

Metro

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



Metro

Agenda - Final

Thursday, December 1, 2016

9:00 AM

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

Board of Directors

John Fasana, Chair

Eric Garcetti, 1st Vice Chair

Sheila Kuehl, 2nd Vice Chair

Michael Antonovich

Mike Bonin

James Butts

Diane DuBois

Jacquelyn Dupont-Walker

Don Knabe

Paul Krekorian

Ara Najarian

Mark Ridley-Thomas

Hilda Solis

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

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

PUBLIC INPUT

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

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

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

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

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

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

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded on CD's and as MP3's and can be made available for a nominal charge.

DISCLOSURE OF CONTRIBUTIONS

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

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

CALL TO ORDER**ROLL CALL**

APPROVE Consent Calendar Items: 2, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 36, 37, 38, 39, 42 and 43.

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

CONSENT CALENDAR

2. APPROVE **Minutes of the Regular Board Meeting held October 27, 2016 and the Special Board Meeting held November 17, 2016.** [2016-0876](#)

Attachments: [Attachment A - 20161027 RBM Minutes](#)
[Attachment B - 20161117 SBM Minutes](#)

FINANCE, BUDGET AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

10. AUTHORIZE the Chief Executive Officer to execute a **revenue-neutral fund exchange agreement between Metro, the Ventura County Transportation Commission (VCTC) and the Southern California Regional Rail Authority (SCRRA) to fund FY16 and FY17 SCRRA rehabilitation projects.** [2016-0740](#)

Attachments: [Exchange Attach](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

11. AUTHORIZE the Chief Executive Officer, or his designee, to execute a **Perpetual Easement Agreement, Reciprocal Easement Agreement and other related documents with the city of Culver City (City) and/or the developer and other related parties to allow for the construction, use, operation and maintenance of the Ivy Station mixed-use development project adjacent to the Metro Expo Culver City Station** as described in Attachment D which will include a Metro park-and-ride facility as contemplated by a previously Board-approved and executed Option Agreement and Memorandum of Understanding with the City.

[2016-0498](#)

Attachments: [Attachment A - Site Map](#)
[Attachment B - Project Site Plan and Renderings](#)
[Attachment C - Metro Parking Area](#)
[Attachment D - Summary of Key Terms and Conditions](#)
[Attachment E - MND Mitigation Monitoring Program](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

12. CONSIDER:
- A. RECEIVING AND FILING status report on **work approach and resource needs to implement the Metro Board's First/Last Mile Motions 14.1 and 14.2**; and
- B. AUTHORIZING the Chief Executive Officer to take action to implement Board Motions 14.1 and 14.2.

[2016-0615](#)

Attachments: [Attachment A - A Countywide Priority First/Last Mile Network](#)
[Attachment B - Stations and Stops for First Last Mile Planning](#)
[Attachment C Capital Projects Implementation Steps](#)
[Attachment D FTE and Professional Services Needs](#)
[Attachment E - Motion 14.1](#)
[Attachment F - Motion 14.2](#)
[Attachment G - June 15 2016 Board Report](#)

PLANNING AND PROGRAMMING COMMITTEE (5-0) AND CONSTRUCTION COMMITTEE (5-0) MADE THE FOLLOWING RECOMMENDATION:

13. CONSIDER:

[2016-0731](#)

- A. APPROVING the **Airport Metro Connector (AMC) 96th Street Transit Station Project** which will add a new Metro rail station to the Crenshaw/LAX Line at 96th Street;
- B. CERTIFYING the Final Environmental Impact Report (Final EIR). Attachment A contains the Project Overview. The Final EIR is available upon request or at www.metro.net/projects/lax-extension <<http://www.metro.net/projects/lax-extension>>.
- C. ADOPTING the:
 - 1. Mitigation Monitoring and Reporting Plan (MMRP) (Attachment B); and
 - 2. Findings of Fact (Attachment C)
- D. AUTHORIZING the Chief Executive Officer (CEO) to file the Notice of Determination (NOD) (Attachment D) with the Los Angeles County Clerk and State of California Clearinghouse; and
- E. RECEIVING AND FILING the quarterly project status report including architectural and engineering design services and coordination with the Los Angeles World Airports (LAWA) and the Crenshaw/LAX Project, as directed by the Metro Board in July 2014 (Attachment E).

Attachments:

[Attachment A – Project Overview](#)

[Attachment B – Mitigation Monitoring and Reporting Program](#)

[Attachment C – Findings of Fact](#)

[Attachment D – Notice of Determination](#)

[Attachment E – July 2014 Metro Board motion](#)

[Attachment F - June 2014 Board Motion](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0-1):**14. CONSIDER:**[2016-0591](#)

- A. AUTHORIZING implementation of **Phase II of the Parking Management Pilot Program at nine (9) Metro parking facilities with the option to increase to (13) facilities along Expo, Gold, Red, Green and Silver Line Metro stations** pursuant to the Operating Plan (Attachment C) for four (4) years;
- B. AMENDING Metro's Parking Ordinance Administrative Code 8 (Attachment D) and Metro's Parking Rates and Fee Resolution (Attachment E) in support of the implementation of the Parking Management Pilot Program; and
- C. AUTHORIZING the Chief Executive Officer to award a four (4)-year firm fixed price Contract No. PS6264800 to L&R Group of Companies DBA Joe's Auto Parks in the amount of \$8,388,277 to implement Phase II of the Parking Management Pilot Program through a revenue generating contract where the contractor will be compensated for their operating costs from the parking revenue collected and Metro will receive the net revenue amount collected, subject to resolution of protest(s), if any.

Attachments:[Attachment A - Procurement Summary](#)[Attachment B - DEOD Summary](#)[Attachment C - Parking Management Pilot Program Phase II Operating Plan](#)[Attachment D - Metro Parking Ordinance](#)[Attachment E- Metro Parking Rates and Permit Fee Resolution](#)

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):**15. CONSIDER:**[2016-0589](#)

- A. **APPROVING the updated project list and changes in the funding levels for the Measure R Highway Subregional Program in Arroyo Verdugo, Las Virgenes Malibu, South Bay, North County, and Gateway Cities Subregions** as shown in Attachment A;
- B. AUTHORIZING the Chief Executive Officer (CEO) or his designee as shown in Attachment B:
 - 1. Allow the City of Lancaster to use programmed Measure R funds outlined in executed agreement (MR330.05) in earlier years to expedite project development phases and deliver the project sooner than originally scheduled.
- C. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for approved projects;
- D. ADOPTING the resolution in Attachment D, authorizing the CEO or his designee to execute all Grant Agreements and any amendments thereto with the California Department of Transportation; and
- E. APPROVING time extension for 6 projects as shown in Attachment E:
 - 1. Caltrans - ITS on I-405, I-110, I-105 and SR-91 Freeway Ramp/Arterial Signalization (MR312.11)
 - 2. City of Hermosa Beach - PCH Improvements between Anita St. and Artesia Boulevard (MR312.05)
 - 3. City of Redondo Beach - PCH Arterial Improvements from Anita St to Palos Verdes Boulevard. (MR312.06)
 - 4. City of Redondo Beach - Aviation Boulevard at Artesia Boulevard Intersection Improvements (MR312.20)
 - 5. City of Inglewood - Inglewood Phase four ITS projects (MR312.12)
 - 6. City of Lawndale- Inglewood Ave from 156th to I-405 Southbound On-Ramp Improvements. (MR312.15)
 - 7. City of Agoura Hills - Palo Camado Interchange (MR311.03)

Attachments: [Attachment A - Measure R Highway Subregional Project List.pdf](#)
[Attachment B - City of Lancaster Request.pdf](#)
[Attachment C - SR-138 Segment 6 Request Caltrans.pdf](#)
[Attachment D - Resolution Sustainable Transportation Grant](#)
[Attachment E - Measure R Extension List.pdf](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

18. AUTHORIZE the Chief Executive Officer to: [2016-0221](#)
- A. REIMBURSE the City of Beverly Hills for valid costs incurred to review the design and construction of the Design-Build elements of the Project within the City as provided in the attached excerpt from the draft Memorandum of Agreement (MOA) for design/build construction between Metro and the City; and
- B. EXECUTE the Annual Work Plan for Fiscal Year 2017 with the City of Beverly Hills, in an amount not-to-exceed \$4,859,611, for the **Westside Purple Line Extension - Section 1 C1045 Contract.**

Attachments: [Attachment A - Manner In Which The City Will Be Reimbursed For Costs.pdf](#)
[Attachment B - FY 17 Annual Work Plan for City of Beverly Hills .pdf](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

19. AUTHORIZE the Chief Executive Officer (CEO) to award a three-year cost-plus fixed fee Contract No. PS601830026445 for **Construction Management Support Services for Metro Rail Projects with Destination Enterprises, Inc.** in the amount not to exceed \$3,000,000, inclusive of two one-year options, subject to resolution of protest(s) if any. Destination Enterprises, Inc. is a certified SBE with Metro. [2016-0727](#)

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

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

20. AUTHORIZE Contract Modification No. 183 by Caltrans for construction contract of the **Segment 4 of the I-5 North Capacity Enhancements Project between SR-134 and SR-118** (Project) under the Funding Agreement No. MOU. P0008355/8501A/A6, in the amount of \$1,232,800. [2016-0736](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

21. AUTHORIZE the Chief Executive Officer (CEO) to execute an **annual work plan for Fiscal Year 2017 with the City of Beverly Hills, in an amount not-to-exceed \$1,003,442, for the Westside Purple Line Extension Project - Section 1.** [2016-0829](#)

Attachments: [Attachment A - Annual Work Plan for FY17 with City of Beverly Hills](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):

22. AUTHORIZE the Chief Executive Officer (CEO) to execute an **annual work plan for Fiscal Year 2017 with the City of Beverly Hills, in an amount not-to-exceed \$3,599,718, for the Westside Purple Line Extension Project - Section 2.** [2016-0830](#)

Attachments: [Attachment A - Annual Work Plan for the City of Beverly Hills](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

36. AUTHORIZE the Chief Executive Officer to **renew a five-year lease agreement, including two, five-year options, with Access Services** (Access) effective January 1, 2017 for the rental of approximately 19,841 square feet of office space at Metro's Transportation Building Division 9, 3449 Santa Anita Avenue, El Monte, at an annual rental cost of \$600,000, subject to both parties' mutual right to terminate on 12-month prior written notice. [2016-0694](#)

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION
(4-0):**

37. CONSIDER: [2016-0859](#)
- A. APPROVING the **unit reduction for undergraduate students from 8 units to 6 units beginning Spring 2017;**
 - B. CREATING a **reduced fare Transitional Pass to U-Pass participants for 12 months after graduation;** and
 - C. APPROVING the Title VI Analysis required by Civil Rights department.

Attachments: [Attachment A - Board Report on Approve Adoption of U-Pass Pilot Program](#)
[Attachment B - Title VI Data for UPass Pilot Program](#)
[Attachment C - U-Pass Participant Survey Analysis 10-19-16](#)
[Attachment D - Board Box on Promotional Employer Pilot Pass Program Signed](#)
[Attachment E - Staffing Cost Analysis 10-16-16](#)
[Presentation](#)

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION
(4-1):**

38. APPROVE revised **Property Naming Policy** with the addition of guidelines to implement and manage a Corporate Sponsorship/Naming Rights Program for the purpose of generating revenue or valued assets. (Attachment B) [2016-0789](#)

Attachments: [Attachment A - Property Naming Policy](#)
[Attachment B- Property Naming-Corporate Sponsorship Policy](#)
[Attachment C - ActiveSponsorshipsInTransit](#)
[Attachment D PropertyNamingCorporateSponsorship Presentation](#)

**FINANCE, BUDGET AND AUDIT COMMITTEE MADE THE FOLLOWING
RECOMMENDATION (4-0):**

39. AUTHORIZE the Chief Executive Officer to provide Metrolink with **“pre-contract award authority” to procure the contracts required for the urgent track and structure rehabilitation work reported by Metrolink** at its Board Meeting on September 23, 2016. [2016-0891](#)

Attachments: [SCRRA BOARD ITEM 092316](#)

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION**(4-0):**

42. AUTHORIZE the Chief Executive Officer to negotiate and execute sole source Contract No. PS 6394500 to **Vertiba Inc., a Salesforce System Integrator, to enhance the TAP system in order to achieve maximum interoperability with regional systems and services including Bike Share, parking, ride-hailing companies, fare subsidy programs, electric vehicle car-sharing, gift card programs, mobility hubs, a mobile app** and more in an amount not-to-exceed \$4,750,000.

[2016-0851](#)

Attachments: [Attachment A - Procurement Summary](#)
 [Attachment B - DEOD Summary](#)
 [Attachment C - Customer Tech Motion - Garcetti](#)
 [Presentation](#)

FINANCE, BUDGET AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

43. APPROVE **Motion by Antonovich and Najarian** that the CEO be authorized to enter into negotiations with the SCRRA Chief Executive Officer and the Chief Executive Officers of the other Member Agencies to revise the Member Agency formulae for contributions and representation, such that:
- A. Any proposed formula(s) for the allocation of costs and revenues of the Metrolink Commuter Rail system balance both the costs of system operations as well as the benefits received by each of the Member Agencies within their jurisdiction; and
- B. Representation of each Member Agency on the SCRRA Board of Directors is aligned to more closely represent the current and expected future financial contributions to the Metrolink Commuter Rail system; and

[2016-0909](#)

FURTHER MOVE THAT the CEO report back to the Metro Board of Directors, as needed, with an update on the status of these negotiations and any preliminary, proposed revisions to the formulas used in Member Agencies' costs, revenues and or representation on the SCRRA Board of Directors, and seek the formal approval of this Board prior to any agreement that would implement such revisions.

NON-CONSENT

3. Report by the **Chair**. [2016-0926](#)

3.1 PRESENTATION of Resolutions to **Directors Antonovich and Knabe**. [2016-0928](#)

4. Report by the **Chief Executive Officer**. [2016-0927](#)

Attachments: [Presentation - Measure M Staff Approach](#)

1. CONSIDER: [2016-0610](#)

A. AUTHORIZING the Chief Executive Officer (CEO) to execute a nine-year cost-plus fixed fee contract plus two one-year options, Contract No. AE5818600MC072-PLE2, to Purple Line 2 CM Partners, a Joint Venture to provide **Construction Management Support Services** in an amount not-to-exceed \$8,890,488 through Fiscal Year 2018, subject to resolution of protest(s), if any; and

B. ESTABLISHING Contract Modification Authority for 15% of the not-to-exceed contract award value and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.

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

(CARRIED OVER FROM THE OCTOBER REGULAR AND THE NOVEMBER SPECIAL BOARD MEETINGS DUE TO ABSENCES AND CONFLICTS)

FINANCE, BUDGET AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

9. ADOPT a resolution, Attachment A, that: [2016-0797](#)
- A. AUTHORIZES the **competitive sale of Prop C Senior Lien Bonds (the “2017 Prop C Bonds”)** to finance capital projects in one or more transactions through June 30, 2017;
 - B. APPROVES the forms of Notice of Intention to Sell Bonds, Notice Inviting Bids, Supplemental Trust Agreement, Continuing Disclosure Agreement and Preliminary Official Statement, on file with the Board Secretary all subject to modification as set forth in the resolution;
 - C. AUTHORIZES taking all action necessary to achieve the foregoing, including, without limitation, the further development and execution of bond documentation associated with the issuance of the 2017 Prop C Bonds; and
 - D. REAFFIRMS AND UPDATES the Reimbursement Resolution approved by the Board on April 26, 2016 to reflect that the amount of the 2017 Prop C Bonds may be up to \$500 million and reaffirms the intention that a portion of the proceeds of the 2017 Prop C Bonds will be used to reimburse expenditures made prior to the issuance of the 2017 Prop C Bonds.

(REQUIRES SIMPLE, SEPARATE MAJORITY VOTE)

Attachments: [2016-0797-AttachmentA](#)

CONSTRUCTION COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0) AS AMENDED AND EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):

23. CONSIDER: [2016-0878](#)
- A. AUTHORIZING the Chief Executive Officer to:
 - 1. EXECUTE Modification No. 3 to Contract No. PS69403444 with **Pacific Coast Regional Small Business Development Corporation (PCR) to support the increased level of effort and resources for the remaining two years of the professional services contract and continuation of services to eligible “mom and pop” businesses directly impacted by the unprecedented full street closure along 2nd & Broadway segment of the Regional Connector** in the amount of \$297,616

- increasing the total firm fixed contract value from \$1,965,090 to \$2,262,706;
2. INCREASE Contract Modification Authority (CMA) specific to Contract No. PS69403444 in the amount of ~~\$100~~500,000 increasing the total CMA amount from \$180,000 to ~~\$260~~2680,000 to support ~~potential~~ additional services related to BIF fund administration inclusive of the expansion of the BIF to directly impacted and qualifying "mom and pop" businesses along the Purple Line Extension Phase 2; and
- B. RECEIVING AND FILING the quarterly status report of Metro's Pilot Business Interruption Fund (BIF).

DUPONT-WALKER AMENDMENT to expand the Pilot Business Interruption Fund to include small businesses that may be interrupted along the Purple Line Extension Phase 2.

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - Contract Modification/Change Order Log](#)
[Attachment C - Motion 57](#)
[Attachment D - DEOD Summary](#)

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION:

27. AUTHORIZE the Chief Executive Officer to award a firm-fixed price Contract under RFP No. OP6355500HR4000, **Heavy Rail Vehicle (HRV) Acquisition, to China Railway Rolling Stock Corp (CRRC) MA Corporation** in the not-to-exceed amount of \$178,395,869 for a period of 62 months from Notice-to-Proceed (NTP) for the production and delivery of the 64 HRV Base Order, subject to the resolution of protest(s), if any.

[2016-0646](#)

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B - JULY 17, 2014 BOARD AUTHORIZATION FOR BEST VALUE F](#)
[Attachment C - Funding Expenditure Plan](#)
[Attachment D - FTA LTTR RE LOCAL PILOT HIRING PROGRAM DATED SEP](#)
[Attachment E - DEOD Summary](#)
[HR4000 Presentation](#)

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION:

28. AUTHORIZE the Chief Executive Officer to increase the total authorized not-to-exceed amount to **Rail Operations Engineering Support Bench** (Bench) Contract No OP39202965, by \$4,300,000 from \$5,000,000 to \$9,300,000 for engineering and technical services for wayside systems operating and capital projects.

[2016-0726](#)

Attachments: [Attachment A - Procurement Summary](#)
[Attachment B – List of Proposed Project Uses](#)
[Attachment C - Change Log GEC Bench](#)
[Attachment D - DEOD Summary](#)

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION:

29. AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP6201700 for **uniform rental services with Prudential Overall Supply**, for a not-to-exceed amount of \$3,372,104 for the three-year base period and \$3,372,104 for the one, three year option, for a combined total of \$6,744,208 effective December 16, 2016 through December 15, 2022, subject to resolution of protest(s), if any.

[2016-0874](#)

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

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION:

30. AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 3 to Contract No. OP33673132, with **XInt Tint of Anaheim, Inc., for glass panel surfaces anti-graffiti film maintenance and replacement services**, to exercise the first and second year options in the amount of \$1,304,442 for each of the first and second year options, for a combined total of \$2,608,884, increasing the total contract value from \$4,342,589 to \$6,951,473 and extending the contract term from February 3, 2017 to February 2, 2019.

[2016-0803](#)

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

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION:

31. AUTHORIZE the Chief Executive Officer to execute Modification No. 3 to Contract No. OP33673154 with **Graffiti Shield, Inc., for stainless steel panel surfaces anti-graffiti film installation and replacement services.** This modification will exercise the first and second year options in the amount of \$3,806,056.54 for each of the first and second year options, for a combined total of \$7,612,113.08, increasing the total contract value from \$12,178,532.85 to \$19,790,645.93 and extending the contract term from February 3, 2017 to February 2, 2019.

[2016-0717](#)

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

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE AND EXECUTIVE MANAGEMENT COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION:

41. CONSIDER:
- A. RECEIVING AND FILING **Metro's Comprehensive Security and Policing Principles Strategy** (Attachment A);
- B. AUTHORIZING the Chief Executive Officer to negotiate and execute individual five-year firm fixed unit rate contracts with the City of Long Beach Contract No. PS5862300LBPD24750 not-to-exceed \$27,088,968, ~~and firm fixed unit rate contract with the City of Los Angeles, Contract No. PS5862100LAPD24750 not-to-exceed \$369,696,813, and a firm fixed price contract with the County of Los Angeles, Contract No. PS5863200LASD24750,~~ or other local law enforcement agency(s), not-to-exceed \$129,800,051-\$149,800,051 for multi-agency law enforcement services effective January 1, 2017 through December 31, 2021; subject to resolution of protest(s), if any; and
- C. AUTHORIZING the Chief Executive Officer to negotiate and execute a **demobilization/transition** agreement with the County of Los Angeles Sheriff's Department for single agency law enforcement services; and
- D. AUTHORIZING the Chief Executive Officer to enter into Memorandum of Understandings with local law enforcement agencies based upon system expansion to provide flexibility as new bus and rail lines open.

[2016-0877](#)

Attachments: [ATTACHMENT A - Comprehensive Security & Policing Principles Strategy](#)
[ATTACHMENT B - OIG LASD Contract Audit. June 2014](#)
[Attachment C -LA Metro LASAD APTA Peer Review July 2014](#)
[Attachment D- OIG Review of Metro Law Enforcement and Security Options. Ar](#)
[Attachment E - OIG Metro Policing and Security Workload Staffing Analysis. Jar](#)
[Attachment F- Procurement summary](#)
[ATTACHMENT G - DEOD Summary](#)
[Presentation](#)

44. CONSIDER **Motion by Ridley-Thomas, Kuehl, Fasana and Garcetti** to [2016-0920](#)
direct the Chief Executive Officer, in consultation with relevant stakeholders, to report back in writing within 160 days on an implementation plan to completely decriminalize fare evasion amongst youth transit users, including ensuring that youth are not punished for fare evasion with fines they are unable to pay, or required to interact with law enforcement agencies, including the Sheriff's Department, various Police Departments, or the County's Probation Department.

45. AUTHORIZE the Chief Executive Officer to award and execute a [2016-0711](#)
five-year, firm fixed unit rate Contract No. **OP608960027253** to Axiom xCell Inc., **for services related to the processing, adjudication and collection of transit and parking citations** in an amount not-to-exceed \$1,586,533 effective January 1, 2017 through December 31, 2021, subject to resolution of protest(s), if any.

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

(CARRIED OVER FROM THE OCTOBER BOARD MEETING)

46. CONSIDER: [2016-0904](#)

- A. HOLDING a public hearing on the proposed Resolution of Necessity;
and
- B. ADOPTING the **Resolution of Necessity authorizing the commencement of an eminent domain action to acquire portions of APNs 6150-008-046, 6150-008-047 and 6150-008-048**, consisting of the fee and leasehold interests in real property, together with a permanent easement, temporary construction easements, and Improvements Pertaining to the Realty (hereinafter the “Property” as identified in Attachment A). This acquisition is for the Willowbrook/Rosa Parks Station Improvement project.

(REQUIRES TWO-THIRDS VOTE)

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

47. CONSIDER: [2016-0908](#)

- 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 a Fee Interest to 91 square feet of the private property located at 1657 Nadeau Street, Los Angeles** (APN 6021-018-020). This acquisition is for the Metro Blue Line Pedestrian Swing Gates Project.

(REQUIRES TWO-THIRDS VOTE)

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

48. CONSIDER:[2016-0916](#)

- A. APPROVING a **Life-of-Project (LOP) budget increase by \$297.8M, from \$1,308.4M to \$1,606.2M for Project 405523, I-405 Sepulveda Pass Widening Project** (Project); and
- B. AMENDING the Fiscal Year 2017 budget from \$23.3M to \$321.1M, an increase of \$297.8M for Project 405523; and
- C. APPROVING an extension of Stantec Consulting, Inc. (Stantec) Contract Work Order 2 (CWO 2) under Contract MC069 period of performance from December 31, 2016 to December 31, 2017 to complete close-out activities on the Project. This is a schedule extension only and has no impact on the budget.

END OF NON-CONSENT ITEMS

49. CLOSED SESSION:[2016-0929](#)A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d) (1):

Grace King v. LACMTA, LASC Case No. BC582027

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

Property Description: 8421 Wilshire Boulevard, Beverly Hills, CA

Agency Negotiator: Calvin Hollis

Negotiating Party: City of Beverly Hills

Under Negotiation: Price and Terms

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

Metro

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



Metro

Board Report

File #: 2016-0876, **File Type:** Minutes

Agenda Number: 2.

**REGULAR BOARD MEETING
DECEMBER 1, 2016**

APPROVE Minutes of the Regular Board Meeting held October 27, 2016 and the Special Board Meeting held November 17, 2016.

Metro

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



MINUTES

REGULAR BOARD MEETING

Thursday, October 27, 2016

9:00 AM

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

Directors Present:

**John Fasana, Chair
Eric Garcetti, 1st Vice Chair
Sheila Kuehl, 2nd Vice Chair**

Michael Antonovich

Mike Bonin

James Butts

Diane DuBois

Jacquelyn Dupont-Walker

Don Knabe

Paul Krekorian

Ara Najarian

Mark Ridley-Thomas

Hilda Solis

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER AT 9:16 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 7, 10, 12, 13, 17, 18, 19, 20, 21, 26, 27, 28, 29, 30, 31, 32, 39, 40, 41 and 43.

Consent Calendar items were approved by one motion except for 29 and 32 which were held by a Director for discussion and/or separate action and 30 and 31 which were withdrawn from the agenda.

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

2. APPROVED ON CONSENT CALENDAR **Minutes of the Regular Board Meeting held September 22, 2016.** 2016-0796

3. RECEIVED Report by the Chair. 2016-0848

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

4. RECEIVED Report by the Chief Executive Officer. 2016-0849

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

6. ADOPTED a Resolution that: 2016-0607

- A. AUTHORIZES the negotiated bond sale and issuance of up to \$600 million of bonds (**Measure R Senior Sales Tax Revenue Bonds, 2016**) in one or more series, to finance capital projects and to repay outstanding short-term revolving debt;

(Continued on next page)

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

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

(Item 6 – continued from previous page)

- B. APPROVES the forms of the supplemental trust agreement, continuing disclosure certificate, preliminary official statement and such other documents as required for the issuance of the bonds, and approves related documents on file with the Board Secretary as set forth in the resolution all as subject to modification as set forth in the Resolution;
- C. APPROVES the form of the bond purchase contract on file with the Board Secretary, that will be entered into with the underwriters as listed in Attachment B hereto; and
- D. AUTHORIZES taking all action necessary to achieve the foregoing, including, without limitation, the further development and execution of the bond purchase contract and bond documentation associated with the issuance of the Measure R 2016 Bonds.

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

- 7. APPROVED ON CONSENT CALENDAR TAP as the only valid fare payment option for All Door Boarding on the Silver Line (Line 910/950) 2016-0759
- 9. AUTHORIZED AS AMENDED BY DIRECTOR NAJARIAN the Chief Executive Officer (CEO) to: 2016-0284
 - A. CONDUCT a study for providing up to **two additional stations in the City of Glendale and up to two additional stations in the City of Los Angeles** as well as providing increased train service throughout the day from Union Station to the City of Burbank with opportunities to include expanded service to the Antelope Valley as a first step in examining increased rail connectivity in the Los Angeles, Glendale and Burbank Corridor. ~~Additional stations would need to be spaced appropriately and limited so as not to severely affect travel time for those travelling beyond Burbank to the outer terminus of the lines in Ventura and the Antelope Valley;~~
 - B. PROGRAM AND AMEND the FY 17 budget to add \$900,000 in Measure R Commuter Rail service funds to conduct this study; and

(Continued on next page)

(Item 9 – continued from previous page)

- C. INVENTORY the options for increasing the City of Glendale's access to the Regional Transit System given the existing baseline Metrolink and future High Speed Rail service. This inventory will examine the existing infrastructure, planned and funded projects and potential future initiatives to improve connectivity to the greater Metro system.

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

10. APPROVED ON CONSENT CALENDAR:

2016-0614

- A. EXTENDING the Downtown Los Angeles Pilot for a period of 5 years.
- B. AUTHORIZING the Chief Executive Officer (CEO) to exercise options and execute Modification No. 4 to Contract No. PS272680011357 with Bicycle Transit Systems, Inc. to account for an accelerated schedule for the implementation and operation of the **Metro Countywide Bike Share expansion in Downtown Los Angeles** for an additional 5 years and in Venice, Pasadena, and the Port of Los Angeles for 6 years in the firm fixed amount of \$42,618,583, increasing the total contract value from \$11,174,329 to \$53,792,912 as follows:
 - 1. Extending Downtown Los Angeles Pilot in the amount of \$19,658,911
 - 2. Expansion to Venice in the amount of \$5,069,606
 - 3. Expansion to Pasadena in the amount of \$12,908,510 (inclusive of an initial two-year pilot for \$4,731,689 plus options for four additional years)
 - 4. Expansion to the Port of Los Angeles in the amount of \$4,907,529
 - 5. Implementing GPS equipment in bicycles to support Countywide modeling efforts in the amount of \$74,027
- C. AUTHORIZING the Life of Project budget (LOP) including the following capital costs:
 - 1. \$2.072M for Pasadena
 - 2. \$670K for Port of LA
 - 3. \$10K for Venice

(Continued on next page)

(Item 10 – continued from previous page)

- D. CHANGING the project sponsor for Call for Project Grant Number F9515 (Pasadena Bike Share Start Up Capital Costs) from Pasadena to Metro in order to utilize funding toward Metro Bike Share implementation in Pasadena.
- E. AUTHORIZING the CEO to take the following actions to expand the Metro Countywide Bike Share program:
 - 1. Negotiating and executing an amendment to the MOU between City of Los Angeles and Metro to expand bike share to Venice and extend DTLA MOU timeframe;
 - 2. Negotiating and executing a Memorandum of Understanding (MOU) between Pasadena and Metro to set the terms of fiscal and administrative responsibility as described in the January 2015 Receive and File (Attachment C); and
 - 3. Negotiating and executing a Memorandum of Understanding (MOU) between the Port of Los Angeles and Metro to set the terms of fiscal and administrative responsibility as described in the January 2015 Receive and File (Attachment C).

11. AUTHORIZED the Chief Executive Officer (CEO) to:

2016-0649

- A. EXECUTE Modification No. 13 to Contract No. PS10-4320-2618 with HDR Engineering, Inc. to prepare the Draft and Final Environmental Assessment (EA) for the **Restoration of Historic Streetcar Service in Downtown Los Angeles**, in the firm fixed amount of \$361,149, increasing the total contract value from \$3,075,793 to \$3,436,942; and
- B. INCREASE Contract Modification Authority (CMA) specific to Contract No. PS10-4320-2618 in the amount of \$200,000, increasing the total authorized CMA amount from \$476,000 to \$676,000 to support potential additional environmental assessment work.

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

12. APPROVED ON CONSENT CALENDAR:

2016-0730

- A. programming of up to \$17.233 million from **fiscal year (FY) 2016 Federal Department of Homeland Security Transit Security Grant Program (TSGP) and State Proposition 1B California Transit Security Grant Program funds** that are available for eligible capital transit projects, as shown in Attachment A;
- B. AMENDING the FY 2017 budget to add \$1.13 million in revenues and expenditures to begin implementing the recommended TSGP project shown in Attachment A; and
- C. ADOPTING the required FY 2016 resolution, as shown in Attachment B, authorizing the Chief Executive Officer to execute any actions necessary for obtaining state financial assistance that the California Office of Emergency Services may provide.

13. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to adopt:

2016-0762

- A. the attached resolution (Attachment A) **authorizing the Chief Executive Officer (CEO) or the CEO's Designee to negotiate, execute, and file federal, state, regional and local funding documents** for Board-approved projects and activities; and
- B. the attached resolution (Attachment B) authorizing the CEO or the CEO's Designee to **execute and file Federal Transit Administration funding documents** for Board-approved projects and activities.

14. RECEIVED AND FILED report on **Metro's Program Management Plan.**

2016-0706

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

16. FAILED DUE TO ABSENCES AND CONFLICTS:

2016-0610

- A. AUTHORIZING the Chief Executive Officer (CEO) to execute a nine-year cost-plus fixed fee contract plus two one-year options, Contract No. AE5818600MC072-PLE2, to Purple Line 2 CM Partners, a Joint Venture to provide **Construction Management Support Services** in an amount not-to-exceed \$8,890,488 through Fiscal Year 2018, subject to resolution of protest(s), if any; and

(Continued on next page)

(Item 16 – continued from previous page)

B. ESTABLISHING Contract Modification Authority for 15% of the not-to-exceed contract award value and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.

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

17. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer 2016-0720 to award to MARRS Services, Inc. a three-year cost-plus fixed fee Contract No. PS601800026331 for **Construction Management Support Services for Metro Bus Projects** with the most qualified firm in the amount not to exceed \$3,000,000, for a base term of three years plus two one-year options, subject to resolution of protest(s), if any.

18. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer 2016-0746 to execute Contract Modification No. 60 to Contract No. PS43502000 with Parsons Brinckerhoff (PB) to **provide continued design support services during construction for Section 2 of the Westside Purple Line Extension Project**, from November 2016 through June 2018, in an amount not-to-exceed \$9,551,411 increasing the total contract value from \$189,870,354 to \$199,421,765.

DK	PK	JDW	MB	MA	MRT	JF	EG	SK	JB	HS	AN	DD
			C	C			C			C		

19. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer 2016-0814 to negotiate and execute Modification No. 73 to Contract No. C0980, with **Regional Connector Constructors, to Revise Construction Sequencing and Allow for Earlier Retrieval of the Tunnel Boring Machine (TBM)**, within a not-to-exceed amount of \$3,700,000 increasing the total contract price from \$995,188,519 not-to-exceed \$998,888,519. This action does not increase the life-of-project budget.

DK	PK	JDW	MB	MA	MRT	JF	EG	SK	JB	HS	AN	DD
			C				C					

20. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to: 2016-0765
- A. AWARD a two-year, firm fixed price Contract No. PS2890900 to Del Richardson & Associates, Inc. for **professional services to operate the Metro Pilot Crenshaw/LAX Transit Project Business Solution Center (BSC)** in the amount of \$849,008 for the two-year period, subject to resolution of protest(s), if any; and
 - B. AMEND the FY17 budget in the amount of \$380,000 to fund the award of Contract No. PS2890900 for professional services to operate the pilot BSC.

21. APPROVED ON CONSENT CALENDAR nominees for **membership on Metro's Service Councils.** 2016-0659

22. RECEIVED AND FILED informational report in response to Board Motion on 2016-0742 **Line 501 to present proposed marketing plan, improved span of service and a temporary reduction in fare.**

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

26. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to 2016-0448 execute Modification No. 5 for Contract No. OP31202523 with Goodyear Tire & Rubber Company to **extend bus tire leasing and maintenance services for up to twelve (12) months**, for the period covering December 1, 2016 through November 30, 2017, in an amount not to exceed \$7,951,670, increasing the total not to exceed contract amount from \$41,138,647 to \$49,090,317.
27. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer 2016-0628 to execute Modification No. 1 to Contract No. OP31203099 to exercise the two, one-year options, with Hazardous Technologies Inc., for **liquid waste removal services**, in the total amount of \$1,617,800 increasing the total contract value from \$2,434,400 to \$4,052,200 and extend the contract term from November 1, 2016 to October 31, 2018.

28. ADOPTED ON CONSENT CALENDAR the findings of a **Title VI** 2016-0658
Triennial Review of FTA required service standards that found no disparate impact in the attainment of service standards relative to minority and non-minority services operated by Metro. This review was conducted for Metro bus and rail service during the fourth quarter of fiscal year 2016:

- A. Finding that the Metro bus system conforms to the adopted Bus Passenger Loading Standards and results in no disparate impact on minorities. The Rail Passenger Loading Standards cannot accurately be determined, due to the Metro Rail ridership data collection methodology. It relies on a limited number of staff counting the boarding and alighting passengers while riding a limited number of rail cars. (Attachment A); and
- B. Finding that the Metro bus system and rail system conform to the adopted Headway Standards and result in no disparate impact. (Attachment B); and
- C. Finding that while Metro bus lines are not in conformance with the adopted In-Service On-Time Performance Standards (ISOTP) of 80%, there was no disparate impact. The system wide average bus ISOTP was 73.0% on weekdays, 71.6% on Saturdays, and 76.8% on Sundays. The percentage of bus lines meeting this standard were 43.5% of weekday, 42.4% on Saturday and 54.8% during Sunday. All rail lines meet the standard of 90% for light rail and 95% for heavy rail. The assessment of the current findings are contained in (Attachment C); and
- D. Finding that Metro and its fixed route operating partners are in conformance and no disparate impact with the adopted System Accessibility Standard. (Attachment D); and
- E. Finding that Metro bus and rail service passenger facilities are in conformance and no disparate impact with the adopted Passenger Amenities Standards. (Attachment E); and
- F. Finding that the Metro bus system is in conformance and no disparate impact with adopted Vehicle Assignment Standards. Conformity of the Metro rail system was reviewed in early May 2016 and was impacted by the initial delivery of new light rail vehicles and the recent start of operation of the Metro Gold Line Foothill Extension. Only 15 of 235 new vehicles had been accepted at that time with most, of necessity, assigned to the Metro Gold Line. Metro rail system conformance should be reviewed at a later time after new vehicle deliveries are substantially complete.(Attachment F)

29. AUTHORIZED the Chief Executive Officer to reject all bids award a firm fixed unit rate Contract No. OP5608900 for **tree trimming services throughout Metro bus and rail facilities** and re-procure, excluding Metro Orange Line covered under a separate maintenance contract, with Great Scott Tree Service Inc., the lowest, responsive and responsible bidder, for a not to exceed amount of \$923,040 for the three year base period inclusive of as needed services, and \$299,930 for each of the two, one year options, for a combined total of \$1,522,900, effective January 1, 2017 through December 31, 2021, subject to resolution of protest(s), if any.

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

30. **WITHDRAWN:** AWARD of a firm fixed unit rate Contract No. OP6092200 2016-0728 for the **Metro Red/Purple Line Tunnel Washing services** with Parkwood Landscape Maintenance Inc., the lowest, responsive and responsible bidder, for a not-to-exceed amount of \$2,541,217 for the five year period, effective December 1, 2016, subject to resolution of protest(s), if any.
31. **WITHDRAWN:** AWARD of a firm fixed unit rate Contract No. OP6201700 2016-0729 for **uniform rental services** with UniFirst Corporation, for a not-to-exceed amount of \$2,528,837.41 for the three-year base period and \$2,528,837.41 for the one, three year option, for a combined total of \$5,057,674.82 effective November 1, 2016 through October 31, 2022, subject to resolution of protest(s), if any.
32. **CARRIED OVER FOR ONE MONTH:** AWARD AND EXECUTION of a 2016-0711 five-year, firm fixed unit rate Contract No. **OP608960027253** to Axiom xCell Inc., for **services related to the processing, adjudication and collection of transit and parking citations** in an amount not-to-exceed \$1,586,533 effective January 1, 2017 through December 31, 2021, subject to resolution of protest(s), if any.

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

39. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to execute two five-year lease agreements ("Lease Agreements"), including an additional five (5) year option, with Peggy Nairn, dba Penny and Peggy Nairn 24-Hour Child Care, Inc., ("Nairn") to **develop, finance, and operate two childcare facilities in Metro-owned buildings located in Chatsworth and Sylmar**, at a first year annual lease amount of sixty thousand dollars (\$60,000) and forty-eight thousand dollars (\$48,000), respectively, which are subject to an annual increase the second year to seventy-two thousand dollars (\$72,000) and sixty thousand dollars (\$60,000) respectively and annual adjustments based on Consumer Price Index (CPI) thereafter. 2016-0743

40. ADOPTED ON CONSENT CALENDAR the **Title VI Program Update** presented in Attachments A and B. 2016-0584

41. APPROVED ON CONSENT CALENDAR: 2016-0642

A. AUTHORIZING the Chief Executive Officer (CEO) to exercise Option 4.4, Additional Year of Operation and Maintenance (O&M) - Year 4, Modification No. 71 for Contract No. PS0922102333 with **Atkinson Contractors, LP (Atkinson) for Metro ExpressLanes Operation and Maintenance** in the amount of \$3,096,000, increasing the total Contract price from \$136,236,656 to \$139,332,656.

B. AUTHORIZING the CEO to execute Contract Modification No. 72 for additional **O&M Support Costs** for Option Year 4 in the amount of \$12,636,000, increasing the total contract price from \$139,332,656 to \$151,968,656.

C. AUTHORIZING the CEO to negotiate and execute Contract Modification No. 73 for **Additional Transponders** in the amount not-to-exceed \$12,200,000, increasing the total contract price from \$151,968,656 to \$164,168,656; and

D. APPROVING an increase in Contract Modification Authority (CMA) for Contract No. PS0922102333, to Atkinson in the amount of \$29,216,913 increasing the total CMA from \$78,138,041 to \$107,354,954 to cover the costs of the recommended Contract Modifications above, and any pending and future changes listed in the Contract Modification/Change Order Log (Attachment C).

DK	PK	JDW	MB	MA	MRT	JF	EG	SK	JB	HS	AN	DD
			C				C					

42. APPROVED AS AMENDED Motion by Directors Garcetti, Krekorian 2016-0852
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

42.1 FRIENDLY AMENDMENT AS AMENDED by Directors Solis and 2016-0865
Antonovich that the Board direct the CEO to coordinate with Foothill Transit and report back during the January board cycle with the following:

- 1. Determine the infrastructure and energy needs and associated costs for in-route, bus bay charging facilities at the El Monte Bus Station;
- 2. Explore the feasibility and opportunities and associated costs to establish and share a universal charging depot at Metro's Division 9;
- 3. Identify eligible funding sources and develop a strategy to pursue funding.

FRIENDLY AMENDMENT by Director Butts that we amend this Amendment to include the Harbor Gateway Transit Center as part of this examination as the southern terminus of the Silver Line.

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

43. APPROVED ON CONSENT CALENDAR Motion by Directors 2016-0838
Ridley-Thomas, Fasana, Bonin and Dupont-Walker that the Board of Directors direct the Chief Executive Officer (CEO) to dedicate up to \$1.2M towards the deployment of two or more multidisciplinary homeless outreach teams that are dedicated exclusively to the Metro system, take all actions necessary to transfer the funds to the County of Los Angeles to administer the program in coordination with the implementation of the Countywide Homeless Strategy Initiative, and report back to the Board of Directors during the FY17/18 budget cycle on whether ongoing funds for this initiative are warranted and recommended.

44. APPROVED:

2016-0566

- A. ESTABLISHING 16 contract agreements under the **Joint Development Bench, solicited as Request for Information and Qualification (RFIQ) No. PS26132**, with the contractors recommended in Attachment A-1 for a three-year period with two one-year options for professional services not-to-exceed a cumulative total value of \$6 million; and
- B. AUTHORIZING the CEO to award Task Orders within the approved not-to-exceed cumulative total value of \$6 million.

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

45. AUTHORIZED the Chief Executive Officer to award an 18 month firm-fixed 2016-0616 price Contract No. PS5782700 to **Axiom xCell Inc. in the amount of \$746,160 to design and implement a digital incident management solution.**

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

46. AUTHORIZED the Chief Executive Officer to **renew existing group insurance policies covering Non-Contract and AFSCME employees** for the one-year period beginning January 1, 2017.

2016-0556

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

47. AWARDED a cost plus fixed fee contract for **Technical and Program Management Support Services under Contract No. OP3043-3488, to LTK Engineering Services**, in the not-to-exceed amount of \$3,897,599 for a period of 46 months from issuance of a Notice-to-Proceed (NTP) for the **overhaul of 38 Heavy Rail Vehicles (HRV)** which are the base quantity, and for an additional not-to-exceed amount of \$597,238 for a period of 10 additional months for the Option balance of 36 HRVs when funding becomes available, for a total contract value of \$4,494,837.

2016-0554

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

48. APPROVED Motion by Directors Solis, Fasana, Dupont-Walker and Ridley-Thomas that the MTA Board direct the CEO and the Department of Planning and Programming to create a Union Station/Civic Center Exploratory Taskforce ("Taskforce") consisting of, but not limited to representatives from the City, County, Authority, and local community-based groups. Staff shall: 2016-0863

1. Develop a plan to formally coordinate across planning and infrastructure investments from the Taskforce member agencies in and around Union Station and the Civic Center;
2. Identify potential revenue generation opportunities, and partnerships necessary to pursue such opportunities;
3. Engage stakeholders early on and include the public, business leaders, other agencies and neighboring communities;
4. Ensure equitable distribution of benefits;
5. Seek funding opportunities, including applying for grants, that support the coordinated planning efforts;
6. Report back to the Board by February 2017 with a set of mutually agreeable goals and an action plan for achieving those goals, including potential funding sources for any needed studies or implementation efforts. The report back should also include a proposal for the future of the taskforce as a coordinating body;
7. Thereafter, report quarterly on progress toward implementing the Taskforce's goals.

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

49. CLOSED SESSION: 2016-0855

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

1. Susan Segal, et al. v. LACMTA, LASC Case No. BC509870

APPROVED settlement in the amount of \$4,000,000 of Metro's self-insured retention.

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

(Continued on next page)

(Item 49 – continued from previous page)

2. Estate of Zenon Vazquez Lucas, et al. v. LACMTA, LASC
Case No. BC541463

APPROVED settlement in the amount of \$700,000.

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

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

1. Property Description: 6022 Wilshire Blvd., Los Angeles, CA
Agency Negotiator: Carol A. Chiodo
Negotiating Party: Turner Art Gallery, Tenant
Under Negotiation: Price and Terms

APPROVED settlement in the amount of \$1,250,000.

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


2. Property Description: 6848 West Blvd., Los Angeles, CA
Agency Negotiator: Carol A. Chiodo
Negotiating Party: Edith Brogan and Brogan Studios
Under Negotiation: Price and Terms

APPROVED settlement in the amount of \$1,451,000.

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

ADJOURNED at: 12:18 p.m.

Prepared by: Deanna Phillips
Board Specialist


Michele Jackson, Board Secretary

Metro

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



MINUTES

SPECIAL BOARD MEETING

Thursday, November 17, 2016

11:00 AM

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

Directors Present:

John Fasana, Chair

Eric Garcetti, 1st Vice Chair

Sheila Kuehl, 2nd Vice Chair

Michael Antonovich

Diane DuBois

Jacquelyn Dupont-Walker

Don Knabe

Paul Krekorian

Ara Najarian

Carrie Bowen, non-voting member

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER at 11:15 a.m.

1. CARRIED OVER to the December 1, 2016 Board Meeting: 2016-0610

- A. AUTHORIZING the Chief Executive Officer (CEO) to execute a nine-year cost-plus fixed fee contract plus two one-year options, Contract No. AE5818600MC072-PLE2, to Purple Line 2 CM Partners, a Joint Venture to provide **Construction Management Support Services** in an amount not-to-exceed \$8,890,488 through Fiscal Year 2018, subject to resolution of protest(s), if any; and
- B. ESTABLISHING Contract Modification Authority for 15% of the not-to-exceed contract award value and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.

2. **CLOSED SESSION:** 2016-0907

- A. Kiewit Infrastructure West Co. f/k/a Kiewit Pacific Co. v. LACMTA, OAH Case No. A-0011-2015

APPROVED SETTLEMENT, the terms of which will be made available when the parties sign the written settlement agreement.

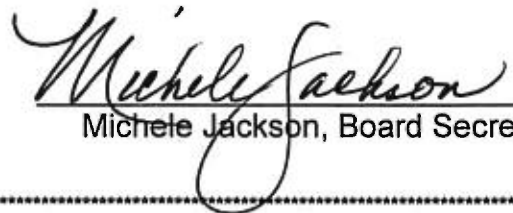
DK	PK	JDW	MB	MA	MRT	JF	EG	SK	JB	HS	AN	DD
A	Y	Y	A	Y	A	Y	C	Y	A	A	Y	Y

- B. Beverly Hills Unified School District v. LACMTA, et al, USDC, Central Dist. of CA, Case No. CV16-8390

NO REPORT.

ADJOURNED at: 12:08 p.m.

Prepared by: Collette Langston
Board Specialist


 Michele Jackson, Board Secretary

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

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

**Board Report**

File #: 2016-0740, **File Type:** Agreement**Agenda Number:** 10.

**FINANCE, BUDGET AND AUDIT COMMITTEE
NOVEMBER 16, 2016****SUBJECT: FUND EXCHANGE IN SUPPORT OF SCRRA ADOPTED WORK PROGRAM****ACTION: APPROVE REVENUE-NEUTRAL FUND EXCHANGE AGREEMENT BETWEEN METRO, VCTC AND SCRRA****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a **revenue-neutral fund exchange agreement between Metro, the Ventura County Transportation Commission (VCTC) and the Southern California Regional Rail Authority (SCRRA) to fund FY16 and FY17 SCRRA rehabilitation projects.**

ISSUE

Metro and VCTC are among the partner agencies in the Joint Exercise of Powers Authority (JPA) that form the SCRRA, operators of the Metrolink commuter rail system in the Southern California region. VCTC does not have a local transportation sales tax, and, for many years VCTC has funded a portion of its annual Metrolink operating subsidies by exchanging its federal formula funds with Metro local Proposition C10% (PC10) funds within the SCRRA's rehabilitation budgets.

Starting in FY 2015-16, as a result of increases in operating subsidies for Metrolink and reduced availability of Metro's PC10 funding, the previously-utilized funding mix is no longer available for SCRRA Rehabilitation projects to facilitate VCTC's annual operating fund exchange. Metro currently funds SCRRA rehabilitation projects with Measure R3% which are restricted to capital funding and are ineligible for operations. The change in the available funding has left VCTC without a vehicle to meet its operating subsidy obligations for Metrolink.

DISCUSSION

VCTC has placed a proposed transportation sales tax measure on the November ballot and if adopted by Ventura County voters, would provide the majority of funding for their local obligation beginning in FY18. Additionally, the SCRRA, working with the Member Agencies, is also exploring the introduction of federal funding for Preventive Maintenance within the operating program. These two combined actions are expected to provide a long term solution on behalf of VCTC and provide

additional options for our partners within the agency.

However, in order to address the current shortfall resulting from the rapid increase in subsidy requirements, and allow VCTC time to implement these potential alternative and additional sources of Metrolink operating support, Metro agreed to assist VCTC in identifying possible short-term solutions.

Staff, working with our partner agencies and the FTA, have identified two proposed, revenue neutral, multi-agency exchanges of FTA funding that would provide the short term resolution of VCTC's shortfall and ensure the ongoing viability of the partnership. The exchanges are summarized in Attachment A and described below.

The first consists of an exchange of Section 5337 funds between VCTC, the Orange County Transportation Authority (OCTA), and Metro in the amount of \$6,857,000. VCTC would provide federal funding to support SCRRA projects sponsored by OCTA within the SCRRA operating system. OCTA would provide funds to Metro eligible for exchange resulting from Metro and OCTAs sharing the same federally designated Urbanized Area (UZA). These funds are applicable to State of Good Repair projects within the UZA and can be used for Metro Rail's State of Good Repair program.

Secondly, an exchange of FTA Section 5307 funds between VCTC and Metro in the amount of \$5,103,189 is proposed, with funding applied to eligible Metro Rail Preventive Maintenance expenses.

For these fund exchanges, Metro would provide \$11,960,189 of local funds to SCRRA to be applied exclusively to VCTC's operating subsidy obligations. Upon completion of the transfers of funds, Metro is under no further obligation to support future exchanges.

FINANCIAL IMPACT

The proposed actions are revenue neutral to Metro and the transactions are all expected to be completed within the current fiscal year. The result of the exchange is an increase in federal funds for Metro's Rail Preventive Maintenance program offset by a reduction in local funds.

ALTERNATIVES CONSIDERED

The Board could choose to not approve the execution of the proposed fund exchange agreement. This is not recommended as this action is revenue neutral to Metro, supports our partner agency VCTC in the SCRRA JPA, and will ensure current commuter rail operations in Los Angeles County

are not negatively impacted.

NEXT STEPS

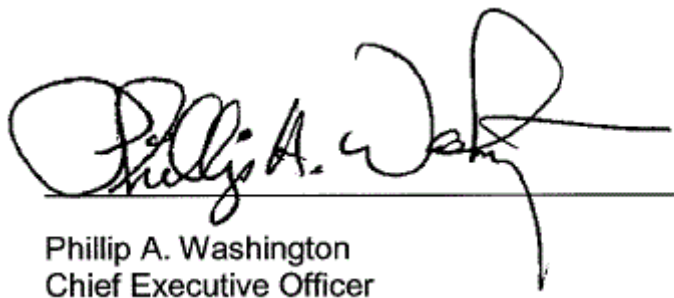
Upon Board approval, staff will execute the Fund Exchange Agreement between the parties and ensure appropriate FTIP revisions are executed.

ATTACHMENTS

Attachment A Summary of Exchanges

Prepared by: Drew Phillips, Director, Budget, (213) 922-2109
Cosette Stark, DEO, Regional Grants Management, (213) 922-2822
Marinela De Castro, Senior Manager, Transportation Planning, (213) 922-6166

Reviewed by: Therese McMillan, Chief Planning Officer, (213) 922-7077
Nalini Ahuja, Chief Financial Officer, (213) 922-3088

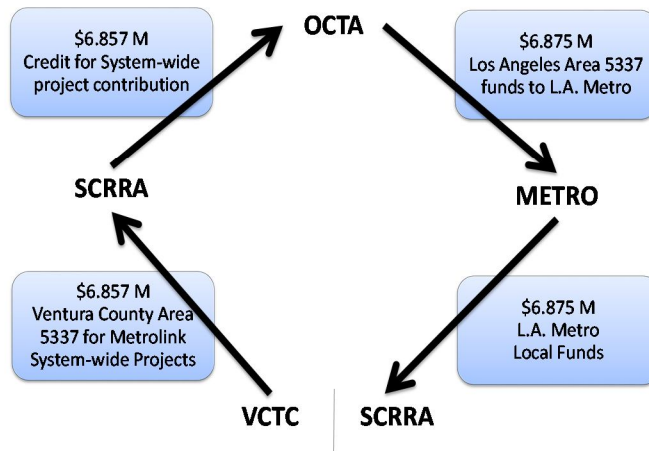


Phillip A. Washington
Chief Executive Officer

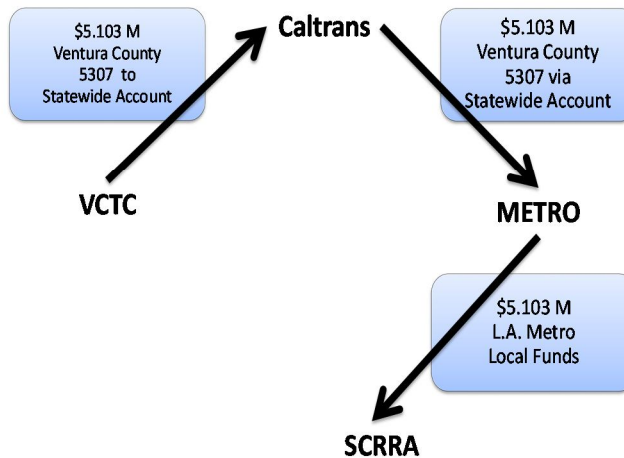
VCTC/ SCRRRA Exchange

Fund Type	VCTC	OCTA	Metro	SCRRRA
VCTC 5337	(\$ 6,857,000)	\$6,857,000		
OCTA 5337		(\$6,857,000)	\$ 6,857,000	
VCTC 5307	(\$ 5,103,189)		\$ 5,103,189	
Metro Local			(\$11,960,189)	\$11,960,189
Total	(\$11,960,189)	0	0	\$11,960,189

Section 5337 Fund Exchange
FY 2015-16 and FY 2016-17



Section 5307 Fund Exchange
FY 2015-16 and FY 2016-17



**Board Report**

File #: 2016-0498, **File Type:** Agreement**Agenda Number:** 11.

**PLANNING AND PROGRAMMING COMMITTEE
NOVEMBER 16, 2016****SUBJECT: CULVER CITY STATION ADJACENT DEVELOPMENT****ACTION: AUTHORIZE REAL ESTATE AGREEMENTS****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer, or his designee, to execute a **Perpetual Easement Agreement, Reciprocal Easement Agreement and other related documents with the city of Culver City (City) and/or the developer and other related parties to allow for the construction, use, operation and maintenance of the Ivy Station mixed-use development project adjacent to the Metro Expo Culver City Station** as described in Attachment D which will include a Metro park-and-ride facility as contemplated by a previously Board-approved and executed Option Agreement and Memorandum of Understanding with the City.

ISSUE

In September 2011, Metro entered into an Option Agreement with the City for a perpetual easement to provide for construction of a transit-oriented development on a portion of Metro-owned right-of-way adjacent to the Metro Expo Line Culver City Station (Station), the primary consideration for which is the provision of the existing parking on the Project Site prior to construction, 235 parking spaces in the City's Ince Garage during construction of the development, and 300 park-and-ride spaces as part of the future development. In February 2012, the City selected Lowe Enterprises, doing business as Culver Station LLC (Developer), to develop a mixed-use development on a series of assembled parcels adjacent to the Station, including a portion of the Metro-owned right-of-way as contemplated in the Option Agreement. The City desires to exercise its option and the Metro Board of Director's (Board) authorization to enter into agreements and consider environmental effects of the project is necessary to effectuate the transaction.

DISCUSSION***Background***

In 2000, the City commenced planning for the redevelopment of the parcels surrounding the Station, and subsequently began assembling parcels and working with Metro to incorporate portions of its right-of-way with the intent of developing a transit-oriented development at the Station. In January 2011, Metro and the City, along with the former Culver City Redevelopment Agency (Former Agency) and the Exposition Metro Line Construction Authority (Authority) entered into a Memorandum of

Understanding (MOU) to cooperate on the planning, development and construction of a transit-oriented development and parking facility at the Station including the preparation of an Option Agreement for perpetual easement for a portion of Metro-owned right-of-way adjacent to the Station. Consistent with the terms of the MOU, the City reimbursed the Authority \$3.1 million for structural redesign and enhancements to the Expo Line and the Station to allow subterranean parking abutting the Expo Line. The City and Metro also entered into license agreements which provided for the construction, use, operation and maintenance of temporary park-and-ride spaces on the project site, along with terms for a license to use the Ince Garage, a nearby City parking facility, to house replacement parking spaces as further described below until such time as the transit-oriented development and the associated permanent park-and-ride spaces are complete and made available to Metro.

Project Site

The project site is bounded by Washington Boulevard to southeast, National Boulevard to the northeast, Venice Boulevard to the northwest, and the Metro Expo Line right-of-way to the south and is located within both Culver City and the City of Los Angeles (Project Site). The total developable area of the Project Site is 5.53 acres and includes 1.67 acres of Metro right-of-way (LACMTA Easement Area). The LACMTA Easement Area consists of the northerly 91 feet of the 150-foot LACMTA right-of-way in the vicinity of the Station; the southerly 59 feet (Station Parcel) houses the Station and Expo Line right-of-way and is not subject to the grant of perpetual easement. The Project Site and LACMTA Easement Area are further depicted in Attachment A - Site Map.

Project Overview

The proposed Ivy Station development project (Project) is proposed to include: 148 hotel rooms; 200 residential units; approximately 197,000 gross square feet of office use; approximately 57,800 gross square feet of retail and restaurant use; and a total of approximately 1,480 parking spaces in a three-level subterranean structure which spans the entirety of the Project Site, including the LACMTA Easement Area up to the northern limits of the Station Parcel. The parking garage will include 300 dedicated Metro park-and-ride spaces on the P-3 level with controlled access for Metro transit patrons (Metro Parking Area).

The Project will also include approximately 100,000 square feet of highly programmed outdoor open space accessible to the public, with careful attention paid to creating a seamless and inviting connection between the Project and the Station as well as other transit amenities in the vicinity including bus stops and active transportation infrastructure such as the Metro Bike Hub/Clean Mobility Center under development at the Station. Additionally, Metro will be provided eight dedicated at-grade parking stalls intended to support car share operations at the Station and a dedicated pick-up/drop-off zone within the Project. A Project site plan and renderings detailing the proposed Project are included as Attachment B along with Attachment C, a P-3 level plan depicting the Metro Parking Area.

The Project is anticipated to start construction in late 2016/early 2017 and will take approximately two and a half years to complete.

Proposed Transaction

The proposed Perpetual Easement Agreement (Easement Agreement), which is substantially

consistent with the terms contemplated in the September 2011 Option Agreement as approved by the Board, will be entered into by Metro and the City. The Easement Agreement will grant the City a perpetual easement on, under, and above the LACMTA Easement Area to construct, use, operate, maintain, repair and/or reconstruct parking uses, transit plaza uses, and residential and commercial uses of up to 100,000 square feet of which not more than 10,000 square feet may be in the below-grade portions of the LACMTA Easement Area. While the Option Agreement contemplated requests for additional square footage would be covered in a ground lease, these additional uses have been included as part of the Easement Agreement. Metro will retain access rights for purposes of constructing, inspecting, operating or maintaining Metro-related transit improvements on the Station Parcel including the Station.

Concurrent with executing the Easement Agreement, Metro, the City and the Successor Agency to the Former Agency (Successor Agency) will enter into a Reciprocal Easement Agreement (REA) which shall provide Metro with rights to access and utilize the Metro Parking Area at all times along with non-exclusive rights for pedestrian access between the Metro Parking Area and the Station and other publicly accessible pedestrian pathways throughout the Project Site.

The Easement Agreement will allow the City to assign its rights and responsibilities to the Developer. A single closing is anticipated whereby: (1) the City will exercise its option with Metro by executing the Easement Agreement; (2) Metro, the City and the Successor Agency will execute the REA; (3) the City and the Successor Agency will transfer their respective fee interest in the Project Site to the Developer; and (4) the City will assign its rights and responsibilities under the Easement Agreement and the REA to the Developer.

In consideration for Metro's grant of easement and development rights within the LACMTA Easement Area described above, the Developer will be responsible for the cost of designing, constructing, operating and maintaining the Project including: the 300 Metro park-and-ride spaces within the Metro Parking Area; the transit plaza and all publicly access passageways including associated landscaping; transit signage throughout the Project Site; and reimbursement of reasonable costs incurred by Metro in connection with reviewing plans, monitoring construction, and effectuating the transaction. A more complete summary of key terms and conditions of the Easement Agreement and REA are included as Attachment D.

Replacement Parking

The temporary 550 Metro and park-and-ride spaces currently at the Culver City Station will be eliminated once construction of the Project commences. Per existing agreements with the City, prior to the start of construction and until such time as the permanent 300 park-and-ride spaces are made available in the Project, the City shall provide, at no cost to Metro, a license for 235 dedicated spaces in the City's Ince Garage located approximately two blocks southwest of the Station. Any unmet parking demand will be directed to alternate Metro park-and-ride facilities such as the La Cienega/Jefferson and Expo/Sepulveda Station garages along the Expo Line where space is currently available.

CEQA Compliance

The Project has been cleared under the California Environmental Quality Act (CEQA) process with Culver City as the lead agency. All public comments have been received (including those of Metro)

and addressed and have been incorporated into the City's Mitigated Negative Declaration (MND) document (<http://www.culvercity.org/home/showdocument?id=2044>). The MND includes information on all impacts especially those that exceed the threshold of significance and, where appropriate, their corresponding mitigation measures.

Environmental mitigation has been identified for the following types of impacts:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Greenhouse Gasses;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Noise;
- Public Services;
- Transportation/Traffic; and
- Utilities and Service System.

Specific details of the impacts as well as their corresponding mitigation measures were originally cited as Appendix C of the MND and are included herein as Attachment E. The mitigation measures will be implemented commencing at the design and construction process. Culver City finds that implementation of the mitigation measures will result in less than significant impact with respect to:

- Degradation of the environment, biological resources, and cultural resources;
- Cumulative impacts; and
- Direct and indirect impacts to human beings.

As a responsible agency, Metro will be working with Culver City, the lead agency, in ensuring the implementation of mitigation measures.

DETERMINATION OF SAFETY IMPACT

The proposed Project and associated transaction will help improve access between the Station, adjacent transportation amenities and the surrounding community and will have no direct, adverse impact on safety. Construction documents and construction work plans shall be subject to Metro review and approval and Metro shall monitor construction activities to ensure Metro infrastructure and operations are not compromised.

FINANCIAL IMPACT

The costs to construct, maintain and operate the Project (including the 300 park-and-ride spaces) as well as the replacement parking spaces are the responsibility of the City and/or the Developer. Metro will retain the right to set parking rates and receive revenues from Metro park-and-ride spaces upon completion of the Project. Metro will also have the right to set rates and receive parking fees for the

replacement parking spaces.

Impact to Budget

Metro shall have no cost obligations associated with the proposed Project, other than transaction costs which are budgeted in Cost Center 2210, and therefore there are no financial impacts to Metro including bus and rail operations.

ALTERNATIVES CONSIDERED

The Board could choose not to take the recommended actions or reject the current terms and conditions. However, staff does not recommend this option as the proposed transaction is consistent with the intent of the Option Agreement previously approved by the Board and executed by Metro and the City.

NEXT STEPS

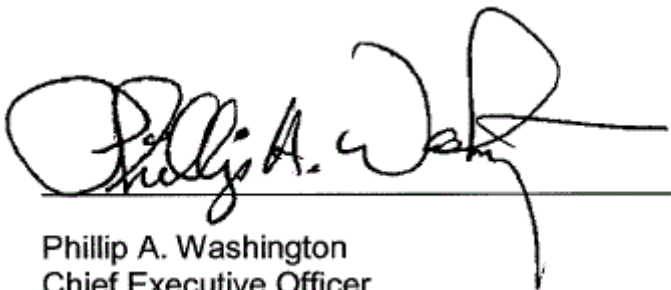
Upon approval by the Board, staff will finalize negotiations and enter into the appropriate agreements with the City and/or the Developer subject to the satisfaction of the conditions precedent outlined in the Option Agreement and Attachment D - Summary of Key Terms and Conditions.

ATTACHMENTS

- Attachment A - Site Map
- Attachment B - Project Site Plan and Renderings
- Attachment C - Metro Parking Area
- Attachment D - Summary of Key Terms and Conditions
- Attachment E - MND Mitigation Monitoring Program

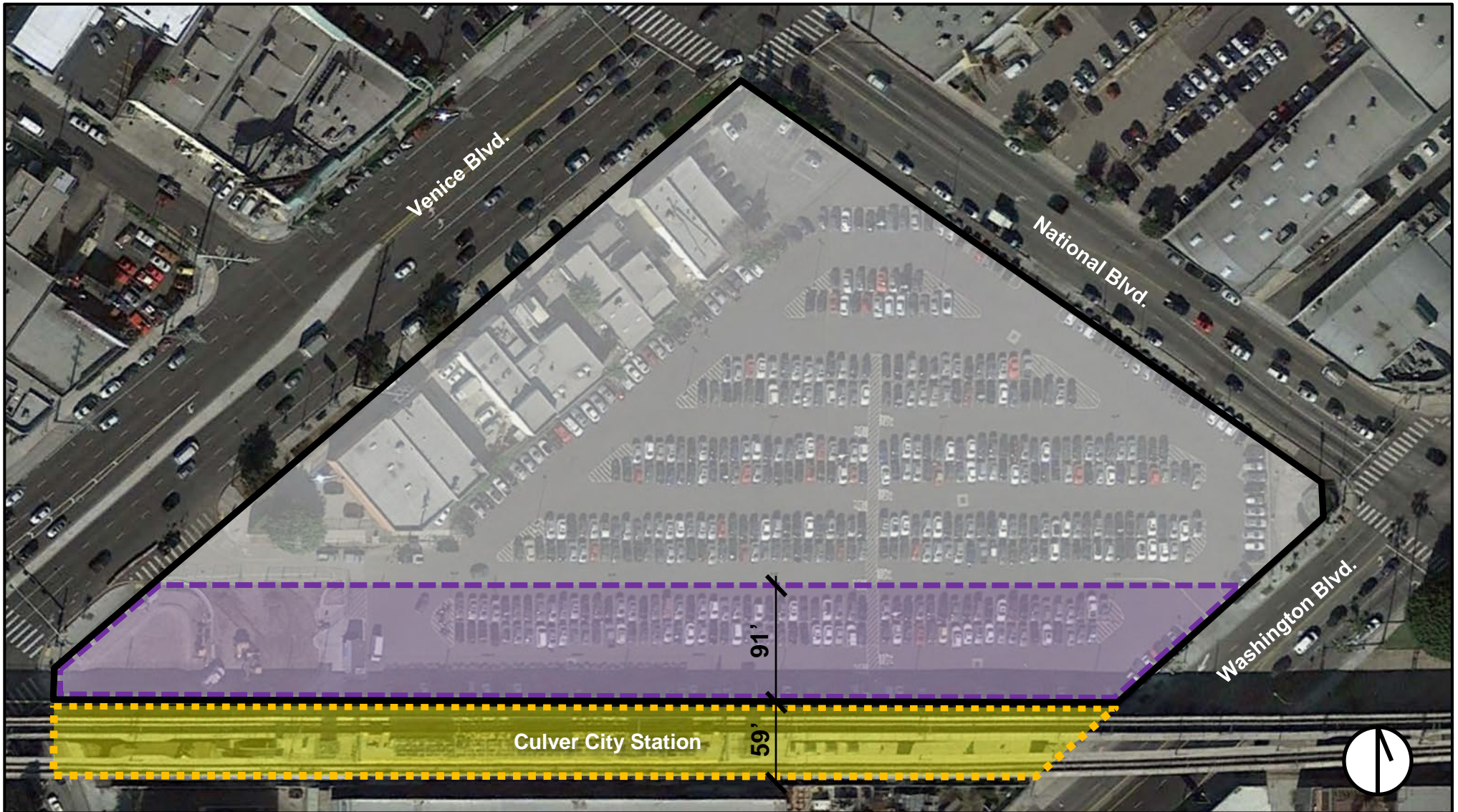
Prepared by: Nick Saponara, Senior Director - Joint Development, (213) 922-4313
Frank Ching, Senior Director - Parking Management, (213) 922-3033
Cris B. Liban, Executive Officer - Env. Compliance/Sustainability (213) 922-2471
Cal Hollis, Senior Executive Officer, (213) 922-7319

Reviewed by: Therese W. McMillan, Chief Planning Officer, (213) 922-7077



Phillip A. Washington
Chief Executive Officer

Attachment A Site Map



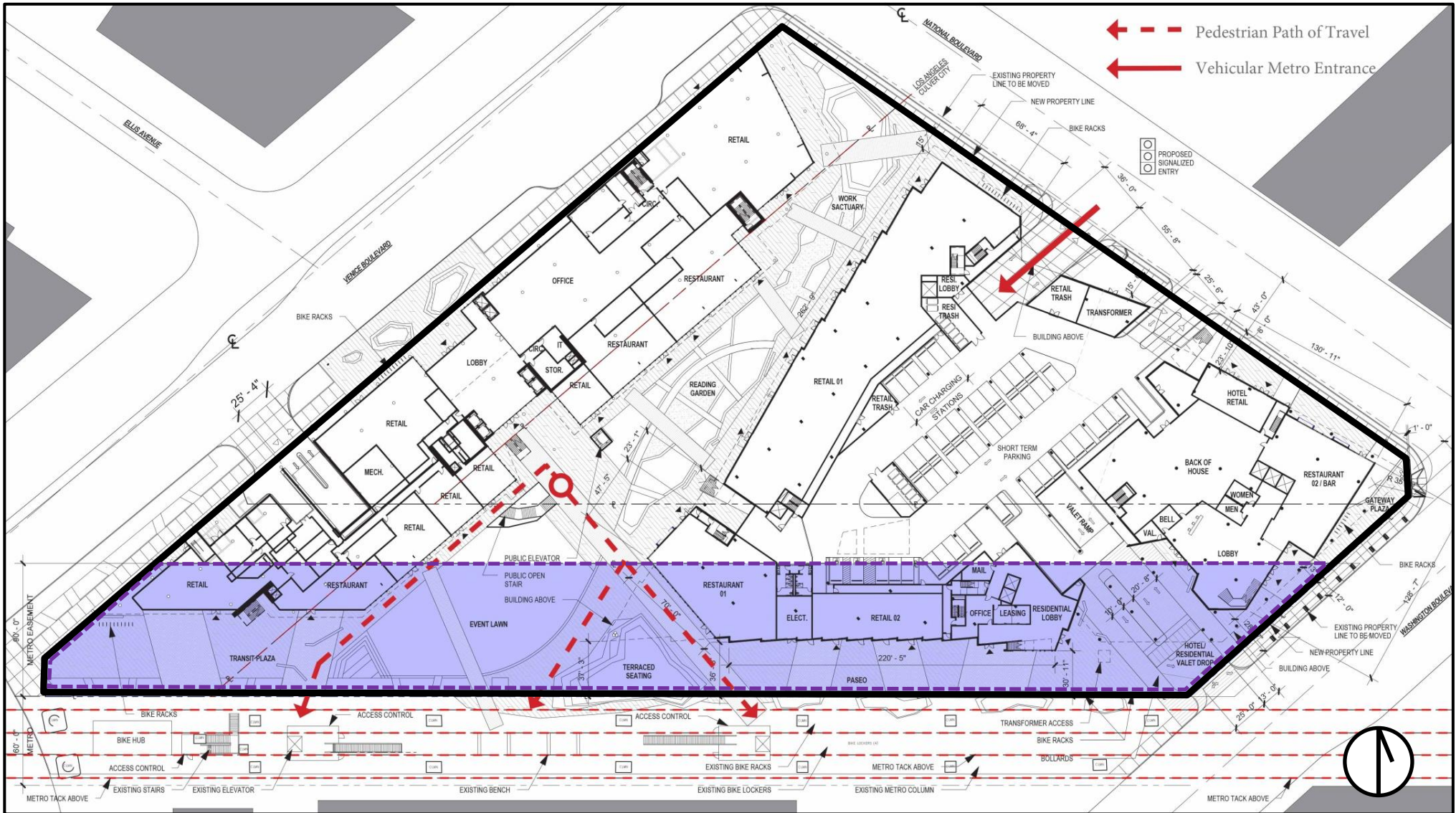
 Project Site

 LACMTA Easement Area

 Station Parcel

Attachment B

Project Site Plan and Renderings



 Project Site

 LACMTA Easement Area

Attachment B (cont'd)
Project Site Plan and Renderings

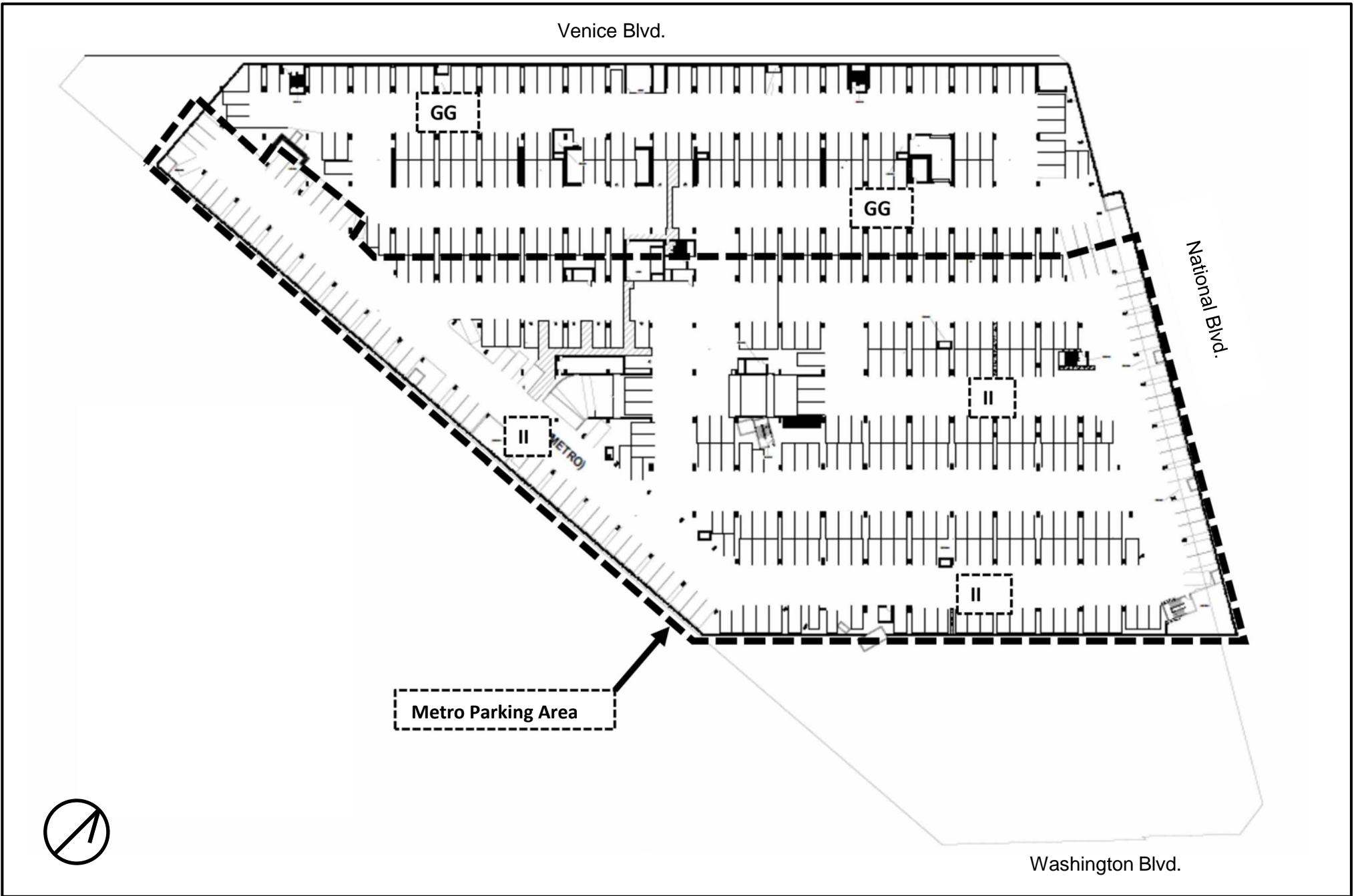


Aerial



Transit Plaza

Attachment C
Metro Parking Area (P-3 Level)



**SUMMARY OF KEY TERMS AND CONDITIONS
OF PERPETUAL EASEMENT AGREEMENT AND RECIPROCAL EASEMENT AGREEMENT
FOR THE IVY STATION PROJECT AT THE CULVER CITY STATION**

DATED: OCTOBER 20, 2016

GENERAL DESCRIPTION

- OPTION AGREEMENT:** There is an existing Option Agreement for Perpetual Easement dated as of September 29, 2011, among the Los Angeles County Metropolitan Transportation Authority (“**LACMTA**”), the City of Culver City (“**City**”), and the Culver City Redevelopment Agency (the “**Former Agency**”), recorded on October 3, 2011 in the Official Records of Los Angeles County, California as Instrument No. 20111337175 (the “**Option Agreement**”). Under the Option Agreement, LACMTA granted to the City and the Former Agency an option to acquire a perpetual easement over the LACMTA Easement Area (as defined below) on the terms and conditions set forth in the Option Agreement. The Project has evolved and different rights are being requested which requires staff to return to the Board for approval of the transaction described herein.
- PARTIES:** The parties to the Perpetual Easement Agreement (the “**Easement Agreement**”) are LACMTA, a California county transportation authority existing under the authority of the California Public Utilities Code, and the City, a municipal corporation and charter city of the State of California.
- The parties to the Reciprocal Easement Agreement and Declaration of Covenants, Conditions and Restrictions (the “**REA**”) are LACMTA, the City, and the Successor Agency to the Former Agency (“**Successor Agency**”). The City and Successor Agency will assign their rights and obligations under the REA immediately to Culver Station LLC, a Delaware limited liability company (“**Developer**”), an affiliate of Lowe Enterprises Real Estate Group.
- PROJECT SITE:** The Project site is bounded by Washington Boulevard to southeast, National Boulevard to the northeast, Venice Boulevard to the northwest, and the Metro Expo Line right-of-way to the south and is located within both the City of Culver City and the City of Los Angeles (the “**Project Site**”). The total developable area of the Project Site is 5.53 acres and includes 1.67 acres of

Metro right-of-way (the "**LACMTA Easement Area**"). The City and Successor Agency own the balance of the Project Site. The LACMTA Easement Area consists of the northerly ninety-one feet (91') of the one hundred fifty foot (150') LACMTA right-of-way (the "**LACMTA Parcel**") and excludes the southerly fifty-nine feet (59') of the LACMTA Parcel (the "**Station Parcel**") which houses the Metro Culver City Station (the "**Station**") and Metro Expo Line. The Project Site is further depicted in Attachment A to the Board report.

PROPOSED PROJECT:

The proposed Ivy Station development project (the "**Project**") will be constructed on the Project Site by Developer, or another development entity created by Developer, at Developer's or such entity's sole cost and expense. The Project will include approximately 148 hotel rooms, approximately 200 residential units, approximately 197,000 square feet of office use, approximately 57,800 square feet of retail and restaurant use, and approximately 1480 parking spaces in a three-level subterranean structure ("**Parking Structure**"), including 300 dedicated LACMTA parking spaces as further described herein, plus approximately 50 surface parking spaces, 8 of which will be dedicated LACMTA park-and-ride spaces. The Project will also include approximately 100,000 square feet of outdoor open space accessible to the public.

A site plan and renderings detailing the proposed Project are included as Attachment B to the Board report and are subject to modification and revision as set forth herein.

PHASED DEVELOPMENT:

The Project is anticipated to be constructed in a single phase.

GENERAL CONDITIONS

DEVELOPMENT

ENTITLEMENTS AND OTHER

LEGAL REQUIREMENTS:

Developer has, at its sole cost and expense, obtained all required entitlements for the Project from the City of Culver City and the City of Los Angeles. On March 28, 2016, Culver City's City Council adopted the final ordinance to conditionally approve Tentative Tract Map No. 73978 (the "**TTM**"), Comprehensive Plan (the "**Comprehensive Plan**") P2015-0141-CP, and Height Exception (the "**Height Exception**") P2015-0141-HTEX, for the Project. In addition to this, Culver City adopted a Mitigated Negative Declaration (the "**MND**") for the Project, in compliance

with the California Environmental Quality Act (“**CEQA**”). On July 15, 2016, the City of Los Angeles Planning Department issued an approval for Site Plan Review, Conditional Use Permits, and Zoning Administrator Determination for the Project. On October 11, 2016, Developer received approval from the Los Angeles City Council for a General Plan Amendment and the Zone Change/Height District Change. The REA and Easement Agreement will require Developer to comply with all conditions of approval to such land use entitlements, and all zoning and planning requirements and other legal requirements related to the development, construction, and operation of the Project. Prior to entering into the Easement Agreement and REA, the LACMTA Board will need to make the requisite findings based on the MND as a responsible agency pursuant to CEQA requirements.

AS-IS CONDITION: The easement over the LACMTA Easement Area is being granted to the City under the Easement Agreement in its as-is condition, without any warranty by LACMTA.

CLOSING: The Parties contemplate a single Closing, which will occur upon satisfaction or waiver by the appropriate party of all the Closing Conditions under the Option Agreement. At Closing, City and LACMTA will enter into the Easement Agreement, City, Successor Agency and LACMTA will enter into the REA, and the City and Successor Agency will transfer to Developer their respective fee interests in the Project Site and assign to Developer their interests under the Easement Agreement and REA, including the easement over the LACMTA Easement Area.

REPLACEMENT SPACES: As part of the closing, the License Agreement for Use, Operation, Maintenance and Repair of Temporary Parking Spaces executed on September 29, 2011 by and between LACMTA and the City (“**Temporary Parking License Agreement**”), shall be modified to include a license for LACMTA to use two hundred thirty-five (235) dedicated self-park parking spaces (“**Replacement Spaces**”), with no valet services required, and with no less than the existing ratio of standard stalls and compact stalls in the City’s Ince parking garage located at 9099 Ince Boulevard in Culver City (“**Ince Garage**”) at no cost to LACMTA, for the purpose of replacing parking spaces dedicated for LACMTA parking during construction of the Project. The Replacement Spaces shall be accessible 24 hours per day, seven days per week, without limitation. The Replacement Spaces shall be available for the

duration of the Project construction and until such time as the LACMTA Parking is made available.

TIEBACK EASEMENT:

In consideration for Developer being responsible for the cost to fabricate and maintain Transit Signage, LACMTA shall provide a Tieback Easement through a separate agreement in favor of the Developer who shall be responsible for the engineering and design, installation, tensioning and de-tensioning of the tiebacks and excavation shoring plan, as determined by Developer's general contractor subject to review and approval by LACMTA.

**REIMBURSEMENT
AGREEMENT:**

Pursuant to a separate Adjacent Development Funding Agreement, Developer will reimburse LACMTA for its reasonable costs incurred in connection with the Project, including, without limitation, reviewing plans and monitoring the construction of the Project. In addition, Developer will also reimburse LACMTA for its reasonable consulting costs and legal fees incurred in connection with this transaction.

KEY PERPETUAL EASEMENT TERMS:

GENERAL:

Consistent with the intent of the Option Agreement and after LACMTA Board approval and City and Developer acceptance of this Summary of Key Terms and Conditions, City and/or Developer has met all Conditions Precedent in the Option Agreement as further defined herein, Developer has met all CEQA requirements, and the LACMTA Board has made the requisite findings as a responsible agency pursuant to CEQA requirements, and the execution and delivery of the REA, LACMTA, and the City will enter into the Easement Agreement containing terms and conditions that are substantially consistent with those set forth in this Summary of Key Terms and Conditions, subject to any modifications as directed by the LACMTA Board.

GRANT OF EASEMENT:

LACMTA shall grant to City a perpetual easement on, under, and above the LACMTA Easement Area to construct, use, operate, maintain, repair and/or reconstruct parking uses, transit plaza uses, and residential and commercial uses of up to 100,000 square feet (excluding parking uses), of which not more than 10,000 square feet may be in the below grade portion of the LACMTA Easement Area.

TERM: The Easement Agreement shall be effective upon execution by LACMTA and the City and the grant of easement and all of the covenants contained within shall continue in full force in perpetuity subject to certain rights and remedies of LACMTA described below.

REMEDIES: If the Developer fails to complete the initial construction of the LACMTA Parking, LACMTA is entitled to certain remedies as more particularly described in the Easement Agreement and REA, which may result in termination of the Easement Agreement. If the Easement Agreement terminates at such time, the Option Agreement will be automatically reinstated as described in the Easement Agreement.

Further, if the Project is constructed by Developer but Developer fails to restore the LACMTA Parking within a negotiated period after a casualty event, LACMTA will be entitled to certain remedies as more particularly described in the Easement Agreement and REA, which may result in termination of the Easement Agreement. If the Easement Agreement terminates at such time, the Option Agreement may be reinstated as described in the Easement Agreement and REA so that the City will have the right, within an agreed period, to bring a new developer to the Project and obtain a replacement easement to allow the new project to proceed on similar terms to the existing Easement Agreement.

NON-PEAK PARKING During the first year of LACMTA Parking operation and thereafter, LACMTA will determine, in good faith, and notify the City for the upcoming year how many LACMTA Parking spaces, if any, may be available for use by City during “non-peak” hours on a seasonal basis. Based on LACMTA’s determination of available spaces, the City may submit a proposal for LACMTA’s consideration on the use by the City of such spaces during such non-peak hours, including proposed terms for any revenue sharing, vacation of such spaces each night by the recommencement of transit services at the Station the next morning, and other terms relating to such use by the City. LACMTA will consider any such proposal in its reasonable discretion, and if approved by LACMTA, such terms will be incorporated into a separate License Agreement between LACMTA and the City, and subject to certain terms in the REA that will be applicable only if LACMTA enters such License Agreement with the City. Notwithstanding the above, the City may

submit a proposal in the first year of operation for LACMTA consideration subject to the availability of sufficient data to determine non-peak hours and available spaces at LACMTA's sole and absolute discretion.

During the period that the Station is being operated for transit purposes, if LACMTA receives a proposal for the use of some of the LACMTA Parking from one or more third parties (other than the City) and if LACMTA is willing to accept such proposal, then prior to accepting such proposal LACMTA will first notify the City of such proposal and give the City 15 days to respond to LACMTA that the City wishes to match the terms of such proposal and use such LACMTA Parking spaces on the same terms. If the City timely accepts the terms of such proposal, then LACMTA will enter into a license with the City on such terms. If the City fails to timely accept the proposal, then LACMTA may provide for the use of the LACMTA Parking spaces by such third party.

During any period in which the Station is not being operated for transit purposes, LACMTA may provide for the use of the LACMTA Parking spaces by any third party without any limitation, provided that LACMTA shall still consider, in LACMTA's reasonable discretion, any City proposal for non-peak hour use of such LACMTA Parking spaces (i.e., when the parking is available for uses other than use by LACMTA or its permittees).

CONDITIONS TO CLOSING:

The following conditions precedent ("**Conditions Precedent**") shall be satisfied (or waived by LACMTA) prior to executing the Easement Agreement: (a) Construction drawings for the Project, as further defined in the Easement Agreement, shall have been 100% completed and approved by any governmental agency having jurisdiction thereof and by LACMTA; (b) all permits and approvals required by any governmental agency having jurisdiction thereof, as further defined in the Easement Agreement, shall have been obtained and the Developer shall have complied with, or shall have caused compliance with all applicable laws, rules and regulations, including, without limitation, full compliance with CEQA; (c) Developer shall have provided LACMTA with reasonably satisfactory evidence that the Developer has sufficient funding in place to pay for the cost of construction and completion of the Parking Structure (including the Shoring Wall); (d) the City, Successor Agency and Developer shall have executed the REA subject to the terms and conditions described below concurrently with the Easement Agreement; (e) the City shall have exercised in

writing the option to acquire the Easement as set forth in the Option Agreement (to be delivered concurrently with Closing); (f) the City shall have, concurrently with its execution and delivery of the Easement Agreement and the REA conveyed title to all parcels in the Project Site owned by it to Developer; and (g) the Successor Agency shall have, concurrently with its execution and delivery of the REA conveyed title to all parcels in the Project Site owned by it to Developer.

KEY RECIPROCAL EASEMENT AGREEMENT TERMS:

GENERAL:

Consistent with the intent of the Option Agreement, and after LACMTA Board approval and City and Developer acceptance of this Summary of Key Terms and Conditions, City and/or Developer has met all Conditions Precedent in the Option Agreement as further defined herein, Developer has met all CEQA requirements, and the LACMTA Board has made the requisite findings as a responsible agency pursuant to CEQA requirements, LACMTA, the City and Successor Agency will enter into the REA, with Developer concurrence, containing terms and conditions that are substantially consistent with those set forth in this Summary of Key Terms and Conditions, subject to any modifications as directed by the LACMTA Board.

Under the REA, LACMTA shall grant to Developer a set of easements for the use of the LACMTA Easement Area for the construction of the Parking Structure, the Hotel, Apartments, Office and Retail uses.

LACMTA PARKING AND PICK-UP/DROP-OFF:

In consideration of rights granted by LACMTA in the Easement Agreement, under the REA, LACMTA shall be provided, at no cost of LACMTA, with a permanent right to use 300 dedicated self-park parking stalls on the P-3 level of the subterranean parking structure of the Project with gated access control (the "**LACMTA Parking**"). In addition, LACMTA shall be provided by easement eight (8) dedicated self-park parking stalls, three (3) of which shall have electric vehicle charging stations installed, in the at-grade short term surface parking lot to support LACMTA's Clean Mobility Center at the Station (the "**CMC Parking**"). The LACMTA Parking and CMC Parking shall be accessible 24 hours per day, seven days per week, without limitation. The short-term surface parking lot shall also include a LACMTA pick-up and drop-off zone. Developer shall pay for the premium for an ALTA title insurance

policy insuring LACMTA's ownership interest in the easements granted to LACMTA under the REA.

LACMTA RIGHTS:

LACMTA will have full rights to the use of and revenues from the LACMTA Parking under the terms set forth in the REA. The Parking Owner shall grant LACMTA a non-exclusive easement: a) in, on, over, across and through certain Vehicular Ways in the Parking Structure for vehicular ingress, egress and passage to, from and between the LACMTA Parking and Parking Structure entrances, and b) in, on, over, across and through certain Parking Structure Pedestrian Ways and Parking Structure Vertical Transportation Elements for pedestrian ingress, egress and passage to, from and between the LACMTA Parking, At Grade Pedestrian Ways and the Station, such areas which shall be accessible 24 hours per day, seven days per week without limitation.

LACMTA rights under the REA are not dependent on the operation of rail or other transit service at the Station and LACMTA shall retain parking rights in Parking Structure, and in, on, over, across and through Parking Structure entrances, Parking Structure Pedestrian Ways and Parking Structure Vertical Transportation Elements.

TRANSIT PROXIMITY RISK:

Developer will waive, release and indemnify LACMTA, City and the Successor Agency from claims from Developer, contractors, users and/or occupants of the Project arising from their adjacency and proximity to the Station and Metro Expo Line and the public transit uses conducted thereon by LACMTA, including any disturbance, inconvenience, annoyance and nuisance associated with or related to (a) the construction, operation, use, repair, maintenance, replacement or reconstruction on or of transit facilities, (b) the operation of public transit service, (c) the activities of LACMTA's patrons, employees, contractors, consultants, or agents in and around the Station and transit facilities, including vehicle exhaust, noise, vibration, odor, and lighting from the Station Parcel (collectively, the "**Transit Proximity Risks**").

RETAINED RIGHTS:

LACMTA reserves the right to install, construct, inspect, operate, maintain, repair, use, add and replace all transit- or LACMTA-related improvements, structures, vehicles, equipment, fixtures, and furnishings now existing or hereafter located in, on, under and/or adjacent to, or passing through the Station Parcel and/or the Station. LACMTA does not give Developer or its successors

any rights to control, impact or otherwise affect the use or operation of the Station Parcel (other than in the landscape easement area described below) or the Expo Line Rail improvements.

**PARKING OPERATION
AND MAINTENANCE:**

Developer shall be responsible for developing, constructing, operating, maintaining and repairing LACMTA Parking. LACMTA shall have no responsibility for such costs.

LACMTA shall have rights to approve the LACMTA Parking operator and the parking operations agreement with respect to LACMTA's interest in the LACMTA Parking. LACMTA specifications for parking control shall be included in the Parking Structure software/operations and LACMTA shall have the right to review and approve the parking control equipment with regard to compatibility with LACMTA's established plan for access and revenue collection. The LACMTA Parking shall be maintained in a condition consistent with the best other facilities owned by LACMTA and LACMTA shall have self-help rights after 30-days if Parking Structure is not repaired, notwithstanding that parking control equipment shall be repaired within four (4) hours of a reported breakdown and the Parking Structure operator must provide personnel to manually control access to the LACMTA Parking during any equipment failure.

The Developer shall provide, or cause to be provided, monthly revenue reconciliation to LACMTA for all revenue from the LACMTA Parking and LACMTA shall have the right to audit parking revenue collection records pertaining to the LACMTA Parking.

SIGNAGE:

The Developer shall be responsible for the fabrication, installation and maintenance of directional, way-finding, information, transit station identification and transit facility identification signs throughout and along the perimeter of the Project Site (the "**Transit Signage**") for purposes of directing LACMTA patrons to, from and between the public transit facilities (including the Station and LACMTA Parking) and the public streets, sidewalks and rights of way. The Developer's obligations with respect to signage on the LACMTA Parcel is limited to the LACMTA Easement Area. LACMTA shall have rights to review and approve location and content of Transit Signage.

LANDSCAPE EASEMENTS: LACMTA shall grant the Developer easements within the LACMTA Station Parcel to allow for landscaping and planters to enhance integration of the Project with the Station. The improvements shall not interfere with LACMTA or emergency vehicle access to the Station and shall be installed and maintained by the Developer at its cost.

CONSTRUCTION: The wall of the Parking Structure along the southern edge of the LACMTA Easement Area will include, at no cost to LACMTA, a shoring wall system for purposes of protecting the Station and the Metro Expo Line right-of-way from adverse impacts such as weakening of subjacent support due to excavation for and the construction of the Parking Structure (the “**Shoring Wall**”). Design drawings and plans for the Parking Structure (including the Shoring Wall), including a construction work plan, shall be submitted to and approved by LACMTA prior to and as a condition to LACMTA’s entry into the Easement Agreement and REA.

Any construction work done for the Project in the LACMTA Easement Area must be in compliance with any applicable LACMTA work rules, track allocation procedure and permit process and LACMTA shall have the right to monitor and oversee construction of the Project including the Shoring Wall and Parking Structure to ensure LACMTA’s infrastructure and operations are not compromised. LACMTA shall be entitled to injunctive relief immediately halting construction of the Parking Structure and any other improvements on the LACMTA Easement Area in the event that LACMTA infrastructure or operations are compromised at LACMTA’s sole and absolute discretion.



**ATTACHMENT C
MITIGATION MONITORING PROGRAM**

The following environmental mitigation measures shall be incorporated into the project development as conditions of approval. The project applicant shall secure a signed verification for each of the mitigation measures which indicate that mitigation measures have been complied with and implemented, and fulfills the City environmental and other requirements (Public Resources Code Section 21081.6.). Final clearance shall require all applicable verification as included in the following table. The City of Culver City will have primary responsibility for monitoring and reporting the implementation of the mitigation measures unless otherwise determined appropriate per consultation with the City of Los Angeles. The mitigation measures have been identified by impact category and numbered for ease of reference.

