Program.

Given the shared goal with the industry, it is anticipated that long term, continuing support will also be provided by the industry to the SEED Foundation through philanthropic donations.

A Frequently Asked Questions document is provided as Attachment C.

Engagement with LA County Schools & Teachers -- E3 Initiative

The work that has been conducted to develop this project has led Metro to better understand the diverse needs of our communities. The numerous needs of our youth and the opportunity to help them create positive and productive futures, was the inspiration to create a broader approach to connecting with the emerging workforce. To meet this objective, Metro has developed the Expose, Educate, and Employ Youth Initiative (E3). Beyond the SEED LA School, this E3 aims to expose, educate and employ the next generation of youth across the County into the transportation infrastructure industry. The E3 initiative will broaden Metro connections with the future workforce by expanding school tours, providing teacher education about careers in transportation and expanding internships and summer camp models to connect youth from throughout the County with the transportation industry.

DETERMINATION OF SAFETY IMPACT

This Board action will have no adverse impact on safety standards for Metro.

FINANCIAL IMPACT

Staff requests that the Board program funds as follows, not to exceed \$2.875 million in FY21, \$3.631 million in FY22, \$4.494 million in FY23 and \$5 million in FY24 through FY35 once the school is fully operational. This programming will last for the duration of 15 fiscal years from FY21 through FY35. Annual budgeted commitments from Metro shall be no greater than \$5M. The maximum cumulative program allocation shall be no greater than ~~\$75~~ \$71 M.

As part of the solicitation process, the SEED Foundation provided a proforma for the costs associated with the round-the-clock services provided within a 5-day a week boarding school. Once

the school is fully operational, with 400 students, there will be 52 staff members dedicated to the non-academic portion of the boarding school facility. Their duties will range from dedicated mental and health service delivery, facility operations and maintenance, resource coordinators, management, and various other operations. The total expenses associated with personnel costs are approximately \$3.76 million per year.

Other costs associated with the school include debt service for the facility, estimated at approximately \$2.25 million per year, food at \$1.3 million per year, student transportation at \$350,000 per year, and various building, programmatic and administrative-related expenses at \$2.34 million per year.

The annual Metro allocation can be reduced depending on proceeds from external state and federal grants sought by Metro and charitable contributions to the SEED Foundation. SEED has committed to raising any other necessary funds beyond the \$10 million annual operating subsidy that is required from Metro and the County of Los Angeles. This will be shared equally between the two agencies.

Since this is multi-year long range programming effort, the Chief of Human Capital & Development will be responsible for budgeting costs in the current and future fiscal years.

Impact to Budget

As development and implementation occur, staff will assign eligible funds to the respective workforce initiative. Potential future Metro fund sources for the transportation school include external federal and state grants, Proposition A, C, Measure R Planning and Administration, General funds and other future fund sources eligible for workforce development and training based on eligibility and availability. Before programming funding eligible for transit operations, Metro will exhaust all other sources.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports strategic plan Goal #3 (Enhance Communities and lives through mobility and access to opportunity) - Initiative #3.1 (To lift up local communities, Metro will create jobs and career pathways in transportation). As part of the E3 Initiative, Metro is developing a transportation focused school curriculum to extend the career pipeline to high school students to cultivate the transportation infrastructure workforce of the future. The high school will complement the E3 Initiative by connecting school-age children throughout the County with the opportunity-rich industry of transportation infrastructure.

ALTERNATIVES CONSIDERED

The Board could choose not to proceed with the recommended action. Staff does not recommend proceeding with this alternative since it does not address the priorities outlined in the Board motion to address the agency's workforce needs.

The Board could choose to program at five year intervals. This is not recommended as it may not provide the County and the SEED Foundation the certainty of funding required to finance the

construction of the school.

NEXT STEPS

Upon approval by the Board, staff will execute the Funding Agreement with the County.

ATTACHMENTS

Attachment A - Motion 43

Attachment B - The SEED School of Los Angeles County

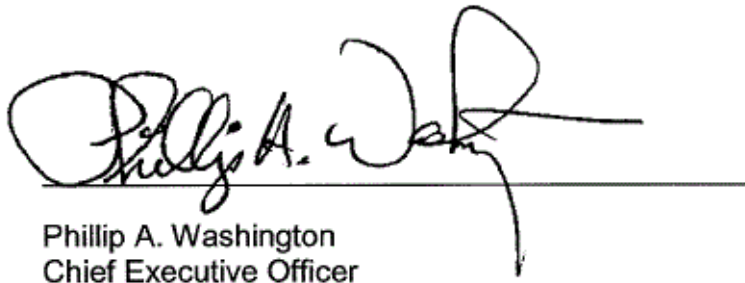
Attachment C - Transportation School FAQ

Attachment D - E3 External Stakeholder List

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**Board Report**

File #:2017-0271, **File Type:**Motion / Motion
Response

Agenda Number:43.

**EXECUTIVE MANAGEMENT COMMITTEE
APRIL 20, 2017**

Motion by:

Ridley-Thomas, Fasana, Garcetti, Barger, Garcia and Dupont-Walker

Item 43: Supporting Access to Careers in Los Angeles County's Transportation Sector for At-Risk Youth

Following the passage of Measure M, the Los Angeles County Metropolitan Transportation Authority (Metro) is poised to dramatically transform the transportation infrastructure of the region, and in doing so, propel the development of a sizable workforce to support the planning, construction, operations and maintenance of our expanding system. Specifically, the Los Angeles Economic Development Corporation (LAEDC) estimates that 778,000 jobs and \$133.6 billion in economic output will result from infrastructure projects funded by Metro's Traffic Improvement Plan over the next half century. LAEDC further projects that the construction, architecture and engineering fields would experience the highest percentage of growth.

Over the next three years, 39% of the Metro workforce will be fully eligible for retirement. Metro has numerous programs in place to support inclusive contracting opportunities and a diverse workforce. Specially, the Department of Economic Opportunity and Diversity systemically identifies opportunities to expand participation of small, local and veteran-owned businesses through all of Metro's contracts. In addition, Metro has instituted numerous workforce development initiatives including the Workforce Initiative Now - Los Angeles (WIN-LA) Program, as well as an agency-wide Project Labor Agreement which requires the significant participation of targeted and disadvantaged worker populations on major construction projects.

However, in order to further foster a pipeline of qualified, local individuals for careers in the

transportation sector, Metro should also consider engaging youth early on, potentially as part of their middle or high school experience. Moreover, there is an opportunity to collaborate with at-risk populations including youth involved with the County of Los Angeles' (County) Probation and Children and Family Services (DCFS) Departments to expose and connect them to transit-related educational and career opportunities if their interests align.

DCFS serves nearly 35,000 children and their families across the County. High school graduation rates for this population are abysmal, with only 45 percent of foster youth in California completing high school, compared with 79 percent of the general student population. Nationally, only six percent of former foster youth have earned a two or four-year degree by age 24, and only one in two foster youth is employed by age 24. Even more alarming, one in five foster youth becomes homeless after aging out of the system.

Additionally, the County's Probation Department supervises approximately 6,000 youth in the community and detains or incarcerates approximately another 1,100 on a daily basis. National statistics indicate that most youth in the juvenile justice system have had unstable educational histories with a high number of school transitions and disciplinary actions (i.e., suspensions). Researchers have found that over 40% may be enrolled in special education classes, approximately 50% perform below grade level, and as low as only 20 to 40% of justice-involved youth ultimately earn a diploma or General Equivalency Degree.

Given these statistics, exposure from an early age to transit-related careers combined with vocational preparation and specific job training could significantly transform the self-sufficiency and well-being of young people in the County's care as they transition to adulthood. This type of collaboration could not only help meet Metro's long-term workforce development goals, but also create a career pathway for many young disenfranchised populations who are, or have been, under the care and supervision of the County of Los Angeles.

APPROVE Motion by Ridley-Thomas, Fasana, Garcetti, Barger, Garcia and Dupont-Walker to direct the Chief Executive Officer, in consultation with appropriate Departments of the County of Los Angeles including the Probation Department, Children and Family Services Department, Office of Education, the Department of Workforce Development, Aging, and Community Services, Department

of Public Social Services, and other appropriate entities, to report back to the Executive Management Committee during the June board cycle with a proposed framework for a pilot educational and vocational training program, specifically though not exclusively targeting youth involved in the County's Probation or Child Welfare System, with the objective of facilitating career pathways for local youth into Los Angeles County's transportation sector.

THE SEED SCHOOL OF LOS ANGELES COUNTY

| A college-prep boarding school for career readiness
| in transportation infrastructure, STEM and the humanities



VISION AND MISSION

The SEED Foundation

The SEED Foundation (SEED) believes in access to quality education and college completion as a solution to urban poverty. In 1998 SEED created the first public boarding school model to help children from high-need backgrounds achieve their dreams of high school graduation and post-secondary success.

SEED partners with urban communities to design and operate college-preparatory, public boarding schools that serve students five days a week from grades six through twelve. For 20 years SEED has implemented an innovative model that integrates a rigorous academic program with a nurturing boarding program. The SEED model teaches life skills and provides a safe and secure environment to help children from high-need backgrounds achieve their dreams. SEED's boarding model includes academic, residential, mental health, physical health, social, and enrichment programs, and has succeeded at preparing underserved students to become first-generation college graduates.

To date, SEED serves nearly 1,000 students in three schools: The SEED School of Washington, D.C. (opened in 1998), The SEED School of Maryland (opened in 2008) and The SEED School of Miami (opened in 2014).





The SEED School of Los Angeles County

The SEED School of Los Angeles County (SEED LA), a public college-prep boarding school for career readiness in transportation infrastructure, STEM and the humanities, will be a public charter boarding high school with the primary mission to provide an outstanding, intensive educational program that prepares adolescents both academically and socially, for success in college, career and life. The school will prepare Los Angeles County youth both academically and socially for post-secondary success by including a career-readiness curriculum and programming that prepares students for opportunities in the transportation infrastructure industry, STEM and the humanities.

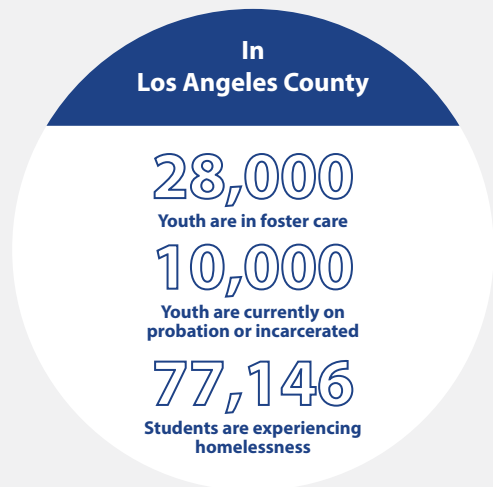
SEED LA's Educational Philosophy: Industry-Aligned College-Prep and Career Education through the Five E's

- **Exposure (9th Grade):** Students will be introduced to and exposed to college and career opportunities in the transportation infrastructure industry.
- **Exploration (10th Grade):** Students will explore college and career options in the transportation infrastructure industry focused on research, development and evaluation.
- **Engagement (11th Grade):** Students will engage in college and transportation infrastructure career pathways and the social and environmental impacts of global transportation infrastructure needs.
- **Experience (12th Grade and beyond):** Students will experience careers in the transportation infrastructure industry through internship programs, including LA Metro's Transportation Careers Academy Program (TCAP) for 12th graders and the LA Metro Internship Program (MIP) for college and graduate students.
- **Employment (Graduation and beyond):** Leveraging their experience in transportation infrastructure internship programs, SEED LA graduates will be prepared for careers in the global transportation infrastructure industry.

THE NEED TO BE ADDRESSED

The Los Angeles metropolitan area struggles with one of the highest youth unemployment rates in the country. Although the passage of Measure M will generate more than 778,000 new jobs in the next 40 years, the transportation infrastructure industry is struggling to meet the demand for a skilled workforce.

As provided in the response to Los Angeles County's Request for Proposals, SEED LA is being proposed to meet the needs of *Resilience Youth*: "students for whom high quality, trauma-informed education, healthcare, housing, mentoring, nutrition, recreational opportunities, and/or supportive services would have a measurable impact on well-being, motivation, and self-sufficiency and offer significant prospects they may otherwise not have been able to access."



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For high-performing students with stable home and community environments, a traditional school may be all they need to reach their full potential. But for many students who face challenges in the classroom, their community or at home, a more comprehensive 24-hour support model is needed. For thousands of children, a boarding school program is exactly what they need to succeed.

Student Population

SEED LA will serve 400 students in grades 9-12 who have faced tremendous adversity. The final enrollment criteria and preferences will be decided with the Los Angeles County Office of Education and Los Angeles County partners, but we anticipate that students eligible to attend SEED LA will meet eligibility criteria such as:

- **below 200% of the federal poverty guidelines**
- **family experience with housing instability**
- **qualify for Title IV-B dollars**
- **history of contact with the child welfare and/or juvenile justice systems through the Department of Children and Family Services or the Probation Department**

SEED LA'S EDUCATION MODEL

Signature Themes and Educational Concepts

SEED LA's education model is a rigorous college-preparatory program for all students with an intensive focus on literacy and numeracy including coordinated instruction and support opportunities within a 24-hour boarding environment. All coursework is designed to prepare students to matriculate to a selective four-year university with no need for remedial courses and for careers in the global transportation infrastructure industry. Academic and student life curricula are coordinated to promote critical social and non-cognitive skills (e.g. resiliency, long-term goal-setting) and habits of mind (e.g. critical and analytical thinking, academic inquisitiveness) that contribute to personal success within a college environment and career. College preparation and support continue through college with targeted support and assistance from the school-based college counseling office and The SEED Foundation's College Transition and Success (CTS) Team.

The SEED Foundation, in collaboration with LA Metro and Los Angeles County, has designed a program that meets the needs of the Los Angeles community. Similar to existing SEED schools, SEED LA will include college-prep academics, social emotional skills/non-cognitive skills development, college knowledge advising/advising through career selection, wrap around services, family and community engagement, experiential learning, and connected-work based learning and presentations of learning. These programmatic themes are tenants of the proposed Signature Practices presented in LA Metro's Transportation School Final Feasibility Report. SEED LA will be the first public boarding school to focus on the future workforce needs of the global transportation infrastructure industry.





As the program ramps-up to full scale, SEED LA will also feature dual enrollment, industry courses, and industry-recognized vocational training and certifications that align with transportation infrastructure careers such as: engineering, information technology, public administration and policy, urban and regional planning, and logistics and supply chain management. To establish excellence at the outset, SEED LA will gradually phase in concepts that are new to the SEED model such as CTE, vocational training and industry-recognized certifications. A sample course description for SEED LA's CTE program is included in **Exhibit A**. To incorporate these new program elements, SEED's program design team will seek guidance from an advisory board that will include LA Metro and other local leaders in transportation infrastructure industry to create a technical education program that produces a pipeline of skilled graduates ready to embark on opportunities in the transportation infrastructure sector. SEED LA will pursue accreditation from Accrediting Commission for Schools Western Association of Schools and Colleges (ACS WASC).



SEED LA'S EDUCATION MODEL

SEED LA's key programmatic themes incorporate SEED's core model with signature practices proposed by LA Metro's leadership:



COLLEGE PREP ACADEMICS

Students will receive a college-preparatory education that provides them with the academic, organizational and professional life skills to enable the student to attend and succeed in college. Although not implemented in its inaugural year, SEED LA will also include dual enrollment and CTE/industry certifications once the program reaches full scale.



SOCIAL EMOTIONAL SKILLS

Students will enhance their social and emotional skills through the student life program. The core component of the student life program is SEED's HALLS (Habits for Achieving Life-Long Success) which has three areas of focus: providing academic support, leading the development of social and non-cognitive skills and providing enrichment and community building.



COLLEGE KNOWLEDGE & ADVISING

In addition to a rigorous instructional program, SEED LA will include a structured college counseling and success program, beginning with the student's entry to SEED, based on frequent and varied college exposure and targeted instruction on how to navigate the college completion process.



WRAP-AROUND SERVICES

Students will receive supports that address all barriers to success in education, career, and life. SEED LA's student support services will comprise of mental health services delivered by licensed practitioners and skilled mental health professionals in addition to health/wellness and physical education.



FAMILY AND COMMUNITY ENGAGEMENT

Students are civically engaged, active participants in the continual improvement of their surrounding community. Similar to existing SEED schools SEED LA will feature a F.A.C.E. (Family and Community Engagement) Office that will feature staff focused on family outreach, home visits and programming for families that support SEED LA's mission.



EXPERIENTIAL LEARNING

Students learn and practice real-world skills through on-site learning laboratories outfitted with state-of-the-art STEM equipment. Students will also develop a network of career connections through internships, social enterprise and mentorships. The boarding program will include external opportunities such as lecture series, field trips to ports and professional lab tours in infrastructure and engineering. The boarding curriculum will include courses in coding, Makerspace and robotics.



TECHNOLOGICALLY ADVANCED

Students have one-to-one computer access and understand how to use a host of computer programs. Curriculum leverages basic computer-based technology skills as well as career-aligned technology programs. On a broader systemic level, SEED commits to comprehensive technology integration and using a school-wide data management plan and system that informs staff and faculty decision making.



PRESENTATIONS OF LEARNING

Learning does not just live within the classroom walls. Students have multiple opportunities to showcase their learning to a community and real-world audience through presentations, competitions, and exhibitions. Annual POLs will require students to present a summary of performance-based assessments in each course and to reflect on their academic and social growth that school year.



ARTS AND HUMANITIES

SEED LA will incorporate its STEM program with an arts and humanities program through interdisciplinary assignments and projects and external experiences, including partnerships with local youth-based art initiatives at the community and university level, to appeal to the talents and interests of all students.



DUAL ENROLLMENT & INDUSTRY CERTIFICATIONS

Students will have pathways to complete dual enrollment in college courses while in high school, with the potential of graduating with an AA degree. Although not offered in the program's inaugural year, as the program ramps-up students will have the option of attaining industry certifications to successfully transition into college and career.



RESTORATIVE JUSTICE

School discipline focuses on repairing harm through inclusive restorative justice practices that engage all stakeholders rather than punitive measures. Practices allow students who have interacted with the juvenile justice system the opportunity to take accountability for the harm they caused, take action to repair that harm, and restore trust in the school community justice practices that engage all stakeholders rather than punitive measures. Practices allow offenders the opportunity to take accountability for the harm they caused, take action to repair that harm, and restore trust in the school community.



Academic and Student Life Program

SEED LA's high school instructional practices will be based on the belief that all high school students are capable of responding to rigorous curriculum. SEED's experience in adjusting its college readiness curriculum to different state jurisdictions will provide guidance in guaranteeing that the curriculum at SEED LA will be in compliance with the regulations and policies of California and the A-G requirements to enter a four-year college.

SEED proposes the below listed graduation requirements for SEED LA that will include diverse electives that emphasize the program's transportation infrastructure, STEM, innovation and humanities themes and meet or exceed the California A-G requirements. A description of sample courses to be offered at SEED LA is attached as **Exhibit A**.

Subject	California A-G Requirements	SEED LA Requirements
English	4 years	4 years
Math	3 years	4 years
World History	1 year	1 year
US History	1 year	1 year
American Gov.	½ year	½ year
Economics	½ year	½ year
Science	2 years	3 years lab sciences + environmental science
World Lang.	2 years	2 + years
Phys. Ed.	2 years	2 years
Health	½ year	½ year
Arts/Music	1 year	2 years
Electives	1 year	3 years

SEED LA's Industry Linked Learning approach will build its high school academic program around the transportation infrastructure industry through the Five E's. A sample scope and sequence for SEED LA is provided in **Exhibit B**. Transportation infrastructure industry electives offered in the program will include, for example, seminars that engage students in career options in the transportation infrastructure industry focused on research, development and evaluation, as well as the social and environmental impacts of global transportation infrastructure needs.

To enhance the students' awareness of the applicability of their STEM courses to careers that they might pursue in the transportation infrastructure sector, SEED LA's teachers will be guided to incorporate making job skill connections for each course of study as aligned to California CTE and content standards. To support the continued development of its academic and student life staff, SEED LA will adopt the following systems and structures: Professional Learning Communities (PLCs), Communities of Practice (COPs), Department Chairs, and Cohort Leads. Additionally, SEED LA's instructional methods, practices, and topics will include but not limited to the following: Direct Instruction, Cooperative Learning, Inquiry-Based Learning, Project-Based Learning, Linked Learning, Expeditionary Learning, Differentiated Instruction, and Personalized Learning.

SEED LA's schedule is affected by its two programs (academic and student life) that are designed to work collaboratively to fulfill the school's innovative mission. The academic program consists of those courses and activities described above and in addition to the college-readiness activities further described below. The student life program – or boarding program – consists of academic support as well as the development of social/non-cognitive skills and life skills. Below is a typical school day schedule for how the two programs will align for SEED LA students. The sample scope and sequence of SEED LA's program provided in **Exhibit B** further illustrates the integrated approach of the academic and student life programs.





Sample School Week Schedule for SEED LA Students

Rotating A/B Days & Blocks	Mon/Fri*	Tues/Wed/Thurs
Wake Up, Shower, Dress	6:30 – 6:45 a.m.	6:30 – 6:45 a.m.
Chores	7:05 – 7:25 a.m.	7:05 – 7:25 a.m.
Breakfast & Morning Student Life Programming	7:30-7:50 a.m.	7:30-7:50 a.m.
Students Dismissed to Classrooms	7:55 a.m.	7:55 a.m.
Block 1	8:10 – 9:40 a.m.	8:10 – 9:50 a.m.
Block 2	9:44 – 11:14 a.m.	9:44 – 11:34 a.m.
Wellness Break	11:14 – 12:29 p.m.	11:34 – 11:49 p.m.
Block 3	11:29 – 12:55 p.m.	11:49 – 1:28 p.m.
LUNCH	12:59 – 1:47 p.m.	1:32 – 2:17 p.m.
Block 4	1:51 – 3:30 p.m.	2:20 – 3:30 p.m.
Community Meeting (Mon.) Check-Out (Fri)	3:30 – 4 p.m.	
Seminar in Transportation infrastructure		3:35 – 5:00p.m.
Dorms Open/Snack	4:00 p.m.	4:00 p.m.
Activities/Athletics	4:05 – 5:45 p.m.	4:05 – 5:45 p.m.
Sparks	5:45 – 6:15 p.m.	6:15 – 6:45 p.m.
DINNER	6:15 – 6:45 p.m.	6:15 – 6:45 p.m.
Study Hall	7:00 – 9:30 p.m.	7:00 – 9:30 p.m.
Student Wellness Community & Time	9:30 – 10:00 p.m.	9:30 – 10:00 p.m.
Quiet House	10:15 – 10:45 p.m.	10:15 – 10:45 p.m.
Lights Out	10: 45 p.m.	10: 45 p.m.

*Students check-out on Friday afternoons and check-in on Sunday evenings.

In addition to engaging in rigorous academics, SEED believes in being a contributing member of the community and that the community has essential resources to augment the educational experience of SEED youth. To that end, in addition to requiring 210 credits to graduate, SEED LA students will also be required to give 100 hours of service to their community.

The student life program works hand-in-hand with all other school departments and in partnership with students' families to support students and help them achieve academic success. An example of this includes the twice daily communication between student life and academic staff regarding SEED students. Every morning, student life staff prepare a report for the academic staff that details each student's status. This report lets teachers know if their students faced any challenges with homework, family, and/or emotional or social issues since the end of the previous school day. In the evening, teachers report to the student life staff by providing that day's lesson plans and homework assignments. Teachers also brief student life staff regarding any social or behavioral issues that might have occurred during the day, so that the student life staff can be aware and supportive of the student.

A final goal of the student life program is to provide enrichment and community building for students. Community building begins upon students' arrival at SEED. Each student lives in a "house" – a small group of typically 12-15 students supervised by a resident assistant (RA). Each house is named after a college or university and is decorated with banners, posters and inspirational items from that college or university. That RA will support each student, actively monitor their academic and social progress, and communicate weekly with parents/guardians, with formal communications scheduled for at least quarterly. As a group, houses participate in extracurricular activities, host events, and meet as a group to discuss topics from house rules to current events.





External Opportunities

SEED LA will prepare tomorrow's leaders in the global transportation infrastructure industry through hands-on experience and courses that intersect with public transportation infrastructure. Through the Five E's: Exposure, Engagement, Exploration, Experience and Employment, SEED LA students will gain a deep understanding of and access to the transportation infrastructure industry.

These key design principles will embed exposure to the transportation infrastructure industry into the program's core curriculum, project-based learning opportunities, electives and external opportunities. For example, a science lab course may include lesson plans on the use of alternative power, energy and fuel in transit; a physics course may introduce students to the aviation industry by learning the basic parts and functions of planes and allowing students to test model airplanes; or a U.S. History course might discuss the creation of the federal Department of Transportation and their role in public policy. External opportunities in the transportation infrastructure industry will be a fundamental part of the SEED LA experience and will be modeled after clinical rotations in the medical field and LA Metro's and other transportation infrastructure organizations' success with their existing internship programs.

While the academic development of each student is of primary importance, SEED recognizes that the authentic experience of extracurricular activities is an important way to demonstrate or expand academic knowledge, explore and find individual passions and gain new experiences to thrive in a career. Through its external opportunities program, SEED LA will offer exposure to field trips and other activities such as lectures and regional college tours that directly relate to the school's academic disciplines. SEED LA's external opportunities program will be designed to help students ignite their interests in the global transportation infrastructure industry and build professional relationships to support their growth. External opportunities could include, for example, field trips to LA Metro and private industry partners to learn about the impact of technology including autonomous vehicles on transportation infrastructure or meetings with corporate leadership to gain a deeper understanding of logistics management solutions and transportation logistics.

External opportunities may also include day trips and tours of the Port of Los Angeles and Los Angeles International Airport. In partnership with existing SEED campuses on the East Coast, SEED LA students will travel to major transportation infrastructure systems in Baltimore, Miami, and Washington D.C. To maximize SEED LA's location and resources, the campus will host summer institutes for SEED students across the nation to further broaden the network of potential youth exposed to the transportation infrastructure industry and unique opportunities within Los Angeles County.

Additionally, in conjunction with existing SEED schools, SEED LA will include international opportunities that help young people see themselves as global citizens with voice, purpose and access in their community and communities abroad. To offer opportunities for international study during the spring and summer breaks, SEED LA will partner with other international study abroad programs that sponsor programs that align with the scope of SEED LA's international transportation infrastructure curriculum. SEED LA seminars on international transportation infrastructure problem solving could include curriculum focused on urban design in cycling communities in Europe, electronic mobility and air quality in Asia, and innovative solutions for water transportation infrastructure in Africa. Each travel experience will require students to explore research and/or intern with a transportation infrastructure system or industry and reflect on the experience in their annual Presentation of Learning. A sample presentation of learning is provided as **Exhibit C**. Students who are not able to study abroad will have access to national and local opportunities. All students will have access to summer experiences with LA Metro and other local/national public and private transportation infrastructure organizations.





College and Career Readiness

Studies show that college degree attainment continues to be a challenge for low-income, first-generation (LIFG) students. The achievement gaps that exist between subgroups in the elementary and secondary school years are persisting throughout the college years. Because LIFG students are disproportionately from ethnic and racial minority backgrounds, even fewer African-American and Latino LIFG students are graduating from college compared to students from more affluent socioeconomic backgrounds. SEED LA proactively addresses this challenge with its college-counseling programs.

For students who do not immediately enroll in college, SEED LA will prepare students for post-graduate opportunities in transportation infrastructure industry by helping students leverage mentorship relationships established with professionals in the industry during their high school years through existing internship programs such as LA Metro's Transportation Careers Academy Program (TCAP) and enrolling in employment programs such as WIN-LA.

SEED LA will include campus-based college-knowledge advising, preparation and support that will continue through college with targeted assistance from The SEED Foundation's College Transition & Success Team (CTS). SEED's CTS program helps students and families prepare for college, influence their college selection process and teaches them to navigate and overcome obstacles to college graduation through individualized support. SEED's CTS team only endorses colleges with a track record of success for underrepresented students with strong performance in high college graduation rates, affordable financial aid packages, and high-quality campus-based support systems. Sixty-four percent of SEED graduates who start at a SEED-endorsed colleges graduate. That's more than double the rate for students who start at non-SEED endorsed colleges.

SEED LA's college success program will focus on expected outcomes based on five key indicators of college readiness and success:

- **College Knowledge**
- **College Counseling**
- **College Financing**
- **Academic Rigor & Curriculum**
- **Social & Non-Cognitive Skills**

Each expected outcome will be implemented by a specific strategy each grade year. A detailed description of each expected outcome is attached as **Exhibit D**.



EXHIBIT A

Sample Course Descriptions

ELA (English Language Arts) I (Meets “B” Requirements for CA A-G)– Freshman English is a comprehensive English course of literature, composition, and language, including listening and speaking. The study of literature includes reading and comprehending a wide variety of literary forms including short stories, non-fiction, poetry, drama, novels, and spoken and visual texts. The course offers supportive reading strategies for a variety of purposes. This course also focuses on the writing process through response to literature, creative writing, and connections to real-life situations and problem solving. The study of language targets usage, mechanics, and strategies for vocabulary development integrated into literature and composition components. In addition, the course will teach grammatical concepts and applications. Students will review punctuation, capitalization, spelling, and usage as well as work on logical thinking and various modes of composition, including the research paper. Listening and speaking skills are also developed throughout the course.

Computer Program I (Meets “G” Requirements for CA A-G)– This course is an introduction to web page design and development through a series of online tutorials. These will include introductory courses in HTML, XHTML, JavaScript, CSS, and Critical Website Evaluation Criteria as well as an overview of currently accepted Web Standards as outlined by the World Wide Web Consortium. Students will build a variety of personal websites demonstrating the skill acquired from these tutorials. Students will be expected to complete a final Web project, incorporating and demonstrating the skills acquired through these tutorials.

Geometry (Meets “C” Requirements for CA A-G)- Geometry is a study of measurements, properties and relationships of points, lines and angles, or more specifically, a study of the measurements and relationships of triangles, quadrilaterals, circles and the nature of deductive and inductive proofs. This proof-based logic course concentrates on the study of Euclidean geometry while incorporating sophisticated algebraic techniques. Geometric concepts include congruent triangles, parallel lines, quadrilaterals, circles, similar figures, the Pythagorean theorem, perimeter, area, volume, regular polygons, and right-triangle trigonometry. Algebraic methods include solving quadratic equations, solving systems of equations, and simplifying radicals as they relate to geometry problems. Students use theorems and definitions to write proofs and solve practical application problems. The underlying theme of the course is the solution of problems by creating logical, well-supported explanations. Computer and/or other hands-on laboratory activities may be used to explore and discover geometric concepts.

Physics (Meets “D” Requirements for CA A-G) –
(Prerequisite: Completion of Advanced Biology with a grade of C or better or completion of Biology with a grade of C or better. Completion of or concurrent enrollment in Algebra II or science department.)

This is a physical science course for the college-bound student. Physics is about what happens in the world around you. It is about the colors in the rainbow and the sparkle and hardness of a diamond. Students can join the adventure as they begin to understand the world around them. This course also provides an introduction to major topics in physics. The first semester is devoted to the study of mechanics: motion,

forces, and energy. Projects may include introducing students to different modes of transport by learning basic parts and functions of planes, trains and buses, and allowing students to build and test fabricated models. The second semester is devoted to the study of electricity, sound, and light. The course covers many of the same topics as Advanced Placement Physics, but with less emphasis on mathematical-problem solving and more on real-world application of physical principles. This course is for students who possess an interest in physics, basic algebra skills and a willingness to think abstractly.

History of Race & Equity in Los Angeles (Meets “G” Requirements for CA A-G) - In this course students will take an intersectional approach to the study of the History of Race and Equity in Los Angeles by analyzing how race and equity have shaped personal identity, understandings of collective belonging, social difference, structures of power and inequality, belief systems, and political and social action. Students will explore how race and equity have intersected with sometimes constituting, sometimes supporting and sometimes undermining other categories of identity and social organization including class, religion, and nation.