MITIGATION MONITORING PROGRAM				
P2015-0141-CP - Comprehensive Plan; P2015-0141-HTEX – Height Exception; P2015-0141-TTM – Tentative Tract Map				
December 21, 2015				
MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<p><u>AESTHETICS</u></p> <p>AES-1: All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process. (City of Los Angeles MM I-10: Landscape Plan).</p> <p>AES-2: Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above. (City of Los Angeles MM I-120: Light)</p> <p>AES-3: The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat. City of Los Angeles MM I-130: Glare)</p>	Condition of Approval	Plan Check Notes and Field Inspections	Prior to Building Permits	Los Angeles Department of City Planning, Building and Safety; Culver City Planning, Building Safety Division

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MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<u>AIR QUALITY</u>				
AIR-1: Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use. Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer. (City of Los Angeles MM III-60: Commercial Trash Receptacles)	Condition of Approval	Plan Check Note and Field Inspections	Prior to Certificate of Occupancy Permits	Los Angeles Department of Building and Safety; Culver City Building Safety Division
<u>BIOLOGICAL RESOURCES</u>				
<p>BIO-1: The Applicant shall be responsible for the implementation of mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways. Vegetation removal activities shall be scheduled outside the nesting season which runs from February 15 to August 31 to avoid potential impacts to nesting birds. This would insure that no active nests are disturbed.</p> <p>Any construction activities that occur during the nesting season shall require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist, retained by the Applicant as approved by the City of Culver City, before commencement of clearing and prior to grading permit issuance. The survey shall be conducted within 72 hours prior to the start of construction. A copy of the pre-construction survey shall be submitted to the City. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) shall be delineated, flagged, and avoided until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive.</p> <p>If the biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he/she should submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to the City of Culver City and, upon request, the</p>	Condition of Approval	Plan Check Notes and Field Inspections	Prior to Demolition, Grading and Building Permits	Los Angeles Department of Building and Safety, Public Works; Culver City Planning

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MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<p>California Department of Fish and Wildlife Service. Based on the submitted information, the City of Culver City (and the Department, if the Department requests) shall determine whether to allow a narrower buffer.</p> <p>BIO-2: Removal of trees in the public right-of-way requires approval by the Board of Public Works. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077). The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards. (City of Los Angeles MM IV-90: Tree Removal – Public Right-of-Way)</p>				
<p><u>CULTURAL RESOURCES</u></p> <p>CULT-1: The Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the project. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Monitoring may be adjusted, or ceased entirely, as determined appropriate by the archaeological monitor.</p>	Condition of Approval	Plan Check Notes and Field Inspections	Prior to Grading Permit and Building Permit and On-Going during Construction	Los Angeles Department of Building and Safety; Culver City Building Safety Division, Building Safety Inspector, Public Works, Engineering and Planning Division

MITIGATION MONITORING PROGRAM				
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MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<p>CULT-2: In the event that archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified archaeologist. The Applicant shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. In preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.</p> <p>CULT-3: The archaeological monitor shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources. The report and the Site Forms shall be submitted by the Applicant to Culver City, the City of Los Angeles, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.</p>				

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MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<p>CULT-4: A qualified Paleontologist shall be retained to develop and implement a paleontological monitoring program for construction excavations that would encounter older Quaternary alluvium. The Paleontologist shall attend a pre-grading/excavation meeting to discuss a paleontological monitoring program. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified Paleontologist shall supervise a paleontological monitor who shall be present at such times as required by the Paleontologist during construction excavations into older Quaternary alluvium. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be determined by the Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the paleontological monitor.</p> <p>CULT-5: If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing and evaluation. If preservation in place is not feasible, the paleontologist shall implement a paleontological salvage program to remove the resources from the project site. Any fossils encountered and recovered shall be prepared to the point of</p>				

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<p>identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school.</p> <p>CULT-6: The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Applicant to the lead agency and the Natural History Museum of Los Angeles County, and other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.</p> <p>CULT-7: If human remains are encountered unexpectedly during implementation of the project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the land owner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the land owner to inspect the discovery. The recommendation</p>				

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MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<p>may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.</p> <p>Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.</p>				
<p><u>Geology and Soils</u></p> <p>GEO-1: Site-specific structural and seismic design parameters and recommendations for foundations, retaining walls/shoring, and excavation shall be implemented per the project's Final Geotechnical Engineering Investigation, subject to review and approval by Culver City Building Safety Division and/or Los Angeles Department of Building and Safety, as necessary.</p> <p>GEO-2: The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the</p>	Condition of Approval	Plan Check Notes and Field Inspections	Prior to Grading and Building Permits and a Foundation Plan	Los Angeles Department of Building and Safety; Culver City Building Safety Division and Building Safety Inspector

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<p>Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor. (City of Los Angeles MM VI-20: Erosion/Grading/Short-Term Construction Impacts)</p> <p>GEO-3: A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.</p> <p>"Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.</p> <p>"Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.</p> <p>Movement and removal of approved fencing shall not occur without prior approval by LADBS. (City of Los Angeles MM VI-40: Grading/20,00- Cubic Yards, or 60,000 Square feet of Surface Area or Greater)</p>				
<p><u>Greenhouse Gases</u></p> <p>GHG-1: Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable. (City of Los Angeles MM VII-10: Greenhouse Gases).</p>	Condition of Approval	Plan Check Notes and Field Inspection	Prior to Building Permit	Los Angeles Department of Building and Safety; Culver City Building Safety Division and Building Safety Inspector

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MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<u>Hazards and Hazardous Materials</u>				
<p>HAZ-1: Prior to the issuance of a use of land or building permit, or issuance of a change of occupancy, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s).</p> <p>Approved plans for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) shall be submitted to the decision-maker for retention in the case file. (City of Los Angeles MM VIII-60: Hazards and Hazardous Materials).</p> <p>HAZ-2: If the LARWQCB issues a case closure determination upon completion of the work outlined in the Draft Workplan for impacted soils at the 8801 Washington Boulevard site in accordance with Low Threat Case Closure Criteria, a Soils Management Plan (SMP) shall be prepared if to address the proper handling of soils that contain hydrocarbons at levels below the case closure criteria during construction activities. The SMP shall include procedures for handling, transportation, disposal, onsite controls, and Personal Protective Equipment (PPE) requirements for contractors. Soil that would be excavated in order to construct the underground parking shall be monitored in accordance with the SMP as well as regulations of the South Coast Air Quality Management District (SCAQMD). Impacted soil, if encountered, shall be segregated into stockpiles, which would be transported to an offsite facility for proper disposal. The stockpile(s) shall be tested in accordance with the requirements of the disposal facility.</p> <p>HAZ-3: If the LARWQCB determines that the subsurface soils characterization results of the Draft Workplan for impacted soils at the 8801 Washington Boulevard site do not meet the Low Threat Case Closure Criteria, the project applicant shall prepare a Soil Remediation Plan for review and approval by the LARWQCB. The</p>	Condition of Approval	Plan Check Notes and Field Inspection	Prior to Grading Permit and Building Permit and On-Going during Construction	Los Angeles Department of Building and Safety, Public Works, and Fire Department; Culver City Building Safety Division; Building Safety Inspector; Fire Prevention; Fire Inspector; Planning Division

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December 21, 2015				
MITIGATION MEASURE	Implementing Action, Condition or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
<p>plan would include measures to remove and/or treat/remediate the impacted soils to a level determined acceptable per applicable regulatory standards, under supervision of a certified environmental consultant licensed to oversee such remediation. Upon completion of the Soil Remediation Plan, the project applicant shall contact the LARWQCB to obtain a closure letter that states no further soils testing or remediation is required on the project site.</p> <p>HAZ-4: Prior to the issuance of any permit for the demolition or alteration of the existing on-site buildings, a comprehensive asbestos-containing materials (ACMs) survey of the buildings shall be performed. If no ACMs are found, the Applicant shall provide a letter to the Culver City Building Safety Division and/or Los Angeles Department of Building and Safety, as necessary, from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACMs) are present in the on-site buildings. If ACMs are found to be present, they shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.</p> <p>HAZ-5: Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a comprehensive lead-based paint (LBP) materials survey shall be performed to the written satisfaction of the Culver City Building Safety Division and/or Los Angeles Department of Building and Safety, as necessary. Should LBP materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.</p>				
<u>Hydrology and Water Quality</u>				
<p>WQ-1: If dewatering activities occur on-site during future redevelopment, samples shall be obtained from the water and analyzed for volatile organic compounds (VOCs) and oxygenates to ensure that they do not exceed applicable discharge requirements. Should the samples exceed VOC, oxygenates or any other applicable</p>	Condition of Approval	Plan Check Notes and Field Inspections	On-Going During Construction	Los Angeles Department of Building and Safety; Culver City Planning, Public Works, and Building

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discharge requirement, a dewatering plan shall be prepared by the Project Applicant for submittal to the Los Angeles Regional Water Quality Control Board (LARWQCB) and other appropriate agencies determined appropriate in consultation with the LARWQCB for review and approval. The plan shall include but not be limited to sampling of groundwater that may be contaminated; and treatment and disposal of contaminated groundwater in compliance with applicable regulatory requirements. Written verification from the LARWQCB of approval of a dewatering plan completion shall be submitted to the City of Culver City Department of Planning and Public Works prior to issuance of grading permit.				Safety Division
Noise NOISE-1: An acoustical analysis of the architectural plans of the proposed buildings shall be prepared by a qualified acoustical engineer, prior to issuance of building permits, to ensure that the building construction (i.e., exterior wall, window, and door) would provide adequate sound insulation to meet the acceptable interior noise level of 45 dBA CNEL.	Condition of Approval	Plan Check Notes and Field Inspection	Prior to Building Permit	Los Angeles Department of Building and Safety; Culver City Building Safety Division; Building Safety Inspector; Planning Division
Public Services PS-1: Construction Traffic Management Plan – A Construction Traffic Management Plan shall be developed by the project contractor in consultation with the project's traffic and/or civil engineer and approved by the City of Culver City City Engineer and Planning Manager and the City of Los Angeles Department of Public Works prior to issuance of any project demolition, grading or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the Cities Fire and Police Departments. The Culver City City Engineer and Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The construction management plan shall include, at a	Condition of Approval	Plan Check Notes and Field Inspection	Prior to Demolition, Grading and Building Permits and On-Going during Construction	Los Angeles Department of Building and Safety, Public Works, Fire and Police Departments; Culver City Planning, Public Works, Fire and Police Departments

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<p>minimum, the following:</p> <ul style="list-style-type: none"> ▪ The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations; ▪ An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the site, and maps showing access to and within the site and to adjacent properties; ▪ Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan; ▪ The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas; ▪ Identify the locations of the off-site truck parking and staging and provide measures to ensure that trucks use the specified haul route, and do not travel through nearby residential neighborhoods or schools; ▪ Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on surrounding streets; ▪ Establish requirements for loading/unloading and storage of materials on the project site; ▪ During construction activities when construction worker parking cannot be accommodated on the project site, a Construction Worker Parking Plan shall be prepared which identifies alternate parking location(s) for construction workers and the method of transportation to and from the 				

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<p>project site (if beyond walking distance) for approval by Culver City and the City of Los Angeles. The Construction Worker Parking Plan shall prohibit construction worker parking on residential streets and prohibit on-street parking, except as approved by Culver City and the City of Los Angeles.</p> <p>PS-2: The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane. (City of Los Angeles MM XIV-10: Fire)</p> <p>PS-3: Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area. (City of Los Angeles MM XIV-20: Public Services Police Demolition/Construction Sites)</p> <p>PS-4: The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department.</p>				

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Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits. (City of Los Angeles MM XIV-30: Public Services/Police)				
<u>Transportation/Traffic</u>				
TRAF-1: <u>Robertson Boulevard at National Boulevard Intersection.</u> Re-stripe the eastbound approach to provide two left-turn, one through and one through-right lane per consultation with and approval by LADOT and Culver City. Should improvement be deemed infeasible by LADOT and/or Culver City, the City(s) shall substitute an alternative measure of equivalent effectiveness.	Condition of Approval	Plan Check note, Field Inspection, Receipt of Funds	Prior to any Certificate of Occupancy and Temporary Certificate of Occupancy	Los Angeles Department of Transportation, Building and Safety; Culver City Traffic Engineering, Engineering/ Public Works and Planning Division
TRAF-2: <u>National Boulevard at Venice Boulevard Intersection.</u> Re-stripe the northbound approach to provide two left-turn, two through and one right-turn lanes per consultation with and approval by LADOT and Culver City. Provide minor striping re-alignment for the north leg of National Boulevard if required per the direction of LADOT and Culver City. Should improvement be deemed infeasible by LADOT and/or Culver City, the City(s) shall substitute an alternative measure of equivalent effectiveness.				
TRAF-3: <u>National Boulevard.</u> Install a traffic signal at the project's main driveway on National Boulevard between Venice Boulevard and Washington Boulevard, and provide traffic signal interconnection to adjacent traffic signals to the satisfaction of Culver City.				
TRAF-4: The developer and contractors shall maintain ongoing contact with administrator of Hamilton High School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400				

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<p>and guarantee that safe and convenient pedestrian and bus routes to the school be maintained. (City of Los Angeles MM XIV-40: Public Services – Construction Activities Near School).</p> <p>TRAF-5: LADBS shall assign specific haul route hours of operation based upon Hamilton High School hours of operation. Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus. (City of Los Angeles MM XIV-50: Public Services – Schools Affected by Haul Route).</p> <p>TRAF-6: The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.</p> <p>(Non-Hillside): Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.</p> <p>Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety. (City of Los Angeles MM XVI-30: Transportation – Haul Route)</p> <p>TRAF-7: The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval. (City of Los Angeles MM XVI-40: Safety Hazards)</p> <p>TRAF-8: Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular</p>				

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<p>traffic and overhead protection, due to sidewalk closure or blockage, at all times.</p> <p>Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.</p> <p>Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.</p> <p>Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account. (City of Los Angeles MM XVI-80: Pedestrian Safety)</p> <p>TRAF-9: The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access. (City of Los Angeles MM XVI-50: Inadequate Emergency Access)</p>				
<p><u>Utilities and Service Systems</u></p> <p>UTIL-1: Install/retrofit high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.</p> <p>Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.</p> <p>Install/retrofit and utilize only restroom faucets of a self-closing design.</p> <p>Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the</p>	Condition of Approval	Plan Check Notes and Field Inspection	Prior to Building Permit	Los Angeles Department of City Planning, Building and Safety; Culver City Planning, Building Safety Division

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<p>applicant shall be responsible for ensuring compliance.</p> <p>Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.). (City of Los Angeles MM XVII-60)</p>				



Board Report

File #: 2016-0615, File Type: Motion / Motion Response

Agenda Number: 12.

REVISED
PLANNING AND PROGRAMMING COMMITTEE
NOVEMBER 16, 2016

SUBJECT: FIRST/LAST MILE MOTION RESPONSE

ACTION: RECEIVE AND FILE REPORT ON APPROACH AND RESOURCES NEEDED TO IMPLEMENT FIRST/LAST MILE MOTION AND AUTHORIZE CHIEF EXECUTIVE OFFICER TO TAKE ACTION TO IMPLEMENT FIRST/LAST MILE MOTION

RECOMMENDATION

CONSIDER:

- A. RECEIVING AND FILING status report on **work approach and resource needs to implement the Metro Board’s First/Last Mile Motions 14.1 and 14.2**; and
- B. AUTHORIZING the Chief Executive Officer to take action to implement Board Motions 14.1 and 14.2.

ISSUE

On May 26, 2016, the Metro Board passed Motion 14.1 on first/last mile implementation. Motion 14.1 was subsequently amended by Motion 14.2 on June 23, 2016. The Board requested that staff report back on the Purple Line Section 2 in June 2016 and the balance of the motion at the October 2016 Board meeting. On June 15, 2016, staff reported to the Planning and Programming Committee on the Purple Line Section 2 and indicated that a full report back to the Board would occur in October 2016. As directed, this report comprehensively responds to Motions 14.1 and 14.2.

As outlined in detail in the financial impact section of this report, the total cost to implement the motions’ multiple directives is estimated to be \$16.5 million for professional services and 6 additional full-time employees over a period of 4.5 years.

DISCUSSION

On May 26, 2016, the Metro Board passed Motion 14.1 on first/last mile implementation (Attachment E). The motion, subsequently amended by Motion 14.2 (allowing first/last mile active transportation improvements to be counted toward the 3% local contribution for rail projects) is expansive in scope and scale and has implications agency-wide and countywide. This comprehensive directive will improve safety, livability and access to transit. Through Board Motion 14.1, staff is directed to:

- Conduct first/last mile planning for 254 station areas in the county;
- Implement first/last mile improvements to coincide with the completion of the Purple Line Section 2;
- Incorporate the newly-designated Countywide First/last Mile Priority Network into the Long-Range Transportation Plan;
- Facilitate first/last mile improvements initiated by local jurisdictions through technical and grant assistance; and
- Establish first/last mile improvements into the project delivery process for future transit capital projects.

Motion 14.2 (Attachment F) allows city-funded first/last mile projects to count toward the 3% local contribution for rail projects. It should be noted that under provisions in Measure R, funding assumptions for future transit capital rail projects typically already account for the 3% local contribution in the project cost, which does not include first/last mile improvements. The Board-mandated inclusion of first/last mile components will increase the total project cost. Further, the actual cost of implementing first/last mile improvements will be determined through planning for each station area, will vary by project, and may be greater or less than the 3% contribution. Notably, while the Measure M ballot measure going to the voters on November 8 includes important provisions regarding 3% local contributions, this Board report addresses provisions and circumstances as they exist today for projects under Measure R.

This Board report adds definition and describes the cost and resource implications of the specific activities set forth in the motion. It details an approach to conduct first/last mile planning and incorporate first/last mile elements into future transit capital projects. In summary, the motion necessitates five new projects/programs:

- Transit Capital Projects Guidelines to Integrate First/Last Mile
- Purple Line Sections 2 and 3 First/Last Mile Planning and Design
- Countywide First/Last Mile Planning
- Grant/Funding Technical Assistance
- Matching Grant Program

Implementing all the mandated work will require 6 full-time employees (FTEs), including 4.5 FTEs supporting various aspects of program development and project planning and up to 1.5 FTEs supporting grant and technical assistance. Without this additional staffing, only a small subset of the directed work (Purple Line Planning and Capital Project Guidelines) can be accomplished in the near term, and then only by substantially delaying the following other initiatives:

- Grant-writing Assistance (as directed by Motion 14.1)
- Countywide FLM Planning and Design (as directed by Motion 14.1)
- Parks Access Motion
- Urban Greening Implementation Action Plan and Demonstration Projects
- First/Last Mile Training
- Affordable Housing and Sustainable Communities Strategy

- Annual Sustainability Report/Sustainability Metrics Update
- Sustainability Demonstration San Gabriel Valley COG
- Sustainability Demonstration Gateway Cities COG

We have identified a need for \$12.5 million for professional services over four fiscal years assuming the recommended staffing, and an additional need of up to a total of \$20 million to directly fund matching grants over a similar time frame. As detailed in this report, this resource estimate is based on comparable prior work efforts, and as such, should be viewed as the most accurate appraisal of the work possible at this time.

The approach detailed herein calls for intensive efforts to implement Board direction over four fiscal years (FY17-FY20). Due to time sensitivity and commitments described in staff's June 15, 2016 report to the Planning and Programming Committee, our first priority will be to implement first/last mile components of the Purple Line and to prepare guidelines pertinent to all future capital projects. Attachment D details the prioritization of work described in this Board report, along with an alternative scenario for deferred work efforts in the absence of additional staffing.

This report does not identify capital costs for a build-out of the Countywide First/Last Mile Priority Network, including future transit capital projects. The addition of first/last mile improvements to future transit capital projects as mandated by the Board has implications for the scope and total cost of those projects which will be reported to the Board on an on-going basis as each individual project progresses.

Context and Prior Activities

Staff recognizes the far-reaching implications of Motions 14.1 and 14.2, and is well prepared to carry out the specified directives. Metro has played a vital role in advancing sustainability goals in the region and has focused on the concept of the first/last mile and sustainability in the county for many years, including planning and implementing a regional transportation system that increases mobility, fosters walkable and livable communities, and minimizes greenhouse gas emissions and environmental impacts. Metro took a leadership role on sustainability issues with the development of the 2012 Countywide Sustainability Planning Policy and Implementation Plan (CSPP). Through this policy, the agency defined long-term sustainability outcomes to facilitate greater coordination across modes, planning disciplines and government agencies. The concept of first/last mile fits squarely within the community and environmental dimensions of sustainability and was further developed in the First/Last Mile Strategic Plan (FLM Plan), which Metro adopted in April 2014. An outgrowth of the CSPP, the FLM Plan provides a path to systematically address the first/last mile challenge.

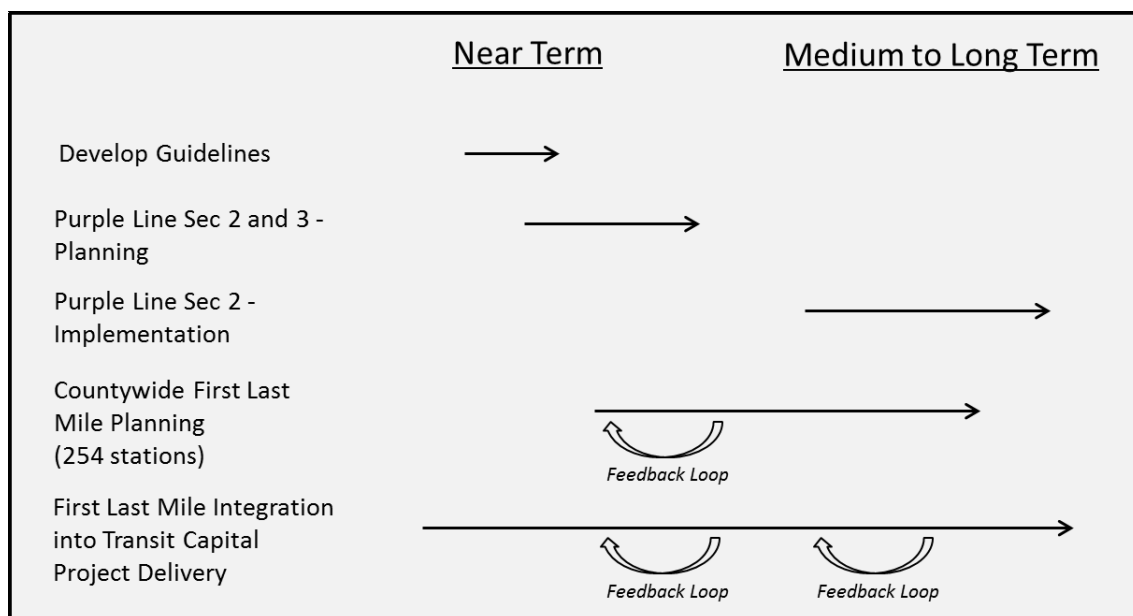
On May 26, 2016, the Metro Board of Directors adopted the Active Transportation Strategic Plan (ATSP) and designated the Countywide First/Last Mile Priority Network (Attachment A). Included in the ATSP is the Regional Active Transportation Network. By adopting the ATSP, Metro has adopted a comprehensive plan to increase access and mobility throughout the county that facilitates easier and safer walking and biking. By designating the Countywide First/Last Mile Priority Network, Metro is on the forefront of improving and enhancing the transit customer's experience accessing Metro stations.

To continue improving access to Metro's transit system, Motion 14.1 recognizes that first/last mile

projects complement the transit system by providing mobility options, safety and choice. Further, by encouraging transit use and mode shift, Metro aims to achieve sustainability goals in the region that support the RTP/SCS and state goals for reduced greenhouse gas emissions.

The tasks directed by Board Motion 14.1 and 14.2 will play out over the course of several years taking into account approach, scope development, procurement, funding, and construction. In addition, feedback loops will be in place at key deliverables to ensure that the interrelated elements are continually being improved. See Figure 1 below.

*Anticipated Timeline for Motion Items Addressed in this Report
Figure 1*



As outlined in the ATSP, implementation of the Regional Active Transportation Network and first/last mile projects requires close collaboration among different disciplines, jurisdictions and community stakeholders. Staff will rely on the methods and strategies outlined in both the ATSP and the First/Last Mile Strategic Plan to engage Metro departments and the community, and to partner with cities and the County of Los Angeles for unincorporated areas in order to implement these station access projects.

As Metro works to accomplish the directives specified in the first/last mile motion over the next several years, staff will evaluate the effects of these improvements on access to transit, vehicle miles traveled and greenhouse gas emissions. The forthcoming guidelines on first/last mile project delivery will identify additional performance metrics to ascertain how these projects improve transit access and measures of sustainability. The results will enable Metro to be flexible and innovative with respect to how first/last mile projects are delivered.

Work Approach

As described above, Motions 14.1 and 14.2 necessitate five distinct projects requiring FTEs and professional services, as well as direction impacting on-going Metro activities such as the Call for Projects and Long Range Transportation Plan. The intended approach for each of these activities is described below in prioritized order. Priority is based on both time sensitivity as well as cost-effectiveness. Activities to implement major capital projects are first priority in order to align first/last mile planning and implementation with the timelines for the larger transit capital projects. Other activities (Call for Projects, LRTP, and Grant Assistance) are high priorities due to their lower resource demands relative to anticipated benefits.

1. Transit Capital Projects - Purple Line Section 2 and Beyond

Integrating the First/Last Mile Priority Network into the planning, design and implementation of capital projects is an important piece of the Board's overall direction in Motion 14.1 and will require several layers of effort. The work consists of guidelines development and Purple Line Section 2 first/last mile planning.

For projects that follow Purple Line Section 2, Metro will develop a set of guidelines to direct this full integration and carry out the Board's objectives. Pursuant to Director Solis' amendment to Motion 14.1, this will include Foothill Gold Line Phase 2B Extension to Claremont. These guidelines will cover process, timing, and funding considerations for including first/last mile network improvements in future capital projects. Guidelines **will not** cover how to develop a first/last mile plan, as this is already sufficiently laid out in the First/Last Mile Strategic Plan and the Active Transportation Strategic Plan. The following elements are anticipated for the guidelines:

- *Appropriate phasing of first/last mile planning and implementation activities within the context of a larger capital project (see working draft Attachment C for reference).* All projects will have a consolidated construction process, with first/last mile components included in the project scope and carried out in tandem. Ideally, first/last mile efforts will also be included in the planning and environmental review stages, but projects that are further along will be assessed on a case-by-case basis. Some projects (e.g., those with completed environmental clearances) will necessitate standalone first/last mile planning processes in order to "catch up" prior to implementation. Attachment C provides a snapshot of project planning, design, and implementation phases, and notes the stage of development of all current capital projects.
- *Delineation of responsibility between Metro and municipalities for planning and project delivery.* It is anticipated that Metro will have the lead role in planning, with input and review from cities. Project delivery will likely vary on a case-by-case basis in consideration of the given city's capacity. Guidelines will lay out considerations and options for shared roles, such as Metro leading project delivery with a minimal local review role; a city leading project delivery based on planned improvements and Metro review; or hybrids. In all cases, this collaborative process will result in a project plan for first/last mile improvements containing specific agreed-upon components to be implemented. Project plans will focus on access improvements within the ½ mile walk-shed of each station, with some components possible up to three miles based on the bicycle access distance as defined in both the First/Last Mile and Active Transportation strategic plans and local active transportation planning efforts.

- *Funding considerations including the application of the 3% local contribution toward first/last mile components.* First/last mile components will be part of the overall project costing and, as specified in Board direction, will be defined, integral parts of the overall project not subject to value-engineering. The municipality will be able to apply the 3% local contribution toward any eligible improvement included in the project plan as described above, and conversely, may not count other active transportation investments that are not included in the project definition. Guidelines will also establish exclusions (e.g. on-going sidewalk maintenance, mitigation obligations, etc.) that cannot be counted toward the 3% contribution.

Process, Approach, and Resources

The Financial Impact section in this report will describe the level of effort and resources needed to carry out this direction. Briefly summarized, the process will entail:

- Metro will procure a consultant to assist in the development of these guidelines.
- A technical working group will be formed in order to capture input and advice from affected Metro departments and local agencies.
- An approximately 12-month development timeline (including time for procurement).

In terms of level of effort, First/Last Mile Implementation Guidelines are comparable to the development of other guidance documents that coordinate and direct internal processes for construction projects and communicate expectations and roles for external partners. For example, the Active Transportation Design Criteria and Metro's Countywide Urban Greening Plan include tasks for internal and interagency research and coordination and provide cross-agency guidance for future projects. We have referenced and compared scope elements from these projects in order to estimate the cost to develop the FLM Implementation Guidelines. See Financial Impact section for details.

As reported in June 2016, Metro will engage an additional consultant under a separate contract to prepare an FLM project plan for the Purple Line Section 2 (Attachment G). For efficiency, we also anticipate including Purple Line Section 3 stations in this planning effort. This will involve collaboration with the cities of Los Angeles and Beverly Hills, analysis of existing conditions data, conducting walk audits, and engaging communities in the station area, resulting in conceptual designs to serve each station. Further, this effort will develop detailed costing and a financial plan for Section 2. The financing plan for the Section 3 project will need to include the FLM components which will inform future decision points on FLM implementation. Environmental review for the FLM components will also be included in this overall effort, as environmental review for the transit project itself has already been completed. The work to develop a plan for the Purple Line is comparable to the planning, design, and environmental work previously done for the Gold Line Eastside Access project. See Financial Impact section for details.

While this aspect of first/last mile implementation will have resource implications beyond the specific areas discussed here (guidelines and Purple Line planning), including increases to scope for individual projects as well as the longer-term costs for project construction, we are not estimating the additional resource needs at this time. Rather, cost implications for individual projects will be reported to the Board as each project progresses through planning and implementation phases.

2. Existing Fund Sources / Capital Grant Prioritization / Long Range Transportation Plan

Review and Assessment of Existing Fund Sources

The Metro Board of Directors requested staff to develop a funding strategy to implement first/last mile improvements identified in the Countywide First/last Mile Priority Network. Specifically, the Board requested staff under Motion 14.1, B.4 to “dedicate funding for the Countywide First/last Mile Priority Network in the ongoing Long-Range Transportation Plan update, including a review of first/last mile project eligibility for all Prop A, Prop C, and Measure R capital funding categories.” This is our assessment.

The Board-adopted ATSP includes Chapter 3: Implementation, which contains a summary of all eligible funding sources for implementation of the Countywide First/Last Mile Priority Network. This summary includes not only Proposition A, Proposition C, and Measure R, but also the other local, state, and federal sources eligible for first/last mile improvements. Importantly, eligible fund sources are not necessarily available fund sources. A key part of the next long range plan will be the reconciliation and prioritization of multiple funding demands against these projected revenue streams.

Currently, the Long Range Transportation Plan funds first/last mile improvements through the Metro Call for Projects (Call). Under previous direction from the Board, staff prioritized first/last mile projects in the 2015 Call for Projects. The Board may elect to increase the share of funding dedicated to first/last mile projects in future Calls, based on the priority of this investment compared to others.

As noted above, Metro’s Grant Assistance Policy has been successful in securing funding for first/last mile projects, and will be expanded, per Board direction.

Capital Grant Prioritization

At the May 2016 Board meeting, the Metro Board directed staff to prioritize funding for the Countywide First/Last Mile Priority Network in Metro grant programs, including the creation of a dedicated first/last mile category in the Call for Projects.

In response to a June 25, 2015 Board motion (Item 16), staff is working with the Subregional Executive Directors Group on a restructured Call process to share Call decision-making with the subregional agencies while meeting federal and state requirements. Staff has briefed Metro’s Technical Advisory Committee, Streets and Freeways Subcommittee, Bus Operations Subcommittee, and the General Managers Group on this approach. As reported to the Planning and Programming Committee on August 18, 2016, the next Call funding cycle is on pause while this concept is further developed and the LRTP funding assessment referenced above in completed. Staff will report back to the Board as future Call funding availability is assessed through the upcoming Long Range Transportation Plan process. As the Call restructuring process evolves, first/last mile improvements may be prioritized beyond just its inclusion as an evaluation criterion in the 2015 Call for Projects.

Long Range Transportation Plan - FLM Eligibility Review

The Metro Board also directed staff to support the ATSP by dedicating funding in the LRTP update for the First/Last Mile Priority Network, including a review of first/last mile project eligibility for all Propositions A and C and Measure R capital funding categories. As the LRTP is updated over the next year, funding for first/last mile improvements will be identified.

Activities described in this section relate to consideration of first/last mile in on-going efforts, and therefore do not involve additional resource needs.

3. Technical Assistance

Through Motion 14.1, the Board has directed Metro staff to provide technical and grant writing support to local jurisdictions wishing to deliver first/last mile projects. Staff recommends augmenting the existing Metro Grant Assistance Policy, which provides ongoing grant-writing technical assistance to projects applying to the state Active Transportation Program (ATP). This Board-adopted grant assistance program focuses on the implementation of Metro-adopted active transportation projects, programs, and policies such as the Active Transportation Strategic Plan (ATSP) and the First/Last Mile Strategic Plan and Planning Guidelines. Project selection, which is based on applications submitted voluntarily by local jurisdictions, prioritizes:

- Consistency with ATP and Metro goals
- Provision of local matching funds
- Funding needs greater than \$1 million

Under this existing policy, Metro is well-positioned to provide additional support for local jurisdictions seeking ATP funding to advance first/last mile projects around transit stations on the Countywide First/Last Mile Priority Network (Attachment A) identified in the ATSP and the first/last mile Board motion.

Schedule

Grant schedules vary by program. A typical grant-writing technical assistance schedule can take four to five months.

The Letters of Interest (LOI) solicitation process can easily be modified to accommodate projects of an appropriate dollar amount that have been developed and prioritized through a first/last mile planning process, are consistent with Metro's First/Last Mile Strategic Plan and Planning Guidelines and correspond with the availability and timing of funding for implementation. Additionally, the schedule could be augmented to allow for grant assistance in pursuing awards from other discretionary grant programs. The Affordable Housing and Sustainable Communities, Highway Safety Improvement Program, Transportation Investment Generating Economic Recovery program, and various Federal Transit Administration programs may also have funding eligible for first/last mile projects.

There could be opportunities to combine a match funding program with the grant assistance program, so that promising first/last mile projects receive both matching funds and grant assistance from Metro to assist in efforts to obtain discretionary grant funds.

The Financial Impact section of this report details the resource needs associated with technical assistance. Staff's estimation in this area is based solely on an expansion of the existing grant assistance program to support a larger pool of applications.

4. Countywide First/Last Mile Planning

Motion 14.1 directed staff to conduct first/last mile planning for all existing and under construction Metro rail stations, Orange and Silver Line stations, 100 top ridership bus stops and all regional rail stations. In total, we identified 254 stations that fall under the definition in Motion 14.1 for first/last mile planning. See Attachment B for the list of stations and methodology utilized to determine them.

Per the motion, staff will apply the first/last mile planning methodology detailed in the First/Last Mile Strategic Plan (currently underway for all 22 Blue Line stations) to 254 locations. We anticipate 42 months to develop and complete first/last mile plans for these 254 locations (inclusive of start-up time for hiring and procurement). We will develop a more detailed schedule to describe the sequencing of planning work and include this in a status report to the Planning and Programming Committee within six months. The comprehensive countywide planning approach will entail innovative community engagement and in-the-field walking audits, and will result in funding-ready conceptual plans.

Through a grant from the state's Active Transportation Program (ATP), Metro is currently conducting the first/last mile planning work for the 22 Blue Line stations. This is the first time comprehensive first/last mile improvements have been planned for an entire rail line in the county. Part of the planning process includes innovative community engagement strategies tailored to the areas along the Blue Line. Successes and lessons learned from the Blue Line first/last mile effort will be applied to countywide first/last mile planning. In addition to other sources, the Blue Line First Last Mile Plan was used to approximate costs for first/last mile planning countywide.

The resource requirements for countywide first/last mile planning, including full-time employees (FTEs) and professional services needs, are covered in the Financial Impact section.

5. Countywide First/Last Mile Priority Network Funding Match Program

The ability to create and identify funding for a new Countywide First/Last Mile Priority Network funding match program, separate from existing Metro funding and grant programs, is highly dependent on the passage of the ballot measure in November 2016. If the ballot measure passes, an array of new funding sources will be available that could directly fund such a program or be used to free up other revenues from existing Metro projects/programs that will be directly funded through the ballot measure. Absent the passage of the ballot measure, the funding of a new match program will require that the Metro Board make tradeoffs with existing Metro projects/programs, including the redirection of funds that would otherwise be made available through programs such as the Call for Projects.

The intent of a Countywide First/last Mile Priority Network funding match program would be to support local agencies in securing funds from state and federal discretionary programs such as the state Active Transportation Program (ATP), as the availability of matching funds is often a criteria for award. It is proposed that Metro's funding match program focus on first/last mile improvements to existing transit stations within the Countywide First/Last Mile Priority Network consistent with the improvement plans developed for each station as discussed above (new transit stations will already incorporate such elements into their project scope and funding plans). Local jurisdictions may be able to utilize as a local match the total transit corridor/station project funding on grant applications for first/last mile elements of new stations and those jurisdictions would not be precluded from pursuing state and federal discretionary program funds.

Staff will develop a specific proposal for the matching grant program that will maximize the leveraging capacity of Metro funds, including but not limited to, the discretionary state Active Transportation Program. The Financial Impact section of this report preliminarily identifies a need of \$20 million per bi-annual grant cycle on this basis.

Role of On-Going Related Efforts

Motions 14.1 and 14.2 create a new slate of efforts within the existing Countywide Active Transportation and Sustainability Program that will have synergies with closely related on-going active transportation work. This section describes areas of potential overlap and coordination opportunities for selected initiatives. It should be noted that staff will revisit project timelines for the Active Transportation and Sustainability Program as a whole, in light of the added workload, and will provide on-going updates to the Ad Hoc Sustainability Committee on progress. As described above and in Attachment D, the absence of additional resources will necessitate substantial delay of work.

- **ATSP Implementation:** Multiple actions in the first/last mile motion overlap with implementation items in the Active Transportation Strategic Plan and will be coordinated by staff.
- **Urban Greening:** Metro completed an Urban Greening Plan and toolkit in October 2015. In January 2016, the Board subsequently approved an Implementation Action Plan to direct additional activities related to urban greening, including creating a set of demonstration projects. As Metro develops plans for first/last mile access improvements, we will also consider opportunities for urban greening interventions including storm water capture and infiltration, urban heat island reduction, and sustainable landscaping. Metro will use the newly completed toolkit for guidance in this effort and will seek to develop best practices going forward. Proceeding in this way will reinforce the role of green infrastructure in place-making and improving the physical environment and transit, help position projects to compete for funding sources that emphasize multiple benefits (especially cap-and-trade), and reduce the likelihood of non-coordinated multiple projects impacting local rights-of-way.
- **First/Last Mile Training:** As part of the previously committed set of first/last mile implementation activities, Metro has initiated a training program geared toward local staff and elected officials. The training instructs participants on how to plan, fund, and implement first/last mile projects, and was intended originally to prompt cities to take a lead role in delivering projects. At this time, Metro is working with our selected consultant to adjust the curriculum for trainings in order to describe a more collaborative approach wherein cities will be working closely with Metro to plan and deliver projects.
- **Parks Access Motion:** On June 23, 2016, the Metro Board approved a motion directing a planning effort to better link transit to parks and open space. A separate report on this agenda responds to that motion describing a planning process to identify specific opportunities for connectivity projects and demonstrations and an assessment of access issues countywide. Pertinent to the first/last mile motion, all planning work for station areas will consider nearby open space and parks as key destinations for transit riders, and will identify project

components that will improve connectivity where appropriate.

FINANCIAL IMPACT

Adoption of the recommendations would have impacts to the agency as described below.

Motions 14.1 and 14.2 direct several new areas of activity for Metro as described in this report. These new efforts will necessitate resources in terms of both new professional services contracts and full time employees (FTEs) if implemented in the near future. Within this section, staff is providing an estimate of resource needs to carry out this work. This estimate was developed by reviewing comparable past and on-going work efforts. See Attachment D for details on comparable projects and estimating methodology.

The chart below (Figure 2) summarizes our resource needs to carry out the Board’s direction as described above. It should be clearly noted that costs estimated here cover the specific near term activities included in the motions including planning and design, a process to integrate first/last mile in future capital projects, and enhanced technical assistance and granting capacity. Notably, incremental cost increases to future transit capital projects due to the inclusion of first/last mile improvements are not included in this review. Rather, those costs will be detailed and reported to the Board as project plans are completed.

*Professional Services and FTE Needs Overview
Figure 2*

Activity	Estimated Schedule and Duration	Unit	Estimated Professional Services	Estimated # FTEs and Cost of FTEs
Capital Projects Guidelines Development	Start - Oct <u>Dec.</u> 2016 Duration - 12 months (including procurement)	Countywide	\$138,000	.75
Purple Line Sec 2 and 3 Planning and Design	Start - Oct <u>Dec.</u> 2016, Duration - 30 months (including procurement)	5 Stations	\$1.625 million	.625
Countywide Planning and Design	Start - Oct <u>Dec.</u> 2016, Duration - 42 months (including procurement)	254 Station Areas and Stops	\$10 million	3
Grant Assistance	Start - Oct <u>Dec.</u> 2016, Duration - 18 months (including procurement)	30 Project Applications	\$700,000	1.5
TOTAL:	4.5 Years		\$12.5 million in Professional Services	5.875 FTEs <i>Estimated Annual Cost of FTEs: \$900,000 to \$1 million</i>

GRAND TOTAL: \$16.5 million in Prof. Services and FTEs over 4.5 years (approx. \$3.66 million per year)				
Matching Grant Program	Pending budget action, and timed to applicable grant cycles, especially ATP	30 Projects	\$20 million biennially (approximately)	0

Not including the matching grant program, the total estimated third party cost to carry out work as described in this report is \$12.5 million, which is detailed in Attachment D. FY17 will mostly involve start-up activities such as procurement and \$125,000 in professional services is anticipated to be incurred. The FY17 budget includes the current fiscal year needs in Cost Center 4340, Sustainability Policy and Programs, under Project Number 450009, Sustainability Demonstration Projects.

For FY17, three new FTEs are needed to support the work program outlined in this report. Upon approval of this work plan by the Board, the three FTEs will be considered among other agency priorities to be drawn from the mid-year "reassignment pool" of available FTEs across the agency. However, should other agency needs determine first assignment of those available FTEs, staff will return to the Board for consideration of a budget amendment to FY17 that would underwrite these positions. The additional three program staff positions identified in this report will be requested from either the "reassignment pool" or through the FY18 budget cycle.

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

As noted above, absent the passage of the potential ballot measure, the funding of a new match program will require that the Metro Board make tradeoffs with existing Metro projects/programs. Approval of this report provides direction to the Chief Executive Officer to identify and budget resources as outlined here.

Impact to Budget

The funding sources are Propositions A, C, and Transportation Development Act Administration, which is not eligible for bus and rail operating or capital expenses.

ALTERNATIVES CONSIDERED

The Board may decide not to approve the work approach and resource needs in this report. Alternatively, the Board could modify elements of Board Motions 14.1 and 14.2 and staff would develop corresponding recommendations on scope and resource requirements.

NEXT STEPS

If approved, staff would initiate steps to determine the availability of staff through the RIPA or pursue needed budget actions, and proceed with hiring and consultant contracts within the parameters

described above. Staff will report back to committee twice a year on the status of implementing Motions 14.1 and 14.2.

ATTACHMENTS

Attachment A - Countywide Priority First/Last Mile Network

Attachment B - Stations and Stops for First/Last Mile Planning

Attachment C - Capital Projects Implementation Steps

Attachment D - FTE and Professional Services Needs

Attachment E - Motion 14.1

Attachment F - Motion 14.2

Attachment G - June 15, 2016 Board Report: First/Last Mile Purple Line Section 2; 3% Local Contribution Provision

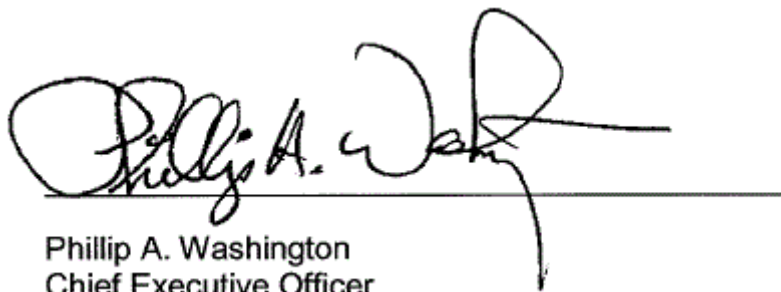
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Phillip A. Washington
Chief Executive Officer

254 Stations and Stops for Countywide First/Last Mile Planning

To determine the 100 top ridership bus stops, staff first identified the 100 top ridership bus stop areas per the ATSP that were located outside half-mile radius of Metro rail, BRT and regional rail stations. The ATSP bus stop areas, identified by intersection, actually include multiple bus stops within a 300-foot radius of the intersection. The ridership for the bus stop area is the total combined ridership for all the bus stops within the radius of the intersection. Additionally, individual bus stops were ranked by ridership. From the 100 top ridership individual bus stops, there were two stops not already included in the 100 bus stop areas. To respond fully to the board motion, those two bus stops are also included with the top 100 ridership bus stop areas. The result is 102 bus stops and bus stop areas.

Station Name	Station Type	Stop_ID	Comment
McBean Regional Transit Center	Bus Stops	19444	Bus Stops with top 100 ridership that were outside the 661 ATSP Station Areas
LAX City Bus Center	Bus Stops	30006	Bus Stops with top 100 ridership that were outside the 661 ATSP Station Areas
Sepulveda / Slauson	Bus Station Areas	19	ATSP Bus Station Areas with ridership among the top 100
Rampart / 3rd	Bus Station Areas	36	ATSP Bus Station Areas with ridership among the top 100
Benton Way / Beverly	Bus Station Areas	37	ATSP Bus Station Areas with ridership among the top 100
Alvarado / Beverly	Bus Station Areas	40	ATSP Bus Station Areas with ridership among the top 100
Avalon / Florence	Bus Station Areas	45	ATSP Bus Station Areas with ridership among the top 100
Avalon / Manchester	Bus Station Areas	46	ATSP Bus Station Areas with ridership among the top 100
Cherry / Pacific Coast Hwy	Bus Station Areas	74	ATSP Bus Station Areas with ridership among the top 100
Ximeno / Pacific Coast Hwy	Bus Station Areas	84	ATSP Bus Station Areas with ridership among the top 100
Channel / 7th	Bus Station Areas	91	ATSP Bus Station Areas with ridership among the top 100
West Campus / State University	Bus Station Areas	92	ATSP Bus Station Areas with ridership among the top 100
Ocean / Wilshire	Bus Station Areas	101	ATSP Bus Station Areas with ridership among the top 100
Wilshire / 4th	Bus Station Areas	103	ATSP Bus Station Areas with ridership among the top 100

Federal Building Roadway	Bus Station Areas	121	ATSP Bus Station Areas with ridership among the top 100
Fairfax / Santa Monica	Bus Station Areas	141	ATSP Bus Station Areas with ridership among the top 100
Hawthorne / Lennox	Bus Station Areas	149	ATSP Bus Station Areas with ridership among the top 100
La Brea / Santa Monica	Bus Station Areas	156	ATSP Bus Station Areas with ridership among the top 100
Vermont / Athens	Bus Station Areas	172	ATSP Bus Station Areas with ridership among the top 100
Vermont / 120th	Bus Station Areas	174	ATSP Bus Station Areas with ridership among the top 100
Vermont / 92nd	Bus Station Areas	175	ATSP Bus Station Areas with ridership among the top 100
Central / Colorado	Bus Station Areas	182	ATSP Bus Station Areas with ridership among the top 100
Brand / Broadway	Bus Station Areas	184	ATSP Bus Station Areas with ridership among the top 100
Pacific / Florence	Bus Station Areas	192	ATSP Bus Station Areas with ridership among the top 100
Pacific / Slauson	Bus Station Areas	195	ATSP Bus Station Areas with ridership among the top 100
Pacific / Clarendon	Bus Station Areas	196	ATSP Bus Station Areas with ridership among the top 100
Atlantic / Florence	Bus Station Areas	219	ATSP Bus Station Areas with ridership among the top 100
Atlantic / Olympic	Bus Station Areas	240	ATSP Bus Station Areas with ridership among the top 100
Atlantic / Whittier	Bus Station Areas	242	ATSP Bus Station Areas with ridership among the top 100
Oakford / Whittier	Bus Station Areas	243	ATSP Bus Station Areas with ridership among the top 100
Goodrich / Louis	Bus Station Areas	245	ATSP Bus Station Areas with ridership among the top 100
Hoefner / Whittier	Bus Station Areas	246	ATSP Bus Station Areas with ridership among the top 100
Collegian / Cesar E. Chavez	Bus Station Areas	256	ATSP Bus Station Areas with ridership among the top 100
Atlantic / Cesar E. Chavez	Bus Station Areas	258	ATSP Bus Station Areas with ridership among the top 100
El Monte Busway	Bus Station Areas	283	ATSP Bus Station Areas with ridership among the top 100
Vermont / Manchester	Bus Station Areas	295	ATSP Bus Station Areas with ridership among the top 100
Figueroa / Sunset	Bus Station Areas	301	ATSP Bus Station Areas with ridership among the top 100

Fairfax / 3rd	Bus Station Areas	306	ATSP Bus Station Areas with ridership among the top 100
La Cienega / 3rd	Bus Station Areas	308	ATSP Bus Station Areas with ridership among the top 100
Daly / Broadway	Bus Station Areas	309	ATSP Bus Station Areas with ridership among the top 100
La Cienega / Beverly	Bus Station Areas	310	ATSP Bus Station Areas with ridership among the top 100
Fairfax / Beverly	Bus Station Areas	311	ATSP Bus Station Areas with ridership among the top 100
Echo Park / Sunset	Bus Station Areas	314	ATSP Bus Station Areas with ridership among the top 100
Alvarado / Sunset	Bus Station Areas	315	ATSP Bus Station Areas with ridership among the top 100
Western / Melrose	Bus Station Areas	317	ATSP Bus Station Areas with ridership among the top 100
Vermont / Florence	Bus Station Areas	321	ATSP Bus Station Areas with ridership among the top 100
Broadway / Florence	Bus Station Areas	322	ATSP Bus Station Areas with ridership among the top 100
Vermont / Slauson	Bus Station Areas	324	ATSP Bus Station Areas with ridership among the top 100
Western / Slauson	Bus Station Areas	325	ATSP Bus Station Areas with ridership among the top 100
Union / Olympic	Bus Station Areas	330	ATSP Bus Station Areas with ridership among the top 100
Western / Vernon	Bus Station Areas	335	ATSP Bus Station Areas with ridership among the top 100
Figueroa / Vernon	Bus Station Areas	337	ATSP Bus Station Areas with ridership among the top 100
Broadway / Vernon	Bus Station Areas	338	ATSP Bus Station Areas with ridership among the top 100
Avalon / Vernon	Bus Station Areas	339	ATSP Bus Station Areas with ridership among the top 100
Central / Vernon	Bus Station Areas	341	ATSP Bus Station Areas with ridership among the top 100
Western / Martin Luther King Jr.	Bus Station Areas	343	ATSP Bus Station Areas with ridership among the top 100
Soto / Olympic	Bus Station Areas	356	ATSP Bus Station Areas with ridership among the top 100
Crenshaw / Adams	Bus Station Areas	362	ATSP Bus Station Areas with ridership among the top 100
Western / Adams	Bus Station Areas	363	ATSP Bus Station Areas with ridership among the top 100
Vermont / Adams	Bus Station Areas	364	ATSP Bus Station Areas with ridership among the top 100

Soto / Whittier	Bus Station Areas	368	ATSP Bus Station Areas with ridership among the top 100
Alameda / 7th	Bus Station Areas	369	ATSP Bus Station Areas with ridership among the top 100
Western / Santa Monica	Bus Station Areas	370	ATSP Bus Station Areas with ridership among the top 100
Central / 7th	Bus Station Areas	371	ATSP Bus Station Areas with ridership among the top 100
Central / 6th	Bus Station Areas	377	ATSP Bus Station Areas with ridership among the top 100
Crenshaw / Washington	Bus Station Areas	379	ATSP Bus Station Areas with ridership among the top 100
Western / Washington	Bus Station Areas	380	ATSP Bus Station Areas with ridership among the top 100
Fairfax / Venice	Bus Station Areas	381	ATSP Bus Station Areas with ridership among the top 100
Vermont / Washington	Bus Station Areas	382	ATSP Bus Station Areas with ridership among the top 100
San Pedro / 7th	Bus Station Areas	385	ATSP Bus Station Areas with ridership among the top 100
6th / San Pedro	Bus Station Areas	389	ATSP Bus Station Areas with ridership among the top 100
Western / Venice	Bus Station Areas	394	ATSP Bus Station Areas with ridership among the top 100
Vermont / Venice	Bus Station Areas	400	ATSP Bus Station Areas with ridership among the top 100
Vermont / Vernon	Bus Station Areas	402	ATSP Bus Station Areas with ridership among the top 100
Crenshaw / Venice	Bus Station Areas	403	ATSP Bus Station Areas with ridership among the top 100
La Brea / Venice	Bus Station Areas	408	ATSP Bus Station Areas with ridership among the top 100
Western / Pico	Bus Station Areas	411	ATSP Bus Station Areas with ridership among the top 100
Vermont / Pico	Bus Station Areas	412	ATSP Bus Station Areas with ridership among the top 100
Crenshaw / Pico	Bus Station Areas	415	ATSP Bus Station Areas with ridership among the top 100
Vermont / Olympic	Bus Station Areas	424	ATSP Bus Station Areas with ridership among the top 100
Western / Olympic	Bus Station Areas	425	ATSP Bus Station Areas with ridership among the top 100
Normandie / Olympic	Bus Station Areas	426	ATSP Bus Station Areas with ridership among the top 100
Witmer / 6th	Bus Station Areas	436	ATSP Bus Station Areas with ridership among the top 100

Highland / Santa Monica	Bus Station Areas	455	ATSP Bus Station Areas with ridership among the top 100
Vine / Santa Monica	Bus Station Areas	456	ATSP Bus Station Areas with ridership among the top 100
Van Nuys / Roscoe	Bus Station Areas	489	ATSP Bus Station Areas with ridership among the top 100
Van Nuys / Chase	Bus Station Areas	513	ATSP Bus Station Areas with ridership among the top 100
Van Nuys / Vanowen	Bus Station Areas	515	ATSP Bus Station Areas with ridership among the top 100
Van Nuys / Sherman Way	Bus Station Areas	518	ATSP Bus Station Areas with ridership among the top 100
Van Nuys / Nordhoff	Bus Station Areas	523	ATSP Bus Station Areas with ridership among the top 100
Fairfax Hub / Washington	Bus Station Areas	556	ATSP Bus Station Areas with ridership among the top 100
Bundy / Santa Monica	Bus Station Areas	564	ATSP Bus Station Areas with ridership among the top 100
Westwood / Weyburn	Bus Station Areas	565	ATSP Bus Station Areas with ridership among the top 100
Overland / Venice	Bus Station Areas	570	ATSP Bus Station Areas with ridership among the top 100
Motor / Venice	Bus Station Areas	577	ATSP Bus Station Areas with ridership among the top 100
Sepulveda / Santa Monica	Bus Station Areas	583	ATSP Bus Station Areas with ridership among the top 100
Westwood / Wilshire	Bus Station Areas	585	ATSP Bus Station Areas with ridership among the top 100
Harbor Gateway Transit Center	Bus Station Areas	607	ATSP Bus Station Areas with ridership among the top 100
Normandie / Venice	Bus Station Areas	613	ATSP Bus Station Areas with ridership among the top 100
Hoover / Venice	Bus Station Areas	617	ATSP Bus Station Areas with ridership among the top 100
Cadillac / Venice	Bus Station Areas	633	ATSP Bus Station Areas with ridership among the top 100
Veteran Federal Building	Bus Station Areas	644	ATSP Bus Station Areas with ridership among the top 100
Manchester / Aviation	BRT	2	Among the 661 ATSP Station Areas
La Brea / Florence	BRT	3	Among the 661 ATSP Station Areas
Aviation / Century	BRT	4	Among the 661 ATSP Station Areas
West / Florence	BRT	6	Among the 661 ATSP Station Areas

Newhall	Rail	99	Among the 661 ATSP Station Areas
Santa Clarita	Rail	100	Among the 661 ATSP Station Areas
Via Princessa	Rail	119	Among the 661 ATSP Station Areas
Mariposa	LRT	128	Among the 661 ATSP Station Areas
El Segundo	LRT	129	Among the 661 ATSP Station Areas
Douglas	LRT	131	Among the 661 ATSP Station Areas
LAX / Aviation	LRT	136	Among the 661 ATSP Station Areas
Redondo Beach	LRT	140	Among the 661 ATSP Station Areas
Burbank Airport	Rail	153	Among the 661 ATSP Station Areas
Crenshaw	LRT	161	Among the 661 ATSP Station Areas
Burbank	Rail	168	Among the 661 ATSP Station Areas
Glendale	Rail	181	Among the 661 ATSP Station Areas
Long Beach	LRT	206	Among the 661 ATSP Station Areas
Cal State L.A.	Rail	232	Among the 661 ATSP Station Areas
Maravilla	LRT	233	Among the 661 ATSP Station Areas
Cal State L.A.	BRT	235	Among the 661 ATSP Station Areas
East L.A. Civic Center	LRT	238	Among the 661 ATSP Station Areas
South Pasadena	LRT	241	Among the 661 ATSP Station Areas
Del Mar	LRT	253	Among the 661 ATSP Station Areas
Fillmore	LRT	254	Among the 661 ATSP Station Areas
Memorial Park	LRT	255	Among the 661 ATSP Station Areas
Commerce	Rail	259	Among the 661 ATSP Station Areas
Lakewood	LRT	261	Among the 661 ATSP Station Areas

Lancaster	Rail	262	Among the 661 ATSP Station Areas
Lake	LRT	267	Among the 661 ATSP Station Areas
Commerce / Montebello	Rail	269	Among the 661 ATSP Station Areas
Palmdale	Rail	272	Among the 661 ATSP Station Areas
Acton / Vincent Grade	Rail	273	Among the 661 ATSP Station Areas
Allen	LRT	274	Among the 661 ATSP Station Areas
Norwalk	LRT	276	Among the 661 ATSP Station Areas
Sierra Valley Madre	LRT	280	Among the 661 ATSP Station Areas
Santa Fe Springs / Norwalk	Rail	282	Among the 661 ATSP Station Areas
El Monte	Rail	285	Among the 661 ATSP Station Areas
Baldwin Park	Rail	286	Among the 661 ATSP Station Areas
Covina	Rail	287	Among the 661 ATSP Station Areas
Industry	Rail	288	Among the 661 ATSP Station Areas
Pomona - North	Rail	289	Among the 661 ATSP Station Areas
Pomona - Downtown	Rail	290	Among the 661 ATSP Station Areas
Claremont	Rail	291	Among the 661 ATSP Station Areas
La Cienega / Jefferson	LRT	298	Among the 661 ATSP Station Areas
110 HOV / Adams	BRT	299	Among the 661 ATSP Station Areas
Chinatown	LRT	302	Among the 661 ATSP Station Areas
Beverly / Vermont	Heavy rail	313	Among the 661 ATSP Station Areas
Crenshaw / Slauson	BRT	323	Among the 661 ATSP Station Areas
Harbor Transitway / Slauson	BRT	327	Among the 661 ATSP Station Areas
Figueroa / 7th	BRT	331	Among the 661 ATSP Station Areas

Olive / 5th	BRT	332	Among the 661 ATSP Station Areas
Crenshaw / Martin Luther King Jr.	BRT	345	Among the 661 ATSP Station Areas
Expo / Vermont	LRT	348	Among the 661 ATSP Station Areas
Expo / Western	LRT	349	Among the 661 ATSP Station Areas
Jefferson / USC	LRT	352	Among the 661 ATSP Station Areas
Expo / Crenshaw	LRT	355	Among the 661 ATSP Station Areas
23rd	LRT	359	Among the 661 ATSP Station Areas
Figueroa / 23rd	BRT	360	Among the 661 ATSP Station Areas
Flower / Washington	BRT	366	Among the 661 ATSP Station Areas
Figueroa / Washington	BRT	367	Among the 661 ATSP Station Areas
Soto	LRT	396	Among the 661 ATSP Station Areas
Flower / Olympic	BRT	401	Among the 661 ATSP Station Areas
Aliso / Pico	LRT	414	Among the 661 ATSP Station Areas
Pershing Square	Heavy rail	418	Among the 661 ATSP Station Areas
Balboa	BRT	431	Among the 661 ATSP Station Areas
Hill / 1st	BRT	432	Among the 661 ATSP Station Areas
Union Station	BRT	433	Among the 661 ATSP Station Areas
Spring / 1st	BRT	435	Among the 661 ATSP Station Areas
MacArthur Park / Westlake	Heavy rail	439	Among the 661 ATSP Station Areas
Civic Center	Heavy rail	440	Among the 661 ATSP Station Areas
Van Nuys	BRT	446	Among the 661 ATSP Station Areas
Wilshire / Western	LRT	448	Among the 661 ATSP Station Areas
Wilshire / Normandie	LRT	450	Among the 661 ATSP Station Areas

Wilshire / Vermont	Heavy rail	451	Among the 661 ATSP Station Areas
Sunset / Vermont	Heavy rail	459	Among the 661 ATSP Station Areas
Hollywood / Highland	Heavy rail	460	Among the 661 ATSP Station Areas
Hollywood / Vine	Heavy rail	461	Among the 661 ATSP Station Areas
Hollywood / Western	Heavy rail	462	Among the 661 ATSP Station Areas
North Hollywood	Heavy rail	483	Among the 661 ATSP Station Areas
Valley College	BRT	504	Among the 661 ATSP Station Areas
Tampa	BRT	507	Among the 661 ATSP Station Areas
Warner Center Transit Hub	BRT	508	Among the 661 ATSP Station Areas
Van Nuys	Rail	521	Among the 661 ATSP Station Areas
Nordhoff	BRT	526	Among the 661 ATSP Station Areas
Laurel Canyon	BRT	533	Among the 661 ATSP Station Areas
Harbor Transitway / Rosecrans	BRT	536	Among the 661 ATSP Station Areas
Harbor Transitway / Manchester	BRT	543	Among the 661 ATSP Station Areas
Expo Park / USC	LRT	544	Among the 661 ATSP Station Areas
Harbor Freeway	LRT	550	Among the 661 ATSP Station Areas
Union Station	Rail / LRT	551	Among the 661 ATSP Station Areas
USC Medical Center	BRT	552	Among the 661 ATSP Station Areas
Universal City	Heavy rail	557	Among the 661 ATSP Station Areas
Woodman	BRT	558	Among the 661 ATSP Station Areas
Woodley	BRT	560	Among the 661 ATSP Station Areas
Canoga	BRT	561	Among the 661 ATSP Station Areas
Pierce College	BRT	562	Among the 661 ATSP Station Areas

Reseda	BRT	563	Among the 661 ATSP Station Areas
Union Station	Heavy rail / LRT	595	Among the 661 ATSP Station Areas
Indiana	LRT	600	Among the 661 ATSP Station Areas
Vermont / Santa Monica	LRT	603	Among the 661 ATSP Station Areas
Avalon	LRT	608	Among the 661 ATSP Station Areas
Vermont / Expo	LRT	614	Among the 661 ATSP Station Areas
Heritage Square / Arroyo	LRT	619	Among the 661 ATSP Station Areas
Southwest Museum	LRT	620	Among the 661 ATSP Station Areas
Cypress Park / Lincoln Heighs	LRT	621	Among the 661 ATSP Station Areas
Boyle Heights / Mariachi Plaza	LRT	622	Among the 661 ATSP Station Areas
Arts District / Little Tokyo	LRT	623	Among the 661 ATSP Station Areas
Highland Park	LRT	624	Among the 661 ATSP Station Areas
Expo / La Brea	LRT	631	Among the 661 ATSP Station Areas
Expo / Farmdale	LRT	632	Among the 661 ATSP Station Areas
Harbor Transitway / 37th	BRT	634	Among the 661 ATSP Station Areas
San Fernando / Sylmar	Rail	636	Among the 661 ATSP Station Areas
Sepulveda	BRT	637	Among the 661 ATSP Station Areas
De Soto	BRT	638	Among the 661 ATSP Station Areas
Roscoe	BRT	639	Among the 661 ATSP Station Areas
Sherman Way	BRT	640	Among the 661 ATSP Station Areas
Chatsworth	Rail / BRT	641	Among the 661 ATSP Station Areas
Culver City	LRT	642	Among the 661 ATSP Station Areas
Northridge	Rail	649	Among the 661 ATSP Station Areas

4th / Colorado	LRT	651	Among the 661 ATSP Station Areas
Colorado / 17th	LRT	652	Among the 661 ATSP Station Areas
Olympic / 26th	LRT	653	Among the 661 ATSP Station Areas
Expo / Bundy	LRT	654	Among the 661 ATSP Station Areas
Expo / Sepulveda	LRT	655	Among the 661 ATSP Station Areas
Expo / Westwood	LRT	656	Among the 661 ATSP Station Areas
National / Palms	LRT	657	Among the 661 ATSP Station Areas
Santa Clara / 1st	LRT	658	Among the 661 ATSP Station Areas
Myrtle / Duarte	LRT	659	Among the 661 ATSP Station Areas
Duarte / Highland	LRT	660	Among the 661 ATSP Station Areas
Azusa / Alameda	LRT	5	Among the 661 ATSP Station Areas
Azusa / Citrus	LRT	1	Among the 661 ATSP Station Areas
Leimert Park	Rail	999	Crenshaw/LAX Line-New station location selected since ATSP (Newly Added)
Hyde Park	Rail	999	Crenshaw/LAX Line-New station location selected since ATSP (Newly Added)
Wilshire/La Brea	Rail	999	Purple Line Extension Phase I (Newly Added)
Wilshire/Fairfax	Rail	999	Purple Line Extension Phase I (Newly Added)
Wilshire/La Cienega	Rail	999	Purple Line Extension Phase I (Newly Added)
1st ST/Central	Rail	999	Regional Connector (Newly Added)
2nd St/Broadway	Rail	999	Regional Connector (Newly Added)
2nd St/Hope	Rail	999	Regional Connector (Newly Added)
Harbor Fwy/Carson St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Harbor Fwy/Pacific Coast Hwy	LRT	999	Silver Line Extension to San Pedro (Newly Added)

Harbor Beacon Park	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Beacon St/1st St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/1st St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/3rd St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/7th St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/11th St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/15th St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/17th St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/21st St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Pacific/19th St	LRT	999	Silver Line Extension to San Pedro (Newly Added)
Figueroa St/190th St	LRT	999	Silver Line Extension to San Pedro (Newly Added)

Capital Project Implementation Steps

To aid in understanding how first/last mile implementation will be incorporated into the current transit capital projects, this table provides a snapshot of project planning, design, and implementation phases. This table notes the stage of development of all current transit capital projects.

Phase	First/Last Mile Activities	Considerations	Future Transit Capital Projects
Early Planning/Feasibility Studies	None	Stations locations for First/Last mile not yet fixed.	<ul style="list-style-type: none"> • BRT Vermont Corridor • BRT North Hollywood to Pasadena Corridor • Inglewood/NFL Stadium • Crenshaw Northern Extension • Orange Line BRT Improvements**
Alternatives Analysis	Incorporate analysis criteria related to first/last mile existing conditions	Station locations and preferred alignments being evaluated.	<ul style="list-style-type: none"> • Sepulveda Pass Transit Corridor • Gold Line Eastside Extension
Environmental Clearance; Conceptual through Preliminary Engineering <i>(These two phases occur concurrently)</i>	For environmental review: Incorporate scope elements to describe range of potential first/last mile components. For PE: Define first/last mile priority network and program of improvements. Develop cost assumptions	Alignments typically known; Should have finalized station locations to complete station area analysis as part of PE/design	<ul style="list-style-type: none"> • Gold Line Foothill Extension (Claremont)* • <u>Gold Line Eastside Extension</u> • West Santa Ana Branch± • Green Line Extension South Bay± • East San Fernando Valley± • Airport Metro Connector (<u>schematic design</u>)
Funding (includes LRTP/RTP processes)	Include as part of overall project costing. Determine applicability of 3% local contribution toward first/last mile components		
Final Design	Integrate priority network streetscape improvements with station design and checklist components	First/Last mile team to review design for regional elements.	<ul style="list-style-type: none"> • Purple Line Section 3

The following projects are in the Implementation Stage (contracting or under construction), and are not subject to First/Last Mile Project Implementation Guidelines:

Purple Line Section 1, Purple Line Section 2, Regional Connector, Crenshaw/LAX

* Pursuant to Director Solis' amendment to Motion 14.1 Foothill Gold Line Phase 2B Extension to Claremont will be included.

+Integration processes underway, e.g. inclusion of First/Last Mile activities in current project scopes.

****Does not include new station locations.**

FTE and Professional Services Needs

Scenario A:

- 5.875 new FTEs

	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Capital Projects Guidelines Development	\$75K	\$63K						
Purple Line FLM Planning and Design	\$50K	\$492K	\$542K	\$542K				
Grant-writing Assistance		\$350K	\$350K	TBD	TBD	TBD	TBD	TBD
Countywide FLM Planning and Design		\$2.5m	\$2.5m	\$2.5m	\$2.5m			
FY Total:	\$125K	\$341m	\$339m	\$3.04m	\$2.5m			

Scenario B:

- No new FTEs (existing staff: 2 FTEs)

	FY18	FY19	FY20
Capital Projects Guidelines Development	\$138K		
Purple Line FLM Planning and Design	\$542K	\$542K	\$542K
FY Total:	\$680K	\$542K	\$542K

Deferred:

- Grant-writing Assistance
- Countywide FLM Planning and Design
- Urban Greening Implementation Action Plan and Demonstration Projects
- First/Last Mile Training
- Affordable Housing and Sustainable Communities Policy Coordination
- Annual Sustainability Report
- Sustainability Demonstration San Gabriel Valley COG
- Sustainability Demonstration Gateway Cities COG

Estimating Methodology

Comparable projects, in general, are used to define resource needs on a per-station basis. For example, Metro's current first/last mile planning project for the Blue Line is budgeted at \$280,000 and covers 22 total station areas, or approximately \$12,700 per station. Additionally, staff compared the type of activities and level of effort for comparable projects to assure an accurate comparison, and in some cases (especially for Countywide First/Last Mile Planning for existing stations) to establish a range of potential costs.

Activity	Comparable Projects				New Activity Estimate		
		Unit	Total Prof Svcs / Per Unit Prof Svcs	Total FTE / Per Unit FTE	Unit	Total Prof Svcs	Total FTE
Capital Projects Guidelines Development	Active Transportation Design Criteria	County-wide	\$75,000	.75			
	Countywide Urban Greening Plan (Plan Development and Outreach Components)	County-wide	\$200,000	0.8			
<i>Capital Projects Guidelines Development Total</i>					N/A	\$138,000	.75
<i>Timing</i>					Start – Oct Dec 2016, Duration – 12 months (including procurement)		
Purple Line Planning, Design	Eastside Access Planning, Design, Environmental	4 station areas	\$1.3 million/ \$325,000	0.5/0.125			
<i>Purple Line Sec 2 and 3 Planning and Design Total</i>					5	\$1.625 million	.625
<i>Timing</i>					Start – Oct Dec 2016, Duration – 30 months (including procurement)		
Countywide Planning and Design (existing stations)	Blue Line Planning Study	22 station areas	\$280k/ \$12,700	0.7/.031			
	Hawthorne Station area study (SCAG project)	1	\$67,000/ \$67,000	N/A			
<i>Countywide Planning and Design Total</i>					254	\$10m	3
<i>Timing</i>					Start – Oct Dec 2016, Duration – 42 months (including procurement)		

Activity	Comparable Projects				New Activity Estimate		
		Unit	Total Prof Svcs / Per Unit Prof Svcs	Total FTE / Per Unit FTE	Unit	Total Prof Svcs	Total FTE
Grant Assistance	ATP Grant Assistance	31 applications	\$700,000/ \$22,580 per app	2.5/0.08 per app			
<i>Grant Assistance Total</i>					30	\$700,000	1.5
<i>Timing</i>					Start – Oct Dec 2016, Duration – 18 months (including procurement)		
TOTAL:				4.5 Years	\$12.5 million in Prof Svcs	5.875 FTEs Estimated Annual Cost of FTEs: \$900,000 to \$1 million	
GRAND TOTAL: \$16.5 million in Prof. Services and FTEs over 4.5 years (approx. \$3.66 million per year)							
Matching Grant Program	None	N/A	N/A	N/A			
<i>Matching Grant Program Total</i>					30	\$20 ¹ m biennially	0
<i>Timing</i>					Pending budget action, and timed to applicable grant cycles, esp. ATP		

¹ Matching Grant Program not included in total at this time.

Metro

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

**Board Report**

File #:2016-0442, **File Type:**Motion / Motion
Response

Agenda Number:14.1

**PLANNING AND PROGRAMMING COMMITTEE
MAY 18, 2016**

Motion by:

Directors Garcetti, Bonin, Kuehl, Solis, DuBois and Najarian

May 18, 2016

Item 14, File ID 2016-0108; First-Last Mile

According to MTA data, 76 percent of Metro Rail customers and 88 percent of Metro Bus customers arrive at their station or stop by walking, biking, or rolling. To support these customers, MTA staff prepared an Active Transportation Strategic Plan which contains many First-Last Mile improvements that will connect people to MTA's transit network and maximize the benefits from transit investments being made across Los Angeles County.

First-Last Mile elements include, but are not limited to, ADA-compliant curb ramps, crosswalk upgrades, traffic signals, bus stops, carshare, bikeshare, bike parking, context-sensitive bike infrastructure, and signage/wayfinding. The Federal Transit Administration considers First-Last Mile infrastructure to be essential to providing safe, convenient, and practical access to public transportation.

So far, MTA has taken important preliminary steps to implement First-Last Mile projects, including the award-winning 2014 Complete Streets Policy, the Wayfinding Signage Grant Pilot Program, providing carshare vehicles at Metro Rail stations, and pilot First-Last Mile infrastructure at Arcadia, Duarte, Expo/Bundy, and 17th Street/SMC stations.

However, more can be done to support First-Last Mile facilities across all of Los Angeles County.

MTA's award-winning Complete Streets Policy stated that MTA would approach every project as an opportunity to improve the transportation network for all users. However, in practice, there is a needlessly narrow approach to major transit projects that has resulted in many missed opportunities to deliver First-Last Mile elements.

Outside of major transit projects, it will typically not be MTA's role to deliver First-Last Mile projects that are the purview of local jurisdictions. However, MTA can take steps to meaningfully facilitate and help local jurisdictions deliver First-Last Mile projects through a variety of means.

To support regional and local transit ridership across Los Angeles County, it is time for MTA to reaffirm its dedication to the delivery of First-Last Mile facilities across all of Los Angeles County.

APPROVE Motion by Garcetti, Bonin, Kuehl, Solis, DuBois and Najarian that the Board adopt the Active Transportation Strategic Plan (Item 14); and,

WE FURTHER MOVE that the Board direct the CEO to:

- A. Designate streets within the Active Transportation Strategic Plan's 661 transit station areas as the Countywide First-Last Mile Priority Network;
- B. To support regional and local transit ridership and facilitate build-out of the Countywide First-Last Mile Priority Network, including, but not limited to, ADA-compliant curb ramps, crosswalk upgrades, traffic signals, bus stops, carshare, bikeshare, bike parking, context-sensitive bike infrastructure (including Class IV and access points for Class I bike infrastructure), and signage/wayfinding:
 1. Provide technical and grant writing support for local jurisdictions wishing to deliver First-Last Mile projects on the Countywide First-Last Mile Priority Network, including providing technical assistance and leadership to jurisdictions to help and encourage the implementation of subregional networks that serve the priority network;
 2. Prioritize funding for the Countywide First-Last Mile Priority Network in MTA grant programs, including, but not limited to, the creation of a dedicated First-Last Mile category in the Call for Projects;
 3. Create, and identify funding for, a Countywide First-Last Mile Priority Network Funding Match Program, separate from existing MTA funding and grant programs, for local jurisdictions wishing to deliver First-Last Mile projects on the Countywide First-Last Mile Priority Network;
 4. To support the Active Transportation Strategic Plan, dedicate funding for the Countywide First-Last Mile Priority Network in the ongoing Long-Range Transportation Plan update, including a review of First-Last Mile project eligibility for all Prop A, Prop C, and Measure R capital funding categories;
 5. Building on MTA's underway effort to conduct First-Last Mile studies for Blue Line stations, conduct First-Last Mile studies and preliminary design for First-Last Mile facilities for all MTA Metro Rail stations (existing, under construction, and planned), all busway stations, the top 100 ridership Los Angeles County bus stops, and all regional rail stations;
 6. Incorporate Countywide First-Last Mile Priority Network project delivery into the planning, design, and construction of all MTA transit projects ~~starting with the Purple Line Extension~~

Section 2 project. These Countywide First-Last Mile Priority Network elements shall not be value engineered out of any project; and staff to report back at the June Planning and Programming Committee on the Purple Line Extension Section 2 Project.

C. Report on all the above during the October 2016 MTA Board cycle.

AMENDMENT by Solis to include Foothill Gold Line Phase 2B Extension to Claremont.

Metro

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



Board Report

File #:2016-0451, File Type:Motion / Motion
Response

Agenda Number:

**PLANNING AND PROGRAMMING COMMITTEE MEETING
MAY 18, 2016**

Motion by:

Directors Butts, DuBois, Knabe and Solis

May 18, 2016

Relating to Item 14.1, File ID 2016-0442; Active Transportation Plan

The preamble of Motion 14.1 states an excellent case for how important the Active Transportation Strategic Plan will be for local jurisdictions, especially for those jurisdictions through which the rail system is running with stations lying therein.

The fact that half of all trips are three miles or less highlights the need to focus on enhancing access to and from Metro transit stations and Motion 14.1 underscores those issues.

The co-authors address the connection in Sections B-4 and B-6 in reaffirming Metro's dedication to the delivery of First-Last Mile facilities and the need to leverage funding opportunities and Metro resources by incorporating "...Countywide First-Last Mile Priority Network project delivery into the planning, design, and construction of all MTA transit projects..."

Motion 14.1 further points out that "...outside of major transit projects, it will typically not be MTA's role to deliver First-Last Mile projects that are the purview of local jurisdictions. However, MTA can take steps to meaningfully facilitate and help local jurisdictions deliver First-Last Mile projects through a variety of means."

We believe that the existing practice of encouraging local jurisdictions to contribute up to 3% of a rail project's budget should be included among that "variety of means" as an appropriate vehicle to facilitate the leveraging of Metro and local jurisdictions' resources towards the goals contained in the ATSP and section B-6 of Motion 14.1.

APPROVE Motion by Butts, DuBois, Knabe and Solis to amend Motion 14.1 under subsection B-6 to specify that, henceforth, Metro would negotiate in a standardized MOU with the respective contributing jurisdiction(s) that up to 100% 50% of a local jurisdiction's 3% local contribution can go towards underwriting ATP, First-Last Mile, bike and pedestrian and street safety projects that contribute to the accessibility and success of the stations in the respective jurisdictions.

File #:2016-0451, **File Type:**Motion / Motion
Response

Agenda Number:

AMENDMENT by Solis to include Foothill Gold Line Phase 2B Extension to Claremont.



Board Report

File #:2016-0489, File Type:Informational Report

Agenda Number:23

**PLANNING AND PROGRAMMING COMMITTEE
JUNE 15, 2016**

SUBJECT: FIRST/LAST MILE PURPLE LINE SECTION 2; 3% LOCAL CONTRIBUTION PROVISION

ACTION: RECEIVE AND FILE / MOTION

RECOMMENDATION

CONSIDER:

- A. RECEIVING AND FILING report on **approach to incorporating First/Last Mile elements into the Purple Line Extension Section 2.**
- B. APPROVING **Motion 14.2 by Directors Butts, DuBois, Knabe and Solis** to amend Motion 14.1 under subsection B-6 to specify that, henceforth, Metro would negotiate in a standardized MOU with the respective contributing jurisdiction(s) that up to 100% of a local jurisdiction's 3% local contribution can go towards underwriting Active Transportation Program (ATP), First/Last Mile, bike and pedestrian and street safety projects that contribute to the accessibility and success of the stations in the respective jurisdictions, inclusive of the framework provided in Attachment C.
- C. DIRECTING staff to commence with the development of guidelines to implement the potential use of local jurisdictions' 3% capital contribution to underwrite ATP and First/Last Mile investments within the framework included as Attachment C.

ISSUE

A. Incorporating First/Last Mile Elements into the Purple Line Extension Section 2.

On May 26, 2016, the Metro Board of Directors passed Motion 14.1 directing various activities related to the implementation of the Active Transportation Strategic Plan and the First/Last Mile Strategic Plan (Attachment A). Among the required follow-up was an immediate report back to the Planning and Programming Committee on the potential ramifications of incorporating First/Last Mile implementation in the Purple Line Extension Section 2 (hereinafter referred to as "Section 2"). This direction was given in light of the fact that Section 2 contracts are currently out to bid and additional expectations on contractors should be assessed prior to commitment. This report responds to direction relative to the Section 2, and prompts consideration of a related Motion 14.2 (included as Attachment B) on the application of the 3% local contribution for transit capital projects.

B. Allowing 3% Local Contribution to underwrite First/Last Mile elements.

Staff were directed to examine the financial impacts associated with the Motion as amended. There are two primary capital project level financial impacts:

- Increased costs to “incorporate First/Last Mile Priority network project delivery into the planning, design, and construction of all MTA transit projects starting with the Purple Line Extension Section 2 project” (14.1.B.6).
- Revenue impacts associated with the provision in the amending Motion 14.2 that “henceforth, Metro would negotiate in a standardized MOU with the respective contributing jurisdiction(s)” to allow that “up to 100% of a local jurisdiction’s 3% local contribution can go towards underwriting ATP, First/Last Mile, bike and pedestrian and street safety projects that contribute to the accessibility and success of the station in the respective jurisdictions.”

DISCUSSION

A. Incorporating First/Last Mile elements into the Purple Line Extension Section 2.

Motion 14.1 passed by the Metro Board of Directors on May 26, 2016 designated streets within Metro’s Active Transportation Strategic Plan’s (ATSP) 661 transit station areas as the Countywide First/Last Mile Priority Network. In that motion, the Board also specifically identified a number of elements to facilitate build-out of the First/Last Mile Priority Network. The Board directed that implementation of the First/Last Mile Priority Network be included in future transit capital projects, starting with Section 2, with additional direction, as noted above, to report back to the June meeting of Planning and Programming Committee specifically on Section 2 issues.

Findings

Metro staff has reviewed the Section 2 station plans, local plans affecting the surrounding areas, and has initiated coordination discussions. At this time, we have concluded that the intent of the Board’s direction relative to Section 2 can be accommodated without revising the scope of the Section 2 capital project. . This conclusion was reached in light of a number of factors, including:

- The late stage of project development - Section 2 construction contracts are currently out to bid. Further, Metro is currently seeking concurrence on the currently defined project scope from the Federal Transit Administration. Both of these processes would be significantly complicated by any change in scope at this time.
- Plans for Section 2 stations themselves are generally adequate in that they contain the necessary components for the station element of the First/Last Mile Priority Network that would be located at the station site. This does not preclude improvements as we move forward, but there are not obvious omissions that would cause us to re-scope the project at this time.
- While staff is able to provide a tentative assessment of the cost of First/Last Mile

implementation, that estimate is highly variable and subject to substantial change once an “on-the-ground” assessment is completed and project plans are created. Looking beyond the stations, the development of First/Last Mile plans is crucial to responding to the Board’s direction.

- In subsequent discussions involving authors of the Motion and the Countywide Planning and Construction Departments, it was concluded that the intent of the motion could be satisfied by implementing the First/Last Mile Priority Network through parallel, coordinated but separate projects that would proceed according to an approach described further below.

Staff completed a preliminary assessment of the level of effort required for First/Last Mile implementation for Section 2. This assessment was largely based on the methodology included in the ATSP; further analyses will be completed and reported back to the Board in October 2016 as requested.

B. Allowing 3% Local Contribution to underwrite ATP improvements.

For purposes of this Board report and consistent with discussions with Board offices regarding the intent of Motion 14.1 and 14.2, scopes of projects currently under construction or out to bid will not be revised to reflect additional First/Last Mile elements, and these projects’ 3% local contribution will be applied to costs of the scope as approved by the Board. Therefore, there are two, board categories of projects where 3% local contribution funds might be applied to First/Last Mile elements:

- 1) Projects not under construction but under contract for pre-construction activities (design and engineering)

This may be challenging, depending on the status of the project in design, budgeting and funding. Impacts of added costs and schedule delay would need to be identified. Should adjustments to include First-Last Mile elements be considered, the earlier in the process the better, and it would be best to do so before a Life of Project budget is established.

- Staff proposes to develop an evaluative procedure for these projects on a case by case basis as to whether additional First/Last mile elements are made as part of the project, or as a distinct, separately funded capital project. Analysis of the First/Last Mile elements that may be desirable and the development of a station area access plan will be in done in close collaboration with local jurisdictions.

- 2) Projects that are still in the planning and environmental stages.

This is the most ideal stage to bring in local jurisdictions to consider and seek commitments for attendant, non-Metro First/Last Mile elements and identify those First/Last Mile elements to be included in the Metro Project scope:

- Staff proposes developing specific guidelines on how to incorporate First/Last Mile elements into the planning, environmental and design stages of new projects, in order to develop both:

- Metro project specific budgets including appropriate First/Last elements; and
- potential agreements with jurisdictions responsible for non-Metro First/Last mile improvements and attendant funding commitments for such. These agreements would include development of a station area access plan and agreed upon eligible capital ATP and First/Last Mile station or stop elements. This will also include recommendations to address how local jurisdictions may apply their 3% local contribution requirements.

3) Revenue Impacts

Motion 14.2 regarding 3% local contribution would represent a revenue impact under one category of projects, and a budget impact under another.

(a) Projects not under construction but under contract for pre-construction activities (design and engineering).

- POST-Life of Project (LOP)/PRE-BID advertisement: the Board may elect to incorporate First/Last Mile elements into the scope of the project, with the attendant cost increase.
 - Staff proposes to develop procedures wherein a local jurisdiction may direct all or a portion of their 3% contribution to an agreed upon set of First/Last Mile elements identified in a Metro-approved station access plan that are part of that adjusted budget.

(b) Projects that are still in the planning and environmental stages.

Staff proposes developing guidelines consistent with these findings that will address project planning and budget development, as summarized in Attachment C. They will include evaluative criteria for local jurisdictions that intend to consider utilizing all or a portion of their 3% contribution to underwrite an agreed upon set of First-Last Mile elements that are either attached directly to the project footprint, or provide direct access to the project as shown in a Metro approved station access plan. These guidelines will be developed in consultation with local jurisdictions who may be impacted by Motions 14.1 and 14.2. Further, should the Board pursue any additional directives regarding application of the 3% local contribution, the referenced guidelines will be adjusted to coordinate with those directives.

FINANCIAL IMPACT

- A. This report describes an approach to implementing Board direction (May 26, 2016, Motion 14.1) that will have a financial impact by requiring additional staff and consultant effort to develop two station area First/Last Mile concept and implementation plans relating to the Purple Line Section 2 Extension. This activity falls within a larger set of activities directed through the same motion. Staff will respond to Motion 14.1 in full at the October 2016 Board meeting, and at that time will identify scope, schedule and funding requirements to carry out the plans. Per the approach described in this Board Report, staff will produce a plan for implementation of the First/Last Mile

Priority Network for Section 2 of the Purple Line Extension. This plan would be subject to future Board consideration.

- B. Approval of Motion 14.2 to amend Motion 14.1 to allow all or a portion of the 3% local contribution toward First/Last Mile Priority Network improvements that directly improve Transit Station access may also have financial impact subject to future negotiations with local agencies. The scope of the financial impact is dependent on a number of variables including total project costs and the extent of approved First/Last Mile access improvements included in each station area plan to be developed as part of the Transit Project planning. The cost of such new First/Last Mile station success improvements represent new Transit Project costs that were not anticipated in the preliminary financial plans that have been utilized in the past, including in the LRTP. As station access improvement plans are developed for the applicable 3% projects, cost estimates and the resulting financial impacts will be identified.

Impact to Budget

Station Area ATP and Access Improvements Plan activities associated with this report will have an impact to the 2017 budget due to the need for augmented staffing and consultant services. Staff will provide a full report on implementation of Motion 14.1 at the October 2016 Board meeting and will suggest how those activities may be accommodated in the FY2017 budget at that time.

ALTERNATIVES CONSIDERED

Information provided in this report is for the Committee's consideration and does not include a staff recommendation.

NEXT STEPS

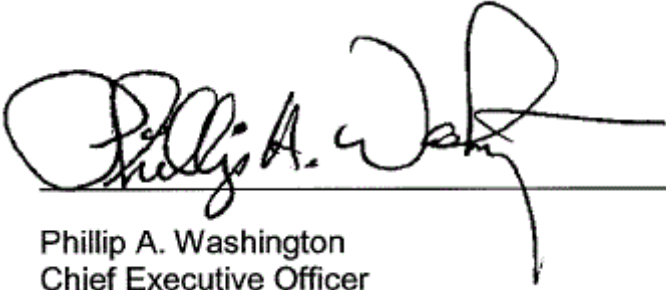
- A. Staff will proceed according to the approach described within this report, including on-going coordination discussions with the cities of Los Angeles and Beverly Hills, pursuing planning projects, and providing a full report to the Board at the October 2016 meeting.
- B. Should the Board approve item 14.2, staff will commence with the development of guidelines consistent with the framework included as Attachment C to implement the potential use of local jurisdictions' 3% capital contribution to underwrite First/Last Mile elements as described above.

ATTACHMENTS

Attachment A - Motion 14.1
Attachment B - Motion 14.2
Attachment C - Motion Response Framework

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Phillip A. Washington
Chief Executive Officer



Board Report

File #: 2016-0731, File Type: Project

Agenda Number: 53

PLANNING AND PROGRAMMING COMMITTEE
NOVEMBER 16, 2016
CONSTRUCTION COMMITTEE
NOVEMBER 17, 2016

SUBJECT: AIRPORT METRO CONNECTOR 96TH STREET TRANSIT STATION PROJECT

ACTION: CERTIFY FINAL ENVIRONMENTAL IMPACT REPORT AND RELATED ACTIONS

RECOMMENDATION

CONSIDER:

- A. APPROVING the **Airport Metro Connector (AMC) 96th Street Transit Station Project** which will add a new Metro rail station to the Crenshaw/LAX Line at 96th Street;
- B. CERTIFYING the Final Environmental Impact Report (Final EIR). Attachment A contains the Project Overview. The Final EIR is available upon request or at www.metro.net/projects/lax-extension <<http://www.metro.net/projects/lax-extension>>;
- C. ADOPTING the:
 - 1. Mitigation Monitoring and Reporting Plan (MMRP) (Attachment B); and
 - 2. Findings of Fact (Attachment C)
- D. AUTHORIZING the Chief Executive Officer (CEO) to file the Notice of Determination (NOD) (Attachment D) with the Los Angeles County Clerk and State of California Clearinghouse; and
- E. RECEIVING AND FILING the quarterly project status report including architectural and engineering design services and coordination with the Los Angeles World Airports (LAWA) and the Crenshaw/LAX Project, as directed by the Metro Board in July 2014 (Attachment E).

ISSUE

Metro staff coordinated extensively with the Crenshaw/LAX and Southwestern Yard projects as well as LAWA's Landside Access Modernization Program (LAMP) in preparing the EIR for the Project. The

Project will provide an improved connection between the regional transit system and LAX as well as the surrounding area. With Metro as the lead agency, the Metro Board must approve the Project and certify the Final EIR; adopt the MMRP and Findings of Fact; and authorize the CEO to file the NOD. The Project is one of the 12 transit projects in Measure R and is included in Measure M on the November 8th ballot.

The Board is also being requested to receive and file the quarterly status report on the Project including updates on the architectural and engineering design services and coordination with the LAWA and the Crenshaw/LAX Project.

DISCUSSION

Background

The California Environmental Quality Act (CEQA) requires that the lead agency balance, as applicable, the economic, social, technological, and other benefits of the project against its unavoidable impacts when considering project approval. 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 Final EIR determined that the Project would not cause any significant unavoidable impacts. The one potentially significant impact is associated with hazardous soil conditions at the Project site. This can be mitigated to less than significant levels with incorporation of mitigations.

Sections 21086.6 and 21081 of the California Public Resources Code require that public agencies approving a project with an EIR adopt an MMRP and Findings of Fact. The purpose of the MMRP is to ensure that the mitigation measures identified in the Final EIR that mitigate the potentially significant environmental effects of the Project are, in fact, properly carried out. The Lead Agency must also include a Findings of Fact that a MMRP has been prepared and provides a satisfactory program that would ensure avoidance or sufficient reduction of the significant effects of the project. Metro staff is responsible for assuring full compliance with the provisions of the MMRP and Findings of Fact.

In June 2014, the Board approved the AMC 96th Street Transit Station as the preferred alternative for connecting the Metro rail system to LAX and staff initiated work on the Draft EIR. In July 2014, the Board authorized the design and construction of accommodations on the Crenshaw/LAX line so as not to impact the operation of that Line. In July 2015, the Board awarded the architectural and engineering design services contract for the station.

Community Outreach

A community outreach program was conducted throughout the environmental planning phase of the Project. The Public Scoping meeting was held on February 23, 2015 to initiate the public engagement process. The Draft EIR was released on June 22, 2016 for a 46-day public review period (June 22, 2016 to August 6, 2016). The public hearing to accept comments on the Draft EIR was held on July 13, 2016 with 45 community members and stakeholders in attendance. During the public hearing, 10 attendees provided public testimony on topics including the future of the LAX City

Bus Center, impacts to Metro Green Line service and stations, Arbor Vitae Street at-grade railroad crossing, parking in neighboring communities, project funding, bicycle access to the station, and escalator and elevators capacities. The public comment period closed on August 6, 2016 with 74 comments received via letters, Facebook, Twitter and email. Copies of all public testimony and comments, along with responses, have been included in the Final EIR. Following the release of the Final EIR, notices were sent to those who commented on the Draft EIR.

Coordination with LAWA

Staff worked extensively with LAWA representatives to coordinate the respective environmental efforts for both the Project and LAMP, which are on parallel schedules. LAWA provided Metro with existing and projected traffic data to help ensure that both the separate and independent projects are fully synchronized. Staff consulted with LAWA staff on public comments related to LAWA's LAMP which were submitted as part of the Project Draft EIR review period. On September 15, 2016, LAWA released its Draft EIR for the LAMP for a 45-day public review period and held two public hearings to accept comments on October 15 and October 19, 2016. The public comment period is scheduled to close on November 15, 2016.

Project Definition

The Project components, as described below, would be linked together by a continuous system of elevated walkways.

- Three LRT platforms would be located at the southwestern portion of the project site to serve the Crenshaw/LAX Line and a northern service extension of the Metro Green Line;
- A bus facility would include up to 20 active bus bays and up to 18 layover bus bays. The bus plaza will consolidate 13 Metro and municipal bus routes currently serving the LAX City bus center and/or the Aviation/LAX Transit center. The bus plaza would include pedestrian amenities such as restrooms, a lounge for bus operators, and other support services;
- A bicycle hub would accommodate up to 150 bicycles in a secure, indoor environment. Additional space for up to 50 bicycles would be provided for short-term parking. Amenities associated with the bicycle hub may include a repair area, a multi-use space, showers and lockers;
- A passenger pick-up and drop-off area would be provided for passengers arriving and departing by automobile; and
- A Metro Hub would link the multiple modes of transit on the second level of the Project. It would serve as the area of transition for all passengers. The design is exploring the inclusion of a security office, food/beverage/convenience/retail kiosk-type spaces, passenger amenities, artwork and information.

Quarterly Status Update

Architectural and Engineering Design Services

Work continues on the schematic design that was initiated in July 2016. Staff continues to work with LAWA on coordinating the Project elements and station design guidelines as identified in the

approved June 2014 Metro Board motion (Attachment F) with their Automated People Mover which is on a parallel design and environmental clearance path.

Crenshaw/LAX Design Accommodations

In June 2016, the Board approved issuing a Contract Modification for Walsh/Shea Corridor Constructors (WSCC) to begin construction of the AMC accommodations in an amount not to exceed \$7,400,000. Currently, the civil design is 100% complete, systems design is 90% complete and train control design is approximately 55% complete. The contractor has begun construction of the accommodations on the Crenshaw/LAX line. Staff continues to negotiate with WSCC to reach an agreement on schedule and cost impacts of the accommodations. Staff will return to the Board for change authorization when the direct costs and time impact negotiations are complete. In addition to the design and construction costs, there will be Metro administrative and construction management costs associated with any schedule impacts.

Transit and Intercity Rail Capital Program (TIRCP) Grants

In April 2016, staff submitted an application for a TIRCP grant for the Project. In August, 2016, the California State Transportation Agency announced the award of \$40 million in TIRCP funds to the Project. The TIRCP program is funded by Greenhouse Gas Reduction Fund proceeds under the Cap and Trade Program.

DETERMINATION OF SAFETY IMPACT

The development of the Project followed Metro adopted policies. The approval will have no impact on the safety of our customers and/or employees.

FINANCIAL IMPACT

The FY17 budget includes \$1,930,000 for the Project in Cost Center 4350 (Transit Corridors Planning), Project 460303 (AMC), Account 50316 (Professional Services). Since this is a multi-year contract, the cost center manager and the Chief Planning Officer, Countywide Planning, will be accountable for budgeting the cost in future years.

Impact to Budget

The source of funds is Measure R 35% Transit Capital dollars specifically earmarked for the Project. As such, there is no impact to bus and rail capital or operating dollars. In addition, Congestion Mitigation and Air Quality Improvement (CMAQ) and TIRCP, as part of the Cap-and-Trade Program, funding is also available for this project. The CMAQ funds were previously approved by the Metro Board and are included in approved grants. For this reason, the CMAQ funds cannot be redirected to bus or rail capital or operating uses. TIRCP funds were competitively allocated by the State of California specifically for the AMC project.

ALTERNATIVES CONSIDERED

The Board could defer approving the Project, certifying the Final EIR, and adopting the MMRP and Findings of Fact. This alternative is not recommended as it would impact the schedule and would not be consistent with prior Board direction to accelerate completion of the Project.

NEXT STEPS

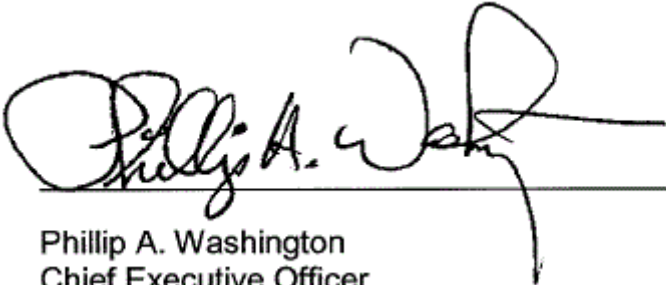
Upon Board approval, staff will file the NOD with the Los Angeles County Clerk and the State of California Clearinghouse. Staff will continue working with the Federal Transit Administration to prepare the Categorical Exclusion (CE) for the Project in accordance with the National Environmental Policy Act. Staff anticipates completing the CE in early 2017. Staff will also work with the state to execute the TIRCP grant agreement. Staff will continue to closely coordinate with LAWA staff and the Crenshaw/LAX project on station design and pre-construction activities.

ATTACHMENTS

- Attachment A - Project Overview
- Attachment B - Mitigation Monitoring and Reporting Program
- Attachment C - Findings of Fact
- Attachment D - Notice of Determination
- Attachment E - July 2014 Metro Board Motion
- Attachment F - June 2014 Metro Board Motion

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Phillip A. Washington
Chief Executive Officer



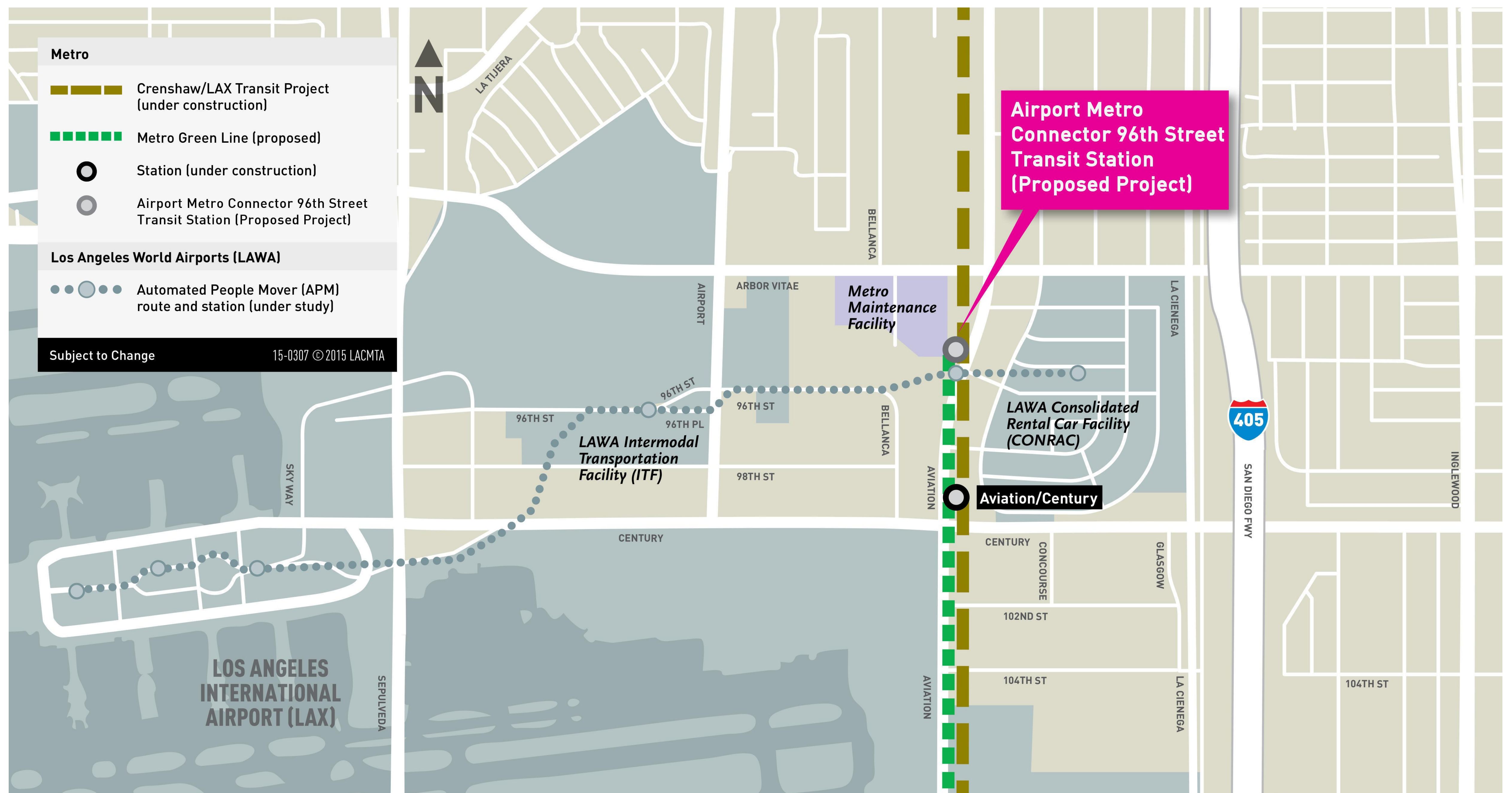
Project Overview

- June 26, 2014: Metro Board approved a new station on Crenshaw/LAX Line at 96th Street/Aviation Boulevard as Locally Preferred Alternative.
 - Staff initiated work on Draft Environmental Impact Report (EIR)
- February 6, 2015: Notice of Preparation (NOP) issued for the Draft EIR
- February 23, 2015: Public Scoping Meeting held for public input on the project and EIR process
- June 22, 2016: Draft EIR released for 46-day public review period (June 22, 2016 to August 6, 2016)
 - Email blasts and "Take One" notices sent to 1000 contacts and 1400 stakeholders
 - 21 online and print ads placed in multiple sources
 - Hard and electronic copies of Draft EIR provided to eight local public libraries
 - July 13, 2015: Held Public Hearing to accept comments on the Draft EIR
- August 6, 2016: End of Public Comment Period with 74 comments received via letters, Facebook, Twitter, project hotline and email
- November 2, 2016: Released Final EIR
- Ongoing coordination with:
 - Los Angeles World Airports (LAWA)
 - Municipal Bus Operators
 - Crenshaw/LAX Project Team
 - Southwestern Maintenance Yard
- Community Outreach



Metro[®]

Project Overview

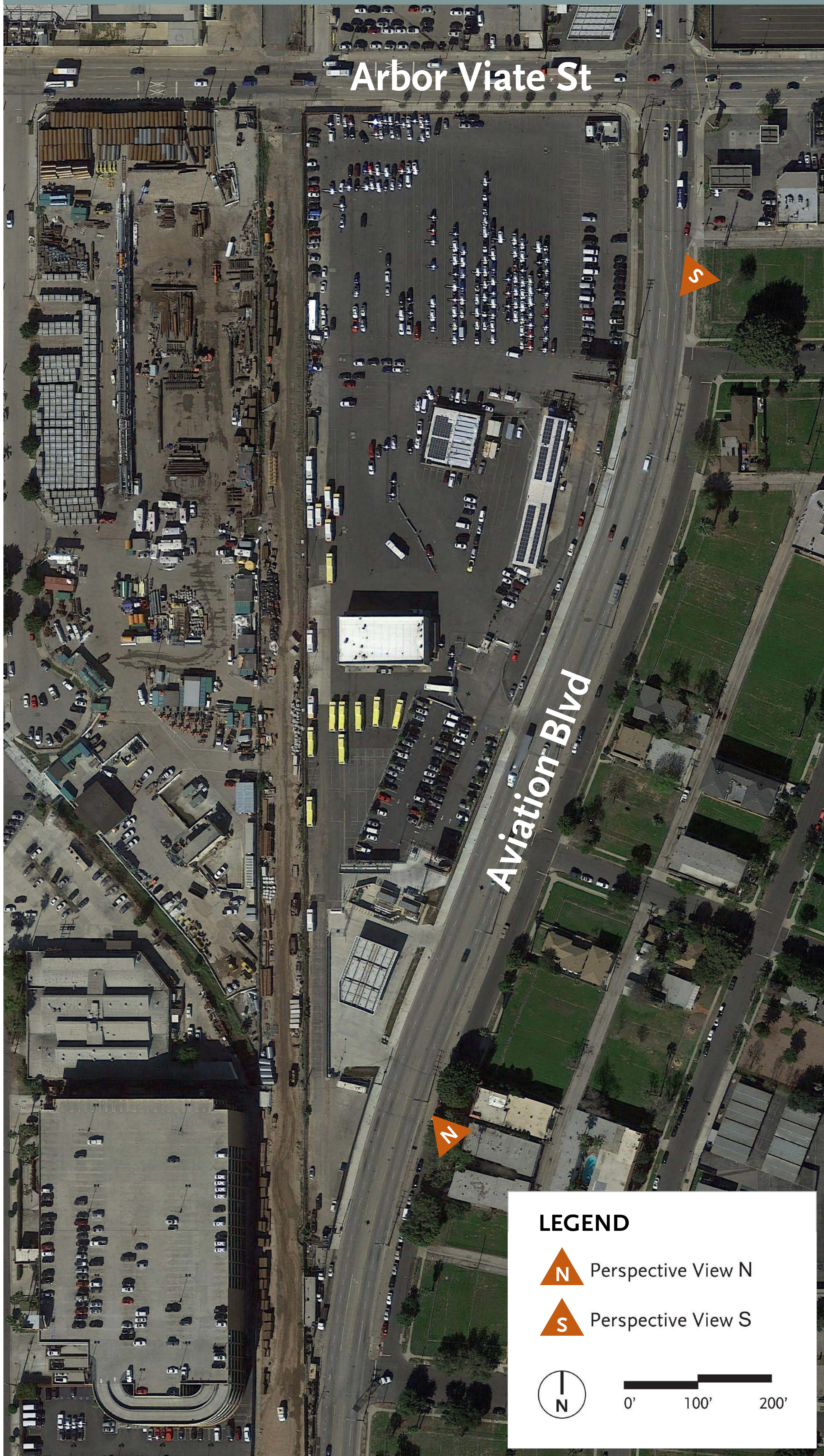


Project components:

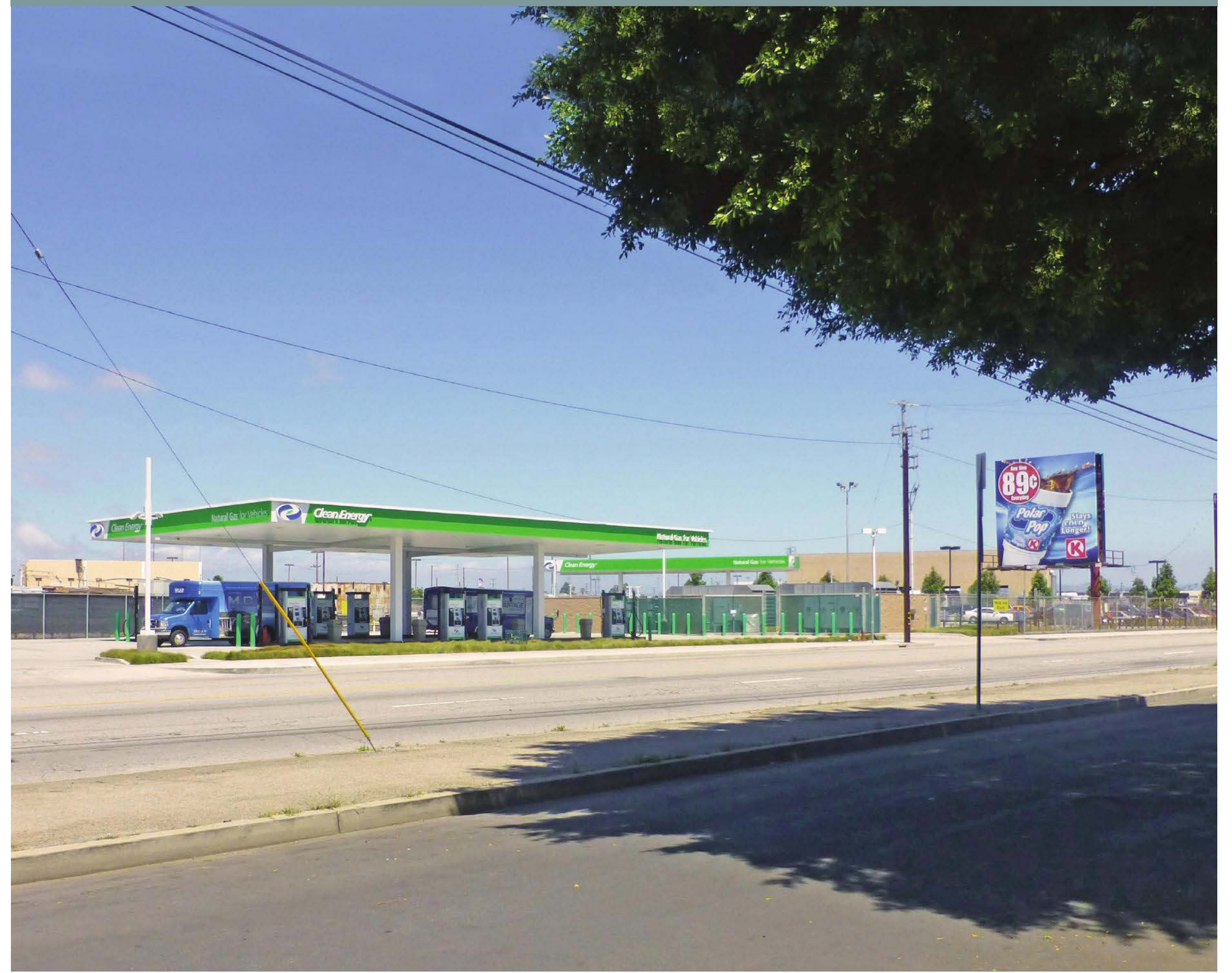
- Three at-grade Light Rail Transit (LRT) platforms to be served by the Crenshaw/LAX Line and Metro Green Line service extension
- Bus plaza and terminal facility for Metro and municipal bus operators;
- Bicycle hub with secured parking for up to 150 bicycles;
- Pedestrian plaza;
- Passenger vehicle pick-up and drop-off area; and
- Metro transit center/terminal building (“Metro Hub”) that connects passengers between the various modes of transportation including the future Automated People Mover (APM) to be built and operated by LAWA

Existing Conditions

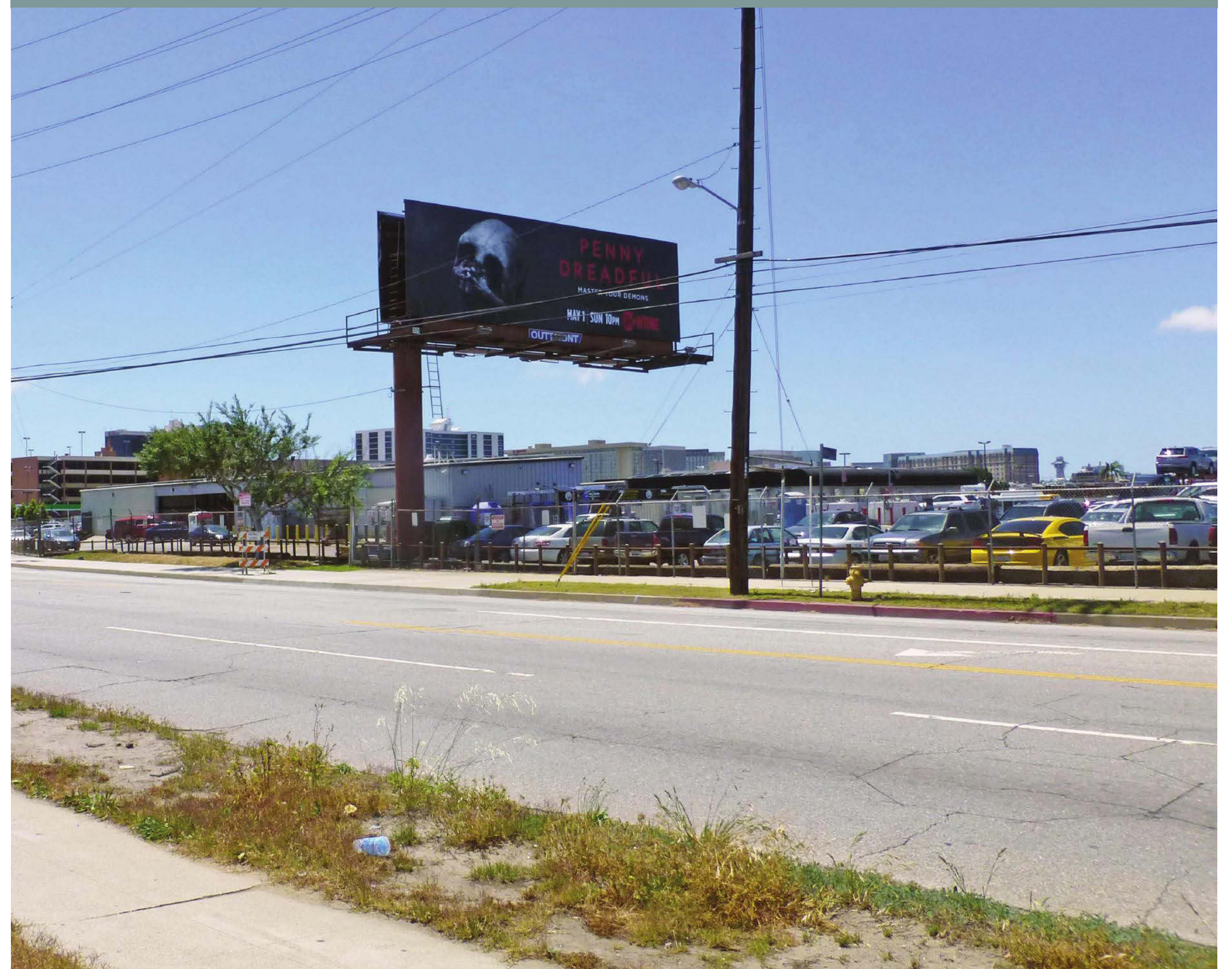
Aerial View



View N – Looking North

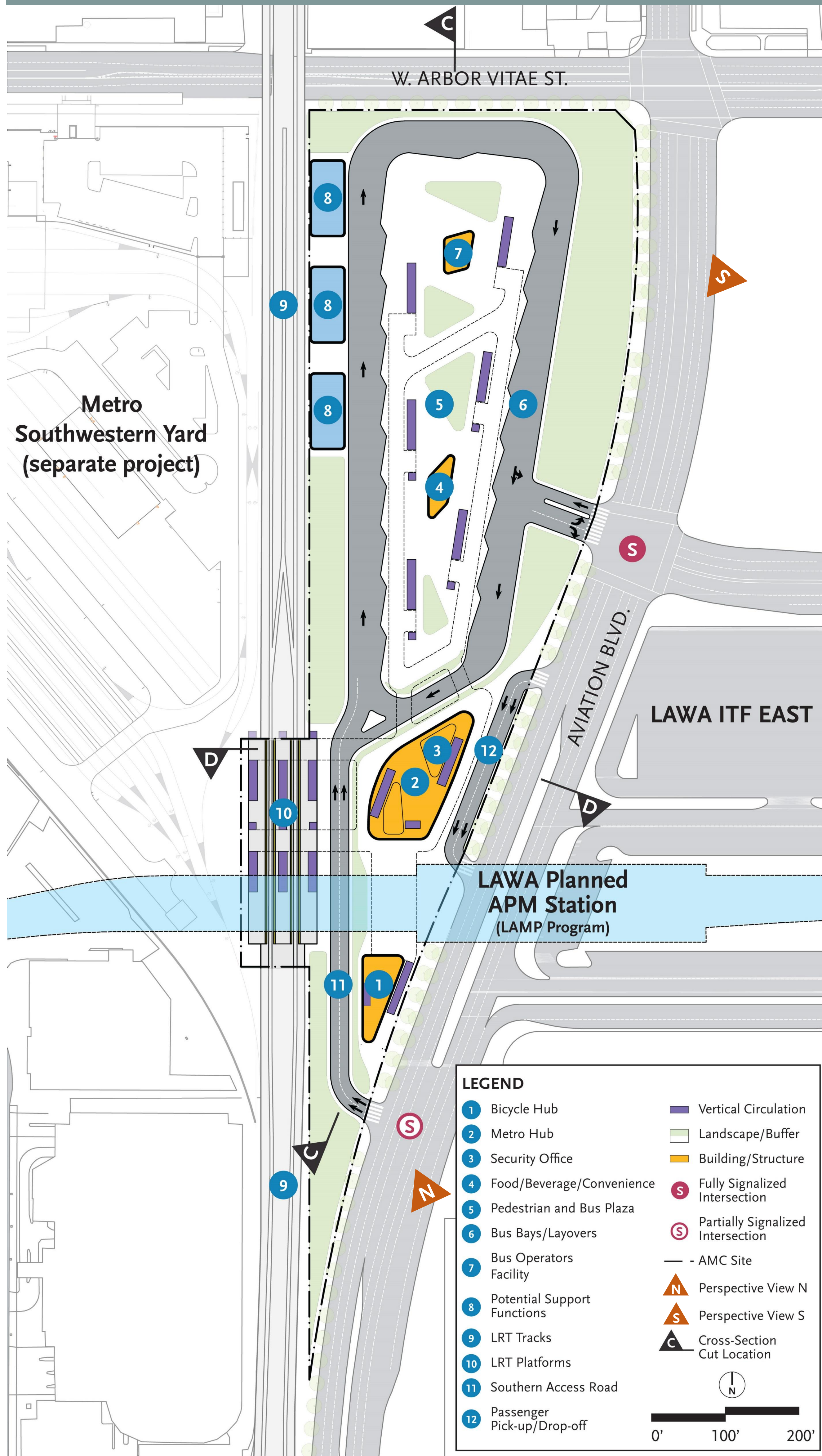


View S – Looking South



Cumulative: Proposed Project with LAWA APM

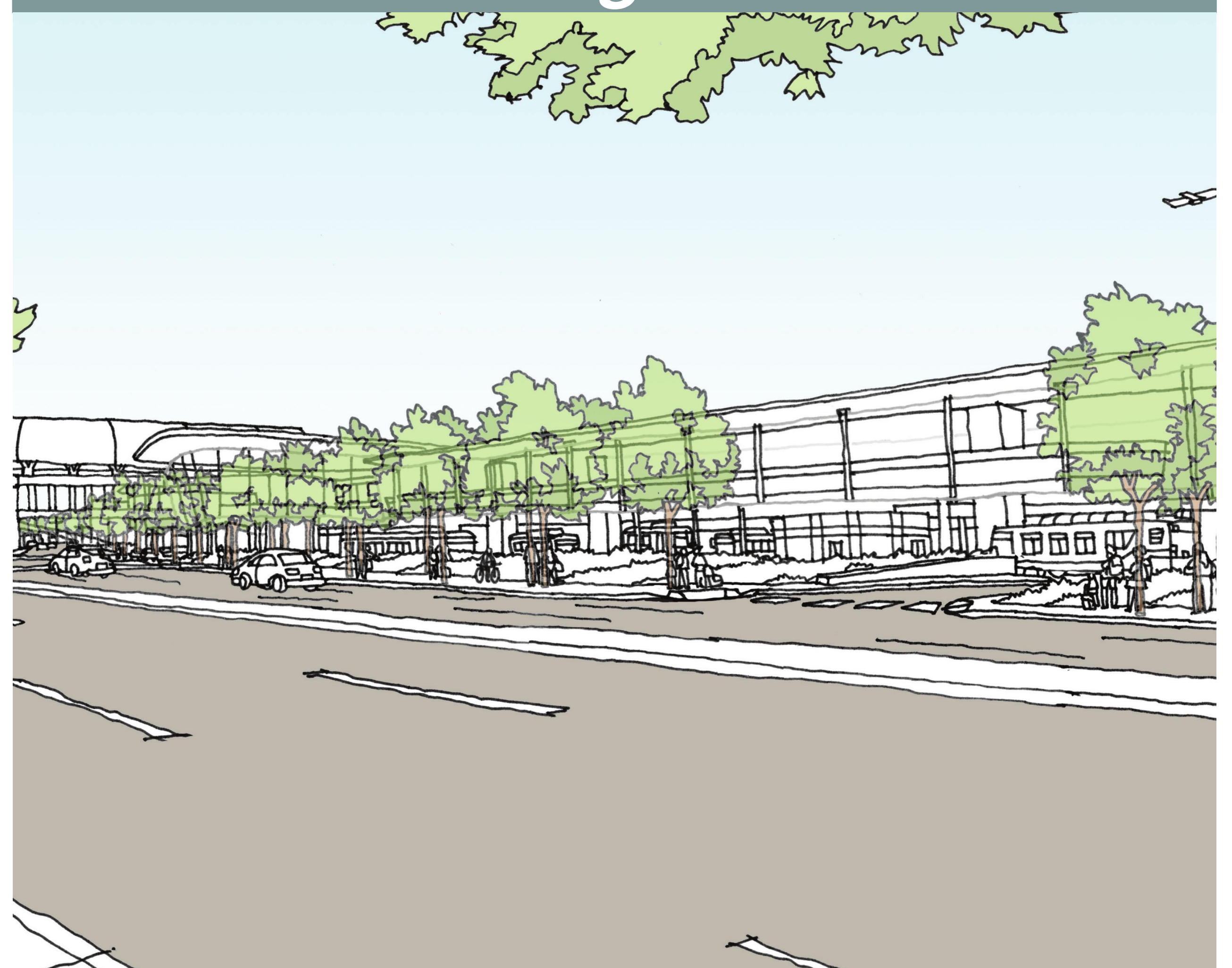
Ground-Level Conceptual Site Plan



Conceptual Perspective View N – Looking North

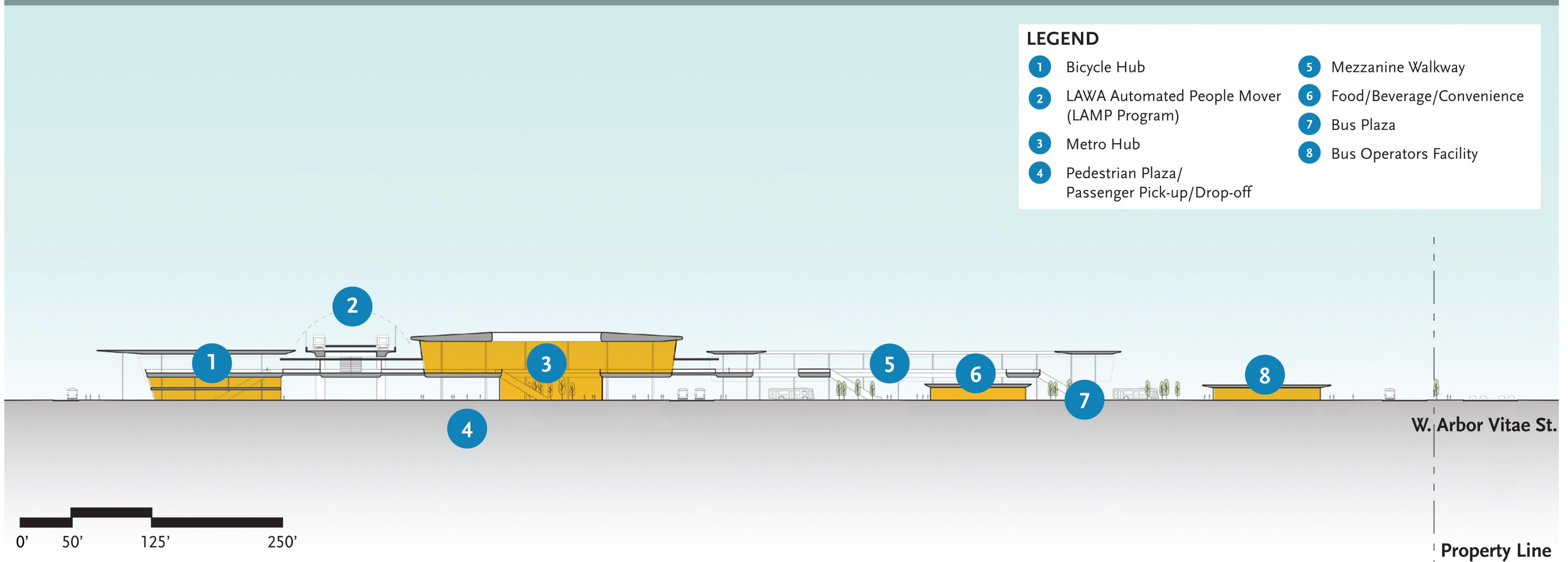


Conceptual Perspective View S – Looking South

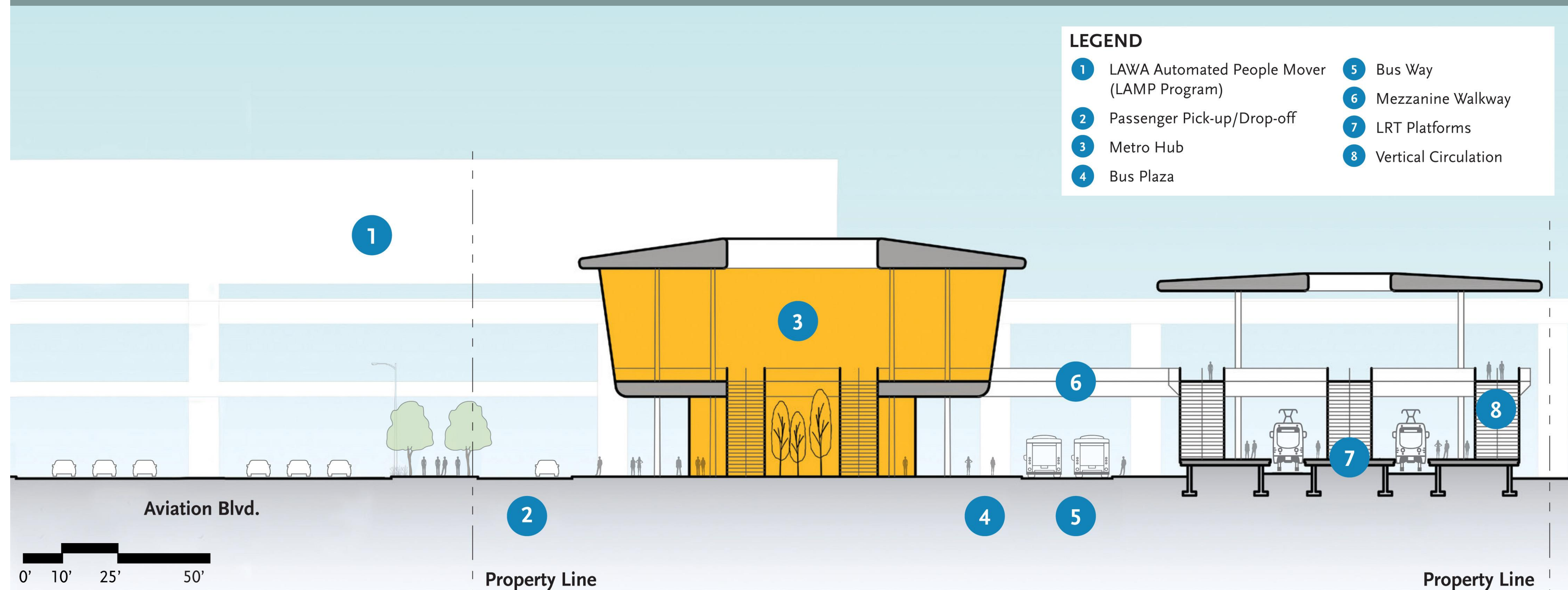


Cumulative: Proposed Project with LAWA APM

Conceptual Cross-Section C-C (Looking West)



Conceptual Cross-Section D-D (Looking South)



4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1. INTRODUCTION

Section 21081.6 of the Public Resources Code 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). Metro is the Lead Agency for the proposed project and is therefore, responsible for administering and implementing the MMRP. The decision-makers 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 of the 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** – This is 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** – This identifies the entity accountable for the action.
- **Enforcement Agency, Monitoring Agency and Monitoring Phase** – This identifies 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	Monitoring Action	Party Responsible For Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
Hazards and Hazardous Materials	Transport, use or disposal of hazardous materials	<p>HAZ-1 Metro shall complete a Phase II Environmental Site Assessment (ESA) at locations on the project site known to have contained hazardous substances and hazardous waste. The Phase II ESA shall include a geophysical survey that confirms the presence or absence of UST(s) and other subgrade features of environmental concern including former hydraulic lifts and clarifiers. The Phase II ESA shall identify if a Soil Management Plan (SMP) would be required.</p> <p>If prescribed in the Phase II ESA, Metro shall prepare a SMP for identifying, handling, storing and disposing of suspected soils with elevated levels of volatile organic compounds (VOCs). The SMP shall comply with SCAQMD 1166 (VOC Emissions from Decontamination of Soil). The SMP shall be prepared by the construction contractor and distributed to construction personnel. If a SMP is required, a Certified Industrial Hygienist shall certify a health and safety plan based on that SMP.</p>	Verify for Compliance	Metro/Contractor	1. Metro/South Coast Air Quality Management District 2. Metro 3. Construction

Impact Area	Potential Effects	Mitigation Measures	Monitoring Action	Party Responsible For Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
Hazardous and Hazardous Materials	Accidental release of hazardous materials	<p>HAZ-2 Metro shall retain a Certified Asbestos Consultant to determine the presence of asbestos and asbestos-containing materials (ACMs) within buildings to be demolished. If asbestos is discovered, a Licensed Asbestos Abatement Contractor shall be retained to safely remove ACM in accordance with the 1994 Federal Occupational Exposure to Asbestos Standards and South Coast Air Quality Management District Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). ACM removal shall be monitored by a Certified Technician.</p>	Verify for Compliance	Metro/Contractor	<ol style="list-style-type: none"> 1. Metro 2. Metro 3. Construction
		<p>HAZ-3 Metro shall test for lead-based paint (LBP) within buildings to be demolished. If LBP is discovered, a licensed lead-based paint/materials abatement contractor shall be retained to safely remove LBP in accordance with the U.S. Department of Housing and Urban Development Lead-Based Paint Guidelines.</p>	Verify for Compliance	Metro/Contractor	<ol style="list-style-type: none"> 1. Metro 2. Metro 3. Construction
		<p>HAZ-4 If clarifiers and hydraulic lifts are identified on the project site in the required Phase II ESA in Mitigation Measure HAZ-1, Metro shall identify whether there have been any unauthorized releases. If the site assessment identifies a REC, Metro shall coordinate with the appropriate regulatory agencies to remediate hazardous condition.</p>	Verify for Compliance	Metro/Contractor	<ol style="list-style-type: none"> 1. Metro/Department of Toxic Substances Control 2. Metro 3. Construction

Impact Area	Potential Effects	Mitigation Measures	Monitoring Action	Party Responsible For Implementing Mitigation	1. Enforcement Agency 2. Monitoring Agency 3. Monitoring Phase
Hazards and Hazardous Materials	Hazardous Project Site	<p>HAZ-5 Metro shall coordinate with the responsible party (Honeywell International Inc.) under the direction of the Regional Water Quality Control Board to monitor potential disruptions to the existing groundwater monitoring wells at 9225 and 9601 Aviation Boulevard during construction activities or operation of the proposed project. If an existing well must be disturbed, Metro shall coordinate with the responsible party (Honeywell International Inc.) and the Regional Water Quality Control Board to relocate the monitoring wells.</p>	Verify for Compliance	Metro	<ol style="list-style-type: none"> 1. Regional Water Quality Control Board 2. Metro 3. Construction
		<p>HAZ-6 Metro shall conduct a soil vapor gas survey of the project site where enclosed structures are planned for the purpose of establishing a baseline for potential indoor vapor concentrations. If the study identifies concentrations that exceed Office of Environmental Health Hazard Assessment California Human Health Screening Levels for soil or soil gas, Metro—in coordination with California Occupational Safety and Health Administration—shall prepare a remediation plan that demonstrates that interior vapor concentrations would be mitigated to below safety standards. This plan shall be prepared prior to building occupancy.</p>	Verify for Compliance	Metro/Contractor	<ol style="list-style-type: none"> 1. Metro 2. Metro 3. Construction

Airport Metro Connector 96th Street Transit Station

Findings of Fact

State Clearinghouse No. 2015021009



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

**Airport Metro Connector
96th Street Transit Station**

November 2016



In Association with:

**Cityworks Design
Coast Surveying
D'Leon Consulting Engineers
Diaz Yourman & Associates
Epic Land Solutions
Fehr & Peers
The Greenridge Group, Inc.**

**Lea+Elliott, Inc.
Leighton
Mott MacDonald
Ted Tokio Tanaka Architects
Terry A. Hayes Associates Inc.
The Robert Group
VCA Engineering**

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ABBREVIATIONS/ACRONYMS

ACM	Asbestos-Containing Materials
APM	Automated People Mover
AQMP	Air Quality Management Plan
CEQA.....	California Environmental Quality Act
CMP	Congestion Management Plan
CONRAC.....	Consolidated Rent-A-Car Center
CTA.....	Central Terminal Area
EIR.....	Environmental Impact Report
EIS	Environmental Impact Statement
ESA.....	Environmental Site Assessment
FAA.....	Federal Aviation Administration
GHG.....	Greenhouse Gases
ITF	Intermodal Transportation Facilities
LAMP	Landside Access Modernization Program
LAWA	Los Angeles World Airports
LAX	Los Angeles International Airport
LBP	Lead-Based Paint
LRT	Light Rail Transit
Metro	Los Angeles County Metropolitan Transportation Authority
MMRP.....	Mitigation Monitoring and Reporting Program
RTP.....	Regional Transportation Plan
SCAQMD	South Coast Air Quality Management District
SMP.....	Soil Management Plan
USTs.....	Underground Storage Tanks
VOC.....	Volatile Organic Compounds
VMT.....	Vehicle Miles Traveled

1 INTRODUCTION

The Los Angeles County Metropolitan Transportation Authority (Metro) followed a prescribed process to identify the issues to be analyzed, including seeking input from the public, stakeholders, elected officials, and other affected parties. Implementation of the Airport Metro Connector 96th Street Transit Station (proposed project) will result in less-than-significant environmental impacts with inclusion of certain mitigation measures as part of project approval. As required by the California Environmental Quality Act (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 4.0 of the Final EIR, and made a part of these findings as Attachment C to the November Metro Board Report, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures to mitigate potentially significant effects of the proposed project.

In accordance with CEQA and the CEQA Guidelines, Metro adopts these findings as part of the approval of the project. Pursuant to Public Resources Code Section 21082.1(c)(3), Metro also finds that the Final Environmental Impact Report (EIR) reflects the Metro's independent judgment as the lead agency for the proposed project.

2 ORGANIZATION

The Findings of Fact is comprised of the following sections:

- Section 3: Contains a brief description of the proposed project and objectives.
- Section 4: Contains the statutory requirements of the findings and a record of proceedings.
- Section 5: Identifies the potentially significant effects which were determined to be mitigated to a less-than-significant level.
- Section 6: Identifies significant impacts, if any, that cannot be mitigated to a less-than-significant level even though all feasible mitigation measures have been identified and incorporated.
- Section 7: Identifies less-than-significant impacts.
- Section 8: Identifies the potential environmental effects that were determined to have no impact.
- Section 9: Discusses potential cumulative impacts.
- Section 10: Describes the alternatives analyzed in the evaluation of the project as well as findings on mitigation measures.

3 PROJECT DESCRIPTION AND OBJECTIVES

Metro is proposing a new multi-modal transportation center with three at-grade light rail transit (LRT) platforms, bus plaza, bicycle hub, pedestrian plaza, passenger vehicle pick-up and drop-off area and Metro transit center/terminal building (“Metro Hub”) to connect passengers between the multiple transportation modes. The west side of Aviation Boulevard would include a 15-foot sidewalk to promote pedestrian accessibility. As part of Los Angeles World Airports (LAWA) Landside Access Modernization Program (LAMP) is proposing a multi-use path on the west side of Aviation Boulevard. Metro and LAWA are coordinating on the potential accommodation of this multi-use path on the west side of Aviation Boulevard south of Arbor Vitae Street. Site amenities would include benches, trash receptacles, bollards or other low level fixtures, bike racks, public art, and signage and wayfinding. The proposed project components would be linked together by a continuous system of elevated mezzanine walkways. The proposed project does not include LAWA's LAMP. For purposes of this EIR, the LAMP is assessed as a related project in the cumulative condition.

The proposed project is being developed to connect the Los Angeles International Airport (LAX) to the regional bus and rail transit system. Given the high volume of daily vehicular trips to and from LAX and the absence of a convenient transit connection, the goal of the proposed project is to increase transit ridership and provide a reliable and convenient transit option to and from LAX along with the regional bus and rail transit system. The three project objectives are:

- Objective #1: Provide a reliable, fast, and convenient connection for passengers traveling between the LAX area and the regional bus and rail transit system.
- Objective #2: Integrate with existing and future transit connections and airport facilities.
- Objective #3: Increase the share of transit trips to and from LAX with minimal impact to airport facilities and surrounding communities and to help reduce air pollution.

4 STATUTORY REQUIREMENTS

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

“No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the 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:

- a. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*

- b. 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.*
- c. 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.”*

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 project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency (CEQA Guidelines, Section 15091 (a), (b)).

For those significant effects that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment (see Public Resources Code Section 21081 (b)). The CEQA Guidelines state in Section 15093 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.’” No significant and unavoidable environmental impacts have been identified as a result of implementation of the proposed project, therefore a statement of overriding considerations is not needed.

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 the Los Angeles County Metropolitan Transportation Authority, One Gateway Plaza, Records Management, MS 99-PL-5, Los Angeles, CA 90012:

- Notice of Preparation and other public notices issued by Metro in conjunction with the proposed project;
- The Draft EIR dated June 2016;
- All testimony, documentary evidence, and all correspondence submitted in response to the Notice of Preparation 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 3.0, Response to Comments, of the Final EIR);
- The Final EIR dated November 2016 including all appendices thereto and those documents that were incorporated therein by reference;
- The MMRP (Chapter 4.0 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 to be in the record of proceedings by Public Resources Code Section 21167.6 (e).

5 ENVIRONMENTAL IMPACTS FOUND LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION MEASURES

Below are the determinations of Metro regarding the environmental effects, significant impacts, and corresponding mitigation measures of the proposed project. Determination of findings by Metro follows the list of mitigation measures.

5.1 HAZARDS AND HAZARDOUS MATERIALS

Under CEQA, the proposed project would have a significant impact related to hazards and hazardous materials if it would:

- 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 proposed project would involve the excavation and transport of contaminated soils, which would potentially expose the public to hazardous materials. Underground storage tanks (USTs), clarifiers, sumps, and furnace pits were historically used on the project site in connection with the former Honeywell facility. This site is listed as a Recognized Environmental Condition (REC) on several governmental databases. The disposition of some of the UST is unknown, which would potentially 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. The project site includes groundwater monitoring wells to monitor volatile organic compound concentrations and migration resulting from residual contamination caused by the former Honeywell facility. These wells would potentially be compromised during the construction process and may need to be relocated. There would also be an impact from the potential to encounter Lead-Based Paint

(LBP) and asbestos during construction activities. The only school located within one-quarter mile of the project site is Bright Star Secondary Charter Academy, which is located approximately 0.1 miles east of the project site. The transport of hazardous construction materials would potentially expose the persons at the school to hazardous substances.

Reference. Section 3.3, Hazards and Hazardous Materials, of the Draft EIR, pages 3.3-16 through 3.3-23.

Mitigation Measures

HAZ-1 Metro shall complete a Phase II Environmental Site Assessment (ESA) at locations on the project site known to have contained hazardous substances and hazardous waste. The Phase II ESA shall include a geophysical survey that confirms the presence or absence of UST(s) and other subgrade features of environmental concern including former hydraulic lifts and clarifiers. The Phase II ESA shall identify if a Soil Management Plan (SMP) would be required.

If prescribed in the Phase II ESA, Metro shall prepare a SMP for identifying, handling, storing and disposing of suspected soils with elevated levels of volatile organic compounds (VOCs). The SMP shall comply with South Coast Air Quality Management District (SCAQMD 1166 (VOC Emissions from Decontamination of Soil)). The SMP shall be prepared by the construction contractor and distributed to construction personnel. If a SMP is required, a Certified Industrial Hygienist shall certify a health and safety plan based on that SMP.

HAZ-2 Metro shall retain a Certified Asbestos Consultant to determine the presence of asbestos and asbestos-containing materials (ACMs) within buildings to be demolished. If asbestos is discovered, a Licensed Asbestos Abatement Contractor shall be retained to safely remove ACM in accordance with the 1994 Federal Occupational Exposure to Asbestos Standards and South Coast Air Quality Management District Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). ACM removal shall be monitored by a Certified Technician.

HAZ-3 Metro shall test for LBP within buildings to be demolished. If LBP is discovered, a licensed lead-based paint/materials abatement contractor shall be retained to safely remove LBP in accordance with the U.S. Department of Housing and Urban Development Lead-Based Paint Guidelines.

HAZ-4 If clarifiers and hydraulic lifts are identified on the project site in the required Phase II ESA in Mitigation Measure **HAZ-1**, Metro shall identify whether there have been any unauthorized releases. If the site assessment identifies a REC, Metro shall coordinate with the appropriate regulatory agencies to remediate hazardous condition(s).

HAZ-5 Metro shall coordinate with the responsible party (Honeywell International Inc.) under the direction of the Regional Water Quality Control Board to monitor

potential disruptions to existing groundwater monitoring wells at 9225 and 9601 Aviation Boulevard during construction activities or operation of the proposed project. If an existing well must be disturbed, Metro shall coordinate with Honeywell International Inc. and the Regional Water Quality Control Board to relocate the monitoring wells.

HAZ-6 Metro shall conduct a soil vapor gas survey of the project site where enclosed structures are planned for the purpose of establishing a baseline for potential indoor vapor concentrations. If the study identifies concentrations that exceed Office of Environmental Health Hazard Assessment California Human Health Screening Levels for soil or soil gas, Metro—in coordination with California Occupational Safety and Health Administration—shall prepare a remediation plan that demonstrates that interior vapor concentrations would be mitigated to below safety standards. This plan shall be prepared prior to building occupancy.

Finding. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effect.

Mitigation Measures **HAZ-1** through **HAZ-3** would ensure that Metro identifies hazardous contamination and prepares an SMP, an asbestos study, and a LBP study to transport and dispose of these materials in accordance with regulatory requirements. These mitigation measures would effectively reduce and regulate the potential hazardous conditions associated with transporting construction materials, reasonably foreseeable upset and accident conditions involving the release of hazardous materials, emitting hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. This includes potential hazardous impacts to the Bright Star Secondary Charter Academy.

A geophysical study specified in Mitigation Measure **HAZ-4** would prevent an accidental release of hazardous materials cause by any unidentified USTs. Mitigation Measure **HAZ-5** would ensure the protection of the existing groundwater wells and prevent any further contamination of groundwater on the project site and at adjoining properties.

The Phase I ESA prepared for the proposed project identified the existing hazardous conditions on the project site. Compliance with recommendations of the Phase I and Mitigation Measures **HAZ-1** through **HAZ-6** would ensure the proposed project would not create a significant hazard to the public or the environment by locating the proposed project on a hazardous materials site.

For the reasons stated above, Metro finds that impacts related to hazards and hazardous materials would be reduced to less than significant.

6 ENVIRONMENTAL IMPACTS FOUND SIGNIFICANT AFTER IMPLEMENTATION OF MITIGATION MEASURES

The Draft EIR does not identify impacts that would result in significant or potentially significant impacts after the implementation of mitigation measures. Metro finds that no impacts were found significant after implementation of mitigation measures.

7 ENVIRONMENTAL IMPACTS FOUND 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.

7.1 AIR QUALITY

The proposed project would have a significant impact related to air quality, if it would:

- 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) (discussed under Section 9, Cumulative Impacts);
- Expose sensitive receptors to substantial pollutant concentrations; and/or
- Create objectionable odors affecting a substantial number of people.

Impact. Air quality impacts would not occur during the construction or operational phases of the proposed project and impacts would be less-than-significant.

Reference. Draft EIR Section 3.1, Air Quality, pages 3.1-17 through 3.1-26 and Draft EIR Chapter 5.0, Cumulative Impacts, pages 5-11 and 5-12.

Mitigation Measures. None required.

Findings. 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 minimal employment growth through the creation of small retail spaces; a majority of the project site would be dedicated to the plaza and platform areas. The proposed project was included in the Regional Transportation Plan (RTP) and would be consistent with the assumptions upon which the AQMP was devised. The proposed project would consolidate bus and rail transit services in the LAX area and provide pedestrian access to the facilities. This regional connectivity to the transit network would be consistent with regional and local air quality

reduction goals to increase transit ridership. 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 Metro's Green Construction Policy.

Air pollutant emissions associated with long-term operation of the proposed project were quantified for both stationary (building envelope and utilities) sources and mobile (buses and passenger vehicles) sources. Mobile sources emissions associated with operation of the proposed project include exhaust and brake and tire wear emissions from changes in bus route vehicle miles traveled (VMT) to and from the new station location, regional changes in highway VMT resulting from transit improvements and reconfiguration of local circulation patterns, and vehicle trips to the pick-up and drop-off area along Aviation Boulevard. Mobile source emissions were quantified using EMFAC2014, the California Air Resources Board-recommended model for calculating estimates of on-road mobile source emissions. The analysis showed that operational emissions would not exceed the SCAQMD significance thresholds. The proposed project would result in a less-than-significant impact related to exposing sensitive receptors to substantial pollutant concentrations.

The proposed project would utilize super-compliant architectural coatings as designated by the SCAQMD to reduce emissions of odorous chemicals. Given existing auto traffic from major and minor arterials adjacent to the project site, any odor impacts from the construction phase are not anticipated to be significant. Any emissions during the construction phase that create odors for nearby sensitive receptors would be addressed by enforcement of SCAQMD Rule 402 (Nuisance), which prohibits any emissions that cause injury, detriment, nuisance or annoyance to a considerable number of people. Land uses and industrial operations commonly associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Operation of the proposed project would include a new multi-modal transportation center with light rail platforms, a bus plaza, and pedestrian and bicycle amenities to connect LAX to Metro's regional transit system and is therefore, not anticipated to create objectionable odors.

For the reasons stated above, Metro finds that these potential air quality impacts are less than significant.

7.2 GREENHOUSE GAS (GHG) EMISSIONS

The proposed project would have a significant impact related to GHG emissions if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Impact. The proposed project would result in a less-than-significant impact related to GHG emissions and consistency with GHG reduction plans.

Reference. Section 3.2, Greenhouse Gas Emissions, of the Draft EIR, pages 3.2-14 through 3.2-23.

Mitigation Measures. None required.

Findings. 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 (indirect as the sources are part of other entities) of the new facilities, changes in local bus routes and vehicle trips by passengers and LAX employees creating additional vehicle miles traveled (direct) and the private vehicle activity at the new pick-up and drop-off along Aviation Boulevard (direct). The operational GHG emissions can generally be divided into stationary (facility) sources and mobile (vehicular) sources. Emissions of air pollutants that would result from construction of the proposed project were quantified using the California Emission Estimator Model. Mobile source emissions were quantified using EMFAC2014, the California Air Resources Board-recommended model for calculating estimates of on-road mobile source emissions. The analysis showed that proposed project emissions would be less than the CEQA baseline condition.

Relevant GHG reduction plans, policies, and regulations adopted by Metro include the Countywide Sustainability Planning Program, the Climate Action and Adaptation Plan, the Energy Conservation and Management Plan, and the Green Construction Policy. The proposed project would incorporate strategies to reduce energy demand and GHG emissions through promotion of alternative energy vehicle use, minimizing building electricity consumption, and decreasing water use and wastewater effluent. The proposed project would be consistent with Metro, regional, and state GHG reduction policies.

For the reasons stated above, Metro finds that these potential GHG emissions impacts are less than significant.

7.3 HAZARDS AND HAZARDOUS MATERIALS

The proposed project would have a significant impact related to hazards and hazardous materials if it would:

- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area;
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Impact. The proposed project would result in a less-than-significant impact related to safety hazards associated with airports, emergency response plans, and wildfires.

Reference. Section 3.3, Hazards and Hazardous Materials, of the Draft EIR, pages 3.3-23 through 3.3-25.

Mitigation Measures. None required.

Findings. The project area is located within the LAX Airport Influence Area and is subject to Federal Aviation Administration (FAA) height restrictions. The proposed project and the past, present, and reasonably probable future projects within the Airport Influence Area are legally required by the Code of Federal Regulations to file a Form 7460, Notice of Proposed Construction or Alteration, with the FAA to make an airspace determination. This determination ensures compliance with applicable federal guidelines and eliminates the potential for an impact. The proposed project is not within the proximity of a private airstrip. The proposed project would not modify emergency/disaster routes. Per state and local regulations, emergency vehicle access would be maintained at all times during construction and operation of the proposed project. The proposed project is not within or in close proximity to a Wildfire Hazard Area and would not be subject to wildland fires.

For the reasons stated above, Metro finds that these potential hazards and hazardous materials impacts are less than significant.

7.4 LAND USE AND PLANNING

The proposed project would result in a significant impact related to land use and planning if it would:

- Physically divide an established community; and/or

- Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Impact. The proposed project would result in a less-than-significant impact related to dividing an established community and consistency with land use policies or regulations.

Reference. Section 3.4, Land Use & Planning, of the Draft EIR, pages 3.4-13 through 3.4-21.

Mitigation Measures. None required.

Findings. Situated in a largely commercial-industrial area, the project site is bounded by roadways to the north, east and south and a Metro-owned railroad right-of way to the west. It does not adjoin any established residential communities. Further, the project site does not provide access to any residential areas or community facilities. The closest residences are located across Aviation Boulevard to the east in Manchester Square, which has been declining in residential units over the past ten years. The majority of these properties have been or are in the process of being relocated by LAWA as part of their Aircraft Noise Mitigation Program. The project proposes various access and circulation improvements such as signalized lights, crosswalks, pedestrian paths and driveways; however, vehicular ingress and egress is from the existing roadways thereby maintaining the general land use pattern and circulation configuration in the surrounding area.

Project implementation would not require any zone changes or plan amendments and the proposed project is compatible with applicable land use plans and policies. The proposed project would be consistent with the Regional Transportation Plan, City of Los Angeles General Plan, including the Mobility Element, and other state and local land use plans. In addition, the project site is located within the Airport Influence Area and is subject to FAA height restrictions. Metro is legally required by the Code of Federal Regulations to file a Form 7460, Notice of Proposed Construction or Alteration, with the FAA to make an airspace determination. This determination would ensure compliance with applicable federal guidelines.

The project site is not a critical habitat for threatened or endangered species and does not contain any candidate, sensitive or special status species. The proposed project would not conflict with any habitat conservation plan or natural community conservation plan.

For the reasons stated above, Metro finds that these potential Land Use and Planning impacts are less than significant.

7.5 NOISE AND VIBRATION

The proposed project would result in a significant impact related to noise and vibration if it would 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;
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; and/or
- Exposure of persons residing or working in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, to excessive noise levels.

Impact. The proposed project would result in a less-than-significant impact related construction and operational noise and vibration; permanent and temporary ambient noise levels; and noise levels associated with airports.

Reference. Section 3.5, Noise and Vibration, of the Draft EIR, pages 3.5-15 through 3.5-23.

Mitigation Measures. None required.

Findings. Noise levels would vary throughout the construction process depending on the activity and location. The Draft EIR determined that noise levels at nearby sensitive land uses would not exceed applicable significance thresholds. In addition, construction activities would comply with Section 41.40 of the Los Angeles Municipal Code and design criteria established by Metro (e.g., well-maintained equipment with effective noise control devices, such as mufflers).

The proposed project would generate operational noise associated with bus and passenger vehicle movements on and off the project site and light rail activity at the station. An analysis of combined noise levels at sensitive receptors was completed using the Federal Transit Administration guidance. The proposed project would increase noise levels by 1.0 decibels or less at sensitive receivers, and noise levels would not exceed the Federal Transit Administration impact criteria for moderate or severe impacts.

Construction activity can generate varying degrees of vibration, depending on the construction procedure and the construction equipment used. The proposed project would not involve impact or sonic pile driving or large vibratory rollers. Based on the anticipated equipment mix, there would be the potential for impacts to occur within 37 feet of the project site. The nearest sensitive receptors are single family residences located at 9608 – 9612 Aviation Boulevard, approximately 100 feet to the east of the project site. Therefore, the proposed project would result in a less-than-significant impact related to construction vibration.

Operational vibration would be generated by light rail activity on the Crenshaw/LAX and Metro Green LRT lines and bus activity on the roadway network. The proposed transit station would result in lower train speeds than assessed in the Crenshaw/LAX Transit Project

Environmental Impact Report/Environmental Impact Statement (EIR/EIS) because the trains will need to slow to stop at the station. Trains generate less vibration at lower speeds and vibration levels would be less than presented for the Crenshaw/LAX Transit Project, and would not result in a new impact that was not disclosed in that EIR/EIS. Regarding bus vibration, the Federal Transit Administration has stated that the rubber tires and suspension systems of buses provide vibration isolation, making it unusual for buses to cause ground-borne noise or vibration problems. Most problems with bus-related vibration can be directly related to a pothole, bump, expansion joint, or other discontinuity in the road surface. The roadway system near the project is in good condition, and project-related buses would not generate perceptible vibration.

The project site is located in the LAX noise contours and has the potential to expose people working in the project area to excessive noise levels. However, because the project site is located near LAX, existing ambient noise levels are relatively high due to aircraft noise and, the ambient noise levels are not considered excessive. The proposed project is not within the proximity of a private airstrip.

For the reasons stated above, Metro finds that impacts related to noise and vibration would be less than significant.

7.6 TRANSPORTATION AND TRAFFIC

The proposed project would result in a significant impact related to transportation and traffic if it would:

- Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
- Substantially increase in hazards due to a design feature or incompatible uses;
- Result in inadequate emergency access; and/or
- Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Impact. The proposed project would result in a less-than-significant impact related to transportation and traffic.

Reference. Section 3.6, Transportation and Traffic, of the Draft EIR, pages 3.6-15 through 3.6-29.

Mitigation Measures. None required.

Findings. Construction activities will be primarily limited to and contained within the project site, with the exception of the addition of traffic signals at the main project driveway on Aviation Boulevard and the potential installation of a second signal at the southern entry in Access Option 2. All construction and worker vehicles are anticipated to be accommodated on site throughout construction. During operation, the average increased delay at intersections would be less than the intersection traffic operations significance thresholds established by the City of Los Angeles Department of Transportation and other local jurisdictions. Construction and operational activities would be consistent with applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system in the future condition.

The Congestion Management Plan (CMP) is a state-mandated program administered by Metro's 2010 CMP that provides a mechanism for coordinating land use and development decisions. A detailed CMP analysis is not necessary because the proposed project would not add more than 150 trips to the freeway monitoring locations nor would it add more than 50 trips to the intersection monitoring locations.

The project site is within the LAX Airport Influence Area, which is subject to FAA height restrictions, but is not within a Runway Protection Zone or safety zone. The proposed project is a surface transportation and general development project and would not change air traffic patterns. Thus, the proposed project would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure and reduce regional congestion.

Changes to the roadway network would comply with standard engineering practices and design standards, and design elements would not increase roadway hazards or impede emergency access. Since the proposed project would not include a substantial new population center and is located in close proximity to four fire station, there would be no need to build a new or expand an existing fire station to serve the proposed project or add additional personnel or equipment to maintain acceptable service ratios, response times, or other performance objectives for fire protection.

The proposed project is being developed to connect LAX to the regional transit system and is included in the Metro's 2009 Long Range Transportation Plan and the Measure R Expenditure Plan to finance new transportation projects and programs. The proposed project would consolidate bus transit services in the LAX area and provide pedestrian and bicycle amenities. In addition, the proposed project would have the capacity to accommodate both the existing and future passengers presently using the LAX City Bus Center and the Aviation/LAX transit center. The facility will be capable of handling the consolidated bus service with room for expanded frequency or additional lines in the future.

For the reasons stated above, Metro finds that impacts related to transportation and traffic would be less than significant.

8 ENVIRONMENTAL EFFECTS FOUND TO HAVE NO IMPACT

The proposed project would have either no impact or no impact when incorporating applicable laws and regulations related to the following issues: Aesthetics, Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems, Energy Resources, and Growth Inducing Effects. The Draft EIR also included that there would be no potential for impacts associated with Hazards and Hazardous Materials (proximity to a private airstrip), Land Use and Planning (conflicts with habitat or natural community conservation plans) and Noise and Vibration (noise exposure from private airstrips).

Impact. No significant impacts would occur.

Reference. Chapter 4.0, Other CEQA Considerations, of the Draft EIR, pages 4-4 through 4-30.

Mitigation Measures. None required.

Findings. Metro finds that the proposed project would not result in impacts to the above issues and no mitigation measures are required.

9 CUMULATIVE IMPACTS

The cumulative impacts analysis in the Draft EIR included projects that may occur in the project vicinity within the same timeframe as the proposed project. As such, the cumulative impact analysis considers the combined effect of the proposed project with improvements proposed by LAWA as part of the LAMP, the Crenshaw/LAX Line, Aviation/Century station, and privately developed projects in the project vicinity. Refer to Chapter 5.0, Cumulative Impacts, of the Draft EIR for a list of projects in the cumulative condition, including details related to LAWA's LAMP.

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 the proposed project evaluated in the EIR. Further discussion is not warranted for environmental issue areas. Metro finds that there is no potential for a cumulative impact related to:

- Aesthetics
- Agricultural Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology and Water Quality
- Mineral Resources
- Population and Housing
- Public Services
- Recreation

- Utilities and Service Systems
- Energy Resources

9.1 AIR QUALITY

AQMP Consistency. The AQMP is the applicable air quality plan, and the emissions forecasting is based on projected population and employment growth. Projects that are considered to be consistent with the AQMP would not interfere with attainment because the associated growth is included in the projections utilized in the formulation of the AQMP. However, the AQMP was prepared in 2012 and it is possible that projects developed or planned since the completion of the modeling would be inconsistent with the AQMP. Therefore, the proposed project combined with past, present, and reasonably probable future projects could result in a cumulative impact. The proposed project is included in the growth forecasts and is consistent with the AQMP. The proposed project would consolidate bus and rail transit services in the LAX area and provide pedestrian street access to the facilities. This regional connectivity to the transit network would be consistent with regional and local air quality reduction goals to increase transit ridership. 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. For the reasons stated above, Metro finds that the proposed project's incremental contribution to the significant cumulative impact associated with AQMP consistency is not 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, substantial pollutant concentrations is not cumulatively considerable.

Odors. Neither the project area nor the proposed project includes land uses identified by the SCAQMD as commonly associated with odor complaints. For the reasons stated above, Metro finds that the proposed project combined with other past, present, and reasonably probable future projects would not create a significant cumulative impact.

9.2 GHG EMISSIONS

GHG Emissions and Consistency with GHG Emission Reduction Plans. Through Assembly Bill 32, the State of California has acknowledged that GHG emissions are a Statewide impact.

Emissions generated by the proposed project combined with past, present, and reasonably probable future projects could contribute to this impact. Both the proposed project and the LAMP have been approved as consistent with transportation and sustainability efforts within the City of Los Angeles. The proposed project and the LAMP together would encourage alternative modes of transportation to passenger vehicles, and improve the ability of people at existing and future transit oriented development to access LAX using the regional transit system. The proposed project would implement several defined features for sustainability, including LEED Silver minimum rating for the building structures and reduced potable water demand by using recycled water for landscaping and installing low-flow plumbing fixtures. The GHG analysis determined that the proposed project would not result in significant impacts and would be consistent with applicable GHG plans, policies, and regulations. For the reasons stated above, Metro finds that the proposed project's incremental contribution to the significant cumulative impact associated with GHG emissions is not cumulatively considerable.

9.3 HAZARDS AND HAZARDOUS MATERIALS

Transport, Use or Disposal of Hazardous Materials. There are multiple contaminated properties near the project site and the project site is known to have contaminated soils. Therefore, the proposed project combined with past, present, and reasonably probable future projects could result in a cumulative impact. The proposed project includes Mitigation Measures **HAZ-1** through **HAZ-4**, which would reduce impacts to less than significant levels. In addition, the proposed project would be required to comply with all applicable rules and regulations related to contaminated soils, asbestos-containing materials, and lead-based paint. Therefore, Metro finds that the proposed project's incremental contribution to the significant cumulative impact associated with construction activities is not cumulatively considerable.

Regarding operational activities, the proposed project combined with past, present, and reasonably probable future projects would involve the occasional use, storage and disposal of common hazardous materials. Therefore, the proposed project combined with past, present, and reasonably probable future projects could result in a cumulative impact. The proposed project would be regulated by the California Division of Occupational Safety and Health, the City of Los Angeles Fire Code and all other federal, state and local regulations. All hazardous materials would be required to be contained, stored and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. For the reasons stated above, Metro finds that the proposed project's incremental contribution to the significant cumulative impact associated with operational activities is not cumulatively considerable.

Release of Hazardous Materials from Upset or Accident Conditions. The proposed project combined with past, present, and reasonably probable future projects could create a cumulative impact associated with disturbance of a natural gas line and groundwater monitoring wells, as well as other Recognized Environmental Conditions. The proposed project would be required to comply with all laws, rules and regulations. In addition, the proposed project would incorporate Mitigation Measures **HAZ-1** through **HAZ-6**, which would reduce impacts to less than significant levels. For the reasons stated above, Metro finds that the proposed project's incremental contribution to the significant cumulative impact associated with construction activities is not cumulatively considerable.

Regarding operational activities, the proposed project combined with past, present, and reasonably probable future projects would involve the occasional use, storage and disposal of common hazardous materials that could be released during upset or accident conditions. The proposed project would be required to comply with all laws, rules and regulations that control hazardous materials. For the reasons stated above, Metro finds that the proposed project's incremental contribution to the significant cumulative impact associated with operational activities is not cumulatively considerable.

Hazardous Conditions at a School, Safety Hazard Near a Private Airstrip, and Wildland Fires. The cumulative condition does not include a school located within one-quarter mile of the

project site, the project site is not located near a private airstrip, and project site is not subject to wildland fires. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Located on a site that would create Significant Hazard to the Public or Environment. The project site and adjacent land uses contain several existing hazardous materials contaminations and existing groundwater monitoring wells are located on the project site. Therefore, the proposed project combined with past, present, and reasonably probable future projects could result in a cumulative impact. Hazardous materials site remediation and hazardous materials themselves are well regulated. The proposed project would be developed on contaminated site but would comply with all regulations related hazardous materials removal and monitoring. Compliance with Mitigation Measures **HAZ-1** through **HAZ-6** would ensure the proposed project would not create a significant hazard to the public or the environment. This mitigation and remediation would also eliminate the project's potential to contribute to the cumulative impact. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Safety Hazard near a Public Airport. The project area is located within the Airport Influence Area and is subject to FAA height restrictions. The proposed project and the past, present, and reasonably probable future projects within the Airport Influence Area are legally required by the Code of Federal Regulations to file a Form 7460, Notice of Proposed Construction or Alteration, with the FAA to make an airspace determination. This determination ensures compliance with applicable federal guidelines and eliminates the potential for a cumulative impact. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Safety Hazard near a Private Airstrip. The proposed project and the Related Projects are not within the proximity of a private airstrip. Therefore, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Emergency Plans. The proposed project and the Related Projects would not modify emergency/disaster routes. 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 combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Wildland Fires. Exhibit D of the City of Los Angeles Safety Element indicates that no portion of the project area or the surrounding area is within or in close proximity to a Wildfire Hazard Area (City of Los Angeles, 1996). For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

9.4 LAND USE AND PLANNING

Division of an Established Community. Manchester Square is the only residential community that would be affected by the development of the Related Projects and currently consists of sparsely distributed multi-family residences, a small number of single-family homes and an elementary school east of the proposed project. This area is proposed to be developed by LAWA for the Automated People Mover (APM), the Intermodal Transportation Facilities (ITF) East/Consolidated Rent-A-Car Center (CONRAC) with adjacent collateral land use development. Thus, in the cumulative condition, the remaining residences and Bright Star Secondary Charter Academy would be relocated and thus considered a significant cumulative impact. Therefore, the proposed project combined with past, present, and reasonably probable future projects could result in a cumulative impact. The proposed project would have no direct or indirect effect on this change. Given the scale and nature of the proposed project as a transit station with light rail platforms, bus bays and ancillary facilities, the overall contribution of the proposed project to land use change would not be significant. For the reasons stated above, Metro finds that the proposed project's incremental contribution to that significant cumulative impact is not cumulatively considerable.

Compatibility with Land Use Plans and Policies. Project implementation would not require any zone changes or plan amendments and the proposed project is compatible with applicable land use plans and policies. Accordingly, impacts on existing land use plans and policies would be less than significant. Due to the nature of the development of the uses proposed by the Related Projects (i.e., primarily airport-serving commercial uses) in an area largely designated for LAX, LAX-related, and a mix of industrial and commercial uses; significant cumulative impacts are not anticipated. For the reasons stated above, Metro finds that proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Habitat Conservation. Neither the site nor the cumulative impact study area are identified as critical habitat for threatened or endangered species and does not contain any candidate, sensitive or special status species. Neither the proposed project nor the Related Projects would conflict with any habitat conservation plan or natural community conservation plan. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

9.5 NOISE AND VIBRATION

Exposure to Excessive Noise Levels. The potential exists for construction activities associated with the proposed project to combine with past, present, and reasonably probable future projects to create a cumulative noise impact at land uses near the project site. The project-related construction noise increase would be approximately 0.5 decibels, and would not likely evoke a community reaction. For the reasons stated above, Metro finds that the proposed project's incremental contribution to a potential significant cumulative impact is not cumulatively considerable.

Regarding operational activities, the cumulative condition includes the proposed project and Related Projects, including LAWA's LAMP. Noise generating components of the LAMP include operation of the APM and increased traffic volume due to parking and roadway improvements. The Draft EIR determined that the proposed project combined with past, present, and reasonably probable future projects could result in a cumulative impact related to increased operational noise levels. A quantitative analysis demonstrated that the proposed project would constitute a small portion of operational noise in the cumulative condition. The majority of noise in the cumulative condition would be associated with LAX-related land uses, roadway noise not related to the proposed project, the Crenshaw/LAX Line, and the LAMP components. For the reasons stated above, Metro finds that the proposed project's incremental contribution to a potential significant cumulative impact is not cumulatively considerable.

Exposure to Excessive Ground-Borne Vibration. Vibration impacts typically occur within 25 feet of the source. In the cumulative condition, the nearest sensitive receptor to the project site would be the Travelodge Hotel LAX. Neither the project site nor the projects within 25 feet of the Travelodge Hotel LAX would be located within 25 feet of the Travelodge Hotel LAX. Regarding operational activities, vibration is a localized and instantaneous effect and would not differ along Aviation Boulevard in the project or cumulative condition. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Exposure to Excessive Noise Levels Associated with Public Airports. The potential for a cumulative impact related to excessive public airport noise is site specific. The Draft EIR assessed LAX-related noise levels at the project site, which were determined to be less than significant. This potential impact would be independent of Related Projects. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

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 the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

9.6 TRANSPORTATION AND TRAFFIC

Circulation System. Construction of the proposed project and Related Projects within the study area may include temporary intermittent lane closures, although this is unlikely to be necessary on Aviation Boulevard due to the center turn median on Aviation Boulevard. In the event of road closures due to simultaneous construction activities, the proposed project combined with past, present, and reasonably probable future projects could result in a cumulative impact. To the extent feasible, construction management plans for both the proposed project and LAWA's LAMP will be coordinated to maintain access for nearby land uses, limit lane closures, and maintain safe and adequate pedestrian protection. For the

reasons stated above, Metro finds that the proposed project's incremental contribution to a potential significant cumulative impact is not cumulatively considerable.

Regarding operational activities, cumulative conditions with Related Projects within the study area that affect local roadway circulation include the CONRAC, East and West ITFs, the APM, roadway improvements throughout the cumulative impact study area and collateral private development on the east side of Aviation Boulevard. This scenario analyzes the cumulative forecasted conditions for the year 2035, reflecting regional growth and transportation improvements identified in the Regional Transportation Plan, as well as the proposed projects within the study area. Cumulative conditions with and without the proposed project were used to determine traffic operations with the anticipated growth and transportation improvements in the cumulative impact study area. The cumulative condition also includes rerouted bus transit trips and passenger vehicle pickup and drop-off trips. The analysis demonstrated that there would be no exceedances of the applicable intersection traffic operations significance thresholds. For the reasons stated above, Metro finds that proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

CMP Analysis. The CMP is a state-mandated program administered by Metro's 2010 CMP that provides a mechanism for coordinating land use and development decisions. A detailed CMP analysis is not necessary because the proposed project would not add more than 150 trips to the freeway monitoring locations nor would it add more than 50 trips to the intersection monitoring locations. For the reasons stated above, Metro finds that proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Air Traffic Patterns. The proposed project and Related Projects are surface transportation and general development projects and would not change air traffic patterns. The overall intentions of the proposed project and Related Projects are to satisfy existing and future transit demand in the airport vicinity. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Traffic Hazards. None of the transportation system improvements proposed by the project would introduce new safety hazards at intersections or along roadway segments. Roadway improvements, including driveway access and crosswalks, would be designed to ensure the safety of all roadway users. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Emergency Access. Construction activity in the cumulative condition may include temporary, intermittent lane closures on adjacent streets and emergency access could slightly affect emergency access. 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 control and emergency access during construction. For the reasons

stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Regarding operational activities, changes to the roadway network would comply with standard engineering practices and design standards. Design elements would not increase roadway hazards or impede emergency access. There are four fire stations located in proximity to the project site, there would be no need to build a new or expand an existing fire station to serve the proposed project because the proposed project would not include a substantial new population center. In addition, the County of Los Angeles Sheriff's Department and the City of Los Angeles Police Department, including the Los Angeles Airport Police Division, would patrol the project area on a regular basis. Response times would be minimally affected by new development due largely to the fact that most officers respond to calls for service from the field and not from the station. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

Public Transit, Bicycle or Pedestrian Facilities. The proposed project and LAWA's LAMP are being developed to enhance regional bus and rail connectivity and connectivity to LAX. The Metro Hub and ITFs would link the multiple modes of transportation. The bicycle hub on the project site would accommodate up to 150 bicycles in a secure location and additional space for up to 50 bicycles would be provided for short-term parking. The LAMP would also include bicycle facilities, a multi-use path along west side of Aviation Boulevard and other bicycle network improvements. The proposed project's transport modes would connect directly via vertical circulation elements (i.e., stairs, escalators, and elevators) to an elevated mezzanine level. The elevated walkways and interconnected mezzanines would allow safe transfers between the proposed project components and the LAMP APM station. The cumulative condition would have the capacity to accommodate both the existing and future passengers, as it would have room for expanded frequency or additional lines in the future. Under the LAMP, the LAX FlyAway service may be consolidated onto the project site to provide a single location for bus transfers. For the reasons stated above, Metro finds that the proposed project combined with past, present, and reasonably probable future projects would not create a cumulative impact.

10 ALTERNATIVES AND MITIGATION MEASURES

10.1 ALTERNATIVES

Pursuant to Section 15060, a preliminary review of the proposed project was conducted and it was determined that the appropriate level of environmental review involved the preparation of an EIR. During the course of preparing this Draft EIR, it was determined that the proposed project would have no significant effects with the implementation of mitigation measures. Although the proposed project meets the criteria for the preparation of a Mitigated Negative Declaration (Section 15070), Metro decided to continue preparing the Draft EIR to facilitate greater public participation during the environmental review process. CEQA requires an analysis of alternatives to the proposed project to reduce or eliminate significant impacts

associated with project development. Alternatives were considered that would avoid or reduce potential impacts of the proposed project to a less than significant level.

As indicated previously, mitigations measures are required to reduce the proposed project's hazardous materials impact to a less-than-significant level. To avoid or substantially reduce this impact would require the relocation of the proposed project to an alternate site where there would be no or substantially reduced contamination and remediation requirements. While the proposed project's hazardous materials impact would be less than significant with mitigation; this analysis is provided to address alternate sites and avoid hazardous materials impacts without requiring mitigation or create a new impact that would not occur if the proposed project were built. In addition, the proposed project requires approximately 4.5 acres to accommodate the bus facility. As discussed in Chapter 6.0, Alternatives, of the Draft EIR, there are no viable alternate sites to provide a feasible alternate location for the proposed project. Therefore, the only alternative considered in the Draft EIR was the No Project Alternative, as discussed in Section 10.3 of this Findings of Fact.

10.2 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.

The degree to which an alternative meets the objectives of a proposed project is discussed as part of an alternatives analysis pursuant to CEQA. The proposed project consists of series of significant transportation elements and associated infrastructure components, including the LRT platforms, to be served by the Crenshaw/LAX Line and a service extension of the Metro Green Line, a bus plaza and terminal facility for Metro and municipal bus operators, bicycle hub with secured parking for up to 150 bicycles, pedestrian plaza, passenger vehicle pick-up and drop-off area and Metro transit center/terminal building (“Metro Hub”) that connects passengers between the various modes of transportation. These project components are intended to provide a reliable and convenient transit option to and from LAX and the regional transit system. The stated objectives of the proposed project are to provide a reliable, fast and convenient connection for passengers traveling between the LAX area and the regional bus and rail transit system; integrate with existing and future transit connections and airport facilities; and increase the share of transit trips to and from LAX with minimal impact to airport facilities and surrounding communities and to help reduce air pollution.

10.3 NO PROJECT ALTERNATIVE

The No Project Alternative is required by Section 15126.6 of the CEQA Guidelines and would not include development related to the proposed project. The proposed project site would continue to be occupied by the existing rental car facilities, CNG fueling station and towing

storage yard. The site would continue to be characterized by low-rise industrial structures (totaling approximately 19,000 square feet) and paved surfaces. The Crenshaw/LAX Line would continue to be located on the western boundary of the proposed project site.

The No Project Alternative would include a number of differences from the existing conditions analysis. Specifically, the Crenshaw/LAX Line is scheduled for completion in 2019 and will be operating with or without development of the proposed project. Also, it is reasonably foreseeable that the No Project Alternative would include the development of a bus facility at the Aviation/Century station to provide better connectivity between bus and rail transit services. The Crenshaw/LAX Line, including the Aviation/Century station, the extension of Metro's Green Line and a proposed bus facility, were studied in the Crenshaw/LAX Transit Corridor Project EIS/EIR, which was certified by the Metro Board in September 2011 and issued a Record of Decision from the Federal Transit Administration in December 2011. Therefore, impacts of the proposed bus facility at the Aviation/Century station are not included in this assessment. The bus facility at Aviation/Century station would not be built if the proposed project is built. Most importantly, the Aviation/Century station would not provide a convenient connection to other future airport development projects such as the Airport People Mover (APM) discussed in Chapter 5.0, Cumulative Impacts, of the Draft EIR.

10.4 FINDINGS FOR THE NO PROJECT ALTERNATIVE

Metro finds that specific economic, legal, social, technological, or other considerations, make infeasible the No Project Alternative identified in the Draft EIR (CEQA Guidelines Section 15091(a)(3)). Although the No Project Alternative would involve fewer environmental impacts and provide a regional transit connection to LAX through the Aviation/Century station it would not be integrated with the future APM and airport facilities included in the LAMP, as discussed in Chapter 5.0, Cumulative Impacts. Locating the bus facility at the Aviation/Century station would require patrons to walk to the proposed APM adjacent to the project site. This could require additional pedestrian and bicycle facilities along Aviation Boulevard. The project site was selected because of its strategic location and ability to link to existing and foreseeable transit projects. Therefore, despite being the environmentally superior to the proposed project, the No Project Alternative would not fully satisfy the project objectives.

10.5 FINDINGS FOR MITIGATION MEASURES

Metro has considered all of the mitigation measures recommended in the Draft EIR. None of the recommended measures that are within the Metro's jurisdiction have been rejected by Metro. To the extent that these Findings conclude that various proposed mitigation measures outlined in the Draft 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 of Fact, 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 of Fact and will be effectuated through the process of constructing and implementing the proposed project.

Notice of Determination

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: Los Angeles
 Address: 12400 Imperial Hwy, Norwalk, CA 90650

From:

Los Angeles County Metropolitan
 Public Agency: Transportation Authority (Metro)
 Address: One Gateway Plaza
Mail Stop 99-22-3
 Contact: Cory Zelmer
 Phone: 213-922-1079

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): 2015021009

Project Title: Airport Metro Connector (AMC) 96th Street Transit Station

Project Applicant: Los Angeles County Metropolitan Transportation Authority (Metro)

Project Location (include county): Los Angeles

Project Description:

This Proposed Project is located in the City of Los Angeles and adjacent to the Los Angeles International Airport. The Project will add a new Metro Rail station to the Crenshaw/LAX Line at the 96th Street and Aviation Boulevard. The Project components include three new Light Rail Transit (LRT) platforms, bus plaza, bicycle hub, passenger pick-up and drop-off area, and transit center/terminal building.

This is to advise that the Los Angeles County Metropolitan Transportation Authority (Metro) has approved the above
 Lead Agency or Responsible Agency

described project on December 1, 2016 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:

www.metro.net/laxconnector and at the following libraries: City of LA Central, Westchester Loyola Village Branch, City of Inglewood, Crenshaw-Imperial Branch, El Segundo, Hawthorne, Lennox and Metro

Signature (Public Agency): _____ Title: _____

Date: _____ Date Received for filing at OPR: _____

**MOTION FROM DIRECTORS KNABE AND RIDLEY-THOMAS
ACCELERATING THE LAX/AIRPORT METRO CONNECTOR
GREEN LINE EXTENSION TO LAX**

Connecting Los Angeles International Airport (LAX) directly to the Metro Rail System is among our highest priorities. Completing an accelerated transit connection to LAX by 2019, concurrent with the planned opening of the Crenshaw/LAX Line, would show our prospective Federal funding partners and regulatory agencies that we are serious about working with them to build a transit system that makes sense and that we value a regional rail system directly connected to LAX.

Last month the MTA Board approved a preferred alternative rail connection that moves forward into the environmental review process. However, Metro's most recent Countywide Financial Forecasting Model (FY 2013-2040, Draft Short Range Financial Plan, March 13, 2014) continues to show that Metro's piece of the LAX transit connection won't be completed until 2028. We can and should do better than having the Green Line to LAX/Airport Metro Connector Project completed by 2028, an incredible 14 years from now. Working together to successfully align our planning, advocacy and funding efforts, we can reach the goal of completing the project in less than half the time.

WE, THEREFORE, MOVE THAT THE MTA BOARD:

Instruct the CEO to report back to the Board in September at the Planning and Construction Committees and at the September 25, 2014 full Board Meeting, with written details on the strategic next steps and plan to "accelerate" completion of the Green Line to LAX/Airport Metro Connector Project, for project delivery by 2019, on a timeline that complements both the Crenshaw/LAX Light Rail Project and the South Bay Green Line Extension Project, which are connected to and share the Green Line Corridor. The report is requested to include the following:

- A. A detailed action plan that includes an array of funding alternatives, formal arrangements for working with LAWA, as well as local, state, and federal partners, to fund and implement the Green Line to LAX/Airport Metro Connector Project on an accelerated schedule to deliver the project by 2019;
- B. A specific approach to advocacy efforts with relevant federal agencies including the FTA and FAA to better coordinate and align with the federal review process, including resolving any road blocks to project funding, implementation and acceleration;
- C. A detailed timeline and the specific MTA Board actions that are needed to accelerate delivery of the project including the environmental review, or other actions that may be necessary to complement, align and expedite project delivery to match the completion date of the Crenshaw/LAX Light Rail Project in 2019.

ATTACHMENT F

June 26, 2014 Board Motion

**MTA Board Meeting
June 26, 2014**

Relating to Item 65

**MOTION BY
MAYOR ERIC GARCETTI, COUNCILMEMBER MIKE BONIN, SUPERVISOR
DON KNABE & SUPERVISOR MARK RIDLEY-THOMAS**

For decades, the biggest missing piece of the transportation puzzle in Los Angeles has been a quick, convenient, and viable option for the traveling public to connect to our airport using our mass transit system. Making that connection has been a high priority for all Angelenos, who clearly made their position known by overwhelmingly supporting the construction of a direct airport connection as part of Measure R.

Several criteria are essential in evaluating the various alternatives that have been proposed for the Airport Metro Connector including cost, travel time, and interoperability with the regional network. However, given the considerable importance that the transit riders have placed on a seamless and robust airport connection, the final project will be judged largely by its ability to deliver on one critical aspect: passenger convenience.

The desire to provide an exceptional passenger experience should guide the Metro Board in designing this project. This airport connection will only be as good as the passenger experience it delivers, and the ridership numbers will largely reflect our ability to anticipate, meet, and exceed the expectations of the traveling public.

Done right, Alternative A2 (96th Street Station) could be the airport rail connection that Angelenos have longed for. It would provide a direct rail connection that will not only help address the ground transportation challenges at LAX, but also continue to expand MTA's regional transportation network, and has the potential to provide a world-class passenger experience to the traveling public.

The 96th Street Station can be the new "front door" to LAX for transit riders, and MTA and LAWA should work together and think imaginatively to meet and exceed the needs of the traveling public, and create a robust, visionary transit facility.

WE THEREFORE MOVE THAT the MTA Board of Directors adopt and direct the Chief Executive Officer to do the following:

1. Develop the 96th Street Station, in consultation with LAWA, using the following design guidelines:
 - a. Enclosed facility
 - b. Integrated APM/Light Rail station, minimizing walk distances
 - c. Concourse areas
 - d. LAX airline check-in with flight information boards
 - e. Station restrooms
 - f. Free public WiFi & device charging areas
 - g. Private vehicle drop-off area, and taxi stand
 - h. Pedestrian plaza with landscaping and street furniture
 - i. Metro Bike Hub with parking, a bike repair stand and bike pump, showers, lockers, controlled access and 24-hour security cameras
 - j. Retail (food/beverage and convenience)
 - k. L.A. visitor info and LAX info kiosk
 - l. Connectivity to Manchester Square and surrounding areas, including walkways
 - m. At a minimum, LEED Silver certification
 - n. Public art installation
 - o. Other amenities for airport travelers, including currency exchange and bank/ATM machines
 - p. Passenger safety

2. Report back at the September 2014 MTA Board meeting, in consultation with LAWA, with a review of baggage check amenities that are available at other transportation centers that serve major airports, including an assessment of the feasibility of offering baggage check at the proposed 96th Street Station.
3. Procure a qualified architectural firm to design the station as described under no. 1 above.
4. Provide quarterly updates, in coordination with LAWA staff, including, but not limited to, on the development of the 96th Street Station, the Intermodal Transportation Facility and Automated People Mover, of the following:
 - a. Design
 - b. Schedule
 - c. Cost Estimates
5. Report back at the September 2014 MTA Board meeting with a conceptual and station design approach plan as described above, and provide quarterly updates on implementation progress thereafter; and
6. Instruct the CEO to work with LAWA and the Board of Airport Commissioners to obtain their written commitment to construct and operate an automated people mover connecting the airport's central terminal area to a planned Metro Rail Station, and to report back at next month's (July 2014) Planning and Programming and Construction Committees, and at Committees each month thereafter until this written commitment is obtained, in order to ensure that the light rail connection to LAX that was promised to the voters in Measure R becomes a reality.



Board Report

File #: 2016-0591, File Type: Contract

Agenda Number: 14.

REVISED
PLANNING AND PROGRAMMING COMMITTEE
NOVEMBER 16, 2016

SUBJECT: PARKING MANAGEMENT PILOT PROGRAM - PHASE II

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING implementation of **Phase II of the Parking Management Pilot Program at nine (9) Metro parking facilities with the option to increase to (13) facilities along Expo, Gold, Red, Green and Silver Line Metro** stations pursuant to the Operating Plan (Attachment C) for four (4) years;
- B. AMENDING Metro’s Parking Ordinance Administrative Code 8 (Attachment D) and Metro’s Parking Rates and Fee Resolution (Attachment E) in support of the implementation of the Parking Management Pilot Program; and
- C. AUTHORIZING the Chief Executive Officer to award a four (4)-year firm fixed price Contract No. PS6264800 to L&R Group of Companies DBA Joe’s Auto Parks in the amount of \$8,388,277 to implement Phase II of the Parking Management Pilot Program through a revenue generating contract where the contractor will be compensated for their operating costs from the parking revenue collected and Metro will receive the net revenue amount collected, subject to resolution of protest(s), if any.

ISSUE

The Metro Board approved actions to implement the first phase of the Parking Management Pilot Program (Pilot Program) at the March 2016 Board Meeting. This Contract is to procure additional parking equipment and parking management services for the second phase of the Pilot Program at up to thirteen (13) locations for a four (4) year period. The actions in this Board report will allow for implementation of Phase II of the Pilot Program. If approved, the program will begin operating in the first quarter of 2017 and is anticipated to generate \$10.1 million in net revenue over four (4) years.

DISCUSSION

In August 2016, staff provided an update on the Pilot Program Phase I at the three (3) Expo II stations that opened in May 2016. The proposed Pilot Program Phase II will be initially expanded at up to six (6) Metro-owned park and ride locations and at an additional four (4) Caltrans-owned locations pending an amendment of the Operating and Maintenance agreement between Caltrans and Metro (currently in negotiations). The Pilot Program has identified a total of 13 locations, along with a proposed pricing schedule, as described below.

Parking Management		Pilot Program Pricing Schedule			
Station	Rail Line	Transit User Daily Rate	Transit User Monthly Rate	Carpool Monthly Rate	# of Parking Spaces
Expo/Bundy	Expo	\$3	\$49	\$25	214
Expo/Sepulveda	Expo	\$3	\$39	\$25	256
17th St/SMC	Expo	\$3	\$59	\$45	63
La Cienega/Jefferson	Expo	\$3	\$59	\$45	485
APU/Citrus	Gold	\$3	N/A	N/A	200
Irwindale	Gold	\$3	\$39	\$25	350
Atlantic	Gold	\$2	\$29	\$20	284
Universal	Red	\$3	\$55	\$45	546
North Hollywood	Red	\$3	\$59	\$45	1,310
*Norwalk	Green	\$2	\$39	\$25	1,720
*Lakewood	Green	\$2	\$39	\$25	299
*Aviation	Green	\$3	N/A	\$25	390
*El Monte	Green	\$2	\$39	\$25	1,809
Total					7,926

* Caltrans owned locations

The parking for the Culver City Station site is anticipated to be temporarily relocated during construction of a city development project on the site and, therefore, has been removed from the Pilot Program. The transit parking will be temporarily relocated to the Culver Ince/Robertson garage and will be operated in cooperation with the City of Culver City and revenues will accrue to Metro that are not considered in this report.

Since the Foothill Extension opened for operation in March 2016, parking demand at the Sierra Madre Villa station has dramatically declined. Therefore, Sierra Madre Villa has also been removed from the Pilot Program. In contrast, due to the overwhelming parking demand along the Foothill Extension, two (2) Gold Line stations have been added to the Pilot Program: the APU/Citrus and Irwindale stations. In addition, Metro’s preferred permit parking program has been implemented at the Downtown Azusa station.

The goal of the Pilot Program is to actively manage parking demand at highly occupied parking facilities and operate the parking facilities between 85% to 90% occupancy levels. These occupancy levels are the levels which maximize the utilization of a parking facility.

Phase I Pilot Program

Phase I of the Pilot Program was implemented at the three Expo II stations that opened in May 2016: 17th Street/Santa Monica College, Expo/Bundy and Expo/Sepulveda stations.

Data at these locations continues to be collected and analyzed on a daily basis. The results will be used to further study and develop the parking management alternatives for the Supportive Transit Parking Program (STPP) Master Plan. To date, occupancy at these stations has ranged from 30% to 50%.

The current transit user parking rate is \$2.00 per 24 hour or \$39.00 per month at the Expo II locations. Both monthly parking and daily parking permit holders are required to provide evidence that they used transit to be eligible to park. Parking Management and TAP have developed the TAP identifier software which allows for ridership transactions to be verified by the parking equipment. This function reduces the number of non-transit users taking advantage of the affordable parking price at Metro parking facilities. This function is also applied to Metro's preferred permit parking program. Monthly permit holders are required to maintain a minimum of ten (10) daily transactions to stay in the program. Since the implementation of the program, staff has observed transit patrons arriving to the new Expo stations by bus and carpool instead of single occupancy vehicles.

Preferred Permit Parking Program

The 10-day transit ridership requirement was also implemented in May 2016 at all Metro parking facilities with the preferred permit parking program. During the first month of its implementation, over 200 permit holders decided to drop off from the program, presumably because they could not meet the 10 trips per month minimum requirement. Due to the reduction of permit customers, staff has been able to accommodate the majority of patrons on a waiting list for North Hollywood and Universal City stations. In the first month of the new policy's implementation, 300 registered permit holders were identified as not using the transit system for at least 10 daily trips. This is in addition to those that did not ride the system at all.

As a result of this new program requirement, approximately 500 permit holders were identified as non-transit users but willing to pay for parking to park at a Metro parking facility. This active parking demand management has allowed staff to shift these spaces from non-transit users and accommodate transit patrons who use transit on a regular basis. The TAP identifier software tool has proven to be a valuable tool to our transit parking program and has allowed Parking Management to proactively retain Metro's parking resources for transit patrons.

Phase II Pilot Program Preparation

Concurrent with the implementation of Phase I of the Pilot Program, Parking Management staff initiated a procurement for a revenue generating contract for the implementation of Phase II. Once the new contract is executed, all Pilot Program locations will be operated under the new contract. A revenue projection and operating expense budget summary for the entire Pilot Program including the Caltrans locations is shown below:

	Projected Revenue	Total Operating Cost	Net Income
Year 1	\$4,684,929	\$2,226,398	\$2,458,531
Year 2	\$4,684,929	\$2,080,892	\$2,604,037
Year 3	\$4,684,929	\$2,109,756	\$2,575,173
Year 4	\$4,684,929	\$2,140,001	\$2,544,928
TOTAL	\$18,739,716	\$8,557,047	\$10,182,669

*Budget includes all Caltrans locations

Staff anticipates implementation of all Phase II locations by February 2017.

Pricing Schedule

The initial pricing schedule for the Pilot locations is listed in the first table of this report. Daily parking rates will be implemented at all of the Pilot Program locations, and spaces will be available on a first come, first served basis.

Monthly permit holders will be required to demonstrate, at a minimum, ten (10) daily ridership transactions per month, using a TAP card. Monthly parking permit holders with less than six (6) ridership transactions by the 15th of the month will receive an email reminder that they have to maintain ten (10) daily ridership transactions per month to maintain the minimum number of transactions required to purchase their monthly permit for the following month.

Implementation of the Pilot Program required the amendment of Metro’s Parking Ordinance (Attachment D) and Parking Rates and Permit Fee Resolution (Attachment E). The first amendment to the fee resolution was in March 2016 with the introduction of the Pilot Program. Since March 2016, the Pilot Program locations have changed. Changes in the fee resolution only reflect the additional stations which have been added to the Pilot Program and an update of the violation fee schedule.

Carpool Monthly Rate

The Pilot Program will also offer monthly carpool parking at all of the Pilot Program locations at a discounted rate. The rates are listed in the pricing schedule included in this report. Through the carpool program, permit holders will be required to register a minimum of three (3) TAP card users with three (3) vehicle license plates and only one of the cars can park at a time.

Non-Transit Rider Rate

During the August 2016 Planning and Programming Committee meeting, Director Solis instructed staff to explore the possibility of providing shared use public parking for non-transit users. A similar request was proposed at a Regional Service Council meeting. Therefore, staff has explored the possibility of a non-transit rider rate. As part of the amendment to the Parking Rate and Fee Resolution, staff is recommending implementing a non-transit rider rate after 11:00 am at selected

parking facilities with a three (3) hour parking time limit. This will only be available after commuter ingress peak hours and on a first come, first served basis. Recommended locations and rates are shown below.

Non-Transit Rider User Rates		
Recommended Locations	Rate (per 3 hour period)	Time Limit
Expo/Bundy	\$5.00	3 hour time limit after 11 am
Expo/Sepulveda	\$5.00	3 hour time limit after 11 am
17th Street/SMC	\$5.00	3 hour time limit after 11 am
La Cienega/Jefferson	\$5.00	3 hour time limit after 11 am
Atlantic	\$3.00	3 hour time limit after 11 am
North Hollywood	\$10.00	3 hour time limit after 11 am

The purpose of the non-transit rider rate is to accommodate non-transit users who use Metro parking resources for short-term visits and provide an amenity to the adjacent community. For example, at the Atlantic station, staff is proposing a \$3.00 rate per three (3) hours. Through this program, the public will be able to park in a Metro parking facility to visit the doctor’s offices or adjacent businesses after 11:00 am, which is outside of the commuters’ peak ingress hours. Time limits will be enforced by Metro parking enforcement.

Ridership Implications

Based on the boarding and parking data from Phase I of the Pilot Program at three Expo II stations, implementation of the program has not caused any negative impacts on ridership. Only a small portion of transit patrons arrive Expo II stations by driving: 17th Street/SMC (3%), Expo/Bundy (6%) and Expo/Sepulveda (9%). These findings are consistent with the parking data from other Metro parking facilities that provide free parking including: North Hollywood, Universal and Atlantic, all of which have less than 15% of patrons that arrive by driving.

Stations	Weekday Boardings (Average)	Parking Utilization	% of park and Ride at Station
17th St. / SMC Station	1,111	32	3%
Expo/Bundy	1,140	65	6%
Expo / Sepulveda Station	1,112	100	9%

*Transit patrons parking required to present TAP card for ridership verification at Expo II Stations

Station	Weekday Boardings (Average)	Parking Utilization	% of Park and Ride at Station
North Hollywood	15,841	1,426	9%
Universal City	6,945	903	13%
Atlantic	2,138	172	8%
Culver City	4,713	568	12%

*No TAP card ridership verification required and free parking provided

Other arrival methods include bike, walk-up, drop-off, and ride-share. Transit patrons can also choose to park at other Metro parking facilities that continue to offer free parking. Based on this data, staff does not anticipate negative impact on ridership for Phase II of the Pilot Program.

However, if significant drops in ridership occur, the Pilot Program will capture that data and adjust pricing accordingly.

Civil Rights Considerations

There is no disparate impact and no disproportionate burden for minority and poverty riders associated with the proposed Pilot Program. Based on data collected through Metro’s Spring 2016 Customer Satisfaction Survey, both the minority and poverty shares of Metro’s impacted riders (park and ride users) is lower than Metro’s system-wide minority and poverty shares. Specifically:

- The minority share for system-wide bus users is 92% compared to 87% for bus park and ride users. The minority share for rail system-wide users is 80% and the minority share for rail park and ride users is 68%.
- The poverty share for system-wide bus users is 62% and poverty share for park and ride users is 28%. The poverty share for rail system-wide users is 41% and the poverty share for rail park and ride users is 1%.

Operating Plan - Summary

Phase II of the Pilot Program will be utilizing a fully automated parking management system. The system will combine a License Plate Recognition (LPR) system, TAP card ridership identifier software, and payment processing solutions. On-site parking attendants will be available to provide customer service and technical support. Patrons will be able to pay on site, online or via a mobile payment solution. Payment will be accepted in the form of cash, credit cards or mobile payments transaction. The automated parking facilities will be available and accessible to transit patrons 24 hours a day and seven (7) days a week throughout the year. During non-peak hours when parking is available, without parking attendants on duty, customer assistance will be available via an intercom system that connects to a customer service center. The customer service center is available 24 hours a day and seven (7) days a week throughout the year. For those patrons that leave the parking facility with an outstanding transaction, the parking fee will be billed through the DMV record together with an administration fee.

Labor Relations

Staff has met with Labor Relations to discuss any potential issues associated with the implementation of the Pilot Program. Staff has drafted a protocol letter for the Pilot Program. The letter states that, for the duration of the Pilot Program (four years), Parking Management staff and Joe's Auto Parks will handle all aspects of Pilot Program implementation, including deploying customer service ambassadors capable of collecting revenue and the installation of parking equipment. In addition, it was agreed to have respective ATU bargaining unit members provide appropriate electrical power to all necessary systems at all the project locations.

Outreach Program

The Operating Plan includes an outreach and communication program. Upon approval of Phase II of the Pilot Program, staff will launch a stakeholder and transit user outreach program and communications process, working in conjunction with the Community Relations and Communications Departments. Outreach efforts will include:

- Informational messages on Metro's parking website
- Signage at Pilot Program stations
- Email blast notifications
- Information on social media
- Distributed windshield flyers

Once Phase II of the Pilot Program is implemented, should there be price adjustments on monthly or daily parking rates, staff will utilize email, windshield flyers distribution, signage and social media to inform patrons of any changes. Patrons in the monthly permit program will be given 30-days' notice prior to pricing adjustments. Patrons in the daily program will receive a fourteen (14) day notice.