Seminar in Transportation Infrastructure (1 year) (Meets “G” Requirements for CA A-G and aligned to CTE Model Curriculum Standards) * - Seminar in Transportation is a year-long multi-disciplinary and open approach to a wide range of topics related to the transportation infrastructure industry. Seminars I, II and III are completed during grades 9, 10 and 11, respectively. Below is a sample of course descriptions offered during Seminar I. In Seminar I, students work individually and in groups to complete a series of courses and rail-centered projects.

(1) Introduction to Rail Transportation Infrastructure: Introduction to topics related to the rail transportation industry provides an overview of passenger and freight railroads in the past and today. Students gain an understanding of system components (e.g., such as railroad track, rolling stock, and signal communications) organizations, careers and safety and technology and sustainability. The course introduces students to new technology, research and development in the rail industry. Students are provided with the opportunity to research and present in a topic of their choice based upon what they have learned.

(2) Railroad Engineering: This course provides an exploration of public transit that includes: history, government policy, market behavior, sustainability, funding and financing, user characteristics, transit modes and technology, level of service, planning, operations, facilities design, construction, marketing, and future trends. The course emphasizes the function of public transit and the role of government units and how transit contributes to a sustainable future. Students study and apply the capabilities of transit mode alternatives and learn how to design a transit system and lay out transit routes. Students also learn and apply their skills in the relationship between the land use, urban planning, and public transit. Students maintain a working portfolio of public transit current events that link between topics studies and actual policies and practices.

EXHIBIT A

Sample Course Descriptions

(3) Transportation Infrastructure Design: This course is an introduction to the planning design and construction process for highways, intersections, and railroads; operations, capacity, safety and geometric design features of rail systems; horizontal and vertical alignment and cross sections; design criteria, standards, environmental aspects, cost and construction considerations. Students work in groups to prepare contract plans.

(4) Logistics and Transportation Infrastructure Management: This course focuses on transportation and distribution services that support demand fulfillment from the receipt of customer orders to order fulfillment. Topics include customer service, order completion, inventory, transportation costs and modes, facility design and operation, carrier selection, and negotiation. *Pending approval by and guidance of LA County Office of Education – Career Technical Education (LACOE-CTE).

Core Internship (*Meets “G” Requirements for CA A-G and aligned to CTE Model Curriculum Standards*) – Internship is a work-based learning course of study that offers internships and employment combined with instruction in critical workplace skills. After the junior year, students performing well enough to be on track for graduation are placed in internship positions. Students apply for these positions as they would in the open market; i.e., they prepare resumes, complete job applications, and have interviews. Companies make the hiring decisions. Students will have the chance to work closely with LA Metro during internship, while gaining valuable experience. There will be opportunities to work on policy research, office administration, attend policy and transportation related hearings and events, and work hands-on within various on-site transportation departments. Students will develop a strong passion for transportation issues and policy; excellent writing, editing, and analytical skills; and the capability of handling multiple tasks successfully in a professional environment.

25+ Hours of Community Service (*Does not Meet A-G Requirements; aligned to CTE Model Curriculum Standards*) - Community Service is a three-way relationship between the student, the school and the LA Metro transportation system. It is a Career Technical Education (CTE) course that offers an opportunity to combine classroom learning with on-the-job experience; the purpose of which is to help the student choose a career or find the “right” vocation and to achieve success based on the choice. It also provides opportunities for the student who may already be employed or who is seeking higher education or employment in a particular field of study regarding transportation. The student learns to establish short and long-range career objectives and to recognize his/her progress through establishing measurable learning objectives. School personnel and LA Metro leadership provide supervision, evaluation and suggestions for success.

EXHIBIT B

SEED LA - Sample Scope and Sequence

	9TH GRADE	10TH GRADE	11TH GRADE	12TH GRADE
LINKED LEARNING APPROACH	EXPOSURE: Grounded in the Seminar in Transportation I course, students will be introduced to and exposed to college and career opportunities in the transportation infrastructure industry.	EXPLORATION: Grounded in the Seminar in Transportation II course, students will explore college and career options in the transportation infrastructure industry focused on research, development and evaluation.	ENGAGEMENT: Grounded in the Seminar in Transportation III course, students will engage in college and transportation infrastructure career pathways and the social and environmental impacts of global transportation infrastructure needs.	EXPERIENCE:* Core Internship I is a yearlong-partnership with Metro designed after LA Metro's Transportation Career Academy Program (TCAP). Key elements and methods of Core Internship I include: career and workforce readiness and linked learning grounded in the final spring break international experience and Senior Presentation of Learning.
	Key elements and methods of Seminar in Transportation Infrastructure I include: external presentations, workshops, and project-based learning focused on critical thinking and problem-solving.	Key elements and methods of Seminar in Transportation Infrastructure II include: practice based-inquiry, action research, case studies and experiential learning focused on research, development, and evaluation of transportation designs.	Key elements and methods of Seminar in Transportation Infrastructure III include: critical thinking, creativity, communication skills, and work-based learning focused on social and environmental services, protection, and innovation.	
Academic Program				
English	ELA I	ELA II	ELA III AP Language	ELA IV AP Literature
Math	Algebra I	Geometry	Algebra II Pre Cal	Probability & Stats Calculus AP Calculus
World History		World History		
US History	US| American			
Additional History/ Social Studies				History of Race and Equity in Los Angeles*
American Government			Government AP Government	
Economics			Economics AP Economics	
Science	Physical Science	Biology AP Biology	Chemistry AP Chemistry	Physics AP Physics 1
World Languages	Spanish I	Spanish II	Spanish III	AP Spanish Language & Culture
Phys. Ed.	PE	Bicycling		
Health			Health	
Arts	Graphic Arts			
Music		Digital Music		
Electives	Seminar in Transportation Infrastructure I	Seminar in Transportation Infrastructure II	Seminar in Transportation Infrastructure III	Core Internship I

	9TH GRADE	10TH GRADE	11TH GRADE	12TH GRADE
CTE		CTE: Transportation Infrastructure Global Trade & Logistics Project Management & Business	CTE	CTE
Technology	Computer Applications I & II	Computer Applications III & IV	Computer Programming I & II	Computer Programming III & IV AP Computer Science A
Additional Requirements	25+ hours of Community Service	25+ hours of Community Service	25+ hours of Community Service	25+ hours of Community Service
Student Life Program				
Social Emotional Skills & Development	School-wide Model of Care Implementation Character Development in Student Life	School-wide Model of Care Implementation Character Development in Student Life	School-wide Model of Care Implementation Character Development in Student Life	School-wide Model of Care Implementation Character Development in Student Life
Presentation of Learning Theme:	Self-Development Community Transportation Infrastructure	Self-Development Community Transportation Infrastructure	Community College Knowledge Transportation Infrastructure	Leadership Community College Applications Sense of Place
Student Support Services & Wellness	Physical Wellness	Emotional Wellness	Mental Wellness	Occupational Wellness
Sparks and Internship Opportunities:	Coding Makerspace Robotics Intramural Sports Nutrition & Cooking Yearbook	Building Positive Relationships Identifying and Managing Stress Effectively Student Ambassadors	ACT & SAT Test Prep Preparation for Metro T-CAP: Metro Transportation Career Academy Program Mindfulness Yoga Peer Support Groups Student Government	Yearlong Metro T-CAP: Metro Transportation Career Academy Program Senior Activities
External Opportunities:	9th grade Local College Tour Corporate HQ Tour Lecture Series Mobility Ports	10th grade Regional College Tour Urban Planning Architecture Public Admin & Policy	11th National College Tour Professional Lab Tour Infrastructure Engineering IT	Logistics Supply Chain Management
International Transportation Infrastructure Problem Solving Experiences & Opportunities	Americas: Public Transportation's Impact on Rural, Small Towns, & Cities	Europe: Urban Design in Cycling Communities	Asia: Electronic mobility & air quality	Africa: Innovative Solutions for Water Transportation Infrastructure
Mentorship	Partnered with Metro and LA Industry			

*The Scope and Sequence incorporates the 5E's of SEED LA's Educational Philosophy. Not pictured is the fifth E: post-graduation employment in the global transportation infrastructure industry.

EXHIBIT C

Presentations of Learning High School Checklist

12th grade: Leadership, Community, College Applications, & Sense of Place

- Executive summary & Guiding Questions
- Activities Resume
- FOUR Academic assignments (PBA's, Essays, Exams)
- 1 Math
- 1 Science
- 1 Los Angeles County History 1 Government
- 1 English
- 1 Elective
 - One paragraph reflection on all academic assignments (4 total)
 - 2 HALLS Lessons (you must present on one)
 - Application of Seminar in Transportation Infrastructure course
 - Reflection of International Learning Experience
 - Documentation of service hours
 - Two (2) detailed and thoughtful service learning activity reflections
 - Documentation of behavioral infractions (if there are any)
 - Explanation of infractions (discuss impact)
 - College Process materials
- 2 completed college applications
- 1 college acceptance letters
- 2 college essays 2 letters of recommendation
- SAT/ACT scores
- SEED transcript
 - Internship or Independent Study reflection (details TBA)
 - One (1) reflection on extracurricular activities participated in during the year
 - One (1) core value mastery reflection & supporting documentation
 - Why you chose one core value, whether or not you mastered this goal, challenges experienced and how you have benefited from mastery of your respective core value
 - Academic excellence & character awards (including scholarships)
 - Power Point presentation
- Introduction slide
- Excellence slide(s) Effort slide(s)
- Exposure slide(s) Core Value slide(s)
- Conclusion slide

EXHIBIT D

Expected outcomes for college readiness & success

	Grades 9 & 10	Grade 11	Grade 12
SUCCESS INDICATORS			
College Knowledge	Students will understand how a variety of college experiences resonate with their personal interests and preferences and will begin to take a more self-directed approach to researching and visiting colleges.	Students will work individually with a college counselor to edit and refine their college list. Based on years of experience with LIFG students, SEED's college counselors will only endorse colleges/ universities based on right fit.	Students will undertake intensive individualized work with the college counselor and designated CTS staff to finalize their college list.
College Counseling	Students will recognize the short and long term benefits of strong performance in terms of enhanced college options.	Students will undertake an intensive application preparation program including test prep and drafting all pieces of the completed application.	Students and their counselor will develop application strategies, correspond with admissions offices and finalize matriculation decision. Seniors will work with CTS counselors to lay the groundwork for a smooth transition to college.
College Financing	Students and their families will receive accurate information about college costs and will seek out opportunities to practice the aid application process.	Students and their families will attend a series of college financing sessions.	Seniors will apply for scholarships and financial aid and will maximize assistance from college counseling and CTS staff.

	Grades 9 & 10	Grade 11	Grade 12
SUCCESS INDICATORS			
Academic Rigor & Curriculum	Students will be asked to make explicit connections between their academic efforts, personal academic interests and long-term academic aspirations (e.g. majoring in engineering).	Students will gain exposure to college level academic material while continuing to make connections between their academic performance, interests and college aspirations.	Students will undertake their most rigorous course of academic study while completing at least one college level course.
Social & Non-Cognitive Skills	Students will understand the long-term value associated with social and non-cognitive skills, including their relevance for their own personal college goal.	Students will understand how developing social and non-cognitive skills (e.g. tenacity) will enhance their ability to make the most of their future college experiences.	Students will be expected to take on both formal and informal leadership roles.

“By helping all of us participate equally in society through safe, affordable travel, transportation can be an engine of mobility - a key component of opportunity in America.”

**- Opportunity Agenda
(Transportation Equity Caucus)**



Transportation Infrastructure School FAQ's

(as of October 10, 2018)

Purpose of the School

1. What is the SEED School of LA County (SEED LA)?

A college prep public boarding school for career readiness in transportation infrastructure, STEM, and the humanities.

2. What population will SEED LA serve?

SEED LA will serve 400 students in grades 9-12 and is open to all students, but will target students who have faced tremendous adversity. The final enrollment criteria and preferences will be decided with the Los Angeles County Office of Education (LACOE) and Los Angeles County partners, but we anticipate that students eligible to attend SEED LA will meet eligibility criteria such as:

- live within the County of Los Angeles
- family income below 200% of the federal poverty guidelines
- family experience with housing instability
- qualify for Title IV-B dollars
- history of contact with the child welfare and/or juvenile justice systems through the Los Angeles County Department of Children and Family Services or Probation Department

NOTE: In Los Angeles County, 28,000 youth are in the foster care system, 10,000 youth are currently on probation or incarcerated, and 77,146 students are experiencing homelessness.

3. How has Metro influenced the SEED LA curriculum?

SEED has agreed to the following Educational Philosophy: Industry-Aligned College Prep and Career Education through the Five E's:

- Exposure (9th Grade):
 - Students will be introduced to and exposed to college & career opportunities in the transportation infrastructure industry
- Exploration (10th Grade):
 - Students will explore college & career options in the transportation infrastructure industry focused on research, development, & evaluation
- Engagement (11th Grade):
 - Students will engage in college & transportation infrastructure career pathways & the social & environmental impacts of global transportation infrastructure needs
- Experience (12th Grade):
 - Students will experience careers in the transportation infrastructure industry through internship programs, including Metro's Transportation

Careers Academy Program for 12th graders & the Metro Internship Program for college & graduate students

- Employment (Graduation & beyond):
 - Leveraging their experience in transportation infrastructure internship programs, SEED LA graduates will be prepared for careers in the global transportation infrastructure industry.

4. A boarding school model is expensive. State foster care grant dollars are moving away from a group (boarding) home model. Isn't there a less costly way of investing in education without a boarding school?

For high-performing students with stable home and community environments, a traditional school may be all they need to reach their full potential. But for many students who face challenges in the classroom, their community or at home, a more comprehensive 24-hour support model is needed. For thousands of children, a boarding school program is exactly what they need to succeed.

This is similar to the “pay for success” or preventative model that has been championed by the County Board of Supervisors, where they pay for preventative services knowing that if these youth don't change life course, they will cost the County more in the long-term.

The SEED Foundation has made the public boarding school work in three locations: DC, Baltimore, and Miami.

Structure of the SEED School

5. Is the SEED School going to be a Charter School?

Yes, the SEED School is a public charter boarding school. Specifically, it will be a countywide charter school through the LACOE which will allow us to draw from students across the entire county versus being limited to one school district. LACOE is the nation's largest regional education agency and directly serves the at-risk populations that the school plans to enroll.

6. What is SEED's track record on graduation rates?

Of note: more than 80% of SEED students are low-income, first generation, college-bound students yet they beat the odds with SEED. 90% of SEED 9th graders graduate from high school compared to 45% of foster youth in California graduating from high school. 92% of SEED graduates enroll in college and they graduate at three and a half times the rate of low income, first generation college students nationally.

7. Are SEED employees subject to collective bargaining?

Currently, there are no unions at SEED schools but SEED does not prohibit collective bargaining. SEED is amenable to agreements with local school districts and attempts to have a positive working relationship with such stakeholders.

Funding Philosophy

8. Metro already approved \$1 million in pre-development costs. What is it for?

The predevelopment budget for the SEED School is \$3.6 million, to be funded (\$1 million from Metro, \$1 million from LA County, and \$1.6 million from SEED). The Metro contribution will go towards the architectural and engineering work to design the project, environmental assessments, and administration (including support of the development of the charter) during the predevelopment phase of the project. (see Attached for more info). The fund source for the pre-development costs is Prop A, Prop C, and TDA.

9. How is the construction of the school being funded?

The constructions costs are envisioned to be financed with tax credits, and a portion of the operating subsidy (they are estimating that \$2.25M of the \$10M total operating subsidy required) would be used to pay the debt service. This is very affordable financing.

10. How much is the longer term operating subsidy commitment? How does Metro plan to fund it?

The operating subsidy commitment from Metro is anticipated to grow from \$3.5 million the first year, when there are approximately 100 students enrolled, and grow incrementally each year until the school is fully enrolled with 400 students in year 4 of operation. At that point, \$5 million will be required for year for the subsequent 11 years for a total subsidy of \$70 million - \$75 million.

A capital stack or tiered approach is the Metro plan. The first tier is to receive external workforce development grants – state and federal; followed by the second tier -- philanthropy; followed by the third tier - Metro funds for workforce development, if needed.



LA Metro E3 Initiative External Stakeholders

Organization	Department
K-12:	
Los Angeles County Office of Education	Division of Student Programs Career Technical Education Division of Accountability, Support and Monitoring
Los Angeles Unified School District	Linked Learning Career Technical Education Department
Da Vinci Institute	Da Vinci Extension
College:	
Cerritos College	Clean Energy and Transportation Initiative
Long Beach City College	Global Logistics for Los Angeles Global Logistics for Orange County School of Career Technical Education
Los Angeles Trade Tech College	Pathway Innovation & Institutional Effectiveness Advanced Transportation and Manufacturing Pathway Navigator Transportation Workforce Institute
California State University Los Angeles	Department of Management
Southwest College	Career Technical Education Workforce Development
Rio Hondo	Career & Technical Education Program Alternative Fuels Program
East LA College	Technology & Logistics Program
Mission College	Executive Management
California State University Dominguez Hills	Mervyn M. Dymally African American Political & Economic Institute
Agency Partners and Wraparound Support Partners:	
Department of Children and Family Services	Education Section
Pro-GTL (Global Trade & Logistics) Regional Consortia	Career Technical Education Workforce Development
Southern CA Regional Transportation Training Consortium	Management Team
International Trade Education Programs	
Workforce Development, Aging and Community Services	Business Services and Strategic Partnerships
Los Angeles County Probation Department	Education Services
Opportunity Youth Collaborative	
Children's Law Center of California	Development & Communications
Drew Child Development Corporation	Executive Management
Workforce Experts	
LA Area Chamber of Commerce	Center for Global Trade & Foreign Investment Transportation Council
LA Area Chamber of Commerce, UNITE-LA and the LA COMPACT	Education and Workforce Development
New America	Center on Education and Skills
Transportation Agency Partners	
Los Angeles World Airports	Human Relations Community Relations
Port of Long Beach	Community Relations



Metro

LA Metro E3 Initiative External Stakeholders

Burlington Northern Santa Fe Railway Company	Government Affairs
Union Pacific Railroad	Public Policy & Community Affairs
Elected Representatives	
Los Angeles County Board of Supervisors District 2	
City of Los Angeles District 8	
Los Angeles County Board of Supervisors District 3	
City of Los Angeles, Mayor's Office	
Board Staffers	
Councilmember Harris-Dawson's Office	
Los Angeles County Public Works	Government Relations Group
Los Angeles City Councilmember District 2	
City of Los Angeles, Mayor's Office	
Los Angeles County Board of Supervisors District 3	
City of Inglewood, Mayor's Office	
Los Angeles County Registrar-Recorder / County Clerk	
City of Long Beach, Mayor's Office	
Los Angeles County Board of Supervisors District 2	
Transportation School Partners	
ExED	
SEED Foundation	



Board Report

File #: 2018-0530, File Type: Program

Agenda Number: 9.

AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE
OCTOBER 17, 2018

SUBJECT: MEASURE R HIGHWAY SUBREGIONAL PROGRAM SEMI-ANNUAL UPDATE

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

CONSIDER:

A. APPROVING \$41.3 million of additional programming within the capacity of the Measure R Highway Subregional Programs and funding changes via the updated project list, as shown in Attachment A for:

- Highway Operational Improvements in Arroyo Verdugo
- Highway Operational Improvement in Las Virgenes Malibu
- I-405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay)
- I-605 Corridor "Hot Spots" Interchange Improvements in Gateway Cities
- I-710 South and/or Early Action Projects in Gateway Cities

B. APPROVING time extension for 20 projects as shown in Attachment B;

C. DEOBLIGATING \$4.4 million of previously approved measure R Highway Subregional Program funds;

D. DELEGATING to the Chief Executive Officer (CEO) or his designee the authority to deobligate/reprogram funds and administratively extend funding agreement lapse dates for Measure R Highway Subregional project agreements to meet design, right of way and construction time frames; and

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

ISSUE

The Measure R Highway Subregional Program update allows the Highway Program and each

subregion or lead agency to revise delivery priorities and amend project budgets for the implementation of the Measure R Highway subregional projects. The attached updated project lists include projects which have already received prior Board approval, as well as proposed changes related to schedules, scope, funding allocation and the addition or removal of projects. The Board's approval is required as the updated project lists serve as the basis for Metro to enter into agreements with the respective implementing agencies.

BACKGROUND

As part of the 2008 Measure R half cent sales tax, Line 31, 32, 33, 35, 37, 38 of the expenditure plan established highway operational improvement subfunds. The Highway Department in Program Management develops and environmentally clears highway projects with these subfunds and also manages grants to jurisdiction and coordinates with each of the subregions and eligible grant recipients. Updates on progress in development and implementation of the subregional highway programs are presented to the Board twice a year and on an as-needed basis.

DISCUSSION

The Measure R Expenditure Plan included the following Highway Capital Project Subfunds:

- Highway Operational Improvements in Arroyo Verdugo
- Highway Operational Improvements in Las Virgenes Malibu
- I-405, I-110, I-105 and SR-91 Ramp and Interchange Imp. (South Bay)
- I-605 Corridor "Hot Spots" Interchange Imp. In Gateway Cities
- I-710 South and/or Early Action Projects in Gateway Cities
- State Route 138 Capacity Enhancements in North County

These Highway Capital Projects are not fully defined in the Measure R Expenditure Plan. Definition and development of specific projects with independent utility are advanced through collaborative efforts by Metro's Highway Program staff, the subregional authorities/Councils of Governments for the subfund, the project sponsor, and Caltrans for projects on their facilities.

The changes in this update include \$41.3 million in additional programming for 35 projects which are either new or existing, in four subregions - Arroyo Verdugo, Las Virgenes Malibu, Gateway Cities and South Bay subregions - as detailed in Attachment A. Highway Program staff will continue to work closely with each subregion and/or lead agency to identify and deliver Highway Operational Improvement Projects.

A nexus determination has been completed for each new project added to the list. All of the projects on the attached project list provide highway operational benefits and meet the Highway Operational and Ramp/Interchange definition approved by the Board.

Highway Operational Improvements in Arroyo Verdugo

The subregion had listed 49 projects to be funded by Measure R Subregional Funds. Of those, 11 projects have been completed. The subregion has invested \$31.1 million of their funds in projects.

The 23 active projects are in planning, design, or construction phases. This update includes 4 new projects and funding adjustments to 8 existing projects as follows:

Burbank

- Program an additional \$2,000,000 in FY20 for MR310.11 - Olive Ave / Verdugo Ave Intersection Improvements Project. The revised project budget is \$3,600,000 for Design, Right-of-Way, and Construction. Additional funds are needed based on the alternatives identified and the City Council's direction.
- Program an additional \$700,000 in FY19 for MR310.31 - State Route 134 (SR-134) Corridor Arterial Signal Improvements - Phase 2 Project. The revised project budget is \$2,000,000. Construction bids received for the project came in higher than the engineer's estimate and additional funds are required.
- Program an additional \$350,000 in FY19 for MR310.38 - Interstate 5 (I-5) Corridor Arterial Signal Improvements - Phase 2 Project. The revised project budget is \$1,150,000. Construction bids received for the project came in higher than the engineer's estimate and additional funds are required.
- Program an additional \$1,300,000 in FY20 for MR310.46 - Glenoaks Blvd Arterial and First Street Signal Improvements Project. The revised project budget is \$3,200,000. Additional funds are needed due to a revised engineer's estimate as a result of added project scope.
- Program \$1,000,000 in FY19 for the Interstate 5 (I-5) Downtown Soundwall Project between Orange Grove Ave and Magnolia Blvd. The project proposes to design and construct a new soundwall on north bound I-5. The total project budget for Design and Construction is \$1,000,000.

Measure R NEXUS to Highway Operational Definition: This is a soundwall project located on I-5, an eligible Highway Operational Improvement. The subregion is allowed to use up to 20% of their subregional allocation for bike lanes and soundwalls. The total programmed to date falls below this amount.

- Program \$250,000 in FY20 for the Alameda Ave Signal Synchronization between Glenoaks Blvd and Riverside Drive. The total project budget is \$250,000. The project consists of design and implementation of signal synchronization for 18 traffic signals on Alameda Avenue corridor. The project will improve Level of Service on a major arterial that is parallel to State Route 134. The traffic signals are using outdated signal coordination plans from 2013.

Measure R NEXUS to Highway Operational Definition: This project is an eligible Highway Operational Improvement project which will upgrade traffic signals / timing / and synchronization along Alameda Ave. Upon completion, this project will enable real time traffic signal timing changes and responsive operations which will reduce vehicle hours of delay and improve traffic flow, public transit efficiency and pedestrian safety.

Glendale

- Reprogram \$1,520,000 in FY18 Funds to FY19 and reprogram \$3,000,000 in FY19 funds to FY21 for MR310.25 - Interstate 210 (I-210) Soundwalls Project. The total programmed budget remains unchanged at \$4,520,000. The city has delayed implementation of the project as they have experienced staff turnover and additional community input on the wall location.
- Program an additional \$60,000 in FY19 for MR310.26 - Bicycle Facilities, Phase 2 (Class III Routes). The revised project budget is \$225,000. The city has updated their engineers estimate based on other recently advertised projects with similar scope.
- Program an additional \$100,000 in FY19 for MR310.28 - Pennsylvania Traffic Signal at I-210 On/Off-ramps. The revised project budget is \$500,000. The city has updated their engineers estimate based on other recently advertised projects with similar scope.
- Program an additional \$825,000 in FY19 for MR310.47 - Traffic Signal on Glenwood Rd and Modifications on La Crescenta and Central Ave. The city has updated their engineers estimate based on other recently advertised projects with similar scope.
- Program \$2,200,000 for Traffic Signals on Chevy Chase Drive, Lexington Drive, and Pacific Avenue. The funds will be programmed as follows: \$1,000,000 in FY19 and \$1,200,000 in FY20. The funds will be used for design and implementation of signal systems at the following major intersections: Chevy Chase Dr and California Ave, Chevy Chase Dr and Sinclair Ave, Lexington Dr. and Louise St, Pacific Ave and Arden Ave and Verdugo Blvd and Park Pl. The programmed budget is \$2,200,000.

Measure R NEXUS to Highway Operational Definition: This project is a traffic signal upgrade project, an eligible Highway Operational Improvement. Upon completion, this project will enable real time traffic signal timing changes and responsive operations which will reduce vehicle hours of delay and improve traffic flow, public transit efficiency and pedestrian safety.

La Canada/Flintridge

- Program \$3,712,000 for MR310.53 - Soundwalls on Interstate 210 (I-210), Phase 3. The funds will be programmed as follows: \$1,712,000 in FY19 and \$2,000,000 in FY20. The total project budget is \$3,712,000. The funds will be used to construct soundwalls in the City of La Canada/Flintridge for the following phases: Project Development, Design, ROW and Construction.

Measure R NEXUS to Highway Operational Definition: This is a soundwall project located on Interstate 210, an eligible use of the Highway Operational Funds. The subregion is allowed to use up to 20% of their subregional allocation for bike lanes and soundwalls. The total programmed to date falls below this.

Highway Operational Improvements in Las Virgenes Malibu Subregion

The subregion had listed 26 projects to be funded by Measure R Subregional Funds. Of those, 9 projects have been completed. The subregion has invested \$106.8 million of their funds in projects. The 11 active projects are in planning, design, or construction phases. This update includes funding adjustments to 2 projects as follows:

Agoura Hills

- In October 2017, board report (2017-0573) programmed an additional \$7,000,000 for MR311.03 - Palo Camado Interchange Project. The additional funds are to be utilized for design, ROW and construction charges. The October 17 board action did not note construction, this is a clarification to the past Metro board action.
- Deobligate \$200,000 in FY17 funds from MR311.04 - Agoura Road/Kanan Road Intersection Improvements. The revised project budget is \$800,000. The project's total Design and ROW expenses have been reduced and the city desires to reprogram the funds to MR311.14.
- Program an additional \$200,000 in FY19 for MR311.14 - Kanan Road Corridor from Thousand Oaks Blvd to Cornell Road PSR. The revised project budget is \$700,000. The city has underestimated the Caltrans requirements for the study and additional funds are required to complete the PSR. The city is using savings from MR311.04 to provide the funds for the increase to this project's budget.

I-405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay)

The subregion had listed 79 projects to be funded by Measure R Subregional Funds. Of those, 16 projects have been completed. The subregion has invested \$73.9 million of their funds in projects. The 41 active projects are in planning, design, or construction phases. This update includes funding adjustments to 5 existing projects as follows:

Hermosa Beach

- Program an additional \$76,734 in FY19 for MR312.05 - Pacific Coast Highway (SR-1/PCH) Improvements from Anita Street to Artesia Boulevard Project. The total revised project budget is \$574,734. The city advertised the project and bids came higher than the engineers estimate. Funding is necessary to cover construction management, construction contingency, Caltrans permit fees and geotechnical inspection and testing for the Project.
- Deobligate \$872,000 for MR312.38 - Pacific Coast Highway (PCH) at Aviation Boulevard Intersection Improvements (Southbound left turn lanes). The revised project budget is \$0. The city is no longer pursuing the project and has asked the project be removed from the project list. An agreement was not executed for the project and no expenditures were incurred.

- Deobligate \$1,800,000 for MR312.63 - PA/ED on Pacific Coast Highway (PCH) from Aviation Boulevard to Prospect Avenue. The revised project budget is \$0. The city is no longer pursuing the project and has asked the project be removed from the project list. An agreement was not executed for the project and no expenditures were incurred.

Inglewood

- Program an additional \$1,000,000 in FY19 for MR312.12 - Intelligent Transportation System (ITS) Phase IV. The revised project budget is \$3,500,000. Additional funds are necessary to complete the Design and Construction of ITS equipment along Manchester Boulevard from La Cienega Boulevard to La Brea Avenue and Crenshaw Avenue from Manchester Boulevard to Century Boulevard. The project will complete construction by Spring of 2019.

Redondo Beach

- Program an additional \$350,000 in FY19 for MR312.07 - Pacific Coast Highway at Torrance Boulevard Intersection Improvements Project. The total revised project budget is \$936,000. Construction bids for the project came in higher than the original estimate. Funds are required for construction and project close out.

I-605 Corridor “Hot Spots” Interchanges

The Gateway Cities subregion had listed 56 projects to be funded by Measure R Subregional Funds, investing \$94.8 million of their funds in projects. Of those, 4 projects have been completed. The 33 active projects are in planning, design, or construction phases. This update includes adjustments to 12 existing projects recommended by the SR-91/I-605/I-405 Technical Advisory Committee as follows:

Metro

- Deobligate \$263,000 from the WB SR-91 Improvement Project AE476110012334 - (Previously called “Project Approval & Environmental Document (PA/ED) for the I-605/SR 91 Interchange Project”) to match the awarded contract value. The total contract value is \$7,763,000.
- Program an additional \$229,329 in FY19 for the I-605 Beverly Interchange Improvements Project AE39064000 (PR & PS&E) to match the awarded contract value of \$3,229,329.
- Deobligate \$1,047,700 from the SB I-605 Off-ramp at South Street Project AE38849000 (Previously called the SB I-605 from SR-91 to South Street Improvements Project) to match the awarded contract value. The funds will be programmed as follows: \$4,452,300 in FY18. The total contract value is \$4,452,298.
- Program an additional \$7,000,000 in FY19 for MR315.35 - SR-91 Atlantic Ave to Cherry Ave

Eastbound (E/B) Auxiliary Lane Project. The revised project budget is \$7,500,000. Additional funds are being programmed to match a future contract award amount for Project Approval and Environmental Document (PA&ED) and Plans, Specifications, and Estimates (PS&E) of the project.

- Program an additional \$1,600,000 in FY19 for MR315.63 - SR-60 at 7th Street Interchange Improvements Project. The revised project budget is \$2,100,000. The project will complete the Project Approval and Environmental Document (PA&ED) and Plans, Specifications, and Estimates (PS&E).

Measure R NEXUS to Highway Operational Definition: This project will reconfigure the SR-60 at 7th Street Interchange on/off ramps to reduce congestion and improve freeway operations (both mainline and ramps), improve safety and the local interchange operations. This is an eligible Measure R Highway Operational Improvement.