DETERMINATION OF SAFETY IMPACT

Phase II of the Pilot Program will not create any safety impacts because it will operate within the existing infrastructure. Phasing of the Pilot Program will only require the purchase and installation of equipment and signage. Customer service ambassadors will be at the facilities at the beginning of the Pilot Program to provide additional assistance to transit patrons during operating hours and on an as-needed basis once fully operational. Customer service ambassadors will improve safety at the facilities as their presence will discourage theft and vandalism at the facilities. These ambassadors will also be able to report incidents to Metro Security.

FINANCIAL IMPACT

Implementation of the Parking Management Pilot Program will not have an impact on Metro's expense budget. Staff anticipates the Pilot Program will generate \$18,739,716 in gross revenue and \$8,557,047 in operating costs in the four (4)-year period after all thirteen (13) locations are in operation. The operating costs are primarily equipment and labor, and will allow for anticipated net

revenue of \$10,182,669 with approximately \$2,545,667 per year. There will be no impact to any local, state or federal funds.

Impact to Budget

Staff anticipates generating approximately \$500,000 in net revenue to be deposited in Account 40707 for Parking Revenue in FY17 and \$2.4 million in FY18 after deductions for equipment and labor costs. Funds generated by this program will contribute to the RAM internal savings accounts.

ALTERNATIVES CONSIDERED

The Board may choose not to authorize staff to move forward with Phase II of the Pilot Program and related implementation activities. This is not recommended as it is a large component of the STPP Master Plan and the examination of a longer-term strategy for managing parking demand using an affordable parking pricing program and creating a self-sustaining parking program. Implementation of the Pilot Program supports the already approved Phase I Pilot Program. Award of the contract to Joe's Auto Parks is also necessary for the implementation of Phase II as well as ongoing operation of Phase 1. In addition, the Pilot Program results will support the completion of the STPP Master Plan. Staff has already extended the contract with the parking consultant for the Master Plan through September 2017 to ensure incorporating the results and findings from the Pilot Program within the STPP Master Plan. The Pilot Program is also part of the Board-adopted RAM Initiative.

The Board may choose to implement a Pilot Program in a different manner such as setting a nominal charge for parking at selected facilities. Staff does not recommend this approach because it lacks flexibility to adjust to demand at different stations and may not include TAP integration. Any modifications to the existing program would further delay this program and the completion of the Master Plan.

NEXT STEPS

Parking Management staff will return to the Board in May 2017 to provide findings on Phase II of the Pilot Program. Parking Management staff will return to the Board in June 2017 for the introduction of Parking Management Alternatives and provide an update on the STPP Master Plan. Upon approval by the Board, staff will execute Contract No. PS6264800 with L&R Group of Companies DBA Joe's Auto Parks in the amount of \$8,388,277 to implement Phase II of the Parking Management Pilot Program.


ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - DEOD Summary
- Attachment C - Parking Management Pilot Program - Phase II Operating Plan
- Attachment D - Metro Parking Ordinance
- Attachment E - Metro Parking Rates and Permit Fee Resolution

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

PARKING MANAGEMENT PROGRAM/PS6264800

1.	Contract Number: PS6264800	
2.	Recommended Vendor: L&R Group of Companies DBA Joe's Auto Parks	
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: 6/27/16	
	B. Advertised/Publicized: 6/27/16	
	C. Pre-Proposal/Pre-Bid Conference: 7/11/16	
	D. Proposals/Bids Due: 8/11/16	
	E. Pre-Qualification Completed: 10/5/16	
	F. Conflict of Interest Form Submitted to Ethics: 9/30/16	
	G. Protest Period End Date: 11/18/16	
5.	Solicitations Picked up/Downloaded: 35	Bids/Proposals Received: 2
6.	Contract Administrator: Ana Rodriguez	Telephone Number: (213) 922-1076
7.	Project Manager: Frank Ching	Telephone Number: (213) 922-3033

A. Procurement Background

This Board Action is to approve Contract No. PS6264800 issued to implement Phase II of the Parking Management pilot program through a revenue generating contract to convert nine of Metro's parking facilities to paid parking facilities with the option of increasing to thirteen facilities over the course of four years. Board approval of contract awards are subject to resolution of all properly submitted protests.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price. This RFP was issued without an SBE/DBE/DVBE goal as this is a revenue generating contract that does not utilize local, state, or federal funds.

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

- Amendment No. 1, issued on July 15, 2016 extended the RFP due date through August 11, 2016.

A pre-proposal conference was held on July 11, 2016 and was attended by 17 participants representing 14 firms. There were 30 questions asked, and responses were released prior to the proposal due date.

A total of 35 firms downloaded the RFP and were included on the planholders' list. A total of two proposals were received on August 11, 2016.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro and the City of Inglewood was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- | | |
|---|------------|
| • Firm's qualifications | 10 percent |
| • Key Personnel | 10 percent |
| • Operation, Budget, Staffing and Accounting Plan | 30 percent |
| • Customer Service Plan and Training | 5 percent |
| • Auditing Procedures and Reporting Samples | 5 percent |
| • Parking Equipment Proposal | 10 percent |
| • Mobile Payment Solution | 10 percent |
| • Price | 20 percent |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar procurements for parking management services. Several factors were considered when developing these weights, giving the greatest importance to the operation, budget, staffing and accounting plan at 30 percent.

From August 12, 2016 through August 18, 2016, the PET completed its independent evaluation of the proposals received. Both proposals were determined to be within the competitive range and are listed below in alphabetical order:

1. L&R Group of Companies DBA Joe's Auto Parks
2. SP+ Municipal Services

The PET interviewed both firms on August 25, 2016. Each firm presented their proposed key personnel including the proposed facilities manager, elaborated on their understanding of the statement of work, expanded upon their proposed operation plan and implementation strategy, and responded to the questions posed by the PET.

In general, each team's presentation focused on the experience of their proposed facilities manager and the team's implementation of their operation plan. Also highlighted was their equipment and mobile payment solution providers including a discussion on their systems integration and capabilities.

After the interviews, discussions were held with both proposers to clarify that living and prevailing wages were included, proposed labor was maintained throughout the four years, and that ongoing operation costs of the revenue equipment was also included.

Based on the discussions, Best and Final Offers (BAFOs) were requested from both firms and received on September 15, 2016.

Qualifications Summary of Firms within the Competitive Range:

L&R GROUP OF COMPANIES DBA JOE'S AUTO PARKS

L&R Group of Companies DBA Joe's Auto Parks (Joe's Auto Parks) has been involved in municipal parking operations for over 50 years and manages over 85 parking facilities in the downtown Los Angeles area. Joe's Auto Parks submitted a detailed proposal and assembled a cohesive team that demonstrated that they are knowledgeable, experienced and the best qualified firm to perform the proposed scope of work.

The proposed operations team has proven experience and a long history of parking management in some of the largest facilities in Los Angeles. Recent projects include the management of the Ace Hotel parking, Onni Properties parking, Off Airport parking at the Los Angeles International Airport, and a 24-year contract for the County of Los Angeles consisting of 58 parking facilities with over 30,000 spaces. The proposed team demonstrated their familiarity with the geographic area and conveyed their understanding of Metro's objectives for this program.

Joe's Auto Parks operation, staffing, budget, and accounting plan was thorough and clear. The proposal provided a detailed operation plan enumerating the deliverables that would be submitted daily, weekly, monthly and quarterly, command center operations, transition plan, and management reporting. The staffing plan was tailored to each facility with varying ambassadorial coverage throughout the week and weekend based on anticipated patron levels. The proposal also provided an accounting plan describing cash handling policy, revenue collection, deposits, and daily reconciliations. Joe's Auto Parks also proposed an independent auditor that would provide quality customer service audits for the life of the contract. Additionally, the proposed mobile payment solution provider, Passport, is a reputable firm with a powerful platform that allows for customization of services and provides the consumers four different ways to pay (mobile application, web, interactive voice response, and short message service). Passport also has the capability to expand the services they provide beyond the mobile payment solutions should Metro require additional services in the future. Overall, Joe's Auto Parks' proposal provided a complete, detailed and thorough solution that fulfills Metro's requirements for this project.

SP+ MUNICIPAL SERVICES

SP+ Municipal Services (SP+) is one of the largest parking management service providers in the United States. SP+ is experienced in providing parking services to municipalities such as the cities of Newport Beach, Riverside, Santa Ana and Santa Monica in California and other cities throughout the country.

SP+'s proposal documented their past experience well; however, their operating, staffing, budget, and accounting plan provided a minimal amount of information. The operation plan included a brief description of the challenges of transitioning from free parking to paid-parking; however, SP+ did not expand the operation plan to include any discussion of assumptions, labor hours and rates, potential risks that could affect day to day operations, and deliverables. Also, the staffing plan allocated a blanket four hours of ambassadorial service for each facility every day during the week and did not provide ambassadors during weekends at any facilities.

In regards to the proposed project team, SP+'s proposal did not include a facilities manager as the position was to be determined. While they did present their choice for a facilities manager at the interview, the proposed manager was new to the SP+ firm having recently relocated from outside the state. His primary experience was with parking and transportation services for Universities.

SP+ is a large and experienced firm, but ultimately did not provide Metro with a comprehensive plan that demonstrated their understanding of Metro's objectives and requirements for this project.

Following is a summary of the PET evaluation scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Joe's Auto Parks				
3	Firm's Qualifications	90.00	10.00%	9.00	
4	Key Personnel	93.30	10.00%	9.33	
5	Operation, Budget, Staffing and Accounting Plan	90.00	30.00%	27.00	
6	Customer Service Plan and Training	93.33	5.00%	4.67	
7	Auditing Procedures and Reporting Samples	76.60	5.00%	3.83	
8	Parking Equipment Proposal	90.00	10.00%	9.00	
9	Mobile Payment Solution	100.00	10.00%	10.00	
10	Price	91.05	20.00%	18.21	
11	Total		100.00%	91.04	1
12	SP+				
13	Firm's Qualifications	90.00	10.00%	9.00	
14	Key Personnel	83.33	10.00%	8.33	
15	Operation, Budget, Staffing and Accounting Plan	71.67	30.00%	21.50	
16	Customer Service Plan and Training	86.67	5.00%	4.33	
17	Auditing Procedures and Reporting Samples	76.60	5.00%	3.83	
18	Parking Equipment Proposal	83.33	10.00%	8.33	
19	Mobile Payment Solution	83.33	10.00%	8.33	
20	Price	100.00	20.00%	20.00	
21	Total		100.00%	83.65	2

C. Price Analysis

The recommended price has been determined to be fair and reasonable based upon adequate price competition including BAFOs, an independent cost estimate (ICE), price analysis, technical analysis, and fact-finding. Joe's Auto Parks included a consulting firm, Park Consulting, a Metro certified SBE firm, to perform customer service audits of the command center and field staff, to ensure high quality customer service.

Metro's ICE includes the purchase of revenue generating equipment and operating costs for the parking facilities. The difference between the ICE and the negotiated

amount are due to overestimated expenses such as the purchase price and installation of revenue equipment, license plate recognition equipment, operating costs and management fees. Also, the ICE included a parking tax of \$1,755,489 over the four year period of performance which was recently waived by the City of Los Angeles.

	Proposer Name	Best and Final Offer Amount	Metro ICE	Negotiated Amount
1.	Joe's Auto Parks	\$8,388,276.84	\$14,229,598.33	\$8,388,276.84
2.	SP+	\$7,636,797.32	\$14,229,598.33	

This Contract is a net revenue generating contract. The contractor shall cover all equipment and operating costs and shall be compensated through the parking revenue collected on behalf of Metro. The purchase of the parking equipment and installation will be amortized throughout the four year contract term on a monthly basis. Metro will receive the net revenues collected from the contractor estimated at \$10,182,669 over the four year operating period.

D. Background on Recommended Contractor

The recommended firm, L&R Group of Companies DBA Joe's Auto Parks, is headquartered in Los Angeles, California, and has been in business for over 50 years. As one of the largest parking property owners in the country, L&R operates two parking divisions, one of which is Joe's Auto Parks, which is one of Los Angeles' largest parking operators with more than 85 locations in downtown alone.

The proposed team is composed of Joe's Auto Parks and one subcontractor (Park Consulting, a Metro certified SBE). The assembled team is experienced in managing large-scale parking facilities and the proposed facilities manager has 11 years of experience in the parking industry including the management of parking facilities for the City of Inglewood and the City of Long Beach. Currently, Joe's Auto Parks is a subcontractor on Phase I of the Parking Management pilot and has performed satisfactorily.

DEOD SUMMARY

PARKING MANAGEMENT PROGRAM/PS6264800

A. Small Business Participation

For this revenue generating procurement, the Diversity and Economic Opportunity Department (DEOD) determined that a goal is not applicable. However, L&R Group of Companies DBA Joe's Auto Parks proposed to utilize the services of a Small Business Enterprise (SBE) firm.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$16.18 per hour (\$11.27 base + \$4.91 health benefits), including yearly increases of up to 3% of the total wage. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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

METRO PARKING MANAGEMENT PILOT PROGRAM PHASE II OPERATING PLAN

1.0 OBJECTIVE

The objective of the Pilot Program is to implement a self-sustaining parking solution to retain and improve parking resources for Metro transit patrons. The second phase of the Pilot Program will implement at nine (9) locations and potentially expand up to thirteen (13) locations. It will test approaches to a fee structure, fee collection, facilities management, automated parking management equipment and enforcement needs. The pilot program will be in place for at least two (2) years, and is anticipated to lead into the permanent implementation of the program at additional locations.

The second phase of the Pilot Program will utilize a “toll road” concept automated parking management system. The system will combine a License Plate Recognition (LPR) system, TAP card ridership identifier engine and payment processing solutions. Phase II of the program will operate as a fully automated program, eliminating the need for onsite parking facility cashiers. On-site parking attendants will be available to provide customer service ambassador service only and will not process revenue transactions.

2.0 TRANSIT PARKING PAYMENT PROCESS

2.0.1 Overview

The Pilot Program will offer an affordable daily parking rate to parkers that can verify use of the Metro system as well as other providers using TAP cards, within a 96-hour period. Verification will be provided by linking the automobile license plate to a valid TAP card. Non-transit riders will be rejected to park or will have to pay a much higher daily parking rate. Daily and monthly parking fees will be available as well as a Carpool Program options. The Pilot Program will not replace the existing Preferred Permit Parking program, which provides assigned parking spaces for a daily or monthly fee. A summary fee table for initial implementation of the Pilot Program is described in more detail in the table below:

Parking Management Pilot Program – Operation Plan

Parking Management Pilot Program Pricing Schedule					
Station	Rail Line	Transit User Daily Rate	Transit User Monthly Rate	Carpool Monthly Rate	# of Parking Spaces
Expo/Bundy	Expo	\$3	\$49	\$25	214
Expo/Sepulveda	Expo	\$3	\$39	\$25	256
17th St/SMC	Expo	\$3	\$59	\$45	63
La Cienega/Jefferson	Expo	\$3	\$59	\$45	485
APU/Citrus	Gold	\$3	N/A	N/A	200
Irwindale	Gold	\$3	\$39	\$25	350
Atlantic	Gold	\$2	\$29	\$20	284
Universal	Red	\$3	\$55	\$45	546
North Hollywood	Red	\$3	\$59	\$45	1,310
*Norwalk	Green	\$2	\$39	\$25	1,720
*Lakewood	Green	\$2	\$39	\$25	299
*Aviation	Green	\$3	N/A	\$25	390
*El Monte	Green	\$2	\$39	\$25	1,809
T total					7,926

* Caltrans owned locations

* *Fees may be adjusted pursuant to the process described in Section 2.0.5.

2.0.2 Automated Parking Management System

Automated Parking Management System devices, included TAP Card/ridership verification, License Plate Recognition system (LPR), pay machines will be install at all the Pilot Program Metro parking facilities. Mobile payment solution will also be available for the Pilot Program locations. The LPR system will capture all vehicles enter and exit Metro parking facilities. The pay machines will have the capability of reading TAP cards for ridership verification and provide pay by license plate function. Pay machines will capable to accepting cash and credit cards on-site. Patrons can simply enter their license plate number and present their TAP card to obtain the transit parking rate and pay for their parking fee prior exiting the parking facility. The LPR will capture the vehicle’s exit and complete the transaction. LPR system will also retain records for remaining vehicles inventory and outstanding transactions (exit without payment process) for posting billing process.

2.0.3 Transit User Identification

A parking patron is considered a transit user if they use the system, or transit provided by other systems using a TAP card, within 96 hours of parking at a Metro Transit Parking facility. The time period of 96 hours can occur prior to or after the patron parks their vehicle. The TAP card reader will allow the automated parking management system to verify transit versus non-transit riders. TAP card readers will be installed on the pay machines. Transit patrons can simply present their TAP card at the pay machine. Once the TAP card is read, the last transaction will be identified. If that transaction happened within the last 96 hours, the patron is eligible for the affordable transit patron parking rate. Transit patrons can pay for their parking with their license plate information after they obtained the transit parking rate. Pay

machines accept cash and credit card payments. This function will apply to all daily transit users who choose to pay for their parking at the pay machines upon their return to pick up their vehicles.

Transit patrons can also use the mobile payment option to pay. Patrons will be able to simply download the pay by phone app and only need to register once with their personal and TAP card information. Transit user can use the mobile app to pay with their license plate number. Since the TAP card information had already registered, the TAP verification will be automated.

Any un-identifiable parking customers or unpaid transactions will be recognized by the exit LPR system, then submitted to DMV through Metro's Parking Permit Processor (iParq). The registered owner of the vehicle will then be issued a violation of unpaid transaction and billed for collection of the non-transit user parking rate within 21 calendar days.

2.0.4 Parking Fee Transactions

There are 3 types of parking fee transactions: Daily Parking, Monthly Parking and Carpool

Daily Parking Transactions

All the parking facilities will operate under an automated configuration. No cashiers will be available at the entrance or exit lanes. Patrons are not required to stop at the entrance or exit lanes. The LPR system will recognize and retain an inventory record for parking fee collection processing. The parking fee will be determined by the Transit User Identification Process described above. Customer can choose to pay for their parking fee at the pay machines or use mobile pay option. Once the parking rate is determined, the patron's license plate will be notated and their payment (cash or credit card) will be processed. Their license plate will be entered into the system and serve as proof of payment. A receipt will be given by request only. Patrons can exit the parking facilities and the LPR system will capture the exit and close the Daily Parking transaction.

Any un-identifiable parking customers or unpaid transactions will be recognize by the exit LPR system, then submitted to DMV through Metro's Parking Permit Processor (iParq). See section 2.0.3

Monthly Parking Transactions

The patron will arrive at the parking facility and the LPR system will recognize its eligibility. Once verified, the patron may park their vehicle without accruing any

additional parking fees. A physical monthly parking permit will also be display on the vehicle for enforcement purpose.

If the patron's permit is not valid, they will be responsible for paying the appropriate daily parking fee per the processes described above.

Monthly Parking permits will be sold on a monthly basis and will be available for online purchase. These permits will require transit users to provide their TAP card number in order to be eligible for the permit. Once issued, the patron must maintain a minimum of ten (10) daily transactions using their TAP card, per month, in order to renew their permit for the following month.

Monthly Carpool Program

A Monthly Carpool Parking Program will be implemented at all locations. At selected locations, a Carpool Program may be the only monthly parking option to reduce parking demand. In order to be eligible for this program, a minimum of 3 patrons must register their TAP card numbers and license plate numbers through the online customer portal. In order to retain eligibility, each registered TAP card must maintain a minimum of ten (10) daily transactions, per month.

Once registered and paid, a Monthly Carpool Permit will be issued. This permit must be displayed in the windshield of the vehicle used for the carpool for enforcement purpose. LPR system will also recognize its eligibility and ensure only one out of the three registered vehicle in the account entered the facility. Only one of the registered vehicles will be able to enter the parking facility with the Carpool Permit. If another vehicle that is registered to the Carpool Permit enters the parking facility, they will be expected to pay the prevailing daily parking rate.

2.0.5 Parking Rates and Permit Fee

All parking rates and permit fees will be collect according to the adopted Metro Parking Rates and Permit Fee Resolution without exceptions. The Daily Parking rate calculation is based on a 24 hour cycle. Monthly Permit Parking is based on the first day to the last day of the calendar month cycle. All parking rates and permit fees are applied 24 hours a day, 7 days a week.

Pricing Adjustments

Staff will assess the impacts of the Pilot Program every two (2) months, identifying occupancy levels (targeted at 85%), any impacts on ridership and other factors based on feedback from transit patrons and the parking attendants. Based on these factors, parking rates may be adjusted. The Pilot Program will have a maximum parking fee of \$5.00 daily and any pricing adjustments will require 30 days' notice (both increases

and decreases). Pricing adjustments shall not occur more frequently than every two months.

3.0 OPERATIONAL PLAN

3.0.1 Parking Facilities

Each facility can be described as either an Automated Parking Facility or a Permit Only Parking Facility. Automated parking facilities will have parking attendants to perform as customer service ambassadors to assist our customers, generally from 4:00pm to 8:00pm. Permit Only Parking Facility will be depend on permit enforcement operation.

Automated Parking Facilities

Automated Parking Facilities will be available and accessible for transit patrons 24 hours a day and 7 days a week throughout the year. Parking attendants will be available during operating hours, between 4:00pm to 8:00pm to assist transit user and available to answer general customer service questions. Parking attendants will also inventory the parking facilities at the beginning and the end of their shift to and identify unreadable license plates, such as dealer plate, and international plates. Parking attendants will consolidate all the information and submit to Metro parking permit processor to ensure all outstanding transactions are billed properly. Please refer to section 2.0.3 for the process of handling un-identifiable parking customers and the unpaid transaction process.

Other hours will be unattended and self-service. Any patrons need any assistance during after hour can use intercom at the pay machines to connect with customer service center 24 hours a day.

Permit Only Parking

The Expo/Bundy on-street parking spaces and Downtown Azusa Parking Facility are two facilities that will operate under permit only parking configuration. The Expo/Bundy parking facility consists of 250 on-street parking spaces. For the Pilot Program, 175 of these spaces will be available only through Monthly Parking Permits. The remaining 75 will be daily permit parking. Downtown Azusa Parking Facility consists with 186 Metro transit patrons' parking spaces on the top two levels of the facility. All 186 of these spaces will available only through Monthly Parking Permits. Patrons can pay for their monthly or daily permit parking fee either through a mobile application, by dial-in to a customer service provider or online. These parking spaces are for transit parking only and will be patrolled by officers of Metro-authorized parking enforcement agencies. Any violators will be subject to issue a citation or tow.

3.0.2 Parking Revenue Collection and Reporting

As mentioned above, Automated Parking Facilities will accept cash, credit card and mobile payment. Parking Management Operator (Operator) will collect all the daily parking revenue via different payment solutions. In addition to parking attendants, Operator will provide revenue collection staff to retrieve cash revenue from all pay machines, and reconcile with daily revenue report generate by the Automated Parking Management System. All cash revenues are required to be deposited in the bank daily. Credit card transactions processing and mobile payment transactions shall also be reconciled daily. Operator is anticipated to provide daily revenue report for gross revenue daily and submit to Metro Parking Management staff electronically. Metro Parking Management staff will also have access to the system for auditing purpose.

Operator is required to provide monthly reports to illustrate all gross revenue and expenses. Operator is also required to pay parking tax on Metro's behalf if applicable. Monthly report will include, but not limited to, all labor cost, credit card processing fee, mobile payment transaction cost, amortization of parking equipment, all management fee and other reimbursable expenses with detail back up documents.

4.0 OUTREACH & COMMUNICATION

Internal and external stakeholder outreach is critical to the success of the Pilot Program. Parking Management staff will work with Metro's Marketing and Communications departments to design outreach plans for the communities and facilities involved in the Pilot Program, as well as through messages for internal Metro communications.

4.0.1 External Stakeholder Outreach

Several different channels will be used to ensure that the participating communities are informed about the Pilot Program. Starting in February 2016, Regional Service Council meetings, Technical Advisory Committee (TAC), as well as other appropriate subcommittees were visited by Parking Management staff to explain the Pilot Program and respond to any questions. These meetings will be visited again once the Pilot Program has been implemented at some of the locations to address any follow up questions.

Outside of the Service Council and Advisory Committee meetings, the general public will be informed of the Pilot Program through emails, social media, news outlets, the Metro website, Metro TPIS monitors and signage and flyers at the participating parking facilities. Public communications material was created in early April 2016 during Phase I of the Pilot Program, including instructions for parking and a Frequently Asked Questions (FAQ) document, with a full launch to the public after Board adoption of the Pilot Program.

Updated instruction and communication material for Phase II will be created in Fall 2016 prior to the revenue operation.

4.0.2 Metro Internal Department Communications

Meetings will be coordinated with the departmental staff and appropriate personnel of Parking Enforcement, Transit Court, Community Relations and Customer Relations in order to explain details of the Pilot Program. A Frequently Asked Question document will be created and distributed to these departments for reference when they receive questions about the Pilot Program. Parking Management staff will be available to train and educate any departments on the program.

5.0 PERFORMANCE REPORT

5.0.1 Reporting

Parking Management staff will provide updates on the Pilot Program to the Board every 3 months, with the first report for Phase II in April 2017.

The Pilot Program is being recommended as part of the Supportive Transit Parking Program (STPP) Master Plan and will determine parking occupancy (and related demand) before and after pricing implementation. Utilize pricing adjustments to mitigate changes in parking occupancy and retain it at 85% target. Metro Parking Management also anticipates testing and developing new innovative parking solutions and funding for parking operations and management.

Los Angeles County Metropolitan Transportation Authority

Administrative Code

Title 8

METRO Parking Ordinance

Chapter 8-01

General

8-01-010 Authority to Regulate

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

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

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

8-01-030 Responsibility for Compliance

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

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

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

shall have the right to recover the same from the driver, rentee, or lessee in accordance with CVC section 40200(b).

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

8-01-040 Fees to be Paid for Parking in METRO Parking Facilities

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

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

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

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

payment of all owed parking and late fees in an amount established by resolution of the Board, shall be mailed to the Vehicle's registered owner. All owed parking fee will be subject to submit for collection process. The above agreement shall include a reference to this section.

- b. **Evidence of parking fee payment**, such as, but not limited to, parking permit, tickets, receipt or electronic display devices, is required during entire parking duration time.
- c. **Prohibition of Selling, Reselling, Leasing or Reserving for Compensation of Parking Spaces.** No person shall sell, resell, lease or reserve for compensation, or facilitate the selling, reselling, leasing or reserving for compensation of any METRO owned, leased, financed, contracted, managed and operated spaces or property without authorization from METRO.

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

8-01-050 Parking Facility Use, Designation, and Closure

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

8-01-060 Liability

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

8-01-070 Parking Policy and Regulation Notification or Changes

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

notified in a timely manner prior to implementation of changes to METRO's parking policies and regulations.

8-01-080 Administrative Review of Parking Citation Issuance

A registered owner or operator of a Vehicle who believes a parking citation has been issued in error or in an improper manner may request an administrative review of the conditions for issuance of the citation as set forth in section 8-09-020.

8-01-090 Towing Vehicles

METRO is authorized by CVC section 21113 and CVC section 22650 et seq. to remove Vehicles as set forth below in Chapter 8-11.

Chapter 8-03

Parking Definitions

Chapter 8-03-010 Definitions

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

Accessible Parking Space. “Accessible Parking Space” means any parking space designated for the exclusive use of a vehicle displaying a special identification license plate or distinguishing valid placard subject to the provisions stated in section 22511.5 of the CVC. Accessible parking spaces shall be marked in accordance with section 22511.7 of the CVC.

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

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

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

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

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

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

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

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

Enforcement Officer. “Enforcement Officer” shall mean a peace officer as defined in Chapter 4.5, commencing with section 830 of Title 3 of the California Penal Code, or the

successor statutes thereto, or other issuing officer that is authorized or contracted by METRO to issue a parking citation.

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

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

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

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

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

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

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

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

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

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

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

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

penalty shall be attached to each violation as described on each violation notice unless otherwise noticed.

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

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

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

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

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

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

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

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

Pedestrian. “Pedestrian” means any person afoot.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chapter 8–05

Parking Regulations

8-05-010 Parking Activities

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

8-05-020 Enforcement Practice

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

8-05-030 Illegal Parking Outside of a Defined Parking Space or Parking Space Markings

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

8-05-040 Failure to Obey Signs

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

8-05-050 Exceeding Posted Time Limit

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

8-05-060 Temporary No Parking

Whenever METRO finds that traffic congestion, or the disruption of the normal flow of traffic is likely to result from the operation, stopping, standing or parking of Vehicles during the holding of public or private special events, assemblages, gatherings or functions, during construction, alteration, repair, sweeping, filming or other reasons, METRO may place or

cause to be placed temporary signs prohibiting the operation, stopping, standing or parking of Vehicles at least seventy-two hours prior to and during the period such condition exists. In the event of an emergency, METRO may act under this section without providing the seventy-two-hour notice required herein.

8-05-070 Restricted Parking

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

8-05-080 Parking Within Marked Bicycle Lane

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

8-05-090 Illegal Parking in Loading Zone

A Vehicle shall not be stopped for any purpose other than loading or unloading between the hours of 6:00 a.m. and 6:00 p.m. on any day except Sunday, or at such other times as designated by METRO in a place marked as a commercial and passenger loading zone. Such stop shall not exceed the time it takes to load and unload passengers or goods for a commercial vehicle. METRO shall place signs or curb markings to designate areas as commercial loading zones. Commercial loading zones shall be a minimum of thirty feet and not exceed forty-eight feet in length, and may be established in a parking meter / pay station location. Parking meters / pay station spaces shall be enforced during posted hours when the loading zone is not in effect.

8-05-100 Vehicle Exceeds Load Size Limit

- a. No person shall park or leave standing in METRO facility and/or lot any Vehicle having either of the following:
 - 1. A manufacturer's rated load capacity greater than 14,000 lbs; or
 - 2. A length in excess of twenty-four (24) feet.
- b. The following vehicles are hereby exempt from the provisions of this section:
 - 1. Any Vehicles properly displaying a large vehicle permit. Large Vehicle permits shall be issued for special events. Under any circumstances on any of the following Vehicles: tour buses, movie, television, or photographic production Vehicles, limousines, or mobile billboards in accordance with Chapter 8 of this code.

2. Any authorized emergency Vehicle, METRO Transit Security, any authorized highway work vehicle or any Vehicle used in the construction, installation, or repair of a utility or public utility in accordance with sections 22512 and 35702 of the CVC;
 3. Any Vehicle engaged in loading or unloading;
 4. Any Vehicle making pickups or deliveries of goods, wares, and merchandise; and
 5. Any Vehicle picking up or delivering materials used in the actual or bona fide repair, alternation, remodeling or construction of any building or structure for which a building permit or building construction authorization has been obtained.
- c. Pursuant to section 40200 *et seq.*, of the CVC, any violation of this section shall be punishable as a civil penalty in accordance with the provisions of Chapter 8-09 of the METRO Administrative Code. Any Vehicle parked or left standing in violation of this section may be removed in accordance with provisions of section 22650 *et seq.* of the CVC.
 - d. Large Vehicle parking permits shall be issued by METRO pursuant to Metro policies and procedures for the issuance of such permits. Such policies shall be consistent with the provisions of sections 8-05-010 through 8-05-440 of the METRO Administrative Code.
 - e. The fee for a large Vehicle parking permit shall be according to METRO fee schedule.

8-05-110 Disconnected Trailer

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

8-05-120 Bus Loading Zones

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

8-05-130 Illegal Parking in Kiss and Ride Spaces and Passenger Loading Zone

- a. A Vehicle shall not be parked more than three (3) minutes, or for such other amount of time as may be indicated on the posted sign, to load and unload passengers at any designated Kiss and Ride passenger loading and unloading zone.

- b. METRO may place curb paint markings with ADA compliance design criteria including ramps, minimum dimensions, proper signage and level pavement at locations to make passenger loading feasible.

8-05-140 No Parking – Alley

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

8-05-150 Illegal Parking in Red Zones

A Vehicle shall not be stopped, parked or otherwise left standing, whether attended or unattended, except in compliance with a traffic sign or signal or direction of an authorized enforcement officer, between a safety zone and the adjacent right hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, where a sign or paint was erected METRO owned, leased, financed, contracted, operated and managed parking facilities. Violating vehicle(s) will be towed at the registered owner's expense.

8-05-160 Vehicle Parked Seventy-Two (72) or More Hours

Any vehicle observed parked or left standing longer than seventy-two (72) consecutive hours without authorized permit in the same location may be cited. Any Vehicle parked longer than seventy-two (72) hours must obtain permission in advance from METRO.

8-05-170 Parking on Grades

When METRO has placed or caused to be placed appropriate signs, a Vehicle shall not be parked upon any grade of six percent or more within any METRO facilities without turning the wheels of the Vehicle toward the curb while parked facing downhill and turning the wheels of the Vehicle away from the curb while the Vehicle is parked facing an uphill grade.

8-05-180 Angled Parking

Whenever the width of a parking lot, parking bay, parking facility, travel lane, and traffic conditions are such that the parking of Vehicles at an angle to the curb instead of parallel to the curb will not impede traffic flow, and where there is need for the additional parking spaces which parking at an angle will provide, METRO shall indicate at what angle Vehicles shall be parked by placing parallel white lines on the surface of the roadway. An operator shall not stop, stand, or park any Vehicle except between, at the angle indicated by, and parallel to both such adjacent white lines, with the nearest wheel not more than one foot from the curb.

8-05-190 Double Parking

Vehicle shall not be parked on the roadway side of another Vehicle that is stopped, parked or standing at the curb or edge of the public right-of-way, whether attended or unattended. Violating Vehicle(s) will be towed on registered owner's expense immediately.

Authorized emergency vehicles exempt from this section may display flashing or revolving amber warning lights when engaged in the enforcement of parking and traffic policies.

8-05-200 No Parking Anytime/Posted Hours

Whenever the parking of Vehicles at all or certain hours of the day upon any portion of METRO Parking Facilities, travel lanes, or alleys which are open for public constitutes a traffic hazard or impedes the free flow of traffic, or both, METRO shall erect signs stating that parking is prohibited at all or certain hours of the day.

8-05-210 Wrong Side Two Way Traffic or Roadway

A Vehicle shall not be parked, whether attended or unattended, regardless of loading or unloading in the public right-of-way within METRO facilities, or other transit/rail/park-n-ride facilities in such a manner where the Vehicle is parked in the direction of opposing traffic. Violating Vehicle(s) will be towed at registered owner's expense immediately.

8-05-220 Blocking Street or Access

A Vehicle shall not be parked, whether attended or unattended, upon any traffic or travel lane, or alley where the roadway is bordered by adjacent curbs which is open to the public, whether bordered by curbs or not, unless no less than eight feet of the width of the paved or improved or main traveled portion of such traffic, travel lane or alley opposite such parked Vehicle is left clear or unobstructed for the free passage of other Vehicles. Violating Vehicle(s) will be towed at registered owner's expense immediately.

8-05-230 Parking Special Hazard

At any place for a distance not to exceed one hundred feet where METRO finds that parking would unduly hamper the free flow of traffic, resulting in a special traffic hazard, or endanger public health or safety, METRO shall place appropriate signs or markings prohibiting such parking.

8-05-240 Illegal Parking at Fire Hydrant

A Vehicle shall not be parked within fifteen feet of a fire hydrant along any unmarked curb or in front of or as prohibited by section 22514 of the CVC or by any other state law. Violating Vehicle(s) will be towed at registered owner's expense.

8-05-250 Illegal Parking at Assigned / Reserved Spaces

Whenever any Vehicle parking space is assigned for the exclusive use of the occupant of any building, whether residential, commercial or industrial, which parking space is within such building or elsewhere, and at, in or near such parking space there is a legible sign stating either that such space is exclusively assigned, or that parking is prohibited, or both, a person, other than the person to whom such parking space is assigned, shall not park any Vehicle in such parking space except with the permission of the person to whom such parking space is assigned.

8-05-260 Illegal Parking at Taxicab Stands

The use of taxicab stand or stands shall be limited exclusively to Vehicles that display a taxicab vehicle permit by METRO pursuant to Chapter 8 and attended by a driver in possession of a valid taxi drivers permit issued by the METRO. No person shall park, stop, or stand any attended or unattended vehicle in METRO taxicab stand except as provided in this section.

8-05-270 Illegal Parking at/ adjacent to a Landscape Island or Planter

A Vehicle shall not be stopped, parked or otherwise left standing whether attended or unattended except in compliance with a traffic sign or signal or direction of a police officer, at or adjacent to a Landscape Island or Planter.

8-05-280 Transient, Daily or Preferred Monthly Parking Permits

Parking permits for transient, daily and monthly parking shall be issued by METRO. METRO shall be responsible for establishing policies, administering procedures and disseminating information regarding the distribution of parking permits for parking in METRO Parking Facilities.

Preferred Parking is an optional program that secures a patron a parking space prior to a specified time according to signage. All spaces become available to the public after the specified time according to signage. Spaces are available on a first come first serve basis.

The number of permits to be issued shall be determined by the parking demand and conditions within each Parking Facility. Parking permits shall not be issued to any person who has outstanding parking citations.

Permittee shall obey all rules of the parking permit program. All verified parking permits must be current and valid and consistent with the license plate in parking program record. Failure to obey such rules will result in the termination or denial of a permit.

Any of the acts described below shall be a violation of this section which maybe cited pursuant to section 8-07-010.

- a. Failure to properly register vehicle license plate information as instructed by the permit parking terms and conditions.
- b. Parking in a permit parking space without a permit.
- c. Displaying an altered, counterfeit, or expired permit.
- d. Displaying a permit registered to another vehicle.
- e. Failure to properly display the permit as instructed by permit parking terms and conditions.
 - 1. Decals – A permit decal must be properly displayed on the vehicle windshield. Affix the decal to the inside front windshield in the lower left as indicated in the diagram provided with the decal. The entire permit must be clearly visible to compliance officers.
 - 2. Temporary Permits – Place the temporary permit on the dashboard on the driver’s side of the vehicle. The entire permit must be clearly visible to compliance officers.

8-05-290 Posting Signs in Preferred Permit Parking Area

- a. METRO shall cause appropriate signs to be erected in parking facilities, indicating prominently thereon the parking limitation, period for its application, and motor Vehicles with valid permits shall be exempt from the limitations.
- b. If preferred permit parking is allowed in partial areas of a parking lot or parking facility, signs shall be posted only on the selected spaces or portions of a parking lot or parking facility within the prescribed METRO Facility.
- c. A parking permit shall not guarantee or reserve to the holder thereof a parking space within a parking lot or parking facility.
- d. A motor Vehicle on which a valid permit is displayed shall be permitted to stand or be parked in the authorized parking lot or parking facility or designated area within the parking lot or parking facility within the limits of the parking permit program. Except as provided below, all Vehicles parking within a permit designated area or parking lot or parking facility shall be subject to the parking restrictions and penalties as provided in this Chapter.

8-05-300 Exemption of Certain Vehicles to Permit Restrictions

No person shall, without a permit therefor, park or leave standing any vehicle or trailer in a designated parking permit area or parking lot and parking facility in excess of the parking restrictions authorized pursuant to this Chapter, except for the following:

- a. Repair, maintenance, refuel, utility, fuel or delivery vehicle providing services to METRO within the METRO facility with METRO's prior written consent.
- b. Emergency Vehicles

8-05-310 Permit Penalty Provisions

- a. Unless exempted by the provisions of this Chapter, no person shall stand or park a motor Vehicle in any designated permit parking area or parking lot or parking facility established pursuant to this Chapter. A violation of this section shall result in the revocation of the parking permit and rights in any METRO parking facilities, which is also punishable by an administrative fine established by the Parking Rates and Permit Fee Resolution adopted by the METRO Board. METRO also reserves the rights to refer the case to local law enforcement.
- b. No person shall copy, produce or create facsimile or counterfeit a parking permit, nor shall any person use or display a counterfeited parking permit.
- c. Permit holders shall report to METRO a lost, stolen or missing permit within five days of loss, at which time that permit shall be canceled and a new permit issued for the full face value of the parking permit. No pro-ration or refund requests will be accepted.
- d. No person shall misuse a permit or display a stolen permit.
- e. No person who has been issued a parking permit for a specific designated area, lot or facility shall use the permit in another area, lot or facility.
- f. No person shall alter, deface, or intentionally conceal an expiration date on the face of a parking permit which is displayed in a Vehicle parked on a METRO Facility.
- g. Violation of this sub-Chapter may be subject to parking privileges and permit to be immediately revoked.

8-05-320 Expired Meter or Pay Station

- a. ***Deposit of Fees Required.*** A person shall be required to deposit the proper fee for occupying a parking metered /pay station space at a charge set in METRO's fee resolution during the posted hours and days of operation.
- b. ***Parking Lot Requirements when Meters or Pay Station Installed.*** A person shall not park any Vehicle on any parking lot, parking facility or public right of way maintained or operated by METRO on which a parking meter or multi-space pay machine is installed at any time without paying the posted and adopted parking fees.

8-05-330 Parking Facilities Cleaning, Maintenance and Capital Projects

No vehicular parking shall be permitted at specific locations in any parking facilities during posted hours to allow for routine cleaning, maintenance and capital project implementation.

8-05-340 Electric Vehicle Parking Spaces

METRO has established Electric Vehicle (EV) Charging Station Spaces in Parking Facilities for use by electric Vehicles. No person shall park or leave standing vehicles in EV spaces except as follows:

- a. EV spaces must be signed or marked for EV charging purposes only.
- b. Electric Vehicles must be actively charging when parking in EV Charging Station Spaces.
- c. Non-Electric Vehicles shall not park in EV Charging Station Spaces at any time.
- d. Electric Vehicles may only use designated EV Charging Station Spaces for charging vehicles. No other source of vehicle charging will be allowed at METRO facilities.

When not charging, Electric Vehicles may park in any designated parking space at METRO facilities.

8-05-350 Parking on Sidewalk/ Parkway

No vehicular parking shall be permitted on any portion of a sidewalk, nor shall any portion of a Vehicle be parked in such a manner to overhang or encroach onto any portion of the sidewalk or parkway. Violating Vehicle(s) will be towed at registered owner's expense immediately. Metro is authorized by CVC section 21113 and CVC section 22651 to remove a vehicle found to have been parked in violation.

8-05-360 Areas Adjacent to Schools

Whenever METRO finds that parking on Metro property adjacent to any school property would unduly hamper the free flow of traffic or otherwise constitute a traffic hazard, appropriate signs or markings prohibiting such parking on METRO property shall be posted.

8-05-370 Peak Hour Traffic Zones

Whenever METRO finds that traffic congestion is such that the movement or flow of traffic may be improved by the elimination of parking on Metro property during certain peak travel times, signs prohibiting the stopping, standing or parking of vehicles shall be posted. No Vehicle shall park or be left standing a Vehicle where a sign indicating a peak hour traffic zone has been posted. Vehicles in violation shall be cited and/or towed whenever the parking of Vehicles constitutes a traffic hazard or impedes the free flow of traffic, or both.

8-05-380 Parking Prohibition for Vehicles Over Six Feet High, Near Intersections

Whenever METRO finds that the parking of Vehicles, with a height of six feet or more, within one hundred feet of an intersection, creates a visibility limitation resulting in a potential traffic hazard, METRO shall erect signs or markings stating that the parking of Vehicles with a height of six feet or more is prohibited within one hundred feet of an intersection.

8-05-390 Interim Parking Regulations

METRO can temporarily waive existing or establish new parking regulations in order to accommodate or to mitigate the impacts of construction projects in the vicinity of the parking lot and parking facility.

8-05-400 Car Share or Vanpool Authorization Required

No Vehicle shall be stopped, parked or left standing any Vehicle in a place or a parking space designated for the exclusive parking of Car Share or Vanpool vehicles participating in the METRO Car Share or Vanpool Program, unless the vehicle obtained authorization as a METRO Car Share or Vanpool Program participant and registered as direct by METRO.

8-05-410 Speed Limit

METRO speed limit is five (5) miles per hour in all parking areas, access roads and drives unless otherwise posted.

8-05-420 Motor Vehicle Access

Operating a motor Vehicle on sidewalks, mall, lawns, or any surface not specifically designated as a road, street, highway or driveway is prohibited.

8-05-430 Penalty for Non-Compliance

Unless exempted by the provisions of this part, no Vehicle shall be parked in violation of any parking restrictions established pursuant to this section. Except as provided in Chapter 8-05-100 paragraph (b), a violation of this section may result in the revocation of the parking permit and rights at any METRO parking facilities, which is also punishable by METRO's administrative fine schedule for parking violations. METRO may also refer the case to the local law enforcement. Any Vehicle with more than three (3) outstanding parking citations will be towed away at the registered owner's expense. All administrative fines and penalties must be paid and obtain applicable law enforcement agency clearance prior to release of the towed Vehicle in addition to two fees.

8-05-440 Accessible Parking Spaces Designated for Vehicle Operators with Disabilities

Parking in accessible spaces designated for vehicle operators with disability is restricted to those individuals who have secured an authorized disabled license plate or disabled placard

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pursuant to CVC section 5007, 22511.55 or 22511.59 that is currently in effect. No Vehicle shall be stopped, parked or left standing in a parking stall or space in a METRO facility that has been designated as parking for vehicle operators with a disability in the manner required by CVC section 22507.8. In order for a vehicle to be parked in a designated accessible parking space, disabled parking placards must not be expired and must be properly displayed. Parking is prohibited in any area adjacent to a parking stall or space designated for disabled persons or disabled veterans that is marked by crosshatched lines or space identified as for the loading and unloading of Vehicles parked in such stall or space.

Vehicle operators with a disability are not exempt from the payment of fees for parking a vehicle on METRO facility. METRO reserves the right to adopt or amend the disabled parking pricing policy at all METRO facility. However, Vehicle operators with a disability shall not be charged more than the established parking fees listed for all parking spaces. Valid out of state disabled placards will be accepted at parking facilities.

The number and dimension of accessible parking spaces and van-accessible parking spaces are determined by ADA guidelines and specifications.

Chapter 8-07

Vehicles Other Than Automobiles

8-07-010 Authority to Create Vehicle Regulations

The METRO Board of Directors is authorized pursuant to section 21113 of the CVC to set forth conditions and regulations pertaining to the operation and parking of Vehicles, bicycles and pedestrian conveyance devices upon METRO property.

All rules and regulations of the CVC shall apply to Vehicles, bicycles and pedestrian conveyance devices operated on METRO Facilities. All Vehicles and bicycles must meet the equipment requirements of the CVC, including brakes, lights and reflectors.

8-07-020 Enforcement

This Chapter may be enforced by verbal or written warnings, administrative citations, fines vehicle towing and suspension or expulsion from Metro Facilities. Violations by METRO employees may also result in corrective or disciplinary action. Any appeal arising from the enforcement of this Chapter should be reported to METRO Transit Court, or as otherwise directed.

8-07-030 Parking Bicycles at METRO Facilities

1. Parking Bicycles

- a. Bicycles may be left, parked or stored on METRO Facilities only in areas designed for bicycle parking. These areas are: bike racks, bike lockers, or enclosed rooms with controlled access, or where signage designates the space as a bicycle parking area. However, METRO shall not be liable for any loss, theft, fire or damage of a bicycle or any personal property attached thereto for any bicycle left, parked or stored on METRO Facilities, regardless of whether the bicycle was in an area designated for bicycle parking.
- b. Bicycles parked in designated parking areas may not extend into the landscape. Bicycles may not be parked anywhere that interferes with the maintenance of landscaped or lawn areas or blocks any road or passageway.

2. Removal of Bicycles

- a. METRO may cause bicycles to be removed under any of the following circumstances:
 - Is secured to any item other than a bicycle rack designed for parking bicycles.
 - Prevents use of available Vehicle parking spaces.
 - Poses a hazard or impedes pedestrian access.

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- Has been reported stolen and verified by the Agency.
 - Appears to be abandoned. A bicycle is considered abandoned if it remains in the same position for more than 72 hours and shows signs of intentional neglect. Signs included, but not limited to, deflated tires, missing wheels, and other parts.
- b. If a locking device must be detached to remove a bicycle, METRO may remove the securing mechanism, using whatever reasonable means are necessary. METRO is not responsible for any damage to the locking device or for its replacement.
 - c. METRO or METRO authorized enforcement agencies' personnel may attach on to an abandoned bicycle a notice identifying the condition of the bicycle and the removal date.
 - d. Removed bicycles may be recovered with proof of ownership after required fees are paid within 30 days; before they are released.
 - e. Removed bicycles are held for a minimum of 30 days, after which time the bicycle owner is presumed to have relinquished legal title; these bicycles are disposed of in accordance with METRO policy.

8-07-040 Parking of Motorized Bicycles, Motorcycles and Mopeds

1. Motorized bicycles, motorcycles and mopeds must obtain permission, display a valid parking permit when parking on METRO Facilities to the same extent as a vehicle would be required.
2. Motorized bicycles, motorcycles and mopeds shall be parked only in designated area of parking facilities.
3. Motorized bicycles, motorcycles and mopeds shall not be operated on bicycle pathways or sidewalk.

Motorized bicycles, motorcycles and mopeds may be cited or towed for the same reasons as automobiles in violation of any regulations stated in this ordinance.

Chapter 8-09

Parking Citations

This Chapter shall be known as the “Parking Citation Processing Ordinance” of METRO.

8-09-010 Authority to Contract with Outside Agencies

METRO may issue and/or process parking citations and notices of delinquent parking violations, or it may enter into a contract with a private parking citation Agency, or with another city, county, or other public issuing or Agency.

Any contract entered into pursuant to this section shall provide for monthly distribution of amounts collected between the parties, except amounts payable to the County pursuant to Chapter 09 (commencing with section 76000) of Title 8 of the California Government Code, or the successor statutes thereto, and amounts payable to the METRO pursuant to CVC section 4763 or the successor statute thereto.

METRO’s Board of Directors or Chief Executive Officer shall designate the officers, employees or law enforcement contractors who shall be authorized to issue notices of violation and citation and any requisite training for such persons.

8-09-020 Appeal Review Process

The Agency may review appeals or other objections to a parking citation pursuant to the procedures set forth in METRO’s Administrative Code.

- a. A Person who violates any provision of the Title 8 may, within twenty-one (21) days of the issuance of such notice of violation, request an initial review of the notice of violation by METRO. The request for review may be made in writing, by telephone or in person. There shall be no charge for this review. If following the initial review METRO is satisfied that the violation did not occur, or that extenuating circumstances exist, and that the dismissal of the notice of violation is appropriate in the interest of justice, METRO may cancel the notice of violation. METRO shall notify, the person requesting the review of the results of the initial review. If the notice of violation is not dismissed, reasons shall be provided for the denial. Notice of the results of the review shall be deemed to have been received by the person who requested the initial review within five (5) working days following the mailing of the decision by METRO.
- b. If the Person subject to the notice of violation is not satisfied with the result of the initial review, the Person may no later than twenty-one (21) days following the mailing of the initial review decision request an administrative hearing of the violation. The request may be made by telephone, in person, or by mail. The person requesting the administrative hearing shall deposit with METRO the amount due under the notice of violation for which the administrative review hearing is requested. A person may request administrative review without payment of the

amount due upon providing METRO with satisfactory evidence of an inability to pay the amount due. An administrative hearing shall be held within ninety (90) days of the receipt of request for an administrative hearing.

If the Person prevails at the administrative hearing, the full amount of the parking penalty deposited shall be refunded.

- c. The administrative hearing shall consist of the following:
1. The person requesting the hearing shall have the choice of a hearing in person or by mail. An in person hearing shall be held within the jurisdiction of METRO, and shall be conducted according to such written procedures as may from time to time be approved by the Chief Executive Officer of METRO or the Chief Hearing Officer. The hearing shall provide an independent, objective, fair and impartial review of the contested violations. METRO will provide an interpreter for the hearing if necessary.
 2. The hearing shall be conducted before a hearing officer designated to conduct the review by METRO's Chief Executive Officer or Chief Hearing Officer. In addition, to any other requirements of employment the hearing officer shall demonstrate those qualifications, training, and objectivity as are necessary and consistent with the duties and responsibilities of the position as determined by METRO's Chief Executive Officer or Chief Hearing Officer.
 3. The person who issued the notice of violation shall not be required to participate in an administrative hearing. The issuing Agency shall not be required to produce any evidence other than the parking citation or copy thereof, photographs taken by citation issuing equipment at the time of the citation (date and time stamped), and information received from the department identifying the registered owner of the vehicle. This documentation in proper form shall be the prima facie evidence of the violation.

The hearing officer's decision following the administrative hearing may be delivered personally by the hearing officer or may be sent by first class mail.

4. The hearing officer's decision at administrative review is final except as otherwise provided by law.

If the contestant is not the registered owner of the vehicle, all notices to the contestant required under this section shall also be given to the registered owner by first-class mail.

8-09-030 Procedures of Parking Citations Issuance

Parking citations shall be issued in accordance with the following procedures:

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- a. If a Vehicle is unattended at the time that the parking citation is issued for a parking violation, the issuing officer shall securely attach to the Vehicle the parking citation setting forth the violation, including reference to the section of the CVC, the METRO Administrative Code or other parking regulation in the adopted ordinance violated; the date; the approximate time of the violation; the location of the violation; a statement printed on the notice indicating that payment is required to be made not later than twenty-one (21) calendar days from the date of issuance of the parking citation; and the date by which the operation is to deposit the parking penalty or contest the parking citation pursuant to section 8-09-050. The citation shall state the amount of the parking penalty and the address of the agent authorized to receive deposit of the parking penalty.

The parking citation shall also set forth the Vehicle license number and registration expiration date, if such date is readable; the last four digits of the vehicle identification number, if the number is readable through the windshield; the color of the vehicle; and, if possible, the make of the vehicle.

The parking citation or copy thereof shall be considered a record kept in the ordinary course of business of the issuing agency and the agency, and shall be prima facie evidence of the facts contained therein.

- a. The parking citation shall be served by attaching it to the Vehicle either under the windshield wiper or in another conspicuous place upon the Vehicle so as to be easily observed by the person in charge of the Vehicle upon the return of that person.
- b. Once the parking citation is prepared and attached to the Vehicle pursuant to paragraph (a), above, the issuing officer shall file notice of the parking violation with the Agency.
- c. If during issuance of the parking citation, without regard to whether the Vehicle was initially attended or unattended, the vehicle is driven away prior to attaching the parking citation to the Vehicle, the issuing officer shall file the notice with the Agency. The Agency shall mail, within fifteen (15) calendar days of issuance of the parking citation, a copy of the parking citation to the registered owner of the Vehicle.
- d. If within twenty-one (21) calendar days after the parking citation is issued, the issuing agency or the issuing officer determines that, in the interests of justice, the parking citation should be canceled, the issuing agency shall cancel the citation, or, if the issuing agency has contracted with the a agency, shall notify the agency to cancel the parking citation. The reason for the cancellation shall be set forth in writing.
- e. If after the copy of the notice of parking violation is attached to the Vehicle, the issuing officer determines that there is incorrect data on the notice, including but not limited to the date or time, the issuing office may indicate in writing, on a form attached to the original notice, the necessary correction to allow for the timely entry of the notice on the agency's data system. A copy of the correction shall be mailed to the registered owner of the Vehicle.

Under no circumstances shall a personal relationship with any public official, officer, issuing officer, or law enforcement Agency be grounds for cancellation of a citation. Initial Review and Hearing shall only be candidates by a Person who has no close personal or financial relationship with the Person cited.

- f. If an agency makes a finding that there are grounds for cancellation as set forth in the METRO Administrative Code, or pursuant to any other basis provided by law, then the finding or findings shall be filed with the agency, and the parking citation shall be canceled pursuant to subsection (c)(3) of section 8-09-120.

8-09-040 Parking Administrative Penalties

- a. Administrative penalties shall initially be established by resolution of the METRO Board and amended throughout to the extent delegated to the Chief Executive Officer or Chief Hearing Officer.
- b. Administrative penalties received by Metro shall accrue to the benefit of METRO.

8-09-050 Parking Penalties Received by Date Fixed – No Contest / Request to Contest

If the parking penalty is received by the Agency and there is not contest by the date fixed on the parking citation, all proceedings as to the parking citation shall terminate.

If the operator contests the parking citation, the Agency shall proceed in accordance with section 8-09-020.

8-09-060 Parking Penalties Not Received by Date Fixed

If payment of the parking penalty is not received by METRO by the date fixed on the parking citation, the agency shall deliver to the registered owner a notice of delinquent parking violation pursuant to section 8-09-110.

Delivery of a notice of delinquent parking violation may be made by personal service or by first class mail addressed to the registered owner of the Vehicle as shown on the records of the department.

8-09-070 Notice of Delinquent Parking Violation – Contents

The notice of delinquent parking violation shall contain the information required to be included in a parking citation pursuant to section 8-09-030. The notice of delinquent parking violation shall also contain a notice to the registered owner that, unless the registered owner: (a) pays the parking penalty or contests the citation within twenty-one calendar days from the date of issuance of the parking citation, or (b) within fourteen calendar days after the mailing of the notice of delinquent parking violation or completes and files an affidavit of non-liability that complies with section 8-09-90 or section 8-09-100, the Vehicle registration shall not be renewed until the parking penalties have been paid. In addition, the notice of delinquent parking violation shall contain, or be accompanied by, an

affidavit of non-liability and information of what constitutes non-liability, information as to the effect of executing an affidavit, and instructions for returning the affidavit to the issuing agency.

If the parking penalty is paid within twenty-one (21) calendar days from the issuance of the parking citation or within fourteen (14) calendar days after the mailing of the notice of delinquent parking violation, no late penalty or similar fee shall be charged to the registered owner.

8-09-080 Copy of Citation upon Request of Registered Owner

- a. Within fifteen (15) calendar days of request, made by mail or in person, the agency shall mail or otherwise provide to the registered owner, or the registered owner's agent, who has received a notice of delinquent parking violation, a copy of the original parking citation.

The issuing agency may charge a fee sufficient to cover the actual cost of copying and/or locating the original parking citation, not to exceed two dollars (\$2.00) per page. Until the issuing or agency complies with a request to provide a copy of the parking citation, the agency may not proceed to immobilize the vehicle merely because the registered owner has received five or more outstanding parking violations over a period of five or more calendar days.

- b. If the description of the vehicle on the parking citation does not substantially match the corresponding information on the registration card for that vehicle, the agency shall, on written request of the operator, cancel the notice of the parking violation.

8-09-090 Affidavit of Non-liability – Leased or Rented Vehicle

A registered owner shall be released from liability for a parking citation if the registered owner files with the agency an affidavit of non-liability in a form satisfactory to METRO and such form is returned within thirty (30) calendar days after the mailing of the notice of delinquent parking violation together with proof of a written lease or lessee and provides the operator's driver's license number, name and address.

8-09-100 Affidavit of Non-liability – Sale

A registered owner of a Vehicle shall be released from liability for a parking citation issued to that Vehicle if the registered owner served with a notice of delinquent parking violation files with the agency, within thirty (30) calendar days of receipt of the notice of delinquent parking violation, an affidavit of non-liability together with proof that the registered owner served with a notice of delinquent parking violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged violation. The agency shall obtain verification from the department that the former owner has complied with the requirements necessary to release the former owner from liability pursuant to CVC section 5602 or the successor statute thereto.

If the registered owner has complied with CVC section 5602 or the successor statute thereto, the agency shall cancel the notice of delinquent parking violation with respect to the registered owner.

If the registered owner has not complied with the requirement necessary to release the owner from liability pursuant to CVC section 5602, or the successor statute thereto, the agency shall inform the registered owner that the citation must be paid in full or contested pursuant to section 8-09-050. If the registered owner does not comply, the agency shall proceed pursuant to section 8-09-060.

8-09-110 Collection of Unpaid Parking Penalties

Except as otherwise provided below, the agency shall proceed under subsection (a) or subsection (b), but not both, in order to collect an unpaid parking penalty:

- a. File an itemization of unpaid parking penalties and other related fees with the California Department of Motor Vehicle collection unit pursuant to CVC section 4760 or the successor statute thereto.
- b. If more than four hundred dollars (\$400.00) in unpaid parking penalties and other related fees have been accrued by any one registered owner or the registered owner's renter, lessee or sales transferee, proof thereof may be filed with the court which has the same effect as a civil judgment. Execution may be levied and such other measures may be taken for the collection of the judgment as are authorized for the collection of unpaid civil judgments entered against a defendant in an action against a debtor.

The agency shall send notice by first-class mail to the registered owner or renter, lessee, or sales transferee indicating that a civil judgment has been filed and the date that the judgment shall become effective. The notice shall also indicate the time that execution may be levied against that person's assets, that liens may be placed against that person's property, that the person's wages may be garnished, and that other steps may be taken to satisfy the judgment. The notice shall also state that the agency will terminate the commencement of a civil judgment proceeding if all parking penalties and other related fees are paid prior to the date set for hearing. If judgment is entered, then the Agency may file a writ of execution or an abstract with the court clerk's office identifying the means by which the civil judgment is to be satisfied.

If a judgment is rendered for the agency, that agency may contract with a collection agency.

The agency shall pay the established first paper civil filing fee at the time an entry of civil judgment is requested.

- c. If the registration of the Vehicle has not been renewed for sixty (60) calendar days beyond the renewal date, and the citation has not been collected by the department pursuant to CVC section 4760, or the successor statute thereto, then the agency may

file proof of unpaid penalties and fees with the court which has the same effect as a civil judgment as provided above in section 8-09-110 (a).

- d. The agency shall not file a civil judgment with the court relating to a parking citation filed with the Agency unless the agency has determined that the registration of the Vehicle has not been renewed for sixty (60) calendar days beyond the renewal date and the citation has not been collected by the Agency pursuant to CVC section 4760 or the successor statute thereto.

8-09-120 Obligation of Agency Once Parking Penalty Paid

If the operator or registered owner served with notice of delinquent parking violation, or any other person who presents the parking citation or notice of delinquent parking violation, deposits the penalty with the person authorized to receive it, the agency shall do both of the following:

1. Upon request, provide the operator, registered owner, or the registered owner's agent with a copy of the citation information presented in the notice of delinquent parking violation. The agency shall, in turn, obtain and record in its records the name, address and driver's license number of the person actually given the copy of the citation information.
2. Determine whether the notice of delinquent parking violation has been filed with the department or a civil judgment has been entered pursuant to section 8-09-110 (b).
 - a. If the agency receives full payment of all parking penalties and other related fees and the agency neither files a notice of delinquent parking violation nor entered a civil judgment, then all proceedings for that citation shall cease.
 - b. If a notice of delinquent parking violation has been filed with the department and has been returned by the department pursuant to the provisions of the CVC and payment of the parking penalty has been made, along with any other related fees, then the proceedings for that citation shall cease.
 - c. If the notice of delinquent parking violation has been filed with the department and has not been returned by the department, and payment of the parking penalty along with any other fees applied by either the department or the agency or both have been made, the agency shall do all of the following:
 1. Deliver a certificate of payment to the operator, or other person making payment;
 2. Within five working days transmit payment information to the department in the manner prescribed by the department;
 3. Terminate proceedings on the notice of delinquent parking violation;

4. Deposit all parking penalties and other fees as required by law.

8-09-130 Deposit of Parking Penalties with METRO

All parking penalties collected, including process services fees and costs related to civil debt collection, shall be deposited to the account of the agency, and then remitted to METRO, if METRO is not also the agency.

If METRO is not the agency, then METRO shall enter into an agreement with the agency for periodic transfer of parking citation receipts, along with a report setting forth the number of cases processed and the sums received.

8-09-140 Bailment Schedule

METRO shall adopt a penalty schedule for parking violation penalties and administrative penalties and any necessary additional procedures in furtherance of enforcement of this Code. The schedule and any procedures deemed necessary shall be subject to the approval of the Chief Executive Officer. The Schedule shall be deposited and maintained at all times by the METRO Transit Court for use and examination by the public.

Chapter 8-11

Removal of Vehicles

8-11-010 Towing and Impounding Vehicles

METRO may remove, tow or impound Vehicles in accordance with CVC section 22650 et seq., including but not limited to Vehicles that:

- a. Have three or more outstanding (unpaid) METRO parking violations.
- b. Have five or more outstanding (unpaid) parking violations from any agency in the State.
- c. Display lost, stolen, altered, counterfeit, or unauthorized permits.
- d. Have expired vehicle registration (more than six months).
- e. Park in tow away zones, such as disabled, reserved and no parking areas.
- f. Park in emergency/fire access lanes.
- g. Park on any surface not specifically marked for parking of motor vehicles, such as, but not limited to: lawns, open spaces, sidewalks, plazas, unmarked curbs, roadways, drive aisles, and bikeways.

8-11-020 Post-storage Hearing

- a. Whenever METRO directs removal of a Vehicle pursuant to this Chapter, the Vehicle's registered and legal owners of record, or their agents, will be provided an opportunity for a post storage hearing to determine the validity of the storage.
- b. METRO will mail or personally deliver a notice of the storage to the registered and legal owners within 48 hours, excluding weekends and holidays, and shall include all of the following information:
 1. The name, address, and telephone number of the agency providing the notice.
 2. The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
 3. The authority and purpose for the removal of the vehicle.
 4. A statement that, in order to receive their post storage hearing, the owners, or their agents, shall request the hearing in person, writing, or by telephone within 10 days of the date appearing on the notice.

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- c. The post storage hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. METRO may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the storage of the vehicle.
- d. Failure of either the registered or legal owner, or his or her agent, to request or to attend a scheduled hearing shall satisfy the post storage hearing requirement.

**A RESOLUTION OF THE METRO BOARD
OF LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
ESTABLISHING PARKING RATES AND PERMIT FEES FOR ALL
METRO PARKING FACILITIES AND RESOURCES**

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) operates parking facilities throughout the Los Angeles County in the City of Los Angeles, Pasadena, Long Beach, North Hollywood, Culver City, Norwalk, Downey, Lynwood, Hawthorne, Inglewood, El Segundo, Redondo Beach, Compton, El Monte and Gardena. At Metro Blue Line Stations at: Florence, Willowbrook, Artesia, Del Amo Willow and Wardlow Stations. Metro Gold Line Stations at: Atlantic, Indiana, Heritage, Lincoln Heights, Lake, Sierra Madre, Arcadia, Monrovia, Duarte/City of Hope, Irwindale, Azusa Downtown and APU/Citrus. Metro Red Line Stations at: Universal, North Hollywood and MacArthur Park. Metro Expo Line Stations at Expo/Crenshaw, La Cienega/Jefferson and Culver City, Expo/Sepulveda, Expo/Bundy and 17th Street/SMC. Metro Orange Line Stations at: Van Nuys, Sepulveda, Balboa, Reseda, Pierce College, Canoga, Sherman Way and Chatsworth Stations. Metro Silver Line Stations at: Slauson, Manchester, Rosecrans, Harbor Freeway, Harbor Gateway Transit Center and El Monte. Metro also operates the parking at Los Angeles Union Station.

WHEREAS, Metro has designated preferred parking zones throughout its parking facilities with parking restrictions to manage parking availability to patrons; and

WHEREAS, the Metro Board of Directors is authorized to set parking rates and permit fees, by resolution, at Metro owned, leased, operated, contracted and managed parking facilities and preferred parking zones; and

WHEREAS, the METRO Chief Executive Officer or its designee is hereby authorized to establish rate adjustments for special event parking or other special circumstances that increase parking demand. The METRO CEO is also authorized to establish parking rates at additional and new rail line extension parking facilities not included in the current fee resolution. Parking rates at these additional parking facilities will be established within the current fee structure and range and based on the demographic location of the facility; and

WHEREAS, adopting the parking rates and permit fees as a means of regulating the use of all Metro parking facilities and resources will distribute the parking load more evenly between transit patrons and non-transit users, and maximize the utility and use of Metro operated parking facilities and resources, enhance transit ridership and customer service experience, thereby making parking easier, reducing traffic hazards and congestion, and promoting the public convenience, safety, and welfare;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF METRO DOES RESOLVE AS FOLLOWS:

SECTION 1. The parking rates established in this Resolution are effective as of September 24, 2015 at all Metro Parking Facilities.

SECTION 2. As used in this Resolution, the term “daily” means a consecutive 24-hour period commencing upon the time of entry of a vehicle into a parking facility.

SECTION 3. The parking rates listed in this Resolution shall apply to vehicles entering the specified Metro off-street parking facility for the specified times, and rates unless a special event is scheduled that is anticipated to increase traffic and parking demands. If an event is scheduled, the rate may be determined by Metro with approval of Parking Management staff, which approval may be granted based on Metro’s best interests. The maximum rate may be set as either a flat rate per entry or an increased incremental rate based upon time of entry and duration of parking.

SECTION 4. The following fees are established at the Metro Florence Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 5. The following fees are established at the Metro Willowbrook Blue Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 6. The following fees are established at the Metro Artesia Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.

- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 7. The following fees are established at the Metro Del Amo Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 8. The following fees are established at the Metro Wardlow Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 9. The following fees are established at the Metro Willow Blue Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten

- (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.
- g. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 10. The following fees are established at the Metro Norwalk Green Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- d. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- e. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- f. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- g. Parking is available on a first come first serve basis.
- h. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the

billing date, \$55.00 of administration fee will be added to the outstanding parking fee.

- i. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 11. The following fees are established at the Metro Lakewood Green Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- d. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- e. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- f. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- g. Parking is available on a first come first serve basis.
- h. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- i. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 12. The following fees are established at the Metro Long Beach Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 13. The following fees are established at the Metro Avalon Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 14. The following fees are established at the Metro Harbor Freeway Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 15. The following fees are established at the Metro Vermont Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 16. The following fees are established at the Metro Crenshaw Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 17. The following fees are established at the Metro Hawthorne Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 18. The following fees are established at the Metro Aviation Green Line Station:

Parking rates shall be as follows:

- a. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.

- b. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- c. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- d. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- e. Parking is available on a first come first serve basis.
- f. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- g. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 19. The following fees are established at the Metro El Segundo Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 20. The following fees are established at the Metro Redondo Beach Green Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 21. The following fees are established at the Metro MacArthur Park Red Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 22. The following fees are established at the Metro Universal Red Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$55.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$3.00 flat rate per 24 hours.
- d. Carpool permit parking will require a \$45.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- e. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- f. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- g. Parking is available on a first come first serve basis.
- h. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- i. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 23. The following fees are established at the Metro North Hollywood Red Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$59.00 flat rate at designated preferred parking spaces on a monthly basis. User must

- maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$3.00 flat rate per 24 hours.
- ~~d. Transient parking rate for non-transit users without ridership verification by TAP Card within 96 hours of parking their vehicle will require \$10.00 rate per 3 hour period, with a 3 hour time limit.~~
- e. Carpool permit parking will require a \$45.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- f. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- g. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- h. Parking is available on a first come first serve basis.
- i. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- j. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 24. The following fees are established at the Metro Atlantic Gold Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per

- application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
 - d. Transient parking rate for non-transit users without ridership verification by TAP Card within 96 hours of parking their vehicle will require \$3.00 rate per 3 hour period, with a 3 hour time limit.
 - e. Carpool permit parking will require a \$20.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
 - f. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
 - g. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
 - h. Parking is available on a first come first serve basis.
 - i. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.
 - j. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
 - k. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 25. The following fees are established at the Metro Indiana Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per

- application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
 - d. After 11am all parking spaces become available to all transit patrons.
 - e. Parking on weekends is free to all transit users.
 - f. Parking is available on a first come first serve basis.

SECTION 26. The following fees are established at the Metro Lincoln/Cypress Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$25.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 27. The following fees are established at the Metro Heritage Square Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$20.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 28. The following fees are established at the Metro Fillmore Gold Line Station:

Parking rates shall be as follows:

- a. Parking will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking is only available Monday through Friday.
- d. Parking is available on a first come first serve basis.

SECTION 29. The following fees are established at the Metro Sierra Madre Villa Gold Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$29.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- d. Carpool permit parking will require a \$20.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- e. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- f. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- h. Parking is available on a first come first serve basis.
- i. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 30. The following fees are established at the Metro Arcadia Gold Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 31. The following fees are established at the Metro Monrovia Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Parking is available on a first come first serve basis.

SECTION 32. The following fees are established at the Metro Duarte/City of Hope Gold Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 33. The following fees are established at the Metro Irwindale Gold Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$3.00 flat rate per 24 hours.
- d. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.

- e. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- f. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- g. Parking is available on a first come first serve basis.
- h. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- i. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 34. The following fees are established at the Metro Azusa Downtown Gold Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. The exemption will only grant if legit reason provided.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 35. The following fees are established at the Metro APU/Citrus College Gold Line Station:

Parking rates shall be as follows:

- a. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- b. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If

- more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- c. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
 - d. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
 - e. Parking is available on a first come first serve basis.
 - f. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
 - g. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 36. The following fees are established at the Metro Expo/Crenshaw Expo Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge.
- b. Parking is only available from Monday at 2 am through Sunday at 2am.
- c. Parking is available on a first come first serve basis.

SECTION 37. The following fees are established at the Metro La Cienega/Jefferson Expo Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$59.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$3.00 flat rate per 24 hours.
- d. Transient parking rate for non-transit users without ridership verification by TAP Card within 96 hours of parking their vehicle will require \$5.00 rate per 3 hour period, with a 3 hour time limit.

- e. Carpool permit parking will require a \$45.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- f. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- g. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- h. Parking is available on a first come first serve basis.
- i. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- j. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 38. The following fees are established at the Metro Culver City Expo Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- d. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- e. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate

- adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- f. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
 - g. Parking is available on a first come first serve basis.
 - h. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
 - i. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 39. The following fees are established at the Metro Expo/Sepulveda, Expo Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- d. Daily parking rate for non-transit users without ridership verification by TAP Card within 96 hours of parking their vehicle will require \$5.00 flat rate per 3 hour period.
- e. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- f. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.

- g. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- h. Parking is available on a first come first serve basis.
- i. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- j. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 40. The following fees are established at the Expo/Bundy Expo Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$49.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- d. Transient parking rate for non-transit users without ridership verification by TAP Card within 96 hours of parking their vehicle will require \$5.00 rate per 3 hour period, with a 3 hour time limit.
- e. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- f. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- g. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- h. Parking is available on a first come first serve basis.

- i. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- j. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 41. The following fees are established at the 17th St/SMC Expo Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$59.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$3.00 flat rate per 24 hours.
- d. Transient parking rate for non-transit users without ridership verification by TAP Card within 96 hours of parking their vehicle will require \$5.00 rate per 3 hour period, with a 3 hour time limit.
- e. Carpool permit parking will require a \$45.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- f. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- g. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- h. Parking is available on a first come first serve basis.
- i. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee.

Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.

- j. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 42. The following fees are established at the Metro Van Nuys Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 43. The following fees are established at the Metro Sepulveda Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 44. The following fees are established at the Metro Balboa Orange Line Station:

Parking rates shall be as follows:

- a. Parking prior to 11am will require a \$20.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.
- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. The exemption will only grant if legit reason provided.
- c. Parking prior to 11am will require a \$4.00 flat rate at designated preferred parking spaces on a daily basis.
- d. After 11am all parking spaces become available to all transit patrons.
- e. Parking on weekends is free to all transit users.
- f. Parking is available on a first come first serve basis.

SECTION 45. The following fees are established at the Metro Reseda Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 46. The following fees are established at the Metro Pierce College Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 47. The following fees are established at the Metro Canoga Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

SECTION 48. The following fees are established at the Metro Sherman Way Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 49. The following fees are established at the Metro Chatsworth Orange Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 50. The following fees are established at the Metro El Monte Silver Line Station:

Parking rates shall be as follows:

- a. Permit parking at designated preferred parking spaces will require a \$39.00 flat rate at designated preferred parking spaces on a monthly basis. User must maintain a minimum of ten (10) daily ridership transactions using their TAP card, per month, in order to renew their permit for the following month.

- b. Patrons did not maintain ten (10) daily ridership transactions are allowed to file an appeal for exemption. The application administration fee is \$5.00 per application. All applications will be reviewed on a case by case basis and will only be granted if eligible. The review process may take up to 20 working days.
- c. Daily parking rates for transit users with verified use of TAP Card within 96 hours of parking their vehicle will require \$2.00 flat rate per 24 hours.
- d. Carpool permit parking will require a \$25.00 flat on a monthly basis. A minimum of three (3) TAP card users is required with registered vehicles/ license plates. Only one (1) vehicle will be allowed to be parked at a time. If more than one vehicle is identified to be parked at the same time, the regular daily transit rider rate will be applied to their monthly parking charges.
- e. Metro staff shall review and authorize to adjust the parking rates pursuant to the paid parking program and the targeted occupancy levels. Parking rate adjustment only allow not to exceed a maximum daily parking fee of \$5.00 per day, requires 30 days' notice for pricing changes (increase or decrease), and only allows for price adjustments less frequent than every two months.
- f. Transit rider parking rates will also apply to non-Metro public transit agencies that accept Metro's TAP Card as a fare payment.
- g. Parking is available on a first come first serve basis.
- h. Any vehicle that exit the parking facility without complete the payment transaction. An outstanding parking transaction notice will be generated and bill for the parking fee based on the vehicle's DMV record. The administration fee of the billing is \$25.00 plus the outstanding parking fee. Any outstanding parking transactions delinquent more than 30 days after the billing date, \$55.00 of administration fee will be added to the outstanding parking fee.
- i. Any patrons request a monthly statement to be mailed for Preferred Permit Parking monthly transaction or mobile payment transaction, the mailed statement fee is \$2.00.

SECTION 51. The following fees are established at the Metro Slauson Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 52. The following fees are established at the Metro Manchester Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.

- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 53. The following fees are established at the Metro Rosecrans Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 54. The following fees are established at the Metro Harbor Gateway Transit Center Silver Line Station:

Parking rates shall be as follows:

- a. Parking is available free of charge seven days a week.
- b. Parking is available on a first come first serve basis.
- c. Any vehicle parked over 72 hours, requires an Extended Parking Permit. Extended Parking Permit Administration Fee is \$10.00.

SECTION 55. The following fees are established at Los Angeles Union Station Gateway:

Parking rates shall be as follows:

- a. Each 15 minutes is \$2.00.
- b. Daily Maximum shall be \$8.00 per entry per every 24 hour stay.
- c. Monthly fees for the general public are \$110.00
- d. Event parking fees can be established based on market rate conditions.
- e. Special monthly parking rates may be negotiated between Metro and tenant, government, or business entity.
- f. Metro is hereby authorized to adjust parking rates at Union Station for special events in the area based on parking demand.
- g. Parking is available on a first come first serve basis.
- h. All rates apply seven days a week.

SECTION 56. The following fees are established at Los Angeles Union Station West:

Parking rates shall be as follows:

- a. Monthly fees for parking garage reserved stalls shall be \$130.00.
- b. Monthly fees for parking garage tandem spaces shall be \$82.50.
- c. Valet parking shall be \$20.00.
- d. Valet parking for special events shall be \$25.00.
- e. Special monthly parking rates may be negotiated between Metro and tenant, government, or business entity.
- f. Metro is hereby authorized to adjust parking rates at Union Station for special events in the area based on parking demand.

SECTION 57. All parking fees and rate structures, including hourly, daily, weekly, and monthly parking shall be approved and established by resolution of the METRO Board. METRO Staff shall review and recommend parking fee adjustments to the METRO Board based on parking demand.

The METRO Chief Executive Officer or its designee is hereby authorized to establish rate adjustments for special event parking or other special circumstances that increase parking demand. The METRO CEO is also authorized to establish parking rates at additional and new rail line extension parking facilities not included in the current fee resolution. Parking rates at these additional parking facilities will be established within the current fee structure and range and based on the demographic location of the facility.

SECTION 58. The following fees shall be established for all preferred parking zones:

1. Initiation fee shall be \$7.00.
2. Replacement of a lost or stolen preferred parking permit shall be \$7.00.

SECTION 59. Short-term reserved parking may be purchased by phone or by internet web-page.

SECTION 60. All parking rates and permit fees shall be per vehicle for the specified period and non-refundable once issued.

SECTION 61. Parking passes or permits that are issued via access cards shall require payment of an initial non-refundable fee of \$25.00.

SECTION 62. All parking rates set forth in this Resolution include city's parking tax if applicable.

SECTION 63. The following fees are established for each type of violation:

ATTACHMENT E

Chapter	Title	Citation Fee
8-05-030	Illegal Parking Outside of a Defined Parking Space or Parking Space Markings	\$63.00
8-05-040	Failure to Obey Signs	\$63.00
8-05-050	Exceeding Posted Time Limit	\$53.00
8-05-060	Temporary No Parking	\$53.00
8-05-070	Restricted Parking	\$53.00
8-05-080	Parking Within Marked Bicycle Lane	\$63.00
8-05-090	Illegal Parking in Loading Zone	\$53.00
8-05-100	Vehicle Exceeds Load Size Limit	\$53.00
8-05-110	Disconnected Trailer	\$53.00
8-05-120	Bus Loading Zones	\$263.00
8-05-130	Illegal Parking in Kiss and Ride Spaces and Passenger Loading Zone	\$53.00
8-05-140	No Parking – Alley	\$53.00
8-05-150	Illegal Parking in Red Zones	\$53.00
8-05-160	Vehicle Parked Seventy-Two (72) or More Hours	\$53.00
8-05-170	Inproperly Parked on Parking Grades	\$63.00
8-05-180	Improperly Parked in Angled Parking	\$63.00
8-05-190	Double Parking	\$53.00
8-05-200	No Parking Anytime/Posted Hours	\$53.00
8-05-210	Wrong Side Two Way Traffic or Roadway	\$53.00
8-05-220	Blocking Street or Access	\$53.00
8-05-230	Parking Special Hazard	\$53.00
8-05-240	Illegal Parking at Fire Hydrant	\$68.00
8-05-250	Illegal Parking at Assigned / Reserved Spaces	\$53.00
8-05-260	Illegal Parking at Taxicab Stands	\$53.00
8-05-270	Illegal Parking at/ Adjacent to a Landscape Island or Planter	\$53.00
8-05-280a	Failure to Properly Register Vehicle Licence Plate Information	\$53.00
8-05-280b	Parking in a Permit Parking Spaces Without a Permit	\$53.00
8-05-280c	Display and Altered, Counterfeit, or Expired Permit	\$53.00
8-05-280d	Display a Permit Registered to Another Vehicle	\$53.00
8-05-280e	Failure to Properly Display the Permit as Instructed by Parking Terms and Conditions	\$53.00
8-05-310	Permit Penalty Provisions	\$53.00
8-05-320	Expired Meter or Pay Station	\$53.00
8-05-330	Parking Facilities Cleaning, Maintenance and Capital Projects	\$53.00
8-05-340	Electric Vehicle Parking Spaces	\$53.00
8-05-350	Parking on Sidewalk/ Parkway	\$53.00
8-05-370	Peak Hour Traffic Zones	\$53.00
8-05-380	Parking Prohibition for Vehicles Over Six Feet High, Near Intersections	\$53.00
8-05-400	Car Share or Vanpool Authorization Required	\$53.00
8-05-410	Speed Limit	\$53.00
8-05-420	Motor Vehicle Access	\$63.00
8-05-440	Accessible Parking Spaces Designated for Vehicle Operators with Disabilities	\$338.00
8-07-030a	Improperly Parked Bicycles outside of Designated Bicycle Parking Areas	\$38.00
8-07-030b	Bicycle parked in Landscaped Areas Violation	\$38.00
8-07-040b	Improperly Parked Bicycles Outside of Designated Area Violation	\$38.00
8-07-040c	Operation of Motorcycle, Bicycle and Mopeds on Bicycle Pathways or Sidewalks	\$38.00

SECTION 64. The Parking Fee Resolution adopted by the Metro Board of Directors on, September 24, 2015, is repealed as of the effective date of the parking rates set forth in this Resolution.

SECTION 65. If there are any conflicts between the parking rates adopted in this Resolution and any parking rates adopted by prior resolution, the rates adopted in this Resolution shall take precedence.

SECTION 66. The Metro Board shall certify to the adoption of this Resolution, which shall become effective at such time as appropriate signs notifying the public of the provisions herein have been posted by the Metro Parking Management unit.



Board Report

File #: 2016-0589, File Type: Program

Agenda Number: 15.

PLANNING AND PROGRAMMING COMMITTEE
NOVEMBER 16, 2016

SUBJECT: MEASURE R HIGHWAY SUBREGIONAL PROGRAM SEMI-ANNUAL UPDATE

ACTION: APPROVE ADOPTION OF UPDATED PROJECT LIST

RECOMMENDATION

CONSIDER:

- A. APPROVING the updated **project list and changes in the funding levels for the Measure R Highway Subregional Program in Arroyo Verdugo, Las Virgenes Malibu, South Bay, North County, and Gateway Cities Subregions** as shown in Attachment A;
- B. AUTHORIZING the Chief Executive Officer (CEO) or his designee as shown in Attachment B:
 - 1. Allow the City of Lancaster to use programmed Measure R funds outlined in executed agreement (MR330.05) in earlier years to expedite project development phases and deliver the project sooner than originally scheduled.
- C. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for approved projects;
- D. ADOPTING the resolution in Attachment D, authorizing the CEO or his designee to execute all Grant Agreements and any amendments thereto with the California Department of Transportation; and
- E. APPROVING time extension for 6 projects as shown in Attachment E:
 - 1. Caltrans - ITS on I-405, I-110, I-105 and SR-91 Freeway Ramp/Arterial Signalization (MR312.11)
 - 2. City of Hermosa Beach - PCH Improvements between Anita St. and Artesia Boulevard (MR312.05)
 - 3. City of Redondo Beach - PCH Arterial Improvements from Anita St to Palos Verdes Boulevard. (MR312.06)

4. City of Redondo Beach - Aviation Boulevard at Artesia Boulevard Intersection Improvements (MR312.20)
5. City of Inglewood - Inglewood Phase four ITS projects (MR312.12)
6. City of Lawndale- Inglewood Ave from 156th to I-405 Southbound On-Ramp Improvements. (MR312.15)
7. City of Agoura Hills - Palo Camado Interchange (MR311.03)

ISSUE

The Measure R Highway Subregional Program update allows the Highway Program and each subregion or lead agency to revise the order and budgets of the proposed Measure R Highway Program implementation and delivery plan subregional projects. The updated attached project lists include projects which have already received prior Board approval, as well as proposed changes related to schedule, 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.

DISCUSSION

The Measure R Expenditure Plan included the following Highway Capital Project Subfunds:

- Highway Operational Improvements in Arroyo Verdugo subregion
- Highway Operational Improvements in Las Virgenes Malibu subregion
- I-405, I-110, I-105, and SR-91 Ramp and Interchange Improvements (South Bay)
- State Route 138 Capacity Enhancements in North County
- I-605 Corridor "Hot Spots" Interchanges in Gateway Cities
- I-710 South and/or Early Action Projects in Gateway Cities

These Highway Capital Projects are not fully defined in the Measure R Expenditure Plan. Project definition, development, and implementation of specific projects with independent utility are done through collaborative efforts by Metro's Highway Program staff, the subregional authorities/Councils of Government for the subfund, the project sponsor, and Caltrans for projects on their facilities.

At the June 2016 Board meeting, revised project lists and funding allocations for the Highway Capital Subfunds were approved. This update revises and recommends changes requested by each subregion.

Highway Program staff is working closely with each subregion and lead agency to identify and deliver Highway Operational Improvements Projects. The changes included in this update are an additional \$13 million in programming to support 5 projects - new or existing - as detailed in Attachment A.

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 improvements definition approved by the Board.

Highway Operational Improvements in Arroyo Verdugo Subregion

The updated list includes funding adjustments for current projects recommended by the Arroyo Verdugo Subregion. Through Measure R, the subregion has completed 10 projects and expended \$20 million. Additionally, the subregion currently has 12 active projects in various phases of project development.

City of Glendale

- **MR310.12** - *Glendale Freeway Ramps/Space 134*

The City of Glendale is not pursuing the project with Measure R Highway Operational funds (the project did not start and no funds were spent on the Project).

Deobligate \$93,000 in prior years and \$200,000 in FY 2015-16. The revised project budget is \$0. The project list will be revised and this project will be deleted.

- **MR310.30** - *North Brand Boulevard Rehabilitation (SR-134 to Mountain Street)*

The City of Glendale is not pursuing the project with Measure R Highway Operational funds (the project did not start and no funds were spent on the project).

Deobligate \$1,000,000 in FY17-18. The revised project budget is \$0. The project list will be revised and this project will be deleted.

- **MR310.27** - *Verdugo Wash: Cycle Track*

The City of Glendale is not pursuing the project with Measure R Highway Operational funds (the project did not start and no funds were spent on the Project).

Deobligate \$50,000 in prior years, \$300,000 in FY 2015-16 and \$58,000 in FY 2016-17. The revised project budget is \$0. The project list will be revised and this project will be deleted.

- **MR310.37** - *Verdugo Boulevard (Verdugo Road to E'ly City Boundary)*

This an approved Measure R project, however the City of Glendale has down scoped their original project to only two intersection improvements 1) Verdugo at Valihi Way and, 2) Verdugo Blvd at SR-2 on/off ramps.

Deobligate \$400,000 in prior years. The revised project budget is \$600,000.

- **MR310.02** - *Glendale Traffic Signal Installations and Modifications*

Program \$1,200,000 in FY 2017-18. The total project budget is \$1,200,000.

This project will install new traffic signals at the intersection of Pacific Ave and Glenwood, and the intersection of San Fernando Rd at Goodwin Ave-Los Angeles Street and will modify the existing signals at Chevy Chase Drive at Central Ave and Honolulu Ave at La Crescenta Ave. This project will improve traffic progression and enhance safety of these intersections. Existing obsolete equipment will be replaced including signal and pedestrian indications, safety lighting, signal and safety lighting poles and mast arms, vehicle and bicycle detectors, signal controllers and fiber optic communication and equipment that enable signal timing coordination.

Measure R Nexus to Highway Operational Definition

The project is an eligible project in the traffic signal upgrade category of the Highway Operational Improvements.

- MR310.26 - Traffic Signal Modifications at I-210 on/off ramps at Pennsylvania Ave.

Program \$400,000 in FY 2016-17. The total project budget for the project is \$400,000.

This project will be constructed as a part of a street rehabilitation project that includes new roadway overlay, median, curb and gutter and driveway improvements in which the traffic signal components are being separated in the Engineer's Estimate. The street rehabilitation components are being funded with non-Measure R funds. This project will modify existing traffic signals at I-210 and Pennsylvania Ave on/off-ramps. Existing equipment will be replaced including signal and pedestrian indications, safety lighting, signal and safety lighting poles and mast arms, vehicle and bicycle detectors, signal controllers and fiber optic communication and equipment that enable signal timing coordination.

Measure R Nexus to Highway Operational Definition

The project is an eligible Highway Operational Improvements on/off ramp improvement project with traffic signal upgrades.

- MR310.28- Construction of Class II and III bike lanes and facilities, Phase 2

Program \$165,000 in FY 2016-17. The total project budget is \$165,000.

This project will be constructed as a part of a street maintenance contract. The bike lane components have been itemized and an engineer's estimate has been provided. The bike lane components will consist of: installation of new striping and signing for bike lanes and bike routes (including wayfinding signs). The project will help improve bicycle safety and increase bike awareness on Harvey Dr., Adams St., California Ave., Lexington Dr., Geneva St., Stocker St., and Ethel St.

Measure R Nexus to Highway Operational Definition

The project is an eligible project in the bike lanes category of the Highway Operational Improvements.

The subregion's project list, detailed in Attachment A, totaling \$61.174 million, does not exceed the \$64 million forecast to be available for the subregion over FY11-20.

Highway Operational Improvements in the Las Virgenes/Malibu Subregion

The updated project list includes funding adjustments for current projects recommended and approved by the Las Virgenes-Malibu Subregion. To date, through Measure R, the subregion has completed 6 projects and expended \$72.3 million. Additionally, the subregion currently has 14 active projects in various phases of project development.

The subregion is recommending the updated project list detailed in Attachment A, totalling \$141,851.

City of Aguora Hills

- **MR311.05** - *Aguora Road Widening Project*

Program an additional \$1,500,000 in FY16-17. The revised total project budget is \$33,500,000.

Due to unforeseen and newly required environmental mitigation costs, longer than expected right-of-way acquisition time for 22 parcels, utility undergrounding/relocation costs and the installation of fiber optic, the engineers construction cost estimate has increased. This project is currently in Construction and is scheduled to be completed in Fall of 2016.

Provide time extension to one Measure R project. The project currently has lapsed funds. Schedule delay justification is detailed in Attachment E.

MR311.03 - *Palo Comado Interchange*

City of Malibu/County of Los Angeles

- **MR311.11** - *Pacific Coast Highway (PCH) Signal System Improvements from John Tyler Drive to Topanga Canyon Blvd.*

Program an additional \$10 million in various fiscal years, \$2,500,000 in FY16-17, \$3,000,000 in FY17-18, and \$4,500,000 in FY18-19. The revised project budget is \$13.7 million.

This is an existing Measure R Project. The County of Los Angeles, in collaboration with the City of Malibu, is contributing a portion of Los Angeles County's proportional share of the Measure R Highway Operational Improvement funds in the Las Virgenes/Malibu subregion to the project. This project will upgrade 12 signalized intersections on PCH over approximately 8 miles and install changeable message signs, fiber optic communication lines, signal phasing, close circuit television cameras and adaptive traffic control systems.

- **MR311.29** - *Pacific Coast Highway Regional Traffic Message System (CMS)*

Program an additional \$2 million in various fiscal years, \$500,000 in FY16-17 and \$1,000,000 in FY17-18 and \$500,000 in FY18-19. The revised project budget is \$2.5 million.

This is an existing Measure R Project. The County of Los Angeles, in collaboration with the City of Malibu, is contributing a portion of Los Angeles County's proportional share of the Measure R Highway Operational Improvement funds in the Las Virgenes/Malibu subregion to the project. This project will install additional CMS signs along Kanan Dune Road, Las Virgenes Road and SR-1 (PCH). The CMS signs would provide advanced notice of roadway/traffic conditions and detours to inform motorist and mitigate incident delay providing alternate routes and improving operational efficiency along PCH and the arterials.

The Las Virgenes Malibu Subregion has been aggressive in programming Measure R funds. To date the subregion has spent \$72 million, or 56 percent of their programmed Highway Operational Improvements in the Las Virgenes/Malibu Subregion.

The subregion's project list, detailed in Attachment A, has programmed \$141.851 million

I-405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay)

The proposed revised project list includes funding adjustments for current projects recommended by the South Bay Council of Governments. To date, through Measure R, the subregion has completed 13 projects and expended \$52 million. The subregion currently has 29 active projects in various phases of project development.

Hawthorne

- **MR312.61** - Hawthorne Blvd Arterial Improvements, from 120th Street to 111th Street.

Amend the existing project limits of Hawthorne Blvd from 120th St. to 111th St. to, Hawthorne Blvd. from 126th St. to 111th St. The revised project limits include two additional signalized intersections on Hawthorn Blvd; at West Broadway, and at 120th St.

Provide time extensions to 6 measure R projects listed below. Each project currently have lapsed funds. Schedule delay justifications are detailed in Attachment E.

- **MR312.11** - ITS on I-405, I-110, I-105 and SR-91 Freeway Ramp/Arterial Signalization.
- **MR312.05** - PCH Improvements between Anita St. and Artesia Blvd.
- **MR312.06** - PCH Arterial Improvements from Anita St to Palos Verdes Blvd.
- **MR312.20** - Aviation Boulevard at Artesia Boulevard Intersection Improvements
- **MR312.12** - Inglewood Phase 4 ITS projects
- **MR312.15** - Inglewood Ave. from 156th St. to I-405 Southbound On-Ramp Improvements.

The subregion's project list, detailed in Attachment A, totals \$233.024 million.

State Route 138 Capacity Enhancements

The project list for State Route 138 Capacity Enhancements includes funding adjustments and the addition of one new project. To date, through Measure R, the subregion has completed 2 projects and invested \$19 million in local improvements and has 11 active projects.

Metro

- **MR330.01** - SR-138 Northwest PA/ED (I-5 to SR-14)

Deobligate \$2,600,000 from FY16-17 and \$3,000,000 from FY17-18.

The draft environmental document for this project was released on 8/5/16. The Final EIR/EIS will be completed by Spring 2017. Funds have been committed to complete the environmental phase of this project. Measure R funds not required to complete the final EIR/EIS will be deobligated and reprogrammed into a near shovel ready SR-138 (Segment 6) project.

- **MR330.12** - SR-138 Segment 6 - 87th St. to 96th St.

Program \$5.6 million in FY18-19 for construction capital of the SR-138 Segment 6 project.

Due to a shortfall in available Statewide transportation funds in May 2016, the CTC took an action to delete RIP funds previously programmed for Segment 6 construction capital. To complete a continuous 4 lane highway from 77th St to 190th St. on SR-138, Caltrans and Metro are reprioritizing available funding for this project. This project will widen SR-138 from two to 4 lanes. Environmental and Final design are completed and the project is currently in right of way acquisition. Funds for this project will be used for construction capital with a scheduled completion date of Fall 2018. Caltrans requested funding for this project as shown in Attachment C.

Measure R Nexus to Highway Operational Definition

This is State Highway widening project, which will improve operations, traffic flow, and safety on SR-138.

The subregion's project list, detailed in Attachment A, totals \$200 million.

I-605 Corridor "Hot Spots" Interchanges

The proposed revised project list includes adjustments in funding for one current project. To date, through Measure R, the subregion has invested \$25 million in local improvements and has 21 active projects.

The I-605/SR-91/I-405 Technical Advisory Committee (TAC) is recommending the revised project list detailed in Attachment A totaling \$191 million.

The project list adjustments are as follows:

County of Los Angeles

- MR315.23 Carmenita - Telegraph Road Intersection Improvement Project

Program an additional \$600,000 in FY16-17. The revised project budget is \$1,400,000.

Revised intersection and median design, concrete pavement extensions and the need for asphalt paving to repair damaged pavement resulted in a cost escalation. The County is requesting additional funds to complete the project.

The subregion's project list, as detailed in Attachment A, totals \$191.650 million.

I-710 South and/or Early Action Projects

The proposed revised project list includes adjustments in schedules and funding for current projects and the addition of one new project within the Gateway Cities. To date through Measure R, the subregion has invested \$66 million in local improvements and has 21 active projects.

The I-710 South Technical Advisory Committee and the I-710 South Project Committee are recommending the revised project list, as detailed in Attachment A.

City of Bell

- MR306.37 - Eastern Ave at Bandini Rickenbacker Project

Reprogram \$155,000 from FY20-21 to FY16-17. The total project budget is \$155,000.

The City of Bell was awarded a Goods Movement Improvements grant in the 2015 Call For Projects cycle. Measure R funds are being used as the local match to 2015 Call For Projects award. To align the Measure R funds with Call For Project funds - which are available in FY17 - we are reprogramming the funds to an earlier fiscal year.

Metro

- MR306.38 - Sustainable Transportation Planning Grant/ I-710 Livability Initiative

Program \$64,780 in FY16-17 as match to a \$500,000 Sustainable Transportation Planning Grant awarded to Metro by Caltrans to perform an evaluation of potential complete street improvements along the arterial highway network that supports the I-710 corridor. This evaluation will target parallel and intersecting arterials (within one mile of the I-710). The Caltrans Grant agreement requires a Board resolution before the funds are claimed. The resolution is included in Attachment D.

Measure R Nexus to Highway Operational Definition

This is a supplemental analysis that will augment the I-710 Early Action Program. Proposed potential improvements may complement or could be implemented in advance of the I-710 Corridor Improvements.

The subregion's project list, as detailed in Attachment A, totals \$142.176 million.

DETERMINATION OF SAFETY IMPACT

The recertification of the project lists 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

Funding for the Highway projects is from the Measure R 20% Highway Capital Subfund earmarked for the subregions. Funds are available for Arroyo Verdugo (Project No. 460310), Las Virgenes/Malibu (Project No. 460311), and South Bay (Project No. 460312) subregions in the FY17 budget. These three programs are under Cost Center 0442 in Account 54001 (Subsidies to Others).

Funding for the SR-138 Project Approval and Environmental Document (September 2012 Board Action) is included in the FY17 budget under project No. 461330, Cost Center 4720 in Account 50316. 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 Projects in the I-605 Corridor "Hot Spots" (Project No. 460314) and I-710 Early Action Projects (Project No. 460316) are included in the FY17 budget.

Moreover, programmed funds are based on estimated revenues. Since each MRSHP is a multi-year program with various projects, the cost center managers and the Senior Executive Officer of the Highway Program will be responsible for budgeting the costs in current and future years. Adjustments in programmed funds, as necessary, will be made for future years if required.

Impact to Budget

The source of funds for these projects is Measure R 20% Highway. This fund source is not eligible for Bus and Rail Operations or Capital expenses and will have no impact to the FY17 Budget.

ALTERNATIVES CONSIDERED

The Board may choose to not approve the revised project lists and funding allocations. 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 new and deliver existing projects. As work progresses, updates will be provided to the Board on a semi-annual basis and as necessary.

ATTACHMENTS

Attachment A - Measure R Highway Subregional Project List

Attachment B - City of Lancaster Request

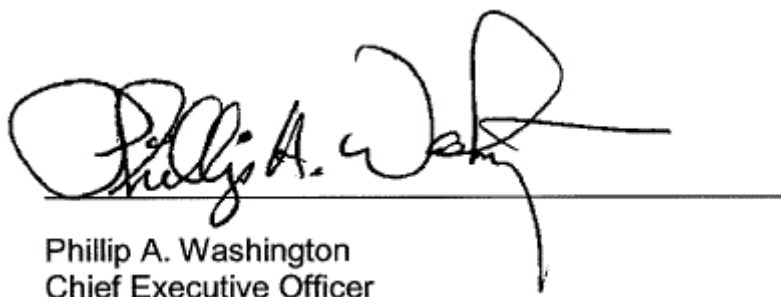
Attachment C - SR-138 Segment 6 Request Caltrans

Attachment D - Resolution Sustainable Transportation Grant

Attachment E - Measure R Extension List

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Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

Measure R Highway Operational Improvements Project List
 Arroyo Verdugo Subregion Measure R Highway Operational Improvements Project List

(Programmed Dollars in Thousands)

(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
			Arroyo Verdugo Operational Improvements (38 projects - 3 New)	61,174	40,066	2,970	8,109	7,964	0	0
	Burbank	MR310.06	San Fernando Blvd. / Burbank Blvd. Intersection	2,325	2,325					
	Burbank	MR310.08	I-5 Corridor Arterial Signal Improvements	2,600	2,600					
	Burbank	MR310.09	SR-134 Corridor Arterial Signal Improvements	2,975	2,975					
	Burbank	MR310.07	Widen Magnolia Blvd / I-5 Bridge for center-turn lane, standard lanes, shoulders	3,967	250			3,717		
	Burbank	MR310.11	Olive Ave. / Verdugo Ave. Intersection Improvement	1,600	1,600					
	Burbank	MR310.10	Widen Olive Ave / I-5 Bridge for center-turn lane, standard width lanes, shoulders	3,897	250			3,647		
	Burbank	MR310.23	Chandler Bikeway Extension (Call for Projects Local Match)	600	0			600		
			TOTAL BURBANK	17,964	10,000	0	0	7,964	0	0
D	Glendale	MR310.12	Glendale FWY Ramps/Space 134	0						
	Glendale	MR310.22	Glendale Narrows Riverwalk Bridge	600	600					
	Glendale	MR310.24	Construction of Bicycle Facilities	300	300					
	Glendale	MR310.01	Fairmont Ave. Grade Separation at San Fernando Rd. (Construction) (Completed)	1658.7	1,659					
	Glendale	MR310.04	San Fernando/Grandview At-Grade Rail Crossing Imp. (Completed)	1,850	1,850					
	Glendale	MR310.13	Glendale Narrows Bikeway Culvert	876.5	877					
	Glendale	MR310.16	SR-134 / Glendale Ave. Interchange Modification	1,585	1,585					
	Glendale	MR310.14	Verdugo Road Signal Upgrades (Completed)	557	557					
	Glendale	MR310.19	Traffic Signal Sync Brand / Colorado-San Fernando / Glendale-Verdugo (Completed)	1,250	1,250					
	Glendale	MR310.20	Verdugo Rd / Honolulu Ave / Verdugo Blvd Intersection Modification (Completed)	400	400					
	Glendale	MR310.05	Central Ave Improvements / Broadway to SR-134 EB Offramp (Completed)	3,250	3,250					
	Glendale	MR310.18	Sonora Avenue At-Grade Rail Crossing Safety Upgrade (Completed)	2,700	2,700					
	Glendale	MR310.21	Colorado St. Widening between Brand Blvd. and East of Brand Blvd. (Completed)	350	350					
C	Glendale	MR310.37	Verdugo Boulevard Traffic Signal Modification at Vahili Way and SR-2	600		600				
	Glendale	MR310.36	Signalizations of SR-2 Fwy Ramps @ Holly	600	0	100	500			
	Glendale	MR310.39	Widening of SR-2 Fwy Ramps @ Mountain	1,200	0	150	1,050			
	Glendale	MR310.25	210 Soundwalls Project	4,520	0	1,520	3,000			
	Glendale	MR310.35	Signal Installations at Various Locations	1,500	1,500					
D	Glendale	MR310.30	North Brand Boulevard Rehabilitation (Freeway 134 to Mountain Street)	0	0					
	Glendale	MR310.32	Regional Arterial Performance Measures	100	0		100			
	Glendale	MR310.34	Regional Bike Stations (Call Match)	315	0		315			
	Glendale	MR310.40	Pacific Ave: Colorado to Glenoaks & Burchett St: Pacific To Central Street Improvements	3,315	3,315					
	Glendale	MR310.41	Doran St. (From Brand Blvd. To Adams St.)	1,200	1,200					
	Glendale	MR310.42	Arden Ave. (From Highland Ave. to Kenilworth St.) (Completed)	900	900					
	Glendale	MR310.43	Verdugo Rd. Street Improvements Project (Traffic Signal Modification)	585	585					
D	Glendale	MR310.27	Verdugo Wash: Cycle Track	0						
	Glendale	MR310.17	Ocean Blvd. Project -- from Verdugo Rd. to N'ly City Boundaries	1,000	1,000					
A	Glendale	MR310.02	Glendale Traffic Signal Installation and Traffic Signal Modificaitons	1,200			1,200			

ATTACHMENT A

(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
A	Glendale	MR310.26	Class II and III Bikelines on	165		165				
A	Glendale	MR310.28	I-210 at Pennsylvania on/off Ramp Signal Improvements	400		400				
			TOTAL GLENDALE	32,978	23,878	2,370	4,965	0	0	0
	La Canada Flintridge	MR310.03	Soundwalls on Interstate I-210 (Completed)	4,588	4,588					
	La Canada Flintridge	MR310.45	Soundwalls on Interstate I-210 in La Canada-Flintridge (phase 2)	1,800	600	600	600			
			TOTAL LA CANADA FLINTRIDGE	6,388	5,188	600	600	0	0	0
	LA County	MR310.44	Soudwalls on Interstate I-210 in LA Crescenta-Montrose	3,044	1,000		2,044			
			TOTAL LA COUNTY	3,044	1,000	0	2,044	0	0	0
	Metro	MR310.29	NBSSR Soundwalls on I-210 Glendale/La Crescenta-Montrose	800	0	300	500			
			METRO	800	0	300	500	0	0	0
			TOTAL ARROYO VERDUGO	61,174	40,066	3,270	8,109	7,964	0	0

ATTACHMENT A

Measure R Highway Operational Improvements Project List
Las Virgenes/Malibu Operational Improvements

(Programmed Dollars in Thousands)

(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
			Las Virgenes/Malibu Operational Improvements	141,851	108,701	17,750	10,400			
	Westlake Village	MR311.01	Lindero Canyon Road Interchange, Phase 3A Design	343.745	343.745					
	Westlake Village	MR311.02	Highway 101 Park and Ride Lot (Design)	243.650	243.650					
	Westlake Village	MR311.10	Rte 101/ Lindero Cyn. Rd. Interchange Improvements, Phase 3B,4B Construction	3,661	3,661.000					
	Westlake Village	MR311.18	Rte 101/ Lindero Cyn. Rd. Interchange Improvements, Phase 3A Construction	8,969	8,969.000					
	Westlake Village	MR311.19	Highway 101 Park and Ride Lot (Construction)	4,983.605	4,983.605					
			TOTAL WESTLAKE VILLAGE	18,201.000	18,201.00	0	0	0	0	0
	Agoura Hills	MR311.03	Palo Comando Interchange	7,350	7,350.000					
	Agoura Hills	MR311.04	Aguora Road/Kanan Road Intersection Improvements	1,000	1,000.000					
C	Agoura Hills	MR311.05	Agoura Road Widening	33,500	32,000.000	1,500				
	Agoura Hills	MR311.14	Kanan Road Overpass Expansion -- PSR, PR, PS&E	150	150.000					
	Agoura Hills	MR311.15	Agoura Hills Multi-Modal Center	100	0.000	100				
			TOTAL AGOURA HILLS	42,100	40,500	1,600	0	0	0	0
	Calabasas	MR311.06	Lost Hills Overpass and Interchange	33,000	26,000.000	7,000				
	Calabasas	MR311.07	Mulholland Highway Scenic Corridor Completion	4,389.8	4,389.800					
	Calabasas	MR311.08	Las Virgenes Scenic Corridor Widening	5,746.2	5,746.200					
	Calabasas	MR311.09	Parkway Calabasas/US 101 SB Offramp	214	214.000					
	Calabasas	MR311.20	Off-Ramp for US 101 at Las Virgenes Road	500	500.000					
	Calabasas	MR311.33	Park and Ride Lot on or about 23577 Calabasas Road (near Route 101)	3,700	3,700.000					
			TOTAL CALABASAS	47,550	40,550	7,000	0	0	0	0
	Malibu	MR311.24	Malibu/Civic Center Way Widening	3,000	2,250.000	750				
	Malibu	MR311.26	PCH-Raised Median and Channelization from Webb Way to Corral Canyon Road	6,950	3,050.000	900	3,000			
	Malibu	MR311.27	PCH Intersections Improvements	1,000	0.000	1,000				
	Malibu	MR311.28	Kanan Dume Road Arrestor Bed Improvements and Intersection with PCH (Construction)	900	900.000					
C	Malibu	MR311.29	PCH Regional Traffic Message System (CMS)	2,500	500.000	500	1,000	500		
	Malibu	MR311.30	PCH Roadway and Bike Route Improvements fr. Busch Dr. to Western City Limits	500	500.000					
	Malibu	MR311.32	PCH and Big Rock Dr. Intersection and at La Costa Area Pedestrian Improvement	950	950.000					
	Malibu	MR311.35	Pacific Coast Highway Shoulder Improvements (Various Locations)	3,500	500.000	1,500	1,500			
C	Malibu	MR311.11	PCH Signal System Improvements from John Tyler Drive to Topanga Canyon Blvd	13,700	300.000	4,000	4,900	4,500		
			TOTAL MALIBU	33,000	8,950	8,650	10,400	5,000	0	0
	Hidden Hills	MR311.34	Long Valley Road/Valley Circle/US-101 On-Ramp Improvements	1,000	500.000	500				
			TOTAL HIDDEN HILLS	1,000	500	500	0	0	0	0
			TOTAL LAS VIRGENES/MALIBU	141,851	108,701	17,750	10,400	5,000	0	0

ATTACHMENT A

Measure R Highway Operational Improvements Project List
 Interstate 405, I-110, I-105, and SR-91 Ramp and Interchange Improvements (SOUTH BAY)

(Programmed Dollars in Thousands)

(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	INTERSTATE 405, I-110, I-105, and SR-91 RAMP and INTERCHANGE IMPROVEMENTS (SOUTH BAY)			233,024	141,762	24,549	32,438	23,738	10,537	0
	SBCCOG	MR312.01	South Bay Cities COG Program Development & Oversight and Program Administration <i>(Project Development Budget Included)</i>	13,375	9,764	1,900	500	594	617	
			TOTAL SBCCOG	13,375	9,764	1,900	500	594	617	0
	Caltrans	MR312.11	ITS: I-405, I-110, I-105, SR-91 at Freeway Ramp/Arterial Signalized Intersections	5,000	5,000					
	Metro/ Caltrans	MR312.24	I-110 Aux lane from SR-91 to Torrance Blvd Aux lane & I-405/I-110 Connector	20,000	3,450	5,900	5,900	4,750	0	
	Metro/ Caltrans	MR312.25	I-405 at 182nd St. / Crenshaw Blvd Improvements	20,000	2,000	2,000	5,900	5,900	4,200	
	Caltrans	MR312.29	ITS: Pacific Coast Highway and Parallel Arterials From I-105 to I-110	9,000	9,000					
	Caltrans	MR312.45	PAED Integrated Corridor Management System (ICMS) on I-110 from Artesia Blvd and I-405	1,000	0			1,000		
			TOTAL CALTRANS	55,000	19,450	7,900	11,800	11,650	4,200	0
	Carson	MR312.37	Sepulveda Blvd widening from Alameda Street to ICTF Driveway	1,158	1,158					
	Carson	MR312.46	Upgrade Traffic Control Signals at the Intersection of Figueroa St and 234th St. and Figueroa and 228th st.	150	0	65	85			
	Carson	MR312.41	Traffic Signal Upgrades at 10 Intersections	1,400	0	500	900			
			TOTAL CARSON	2,708	1,158	565	985	0	0	0
	El Segundo	MR312.22	Maple Ave Improvements from Sepulveda Blvd to Parkview Ave. (Completed)	2,500	2,500					
	El Segundo	MR312.27	PCH Improvements from Imperial Highway to El Segundo Boulevard	400	400					
	El Segundo	MR312.57	Park Place Roadway Extension and Railroad Grade Separation Project	350	350					
			TOTAL EL SEGUNDO	3,250	3,250	0	0	0	0	0
	Gardena	MR312.17	Rosecrans Ave Improvements from Vermont Ave to Crenshaw Blvd (Completed)	5,140	5,140					
	Gardena	MR312.19	Artesia Blvd at Western Ave Intersection Improvements (Westbound left turn lanes) (Completed)	675	675					
	Gardena	MR312.21	Vermont Ave Improvements from Rosecrans Ave to 182nd Street (Completed)	2,350	2,350					
	Gardena	MR312.02	Traffic Signal Reconstruction on Vermont at Redondo Beach Blvd and at Rosecrans Ave.	1,500		40	1,460			
	Gardena	MR312.09	Artesia Blvd Arterial Improvements from Western Ave to Vermont Ave	2,523		80	180	2,263		
			TOTAL GARDENA	12,188	8,165	120	1,640	2,263	0	0
	Hawthorne	MR312.03	Rosecrans Ave Widening from I-405 SB off ramp to Isis Ave (Completed)	2,100	2,100					
	Hawthorne	MR312.33	Aviation Blvd at Marine Ave Intersection Improvements (Westbound right turn lane)	3,600	3,600					
	Hawthorne	MR312.44	Hawthorne Blvd Improvements from El Segundo Blvd to Rosecrans Ave (Completed)	7,551	7,551					
	Hawthorne	MR312.47	Signal Improvements on Prairie Ave from 118th St. to Marine Ave.	1,237	0	200	418	619		

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(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	Hawthorne	MR312.54	Intersection Widening & Traffic Signal Modifications on Inglewood Ave at El Segundo Blvd; on Crenshaw Blvd At Rocket Road; on Crenshaw at Jack Northop; and on 120th St. from Prairie Ave to Felton Ave	2,000	0	1,000	1,000			
C	Hawthorne	MR312.61	Hawthorne Blvd Arterial Improvements, from 126th St to 111th St.	4,400	0	600	1,000	2,800		
			TOTAL HAWTHORNE	20,888	13,251	1,800	2,418	3,419	0	0
	Hermosa Beach	MR312.05	PCH (SR-1/PCH) Improvements between Anita St. and Artesia Boulevard	304	304					
	Hermosa Beach	MR312.38	Pacific Coast Highway at Aviation Blvd Intersection Improvements (Southbound left turn lanes)	872	872					
	Hermosa Beach	MR312.63	PA/ED on PCH from Aviation Blvd to Prospect Ave	1,800	0	400	1,400			
			TOTAL HERMOSA BEACH	2,976	1,176	400	1,400	0	0	0
	Inglewood	MR312.12	Intelligent Transportation System (ITS): City of Inglewood Citywide ITS Master Plan	3,500	3,500					
	Inglewood	MR312.50	ITS: Phase V - Communication Gap Closure on Various Locations, ITS Upgrade and Arterial Detection	384			192	192		
			TOTAL INGLEWOOD	3,884	3,500	0	192	192	0	0
	LA City	MR312.56	Del Amo Blvd Improvements from Western Ave to Vermont Ave Project Oversight	100	100					
	LA City	MR312.51	Improve Anaheim St. from Farragut Ave. to Dominguez Channel (Call Match) F7207	1,100	149	133.89	817.07			
			TOTAL LA CITY	1,200	249	134	817	0	0	0
	LA County	MR312.16	Del Amo Blvd improvements from Western Ave to Vermont Ave	26,820	6,900	5,000	5,000	5,000	4,920	
	LA County	MR312.52	ITS: Improvements on South Bay Arterials	1,021	0		401	620		
			TOTAL LA COUNTY	27,841	6,900	5,000	5,401	5,620	4,920	0
	Lawndale	MR312.15	Inglewood Ave Widening from 156th Street to I-405 Southbound on-ramp	500	500					
	Lawndale	MR312.36	ITS: City of Lawndale Citywide Improvements	1,500	1,500					
	Lawndale	MR312.49	Redondo Beach Blvd Mobility Improvements from Prairie to Artesia (Call Match) F9101	1,600	0		800		800	
	Lawndale	MR312.53	Bike Lanes on Hawthorne Blvd. frm Rosecrans Ave to Manchester Beach Blvd	47	12		35			
			TOTAL LAWDALE	3,647	2,012	0	835	0	800	0
	Lomita	MR312.43	Intersection Improvements at Western/Palos Verdes Dr and PCH/Walnut	900	900					
			TOTAL LOMITA	900	900	0	0	0	0	0
	Manhattan Beach	MR312.04	Sepulveda Blvd at Marine Ave Intersection Improvements (West Bound left turn lanes) (Completed)	365	365					
	Manhattan Beach	MR312.28	Seismic retrofit of widened Bridge 53-62 from Sepulveda Blvd from 33rd Street to south of Rosecrans Ave	9,100	9,100					
	Manhattan Beach	MR312.34	Aviation Blvd at Artesia Blvd Intersection Improvements (Southbound right turn lane)	1,500	1,500					
	Manhattan Beach	MR312.35	Sepulveda Blvd at Manhattan Beach Blvd Intersection Improvements (NB, WB, EB left turn lanes and SB right turn lane)	980	980					
	Manhattan Beach	MR312.62	Sepulveda Blvd Operational Improvements at Rosecrans Ave, 33rd St, Cedar Ave, 14th St and 2nd St.	900	0	50	850			
			TOTAL MANHATTAN BEACH	12,845	11,945	50	850	0	0	0
	Metro/ Caltran	MR312.30	Feasibility Study for I-405 from I-110 to I-105 and I-105 from I-405 to I-110	700		300	400			

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(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	Metro/ Caltran	MR312.48	Western Ave. (SR-213) from Palos Verdes Drive North to Gardena – PSR	170		70	100			
	Metro/ Caltran	MR312.32	SR-1 from Eastern Boundary of Carson to Eastern Boundary of Torrance – PSR	170		70	100			
	Metro	PS4010-2540	South Bay Arterial Baseline Conditions Analysis (Completed)	250	250					
	Metro	MR312.31	Inglewood Transit Center at Florence/La Brea	1,500	260	1,240				
			TOTAL METRO	2,790	510	1,680	600	0	0	0
	Rancho Palos Verdes	MR312.39	Western Ave. (SR-213) from Palos Verdes Drive North to 25th street – PSR	90		30	60			
			TOTAL RANCHO PALOS VERDES	90		30	60			
	Redondo Beach	MR312.06	Pacific Coast Highway improvements from Anita Street to Palos Verdes Blvd	1,400	1,400					
	Redondo Beach	MR312.07	Pacific Coast Highway at Torrance Blvd intersection improvements (Northbound right turn lane)	586	586					
	Redondo Beach	MR312.08	Pacific Coast Highway at Palos Verdes Blvd intersection improvements (WB right turn lane)	320	320					
	Redondo Beach	MR312.13	Aviation Blvd at Artesia Blvd intersection improvements (Completed) (Eastbound right turn lane)	22	22					
	Redondo Beach	MR312.14	Inglewood Ave at Manhattan Beach Blvd intersection improvements (Eastbound right turn lane) (Completed)	30	30					
	Redondo Beach	MR312.20	Aviation Blvd at Artesia Blvd intersection improvements (Northbound right turn lane)	847	847					
	Redondo Beach	MR312.42	Inglewood Ave at Manhattan Beach Blvd intersection improvements (Southbound right turn lane)	5,175	5,175					
			TOTAL REDONDO BEACH	8,380	8,380	0	0	0	0	0
	Torrance	MR312.10	Pacific Coast Highway at Hawthorne Blvd intersection improvements	19,600	19,600					
	Torrance	MR312.18	Maple Ave at Sepulveda Blvd Intersection Improvements (Completed) (Southbound right turn lane)	600	600					
	Torrance	MR312.23	Torrance Transit Park and Ride Regional Terminal Project 465 Crenshaw Blvd	18,100	18,100					
	Torrance	MR312.26	I-405 at 182nd St. / Crenshaw Blvd Operational Improvements	15,300	5,300	5,000	5,000			
	Torrance	MR312.40	Pacific Coast Highway at Vista Montana/Anza Ave Intersection Improvements	2,900	2,900					
	Torrance	MR312.58	Pacific Coast Highway from Calle Mayor to Janet Lane Safety Improvements	852	852					
	Torrance	MR312.59	Pacific Coast Highway at Madison Ave Signal upgrades to provide left-turn phasing	500	500					
	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	3,300					
			TOTAL TORRANCE	61,152	51,152	5,000	5,000	0	0	0
			TOTAL SOUTH BAY	233,024	141,762	24,549	32,438	23,738	10,537	0

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Measure R Highway Operational Improvements Project List

SR-138 Capacity Enhancements

(Programmed Dollars in Thousands)

(C)hange (A)dd (D)efete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
SR-138 Capacity Enhancements				200,000	72,900	33,800	20,100	28,000	45,200	
10 Year Forecasted Funds In Long Range Plan (cumulative)				200,000						
C	Metro	MR330.01	SR-138 (AvenueD) PA/ED (I-5 to SR-14)	19,400	18,000	1,400				
A	Caltrans	MR330.12	SR 138 Segment 6 Construction	5,600				5,600		
TOTAL METRO				25,000	18,000	1,400	0	5,600	0	0
	Lancaster	MR330.02	SR-138 (SR-14) Avenue K Interchange	15,000	5,000	10,000				
	Lancaster	MR330.03	SR-138 (SR-14) Avenue G Interchange	15,000	3,100				11,900	
	Lancaster	MR330.04	SR-138 (SR-14) Avenue J Interchange	10,000	2,300	1,000			6,700	
	Lancaster	MR330.05	SR-138 (SR-14) Avenue L Interchange	5,000	200	100	900		3,800	
	Lancaster	MR330.06	SR-138 (SR-14) Avenue M Interchange	20,000	3,900	500		15,600		
TOTAL LANCASTER				65,000	14,500	11,800	900	15,600	22,400	
	Palmdale	MR330.07	SR-138 Palmdale Blvd. (SR-138) 5th to 10th St. East	25,000	25,000					
	Palmdale	MR330.08	SR-138 Palmdale Blvd. SB 14 Ramps	25,000	4,100	2,500		6,800	11,600	
	Palmdale	MR330.09	SR-138 10th St. West Interchange	15,000	3,900	7,000	4,100			
	Palmdale	MR330.10	SR-138 (SR-14) Widening Rancho Vista Blvd. to Palmdale Blvd	25,000	6,600	8,800	9,600			
	Palmdale	MR330.11	SR-138 Avenue N Overcrossing	20,000	800	2,500	5,500		11,200	
TOTAL PALMDALE				110,000	40,400	20,800	19,200	6,800	22,800	
TOTAL SR-138 CAPACITY ENHANCEMENTS				200,000	72,900	33,800	20,100	28,000	45,200	

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**Measure R Highway Operational Improvements Project List
I-605/SR-91/I-405 Corridors "Hot Spots"**

(Programmed Dollars in Thousands)

(C)hange (A)dd (D)efete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
INTERSTATE 605/STATE ROUTE 91/INTERSTATE 405 CORRIDOR "HOT SPOTS"				191,650	88,074	55,039	18,360	18,877	8,800	2,500
	GCCOG	MOU.306.03	GCCOG Engineering Support Services	300	300					
	GCCOG	MR315.29	Gateway Cities Third Party Support	100	100					
			TOTAL GCCOG	400	400					
	Metro	PS4720-3334	Program/Project Management Support of Measure R Funds	200	200					
	Metro	PS4720-3252	I-605 Arterial Hot Spots in the City of Whittier: PAED for Santa Fe Springs/Whittier, Painter/Whittier, & Colima Whittier Intersection Improvements	680	680					
	Metro	PS4720-3250	Arterial Hot Spots in the Cities of Long Beach, Bellflower, and Paramount: PAED for Lakewood/Alondra, Lakewood/Spring, and Bellflower Spring Intersection & PS&E for Lakewood/Alondra Intersection Improvements	573	573					
	Metro	PS4720-3251	Arterial Hot Spots in the Cities of Cerritos, La Mirada, and Santa Fe Springs: PAED for Valley View/Rosecrans, Valley View/Alondra, Carmenita/South, and Bloomfield/Artesia Intersection Improvements	561	561					
	Metro	AE25081	Arterial Hot Spots in the Cities of Cerritos: PS&E for Carmenita/South and Bloomfield/Artesia Intersection Improvements	100	100					
	Metro	AE25083	Arterial Hot Spots in the Cities of La Mirada and Santa Fe Springs: PS&E for Valley View/Rosecrans and Valley View/Alondra Intersection Improvements	100	100					
	Metro	PS4603-2582	Professional Services for I-605 Feasibility Study (Completed)	6,170	6,170					
	Metro	PS4603-2582	Professional Services for PSR/PDS: I-5/I-605 and I-605/SR-91 (Completed)	3,121	3,121					
	Metro	PS4720-3235	Professional Services for 605/60 PSR/PDS	3,040	3,040					
	Metro	AE2259	Professional Services for 605/60 PA/ED	34,000	3,000	7,000	8,000	8,000	8,000	
	Metro	PS47203004	Professional Services for the Gateway Cities Strategic Transportation Plan	10,430	9,339	1,091				
	Metro	AE3334100113 75	Professional Services for the I-605/I-5 PA/ED	20,698	3,000	5,000	5,000	7,698		
	Metro	AE4761100123 34	Professional Services for the I-605/SR-91 PA/ED	8,026	263	3,200	3,100	1,463		
	Metro	AE3229400113 72	Professional Services for 710/91 PSR/PDS	2,340	1,590	750				
	Metro	MR315.49	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development (Gateway Cities, SCE, LA County)	300	300					
	Metro	MR315.50	Freeway Early Action Projects (PA/ED & PS&E)	24,000		24,000				
			TOTAL METRO	114,338	32,036	41,041	16,100	17,161	8,000	0

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(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	Caltrans	MR315.28	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/SR-60 PSR-PDS	260	260					
	Caltrans	MR315.47	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/SR-60 PA/ED	3,650	400	850	800	800	800	
	Caltrans	MR315.24	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/I-5 PA/ED	2,070	300	500	500	770		
	Caltrans	MR315.08	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605/SR-91 PA/ED	803	26	320	310	146		
	Caltrans	MR315.48	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-605 Intersection Improvements	60	60					
	Caltrans	MR315.13	Third Party Support for the I-605 Corridor "Hot Spots" Interchanges Program Development, I-710/SR-91 PSR-PDS	234	159	75				
			TOTAL CALTRANS	7,076	1,205	1,745	1,610	1,716	800	0
	Bellflower	MR315.16	Bellflower Blvd- Artesia Blvd Intersection Improvement Project	7,310	6,210	1,100				
	Bellflower	MR315.33	Lakewood - Alondra Intersection Improvements: Construction	644	644					
			TOTAL BELLFLOWER	7,954	6,854	1,100	0	0	0	0
	Cerritos	MR315.38	Carmenita - South Intersection Improvements, Construction	292	292					
	Cerritos	MR315.39	Bloomfield - Artesia Intersection Improvements, ROW & Construction	1,756	1,756					
			TOTAL CERRITOS	2,048	2,048	0	0	0	0	0
	Downey	MR315.03	Lakewood - Telegraph Intersection Improvements	2,120	2,120					
	Downey	MR315.14	Lakewood - Imperial Intersection Improvements	2,760	2,760					
	Downey	MR315.27	Lakewood - Florence Intersection Improvements	1,310	1,310					
	Downey	MR315.18	Bellflower - Imperial Highway Intersection Improvements	2,740	2,740					
			TOTAL DOWNEY	8,930	8,930	0	0	0	0	0
	LA County	MR315.07	Painter - Mulberry Intersection Improvements	2,410	760	1,650				
	LA County	MR315.11	Valley View - Imperial Intersection Improvements	1,640	1,640					
	LA County	MR315.15	Norwalk-Whittier Intersection Improvements	2,830	1,050	1,780				
C	LA County	MR315.23	Carmenita - Telegraph Intersection Improvements	1,400	800	600				
	LA County	MR315.22	Norwalk-Washington Intersection Improvements	550	550					
	LA County	F9511	South Whittier Bikeway Access Improvements (Call Match)	800						800
			TOTAL LA COUNTY	9,630	4,800	4,030	0	0	0	800
	Lakewood	MR315.36	Lakewood Blvd Regional Capacity Enhancement	3,600	1,000	2,600				
	Lakewood	MR315.04	Lakewood - Del Amo Intersection Improvements	5,504	5,504					
			TOTAL LAKEWOOD	9,104	6,504	2,600	0	0	0	0

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(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	Long Beach	F9130	2015 CFP - Artesia Complete Blvd (Call Match)	900						900
	Long Beach	F9532	2015 CFP - Atherton Bridge & Campus Connection (Call Match)	800						800
	Long Beach	F9808	Park or Ride (Call Match)	150		150				
	Long Beach	MR315.60	Soundwall on I-605 near Spring Street, PAED and PSE	250	50	100	100			
	Long Beach	MR315.61	Lakewood - Spring Intersction Improvements, PSE and Construction	454	454					
	Long Beach	MR315.62	Bellflower - Spring Intersection Improvements, PSE and Construction	493	493					
			TOTAL LONG BEACH	3,047	997	250	100	0	0	1,700
	Norwalk	MR315.06	Studebaker - Rosecrans Intersection Improvements	1,670	1,670					
	Norwalk	MR315.10	Bloomfield - Imperial Intersection Improvements	920	920					
	Norwalk	MR315.17	Pioneer - Imperial Intersection Improvements	1,509	1,509					
	Norwalk	MR315.26	Studebaker - Alondra Intersection Improvements	480	480					
	Norwalk	MR315.43	Imperial Highway ITS Project, from San Gabriel River to Shoemaker Rd. (PAED, PS&E, CON)	3,380	3,380					
			TOTAL NORWALK	7,959	7,959	0	0	0	0	0
	Pico Rivera	MR315.05	Rosemead - Beverly Intersection Improvements	8,474	4,251	4,223				
	Pico Rivera	MR315.09	Rosemead - Whittier Intersection Improvements	1,388	1,388					
	Pico Rivera	MR315.21	Rosemead - Washington Intersection Improvements	40	40					
	Pico Rivera	MR315.19	Rosemead - Slauson Intersection Improvements	2,195	2,195					
			TOTAL PICO RIVERA	12,097	7,874	4,223	0	0	0	0
	Santa Fe Springs	MR315.40	Valley View - Rosecrans Intersection Improvements, Construction	524	524					
	Santa Fe Springs	MR315.41	Valley View - Alondra Intersection Improvements, ROW & Construction	2,967	2,967					
	Santa Fe Springs	MR315.42	Florence Avenue Widening Project, from Orr & Day to Pioneer Blvd (PAED, PSE, ROW)	600	0	50	550			
			TOTAL SANTA FE SPRINGS	4,091	3,491	50	550	0	0	0
	Whittier	MR315.44	Santa Fe Springs Whittier Intersection Improvements: PSE, ROW, Construction	1,568	1,568					
	Whittier	MR315.45	Painter Ave - Whittier Intersection Improvements: PSE, ROW, Construction	1,760	1,760					
	Whittier	MR315.46	Colima Ave - Whittier Intersection Improvements: PSE, ROW, Construction	1,646	1,646					
			TOTAL WHITTIER	4,974	4,974	0	0	0	0	0
			TOTAL I-605/SR-91/I-405 CORRIDORS "HOT SPOTS"	191,650	88,074	55,039	18,360	18,877	8,800	2,500

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Measure R Highway Operational Improvements Project List
I-710 South and/or Early Action Project List

(Programmed Dollars in Thousands)

(C)hange (A)dd (D)ele	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
			INTERSTATE 710 SOUTH EARLY ACTION PROJECT	142,176	97,786	44,118	0	0	0	258
	GCCOG	MOU.306.03	GCCOG Engineering Support Services	1,600	1,600					
			TOTAL GCCOG	1,700	1,600	100				
	Metro	PS4720-3334	Program/Project Management Support of Measure R Funds	200	200					
	Metro	PS-4010-2540-02-17	I-710/I-5 Interchange Project Development	600	600					
	Metro	various	Professional Services contracts for I-710 Utility Studies (North, Central, South)	25,046	16,237	8,809				
	Metro	PS4340-1939	Professional Services contract for I-710 Corridor Project EIR/EIS	32,521	18,750	13,771				
	Metro	PS4710-2744	Professional Services contract for I-710 Soundwall Project Development	10,878	8,678	2,200				
	Metro	MOU.Calstart2010	Professional Services contract for development of zero emission technology report	150	150					
C	Metro		I-710 ITS/Air Quality Early Action (Grant Match)	11,760		11,760				
C	Metro	MR306.40	I-710 Eco-FRATIS Drayage Truck Efficiency Project (Grant Match)	240		240				
A	Metro	MR306.38	Sustainable Transportation Planning Grant (Grant Match)	64.78		64.78				
			TOTAL METRO	81,460	44,615	36,845				
	Metro	USACE	Third Party Support Services for I-710 Corridor Project (US Army Corp of Eng)	100	100					
			TOTAL USACE	100	100					
	Metro	MR306.5B	Third Party Support Services for I-710 Corridor Project (So Cal Edison)	1,623	1,223	400				
	Metro	MR306.39	I-710 Soundwall Project - SCE Utility Relocation Engineering Advance	75	0	75				
			TOTAL SCE	1,698	1,223	475				
	Caltrans	MR306.24	Reconfiguration of Firestone Blvd On-Ramp to I-710 S/B Freeway	1,450	1,450					
	Caltrans	MR306.27	Third Pary Support for I-710 Corridor Project EIR/EIS Enhanced IQA	3,500	2,500	1,000				
	Caltrans	MR306.29	I-710 Early Action Project - Soundwall PA/ED Phase - Noise Study Only	100	100					

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(C)hange (A)dd (D)elete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
			TOTAL CALTRANS	5,050	4,050	1,000				
	LA County	MR306.16	Staff Support for the Review of the Draft I-710 South EIR/EIS	98	98					
			TOTAL LA COUNTY	98	98					
C	Bell	MR306.37	Eastern at Bandini Rickenbacker Project (Call Match)	155		155				
	Bell	MR306.07	Staff Support for the Review of the Draft I-710 South EIR/EIS	150	150					
			TOTAL BELL	150	150					
	Bell Gardens	MR306.08	Staff Support for the Review of the Draft I-710 South EIR/EIS	154	154					
	Bell Gardens	MR306.35	Florence/Jaboneria Intersection Project (Call Match)	258	0					258
	Bell Gardens	MR306.30	Florence Ave/Eastern Ave Intersection Widening	348	0	348				
			TOTAL BELL GARDENS	760	154	348				258
	Commerce	MR306.23	Washington Blvd Widening and Reconstruction Project	13,500	10,500	3,000				
	Commerce	MR306.09	Staff Support for the Review of the Draft I-710 South EIR/EIS	75	75					
			TOTAL COMMERCE	13,575	10,575	3,000				
	Compton	MR306.10	Staff Support for the Review of the Draft I-710 South EIR/EIS	35	35					
			TOTAL COMPTON	35	35					
	Downey	MR306.18	Staff Support for the Review of the Draft I-710 South EIR/EIS	130	130					
	Downey	MR306.20	Paramount Blvd/Firestone Intersection Improvements	3,390	3,390					
	Downey	MR306.31	Lakewood Blvd Improvement Project	5,000	5,000					
			TOTAL DOWNEY	8,520	8,520					
	Huntington Park	MR306.36	Staff Support for the Review of the Draft I-710 South EIR/EIS	15	15					
			TOTAL HUNTINGTON PARK	15						
	Long Beach	MR306.19	Shoemaker Bridge Replacement Project	5,500	4,000	1,500				
	Long Beach	MR306.11	Staff Support for the Review of the Draft I-710 South EIR/EIS	200	200					
	Long Beach	MR306.22	Atlantic Ave/Willow St Intersection Improvements	300	300					
			TOTAL LONG BEACH	6,000	4,500	1,500				0
	Maywood	MR306.12	Staff Support for the Review of the Draft I-710 South EIR/EIS	65	65					
			TOTAL MAYWOOD	65	65					
	Paramount	MR306.13	Staff Support for the Review of the Draft I-710 South EIR/EIS	130	130					
	Paramount	MR306.32	Garfield Ave Improvements	2,075	2,075					
			TOTAL PARAMOUNT	2,205	2,205					

ATTACHMENT A

(C)change (A)add (D)delete	Lead Agency	Funding Agreement (FA) No.	PROJECT/LOCATION	Total Allocation	Prior Years	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	South Gate	MR306.14	Staff Support for the Review of the Draft I-710 South EIR/EIS	200	200					
	South Gate	MR306.17	Atlantic Ave/Firestone Blvd Intersection Improvements (Complete)	12,400	12,400					
	South Gate	MR306.33	Firestone Blvd Regional Corridor Capacity Enhancement Project	6,000	6,000					
			TOTAL SOUTH GATE	18,600	18,600					
	Vernon	MR306.15	Staff Support for the Review of the Draft I-710 South EIR/EIS	75	75					
	Vernon	MR306.25	Atlantic Blvd Bridge Widening and Rehabilitation	2,070	1,220	850				
			TOTAL VERNON	2,145	1,295	850				
			TOTAL I-710 SOUTH AND EARLY ACTION PROJECTS	142,176	97,786	44,118	0			258



R. Rex Parris Mayor
Marvin E. Crist Vice Mayor
Ken Mann Council Member
Angela E. Underwood-Jacobs Council Member
Raj Malhi Council Member
Mark V. Bozgian City Manager

October 10, 2016

Ayokunle Ogunrinde, P.E.
Senior Manager, Transportation Planning
Program Management – Highway Programs
METRO
One Gateway Plaza, MS 99-22-09
Los Angeles, California 90012

RE: Measure R SR-138 Capacity Enhancements Program
City of Lancaster - Funding Agreement Modification Request – Avenue L (MR330.05)

The City of Lancaster requests that the Avenue L Funding Agreement be modified to better match the project requirements.

- 1) The original allocation of funds did not provide for an adequate amount of funding to complete the project planning and environmental documentation in the years that are currently anticipated.
- 2) The City is interested in initiating the PA&ED phase prior to the current allocation schedule. This allocation change will allow the City to continue to expedite project delivery including PA&ED and Design.
- 3) The original funding FY allocation provides for a total of \$300,000 in FY's 15-16 and 16-17. In order to continue with the project development and initiate the Environmental Document (PA&ED), the City is requesting that the funding allocation be revised to allow additional funds earlier, which will allow the City to continue with project development without delay. We understand that this amendment requires Board Action.
- 4) The \$5,000,000 total allocation is sufficient to complete all phases of the project.
- 5) The \$3,000,000 revised allocation in FY 19-20 is sufficient to construct the project.

With this revised allocation, the City will be able to proceed with the project development without waiting for additional funding in FY17-18 per the original schedule approved by the Board (see enclosed Attachment B).

Description	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	Total Allocation
Original SR-138(SR-14) Ave L I/C	\$200,000	\$100,000	\$900,000	\$0	\$3,800,000	\$5,000,000
Proposed SR-138(SR-14) Ave L I/C	\$200,000	\$600,000	\$900,000	\$0	\$3,300,000	\$5,000,000

The City appreciates that Metro wants to expedite project delivery and this change will help the City move forward with these very important project improvements in an expedited fashion.

Please let me know if you have any questions regarding this request or if you need any additional information.

Sincerely,



Marissa Diaz, P.E.
Capital Program Manager

- cc: Mark Bozigian, City Manager
- Jason Caudle, Deputy City Manager
- Jeff Hogan, Development Services Director
- Robert Blume, Kimley-Horn & Associates

DEPARTMENT OF TRANSPORTATION

DISTRICT 7

100 S. MAIN STREET, SUITE 100

LOS ANGELES, CA 90012

PHONE (213) 897-0362

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TTY 711

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*Serious Drought.
Serious drought.
Help save water!*

September 29, 2016

Mr. Abdollah Ansari
Managing Executive Officer
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

Dear Mr. Ansari:

This letter is in reference to the construction capital and support components budget of Segment 6, EA286201 and Segment 13, EA286301 of the State Route 138 Corridor Widening Project.

In October 2012, Metro and Caltrans executed a funding agreement that allocated \$51.6 million for the construction capital and support components of the two projects in Regional Improvement Program (RIP) funding. The agreement also allocated \$24.30 million in Federal Regional Surface Transportation Program (RSTP) funding for various components of the two projects.

The CTC has deleted the previously programmed RIP construction related funding for both Segments in its May 2016 meeting, so Metro and Caltrans staff met to discuss the corridor funding priorities. It was agreed to attempt to fully fund Segment 6 construction capital and support components utilizing unspent RSTP funding balance realized after halting all Segment 13 RSTP funded components. Of the \$18.10 million in RSTP allocated to Segment 13, Caltrans identified a total of \$11.10 million that can be transferred to Segment 6 construction capital and support components.

Caltrans also identified \$3.0 million of savings in the RIP right of way (R/W) capital component of Segment 13 that can be transferred to backfill the RSTP funding gap in the R/W support component of the same Segment via a STIP amendment subject to CTC action. With this transfer of funding between the capital and support components of Segment 13, the R/W acquisition phase activities will be fully funded.

Attached is a funding chart that shows the prior and proposed funding plan with the changes mentioned above for your use. According to this chart, \$5.6 million of additional funding will be needed to fully fund the construction capital and support components of Segment 6.

Since most of the R/W parcels that are needed for Segment 6 are being acquired through the condemnation process, it is important to fully fund the construction phase as soon as possible. Upon executing the necessary funding agreement amendment to transfer the funds as agreed and also identifying the shortfall funding source, Caltrans will be able to set a begin construction date for Segment 6 and the R/W acquisition activities will continue as planned for Segment 13.

Please contact Osama Megalla, Project Manager at 213-897-0520 if you have any question(s) or need additional information regarding this letter.

Sincerely,



Robert So
Deputy District Director
Division of Program and Project Management

CC: Wil Ridder, LA Metro
Toye Oyewole, LA Metro
Ayokunle Ogunrinde
Osama Megalla, Caltrans
Jimmy Shih, Caltrans
Leah Shepard, Caltrans

10/12/2012 Agreement

8/16/2016

(Proposed)

28630 Seg 6		28630 Seg 13	
55.2/56.2		LA138-66.0/70.0, LA18-0.0/1.0	
RTL 1/19/16 FY16	Proposed Program	RTL 10/15/15 FY16	Proposed Program
PA&ED	0	PA&ED	0
PS&E	3,500	PS&E	6,000
R/W Support	1,600	R/W Support	6,500
Cons. Support	3,000	Cons. Support	6,500
R/W Capital	13,100	R/W Capital	7,000
Const. Capital	10,700	Const. Capital	36,000
TOTAL	31,900	TOTAL	62,000

29350 Seg 9		29350 Seg 9	
58.5/60.2 comb w/ seg 8		58.5/60.2 comb w/ seg 8	
RTL 01/05/15 FY15	Proposed Program	RTL 01/05/15 FY15	Proposed Program
PA&ED	0	PA&ED	0
PS&E	2,100	PS&E	2,100
R/W Support	3,000	R/W Support	3,000
Cons. Support	1,900	Cons. Support	1,900
R/W Capital	7,800	R/W Capital	7,800
Const. Capital	5,400	Const. Capital	5,400
TOTAL	20,200	TOTAL	20,200

28620 Seg 6		28620 Seg 6	
55.2/56.2		55.2/56.2	
RTL 1/19/16 FY16	Proposed Program	RTL 1/19/16 FY16	Proposed Program
PA&ED	0	PA&ED	0
PS&E	3,500	PS&E	3,500
R/W Support	1,600	R/W Support	1,600
Cons. Support	3,000	Cons. Support	3,000
R/W Capital	13,100	R/W Capital	13,100
Const. Capital	10,700	Const. Capital	10,700
TOTAL	31,900	TOTAL	31,900

28630 Seg 13		28630 Seg 13	
LA138-66.0/70.0, LA18-0.0/1.0		LA138-66.0/70.0, LA18-0.0/1.0	
RTL 10/15/15 FY16	Proposed Program	RTL 10/15/15 FY16	Proposed Program
PA&ED	0	PA&ED	0
PS&E	7,000	PS&E	7,000
R/W Support	6,000	R/W Support	6,000
Cons. Support	7,500	Cons. Support	7,500
R/W Capital	6,500	R/W Capital	6,500
Const. Capital	51,759	Const. Capital	51,759
TOTAL	78,759	TOTAL	78,759

29350 Seg 9		29350 Seg 9	
58.5/60.2 comb w/ seg 8		58.5/60.2 comb w/ seg 8	
RTL 01/05/15 FY15	Proposed Program	RTL 01/05/15 FY15	Proposed Program
PA&ED	0	PA&ED	0
PS&E	2,100	PS&E	2,100
R/W Support	3,000	R/W Support	3,000
Cons. Support	2,185	Cons. Support	2,185
R/W Capital	7,700	R/W Capital	7,700
Const. Capital	9,018	Const. Capital	9,018
TOTAL	24,003	TOTAL	24,003

28620 Seg 6		28620 Seg 6	
55.2/56.2		55.2/56.2	
RTL 1/19/16 FY16	Proposed Program	RTL 1/19/16 FY16	Proposed Program
PA&ED	0	PA&ED	0
PS&E	3,500	PS&E	3,500
R/W Support	1,600	R/W Support	1,600
Cons. Support	3,700	Cons. Support	3,700
R/W Capital	5,600	R/W Capital	5,600
Const. Capital	13,000	Const. Capital	13,000
TOTAL	27,400	TOTAL	27,400

RIP - State Cash (ST-CASH, NH, Augmentation)		RIP - State Cash (ST-CASH, NH, Augmentation)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	1,900	Cons. Support	1,900
R/W Capital	2,900	R/W Capital	2,900
Const. Capital	7,800	Const. Capital	7,800
TOTAL	12,600	TOTAL	12,600

RSTP		RSTP	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	3,000	Cons. Support	3,000
R/W Capital	12,000	R/W Capital	12,000
Const. Capital	10,700	Const. Capital	10,700
TOTAL	25,700	TOTAL	25,700

RSTP		RSTP	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	3,500	Cons. Support	3,500
R/W Capital	1,600	R/W Capital	1,600
Const. Capital	1,100	Const. Capital	1,100
TOTAL	6,200	TOTAL	6,200

RIP - State Cash (ST-CASH, NH, Augmentation)		RIP - State Cash (ST-CASH, NH, Augmentation)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	3,000	Cons. Support	3,000
R/W Capital	6,500	R/W Capital	6,500
Const. Capital	9,500	Const. Capital	9,500
TOTAL	19,000	TOTAL	19,000

RIP - State Cash (ST-CASH, NH, Augmentation)		RIP - State Cash (ST-CASH, NH, Augmentation)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	2,185	Cons. Support	2,185
R/W Capital	5,200	R/W Capital	5,200
Const. Capital	9,018	Const. Capital	9,018
TOTAL	16,403	TOTAL	16,403

RIP - State Cash (ST-CASH, NH, Augmentation)		RIP - State Cash (ST-CASH, NH, Augmentation)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	4,500	Cons. Support	4,500
R/W Capital	4,500	R/W Capital	4,500
Const. Capital	4,500	Const. Capital	4,500
TOTAL	13,500	TOTAL	13,500

Metro Local Funds		Metro Local Funds	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	2,500	Cons. Support	2,500
R/W Capital	1,100	R/W Capital	1,100
Const. Capital	10,600	Const. Capital	10,600
TOTAL	14,700	TOTAL	14,700

Metro Local Funds		Metro Local Funds	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	2,100	Cons. Support	2,100
R/W Capital	3,000	R/W Capital	3,000
Const. Capital	2,500	Const. Capital	2,500
TOTAL	7,600	TOTAL	7,600

Metro Local Funds		Metro Local Funds	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	3,000	Cons. Support	3,000
R/W Capital	1,600	R/W Capital	1,600
Const. Capital	1,100	Const. Capital	1,100
TOTAL	6,200	TOTAL	6,200

Metro Local Funds		Metro Local Funds	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	4,000	Cons. Support	4,000
R/W Capital	3,000	R/W Capital	3,000
Const. Capital	7,000	Const. Capital	7,000
TOTAL	14,000	TOTAL	14,000

Metro Local Funds		Metro Local Funds	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	3,000	Cons. Support	3,000
R/W Capital	7,500	R/W Capital	7,500
Const. Capital	51,759	Const. Capital	51,759
TOTAL	62,259	TOTAL	62,259

Metro Local Funds		Metro Local Funds	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support	3,200	Cons. Support	3,200
R/W Capital	2,400	R/W Capital	2,400
Const. Capital	5,600	Const. Capital	5,600
TOTAL	11,200	TOTAL	11,200

To be Funded (Estimate base on current cost 8/11/11)		To be Funded (Estimate base on current cost 8/11/11)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support		Cons. Support	
R/W Capital		R/W Capital	
Const. Capital		Const. Capital	
TOTAL	0	TOTAL	0

To be Funded (Estimate base on current cost 8/11/11)		To be Funded (Estimate base on current cost 8/11/11)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support		Cons. Support	
R/W Capital		R/W Capital	
Const. Capital		Const. Capital	
TOTAL	0	TOTAL	0

To be Funded (Estimate base on current cost 8/11/11)		To be Funded (Estimate base on current cost 8/11/11)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support		Cons. Support	
R/W Capital		R/W Capital	
Const. Capital		Const. Capital	
TOTAL	0	TOTAL	0

To be Funded (Estimate base on current cost 8/11/11)		To be Funded (Estimate base on current cost 8/11/11)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support		Cons. Support	
R/W Capital		R/W Capital	
Const. Capital		Const. Capital	
TOTAL	0	TOTAL	0

To be Funded (Estimate base on current cost 8/11/11)		To be Funded (Estimate base on current cost 8/11/11)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support		Cons. Support	
R/W Capital		R/W Capital	
Const. Capital		Const. Capital	
TOTAL	0	TOTAL	0

To be Funded (Estimate base on current cost 8/11/11)		To be Funded (Estimate base on current cost 8/11/11)	
PA&ED	Proposed Program	PA&ED	Proposed Program
PS&E		PS&E	
R/W Support		R/W Support	
Cons. Support		Cons. Support	
R/W Capital		R/W Capital	
Const. Capital		Const. Capital	
TOTAL	0	TOTAL	0

Los Angeles County Metropolitan Transportation Authority

Board Resolution

WHEREAS, the Sustainable Transportation Planning Grant Program was created by the California Department of Transportation (Caltrans) to ensure consideration of sustainability, preservation, mobility, safety, innovation, economy, health, and equity in transportation planning; and

WHEREAS, Metro is eligible to receive State funding through the Sustainable Transportation Planning Grant Program; and

WHEREAS, Metro was awarded a \$500,000 Sustainable Transportation Planning Grant in FY 2016-2017 from Caltrans for the 710 Livability Initiative for Complete Streets and Active Transportation Sustainability Effort; and

WHEREAS, the Metro Board has approved \$64,780 in local funds to be programmed as match for the Grant funds in FY 17'; and

WHEREAS, a Restricted Grant Agreement is needed to be executed with the California Department of Transportation before such funds can be claimed through the Transportation Planning Grant Programs; and

WHEREAS, Metro wishes to delegate authorization to execute this agreement and any amendments thereto necessary to receive any funds under the Transportation Planning Grant Programs to the Chief Executive Officer or his designee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Los Angeles County Metropolitan Transportation Authority that:

1. The Chief Executive Officer (CEO) or his designee is authorized to execute all Restricted Grant Agreements and any amendments thereto with the California Department of Transportation.

CERTIFICATION

The undersigned, duly qualified and serving as Secretary of the Los Angeles County Metropolitan Transportation Authority, certifies that the foregoing is a true and correct representation of a Resolution adopted at a legally convened meeting of the Board of Directors of the Los Angeles County Metropolitan Transportation Authority held December 8, 2016.

MICHELLE JACKSON
Metro Board Secretary

DATED: _____

MEASURE R EXTENSION LIST AS OF JUNE 30, 2016
(\$000)

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
MR312.11	Caltrans	Intelligent Transportation System(ITS) on Interstate I-405, I-110, I-105, and SR-91 Freeway Ramp/Arterial Signalized Intersections	Mea. R	2016	5,000	2,185	2,814	1	2	6/30/2017
MR312.05	Hermosa Beach	PCH (SR1) Improvements btwn Anita St and Artesia Ave	Mea. R	2016	304	91	213	1	1	6/30/2017
MR312.06	Redondo Beach	PCH Arterial Impr frm Anita St. to Palos Verdes Blvd	Mea. R	2016	1,400	20	1380	1	1	6/30/2017
MR312.20	Redondo Beach	Aviaton Blvd at Artesia Blvd Intersection Improvements	Mea. R	2016	847	80	767	1	1	6/30/2017
MR312.12	Inglewood	Inglewood Intelligent Transportation System Phase IV	Mea. R	2016	300	27	273	1	1	6/30/2017
MR312.15	Lawndale	Inglewood Ave frm 156th St. to I-405 Southbound On-Ramp improvements	Mea. R	2016	100	38	62	1	3	6/30/2017
MR311.03	Aguora Hills	Palo Comado Interchange	Mea. R	2016	2,000	1,600	400	1	1	6/30/2017
Total					\$9,951	\$4,041	\$5,909			

- | |
|--|
| <p>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);</p> <p>2. Project is contractually obligated, however, a time extension is needed to complete construction that is already underway (capital projects only);</p> <p>3. Project delay due to Metro action that results in a change in project scope, schedule, or sponsorship that is mutually agreed.</p> |
|--|



Board Report

File #: 2016-0221, **File Type:** Agreement

Agenda Number: 18.

**CONSTRUCTION COMMITTEE
NOVEMBER 17, 2016**

SUBJECT: WESTSIDE PURPLE LINE EXTENSION PROJECT - SECTION 1

ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO REIMBURSE THE CITY OF BEVERLY HILLS AND TO EXECUTE AN ANNUAL WORK PLAN

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. REIMBURSE the City of Beverly Hills for valid costs incurred to review the design and construction of the Design-Build elements of the Project within the City as provided in the attached excerpt from the draft Memorandum of Agreement (MOA) for design/build construction between Metro and the City; and
- B. EXECUTE the Annual Work Plan for Fiscal Year 2017 with the City of Beverly Hills, in an amount not-to-exceed \$4,859,611, for the **Westside Purple Line Extension - Section 1 C1045 Contract**.

ISSUE

The Metro Board approved an MOA for the Westside Purple Line Extension Project - Section 1 for the Advanced Utility Relocation work in the City of Beverly Hills in October 2014. As stated in that Board Report, Metro staff was to begin to draft and negotiate an agreement with the City of Beverly Hills for the Design-Build elements of the Project that are located within the City of Beverly Hills. As the MOA negotiations have not yet concluded and construction of the Design-Build elements of the Project have begun within the City of Beverly Hills, the attached Reimbursement provisions sets forth the manner in which the City of Beverly Hills will be reimbursed for costs.

The Annual Work Plan process is per the terms of the MOA, which serves as a commitment from Metro for the reimbursement of services to be provided by the City of Beverly Hills.

DISCUSSION

Support of the design and construction of the Wilshire/La Cienega Station by various departments

within the City of Beverly Hills is extremely critical to the success of the Project.

The Reimbursement provisions in the draft MOA describes the cost reimbursement process with the City of Beverly Hills for its permitting process, design reviews, coordination efforts, meeting attendance, inspections, reviewing traffic control and staging requirements, establishing allowable work hours, environmental mitigations and other essential elements

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funds are included in the FY17 budget under Project 865518 Westside Purple Line Extension Project - Section 1, in Cost Center 8510 (Construction Project Management), and Account No. 50316 (Professional and Technical Services). The approval of the Reimbursement provisions in the draft MOA does not negatively impact the life-of-project budget. Since this is a multi-year project, the Chief Program Management Officer and the Project Manager will be responsible for budgeting costs in future years.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts, Measure R 35% and TIFIA Loan Proceeds. The approved FY17 budget is designated for the Westside Purple Line Extension Project - Section 1 and does not have an impact to operations funding sources. These funds were assumed in the Long Range Transportation Plan for the Westside Purple Line Extension Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may choose not to authorize the attached Reimbursement provisions, however if reimbursement is not authorized, the City of Beverly Hills may not issue permits to the C1045 Design-Build Contractor to begin construction of the Wilshire/La Cienega Station. This would potentially delay the Project.

NEXT STEPS

Metro and the City of Beverly Hills staff will continue to work diligently to conclude the negotiations on the MOA and bring the MOA forward for Board approval. After Board approval of the MOA, staff will

begin negotiations with the C1045 Design-Build Contractor and return to the Board requesting execution of a Contract Modification that will reflect the incorporation of the terms of the MOA into the C1045 Contract.

Upon approval and execution of the Annual Work Plan, Metro staff will issue the applicable work orders to the City of Beverly Hills.

ATTACHMENTS

Attachment A - Manner In Which The City Will Be Reimbursed For Costs

Attachment B - FY17 Annual Work Plan for the City of Beverly Hills

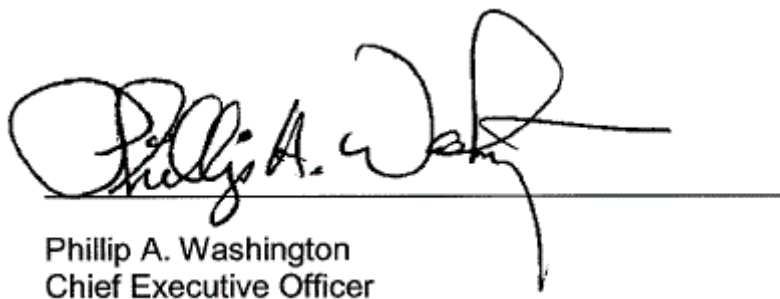
Prepared by:

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

Rick Wilson, Deputy Executive Officer, Program Control (213) 312-3108

Reviewed by:

Richard Clarke, Chief Program Management Officer (213) 922-7557



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A
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 C1045 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 under this Agreement. 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 and approving the installation of City Facilities; and 3) monitoring and enforcing the mitigation control measures provided in the Final Environmental Impact Report, this Agreement and its attachments and exhibits. 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 C1045 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 C1045 Contract.

Notwithstanding the other provisions of this Article, LACMTA agrees that it will continue the current reimbursement procedure it has with the City whereby it deposits funds in the amount of \$250,000 into a City account for the City to draw down upon for the work it has performed in conjunction with the obligations set forth in this Agreement so long as the City provides an adequate accounting of its work. The LACMTA shall replenish said fund on a monthly basis so that \$250,000 is available in the City account from month-to-month. This reimbursement practice shall apply up until the annual work plan for the Fiscal Year ending June 30, 2017 is implemented, unless the Parties otherwise agree to continue or discontinue the current reimbursement practice. Upon discontinuance of this reimbursement practice, reimbursement for Costs to the City shall be in accordance with the provisions detailed below in this Article for work covered by an annual work plan for Fiscal Year 2016-17 and all subsequent years.

To assist the LACMTA and the City in estimating the level of service to be provided for work associated with the C1045 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 starting with Fiscal Year 2016-17 for which such work by the City will be required, in accordance with the following provisions:

- (a) Not later than February 28 of 2016 and each calendar year thereafter during the term of this Agreement, the LACMTA shall provide City with information regarding anticipated C1045 Contract 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 C1045 Contract during the upcoming Fiscal Year and the estimated start and finish dates for 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 B to this Agreement), that the City will require for reimbursement of work performed and purchase of requested items.
- (b) For each Fiscal Year, following the LACMTA's receipt of the preliminary annual work plans, the City and the LACMTA shall each negotiate in good faith such issues as are necessary in order to attempt to finalize such annual work plans, not later than April 30 prior to the commencement of such Fiscal Year.
- (c) For each Fiscal Year, within sixty (60) Days after the City's submittal to the LACMTA of the final annual work plans agreed upon by the Parties, the LACMTA shall issue to the City a Work Order identifying each item of work the LACMTA anticipates the City will perform through the end of the Fiscal Year, the amount of money the City and the LACMTA estimate that the City will be reimbursed therefore, and the anticipated schedule for performance of such work. For funding purposes, such Work Orders may be made effective as of the estimated work start date for the described activities upon the City's sign-off of the Work Order. The City and the LACMTA acknowledge that, due to the dynamics of the Project and related Construction, such Work Orders will be subject to amendments (including additions, deletions and modifications), and additional Work Orders may be issued throughout the Fiscal Year as deemed appropriate by the Parties and as approved by the LACMTA and the City by signing off the amendment to the Work Order or additional Work Order.

The LACMTA shall issue Work Orders to the City, following the City's submittal of an estimate in the form of a Form 60. 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. Each Work Order shall specify the work to be performed, including the work by City staff and the City's Consultant described in this Article, and any materials or equipment to be acquired, the amount of money that the City will be reimbursed therefore, and a schedule, including the estimated starting and finishing dates for work so authorized. Work Orders shall include estimated schedules. 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 requested by a Work Order, unless otherwise mutually agreed in writing. The City shall not be required to perform any work not requested by a Work Order or not otherwise to be reimbursed pursuant to

written agreement. The City shall be reimbursed for all Costs for work requested by a Work Order, regardless of whether such Costs exceed the agreed upon estimate.

The City shall submit billings for reimbursement of Costs as soon as practicable. 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 performance of the referenced contract, and have not previously been billed or paid. The LACMTA shall reimburse the City for each submitted billing within sixty (60) Days of receipt.

City shall be reimbursed for all Costs incurred in developing and executing this Agreement and Consultant(s) contracts within sixty (60) Days of the date of this Agreement. City shall be reimbursed for all Costs incurred for work related to preparing and implementing the annual work plans within sixty (60) Days of the approval of the annual work plan by both the LACMTA and the City.

ATTACHMENT B

CONTRACT PRICING PROPOSAL (Professional Services)		LACMTA "FORM 60"	PAGE	
Name of Proposer: City of Beverly Hills		Service to be Furnished Reimbursable services for the City and City Consultants		
Home Office Address 455 N. Rexford Dr. Beverly Hills, CA 90210				
Project/Location(s) Where Work is to be Performed La Cienega Station City of Beverly Hills		Total Amount of Proposal \$4,859,611	Contract No. C1045	
DETAILED DESCRIPTION OF COST ELEMENTS				
	Est. Hours	Rate/ Hour	Est. Cost(\$)	Total Est. Cost
1a. Direct Labor (Specify)				
City Staff (Exhibit 1)	21,579	Various	1,971,696	\$ 1,971,696
1b. Overtime				
Total Direct Labor				\$ 1,971,696
2. Labor Overhead	O.H. (%)	x Base=	Est. Cost(\$)	
	54.50%	1,971,696	1,074,574	
Total Labor Overhead				\$ 1,074,574
3. Travel*			Est. Cost(\$)	
a. Transportation				
b. Per Diem or Subsistence				
Total Travel				\$ -
4. Subcontractors/Subconsultants **			Est. Cost(\$)	
Cordoba Corporation			\$ 1,111,415	
Richards Watson Gershon (City Attorney)			\$ 67,560	
Independent Compliance Monitor (Est.)			\$ 380,000	
BHFD Added Local Emergency Response			\$ 67,280	
Emergency repairs (material and outside vendors)			\$ 100,000	
Total Subcontractors				\$ 1,726,256
Fee on Subcontractors				
5. Other Direct Costs *				\$ 87,085
6. General & Admin. Expenses				
TOTAL ESTIMATED COST				\$ 4,859,611
7. Fee				
TOTAL ESTIMATED COST AND FEE				\$ 4,859,611
* Itemize on "Form 60" - Continuation Page				
** Attach LACMTA "Form 60" for all proposed subcontractors/subconsultants				

EXHIBIT 1
Direct Labor (City Staff Support Services)

DEPARTMENT	TOTAL
ASD-BUDGET/CUSTOMER SERVICE/US	\$ 871.85
ASD-FINANCE/ACCOUNTING/PAYROLL	\$ 56.16
ASD-RISK MANAGEMENT	\$ 782.56
CD-BUILDING & SAFETY	\$ 21,021.93
CD-PLANNING	\$ 13,178.07
CD-TRANSPORTATION	\$ 36,770.88
COMM SVCS-LIBRARY	\$ 2,023.92
COMMUNITY SERVICES	\$ 9,550.59
FIRE DEPARTMENT	\$ 457,618.03
POLICE DEPARTMENT	\$ 821,888.34
POLICY AND MANAGEMENT	\$ 188,965.08
PUBLIC WORKS SERVICES DEPT	\$ 228,446.27
CAPITAL ASSET DEPARTMENT	\$ 190,522.34
TOTAL:	\$ 1,971,696.02



Board Report

File #: 2016-0727, File Type: Contract

Agenda Number: 19.

CONSTRUCTION COMMITTEE NOVEMBER 17, 2016

SUBJECT: CONSTRUCTION MANAGEMENT FOR RAIL FACILITIES CAPITAL PROGRAM

ACTION: AWARD AND EXECUTE CONTRACT FOR CONSTRUCTION MANAGEMENT SUPPORT SERVICES

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to award a three-year cost-plus fixed fee Contract No. PS601830026445 for **Construction Management Support Services for Metro Rail Projects with Destination Enterprises, Inc.** in the amount not to exceed \$3,000,000, inclusive of two one-year options, subject to resolution of protest(s) if any. Destination Enterprises, Inc. is a certified SBE with Metro.

ISSUE

The Los Angeles County Metropolitan Transportation Authority (Metro) requires professional services from a qualified Construction Management Support Services (CMSS) firm to support the design review, construction management, and administration of the construction contracts for various Metro Rail projects to ensure compliance with contract requirements and government regulations.

DISCUSSION

On April 8, 2016, requests for proposals were issued for CMSS services to assist Metro in managing the construction of Rail Facilities Capital Projects. The CMSS Contract is a cost-plus fixed fee contract for a term of three (3) years with two one-year options. If Metro decides to exercise the additional option years in the CMSS contract, rates for the option years will be negotiated prior to the end of the base contract period. Option 1 will be to extend the CMSS services and option 2 will be for contract closeout. This contract was procured as a Small Business Enterprise Set- Aside.

Since the CMSS contract is a cost-plus fixed fee contract, consultant services will be performed using Annual Work Plans (AWP). Each AWP will include negotiated direct labor, overhead rates, general and administrative expenses, fee, and negotiated hours for the level of effort to match the work. The AWP's will be funded from the existing project budgets and take into consideration all information available at the time of planning plus applicable time constraints on the performance of the work.

Metro shall ensure that strict project controls are in place prior to approving each AWP to closely monitor the Consultant's budget and AWP schedules. No funds will be obligated until the AWP is approved against each particular capital project.

The primary role of the CMSS is to provide highly skilled and qualified individuals to assist Metro with Construction Management but also includes other tasks such as the administration of construction contracts. The CMSS staff will be part of a fully integrated Construction Management team working with Metro in the project and field offices.

The CMSS contract will provide some or all of the services for current rail projects, future rail projects and other rail-related capital projects, but not limited to the following listed projects:

204072 Metro Blue Line Artwork Renovations
204083 LRT Stations Sound Enclosures
204089 Bicycle Lockers & Racks for Metro Rail Stations
204090 Bicycle Access Improvements - Rail
204094 Division 21 Midway Yard Improvements
204117 System Wide Elevator Installations
204119 PGL South Pasadena Station Northbound Platform ADA Ramp
204120 Universal City Station North Entrance Knock-out Panel
205055 MGL Emergency Trip System
205056 MGL Negative Ground Devices
205070 Fiber Optic Main Loop Upgrade
205073 Metro Blue Line Yard Signal System
205088 Long Beach Bank Upgrade Phase II
205092 System Wide Corrosion Protection System Replacement
205093 Metro Blue Line Rail Replacement and Booting
205103 Platform Track Intrusion Detection System
205104 Metro Blue Line Pedestrian Safety Enhancement at Grade Crossing
211002 Metro Blue Line Overhead Catenary System Rehabilitation
211005 Metro Blue Line Signal System Rehabilitation
460090 Bob Hope/Hollywood Way Metro Link Station

Staff estimates that the CMSS for the Metro Rail Projects will be required beginning approximately in the Fall of 2016, immediately after award of the contract.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an adverse impact on safety standards for Metro.

FINANCIAL IMPACT

The funding for this contract is included in cost center 8510, Construction Procurement, under various Rail Facility Capital project numbers. AWP's under this contract will be funded within the life-of-project (LOP) budgets for each individual capital project. As such, approval of this action will not

increase the LOP budgets of any individual capital projects. Since this is a multi-year contract, respective project managers, the Cost Center Manager and Chief Program Management Officer will be accountable for budgeting the contract cost in future years, including any options exercised.

Impact to Budget

The funding for this action comes from various approved Rail Facility Capital Project budgets, which are funded by various sources including Federal 5307, TDA 4, Proposition A and Proposition C. The funds have been specifically set aside for these uses as part of the Capital Program. Approval of this action will not impact the bus and rail operating budget.

ALTERNATIVES CONSIDERED

The Board may reject the recommendation. Staff does not recommend this alternative, as rejection will require an extensive hiring effort to provide permanent staff to fill the required positions, several of which anticipated to be temporary. This would not be cost effective and could cause delays, since many of the CMSS staff are only required on a periodic basis for peak workloads and specific tasks over the life of the project.

NEXT STEPS

After Board approval of this CMSS Contract, the Contracting Officer will award the contract in accordance with Metro Procurement Policies and Procedures.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared by:

James Gleig, Deputy Executive Officer, Construction Management, (213) 922-7453
Timothy P. Lindholm, Executive Officer, Capital Projects, (213) 922-7297

Reviewed by:

Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051
Richard Clarke, Chief Program Management Officer (213) 922-7447



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

CONSTRUCTION MANAGEMENT FOR RAIL FACILITIES CAPITAL PROGRAM/
PS601800026445

1.	Contract Number: PS601830026445	
2.	Recommended Vendor: Destination Enterprises	
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: April 8, 2016	
	B. Advertised/Publicized: April 8, 2016	
	C. Pre-proposal/Pre-Bid Conference: April 18, 2016	
	D. Proposals/Bids Due: May 12, 2016	
	E. Pre-Qualification Completed: September 6, 2016	
	F. Conflict of Interest Form Submitted to Ethics: October 18, 2016	
	G. Protest Period End Date: Fifteen Calendar Days after Notification of Intent to Award	
5.	Solicitations Picked up/Downloaded: 132	Bids/Proposals Received: 11
6.	Contract Administrator: Josie Mellen	Telephone Number: 213-922-1105
7.	Project Manager: James Gleig	Telephone Number: 213-922-7453

A. Procurement Background

This Board Action is to approve Contract No.: PS601830026445 issued in support of. Contract Management Services (CMSS) related to Rail projects. The scope of the contract is to support design reviews, construction management and administration to ensure the construction of various projects are administered and completed in compliance with contract requirements and government regulations. Board approval of contract awards are subject to resolution of all properly submitted protests.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a cost plus fixed fee. One amendment was issued during the solicitation phase of the RFP:

- Amendment No. 1, issued on April 22, 2016 which extended the proposal due date and sent out the pre-proposal documents.

A total of eleven proposals were received on May 12, 2016. The procurement was designated as a Small Business Prime set-aside solicitation, meeting the threshold requirements for Metro's certified SBE vendor registration program. Each of the firms were Metro certified in one or more of the following North American Industry Classification System (NAICS) codes: 236220, 541330, 541618 or 541618. Metro held a pre-proposal conference on April 18, 2016, in the Gateway conference room on the third floor of the Gateway Building. There were seventy-seven firms that signed in at the pre-proposal conference. One hundred thirty-two registered plan

holders downloaded the RFP package. The Questions and Answers were emailed to all Planholders on May 4, 2016.

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff members from Metro's Construction Management and Facilities Engineering Operations departments was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- EXPERIENCE & CAPABILITIES OF FIRMS ON THE CMSS' TEAM 20%
- STAFF SKILLS AND EXPERIENCE 50 %
- MANAGEMENT PLAN AND CONTROL 30%

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architect and Engineers (A&E) solicitations. Several factors were considered when developing these weights, giving the greatest importance to the staffing.

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

On August 9, 2016, the scoring of the written proposals was completed, and resulted in three proposers with-in the competitive range. The three firms within the competitive range are listed below in alphabetical order:

1. Destination
2. Ramos
3. Safe Work

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

The PET invited the three proposers to oral presentations on August 26, 2016. Each of the firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. Each team was asked questions relative to each firm's proposed alternatives and previous experience.

The final scoring included evaluation of written proposals supported by oral presentations from the proposers' proposed key personnel.

Qualifications Summary of Recommended Firm:

The evaluation performed by the PET, in accordance with RFP defined criteria, determined Destination as the most qualified firm to provide Construction Management Support Service. After the PET recommendation was approved by the EO, V/CM. Destination’s cost proposal was opened; a cost analysis was performed along with a request for an audit, and negotiations.

Destination provides relevant rail experience working on METRO projects such as Regional Connector, Division 14 facility (EXPO Light Rail Phase II), and Division 9. Relevant report samples were submitted such as CM monthly construction progress report, safety plan and the management plan. A detailed presentation of the project status of the proposed 32 projects with staffing projections was submitted which demonstrated a clear understanding of the proposed project’s scope of work.

Destination demonstrated they are well-skilled in providing the scope of services at the level required by this contract, and has the capabilities to provide staffing for task order assignments that may be issued under this contract. Therefore, the PET recommends Destination as the most qualified firm according to the evaluation criteria.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Destination				
3	Experience and Capabilities of Firms of the CMSS Team	82.50	20.00%	16.50	
4	Staff Skills and Experience	77.00	50.00%	38.86	
5	Management Plan and Control	80.00	30.00%	24.00	
6	Total		100.00%	79.36	1
7	Ramos				
8	Experience and Capabilities of Firms of the CMSS Team	84.50	20.00%	16.90	
9	Staff Skills and Experience	78.30	50.00%	39.16	
10	Management Plan and Control	59.70	30.00%	17.93	
11	Total		100.00%	74.00	2
12	Safe Work				
13	Experience and Capabilities of Firms of the CMSS Team	77.5	20.00%	15.5	
14	Staff Skills and Experience	70.00	50.00%	35.03	
15	Management Plan and Control	58.10	30.00%	17.43	
16	Total		100.00%	67.96	3

C. Cost/Price Analysis

The cost analysis included verification of the certified payroll records of each proposed direct labor classification, and examination of labor rates on a previous contract No. PS 100800-2642, Metro Rail Facilities Construction Management Consultant. Metro has negotiated fixed billing rates for direct labor and provisional overhead rates. The pricing for each Task Order will use the Contract defined fixed direct labor rates, provisional overhead rates plus the negotiated fixed fee factor to establish a lump sum price, a cost-plus-fixed-fee amount.

An audit request will be submitted to Metro Management Audit Services (MASD) to perform an audit of the provisional overhead rates. In order to prevent any unnecessary delay in contract award, provisional rates have been established subject to retroactive adjustments. In accordance with FTA Circular 4220.1.F, if an audit has been performed by any other cognizant Federal or State government agency within the last twelve month period, Metro will receive and accept that audit report for the above purposes rather than perform another audit.

A fair and reasonable price for all future Task Orders will be determined based upon a cost analysis, technical evaluation, fact finding, and negotiations, before issuing work to the Consultant.

Proposer Name	Proposal Amount	Metro ICE	Negotiated or NTE amount
Destination Enterprises			
FY 17 – FY19	\$5,632,671 ⁽³⁾	\$2,985,035 ⁽²⁾	\$3,000,000 ⁽¹⁾
Total Contract	\$3,000,000 ⁽³⁾	\$2,985,035	N/A

(1) The amount of \$3,000,000 is the negotiated amount for the 36-month period of FY17 through FY19. Future work will be funded on an annual basis.

(2) Metro's ICE is for the period FY17 through FY19

(3) Proposal amount includes Scope of Services not yet identified.

D. Background on Recommended Contractor

The recommended firm, Destination Enterprises, located in Culver City, California, has been in business for eleven years and is a leader in the construction management field. Destination has provided construction management services for several Metro owned transit operations and maintenance facilities of similar size, scope and cost. This includes Division 14 Operations & Maintenance facility for the Expo Light Rail. The Project Manager along with the proposed key personnel presented a thorough understanding of Metro's scope of work and requirements. This team would be able to start immediately and efficiently without much of a learning curve.

**CONSTRUCTION MANAGEMENT SUPPORT SERVICES – RAIL PROJECTS
CONTRACT PS601800026445**

A. Small Business Participation

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

Destination Enterprises, an SBE Prime, has committed to perform 56% of the work with its own workforce. The prime listed two (2) major firms, Arcadis US, Inc., and Capital, GCS as non-SBE subcontractors on this project.

	SBE Firm Name	NAICS	SBE % Committed
1.	Destination Enterprises	236220 - Commercial & Institutional Building Construction (Construction Management)	56%
	Total Commitment:		56%

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). 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.



Board Report

File #: 2016-0829, File Type: Contract

Agenda Number: 21.

CONSTRUCTION COMMITTEE NOVEMBER 17, 2016

SUBJECT: WESTSIDE PURPLE LINE EXTENSION PROJECT - SECTION 1

ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE AN ANNUAL PLAN

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to execute an **annual work plan for Fiscal Year 2017 with the City of Beverly Hills, in an amount not-to-exceed \$1,003,442, for the Westside Purple Line Extension Project - Section 1.**

ISSUE

In October 2014, the Board authorized the CEO to execute the Memorandum of Agreement (MOA) in the form that had been approved by the Beverly Hills City Council for the advanced utility relocations construction phase to accommodate the future construction of the Wilshire/La Cienega Station. The annual work plan, a process identified within the Board approved MOA, serves as a commitment from Metro for the reimbursement of services to be provided by the City of Beverly Hills.

DISCUSSION

This action will provide funding for the City of Beverly Hills continued participation in the Project. A description of the services being provided and the identification of each of the respective City departments, as well as an overall breakout of costs have been included within Attachment A. Overall, the work includes review of plans and construction activities as they relate to City streets, facilities and services.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funds are included in the FY17 budget under Project 865518 Westside Purple Line Extension Project - Section 1, in Cost Center 8510 (Construction Project Management), and Account No. 50316 (Professional and Technical Services). Since this is a multi-year project, the Chief Program Management Officer and the Project Manager will be responsible for budgeting costs in future years.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts, Measure R 35% and TIFIA Loan Proceeds. The approved FY17 budget is designated for the Westside Purple Line Extension Project - Section 1 and does not have an impact to operations funding sources. These funds were assumed in the Long Range Transportation Plan for the Westside Purple Line Extension Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may choose not to approve this action. This is not recommended because without an annual work plan, the City of Beverly Hills will have no funding sources to support the Project and it would have the potential to delay the Project.

NEXT STEPS

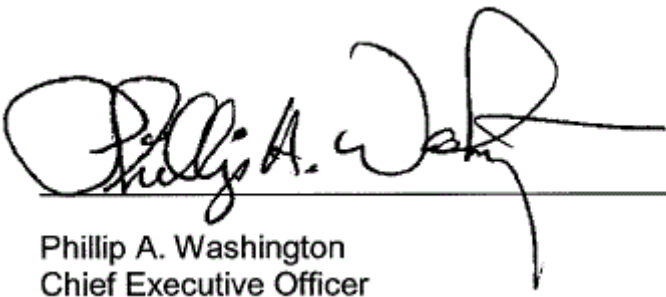
Upon Board approval and execution of the annual work plan, Metro staff will issue the applicable work orders to the City of Beverly Hills.

ATTACHMENTS

Attachment A - FY17 Annual Work Plan for the City of Beverly Hills

Prepared by: Eduardo Cervantes, Senior Director (213) 922-7255
James Cohen, Deputy Executive Officer (323) 900-2114

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



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

CONTRACT PRICING PROPOSAL (Professional Services)		LACMTA "FORM 60"	PAGE	
Name of Proposer: City of Beverly Hills		Service to be Furnished		
Home Office Address 455 N. Rexford Dr. Beverly Hills, CA 90210		Reimbursable services for the City and City Consultants per Article XI of the approved MOA between LACMTA and City of Beverly Hills		
Project/Location(s) Where Work is to be Performed Advanced Utility Relocation City of Beverly Hills		Total Amount of Proposal \$1,003,442	Contract No. C1056	
DETAILED DESCRIPTION OF COST ELEMENTS				
	Est. Hours	Rate/ Hour	Est. Cost(\$)	Total Est. Cost
1a. Direct Labor (Specify)				
City Staff (Exhibit 1)	3,198	Various	310,253	\$ 310,253
1b. Overtime				
Total Direct Labor				\$ 310,253
2. Labor Overhead	O.H. (%)	x Base=	Est. Cost(\$)	
	54.50%	310,253	169,088	
Total Labor Overhead				\$ 169,088
3. Travel*			Est. Cost(\$)	
a. Transportation				
b. Per Diem or Subsistence				
Total Travel				\$ -
4. Subcontractors/Subconsultants **			Est. Cost(\$)	
Cordoba Corporation			\$ 244,100	
Richards Watson Gershon (City Attorney)			\$ 11,260	
Environmental Science Associates			\$ 208,361	
Emergency repairs (material and outside vendors)			\$ 30,000	
Total Subcontractors				\$ 493,721
Fee on Subcontractors				
5. Other Direct Costs *				\$ 30,380
6. General & Admin. Expenses				
TOTAL ESTIMATED COST				\$ 1,003,442
7. Fee				
TOTAL ESTIMATED COST AND FEE				\$ 1,003,442
* Itemize on "Form 60" - Continuation Page				
** Attach LACMTA "Form 60" for all proposed subcontractors/subconsultants				

ATTACHMENT A

CONTRACT PRICING PROPOSAL (Professional Services) <i>Continuation Page</i>		LACMTA "FORM 60"	PAGE
SUPPORTING SCHEDULE			
ITEM NO.	ITEM DESCRIPTION	Est. Cost (\$)	Total Est. Cost (\$)
Travel:			
Other Direct Costs:			
	Lost parking Revenue	\$ 30,380	
		TOTAL	\$ 30,380
Type name and title:		Signature:	
Name of firm:		Date signed:	

EXHIBIT 1
Direct Labor (City Staff Support Services)

DEPARTMENT	TOTAL
ASD-BUDGET/CUSTOMER SERVICE/US	\$ 871.85
ASD-FINANCE/ACCOUNTING/PAYROLL	\$ 56.16
ASD-RISK MANAGEMENT	\$ 782.56
CD-BUILDING & SAFETY	\$ 3,892.85
CD-PLANNING	\$ 7,814.96
CD-TRANSPORTATION	\$ 10,839.78
COMM SVCS-LIBRARY	\$ 2,023.92
COMMUNITY SERVICES	\$ 4,240.72
FIRE DEPARTMENT	\$ 23,529.29
POLICE DEPARTMENT	\$ 61,295.19
POLICY AND MANAGEMENT	\$ 39,083.51
PUBLIC WORKS SERVICES DEPT	\$ 80,426.29
CAPITAL ASSET DEPARTMENT	\$ 75,395.83
TOTAL:	\$ 310,252.91



Board Report

File #: 2016-0830, **File Type:** Contract

Agenda Number: 22.

**CONSTRUCTION COMMITTEE
NOVEMBER 17, 2016**

SUBJECT: WESTSIDE PURPLE LINE EXTENSION PROJECT - SECTION 2

ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE AN ANNUAL WORK PLAN

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to execute an **annual work plan for Fiscal Year 2017 with the City of Beverly Hills, in an amount not-to-exceed \$3,599,718, for the Westside Purple Line Extension Project - Section 2.**

ISSUE

In September 2016, the Board authorized the CEO to execute the Preliminary Engineering Reimbursement Agreement (PERA) in the form that had been approved by the Beverly Hills City Council for preliminary engineering and the advanced utility relocations construction phase to accommodate the future construction of the Wilshire/Rodeo Station. The annual work plan, a process identified within the Board approved PERA, serves as a commitment from Metro for the reimbursement of services to be provided by the City of Beverly Hills.

DISCUSSION

This action will provide funding for the City of Beverly Hills continued participation in the Project. A description of the services being provided and the identification of each of the respective City departments, as well as an overall breakout of costs have been included within Attachment A. The work includes design reviews and oversight of any construction impacting the City's streets, facilities and services by various departments within the City.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

Funds are included in the FY17 budget under Project 865522 Westside Purple Line Extension Project - Section 2, in Cost Center 8510 (Construction Project Management), and Account No. 50316 (Professional and Technical Services). Since this is a multi-year project, the Chief Program Management Officer and the Project Manager will be responsible for budgeting costs in future years.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts, CMAQ, Measure R 35% and TIFIA Loan Proceeds. The approved FY17 budget is designated for the Westside Purple Line Extension Project - Section 2 and does not have an impact to operations funding sources. These funds were assumed in the Long Range Transportation Plan for the Westside Purple Line Extension Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may choose not to approve this action. This is not recommended because without an annual work plan, the City of Beverly Hills will have no funding sources to support the Project and it would have the potential to delay the Project.

NEXT STEPS

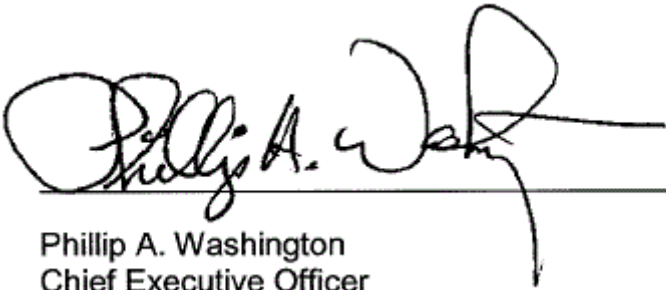
Upon Board approval and execution of the annual work plan, Metro staff will issue the applicable work orders to the City of Beverly Hills.

ATTACHMENTS

Attachment A - FY17 Annual Work Plan for the City of Beverly Hills

Prepared by: Eduardo Cervantes, Senior Director (213) 922-7255
Michael McKenna, Deputy Executive Officer (213) 312-3132

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



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

CONTRACT PRICING PROPOSAL (Professional Services)		LACMTA "FORM 60"	PAGE	
Name of Proposer: City of Beverly Hills		Service to be Furnished Reimbursable services for the City and City Consultants		
Home Office Address 455 N. Rexford Dr. Beverly Hills, CA 90210				
Project/Location(s) Where Work is to be Performed Wilshire/Rodeo Station City of Beverly Hills		Total Amount of Proposal \$3,599,717	Contract No. C1120	
DETAILED DESCRIPTION OF COST ELEMENTS				
	Est. Hours	Rate/ Hour	Est. Cost(\$)	Total Est. Cost
1a. Direct Labor (Specify)				
City Staff (Exhibit 1)	18,217	Various	1,361,168	\$ 1,361,168
1b. Overtime				
Total Direct Labor				\$ 1,361,168
2. Labor Overhead	O.H. (%)	x Base=	Est. Cost(\$)	
	54.50%	1,361,168	741,836	
Total Labor Overhead				\$ 741,836
3. Travel*			Est. Cost(\$)	
a. Transportation				
b. Per Diem or Subsistence				
Total Travel				\$ -
4. Subcontractors/Subconsultants **			Est. Cost(\$)	
Cordoba Corporation			\$ 761,494	
Richards Watson Gershon (City Attorney)			\$ 146,380	
Independent Compliance Monitor (Est.)			\$ 456,000	
Emergency repairs (material and outside vendors)			\$ 50,000	
Total Subcontractors				\$ 1,413,874
Fee on Subcontractors				
5. Other Direct Costs *				\$ 82,840
6. General & Admin. Expenses				
TOTAL ESTIMATED COST				\$ 3,599,718
7. Fee				
TOTAL ESTIMATED COST AND FEE				\$ 3,599,718
* Itemize on "Form 60" - Continuation Page				
** Attach LACMTA "Form 60" for all proposed subcontractors/subconsultants				

ATTACHMENT A

CONTRACT PRICING PROPOSAL (Professional Services) <i>Continuation Page</i>		LACMTA "FORM 60"	PAGE
SUPPORTING SCHEDULE			
ITEM NO.	ITEM DESCRIPTION	Est. Cost (\$)	Total Est. Cost (\$)
Travel:	Parking	\$ 1,000	
Other Direct Costs:			
	Lost Parking Revenue	\$ 75,840	
	Community Outreach meetings	\$ 6,000	
		TOTAL	\$ 82,840
Type name and title:		Signature:	
Name of firm:		Date signed:	

EXHIBIT 1**Direct Labor (City Staff Support Services)**

DEPARTMENT			TOTAL
ASD-BUDGET/CUSTOMER SERVICE/UB			\$ 871.85
ASD-FINANCE/ACCOUNTING/PAYROLL			\$ 56.16
ASD-RISK MANAGEMENT			\$ 782.56
CD-BUILDING & SAFETY			\$ 25,383.74
CD-PLANNING			\$ 13,178.31
CD-TRANSPORTATION			\$ 35,546.75
COMM SVCS-LIBRARY			\$ 2,023.92
COMMUNITY SERVICES			\$ 11,320.54
FIRE DEPARTMENT			\$ 79,807.92
POLICE DEPARTMENT			\$ 670,324.07
POLICY AND MANAGEMENT			\$ 160,611.13
PUBLIC WORKS SERVICES DEPT			\$ 171,152.50
CAPITAL ASSET DEPARTMENT			\$ 190,108.16
Total:			
TOTAL:			\$ 1,361,167.61



Board Report

File #: 2016-0859, **File Type:** Program

Agenda Number: 37.

EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 17, 2016

SUBJECT: COMMUNITY COLLEGE STUDENT TRANSIT PASS PILOT PROGRAM - MOTION 49.1

ACTION: APPROVE TITLE VI ANALYSIS AND UNIT REDUCTION AND ADD A 12-MONTH TRANSITIONAL PASS TO THE TWO YEAR UNIVERSAL COLLEGE STUDENT TRANSIT PASS (U-Pass) PILOT PROGRAM ENDING SUMMER 2018

RECOMMENDATION

CONSIDER:

- A. APPROVING the **unit reduction for undergraduate students from 8 units to 6 units beginning Spring 2017;**
- B. CREATING a **reduced fare Transitional Pass to U-Pass participants for 12 months after graduation;** and
- C. APPROVING the Title VI Analysis required by Civil Rights department.

ISSUE

As part of an ongoing effort to pursue strategies to increase student transit ridership, motion 49.1 requested an assessment of the feasibility of piloting a Universal Community College Student Transit Pass Program (See Attachment A).

Currently, there are more than 1.4 million public college students in Los Angeles County, and only 14,000 (1%) are actively participating in Metro's reduced fare college pass programs, the College/Vocational (C/V) Pass and Institutional Transit Access Pass (I-TAP) programs. In addition, the C/V and I-TAP programs are only offered to full-time students who represent only 30% of public school students in Los Angeles County, while the remaining 70% of students are considered part-time and are not eligible for these programs. Lastly, Metro's systemwide average fare per boarding (FPB) is \$0.75 while the I-TAP group rate pricing is only generating \$.29 per boarding. The I-TAP group rate pricing model is no longer revenue neutral to Metro. Under their current configuration, these programs are not reaching a large enough percentage of the student population to encourage ridership growth.

Riding transit is an important life skill that should be learned at a young age. Many adults who have not previously ridden transit are intimidated by learning new routes and afraid of getting lost on an unfamiliar system. Broadening the use of transit at the college level will teach this skill and create riders for life because users will understand the system.

DISCUSSION

Full-time undergraduate and graduate students in Los Angeles County are eligible for a reduced fare College/Vocational 30-day pass that is offered at \$43 per month, a 57% discount from the regular Metro 30-day pass which is \$100 per month. In order to be eligible for the C/V pass, undergraduate students must be enrolled in a minimum of 12 units or 12 hours of in-classroom study per week for a minimum of 3 consecutive months. Graduate students must be enrolled in a minimum of 8 units of in-classroom study per week for a minimum of 3 consecutive months. Students can purchase the reduced fare TAP card directly from Metro and load it at Ticket Vending Machines (TVMs), customer centers, vendor outlets, or online.

In 2003 the Board adopted the I-TAP program. This program was designed to increase student ridership, while keeping the program revenue neutral for Metro. The I-TAP program allows schools to purchase passes directly from Metro on a semester or quarterly basis. There were four (4) schools participating in the I-TAP program in 2016 - Pasadena City College, Rio Hondo College, University of California Los Angeles (UCLA) and University of Southern California (USC - graduate students only).

In May 2016, the Board adopted the Universal College Student Transit Pass (U-Pass) Pilot Program. This program was designed to partner with schools to utilize technology and improve accessibility to reduced fares to increase student ridership, while keeping costs low for students. Students of participating schools can purchase semester passes online or on campus. They receive a sticker with an embedded TAP chip, which turns their student ID into a TAP card that can be renewed each semester. Schools partner with Metro in co-branded marketing and collect payments from students to fund the program. At the end of the semester, the schools are only billed for actual rides taken by students at the reduced rate of \$0.75 per boarding and the maximum charge is capped at \$43 per student per month to match the existing C/V program.

Fall 2016 Participation

For Fall 2016, six (6) schools participated in the U-Pass Pilot Program:

- California Institute of Technology (CalTech)
- California State University, Northridge (CSUN)
- Los Angeles Trade Technical College (LATTC)
- Pasadena City College (PCC - Transition from ITAP)
- Rio Hondo College (Rio - Transition from ITAP)
- Santa Monica College (SMC) - Test Group

Previously, there were 7,402 I-TAP participants. As of October 17, 2016, there were 8,367 participants in the U-Pass and I-TAP programs combined, which is an increase of 965 participants or 13% (see chart below). In the first 8 weeks of the program, there were 474,959 boardings in the

combined programs.

I-TAP and U-Pass Participants

School	ITAP (Fall 2015)	ITAP and U-Pass (Fall 2016)
PCC	3,724	2,119
Rio Hondo	1,198	1,868
UCLA (12-Units or More)	1,194	1,194
USC (Graduate Students)	1,286	1,286 (Fall 2015)
CSUN	0	1,647 (Fall 2015)
LATTC	0	182
CalTech	0	1
SMC	0	70
Totals	7,402	8,367

Success of the program has been largely due to schools subsidizing passes, Metro’s presence on participating campuses, co-branded marketing, and ease of purchasing passes.

Title VI

All U-Pass participants were required to complete a demographic survey. The data from this survey shows that 93% of the participants are ethnic and 75% of the participants are at or below the poverty level in Los Angeles County based on the regional cost of living. The percentage of minorities for Metro’s service area is 77% and the percentage of low-income individuals in the service area is 15.9%. Therefore, the U-Pass fare reduction does not create a disparate impact or disproportionate burden because the benefit falls on a population that is more minority and low-income than the overall service area (See Attachment B).

Reducing the Minimum Unit Requirement

In the initial External Task Force meetings, many of the schools requested that the minimum units required to obtain a reduced fare pass be significantly reduced, or even eliminated.

The U-Pass Pilot Program initially reduced the units required to participate from 12 to 8 units for undergraduate students and from 8 to 6 units for graduate students. In the May 2016 Board Report, staff committed to reporting back on the financial impact of this change within the first six months of the program with analysis on whether or not this requirement should be reduced further. The financial impact of reducing the unit requirement from 8 units to 6 units cannot be determined until it has been implemented in Spring 2017. However, preliminary data for Fall 2016 showed that 71% of the U-Pass participants were full-time students carrying 12 or more units. Only 2,207 or 29% of the participants were part-time students carrying 8-11 units. Of the part-time participants who responded to the survey, 74 students (3.35%) were formerly Metro 30-Day or EZ Monthly pass holders, 570

were new Metro riders, and 654 riders were part-time riders paying cash fares who have now converted to pass holders. While it is difficult to determine the financial impact, this data indicates that allowing part-time students to participate resulted in a net ridership gain. Therefore, staff recommends reducing the unit threshold for undergraduate students from 8 units to 6 units beginning in Spring 2017 to further increase student participation and ridership (See Attachment C).

Transitional Pass Program

Staff recommends creating a reduced fare Transitional Pass available at \$43 per month to U-Pass participants for 12-months after graduation. Once approved, MCS staff will work with TAP Operations to establish the policies and procedures for implementing and managing the program.

Regional U-Pass

Several of the current and future U-Pass and I-TAP schools have agreements with multiple transit agencies to provide service, which is accessed on a single fare instrument. Although the schools pay each transit provider separately, all passes are loaded onto a single TAP sticker or card. U-Pass schools with multiple existing agreements, or in current discussions for multiple agreements, are:

- Rio - Metro, Foothill Transit, Montebello Bus, Norwalk Transit, El Monte Transit, and LA County El Sol
- University of California, Los Angeles (UCLA) - Metro, Santa Monica Big Blue Bus (BBB), Culver CityBus
- El Camino College (ECC) - Metro, Torrance Transit, Gardena Transit (G-Trans)
- Cerritos College - Metro, Norwalk Transit, Long Beach Transit
- California State University, Los Angeles (CSULA) - Metro, Foothill Transit
- CalTech - Metro, Pasadena Transit
- PCC - Metro, Pasadena Transit
- Santa Monica College (SMC) - Metro, BBB

Many other municipal providers have also expressed interest in joining the U-Pass Program. It would benefit students and transit agencies to have one Regional U-Pass that is valid on all Regional Pass participating agencies. Staff recommends moving forward on creating this pass, which will require the agreement of all participating municipal operators.