- Program an additional \$1,559.9 million in FY19 for MR315.64 - I-605 at Valley Blvd Interchange Improvements. The revised project budget is \$2,059.9 million. The project will complete the Project Approval and Environmental Document (PA&ED) and Plans, Specifications, and Estimates (PS&E).

Cerritos

- Program an additional \$122,263 in FY19 for MR315.38 - Carmenita Rd and South St Intersection Improvements Project. The funds will be used to complete the Construction phase of the Project. The total project budget is \$414,263.
- Deobligate \$211,800 from MR315.39 - Bloomfield Ave and Artesia Blvd Intersection improvements project to match the current engineering cost estimate value. The funds will be used to complete Right of Way (ROW) and Construction phases of the Project. The total project budget is \$1,544,200.

Downey

- In the April 2018 Board Report, the total project budget for MR315.27 - Lakewood Blvd. at Florence Ave. Intersection Improvement Program was incorrectly listed at \$4,945,000. The total project budget is \$4,925,000. The funds will be programmed as follows: \$1,310,000 in Prior Years and \$3,615,000 in FY18. The funds will be used to complete the Project Approval and Environmental Document (PA&ED), Plans, Specifications, and Estimates (PS&E), Right of Way, and Construction phases of the Project.

Whittier

- Program an additional \$803,100 in FY19 for MR315.44 - Whittier Blvd at Santa Fe Spring Rd (Five Points) Intersection Improvements Project. The total project budget is \$2,371,000. The funds will be used to complete Plans, Specifications, and Estimates (PS&E), Right of Way

(ROW), and Construction phases of the Project.

- Program an additional \$2,512,700 in FY19 for MR315.45 - Whittier Blvd at Painter Ave Intersection Improvements Project. The total project budget is \$4,273,337. The funds will be used to complete Plans, Specifications, and Estimates (PS&E), Right of Way (ROW) and Construction phases of the Project.
- Program an additional \$697,900 in FY19 for MR315.46 - Whittier Blvd at Colima Rd Intersection Improvements Project. The total project budget is \$2,344,100. The funds will be used to complete Plans, Specifications, and Estimates (PS&E), Right of Way (ROW) and Construction phases of the Project.

I-710 South and/or Early Action Projects

The Gateway Cities subregion had listed 21 projects to be funded by Measure R Subregional Funds. Of those, 3 projects have been completed. The subregion has invested \$106.2 million of their funds in projects. The 9 active projects are in planning, design, or construction phases. This update includes 4 new project and funding adjustments to 2 existing projects recommended by the I-710 Technical Advisory Committee as follows:

Bell

- Deobligate the entire programmed amount of \$39,900 for MR306.45 - Slauson Ave. Bridge Improvement Project. The revised project budget is \$0. The City of Bell has decided to remove this project from the 710 Early Action Project list.

Bell Gardens

- Program \$4,635,000 in FY19 for MR306.52 - Garfield Avenue & Eastern Avenue Intersection Improvements Project. The total project budget is \$4,635,000. The funds will be used to complete the Project Approval and Environmental Document (PA&ED), Plans, Specifications, and Estimates (PS&E), Right of Way, and Construction phases of the Project.

Measure R NEXUS to Highway Operational Definition: This project is an intersection improvement project that proposes to re-align a “Y” intersection into a “T” intersection, which will improve current capacity, operations, and traffic safety conditions. The Garfield Ave. and Eastern Ave. corridors serve as parallel I-710 alternative routes. The improvements are located within a mile of I-710 and are eligible Measure R Highway Operational Improvements.

Downey

- Program an additional \$1,000,000 in FY19 for MR306.31 - Lakewood Blvd Improvement Project Phase 3C. The revised project budget is \$6,000,000. The additional project funds will be used to complete the Right of Way and Construction phases of the project.

Huntington Park

- Program \$700,000 in FY19 for MR306.53 - Slauson Avenue Congestion Relief Improvements Project. The total project budget is \$700,000. The funds will be used to complete the Project Approval and Environmental Document (PA&ED) and Plans, Specifications, and Estimates (PS&E) phases of the Project.

Measure R NEXUS to Highway Operational Definition: This project is a corridor improvement project that proposes to provide intersection congestion relief on Slauson Avenue during peak hours by providing three through lanes of traffic and signal improvements at six consecutive intersections. This will improve vehicular-pedestrian safety operations and intersection capacity. Slauson Avenue is a major east-west arterial providing regional access to and from the I-710. The improvements are eligible under Measure R Highway Operational Improvements.

Lynwood

- Program \$865,000 in FY19 for MR306.54 - Imperial Highway Corridor Congestion Relief Improvements Project. The total project budget is \$865,000. The funds will be used to complete the Project Approval and Environmental Document (PA&ED) and Plans, Specifications, and Estimates (PS&E) phases of the Project.

Measure R NEXUS to Highway Operational Definition: This project proposes to provide congestion relief on Imperial Highway between Long Beach Boulevard and Atlantic Avenue during peak hours by adding an additional lane and signal improvements. This will improve current capacity, operations, and traffic safety conditions. Imperial Highway is a major east-west arterial providing regional access to and from the I-710. The improvements are eligible under Measure R Highway Operational Improvements.

Port of Long Beach

- Program \$10,000,000 in FY19 for MR306.55 - Pier B Street Freight Corridor Reconstruction Project. The total project budget is \$10,000,000. The funds will be used to complete the Plans, Specifications, and Estimates (PS&E) phase of the Project.

Measure R NEXUS to Highway Operational Definition: This project proposes to widen Pier B Street from two to four lanes, realign the roadway, and improve grading. The project will improve the movement of people and goods, reduce congestion, and improve air quality on I-710 and adjacent arterials. The improvements are located within a mile of I-710 and are eligible Measure R Highway Operational Improvements.

State Route 138 Capacity Enhancements

Through Measure R, one project has been completed and the subregion has expended \$32.9 million and identified and executed 11 agreements for projects which are in planning, design or construction phases. The subregional project list does not include any funding or schedule adjustments.

DETERMINATION OF SAFETY IMPACT

The recertification of the project list and funding allocations will have no adverse impact on the safety of Metro’s patrons and employees and the users of the referenced transportation facilities.

FINANCIAL IMPACT

Approval of Recommendation A will not require an FY19 Budget amendment at this time. Highway project management staff will monitor the respective projects and adjust funding as required to meet project needs within the Adopted FY19 Highway budget. Funding for the highway projects is from the Measure R 20% Highway Capital subfund earmarked for the subregions. FY19 funds are allocated for Arroyo Verdugo (Project No. 460310), Las Virgenes Malibu (Project No. 460311), and South Bay (Project No. 460312) subregions in FY19 budget. These three programs are budgeted under Cost Center 0442 in Account 54001 (Subsidies to Others).

The remaining funds are distributed from the Measure R 20% Highway Capital Subfund via funding agreements to Caltrans, and the Cities of Palmdale and Lancaster under Cost Center 0442 in Project No. 460330, Account 54001 (Subsidies to Others).

Funding for the I-605 Corridor “Hot Spots” Projects, is allocated to Project No. 460314, Cost Centers 4720 & 0442, Account 54001 (Subsidies to Others) and account 50316 (Professional Services); 461314, Task 5.2.100; 462314, Task 5.2.100; 463314, Task 5.2.100; 463714, Task 5.2.100; 468314, Task 5.3.100; 469314, Task 5.3.100; 460345, Task 5.2.100; 460346, Task 5.2.100; in Cost Centers 4720 and 4730, Account 50316 (Professional Services); and for I-710 Early Action Projects, in Project No. 460316 in Cost Center 0442, Account 54001 (Subsidies to Others) and also under 462316, Task 5.2.100; 463316, Task 5.3.100; 463416, Task 5.3.100; and 463516, Task 5.3.100 in Account 50316 (Professional Services) in Cost Center 4720, are all included in the FY19 budget.

Moreover, programmed funds are based on estimated revenues. Since each MRHSP is a multi-year program with various projects, the Project Managers, the Cost Center Manager and the Senior Executive Officer, Program Management, Highway Program will be responsible for budgeting the costs in current and future years.

Impact to Budget

Upon approval of recommendations, staff will rebalance the approved FY19 budgets to funds the identified priorities. Should additional funds be required for FY19 period, staff will revisit the budgetary needs using the quarterly and mid-year adjustment processes.

The source of funds for these projects is Measure R 20% Highway Funds. This fund source is not eligible for Bus and rail Operations or Capital expenses.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

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

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

ALTERNATIVES CONSIDERED

The Board may choose to not approve the revised project lists and funding allocation. However, this option is not recommended as it will be inconsistent with Board direction given at the time of the 2009 L RTP adoption and may delay the development and delivery of projects.

NEXT STEPS

Metro Highway Program Staff will continue to work with the subregions to identify and deliver projects. As work progresses, updates will be provided to the Board on a semi-annual and as-needed basis.

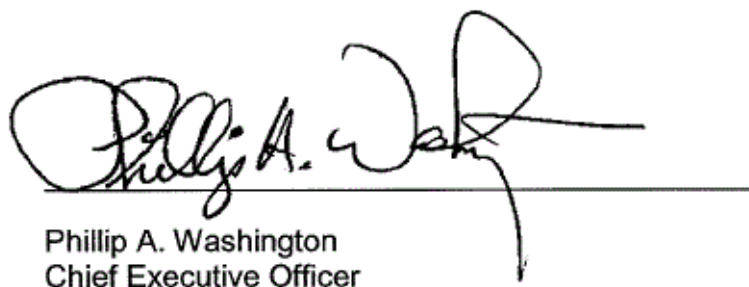
ATTACHMENTS

Attachment A - Project Receiving Additional Measure R Funds

Attachment B - Time Extension List

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Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

Measure R Highway Operational Improvements Projects													
<i>(Dollars in Thousands)</i>													
			HIGHWAY OPS IMP GRAND TOTAL										
				1,035,377		41,394	1,066,771	694,336	126,592	143,974	93,249	17,025	1,695
Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior	Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Arroyo Verdugo Operational Improvements				68,376.3	12,497.0	80,873.3	37,352.2	12,655.2	11,617.0	8,885.0	10,364.0	0.0	
Burbank	MR310.06	San Fernando Blvd. / Burbank Blvd. Intersection		2,325.0	0.0	2,325.0	590.0	1,735.0					
Burbank	MR310.07	Widen Magnolia Blvd / I-5 Bridge for center-turn lane		3,967.0	0.0	3,967.0	0.0	250.0				3,717.0	
Burbank	MR310.08	I-5 Corridor Arterial Signal Improvements (Completed)		2,600.0	0.0	2,600.0	2,600.0						
Burbank	MR310.09	SR-134 Corridor Arterial Signal Improvements		2,975.0	0.0	2,975.0	2,975.0						
Burbank	MR310.10	Widen Olive Ave / I-5 Bridge for center-turn lane		3,897.0	0.0	3,897.0	0	250.0				3,647.0	
Burbank	MR310.11	Olive Ave. / Verdugo Ave. Intersection Improvement	Chg	1,600.0	2,000.0	3,600.0	1,600.0			2,000.0			
Burbank	MR310.23	Chandler Bikeway Extension (call match) F7506		659.8	0.0	659.8	185.8	474.0					
Burbank	MR310.31	SR-134 Corridor Arterial Signal Improvements - Phase 2	Chg	1,300.0	700.0	2,000.0	0.0	1,300.0	700.0				
Burbank	MR310.33	Media District Traffic Signal Improvements		1,400.0	0.0	1,400.0	0.0	1,400.0					
Burbank	MR310.38	I-5 Corridor Arterial Signal Improvements - Phase 2	Chg	800.0	350.0	1,150.0	0.0	800.0	350.0				
Burbank	MR310.46	Glenoaks Blvd Arterial and First St Signal Improvements	Chg	1,900.0	1,300.0	3,200.0	0.0	500.0	1,400.0	1,300.0			
Burbank	MR310.50	I-5 Downtown Soundwall Project - Orange Grove Ave to Magnolia	Add	0.0	1,000.0	1,000.0			1,000.0				
Burbank	MR310.51	Alameda Ave Signal Synchronization Glenoaks Blvd to Riverside Dr.	Add	0.0	250.0	250.0				250.0			
		TOTAL BURBANK		23,423.8	5,600.0	29,023.8	7,950.8	6,709.0	3,450.0	3,550.0	7,364.0	0.0	
Glendale	MR310.01	Fairmont Ave. Grade Separation at San Fernando Rd. (Construction) (Completed)		1,658.7	0.0	1,658.7	1,658.7						
Glendale	MR310.02	Fairmont Ave. Grade Sep. at San Fernando -- Design (FA canceled and funds previously moved to MR310.01)		0.0	0.0	0.0	0.0						
Glendale	MR310.04	San Fernando/Grandview At-Grade Rail Crossing Imp. (Completed)		1,850.0	0.0	1,850.0	1,850.0						
Glendale	MR310.05	Central Ave Improvements / Broadway to SR-134 EB Offramp (Completed)		3,250.0	0.0	3,250.0	3,250.0						
Glendale	MR310.13	Glendale Narrows Bikeway Culvert		1,246.5	0.0	1,246.5	876.5	370.0					
Glendale	MR310.14	Verdugo Road Signal Upgrades (Completed)		557.0	0.0	557.0	557.0						
Glendale	MR310.16	SR-134 / Glendale Ave. Interchange Modification		1,585.5	0.0	1,585.5	1,585.5						
Glendale	MR310.17	Ocean View Blvd. Traffic Signals Installation and Modification		1,000.0	0.0	1,000.0	1,000.0						
Glendale	MR310.18	Sonora Avenue At-Grade Rail Crossing Safety Upgrade (Completed)		2,700.0	0.0	2,700.0	2,700.0						
Glendale	MR310.19	Traffic Signal Sync Brand / Colorado-San Fernando / Glendale-Verdugo (Completed)		340.9	0.0	340.9	340.9						
Glendale	MR310.20	Verdugo Rd / Honolulu Ave / Verdugo Blvd Intersection Modification (Completed)		397.3	0.0	397.3	397.3						
Glendale	MR310.21	Colorado St. Widening between Brand Blvd. and East of Brand Blvd. (Completed)		350.0	0.0	350.0	350.0						
Glendale	MR310.22	Glendale Narrows Riverwalk Bridge		600.0	0.0	600.0	600.0						

ATTACHMENT A

Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Glendale	MR310.24	Construction of Bicycle Facilities		244.3	0.0	244.3	244.3					
Glendale	MR310.25	210 Soundwalls Project	Chg	4,520.0	0.0	4,520.0	0.0	0.0	1,520.0		3,000.0	
Glendale	MR310.26	Bicycle Facilities, Phase 2 (Class III Bike Routes)	Chg	165.0	60.0	225.0	165.0		60.0			
Glendale	MR310.28	Pennsylvania Ave Signal at I-210 On/Off-Ramps	Chg	400.0	100.0	500.0	400.0		100.0			
Glendale	MR310.32	Regional Arterial Performance Measures (Call Match) F7321		100.0	0.0	100.0	0.0	100.0				
Glendale	MR310.34	Regional Bike Stations (Call Match) F7709		332.1	0.0	332.1	0.0	332.1				
Glendale	MR310.36	Signalizations of SR-2 Fwy Ramps @ Holly		600.0	0.0	600.0	0.0		100.0	500.0		
Glendale	MR310.35	Signal Installations at Various Locations		1,500.0	0.0	1,500.0	1,500.0					
Glendale	MR310.37	Verdugo Boulevard Traffic Signal Modification at Vahili Way and SR-2		850.0	0.0	850.0	0.0	50.0	800.0			
Glendale	MR310.39	Widening of SR-2 Fwy Ramps @ Mountain		1,200.0	0.0	1,200.0	0.0		150.0	1,050.0		
Glendale	MR310.40	Pacific Ave: Colorado to Glenoaks & Burchett St: Pacific To Central Street Improvements		3,315.0	0.0	3,315.0	3,315.0					
Glendale	MR310.41	Doran St. (From Brand Blvd. to Adams St.)		1,450.0	0.0	1,450.0	1,200.0		250.0			
Glendale	MR310.42	Arden Ave. (From Highland Ave. to Kenilworth St.) (Completed)		623.2	0.0	623.2	623.2					
Glendale	MR310.43	Verdugo Rd. Street Improvements Project (Traffic Signal Modification)		585.0	0.0	585.0	0.0			585.0		
Glendale	MR310.47	Traffic Signals on Glenwood Rd. and Modificaitons on La Crescenta and Central Ave.	Chg	1,200.0	825.0	2,025.0	0.0	1,200.0	825.0			
Glendale	MR310.48	San Frenando Rd and Los Angeles Street Traffic Signal Installation & Intersection Modification		400.0	0.0	400.0	0.0	400.0				
Glendale	MR310.49	Traffic Signal Modification & Upgrades on Honolulu Ave		1,800.0	0.0	1,800.0	0.0	150.0	1,650.0			
Glendale	MR310.52	Traffic Signal Improvements at Chevy Chase Dr/California Ave/	Add	0.0	2,200.0	2,200.0			1,000.0	1,200.0		
		TOTAL GLENDALE		34,820.5	3,185.0	38,005.5	22,613.4	2,602.1	6,455.0	3,335.0	3,000.0	0.0
La Canada Flintridge	MR310.03	Soundwalls on Interstate I-210 (Completed)		4,588.0	0.0	4,588.0	4,588.0					
La Canada Flintridge	MR310.45	Soundwalls on Interstate I-210 in La Canada-Flintridge (phase 2)		1,800.0	0.0	1,800.0	1,200.0	600.0				
La Canada Flintridge	MR310.53	Soundwall on I-210 (Phase 3)	Add	0.0	3,712.0	3,712.0			1,712.0	2,000.0		
		TOTAL LA CANADA FLINTRIDGE		6,388.0	3,712.0	10,100.0	5,788.0	600.0	1,712.0	2,000.0	0.0	0.0
LA County	MR310.44	Soudwalls on Interstate I-210 in LA Crescenta-Montrose		3,044.0	0.0	3,044.0	1,000.0	2,044.0				
		TOTAL LA COUNTY		3,044.0	0.0	3,044.0	1,000.0	2,044.0	0.0	0.0	0.0	0.0
Metro/Caltrans	MR310.29	NBSSR on I-210 frm Pennsylvania Ave. to West of SR-2		700.0	0.0	700.0	0.0	700.0				
		TOTAL METRO		700.0	0.0	700.0	0.0	700.0	0.0	0.0	0.0	0.0
		TOTAL ARROYO VERDUGO OPS IMPS		68,376.3	12,497.0	80,873.3	37,352.2	12,655.2	11,617.0	8,885.0	10,364.0	0.0

ATTACHMENT A

Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Las Virgenes/Malibu Operational Improvements				156,651.0	0.0	156,651.0	128,101.0	16,350.0	12,200.0	0.0	0.0	0.0
Westlake Village	MR311.01	Lindero Canyon Road Interchange, Phase 3A Design		443.7	0.0	443.7	343.7	100.0				
Westlake Village	MR311.02	Highway 101 Park and Ride Lot (Design Completed)		243.7	0.0	243.7	243.7					
Westlake Village	MR311.10	Rte 101/ Lindero Cyn. Rd. Interchange Improvements, Phase 3B,4B Construction (Completed)		3,251.0	0.0	3,251.0	3,251.0					
Westlake Village	MR311.18	Rte 101/ Lindero Cyn. Rd. Interchange Improvements, Phase 3A Construction		9,419.0	0.0	9,419.0	9,419.0					
Westlake Village	MR311.19	Highway 101 Park and Ride Lot (Completed)		4,943.6	0.0	4,943.6	4,943.6					
TOTAL WESTLAKE VILLAGE				18,301.0	0.0	18,301.0	18,201.0	100.0	0.0	0.0	0.0	0.0
Agoura Hills	MR311.03	Palo Comando Interchange		11,000.0	0.0	11,000.0	4,000.0	2,000.0	5,000.0			
Agoura Hills	MR311.04	Aguora Road/Kanan Road Intersection Improvements	Chg	1,000.0	(200.0)	800.0	800.0					
Agoura Hills	MR311.05	Agoura Road Widening (Completed)		36,500.0	0.0	36,500.0	36,500.0					
Agoura Hills	MR311.14	Kanan Road Corridor from Thousand Oaks Blvd to Cornell Road PSR	Chg	500.0	200.0	700.0	150.0	350.0	200.0			
Agoura Hills	MR311.15	Agoura Hills Multi-Modal Center		100.0	0.0	100.0	100.0					
TOTAL AGOURA HILLS				49,100.0	0.0	49,100.0	41,550.0	2,350.0	5,200.0	0.0	0.0	0.0
Calabasas	MR311.06	Lost Hills Overpass and Interchange		35,500.0	0.0	35,500.0	33,000.0	2,500.0				
Calabasas	MR311.07	Mulholland Highway Scenic Corridor Completion (Completed)		4,389.8	0.0	4,389.8	4,389.8					
Calabasas	MR311.08	Las Virgenes Scenic Corridor Widening		5,746.2	0.0	5,746.2	5,746.2					
Calabasas	MR311.09	Parkway Calabasas/US 101 SB Offramp (Completed)		214.0	0.0	214.0	214.0					
Calabasas	MR311.20	Off-Ramp for US 101 at Las Virgenes Road (Cancelled)		0.0	0.0	0.0	0.0					
Calabasas	MR311.33	Park and Ride Lot on or about 23577 Calabasas Road (near Route 101) (Completed)		3,700.0	0.0	3,700.0	3,700.0					
TOTAL CALABASAS				49,550.0	0.0	49,550.0	47,050.0	2,500.0	0.0	0.0	0.0	0.0

ATTACHMENT A

Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Malibu	MR311.24	Malibu/Civic Center Way Widening		4,000.0	0.0	4,000.0	3,000.0	1,000.0				
Malibu	MR311.26	PCH-Raised Median and Channelization from Webb Way to Corral Canyon Road		6,950.0	0.0	6,950.0	3,950.0	3,000.0				
Malibu	MR311.27	PCH Intersections Improvements		1,000.0	0.0	1,000.0	1,000.0					
Malibu	MR311.28	Kanan Dume Road Arrestor Bed Improvements and Intersection with PCH Construction (Completed)		900.0	0.0	900.0	900.0					
Malibu	MR311.29	PCH Regional Traffic Message System (CMS)		2,500.0	0.0	2,500.0	1,000.0	1,000.0	500.0			
Malibu	MR311.30	PCH Roadway and Bike Route Improvements fr. Busch Dr. to Western City Limits (Completed)		500.0	0.0	500.0	500.0					
Malibu	MR311.32	PCH and Big Rock Dr. Intersection and at La Costa Area Pedestrian Improvements		950.0	0.0	950.0	950.0					
Malibu	MR311.35	Park and Ride Lot on Civic Center Way and/or PCH		3,500.0	0.0	3,500.0	2,000.0	1,500.0				
Malibu	MR311.11	PCH Signal System Improvements from John Tyler Drive to Topanga Canyon Blvd		13,700.0	0.0	13,700.0	4,300.0	4,900.0	4,500.0			
		TOTAL MALIBU		34,000.0	0.0	34,000.0	17,600.0	11,400.0	5,000.0	0.0	0.0	0.0
Hidden Hills	MR311.34	Long Valley Road/Valley Circle/US-101 On-Ramp Improvements		5,700.0	0.0	5,700.0	3,700.0		2,000.0			
		TOTAL HIDDEN HILLS		5,700.0	0.0	5,700.0	3,700.0	0.0	2,000.0	0.0	0.0	0.0
		TOTAL LAS VIRGENES/MALIBU OPS IMPS		156,651.0	0.0	156,651.0	128,101.0	16,350.0	12,200.0	0.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
South Bay I-405, I-110, I-105, & SR-91 Ramp / Interchange Imps				236,247.2	(1,245.3)	235,002.0	150,423.5	32,742.7	31,529.7	13,847.0	4,764.0	1,695.0
SBCCOG	MR312.01	South Bay Cities CCS Program Development & Oversight and Program Administration <i>(Project Development Budget Testbed)</i>		13,375.0	0.0	13,375.0	11,664.0	500.0	594.0	617.0		
		TOTAL SBCCOG		13,375.0	0.0	13,375.0	11,664.0	500.0	594.0	617.0	0.0	0.0
Caltrans	MR312.11	ITS: I-405, I-110, I-105, SR-91 at Freeway Ramp/Arterial Signalized Intersections		5,357.0	(0.0)	5,357.0	5,357.0					
Metro/Caltrans	MR312.24	I-110 Aux lane from SR-91 to Torrance Blvd Aux lane & I-405/I-110 Connector		15,100.0	0.0	15,100.0	9,350.0	5,750.0				
Metro/Caltrans	MR312.25	I-405 at 182nd St. / Crenshaw Blvd Improvements		24,400.0	0.0	24,400.0	4,000.0	5,900.0	7,900.0	6,600.0		
Caltrans	MR312.29	ITS: Pacific Coast Highway and Parallel Arterials From I-105 to I-110		9,000.0	0.0	9,000.0	9,000.0					
Caltrans	MR312.45	PAED Integrated Corridor Management System (ICMS) on I-110 from Artesia Blvd and I-405		1,000.0	0.0	1,000.0	0.0		1,000.0			
Caltrans	MR312.77	I-405 IQA Review for PSR (El Segundo to Artesia Blvd)		150.0	0.0	150.0	0.0		150.0			
		TOTAL CALTRANS		55,007.0	(0.0)	55,007.0	27,707.0	11,650.0	9,050.0	6,600.0	0.0	0.0
Carson	MR312.37	Sepulveda Blvd widening from Alameda Street to ICTF Driveway		0.0	0.0	0.0	0.0					
Carson	MR312.46	Upgrade Traffic Control Signals at the Intersection of Figueroa St and 234th St. and Figueroa and 228th st.		150.0	0.0	150.0	65.0	85.0				
Carson	MR312.41	Traffic Signal Upgrades at 10 Intersections		1,400.0	0.0	1,400.0	500.0	900.0				
		TOTAL CARSON		1,550.0	0.0	1,550.0	565.0	985.0	0.0	0.0	0.0	0.0
El Segundo	MR312.22	Maple Ave Improvements from Sepulveda Blvd to Parkview Ave. (Completed)		2,500.0	0.0	2,500.0	2,500.0					
El Segundo	MR312.27	PCH Improvements from Imperial Highway to El Segundo Boulevard		400.0	0.0	400.0	400.0					
El Segundo	MR312.57	Park Place Roadway Extension and Railroad Grade Separation Project		350.0	0.0	350.0	350.0					
		TOTAL EL SEGUNDO		3,250.0	0.0	3,250.0	3,250.0	0.0	0.0	0.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Gardena	MR312.17	Rosecrans Ave Improvements from Vermont Ave to Crenshaw Blvd (Completed)		4,967.0	0.0	4,967.0	4,967.0					
Gardena	MR312.19	Artesia Blvd at Western Ave Intersection Improvements (Westbound left turn lanes) (Completed)		393.0	0.0	393.0	393.0					
Gardena	MR312.21	Vermont Ave Improvements from Rosecrans Ave to 182nd Street (Completed)		2,090.3	0.0	2,090.3	2,090.3					
Gardena	MR312.02	Traffic Signal Reconstruction on Vermont at Redondo Beach Blvd and at Rosecrans Ave.		1,500.0	0.0	1,500.0	40.0	1,460.0				
Gardena	MR312.09	Artesia Blvd Arterial Improvements from Western Ave to Vermont Ave		2,523.0	0.0	2,523.0	80.0	180.0	2,263.0			
		TOTAL GARDENA		11,473.3	0.0	11,473.3	7,570.3	1,640.0	2,263.0	0.0	0.0	0.0
Hawthorne	MR312.03	Rosecrans Ave Widening from I-405 SB off ramp to Isis Ave (Completed)		2,100.0	0.0	2,100.0	2,100.0					
Hawthorne	MR312.33	Aviation Blvd at Marine Ave Intersection Improvements (Westbound right turn lane)		3,600.0	0.0	3,600.0	3,600.0					
Hawthorne	MR312.44	Hawthorne Blvd Improvements from El Segundo Blvd to Rosecrans Ave (Completed)		7,551.0	0.0	7,551.0	7,551.0					
Hawthorne	MR312.47	Signal Improvements on Prairie Ave from 118th St. to Marine Ave.		1,237.0	0.0	1,237.0	200.0	418.0	619.0			
Hawthorne	MR312.54	Intersection widening & traffic signal modifications on Inglewood Ave at El Segundo Blvd; on Crenshaw Blvd At Pacific Beach on Grandview Ave; on 126th St. and on 120th St.		2,000.0	0.0	2,000.0	1,000.0	1,000.0				
Hawthorne	MR312.61	Hawthorne Blvd Arterial Improvements, from 126th St to 111th St.		4,400.0	0.0	4,400.0	600.0	1,000.0	2,800.0			
Hawthorne	MR312.66	Imperial Ave Signal Improvements and Intersection Capacity Project		1,995.0	0.0	1,995.0	0.0	0.0	200.0	700.0	600.0	495.0
Hawthorne	MR312.67	Rosecrans Ave Signal Improvements and Intersection Capacity Enhancements.		3,200.0	0.0	3,200.0	0.0	0.0	500.0	1,000.0	1,200.0	500.0
Hawthorne	MR312.68	El Segundo Blvd Improvements Project Phase I		2,000.0	0.0	2,000.0	0.0	0.0	400.0	400.0	500.0	700.0
Hawthorne	MR312.69	El Segundo Blvd Improvements Project Phase II		600.0	0.0	600.0	0.0	0.0	100.0	300.0	200.0	
		TOTAL HAWTHORNE		28,683.0	0.0	28,683.0	15,051.0	2,418.0	4,619.0	2,400.0	2,500.0	1,695.0
Hermosa Beach	MR312.05	PCH (SR-1/PCH) Improvements between Anita St. and Artesia Boulevard	Chg	498.0	76.7	574.7	304.0	194.0	76.7			
Hermosa Beach	MR312.38	Pacific Coast Highway at Aviation Blvd Intersection Improvements (Southbound left turn lanes)	Deob	872.0	(872.0)	0.0						
Hermosa Beach	MR312.63	PAVED on PCH from Aviation Blvd to Prospect Ave	Deob	1,800.0	(1,800.0)	0.0						
		TOTAL HERMOSA BEACH		3,170.0	(2,595.3)	574.7	304.0	194.0	76.7	0.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Inglewood	MR312.12	Intelligent Transportation System (ITS) Phase IV	Chg	2,500.0	1,000.0	3,500.0	2,500.0		1,000.0			
Inglewood	MR312.50	ITS: Phase V - Communication Gap Closure on Various Locations, ITS Upgrade and Arterial Detection		384.0	0.0	384.0	0.0	192.0	192.0			
Inglewood	MR312.70	Prairie Ave Signal Synchronization Project		205.0	0.0	205.0	0.0	205.0				
Inglewood	MR312.71	La Cienega Blvd Synchronization Project		80.0	0.0	80.0	0.0	0.0	80.0			
Inglewood	MR312.72	Arbor Vitae Synchronization Project		130.0	0.0	130.0	0.0	0.0	130.0			
Inglewood	MR312.73	Florence Ave Synchronization Project		255.0	0.0	255.0	0.0	0.0	255.0			
		TOTAL INGLEWOOD		3,554.0	1,000.0	4,554.0	2,500.0	397.0	1,657.0	0.0	0.0	0.0
LA City	MR312.56	Del Amo Blvd Improvements from Western Ave to Vermont Ave Project Oversight		100.0	0.0	100.0	100.0					
LA City	MR312.51	Improve Anaheim St. from Farragut Ave. to Dominguez Channel (Call Match) F7207		1,313.0	(0.0)	1,313.0	262.6	1,050.4				
LA City	MR312.48	Alameda St. (South) Widening frm. Anaheim St. to Harry Bridges Blvd		2,875.0	0.0	2,875.0	0.0	2,875.0				
LA City	MR312.74	Alameda St. (East) Widening Project		3,580.0	0.0	3,580.0	0.0	0.0	1,000.0	1,000.0	1,580.0	
		TOTAL LA CITY		7,868.0	(0.0)	7,868.0	362.6	3,925.4	1,000.0	1,000.0	1,580.0	0.0
LA County	MR312.16	Del Amo Blvd improvements from Western Ave to Vermont Ave		307.0	0.0	307.0	307.0	0.0	0.0			
LA County	MR312.52	ITS: Improvements on South Bay Arterials		1,021.0	0.0	1,021.0	0.0	401.0	620.0			
LA County	MR312.64	South Bay Arterial System Detection Project		2,000.0	0.0	2,000.0	0.0	1,000.0	1,000.0			
		TOTAL LA COUNTY		3,328.0	0.0	3,328.0	307.0	1,401.0	1,620.0	0.0	0.0	0.0
Lawndale	MR312.15	Inglewood Ave Widening from 156th Street to I-405 Southbound on-ramp		43.0	0.0	43.0	43.0					
Lawndale	MR312.36	ITS: City of Lawndale Citywide Improvements (completed)		878.3	0.0	878.3	878.3					
Lawndale	MR312.49	Redondo Beach Blvd Mobility Improvements from Prairie to Artesia (Call Match) F9101		1,039.3	0.0	1,039.3	273.0	766.3				
Lawndale	MR312.31	Manhattan Bch Blvd at Hawthorne Blvd Left Turn Signal Improvements		508.0	0.0	508.0	0.0	300.0	208.0			
		TOTAL LAWDALE		2,468.6	0.0	2,468.6	1,194.3	1,066.3	208.0	0.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Lomita	MR312.43	Intersection Improvements at Western/Palos Verdes Dr and PCH/Walnut		1,506.0	0.0	1,506.0	900.0	606.0				
		TOTAL LOMITA		1,506.0	0.0	1,506.0	900.0	606.0	0.0	0.0	0.0	0.0
Manhattan Beach	MR312.04	Sepulveda Blvd at Marine Ave Intersection Improvements (West Bound left turn lanes) (Completed)		346.5	0.0	346.5	346.5					
Manhattan Beach	MR312.28	Seismic retrofit of widened Bridge 53-62 from Sepulveda Blvd from 33rd Street to south of Rosecrans Ave		9,100.0	0.0	9,100.0	9,100.0					
Manhattan Beach	MR312.34	Aviation Blvd at Artesia Blvd Intersection Improvements (Southbound right turn lane)		1,500.0	0.0	1,500.0	1,500.0					
Manhattan Beach	MR312.35	Sepulveda Blvd at Manhattan Beach Blvd Intersection Improvements (NB, WB, EB left turn lanes and SB right turn lane)		980.0	0.0	980.0	980.0					
Manhattan Beach	MR312.62	Sepulveda Blvd Operational Improvements at Rosecrans Ave, 33rd St, Cedar Ave, 14th St and 2nd St.		900.0	0.0	900.0	50.0	850.0				
		TOTAL MANHATTAN BEACH		12,826.5	0.0	12,826.5	11,976.5	850.0	0.0	0.0	0.0	0.0
Metro/Caltrans	MR312.30	Feasibility Study for I-405 from I-110 to I-105 and I-105 from I-405 to I-110		600.0	0.0	600.0	0.0	600.0				
Metro/Caltrans	MR312.55	PSR I-405 from El Segundo Blvd to Artesia Blvd		881.0	0.0	881.0	0.0	881.0				
Metro/Caltrans	TBD	Western Ave. (SR-213) from Palos Verdes Drive North to Gardena -- PSR		170.0	0.0	170.0	70.0	100.0				
Metro/Caltrans	TBD	SR-1 from Eastern Boundary of Carson to Eastern Boundary of Torrance -- PSR		170.0	0.0	170.0	70.0	100.0				
Metro	0000020331-3 4010-2540-01-40	South Bay Arterial Baseline Conditions Analysis (Completed)		250.0	0.0	250.0	250.0					
Metro	TBD	Inglewood Transit Center at Florence/La Brea		1,500.0	0.0	1,500.0	1,500.0					
		TOTAL METRO		3,571.0	0.0	3,571.0	1,890.0	1,681.0	0.0	0.0	0.0	0.0
Rancho Palos Verdes	MR312.39	Western Ave. (SR-213) from Palos Verdes Drive North to 25th street -- PSR		90.0	0.0	90.0	30.0	60.0				
		TOTAL RANCHO PALOS VERDES		90.0	0.0	90.0	30.0	60.0	0.0	0.0	0.0	0.0
POLA	MR312.32	SR-47/Vincent Thomas Bridge on/off ramp Improvements at Harbor Blvd		3,830.0	0.0	3,830.0	900.0		700.0	2,230.0		
		PORT OF LOS ANGELES		3,830.0	0.0	3,830.0	900.0	0.0	700.0	2,230.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Redondo Beach	MR312.06	Pacific Coast Highway improvements from Anita Street to Palos Verdes Blvd		1,400.0	0.0	1,400.0	1,400.0					
Redondo Beach	MR312.07	Pacific Coast Highway at Torrance Blvd intersection improvements (Northbound right turn lane)	Chg	586.0	350.0	936.0	586.0		350.0			
Redondo Beach	MR312.08	Pacific Coast Highway at Palos Verdes Blvd intersection improvements (WB right turn lane)		389.0	0.0	389.0	320.0	69.0				
Redondo Beach	MR312.13	Aviation Blvd at Artesia Blvd intersection improvements (Completed) (Eastbound right turn lane)		22.0	0.0	22.0	22.0					
Redondo Beach	MR312.14	Inglewood Ave at Manhattan Beach Blvd intersection improvements (Eastbound right turn lane) (Completed)		30.0	0.0	30.0	30.0					
Redondo Beach	MR312.20	Aviation Blvd at Artesia Blvd intersection improvements (Northbound right turn lane)		847.0	0.0	847.0	847.0					
Redondo Beach	MR312.42	Inglewood Ave at Manhattan Beach Blvd intersection improvements (Southbound right turn lane)		5,175.0	0.0	5,175.0	5,175.0					
Redondo Beach	MR312.75	Kingsdale Ave at Artesia Blvd Intersection Improvements		992.0	0.0	992.0	0.0	0.0	992.0			
		TOTAL REDONDO BEACH		9,441.0	350.0	9,791.0	8,380.0	69.0	1,342.0	0.0	0.0	0.0
Torrance	MR312.10	Pacific Coast Highway at Hawthorne Blvd intersection improvements		19,600.0	0.0	19,600.0	19,600.0					
Torrance	MR312.18	Maple Ave at Sepulveda Blvd Intersection Improvements (Completed) (Southbound right turn lane)		319.9	0.0	319.9	319.9					
Torrance	MR312.23	Torrance Transit Park and Ride Regional Terminal Project 465 Crenshaw Blvd		25,700.0	0.0	25,700.0	18,100.0		7,600.0			
Torrance	MR312.26	I-405 at 182nd St. / Crenshaw Blvd Operational Improvements		15,300.0	0.0	15,300.0	10,300.0	5,000.0				
Torrance	MR312.40	Pacific Coast Highway at Vista Montana/Anza Ave Intersection Improvements		2,900.0	0.0	2,900.0	2,900.0					
Torrance	MR312.58	Pacific Coast Highway from Calle Mayor to Janet Lane Safety Improvements		852.0	0.0	852.0	852.0					
Torrance	MR312.59	Pacific Coast Highway at Madison Ave Signal upgrades to provide left-turn phasing		500.0	0.0	500.0	500.0					
Torrance	MR312.60	Crenshaw from Del Amo to Dominguez - 3 SB turn lanes at Del Amo Blvd, 208th St., Transit Center Entrance, Signal Improvements at 2 new signal at Transit Center		3,300.0	0.0	3,300.0	3,300.0					
Torrance	MR312.76	Plaza Del Amo at Western Ave (SR-213) Improvements		2,784.0	0.0	2,784.0		300.0	800.0	1,000.0	684.0	
		TOTAL TORRANCE		71,255.9	0.0	71,255.9	55,871.9	5,300.0	8,400.0	1,000.0	684.0	0.0
		TOTAL SOUTH BAY		236,247.2	(1,245.3)	235,002.0	150,423.5	32,742.7	31,529.7	13,847.0	4,764.0	1,695.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Gateway Cities: I-605/SR-91/I-405 Corridors "Hot Spots"				205,762.1	12,982.6	218,744.7	133,766.0	39,272.4	34,475.4	9,516.8	1,714.1	0.0
GCCOG	MOU.306.03	GCCOG Engineering Support Services		1,100.0	0.0	1,100.0	900.0		200.0			
GCCOG	MR315.29	Gateway Cities Third Party Support		100.0	0.0	100.0	100.0					
TOTAL GCCOG				1,200.0	0.0	1,200.0	1,000.0	0.0	200.0	0.0	0.0	0.0
Metro	PS4720-3334	Program/Project Management Support of Measure R Funds		200.0	0.0	200.0	200.0					
Metro	PS4720-3252	2005 Arterial Hot Spots in the City of Whittier: PAED for Santa Fe Springs/ Whittier, Painter/Whittier, & Colima Whittier		680.0	0.0	680.0	680.0					
Metro	PS4720-3250	Arterial Hot Spots in the Cities of Long Beach, Bellflower, and Paramount: PAED for Lakewood/Alondra, Lakewood/Spring, and Alondra/Alondra		572.7	0.0	572.7	572.7					
Metro	PS4720-3251	Arterial Hot Spots in the Cities of Cerritos, La Habra, and Santa Fe Springs: PAED for Valley View/Rosecrans, Valley View/Alondra, Germantown/South, and Bloomfield/Artesia		560.7	0.0	560.7	560.7					
Metro	AE25081	Arterial Hot Spots in the Cities of Cerritos and Bloomfield/Artesia: PS&E for Carmenita/South and Bloomfield/Artesia Intersection		100.0	0.0	100.0	100.0					
Metro	AE25083	Arterial Hot Spots in the Cities of La Habra and Santa Fe Springs: PS&E for Valley View/Rosecrans and Valley View/Alondra Intersection Improvements		100.0	0.0	100.0	100.0					
Metro	PS4603-2582	Professional Services for I-605 Feasibility Study (Completed)		6,170.0	0.0	6,170.0	6,170.0					
Metro	PS4603-2582	Professional Services for PSR/PDS: I-5/I-605 and I-605/SR-91 (Completed)		3,121.0	0.0	3,121.0	3,121.0					
Metro	PS4720-3235	Professional Services for 605/60 PSR/PDS		3,040.0	0.0	3,040.0	3,040.0					
Metro	AE5204200	Professional Services for 605/60 PA/ED		34,000.0	0.0	34,000.0	10,000.0	8,000.0	8,000.0	8,000.0		
Metro	PS47203004	Professional Services for the Gateway Cities Strategic Transportation Plan		10,429.5	(0.0)	10,429.5	10,429.5					
Metro	AE333410011375	Professional Services for the I-605/I-5 PA/ED		20,698.0	0.0	20,698.0	8,000.0	5,000.0	7,698.0			
Metro	AE476110012334	Professional Services for WB SR-91 Improvements PA/ED	Chg	8,026.0	(263.0)	7,763.0	3,463.0	3,100.0	1,200.0			
Metro	AE322940011372	Professional Services for 710/91 PSR/PDS		2,340.0	0.0	2,340.0	2,340.0					
Metro	MR315.49	Third Party Support for the 605 Corridor Hot Spots Interchanges Program Development (Gateway Cities, SCE, LA County)		300.0	0.0	300.0	300.0					
Metro	MR315.50	Freeway Early Action Projects (PA/ED & PS&E)		14,500.0	0.0	14,500.0	14,500.0					
Metro	AE39064000	I-605 Beverly Interchange Improvements (PR & PS&E)	Chg	3,000.0	229.3	3,229.3	100.0	2,900.0	229.3			
Metro	AE38849000	I-605 off-ramp at South Street Improvements Project (PR & PS&E)	Chg	5,500.0	(1,047.7)	4,452.3		4,452.3				
Metro	MR315.35	SR-91 Atlantic Ave to Cherry Ave EB Aux Lane	Chg	500.0	7,000.0	7,500.0	0.0	250.0	7,250.0			
Metro	MR315.37	SR-91 Central Ave Interchange Improvements		500.0	0.0	500.0	0.0	250.0	250.0			
Metro	MR315.63	SR-60 at 7th Street Interchange Improvements	Chg	500.0	1,600.0	2,100.0	0.0	250.0	1,850.0			
Metro	MR315.64	I-605 at Valley Blvd Interchange Improvements	Chg	500.0	1,559.9	2,059.9	0.0	250.0	1,809.9			
TOTAL METRO				115,337.9	9,078.5	124,416.4	63,676.9	24,452.3	28,287.2	8,000.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Caltrans	MR315.28	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/SR-60 PSR-PDS		260.0	0.0	260.0	260.0					
Caltrans	MR315.47	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/SR-60 PA/ED		3,650.0	0.0	3,650.0	1,250.0	800.0	800.0	800.0		
Caltrans	MR315.24	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/I-5 PA/ED		2,069.8	0.0	2,069.8	800.0	500.0	769.8			
Caltrans	MR315.08	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/SR-91 PA/ED		776.3	0.0	776.3	346.3	310.0	120.0			
Caltrans	MR315.48	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605 Intersection Improvements		60.0	0.0	60.0	60.0					
Caltrans	MR315.13	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-710/SR-91 PSR-PDS		234.0	0.0	234.0	234.0					
Caltrans	MR315.30	I-605 Beverly Interchange Improvements (Env. Doc.)		500.0	0.0	500.0	100.0	400.0				
Caltrans	MR315.31	I-605 from SR-91 to South Street Improvements Project (Env. Doc.)		500.0	0.0	500.0	100.0	400.0				
		TOTAL CALTRANS		8,050.1	0.0	8,050.1	3,150.3	2,410.0	1,689.8	800.0	0.0	0.0
Bellflower	MR315.16	Bellflower Blvd- Artesia Blvd Intersection Improvement Project		8,442.8	0.0	8,442.8	7,310.0	1,132.8				
Bellflower	MR315.33	Lakewood - Alondra Intersection Improvements: Construction		1,002.0	0.0	1,002.0	644.0	358.0				
		TOTAL BELLFLOWER		9,444.8	0.0	9,444.8	7,954.0	1,490.8	0.0	0.0	0.0	0.0
Cerritos	MR315.38	Carmenita - South Intersection Improvements, Construction	Chg	292.0	122.2	414.2	292.0		122.2			
Cerritos	MR315.39	Bloomfield - Artesia Intersection Improvements, ROW & Construction	Chg	1,756.0	(211.8)	1,544.2	1,544.2					
		TOTAL CERRITOS		2,048.0	(89.6)	1,958.4	1,836.2	0.0	122.2	0.0	0.0	0.0
Downey	MR315.03	Lakewood - Telegraph Intersection Improvements		2,120.0	0.0	2,120.0	2,120.0					
Downey	MR315.14	Lakewood - Imperial Intersection Improvements		4,060.0	0.0	4,060.0	2,760.0	1,300.0				
Downey	MR315.27	Lakewood - Florence Intersection Improvements	Chg	4,945.0	(20.0)	4,925.0	1,310.0	3,615.0				
Downey	MR315.18	Bellflower - Imperial Highway Intersection Improvements		2,740.4	0.0	2,740.4	2,740.4					
Downey	MR315.66	Lakewood Blvd at Firestone Blvd Intersection Improvm.		1,300.0	0.0	1,300.0	0.0	1,300.0				
		TOTAL DOWNEY		15,165.4	(20.0)	15,145.4	8,930.4	6,215.0	0.0	0.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
LA County	MR315.07	Painter - Mulberry Intersection Improvements		2,410.0	0.0	2,410.0	2,410.0					
LA County	MR315.11	Valley View - Imperial Intersection Improvements		1,640.0	0.0	1,640.0	1,640.0					
LA County	MR315.15	Norwalk-Whittier Intersection Improvements		2,830.0	0.0	2,830.0	2,830.0					
LA County	MR315.23	Carmenita - Telegraph Intersection Improvements		1,400.0	0.0	1,400.0	1,400.0					
LA County	MR315.22	Norwalk-Washington Intersection Improvements		550.0	0.0	550.0	550.0					
LA County	MR315.64	South Whittier Bikeway Access Improvements (Call Match) F9511		800.0	0.0	800.0	0.0	155.0		645.0		
		TOTAL LA COUNTY		9,630.0	0.0	9,630.0	8,830.0	155.0	0.0	645.0	0.0	0.0
Lakewood	MR315.36	Lakewood Blvd Regional Capacity Enhancement		3,600.0	0.0	3,600.0	3,600.0					
Lakewood	MR315.04	Lakewood - Del Amo Intersection Improvements		5,504.3	0.0	5,504.3	5,504.3					
		TOTAL LAKEWOOD		9,104.3	0.0	9,104.3	9,104.3	0.0	0.0	0.0	0.0	0.0
Long Beach	MR315.67	2015 CFP - Artesia Complete Blvd (Call Match) F9130		900.0	0.0	900.0	0.0				900.0	
Long Beach	MR315.68	2015 CFP - Atherton Bridge & Campus Connection (Call Match) F9532		800.0	0.0	800.0	0.0				800.0	
Long Beach	MR315.69	Park or Ride (Call Match) F9808		212.6	0.0	212.6	14.9	49.3	62.5	71.8	14.1	
Long Beach	MR315.60	Soundwall on I-605 near Spring Street, PAED and PSE		350.0	0.0	350.0	50.0	200.0	100.0			
Long Beach	MR315.61	Lakewood - Spring Intersection Improvements, PSE and Construction		454.3	0.0	454.3	454.3					
Long Beach	MR315.62	Bellflower - Spring Intersection Improvements, PSE and Construction		492.8	0.0	492.8	492.8					
Long Beach	MR215.70	Artesia Boulevard Improvements		1,450.0	0.0	1,450.0	0.0	1,450.0				
		TOTAL LONG BEACH		4,659.7	0.0	4,659.7	1,012.0	1,699.3	162.5	71.8	1,714.1	0.0

ATTACHMENT A

Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Norwalk	MR315.06	Studebaker - Rosecrans Intersection Improvements		1,670.0	0.0	1,670.0	1,670.0					
Norwalk	MR315.10	Bloomfield - Imperial Intersection Improvements		920.0	0.0	920.0	920.0					
Norwalk	MR315.17	Pioneer - Imperial Intersection Improvements		1,509.0	0.0	1,509.0	1,509.0					
Norwalk	MR315.26	Studebaker - Alondra Intersection Improvements		480.0	0.0	480.0	480.0					
Norwalk	MR315.43	Imperial Highway ITS Project, from San Gabriel River to Shoemaker Rd. (PAED, PS&E, CON)		3,380.4	0.0	3,380.4	3,380.4					
Norwalk	MR315.71	Firestone Blvd Widening Project		2,000.0	0.0	2,000.0	0.0	2,000.0				
		TOTAL NORWALK		9,959.4	0.0	9,959.4	7,959.4	2,000.0	0.0	0.0	0.0	0.0
Pico Rivera	MR315.05	Rosemead - Beverly Intersection Improvements		8,474.0	0.0	8,474.0	8,474.0					
Pico Rivera	MR315.09	Rosemead - Whittier Intersection Improvements		1,388.0	0.0	1,388.0	1,388.0					
Pico Rivera	MR315.21	Rosemead - Washington Intersection Improvements		40.0	0.0	40.0	40.0					
Pico Rivera	MR315.19	Rosemead - Slauson Intersection Improvements		2,195.0	0.0	2,195.0	2,195.0					
		TOTAL PICO RIVERA		12,097.0	0.0	12,097.0	12,097.0	0.0	0.0	0.0	0.0	0.0
Santa Fe Springs	MR315.40	Valley View - Rosecrans Intersection Improvements, Construction		824.0	0.0	824.0	524.0	300.0				
Santa Fe Springs	MR315.41	Valley View - Alondra Intersection Improvements, ROW & Construction		2,667.0	0.0	2,667.0	2,667.0					
Santa Fe Springs	MR315.42	Florence Avenue Widening Project, from Orr & Day to Pioneer Blvd (PAED, PSE, ROW)		600.0	0.0	600.0	50.0	550.0				
		TOTAL SANTA FE SPRINGS		4,091.0	0.0	4,091.0	3,241.0	850.0	0.0	0.0	0.0	0.0
Whittier	MR315.44	Santa Fe Springs Whittier Intersection Improvements: PSE, ROW, Construction	Chg	1,567.9	803.1	2,371.0	1,567.9		803.1			
Whittier	MR315.45	Painter Ave - Whittier Intersection Improvements: PSE, ROW, Construction	Chg	1,760.3	2,512.7	4,273.0	1,760.3		2,512.7			
Whittier	MR315.46	Colima Ave - Whittier Intersection Improvements: PSE, ROW, Construction	Chg	1,646.2	697.9	2,344.1	1,646.2		697.9			
		TOTAL WHITTIER		4,974.4	4,013.7	8,988.1	4,974.4	0.0	4,013.7	0.0	0.0	0.0
		TOTAL I-605/SR-91/I-405 "HOT SPOTS"		205,762.1	12,982.6	218,744.7	133,766.0	39,272.4	34,475.4	9,516.8	1,714.1	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Gateway Cities: INTERSTATE 710 SOUTH EARLY ACTION PROJECT				168,339.9	17,160.1	175,500.0	137,993.3	5,471.5	26,151.8	15,800.4	183.0	0.0
GCCOG	MOU.306.03	GCCOG Engineering Support Services		1,100.0	0.0	1,100.0	1,100.0					
TOTAL GCCOG				1,100.0	0.0	1,100.0	1,100.0	0.0	0.0	0.0	0.0	0.0
Metro	PS4720-3334	Program/Project Management Support of Measure R Funds		200.0	0.0	200.0	200.0					
Metro	PS-4010-2540-02-17	I-710/I-5 Interchange Project Development		600.0	0.0	600.0	600.0					
Metro	various	Professional Services contracts for I-710 Utility Studies (North, Central, South)		25,046.0	0.0	25,046.0	25,046.0					
Metro	PS4340-1939	Professional Services contract for I-710 Corridor Project EIR/EIS		32,520.9	0.0	32,520.9	32,520.9					
Metro	PS-4710-2744	Professional Services contract for I-710 Soundwall Project Development		10,878.4	0.0	10,878.4	10,878.4					
Metro	PS2198100	I-710 Soundwall Package 2		7,000.0	0.0	7,000.0	0.0		1,000.0	6,000.0		
Metro	MOU.Calstart2010	Professional Services contract for development of zero emission technology report		150.0	0.0	150.0	150.0					
Metro	Bucket	I-710 ITS/Air Quality Early Action (Grant Match)		8,760.0	0.0	8,760.0	8,760.0					
Metro	MR306.41	FRATIS Modernization (Grant Match)		3,000.0	0.0	3,000.0	0.0	3,000.0				
Metro	MR306.38	Sustainable Transportation Planning Grant (Grant Match)		64.8	0.0	64.8	64.8					
TOTAL METRO				88,220.1	0.0	88,220.2	78,220.2	3,000.0	1,000.0	6,000.0	0.0	0.0
POLA	MR306.40	I-710 Eco-FRATIS Drayage Truck Efficiency Project (Grant Match)		240.0	0.0	240.0	240.0					
TOTAL POLA				240.0	0.0	240.0	240.0	0.0	0.0	0.0	0.0	0.0
Metro	13.01/USAGE	Third Party Support Services for I-710 Corridor Project (US Army Corp of Eng)		100.0	0.0	100.0	100.0					
TOTAL USACE				100.0	0.0	100.0	100.0	0.0	0.0	0.0	0.0	0.0
Metro	MR306.5B	Third Party Support Services for I-710 Corridor Project (So Cal Edison)		1,623.0	0.0	1,623.0	1,623.0					
Metro	MR306.39	I-710 Soundwall Project - SCE Utility Relocation Engineering Advance		75.0	0.0	75.0	75.0					
Metro	MR306.48	SCE design support I-710 Soundwall Package 3		400.0	0.0	400.0	0.0	200.0	200.0			
TOTAL SCE				2,098.0	0.0	2,098.0	1,698.0	200.0	200.0	0.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Caltrans	MR306.24	Reconfiguration of Firestone Blvd On-Ramp to I-710 S/B Freeway		1,450.0	0.0	1,450.0	1,450.0					
Caltrans	MR306.27	Third Party Support for I-710 Corridor Project EIR/EIS Enhanced IQA		3,500.0	0.0	3,500.0	3,500.0					
Caltrans	MR306.29	I-710 Early Action Project - Soundwall PA/ED Phase - Noise Study Only		100.0	0.0	100.0	100.0					
		TOTAL CALTRANS		5,050.0	0.0	5,050.0	5,050.0	0.0	0.0	0.0	0.0	0.0
LA County	MR306.16	Staff Support for the Review of the Draft I-710 South EIR/EIS		157.0	0.0	157.0	84.5	72.5				
		TOTAL LA COUNTY		157.0	0.0	157.0	84.5	72.5	0.0	0.0	0.0	0.0
Bell	MR306.37	Eastern at Bandini Rickenbacker Project (Call Match) F9200		178.6	(0.0)	178.6	178.6					
Bell	MR306.07	Staff Support for the Review of the Draft I-710 South EIR/EIS		136.0	0.0	136.0	60.9	75.1				
Bell	MR306.44	Gage Ave Bridge Replacement Project		66.8	0.0	66.8	0.0		66.8			
Bell	MR306.45	Slauson Ave Bridge Replacement Project	Deob	39.9	(39.9)	0.0	0.0					
		TOTAL BELL		421.3	(39.9)	381.4	239.5	75.1	66.8	0.0	0.0	0.0
Bell Gardens	MR306.08	Staff Support for the Review of the Draft I-710 South EIR/EIS		152.3	0.0	152.3	68.1	84.2				
Bell Gardens	MR306.35	Florence/Jaboneria Intersection Project (Call Match) F9111		283.4	0.0	283.4	0.0			100.4	183.0	
Bell Gardens	MR306.30	Florence Ave/Eastern Ave Intersection Widening (Call Match) F7120		1,184.7	0.0	1,184.7	623.0	561.7				
Bell Gardens	MR306.52	Garfield Ave & Eastern Ave Intersection Improvements	Add	0.0	4,635.0	4,635.0			4,635.0			
		TOTAL BELL GARDENS		1,620.4	4,635.0	6,255.5	691.1	645.9	4,635.0	100.4	183.0	0.0
Commerce	MR306.23	Washington Blvd Widening and Reconstruction Project		13,500.0	0.0	13,500.0	13,500.0					
Commerce	MR306.09	Staff Support for the Review of the Draft I-710 South EIR/EIS		75.0	0.0	75.0	75.0					
		TOTAL COMMERCE		13,575.0	0.0	13,575.0	13,575.0	0.0	0.0	0.0	0.0	0.0
Compton	MR306.10	Staff Support for the Review of the Draft I-710 South EIR/EIS		35.3	0.0	35.3	35.3					
		TOTAL COMPTON		35.3	0.0	35.3	35.3	0.0	0.0	0.0	0.0	0.0
Downey	MR306.18	Staff Support for the Review of the Draft I-710 South EIR/EIS		120.0	0.0	120.0	10.0	110.0				
Downey	MR306.20	Paramount Blvd/Firestone Intersection Improvements (Complete)		3,069.0	0.0	3,069.0	3,069.0					
Downey	MR306.42	Firestone Blvd Improvement Project (Old River Rd. to West City Limits)		223.0	0.0	223.0	223.0	100.0				
Downey	MR306.31	Lakewood Blvd Improvement Project	Chg	5,000.0	1,000.0	6,000.0	5,000.0		1,000.0			
Downey	MR306.49	Paramount Blvd at Imperial Highway Intersection Improvement Project		3,185.0	0.0	3,185.0	0.0		1,185.0	2,000.0		
		TOTAL DOWNEY		11,597.0	1,000.0	12,597.0	8,302.0	210.0	2,185.0	2,000.0	0.0	0.0

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Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
Huntington Park	MR306.36	Staff Support for the Review of the Draft I-710 South EIR/EIS		15.0	0.0	15.0	15.0					
Huntington Park	MR306.53	Slauson Ave Congestion Relief Improvements	Add	0.0	700.0	700.0			700.0			
		TOTAL HUNTINGTON PARK		15.0	700.0	715.0	15.0	0.0	700.0	0.0	0.0	0.0
Long Beach	MR306.19	Shoemaker Bridge Replacement Project		11,000.0	0.0	11,000.0	5,500.0		2,000.0	3,500.0		
Long Beach	MR306.11	Staff Support for the Review of the Draft I-710 South EIR/EIS		146.0	0.0	146.0	46.0	100.0				
Long Beach	MR306.22	Atlantic Ave/Willow St Intersection Improvements		300.0	0.0	300.0	300.0					
		TOTAL LONG BEACH		11,446.0	0.0	11,446.0	5,846.0	100.0	2,000.0	3,500.0	0.0	0.0
Lynwood	MR306.51	Staff Support for the Review of the Draft I-710 South EIR/EIS		20.0	0.0	20.0	0.0	20.0				
Lynwood	MR306.54	Imperial Highway Corridor Congestion Relief Improvements	Add	0.0	865.0	865.0			865.0			
		TOTAL LYWOOD		20.0	865.0	885.0	0.0	20.0	865.0	0.0	0.0	0.0
Maywood	MR306.12	Staff Support for the Review of the Draft I-710 South EIR/EIS		65.0	0.0	65.0	65.0					
		TOTAL MAYWOOD		65.0	0.0	65.0	65.0	0.0	0.0	0.0	0.0	0.0
Paramount	MR306.13	Staff Support for the Review of the Draft I-710 South EIR/EIS		130.0	0.0	130.0	50.0	80.0				
Paramount	MR306.32	Garfield Ave Improvements		2,825.0	0.0	2,825.0	2,075.0	750.0				
		TOTAL PARAMOUNT		2,955.0	0.0	2,955.0	2,125.0	830.0	0.0	0.0	0.0	0.0
POLB	MR306.55	Pier B Street Freight Corridor Reconstructon	Add	0.0	10,000.0	10,000.0			10,000.0			
		TOTAL PORT OF LONG BEACH		0.0	10,000.0	10,000.0	0.0	0.0	10,000.0	0.0	0.0	0.0
South Gate	MR306.14	Staff Support for the Review of the Draft I-710 South EIR/EIS		184.5	0.0	184.5	84.5	100.0				
South Gate	MR306.17	Atlantic Ave/Firestone Blvd Intersection Improvements (Complete)		12,400.0	0.0	12,400.0	12,400.0					
South Gate	MR306.33	Firestone Blvd Regional Corridor Capacity Enhancement Project		6,000.0	0.0	6,000.0	6,000.0					
South Gate	MR306.50	I-710 Soundwall Project - Package 1 Construction Phase		8,900.0	0.0	8,900.0	0.0	200.0	4,500.0	4,200.0		
		TOTAL SOUTH GATE		27,484.5	0.0	27,484.5	18,484.5	300.0	4,500.0	4,200.0	0.0	0.0
Vernon	MR306.15	Staff Support for the Review of the Draft I-710 South EIR/EIS		70.2	0.0	70.2	52.2	18.0				
Vernon	MR306.25	Atlantic Blvd Bridge Widening and Rehabilitation		2,070.0	0.0	2,070.0	2,070.0					
		TOTAL VERNON		2,140.2	0.0	2,140.2	2,122.2	18.0	0.0	0.0	0.0	0.0
		TOTAL I-710 SOUTH & EARLY ACTION PROJ		168,339.9	17,160.1	175,500.0	137,993.3	5,471.5	26,151.8	15,800.4	183.0	0.0

ATTACHMENT A

Lead Agency	Fund Agr (FA) No.	PROJECT/LOCATION	Notes	Prior Alloc	Alloc Change	Current Alloc	Prior Yr Program	FY18	FY19	FY20	FY21	FY22
North County: SR-138 Capacity Enhancements						200,000.0	200,000.0	106,700.0	20,100.0	28,000.0	45,200.0	0.0
Metro	MR330.01	SR-138 (AvenueD) PA/ED (I-5 to SR-14)		19,400.0	0.0	19,400.0	19,400.0					
Metro/Caltrans	MR330.12	SR 138 Segment 6 Construction		5,600.0	0.0	5,600.0	0.0		5,600.0			
		TOTAL METRO		25,000.0	0.0	25,000.0	19,400.0	0.0	5,600.0	0.0	0.0	0.0
Lancaster	MR330.02	SR-138 (SR-14) Avenue K Interchange		15,000.0	0.0	15,000.0	15,000.0					
Lancaster	MR330.03	SR-138 (SR-14) Avenue G Interchange		15,000.0	0.0	15,000.0	3,100.0			11,900.0		
Lancaster	MR330.04	SR-138 (SR-14) Avenue J Interchange		10,000.0	0.0	10,000.0	3,300.0			6,700.0		
Lancaster	MR330.05	SR-138 (SR-14) Avenue L Interchange		5,000.0	0.0	5,000.0	300.0	900.0		3,800.0		
Lancaster	MR330.06	SR-138 (SR-14) Avenue M Interchange		20,000.0	0.0	20,000.0	4,400.0		15,600.0			
		TOTAL LANCASTER		65,000.0	0.0	65,000.0	26,100.0	900.0	15,600.0	22,400.0	0.0	0.0
Palmdale	MR330.07	SR-138 Palmdale Blvd. (SR-138) 5th to 10th St. East		25,000.0	0.0	25,000.0	25,000.0					
Palmdale	MR330.08	SR-138 Palmdale Blvd. SB 14 Ramps		25,000.0	0.0	25,000.0	6,600.0		6,800.0	11,600.0		
Palmdale	MR330.09	SR-138 10th St. West Interchange		15,000.0	0.0	15,000.0	10,900.0	4,100.0				
Palmdale	MR330.10	SR-138 (SR-14) Widening Rancho Vista Blvd. to Palmdale Blvd		25,000.0	0.0	25,000.0	15,400.0	9,600.0				
Palmdale	MR330.11	SR-138 Avenue N Overcrossing		20,000.0	0.0	20,000.0	3,300.0	5,500.0		11,200.0		
		TOTAL PALMDALE		110,000.0	0.0	110,000.0	61,200.0	19,200.0	6,800.0	22,800.0	0.0	0.0
		TOTAL SR-138 CAPACITY ENH		200,000.0	0.0	200,000.0	106,700.0	20,100.0	28,000.0	45,200.0	0.0	0.0
		Total Measure R Spent Inception to Date		1,035,377	41,394	1,066,771	694,336	126,592	143,974	93,249	17,025	1,695

Definitions:

Lead Agency is the primary project manager for the administration of scope and use of funds

Funding Agreement (FA): references the agreement number on file with Metro

Project Location: Describes the general scope and parameters of the project

Project Phase identifies which lifecycle phase the project is in at the time of reporting noted as follows:

PI - Project Initiation / PE - Preliminary Engineering / EA - Environmental Analysis / FD - Final Design / ROW - Right of Way Acq / CON - Construction

Notes: Provide a quick reference to reported change for the period such as:

Add - Addition of a new project / REP - Reprogram of funds / SCAD - Scope Addition / BAD - Budget Adjustment / DEL - Deletion

Prior Allocation identifies the reported project allocation reported in the previous report

Alloc Change denotes the amount of change occurring in the current reporting period.