Spring Semester Participation

For Spring 2017 implementation, MCS staff is in negotiations with the following schools:

- CSULA
- Cerritos College
- East L.A. College (ELAC)
- El Camino College (ECC)
- LA Mission College
- Pierce College
- SMC - Full Implementation

- University of Southern California (USC - Graduate Students)
- UCLA - Transition from ITAP

DETERMINATION OF SAFETY IMPACT

This program does not affect the incidence of injuries or healthful conditions for patrons or employees. Therefore, approval of this request will have no impact on safety.

FINANCIAL IMPACT

The financial impact of reducing the unit requirement for undergraduates from 8 units to 6 units cannot be determined until Spring 2017 semester has been completed. However, in Fall 2016, the reduction of the undergraduate unit requirement from 12 units to 8 units resulted in a 29% increase in student participation. Therefore, staff recommends decreasing the requirement to 6 units to allow additional part-time students to enroll in the program.

Impact to Budget

The funding source for the MCS programs is Enterprise Fund operating revenues including sales tax and fares. The source of funds for this action, operating revenues, is eligible to fund bus and rail operating and capital expenditures.

The expansion of the U-Pass program may warrant an evaluation of the staffing in the mid-year FY 17-18 budget process.

ALTERNATIVES CONSIDERED

1. Due to the lack of widespread usage, difficulty of administration, and the loss of revenue, staff does not recommend continuing the I-TAP program during the U-Pass Pilot Program. The USC graduate student program will be converting to U-Pass in Spring of 2017. UCLA is currently in negotiations. All current I-TAP schools will be converted to U-Pass.
2. Metro will continue to offer the regular monthly College/Vocational Pass for students at schools not participating in the U-Pass pilot program.

NEXT STEPS

1. Continue to communicate details of U-Pass Pilot Program with all 77 schools in L.A. County and target 10 or more schools to participate in the program.
2. Implement Transitional Pass Program
3. Begin discussions with Municipal agencies to create a countywide U-Pass.
4. Continue to seek additional funding to further reduce the cost of the program to schools and will work with schools to identify other sources of funding such as parking fees and/or fines, student association fees, and/or activity fees and/or referendums and as a means of subsidizing the program.
5. Continue to partner with schools to address transit service and service alignment issues.
6. As part of the midyear budget process for FY17, MCS will be requesting 3 FTE positions in

lieu of the Inland Transportation Services (ITS) vendor contact to assist with the growth of the U-Pass pilot program and the new 3-Month Promotional Employer Pass (PEP) program (See Attachment D).

Metro Commute Services (MCS), which includes the Annual Transit Access Pass (A-TAP), Business Transit Access Pass (B-TAP), the Youth On the Move (YOTM), Jury Pass Program, and the new 3- Month Promotional Employer Pass (PEP) programs, as well as the recently approved Universal College Pass (U-Pass) Pilot Program, conducted a cost benefit analysis of its current staff. The results indicate an annualized staffing cost of \$2.49 million, which consists of 15 staff member (see below).

Current Staffing	Total Annualized Cost	Staff Count
Program Support Vendor (ITS)	\$ 651,072.00	1
Metro FTE (Fully Burdened- Non Contract)	\$ 1,214,720.00	7
Metro TCU (Fully Burdened)	\$ 522,750.00	5
As Needed/ELTP	\$ 105,040.00	2
Total Annual Cost	\$ 2,493,582.00	15

MCS is tasked with growing ridership among college students in Los Angeles County through the U-Pass program, and assisting with increasing ridership along the new rail extensions and bus lines through the 3-Month PEP. MCS is requesting to add two (2) Sr. Account Executives to assist with marketing the programs and one (1) Administrative Analyst for Tap Operations to in assist in program administration. A cost benefit analysis was completed with the additional the 3 FTE positions (see below) and the result indicated a decrease of 10% to \$2.24 million from \$2.49 million in staffing costs, which is a \$243,000 savings for the agency (See Attachment E).

Recommended Staffing	Total Annualized Cost	Staff Count
Metro FTE (Fully Burdened- Non Contract)	\$ 1,621,841.00	10
Metro TCU (Fully Burdened)	\$ 522,750.00	5
As Needed/ELTP	\$ 105,040.00	2
Total Annual Cost	\$ 2,249,631.00	17

ATTACHMENTS

Attachment A - File #:2016-0333, Board Report on Approve Adoption of Universal College Student Transit Pass (U-Pass) Pilot in response to Motion 49.1

Attachment B - Title VI Data for U-Pass Pilot Program


Attachment C - U-Pass Participant Survey Analysis

Attachment D - Board Box on Promotional Employer Program (PEP)

Attachment E - Staffing Cost Analysis

Prepared by: Devon Deming, Dir. of Metro Commute Services, (213) 922-7957
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Glen Becerra, DEO Communications, (213) 922-5661

Reviewed by: Pauletta Tonilas, Chief Communications Officer, (213) 922-3777



Phillip A. Washington
Chief Executive Officer



Board Report

File #:2016-0333, File Type:Program

Agenda Number:

REGULAR BOARD MEETING MAY 26, 2016

**SUBJECT: COMMUNITY COLLEGE STUDENT TRANSIT PASS PILOT PROGRAM - MOTION
49.1**

**ACTION: APPROVE ADOPTION OF UNIVERSAL COLLEGE STUDENT TRANSIT PASS
(U-PASS) PILOT PROGRAM**

RECOMMENDATION

Adopt the Universal College Student Transit Pass (U-Pass) Pilot Program.

ISSUE

As part of an ongoing effort to pursue strategies to increase student transit ridership, motion 49.1 requested an assessment of the feasibility of piloting a Universal Community College Student Transit Pass Program.

Currently, there are more than 1.4 million public college students in Los Angeles County, and only 14,000 (1%) are actively participating in Metro's reduced fare college pass programs, the College/Vocational (C/V) Pass and Institutional Transit Access Pass (I-TAP) programs. In addition, the C/V and I-TAP programs are only offered to full-time students who represent only 30% of public students in Los Angeles County, while the remaining 70% of students are considered part-time and are not eligible for these programs. Lastly, Metro's systemwide average fare per boarding (FPB) is \$0.75 while the I-TAP group rate pricing is only generating \$.29 per boarding. As a result, the I-TAP group rate pricing model is no longer revenue neutral to Metro, and combined, these programs are not reaching a large enough percentage of the student population.

Riding transit is an important life skill that should be learned at a young age. Many adults who have not previously ridden transit are intimidated by learning new routes and afraid of getting lost on an unfamiliar system. Broadening the use of transit at the college level will teach this skill in conjunction with other learning and create riders for life because users will understand the system.

DISCUSSION

Full-time undergraduate and graduate students in Los Angeles County are eligible for a reduced fare College/Vocational 30-day pass that is offered at a \$43 per month, a 57% discount from the regular Metro 30-day pass which is \$100 per month. In order to be eligible for the C/V pass, undergraduate students must be enrolled in a minimum of 12 units or 12 hours of in-classroom study per week for a minimum of 3 consecutive months. Graduate students must be enrolled in a minimum of 8 units of in-classroom study per week for a minimum of 3 consecutive months. Students can purchase the reduced fare TAP card directly from Metro and load it at Ticket Vending Machines (TVMs), customer centers, vendor outlets, or online.

In 2003 the Board adopted the I-TAP program. This program was designed to increase student ridership, while keeping the program revenue neutral for Metro. The I-TAP program allows schools to purchase passes directly from Metro on a semester or quarterly basis. Currently, there are only four (4) colleges participating in the I-TAP program:

- UCLA and USC are enrolled in the retail pricing model. The retail pricing model is the regular price of \$43/month or \$9.92/week multiplied by the number of weeks in a semester. (The weekly rate has been corrected to \$10.03 moving forward to reflect the 30-day rate divided by 30 multiplied by seven days.)
- Pasadena City College and Rio Hondo College are enrolled in the group rate pricing model. The group rate pricing model is based on the total number of full-time students multiplied by the group rate multiplied by the number of weeks in a semester.

Ridership data indicates that the I-TAP group pricing model resulted in a substantial increase in transit ridership over a five (5) year period (2010 - 2014):

- PCC increased ridership from 11% to 41% of their full-students
- Rio Hondo increased ridership from 7% to 44% of their full-time students

This resulted in an average ridership increase of 7% per year. Additional Metro bus services were added to support this growth in ridership. However, the current I-TAP Program at PCC and Rio Hondo is no longer revenue neutral for Metro. The average fare collected for these programs is \$0.29 per boarding versus the system average of \$0.75. Currently, there are approximately 7,000 active I-TAP users and 16,400 active College/Vocational TAP cards, but on average only 6,800 C/V Monthly Passes are being loaded.

In addition, Metro has not been utilizing existing and new technologies efficiently to improve these programs. Currently, the I-TAP and C/V paper applications are processed and uploaded manually. C/V applications became available online in September 2015 and represent approximately 5% of the total applications received since then. In March 2016, staff added a web link to the online application from the College Programs page on Metro.net and online applications rose to 9%. Metro has been processing an average of 2,100 paper applications per month and also handling the verification of each individual student's units, which has caused a wait time of 4-6 weeks for students to receive their C/V TAP cards from the time of application. However, many students are registering for their classes online and colleges have the ability to electronically verify their enrollment. Online

registration could be modified to allow students to add transit participation along with their enrollment. New TAP chip technology also exists which would allow a sticker with an embedded computer chip and an RFID antenna to be applied directly to the student ID cards, replacing the need for photo ID C/V TAP Cards. Just like existing TAP cards, these chips have the ability to be loaded remotely, reducing the need for a student to physically go an office to reload or reactivate their cards once they have registered.

U-Pass Task Force Results

In November 2015, Metro Commute Services established two (2) U-Pass Task Force teams that included:

Internal Task Force (Metro):

- Office of Management and Budget (OMB)
- TAP Operation
- Office of Extraordinary Innovation

External Task Force:

- Los Angeles County colleges and universities including:
 - California Institute of Technology (CalTech)
 - California State University Dominguez Hills
 - California State University Long Beach (CSULB)
 - California State University Los Angeles (CSULA)
 - California State University Northridge (CSUN)
 - Cerritos Community College
 - Citrus College
 - LA Community College District (LACCD)
 - LAUSD Adult Vocational Programs (LAUSD)
 - Mount San Antonio College (Mt. SAC)
 - Pasadena City College (PCC)
 - Rio Hondo Community College
 - University of California at Los Angeles (UCLA)
 - University of Southern California (USC)
- Local municipal transit providers and organizations including:
 - Foothill Transit
 - Long Beach Transit
 - Los Angeles Department of Transportation (LADOT)
 - Move L.A.

In addition, an online survey was distributed to collect feedback from the colleges. The survey was anonymous to allow for the highest level of honest feedback and addressed issues such as satisfaction with existing Metro transit service, and cost and funding of student transit programs. Primary findings from the survey included:

- College transit programs are currently funded through pass sales, student fees, revenue from

-
- parking fines and fees, and associated student associations
 - 73% are very satisfied or satisfied with the transit service at their campus
 - 82% say not having enough parking is an issue on their campus
 - 64% do not believe they have adequate funding for the program
 - 30% feel that not including part-time students is limiting participation, and
 - 60% are willing to co-market a Universal Pass program on their campus with Metro support

As a result of the feedback from the, Internal and External Task Force teams and survey responses, the overall recommendations are as follows:

- Make passes more affordable for students
- Make passes more accessible for part-time students
- Make program easy to understand and administer

U-Pass Pilot Program

Upon Board approval, Metro Commute Services will implement a two-year U-Pass pilot program beginning in Fall 2016. U-Pass Pilot Program will:

1. Target at least 10 new schools to participate in the program.
2. Reduce the minimum units required under the pilot to 8 units or more per quarter/semester to allow more part-time students to participate in pilot program.
3. Transition to a pay per boarding model:
 - a. Charge an estimated boarding fee of \$0.75 per boarding, which is the cash-boarding equivalent of the 30-day College/Vocational pass. Payment must be made by the school at the beginning of the term and the rate will be reassessed annually as part of the budget process.
 - b. For the introductory term, estimated boardings will be based on existing I-TAP or C/V ridership data. If the school does not have existing data, the initial student participation will be estimated at 10% of eligible students. Any overage paid by the school based on the estimated boardings for the introductory term will be credited toward the payment for Term 2.
 - c. For the second term and subsequent terms, estimated boardings will be adjusted to reflect the actual boardings from the previous term based on TAP data.
 - d. At the end of the second term and each subsequent term, actual boardings will be reconciled against the initial fee payment and a charge or credit will be issued to the school based on the difference, capped at \$43 per month (\$10.03 per week) per participant.
 - e. Schools may elect to cover the cost of the program through student fees, other funding, or by charging the students for participation. Fees collected from students may not exceed \$43/month or \$10.03/week, and the total amount collected may not exceed the total amount due to Metro.
 - f. Schools are encouraged to build U-Pass participation into their existing class registration process to allow for a seamless integration and the ability to charge the appropriate student fees, if any.

4. Schools will be responsible for collecting demographic data to assist in completion of the required Title VI analysis, for verifying enrollment eligibility for each quarter/semester, and for distributing or reactivating TAP stickers/cards for eligible students. Schools are encouraged to collect as much information as possible as part of online registration, which will also allow cards to be activated and loaded electronically by Metro.
5. Schools will report all issued TAP card/sticker numbers to Metro for tracking purposes and to facilitate replacements.
6. Schools are encouraged to partner with Metro for in-kind marketing materials and promotion of the U-Pass Program.
7. Establish goal of increasing student participation by 10% over existing C/V and I-TAP levels during the two year pilot program and use the data from the pilot program as a foundation for establishing an ongoing U-Pass program, which will ultimately replace both the I-TAP and the C/V programs. Performance measures to be assessed include:
 - a. Compare total U-Pass revenue and boardings to current I-TAP and C/V revenue and boardings and assess changes in fare revenues and ridership among the college/vocational student population
 - b. Assess changes in ridership on key lines near pilot schools
 - c. Compare the percentage of students who were issued passes on a term-by-term basis to assess changes in utilization of the U-Pass

DETERMINATION OF SAFETY IMPACT

This program does not affect the incidence of injuries or healthful conditions for patrons or employees. Therefore, approval of this request will have no impact on safety.

FINANCIAL IMPACT

As a pilot, this program will be managed within existing resources. Therefore, there will be no financial impact at this time.

Impact to Budget

As a pilot, this program will be managed within existing resources. Therefore, there will be no impact to budget at this time.

ALTERNATIVES CONSIDERED

Reduction of Units

Reducing the unit requirements for the U-Pass program was considered. With the existing 12-unit requirement for undergraduate students, there are approximately 14,000 active college transit program participants. This represents 3% of the total eligible public school students who meet the

requirement.

Decreasing the unit requirement for the U-Pass pilot program to 9 units (semester) or 8 units (quarter) would increase the potential pool of eligible participants by 17%, or approximately 250,000 public students. Based on the current 3% participation, this could result in about 7,500 new college/vocational riders. Decreasing the unit requirement for the U-Pass pilot program to 6 units would increase the potential pool of eligible participants by 35%, or approximately 536,000 public students. Based on the current 3% participation, this could result in about 16,000 new college/vocational riders.

For both cases, increasing the potential pool of eligible participants will likely result in revenue loss for Metro, with the possibility of recouping the loss through a potential increase in new riders. However, the potential revenue impact will depend on how many of the new college/vocational riders were full fare transit riders (negative impact to revenue) versus how many are new transit riders (positive impact to revenue).

Because the financial impact of the unit reduction will not be known until the overall fare revenue changes for the pilot program and the agency can be assessed, staff recommends starting the pilot program with an 8-unit minimum requirement with a commitment to review the revenue impact after six months and consider lowering the requirement to 6 units based on the assessment. The 12-unit requirement for current monthly C/V passes will remain intact.

The College/Vocational Pass requires graduate students to be enrolled in 8 or more units. Under the U-Pass Pilot Program, staff is recommending reducing the units required for graduate students from 8 units to 6 units. The 8-unit requirement for graduate students utilizing monthly C/V passes will remain intact.

Continuation of I-TAP and C/V Programs

Due to the lack of widespread usage, difficulty of administration, and the loss of revenue, staff does not recommend continuing the I-TAP program during the U-Pass Pilot Program. All current I-TAP schools will be converted to U-Pass. However, Metro will continue to offer the regular monthly College/Vocational Pass for students at schools not participating in the pilot program.

NEXT STEPS

Upon approval of this pilot program, Metro will:

1. Communicate details of U-Pass Pilot Program with all 77 schools in L.A. County and target 10 or more schools to participate in the program.
2. During initial registration period, schools will collect required Title VI data from participating students. Title VI evaluation will be conducted and a findings report will be brought back to the Board of Directors for approval prior to the end of the sixth month of the pilot program.
3. During the pilot program, Metro will continue to seek additional funding through Greenhouse

Gas Reduction Fund/Low Carbon Transit Operations Program (LCTOP) revenue Cap and Trade, the South Coast Air Quality Management District's Mobile Source Air Pollution Reduction Review Committee (MSRC), or other sources to further reduce the cost of the program to the schools and will work with schools to identify other sources of funding such as parking fees and/or fines, student association fees, and/or activity fees and/or referendums and as a means of subsidizing the program.

4. During the pilot program, Metro will continue to partner with schools to address transit service and service alignment issues.

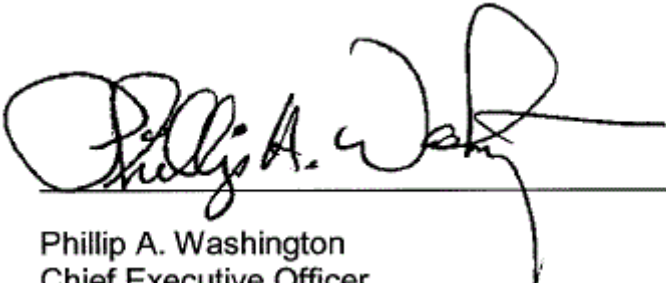
ATTACHMENTS

Attachment A - Motion 49.1 Community College Student Transit Pass Pilot Program

Attachment B - Report 49 on Community College Student Transit Pass Pilot Program in response to Motion 49.1

Prepared by: Devon Deming, Dir. of Metro Commute Services, (213) 922-7957
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Reviewed by: Pauletta Tonilas, Chief Communications Officer, (213) 922-3777



Phillip A. Washington
Chief Executive Officer

Attachment B - Title VI Analysis Data for U-Pass Pilot Program - Fall 2016

Based on Poverty Levels from the 150% column of the “2016 Federal Poverty Guidelines” Table:

Size of Family Unit	Poverty Level
1	\$17,820
2	\$24,030
3	\$30,240
4	\$36,450
5	\$42,660
6	\$48,870
7	\$55,095
8	\$61,335
9	\$61,335
10	\$61,335

Income Summary (Based on Total Surveys Received as of 10/20/16)

School	Below Level	Below %	Above L	Above %	N/A*	N/A %	Total
CalTech	0	0	1	100	0	0	1
CSUN	1529	74%	453	22%	90	4%	2072
LATTC	680	88%	78	10%	12	2%	770
PCC	1964	75%	560	21%	90	3%	2614
Rio Hondo	1948	71%	657	24%	130	5%	2735
SMC	102	82%	21	17%	2	2%	125
Totals	6223	75%	1770	21%	324	4%	8317

*Student did not answer question

All Schools:

Race	Responses	% of Total
Asian and Pacific Islander	1110	13%
Black	427	5%
Hispanic	5624	68%
Native American	55	1%
White	486	6%
2 or More	509	6%
None	102	1%
Total	8313	100%

**Survey Data Analysis
10.20.16**

Attachment C - U-Pass Participant Survey Analysis 10-17-16	Full-Time	Part-Time	Total	% Breakdown Results (Full-Time & Part-Time)	% Breakdown Results (Part-Time)	% Breakdown Results (Full-Time)
Total Survey Completed	5,401	2,207	7,608		29.01%	70.99%
If you currently ride Metro, what type of fare do you use?						
College /Vocational Pass	747	189	936	12.30%	8.56%	13.83%
Regular 30 day /EZ Pass	139	74	213	2.80%	3.35%	2.57%
Pay as you go	1,980	654	2,634	34.62%	29.63%	36.66%
I don't ride Metro	715	570	1,285	16.89%	25.83%	13.24%
No Reponses	1,820	720	2,540	33.39%	32.62%	33.70%
Total	5,401	2,207	7,608			
Number of units currently enrolled in?						
6 units	0	492	492	6.47%	22.29%	0.00%
7 units	1	130	131	1.72%	5.89%	0.02%
8 units	0	286	286	3.76%	12.96%	0.00%
9 units	0	455	455	5.98%	20.62%	0.00%
10 units	0	356	356	4.68%	16.13%	0.00%
11 units	1	273	274	3.60%	12.37%	0.02%
12 units	5,393	3	5,396	70.93%	0.14%	99.85%
No Response	6	212	218	2.87%	9.61%	0.11%
Total	5,401	2,207	7,608			
Are you currently enrolled at another college						
Yes	123	185	308	4.05%	8.38%	2.28%
No	4,632	1,945	6,577	86.45%	88.13%	85.76%
No Reponses	646	77	723	9.50%	3.49%	11.96%
Total	5,401	2,207	7,608			
Current employment status						
Full-Time	365	372	737	9.69%	16.86%	6.76%
Part-Time	1,645	748	2,393	31.45%	33.89%	30.46%
Not Employed	3,338	1,053	4,391	57.72%	47.71%	61.80%
No Reponses	53	34	87	1.14%	1.54%	0.98%
Total	5,401	2,207	7,608			



Metro

Los Angeles County
Metropolitan Transportation Authority

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Los Angeles, CA 90012-2952

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May 12, 2016

TO: BOARD OF DIRECTORS

THROUGH: PHILLIP A. WASHINGTON
CHIEF EXECUTIVE OFFICER

FROM: PAULETTA TONILAS 
CHIEF COMMUNICATIONS OFFICER

SUBJECT: PROMOTIONAL EMPLOYER PASS PROGRAM

ISSUE

To increase ridership along new service corridors, including Line 501 Pasadena to North Hollywood Express, Gold Line Extension, and Expo Line Phase 2, and to increase participation in Employer Annual Pass Program (EAPP), which includes the Annual Transit Access Pass (ATAP) and Business Transit Access Pass (BTAP) Program, Metro Commute Services (MCS) Staff is recommending implementing a short-term Promotional Employer Pass Program (PEPP) that will serve as an introduction to Employer Programs.

DISCUSSION

Currently, the ATAP and BTAP programs require a high level of financial commitment from employers, who may not be familiar with the benefits of offering an employer-sponsored transit pass program. MCS would like to create a pilot promotional pass program for businesses at a reduced cost for a period of three months to increase ridership along new service corridors and familiarize employers with transit pass programs so that they understand the benefits of longer-term participation in Metro's Employer Annual Pass Program (EAPP).

In addition, Line 501 is experiencing low ridership at approximately 500 riders per day. This line could potentially serve many large employers along its route. Having a new tool to promote the service to employers would help increase ridership.

Promotional Employer Pilot Program (PEPP) criteria

- One-time promotion only
- New Employers only – Current TAP Corporate Accounts and EAPP participants are excluded
- Cost is \$50 per month for each regular tap card preloaded with three (3) Metro 30-Day Passes (one-time cost of \$150) per individual employee named on list provided with signed agreement
- Minimum will be based on 10% of total employees with proof of employment
- Users must be an employee of the business
- Employers may purchase passes for more than 10% of employees, if desired, but no refunds will be given for unused passes
- Payment in full for three-month period is required upfront
- Employers must distribute passes and collect required employee information for Metro

Administrative requirements

- Signed Agreement and Payroll Report
- Check payment for total due prior to pass delivery
- Employee list with individual TAP Registration and aggregate Title VI information for data purposes only

Duration of promotional outreach

- 12 months of outreach from each rail/bus opening
- Promotional program provides reduced fare for a maximum of three months per employer, and is not subject to Title VI requirements (per Office of Civil Rights).

NEXT STEPS

1. Create marketing materials and web landing page for program
2. Determine the business near line 501, Gold Line and Expo Line extensions by using:
 - Leads from phone and web inquiries
 - Letter/Email Blast with web link forwarded to Regional Rideshare Database listings
 - Cold calling businesses in new service area
3. Collect TAP ridership data to share with business and determine success of program
4. Convert companies to A/BTAP participants based on TAP data

Attachment E - Staffing Cost Analysis

Staffing (Current)								
Title	Estimated Salary	Fringe NC 49.2% & TCU 57.3%	Workers' Comp @ .7% & TCU 7.8%	Allocated Overhead (39.9%)	Cost per Staff	# of Positions	Total Cost	
Director of MCS	\$ 140,000.00	\$ 68,880.00	\$ 980.00	\$ 55,860.00	\$ 265,720.00	1	\$ 265,720.00	
Communications Manager	\$ 100,000.00	\$ 49,200.00	\$ 700.00	\$ 39,900.00	\$ 189,800.00	1	\$ 189,800.00	
SR. Account Executive	\$ 75,000.00	\$ 36,900.00	\$ 525.00	\$ 29,925.00	\$ 142,350.00	4	\$ 569,400.00	
Tap Manager	\$ 100,000.00	\$ 49,200.00	\$ 700.00	\$ 39,900.00	\$ 189,800.00	1	\$ 189,800.00	
Tap Lead Agent	\$ 55,000.00	\$ 31,515.00	\$ 4,290.00	\$ 21,945.00	\$ 112,750.00	1	\$ 112,750.00	
Tap Agent	\$ 50,000.00	\$ 28,650.00	\$ 3,900.00	\$ 19,950.00	\$ 102,500.00	4	\$ 410,000.00	
ELTP (\$25/hr.)	\$ 52,000.00	\$ -	\$ -	\$ -	\$ 52,000.00	1	\$ 52,000.00	
As Needed -SR. Account Executive (30 wk./1560 yr./ \$34 hr.)	\$ 53,040.00	\$ -	\$ -	\$ -	\$ 53,040.00	1	\$ 53,040.00	
As Needed -Administrative Analysis (30 wk./1560 yr./ \$28 hr.) (Vacant)	\$ 43,680.00	\$ -	\$ -	\$ -	\$ 43,680.00	0	\$ -	
Total						14	\$ 1,842,510.00	
Contract Annual Cost								\$ 651,072.00
							1	\$ 651,072.00

Total Annualized Cost with Current Staff	
Program Support Vendor (Inland Transportation Services)	\$ 651,072.00
Metro FTE (Non Contract)	\$ 1,214,720.00
Metro TCU Union	\$ 522,750.00
As Needed/ELPT	\$ 105,040.00
Total Annual Cost	\$ 2,493,582.00

Labor and Non Labor Cost with Current Staff	
Non-Labor	\$ 756,112.00
Labor	\$ 1,529,990.00
Over head	\$ 207,480.00
Total Annual Cost	\$ 2,493,582.00

Staffing (Recommendation)							
Title	Estimated Salary	Fringe NC 49.2% & TCU 57.3%	Workers' Comp @ .7% & TCU 7.8%	Allocated Overhead (39.9%)	Cost per Staff	# of Positions	Total Cost
Director of MCS	\$ 140,000.00	\$ 68,880.00	\$ 980.00	\$ 55,860.00	\$ 265,720.00	1	\$ 265,720.00
Communications Manager	\$ 100,000.00	\$ 49,200.00	\$ 700.00	\$ 39,900.00	\$ 189,800.00	1	\$ 189,800.00
SR. Account Executive (Added 2 Sr. AE. positions)	\$ 75,000.00	\$ 36,900.00	\$ 525.00	\$ 29,925.00	\$ 142,350.00	6	\$ 854,100.00
Administrative Analyst for TAP Operation	\$ 64,500.00	\$ 31,734.00	\$ 451.50	\$ 25,735.50	\$ 122,421.00	1	\$ 122,421.00
Tap Manager	\$ 100,000.00	\$ 49,200.00	\$ 700.00	\$ 39,900.00	\$ 189,800.00	1	\$ 189,800.00
Tap Lead Agent	\$ 55,000.00	\$ 31,515.00	\$ 4,290.00	\$ 21,945.00	\$ 112,750.00	1	\$ 112,750.00
Tap Agent	\$ 50,000.00	\$ 28,650.00	\$ 3,900.00	\$ 19,950.00	\$ 102,500.00	4	\$ 410,000.00
ELTP (\$25/hr.)	\$ 52,000.00	\$ -	\$ -	\$ -	\$ 52,000.00	1	\$ 52,000.00
As Needed -SR. Account Executive (30 wk./1560 yr./ \$34 hr.)	\$ 53,040.00	\$ -	\$ -	\$ -	\$ 53,040.00	1	\$ 53,040.00
Total						17	\$ 2,249,631.00

Total Annualized Cost Staffing Cost (Recommendations)	
Metro FTE (Non Contract)	\$ 1,621,841.00
Metro TCU Union	\$ 522,750.00
As Needed/ELPT	\$ 105,040.00
Total Annual Cost	\$ 2,249,631.00

Labor and Non-Labor Cost (Recommendations)	
Non-Labor	\$105,040.00
Labor	\$1,911,375.50
Over head	\$233,215.50
Total Annual Cost	\$2,249,631.00

Cost Sheet

Title	Estimated Salary	Fringe NC 49.2% & TCU 57.3%	Workers' Comp @ .7% & TCU 7.8%	Allocated Overhead (39.9%)	Cost per Staff	# of Positions	Total Cost
Director of MCS	\$134,305.60	\$66,078.36	\$940.14	\$53,587.93	\$254,912.03	1	\$254,912.03
Communication Manager	\$100,464.00	\$49,428.29	\$703.25	\$40,085.14	\$190,680.67	1	\$190,680.67
SR. Account Executive	\$70,000.00	\$34,440.00	\$490.00	\$27,930.00	\$132,860.00	4	\$531,440.00
Tap Manager	\$100,464.00	\$49,428.29	\$703.25	\$40,085.14	\$190,680.67	1	\$190,680.67
Tap Lead Agent	\$41,600.00	\$23,836.80	\$3,244.80	\$16,598.40	\$85,280.00	1	\$85,280.00
Tap Agent	\$37,440.00	\$21,453.12	\$2,920.32	\$14,938.56	\$76,752.00	4	\$307,008.00
Total							\$1,560,001.37
Requested Metro FTE's Positions							
Account Supervisor	\$85,000.00	\$41,820.00	\$595.00	\$33,915.00	\$161,330.00	1	\$161,330.00
SR. Account Executive	\$70,000.00	\$34,440.00	\$490.00	\$27,930.00	\$132,860.00	2	\$265,720.00
Total							\$427,050.00
As Needed							
ELTP (\$20/hr.)	\$41,600.00	\$0.00	\$0.00	\$0.00	\$41,600.00	1	\$41,600.00
SR. Account Executive (30 wk./1560 yr./ \$33.65)	\$52,949.00	\$0.00	\$0.00	\$0.00	\$52,949.00	1	\$52,949.00
Administrative Analysis (30 wk./1560 yr./ \$26.07 hr.)	\$40,669.20	\$0.00	\$0.00	\$0.00	\$40,669.20	1	\$40,669.20
Total							\$135,218.20
Vendor (ITS) (current)							
Contract Annual Cost							\$630,450.00
Appointment Setter	\$57,000.00					2	
SR. Account Executive	\$75,000.00					3	
Avg. Cost/5 Staff							\$126,090.00

Total Annualized Cost (Current)	
Program Support Vendor (ITS)	\$630,450.00
Metro FTE	\$977,032.70
Metro TCU	\$582,968.67
As Needed	\$135,218.20
Total Annual Cost (Current)	\$2,325,669.57

Total Annualized Cost (3 Additional Metro FTE)	
Program Support Vendor (ITS)	\$630,450.00
Metro FTE	\$1,404,082.70
Metro TCU	\$582,968.67
As Needed	\$135,218.20
Total Annual Cost	\$2,752,719.57

Annualized Vendor Cost (Current)			
	Avg. Cost/5 Staff	# of Staff	Annual Cost
Vendor (ITS)	\$126,090	5	\$630,450.00

Universal Pass Program (U-Pass)

Metro Board of Directors Meeting
December 1, 2016



Motion 49.1 (Ridley-Thomas) requested an assessment of the feasibility of piloting a Universal Community College Student Transit Pass (U-Pass) Program.

Goal: In May 2016, the Board approved a 2-year U-Pass Pilot Program for Colleges, Universities, and Trade Schools to increase college transit ridership and create a new generation of transit riders.

Objective: To transition to a more feasible pricing structure and reach a broader range of college students by reducing units required to participate, and collect the data and establish best practices necessary to establish a permanent program.

Initial Semester Participation:

- 2570 new riders in U-PASS program, since launch on 8/29
- 1285 of new participants did not previously ride Metro (50%)
- 13% increase over previous ITAP participation in first semester
- 29% of participants are part time students with 8-11 units
- Six (6) initial colleges included: CSUN, LATTC, Rio Hondo College, Pasadena City College, CalTech, Santa Monica College (test group of 100 students)

Title VI Analysis:

- Required in first 6 months of pilot program
- In Metro service area is 77% minority with 15.9% low income
- U-Pass participation is 93% minority with 75% low income
- No disparate impact or disproportionate burden found

Significant Changes Being Requested:

1. **Eligibility** – Units required to participate to be reduced from 8 to 6 units per semester.
1. **Transitional U-Pass** – Reduced college fare rate of \$43/mo. to be offered to U-Pass participants for one year after graduation.
2. **Regional U-Pass** – Countywide Regional U-Pass would allow participating students to board participating municipal agencies' buses and establish a per boarding reimbursement rate to agencies similar to the EZ Regional Pass

Schools joining the program in Spring 2017:

- California State University, Los Angeles (CSULA)
- LA Mission College
- Pierce College
- Santa Monica College (Full implementation)
- USC (Graduate students – transition from I-TAP)

Additional schools in discussion phase for Spring 2017:

- Cerritos College
- East Los Angeles College (ELAC)
- El Camino College (ECC)
- LA City College (LACC)
- UCLA (Transition from I-TAP)

Thank you!

For additional information visit:

www.metro.net/riding/colleges

For questions/participation contact:

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Director, Metro Commute Services
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Board Report

File #: 2016-0789, **File Type:** Policy

Agenda Number: 38.

**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 17, 2016**

SUBJECT: PROPERTY NAMING POLICY

**ACTION: APPROVE REVISED PROPERTY NAMING AND CORPORATE
SPONSORSHIP/NAMING RIGHTS POLICY**

RECOMMENDATION

APPROVE revised **Property Naming Policy** with the addition of guidelines to implement and manage a Corporate Sponsorship/Naming Rights Program for the purpose of generating revenue or valued assets. (Attachment B)

ISSUE

Metro is continually looking for new ways to generate Corporate Sponsorships for the agency. In January 2016, the Metro Board of Directors approved the Risk Allocation Matrix (RAM) and creation of an Internal Savings Account intended as tools to ensure long-term financial stability and mitigate projected budget shortfalls. As part of this initial comprehensive agency-wide effort, staff identified cost saving and revenue generating initiatives that can yield deposits to the Internal Savings Account, thereby securing the sustainability of Metro's future operations and expansions.

Among the most financially significant of these initiatives is the implementation of a Corporate Sponsorship/Naming Rights program to generate revenue from Metro's property and assets. As proven by other transit agencies throughout the country, there is a substantial revenue opportunity in selling corporate sponsorships and naming rights to Metro properties, facilities, services and events.

DISCUSSION

The 2014 Board-approved Property Naming Policy (Attachment A) provides criteria for naming stations and other Metro properties through a customer-focused approach. The policy guides the naming of Metro property with four principles in mind:

- **Transit System Context** - Information as to where a property is located within the context of the entire transit system with names that are clearly distinguishable
- **Property Area Context** - Information of the location of the property within the context of the surrounding street system

-
- **Neighborhood Identity** - Where appropriate, acknowledging a landmark or that the property serves as an entry point to a community or neighborhood
 - **Simplicity** - Names will be brief enough for quick recognition and retention and fit within signage and mapping parameters

The policy states the difference between an “Official” name approved by the Metro Board, which are used for Board documents, contracts and legal documents and notices, and an “Operational” name, which is a shorter name used for station/stop announcements and printed and electronic materials for readability and size constraints.

These clear policy points, along with the defined naming process, provide strong guidance in order for Metro to aptly name new properties and re-name existing properties when applicable.

The existing policy also provides an opportunity for Board members to bestow a special honor in the form of a dedication on rare instances to a deceased individual and reserved to honor those of substantial historical, cultural or civic significance. In a similar dedication, the Board may also honor an individual who has demonstrated a unique and extraordinary degree of service yielding a distinguishable contribution to the public transportation in Los Angeles County. Such dedications are viewed as secondary information to the property signage, but not renamed for individuals. Following Board approval, individuals will be honored with plaques where space is available.

Addition of Corporate Sponsorship/Naming Rights Program

Updating the policy to include a revenue-generating, payment-in-kind, or value-in-kind Corporate Sponsorship and Naming Rights Program is a prudent means of maximizing the value of the agency’s capital investments and assets. Including this new program in the policy will establish a cohesive and transparent process for the consideration and determination of Corporate Sponsorship opportunities for the re-naming of existing and future property, facilities, services, programs and events.

The Communications Department will administer the program as part of its overall responsibility of generating revenue through advertising and other valued assets. In preparation for developing a Corporate Sponsorship/Naming Rights program, staff researched how other transit agencies have implemented such programs (Attachment C).

Corporate Sponsorship can take on various forms in which companies contract with Metro to associate their name, identify and branding with Metro’s property, facilities, services, programs or events. Partnerships will fall into two categories:

- **Short-term Sponsorships** - Agreements extending a maximum of 12 months or less for assets such as programs, events, seasonal events, or temporary station re-namings.
- **Long-term Sponsorships** - Agreements lasting a minimum of five years for assets such as transit services, rail lines, stations, buildings, etc.

Any short-term or temporary naming sponsorships will be communicated to the Metro Board in advance of implementation. Any re-naming proposals must uphold the location and historic reference name of the property to ensure that it remains easily identifiable and recognizable by the general

public.

Metro will utilize the services of a qualified and independent firm with extensive experience in valuations of naming rights opportunities to ensure that Metro receives fair market value for the naming of its property and assets. The valuation methodology will be based on real-world values, quantitative values of impressions based on market-tested media rates, qualitative values of the opportunity in terms of prestige, reach and target audience, as well as comparisons against similar properties in the marketplace.

Responsibilities for Metro and the corporate sponsor, as well as provisions for terminating the contract, will be included in each agreement.

The businesses and organizations that will not be considered for this program are outlined in the policy, in alignment with Metro's Advertising Policy. Companies that are eligible for sponsorships will have to meet established criteria.

Contracts over \$500,000 will be presented to the Board for approval. Those under \$500,000, likely short-term sponsorships, will be awarded at the direction of the CEO.

DETERMINATION OF SAFETY IMPACT

Revision of this policy currently does not impact safety.

FINANCIAL IMPACT

In compliance with Metro's System Advertising Policy, Metro will only accept revenues, payment-in-kind, or value-in-kind from corporations meeting the Ad Policy criteria and criteria stated in this policy (Attachment B).

All costs related to establishing a new name or re-naming an existing facility, service, or program shall be borne by the corporate sponsor, including Metro materials and labor costs associated with implementing re-naming efforts.

If this action leads to an increase in revenue, the revenues will be subject to Board adopted guidelines.

Impact to Budget

No impact to the FY17 Budget is anticipated as a result of approval of the policy.

This is a new business model for Metro. Upon expansion of the program, it may warrant evaluation of staffing to manage the execution of contracts and business needs associated with corporate partnerships.

ALTERNATIVES CONSIDERED

1. Decline to adopt the revised Property Naming Policy and Corporate Sponsorship/Naming Rights Policy. This is not recommended as the primary change to the policy clarifies and supports the new Corporate Sponsorship/Naming Rights Program as directed by the Board through approval of the 2016 RAM/Internal Savings Account Process.

NEXT STEPS

Upon Board approval, staff will:

1. Procure the services of a specialist to assist in the implementation of attaining corporate sponsorships and naming rights for Metro's property, programs, assets and services.
2. Exercise the business model process for all inquiries and propositions.

ATTACHMENTS

Attachment A - Property Naming Policy

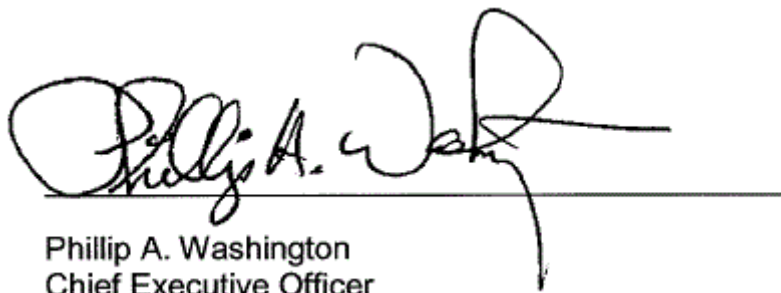
Attachment B - Property Naming and Corporate Sponsorship/Naming Rights Policy

Attachment C - Active Corporate Sponsorship Programs at Peer Transit Properties

Attachment D - Presentation on Property Naming and Corporate sponsorship/Naming Rights Policy

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Reviewed by: Pauletta Tonilas, Chief Communications Officer, (213) 922-3777



Phillip A. Washington
Chief Executive Officer

PROPERTY NAMING POLICY

PURPOSE

Through implementation of this policy, Metro seeks to establish guidelines regarding the naming of Metro properties frequented by the public that will provide clear transit information to our customers – both frequent patrons as well as visitors and infrequent users. In addition, the policy is intended to ensure timely, cost-effective and rider-friendly property naming efforts.

Properties will be named with the maximum benefit and convenience of the transit system user in mind. Naming will provide customers with travel information in a simple, straightforward and unified way in order to assist patrons in successfully navigating the transit system and correspondingly the region. Property names will reflect the following principles:

- ***Transit system context*** – Names will provide information as to where a property is located within the context of the entire transit system; property names will be clearly distinguishable with no duplication.
- ***Property area context*** – Names will provide specific information as to the location of the property within the context of the surrounding street system, so that users can find their way around after their arrival and to support system access via automobile drop-off and parking.
- ***Neighborhood identity*** – Where appropriate, property naming will acknowledge that system stations and stops serve as entry points to the region's communities and neighborhoods.
- ***Simplicity*** – Names will be brief enough for quick recognition and retention by a passenger in a moving vehicle, and to fit within signage and mapping technical parameters.

POLICY POINTS

1. Property naming will identify transit facilities so as to provide immediate recognition and identification for daily riders as well as periodic users and visitors. Transit facilities include rail stations, bus rapidway stations, transit centers, bus stops and other properties frequented by the public. Property names will be identified based on the following:
 - Adjacent or nearby street or freeway
 - Well-known destination or landmark
 - Community or district name

- City name – if only one Metro property is located within a city

If space permits, property names can be a combination of street system location and well-known destination, particularly when the street system name may not be recognizable to transit riders and visitors. No business, product or personal names shall be used unless that name is part of a street name or well-known destination; or as part of a corporate sponsorship or cooperative advertising revenue contract.

2. The following criteria will ensure simple, succinct property names that are easily understood and retained by transit riders:

- Minimize the use of multiple names for a property. A single name identifiable by the general public is preferred, with a maximum of two distinct names separated by one slash. For example, Westlake/ MacArthur Park Station.
- Minimize the length of property names to ensure comprehension and retention by system riders. The property name shall have a preferred maximum of 24 characters in order to ensure general public and ADA readability, and fit within Metro's signage system.
- Minimize the inclusion of unneeded words in property names such as ones that are inherently understood, or added when verbally stating the property's name. Avoid inclusion of unnecessary words that may describe the property's location, but are not part of that location's commonly known name.

3. In consideration of the various applications where the property name will be used and displayed, properties may have a Board-adopted official name as well as a shorter operational name. The official property name would be used for Board documents, contracts and legal documents and notices. The operational name would be used for station/stop announcements by vehicle operators, and on printed materials due to readability and size constraints. In addition, the property name may be further abbreviated for other operational uses such as vehicle headsigns and fare media.

4. The property naming process will include the following steps:

- A. Initial property names will be identified during the project planning process primarily based on geographic location.
- B. When a project is approved by the Board to proceed into the preliminary engineering phase, a formal naming process will be initiated.

- C. Staff will solicit input from cities, communities and other stakeholders on preferred property names based on the Board-adopted naming criteria.
 - D. The resulting property names will be reviewed by a focus group comprised of both transit system users and non-users for general public recognizability.
 - E. Staff will return to the appropriate Board committee and then to the full Board for adoption of the final set of official property names.
 - F. The adopted official property names will then be included in any final engineering bid documents and other agency materials.
 - G. Requests to rename properties after Board action and the release of project construction documents may be considered by the Board. Property name changes must be approved by a vote of two-thirds of the Board members. All costs associated with changing a property name, including any signage revisions and market research to determine if the proposed name is recognizable by the general public, will be paid for by the requestor unless otherwise determined by the Board.
5. If the Board wishes to bestow a special honor to a deceased individual, it may choose to dedicate a site to him/her. The act of dedicating a Metro property to an individual should be rare and reserved as a means to honor those of substantial historical, cultural, or civic significance. The Board may wish to bestow a similar honor upon an individual who demonstrated a unique and extraordinary degree of service yielding a distinguishable contribution to public transportation in Los Angeles County. Such dedications shall be viewed as secondary information with regard to signage and other identification issues. Properties/facilities frequented by the public may not be renamed for individuals.

Such dedications are made in the form of a motion presented by a Board Member to the appropriate committee of the Board for review and approval, and then forwarded to the full Board for final approval. With Board action, individuals will be honored with plaques where space is available.

PROPERTY NAMING AND CORPORATE SPONSORSHIP/NAMING RIGHTS POLICY

PURPOSE

Through implementation of this policy, Metro seeks to establish guidelines regarding the naming of Metro properties frequented by the public that will provide clear transit information to our customers – both frequent patrons as well as visitors and infrequent users. In addition, the policy is intended to ensure timely, cost-effective and rider-friendly property naming efforts.

Properties will be named with the maximum benefit and convenience of the transit system user in mind. Naming will provide customers with travel information in a simple, straightforward and unified way in order to assist patrons in successfully navigating the transit system and correspondingly the region. Property names will reflect the following principles:

- ***Transit system context*** – Names will provide information as to where a property is located within the context of the entire transit system; property names will be clearly distinguishable with no duplication.
- ***Property area context*** – Names will provide specific information as to the location of the property within the context of the surrounding street system, so that users can find their way around after their arrival and to support system access via automobile drop-off and parking.
- ***Neighborhood identity*** – Where appropriate, property naming will acknowledge that system stations and stops serve as entry points to the region's communities and neighborhoods.
- ***Simplicity*** – Names will be brief enough for quick recognition and retention by a passenger in a moving vehicle, and to fit within signage and mapping technical parameters.

NAMING POLICY POINTS

1. Property naming will identify transit facilities so as to provide immediate recognition and identification for daily riders as well as periodic users and visitors. Transit facilities include rail stations, bus stations, transit centers, bus stops and other properties frequented by the public. Property names will be identified based on the following:
 - Adjacent or nearby street or freeway
 - Well-known destination or landmark
 - Community or district name

- City name – if only one Metro property is located within a city

If space permits, property names can be a combination of street system location and well-known destination, particularly when the street system name may not be recognizable to transit riders and visitors. No business, product or personal names shall be used unless that name is part of a street name or well-known destination; or as part of a corporate sponsorship or cooperative advertising revenue contract.

2. The following criteria will ensure simple, succinct property names that are easily understood and retained by transit riders:
 - Minimize the use of multiple names for a property. A single name identifiable by the general public is preferred, with a maximum of two distinct names separated by one slash. For example, Westlake/MacArthur Park Station.
 - Minimize the length of property names to ensure comprehension and retention by system riders. The property name shall have a preferred maximum of 24 characters in order to ensure general public and ADA readability, and fit within Metro's signage system.
 - Minimize the inclusion of unneeded words in property names such as ones that are inherently understood, or added when verbally stating the property's name. Avoid inclusion of unnecessary words that may describe the property's location, but are not part of that location's commonly known name.
3. In consideration of the various applications where the property name will be used and displayed, properties may have a Board-adopted official name as well as a shorter operational name. The official property name would be used for Board documents, contracts and legal documents and notices. The operational name would be used for station/stop announcements by vehicle operators, and on printed materials due to readability and size constraints. In addition, the property name may be further abbreviated for other operational uses such as vehicle headsigns and fare media.

NAMING PROCESS AND PROCEDURE

The property naming process will include the following steps:

1. Initial property names will be identified during the project planning process primarily based on geographic location.

2. When a project is approved by the Board to proceed into the preliminary engineering phase, a formal naming process will be initiated.
3. Staff will solicit input from cities, communities and other stakeholders on preferred property names based on the Board-adopted naming criteria.
4. The resulting property names will be reviewed by a focus group comprised of both transit system users and non-users for general public recognizability.
5. Staff will return to the appropriate Board committee and then to the full Board for adoption of the final set of official property names.
6. The adopted official property names will then be included in any final engineering bid documents and other agency materials.
7. Requests to rename properties after Board action and the release of project construction documents may be considered by the Board. Property name changes must be approved by a vote of two-thirds of the Board members. All costs associated with changing a property name, including any signage revisions and market research to determine if the proposed name is recognizable by the general public, will be paid for by the requestor unless otherwise determined by the Board.
8. If the Board wishes to bestow a special honor to a deceased individual, it may choose to dedicate a site to him/her. The act of dedicating a Metro property to an individual should be rare and reserved as a means to honor those of substantial historical, cultural, or civic significance. The Board may wish to bestow a similar honor upon an individual who demonstrated a unique and extraordinary degree of service yielding a distinguishable contribution to public transportation in Los Angeles County. Such dedications shall be viewed as secondary information with regard to signage and other identification issues. Properties/facilities frequented by the public may not be renamed for individuals.

Such dedications are made in the form of a motion presented by a Board Member to the appropriate committee of the Board for review and approval, and then forwarded to the full Board for final approval. With Board action, individuals will be honored with plaques where space is available.

CORPORATE SPONSORSHIP AND NAMING RIGHTS

Metro has determined that allowing a revenue-generating, payment-in-kind, or value-in-kind Corporate Sponsorship and Naming Rights Program is a prudent means of maximizing the value of the agency's capital investments and assets. Metro may enter into sponsorship and naming rights contracts for short-term and long-term partnerships with qualified companies in order to provide value and benefits for both parties.

Through implementation of this policy, Metro seeks to establish a cohesive and transparent process for the consideration and determination of Corporate Sponsorship opportunities for the naming or re-naming of existing and future property, facilities, services, programs and events.

The implementation of a Corporate Sponsorship and Naming Rights Program carries with it a responsibility to protect the agency from potential litigation and to recognize the potential association of outside corporations with Metro services, property and events, while respecting and adhering to existing Metro policies, including Metro's System Advertising, and Commercial Filming Policies. The agency addresses these issues through the responsible and consistent application stated in this policy.

CORPORATE SPONSORSHIP POINTS

1. Corporate Sponsorship is a form of advertising in which companies will pay Metro to be associated with certain facilities, services, programs or events. This could also include providing resources and finance, payment-in-kind, or value-in-kind to develop new facilities, services, programs or events or funding to operate existing ones. Naming rights is a form of advertising whereby a corporation purchases the right to name or re-name a Metro facility, service, program, or event, typically for a defined period of time.
2. Metro's Communications Department administers the Corporate Sponsorship and Naming Rights Program as part of its overall responsibility of revenue-generating advertising and Metro's overarching goal of partnering with businesses on activities that can increase mobility for customers in the LA region.
3. In order to ensure Metro receives fair market value for Corporate Sponsorship and Re-naming Rights, Metro will routinely procure the services of a qualified and independent firm that regularly provides valuations of naming rights opportunities.

Agency Assets Eligible for Sponsorship

Metro is transportation planner and coordinator, designer, builder and operator of a large and expanding transit system. The infrastructure capital investment and other assets are significant within Metro's county-wide system of bus, rail, and other services; property portfolio; numerous facilities; programs; and events. The various facilities, programs, and services that may be applied to corporate sponsorships to are:

- **Facilities** – Any rail or bus stations, parking lots and parking structures, regional facilities, maintenance buildings and maintenance structures, Metro headquarters building, and any other property solely owned and operated by Metro.

- **Transit Services** – Any light & heavy rail lines, bus service lines & routes, transitway service lines & routes, and any mode of transit service solely owned and operated by Metro.
- **Programs** – Any established Metro-operated effort/initiative for the benefit of customers and communities that Metro serves; generally in the form of customer service actions and functions, internally and externally.
- **Events** – Any seasonal, annual or one-time event led and initiated by Metro.

Corporate Sponsorship Models

Corporate Sponsorship can take on various forms of advertising in which companies contract with Metro to associate their name, identity and branding with facilities, services, programs or events. Metro will engage in short-term and long-term corporate sponsorships that provide value and benefits for both parties. Naming Rights is a type of advertising whereby a corporation secures the right to name or re-name a Metro facility, service, program, or event for a defined period of time.

- **Short-term Sponsorship** – Agreements extending a maximum of twelve months for assets such as programs, events, seasonal events, or temporary station re-namings. Short-term sponsorships and those under \$500,000 in contract value do not require Board review and approval, and can be implemented at the direction of the CEO.
- **Long-term Sponsorship** – Agreements lasting a minimum of five years and greater. All long-term sponsorships must be reviewed and approved by the Metro Board. Agency assets such as transit services, rail lines, stations, buildings, and facilities would be considered for long-term sponsorships.

Any short-term or temporary naming sponsorships will be communicated to the Metro Board in advance of implementation. Any re-naming proposals must uphold the location and historic reference name of the property to ensure that it remains easily identifiable and recognizable by the general public.

Corporate Eligibility and Criteria

Business entities in the following categories will not be considered for participation: Alcohol; Tobacco and Electronic Cigarettes; Adult Entertainment and Content; Arms/Guns and Weapons; Political Parties, Political Groups, Political Organizations, and Political Candidates or Campaigns; Religious Groups and Religious Associations.

Metro shall consider partnerships with qualified companies who meet these criteria: Businesses already established in the U.S. or have fulfilled all legal requirements/compliance to establish a business within the U.S.; financially stable businesses; businesses with no history of fraudulent, unethical or prejudicial behavior; and businesses with satisfactory record of contractual performance.

Corporate Responsibilities

1. All costs related to establishing a new name or re-naming an existing facility, service, or program – including, but not limited to, the costs of replacing affected signage and customer information collateral, Metro materials, and Metro staff labor – shall be borne by the corporate sponsor.
2. All granted Corporate Sponsorship agreements must respect and adhere to Metro’s System Advertising Policy.
3. Corporate Sponsorship proposals and agreements are subject to the provisions of the California Public Records Act (California Code Government Code §6250 et seq.).

BUSINESS PROCESS

Evaluation Criteria

If all criteria listed under “Corporate Eligibility and Criteria” are met, Metro will take into consideration the financial offers and implementation proposals, which are listed below in order of weighted criteria and relative importance:

- Financial offer
- Alignment with Metro’s existing brand and agency mission, including visibility of activating the partnership
- Reach of cross promotion between Metro and corporate sponsor, including corporate social/community activities attached to the program
- Innovative partnership business plans

Proposal Submittal Process

1. **Submittal** – All Corporate Sponsorship Proposals shall be submitted to the Chief Communications Officer and the Deputy Executive Officer of Marketing within the Communications Department.
2. **Acknowledgement** – Communications will acknowledge and confirm receipt of Proposal via email communications, and letter.
3. **Agency Follow-up** – Communications staff may request more information, clarity of proposal, and in-person meeting or presentation of proposal.
4. **Notice of Proposal** – If the original proposal is deemed to have financial merit and meets all criteria, Metro will publicize the receipt of proposal to provide an opportunity for other companies with a vested interest in or proximity interest in the Metro asset/facility, an opportunity to compete for the Corporate

Sponsorship. Metro will allow interested parties to submit proposals within 30 days of notice.

5. **Evaluation Process** – Communications will proceed to review and evaluate final corporate sponsorship proposals with appropriate Metro departments. Metro may utilize the services of a consultant in order to the complete evaluation process. Metro will also ~~solicit public comment~~ engage the community in the neighborhood near a Metro property proposed for a long-term sponsorship via digital communication and/or a community meeting.
6. **Decision Process** – Communications will issue a determination of selection in writing to each proposer either recommending that the proposal be granted, or denying the proposal.
 - a. Recommend award – In the event a long-term Corporate Sponsorship proposal is recommended for award, Communications will prepare a contract recommendation to the Metro Board for its review and approval. Short-term sponsorships and those under \$500,000 contract value will move forward with a formal agreement and contract approved by the CEO.
 - b. Recommend no award – In the event a Corporate Sponsorship proposal is not recommended for award, Communications will have the ability to counter with additional requests.

Each sponsorship agreement will be unique and negotiated accordingly within the guidelines of this policy.

7. **Presentation to Board** – In the event a Corporate Sponsorship proposal is recommended, Communications will present the final proposal to the Metro Board of Directors for review and approval. The corporate sponsor will be invited to participate in the presentation of their recommended proposal.
8. **Board Approval** - Upon Metro Board approval, a formal agreement for Corporate Sponsorship will be completed and a contract with the Corporate Sponsor will be finalized.

Termination of Contract

In all contracts, Metro will include provisions for termination of the contract for default due to circumstances that are inconsistent with or violate Metro's System Advertising Policy, actions contrary to Metro's standards, or if the firm violates the established Corporate Eligibility Criteria.

Active Corporate Sponsorship Programs at Peer Transit Agencies

AGENCY	AGENCY ASSET/NAME	CORPORATE SPONSOR	START	VALUE
Chicago Transit Authority (CTA)	Station Refurbishment North/Clybourn Red Line Stop	Apple	2010	\$3.9M
Chicago Transit Authority (CTA)	Program Penny Rides Program (free rides on New Year's Eve)	Miller Coors	2012	\$1.3M for 3 years
Cleveland Regional Transit Authority (RTA)	BRT Healthline	Cleveland Clinic and University Hospitals	2008	\$12.5M for 10 years
Cleveland Regional Transit Authority (RTA)	BRT Cleveland State Line	Cleveland State University	2010	\$3M for 10 years
Cleveland Regional Transit Authority (RTA)	Bus Station 200 Public Square Station	Huntington Bank	2013	\$3M for 10 years
Denver RTD	Rail Line University of Colorado A Line	University of Colorado	2015	\$5M for 5 years
San Diego MTS	Rail Line UC San Diego Blue Line	University of San Diego	2015	\$30M for 30 years

- **Important Note: while many peer transit agencies have adopted a Corporate Sponsorship Policy, some do not yet have corporate sponsorship contracts, including NY MTA, MBTA, and San Francisco Transbay Center.**

Property Naming and Corporate Sponsorship/ Naming Rights Policy

Executive Management Committee
October 20, 2016



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History

- Corporate Sponsorship/Naming Rights was recommended by staff as a meaningful revenue-generating initiative as part of the **Risk Allocation Matrix (RAM)/Internal Savings Account** process, approved by the Board in January 2016.
- Currently Metro has a 2014 Board-approved **Property Naming Policy** which provides criteria for naming stations and other Metro properties through a customer-focused approach.

Property Naming Policy Principles

Four Guiding Principles

- **Transit System Context** – Context of the entire transit system
- **Property Area Context** – Context of the surrounding street system
- **Neighborhood Identity** – Acknowledging a landmark, community, or neighborhood
- **Simplicity** – Recognition and retention and fit within signage and mapping parameters

Property Naming Policy – Key Points

Recognizes Official Name vs. Operational Name

- Official – Longer name used for Board documents, contracts and legal documents and notices
- Operational – Shorter name used for station/stop announcements and customer information

The Board may **dedicate stations** to a deceased individual, or individual who has demonstrated a unique and extraordinary degree of service to public transportation.

Corporate Sponsorship/Naming Rights

- **Corporate Sponsorship/Naming Rights** is a form of advertising to **generate revenue, payment-in-kind, or value-in-kind** to maximize the agency's capital investments and assets.
- Communications will administer the program as part of its overall responsibility of generating revenue through advertising, and will contract with an independent firm to ensure fair market value for the naming of its property and assets.

Types of Corporate Sponsorships

- **Short-term Sponsorships** – Agreements extending a maximum of 12 months or less for assets such as programs, events, seasonal events, or temporary station re-namings.
- **Long-term Sponsorships** – Agreements lasting a minimum of five years for assets such as transit services, rail lines, stations, buildings, etc.
- **Contracts over \$500,000 will be presented to the Board for approval.** Those under \$500,000, likely short-term sponsorships, will be awarded at the direction of CEO. However, any short-term or temporary naming sponsorships will be communicated to the Metro Board in advance.

Corporate Sponsorship – Key Points

- The businesses and organizations considered for this program are outlined in the policy, in alignment with Metro's Advertising Policy.
- Metro will publicize the receipt of proposal to provide an opportunity for other companies to compete.
- Each sponsorship agreement will be unique and negotiated accordingly within the guidelines of the policy.
- Metro will engage the community in the neighborhoods near a Metro property proposed for a long-term sponsorship prior to being presented to the Board.

Corporate Sponsorship – Key Points

- Any re-naming proposals must uphold the location and historic reference name of the property to ensure that it remains easily identifiable and recognizable by the general public.
- Responsibilities for Metro and the corporate sponsor, as well as provisions for terminating the contract, will be included in each agreement.



Thank you



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**Board Report**

File #: 2016-0891, **File Type:** Policy**Agenda Number:** 39.

**FINANCE, BUDGET & AUDIT COMMITTEE
NOVEMBER 16, 2016****SUBJECT: METROLINK REQUEST FOR ADDITIONAL FUNDING FOR TRACK AND
STRUCTURE REHABILITATION WORK****ACTION: APPROVE LIMITED PRE-CONTRACT AWARD AUTHORITY TO METROLINK TO
INITIATE PROCUREMENT ACTIVITIES****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to provide Metrolink with “**pre-contract award authority**” to procure the contracts required for the urgent track and structure rehabilitation work reported by Metrolink at its Board Meeting on September 23, 2016.

ISSUE

On September 23, 2016, Metrolink staff provided its Board of Directors with a report for track and structure rehabilitation funding that will be required in the next 18 months for track and within 36 months for bridges and culverts totaling approximately \$46.5 million. Metrolink staff has indicated that if funding is not made available by the Member Agencies, Metrolink will need to develop a plan for operations with deferred rehabilitation that will likely result in “slow orders” and service disruptions on the impacted segments beginning June 2017 (Please See Attachment A). A slow order is generally initiated when the railroad agency believes that conditions on or about the Rights of Way (ROW) prevent trains from operating at normally designated speeds which could result in substantial delays to riders or a reduction in service. Metrolink has estimated that Metro’s share of this appropriation is \$32.0 million.

DISCUSSION

In October, Metrolink staff provided the Member Agencies with a report for track and structure rehabilitation funding that will be required in the next 18 months for track and within 36 months for bridges and culverts totaling approximately \$46.5 million that were divided into two sets of priority groupings, A and B. Priority A is comprised of a total of \$29.4 million and is regarded as a higher priority than Priority B projects totaling \$17.1 million. However, Metrolink indicated that both A & B projects are necessary to prevent the imposition of slow orders and service disruptions on the impacted segments beginning as early as June 2017.

While staff agrees that some level of state of good repair is required on the ROW, the prudent

approach is to provide assurance to the Metro Board, prior to any multi-million dollar commitment of funding, that the highest priority rehabilitation projects are addressed in the most expeditious manner, particularly in the event of a risk to the operational safety of our passengers. Therefore, staff has requested Metrolink to provide a prioritized list that identifies the most critical track and structure rehabilitation projects along with a condition assessment rating and provide a detailed project delivery work plan and corresponding cash flow expenditure plan.

Simultaneously, in cooperation with Metrolink, Metro staff is also performing a due diligence review and intends to secure the services of a qualified professional railroad engineering firm from the Regional Rail engineering bench by December 2016 with specialized staffing in railroad track & structures engineering to assist in the verification of project requirements, priorities, current ROW conditions, and validate the estimated costs. However, in the meantime to ensure there is no delay in addressing these potential operational efficiencies or passenger safety issues, staff is proposing a “pre-contract award authority” action plan that authorizes Metrolink to proceed with the development of the necessary scope(s) of work, advertise the contract opportunities, and structure the procurements with a series of options to provide flexibility with respect to the amount of funding available. Metrolink’s actual award of contracts would not be authorized until such time as Metro’s Board approves an appropriation, which is anticipated to occur prior to April 30, 2017.

As reported to the Board previously, Metro continues to work with Metrolink staff to provide an accounting and reconciliation of previously appropriated funding of approximately \$40 million for state of good repair projects dating back to FY11. Finally, in an effort to improve the communication and collaboration between the agencies, a Metrolink/Metro collaborative working group began in May 2016 meeting on a bi-weekly basis to discuss capital project status, agency agreements, risk management, community outreach, funding, operations, planning and performance.

DETERMINATION OF SAFETY IMPACT

The adoption of this recommendation has no safety impact.

FINANCIAL IMPACT

Staff anticipates that an appropriation request with a corresponding work plan could be brought to the Board by April 2017. Funding for the bench consultant is Measure R 3%. These funds are restricted for commuter rail related capital/rehabilitation projects.

ALTERNATIVES CONSIDERED

The Board could chose to not grant “pre-contract award authority” to Metrolink or not engage a consultant to analyze Metrolink’s rehabilitation needs of Metro owned ROW. This is not recommended especially since passenger safety and operational efficiency are among the agency’s highest priorities. The Board could also instruct staff to defer this request until the consideration of the FY18 Budget. This is not recommended as the process outlined above allows Metrolink to proceed with the procurement of the necessary scope(s) of work, advertise the contract opportunities, and

structure the procurements to lead a more efficient and informed FY18 budget development process.

NEXT STEPS

Upon approval of the Board, staff will:

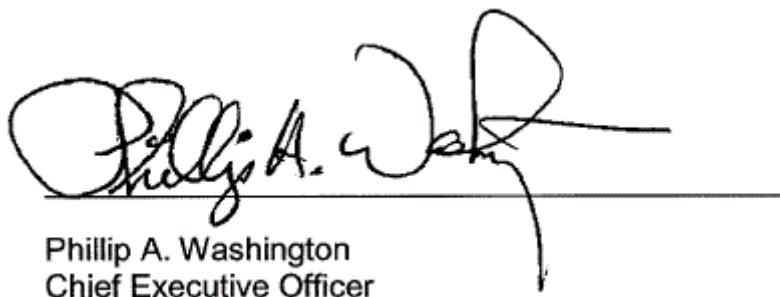
1. Notify Metrolink of the Board's actions.
2. Continue to perform the due diligence review and secure specialized railroad engineering consultant services from the established Regional Rail bench by December 2016 to evaluate Metrolink's track and structure rehabilitation and SOGR projects.
3. Report back to the Board with an appropriate funding recommendation for track and structures rehabilitation work by April 2017 or sooner.

ATTACHMENTS

Attachment A- Metrolink Board Item #22 dated September 23, 2016

Prepared by: Yvette Reeves, Principal Transportation Planner (213) 922-4612
Drew Phillips, Director of Budget (213) 922-2109
Jeanet Owens, Sr. Executive Officer, Program Management
(213) 922-6877

Reviewed by: Nalini Ahuja, Chief Financial Officer (213) 922-3088
Rick Clark, Chief Program Management Officer (213) 922-7557



Phillip A. Washington
Chief Executive Officer

TRANSMITTAL DATE: September 16, 2016**MEETING DATE: September 23, 2016****ITEM 22****TO: Board of Directors****FROM: Arthur T. Leahy** *ATL***SUBJECT: Planned Slow Orders Resulting from Deferred Funding for Track and Structures Rehabilitation****Issue**

Track and structures rehabilitation funding will be required in the next 18 months for track and within 36 months for bridges and culverts. Bridges and culverts have longer lead times and take longer to get “shovel-ready” than track projects. If additional funding is not approved, slow orders and weight restrictions will be applied to various locations on the system, principally on the Valley, Ventura, River and San Gabriel line segments.

Recommendation

The Board may receive and file this report.

Alternatives

The Board may request additional information.

Background

The Authority is responsible for maintaining rail network assets dispersed over five counties and including nearly 400 miles of track in a State of Good Repair. The breakdown of key track and structure assets on Metrolink property includes 3.8 million feet of rail, 1.1 million concrete or wood ties with fasteners, 285 crossing surfaces, 442 turnouts, 261 bridges, 580 culverts and 6 tunnels. In addition to track and structure assets, various system assets including signals, communications, train control centers, Positive Train Control (PTC) and specialized Maintenance-of-Way (MOW) equipment must be maintained to a State of Good Repair.

The Authority’s Engineering staff utilize various methods for measuring the condition of infrastructure components which is documented in condition reports and databases. Condition reports are used to determine the remaining life on an asset and program its replacement or renewal. The programming for replacement and renewal includes a cost estimate, schedule and funding request to perform the work before the asset reaches a threshold where it could impact rail operations throughput, reliability or safety. These forecasts, schedules and estimates are used to develop annual multi-year rehabilitation funding requests and to plan procurement materials and installation contractors to perform the work.

Funding levels for track and structures have become inadequate to maintain these railroad assets in a State of Good Repair. Funding for overall rehabilitation and replacement has fluctuated between \$18M and \$47M per year during the past 10 years, and has steadily become inadequate to sustain necessary rehabilitation of track, bridges and culverts, specifically for the Valley, Ventura, San Gabriel and River line segments. For FY2016, there was no funding for rehabilitation of track assets on the Ventura (Los Angeles), Valley, River, or Pasadena subdivisions. As a result, the condition of the track, bridge, tunnel and culvert assets continues to steadily degrade as a consequence of the lack of funding. With the recent levels of funding obtained, Metrolink is only addressing projects on a “worst-first” basis, and therefore the assets that also need to be addressed, but are not in the very worst condition, have been deferred. Attachment C provides the historic funding for track and structures over the past five years.

Attachments A and B provide a table and corresponding maps listing the locations and work where funding is required to address immediate needs for rehabilitation or replacement. The amounts requested are in addition to any previously programmed amounts, but were requested in the preliminary FY2016-17 budget. The table and maps are also divided into an “A” and “B” list. The “A” list is for the highest priority and the “B” list is for the next-highest priority work necessary. The lists do not account for other separately programmed or yet-to-be programmed rehabilitation work such as signal, communication, train control system work and work on other line segments. Some critical track and closely related signal work within the Los Angeles Union Station terminal has also not been included in the list and will be added in the near future.

If funding is not be made available, staff will need to develop a plan for operations on the track segments with deferred rehabilitation. This will likely result in slow orders on the impacted segments and will cause significant service impacts. Slow orders would be imposed beginning in June 2017. The corresponding typical increase in run times for a Valley, Ventura or San Bernardino Line train trip could be 10 to 15 minutes. Weight limits on bridges may also need to be imposed, restricting the gross weight for freight cars from 315,000 down to 286,000 pounds. The freight railroads would be very concerned about this course of action and likely reduce their freight revenue contributions to the Authority or take other action.

Budget Impact

There is no budgetary impact in developing this report. However, if the Board directs staff to increase funding for all or some of the rehabilitation work, a mid-year adjustment to the Authority’s FY2016-17 budget will be required.

Prepared by: Aaron Azevedo, Project Engineer I
 Elizabeth Lun, Project Engineer I
 Wayne Mauthe, Asst. Director Track and Structures
 Darrell Maxey, Deputy Chief Operations Officer (PTC and Engineering)



Gary Lettengarver
Chief Operating Officer

Sub	Location	Quantity/Cost										Speed Reduction/ Weight Limit		
		Rail	Ties	Crossing	Tunnels	Bridge	Culvert	Subtotal						
Valley	A: Santa Clarita to Palmdale		8450	\$2,112,500	1	\$400,000	1	\$500,000	13	\$9,160,000	15	\$5,320,000	\$17,492,500	10 MPH Speed Reduction * Reduce gross weight from 315,000 to 286,000 lbs.
	B: Glendale to Burbank		8000	\$2,000,000					2	\$1,760,000	0	\$0	\$3,760,000	10 MPH Speed Reduction * (see above)
Ventura	A: Chatsworth to Burbank Airport		1200	\$3,000,000				\$375,000	2	\$2,800,000	0	\$0	\$6,175,000	10 MPH Speed Reduction * (see above)
	B: Moorpark to Simi Valley	4500	7600	\$1,900,000	2	\$800,000	1	\$375,000	2	\$1,310,400	1	\$150,000	\$5,097,900	10 MPH Speed Reduction * (see above)
San Gabriel	A: Montclair to Rialto		9000	\$2,250,000					1	\$1,400,000	0	\$0	\$3,650,000	10 MPH Speed Reduction * (see above)
	B: Baldwin Park to Covina				1	\$400,000			0	\$0	0	\$0	\$400,000	10 MPH Speed Reduction * (see above)
River	A: LAUS	1800	5300	\$1,325,000			1	\$550,000	0	\$0	0	\$0	\$2,100,000	5 MPH Speed Reduction
	B: East Bank	31680	5000	\$1,250,000			5	\$2,622,400	0	\$0	0	\$0	\$7,832,400	10 MPH Speed Reduction
											TOTAL FUNDING NEED	\$46,507,800		

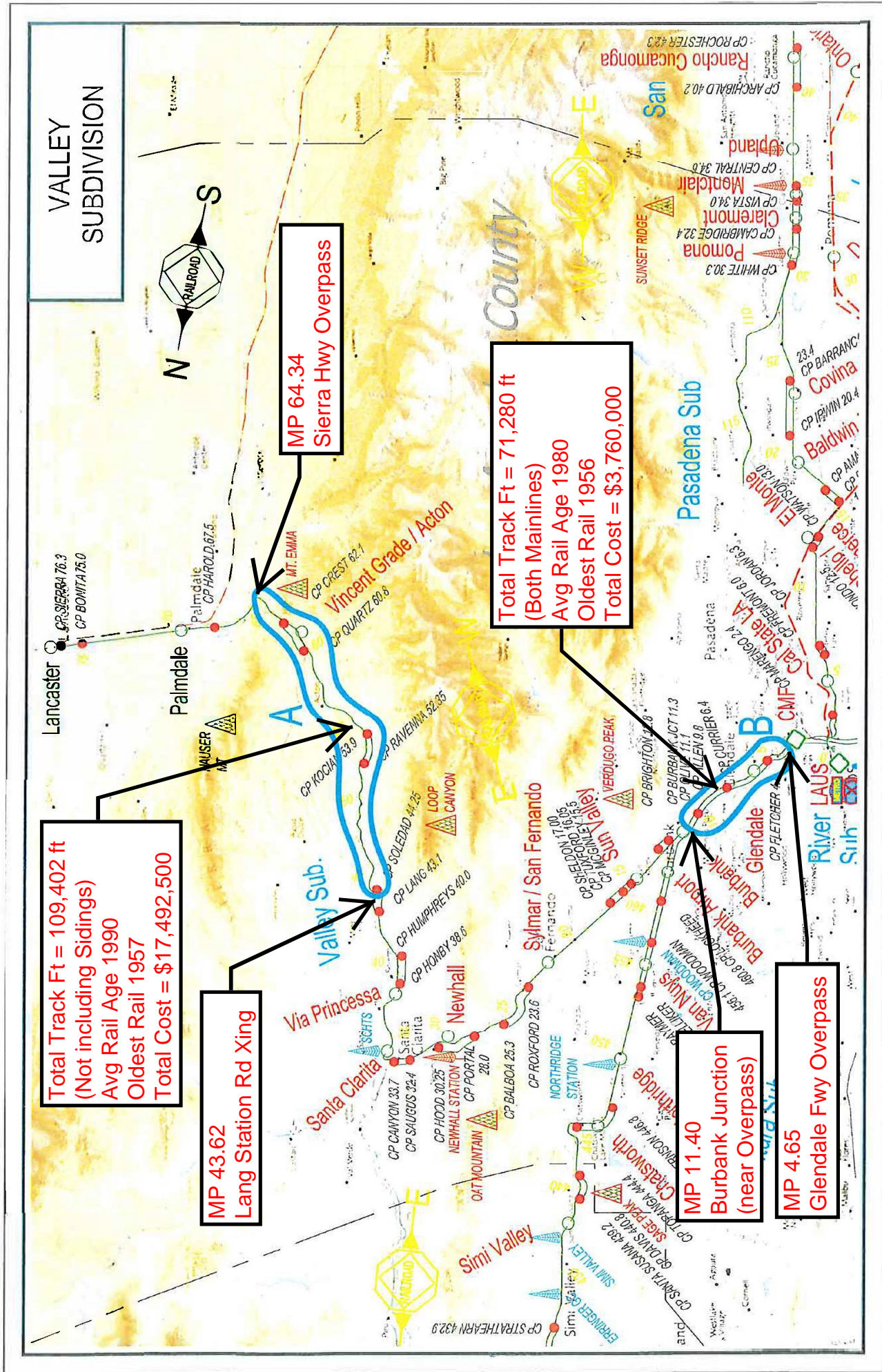
COST SHARES BY MEMBER AGENCY

Subdivision	Location	TOTAL	LA	OCTA	RCTC	SANBAG	VCTC	UPRR*
Valley	A SCR to PMD	\$17,492,500	\$17,492,500					
Valley	B GDL to BUR	\$3,760,000	\$3,760,000					
Ventura	A CWT-BBA	\$6,175,000	\$6,175,000					
Ventura	B MPK-SIM	\$5,097,900				\$5,097,900		
San Gabriel	A MCL-RIA	\$3,650,000	\$2,190,000			\$1,460,000		
San Gabriel	B BWP-COV	\$400,000	\$240,000			\$160,000		
River	A LAUS	\$2,100,000	\$997,500	\$415,800	\$233,100	\$302,400	\$151,200	\$0
River EB	B East Bank	\$7,832,400	\$1,157,041	\$482,304	\$270,382	\$350,766	\$175,383	\$5,396,524
Sub-Total (A)	A	\$29,417,500	\$26,855,000	\$415,800	\$233,100	\$1,762,400	\$151,200	\$0
Sub-Total (B)	B	\$17,090,300	\$5,157,041	\$482,304	\$270,382	\$510,766	\$5,273,283	\$5,396,524
GRAND TOTAL		\$46,507,800	\$32,012,041	\$898,104	\$503,482	\$2,273,166	\$5,424,483	\$5,396,524

*For costing purposes, East Bank assumes Zone 2 location and UPRR share of 68.9%

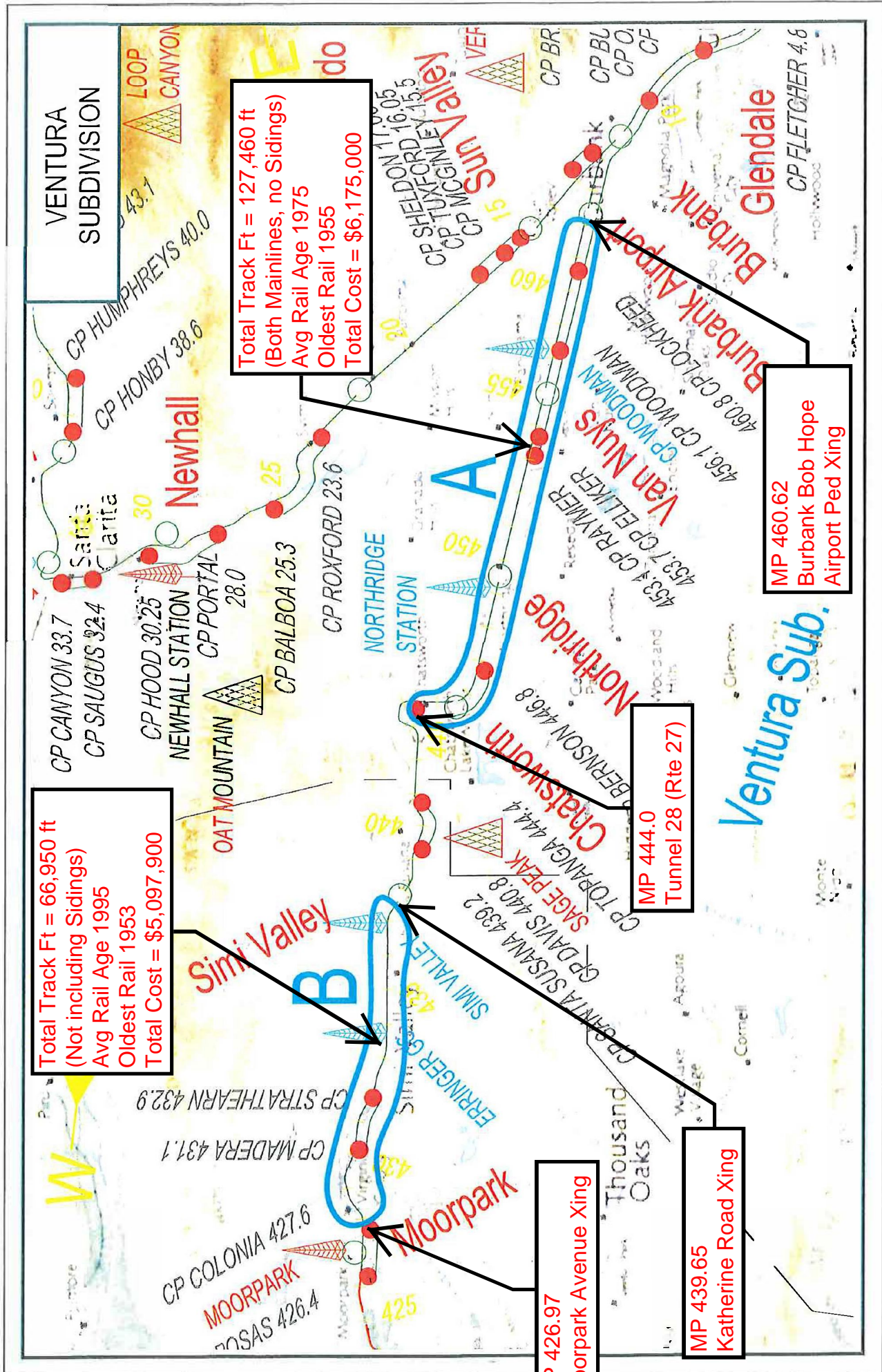
ATTACHMENT B

Page 2 of 5



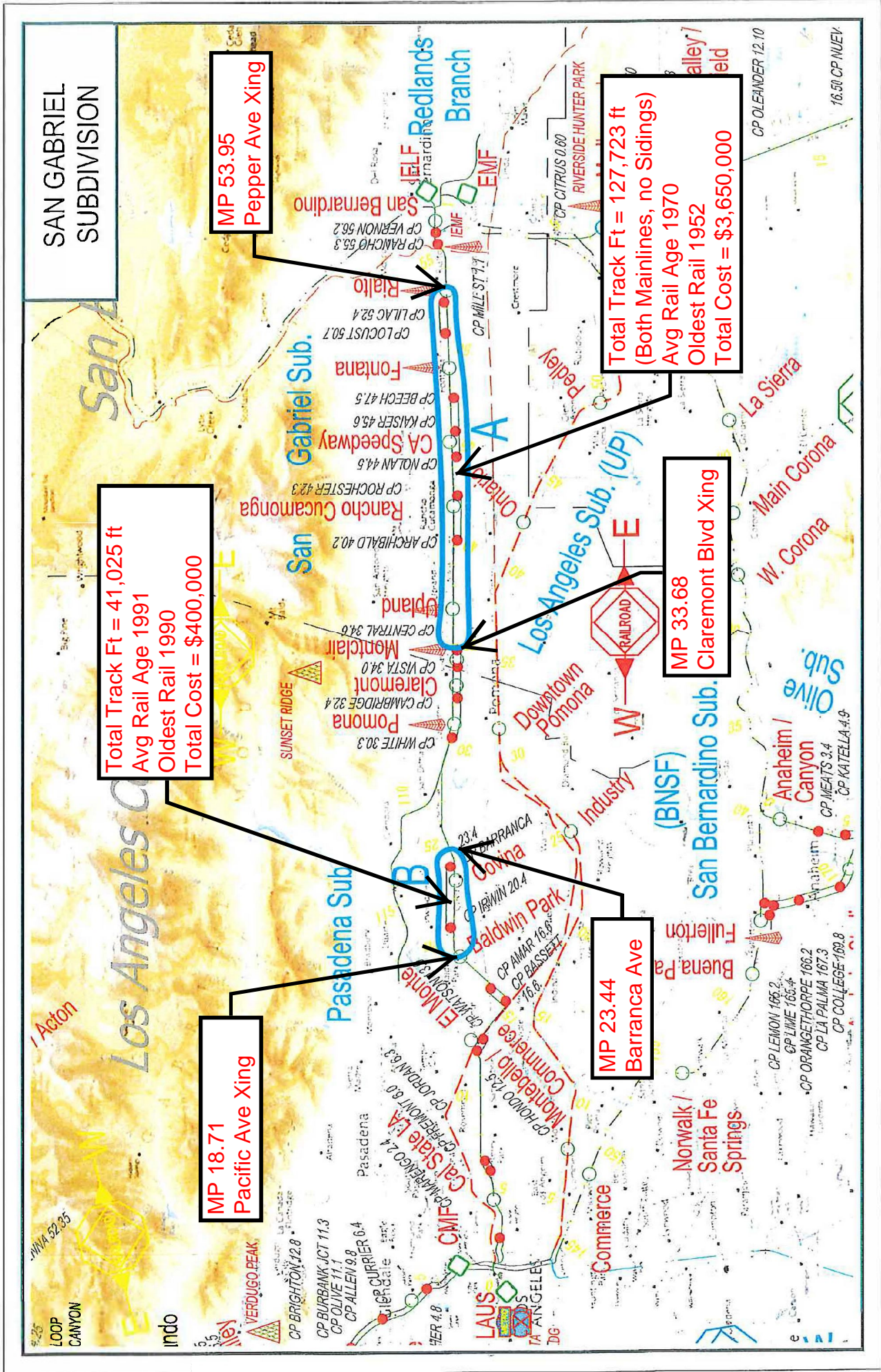
ATTACHMENT B

Page 3 of 5



ATTACHMENT B

Page 5 of 5



ATTACHMENT C

Historic Metrolink Rehabilitation Funding for Track and Structures

Row Labels	2012-13	2013-14	2014-15	2015-16	2016-17	Grand Total	Average	# of Bridges	# of Culverts	# of Tunnels	Track Miles
Structures	\$1,986,786	\$545,000	\$11,563,594	\$3,466,107	\$4,060,460	\$21,621,947	\$4,324,389	261	580	6	
Olive			\$693,362			\$693,362	\$138,672	6	13		
Orange	\$1,242,000	\$75,000	\$7,074,482	\$2,725,000	\$485,000	\$11,601,482	\$2,320,296	54	108		
River	\$155,250		\$76,976			\$232,226	\$46,445	14	5		
San Gabriel			\$80,000	\$112,000	\$168,000	\$360,000	\$72,000	33(LA)/ 26(SB)	66(LA)/ 36(SB)		
Valley	\$372,600	\$350,000	\$2,086,056		\$867,860	\$3,676,516	\$735,303	57	207	3	
Ventura (LA)	\$197,032		\$497,941			\$694,973	\$138,995	25	19	3	
Ventura (VC)	\$19,904	\$120,000	\$1,054,777	\$629,107	\$2,539,600	\$4,363,388	\$872,678	18	35		
Track	\$5,449,694	\$10,310,233	\$7,132,621	\$4,910,650	\$14,849,853	\$42,653,050	\$8,530,610				400
Olive		\$397,936	\$6,638	\$318,000		\$722,574	\$144,515				5.98
Orange	\$3,245,916	\$3,643,416	\$462,300	\$2,137,750	\$6,912,120	\$16,401,502	\$3,280,300				78.93
Pasadena		\$745,531	\$375,000			\$1,120,531	\$224,106				16.52
Redlands				\$300,000		\$300,000	\$60,000				
River	\$310,501	\$200,000	\$3,623,024		\$4,899,216	\$9,032,741	\$1,806,548				32.53
San Gabriel	\$496,800	\$1,340,000	\$1,438,000	\$1,640,200	\$1,305,300	\$6,220,300	\$1,244,060				45.60(LA)/ 33.43(SB)
System	\$310,500	\$1,677,000	\$800,000			\$2,787,500	\$557,500				
Valley	\$335,603	\$1,375,000	\$82,228		\$1,400,000	\$3,192,831	\$638,566				98.73
Ventura (LA)	\$543,375	\$178,350	\$25,896			\$747,621	\$149,524				32.85
Ventura (VC)	\$207,000	\$753,000	\$319,535	\$514,700	\$333,217	\$2,127,452	\$425,490				20.06



Board Report

File #: 2016-0851, **File Type:** Contract

Agenda Number: 42.

**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 17, 2016**

**SUBJECT: TAP SYSTEM INNOVATIVE ENHANCEMENTS FOR SEAMLESS CONNECTIVITY
WITH MULTI-MODAL MOBILITY PROGRAMS**

ACTION: EXECUTE SOLE SOURCE CONTRACT WITH VERTIBA, INC.

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to negotiate and execute sole source Contract No. PS 6394500 to **Vertiba Inc., a Salesforce System Integrator, to enhance the TAP system in order to achieve maximum interoperability with regional systems and services including Bike Share, parking, ride-hailing companies, fare subsidy programs, electric vehicle car-sharing, gift card programs, mobility hubs, a mobile app** and more in an amount not-to-exceed \$4,750,000.

ISSUE

Seamless TAP interoperability and growth potential for services such as Bike Share, parking, ride-hailing companies, fare subsidy programs, electric vehicle car-sharing, gift card programs, and mobility hubs is not possible unless the TAP system is modified to handle payment functions for outside accounts.

DISCUSSION

A motion by Vice Chair Garcetti and Directors Solis, Bonin and Najarian requested Technology & Transportation Investments to Improve Customer Service (Item #44; file ID2015-1783). This motion asked TAP to begin development of a next-generation system for “seamless customer payment of non-Metro services, including but not limited to Metrolink, taxicabs, ride-hailing companies, Bike Share, parking, etc.”

TAP has been working to follow this Motion’s direction by integrating with various systems. For example, two of three phases of TAP integration into the Metro Countywide Bike Share program are now complete. TAP cards are the exclusive pass media used on the Bike Share system and any one of millions of existing TAP cards may be linked to a Bike Share account to unlock bikes. Step three of Bike Share integration is dependent upon completing TAP payment integration. TAP is also working with parking services to enable a similar integration, which also must include TAP payment options.

To fully integrate TAP payment with these separate and unique systems, the current card-based TAP system needs to be modified to include regional account-based functions. In addition, gift card programs, ride-hailing companies, mobility hubs, electric vehicle car-sharing, Immediate Needs and Rider Relief Transportation Programs (low-income subsidy programs) and more have requested integration into TAP. In order to completely integrate TAP payment with these separate and unique systems, the current card-based TAP system needs to be modified to include regional account-based functions.

The enhanced system will store and process information that will enable payment and delivery of benefits through TAP across a variety of different systems and will be accessible to patrons through an enhanced website, a new mobile phone application and a traditional call center. Plans call for the enhanced architecture to also connect to additional, anticipated, future system services with limited cost and integration. The enhanced system includes plans to ensure low-income accessibility and ease of use for all customers. Customers will be able to use transit in addition to other supporting last-mile transportation services for seamless connectivity and multi-modal travel.

TAP and Outside Account Payment Integration

Software development is needed within the existing TAP architecture that will connect and integrate a TAP account with outside systems. From a customer perspective, this development would enable payment and access with the TAP account across multiple systems such as Bike Share, parking, gift card programs, ride-hailing companies, mobility hubs, electric vehicle car-sharing, low-income subsidy programs and more, while preserving the transit functionality of the TAP card. Access to all of these services would be made available through a regional TAP payment system where customers could link to their choice of a variety of individual multi-modal programs.

Benefits of the Enhanced System

According to the Board Motion, “technological sophistication is expected by today’s customers within all economic and demographic strata.” Innovative TAP integration with numerous multi-modal services will deliver a variety of benefits. For example, TAP integration with Rider Relief and Immediate Needs Transportation Programs means that these programs will be able to realize their full potential and discard outdated practices such as paper coupon redemption that require costly, labor-intensive printing, distribution, clearing, settling and burden on third-party retail sales outlets.

TAP integration with Bike Share, parking, gift card programs, ride-hailing companies, mobility hubs, electric vehicle car-sharing and more will enable these potential and established revenue-generators to enhance customer service, provide seamless commuter options and make transit more attractive to potential riders. By integrating mobility services together under a single account, TAP will remove barriers to system access and create opportunity for synergistic ridership growth across modes. Increasing riders on alternative transportation modes contributes to the Long Range Transportation

Plan's goals of reducing congestion and miles traveled by single-occupant vehicles, and increasing air quality while keeping the economy moving. A centralized repository of mobility service data will also allow staff to measure system performance across modes, a procedure previously impossible with isolated accounts.

DETERMINATION OF SAFETY IMPACT

Implementing the enhanced TAP System will not have any adverse safety impacts on Metro employees or patrons.

FINANCIAL IMPACT

Funds for development of the scope, including integration for RRTP and INTP are included in the FY17 budget under cost center 3020, in projects 207144 Regional Point of Sale Development and 210147 CRM Enhancements. Bike Share TAP Step Three integration costs are estimated at \$1.2 Million over two fiscal years, of which \$700,000 are designated for TAP integration. The estimated development costs for FY17 are included in the budget under cost center 4320, Project 405305. Since this is a multi-year project, the cost center managers and project managers will be responsible for budgeting the costs in future years. Additional costs for Bicycle Transit Systems will be addressed as part of Bike Share contract modification.

Impact to Budget

The source of funds for Bike Share is a mix of General Funds, local grant, and other eligible and available local funds. Local funds are eligible for bus and rail operating or capital expense; these funds may be reimbursed from future Bike Share sponsorship revenues, if any. The costs for remainder of the scope are funded with Prop C 40% and TDA Article 4. These sources are eligible for bus and rail capital or operations.

Justification of Sole Source

To accommodate regional payment functions and seamless connectivity, an account-based layer must be added onto the current TAP Customer Service System. Vertiba Inc. is the architect of the innovative, cloud-based, highly-customized Customer Service System for TAP. This complex and unique system holds TAP customer information for 26 TAP-enabled agencies, including Metro, Metrolink and Access Paratransit and integrates into eight TAP-related, Metro Departments (TAP Call Center, Reduced Fare, Call Sales, Corporate Programs, Business Programs, U-TAP, Back Office, and Customer Experience). In addition, Vertiba developed the custom code for the internal website, which provides customer information for all TAP departments and the Regional TAP Operators. They also developed the customer-facing *taptogo.net* site which is for the general public. Both the internal and customer-facing sites will be configured to integrate with a new mobile phone application. The

system built by Vertiba also integrates with Metro's Accounting department, the TAP card manufacturer, the third-party retail vendor network and the TAP fare equipment system. Due to the high level of customized development that has already been completed and integrated, and to keep costs as low as possible, staff recommends Vertiba to perform this complex integration. Vertiba is a highly qualified, Salesforce-certified firm that has over 100 5-star ratings on the Salesforce App Exchange.

ALTERNATIVES CONSIDERED

The Board may choose not to approve the implementation of expanded TAP account-based functions for integration with external programs. This choice is not recommended due to the increasing need for integration with new technologies and systems. If no account-based functionality is included, then the card-based TAP system will not be able to integrate with account-based systems such as Bike Share, parking, gift card programs, ride-hailing companies, mobility hubs, electric vehicle car-sharing, low-income subsidy programs and others. The Board may direct staff to competitively bid this effort, but this is not recommended because this would likely cost more due to the complexity of the system that is already in place and the amount of time necessary for the selected vendor to understand the customization and then to make the necessary modifications.

NEXT STEPS

Upon Board approval of this strategy, staff will negotiate, award and execute a contract to Vertiba, Inc. and will begin work in December, 2016.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Board Motion #44

Prepared by: Julia Salinas, Transportation Planning Manager, (213) 922-7413
Robin O'Hara, Deputy Executive Officer, (213) 922-2411
Laura Cornejo, Deputy Executive Officer, (213) 922-2885
Calvin E. Hollis, Managing Executive Officer, (213) 922-7319
David Sutton, Executive Officer, (213) 922-5633

Reviewed by: Debra Avila, Chief, Vendor/Contract Management Officer, (213) 418-3051
Nalini Ahuja, Chief Financial Officer (213) 922-3088



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

TAP SYSTEM INNOVATIVE ENHANCEMENTS FOR SEAMLESS CONNECTIVITY
WITH MULTI-MODAL MOBILITY PROGRAMS/PS 6394500

1.	Contract Number: PS 6394500	
2.	Recommended Vendor: Vertiba, LLC	
3.	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	
4.	Procurement Dates:	
	A. Issued: October 20, 2016	
	B. Advertised/Publicized: N/A	
	C. Pre-Proposal Conference: N/A	
	D. Proposals Due: October 31, 2016	
	E. Pre-Qualification Completed: November 7, 2016	
	F. Conflict of Interest Form Submitted to Ethics: November 1, 2016	
	G. Protest Period End Date: N/A	
5.	Solicitations Picked up/Downloaded: 1	Bids/Proposals Received: 1
6.	Contract Administrator: Anush Beglaryan	Telephone Number: (213) 418-3047
7.	Project Manager: Robin O'Hara	Telephone Number: (213) 922-2411

A. Procurement Background

This Board Action is to approve single source Contract No. PS 6394500 issued to provide enhancements to the existing Customer Relationship Management (CRM) System for the regional TAP Smart Card Program. The existing Customer Relationship Management System is furnished by Vertiba, LLC.

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 this RFP. Amendment No.1 issued on October 20, 2016, extended the proposal submittal due date.

B. Evaluation of Proposals

The Proposal Evaluation Team (PET) consisting of staff from TAP Program/Finance and Bike Share convened and conducted a comprehensive technical evaluation of the proposal received.

The proposal was evaluated based on the established evaluation criteria stated in the RFP, which are appropriate and consistent with criteria developed for other similar procurements.

During the week of October 31, 2016, the PET met and evaluated the proposal. The PET conducted fact finding and negotiations via telephone with Vertiba's Project Manager and key team members.

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon technical evaluation, cost analysis, fact finding, and negotiation. The independent cost estimate (ICE) did not account for the mobile application and gift card functions that are required in the scope of work. In addition, the hourly labor rates used in the ICE were lower than labor rates for Los Angeles County. As a result, the ICE is lower than the NTE amount.