Current Allocation identifies the total current allocation planned for a project. This includes the prior year Programming and the sum of the future fiscal years

**MEASURE R TIME EXTENSION LIST AS OF JUNE 30, 2018
(\$000)**

ATTACHMENT B

PROJECT NUMBER	LEAD AGENCY	PROJECT	LAPSING FUNDS	LAPSING PROG YR	TOTAL PROG \$ TO BE LAPSED	TOTAL EXPEN \$ TO DATE	AMOUNT SUBJECT TO LAPSE	REC'D EXT YR(S)	REASON FOR EXT	NEW REVISED LAPSED DATE
ARROYO VERDUGO OPERATIONAL IMPROVEMENTS										
MR310.06	Burbank	San Fernando Blvd. / Burbank Blvd. Intersection	Mea. R	2017/18	590	300	290	1	2	6/30/2019
MR310.11	Burbank	Olive Ave. / Verdugo Ave. Intersection Improvements	Mea. R	2018	400	92	308	1	1	6/30/2019
MR310.13	Glendale	Glendale Narrows Bikeway Culvert	Mea. R	2018	476	302	174	1	1	6/30/2019
MR310.22	Glendale	Glendale Narros Riverwalk Bridge	Mea. R	2018	600	557	43	1	1	6/30/2019
LAS VIRGENES/MALIBU OPERATIONAL IMPROVEMENTS										
MR311.32	Malibu	PCH and Big Rock Dr. Intersection and La Costa Area Ped Impr	Mea. R	2018	550	356	194	1	2	6/30/2019
SOUTH BAY I-405, I-110, I-105, & SR-91 RAMP / INTERCHANGE IMPROVEMENTS										
MR312.05	Hermosa Beach	PCH (SR1) Improvements btwn Anita St and Artesia Ave	Mea. R	2018	304	108	196	1	2	6/30/2019
MR312.06	Redondo Beach	PCH Arterial Impr frm Anita St. to Palos Verdes Blvd	Mea. R	2018	1,400	155	1,245	1	2	6/30/2019
MR312.07	Redondo Beach	PCH at Torrance Blvd Intersection Improvements	Mea. R	2018	585	131	454	1	2	6/30/2019
MR312.12	Inglewood	Inglewood Intelligent Transportation System Phase IV	Mea. R	2018	3,500	1,269	2,231	1	2	6/30/2019
MR312.20	Redondo Beach	Aviaton Blvd at Artesia Blvd Intersection Improvements	Mea. R	2018	847	173	674	1	1	6/30/2019
MR312.23	Torrance	Torrance Transit Park and Ride Regional Terminal Project	Mea. R	2017/18	18,100	10,190	7,910	1	2	6/30/2019
MR312.28	Manhattan Beach	Seismic Retrofit of Sepulveda Blvd Bridge	Mea. R	2018	4,550	0	4,550	1	1	6/30/2019
MR312.40	Torrance	PCH at Vista Montana/Anza Avenue Intersection Impr	Mea. R	2018	2,900	476	2,424	1	1	6/30/2019
GATEWAY CITIES: I-605/SR-91/I-405 CORRIDORS "HOT SPOTS"										
MR315.04	Lakewood	Del Amo Boulevard at Lakewood Boulevard Intersection Impr	Mea. R	2018	1,000	452	548	1	1	6/30/2019
MR315.09	Pico Rivera	Rosemead Boulevard and Whittier Boulevard Intersection Impr	Mea. R	2018	120	80	40	1	1	6/30/2019
MR315.10	Norwalk	Bloomfield Avenue at Imperial Highway Intersection Impro	Mea. R	2018	184	37	147	1	1	6/30/2019
MR315.17	Norwalk	Pioneer Boulevard at Imperial Highway Intersection Impr	Mea. R	2018	154	71	83	1	1	6/30/2019
MR315.19	Pico Rivera	Rosemead Boulevard and Slauson Intersection Impr	Mea. R	2018	300	207	93	1	1	6/30/2019
MR315.21	Pico Rivera	Rosemead Blvd and Washington Blvd Intersection Impr	Mea. R	2018	8	4	4	1	1	6/30/2019
GATEWAY CITIES: INTERSTATE 710 SOUTH EARLY ACTION PROJECTS										
MR306.20	Downey	Paramount Blvd at Firestone Blvd Intersection Impr	Mea. R	2017/18	3,390	2,986	404	1	2	6/30/2019
					Total	\$39,958	\$17,946	\$22,012		

- | |
|--|
| <ol style="list-style-type: none"> 1. Project delay due to unforeseen and extraordinary circumstances beyond the control of the project sponsor (federal or state delay, legal challenges, third party coordination issues, act of God, etc); 2. Project is contractually obligated, however, a time extension is needed to complete construction that is already underway (capital projects only); 3. Project delay due to Metro action that results in a change in project scope, schedule, or sponsorship that is mutually agreed. |
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Board Report

File #: 2018-0303, File Type: Contract

Agenda Number: 12.

PLANNING AND PROGRAMMING COMMITTEE OCTOBER 17, 2018

SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 18 to Contract No. PS4320-2003 with CDM Smith/AECOM Joint Venture (JV) Technical Services, Inc. for the Eastside Transit Corridor Phase 2 Project to complete the reinitiated environmental clearance study, in the amount of \$7,847,298, increasing the total current contract value from \$19,048,725 to \$26,896,023;
- B. INCREASE in Contract Modification Authority (CMA) specific to Contract No. PS4320-2003, for the Eastside Transit Corridor Phase 2 Project, in the amount of \$784,000, increasing the total CMA amount from \$2,532,711 to \$3,316,711, due to the complexity of the environmental study effort and authorize the CEO to execute individual contract modifications within the Board-approved CMA;
- C. AWARD and execute a 36-month firm fixed price Contract No. AE51242000 with Cordoba HNTB Design Partners, Inc. in an amount not to exceed \$16,154,225 to provide the advanced conceptual engineering (ACE) design and urban design services for the Eastside Transit Corridor Phase 2 Project for work in support of the reinitiated environmental clearance study, subject to resolution of protest(s), if any; and
- D. APPROVE Contract Modification Authority specific to Contract No. AE51242000 in the amount of \$3,230,845 due to the complexity of the engineering and urban design effort and authorize the CEO to execute individual contract modifications within the Board-approved CMA.

ISSUE

Measure M allocates \$6 billion to the Eastside Transit Corridor Phase 2 Project (Project), to be programmed in two cycles. Cycle 1 identifies \$3 billion with a 2029 groundbreaking date and an opening date of 2035. Cycle 2 identifies \$3 billion with a 2053 groundbreaking date and an opening date of 2057. One alignment (yet to be selected) has been identified as potential accelerated project schedule in the Twenty-Eight by '28 project list. A reinitiated environmental study is needed to

identify and environmentally clear a Locally Preferred Alternative (LPA) pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA).

Board approval is needed for Contract Modification No. 18, to reinitiate the environmental study and to award and execute Contract No. AE51242000 for the ACE design and urban design services contract to support the reinitiated environmental study.

BACKGROUND

Existing Contract No. PS4320-2003 with the CDM Smith/AECOM Technical Services, Inc. (JV) was effective August 9, 2007. The project Alternatives Analysis (AA) was initiated in 2007 wherein 47 alternatives were evaluated. In January 2009, the Metro Board approved the AA and identified two build alternatives to be carried forward. The Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was initiated in 2010. The Draft EIS/EIR analyzed the two Build Alternatives --State Route 60 (SR 60) and Washington Boulevard--in addition to the No Build and Transportation Systems Management (TSM) Alternatives. To address technical issues and in close coordination with the United States Environmental Protection Agency (EPA), the SR 60 North Side Design Variation (SR 60 NSDV) was added as a design variation. The project's Draft EIS/EIR was released on August 22, 2014 for an extended public comment period of 60 days. In November 2014, the Board approved carrying forward two Build Alternatives: the SR 60 NSDV and Washington Boulevard. The Board also directed staff to carry out additional technical work, including identifying a new north-south alignment to connect to the Washington Boulevard Alternative.

At the May 2017 meeting (Legistar File 2017-0154), the Board received the findings of the Post Draft EIS/EIR Technical Study and approved an updated project definition to include three (3) Build Alternatives for environmental review (Attachment D):

- SR 60 NSDV Alternative;
- Washington Boulevard Alternative with Atlantic below-grade option; and
- Combined Alternative, defined as full build out of the SR 60 NSDV and Washington Boulevard Alternatives.

DISCUSSION

The reinitiated environmental clearance study and supporting ACE work will update the August 2014 Draft EIS/EIR to reflect the new Board-approved project definition. This includes studying potential impacts and completing ACE for a new underground segment and three new stations on the Washington Boulevard Alternative, a modified track alignment for the SR 60 NSDV Alternative, and the added Combined Alternative, which was not studied in the 2014 Draft EIS/EIR. The reinitiated environmental clearance study will also study other project elements to reflect updated environmental baseline conditions.

The environmental analysis work will inform the selection of an LPA by the Metro Board and adhere to NEPA and CEQA requirements. In support of the environmental work, the ACE design work will refine the previously developed conceptual engineering plans and exhibits to a 15% level of design for three (3) Build Alternatives, provide information needed to secure regulatory approval from third party agencies and advance specific design issues raised by key stakeholders and communities in

the study area. The environmental analysis will also address comments received on the project from stakeholders.

Consistency with Metro's Equity Platform Framework

The Project is consistent with the recently-adopted Metro Equity Platform Framework, as it will provide the communities of the eastern Los Angeles County a more reliable and high quality transit alternative that will help to solve the mobility challenges in the project area and meet the mobility needs of the area's residents and businesses.

The 2014 Draft EIS/EIR identified transit-dependent and low-income populations in the project area with 16 percent of households categorized as low-income, 12 percent zero-vehicle households, and 38 percent of the population being less than 18 or greater than 65 years old. Specific mobility challenges in the project area are limited access to high-quality transit options including the Metro regional rail system, traffic congestion and slow travel times for both transit users and automobile drivers. Due in large part to expected population growth in the project area (reaching 760,000 people by 2035), these challenges are expected to worsen without appropriate transportation alternatives. By 2035, the average peak-period travel time within the project area is expected to increase by 25 percent and 34 percent in the morning and afternoon peak periods, respectively.

The Project will address these issues by introducing a new transportation option to the eastside communities that will connect to the existing Metro Gold Line and the regional Metro rail network. The 2014 Draft EIS/EIR found that the Project could reduce travel times for its users by 10 to 14 percent compared to average peak auto travel time. The Project will also reduce vehicle miles traveled (VMT) in the project area, which could lead to air quality, safety, and livability enhancements for the project area's communities.

The Project will improve access to jobs, major activity centers, including educational and medical institutions, and recreational opportunities within the project area and across the Los Angeles region. Furthermore, with the implementation of Metro's Regional Connector Project (a separate project), residents would be able to take a one-seat ride from eastern Los Angeles County to downtown Los Angeles, University of Southern California (USC), Culver City, and Santa Monica.

All of the aforementioned project benefits will collectively expand economic opportunities and enhance the quality of life for those in the project area. Metro staff will look to Metro's Equity Platform Framework as the Project engages residents, stakeholders, elected representatives, resource agencies and community-based organizations in the project area.

DETERMINATION OF SAFETY IMPACT

These actions will not have any impact on the safety of our customers and/or employees because this project is at the environmental study phase.

FINANCIAL IMPACT

The FY 2019 budget includes \$5,028,240 for Professional Services in Cost Center 4310, Project

460232 (Eastside Transit Corridor Phase 2). Since this is a multi-year program, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting in future years.

Impact to Budget

The source of funds is Measure M 35% Transit Construction. These funds are not eligible for bus and/or rail operating expenses.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Project supports the goals outlined in the Metro Vision 2028 Strategic Plan by addressing the previously discussed mobility challenges in the project area including increasing travel demand, travel times, and roadway congestion and limited connections to the regional rail system.

The Project is responsive to these issues by aligning with Vision 2028 Goal #1 - *Provide High Quality Mobility Options That Will Enable People to Spend Less Time Traveling*, as it will provide a high quality transportation option that will improve transit access, travel time, mobility, and connectivity to Metro's regional transit system. By 2035, the average peak-period travel time within the project study area is expected to increase by 25 percent and 34 percent in the morning and afternoon peak periods, respectively. These challenges highlight the critical need for a high-quality transit option for the communities of eastern Los Angeles County. The Project is expected to reduce travel time by approximately 10 to 14 percent for transit passengers shifting from automobile trips within the project area.

The Project also supports Goal #3 - *Enhance Communities through Mobility and Enhanced Access to Opportunity*, as it will connect communities to the regional Metro rail network, which will expand access to jobs, major activity centers, including educational and medical institutions, and recreational opportunities within the project area and across the Los Angeles region.

ALTERNATIVES CONSIDERED

The Board could choose not to approve any or all of the recommendations. This is not recommended as this work is necessary in order to update the Draft EIS/EIR and inform the selection of a locally preferred alternative, along with delaying the potential for achieving the aspirational schedule set forth in the Twenty-Eight by '28 initiative.

NEXT STEPS

Upon Board approval, staff will execute Contract Modification No. 18 to Contract No. PS4320-2003 with CDM Smith/AECOM Technical Services, Inc. to complete the reinitiated environmental clearance study. Staff will also execute Contract No. AE51242000 with Cordoba HNTB Design Partners, Inc. to conduct the ACE design and urban design services.

ATTACHMENTS

Attachment A-1- Procurement Summary for PS4320-2003

Attachment A-2- Procurement Summary for AE51242000

Attachment B - Contract Modification/Change Order Log for PS4320-2003

Attachment C-1- DEOD Summary for PS4320-2003

Attachment C-2- DEOD Summary for AE51242000

Attachment D- Project Study Area Map

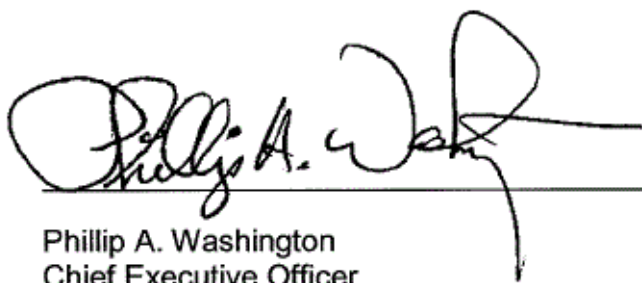
Prepared by: Laura Cornejo, DEO, Countywide Planning & Development, (213) 922-2885

David Mieger, EO, Countywide Planning & Development, (213) 922-3040

Manjeet Ranu, SEO, Countywide Planning & Development, (213) 418-3157

Reviewed by: Therese W. McMillan, Chief Planning Officer, (213) 922-7077

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



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**EASTSIDE TRANSIT CORRIDOR PHASE 2 - ALTERNATIVE ANALYSIS,
ENVIRONMENTAL CLEARANCE AND CONCEPTUAL ENGINEERING
CONSULTANT SERVICES / PS4320-2003**

1.	Contract Number: PS4320-2003		
2.	Contractor: CDM SMITH/AECOM, a Joint Venture		
3.	Mod. Work Description: Complete the reinitiated environmental clearance study.		
4.	Contract Work Description: Environmental work for the Eastside Transit Corridor Project.		
5.	The following data is current as of: 09/05/2018		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	07/31/2007	Contract Award Amount: \$2,203,584
	Notice to Proceed (NTP):	08/09/2007	Total of Modifications Approved: \$16,845,141
	Original Complete Date:	06/04/2008	Pending Modifications (including this action): \$7,847,298
	Current Est. Complete Date:	10/31/2021	Current Contract Value (with this action): \$26,896,023
7.	Contract Administrator: Gina Romo		Telephone Number: (213) 922-7558
8.	Project Manager: Laura Cornejo		Telephone Number: (213) 922-2885

A. Procurement Background

This Board Action is to approve Contract Modification No. 18 issued in support of the reinitiated environmental clearance study. This Contract Modification also extends the period of performance through October 31, 2021.

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

On July 31, 2007, the Board awarded firm fixed price Contract No. PS4320-2003 to CDM Smith/AECOM, a Joint Venture, in the amount of \$2,203,584 to perform full environmental clearance under federal and state law for Phase II of the Los Angeles Eastside Transit Corridor.

A total of 18 modifications have been executed to date.

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

B. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon previous MAS audit findings, an independent cost estimate, cost analysis, technical analysis, fact finding, and negotiations.

Proposal Amount	Metro ICE	Negotiated Amount
\$10,816,148	\$5,191,660	\$7,847,298

The difference between the ICE and the negotiated amount is due to unanticipated significant updates to the environmental analysis previously conducted as part of the 2014 Draft EIS/EIR. This includes new work/analysis required in order to be compliant with Metro's First/Last Mile Policy and Transit Oriented Communities efforts, shifting geotechnical/seismic/soil investigations tasks from the engineering contract to the environmental contract, additional analysis for the refined alternative alignments and increased level of coordination needed with federal, state and local stakeholders during the environmental study process.

PROCUREMENT SUMMARY

EASTSIDE TRANSIT CORRIDOR PHASE 2– A.C.E. DESIGN/ URBAN DESIGN SERVICES / AE51242000

1.	Contract Number: AE51242000	
2.	Recommended Vendor: Cordoba HNTB Design Partners, 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: February 27, 2018	
	B. Advertised/Publicized: February 27, 2018	
	C. Pre-Proposal Conference: March 5, 2018	
	D. Proposals Due: April 23, 2018	
	E. Pre-Qualification Completed: September 14, 2018	
	F. Conflict of Interest Form Submitted to Ethics: May 8, 2018	
	G. Protest Period End Date: October 18, 2018	
5.	Solicitations Picked up/Downloaded: 77	Bids/Proposals Received: 4
6.	Contract Administrator: Adrian Luesang	Telephone Number: (213) 418-3333
7.	Project Manager: Laura Cornejo	Telephone Number: (213) 922-2885

A. Procurement Background

This Board Action is to approve Contract No. AE51242000 issued in support of the Eastside Transit Corridor Phase 2 Project – Advanced Conceptual Engineering (ACE) Design/Urban Design Services. Board approval of contract awards are subject to resolution of any properly submitted protest.

The Request for Proposals (RFP) was issued in accordance with Metro’s Acquisition Policy and the contract type is firm fixed price. The RFP was issued with a Race Conscious Disadvantaged Business Enterprise (RCDBE) goal of 30%.

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

- Amendment No. 1, issued on March 29, 2018, extended the RFP due date to April 23, 2018.

A pre-proposal conference was held on March 5, 2018 and was attended by 46 participants representing 28 firms. There were nine questions and responses released prior to the proposal due date.

A total of 77 firms downloaded the RFP and were included in the planholder’s list. A total of four proposals were received on April 23, 2018.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Countywide Planning and Development Mobility Corridors Department, Operations Liaison and Planning Department, and the Executive Office of Transit Project Delivery Department 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 15 percent
- Experience and Capabilities of Personnel of the Team 25 percent
- Effectiveness of Management Plan 15 percent
- Understanding of Work and Approach for Implementation 35 percent
- Innovation 10 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architectural and Engineering (A&E) services. Several factors were considered when developing these weights, with the greatest importance given to Understanding of Work and Approach for Implementation.

This is an A&E qualifications based procurement; therefore, price cannot be used as an evaluation factor pursuant to state and federal law.

All four proposals received were determined to be within the competitive range and are listed below in alphabetical order:

1. AECOM Technical Services, Inc.
2. Cordoba HNTB Design Partners, Inc.
3. Eastside 2 Design Partners
4. T.Y. Lin International

The PET independently evaluated and scored the technical proposals during the period of May 14, 2018 through May 28, 2018.

The PET scheduled oral presentations for all firms during the week of June 4, 2018. The firms had an opportunity to highlight technical challenges and present innovative solutions. Each firm also presented their proposed project manager, the team's qualifications, and relevant experience on similar projects. 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 approaches to station design, identifying a method of service, first/last mile connection studies, and maintaining station operations during

the project phases. Each team was also asked about their techniques to coordinate with the other contractors working on this project, as well as all community stakeholders within the Eastside corridor.

The final scoring, after the oral presentations, determined Cordoba HNTB Design Partners, Inc. to be the highest qualified firm.

Qualifications Summary of Recommended Firm:

Cordoba HNTB Design Partners (Cordoba HNTB) is a joint-venture between Cordoba Corporation and HNTB Corporation. Cordoba Corporation (Cordoba) is a California based company with 34 years of experience with complex, high visibility infrastructure projects throughout California. Cordoba’s earliest work in transportation planning began when Los Angeles began its public transportation system. Cordoba now provides comprehensive engineering, program management, and construction management services to suit the public infrastructure needs. Cordoba has significant experience with projects throughout the San Gabriel Valley corridor.

HNTB Corporation (HNTB) has 100 years of experience with planning and designing complex transportation infrastructure projects. In the several years HNTB worked on Metro Projects, HNTB helped develop transit alternatives and improve mobility in the Los Angeles region. HNTB has 70 offices nationwide, staffed with approximately 4000 professionals. Approximately 350 of those professionals are transit planning focused. HNTB brings extensive experience with advanced conceptual engineering and rail and transit projects for 75 agencies throughout the United States.

Following is a summary of the PET evaluation scores:

1	Firm	Weighted Average Score	Factor Weight	Average Score	Rank
2	Cordoba HNTB Design Partners, Inc.				
3	Degree of Skills and Experience of Team	77.60	15.00%	11.64	
4	Experience and Capabilities of Personnel of the Team	81.36	25.00%	20.34	
5	Effectiveness of Management Plan	80.92	15.00%	12.14	
6	Understanding of Work and Approach for Implementation	85.99	35.00%	30.10	
7	Innovation	80.00	10.00%	8.00	
8	Total		100.00%	82.22	1
9	AECOM Technical Services				
10	Degree of Skills and Experience of Team	78.40	15.00%	11.76	

11	Experience and Capabilities of Personnel of the Team	75.60	25.00%	18.90	
12	Effectiveness of Management Plan	74.21	15.00%	11.13	
13	Understanding of Work and Approach for Implementation	80.71	35.00%	28.25	
14	Innovation	78.00	10.00%	7.80	
15	Total		100.00%	77.84	2
16	Eastside 2 Design Partners				
17	Degree of Skills and Experience of Team	75.60	15.00%	11.34	
18	Experience and Capabilities of Personnel of the Team	73.44	25.00%	18.36	
19	Effectiveness of Management Plan	73.65	15.00%	11.05	
20	Understanding of Work and Approach for Implementation	77.94	35.00%	27.28	
21	Innovation	79.00	10.00%	7.90	
22	Total		100.00%	75.93	3
23	T.Y. Lin International				
24	Degree of Skills and Experience of Team	68.80	15.00%	10.32	
25	Experience and Capabilities of Personnel of the Team	65.66	25.00%	16.42	
26	Effectiveness of Management Plan	62.44	15.00%	9.37	
27	Understanding of Work and Approach for Implementation	68.39	35.00%	23.94	
28	Innovation	65.00	10.00%	6.50	
29	Total		100.00%	66.55	4

C. Cost Analysis

The recommended price of \$16,154,225 will be determined to be fair and reasonable based upon a cost analysis, MAS audit, technical analysis, fact finding, and negotiations.

Proposer Name	Proposal Amount	Metro ICE	NTE Amount
Cordoba HNTB Design Partners, Inc.	\$26,364,277	\$12,159,313	\$16,154,225

The difference between the ICE and NTE value is primarily the result of a higher level of effort required to advance the conceptual engineering plans and exhibits

previously developed for the Eastside Phase 2 project as part of the original 2014 Draft EIS/EIR process.

D. Background on Recommended Contractor

The recommended firm, Cordoba HNTB Design Partners, Inc. (Cordoba HNTB), is a long term partner in Metro's rail programs for several years. Cordoba HNTB has specific expertise in at grade, tunnel and aerial alignments; rail junctions, station layout and design; design-build project delivery; and transit oriented community elements such as first/last mile connection studies. In Los Angeles, Cordoba HNTB collaborated on the Metro LAX Transit Project, the Orange County Streetcar Project, and the University of Southern California Galen Center. In Northern and Central California, Cordoba HNTB collaborated on BART Extension to SFO Line and Track Systems Segment Design-Build, California High Speed Rail Program, and the Santa Clara Valley Transportation Authority BART Silicon Valley Extension Phases 1 and 2.

The proposed Project Manager has 25 years of experience managing a variety of rail, planning, multimodal and transportation efforts with multiple consultations working in parallel. The proposed Project Manager has close relationships in the SR-60 corridor and the communities along the Eastside Phase Alignments. The proposed Deputy Project Manager has 20 years of experience in rail transit planning and design, along with expertise in stakeholder outreach and engagement.

Cordoba HNTB has partnered with several DBE subconsultants for this project. V&A, Inc. will provide traffic analysis and design, and maintenance. Studio MLA will provide landscape and design services. Lenax Construction Services, Inc. will provide cost estimating services. Diaz Yourman & Associates will provide geotechnical engineering services. D'Leon Consulting Engineers will provide utility design and coordination services. Wagner Engineering & Survey Inc. will provide survey, right-of-way, and mapping services.

CONTRACT MODIFICATION/CHANGE ORDER LOG

**EASTSIDE TRANSIT CORRIDOR PHASE 2 - ALTERNATIVE ANALYSIS,
ENVIRONMENTAL CLEARANCE AND CONCEPTUAL ENGINEERING
CONSULTANT SERVICES/ PS4320-2003**

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Exercise Draft Environmental Impact Statement /Report (EIS/EIR)Option	Approved	03/04/2009	\$11,418,071
2	Perform Draft EIS/EIR and extend period of performance through May 31 2012	Approved	04/29/2011	\$395,643
3	Review previous studies, perform additional research and prepare an analysis of how the Sunnyvale decision impacts the corridor.	Approved	06/07/2011	\$72,258
4	Add SR 60 LRT Alternative North Option, remove New Starts related task and add Qualitative and Quantitative Analyses.	Approved	07/05/2011	\$0
5	No cost period of performance extension through February 28, 2013.	Approved	04/18/2012	\$0
6	Updates to the Administrative Draft EIS/EIR, preparation to the DEIS/DEIR and various modeling processes, extend the period of performance through February 28, 2014.	Approved	02/27/2013	\$1,165,737
7	Professional outreach services due to changes in the project schedule and a seven month extension through September 30, 2014.	Approved	02/28/2014	\$221,877
8	No cost period of performance extension through October 31, 2014.	Approved	10/01/2014	\$0
9	Technical and professional services due to changes in the project schedule and a five month extension through February 28, 2015.	Approved	10/29/2017	\$71,209

10	No cost period of performance extension through June 30, 2015.	Approved	01/12/2015	\$0
11	No cost period of performance extension through July 31, 2015.	Approved	05/28/2015	\$0
12	Further study on the two alternatives evaluated in the Draft EIS/EIR and extension of the period of performance through January 31, 2017.	Approved	07/16/2015	\$2,898,336
13	Addressing Caltrans requirements related to Hazardous Materials Limits of Waste.	Approved	04/06/2014	\$43,771
14	Develop additional technical analysis for three underground routing connection concepts as part of the refinement for the Washington Blvd study.	Approved	0818/2016	\$324,875
15	Reallocation of existing tasks to cover additional project management, engineering, and planning work and extending the period of performance through December 31, 2017.	Approved	06/16/2017	\$0
16	Additional tasks in preparation for re-initiation of environmental process and extension of period of performance through February 28, 2018.	Approved	10/04/2017	\$233,364
17	No cost period of performance extension through July 31, 2018.	Approved	01/03/2018	\$0
18	Reinitiated environmental clearance study and extending the period of performance through October 31, 2021.	Pending	10/25/2018	\$7,847,298
19	No cost period of performance extension through October 31, 2018.	Approved	05/21/2018	\$0
	Modification Total:			\$24,692,439
	Original Contract:		07/31/2017	\$2,203,584
	Total:			\$26,896,023

DEOD SUMMARY

EASTSIDE TRANSIT CORRIDOR PHASE 2 / PS-4320-2003

A. Small Business Participation

CDM Smith/AECOM Technical Services, Inc. made a 16.32% Disadvantaged Business Enterprise (DBE) commitment. The project is 100% complete. CDM Smith is exceeding their goal commitment with a DBE participation of 16.44%.