	Proposer Name	Proposal Amount	Metro ICE	NTE Amount
1.	Vertiba, LLC.	\$4,850,000	\$3,400,000	\$4,750,000

D. Background on Recommended Contractor

The recommended firm, Vertiba, LLC (Vertiba), headquartered in Boulder, Colorado with offices in Texas, California, Oregon, Arizona, North Carolina, and Utah, has been in business since 2010. Vertiba is a global leader in Salesforce platform implementations, technology and creativity. Vertiba has extensive experience implementing customer relationship management systems and solutions, all based on the Salesforce platform. Vertiba has gained national prominence for its innovative work on the Salesforce platform, and its ability to deliver outstanding results for its clients. Furthermore, Vertiba is a Gold-level Salesforce implementation partner with consultants throughout the United States and is ranked in the top 3 for customer satisfaction among all 700+ certified partners.

Vertiba has successfully completed similar projects for Bay Area Rapid Transit (BART) in the greater San Francisco area as well as for the State of California Department of Transportation (Caltrans). Vertiba has identified key personnel who will be working closely with staff to ensure successful implementation and completion of the project.

The existing Customer Relationship Management (CRM) System for the TAP Service Center was implemented by Vertiba. In 2015, Metro entered into an agreement with Vertiba to integrate Metro's unique TAP programs into the CRM.

DEOD SUMMARY

**TAP SYSTEM INNOVATIVE ENHANCEMENTS FOR SEAMLESS CONNECTIVITY
WITH MULTI-MODAL MOBILITY PROGRAMS/PS 6394500**

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Small Business Enterprise (SBE) goal for this sole source, non-competitive procurement, which involves software coding and proprietary architecture that precludes subcontracting opportunities. Vertiba, Inc. did not make an SBE commitment but indicated it will endeavor to include small business as the project evolves.

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.



Board Report

File #:2016-0086, **File Type:**Motion / Motion Response

Agenda Number:

**REGULAR BOARD MEETING
January 28, 2016**

Motion by:

**MAYOR ERIC GARCETTI, SUPERVISOR HILDA SOLIS,
DIRECTOR MIKE BONIN & DIRECTOR ARA NAJARIAN**

January 28, 2016

**Item #44; File ID 2015-1783
Technology & Transportation Investments to Improve Customer Service**

The quality of the customer experience is directly relevant to how attractive the MTA system is to potential riders, and more riders translates into the furthering of MTA’s goals of easing congestion, cleaning our air and keeping our economy moving.

Technological sophistication is expected by today’s customers within all economic and demographic strata.

A majority of people across all economic and demographic strata carry cellular and/or internet enabled devices on their person.

People want to be constantly connected to cellular and Internet service, especially when traveling.

Transportation information applications are among the most downloaded smart-phone programs.

Technology has the potential to improve customer service, “first-mile, last mile” connections by linking the transit system with car sharing, taxi, bike and other modes of transportation; provide real-time bus and train timetables; streamline transfers; and more.

As MTA proceeds with its unprecedented expansion of Los Angeles County’s transportation network, it is essential that these investments are complemented by the best possible technology.

MOTION by Garcetti, Solis, Bonin, Najarian that the Board direct the CEO to:

- A. Prioritize and accelerate the **full** installation of cellular and Wi-Fi infrastructure and service in MTA tunnels, underground stations, and provide a status report on the execution of agreements with cellular service providers, with the goal of a system with no “dead zones” for cellular and

internet users.

- B. Begin the development of a next-generation Transit Access Pass (“TAP”) for customer payment of non-MTA services, including but not limited to Metrolink, taxicabs, ride-hailing companies, bikeshare, parking garages, etc.
- C. Identify existing transit applications that do not use real-time MTA data and explore the feasibility of sharing real-time data to enhance the user experience.
- D. Work with transit technology companies to develop connectivity and demand-response systems that integrate with MTA’s fixed-route transit lines to provide first-mile/last-mile connections in various modes.
- E. Improve real-time arrival service information, including, but not limited to:
 - 1. Set a goal of repairing faulty displays within 24 hours of failure
 - 2. Ensure consistency between countdown clocks displays at each rail station
 - 3. Create true real-time feeds of bus and rail arrival times rather than the current practice of information feeds at set intervals.
 - 4. Work with Metrolink and Amtrak to install real-time arrival information at regional rail stations.
- F. Work with county transit municipal operators to help improve bus speeds at key corridors where traffic signal priority technology exists.
- G. Identify and utilize technology to better align arrivals and departures of different lines to streamline transfers.
- H. Report back on all the above during the April 2016 MTA Board cycle.

TAP System Enhancements

November 17, 2016

Executive Management Committee

Robin O'Hara, Deputy Executive Officer, TAP



Item #42

TAP System Innovative Enhancements for Seamless Connectivity with Multi-Modal Mobility Programs

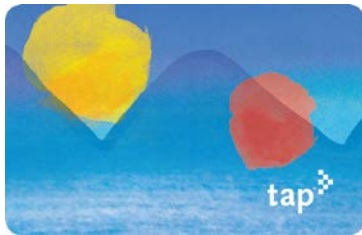
Action

Execute Sole Source Contract with Vertiba, Inc. for Negotiable, Not-to-Exceed Amount of \$4,750,000

Recommendation

Authorize the Chief Executive Officer to award a sole source contract to Vertiba Inc., a Salesforce System Integrator to enhance the TAP system in order to achieve maximum interoperability with regional systems and services such as Bike Share, parking, ride-hailing companies, fare subsidy programs, electric vehicle car-sharing, gift card programs, mobility hubs and more in an amount not-to-exceed \$4,750,000

TAP has grown to become the payment choice for LA County Transit



- Nearly 700 fare types from 24 Agencies, + Metrolink and Access paratransit
- All Metro light rail and over 3800 regional buses accept TAP
- Nearly 29M regional transactions/month
- Nearly 400 LA County outlets selling over \$14M+ per month
- Over 1000 Employer, College, and Institutional transit benefit providers

Due to the success of TAP, many services are interested in TAP integration.



Innovative technology enables a seamless customer experience



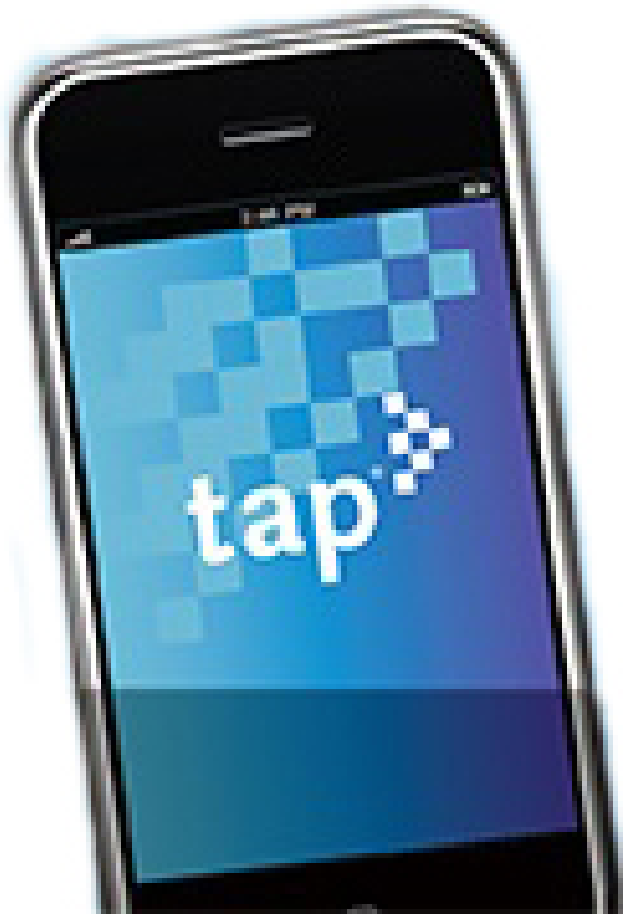
TAP needs to grow to accommodate these needs

I want to pay for Bike Share with my TAP account, please.



Included:

Upgraded website and new mobile app



- One app that links TAP account to all services
- Manage multiple, multi-modal accounts for regional connectivity



Metro

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

Board Report

File #: 2016-0927, **File Type:** Oral Report / Presentation

Agenda Number: 4.

**REGULAR BOARD MEETING
DECEMBER 1, 2016**

Report by the **Chief Executive Officer.**



Measure M Implementation

- Proposed Staff Approach

December 1, 2016

Presentation Overview

- Measure M Guidelines
- Taxpayer Oversight Committee
- Advisory Council
- Long Range Transportation Plan
- Capital Projects Tactical Plan
- Unsolicited Proposals
- Related Initiatives
- Next Steps

Measure M Guidelines Development

- Measure M is far more comprehensive and far reaching than Measure R
- The success of Measure M hinged on the diverse and committed coalition that supported its passage
- The Guidelines must address all aspects of administering and overseeing Measure M
 - The Ordinance specifically stipulates guidelines for some elements, but others require equal clarity of intent and a process to implement them

Measure M Guidelines – Continued

- Staff will prepare a Master Guidance document that will direct the broad investment categories in Measure M:
 - Administration
 - Oversight, Assessments and Amendments
 - Transit Operations
 - Highway and Transit Subregional Programs
 - State of Good Repair
 - Local Return
 - Designated Regional and Other Programs

Measure M Guidelines – Continued

- The provisions of Measure M will impact many constituencies
- The Metro Board and staff are ultimately accountable to the people of the County
- The Ordinance provides specific authorities for administering certain provisions, notably the Local Return Program
 - In those limited cases staff would work directly with the entities on drafting appropriate guidance

Taxpayer Oversight Committee

- Ordinance has specific requirements & selection criteria
- Chair, Vice Chair, & 2nd Vice Chair comprise the Selection Panel
- Selection Panel will recommend the Oversight Committee members (7) for Board Approval (simple majority)
- Online application process being developed for the Committee; applications will be open for 60 days
- Committee in place by June 2017



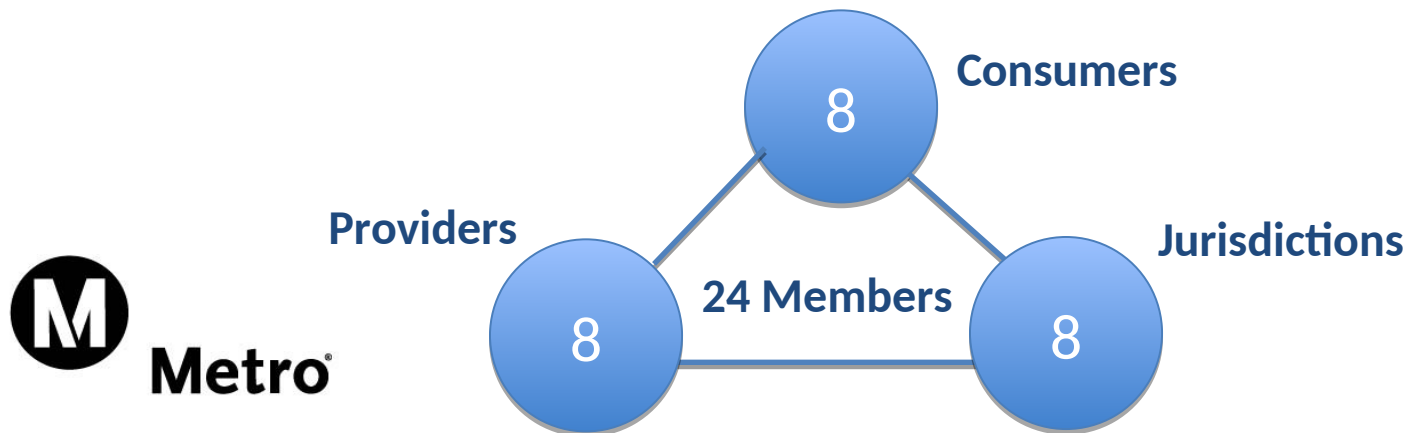
Metro

Advisory Council Recommendation

- Staff recommends a new Advisory Council be established to review and comment on the draft Guidelines and provide advisory recommendations to the Board
- The Advisory Council would not supersede the responsibility of the Taxpayer Oversight Committee
- The Advisory Council will provide insight and input on the Master Guidelines document
- The Council will also be utilized during the Long Range Transportation Plan process

Advisory Council – An Inclusive Forum

- The Advisory Council ensures an equal, representative voice for the following:
 - **Transportation Consumers:** Those who use or are impacted by our complex transport system
 - **Transportation Providers:** Those who supply or regulate transportation infrastructure and services
 - **Accountable Jurisdictions:** Elected bodies accountable to needs of both consumer and provider constituencies



New Advisory Council

- The Council will reflect the diverse coalition with a balanced representation of the following:

PROVIDERS	CONSUMERS	JURISDICTIONS
Transit Munis	Elderly/Disabled	County of LA
CalTrans	Students	City of LA
Metrolink	Enviro/Social Equity	City of Long Beach
Access Services	Enviro/Social Equity	Small City
Ports	Enviro/Social Equity	Medium City
Airports	Business	Small/Medium City
Federal	Small Business Assn.	COG
Auto Club	Labor	COG

Master Guidelines Development Timeline

- Preparation of Master Guidelines Document and formation of Advisory Council – January-March 2017
- Advisory Council review and outreach process as representative of Council membership – April-May
- Board consideration and action – June

Long Range Transportation Plan

- Passage of Measure M sets the stage for new, innovative Long Range Transportation Plan (LRTP)
- However, we must amend the 2009 LRTP
 - Measure M expenditure plan projects create a voter mandated baseline
 - A major LRTP update must build around this baseline to be relevant
 - Amendment to 2009 LRTP also ensures eligibility for federal funding and permitting as projects proceed
 - This amendment is essential for the aggressive project delivery of Measure M



Metro

Long Range Transportation Plan – Continued

- Board to approve 2009 amendment in January 2017, and submit to SCAG
 - SCAG completes its federally required MPO regional planning and air quality conformity
 - Anticipate formal federal approvals of SCAG actions in summer 2017
- In January/February 2017, staff will present process for major LRTP update
 - Will build on 2009 LRTP amended baseline
 - Will present innovative new thinking, structure and approach
 - New Advisory Council to assist with inclusive participation and input



Tactical Plan & Approach – Capital Projects & Programs

- **Refresh:**

- Operation Shovel Ready – Feb. 2016
 - Get projects positioned for construction
- Annual Program Evaluation – May 2016
 - Evaluate and recalibrate projects, schedules and budgets
- Program Management Plan – Oct. 2016
 - Staff approach to implementing a massive infrastructure program

Tactical Plan & Approach – Capital Projects & Programs

Calendar Year 2017 Actions (First 12 months)

- **Airport Metro Connector Station**

- Finalize EIR (complete)
- Proceed with final engineering
- Start right-of-way acquisition
- Oversee final engineering and prepare for construction
- Partner with LAX to coordinate engineering and execute cooperative agreement

Tactical Plan & Approach – Capital Projects & Programs

- **Westside Purple Line Extension – Section 3**
 - Seek contracting authority from Board
 - Issue RFP/RFQ
 - Contract award for tunneling contract
 - Procure Construction Management Support Services (CMSS) consultant
 - Continue to engage in New Starts process with FTA

Tactical Plan & Approach – Capital Projects & Programs

- **Foothills (2) Gold Line Extension**
 - Work with Construction Authority on completion of EIR and preliminary engineering
 - Procurement of design-build contractor
 - Continue cooperative agreement between Metro and Construction Authority
 - Provide coordination and oversight
- **Orange Line BRT Improvements (Grade Separations)**
 - Complete planning/operational study
 - Start and complete EIS
 - Preliminary engineering

Tactical Plan & Approach – Capital Projects & Programs

- **Orange/Red Line to Gold Line BRT**
 - Present technical studies to the Board
 - Initiate procurement for environmental clearance

- **East San Fernando Valley Transit Corridor**
 - Accelerate planning/environmental
 - Develop locally preferred alternative
 - Start preliminary engineering

Tactical Plan & Approach – Capital Projects & Programs

- **West Santa Ana Branch**

- Hire planning/environmental consultant (complete)
- Accelerate planning/environmental
- Work with Office of Extraordinary Innovation (OEI) on potential unsolicited proposals/P3s

- **Sepulveda Pass**

- Complete tolling and revenue study
- Procurement for consultant for alternatives analysis
- Work with OEI on potential unsolicited proposals/P3



Metro

Tactical Plan & Approach – Capital Projects & Programs

- **Vermont Transit Corridor (BRT)**
 - Present technical studies to the Board
 - Initiate procurement for environmental clearance
- **Green Line Extension to Torrance**
 - Procurement for planning consultant (complete)
 - Accelerate planning/environmental
- **Gold Line Eastside Extension**
 - Accelerate planning/environmental
- **North San Fernando Valley BRT**
 - Initiate procurement for environmental clearance

Tactical Plan & Approach – Capital Projects & Programs

– Highway Improvement Projects

- Continue regional coordination and develop an action plan for the High Desert Corridor
- Complete Traffic and Revenue Study for High Desert Corridor
- Continue final design for I-5 North HOV and truck lanes extension between SR 14 in Santa Clarita and Parker Road in Castaic in North County
- Continue final design of SR-71 improvements from Interstate 10 to State Route 60
- Continue substantial completion of I-710 South EIR/EIS, complete all technical studies and re-circulate environmental document



Metro

Tactical Plan & Approach – Capital Projects & Programs

– Highway Improvement Projects

- Continue final design for arterial Hot Spots in Santa Fe Springs/La Mirada and Cerritos
- Continue preparation of preliminary engineering and environmental documents for I- 605/SR 60, I-605/SR 91 interchange, and I-605/I-5 interchange
- Completed preliminary engineering and environmental document for the I-110/I-405 Interchange Improvements
- Construction management oversight for the I-5 construction projects between the Orange County Line and I-605 (I-5 South) and SR-134 to SR-118 (I-5 North)



Metro

Briefing the Progress of the Tactical Plan

- Staff will brief the Board quarterly on program status
- Staff will regularly communicate to the public the progress and status of projects
 - CEO Monthly Newsletter, newspaper inserts, social media, The Source, community presentations, milestone events, etc.
- Staff will begin a Metro Mayors Roundtable as an ongoing Mayors' forum on regional transportation matters

Unsolicited Proposals

Refresh:

- Released Unsolicited Proposals Policy – Feb. 2016
- Objective is to encourage innovative proposals from the private sector to accelerate delivery of major capital projects as well as new technologies
- So far, we have received 54 total unsolicited proposals including 9 for major capital construction projects
- Projects go through a Phase I review process first. If merit, moves to Phase II detailed proposal process
- Successful Phase II proposals move to solicitation

Unsolicited Proposals – Next Steps

- Proposals from Parker Infrastructure Partners and Goldman Sachs have both advanced to Phase II
 - Parker proposal offers a unique approach to fund and accelerate selected Measure M mega projects
 - Goldman Sachs proposal provides a regional network approach to deliver Metro's High Occupancy Toll (HOT) lanes
- Skanska proposal to accelerate Purple Line Section III is under consideration
- Three West Santa Ana Branch proposals under Phase I consideration
 - Skanska, ACS, and Kiewit-AECOM
- Three Sepulveda Pass proposals under Phase I consideration
 - HDR, Parsons, and Cintra



Metro

Related Initiatives

- Developing a workforce is critical to Measure M's success
 - WIN-LA County
 - Aggressive DBE/SBE Approach
 - Construction Careers Program
 - Succession Planning
- Investing in our communities is critical to Measure M's success
 - Transit-Oriented Communities Program
 - Business Interruption Fund
 - U-Pass Program

Related Initiatives

- Enhancing efficiencies will optimize time and resources
 - Streamlining internal procurement processes
 - Partnerships with city agencies



Next Steps

- Guidelines – Dec. 2016-June 2017
- Advisory Council – Dec.-June 2017
- Long Range Transportation Plan Update – 2017
- Taxpayers Oversight Committee – Dec.-June 2017
- Measure M Lessons Learned Document – 2017



Questions?



Metro[®]

**Board Report**

File #: 2016-0610, **File Type:** Contract

Agenda Number: 1.

**SPECIAL BOARD MEETING
NOVEMBER 17, 2016**

**SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 2 PROJECT
CONSTRUCTION MANAGEMENT SUPPORT SERVICES**

ACTION: AWARD PROFESSIONAL SERVICES CONTRACT

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer (CEO) to execute a nine-year cost-plus fixed fee contract plus two one-year options, Contract No. AE5818600MC072-PLE2, to Purple Line 2 CM Partners, a Joint Venture to provide **Construction Management Support Services** in an amount not-to-exceed \$8,890,488 through Fiscal Year 2018, subject to resolution of protest(s), if any; and
- B. ESTABLISHING Contract Modification Authority for 15% of the not-to-exceed contract award value and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.

ISSUE

Construction management support services will be required to assist Metro Project staff in overseeing and managing the work through each phase of the Westside Purple Line Extension Section 2 Project from the start of pre-construction activities throughout construction; such as system testing, system activation, revenue operations and contract close-out.

The recommended Board action will provide initial funding through the end of FY18 as part of a multi-year contract with an anticipated contract value of \$54,718,942. Future work will be funded on an Annual Work Program, year-to-year basis. This approach will result in more accurate budgeting for each year, while providing better control over consultant services costs. The contract would be awarded to the joint venture of Purple Line 2 CM Partners (PL2CM). PL2CM consists of AECOM and three SBE/DBE companies - Safework, Inc., Morgner Construction Management, and TEC Management Consultants.

DISCUSSION

Westside Purple Line Extension Section 2 (WPLE 2) is a \$2.5 billion project that consists of 2.59 miles of twin-bored tunnels and includes two underground stations located at Wilshire/Rodeo (City of Beverly Hills) and Century City Constellation (City of Los Angeles). Advanced utility relocation work has begun under pre-award authority that was granted by the Federal Transit Administration, prior to the execution of a Full Funding Grant Agreement that is expected in December 2016. The major construction work will be performed under Contract C1120 which includes the design and construction of tunnels, stations, systems, trackwork and utilities. Proposals for the C1120 Contract are still being evaluated by Metro Vendor/Contract Management, with contract award by the Metro Board anticipated in January 2017.

The Construction Management Support Services (CMSS) consultant will provide administration, inspection services and technical support during the final design, construction, pre-revenue operations and closeout phases of the Project. The primary role of the CMSS is to provide highly skilled and qualified individuals to assist Metro with the construction management of the Project by becoming part of a fully-integrated construction management team residing in the project field office, under direction of Metro Project Management. Staff augmentation by the CMSS consultant is necessary to efficiently provide resources and technical expertise that will vary throughout each phase of the WPLE 2 Project.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards for Metro's construction projects. The CMSS contract will provide services that support Metro's internal safety staff on the WPLE 2 Project. The scope of services for the CMSS contract includes provisions for staff members to follow the direction of the Metro construction safety policies and procedures to ensure that safety is the highest priority during oversight of all phases of construction.

FINANCIAL IMPACT

Funding for the CMSS contract is included in the FY17 budget under Project 865522 (Westside Purple Line Section 2 Project), Cost Center 8510 (Construction Project Management), and Account 50316 (Professional Services). Since this is a multiyear contract, the Chief Program Management Officer and the Project Manager will be accountable to budget the cost for future years, including the exercise of any options for future phases.

Impact to Budget

The sources of funds for the actions under Recommendations A and B are Federal 5309 New Starts, Federal CMAQ funds, Federal TIFIA Loan, Measure R funds, and Repayment of Capital Project Loan funds. The approved FY17 budget is designated for the Westside Purple Line Extension Section 2 Project and does not have an impact to operations funding sources. These funds were assumed in the LRTP for the Westside Purple Line Extension Section 2 Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Metro Board may reject the recommended action and direct staff to perform all construction management tasks with in-house resources. This alternative is not practical or cost effective because Metro would have to hire a large workforce and attract high-paid expertise whose need vary throughout the life of the Project. The use of CMSS consultant staff provides flexibility of hiring staff with appropriate experience and background that are needed for specific activities and durations throughout the life of the Project.

NEXT STEPS

After the recommended Board actions are approved, staff will complete the process to award Contract No. AE5818600MC072-PLE2.

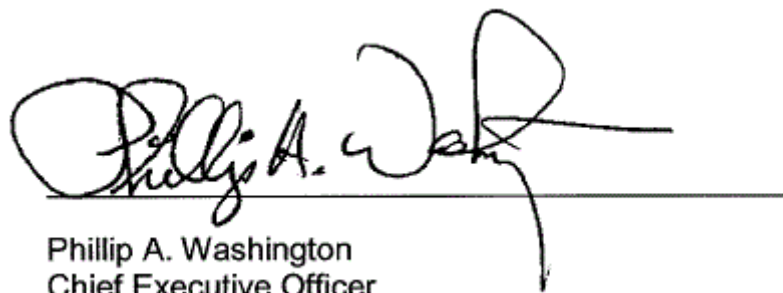
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Michael McKenna, Deputy Executive Officer, Project Manager (213) 312-3132
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(213) 312-3108

Reviewed by: Richard 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

**Westside Purple Line Extension Section 2 Project
Construction Management Support Services/
AE5818600MC072-PLE2**

1.	Contract Number: AE5818600MC072-PLE2	
2.	Recommended Vendor: Purple Line 2 CM Partners, a Joint Venture	
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: January 29, 2016	
	B. Advertised/Publicized: January 30, 2016	
	C. Pre-proposal/Pre-Bid Conference: February 10, 2016	
	D. Proposals/Bids Due: April 5, 2016	
	E. Pre-Qualification Completed: August 10, 2016	
	F. Conflict of Interest Form Submitted to Ethics: April 14, 2016	
	G. Protest Period End Date: October 26, 2016	
5.	Solicitations Picked up/Downloaded: 52	Bids/Proposals Received: 4
6.	Contract Administrator: Zachary Munoz	Telephone Number: 213-922-7301
7.	Project Manager: Michael McKenna	Telephone Number: 213-312-3132

A. Procurement Background

This Board Action is to approve Contract No. AE5818600MC072-PLE2 issued in support of Section 2 of the Westside Purple Line Extension Project. The Construction Management Support Services Consultant (CMSSC) will be required to assist Metro Project staff in overseeing and managing the work through each phase of the Westside Purple Line Extension Section 2 Project from the start of pre-construction activities throughout construction, including system testing, system activation, revenue operations and contract close-out. The primary role of the CMSSC is to provide highly skilled and qualified individuals to assist Metro with the construction management of the Project by becoming part of a fully-integrated construction management team residing in the project field office, under direction of Metro Project Management. Staff augmentation by the CMSSC is necessary to efficiently provide resources and technical expertise that will vary throughout each phase of the Project. Board approval of contract awards are subject to resolution of all properly submitted protests.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a cost plus fixed fee.

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

- Amendment No. 1, issued on February 19, 2016, clarified the Letter of Invitation Supplement ;
- Amendment No. 2, issued on March 7, 2016, clarified Regulatory Requirements, DBE Instructions to Proposers, the Submittal Requirements, and Evaluation Criteria;
- Amendment No. 3, issued on March 18, 2016, clarified the proposal due date, and Scope of Work ;
- Amendment No. 4, issued on March 25, 2016, clarified the Submittal Requirements

A total of four proposals were received on April 5, 2016. Sealed cost proposals were received at the oral interview/presentations on May 17, 2016. After the recommendation of the most qualified proposer was approved by the Executive Officer, Vendor/Contract Management (Interim), the most qualified proposer's cost proposal was opened. V/CM commenced its cost analysis, enlisted the support of Audit to review the adequacy of the proposer and subconsultant overhead rates and accounting systems, and engaged in negotiations with the recommended proposer. Also, Organizational Conflict of Interest issues were addressed in a Round Table with Ethics and County Counsel for some subconsultants and resolutions were reached in accordance with Metro procedures.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro Engineering, Metro Construction Management, and from the City of Los Angeles Bureau of Engineering 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 Qualifications of Firms on the Team (35%)
- Skill and Experience of Project Personnel (30%)
- Project Understanding and Approach (35%)

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architect and Engineers procurements. Several factors were considered when developing these weights, giving the greatest importance to the Experience and Qualifications on Firms on the Team and Project Understanding and Approach.

Metro reviewed the proposed prime and subconsultant firms for potential organizational conflict of interest and determined a number of firms that proposed on this contract have also been proposed on Contract C1120, Westside Purple Line Extension Section 2 Design Build, which did not impact the evaluation and recommendation of the most qualified firm. If any of those subconsultant firms elect to pursue Contract C1120 instead of this contract, then the contractor will need to

substitute those firms with equally qualified firms and with the same small business status.

This is an Architect and Engineers, qualifications based procurement. Price cannot be used as an evaluation factor pursuant to state and federal law.

Of the four proposals received, all four were determined to be within the competitive range and are listed below in alphabetical order:

1. EPC Consultants, Inc.
2. Purple Line 2 CM Partners, a Joint Venture (PL2CM) – (AECOM Technical Services, Inc. Safework, Inc., Morgner Construction Management, and TEC Management Consultants)
3. Purple Line Partners, a Joint Venture – (PGH Wong Engineering, Inc., Stantec Consulting Services, Inc., Jenkins/Gale & Martinez, Inc., and DHS Consulting, Inc.)
4. Team PLX2, a Joint Venture – (HNTB Corporation, CH2MHill, Inc., and Kal Krishnan Consulting Services, Inc.

During the months of April and May of 2016, the PET reviewed the four technical proposals and on May 17, 2016, the evaluation committee met and interviewed the firms. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. In general each team's presentation addressed the requirements of the RFP, experience with aspects of the required tasks, and stressed each firm's commitment to the success of the project.

Qualifications Summary of Recommended Firm:

Purple Line 2 CM Partners (PL2CM) provides a team that has an exceptionally qualified combination of firms with experience working on similar Metro projects. The team offers an exceptionally qualified combination of "Key Role" individuals and a very strong combination of qualified "Specialty Technical" individuals that will be responsible for supporting Metro in its management of the construction of the Westside Purple Line Extension Section 2 Project. PL2CM demonstrated a good understanding of how to use the project schedule to keep the project on track with emphasis on the importance of the critical path and baseline schedule, as well as, offering excellent pragmatic and realistic optimization considerations to expedite project completion. In addition, the team represented an understanding of issues threatening the success of DBE's and proposed ideas and plans to help DBE's mitigate and overcome those issues.

The Proposal Evaluation Team (PET) ranked the proposals and assessed strengths, weaknesses and associated risks of each of the Proposers to determine the most qualified firm. The evaluation performed by the PET determined PL2CM as the most

qualified firm to provide the construction management support services, as provided in the RFP. What distinguished PL2CM was that they offered a team that has more extensive technical experience managing construction projects of a similar nature that strongly demonstrated the necessary experience required for all phases of this contract. PL2CM showed that it is very familiar with the project context and potential issues and mitigations, which are critical to the project's success. Therefore, the PET recommended PL2CM as the most qualified firm to provide construction management support services for Section 2 of the Westside Purple Line Extension Project.

1	Proposer/ Criteria	Average Score	Factor Weight	Weighted Average Score	Rank
2	Purple Line 2 CM Partners, J.V.				
3	Experience and Qualifications of Firms on the Team	84.00	35.00%	29.40	
4	Skill and Experience of Project Personnel	84.67	30.00%	25.40	
5	Project Understanding and Approach	89.67	35.00%	31.38	
6	Total		100.00%	86.18	1
7	Purple Line Partners, J.V.				
8	Experience and Qualifications of Firms on the Team	81.67	35.00%	28.58	
9	Skill and Experience of Project Personnel	82.67	30.00%	24.80	
10	Project Understanding and Approach	84.67	35.00%	29.63	
11	Total		100.00%	83.01	2
12	Team PLX2, J.V.				
13	Experience and Qualifications of Firms on the Team	82.67	35.00%	28.93	
14	Skill and Experience of Project Personnel	78.00	30.00%	23.40	
15	Project Understanding and Approach	84.00	35.00%	29.40	
16	Total		100.00%	81.73	3
17	EPC Consultants, Inc.				
18	Experience and Qualifications of Firms on the Team	84.00	35.00%	29.40	
19	Skill and Experience of Project Personnel	79.33	30.00%	23.80	
20	Project Understanding and Approach	80.00	35.00%	28.00	
21	Total		100.00%	81.20	4

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon cost analysis of labor rates, overhead rates and other costs factors were completed in accordance with Metro's Procurement Policies and Procedures. The analysis includes, among other things, a comparison with similar firms offering the same services; an analysis of rates and factors for labor, equipment, and other unit prices that comprise the billing rates upon which the consultant will base its invoices. Audit evaluated the propriety of the firms accounting system, indirect cost rates, and exclusion of unallowable costs in accordance with both the Federal Acquisition Regulation (FAR) guidelines and Generally Accepted Accounting Principles (GAAP). Metro negotiated and established provisional overhead rates plus a fixed fee based on the total estimated cost to compensate the consultant.

	Proposed	Metro ICE	Negotiated
FY '17 – FY '18	\$8,890,488 ⁽¹⁾	\$9,353,665 ⁽²⁾	\$8,890,488 ⁽¹⁾
Total Contract	\$128,172,301 ⁽³⁾	\$54,718,942	N/A

(1) The amount of \$8,890,488.00 is the negotiated amount for the 20-month period of November 2016, through June 2018. Future work will be funded on an Annual Work Program, on a year-to-year basis.

(2) Straight-line proration of Metro ICE: (\$54,718,942 / 117months x 20 months = \$9,353,665).

(3) Proposal amount includes value-added resources that Metro has not accepted.

D. Background on Recommended Contractor

The recommended firm, Purple Line 2 CM Partners (PL2CM), is a joint venture of AECOM Technical Services, Inc., and three certified DBE firms, Morgner Construction Management, Inc., Safework, Inc., and TEC Constructors and Engineers, Inc., in conjunction with major sub-consultant McMillen Jacobs Associates. The PL2CM team is comprised of firms that offer an accomplished construction management team that has worked together on Metro projects such as Regional Connector, Crenshaw Corridor, Gold Line Eastside Extension, and Expo 1 and 2.

AECOM and McMillen Jacobs Associates (MJ) are presented as leaders in transit tunneling and underground station construction with 400 tunnel practitioners in AECOM and 200 in MJ. The two firms combined have a declared delivery of more than \$30 billion and 1,600 miles of large diameter tunnels. AECOM and MJ are described as partners for construction management of San Francisco's 1.7 mile Central Subway, constructed in challenging ground conditions under the city's most populous districts. AECOM and MJ have collaborated on other transit projects such as DC Water's Clean River Project, Ottawa Light Rail Transit, and Puerto Rico's Tren Urbano.

PL2CM provides an innovative approach with DBE firms serving as joint venture partners and in leadership roles. The PL2CM team is structured to provide DBE firms with central leadership and technical delivery roles. The organization and staff

selections demonstrate that their DBE partners will play essential roles in the project. The firm's proven success in DBE involvement and mentoring reflects an enduring commitment to the growth and success of their DBE partners and to keeping jobs and dollars in the local community.

DEOD SUMMARY

CONSTRUCTION MANAGEMENT SUPPORT SERVICES FOR PURPLE LINE
EXTENSION (PLE) SECTION 2 – AE24663MC072

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 38% Disadvantaged Business Enterprise (DBE) goal for this solicitation. The Purple Line 2 CM Partners, Joint Venture made a 38.12% DBE commitment.

DEOD determined that New York Geomatics is not certified to perform survey work. Accordingly, the Purple Line 2 CM Partners, Joint Venture adjusted its DBE participation to meet its original DBE commitment.

SMALL BUSINESS GOAL	DBE 38%	SMALL BUSINESS COMMITMENT	DBE 38.12%
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	DBE Subcontractors	Scope of Work	NAICS Codes	Ethnicity	% Committed
1	Morgner Construction Services, JV Partner	Construction Administration/ Management	541611 -Management Consulting Services; 237110 - Water & Sewer Line & Related Structures (Const. Mgmt. only) 237310 - Highway, Bridge & Street Construction (Const. Mgmt. only)	Hispanic American	6.66% <u>6.92%</u>
2	Safework, Inc., JV Partner	Construction Management and Safety Oversight	236210 - Industrial Building Construction; 237110 - Water & Sewer Line & Related Structures (Const. Mgmt. only) 237310 - Highway, Bridge & Street Construction (Const. Mgmt. only) 237990 - Other Heavy and Civil Engineering Construction 541690 - Other Scientific and	Non-Minority Female	6.35% <u>8.82%</u>

			Technical Consulting		
3	TEC Construction and Engineering, JV Partner	Construction Administration/ Management	237310 - Highway, Bridge & Street Construction (Const. Mgmt. only) 237990 - Other Heavy and Civil Engineering Construction	African American	6.31% <u>10.89%</u>
4	Anil Verma Associates	Station Construction Management. and Engineering Services	541330– Engineering Services 237310 - Highway, Bridge & Street Construction (Const. Mgmt. only) 237990 - Other Heavy and Civil Engineering Construction	Subcontinent Asian American	8.62% <u>8.96%</u>
5	Dakota Communications	Public Outreach and Public Relation Communications	541820 - Public Relations 541611- Management Consulting	African American	2.43% <u>2.53%</u>
6	New York Geomatics	Surveying	541370— Surveying and Mapping	Hispanic American	7.75%
				Total DBE Commitment	38.12%

B. Contracting Outreach and Mentoring Plan (COMP)

To be responsive, Proposers were required to submit a DBE COMP, which included its plan to mentor a minimum of four (4) DBE firms for protégé development. The Purple Line 2 CM Partners have selected to mentor the following DBE firms: 1) Morgner Construction Services, JV Partner, 2) Safework, Inc., JV Partner, 3) TEC Construction and Engineering, JV Partner, 4) Anil Verma.

C. Project Labor Agreement/Construction Careers Policy

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

D. 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.

E. Living Wage Service Contract Worker Retention Policy

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



Board Report

File #: 2016-0797, File Type: Resolution

Agenda Number: 9.

REVISED
FINANCE, BUDGET AND AUDIT COMMITTEE
NOVEMBER 16, 2016

SUBJECT: PROPOSITION C BONDS

ACTION: AUTHORIZE COMPETITIVE SALE OF BONDS

RECOMMENDATION

ADOPT a resolution, Attachment A, that:

- A. AUTHORIZES the **competitive sale of Prop C Senior Lien Bonds (the “2017 Prop C Bonds”)** to finance capital projects in one or more transactions through June 30, 2017;
- B. APPROVES the forms of Notice of Intention to Sell Bonds, Notice Inviting Bids, Supplemental Trust Agreement, Continuing Disclosure Agreement and Preliminary Official Statement, on file with the Board Secretary all subject to modification as set forth in the resolution;
- C. AUTHORIZES taking all action necessary to achieve the foregoing, including, without limitation, the further development and execution of bond documentation associated with the issuance of the 2017 Prop C Bonds; and
- D. REAFFIRMS AND UPDATES the Reimbursement Resolution approved by the Board on April 26, 2016 to reflect that the amount of the 2017 Prop C Bonds may be up to \$500 million and reaffirms the intention that a portion of the proceeds of the 2017 Prop C Bonds will be used to reimburse expenditures made prior to the issuance of the 2017 Prop C Bonds.

(REQUIRES SIMPLE, SEPARATE MAJORITY VOTE)

ISSUE

The 2017 Prop C Bonds, with a par amount not to exceed \$500 million of fixed rate bonds, will fund or reimburse LACMTA for Prop C eligible capital projects and expenditures and refinance commercial paper, the proceeds of which financed such costs. We want to obtain the funds needed for ongoing, planned and completed transportation projects before interest rates move higher.

DISCUSSION

The Debt Policy provides guidelines for new money financings that may be long-term or short-term. Prop C new money bond issues are permitted to provide funding for eligible expenditures on highway, commuter rail, bus and rail capital projects.

The 2017 Prop C Bonds will be issued using a competitive sale process whereby prospective underwriters bid for the bonds on a selected sale date. The 2017 Prop C Bonds will be sold to the underwriter offering the lowest true interest cost. In the event that bids do not meet our criteria, all bids will be rejected.

The 2017 Prop C Bonds shall not be outstanding for more than 31 years. The 2017 Prop C Bond issue will utilize a cash funded debt service reserve fund (“DSRF”) and will not have any capitalized interest. Under the Supplemental Trust Agreement associated with the recent Proposition C Series 2016-A Bonds (the “2016-A Bonds”), the Trust Agreement was amended to eliminate the DSRF requirement for the 2016-A Bonds and any future Prop C Senior Lien Bonds (including the 2017 Prop C Bonds) once 60% of all of the outstanding Prop C Senior Lien bonds are issued under the Amended Trust Agreement. When the amendment becomes effective, LACMTA can elect to eliminate the DSRF for the Prop C Senior Lien Bonds starting with the 2016-A Bonds. As the DSRF requirement decreases, the cash released from the DSRF will become available to pay for Prop C projects or to pay Prop C debt service as approved in writing by nationally recognized bond counsel. Following issuance of the 2017 Prop C Bonds, an estimated 35% of the outstanding par amount of Prop C Bonds will have been issued under the Amended Trust Agreement.

DETERMINATION OF SAFETY IMPACT

Approval of this report will not impact the safety of Metro’s patrons or employees.

FINANCIAL IMPACT

The costs of issuance for the 2017 Prop C Bonds will be paid from proceeds of the financing and will be budget neutral. Funding for the new money bond principal and interest expense for this financing will be included in future budgets as follows: bond principal, account 51101 and bond interest, account 51121.

ALTERNATIVES CONSIDERED

The Board could defer the issuance of the 2017 Prop C Bonds to a later time or indefinitely. This is not recommended because the bond proceeds are needed to pay or reimburse Project expenses. Additionally, Federal Reserve Bank actions and other market and economic conditions may push interest rates higher thus making it more expensive to complete projects or refinance commercial paper, the proceeds of which were used to pay Project expenses.

NEXT STEPS

- Develop bond issuance documentation
- Obtain credit ratings
- Distribute the preliminary official statement and Notice Inviting Bids to prospective

underwriters and potential investors and publish Notice of Intention to Sell Bonds

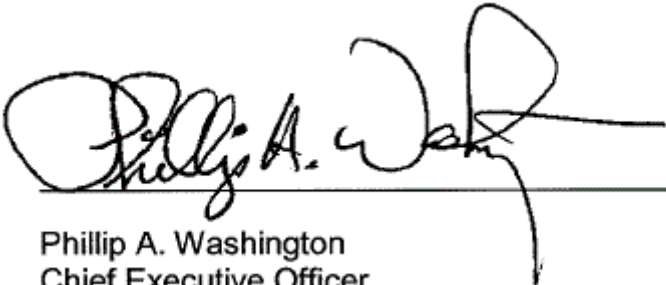
- Receive electronic bids from underwriters
- Finalize bond documentation and deliver the 2017 Prop C Bonds

ATTACHMENTS

Attachment A - Authorizing Resolution

Prepared by: Donna R. Mills, Treasurer, (213) 922-4047
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Reviewed by: Nalini Ahuja, Chief Financial Officer, (213) 922-3088



Phillip A. Washington
Chief Executive Officer

Authorizing Resolution

RESOLUTION OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF PROPOSITION C SALES TAX REVENUE BONDS AND APPROVING OTHER RELATED MATTERS

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (the "LACMTA"), as successor to the Los Angeles County Transportation Commission (the "Commission"), is authorized, under Chapter 5 of Division 12 of the California Public Utilities Code (the "Act"), to issue bonds to finance and refinance the acquisition, construction or rehabilitation of facilities to be used as part of a countywide transit system; and

WHEREAS, pursuant to the provisions of Section 130350 of the California Public Utilities Code, the Commission was authorized to adopt a retail transactions and use tax ordinance applicable in the incorporated and unincorporated territory of the County of Los Angeles (the "County") subject to the approval by the voters of the County; and

WHEREAS, the Commission, by Ordinance No. 49 adopted August 28, 1990 ("Ordinance No. 49"), imposed a ½ of 1% retail transactions and use tax upon retail sales of tangible personal property and upon the storage, use or other consumption of tangible personal property in the County, the proceeds of the tax to be used for public transit purposes (the "Proposition C Tax"), and such tax was approved by the electors of the County on November 6, 1990; and

WHEREAS, the revenues received by the LACMTA from the imposition of the transactions and use tax are, by statute, directed to be used for public transit purposes, which purposes include a pledge of such tax to secure any bonds issued pursuant to the Act and include the payments or provision for the payment of the principal of the bonds and any premium, interest on the bonds and the costs of issuance of the bonds; and

WHEREAS, the LACMTA has and continues to plan, engineer and construct a Countywide rail, bus and highway transit system (the "Rail, Bus and Highway Transit System") to serve the County; and

WHEREAS, to facilitate the development and construction of the Rail, Bus and Highway Transit System, the LACMTA, as authorized by the Act, pursuant to the terms of the Amended and Restated Trust Agreement, dated as of January 1, 2010, as amended and supplemented (the "Trust Agreement"), by and between the LACMTA and U.S. Bank National Association, as trustee (the "Trustee"), the LACMTA has issued several series of bonds, including its Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2008-A; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2009-B; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2009-D; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2009-E; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2010-A; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-A; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2012-B; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-A; Proposition C Sales Tax Revenue Bonds, Senior Bonds, Series 2013-B; Proposition C

Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2013-C; Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2014-A; and Proposition C Sales Tax Revenue Refunding Bonds, Senior Bonds, Series 2016-A (collectively, the “Prior Senior Lien Bonds”); and

WHEREAS, the LACMTA now desires to provide for the issuance of one or more Series from time to time and in one or more transactions of its Proposition C Sales Tax Revenue Bonds, Senior Bonds (the “Bonds”) (a) to finance or refinance (through the repayment of commercial paper) or reimburse itself for prior expenditures for the development and construction of such projects of the Rail, Bus, and Highway Transit System that constitute eligible uses of the Proposition C Tax pursuant to Ordinance No. 49, including (i) the design, engineering, construction, equipage and acquisition of light rail lines ~~including the Exposition Line Phase II Project and Crenshaw/LAX,~~ (ii) the design, engineering, construction, equipage and acquisitions ~~for the Southwestern Rail Maintenance Yard,~~ (iii) the design, engineering, construction, equipage and acquisitions ~~for the Rail Deferred Maintenance Project,~~ (iv) the design, engineering and other related close out costs of the I-405 Sepulveda Pass Improvement Project, (vii) the engineering, construction, renovation, maintenance, and/or acquisition of various capital facilities and equipment, including buses and rail cars, related to service operation, (viii) design, engineering, construction, equipage and acquisition of various highway projects including soundwalls and carpool lanes, and (ix) other transit related projects (the “Projects”); (b) to fund or make provision for one or more reserve accounts; and (c) to pay the costs of issuance related thereto; and

WHEREAS, the LACMTA expects to expend moneys of the Enterprise Fund (other than moneys derived from the issuance of bonds) on expenditures relating to the costs of the Projects prior to the issuance of the Bonds, which expenditures will be properly chargeable to a capital account under general federal income tax principles and the LACMTA reasonably expects to reimburse certain of such capital expenditures from the proceeds of the Bonds; and

WHEREAS, the LACMTA expects that some of the costs of the Projects might be paid with the proceeds of commercial paper prior to issuance of the Bonds, in which case proceeds of the Bonds could be used to refinance such commercial paper; and

WHEREAS, the LACMTA desires to sell the Bonds on a competitive basis in accordance with the Debt Policy of the LACMTA; and

WHEREAS, the forms of the following documents are on file with the Secretary of the Board of Directors of the LACMTA and have been made available to the members of the Board of Directors of the LACMTA (the “Board”):

(a) Supplemental Trust Agreement (the “Supplemental Trust Agreement”) by and between the LACMTA and the Trustee, which would supplement the Trust Agreement for purposes of providing the terms and conditions of the Bonds;

(b) Preliminary Official Statement (the “Preliminary Official Statement”) to be used in connection with the offer and sale of the Bonds;

(c) a Continuing Disclosure Certificate (the “Continuing Disclosure Certificate”) to be executed by the LACMTA to assist the Underwriters in complying with Rule 15c2-12(b)(5) promulgated by the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, and which will provide for the annual and periodic update of certain financial and operating information;

(d) a Notice Inviting Bids (the “Notice Inviting Bids”) setting forth the terms and the manner in which proposals from qualified bidders for the purchase of the Bonds shall be received; and

(e) a Notice of Intention to Sell Bonds (the “Notice of Intention to Sell Bonds”) to be published in connection with any proposed sale of the Bonds; and

WHEREAS, the LACMTA hereby acknowledges that such documents will be modified and amended to reflect the various details applicable to the Bonds, whether the Bonds are issued in a single issuance or multiple issuances and that said documents are subject to completion to reflect the results of the sale of the Bonds, whether in a single issuance or multiple issuances; and

WHEREAS, the LACMTA has pledged the Proposition C Tax (less the 20% local allocation and the State Board of Equalization’s costs of administering such tax) (the “Pledged Taxes”) to secure the Prior Senior Lien Bonds; and

WHEREAS, the LACMTA desires to confirm the designation of the Chief Financial Officer of the LACMTA and any person holding such title or any person holding such other title as may from time to time be assigned to such position, and such officer serving in an acting or interim capacity, as an “Authorized Authority Representative” for all purposes under the Trust Agreement and the Supplemental Trust Agreement; and

WHEREAS, the LACMTA expects that the amount of the Bonds that will be issued to pay costs of the Projects will not exceed \$500,000,000; and

WHEREAS, the Board approved a “Reimbursement Resolution of the Los Angeles County Metropolitan Transportation Authority for Fiscal Year 2017” (the “Original Reimbursement Resolution”) on April 29, 2016 and the Board now desires to modify such Original Reimbursement Resolution to reflect that the amount of the Bonds (which shall constitute the “Debt” secured by Proposition C sales tax revenues referred to in the Original Reimbursement Resolution) may be up to \$500,000,000; and

WHEREAS, the Board finds that the recitals in the Original Reimbursement Resolution remain accurate and the Original Reimbursement Resolution shall remain in full force and effect as modified hereby; and

WHEREAS, this Resolution is intended to be a “declaration of official intent” in accordance with Section 1.150-2 of the Treasury Regulations; and

WHEREAS, terms used in this Resolution and not otherwise defined herein shall have the meanings assigned to them in the Trust Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS (THE “BOARD”) OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, AS FOLLOWS:

1. **Findings.** The LACMTA hereby finds and determines that:

(a) The issuance of the Bonds to finance and refinance (through the repayment of commercial paper) the Projects, to fund or make provision for one or more reserve accounts (as and to the extent determined by a Designated Officer) and to pay the costs of issuance related to such Bonds is in the public interest.

(b) Under the provisions of Ordinance No. 49, all of the Pledged Taxes are revenues of the LACMTA available for rail, bus and highway transit purposes and are available to be and are, by the terms of the resolutions and the Trust Agreement under which the Prior Senior Lien Bonds were issued, pledged to secure the Prior Senior Lien Bonds and are pledged to secure the Bonds, and, by this Resolution, such pledge is reaffirmed.

(c) The provisions contained in the Trust Agreement, as previously amended and supplemented, and to be set forth in one or more Supplemental Trust Agreements are reasonable and proper for the security of the holders of the Bonds.

2. **Issuance of Bonds.** The Board of the LACMTA hereby authorizes the issuance of one or more Series of Bonds from time to time for the purpose of (a) financing or refinancing (through the repayment of commercial paper) the Projects; (b) funding or making provision for one or more reserve accounts as and to the extent determined by a Designated Officer; and (c) paying the costs of issuance related to such Bonds; *provided, however*, that the True Interest Cost (as defined below) of each Series of Bonds shall not exceed 5.00% as of the date of sale of such Series of Bonds, as such shall be calculated by the Treasurer of the LACMTA. The LACMTA hereby specifies that the aggregate principal amount of all Series of Bonds shall not exceed \$500,000,000. The LACMTA hereby specifies that each Series of Bonds shall not mature later than 31 years from their date of issuance. The Chief Executive Officer of the LACMTA, any Chief Financial Officer of the LACMTA, any Treasurer of the LACMTA, any Assistant Treasurer of the LACMTA, or any such officer serving or acting in an interim capacity, or any written designee of any of them (each, a “Designated Officer”), acting in accordance with this Section 2, are each hereby authorized to determine the actual aggregate principal amount of each Series of Bonds to be issued (not in excess of the maximum amount set forth above) and to direct the execution and authentication of each such Series of Bonds in such amount. Such direction shall be conclusive as to the principal amounts hereby authorized. As used herein, the term “True Interest Cost” of the Bonds shall be the interest rate (compounded semiannually) necessary to discount the debt service payments from their respective payment dates to the dated date of the Bonds and to the principal amount, and premium or discount if any, of the Bonds. For the purpose of calculating the True Interest Cost, the principal amount of Bonds scheduled for mandatory sinking fund redemption as part of a term bond shall be treated as a serial maturity for such year. The calculation of the True Interest Cost shall include such reasonable assumptions and methods as determined by the Treasurer of the LACMTA.

3. **Terms of Bonds.** The Bonds shall, when issued, be in the aggregate principal amounts and shall be dated as shall be provided in the applicable Supplemental Trust Agreement. The Bonds may be issued as serial bonds or as term bonds or as both serial bonds and term bonds, all as set forth in the applicable Supplemental Trust Agreement. Interest on the Bonds shall be paid on the dates set forth in the applicable Supplemental Trust Agreement. The Bonds shall be subject to redemption at the option of the LACMTA on such terms and conditions as shall be set forth in the applicable Supplemental Trust Agreement. The Bonds shall also be subject to mandatory sinking fund redemption as and to the extent set forth in the applicable Supplemental Trust Agreement. Payment of principal of, and interest and premium, if any, on the Bonds shall be made at the place or places and in the manner provided in the applicable Supplemental Trust Agreement.

Execution and delivery of one or more Supplemental Trust Agreements, which document contains the maturities, interest rates and the payment obligations of the LACMTA within parameters set forth in this Resolution, shall constitute conclusive evidence of the LACMTA's approval of such maturities, interest rates and payment obligations.

4. **Pledge of Pledged Taxes.** The Pledged Taxes are hereby irrevocably pledged in accordance with the terms of the Trust Agreement to secure the Prior Senior Lien Bonds, the Bonds and any additional bonds which may subsequently be issued under and secured by the terms of the Trust Agreement. Except for the Prior Senior Lien Bonds, the LACMTA hereby confirms that it has not previously granted any prior or parity interest in such Pledged Taxes, and the LACMTA hereby agrees that, except as permitted by the Trust Agreement (as amended, in accordance with its terms), it will not, as long as any of the Bonds remain outstanding, grant or attempt to grant any prior or parity pledge, lien or other interest in the Pledged Taxes to secure any other obligations of the LACMTA.

5. **Special Obligations.** The Bonds shall be special obligations of the LACMTA secured by and payable from the Pledged Taxes and from the funds and accounts held by the Trustee under the Trust Agreement. The Bonds shall also be secured by and be paid from such other sources as the LACMTA may hereafter provide.

6. **Form of Bonds.** The Bonds and the Trustee's Certificate of Authentication to appear thereon shall be in substantially the form set forth in the applicable Supplemental Trust Agreement, with such necessary or appropriate variations, omissions and insertions as permitted or required by the Trust Agreement or the applicable Supplemental Trust Agreement or as appropriate to adequately reflect the terms of such Bonds and the obligation represented thereby.

7. **Execution of Bonds.** Each of the Bonds shall be executed on behalf of the LACMTA by any Designated Officer and any such execution may be by manual or facsimile signature, and each bond shall be authenticated by the endorsement of the Trustee or an agent of the Trustee. Any facsimile signature of such Designated Officer(s) shall have the same force and effect as if such officer(s) had manually signed each of such Bonds.

8. **Approval of Documents, Authorization for Execution.** Each of the Designated Officers is hereby authorized and directed to have prepared and to execute, acknowledge and deliver in the name of and on behalf of the LACMTA one or more Supplemental Trust

Agreements, one or more Continuing Disclosure Certificates, one or more Notices Inviting Bids and one or more Notices of Intention to Sell Bonds, all in substantially the forms on file with the Secretary of the Board and made available to the Board and hereby approved, with such changes as any Designated Officer determines are appropriate or necessary, in each case, to the extent, in the form, and with the terms and provisions as the Designated Officer executing the same shall determine are appropriate and necessary for the issuance of the Bonds, including, but not limited to, affirmative and negative covenants relating to the Bonds and the finances and operations of the LACMTA and any amendments, modifications and/or supplements to the Trust Agreement. All Supplemental Trust Agreements, Continuing Disclosure Certificates, Notices Inviting Bids and Notices of Intention to Sell Bonds are collectively referred to herein as the “Related Documents” and each a “Related Document.”

9. Sale of Bonds.

(a) Each Designated Officer is hereby authorized, from time to time, to choose such times and dates as such Designated Officer shall, in his or her discretion, deem to be necessary or desirable to provide for the sale of the Bonds, to receive proposals from qualified bidders for the purchase of the Bonds (through the receipt of sealed written bids and/or the receipt of bids through the use of computerized bidding systems as determined by a Designated Officer) upon the terms and in the manner set forth in the Notice Inviting Bids.

(b) Each Designated Officer is hereby authorized and directed to execute the Notices Inviting Bids, from time to time, in such form as the Designated Officer executing the same shall approve and call for bids for the sale of the Bonds from qualified bidders in accordance with the Notice Inviting Bids.

(c) Each Designated Officer is hereby authorized and directed to cause the Notices of Intention to Sell Bonds to be published from time to time (after completion, modification or correction thereof reflecting the terms of the Bonds, as approved by said Designated Officer, such approval to be conclusively evidenced by such publication) in *The Bond Buyer* (or such other publication as may be selected by a Designated Officer and which is a financial publication generally circulated throughout the State of California or reasonably expected to be disseminated among prospective bidders for the securities), at least five days prior to the sale of the Bonds in accordance with Section 53692 of the Government Code of the State of California and any such action previously taken is hereby confirmed, ratified and approved.

(d) Each Designated Officer is authorized and directed to cause any Notice Inviting Bids and/or Notice of Intention to Sell Bonds to be published in such other publications as such Designated Officer deems necessary or desirable and any such action previously taken is hereby confirmed, ratified and approved.

(e) Each Designated Officer is authorized and directed to distribute (including via electronic methods) any Notice Inviting Bids to such municipal broker-dealers, banking and financial institutions and other persons as the Designated Officer deems

necessary or desirable, and any such action previously taken is hereby confirmed, ratified and approved.

(f) Each Designated Officer is hereby authorized and directed for and on behalf of the LACMTA to accept the best bid for the Bonds received from qualified bidders pursuant to and subject to the terms and conditions set forth in this Resolution and the Notice Inviting Bids herein approved and to award the Bonds, from time to time, to such best bidder(s).

(g) Each Designated Officer is hereby authorized and directed to take any other action such Designated Officer determines is necessary or desirable to cause any such competitive sale to comply with the Debt Policy of the LACMTA and applicable law.

(h) Each Designated Officer, on behalf of the LACMTA, is further authorized and directed to cause notice to be provided to the California Debt and Investment Advisory Commission (“CDIAC”) of the proposed sale of the Bonds, said notice to be provided in accordance with Section 8855 et seq. of the California Government Code, to file the notice of final sale with CDIAC, to file the rebates and notices required under section 148(f) and 149(e) of the Internal Revenue Code of 1986, as amended, and to file such additional notices and reports as are deemed necessary or desirable by such Designated Officer in connection with the Bonds, and any prior such notices are hereby ratified, confirmed and approved.

10. **Preliminary Official Statement and Official Statement.** In connection with the issuance of the Bonds, the LACMTA hereby authorizes the circulation in electronic and/or printed form of one or more Preliminary Official Statements. The Preliminary Official Statement(s) shall contain a description of the finances and operations of the LACMTA, a description of the Proposition C Tax and a description of historical receipts of sales tax revenues substantially in the form of the Preliminary Official Statement on file with the Secretary of the Board and made available to the Board and hereby approved, with such changes as any Designated Officer determines are appropriate or necessary. Each Preliminary Official Statement shall also contain a description of the applicable Bonds and the terms and conditions of the applicable Supplemental Trust Agreement together with such information and description as a Designated Officer determines is appropriate or necessary. Each Preliminary Official Statement shall be circulated for use in selling the Bonds at such time or times as a Designated Officer shall deem such Preliminary Official Statement to be final within the meaning of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended, said determination to be conclusively evidenced by a certificate signed by said Designated Officer to said effect.

Upon the sale of any Series of Bonds, the Designated Officers shall provide for the preparation, publication, execution and delivery in electronic and/or printed form of one or more final Official Statements in substantially the form of the Preliminary Official Statement with such changes as any Designated Officer determines are appropriate or necessary. Any Designated Officer is hereby authorized and directed to execute and deliver one or more final Official Statements in the name and on behalf of the LACMTA. One or more supplements to the final Official Statement(s) or revised final Official Statement(s) may be prepared and delivered

reflecting updated and revised information as the Designated Officers deem appropriate or necessary. Each Official Statement shall be circulated for use in selling the Bonds at such time or times as a Designated Officer deems appropriate.

11. **Paying Agent and Registrar.** The LACMTA hereby appoints the Trustee as Paying Agent for the Bonds and appoints the Trustee as Registrar for the Bonds. Such appointments shall be effective upon the issuance of the Bonds and shall remain in effect until the LACMTA, by supplemental agreement, resolution or other action, shall name a substitute or successor thereto.

12. **Authorized Authority Representative.** The Board hereby confirms the designation of the Chief Financial Officer of the LACMTA and any person holding such title or any person holding such other title as may from time to time be assigned to such position, and such officer serving in an acting or interim capacity, as an “Authorized Authority Representative” for all purposes under the Trust Agreement, the Supplemental Trust Agreement, and any amendments or supplements to the Trust Agreement or Supplemental Trust Agreement. Such appointment shall remain in effect until modified by resolution. The prior designation of officers, including the Chairperson, the Chief Executive Officer, Treasurer and Assistant Treasurer of the LACMTA, as Authorized Authority Representatives under the Trust Agreement and any amendments or supplements thereto shall continue.

13. **Reimbursement.** (i) All of the foregoing recitals are true and correct and (ii) in accordance with Section 1.150-2 of the Treasury Regulations, the LACMTA declares its intention to issue Bonds in an amount not to exceed \$500,000,000, the proceeds of which will be used to pay for the costs of the Projects, including the reimbursement to the LACMTA for certain capital expenditures relating to the Projects made prior to the issuance of the Bonds.

13. **Additional Authorization.** The Designated Officers and all officers, agents and employees of the LACMTA, for and on behalf of the LACMTA, are each authorized and directed to do any and all things necessary to effect the execution and delivery of the Bonds and the Related Documents and to carry out the terms thereof. The Designated Officers and all other officers, agents and employees of the LACMTA are further authorized and directed, for and on behalf of the LACMTA, to execute all papers, documents, certificates and other instruments that may be required in order to carry out the authority conferred by this Resolution or the provisions of the Trust Agreement, each Supplemental Trust Agreement and the Related Documents or to evidence said authority and its exercise. The foregoing authorization includes, but is in no way limited to, the direction (from time to time) by a Designated Officer of the investments in Permitted Investments (defined in the Trust Agreement) of the proceeds of the Bonds and of the Pledged Taxes including the execution and delivery of investment agreements related thereto; the execution by a Designated Officer and the delivery of the Tax Certificate as required by the Supplemental Trust Agreement for the purpose of complying with the rebate requirements of the Internal Revenue Code of 1986, as amended; and the execution and delivery of documents required by The Depository Trust Company in connection with the Book-Entry Bonds. All actions heretofore taken by the officers, agents and employees of the LACMTA in furtherance of this Resolution are hereby confirmed, ratified and approved.

14. **Continuing Authority of Designated Officers.** The authority of any individual serving as a Designated Officer under this Resolution by a written designation signed by any Chief Executive Officer, any Chief Financial Officer, any Treasurer, or any Assistant Treasurer shall remain valid notwithstanding the fact that the individual officer of the LACMTA signing such designation ceases to be an officer of the LACMTA, unless such designation specifically provides otherwise.

15. **Further Actions.** From and after the delivery of the Bonds, the Designated Officers and each of them are hereby authorized and directed to amend, supplement or otherwise modify any Related Document at any time and from time to time and in any manner determined to be necessary or desirable by the Designated Officer executing such amendment, supplement or modification, the execution of such amendment, supplement or other modification being conclusive evidence of LACMTA's approval thereof.

16. **Costs of Issuance.** The LACMTA authorizes funds of the LACMTA together with the proceeds of the Bonds to be used to pay costs of issuance of the Bonds, including but not limited to costs of attorneys, accountants, municipal advisors, the costs associated with rating agencies, bond insurance and surety bonds, printing, publication and mailing expenses, and any related filing fees.

17. **Severability.** The provisions of this Resolution are hereby declared to be severable, and, if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereof.

18. **Effective Date.** This Resolution shall be effective upon adoption and shall be effective with respect to Bonds issued on or before June 30, 2017.

19. **Contract.** This Resolution and the pledge of the Pledged Taxes contained herein shall constitute a contract between the LACMTA and the holders of the Bonds.

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CERTIFICATION

The undersigned, duly qualified and acting as Board Secretary of the Los Angeles County Metropolitan Transportation Authority, certifies that the foregoing is a true and correct copy of the Resolution adopted at a legally convened meeting of the Board of Directors of the Los Angeles County Metropolitan Transportation Authority held on _____, 2016.

LACMTA Board Secretary

DATED: _____



File #: 2016-0878, File Type: Contract

Agenda Number: 23.

REVISED
CONSTRUCTION COMMITTEE
EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 17, 2016

SUBJECT: METRO PILOT BUSINESS INTERRUPTION FUND (BIF)

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

A. AUTHORIZING the Chief Executive Officer to:

1. EXECUTE Modification No. 3 to Contract No. PS69403444 with **Pacific Coast Regional Small Business Development Corporation (PCR) to support the increased level of effort and resources for the remaining two years of the professional services contract and continuation of services to eligible “mom and pop” businesses directly impacted by the unprecedented full street closure along 2nd & Broadway segment of the Regional Connector** in the amount of \$297,616 increasing the total firm fixed contract value from \$1,965,090 to \$2,262,706;
2. INCREASE Contract Modification Authority (CMA) specific to Contract No. PS69403444 in the amount of ~~\$400~~500,000 increasing the total CMA amount from \$180,000 to \$2680,000 to support ~~potential~~ additional services related to BIF fund administration inclusive of the expansion of the BIF to directly impacted and qualifying “mom and pop” businesses along the Purple Line Extension Phase 2; and

B. RECEIVING AND FILING the quarterly status report of Metro’s Pilot Business Interruption Fund (BIF).

DUPONT-WALKER AMENDMENT to expand the Pilot Business Interruption Fund to include small businesses that may be interrupted along the Purple Line Extension Phase 2.

ISSUE

In November 2014, the Board of Directors approved the contract with PCR to serve as the fund administrator for Metro's pilot BIF which provides financial assistance to small "mom and pop" businesses directly impacted by transit rail construction along the Crenshaw/LAX transit line, Phase I of the Purple Line Extension and the Little Tokyo area of the Regional Connector Transit Project. In December 2015, the Board approved the expansion of the BIF to include eligible small "mom and pop" businesses directly impacted by unprecedented full street closures with a duration greater than 6 continuous months such as the planned work at the 2nd & Broadway segment of the Regional Connector.

Immediately proceeding the authorization to extend the BIF to directly impacted and qualifying "mom and pop" businesses within the 2nd & Broadway segment of Regional Connector, Metro executed Modification No. 1 that included additional tasks for PCR to provide BIF fund administration services for small businesses directly impacted by the unprecedented full street closure. The full street closure of 2nd & Broadway extended beyond the projected term for an actual completion date in October 2016. In accordance to Metro's BIF Administrative Guidelines businesses have 180 calendar days from the end of the quarter of direct impact to submit a BIF application. Therefore, Board authorization is necessary to support the continuation of the BIF administration services along 2nd & Broadway segment of Regional Connector through June 2017.

In addition, as Metro's contracted fund administrator continues to advance efforts for the implementation of the pilot program, the actual level of effort required for implementation of the program has been captured. Based on the demonstrated level of effort required for ongoing direct outreach, financial analysis and processing of BIF applications from submission to completion and grant award, Modification No. 3 is necessary to support the level of effort and resources for the remaining two years of the professional services contract.

DISCUSSION

During the past quarter, Metro staff and PCR continue to advance efforts for implementation of the historic pilot program. The BIF continues to achieve program milestones and successes in keeping with the objective of supporting "mom and pop" businesses ability to thrive throughout and post construction of transit rail mega projects and experience growth opportunities associated with new transit rail services. As of October 2016 Metro has awarded 283 BIF grants exceeding the total amount of \$5.4 million to directly impacted small businesses of which 90% have remained in operations six months post grant award and 94% one year post grant award. In addition, Metro has helped sustain more than 700 jobs in the business communities through the award of BIF grants to more than 100 "mom and pop" businesses along the Crenshaw/LAX line, the Little Tokyo area and 2nd & Broadway segment of Regional Connector including Phase I of the Purple Line Extension.

A. Performance and Utilization

In effort to ensure the pilot program is prudent yet provides a seamless process for applicants, Metro and PCR continue to implement a hands-on approach that provides "mom and pop" businesses access to program information through Metro hosted BIF workshops; an interactive on-line application; direct one-on-one consultation with an assigned BIF Business Advisor; and/or on-site

client appointments at either the business location, Metro’s Crenshaw/LAX Business Solution Center, Metro’s Little Tokyo Community Relations Office and/or the Little Tokyo Small Business Center co-located at Metro’s Community Relations office.

Following is a high level summary of BIF grant application quarterly metrics through CY16 Q3:

- > Total number of BIF applications received: 451
- > Total number of BIF applications approved: 269
- > Total number of BIF applications not eligible 76
- > Total number of BIF applications denied: 2
- > Total percent of BIF grants approved: 71.1%
- > Total value of BIF grants approved/awarded: \$5,205,347.98

Following is a summary of the BIF quarterly Measures of Effectiveness through CY16 Q3:

Measure of Effectiveness		Goal	Actual
1	Number of businesses referred to support services post grant award	75%	100%
2	Number of completed applications processed within 9 business days	100%	95%
3	Client satisfaction rating (via survey): <= 30 days after grant award	100%	82%
4	*Number of businesses remaining in business 6 months post grant award	100%	90%
	*Number of businesses remaining in business 12 months post grant award	100%	94%

* Post grant award data reflects 56 businesses that have remained in business 6 months post grant award and 107 businesses that have remained in business 12 months post grant award.

Additional program metrics and quarterly reports can be viewed at metro.net/bif.

B. Small Business Outreach

In the course of performing oversight and monitoring of the BIF, Metro staff continues to assess lessons learned and the overall performance of the pilot program.

Recurring themes, observations and areas of focus include:

- Direct (proactive) outreach and canvassing continue to be the most effective means to contact small “mom and pop” businesses in effort to provide information and resources on Metro’s BIF.
- The directly impacted small business community has become more receptive to Metro and PCR in light of the BIF program success in granting awards to diverse community of businesses.
- Opposition and/or challenge to the BIF in response to the eligibility requirements for

businesses to demonstrate direct impact to Metro construction (businesses located immediately adjacent to the rail corridor and directly affected by Metro construction). Metro staff continues to spearhead strategic initiatives to counter opposition to the program while demonstrating the importance to maintain adherence to the guidelines and sustain the pilot program.

In response, the following activities are ongoing and/or have been implemented.

- Metro and PCR continues to advance coordinated outreach and communication activities and strategies to reach businesses in each of the transit rail corridors.
- PCR will continue direct canvassing and continue to provide hands-on support and guidance to business owners.
- Metro and PCR program staff have participated in more than 80 community and/or construction meetings.
- Metro has hosted 33 BIF workshops throughout each of the transit project areas and small business communities.
- Metro staff launched a new BIF webpage as an opportunity to promote transparency, share latest news and program stats including highlighting the BIF's community footprint through the shared experiences from small business grantees. The webpage can be viewed metro.net/bif.
- Metro staff launched a new quarterly BIF e-newsletter for distribution to various stakeholders and constituents.

Moreover, in effort to uphold Metro's commitment to being a trusted community builder, partner and stakeholder, Metro staff will continue to assess the performance of the pilot program with the objective of supporting directly impacted businesses' ability to sustain throughout the construction period.

DETERMINATION OF SAFETY IMPACT

There is no impact to the safety of Metro's customers or employees.

FINANCIAL IMPACT

Metro staff previously identified Measure R Admin funds as the most suitable funding source to support the professional services for the implementation and administration of the BIF. Therefore, Metro will continue to fund the BIF's professional services contract for the remaining two-year activities for the total authorized amount.

The FY17 budget includes \$337,214 for the professional services contract in cost center 0691. The Office of Management and Budget (OMB) has identified available Measure R Admin funds to support funding Modification 3 in the amount of \$297,616 for the continuation of services related to the 2nd & Broadway segment of Regional Connector in the amount of \$83,229; and the fund balance supports the increase in services for a portion of year 3 through June 30, 2017. The Measure R Admin funds have been re-appropriated in Cost Center 0691 Non-Departmental Procurement; Project Number 100055, Project Name - Admin-Measure R; Task No. 06.02.

Since this is a multi-year contract, Vendor/Contract Management will be responsible for budgeting funds for FY17, FY18 and FY19 in Cost Center 0691 Non-Departmental Procurement; Project Number 100055, Project Name - Admin-Measure R; Task No. 06.02.

Impact to Budget

The source of funds for the professional services is Measure R Admin, which does not impact bus and rail operations.

ALTERNATIVES CONSIDERED

The Board could either not authorize or authorize a lower amount for Modification No. 3; however staff is not recommending this alternative because it will affect Metro's ability to allocate the adjusted level of resources to support the ongoing implementation of the pilot BIF at the necessary level of effort to provide support to the "mom and pop" businesses applying for the BIF.

NEXT STEPS

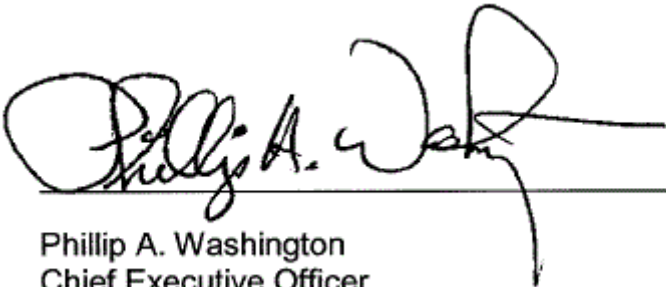
Upon Board approval, staff will execute Modification No. 3 to Contract No. PS69403444. In compliance with Board Motion 57 dated September 18, 2014, Metro staff will continue to provide reports to the Board of Directors on the status of the BIF.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Modification/Change Order Log
- Attachment C - Motion 57
- Attachment D - DEOD Summary

Prepared by: Shalonda Baldwin, Deputy Executive Officer of Project Management,
Vendor/Contract Management, (213) 922-4488

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



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

METRO PILOT BUSINESS INTERRUPTION FUND/PS69403444

1.	Contract Number: PS69403444		
2.	Contractor: Pacific Coast Regional Small Business Development Corporation		
3.	Mod. Work Description: Provide increase level of effort and resources for the remaining two years of the professional services contract and continuation of the services to eligible “mom and pop” businesses directly impacted by the full street closure along 2nd & Broadway segment of the Regional Connector.		
4.	Contract Work Description: Business Interruption Fund Administration Services		
5.	The following data is current as of: 11/2/16		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	11/13/14	Contract Award Amount: \$1,800,000
	Notice to Proceed (NTP):	12/04/14	Total of Modifications Approved: \$165,090
	Original Complete Date:	12/03/18	Pending Modifications (including this action): \$297,616
	Current Est. Complete Date:	12/03/18	Current Contract Value (with this action): \$2,262,706
7.	Contract Administrator: Lily Lopez		Telephone Number: (213) 922-4639
8.	Project Manager: Shalonda Baldwin		Telephone Number: (213) 922-4488

A. Procurement Background

This Board Action is to approve Modification No. 3 to Contract No. PS69403444 to support the increased level of effort and resources for the remaining two years of the contract and services to eligible “mom and pop” businesses directly impacted by the full street closure along 2nd & Broadway segment of the Regional Connector. This Modification enables the Contractor to process additional Business Interruption Fund (BIF) applications and extends the services for the 2nd & Broadway segment of Regional Connector transit rail project due to construction delays.

This Contract Modification will be processed in accordance with Metro’s Acquisition Policy and the contract type is firm fixed price. All other terms and conditions remain in effect.

On November 13, 2014, Contract No. PS69403444 was awarded to Pacific Coast Regional Small Business Development Corporation in the firm fixed price of \$1,800,000 (inclusive of two, one-year options) for professional services to serve as the fund administrator to implement strategies that provide access to financial assistance for eligible impacted mom and pop businesses along the Crenshaw Line,

the Little Tokyo area along the Regional Connector and Phase I of the Purple Line extension.

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

B. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon a cost analysis and technical analysis. All direct labor rates and fee remain unchanged from the original contract.

Proposed Increase	Metro ICE	Negotiated Amount
\$297,616	\$315,775	\$297,616

ATTACHMENT B

**CONTRACT MODIFICATION/CHANGE ORDER LOG
BUSINESS INTERRUPTION FUND/PS69403444**

Mod. No.	Description	Status (approved or pending)	Date	Amount
1	Support the expansion of the Business Interruption Fund (BIF) to include “mom and pop” businesses directly impacted by construction activity along the 2nd & Broadway segment of Regional Connector transit rail project.	Approved	12/29/15	\$165,090
2	No cost administrative changes.	Approved	09/26/16	\$0
3	Increase level of effort and resources for the remaining term of the contract and services to eligible « mom and pop » businesses directly impacted by the full street closure along the 2 nd & Broadway segment of the Regional Connector.	Pending	Pending	\$297,616
	Modification Total:			\$462,706
	Original Contract:			\$1,800,000
	Total:			\$2,262,706

Amendment to Item 57

Motion by Directors Molina, Dupont-Walker, Ridley-Thomas and Garcetti

Business Interruption Fund

September 18, 2014

WE, THEREFORE, MOVE that the Board direct the Chief Executive Officer to:

1. Establish a pilot program for a special **Business Interruption Fund** for mom and pop businesses located along the Crenshaw Line, within the Little Tokyo area along the Regional Connector, **and Phase I of the Purple Line Extension** immediately.

2. Define mom and pop businesses as those **meeting the following criteria:**
 - a. Having 25 employees or fewer;
 - b. **A minimal operational history of two years;**
 - c. **Being in good standing with local, state and federal tax requirements; and**
 - d. **Able to produce financial records (i.e. gross receipts, business license information, pay roll taxes and other pertinent financial information) demonstrating the loss of business revenue directly related to the period of construction disruption.**

3. Conduct a baseline survey of all businesses within the project areas.

4. **Identify and designate \$10,000,000 of Metro funds annually to be used for the implementation of the Business Interruption Fund. Funds shall be distributed through the project's administration and/or respective Business Solution Center.**
5. **Each business should be eligible for a maximum of \$50,000 annually, not to exceed 60 percent of their annual business revenue loss.**
6. Participation in the program would release MTA and the general contractor from further liability claims for business loss unrelated to specific incidents of damage and would be voluntary.
7. **Direct the Chief Executive Officer to work with Los Angeles County and local cities to seek all appropriate legislation that would temporarily reduce or waive taxes and fees imposed on impacted businesses during transit-related construction activities and work with the Los Angeles County Assessor's Office to immediately initiate outreach activities to businesses impacted by transit-related construction activities in order to inform them of the Assessor's Office Proposition 8/Decline-in-Value Review process.**
8. Report back to Construction Committee monthly, **beginning in October**, with an implementation plan **and report back to the Board of Directors in September 2015 with an evaluation of the program including utilization levels and recommendations for program modification.**

DEOD SUMMARY

BUSINESS INTERRUPTION FUND/PS69403444

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a small business goal for this sole source contract. Services will be performed by Pacific Coast Regional Small Business Development Corporation.

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.

**Board Report**

File #: 2016-0646, **File Type:** Contract**Agenda Number:** 27.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
NOVEMBER 17, 2016****SUBJECT: HR4000 HEAVY RAIL VEHICLE (HRV) ACQUISITION,
RAIL VEHICLE CONTRACTOR****ACTION: AWARD CONTRACT FOR HEAVY RAIL VEHICLE ACQUISITION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a firm-fixed price Contract under RFP No. OP6355500HR4000, **Heavy Rail Vehicle (HRV) Acquisition, to China Railway Rolling Stock Corp (CRRC) MA Corporation** in the not-to-exceed amount of \$178,395,869 for a period of 62 months from Notice-to-Proceed (NTP) for the production and delivery of the 64 HRV Base Order, subject to the resolution of protest(s), if any.

ISSUE

The Purple Line Extension (PLE), Section 1 is anticipated to commence revenue service in November 2023. If the Board approves this Contract, CRRC MA will deliver the 34 HRVs required to support PLE Section 1 by November 2020 and the balance of the 30 HRVs to replace the original A650 HRVs by July 2021.

DISCUSSION

In July 2014, the Board authorized staff to issue a federally funded solicitation for a Best Value Request for Proposals (RFP) utilizing competitive negotiations pursuant to PCC § 20217 for the procurement of the 64 Base Order and 218 Option HRVs.

Staff's recommendation presents the firm that is most advantageous to Metro. CRRC MA's offer represents the Highest Rated and Best Value to Metro when all technical and price factors are considered in accordance with the RFP evaluation criteria, including US content and Local Employment Plan. The Best Value evaluation is inclusive of the vehicle quantities for the Contract Base and all Contract Options. The Procurement Summary (Attachment A) further provides the detailed evaluation results and rankings for all proposers, including the weighted scores associated with each evaluation factor.

Metro is currently constructing the Purple Line Extension (PLE), Section 1, completing the procurement of a design-build contract for Section 2, in January 2017 and issuance of NTP by April

2017, and performing engineering design for Section 3. This rail line extension expands service from the existing terminus of the Purple Line at the Wilshire/Western Station to Westwood.

In accordance with the Rail Fleet Management Plan FY2015-FY2040, Metro anticipates a need to expand the rail fleet to accommodate anticipated growth in ridership, support line extensions and replace vehicles reaching the end of its useful revenue service life.

The 64 HRV Base Order will address the operational service requirements of PLE Section 1 with 34 HRVs; the remaining 30 HRVs will be used to replace the 30 original A650 vehicles that will be reaching the end of its useful revenue service life in approximately six (6) years. The delivery of the new vehicles is scheduled to be completed within 62 months following issuance of NTP at a rate of up to four (4) vehicles per month. There are provisions to impose liquidated damages for late deliveries.

The Contract contains five (5) Options, up to 218 additional vehicles, as part of this procurement action, but the authority to award the Options is not included in the staff recommendation.

- Option 1 - 24 HRVs: Red Line Service Expansion
- Option 2 - 84 HRVs: System Service Expansion
- Option 3 - 20 HRVs: PLE, Section 2
- Option 4 - 16 HRVs: PLE, Section 3
- Option 5 - 74 HRVs: Replacement of existing 74 A650 vehicles

The Options may be exercised in combination or sequence as long they follow the Option expiration dates defined in the Contract. The first Option (any Option #1 through #5) may be exercised not later than 34 months following the Commencement Date or eight months following Shipment of the Pilot Cars, whichever is later. The successive Options must each be exercised within four months of when the preceding one is exercised. The dates are established to minimize impact to production and to limit escalation risks.

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this procurement as it is not applicable (please refer to Attachment E). This procurement falls under the Federal Transit Administration's (FTA) Transit Vehicle Manufacturer (TVM) goal in accordance with 49 Code of Federal Regulations (CFR) Part 26.49. However, CRRC MA has an established DBE goal of 6.45% with the FTA.

US DOT Contracting Initiative Pilot & Enhanced U.S. Content Programs

Metro created a new Local Employment Program (LEP) that was approved for use under the U.S. Department of Transportation's (DOT) Contracting Initiative Pilot Program. This pilot program allows for the application of geographical preferences in the evaluation of Construction and Rolling Stock projects.

Metro's LEP was approved by the FTA in September 2015 for application on the HR4000 HRV Acquisition on a voluntary basis. The LEP incentivized proposers to create new jobs in the State of California and invest in local facility construction as a function of the best value evaluation process by providing preferential scoring points based on the committed wages and benefits for new workers. At least 10 percent of the new jobs are targeted for defined disadvantaged populations.

Staff's goal of creating meaningful new manufacturing local jobs was achieved as evidenced by CRRRC MA's commitment to creating new jobs in the State of California totaling \$38,395,972 in wages and benefits covering the period from NTP to November 2026 for the Base Order; if all five (5) Options are exercised the LEP will conclude in January 2031.

The RFP also included an additional incentive for Enhanced U.S. Content as a result of recent California law (AB 1097), which provides transit agencies with the ability to include preferential scoring provisions for proposers who offer U.S. component content in excess of the Federal Buy America requirement of 60%. The Enhanced U.S. Content program is voluntary and is not part of any direct evaluation scoring. However, the monetary value of the Enhanced U.S. Content submittal in excess of 60% was used as a Best Value trade-off against the Price factor for evaluation purposes only. The recommended Awardee committed to a 65% U.S. content for the duration of the Contract.

DETERMINATION OF SAFETY IMPACT

The approval of this contract award will have a direct and positive impact to system safety, service quality, system reliability and overall customer satisfaction. The procurement of 64 new HRVs will feature the most current safety systems and augment service levels by replacing the existing A650 series HRVs.

FINANCIAL IMPACT

The total not-to-exceed contract amount to support the Base Order is \$178,395,869. Funding for the procurement of the 64 HRV Base Order is summarized below:

64 HRV Base Order

PLE Section 1 (34 HRVs): \$160 million is budgeted in the capital LOP budget of Project 865518 - Westside Subway Extension and is included in the Full Funding Grant Agreement and is eligible for TIFIA loan proceed funding.

A650 Vehicle Replacement (30 HRVs): \$130.9 million is budgeted in the capital budget of Project 206037 - HR4000 HRV Procurement.

The FY17 planned expenditure of \$16,338,127 is included in the combined annual budgets for the two aforementioned projects in Project 206037, Cost Center 3043, Rail Vehicle Acquisition, and Project 865518, Cost Center 8510, Construction Contracts/Procurement.

Since this is a multi-year contract, the cost center Manager will ensure that costs will be budgeted in future years.

Impact to Budget

The source of funds for this action affecting PLE, Section 1 is a combination of Federal New Starts, TIFIA, and Measure R 35%, and is within the Adopted LOP and FY17 annual budgets. Funding sources for the PLE, Section 1 are planned for the design, construction and procurement efforts; these funds are not eligible for operations. Funding for the replacement vehicles share of the procurement (project 206037) is Proposition A 35% bonds.

The funding sources under this Project (inclusive of Project 865518 and Project 206037) for the 64 HRV Base Order HRVs are sufficient to award the base contract of this recommendation. Staff is actively pursuing additional eligible federal sources. Staff is also pursuing additional State and Local funding sources such as Cap and Trade and similar sources as they become available to meet the funding needs of this project.

ALTERNATIVES CONSIDERED

The Board of Directors may choose not to authorize the contract award for this project; however, this alternative is not recommended as this project is critical to support the Purple Line Extension, and retire the oldest HRVs in the fleet.

NEXT STEPS

Upon Board award approval, a Contract will be executed and a Notice-to-Proceed will be issued to CRRC MA once all insurance and bonding requirements are met. Metro and CRRC MA, will then mobilize required resources to ensure timely completion of deliverables by the Vehicle Contractor.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - July 17, 2014 Board Authorization for Best Value Procurement
- Attachment C - Funding/Expenditure Plan
- Attachment D - FTA Local Pilot Hiring Program (September 30, 2015)
- Attachment E - DEOD Summary

Prepared by: Cop Tran, Director, Project Control, Rail Vehicle Acquisition, (213) 922-3188
Jesus Montes, Sr. Executive Officer, Vehicle Acquisition, (213) 922-3838
Joe Marzano, Senior Manager, Vendor/Contract Management (213) 922-7014

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

**HR4000 HEAVY RAIL VEHICLES (HRV) ACQUISITION,
RAIL VEHICLE CONTRACTOR/OP6355500HR4000**

1.	Contract Number: OP6355500HR4000	
2.	Recommended Vendor: CRR MA Corporation	
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: 05.29.15	
	B. Advertised/Publicized: 06.06.15	
	C. Pre-proposal/Pre-Bid Conference: 06.18.15	
	D. Proposals/Bids Due: 01.11.16	
	E. Pre-Qualification Completed: 10.10.16	
	F. Conflict of Interest Form Submitted to Ethics: 09.19.16	
	G. Protest Period End Date: 11.18.16	
5.	Solicitations Picked up/Downloaded: 181	Bids/Proposals Received: 2
6.	Contract Administrator: Joe Marzano	Telephone Number: (213) 922-7014
7.	Project Manager: Cop Tran	Telephone Number: (213) 922-3188

A. Procurement Background

This Board Action is to approve Contract No. OP6355500HR4000 for the purchase of new Heavy Rail Vehicles (HRVs) to support the Purple Line Extension and to replace the original 30 A650 HRVs. The Base order is for 64 HRVs: 34 vehicles are for Section 1 of the Purple Line Extension and 30 vehicles are to replace the original A650 HRVs that are expected to reach the end of its useful life. The Contract also includes options for up to 218 additional vehicles to meet future service expansions and the opening of new subway extensions. Board approval of contract awards are subject to resolution of any properly submitted protest.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit price.

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

- Amendment No. 1, issued on 06.05.15 provided the pre-proposal conference meeting location and agenda;
- Amendment No. 2, issued on 06.19.15 established a project data repository for planholder access to reference documents;
- Amendment No. 3, issued on 07.07.15 extended the proposal due date to 10.30.15 and edited the Technical Specifications and commercial terms;
- Amendment No. 4, issued on 08.03.15 extended the proposal due date to 11.30.15, edited the Technical Specifications and commercial terms and provided edited pricing and Local Employment Program (LEP) forms;

- Amendment No. 5, issued on 08.20.15 edited the Technical Specifications and commercial terms and provided edited pricing form (PF-5);
- Amendment No. 6, issued on 09.04.15 edited the Technical Specifications and commercial terms;
- Amendment No. 7, issued on 09.18.15 edited the Technical Specifications;
- Amendment No. 8, issued on 09.18.15 edited the Technical Specifications, commercial terms and Local Employment Program;
- Amendment No. 9, issued on 10.28.15 extended the proposal due date to 01.11.16;
- Amendment No. 10, issued on 12.08.15 edited the Technical Specifications and commercial terms;
- Amendment No. 11, issued on 12.18.15 edited the commercial terms;
- Amendment No. 12, issued on 07.12.16 after receipt of proposals requested Best and Final Offers (BAFOs), established BAFO due date of 08.08.16;
- Amendment No. 13, issued on 07.18.16 after receipt of proposals extended the BAFO due date to 08.22.16 and edited the Technical Specifications and commercial terms;
- Amendment No. 14, issued on 07.21.16 after receipt of proposals edited the commercial terms and provided pricing forms in excel format;
- Amendment No. 15, issued on 08.16.16 after receipt of proposals extended the BAFO due date to 09.07.16; and
- Amendment No. 16, issued on 08.25.16 after receipt of proposals edited the technical specification.

A total of two proposals were received on January 11, 2016. A pre-proposal conference and vehicle inspection was held on June 18, 2015. An additional vehicle inspection and shop tour was provided to proposers in the competitive range during negotiations in June 2016.

Metro's responses to questions received throughout the solicitation period were made accessible to all solicitation plan holders by posting them to the Metro project data repository. There were 234 questions and answers uploaded to the Metro site from June 19, 2015 to December 18, 2015. All available drawings, manuals, and other reference material were posted to the site.

Over the course of the solicitation period there were several requests to extend the proposal due date by prospective proposers. Metro agreed to extend the proposal due date from October 1, 2015 to January 11, 2016. Proposers also requested extensions to the BAFO due date from August 8, 2016 to September 7, 2016. These extension requests were granted to ensure maximum competition from an already limited field of interested proposers.

The proposal evaluation period, from January 11, 2016, through July 11, 2016, included oral presentations, proposer capacity and capability site visits, transit agency reference verifications and face-to-face negotiations. This comprehensive

process was necessary to thoroughly assess the strengths and weaknesses of each of the proposer's technical and price proposals.

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff from Rail Vehicle Acquisition, Rail Fleet Services, and Rail Transportation was convened and conducted a comprehensive technical evaluation of the proposals received. Furthermore, technical advisors (TAs) from Metro's Rail Fleet Services, Rail Wayside Systems, Rail Vehicle Engineering and Metro contracted technical consultants provided reports to the PET as Subject Matter Experts (SMEs).

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

- | | |
|--|------------|
| • Past Experience and Past Performance | 375 points |
| • Price | 300 points |
| • Technical Compliance | 250 points |
| • Project Management Experience | 75 points |
| • Voluntary Local Employment Program | 50 points |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar vehicle acquisition procurements. Several factors were considered when developing these criteria and weights, giving the greatest importance to past experience and past performance on new rail vehicle delivery.

Both proposals received were determined to be within the competitive range. The firms are listed below in alphabetical order:

1. CRRC MA Corporation (CRRC MA)
2. Hyundai Rotem U.S.A., Inc. (Hyundai Rotem)

The proposal evaluation kick-off was conducted on January 12, 2016. Technical Advisors (TAs) were used to support the PET with their expertise in the relevant subject matter. Comments from the PET and TAs were compiled during the week of February 15, 2016 and a Request for Clarification (RFC) was sent to both proposers on February 25, 2016, with a due date of March 11, 2016. A clarification due date extension request was granted, extending the clarification due date to March 25, 2016.

The proposer oral presentations and capacity and capability site visits were scheduled with each firm in April 2016. CRRC MA's oral presentation and site visit was held at its carshell manufacturing facility in Changchun, China on April 25-26, 2016. Hyundai Rotem's oral presentation and site visit was held at its carshell and truck manufacturing facility in Changwon, South Korea on April 28-29, 2016. During the oral presentation and site visit, the proposer's project managers and key team members had an opportunity to present each team's qualifications, project

management plan and facility capability and capacity at its respective manufacturing location.

In May, 2016, several in-person transit agency reference check visits were conducted to verify each proposer's past performance and past experience. During the in-person agency reference verification visits, Metro staff met with transit agency project management, operations and maintenance personnel to learn about their experience conducting business with the proposer and to witness the vehicles in its operating environment. Metro staff also verified references by telephone and through written reference verification surveys sent directly to Metro prior to the proposal due date from other transit agencies.

The PET considered the proposals, oral presentations, site visits and reference verification in its initial technical proposal evaluation score. The price proposals were then opened and pre-negotiation positions were established using Metro's Independent Cost Estimate (ICE). Prior to negotiations, the PET compiled each proposer's relative strengths and weaknesses for discussion during negotiations to provide proposers with an opportunity to improve its proposal in the BAFO.

Negotiation discussions were held from June 20, 2016, to July 1, 2016, culminating in conformed commercial terms and Technical Specifications to be used as the basis for the request for BAFO. Invitations to submit a BAFO were issued to both proposers in the competitive range on July 12, 2016, with a BAFO due date of August 8, 2016. Two BAFO due date extension requests were granted extending the BAFO due date to September 7, 2016. The final evaluations of the BAFO were completed the week of September 26, 2016, and were used as the basis of the final recommendation for award.

Metro conducted a Buy America Pre-Award Audit on both Proposers the week of October 10, 2016, in accordance with FTA guidance. Both Proposers were audited and found to exceed the FTA's Buy America requirements. The enhanced U.S. content commitment will be made a contractual requirement.

Qualifications Summary of Firms within the Competitive Range: CRRC MA Corporation

CRRC MA, a subsidiary of CRRC Corporation Ltd., is the largest rolling stock manufacturer in the world and has supplied vehicles to over 13 countries including Brazil, Argentina, Australia and New Zealand. CRRC MA has proposed to perform carshell manufacturing at its Changchun, China facility with final assembly occurring in Springfield, MA. Final assembly for Metro railcars will occur at CRRC MA's facility currently under construction in Springfield MA. The final assembly facility will consist of 40 acres which will include vehicle production facilities and a test track used to conduct routine and dynamic railcar testing. Construction on the facility is currently on schedule and is expected to be completed by Summer 2017. Major component manufacturing for the propulsion, heating, ventilation and air conditioning (HVAC)

and lighting systems will be performed at a facility in Los Angeles as part of its Local Employment Program where CRRC MA intends to supply these systems to all of its North American customers, including Metro.

CRRC MA's proposal strengths include lowest evaluated Price offer and the highest technically rated proposal. CRRC MA ranked highest in all technical evaluation categories including Past Experience and Past Performance, Technical Compliance and Project Management. CRRC MA also had the highest commitments for Metro's Local Employment Program and Enhanced U.S. Content Program.

Hyundai Rotem U.S.A, Inc.

Hyundai Rotem is part of the Hyundai Motor Group and has supplied rolling stock vehicles to over 15 countries including the U.S., Turkey, India, Greece, Canada, Brazil, Australia, and New Zealand. In the U.S., Hyundai Rotem has supplied rail vehicles to SEPTA, Denver RTD, MBTA, Tri-Rail (Miami) and Metrolink. Hyundai Rotem has proposed to perform carshell and truck manufacturing at its Changwon, South Korea facility with final assembly performed at a facility in Los Angeles as part of its Local Employment Program.

Hyundai Rotem's strength is that it has experience delivering rail vehicles in the U.S. However, Hyundai Rotem was two years late on the SEPTA project and over one year late on the Metrolink project. Hyundai Rotem has since improved its schedule performance record by delivering the Denver RTD vehicles on-time. Overall, its Past Performance, Technical Compliance and Project Management elements were not evaluated to be as strong as the recommended awardee. Hyundai Rotem also had a lower Local Employment Program value and higher Price offer.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	CRRC MA Corporation				
3	Past Experience and Past Performance	80.22	375	300.8	
4	Price (Base + Options) with enhanced U.S. content	100.00	300	300.0	
5	Technical Compliance	79.78	250	199.4	
6	Project Management	81.71	75	61.3	
7	Voluntary Local Employment Program Incentive	100.00	50	50.0	
8	Total		1050	911.5	1
9	Hyundai Rotem U.S.A, Inc.				
10	Past Experience and Past Performance	75.77	375	284.1	
11	Price (Base + Options) with enhanced U.S. content	95.76	300	287.3	
12	Technical Compliance	75.28	250	188.2	

13	Project Management	76.93	75	57.7	
14	Voluntary Local Employment Program Incentive	75.63	50	37.8	
15	Total		1050	855.1	2

Two important evaluation factors introduced to the RFP process were the incentives created by Metro’s voluntary Local Employment Plan and its Enhanced U.S. Content Program. Both firms proposed a level of participation in the Local Employment Plan and also proposed U.S. content in excess of the FTA’s 60% Buy America content requirement. This participation in both programs resulted in incentive points for the Local Employment Program, and a trade-off against the Price factor for the value of the proposed U.S. content in excess of 60%. CRRC MA proposed a higher level of commitment for new local jobs as well as enhanced U.S. content value; thus, it received more points for new local jobs and a higher trade-off value that was applied to their Price score.