Small Business Commitment	16.32% DBE	Small Business Participation	16.44% DBE
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	DBE Subcontractors	Ethnicity	% Committed	% Participation
1.	D'Leon Consulting Engr.	Hispanic American	8.58%	4.42%
2.	LKG-CMC, Inc.	Caucasian Female	3.20%	2.56%
3.	Morgner Technology	Hispanic American	4.54%	1.97%
4.	AIM Consulting Services	Hispanic American	Added	0.61%
5.	Barrio Planners, Inc.	Hispanic American	Added	3.69%
6.	Galvin Preservation Associates (GPA)	Caucasian Female	Added	0.06%
7.	JBG Environmental	Caucasian Female	Added	0.32%
8.	Translink Consulting	Asian Pacific Female	Added	0.40%
9.	Wagner Engineering	Caucasian Female	Added	2.24%
10.	Arellano Associates	Hispanic Female	Added	0.06%
11.	Environmental Treatment and Technology	Hispanic American	Added	0.11%
Total			16.32%	16.44%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Project Labor Agreement/Construction Careers Policy

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

DEOD SUMMARY

EASTSIDE TRANSIT CORRIDOR PHASE 2 PROJECT – A.C.E. DESIGN / URBAN
DESIGN SVC. / AE51242000**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 30% Disadvantaged Business Enterprise (DBE) goal for this solicitation. Cordoba HNTB Design Partners, a Joint Venture exceeded the goal by making a 54.91% DBE commitment.

Small Business Goal	DBE 30%	Small Business Commitment	DBE 54.91%
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	DBE Subcontractors	Ethnicity	% Committed
1.	Cordoba Corporation	Hispanic American	35.78%
2.	D'Leon Consulting Engineers	Hispanic American	4.02%
3.	Diaz Yourman and Associates	Hispanic American	4.29%
4.	Advanced Technology Laboratories	Hispanic American	0.60%
5.	J & H Drilling Co., Inc.	Hispanic American	0.42%
6.	Lenax Construction Services, Inc.	Caucasian Female	2.35%
7.	MLA Green Inc. dba Studio MLA	Hispanic American Female	1.11%
8.	V&A, Inc.	Hispanic American	4.19%
9.	Wagner Engineering & Survey, Inc.	Caucasian Female	2.15%
Total Commitment			54.91%

A. Living Wage and Service Contract Worker Retention Policy Applicability

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

B. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

C. Project Labor Agreement/Construction Careers Policy

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

Eastside Transit Corridor Phase 2

Planning & Programming Committee Meeting - October 17, 2018

File 2018-0303



Recommendations

Authorize the CEO to execute two contracts:

- **Reinitiated Environmental Study with CDM Smith/AECOM Joint Venture**
 - A. **Execute** Modification No. 18 to existing contract for **\$7,847,298** (total contract value - \$26,896,023)
 - B. **Increase** CMA in the amount of **\$784,000** (total CMA - \$3,316,711)

- **Advanced Conceptual Engineering with Cordoba HNTB Design Partners, Inc.**
 - C. **Award and execute** a new 36-month firm fixed price contract in an amount not to exceed **\$16,154,225**
 - D. **Approve** CMA in the amount of **\$3,230,845**

Project Development Timeline



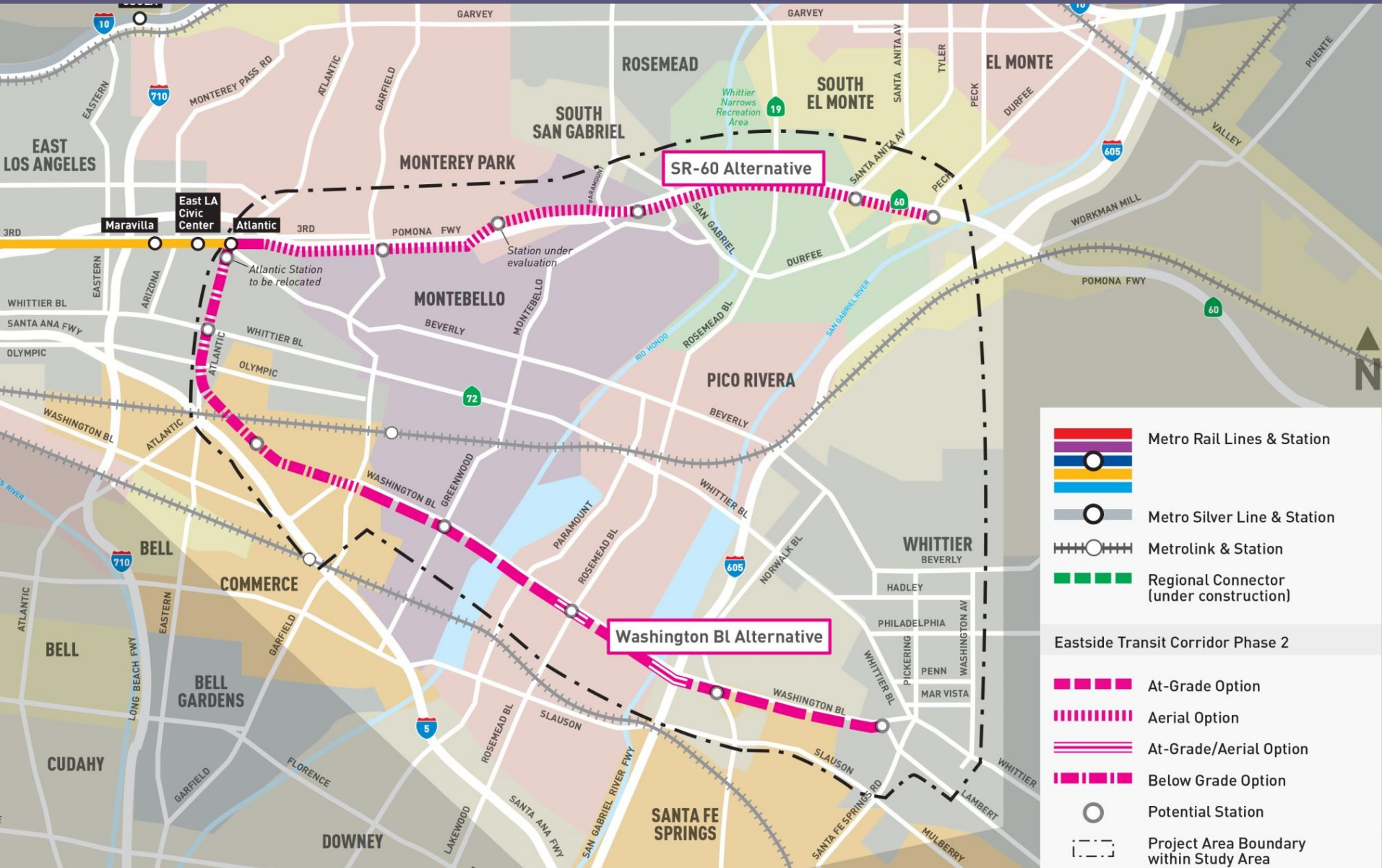
Board Action	October 2009	November 2014	May 2017
	Board approved SR 60 LRT and Washington LRT alternatives for environmental analysis	Board action to modify project alternatives and direct further technical analysis	Board approval for updated Project Definition to include three (3) LRT alternatives

- Reflects Measure M delivery dates
- Potential acceleration TBD

28 x 2028 Status

- “Gold Line Eastside Extension to Whittier or South El Monte” is included in the 28 x 2028 project list, for a single yet-to-be-determined alignment.

Project Alternatives



Project Consistency with Agency Goals

- **Project is consistent with Metro's Equity Platform Framework**
 - Project area populations:
 - ✓ 16% low-income households
 - ✓ 12% zero-vehicle households
 - ✓ 38% population being less than 18 or greater than 65 years old
 - Project is forecast to reduce peak period travel time by 10 to 14%
- **Project is aligned with Metro Vision 2028 Strategic Plan goals**
 - Goal #1 - Provide high quality mobility options that will enable people to spend less time traveling
 - Goal #3 - Enhance communities through mobility and enhanced access to opportunity

Next Step/Project Schedule

- Fall 2018 – Project kick-off and agency coordination meetings
- Winter 2019 – Community updates and stakeholder outreach
- 2021 – Locally preferred alternative and project phasing selected



Board Report

File #: 2018-0470, File Type: Contract

Agenda Number: 13.

PLANNING AND PROGRAMMING COMMITTEE OCTOBER 17, 2018

SUBJECT: BUS RAPID TRANSIT VISION AND PRINCIPLES STUDY

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD AND EXECUTE a 28-month firm fixed price Contract No. PS53553000 to Sutra Research and Analytics, in the amount of \$1,210,607 to complete the Bus Rapid Transit (BRT) Vision and Principles Study, with an optional task to analyze candidate corridors in the amount of \$611,185, for a total contract amount of \$1,821,792, subject to resolution of protest(s), if any; and
- B. APPROVE Contract Modification Authority (CMA) specific to Contract No. PS53553000 in the amount of \$273,269 to account for the complexity of the countywide effort and anticipated level of coordination.

ISSUE

The Measure M Expenditure Plan includes funding for specific BRT projects as well as \$50 million in each of the first three decades and \$100 million in each of the fourth and fifth decades for the Countywide BRT Program. The BRT Vision and Principles Study seeks to establish and build consensus on a clear vision, goals and objectives for the BRT system and develop guidance on the design of the BRT network. It will also facilitate the identification and prioritization of future BRT candidate corridors including a first decade "Phase I" Measure M BRT project, which has an expected opening date of FY 2022-24. Phase I is included in the Board-adopted 28 x 2028 project list. The Measure M Master Guidelines (Section XVIII) call for this study, which will be coordinated with two parallel Metro studies: the NextGen Bus Study and the update of the Long Range Transportation Plan (LRTP). An optional task for preliminary analysis of candidate BRT corridors may be authorized at the discretion of Metro.

Board approval of this professional services contract is needed in order to proceed with the work and support the implementation of the BRT projects in the Measure M Expenditure Plan.

BACKGROUND

The Measure M Expenditure Plan included previously identified specific BRT projects as well as

funding for the Countywide BRT program to build additional BRT projects. In June 2017, the Board adopted the Measure M Master Guidelines, which identified a future BRT study that would establish:

- metrics for BRT system performance;
- standard design guidelines/criteria; and
- proposed sequencing or prioritization of BRT projects.

DISCUSSION

Funding

Measure M allocates \$50 million in each of the first three decades and \$100 million in each of the fourth and fifth decades for the Countywide BRT Program. The Measure M Expenditure Plan identifies an anticipated opening date for Phase 1 of the Countywide BRT Projects as FY 2022-24. BRT typically costs about one-tenth of the capital cost of a rail line.

Planned Outreach Efforts

Community and stakeholder engagement related to this study will provide valuable feedback and will further inform and define numerous aspects of the Countywide BRT program, including but not limited to, the overall vision, goals and objectives of the program, BRT standards, key performance indicators and the identification and prioritization of future candidate corridors. Outreach will involve public outreach meetings and extensive coordination efforts with municipal transit providers, local jurisdictions, and other stakeholders. Community engagement for this study will be closely coordinated with the NextGen Bus Study and integrated into the LRTP Update. Professional services in support of outreach will be procured from the Board-approved Communications Bench.

Consistency with Metro's Equity Platform Framework

This study is consistent with Metro's recently-adopted Equity Platform Framework as equity will be a guiding theme in seeking to establish a clear vision, design guidance, and implementation priorities for the BRT network. Equity will be considered and incorporated at the forefront of this effort as the BRT Vision and Principles Study will identify opportunities to solve to mobility challenges by providing a high quality transit alternative including to low-income, minority and transit-dependent communities throughout the County. Additionally, Metro staff will look to Metro's Equity Platform Framework to inform the robust community engagement in support of this study effort.

DETERMINATION OF SAFETY IMPACT

This action will not have any impact on the safety of our customers and/or employees because this project is in the planning phase.

FINANCIAL IMPACT

The FY 2019 budget includes \$1,502,516 for Professional Services in Cost Center 4220 (Long Range Transportation Plan Team 1), Project 405403 (Countywide BRT Program). Since this is a multi-year program, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting in future years.

Impact to Budget

The source of funds is local Prop A, C & TDA Admin funds. These funds are not eligible for bus and/or rail operating and capital expenses.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation directly supports the implementation of the Strategic Plan by helping to create a robust BRT network as part of a world-class bus system that is reliable, convenient, and attractive to more users for more trips. Specifically, this study will support the realization of Goal #1 in the Vision 2028 Strategic Plan, which is to provide high-quality mobility options that enable people to spend less time traveling. To facilitate the realization of this goal, the Strategic Plan identifies the conversion of strategic Metro Rapid corridors to BRT and the expansion of the BRT program along major arterials and highways throughout the county. The Strategic Plan refers to the BRT Vision and Principles Study as a resource to support the implementation of BRT corridors.

ALTERNATIVES CONSIDERED

The Board could choose not to award Contract No. PS53553000. This is not recommended as it may delay the development of BRT guidelines and standards to assist with the ongoing BRT projects and delay the Measure M groundbreaking date of FY2022-24 for the first decade Countywide BRT program project.

NEXT STEPS

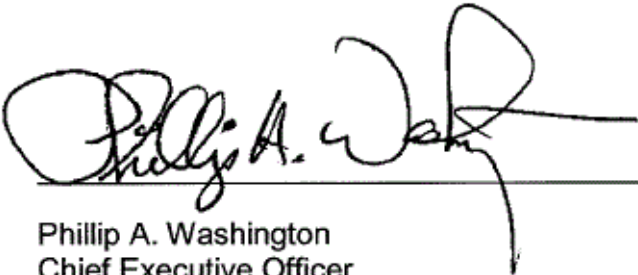
Upon Board approval, staff will execute Contract No. PS53553000 with Sutra Research and Analytics and initiate work.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared by: Lauren Cencic, Sr. Director, Countywide Planning & Development, (213) 922-7417
Mark Yamarone, DEO, Countywide Planning & Development, (213) 418-3452
Kalieh Honish, EO, Countywide Planning & Development, (213) 922-7109
Manjeet Ranu, SEO, Countywide Planning & Development, (213) 418-3157

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



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

BUS RAPID TRANSIT (BRT) VISION AND PRINCIPLES STUDY/PS53553000

1.	Contract Number: PS53553000	
2.	Recommended Vendor: Sutra Research and Analytics	
3.	Type of Procurement (check one): <input checked="" type="checkbox"/> FB <input type="checkbox"/> RFP <input type="checkbox"/> RFP.A&E Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: May 10, 2018	
	B. Advertised/Publicized: May 10, 2018	
	C. Pre-Proposal Conference: May 22, 2018	
	D. Proposals Due: June 20, 2018	
	E. Pre-Qualification Completed: Pending	
	F. Conflict of Interest Form Submitted to Ethics: September 19, 2018	
	G. Protest Period End Date: October 19, 2018	
5.	Solicitations Picked up/Downloaded: 76	Bids/Proposals Received: 5
6.	Contract Administrator: Adrian Luesang	Telephone Number: (213) 418-3333
7.	Project Manager: Lauren Cencic	Telephone Number: (213) 922-7417

A. Procurement Background

This Board Action is to approve Contract No. PS53553000 issued in support of the Bus Rapid Transit (BRT) Vision and Principles Study. Board approval of contract awards are subject to resolution of any properly submitted protest.

The Request for Proposals (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is firm fixed price. The RFP was issued with as a race neutral Small Business Enterprise Set-Aside project.

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

- Amendment No. 1, issued on June 7, 2018, extended the RFP due date to June 20, 2018.

A pre-proposal conference was held on May 22, 2018 that was attended by 40 participants representing 37 firms. There were 35 questions and responses released prior to the proposal due date.

A total of 76 firms downloaded the RFP and were included in the planholder's list. A total of five proposals were received on June 20, 2018.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Countywide Planning and Development Mobility Corridors Department and Systemwide Design, as well as staff from Foothill Transit and Los Angeles Department of Transportation was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Experience and Quality of the Team 20 percent
- Experience and Qualifications of the Proposed Personnel 25 percent
- Effectiveness of Management Plan 10 percent
- Work Plan/Project Approach 25 percent
- Cost/Price Effectiveness 20 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar professional services. Several factors were considered when developing these weights, giving the greatest importance to Experience and Qualifications of the Proposed Personnel and Work Plan/ Project Approach.

All five proposals received were determined to be within the competitive range and are listed below in alphabetical order:

1. Canete Medina Consulting Group
2. CHS Consulting Group
3. Connetics Transportation Group
4. Sutra Research and Analytics
5. Transportation Management & Design, Inc.

The PET independently evaluated and scored the technical proposals during the period of June 21, 2018 through July 9, 2018.

The PET conducted oral presentations for all firms during the week of July 25, 2018. The firms had an opportunity to highlight technical challenges to this project and present innovative solutions. Each firm also presented their core management team with BRT related experience, vision development and integration, specific steps to ensure content continuity, robust quality assurance and quality control, use of existing data sources to create informed objectives and standards to advance LA County core values for BRT. Each team was also asked about their techniques to coordinate with internal and external community stakeholders.

The final scoring, after the oral presentations, determined Sutra Research and Analytics to be the highest qualified firm.

Qualifications Summary of Firms within the Competitive Range:

Sutra Research and Analytics (Sutra)

Sutra is a team with extensive experience in transit projects as well as strategic planning, visioning efforts and consensus building. Sutra demonstrates an understanding of BRT projects based on real-world applications of BRT enhancements and brings significant hands-on experience to both BRT planning and visioning efforts. Sutra is in a mentor-mentee relationship with the IBI Group who serves as a key subcontractor on this project. IBI brings extensive experience in BRT and transit planning, Transit Oriented Communities (TOC), urban design and first/last mile planning.

Additional subcontractors include Resource Systems Group, Inc. bringing extensive experience in travel demand modeling and market research, BAE Urban Economics, Inc. who provide well rounded hands on experience to economic development, TOC, community revitalization and public benefits and InfraStrategies, LLC who provide infrastructure finance to support project development and delivery. Sutra's work with Los Angeles BRT and San Diego BRT, transit, para-transit projects convey noteworthy knowledge to this project. Sutra and respective subcontractors provided evidence of strong technical skills, and an idealistic approach to the statement of work by demonstrating a thorough understanding of how tasks relate to one another to form a comprehensive BRT vision/program.

Sutra demonstrated a well thought out approach to how BRT visioning efforts in the early tasks would correlate with later tasks and be strategically carried throughout the project. Their approach to Quality Assurance and control included measures to ensure that the deliverables for all tasks are closely aligned with the vision, goals and objectives of the Countywide BRT program.

Transportation Management and Design, Inc (TMD)

TMD is a comprehensive transit consulting firm providing innovative and achievable solutions to transit agencies since 1988. TMD reflects their industry experience in transit system redevelopment; service evaluation, planning and design; facility planning; GIS mapping and visual communications. While the proposed team, as a whole, has experience with Metro and the programs included in the statement of work for this solicitation, TMD's work plan and project approach did not clearly delineate on the approach the project team would achieve to integrating a vision through subsequent tasks.

Connetics Transportation Group (CTG)

CTG provides planning services to public transit, local and state transportation agencies across the country. Their travel demand and data analytics assignments

utilize commercial modeling software packages, to process and analyze transportation travel data. While the proposed team has experience in transit service planning and travel demand modeling, they did not clearly demonstrate experience in handling multi-dimensional projects.

CHS Consulting Group (CHS)

CHS provides multimodal transportation planning and engineering services, transit planning, operations and design, traffic operations and microsimulations, traffic signal design and design-build projects with a focus on complex urban transportation systems. While the proposed team has experience in multimodal transportation planning, their experience in developing strategic transportation planning and visioning documents to deliver innovative and resilient solutions were not clearly presented. CHS network approach to transit planning was not clear on how data will be used to inform BRT recommendations.

Canete Medina Consulting Group

Canete Medina Consulting Group provides supply chain network optimization, market research, transit planning and geographic information systems development. While the proposed team has experience in transit planning, and was technically astute when it came to innovation and creativity, it was difficult to determine who the task leads were based on their team structure in their management plan.

Following is a summary of the PET evaluation scores:

1	Firm	Weighted Average Score	Factor Weight	Average Score	Rank
2	Sutra Research and Analytics				
3	Experience and Qualifications of the Team	74.80	20.00%	14.96	
4	Experience and Qualifications of the Proposed Personnel	70.40	25.00%	17.60	
5	Effectiveness of Management Plan	67.00	10.00%	6.70	
6	Work Plan/Project Approach	77.04	25.00%	19.26	
7	Cost/Price Effectiveness	100.00	20.00%	20.00	
8	Total		100.00%	78.52	1
9	Transportation Management & Design, Inc.				
10	Experience and Qualifications of the Team	74.00	20.00%	14.80	
11	Experience and Qualifications of the Proposed Personnel	72.36	25.00%	18.09	
12	Effectiveness of Management Plan	73.00	10.00%	7.30	

13	Work Plan/Project Approach	69.04	25.00%	17.26	
14	Cost/Price Effectiveness	96.20	20.00%	19.24	
15	Total		100.00%	76.69	2
16	Connetics Transportation Group				
17	Experience and Qualifications of the Team	70.40	20.00%	14.08	
18	Experience and Qualifications of the Proposed Personnel	69.04	25.00%	17.26	
19	Effectiveness of Management Plan	74.00	10.00%	7.40	
20	Work Plan/Project Approach	70.40	25.00%	17.60	
21	Cost/Price Effectiveness	74.40	20.00%	14.88	
22	Total		100.00%	71.22	3
23	CHS Consulting Group				
24	Experience and Qualifications of the Team	71.20	20.00%	14.24	
25	Experience and Qualifications of the Proposed Personnel	66.40	25.00%	16.60	
26	Effectiveness of Management Plan	66.50	10.00%	6.65	
27	Work Plan/Project Approach	71.04	25.00%	17.76	
28	Cost/Price Effectiveness	72.55	20.00%	14.51	
29	Total		100.00%	69.76	4
30	Canete Medina Consulting Group				
31	Experience and Qualifications of the Team	60.40	20.00%	12.08	
32	Experience and Qualifications of the Proposed Personnel	61.08	25.00%	15.27	
33	Effectiveness of Management Plan	65.50	10.00%	6.55	
34	Work Plan/Project Approach	67.72	25.00%	16.93	
35	Cost/Price Effectiveness	78.45	20.00%	15.69	
36	Total		100.00%	66.52	5

C. Price Analysis

The recommended price of \$1,821,792 has been determined to be fair and reasonable based upon a price analysis, technical analysis, fact finding, and negotiations.

Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
Sutra Research and Analytics	\$1,913,909	\$1,973,600	\$1,821,792
Transportation Management and Design, Inc (TMD)	\$1,989,085	\$1,973,600	N/A
Canete Medina Consulting Group	\$2,439,244	\$1,973,600	N/A
Connetics Transportation Group (CTG)	\$2,571,736	\$1,973,600	N/A
CHS Consulting Group	\$2,637,648	\$1,973,600	N/A

D. Background on Recommended Contractor

The recommended firm, Sutra Research and Analytics (Sutra), identifies and relates with the challenges that the Los Angeles region faces in developing a transit system that allows people access to viable transportation alternatives, such as BRT. Sutra's team has worked with Metro in BRT planning and implementation, conducting surveys, developing ridership models and developing financing alternatives. Sutra's team has worked on several projects including: SANDAG Transit Signal Priority Guidebook, SANDAG BRT Transit Only Lane Pilot Project, SANDAG South Bay Bus Rapid Transit One-Way Transit-way, Long Beach Transit Mobile Gateway Router Project, SANDAG Mid-City BRT Project, Hillcrest Community Collaborative, Transform Hillcrest Initiative, BRT-Oriented Land Development and Forecasting BRT Ridership. In all of these projects, Sutra's team blends design concepts with practical application, stakeholder and community engagement, and innovation.

The proposed Project Manager has 26 years of experience in BRT conceptual design, system-based BRT improvements, and visionary consensus building. In addition, the proposed Project Manager has 22 years of experience in BRT operations, planning, stakeholder community engagement, and urban planning.

Sutra has partnered with four subconsultants for this project. IBI Group will provide BRT planning and design services. Resource Systems Group, Inc. will provide modeling and ridership services. BAE Urban Economics will provide benefit/cost analysis services. InfraStrategies LLC will provide funding and benefit/cost analysis services.

DEOD SUMMARY

BUS RAPID TRANSIT (BRT) VISION AND PRINCIPLES STUDY/PS53553000**A. Small Business Participation**

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

Sutra Research, an SBE Prime, is performing 34.27% of the work with its own workforce and made a total SBE commitment of 36.78%. The prime also listed one SBE firm, BAE Urban Economics, and three non-SBE firms, IBI Group, InfraStrategies, LLC, and Resource Systems Group as subcontractors on this project.

SMALL BUSINESS SET-ASIDE

	SBE Prime Contractor	SBE % Committed
1.	Sutra Research (Prime)	34.27%
2.	BAE Urban Economics	2.51%
	Total Commitment	36.78%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this Contract.

D. Project Labor Agreement/Construction Careers Policy

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

Los Angeles County Metropolitan Transportation Authority



Bus Rapid Transit Vision and Principles Study

Planning and Programming Committee

October 17, 2018

Legistar File 2018-0470, Item 13



Metro

Recommendation

- AWARD and EXECUTE contract with Sutra Research and Analytics to complete the Bus Rapid Transit (BRT) Vision and Principles Study
 - 28-month firm fixed price contract
 - \$1,821,792 including an optional task to analyze candidate corridors
- APPROVE contract modification authority
 - in the amount of \$273,269

Background

- Measure M Expenditure Plan funds specific BRT projects and a Countywide BRT program over five decades
- For a systematic approach, BRT standards and design criteria needed to develop the future BRT network
- Need to identify Countywide BRT project “Phase I” (expected opening FY 2022-24)
- Support Agency Goals
 - Vision 2028
 - Equity Platform



Overview of Study

- Develop BRT vision, goals and objectives for the development of the future network
- Define BRT system standards, design criteria and key performance indicators
- Prioritize corridors based on need within design criteria and other system constraints
- Coordinate with other Metro efforts, including LRTP and NextGen

Goals of Study



- Build consensus on the design and requirements of the BRT network
- Provide the foundation for the assignment of Countywide BRT program funds
- Promote resiliency, innovation and equity for high quality BRT

Community/Stakeholder Engagement



- Engage partner transit providers, local jurisdictions and other stakeholders
- Coordinate engagement with NextGen and LRTP
- Procure outreach contract support through Communications Bench
- Incorporate feedback into goals and design criteria

Next Steps/Project Schedule

- Fall 2018 – Project kick-off and coordination
- Winter/Spring 2019 – Initiate stakeholder and community outreach (ongoing)
- Fall 2019 – Identify potential corridors to inform future BRT network
- Spring 2020 – Develop BRT Design Manual
- Spring 2020 – Initiate optional task to analyze candidate corridors, if appropriate, or procure resources needed to refine corridor list



Board Report

File #: 2018-0488, File Type: Contract

Agenda Number: 14.

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE OCTOBER 18, 2018

SUBJECT: ARTICULATED ZERO EMISSION TRANSIT BUSES

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 3 to Contract No. OP28367-001, Part D, awarded to New Flyer of America, for the acquisition of sixty foot Zero Emission Buses (ZEB), to upgrade and increase the onboard bus battery capacity in the firm fixed price amount of \$2,792,074, for a total contract amount of \$70,970,417; and
- B. NEGOTIATE AND EXECUTE with New Flyer of America future contract modifications to Contract No. OP28367-001, Part D, for a not to exceed amount of \$1,000,000 for each contract modification.

ISSUE

Consistent with Metro Board direction, motion by Directors Garcetti, Krekorian and Antonovich on Oct 27, 2016 Regular Board Meeting Item 42 (File ID 2016-0852), Metro is in the process of converting the Metro Orange Line (MOL) from 100% Compressed Natural Gas (CNG) operation to 100% Zero Emission Buses (ZEB) operation by 2020.

Contract No. OP28367-001, Part D, requires the delivery of buses, depot chargers and on-route chargers. Due to the rapidly changing improvement in battery density, Metro has an option to transition to a battery configuration with more capacity and still maintain the high charge rates. New Flyer has proposed to upgrade the battery capacity from 250 kW-hr to 320 kW-hr. This option was not available during the solicitation of the contract award; and the final battery configuration has recently been designed. Approval of Recommendation A authorizes the increase in battery capacity.

The project delivery schedule is very aggressive and challenging in part due to the long lead times associated with designing and installing charging equipment at multiple locations and the coordination required with outside organizations such as the Los Angeles Department of Water and Power. Recommendation B will allow Metro and the Contractor to negotiate future change orders in a timely manner to ensure that the maximum cost and schedule benefits are realized. The request

for an increase in Contract Modification Authority (CMA) from \$500,000 to \$1,000,000 for individual changes is consistent with Board authorized CMA's for other Rolling Stock programs, such as for the light rail vehicle Contracts P3010 and P2550, and the 45-foot CNG Composite Buses under Contract OP33202082.

BACKGROUND

In November 2017, Metro issued notice to proceed (NTP) on Contract No. OP28367-001, Part D for 35 (subsequently increased to 40 buses in the March 2018 Board Meeting under File #2016-0836) zero emission battery electric buses, on-route and depot charging equipment. At the time of the award, New Flyer proposed a battery capacity of 250 kW-hr.

DISCUSSION

During the March 1, 2018 Advanced Transit Vehicle Consortium (ATVC) board meeting, New Flyer mentioned that as a result of improvements to energy density their standard battery capacity was increasing in 2019. In response to staff's inquiry, New Flyer confirmed that an increase from 250 kW-hr to 320 kW-hr would be available for Metro's deliveries beginning in 2019. The higher capacity translates directly to an increase in bus range; e.g., permitting an increase from 1.5 to 2 roundtrips between the Chatsworth and North Hollywood stations. Approval of Recommendation A offers Metro further operational flexibility, such as deferring charging of buses when electrical rates are cheaper, reducing charging times at layovers, and mitigation of any risk if a charger is inoperable.

Approval of Recommendation B increases the CEO's Contract Modification Authority, allows for unforeseen changes to be successfully negotiated and addressed with New Flyer in an expedited manner, minimizing impact to the project schedule.

DETERMINATION OF SAFETY IMPACT

There are not any anticipated impacts to safety from this action.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goal: Transform Los Angeles County through Regional collaboration and national leadership. This action will advance Metro's goal of converting the Metro Orange Line (MOL) from 100% Compressed Natural Gas (CNG) operation to 100% Zero Emission Buses (ZEB) operation by 2020.

FINANCIAL IMPACT

Funding of \$40,980,229 for this contract is included in the FY19 budget in project 201073. Because this is a multi-year contract, the Cost Center Manager will be responsible for ensuring that future year funding is programmed.

Impact to Budget

There is no anticipated impact to the FY19 budget for this action. Current year funding is Proposition C 40% Discretionary. Future funding for this procurement may come from various eligible available federal, state and local funding sources including financing options and grants that are eligible for bus capital projects. Staff will pursue all sources of funding maximizing their use for these activities.

ALTERNATIVES CONSIDERED

Staff considered remaining with 250 kW-hr battery capacity. This alternative was not considered due to improvements in battery technology and the fleet operational flexibility offered by increased battery capacity.

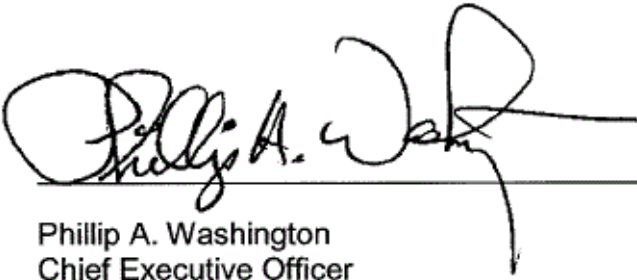
NEXT STEPS

Upon Board approval, staff will execute the Contract Modification with New Flyer of America.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Modification/Change Order Log
- Attachment C - DEOD Summary
- Attachment D - Regular Board Meeting Motion Item 42 (File ID 2016-0852)

Prepared by: Steve Schupak, Sr. Manager, Project Control, (213) 617-6294
Jesus Montes, Sr. Executive Officer, Vehicle Engineering & Acquisition, (213) 418-3277
Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

60' LOW FLOOR ZERO EMISSION TRANSIT BUSES/OP28367-001

1.	Contract Number: OP28367-001		
2.	Contractor: NEW FLYER OF AMERICA, INC.		
3.	Mod. Work Description: Upgrade battery capacity from 250kW-hr to 320kW-hr for 37 units of production buses		
4.	Contract Work Description: Manufacture and delivery of 40 60-foot zero emission buses		
5.	The following data is current as of: 09/02/18		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	07/27/17	Contract Award Amount: \$60,050,097
	Notice to Proceed (NTP):	11/15/17	Total of Modifications Approved: \$8,128,246
	Original Complete Date:	09/16/19	Pending Modifications (including this action): \$2,792,074
	Current Est. Complete Date:	09/16/19	Current Contract Value (with this action): \$70,970,417
7.	Contract Administrator: Elizabeth Hernandez		Telephone Number: (213) 922-7334
8.	Project Manager: Steven Schupak		Telephone Number: (213) 922-6652

A. Procurement Background

This Board Action is to approve Contract Modification No. 3 issued in support of Metro's bus fleet replacement plan for the manufacture and delivery of 40 units of 60' zero emission buses from New Flyer of America Inc. This Modification is to upgrade the 37 production buses to higher density battery capacity from 250kw-hr to 320kw-hr for increased bus range and operational flexibility benefits.

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

- On July 27, 2017, Contract No. OP28367-001 was awarded to New Flyer America Inc. for the manufacture and delivery 60' zero emission transit buses in the amount of \$51,211,033, including charging equipment, taxes and delivery.
- An additional not-to-exceed amount of \$8,839,064 was awarded for Optional Vehicle Features, Spare Parts, and Training Aids for a total combined contract amount not-to-exceed \$60,050,097.
- At the ATVC (Advanced Transit Vehicle Consortium) board meeting in March 2018, New Flyer indicated that battery capacity for the 60' ZE bus

configuration could be increased from 250 kW-hr to 320 kW-hr and will be available for Metro’s base buy order. On August 29, 2018, Vehicle Engineering and Acquisition staff recommended the upgrade of battery capacity for increased bus range and operational capability. Based on Metro staff’s delegated contract authority, Contract Modification No. 2 was issued for the upgrade of battery capacity for 3 pilot buses in the amount of \$226,384.

- The recommended Contract Modification would increase the battery capacity for 37 production buses.

B. Cost/Price Analysis

The recommended price of \$2,792,094 has been determined to be fair and reasonable based upon MAS audit findings, an independent cost estimate, cost analysis, technical evaluation, fact finding, and negotiations.

The cost differential between Metro’s ICE was caused by differences in statement of work requirements and assumptions made by the ICE. The ICE did not account for a complete redesign of the battery pack configuration utilizing higher capacity battery cells, or an increase in the number of battery strings necessary to increase the battery capacity to 320 kWh. Metro’s ICE also did not include an extended 12-year warranty.

Proposal Amount	Metro ICE	Negotiated Amount
\$2,792,074	\$2,125,520	\$2,792,074

CONTRACT MODIFICATION/CHANGE ORDER LOG

60' LOW FLOOR ZERO EMISSION TRANSIT BUSES/OP28367-001

Mod. no.	Description	Status (approved or pending)	Date	\$ Amount
1	Increase: 1) Base buy from 35 to 40 vehicles; 2) On Route/Opportunity Chargers from 7 to 8; and 3) Shop/ Division chargers from 1 to 2, including applicable delivery charges and taxes	Approved	3/22/18	\$ 7,901,862
2	Upgrade battery capacity from 250 kWh to 320 kWh for the 3 pilot buses	Approved	8/31/18	\$ 226,384
3	Upgrade battery capacity from 250 kWh to 320 kWh for 37 buses	Pending	9/27/18	\$ 2,792,074
	Modification Total:			\$10,920,320
	Original Contract:			\$60,050,097
	Total:			\$70,970,417

DEOD SUMMARY

60' LOW FLOOR ZERO EMISSION TRANSIT BUSES/ OP28367-001

A. Small Business Participation

New Flyer of America is a Transit Vehicle Manufacturer (TVM) and is on the Federal Transit Administration's (FTA) list of eligible TVMs. New Flyer of America reported that it submitted its overall Disadvantaged Business Enterprise (DBE) goal of 4.20% to FTA for FY18, in compliance with 49 Code of Federal Regulations (CFR) Section 26.49(a)(1). TVMs submit overall DBE goals and report participation directly to FTA annually.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to the Modification.

D. Project Labor Agreement/Construction Careers Policy

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

E. Local Employment Plan Program

Local Employment Plan (LEP) Program is applicable on this contract. Staff will be monitoring progress on all LEP commitments, including the contractual commitments in creating employment opportunities in the State of California and the 40% commitment to hire disadvantaged workers.

Local Employment Plan Commitment:

LEP Commitment for Base + All Options	\$ 227,991
LEP Actuals to Date	\$0.00
Balance of LEP to be attained	\$ 227,991
Disadvantaged Workers attainment	\$0.00

The manufacturer has advised that the LEP achievements and Disadvantaged Worker participation will commence in Q4-FY19.



Board Report

File #: 2016-0852, **File Type:** Motion / Motion Response

Agenda Number: 42.

**REGULAR BOARD MEETING
OCTOBER 27, 2016**

Motion by:

GARCETTI, KREKORIAN and ANTONOVICH

October 27, 2016

Relating to File ID 2016-0778

APPROVE Motion by Directors Garcetti, Krekorian and Antonovich that the Board direct the CEO to report back on the following:

- A. Develop an implementation plan to use all electric buses for the Orange Line Bus Rapid Transit Line by 2020. The plan shall include, but not limited to, the following:
 - 1. Total cost of electrification
 - 2. Eligible funding sources to address the costs
 - 3. Federal and State grant opportunities
 - 4. A schedule and transition plan

- B. Report back on the feasibility to use all electric buses for the Silver Line. The report shall include, but not be limited to, the following:
 - 1. Type of electric bus
 - 2. Range requirements
 - 3. Charging and infrastructure needs
 - 4. A recommended schedule and transition plan



Metro

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

Board Report

File #: 2018-0509, **File Type:** Oral Report / Presentation

Agenda Number: 21.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
OCTOBER 18, 2018**

SUBJECT: ORAL REPORT ON OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE

RECOMMENDATION

RECEIVE oral report on System Safety, Security and Operations.

Metro Operations Cleanliness Program Update

October 18, 2018

Operations, Safety and Customer Experience Committee



Metro

Customer Feedback on Cleanliness & Metro Goals

Metro 2017 Customer Satisfaction Survey Results

- Surveyed over 18K respondents from diverse demographics representing a variety of transportation users
- 20% of respondents agreed that Metro is satisfactory in terms of cleanliness

Metro Cleanliness Program Goals and KPI Information

- Metro Vision 2028 and Goal #2: Deliver Outstanding Trip Experiences for all Users of the Transportation System – Includes a Focus on Cleanliness Efforts
- Quality Assurance Staff Performs Monthly Bus and Rail Cleanliness Inspections
- Metro Cleanliness Goal/KPI for Bus and Rail vehicles is a 9/10
- FY18: Bus had a total of 13,614 complaints and 0.04% were related to cleanliness
- FY18: Rail had a total of 2,880 complaints and 2.01% were related to cleanliness

Improvement Opportunities

- Cleanliness survey methodology can be better
- Metro can lead engaging others – Cities, County, and Railroads
- Metro can improve its own procedure and staff deployments

Scope of Regular Bus and Rail Maintenance Activities

Scope of Activities

- Bus and Rail Car Equipment
- Rail & Bus Maintenance Facilities
- Rail Stations & End of Line Maintenance Support
- Bus Terminals and Stops
- Active Rights-of-Way
- Metrolink ROW (in Metro area of responsibility)
- Caltrans Owned Park & Ride Lots

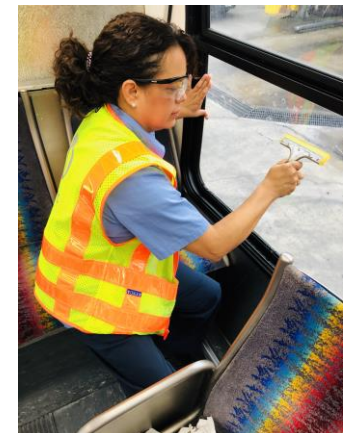
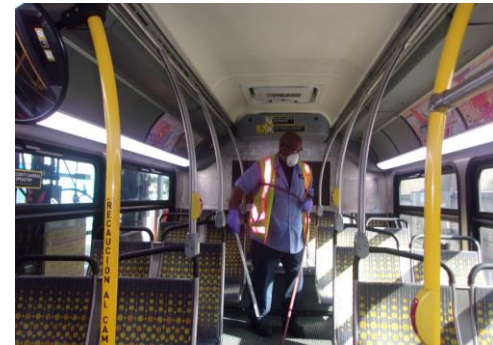
Bus Equipment Cleanliness

Daily Bus Exterior

- Buses washed every other day or as needed
- Division supervision performs daily cleanliness inspections

Daily Bus Interior

- Thoroughly blowout/ vacuum interior of bus
- Mop floors
- Remove graffiti
- Windows and stanchions wiped down
- Clean and or replace seat inserts
- Remove gum
- Wipe down dash, drivers area and farebox



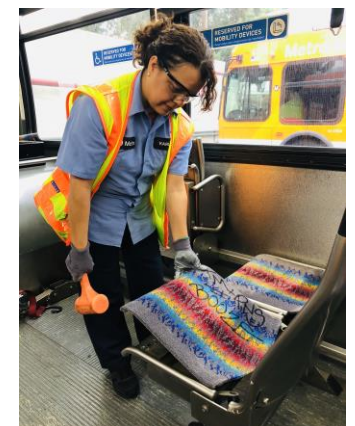
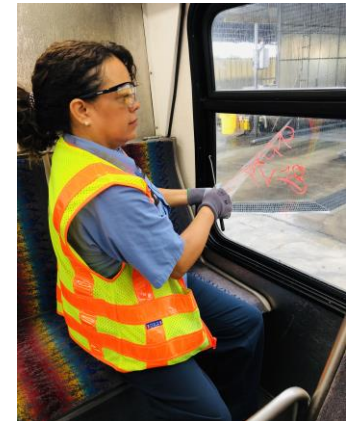
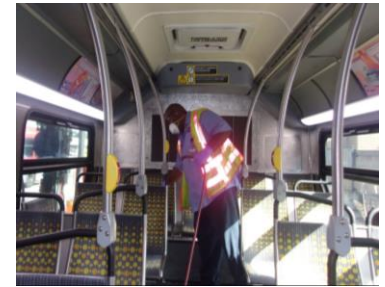
Bus Equipment Cleanliness

Monthly

- Deep interior cleaning
- Clean inside and behind all doors
- Clean rear, upper and lower AC vents
- Replace damaged window guards and seat inserts

Quality Assurance Inspections

- To monitor maintenance activities and maintain Metro cleanliness standards, Quality Assurance performs monthly cleanliness inspections at all Bus Divisions



Rail Car Cleanliness: Daily Mainline Activities

Rail Car Cleaning Performed at Stations

- Union Station
- 7th and Metro
- Redondo Beach Station
- Downtown Santa Monica

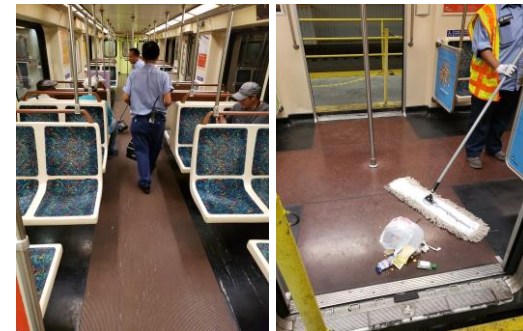
Rail Car Mainline Cleaning Activities

- Sweep
- Clean up spills
- Trash removal

Staffing

- 1st and 2nd Shifts – All 4 stations mentioned above
- 3rd Shift – Personnel are dispatched as required

Evaluate deployment to rail lines and end of line stations.



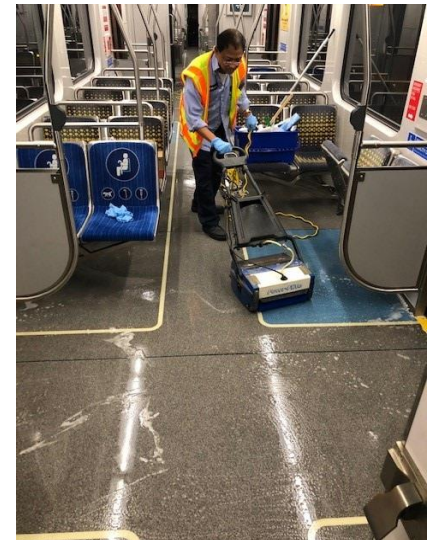
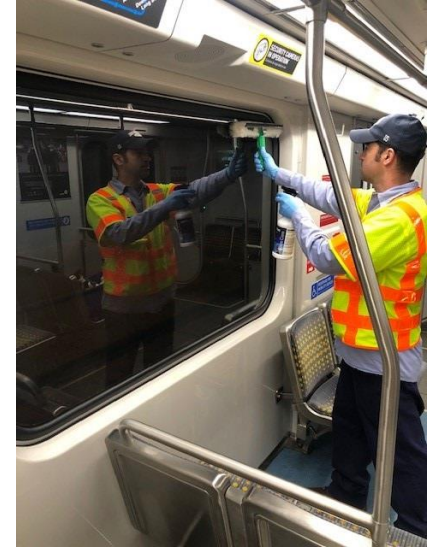
Rail Car Cleanliness Update: Division Activities

Rail Car Exterior

- Revenue rail cars are cleaned via automatic car wash facilities at the Divisions

Daily Rail Car Interior

- Sweep and mop floors
- Clean and vacuum fabric seat inserts
- Wipe down seat frames, stanchions and windows
- Remove trash from operator cabs
- Remove graffiti and gum



Rail Car Cleanliness Update: Division Activities

Bi-Weekly

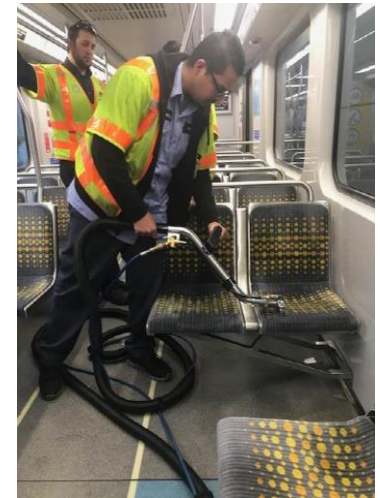
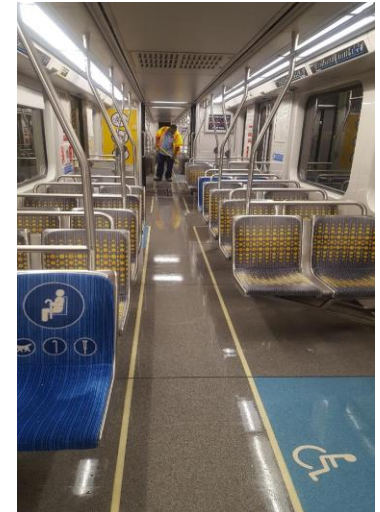
- Treatment for pesticides

Monthly

- Interior deep cleaning and detailing: including floor scrubbing, fabric seat insert deep cleaning or replacement, interior appointments and panels scrub, and paint touch-ups
- Replace window vandal film as required

Quality Assurance

- To monitor maintenance activities and maintain Metro cleanliness standards, Quality Assurance performs monthly cleanliness inspections on all rail car lines



Rail Station Custodial Cleanliness Update

Daily

- All rail stations are cleaned at a minimum of twice daily which includes:
 - Trash receptacle emptying
 - Spot sweeping and mopping (floors and stairs)
 - Dusting and wiping of ticket machines, map cases, handrails, and pylons
 - Elevator cleanup
 - Odor mitigation

Weekly

- All heavy/light rail stations are pressure washed at a minimum of once per week which includes the use of a heated and high-pressure water spray to eliminate and disinfect the following from surfaces and structures :
 - Grime
 - Dirt
 - Gum
 - Human waste



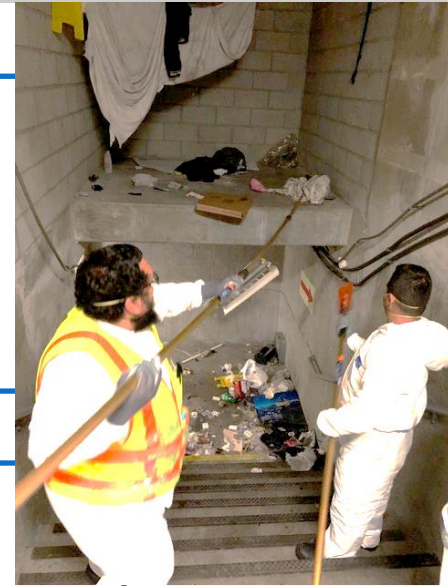
Rail Station Custodial Cleanliness Update

Monthly

- Each station is detailed at least once per month which includes:
 - Deep stain cleaning
 - Scrub/wipe of all station elements
 - Odor mitigation

As-Needed

- Respond to the following within two hours of receiving notification:
 - Debris
 - Liquid spills
 - Broken glass
 - Human waste cleanups
- Respond to ancillary corridor intrusion cleanups within 24-hours of notification.
- Provide custodial support for special events



ROW, Station, Facilities and Lots Update

Daily

- Graffiti abatement services at Rail Stations



Before – Blue Line



After – Blue Line

Weekly

- Landscape maintenance
- Irrigation maintenance
- Trash removal and waste management services
- Power sweeping services



Before- Red Line



After – Red Line

Monthly

- Glass and stainless steel anti-graffiti film replacement services
- Pest and bird control services



Before – Green Line



After – Green Line

ROW, Station, Facilities and Lots Update

Quarterly

- Vegetation and weed removal including herbicide application services

As-Needed/Other

- Waste management services
- Tree trimming services
- Fencing repairs
- Graffiti abatement along the ROW
- Glass-repair at stations on an as needed basis
- Red and Gold Line tunnel washing services



Metro Blue Line - ROW



Metro Fence Line & UP Wilmington Sub-Division



Adjacent Property Graffiti



UP Train

Metro can engage Cities, County and Railroads more efficiently

Metro Blue Line



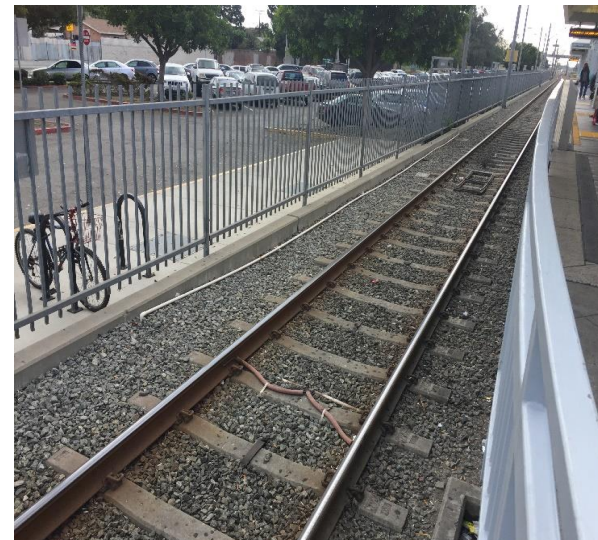
Trash free ROW Del Amo Station



Trash free ROW Del Amo Station



Trash free ROW Pico Station



Trash free ROW Florence Station



Metro Expo Line



Expo - Expo/Vermont Station – Trash Free



Jefferson/USC Station – Trash Free & Trees Trimmed

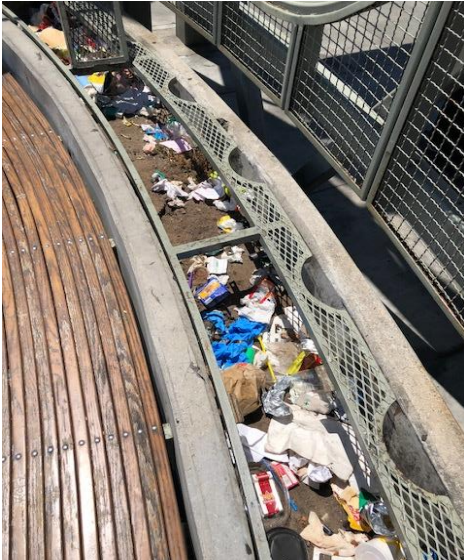
Green Line



Vermont/Athens Station - Before



Vermont/Athens Station - After



Vermont/Athens Station - Before



Vermont/Athens Station - After



Vermont/Athens Station - Final



Metro

Gold Line



Lincoln/Cypress Station - Before



Lincoln/Cypress Station - After

ROW Cleanliness: Challenges, QA Programs and Path Forward



ROW Locations Heavily Affected by Cleanliness and Homelessness – FY19 Emphasis

- Metro is developing encampment clean-up priorities and protocols to keep our ROWs safe and clean

Path Forward: Partnership Opportunities & Improved Cleanliness Evaluation Tools



- FY19: \$4.2M homelessness outreach program to allow for enhanced outreach and placement services of homeless on Metro ROWs
- Opportunity for cooperation and collaboration between external partner agencies to contribute to Metro's Cleanliness results throughout LA County, Cities, and shared ROWs & Railroads
- Commitment from Operations to strengthen station and terminal and vehicle cleanliness evaluation tools and procedures



Board Report

File #: 2018-0525, **File Type:** Contract

Agenda Number: 42.

REGULAR BOARD MEETING OCTOBER 25, 2018

SUBJECT: GROUP INSURANCE PLANS

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to renew existing group insurance policies covering Non-Contract and AFSCME employees for the one-year period beginning January 1, 2019 as outlined in Attachment A.

BACKGROUND

A comprehensive package of health resources provides existing employees a foundation to maintain or improve health, and helps to attract and retain qualified employees. Los Angeles County Metropolitan Transportation Authority (LACMTA), including the Public Transportation Services Corporation (PTSC), seeks to offer benefit plans that promote efficient use of health resources and are cost effective for the company and our employees.

DISCUSSION

The Non-Contract Group Insurance Plan, a flexible benefits program, was implemented in August 1994. Roughly 99% of the employees covered by the benefit plans are PTSC employees. On an annual basis, employees are encouraged to review their enrollment and may choose medical, dental, vision, supplemental life, long-term disability, and accidental death and dismemberment plans that meet their needs. Alternatively, employees may opt to waive medical and/or dental coverage and receive a taxable cash benefit, provided proof of other medical coverage is submitted and the employee does not obtain subsidized coverage from an exchange. Employees may also participate in the flexible spending accounts, a vehicle to pay for certain out-of-pocket healthcare and dependent care expenses on a pre-tax basis.

The overall premium cost is a decrease of 2.9% for calendar year 2019. This reflects \$1.15 million in negotiated reductions from the initial renewal quotes. The recommended medical, dental, and vision premiums are shown on Attachment A. As previously established by the Chief Executive Officer, Non-Contract and AFSCME employees contribute 10% of the actual premium for each medical and dental plan selected. The monthly employee contributions are shown in Attachment B.

DETERMINATION OF SAFETY IMPACT

Approval of this item will have no impact on safety.

FINANCIAL IMPACT

Funding for the Non-contract and AFSCME group insurance plans is included in each department's FY19 budget and on the balance sheet for accrued retiree medical liabilities. Based on the current employee participation by plan, estimated employer costs of \$50.4 million, a decrease of \$1.5 million from 2018, are expected to be within the adopted budget of \$67.6 million.

Implementation of the 40% excise tax (Cadillac Tax), a part of Health Care Reform, continues to be postponed until 2020. The Cadillac Tax is intended to be assessed on the cost of coverage for health plans that exceed an annual limit, currently set at \$10,200 for individual coverage and \$27,500 for family coverage. For fully-insured plans like ours, the excise tax is the responsibility of the insurance carrier, though it is anticipated that carriers may pass these costs back to the employer. However, since there continues to be volatility related to healthcare reform and the excise tax does not take effect until 2020, we will continue to monitor regulatory requirements and evaluate our plan provisions such as copays, out-of-pocket maximums and other features in order to mitigate exposure to the excise tax.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports strategic plan Goal #5 (Provide responsive, accountable, and trustworthy governance). By providing employee benefit plans supports the health and wellness, thereby allowing employees to focus on achieving the strategic goals of the agency.

ALTERNATIVES CONSIDERED

With the favorable renewal on the plans for 2019, the postponement of the Excise Tax until 2020, and the general uncertainty over healthcare at this time, it is recommended that the current plan designs be renewed, thereby avoiding provider access/disruption for 2019.

The Board could decide to self-insure and self-administer health benefits. However, this is not recommended due to the resources required to establish the medical expertise and operational infrastructure required to review and process claims as well as the liability that would be assumed.

NEXT STEPS

Upon approval, staff will conduct the annual open enrollment for Non Contract and AFSCME employees during November 2018 and implement elections effective January 1, 2019.

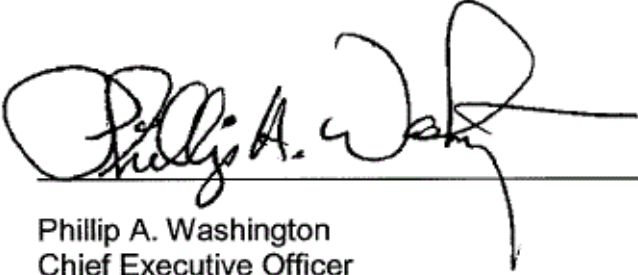
ATTACHMENTS

Attachment A - Monthly Premium Rates

Attachment B - Monthly Employee Contributions

Prepared by: Jan Olsen, Director, Pension & Benefits, (213) 922-7151

Reviewed by: Joanne Peterson, Chief Human Capital & Development Officer
(213) 418-3088



Phillip A. Washington
Chief Executive Officer

Proposed Monthly Premium Rates

Provider	Coverage Option	CY 2018	CY 2019	%Change	Est # of Employees (1/1/19)
Blue Cross (PPO)	Single	\$1,277.89	\$1,226.77	-4.00%	228
	Couple	\$2,572.36	\$2,469.47	-4.00%	215
	Family	\$3,450.27	\$3,312.26	-4.00%	290
Blue Cross (HMO)	Single	\$795.45	\$775.57	-2.50%	90
	Couple	\$1,670.44	\$1,628.68	-2.50%	63
	Family	\$2,386.19	\$2,326.53	-2.50%	176
Kaiser (HMO)	Single	\$683.20	\$671.35	-1.74%	357
	Couple	\$1,366.41	\$1,342.70	-1.74%	256
	Family	\$1,933.47	\$1,899.92	-1.74%	447
Delta Dental (PPO)	Single	\$57.20	\$53.02	-7.30%	458
	Couple	\$99.41	\$92.15	-7.30%	572
	Family	\$149.37	\$138.47	-7.30%	708
DeltaCare (DHMO)	Single	\$20.21	\$20.21	0.00%	101
	Couple	\$36.71	\$36.71	0.00%	59
	Family	\$54.32	\$54.32	0.00%	129
Dental Health Services (DHMO)	Single	\$16.82	\$16.82	0.00%	71
	Couple	\$32.60	\$32.60	0.00%	47
	Family	\$49.15	\$49.15	0.00%	113
Vision Service Plan	Single	\$10.15	\$10.15	0.00%	302
	Couple	\$14.68	\$14.68	0.00%	298
	Family	\$26.30	\$26.30	0.00%	481
Voluntary Waiver of Coverage:*					
	Medical	\$251.00	\$244.00		166
	Dental	\$36.00	\$35.00		93

* Waiver of Medical coverage requires proof of alternative coverage.

Proposed Monthly Employee Contributions

Provider	Coverage Option	NC & AFSCME Employee Contribution (Current)	NC & AFSCME Employee Contribution (Proposed) Effective 1/1/19	Change
Blue Cross (PPO)	Single	\$128.00	\$123.00	-\$ 5.00
	Couple	\$257.00	\$247.00	-\$10.00
	Family	\$345.00	\$331.00	-\$14.00
Blue Cross (HMO)	Single	\$80.00	\$78.00	-\$2.00
	Couple	\$167.00	\$163.00	-\$4.00
	Family	\$239.00	\$233.00	-\$6.00
Kaiser (HMO)	Single	\$68.00	\$67.00	-\$1.00
	Couple	\$137.00	\$134.00	-\$3.00
	Family	\$193.00	\$190.00	-\$3.00
Delta Dental (PPO)	Single	\$6.00	\$5.00	-\$1.00
	Couple	\$10.00	\$9.00	-\$1.00
	Family	\$15.00	\$14.00	-\$1.00
DeltaCare (DHMO)	Single	\$2.00	\$2.00	\$0.00
	Couple	\$4.00	\$4.00	\$0.00
	Family	\$5.00	\$5.00	\$0.00
Dental Health Services (DHMO)	Single	\$2.00	\$2.00	\$0.00
	Couple	\$3.00	\$3.00	\$0.00
	Family	\$5.00	\$5.00	\$0.00
Vision Service Plan	Single	\$1.00	\$1.00	\$0.00
	Couple	\$1.00	\$1.00	\$0.00
	Family	\$3.00	\$3.00	\$0.00

Non-Contract and AFSCME Employees contribute 10% (rounded to the nearest whole dollar) towards their individually selected plan's medical and dental premiums



Board Report

File #: 2018-0689, **File Type:** Policy

Agenda Number: 43.

**REGULAR BOARD MEETING
OCTOBER 25, 2018**

SUBJECT: PURPLE LINE WESTSIDE SUBWAY EXTENSION TRANSIT PROJECT SECTION 2

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolutions of Necessity; and
- B. ADOPTING the Resolutions of Necessity (Attachment B) authorizing the commencement of an eminent domain action to acquire a subsurface easement in the properties identified as Parcels: W-3301 (APN: 4328-014-005); W-3302 (APN: 4328-009-003); W-3303 (APN: 4328-009-023); W-3304 (APN: 4328-009-043); W-3402 (APN: 4328-008-002); W-3405 (APN: 4328-008-029 through 4328-008-048); W-3408 (APN: 4328-08-014); W-3503* (APN: 4328-007-107 through 4328-007-110); W-3504* (APN 4328-007-017); W-3505* (APN 4328-005-001).

*These parcels were previously included in the Resolutions of Necessity presented to the Board at its September 27, 2018 meeting. However, two-thirds of the Board was not present at the time of the vote and the item did not pass.

(REQUIRES 2/3 VOTE OF THE BOARD)

BACKGROUND

Acquisition of the above-referenced subsurface easements, referred to herein as “Property” is required for the construction of and operation of the Westside Purple Line Westside Extension Project Section 2 (“Project”). The subsurface easements are required for the tunnel alignment that will connect the Century City Constellation Station with the Beverly Hills Wilshire Rodeo Station.

A written offer was delivered to the Owners of Record (“Owners”), as required by California Government Code Section 7267.2. The Owners have not accepted the offer of Just Compensation made by the Los Angeles County Metropolitan Transportation Authority (“LACMTA”), and the parties have not at this time reached a negotiated settlement. Because the Property is necessary for construction of the Project, staff recommends the acquisition of the Property through eminent domain to determine the value of the Property and to maintain the Project schedule.

In accordance with the provisions of the California Eminent Domain law and Sections 30503, 30600, 130051.13, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), LACMTA has prepared and mailed notice of this hearing to the Owners informing them of their right to appear at this hearing and be heard on the following issues: (1) whether the public interest and necessity require the Project; (2) whether the Project is planned or located in the manner that will be most compatible with the greatest good and the least private injury; (3) whether the Property is necessary for the Project; (4) whether either the offer required by Section 7267.2 of the Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence; (5) whether environmental review of the Project has complied with the California Environmental Quality Act (CEQA) and (6) whether LACMTA has given the notice(s) and followed the procedures that are a prerequisite to the exercise of the power of eminent domain.

After all of the testimony and evidence has been received by LACMTA from all interested parties, LACMTA must make a determination as to whether to adopt the proposed Resolutions of Necessity to acquire the Property by eminent domain. In order to adopt the Resolutions, LACMTA must, based on the evidence before, and by a vote of two-thirds of all the members of its governing body, find and determine that the conditions stated in the items 1 - 6 above exist. Attached is evidence submitted by staff that supports adoption of the Resolutions that has been approved by counsel and which sets forth the required findings (Attachment A).

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on LACMTA's safety standards.

FINANCIAL IMPACT

The funding for the acquisition of the Property is included in the approved fiscal year 2019, project budget under Measure R Project 865522 (Purple Line Westside Extension Project Section 2), in Cost Center 8510, and Account Number 53103 (Acquisition of Land).

Since this is a multi-year project, the Project Manager, Cost Center Manager and Chief of Program Management will be responsible for budgeting costs in future fiscal years within the Adopted Life of Project Budget.

Impact to Budget

No increase to FY19 budget is required with this recommendation. The approved FY19 budget funding is comprised of Measure R 35% sales tax, Federal, TIFIA Loan, State and Local funds designated for the Westside Purple Line Extension, Section 2. These funds have been committed to the project through a Full Funding Grant Agreement and do not have an impact to operations funding sources. This Project is not eligible for Proposition A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

EQUITY PLATFORM FRAMEWORK CONSISTENCY

Implementation of the state's eminent domain laws assures that equity is afforded to property owners to engage and have a voice in the decision making process with regards to the acquisition of their property.

STRATEGIC PLAN CONSISTENCY

The Board action is consistent with Metro Vision 2028 Goal #1: Provide high quality mobility options that enable people to spend less time traveling. Adoption of the Resolutions of Necessity is a required step to acquire these properties for the Westside Purple Line Extension which will provide an additional mobility option.

NEXT STEPS

If this action is approved by the Board, the LACMTA's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property interest by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment Possession in accordance with the provisions of the eminent domain law.

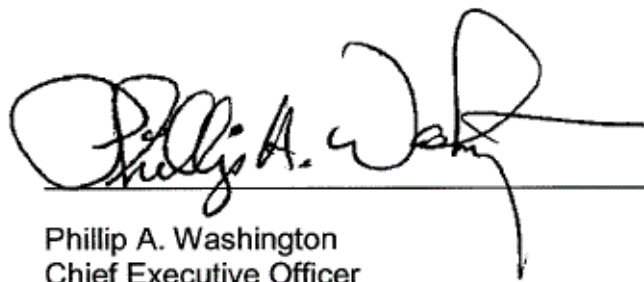
ATTACHMENTS

Attachment A - Staff Report

Attachment B - Resolutions of Necessity

Prepared by: Velma C. Marshall, Deputy Executive Officer - Real Estate
(213) 922-2415

Reviewed by: Therese McMillan, Chief Planning Officer (213) 922-7077



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PROPERTY”) FOR THE WESTSIDE PURPLE LINE EXTENSION SECTION 2

BACKGROUND

The Property is required for the construction and operation of the Westside Purple Line Extension Section 2 ("Project"). The address, record owners (as indicated by a title report) ("Owners"), physical description, and nature of the property interest sought to be acquired for the Project are summarized on Attachment "1" attached hereto.

A written offer for acquisition of a subsurface tunnel easement under the Property was mailed the respective property Owners by letters dated April 20, 2018, May 16, 2018 and June 29, 2018. The parcels are identified as W-3301 (APN: 4328-014-005); W-3302 (APN: 4328-009-003); W-3303 (APN: 4328-009-023); W-3304 (APN: 4328-009-043); W-3402 (APN: 4328-008-002); W-3405 (APN: 4328-008-029 through 4328-008-048); W-3408 (APN: 4328-08-014); W-3503* (APN: 4328-007-107 through 4328-007-110); W-3504* (APN 4328-007-017); W-3505* (APN 4328-005-001) (hereinafter the "Property").

*These parcels were previously included in the Resolution of Necessity presented to the Board at its September 27th meeting. However, there were not two-thirds members of the Board present at the time of the vote and the item did not pass.

A. The public interest and necessity require the Project.

The need for the Project is based on population and employment growth, the high number of major activity centers served by the Project, high existing transit usage, and severe traffic congestion in Los Angeles County. The Project area bisects 12 large population and employment centers, all of which are served by extremely congested road networks that will deteriorate further with the projected increase in population and jobs. This anticipated growth will further affect transit travel speeds and reliability, even with a dedicated lane for express bus service on Wilshire Boulevard. The public interest and necessity require the Project for the following specific reasons:

1. The population and employment densities in the Project area are among the highest in the metropolitan region. Approximately five percent of the Los Angeles County population and 10 percent of the jobs are concentrated in the Project area.
2. Implementation of the Project will result in a reduction of vehicle miles per day and reduction of auto air pollutants.
3. The Project will relieve congestion on the already over capacity 1-405 San Diego and the 1-10 Santa Monica Freeways and surrounding major thoroughfares. In addition, it will reduce the parking demands in the Westside area by providing an alternative means of transportation, competitive in rush-hour travel times with the automobile.

4. The Project will be a major link in the existing county-wide rail transit system, and will thereby provide alternative means of transportation during fuel crises and increased future traffic congestion.
5. The Project will improve transportation equity by meeting the need for improved transit service of the significant transit-dependent population within the Project area.
6. The Project will help meet Regional Transit Objectives through the Southern California Association of Governments' (SCAG's) Performance Indicators of mobility, accessibility, reliability, and safety.

It is recommended that based on the above evidence, the Board find and determine that the public interest and necessity require the Project.

B The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.

An Alternatives Analysis (AA) Study was initiated in 2007 to identify all reasonable, fixed-guide way, alternative alignments and transit technologies within the proposed Project Area. The fixed-guide way alternative alignments studied and analyzed during the AA process were heavy rail transit (HRT), light rail transit (LRT), bus rapid transit (BRT), and monorail (MR). Due to its capacity to meet the anticipated ridership demand and limit the number of transfers, HRT was identified as the preferred technology for further study.

In January 2009, the Metro Board approved the AA Study and authorized preparation of a Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR). A total of seven alternatives, including five heavy rail subway (HRT) Build Alternatives, a No Build Alternative, and a relatively low-cost Transportation System Management (TSM) Alternative, were presented in the DEIS/DEIR. The DEIS/DEIR was circulated and reviewed by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. Public hearings were held to solicit citizen and agency comments.

In October 2010, the Board approved the DEIS/DEIR and the Wilshire Boulevard to Santa Monica HRT option was selected as the Locally Preferred Alternative (LPA) for further analysis in the FEIS/FEIR. The FEIS/FEIR was released in March 2012 for public review. On April 26, 2012, the Board certified the FEIS/FEIR, and in May 24, 2012, it approved the route and station locations for the Project. A Record of Decision was received from the Federal Transit Administration in August of 2012.

The approved LPA will extend HRT (as subway) approximately nine (9) miles from the existing Metro Purple Line terminus at the Wilshire/ Western Station to a new western terminus at the West Los Angeles Veterans Affairs Hospital (Westwood/ VA Hospital Station). The LPA will include seven new stations spaced in approximately one-mile intervals, as follows:

- Wilshire/La Brea
- Wilshire/Fairfax

- Wilshire/La Cienega
- Wilshire/Rodeo
- Century City
- Westwood/UCLA
- Westwood/VA Hospital

The Project may cause private injury, including the displacement or relocation of certain owners and users of private property. However, no other alternative locations for the Project provide greater public good with less private injury. Therefore, the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Due to its bulk, the FEIS/FEIR is not physically included in the Board's agenda packet for this public hearing. However, the FEIS/FEIR documents should be considered in connection with this matter. It is recommended that, based upon the foregoing, the Board find and determine that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

C. The Property is necessary for the Project.

The Property is required for construction and operation of the underground tunnel connecting Wilshire/Rodeo Station and Century City/Constellation Station. The subsurface easements required for the Project are listed in Attachment A. The legal description of the required subsurface easement is attached to each Resolution of Necessity as Exhibit "A" and is depicted on the Plat Map attached as Exhibit B. The Property requirements were chosen based upon the approved FEIS/FEIR for the Project.

Staff recommends that the Board find that the acquisition of the Property is necessary for the Project.

D. Offers were made in compliance with Government Code Section 7267.2.

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the Owner and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the property. In addition, the agency is required to provide the Owner with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

1. Retained an independent appraiser to determine the fair market value of the Property;
2. Reviewed and approved the appraisals, and established the amount it believes to be just compensation;
3. Determined the Owners of the Property by examining the county assessor's record a preliminary title report, and occupancy of the Property;
4. Made a written offer to the Owners for the full amount of just compensation - which was not less than the approved appraised value;
5. Provided the Owners with a written statement of, and summary of the basis for, the amount established as just compensation with respect to the foregoing offer.

It is recommended that based on the above Evidence, the Board find and determine that the offer required by Section 7267.2 of the California Government Code has been made to the Owners.

E. Metro has fulfilled the necessary statutory prerequisites.

Metro is authorized to acquire property by eminent domain for the purposes contemplated by the Project under Public Utilities Code §§ 30503, 30600, 130051.13, and 130220.5; Code of Civil Procedure §§ 1230.010-1273.050; and Article I, § 19 of the California Constitution.

F. Metro has complied with the California Environmental Quality Act.

A draft EIR/EIS was circulated for public review and comment. The FEIS/FEIR was released in March 2012 for public review. On April 26, 2012, the Board certified the FEIS/FEIR, and in May 24, 2012, it approved the route and station locations for the Project. A Record of Decision was received from the Federal Transit Administration in August of 2012. The FEIS/FEIR documents therefore comply with the California Environmental Quality Act. Since that time, none of the circumstances identified in CEQA Guidelines Section 15162 have occurred which would require the preparation of a subsequent EIR. As set forth above, Metro has also fulfilled the statutory prerequisites under Code of Civil Procedure § 1240.030 and Government Code § 7267.2.

Accordingly, Metro has fulfilled the necessary statutory prerequisites to acquire the Property by eminent domain.

CONCLUSION

Staff recommends that the Board adopt the Resolution of Necessity.

ATTACHMENTS

Attachment A – Summary of Property Owners and Property Requirements
Attachment B1 – B10 – Resolutions of Necessity for each Parcel

ATTACHMENT A

SUMMARY OF PROPERTY OWNERS AND PROPERTY REQUIREMENTS

Parcel No. Assessor's No.	Parcel Address	Property Owner	Purpose of Acquisition	Property Interest(s) Sought
W-3301 4328-014-005	9730 Wilshire Blvd., Beverly Hills, CA 90212	WILSHIRE-LINDEN PROPERTIES, LTD., a California limited partnership	Construction and operation of underground tunnel	Exclusive Subsurface Easement with upper limit of <u>101</u> feet below finish grade; lower limit <u>143</u> feet.
W-3302 4328-009-003	9740 Wilshire Blvd., Beverly Hills, CA 90212	STURGIS HOLDINGS, LLC	Construction and operation of underground tunnel	Exclusive Subsurface Easement with upper limit of <u>102</u> feet below finish grade; lower limit <u>144</u> feet.
W-3303 4329-009-023	9754 Wilshire Blvd., Beverly Hills, CA 90212	Southeast Corner, LLC, a California limited liability company	Construction and operation of underground tunnel	Exclusive Subsurface Easement with upper limit of <u>102</u> feet below finish grade; lower limit <u>145</u> feet.
W-3304 4328-009-043	120 S Spalding Dr., Beverly Hills, CA 90212	LF-120 SPALDING, LLC, a Delaware limited liability company	Construction and operation of underground tunnel	Exclusive Subsurface Easement with upper limit of <u>102</u> feet below finish grade; lower limit <u>144</u> feet.
W-3402 4328-008-002	121 S. Spalding Dr., Beverly Hills, CA 90212	GCIP HOLDINGS II, LLC, a Delaware limited liability company	Construction and operation of underground tunnel	Exclusive Subsurface Easement with upper limit of <u>103</u> feet below finish grade; lower limit <u>145</u> feet.

<p>W-3405 4328-008-029</p> <p>Through 4328-008-048</p>	<p>137 S. Spalding Dr., Beverly Hills, CA 90212</p> <p>Condo Units ##: 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 301, 302, 303, 304, 401, 402, 403, 404, 405, and 406.</p>	<p><i>Various Condominium Unit Owners</i></p> <p><i>* See full list of vestees below.</i></p>	<p>Construction and operation of underground tunnel</p>	<p>Exclusive Subsurface Easement with upper limit of <u>99</u> feet below finish grade; lower limit <u>141</u> feet.</p>
<p>W-3408 4328-008-016</p>	<p>138 S. Lasky Dr. Beverly Hills, CA 90212</p>	<p>CHEMICAL BANK and DONALD R. SPAIDAL, Executors of the ESTATE OF LILLIAN DIANA GISH</p>	<p>Construction and operation of underground tunnel</p>	<p>Exclusive Subsurface Easement with upper limit of <u>98</u> feet below finish grade; lower limit <u>141</u> feet.</p>
<p>W-3503</p> <p>4328-007-107 4328-007-108 4328-007-109 4328-007-110</p>	<p>208 S. Lasky Dr.</p> <p>Unit (APN #):</p> <p># 101 (4328-007-107) # 102 (4328-007-108) # 201 (4328-007-109) # 301 (4328-007-110)</p>	<p><u>Units # 101 and # 102:</u></p> <p>PAYMAN ESKANDARI, a married man as his sole and separate property ;</p> <p><u>Units # 201 and # 301:</u></p> <p>PAYMAN ESKANDARI and ADRIAN ESKANDARI, a single man, as to an undivided two-third (2/3) interest; and ALEX ASHTIANI and ROYA ASHTIANI, Trustees of THE ALEX AND ROYA ASHTIANI FAMILY TRUST, as to an undivided one-third (1/3) interest.</p>	<p>Construction and operation of underground tunnel</p>	<p>Exclusive Subsurface Easement with upper limit of <u>82</u> feet below finish grade; lower limit <u>126</u> feet</p>
<p>W-3504 4328-007-017</p>	<p>212 S. Lasky Drive Beverly Hills, CA 90212</p>	<p>EPDE HOLDINGS, LLC, a California limited liability company</p>	<p>Construction and operation of underground tunnel</p>	<p>Exclusive Subsurface Easement with upper limit of <u>79</u> feet below finish grade; lower limit <u>123</u> feet</p>

W-3505 4328-005-001	223 S. Lasky Drive Beverly Hills, CA 90212	BEVERLY LASKY, LLC, a California Limited Liability Company	Construction and operation of underground tunnel	Exclusive Subsurface Easement with upper limit of <u>68</u> feet below finish grade; lower limit <u>117</u> feet
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*** Parcel W-3405 – Property Owners:**

Title to each condominium unit is vested as follows:

UNIT	APN	VESTEE
101	4328-008-029	MC3RD IRREVOCABLE TRUST
102	4328-008-030	LAUREEN ELNITIARTA, a married woman as her sole and separate property
103	4328-008-031	BRISTOWEIGEN LTD, BVI
104	4328-008-032	WENDY FRANK, Trustee of the Louis Hughes Trust dated March 28, 2013
105	4328-008-033	LIKE TAMPI, a widow and CHRISTOPHER PUTRA GUNAWAN, a single man and TANIA PUTRI GUNAWAN, a single woman, all as joint tenants
106	4328-008-034	LEIGH SHAPIRO, Trustee of the LEIGHT M. SHAPIRO REVOCABLE TRUST Dated 6/3/2015, and successor Trustees
201	4328-008-035	Suhua Yan, an unmarried woman
202	4328-008-036	PYUNG WOO KIM, an married man, as his sole and separate property
203	4328-008-037	MARILYN WELTMAN (also known as Marilyn Weltman-Wizenberg and Marilyn Wizenberg), as Trustee of the HOWARD AND MARILYN WIZENBERG FAMILY TRUST, originally established on July 25, 1996, as amended
204	4328-008-038	MILA JOVOVICH, a married woman as her sole and separate property who took title as, an unmarried woman
301	4328-008-039	CYNTHIA HIRSHOWITZ, Trustee of the Survivor's Trust under the HIRSHOWITZ FAMILY TRUST, dated April 30, 2003
302	4328-008-040	ERVIN WIJAYA and ShianY ANGSANA, Husband and Wife and ANDREE WIJAYA, a single man, all as joint tenants
303	4328-008-041	HYUN JIN LILY LEE, a single woman
304	4328-008-042	SUSAN PATTICHI, an unmarried woman and STEPHEN PATTICHI, a single man, as Joint Tenants
401	4328-008-043	CYNTHIA E. BERCHAN, Trustee of the CYNTHIA E. BERCHAN INTER VIVOS TRUST, dated 08/29/06
402	4328-008-044	ONG HENARDI and NINARTI ONGKOYUWONO, husband and wife, as Joint Tenants
403	4328-008-045	HANINA MATHALON, Trustee of the MATHALON LIVING TRUST,

		under trust agreement dated January 20, 1987
404	4328-008-046	WILLIAM WIJAYA and MELISSA WIJAYA, trustees of the AMW REVOCABLE TRUST, dated May 25, 2015
405	4328-008-047	ITALBRIXONIA USA LLC, a Limited Liability Company
406	4328-008-048	YOUNG SIK KIM, an unmarried man

Attachment B

http://libraryarchives.metro.net/DB_Attachments/2018-0689_Attachment_B1_Resolution_of_Necessity.pdf



Board Report

File #: 2018-0677, **File Type:** Policy

Agenda Number: 44.

REVISED
REGULAR BOARD MEETING
OCTOBER 25, 2018

SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

ACTION: ADOPT RESOLUTION OF NECESSITY

RECOMMENDATION

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolution of Necessity; and
- B. ADOPTING a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire fee simple interest in the property identified as Parcel RM-10 (APN 8069-003-008).

(REQUIRES 2/3 VOTE OF THE BOARD)

ISSUE

Fee simple acquisition of the above-referenced parcel, referred to herein as the “Property”, is required for the construction and operation of the Rosecrans/Marquardt Grade Separation Project (“Project”). The acquisition is required in order to improve the safety and traffic flow of the Rosecrans Avenue and Marquardt Avenue intersection.

After all of the testimony and evidence has been received by LACMTA from all interested parties at the hearing, LACMTA must make a determination as to whether to adopt the proposed Resolution of Necessity (Attachment B) to acquire the Property by eminent domain. In order to adopt the resolution, LACMTA must, based on the evidence before it, and by a vote of two-thirds of all the members of its governing body, find and determine that the conditions stated in the items 1 - 6 above exist. Attached is evidence submitted by staff that supports adoption of the resolution that have been approved by counsel, and which sets forth the required findings (Attachment A).

BACKGROUND

A written offer to purchase was delivered to the Owner of Record (“Owner”) of the Property, as required by California Government Code Section 7267.2. The Owner has not accepted the Offer of

Just Compensation made by the Los Angeles County Metropolitan Transportation Authority (“LACMTA”), and the parties have not reached negotiated settlement as of this date. Because the Property is necessary for construction of the Project, staff recommends the acquisition of the Property through eminent domain to maintain the Project schedule.

In accordance with the provisions of the California Eminent Domain law and Sections 30503, 30600, 130051.13, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), LACMTA has prepared and mailed notice of this hearing to the Owners informing them of their right to appear at this hearing and be heard on the following issues: (1) whether the public interest and necessity require the Project; (2) whether the Project is planned or located in the manner that will be most compatible with the greatest good and the least private injury; (3) whether the Property is necessary for the Project; (4) whether either the offer required by Section 7267.2 of the Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence; (5) whether environmental review of the Project has complied with the California Environmental Quality Act (CEQA) and (6) whether LACMTA has given the notice(s) and followed the procedures that are a prerequisite to the exercise of the power of eminent domain.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on LACMTA’s safety standards.

FINANCIAL IMPACT

Funding for the final settlement of the acquisition is included in the adopted FY19 budget, under Measure R 20% Highway Capital for the Rosecrans/Marquardt Grade Separation Project, Number 460066 and Cost Center 2415.

Impact to Budget

The approved FY19 budget is designated for the Rosecrans/Marquardt Grade Separation Project and does not have an impact to operations funding sources. No other funds were considered.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Equity Platform Framework Consistency

Implementation of the state’s eminent domain laws assures that equity is afforded to property owners to engage and have a voice in the decision making process with regards to the acquisition of their property.

Strategic Plan Consistency

The Board action is consistent with Metro Vision 2028 Goal #1: Provide high quality mobility options that enable people to spend less time traveling. Adoption of the Resolution of Necessity is a required

step to acquire these properties for the Westside Purple Line Extension which will provide an additional mobility option.

NEXT STEPS

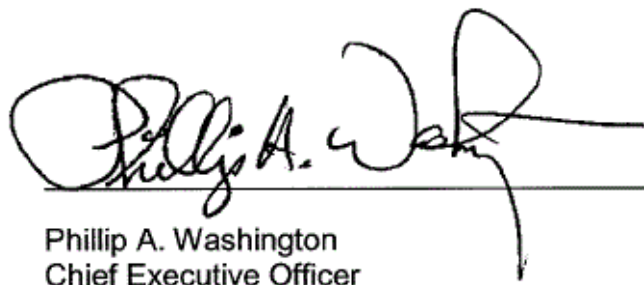
If this action is approved by the Board, LACMTA's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property by eminent domain. Counsel will also be directed to seek and obtain Orders of Prejudgment Possession in accordance with the provisions of California Eminent Domain Law.

ATTACHMENTS

Attachment A - Staff Report
Attachment B - Resolution of Necessity

Prepared by: Velma C. Marshall, Deputy Executive Officer - Real Estate, (213) 922-2415

Reviewed by: Therese McMillan, Chief Planning Officer (213) 922-7077



Phillip A. Washington
Chief Executive Officer

**STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF
PROPERTY”) FOR THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT-
RM-10**

BACKGROUND

The Property is required for the construction and operation of the Rosecrans/Marquardt Grade Separation ("Project"). The address, record owners (as indicated by a title report) ("Owners"), physical description, and nature of the property interest sought to be acquired for the Project are summarized on the table below.

Assessor's Parcel Number	Parcel Address	Property Owner	Purpose of Acquisition	Property Interest Sought	LACMTA Parcel#
8069-003-008	13730 Rosecrans Avenue, Santa Fe Springs, CA	GDS Partners LLC, a California liability company	Construction	Fee Simple	RM-10

A written offer to acquire the Property, consisting of Parcel RM-10 was mailed to the Owner's Representative by letter dated September 12, 2018 for acquisition of the Real Property. To date, the Owners have not accepted the offers to purchase.

A. The public interest and necessity require the Project.

The purpose of the Project is to: 1. Improve safety; 2. Maintain access to the railroad for emergency responders; 3. Maintain existing railroad facilities and operations; and 4. Accommodate future High-Speed Rail in the corridor.

The Rosecrans/Marquardt Avenue and BNSF railroad tracks intersection experiences an average of 45,000 vehicles and 112 trains traveling through the intersection within each 24-hour period, as estimated using Los Angeles County Department of Public Works traffic data from 2011 (Los Angeles County Department of Public Works, 2015). The BNSF line serves approximately 55 long distance and local freight trains, as well as up to 57 passenger trains for both Metrolink commuter and Amtrak within a 24-hour time period (Los Angeles County Metropolitan Transportation Authority, 2016). The existing BNSF railroad tracks and roadway are at the same grade. This causes a high volume of vehicle conflicts at the intersection. In addition, the railroad crossing traverses the intersection diagonally, which results in poor sight distance between roadway and railroad vehicles.

The combination of these factors has caused the intersection to experience a higher proportion of traffic incidents than average, including fatalities. The ongoing danger has prompted the CPUC under Section 190 to rate this intersection as the most hazardous at-grade railroad crossing in the state. The completion of this Project would alleviate the existing vehicle conflicts and safety hazards at the intersection.

Motorist, cyclist, bus, and emergency vehicle access will need to be provided at all times during construction of the Project. In addition, train volume in the BNSF corridor is anticipated to increase in the future. Additionally, a third BNSF track is planned for this corridor. The Project would facilitate continued access to and around the project area, including access to the railroad.

The intersection of railroad and roadway infrastructure poses competing interests, which lead to collisions and accidents in the project area. To accommodate existing and planned railroad facilities and operations, the Project would elevate Rosecrans Avenue to an overpass, which would allow critical improvements along the roadway and BNSF ROW to occur.

The project area does not currently accommodate for future HSR planned in the BNSF railroad corridor. At the conclusion of the California High-Speed Train System Tier 1 EIR/EIS, FRA and CHSRA identified the BNSF corridor as the proposed corridor for the HSR Los Angeles to Anaheim project section. FRA and CHSRA are currently conducting further Tier 2 environmental analysis and this Project would be designed to accommodate and not preclude future HSR infrastructure, minimizing time and costs between both projects.

B The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.

The Environmental Assessment evaluates the proposed action and the Project alternatives that were developed to meet the identified purpose and need of the Project. When developing alternatives, the following criteria were considered: Traffic impacts during construction; Required utility relocations; Access to businesses during construction; ROW impacts; Impacts to railroad operations; and Project costs.

Several build alternatives were considered, but only one build alternative was recognized as feasible, Alternative 2: Offset Overpass with Connector Road. The Build Alternative was identified as a suitable alternative using the criteria above. Therefore, the alternatives considered for the Project are the Alternative 1 (No Build Alternative) and one Build Alternative (Alternative 2). Resource areas evaluated for each alternative include land use, community impacts, utilities/emergency services, traffic and transportation/pedestrian and bicycle facilities, visual/aesthetics, cultural resources, water quality and storm water runoff, hazardous waste/materials, air quality, and noise. In addition, the potential cumulative impact of past, present, and reasonably foreseeable future projects in the project region are evaluated with respect to these resources.

Under Alternative 1 (No Build Alternative), the current configuration of the Rosecrans/Marquardt Avenue and BNSF railroad tracks intersection would be maintained, and the at-grade railroad crossing would remain. This alternative would not improve safety because each user (trains, vehicles, and pedestrians) would continue sharing the Rosecrans/Marquardt intersection crossing, which would not address the risk of collision. Additionally, the segment of BNSF corridor in the project area has been planned for a third set of BNSF tracks, which would require changes in roadway geometry in the project area. Existing conditions are not conducive to accommodate future HSR infrastructure. Under the No Build Alternative, construction activities would

not be completed. However, this alternative would not help to achieve the desired safety or circulation improvements, and would therefore not meet the Project purpose and need.

Under Alternative 2 (Build Alternative), Rosecrans Avenue would be realigned to the south, and an overpass would be constructed to raise Rosecrans Avenue over Marquardt Avenue, the BNSF ROW, and Stage Road. The southern leg of Marquardt Avenue would be extended under the overpass and connected to Rosecrans Avenue. The northern leg of Marquardt Avenue would be connected to Stage Road. A frontage road would also be constructed to connect Anson Avenue to the northern leg of Marquardt Avenue and Stage Road.

Traffic signals would be installed along Rosecrans Avenue: one at the intersection with Marquardt Avenue to the west, and one to the east of the overpass at the intersection with Iseli Road. Other improvements include sidewalk construction, street lighting installation, landscape installation/replacement, parking lot reconfiguration, and utility relocations. Alternative 2 would require full acquisition of eight properties, including six industrial properties and two commercial properties (Sierra Plaza and Animal Hospital), and various partial and temporary easements, including seven roadway easements, one footing easement, one utility easement, and 15 temporary construction easements (TCEs). Construction would be completed over an approximately 24-month period.

Improvements considered under Alternative 2 would meet the purpose and need of the Project. Connectivity between Rosecrans Avenue, Marquardt Avenue, Stage Road, and Anson Avenue would be maintained through the use of signalized intersections. Utilities in the existing roadway would remain in their existing alignment, minimizing the duration of construction. Proposed transportation structures would be located outside of the BNSF ROW, so that a third set of BNSF tracks and future HSR tracks would be accommodated. The majority of construction activities under this alternative would be completed outside of the existing Rosecrans Avenue footprint in order to meet the purpose and need element, “maintain access to the railroad for emergency responders”, which includes access during Project construction. Access disruptions to residents, businesses, and the community during construction would be minimized to the maximum extent feasible. Operation of Alternative 2 would enhance mobility and quality of life for the community. Therefore, the Project would help achieve the desired safety and circulation improvements, and would meet the Project purpose and need.

C. The Property is necessary for the Project.

The Property is required for the construction of the overhead pass over Marquardt Avenue and realigning Rosecrans Avenue to the south. The selected alignment is critical in connecting Rosecrans Avenue, Marquardt Avenue, Stage Road, and Anson Avenue. This property is part of the full acquisition of eight properties needed to complete this project.

It is recommended that the Board find that the acquisition of the Property is necessary for the Project.

D. Offers were made in compliance with Government Code Section 7267.2.

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the Owner and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the property. In addition, the agency is required to provide the Owner with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

1. Retained an independent appraiser to determine the fair market value of the Property;
2. Reviewed and approved the appraisals, and established the amount it believes to be just compensation for the Property;
3. Determined the Owners of the Property by examining the County assessor's records, preliminary title reports, and occupancy of the Property;
4. Made a written offer to purchase to the Owners for the full amount of just compensation - which was not less than the approved appraised value;
5. Provided the Owners with a written statement of, and summary of the basis for, the amount established as just compensation with respect to the foregoing offer.

It is recommended that based on the above actions, the Board find and determine that the offer required by Section 7267.2 of the California Government Code has been made to the Owners.

E. Metro has fulfilled the necessary statutory prerequisites.

Metro is authorized to acquire property by eminent domain for the purposes contemplated by the Project under Public Utilities Code §§ 30503, 30600, 130051.13, and 130220.5; Code of Civil Procedure §§ 1230.010-1273.050; and Article I, § 19 of the California Constitution.

F. Metro has complied with the California Environmental Quality Act (CEQA).

As per Section 21080.13 of CEQA, all railroad grade separation projects are exempt under CEQA; as such this project has been statutory exempted from CEQA. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.

Accordingly, Metro has fulfilled the necessary statutory prerequisites to acquire the Property by eminent domain.

CONCLUSION

Staff recommends that the Board adopt the Resolution of Necessity.

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF
THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT-RM-10**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("LACMTA") is a public entity organized and existing pursuant to Chapter 2 of Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for public transportation purposes and all uses necessary, incidental or convenient thereto, and for all public purposes pursuant to the authority conferred upon the Board to acquire property by eminent domain by California Public Utilities Code Sections 30000-33027, inclusive, and particularly Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections 130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive, and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The property interest consists of the acquisition of fee simple, as described more specifically in the legal description (Exhibit A), depicted on the Plat Map (Exhibit B), attached hereto (hereinafter, the "Property"), incorporated herein by this reference.

Section 4.

(a.) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Rosecrans/Marquardt Project ("Project");

(b.) Metro has received an exemption from having a draft EIR/EIS and a FEIS/FEIR. Metro was not required to have a CEQA Environmental Clearance because the project is at Grade. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.;

Section 5.

The Board hereby declares that it has found and determined each of the following:

- (a.) The public interest and necessity require the proposed Project;
- (b.) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c.) The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;
- (d.) The offer required by Section 7267.2 of the Government Code has been made to the Owner; and
- ~~(e.) Environmental review consistent with the California Environmental Quality Act (CEQA) for the Project has been previously certified by this Board. The California Environmental Quality does not apply to railroad grade separation projects which eliminate an existing grade crossing, and therefore no environmental document is required for this Project.~~

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

That notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of said Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property

that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Metropolitan Transportation Authority at a meeting held on the 25th day of October, 2018.

MICHELLE JACKSON
LACMTA Secretary

Date: _____

ATTACHMENTS

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION

(A.P.N. 8069-003-008)

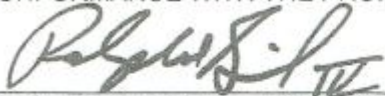
LOT 2 OF TRACT 29635, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 810 PAGES 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

THE ABOVE DESCRIBED PARCEL CONTAINS 45,003 SQUARE FEET OR 1.033 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE RECORD PER SAID TRACT NO. 29635.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



RALPH W. GUIDA, IV, P.L.S. 7076

3/16/2016

DATE



**EXHIBIT B
PLAT MAP**

EXHIBIT B

Plat Map of the Required Parcel - Fee Simple