Local Employment Plan

		CRRC MA Corporation	Hyundai Rotem U.S.A., Inc.
A.	Total Local Employment, Facility and Training Investment	\$38,395,972	\$29,038,721

Enhanced U.S. Content Program – Price Trade Off

		CRRC MA Corporation	Hyundai Rotem U.S.A., Inc.
A.	BAFO Price (Base & Options)	\$646,995,869	\$670,065,708
B.	Estimated Travel Costs	\$773,572	\$926,738
C.	Enhanced U.S. Content Value	\$21,512,934	\$16,983,531
D.	Proposed Price for Evaluation Purposes only (Row A + B - C)	\$626,256,507	\$654,008,915

Note: Estimated travel costs and U.S. Content Value are for evaluation purposes only.

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon adequate price competition, ICE, technical evaluation, fact finding, and negotiations. The recommended price for the Base Contract and Options, spare parts, special tools, diagnostic equipment, training aids and performance bond is \$552,991,216 or 46% lower than the ICE. The Base Contract vehicle unit price of \$2,350,000 per car is consistent with other recent contract awards to CRRC by Massachusetts Bay Transportation Authority (MBTA), and Chicago Transit Authority (CTA). The recommended Base Contract per car unit price of the HR4000 is also consistent with a recent contract awarded by New York City Transit (NYCT).

	Proposer Name	Proposal Amount	Metro ICE	BAFO Price
1.	CRRC MA Corporation	\$637,468,068	\$1,199,987,085	\$646,995,869

2.	Hyundai Rotem U.S.A, Inc.	\$683,137,887	\$1,199,897,085	\$670,065,708
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D. Background on Recommended Contractor

The recommended firm, CRRC MA, located in Boston, MA, is a wholly owned subsidiary of CRRC Corporation Ltd., headquartered in Changchun, China. CRRC was formed on June 1, 2015, with the merger of China CNR Corporation Ltd. and CSR Corporation Ltd. and is the largest rolling stock manufacturer in the world. CRRC has over 50 years of vehicle development and construction experience with an annual production capacity of 1,000 high speed rail vehicles, 1200 urban railway vehicles, 500 general railway vehicles and 6000 trucks. Since 1959, CRRC MA has produced over 30,000 railway vehicles. CRRC MA has a skilled workforce of over 13,000 workers worldwide with over 1,223 acres of manufacturing floor space. CRRC MA has recently been awarded contracts to supply MBTA for up to 284 new heavy rail vehicles including Options and CTA for up to 846 new heavy rail vehicles including Options.

**Metro**

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

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**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JULY 17, 2014**

SUBJECT: PURCHASE OF NEW HEAVY RAIL VEHICLES AND REFURBISHMENT OF A650 HEAVY RAIL VEHICLES & P2000 LIGHT RAIL VEHICLES

ACTION: AUTHORIZE REQUEST FOR PROPOSAL SOLICITATIONS FOR RAIL CAR PROCUREMENTS

RECOMMENDATION

A. The Board finds that rail vehicle procurements in compliance with Public Utilities Code (PUC) §130232 low bid requirement, does not constitute an adequate procurement method for LACMTA needs. Pursuant to Public Contracts Code (PCC) §20217, authorize procurement by competitive negotiation for the following: 1) Procurement of new heavy rail vehicles; 2) Refurbishment of existing A650 heavy rail vehicles; and 3) Refurbishment of existing P2000 light rail vehicles.

Requires Two-Thirds Vote

B. Authorize the Chief Executive Officer (CEO) to solicit Best Value Requests for Proposals (RFPs) as competitive negotiations pursuant to PCC § 20217 and Metro's procurement policies and procedures, for contracts to purchase new rail vehicles and to refurbish existing rail vehicles.

ISSUE

Staff is developing the technical and quantity requirements for the new rail car procurement and the rail car refurbishment procurements. It has been determined that they constitute specialized rail transit equipment purchases. This determination renders it appropriate that the new heavy rail vehicles and the refurbishment of existing light and heavy rail vehicles, be procured by a competitively negotiated process in accordance with PCC § 20217. PCC § 20217 states that the Board, upon a finding by two-thirds vote of all members, may find that the competitive low bid procurement method is not adequate for the agency's needs and direct that the procurements be conducted through competitive negotiation.

DISCUSSION

It is in the public's interest to utilize competitive negotiation rather than a sealed bid process to consider factors other than price in the award of contracts for vehicles and refurbishment of vehicles as allowed under PCC § 20217. The competitive negotiation process allows consideration of factors other than price that could not be adequately quantified or considered in a strictly low bid procurement.

Staff recommends the use of Best Value solicitations for all three rail car programs to allow for the consideration of technical and commercial factors, as well as price, in the contract award selection process.

By establishing explicit factors that identify Metro's definition of best value, the solicitation can use important evaluation criteria to augment price considerations; such as past performance related to schedule adherence, quality, reliability and vehicle performance.

In addition to the ability to evaluate key technical and schedule factors, the Best Value Request for Proposal process permits direct discussions and negotiations with proposers to clarify requirements and cost prior to an award recommendation. This process minimizes the risks associated with a complex specification and scope of work by allowing the parties to clarify ambiguities and correct deficiencies.

FINANCIAL IMPACT

The requested action has no financial impact at this time. However, future activities associated with the respective procurements will be charged against the adopted Life of Project budgets for the affected heavy rail and light rail vehicle projects. Upon completion of the Request for Proposals, staff will present more detailed plan addressing financial impacts and impact to budget.

ALTERNATIVES CONSIDERED

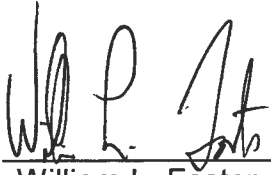
Procurement by a low bid process was considered but is not recommended. The sealed bid process does not adequately account for any technical superiority of performance, reliability, or system life cycle costs that on firm's equipment or solution may have over another since the process must award to the lowest responsive and responsible bidder. For these reasons, staff does not recommend this alternative. The competitively negotiated procurement process will provide for evaluation of critical non-price related factors in the selection process.

NEXT STEPS

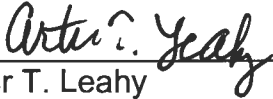
If this action is approved, staff would proceed with competitively negotiated best value solicitations for the new heavy rail vehicle and the refurbishment of the P2000 and A650 vehicles.

Prepared by: Richard Hunt, General Manager Strategic Vehicle &
Infrastructure Delivery

Questions: Carolyn Kreslake, Transportation Planning Manager IV
213-922-7420



William L. Foster
Interim Chief Operations Officer



Arthur T. Leahy
Chief Executive Officer

ATTACHMENT C - Funds Uses and Sources Tables

	From Inception to Date (ITD) thru FY14 Jun	7/1/14 - 6/30/15	7/1/15 - 6/30/16	7/1/16 - 6/30/17	7/1/17 - 6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20	7/1/20 - 6/30/21	7/1/21 - 6/30/22		
Use of Funds		FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	Total	% of Project
Replacement: 30 Vehicles (CP 206037)	\$0	\$0	\$595,000	\$5,900,000	\$14,800,000	\$16,000,000	\$17,138,141	\$17,000,000	\$8,845,000	\$80,278,141	34.5%
Professional Services	\$0	\$629,759	\$405,000	\$1,123,200	\$1,500,000	\$1,500,000	\$1,500,000	\$1,200,000	\$1,367,000	\$9,225,000	4.0%
MTA Administration	\$279,343	\$157,890	\$500,000	\$775,000	\$859,568	\$812,668	\$833,068	\$839,068	\$335,295	\$5,370,188	2.3%
Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$9,885,150	\$9,845,346	4.2%
Total	\$279,343	\$787,649	\$1,500,000	\$7,798,200	\$17,159,568	\$18,312,668	\$19,471,209	\$19,039,068	\$20,432,445	\$104,718,675	45.0%
WSE Section 1: 34 Vehicles (Project 865518)	\$0	\$0	\$0	\$7,216,124	\$18,727,728	\$18,500,000	\$19,000,000	\$18,557,728	\$16,116,148	\$98,117,728	42.2%
Professional Services	\$0	\$0	\$0	\$873,803	\$2,277,881	\$2,277,881	\$2,277,881	\$1,754,073	\$1,813,481	\$11,275,000	4.8%
MTA Administration	\$0	\$50,000	\$50,000	\$500,000	\$1,197,936	\$1,197,936	\$1,198,836	\$1,198,836	\$1,196,556	\$6,563,564	2.8%
Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$12,081,850	\$12,033,200	9.4%
Total	\$0	\$50,000	\$50,000	\$8,589,927	\$22,203,545	\$21,975,817	\$22,476,717	\$21,510,637	\$31,208,035	\$127,989,492	55.0%
Base Order Total	\$279,343	\$837,649	\$1,550,000	\$16,388,127	\$39,363,113	\$40,288,485	\$41,947,926	\$40,549,705	\$51,640,480	\$232,708,167	100.0%

	From Inception to Date (ITD) thru FY14 Jun	7/1/14 - 6/30/15	7/1/15 - 6/30/16	7/1/16 - 6/30/17	7/1/17 - 6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20	7/1/20 - 6/30/21	7/1/21 - 6/30/22		
Use of Funds		FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	Total Uses	% of Project
Base Order 64 Vehicles	\$0	\$0	\$595,000	\$13,116,124	\$33,527,728	\$34,500,000	\$36,138,141	\$35,557,728	\$24,961,148	\$178,395,869	76.7%
Professional Services	\$0	\$629,759	\$405,000	\$1,997,003	\$3,777,881	\$3,777,881	\$3,777,881	\$2,954,073	\$3,180,481	\$20,500,000	8.8%
MTA Administration	\$279,343	\$207,890	\$550,000	\$1,275,000	\$2,057,504	\$2,010,604	\$2,031,904	\$2,037,904	\$1,531,851	\$11,933,752	5.1%
Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$21,967,000	\$21,878,546	9.4%
Base Order Summary Total	\$279,343	\$837,649	\$1,550,000	\$16,388,127	\$39,363,113	\$40,288,485	\$41,947,926	\$40,549,705	\$51,640,480	\$232,708,167	100.0%

	From Inception to Date (ITD) thru FY14 Jun	7/1/14 - 6/30/15	7/1/15 - 6/30/16	7/1/16 - 6/30/17	7/1/17 - 6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20	7/1/20 - 6/30/21	7/1/21 - 6/30/22		
Use of Funds		FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	Total Uses	% of Project
Option 1 - 24 Vehicles for Red Line Expansion	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$52,800,000	\$52,800,000	11.3%
Option 2 - 84 Vehicles System Expansion	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$184,800,000	\$184,800,000	39.4%
Option 3 - 20 Vehicles PLE, Section 2	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$42,000,000	\$42,000,000	9.0%
Option 4 - 16 Vehicles PLE, Section 3	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$33,600,000	\$33,600,000	7.2%
Option 5 - 74 Vehicles Replacement of existing 74 A650 vehicles	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$155,400,000	\$155,400,000	33.2%
Option Order Summary Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$468,600,000	\$468,600,000	100.0%

Sources of Funds	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	Total Sources	%
Measure R 35% Per WSE PLE Sec 1 (865518)	\$0	\$50,000	\$50,000	\$8,589,927	\$22,203,545	\$21,975,817	\$22,476,717	\$21,510,637	\$31,208,035	\$128,064,678
<i>Reference the Adopted Uses and Sources for \$2,739,510,000 Life of Project Budget for WSE PLE Section 1</i>										
Measure R 2% (206037)	\$279,343	\$787,649	\$1,500,000	\$3,899,100	\$17,159,568	\$18,312,668	\$19,471,209	\$19,039,068	\$20,432,445	\$6,466,092
Cap and Trade; Other State & Federal sources (206037)*				\$3,899,100	\$17,159,568	\$18,312,668	\$19,471,209	\$19,039,068	\$20,432,445	\$98,314,058
<i>* Future Local, State & Federal Funds to be identified as they become available.</i>										
Total Funding Sources	\$279,343	\$837,649	\$1,550,000	\$16,388,127	\$39,363,113	\$40,288,485	\$41,947,926	\$40,549,705	\$51,640,480	\$232,844,828

* Staff will pursue additional funding sources to supplement Project 206037 budget which may become available through MAP-21 or other federal sources for this project. Staff will also utilize other State and Local funding sources as opportunities arise such as Cap and Trade or other new sources.



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
Arizona, California,
Hawaii, Nevada, Guam
American Samoa,
Northern Mariana Islands

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San Francisco, CA 94105-1839
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SEP 30 2015

Stephanie Wiggins
Deputy Chief Executive Officer
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Los Angeles, CA90012-2952

Re: Application for Inclusion in
U.S. Department of Transportation's
Contracting Initiative Pilot Program

Dear Ms. *Stephanie* Wiggins:

Thank you for the application submitted by the Los Angeles County Metropolitan Transportation Authority (LACMTA) to the United States Department of Transportation (DOT) Contracting Initiative Pilot Program.¹ The Federal Transit Administration (FTA) accepts LACMTA's proposals for inclusion in the program with certain modifications, as described more fully below.

FTA understands that LACMTA has four contracting opportunities involving rolling stock that it would like to include in the Pilot Program. These contracting opportunities include contracts for (1) the purchase of 282 heavy rail vehicles; (2) the purchase of up to 600 new buses; (3) the mid-life overhaul of 74 heavy rail vehicles; and (4) the mid-life overhaul of 82 light rail vehicles. In support of its application, LACMTA submitted the following documents: April 13, 2015 Submittal to FTA for Admission into Local Hiring Pilot Program; Local Employment Program (Mandatory) & Local Employment Program (Voluntary); P3010 US Employment Value Summary Trade-off Analysis – Attachment 1; and May 8, 2015 Response to Supplemental Questions Regarding Application for Local Hiring Pilot Program.

LACMTA proposes a mandatory Local Employment Plan (LEP) for the heavy rail contract and voluntary LEPs for the bus purchase and overhaul contracts. The LEP in both circumstances would target new and existing jobs in Los Angeles County and would provide that at least 10 percent of the jobs be targeted at disadvantaged populations. The proposed mandatory LEP would make the inclusion of an LEP a requirement of responsiveness, and would constitute 10 percent of the total points available for all RFP evaluation factors. The proposed voluntary LEP would provide the bidder with additional "bonus" points that could be awarded if the bidder includes an LEP with its bid.

¹ The DOT Contracting Initiative is described in more detail in 80 FR 12257 (March 6, 2015).

In considering whether to approve a proposed contract requirement under the Pilot Program, FTA is guided by an August 2013 opinion of the Office of Legal Counsel (OLC) of the U.S. Department of Justice.² Under that opinion, FTA may approve a proposed contract requirement that is likely to have only an incidental effect on the pool of potential bidders, or that imposes reasonable requirements related to the performance of the necessary work. Or, if a proposed specification is likely to have more than an incidental effect on the pool of potential bidders and is unrelated to the work's performance, FTA still may approve the requirement if it "promotes the efficient and effective use of federal funds in the short or long run" or "safeguards the integrity of the competitive bidding process." The OLC decision leaves to FTA discretion the determination of what constitutes the "efficient and effective use of federal funds."

FTA is concerned that the proposed voluntary and involuntary programs both may have more than an incidental effect on the pool of potential bidders – at least with respect to the heavy rail car buy and the bus buy – because they could put at a disadvantage any manufacturer who does not already have a facility in the defined geographic area, and this competitive disadvantage is not relieved by the voluntary or involuntary nature of the program. However, an appropriate modification of LACMTA's proposed requirements will address our concerns.

Generally, FTA proposes modifications to the following provisions: the voluntary versus mandatory nature of the LEP requirement; credit given for new versus existing jobs; and the geographic area eligible for LEP participation. FTA is concerned with making the LEP mandatory, as well as awarding credit for existing jobs within Los Angeles County because both terms could give an undue advantage to potential bidders already located within Los Angeles County. Additionally, FTA examined the competitive markets within LACMTA's proposed geographic focus of Los Angeles County, and determined that for two of the contracts such a geographic limitation could afford an unfair competitive advantage.

FTA evaluated each proposed program and contracting opportunity and requests the following modifications.

Purchase of 282 Heavy Rail Vehicles (Estimated Contract Cost: \$1.0558B)

The LACMTA proposal is a mandatory LEP that includes as part of the bid evaluation criteria credit for new and existing jobs in Los Angeles County. The proposal also includes a requirement that 10% of the jobs be targeted for disadvantaged persons. The LEP would constitute 10% of the available points.

Currently, there is one rail vehicle manufacturer in Los Angeles County, Kinkisharyo. Limiting the LEP to Los Angeles County and including existing jobs could provide Kinkisharyo with an unfair competitive advantage and could be an exclusionary or discriminatory specification prohibited by 49 U.S.C. § 5334(h). FTA requests that LACMTA modify the LEP for the heavy rail vehicles to make it a voluntary program, expand the geographic market to the state of California, and provide credit only for new jobs created, with 10% of the jobs targeted for disadvantaged persons.

² See *Competitive Bidding Requirements Under The Federal-Aid Highway Program*, 23 U.S.C. § 112 (August 23, 2013). The 2013 opinion is available at <http://www.justice.gov/olc/opinions>.

Purchase of up to 600 new buses (Estimated Contract Cost: \$325M)

The LACMTA proposal is a voluntary LEP that provides supplemental points for any proposer who includes an LEP. Bidders would receive credit for new and existing jobs in Los Angeles County. The proposal also includes a requirement that 10% of the jobs be targeted for disadvantaged persons.

Currently, there only is one bus manufacturer with a facility in Los Angeles County -- New Flyer. Accordingly, an LEP limited to the county could provide an unfair competitive advantage for that manufacturer, even if the program is voluntary. FTA requests that LACMTA modify the LEP for the 600 bus buy to expand the geographic market to the state of California, and provide credit only for new jobs created, and 10% of the jobs targeted for disadvantaged persons.

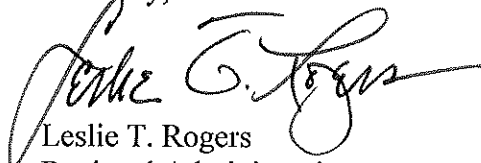
Mid-life overhaul of 82 light rail vehicles (Contract Value \$100M) and mid-life overhaul of 74 heavy rail vehicles (Contract Value \$46M)

The LACMTA proposal for the two mid-life overhaul contracts is the same: a voluntary LEP giving credit for new and existing jobs in Los Angeles County, and a requirement that 10% of the jobs be targeted for disadvantaged persons.

For overhaul contracts, the original vehicle manufacturer has an advantage for doing mid-life overhauls of its own vehicles. The original manufacturers for the vehicles subject to the contracts are not located in Los Angeles County, resulting in all potential bidders being similarly situated. Under these circumstances, limiting the geographic market to Los Angeles County does not provide an unfair competitive advantage for any one bidder. As with the other contracts, FTA requests that this LEP be limited to new jobs created and provide that 10% of the jobs be targeted for disadvantaged persons.

With the above modifications to LACMTA's proposed LEPs, FTA believes that inclusion of the four contracting opportunities in the Pilot Program would likely better promote the efficient and effective use of federal funds and safeguard the integrity of the competitive bidding process. Please let us know whether LACMTA is interested in participating in the Pilot Program under the proposed terms. If you have any questions, please contact Deputy Chief Counsel Dana Nifosi at 202-366-1643 or Dana.Nifosi@dot.gov.

Sincerely,


Leslie T. Rogers
Regional Administration

DEOD SUMMARY

HEAVY RAIL VEHICLE (HRV) ACQUISITION,
RAIL VEHICLE CONTRACTOR/OP6355500HR4000**A. Small Business Participation**

The Diversity and Economic Opportunity Department did not recommend a Disadvantaged Business Enterprise (DBE) goal for this procurement. The Federal Transit Administration (FTA) requires that each Transit Vehicle Manufacturers (TVM) submit for approval an annual percentage overall goal. In accordance with 49 Code of Federal Regulations (CFR) Part 26.49, only those transit vehicle manufacturers listed on FTA's certified list of Transit Vehicle Manufacturers, or that have submitted a goal methodology to FTA that has been approved or has not been disapproved, at the time of solicitation are eligible to bid. CRRC MA Corporation is listed on the FTA's Eligible TVMs List.

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.

RFP No. HR4000 - New Heavy Rail Vehicle Procurement
Procurement Evaluation Team Award Recommendation



HRV Acquisition:

Scope & Plan:

- Procure 64 Base Order Cars
- Procure 218 Option Order Cars (5 Options)
- Replace Existing Fleet (104 Cars)
- Support Purple Line Extension Programs – Section 1, 2 & 3
- Add Capacity for Growth in Ridership

Coordination of HRV Projects

	A650	HR4000 (Base Order)
Existing Quantity	104	0
Replacement	(30)	30
Overhaul	74	0
Service Expansion (PLE-1)		34
Total	74	64
TOTAL FLEET	138 HRVs	



Award Recommendation Summary

Award to CRRC for \$178,395,869 as rated highest in accordance with approved evaluation criteria (reference [Appendix A](#))

- CRRC demonstrated best past performance in schedule adherence
- CRRC presented the highest technically rated proposal
- CRRC rated higher in Project Management
- CRRC presented the lowest cost offer (reference [Appendix B](#))
- CRRC will create the highest value of new local jobs and commits to purchasing a local facility (reference [Appendix C](#))
- CRRC commits to a U.S. Content percentage at 65% that exceeds the minimum Buy America requirements by 5% points

Best Technical; Lowest Price; Best LEP Commitment; Higher U.S. Content



Procurement Evaluation Team Process

- Proposals received January 11, 2016
- Initial Interviews Conducted April 2016
- Proposer Site Visits conducted April 2016
- Agency reference checks conducted May 2016
- Negotiations completed June 2016
- Best and Final Offer (BAFO) received September 2016
- Final Price & Technical Evaluation completed October 6, 2016

Scoring Result Summary

Evaluation Criteria	Total Possible	CRRC	Hyundai Rotem
Experience & Past Performance	375	301	284
Price	300	300	287
Technical Compliance	250	199	188
Project Management	75	61	58
Local Employment Program	50	50	38
Total Scores	1050	911	855

Total Price Summary including Options

	CRRC	Hyundai Rotem	ICE
Base Order – 64 Vehicles	\$178,395,869	\$201,945,983	\$242,234,271
Option 1: 24 Vehicles (Red Line Expansion)	\$52,800,000	\$51,402,442	\$97,936,471
Option 2: 84 Vehicles (System Capacity Improvement)	\$184,800,000	\$180,292,321	\$361,217,103
Option 3: 20 Vehicles (PLE Section 2)	\$42,000,000	\$42,932,118	\$83,783,969
Option 4: 16 Vehicles (PLE Section 3)	\$33,600,000	\$34,345,694	\$70,626,548
Option 5: 74 Vehicles (A650 Option Vehicle Replacement)	\$155,400,000	\$159,147,150	\$344,188,723
Total BAFO Price	\$646,995,869	\$670,065,708	\$1,199,987,085



Project Schedule – Going Forward

Milestones

Completion Date

- **Board Award Approval** **December 2016**
- **Issue NTP** **January 2016**
- **Pilot Car Delivery & Acceptance** **September 2019**
- **Complete delivery of base order cars** **July 2021**
(up to 4 cars /month)
- **Open PLE, Section 1** **November 2023**



Questions

Appendix A - HR4000 Evaluation Criteria

- Best Value RFP Evaluation Criteria Weight
 - Experience & Past Performance 36%
 - Price* 29%
 - Technical Compliance 24%
 - Project Management 7%
 - Local Employment Program** 5%
- *Enhanced U.S. Content Program
 - Dollar value in excess of 60% used as a trade-off against Price
 - Pre-Award Audit to confirm proposed excess U.S. Content is valid
- ** DOT Voluntary Local Employment Program
 - New wages and benefits for State of CA residents
 - Facility improvements credit
 - 10% of new wages and benefits must be disadvantaged workers

Appendix B - Base Vehicle Price Summary

	CRRC MA	Hyundai Rotem USA	Independent Cost Estimate
Base Order – 64 cars Total/Unit Price	\$150,400,000 / \$2,350,000	\$176,679,658 / \$2,760,620	\$227,732,672 / \$3,558,323
Spare Parts	\$14,670,541	\$11,562,315	\$5,416,500
Special Tools	\$3,970,646	\$3,957,825	\$139,000
Diagnostic Test Equipment	\$4,056,764	\$2,796,842	\$850,500
Training	\$264,000	\$301,600	\$250,000
Manuals	\$528,500	\$695,600	\$250,000
Cab Mock-up	\$487,500	\$810,700	\$3,215,599
Performance Bond	\$931,198	\$3,450,000	\$1,500,000
Alternative Technologies	\$3,086,720	\$1,691,443	\$2,880,000
BAFO Price	\$178,395,869	\$201,945,983	\$242,234,271

Note: Tax is not included for vehicles or spare parts.

Appendix C - Manufacturing & LEP Summary

	CRRC	Hyundai
Manufacture of HRV	Changchun, China	Changwon, S. Korea
Final Assembly	Boston, MA	Los Angeles, CA
Local Jobs Location	Los Angeles, CA	Los Angeles, CA
New Local Job Creation for Prime & Subcontractors	Prime Contractor: \$7.8M Subs: \$19.8M Total Labor: \$27.6 (52 FTEs)	Prime Contractor: \$25.2M Subs:\$0 Total Labor: \$25.2M (67 FTEs)
Facility Investment & Training	\$10.7M	\$3.8M
Total Local Employment Plan Value	\$38,395,972	\$29,038,721
LEP Value as % of Total Price	5.9%	4.3%

**Board Report**

File #: 2016-0726, **File Type:** Contract**Agenda Number:** 28.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
NOVEMBER 17, 2016****SUBJECT: RAIL OPERATIONS ENGINEERING SUPPORT BENCH****ACTION: INCREASE CONTRACT VALUE****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to increase the total authorized not-to-exceed amount to **Rail Operations Engineering Support Bench** (Bench) Contract No OP39202965, by \$4,300,000 from \$5,000,000 to \$9,300,000 for engineering and technical services for wayside systems operating and capital projects.

ISSUE

Metro Rail Maintenance and Engineering has limited number of resources to develop and execute capital projects and, at the same time, meet the day-to-day engineering support needs that are necessary to maintain and improve Metro wayside assets and systems. The current Bench requires an increase in contract authority to allow the continued provision of engineering and technical services as-needed in situations where Metro does not have sufficient capacity or expertise necessary to perform a task.

DISCUSSION

In April 2013, the Board authorized the award of Contract No. OP39202965, in the amount of \$5,000,000, to 25 qualified firms, for a range of support services for wayside systems and equipment that included train control, traction power, communications, and fare collection. The services also included civil design as well as computer-aided design and drafting (CADD) services. This Bench has enabled Metro to supplement internal resources by having available a wide range of firms with specialized engineering knowledge. A list of proposed project uses is shown in Attachment B. This action will provide additional contract authority, which is needed to provide an increased amount of engineering and technical services through the end of the current Period of Performance, March 30, 2018.

To date, the value of bench task orders and modifications that has been awarded is \$2,334,206; the additional value of pending task orders is \$2,488,300, for a total Bench amount of \$4,822,506. A list of all task awards by firm and project description is shown in Attachment C.

DETERMINATION OF SAFETY IMPACT

This Bench contract is not directly related to a specific safety issue. However, the services provided via the Bench will contribute to maintaining the rail system in a State of Good Repair (SGR) which is essential to providing a safe and reliable service for riders who use the Metro rail system daily.

FINANCIAL IMPACT

For FY 17, funding of \$5,201,157 is included in the operating budget and \$5,567,632 is included in the capital project budget under various cost centers and projects, including cost centers: 6821- Asset Management, 3910 - Maintenance and Engineering, 3922 - Rail Communications Systems, 3926 - Rail Signal Systems, 3927 - Rail MOW Track Maintenance, 3928 - Rail Traction Power Systems, 3960 - Rail Transit Engineering, and 3962 - SCADA Systems Engineering & Maintenance, Account 50316 -Professional and Technical Services.

These funds will be used for contract task orders to support operating and capital project needs. Since this is a multi-year contract, the cost center manager(s) and project manager(s) will ensure funding needs are budgeted in future years.

Impact to Budget

The source of funds for operating related task orders is Enterprise operating funds. For capital related task orders, the source of funds will be dependent on the specific capital project funding. No other sources of funds were considered for this activity because it supports Maintenance of Way (MOW) engineering operating and capital projects.

ALTERNATIVES CONSIDERED

- 1) Solicit competitive bids for each individual task as it becomes due. This is not recommended as it would require extensive additional staff time to process each request and result in project delays due to the lead time required to complete each procurement cycle. Additionally, procuring these services on a per-assignment basis would impose significant additional burden on the Procurement Department.
- 2) Engage a single, large engineering firm as a "one stop shop". This approach has been used in the past but staff has experienced challenges with getting assistance with smaller projects. The wide range of firms on this bench ensures that Wayside Systems can receive the necessary specialized engineering knowledge, and gives small, disadvantaged firms an opportunity to provide services.
- 3) Utilize existing Engineering staff to provide the required technical support. This is not feasible as the current budgeted MOW Engineering capacity is fully utilized to maintain Metro's existing systems and oversee the development of the new rail lines. Also, there would not be sufficient existing staff to re-assign to provide technical support to the various capital projects concurrently.

NEXT STEPS

Upon Board approval, staff will continue to competitively award individual task orders as needed for engineering and technical support services for wayside systems operating and capital projects.

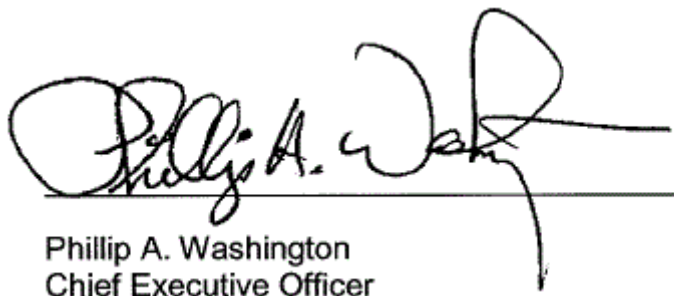
ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - List of Proposed Project Uses
- Attachment C - Task Order Log
- Attachment D - DEOD Summary

Prepared by: Frank Alejandro, Senior Executive Officer, Rail Maintenance and Engineering (Interim)
Geyner Paz, Senior Administrative Analyst (213) 617-6251

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

RAIL OPERATIONS ENGINEERING SUPPORT BENCH/OP39202965

1.	Contract Number: OP39202965 (A through Y)			
2.	Contractor: Rail Operations Engineering Support Bench			
3.	Work Description: Engineering and technical services			
4.	The following data is current as of: October 19, 2016			
5.	Contract Status:			
	Contract Awarded:	April 18, 2013	Board Approved NTE Amount:	\$5,000,000
	Notice To Proceed (NTP):	N/A	Value of Task Orders (Issued and Pending):	\$4,822,506
	Original Complete Date:	March 30, 2018	Pending Approval Amount:	\$4,300,000
	Current Est. Complete Date	March 30, 2018	Total Approved NTE Amount (with this Action):	\$9,300,000
6.	Contract Administrator: Victor Zepeda		Telephone Number: (213) 922-1458	
7.	Project Manager: Kelvin Zan		Telephone Number: (213) 617-6264	

A. Procurement Background

This Board action is to increase the total authorized not-to-exceed amount by \$4,300,000 from \$5,000,000 to \$9,300,000 for continued general engineering and technical work on wayside and capital projects.

Future Contract Task Orders will be processed in accordance with Metro's Acquisition Policy and the contract type (firm fixed price or firm fixed unit price) will be determined with each task order.

On April 18, 2013, Bench Contract Nos. OP39202965 A through Y were awarded to 25 qualified firms.

(Refer to Attachment C – Task Order Log).

B. Cost/Price Analysis

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

LIST OF PROPOSED PROJECT USES

DESCRIPTION
Metro Blue Line Rail Replacement & Booting
North Long Beach Duct Bank Upgrade Phase II
Metro Green Line UPS for Train Control and Communication Building
Metro Green Line Train Control Track Circuits and TWC Replacement
Metro Green Line Signal System Rehabilitation Phase II
Metro Green Line Emergency Trip System Replacement
Metro Green Line Negative Grounding Devices
Metro Red Line Gas Analyzer Upgrade
Metro Red Line 7th/Metro Turn back Upgrade
Metro Red Line TWC Rehabilitation
Metro Red Line Electronic Access Control / Alarm Monitoring System Replacement
Metro Red/Purple Line Platform Gates Replacement
System Wide Corrosion Protection System Replacement
Metro Gold Line Vehicle Loop Detector Replacement
Metro Gold Line Yard Train Loop Detector
Metro Gold Line Headway Improvements
Fiber Optic Main Loop Upgrade
Digital Rail Radio System
Fire Alarms Control Panel Upgrade
Fare Gates Project
Assessment Inspections of Critical Fire/Life Safety Elements and Infrastructure
Assessment Inspections of Critical Wayside Control and Power Systems
Assessment Inspections of Metro Red Line Segment 1 and 2 Station Ventilation and Electrical

ATTACHMENT C

**TASK ORDER LOG
RAIL OPERATIONS ENGINEERING SUPPORT BENCH/OP39202965**

TASK ORDER LOG VALUE ISSUED TO DATE

Discipline No./Description	Contract No.	Contractor	Value of Task Orders Issued to Date
1/Computer-Aided Drafting & Design	OP39202965-O	Kal Krishnan Consulting Services	\$262,629
		Subtotal	\$262,629
2/Train Control Detailed Design & Programming	OP39202965-H	CH2M Hill	\$119,752
	OP39202965-N	Innovative Solutions in Signaling Consultants	\$305,929
		Subtotal	\$425,681
3/Train Control Design Review	OP39202965-H	CH2M Hill	\$46,328
		Subtotal	\$46,328
4/Communication Design Services	OP39202965-R	Pacific Railway Engineering	\$183,861
		Subtotal	\$183,861
5/Traction Power Relay Calibration	OP39202965-O	Kal Krishnan Consulting Services	\$282,958
		Subtotal	\$282,958
7/Civil Facility Design Services	OP39202965-S	PacRim Engineering	\$371,514
	OP39202965-S	PacRim Engineering	\$761,235
		Subtotal	\$1,132,749
Total Task Orders Awarded to Date			\$2,334,206
Total Pending Task Order Value			\$2,488,300
Total Task Order Value Including Pending			\$4,822,506
Board Authorized Not-to-Exceed (NTE) Cumulative Contract Value			\$5,000,000
Remaining Board Authorized NTE Cumulative Total Value			\$177,494

DEOD SUMMARY

General Engineering Consulting Bench/OP39202965

A. Small Business Participation

There are 25 Primes on the Bench, 14 of which are Disadvantaged Business Enterprise (DBE) firms, and 15 are Small Business Enterprise (SBE) firms. A 45% DBE and SBE commitment applies to the Bench. To date, eight (8) task orders (non-federal) have been awarded to five (5) primes on the bench, four (4) of which are SBEs. Based on the aggregate value of the task order awards, SBE participation is 92.89%, which exceeds the SBE commitment.

	Primes & Subcontractors	Current SBE Participation
1	CH2M (Prime)	
	SBE Subcontractors:	
	1) ALINC Consulting, Inc	0%
	2) Anil Verma Associates, Inc.	0%
	3) Auriga Corporation	0%
	4) EW Moon Inc	0%
	5) G C Tech, Inc.	0%
	6) J.L. Patterson & Associates, Inc.	0%
	7) Five 23 Group, Inc	0%
	8) Pacific Railway Enterprises, Inc	0%
	9) Triunity Engineering & Management, Inc.	0%
	10) Virginkar & Associates, Inc.	0%
	Subtotal	0%
2	Innovative Solutions in Signaling Consultants, LLC (SBE Prime)	13.11%
	Subtotal	13.11%
3	Kal Krishnan Consulting (SBE Prime)	23.27%
	Subtotal	23.37%
4	Pacific Railway Enterprises, Inc (SBE Prime)	7.88%
	SBE Subcontractors:	
	Convergent Communications, Inc.	0%
	Kal Krishnan Consulting	0%
	Subtotal	7.88%
5	PacRim Engineering, Inc. (SBE Prime)	48.53%
	Subtotal	48.53%
	TOTAL	92.89%

B. Prevailing Wage Applicability

Prevailing wage is not applicable to this modification.

C. Living Wage Service Contract Worker Retention Policy

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

D. Project Labor Agreement/Construction Careers Policy

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

**Board Report**

File #: 2016-0874, **File Type:** Contract

Agenda Number: 29.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
NOVEMBER 17, 2016**

SUBJECT: UNIFORM RENTAL SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP6201700 for **uniform rental services with Prudential Overall Supply**, for a not-to-exceed amount of \$3,372,104 for the three-year base period and \$3,372,104 for the one, three year option, for a combined total of \$6,744,208 effective December 16, 2016 through December 15, 2022, subject to resolution of protest (s), if any.

ISSUE

Per the current ATU and TCU Collective Bargaining units' agreements, Metro is required to provide each of the units' employees up to 11 uniforms per employee, as well as provide laundry services for such regulation uniforms. Currently, uniform rental services are provided to over 2,300 Metro represented labor employees.

The existing uniform rental services Contract No. OP30002227 with Prudential Overall Supply will expire on March 31, 2017. To avoid uniform rental services interruption, a new contract award is required effective December 16, 2016.

DISCUSSION

At the October 20, 2016 Metro System Safety, Security and Operation Committee meeting, the Committee authorized the Chief Executive Officer (CEO) to award the uniform rental services contract to UniFirst Corporation under Contract No. OP6201700.

The following week and prior to the October 27, 2016 Metro Board meeting, UniFirst Corporation notified Metro of an error with their submitted proposal, impacting their total proposal amount of \$5,057,674.82. UniFirst Corporation submitted their revised and final proposal for a combined total of \$9,160,597.44.

Based on staff review and evaluation of the proposals received, staff recommends to award the uniform rental services Contract No. OP6201700 to Prudential Overall Supply.

Under the existing contract, uniform rental services are provided to over 2,300 Metro represented labor employees, as well as providing vehicle seat covers and laundry services for hand towels and floor mats.

Timely uniform rental, delivery, and laundry services are necessary to ensure compliance with the existing agreements between Metro and the collective bargaining units, meeting garment safety requirements for Metro represented labor employees working within safety sensitive positions, and clearly identify Metro represented labor employees with their different trades.

Although the existing contract is due to expire March 31, 2017, to avoid service interruptions, continue providing the necessary uniform rental program and services, and allow sufficient time to perform all necessary administrative processes associated with contract closeout, fitting and ordering new sets of uniforms for over 2,300 Metro represented labor employees, a new contract award is required effective December 16, 2016.

Metro's independent cost estimate was based on historical data, current contract pricing and simple market escalation. The independent cost estimate did not include any potential escalation associated with living wage requirements and participation goals due to lack of historical data and the unknown participation commitment level of any proposer.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the supply of uniforms that clearly identify Metro represented labor employees and continue delivering safe, quality, on-time and reliable services system-wide.

FINANCIAL IMPACT

Funding of \$1,036,100 for this contract is included in the FY17 budget in multiple maintenance cost centers, account - 50215 (F/B Uniforms), projects 306002 (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, Maintenance and Engineering will be accountable for budgeting the cost in future fiscal years, including any option(s) exercised.

Impact to Budget

The current year funding for this action will come from the Enterprise operating fund. The source of funds for this procurement will come from Federal, State and local funding sources including sales tax and fares that are eligible for Bus and Rail Operating Projects. These funding sources will maximize the use of funds for these activities.

ALTERNATIVES CONSIDERED

Staff considered purchasing uniforms, hand towels, mats, and vehicle seat covers, along with providing in-house laundry services. This would require the hiring and training of additional personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibility. Staff's assessment indicates this is not a cost-effective option for Metro.

NEXT STEPS

Upon approval by the Board, staff will execute Contract No. OP6201700 to Prudential Overall Supply effective December 16, 2016, to provide uniform rental services to Metro represented labor employees, as well as provide vehicle seat covers and laundry services for hand towels and floor mats.

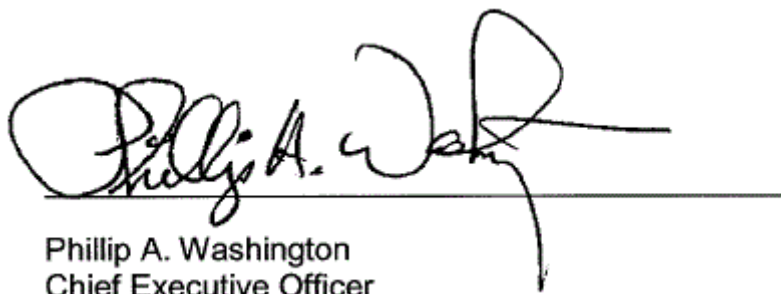
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Brady Branstetter, DEO, Facilities Maintenance, (213) 922-6767
Lena Babayan, Sr. Director, Facilities Maintenance, (213) 922-6765

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

UNIFORM RENTAL SERVICES PROGRAM / OP6201700

1.	Contract Number: OP6201700	
2.	Recommended Vendor : Prudential Overall Supply	
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: July 21, 2016	
	B. Advertised/Publicized: July 21, 2016	
	C. Pre-proposal/Pre-Bid Conference: August 11, 2016	
	D. Proposals/Bids Due: August 31, 2016	
	E. Pre-Qualification Completed: pending	
	F. Conflict of Interest Form Submitted to Ethics: September 20, 2016	
	G. Protest Period End Date: October 25 2016	
5.	Solicitations Picked up/Downloaded: 9	Bids/Proposals Received: 2
6.	Contract Administrator: Rommel Hilario	Telephone Number: (213) 922-4654
7.	Project Manager: Alberto Garcia	Telephone Number: (213) 922-6760

A. Procurement Background

At the October 20, 2016 Metro System Safety, Security and Operation Committee meeting, the Committee authorized the Chief Executive Officer (CEO) to award the uniform rental services contract to UniFirst Corporation under Contract No. OP6201700.

On October 25, 2016 (prior to the October 27 Board meeting), UniFirst Corporation notified Metro of a significant error with their submitted price proposal, impacting their total proposal amount of \$5,057,674.82. UniFirst Corporation submitted their revised and final proposal for a combined total of \$9,160,597.44.

This Board Action is to approve a contract award in support of Facilities Maintenance to provide uniform rental services to over 2,300 Metro represented labor employees, as well as providing vehicle seat covers and laundry services for hand towels and floor mats, as outlined in Request for Proposal (RFP) No. OP31277. The existing uniform rental services Contract No. OP30002227 with Prudential Overall Supply will expire on March 31, 2017.

The Diversity and Economic Opportunity Department (DEOD) recommended an 8% Small Business participation goal, inclusive of a Small Business Enterprise (SBE) and a Disadvantaged Veteran Business Enterprise (DVBE), for this procurement. Achieving the 8% goal was mandatory and is a condition of contract award.

Proposers were required to make a commitment to utilize SBEs and DVBEs, in any combination, totaling at least 8% of the total contract price.

To educate and assist potential proposers in the uniform industry on how to comply with Metro's SBE and DVBE participation goals and solicitation requirements, two workshops were conducted prior to the release of the RFP.

On June 15, 2016, Metro hosted the first workshop for those firms that were interested in submitting a proposal for the Uniform Rental Services program as the prime contractor. Staff provided a general overview of the Statement of Work and discussed potential Small Business subcontracting opportunities. A total of five firms participated.

On June 24, 2016 DEOD sponsored a second workshop for potential SBE and DVBE subcontractors whose trades correlated with the project's NAICS codes. Metro's Small Business program was discussed along with DVBE/SBE specific information within the Statement of Work. A total of nine firms attended the workshop.

The RFP was issued as a competitive negotiated procurement in accordance with Metro's Acquisition Policy. The contract type is firm fixed unit price.

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

- Amendment No. 1, issued on August 12, 2016, provided pre-proposal documents, new pricing sheets, and extended the proposal due date from August 24, 2016 to August 31, 2016;
- Amendment No. 2, issued on August 17, 2016, clarified Section N of the Statement of Work.

A pre-proposal conference was held on August 11, 2016. A total of two proposals were received on August 31, 2016.

The two proposers are listed below in alphabetical order:

1. Prudential Overall Supply (the incumbent);
2. UniFirst Corporation

B. Evaluation of Proposals

Proposals were evaluated according to the criteria established in the RFP and in compliance with Metro's Acquisition Policy.

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

- Workplan 40%
- Degree of Skills – Firm and Personnel Experience 20%
- Cost/price 40%

The evaluation criteria are appropriate and consistent with criteria developed for similar uniform rental services procurements. Several factors were considered when developing these weights, giving equal importance to the prime’s work plan and their cost/price proposals.

The Proposal Evaluation Team (PET), consisting of staff from OMB, Facilities Maintenance, and Maintenance Division 7, met to conduct comprehensive reviews of the technical qualifications. The PET reviewed proposals based on the technical criteria consistent with the qualifications, experience, and resources necessary to meet the requirements of the RFP. Each proposal addressed the firm’s degree of skills (firm and personnel experience), understanding of the statement of work, and cost/price to perform the work. The proposals highlighted the firms’ capabilities and the roles of their SBE and DVBE subcontractors for the project.

As previously stated, on October 25, 2016, Metro was notified by UniFirst Corporation of calculation errors in their Schedule of Quantities and Prices that resulted in a significant increase in their pricing. The revised pricing was accepted which resulted in the following corrected scores.

1	FIRM	Average Score	Factor Weight	Weighted Average Score	Rank
2	Prudential Overall Supply				
3	Workplan	78.83	40.00%	31.53	
4	Degree of Skills – Firm and Personnel Experience	73.35	20.00%	14.67	
5	Cost/Price	100	40.00%	40.00	
6	Total		100.00%	86.20	1
7	UniFirst Corporation				
8	Workplan	78.83	40.00%	31.53	
9	Degree of Skills – Firm and Personnel Experience	75.50	20.00%	15.10	
10	Cost/Price	73.63	40.00%	29.45	
11	Total		100.00%	75.88	2

C. Cost/Price Analysis

The recommended pricing for the contract is fair and reasonable based on adequate price competition, Independent Cost Estimate (ICE), and program manager technical evaluation of the proposal.

PROPOSER	PROPOSAL AMOUNT	METRO ICE	AWARD AMOUNT
Prudential Overall Supply	\$6,744,208.00	\$5,426,226.00	\$6,744,208.00
UniFirst Corporation	*\$9,160,597.44		

* Revised cost proposal submitted to Metro on October 25, 2016.

D. Background on Recommended Contractor

Prudential Overall Supply

Prudential Overall Supply (POS) is an American company with headquarters in Commerce, California. The company was founded in 1932 as a uniform and textile laundry service, serving industrial clients such as automotive production facilities. The company currently serves municipal, industrial and service industry companies. POS specializes in offering a variety of uniform programs and is a supplier of facility services and industrial products such as dust control mops, towels, mats, restroom supplies and paper products. POS customers' includes more than 300 companies that have been utilizing the company's services for more than 35 years. POS is currently the incumbent for Metro's uniform contract.

DEOD SUMMARY

UNIFORM RENTAL SERVICES PROGRAM / OP6201700

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established an 8% goal for this solicitation, inclusive of a Small Business Enterprise (SBE) and Disabled Veteran Business Enterprise (DVBE) goal in any combination. Prudential Overall Supply (POS) exceeded the goal by making a 9.00% commitment, inclusive of 2.70% SBE and 6.30% DVBE.

Small Business Goal	8% SBE/DVBE	Small Business Commitment	2.70% SBE 6.30% DVBE
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	SBE/DVBE Subcontractors	% Committed
1.	Becnel Uniforms (SBE)	2.70%
2.	Image Gear dba Reflective Stripe (DVBE)	6.30%
	Total SBE/DVBE Commitment	9.00%

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$16.18 per hour (\$11.27 base + \$4.91 health benefits), including yearly increases of up to 3% of the total wage. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

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.

**Board Report**

File #: 2016-0803, **File Type:** Contract**Agenda Number:** 30.

REVISED
SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
NOVEMBER 17, 2016

SUBJECT: ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES AND ETCHED GLASS REPAIR SERVICES**ACTION: EXERCISE FIRST AND SECOND YEAR OPTIONS****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 3 to Contract No. OP33673132, with **XInt Tint of Anaheim, Inc., for glass panel surfaces anti-graffiti film maintenance and replacement services**, to exercise the first and second year options in the amount of \$1,304,442 for each of the first and second year options, for a combined total of \$2,608,884, increasing the total contract value from \$4,342,589 to \$6,951,473 and extending the contract term from February 3, 2017 to February 2, 2019.

ISSUE

There are approximately 102,788 square feet of glass panel surfaces throughout the Metro transit system. Under the existing contract, on-going anti-graffiti film maintenance and replacement services are performed on a regular basis to protect the glass surfaces and mitigate vandalism system-wide.

The three-year base period for this Contract will expire on February 2, 2017. The contractor has been providing satisfactory maintenance services. A Contract Modification is required to exercise each of the two, one-year options extending the period of performance through February 2, 2019.

DISCUSSION

Under this Contract, the contractor is required to perform once a month inspections of the protected glass panel surfaces throughout Metro facilities with a 100% replacement of the etched and damaged anti-graffiti film. On an average, 800,000 square feet of glass anti-graffiti film is replaced annually due to repeated etching damage and other types of vandalism.

The service frequencies will remain the same for each of the two, one-year options. This service is necessary to ensure clean and well maintained Metro stations and facilities free of graffiti and vandalism.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the provision of timely glass panel surfaces anti-graffiti film maintenance services, enhance Metro bus and rail facilities overall appearance and cleanliness, and provide safe, quality, on-time, and reliable services system-wide.

FINANCIAL IMPACT

Funding of \$855,700 for this contract is included in the FY17 budget in cost center 3367 - Facilities Property Maintenance, account 50308, Service Contract Maintenance, under various projects.

Since this is a multi-year contract, the cost center manager, project managers, and the Senior Executive Officer, Maintenance and Engineering will ensure that the balance of funds are budgeted in future years.

Impact to Budget

The current year funding for this action will come from the Enterprise operating fund. The source of funds will be Federal, State and Local funding sources including sales tax and fares that are eligible for Bus and Rail Operating Projects. These funding sources will maximize the use of funds for these activities.

ALTERNATIVES CONSIDERED

Staff considered providing this service through Metro in-house staff. This would require the hiring and specialized training of additional personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibility. Staff's assessment indicates that this is not a cost-effective option for Metro.

NEXT STEPS

Upon approval by the Board, staff will execute Modification No. 3 to Contract No. OP33673132, with XInt Tint of Anaheim, Inc., for glass panel surfaces anti-graffiti film maintenance and replacement services, to exercise each of the two, one-year options through February 2, 2019.

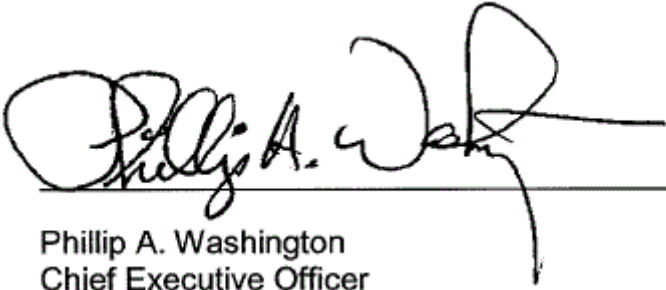
ATTACHMENTS

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

Prepared by: Brady Branstetter, DEO, Facilities Maintenance, (213) 922-6767
Lena Babayan, Senior Director, Facilities Maintenance, (213) 922-6765
Chris Reyes, Principal Transportation Planner, (213) 922-4808

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

ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES AND
ETCHED GLASS REPAIR SERVICES / OP33673132

1.	Contract Number: OP33673132		
2.	Contractor: XInt Tint of Anaheim, Inc.		
3.	Mod. Work Description: Exercise First and Second Year Options		
4.	Contract Work Description: Anti-graffiti film maintenance and replacement services and etched glass repair services on glass panels used throughout Metro transit facilities.		
5.	The following data is current as of: October 19, 2016		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	10/24/13	Contract Award Amount: \$3,913,326
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: \$429,263
	Original Complete Date:	2/3/17	Pending Modifications (including this action): \$2,608,884
	Current Est. Complete Date:	2/2/19	Current Contract Value (with this action): \$6,951,473
7.	Contract Administrator: Rommel Hilario		Telephone Number: (213) 922-4654
8.	Project Manager: Maral Minasian		Telephone Number: (213) 922-6762

A. Procurement Background

This Board Action is to approve Modification No. 3 to Contract No. OP33673132 issued in support of Facilities Maintenance to continue anti-graffiti film maintenance and replacement services and etched glass repair services on glass panels used throughout Metro transit facilities by exercising the first and second option years for the amount of \$2,608,884.

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

On October 24, 2013, the Board approved a five-year contract, inclusive of two, one-year options to XInt Tint of Anaheim, Inc., the lowest responsive, responsible bidder, to provide anti-graffiti film maintenance and replacement services on glass panels used throughout Metro transit facilities.

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

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon rates that were evaluated and established as part of the current contract awarded on October 24, 2013. According to the Consumer Price Index, similar industries experience an average of 3.3% increase from June 2015 to June 2016. The rates for these Option Years are the same rates the firm has charged Metro during the initial three-year base, with no increase. Therefore, exercising the options is in the best interest of Metro. The Contract was a result of a competitive IFB in which the option years were evaluated and award was made to the lowest responsive, responsible bidder.

	BID OPTIONS AMOUNT	METRO ICE	MODIFICATION AMOUNT
1	\$2,608,884	\$2,608,884	\$2,608,884

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

**ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES AND
ETCHED GLASS REPAIR SERVICES / OP33673132**

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Revised Attachment A – Added new locations	Approved	8/1/16	\$31,983
2	Revised Statement of Work and Extended the Period of Performance through 2/3/17	Approved	9/28/16	\$397,280
3	Exercise Option Year One and Year Two	Pending	Pending	\$2,608,884
	Modification Total:			\$3,038,147
	Original Contract		10/24/13	\$3,913,326
	Total:			\$6,951,473

DEOD SUMMARY

**ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES AND
ETCHED GLASS REPAIR SERVICES/OP33673132****A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this procurement. ~~Graffiti Shield~~ XInt Tint of Anaheim, Inc. did not make a DBE commitment. Installation and replacement services are performed with the prime's own workforces.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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

**Board Report**

File #: 2016-0717, **File Type:** Contract

Agenda Number: 31.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
NOVEMBER 17, 2016**

SUBJECT: STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT SERVICES

ACTION: EXERCISE FIRST AND SECOND YEAR OPTIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 3 to Contract No. OP33673154 with **Graffiti Shield, Inc., for stainless steel panel surfaces anti-graffiti film installation and replacement services**. This modification will exercise the first and second year options in the amount of \$3,806,056.54 for each of the first and second year options, for a combined total of \$7,612,113.08, increasing the total contract value from \$12,178,532.85 to \$19,790,645.93 and extending the contract term from February 3, 2017 to February 2, 2019.

ISSUE

There are approximately 200,000 square feet of stainless steel panel surfaces throughout the Metro transit system. Under the existing Contract, on-going anti-graffiti film maintenance and replacement services are performed on a regular basis to protect the stainless steel surfaces and mitigate vandalism system-wide.

The base term for this Contract will expire on February 2, 2017. The contractor has been providing satisfactory maintenance services.

To continue providing the required anti-graffiti film maintenance services, a Contract Modification is required to exercise each of the two, one year options extending the period of performance through February 2, 2019.

DISCUSSION

Under this Contract, the contractor is required to perform once a month inspections of the protected stainless steel panel surfaces throughout Metro facilities with a 100% replacement of the etched and damaged anti-graffiti film. On an average, 900,000 square feet of stainless steel anti-graffiti film is replaced annually due to repeated etching damage and other types of vandalism.

The current service frequencies will remain the same for each of the two, one year options. This

service is necessary to ensure clean and well maintained Metro stations and facilities free of graffiti and vandalism.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the provision of timely and reliable stainless steel anti-graffiti film maintenance services, enhance Metro bus and rail facilities overall appearance and cleanliness, and contribute to the quality of the customer experience.

FINANCIAL IMPACT

Funding of \$2,100,000 is included in the FY17 budget in cost center 3367 - Facilities Property Maintenance, account 50308, Service Contract Maintenance, under various projects.

Since this is a multi-year contract, the cost center manager, project managers, and the Senior Executive Officer, Maintenance and Engineering will ensure that the balance of funds are budgeted in future years.

Impact to Budget

The current year funding for this action will come from the Enterprise operating fund. The source of funds will come from Federal, State and local funding sources that are eligible for Bus and Rail Operating Projects. These funding sources will maximize the use of funds for these activities.

ALTERNATIVES CONSIDERED

Staff considered providing this service through Metro in-house staff. This would require the hiring and specialized training of additional personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibility. Staff's assessment indicates that this is not a cost-effective option for Metro.

NEXT STEPS

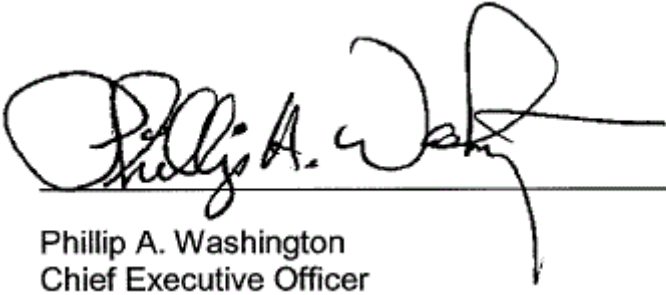
Upon approval by the Board, staff will execute Modification No. 3 to Contract No. OP33673154, with Graffiti Shield, Inc., for stainless steel panel surfaces anti-graffiti film installation and replacement services, to exercise each of the two, one year options through February 2, 2019.

ATTACHMENTS

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

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT SERVICES / OP33673154

1.	Contract Number: OP33673154		
2.	Contractor: Graffiti Shield, Inc.		
3.	Mod. Work Description: Exercise First and Second Year Options		
4.	Contract Work Description: Stainless steel anti-graffiti film installation and replacement services throughout Metro transit system.		
5.	The following data is current as of: October 28, 2016		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	10/24/13	Contract Award Amount: \$11,967,932.85
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: \$210,600
	Original Complete Date:	2/3/17	Pending Modifications (including this action): \$7,612,113.08
	Current Est. Complete Date:	2/2/19	Current Contract Value (with this action): \$19,790,645.93
7.	Contract Administrator: Rommel Hilario		Telephone Number: 213-922-4654
8.	Project Manager: Maral Minasian		Telephone Number: 213-922-6762

A. Procurement Background

This Board Action is to approve Modification No. 3 to Contract No. OP33673154 issued in support of Facilities Maintenance to continue anti-graffiti film maintenance and replacement services on stainless steel surfaces used throughout Metro transit system by exercising the first and second option years in the amount of \$7,612,113.08 and extending the period of performance to February 2, 2019.

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

On October 24, 2013, the Board approved a five-year contract, inclusive of two, one-year options, to Graffiti Shield, Inc., the lowest responsive, responsible bidder, to provide anti-graffiti film maintenance and replacement services on stainless steel surfaces used throughout Metro transit.

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

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon rates that were evaluated and established as part of the current contract awarded on October 24, 2013. According to the Consumer Price Index, similar industries experience an average of 3.3% increase from June 2015 to June 2016. The rates for these option years are the same rates the firm has charged Metro during the initial base term, with no increase. Therefore, exercising the options is in the best interest of Metro. The Contract was a result of a competitive IFB in which the option years were evaluated and award was made to the lowest responsive, responsible bidder.

	OPTION YEARS AMOUNT	METRO ICE	MODIFICATION AMOUNT
1	\$7,612,113.08	\$7,612,113.08	\$7,612,113.08

ATTACHMENT B**CONTRACT MODIFICATION/CHANGE ORDER LOG****STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT
SERVICES / OP33673154**

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Revised Attachment A – Added new locations	Approved	8/15/16	\$137,213
2	Revised Statement of Work and added funds.	Approved	9/28/16	\$73,387
3	Exercise Option Year One and Year Two	Pending	Pending	\$7,612,113.08
	Modification Total			\$7,822,713.08
	Original Contract		2/3/14	\$11,967,932.85
	Total:			\$19,790,645.93

DEOD SUMMARY

STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT
SERVICES / OP33673154

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this procurement. The anti-graffiti film is a proprietary product and services are performed with the prime's own workforces.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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



Board Report

File #: 2016-0877, File Type: Contract

Agenda Number: 41.

3rd Revision
EXECUTIVE MANAGEMENT COMMITTEE
SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
NOVEMBER 17, 2016

SUBJECT: TRANSIT LAW ENFORCEMENT SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

CONSIDER:

- A. RECEIVING AND FILING **Metro’s Comprehensive Security and Policing Principles Strategy** (Attachment A);
- B. AUTHORIZING the Chief Executive Officer to negotiate and execute individual five-year firm fixed unit rate contracts with the City of Long Beach Contract No. PS5862300LBPD24750 not-to-exceed \$27,088,968, and ~~firm fixed unit rate contract with the City of Los Angeles, Contract No. PS5862100LAPD24750 not-to-exceed \$369,696,813, and a firm fixed price contract with the County of Los Angeles, Contract No. PS5863200LASD24750, or other local law enforcement agency(s), not-to-exceed \$129,800,051~~ **\$149,800,051 for multi-agency law enforcement services** effective January 1, 2017 through December 31, 2021; subject to resolution of protest (s), if any; and
- C. AUTHORIZING the Chief Executive Officer to negotiate and execute a **demobilization/transition** agreement with the County of Los Angeles Sheriff’s Department for single agency law enforcement services; and
- D. AUTHORIZING the Chief Executive Officer to enter into Memorandum of Understandings with local law enforcement agencies based upon system expansion to provide flexibility as new bus and rail lines open.

ISSUE

For Metro’s safety and security services to be effective and cost efficient, there must be an appropriate match between the safety and security mission and the various resources used to provide safety and security services. Currently, the resources used by Metro to provide the elements

of the safety and security mission are Metro's In-house Security, Private Security, and single agency Law Enforcement services by the Los Angeles County Sheriff's Department (LASD) Transit Policing Division. The Private Security contract award was approved by the Board in September 2016.

Over the last three and a half years, staff has been working on a new procurement for Law Enforcement Services. During this time, Metro has undertaken an in-depth review of the security and policing strategy with industry experts, policing professionals, and the creation of the Ad-Hoc Transit Policing Committee of the Board. The staff recommendation of a multi-agency law enforcement services contract model supports the key findings and policy direction by the Board to provide a consistent and reliable law enforcement presence to assure the safety of Metro's patrons and employees for the entire county. This approach addresses ridership concerns about safety and security by:

- Increases law enforcement personnel from a range from 140 to 200 to a consistent 240 over each 24-hr operating period.
- Improves response times by slightly more than half.
- Assures greater contract compliance through clear performance metrics and accountability measures.
- These benefits are provided at a reduced amount on an average up to \$20m a year as compared to a single agency model.

BACKGROUND

The history of formal contractual agreements with law enforcement to support Metro's transit policing strategy has varied over time.

- The Board merged Metro's Police Department into LASD and Los Angeles Police Department (LAPD) in 1996
- Metro contracted with LASD and LAPD between 1996 and 2003
- The Board entered into an exclusive non-competitive agreement with LASD in February 2003
- The Board approved a contract with LASD spanning 2009 through 2014. The contract period was three years, with two one-year options.

In order to allow for the development of a new procurement process for Law Enforcement services, four contract extensions have occurred: Metro's contract with LASD was subsequently extended for a period of six months beginning July 1, 2014 and expiring December 31, 2014. The Board later authorized a contract extension effective January 1, 2015 through June 30, 2015, as well as another contract extension spanning July 1, 2015 through June 30, 2016. The current extension expires December 31, 2016.

Request For Proposal (RFP) Preparation Activities

In advance of the contract's expiration, staff began drafting a new RFP for law enforcement services in May 2013. In June 2013, the Board directed staff to conduct an audit of the LASD contract and incorporate the findings into a new scope of work.

Staff issued a "Request for Interest" in March 2014, seeking to learn which law enforcement agencies would be interested in bidding on a future Metro RFP for law enforcement services. Metro received responses from LAPD, Long Beach PD (LBPD) and LASD.

Over the last two and a half years, Metro's Office of the Inspector General (OIG) and the American Public Transportation Association (APTA) conducted a series of performance reviews at the request of the Board. They include:

- *OIG LASD Contract Audit, June 2014 - Attachment B*
 - The consultants' report included 50 recommendations to improve the compliance and effectiveness of the LASD contract. Both LASD and Metro management agreed with the majority of the findings and recommendations in the report.
- *APTA Peer Review, July 2014 - Attachment C*
 - A panel of industry peers was assembled that possessed expertise in transit security services provided at large transit agencies. The scope of this review focused on evaluating the transit security and policing program as well as the LASD contract to ensure the safety of Metro riders and front line employees.
- Based on the findings from the OIG LASD Contract Audit and the APTA Peer Review, in September 2014, the Board passed a motion to establish an Ad-Hoc Transit Policing and Oversight Committee to oversee compliance with the Inspector General's audit and procurement of the next transit policing contract.
- *OIG Review of Metro Law Enforcement and Security Options. April 2015 - Attachment D*
 - The findings were presented to the Board at its April meeting. Motion #28 by Director Butts requested that a qualified consultant team be brought in to adequately assess an efficient deployment and work force strategy.
- *OIG Metro Policing and Security Workload Staffing Analysis. January 2016 - Attachment E*
 - Prepared by BCA Watson Rice, the consultant team has the necessary Community Transit policing experience, both Bus and Rail to conduct the analysis per Director Butts Motion 28.
 - The consultant team assembled a working group of current security service providers, a representative from the CEO's office, and a member of the Ad-Hoc Transit Policing Committee to provide input on the organizational enforcement philosophy and priorities

Transit Industry and Policing Expert Feedback

The recommendations associated with the audits and performance reviews can be generally categorized as below:

- Improve staffing
- Address unclear billing
- Improve accountability
- Improve contract compliance and oversight
- Develop bus and rail policing plans
- Implement Community Policing and Problem Oriented Policing strategies
- Improve system-wide visibility
- Clarify roles, responsibilities and authority associated with Metro security personnel

While progress has been made in recent months to improve staffing levels, contract compliance, and clarification of Metro security roles, significant challenges remain due to the current structure of the contract. These issues adversely affect the perceived security of patrons and employees, as well as Metro's day to day operations. The challenges are:

- Unable to deploy required staffing levels
- Poor system-wide visibility on buses, trains and at stations
- Significant number of vacancies each shift
- Heavy reliance on overtime
- Unreliable bus and rail patrols
- Inconsistent staffing at key critical infrastructure locations

Upon the completion and presentation of the Policing and Security Staffing Analysis in January 2016 to the Ad-Hoc Transit Policing Committee, staff incorporated key recommendations into a new Law Enforcement Services RFP. Issued in February 2016, the new RFP requires clear billing, reliable staffing, detailed crime analysis and reporting, and performance metrics designed to reduce crime and disorder. The RFP also made clear Metro's intent to leverage basic no cost police services, while compensating local law enforcement agencies for dedicated Metro patrols. The scope of work also excludes fare enforcement from law enforcement services and emphasizes the need for community policing on bus and rail. The RFP encouraged proposals from a single agency, partnerships between police agencies, or agencies desiring to police their own jurisdictions. Metro's RFP for law enforcement services was distributed to police agencies within Metro's service area. Staff briefed and received concurrence from the Ad-Hoc Transit Policing and Oversight Committee on this approach on January 21, 2016.

DISCUSSION

The law enforcement team plays a critical role in addressing crime and disorder, as well as reducing the system's vulnerability to terrorism. A consistent and reliable law enforcement presence is necessary to assure the safety of Metro's patrons and employees.

Metro has greatly expanded its infrastructure since the 2009 LASD contract. Since January 2009, rail and BRT route miles have increased 45% from 83 to 121. This equates to a 55% increase in average daily revenue service hours, from 2,280 to 3,527. In addition, the number of stations increased almost 50% from 74 to 111. To keep up with this growth, Metro's transit security strategy is multi-layered - relying on local and federal law enforcement partnerships, technology, security

personnel, and state certified law enforcement professionals working under contract to Metro.

To address an immediate need and to improve the security environment, Metro's CEO, directed the security staff and LASD to implement a high visibility deployment plan beginning November 2015. Metro then funded an additional 20 member LASD deputy team to conduct high visibility rail operations beginning in May 2016. The increased presence is beginning to show results. Total reported bus and rail crimes are down system-wide since January 2016. This is directly attributed to an increased "felt" presence in the system. Although we are seeing improvements, more needs to be done. As the current contract stands, we are unable to achieve our goals. Given the complexities associated with safeguarding Metro's moving city with more than 1.4 million daily passenger trips, law enforcement performance must be proactive, reliable and visible.

A few facts from the Metro service area reveal:

- 61% of Metro's bus service is within the City of Los Angeles
- 73% of Metro's passenger trips are comprised of bus riders
- 48.8% of rail service is located in Los Angeles
- 30% of the Blue Line is located in the city of Long Beach
- 66% of Metro's bus related police service calls are within LAPD's service area

Metro relies on multiple police agencies to assist the transit operation on a daily basis. LASD routinely transfers service calls to other agencies and vice versa. Among others, Inglewood PD patrols Metro's bus system within their jurisdiction; LBPD actively patrols segments of the Blue Line; LAPD responds to and investigates a significant number of bus related incidents and rail accidents; Santa Monica PD assists Metro with grade crossing enforcement on the new Expo Line extension.

Single Agency vs Multi-Agency Law Enforcement Award Approach

Metro received proposals from LASD, LBPD, and LAPD in response to the law enforcement services RFP issued in February 2016.

Single Agency Law Enforcement Proposal

LASD submitted a proposal to police Metro's entire service area. The proposal did not address Metro's desire to leverage no cost basic 911 service, and instead presented a plan similar to the current model. Additionally, the proposed staffing level, 611 law enforcement personnel, represents a dramatic increase in staffing and is unattainable based on historic performance. Specifically, both the APTA Peer Review and the OIG Audit cited concerns regarding the need to reconcile salaries with chronic LASD vacancies.

Metro's daily calls for police service are relatively low. According to data provided by LASD, Metro received a total of 56,536 calls for police service between the period of January 1, 2015 and September 30, 2016. This equates to an average of about 89.7 calls per day or 3.7 calls per hour. Combined with the ability to leverage free basic 911 services, staff identified the need for approximately 240 dedicated law enforcement personnel per day, with minor adjustments during off-peak hours. This level of staffing represents a significant improvement over current staffing levels, which are inconsistent, often falling below 200 during each 24-hour operational period.

Benefits of a Multi-Agency Law Enforcement Contract Award

- Local jurisdictions are best positioned to respond to emergency calls
- Delivers dedicated service
- Shifts the focus from fare enforcement to proactive patrols of Metro's bus and rail systems
- Provides an opportunity to increase ridership

LBPD and LAPD submitted proposals specific to their jurisdictions. The proposals present reliable staffing options, reduce existing emergency response times, and have capable ancillary services such as traffic enforcement, community policing, homeland security and criminal investigations. The proposals enhance Metro's ability to prevent crime and enforce Metro's Code of Conduct in the City of Los Angeles and along a busy segment of the Blue Line by assigning officers to ride buses and trains.

Both LBPD and LAPD were responsive to Metro's RFP which identified a requirement to deliver basic police services at no cost to Metro, while proposing an enhanced level of service exclusive to Metro. LAPD identified a specific no cost plan to respond to bus related 911 calls. This is critical because increased efforts to support the bus operation are a high priority as Metro takes steps to reduce operator assaults.

Both agencies emphasized establishing a strong presence at stations, on trains and buses, while interacting with passengers to prevent and address crime. This approach addresses a fundamental recommendation identified by the APTA Peer Review - establishing what is known as a "felt presence."

While the LBPD and LAPD proposals are responsive to the RFP and provide improved benefit to Metro, they are limited by their jurisdiction. LASD only proposed as a single agency and later indicated no interest in a multi-agency partnership. LASD, however, has jurisdiction over the entire County so the multi-agency award includes LASD to cover areas outside of the purview of LBPD and LAPD. This includes enhanced presence and bus riding teams.

Staff is recommending a multi-agency award because it presents a strategy to vastly improve performance and system-wide visibility for the entire county. A recent survey shows that safety/security is the primary concern of current as well as past riders. Fifteen percent of current Metro riders surveyed indicated that the most important improvement that would make them ride more is visible security on buses, trains and at stations. A stronger indication that safety/security is a major issue is that 29% of past riders surveyed left the Metro system because they did not feel safe using the system. In fact, safety/security was listed as a greater barrier to using transit than speed, reliability, and accessibility of bus and rail service. Despite their previous experience with transit, 18% of past riders indicated that they would ride Metro again if increased safety/security measures were implemented. A multi-agency award delivers the following benefits:

- Establishes consistent, reliable staffing of approximately 240 law enforcement officers per 24 hour period, which is an improvement over the current staffing which ranges from approximately 160 - 200 personnel assigned to the system each day.
- Increases emphasis on patrolling the bus system and corridors. Grows the bus riding team

- from 6 to 34 law enforcement officers, a 466% increase in staffing level and coverage.
- Maximizes law enforcement staffing at a favorable cost. The total estimated five year contract value of a multi-agency award is ~~\$526.6M~~ \$546.6M. LASD's proposal for the entire service area was \$627.1M. A multi-agency award improves service and delivers an estimated \$80 - 100.5M in cost savings.
 - Provides flexibility to enhance security as the transit system grows over the next 5 year period.

Operational Effectiveness of a Multi-Agency Contract Award

Given Metro's expansive 1400 square mile service area, formal partnering with additional law enforcement agencies will improve system-wide visibility and emergency response times. The current LASD contract attempts to build a policing structure on top of multiple existing law enforcement agencies, adversely affecting response times. LASD response times are difficult to measure. The January 2016 OIG Metro Policing and Security Workload Staffing Analysis identified LASD averages 12.8 minutes to respond to emergency train related calls, and 14.1 minutes to respond to emergency bus related calls. According to the latest monthly policing report, the average response time for all calls was 16 minutes as of September 2016. LASD reports a 6.2 minute emergency response time for same period in September 2016; this differs from the earlier OIG data. This will be resolved by installing a Metro computer aided system (CAD) which will integrate data from Metro operations and law enforcement dispatch, providing real time response data. Additionally, staff is forming a new regional law enforcement working group specifically focused on addressing policing matters in the areas that we provide transit service. The first meeting will take place in January 2017.

Historically, consistent and reliable staffing has been a challenge. The new contract scope of work identified specific performance metrics and quality assurance requirements to ensure accurate billing and staffing. Under this new contract model, Metro will only pay for services provided.

The law enforcement team plays a critical role in supporting Metro's daily operations. To maximize effectiveness, the law enforcement team's primary focus is to address crime, disorder and reducing the system's vulnerability to terrorism. Metro's internal security force will assume fare enforcement and CCTV monitoring duties, and the private sector security guards will be positioned at stations and facilities.

The OIG's Policing and Security Workload Analysis and LASD Contract Audit Report, Recommendation #6 and Option #2 respectively, encourage Metro to explore leveraging no cost basic 911 police services, but consider compensating agencies for enhanced or dedicated service. While this approach will certainly add a layer of complexity, the challenges can be easily addressed by implementing improved computer aided dispatch (CAD) systems, following basic unified and incident command principles during major events, and frequent communication and collaboration between Metro and its law enforcement partners.

Transitioning from Single Agency Law Enforcement Contract to Multi-Agency Law Enforcement Contract

If the staff recommendation is approved, a six month mobilization will need to occur for LBPD and LAPD. LASD will also require a transition period to address the need for reduced coverage in Long

Beach and Los Angeles and increased coverage in the other parts of the County. Mobilization costs are incorporated in the LBPB and LAPD cost proposals. Staff will negotiate the transition costs with LASD. In the event Metro and LASD can't reach agreement, staff will initiate negotiations with the contract cities to compensate them for dedicated, enhanced patrols of transit service within their jurisdiction. This will ensure service throughout the entire county.

DETERMINATION OF SAFETY IMPACT

The authorization of the law enforcement contract will enhance the security of patrons and employees, as well as improve Metro's ability to safeguard critical transportation infrastructure.

FINANCIAL IMPACT

The total five year contract amount is ~~\$526,585,832~~ \$546,585,832. The contract costs for the balance of the fiscal year is \$22.9M. Staff will return during the agency-wide mid-year budget amendment to request the additional funds necessary once the transition/demobilization agreement is finalized. Since this is a multi-year contract, the System Security and Law Enforcement Department will update its budget on an annual basis to fund years two (2) through five (5).

Impact to Budget

The source of funds for this project will be local operating funds including sales tax Proposition A, C, TDA, and Measure R. These funds are eligible for bus and rail operations.

ALTERNATIVES CONSIDERED

Three alternatives were considered:

1. The Board may decline to approve the contract award. This alternative is not recommended because Metro currently does not have an internal police force.
2. The Board may award an extension or renewal of the current County of Los Angeles contract without modifying the scope of work. This alternative is not recommended because of an immediate need to improve overall performance and law enforcement visibility, per OIG audit, APTA Peer Review, and Ad-Hoc Transit Policing Committee.
3. The Board may award a single agency law enforcement contract award. This alternative is not recommended, several transit agencies throughout the country have implemented a similar multi-agency model and that model supports the key findings and policy direction by the Board to provide a consistent and reliable law enforcement presence to assure the safety of Metro's patrons and employees.

NEXT STEPS

Upon approval by the Board, staff will negotiate a demobilization/transition agreement with LASD, as

well as execute agreements with LASD, LAPD, and LBPD.

ATTACHMENTS

Attachment A - Comprehensive Security & Policing Principles Strategy

Attachment B - OIG LASD Contract Audit. June 2014

Attachment C - APTA Peer Review. July 2014

Attachment D - OIG Review of Metro Law Enforcement and Security Options. April 2015

Attachment E - OIG Metro Policing and Security Workload Staffing Analysis. Jan 2016

Attachment F - Procurement Summary

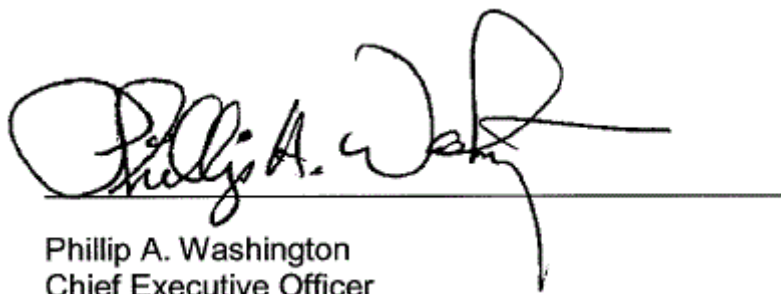
Attachment G - DEOD Summary

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922-4433

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Phillip A. Washington
Chief Executive Officer

Comprehensive Security & Policing Principles Strategy

A consistent and reliable law enforcement presence is necessary to assure the safety of Metro's patrons and employees. Metro has developed a comprehensive security and policing principles strategy. To maximize effectiveness, the law enforcement team's primary focus will be to address crime, disorder and reducing the system's vulnerability to terrorism. Metro's internal security force will assume fare enforcement and CCTV monitoring duties, and the private sector security officers will be positioned at stations and facilities.

The key services required as part of the Metro safety and security mission are:

- Addressing Crime and Responding to Calls for Service or Incidents – requires sworn law enforcement officers who have full powers to detain and arrest and to use force as required to provide this mission element.
- Providing a Visible Security Presence – on the Metro system as a deterrent to crime and disorder, as well as the other critical incidents like terrorist attacks. This service could be provided by law enforcement personnel, but may also be provided by well-trained and well-managed private security personnel.
- Enforcing Fare Compliance – on the Metro system, as well as enforcing Metro's customer code of conduct. Providing this service does not require law enforcement sworn personnel and will be performed by Metro security.
- Protecting Metro's Critical Infrastructure – Providing critical infrastructure protection requires a combination of law enforcement personnel and Metro security.
- Providing Security for Metro Facilities and Operations through private security units that patrol the various Metro facilities and provide a visible security presence for those facilities.

Attachment B

OIG LASD Contract Audit. June 2014

Hyperlink: http://libraryarchives.metro.net/DB_Attachments/161109_Attachment%20B%20-OIG%20LASD%20Contract%20Audit%20Report%20June%202014.pdf



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Metropolitan Transportation Authority

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1

SPECIAL BOARD MEETING

September 4, 2014

SUBJECT: AUDIT AND AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) PEER REVIEW OF THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT

ACTION: RECEIVE AND FILE

RECOMMENDATION

- A. Receive and file this Office of the Inspector General (OIG) report on the audit of the contract with the Los Angeles County Sheriff's Department (LASD); and
- B. Receive oral report on the LASD Audit and APTA Peer Review of Metro's transit security.

ISSUE

The Metro Board directed the OIG to audit the transit policing contract between LASD and Metro.

DISCUSSION

The audit found that recently LASD has improved the impact of policing activities throughout the transit system. More citations have been written, the number of fare checks has increased, officer morale has generally increased, and plans to address staffing issues and other improvements are underway. The audit report identified a number of opportunities to improve operations and made appropriate recommendations. LASD has begun to take significant steps to address the recommendations in the report such as creating a LASD Transportation Division and appointing a new division chief.

1. Scope of the Review

The OIG prepared a comprehensive scope of work for the Request for Proposal to obtain an expert consultant to perform this audit. Bazilio Cobb Associates (BCA) was hired to perform the audit. The audit team included internationally recognized policing experts from across the U.S. provided by the Bratton Group, LLC, a subcontractor of BCA. The scope of this review focused on:

- Transit Community Policing Plan
- Requirements for Bus Operations

- Requirements for Rail Operations
- Communications
- Management Oversight and Performance Metrics
- Reports and Analyses
- Complaints
- Security Organization and Responsibilities
- Personnel and Billing
- Independent Audits and Reviews

2. Background

The Los Angeles County Metropolitan Transportation Authority (Metro) has a 3-year Memorandum of Agreement (MOU) (with 2 one-year options) with the Los Angeles County Sheriff's Department (LASD) to provide Metro with transit community policing services. This MOU became effective on July 1, 2009. The contract amount for services from the LASD ranged between \$65.9 million and \$83.0 million annually from FY 2009 through FY 2014. Because the contract expires on June 30, 2014, a 6-month extension was approved in April 2014. LASD's Transit Services Bureau (TSB) performs the policing services required by the contract.

3. Results of the Evaluation

The consultant completed the review and issued a comprehensive audit report on the LASD contract, which was distributed to the Board and Metro management on June 3, 2014. Significant findings are summarized below:

- a. Transit Community Policing. Metro's Scope of Work for the LASD-Metro contract states that LASD is to provide "transit community policing services" for all Metro service lines (including bus lines) and stations, and stipulates specific characteristics and expectations for the transit community policing services, including requirements related to personnel, operations, and services provided. However, LASD did not provide a Transit Community Policing Plan or Program.
- b. Requirements for Bus Operations. The LASD has not developed an annual bus operations policing plan or strategy, and the TSB has no central plan to address the challenges and operational necessities of crime and disorder on buses.
- c. Requirements for Rail Operations. LASD has not provided a specific plan or strategy relating to rail operations as required by the LASD-Metro contract.
- d. Communications. Metro's Scope of Work requires a Police Radio Dispatch and Communications Capability that minimizes response times for calls for service. We found that:
 - LASD's reported response times generally met targeted goals; however, the data provided did not provide an accurate picture of actual response times.

- LASD's Transit Services Bureau does not consistently conduct month-to-month comparisons whereby patterns can be identified and progress in lowering response times ascertained.
 - The current Communications Center facility site is cramped and not organized to be effective.
 - There is no specific transit-related training for Deputies and law enforcement technicians assigned to call-taking and dispatch duties at command centers.
- e. Management, Oversight, and Performance Metrics. Metro has not developed a formal plan or methodology for contract oversight, and no staff are fully dedicated to contract oversight. Performance metrics were developed and included in the contract extensions beginning in FY 2012; however, LASD had not met many of the targets for performance metrics, including crime reduction, continuity of staff, and fare enforcement saturation and activity rates.
- f. Reports and Analyses. With the implementation of TAP, LASD personnel began using a mobile phone validator to verify fares. The current mobile phone validator is inadequate and has limited functionality. Also, the three units of the LASD that would be part of a tactical response to critical incidents did not have ready access to needed information and had difficulty finding specific locations within Metro facilities, such as rail line vents where the alarm had sounded. Their blueprints of the rail stations were not up to date, nor were they readily accessible. They had no information on other Metro facilities such as bus divisions or maintenance facilities.
- g. Complaints. The complaint disposition categories used by the LASD do not adequately result in a conclusion of fact regarding the specific allegations made in the complaint. In addition, timelines established by LASD policy for sending acknowledgement and outcome letters are not met for most complaints.
- h. Security Organization and Responsibilities. The current contract created a dual chain of command for Metro Security by assigning a LASD Lieutenant as Director of Metro Security, while command and control is assigned to the Metro DEO. This dual chain of command has not been effective in managing and supervising Metro Security. Also, the roles and responsibilities of Metro Security have not been clearly or appropriately defined, and in some instances, current roles extend beyond the authority and common practice of security officers.
- i. Personnel and Billing. LASD did not submit adequate supporting documentation with their monthly billings and does not have an adequate time recording and record keeping system to track personnel's time records related to the Metro Contract. Other observations included:
- LASD filled some TSB positions via the Cadre of Administrative Relief Personnel (CARP) program which resulted in a lack of expertise, equipment,

and familiarity in transit operations at the line level. Metro paid LASD for the CARP personnel at the same rate as permanently assigned personnel.

- LASD has not provided the staffing levels required under the contract. There are continued vacancies in officer, supervisory, and managerial positions.
 - Some LASD personnel time was billed twice to Metro when personnel whose costs are included in the billing rates also generate direct billed time.
- j. Independent Audits and Reviews. A review of Metro Transit Security was conducted in 2008 and an operations assessment of Metro included a brief section on Security and Law Enforcement as part of their review of Essential Operating Department Support. The majority of recommendations from both reports were not implemented, and there was no indication whether the recommendations were followed up. Further, Metro has not taken advantage of periodic contract performance audits of the services provided by LASD as a contract compliance tool.

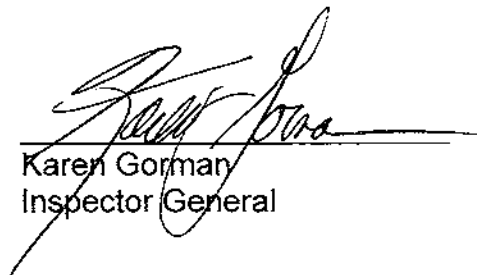
4. Report Recommendations

The consultant's report included 50 recommendations to improve the compliance and effectiveness of the LASD contract. Both LASD and Metro management agreed with the majority of the findings and recommendations in the report and indicated that the recommendations will be evaluated and corrective actions initiated where appropriate.

ATTACHMENT

- A. Report of the American Transportation Association Peer Review Panel on Transit Security Provided by Los Angeles County Metropolitan Transportation Authority

Prepared by Jack Shigetomi, Deputy Inspector General - Audits
(213) 244-7305



Karen Gorman
Inspector General

**REPORT
OF THE
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
PEER REVIEW PANEL
FOR
LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY
Los Angeles, California**

July 2014



**A Service of the Safety Management (Peer Review) Program of the
American Public Transportation Association**

REPORT
OF THE
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
PEER REVIEW PANEL
ON
TRANSIT SECURITY
PROVIDED BY
LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

PANEL MEMBERS:

James Spiller
David Jutilla
James Keating
David Hahn

Published by the
American Public Transportation Association
1666 K Street, NW, 11th Floor
Washington, DC 20006
Michael P. Melaniphy, President

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I. INTRODUCTION

In June 2014, Mr. Arthur T. Leahy, Chief Executive Officer, Los Angeles County Metropolitan Transportation Authority (LACMTA) contacted the American Public Transportation Association (APTA) to request a peer review of the agency's transit security force.

Through discussions between APTA and LACMTA staff, it was determined the review would be conducted July 7 – 10, 2014.

A panel of industry peers was assembled that possessed expertise in transit security services provided at large transit agencies. The peer review panel consisted of the following transit individuals:

MR. JAMES SPILLER
Chief of Police
Dallas Area Rapid Transit
Dallas, TX

MR. DAVID JUTILLA
Chief of Police
King County Metro
Seattle, Washington

MR. JAMES KEATING
Vice President, Security Services
Chicago Transit Authority
Chicago, IL

MR. DAVID HAHN
Senior Program Specialist – Safety & Security
American Public Transportation Association
Washington, DC

The panel convened in Los Angeles, California on July 7, 2014. Panel coordination and logistical support was provided by APTA Staff Advisor David Hahn. Mr. Hahn also coordinated panel member input in the drafting of this peer review report. Duane Martin provided agency liaison support.

Methodology

The APTA Peer Review process is well established as a valuable resource to the public transit industry. Highly experienced and respected transit professionals voluntarily provide their time and support to address the scope required.

The panel conducted this review through facilities and operations observations, a series of briefings and interviews with personnel of Los Angeles County Metropolitan Transportation Authority and the Los Angeles Sheriff's Department.

Scope of Report

The scope of this review focused on evaluating the transit security and policing program at LACMTA as well as the Los Angeles Sheriff's Department contract to ensure the safety of its riders and frontline employees. The observations and recommendations provided through this peer review are offered as an industry resource as a means of strengthening the agency's transit programs, practices and strategies.

The review will focus on the following areas:

- Contract management / oversight
- Personnel / billing
- Transit community policing
- Requirements for bus operations
- Requirements for rail operations
- Fare collection

I. OBSERVATIONS AND RECOMMENDATIONS

OPENING COMMENTS

LACMTA is unique among the nation's transportation agencies. It serves one of the country's largest, most populous counties. More than 9.6 million people utilize its 1,433-square-mile service area. The panel commends LACMTA for initiating the peer review and found that LACMTA is well respected within the North American transit industry for the services it provides and the quality of its management team.

At the same time the panel found that there are opportunities to enhance the organization's current and future contract for policing services and those findings and related recommendations are provided in this briefing.

GENERAL OBSERVATION

The panel found that Metro is currently performing contract oversight to the best of their ability, despite limited resources. Metro is supplying LASD with significant resources, locations and assets to help assist in ensuring the transit system is combating crime and providing emergency response and passenger safety. LASD is currently performing a significant number of fare evasion citations, arrests and generally fulfilling many of the requirements in the contract with Metro. The decision by LASD to reorganize and create the Transit Police Division has helped moral and is a positive move toward strengthening policing on Metro.

1. CONTRACT MANAGEMENT AND OVERSIGHT

Metro is not currently fully enforcing all of the current requirements within their current policing contract. There seems to be a disconnect between Metro and LASD with regard to the handling of contract regulations, reporting requirements and policing philosophies.

RECOMMENDATIONS

- Metro should designate or create a position within Metro (Director of Security) that is directly responsible for contract oversight, management of the policing, Metro security and private security contracts to ensure the public safety, fare collection and system infrastructure is protected. This critical position should be responsible for maintaining the internal, external security policing functions along with program oversight.
- Metro should consider seeking outside council or expertise to craft the next policing contract to satisfy the numerous requirements.
- The performance measurements, metric, expectations, goals and objectives should be fully defined and evaluated to satisfy Metro's interests.
- LASD is currently billing via deployable minutes for hours worked per employee. Metro should consider rewording the next contract to bill via a fully burdened rate of Full Time Equivalents instead of the current billing practices.
- Contracts should consider requesting salaries reconciliation for vacancies. A salary savings on unfilled vacancies should be enforced.

- The new Director of Security should enforce the current invoices and payment section requirements located on section (E.) of the current contract.
- The new contract should submit monthly reports that include detailed invoices.

2. COMMUNITY POLICING

LASD is not currently utilizing a policing strategy that focuses on Community policing. During the peer review the LASD mentioned that they were working toward this strategy. However the panel found the COPS and Ops meeting is very supportive in strengthening the relationship between Metro and LASD.

RECOMMENDATIONS

- Partnership needs to be strengthened between Metro and LASD. It is currently fragmented and many aspects are not fully understood by either entity.
- Rail - LASD should consider implementing a plan focusing on geographical policing with dedicated FTEs for Bus and Rail. Officers should be on the platforms and interact with the customers. Officers should ride the trains to deter crime and assist with deterring Fare Evasion.
- Bus - Patrol officers should be out on bus routes and transit centers, transit facilities and problem zones (hot spots).
- A legal review of Metro's security officers as "armed security guards" should be conducted.
- Metro's security officers could be utilized for Fare Enforcement positions to collect the millions that Metro is not currently collecting due to their high fare evasion rate.
- Metro should require LASD to utilize a policing strategy that addresses public safety on all 3 shifts when crime is occurring. This is addressed on page 3, section B.2 of the current contract.
 - Adjusted resources for revenue service after 2100 – 0100 hours should be considered.
- Attainable service level goals are not being met. Metro should consider providing updates to LASD during the ILP meetings so LASD is receiving prompt feedback on all of the requirements.
- A daily detail sheet should be provided to the Director of Security by the LASD so he/she knows the daily staffing level by mode, line and route.
- Redefine the roles and responsibilities of the Lieutenant within the LASD so the Metro Director of Security performs these duties.
- Contract security guards should be placed at fixed locations based on intelligence led policing.
- Metro should consider reevaluating the security contracts for RMI to protect Metro facilities, perform infrastructure protection and revenue collection instead of utilizing their current Metro security officers to perform these tasks. These security contractors should be certified by the State of California to perform these tasks.
- The LASD should consider reallocated resources from Rail Operation to Bus Operations after an analysis has been approved by the Director of Security.

- Consider identifying Metro and uniformed transit police vehicles as “Metro Transit” this will aid customers, Metro employees to associate the Deputies as “Metro Transit” police instead of a separate Sheriff division that assists Metro.
- Consider distributing appropriate weekly information bulletin to the Rail and Bus Executive Directors and include them at the ILP meeting. The Directors should provide feedback to the LASD on current issues this will help strengthen the partnership between the agencies.

3. REQUIREMENTS FOR RAIL OPERATIONS

Currently Metro does not have a Policing Strategy and Plan from LASD that addresses Rail Operations.

RECOMMENDATIONS

- Metro should request a written policing philosophy, strategy and plan that addresses the Rail Policing strategies from LASD.
- LASD should consider reduced squad patrolling (no congregating) at stations unless specifically assigned to an area for a special event or situation.

4. REQUIREMENTS FOR BUS OPERATIONS

Metro does not currently have a Policing strategy and plan that addresses the Policing of Bus Operations from LASD. The panel found that LASD primarily focuses on Rail security instead of Bus. The Metro service size area is very large and can be a challenge to reach certain buses in a reasonable amount of time which has resulted in emergency response time as long as 20 minutes.

RECOMMENDATIONS

- MOUs should be established or strengthened to assist LASD to utilize local police jurisdictions to respond to bus calls and decrease the response time.
- Deputies could help strengthen the current relationship by communicating with bus operators and discussing any problems on routes.
- LASD should develop a patrol functions for bus that addresses crime reports, call for service and hot spots.
- Police visibility at transit centers should be increased.
- Bus response team should be utilized more frequently to help reduce bus crimes.
- Law enforcement service requests should be followed up by LASD based on the severity of the situation or suspect information. This should include follow up with the bus operator to complete the feedback loop.
- Metro should consider migrating daily incident reports to an electronic reporting system instead of using paper reports to increase efficiency, assist with trend analysis and COPS on a Dot deployment.

5. FARE ENFORCEMENT

The Sherriff's Department is currently working toward fulfilling the requirements of the contract regarding Fare Enforcement.

RECOMMENDATIONS

- Perform rail and bus ride “alongs” and verify fare taps during on-board deployment.
- Utilize resources by employing alternate personnel to conduct station taps.
- Consider revisiting the fare violation policy and the penalties associated with violations, trespassing. Subsequent violations could be grounds for suspension or criminal prosecution.

IV. CONCLUDING REMARKS

Through the review, the panel has had the opportunity to become familiar with the management strategies, performance metrics of Los Angeles County Metropolitan Transportation Authority. It is evident to the panel that while opportunities exist to strengthen LACMTA's security practices, the transit agency is striving to effectively and accurately provide public safety and is striving to improve fare collection by a skilled and competent management team.

The panel sincerely appreciates the support and assistance extended to the panel by the staff of Los Angeles County Metropolitan Transportation Authority. The panel stands available to assist with any clarification or subsequent support that may be needed.

APPENDIX

APPENDIX A



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

Arthur T. Leahy
Chief Executive Officer
213.922.6883 Tel
213.922.7447 Fax
metro.net

June 5, 2014

Michael P. Melaniphy, President
American Public Transportation Association
1666 K Street NW, 11th Floor
Washington, D.C. 20006

Dear Mr. Melaniphy:

The Los Angeles County Metropolitan Transportation Authority (LACMTA) requests the assistance of APTA in coordinating a peer review of our Los Angeles Metro Transit Security, including the Los Angeles County Sheriff's Department (LASD) and our own Transit Security force. Our primary concern is the existing, now expired contract with the LASD. The Metro Board of Directors has voiced concerns about the efficacy of the existing contractor and deployment strategy in ensuring the safety of our riders and frontline employees, as well as enforcement of fares. We are in the process of writing a new request for proposal (RFP) inviting participation from all policing agencies in the Los Angeles County region.

We request APTA's assistance in bringing together a peer panel of professional comparably sized organizations and individuals who are experienced with transit security services. The overall scope of the transit security peer review will focus on two areas. First, the development of a process to award a new contract by sharing transit security procurement process, selection, and contract development best practices. Second, the development of best practices to strengthen Metro's transit security program by developing strategies to maximize the police and fare enforcement officer deployment, enforcement policies, crisis management protocols, crime reporting, and policing methodology. For an effective peer review process, we anticipate a panel of up to five (5) members.

We would like to proceed with the peer review immediately. Duane Martin has begun working with APTA. He will be your contact during this review and will assemble a team to support the Peer Review Panel. Duane can be reached at 213.922.7460 (office) or martind@metro.net.

Sincerely,

Arthur T. Leahy
Chief Executive Officer

Attachment: Appendix A

APTA – LACMTA Security Peer Review Agenda

Tuesday, July 8, 2014

- 7:30 AM – Duane and Lt. Rivers will meet panel members at hotel for pickup
- 9:00 AM – Opening Meeting with CEO, Chiefs, Safety & Security Department (DCEO Lindy Lee)
- 9:30 AM – Office of Management and Budget (Nalini Ahuja)
- 10:00 AM – Security Department (Lt. Rivers)
- 12:00 PM – LUNCH
- 1:00 PM – Safety (Vijay Khawani)
- 2:00 PM – Risk Management (Greg Kildare)
- 3:00 PM – Operations (Steve Rank and Robert Castanon)
- 4:00 PM – Human Resources (Stephan Chasnov)
- 5:00 PM – Return to hotel- panel members have dinner on their own to discuss report

Wednesday, July 9, 2014

- 7:15 AM – Duane will meet panel members at hotel for pick up
- 8:00 AM to 10:00 AM – Ride Blue Line to the ROC
- 10:00 to 10:30 AM – Intelligence Lead Policing Meeting
- 10:30AM to 11:30 AM – Meet with Commander and Chief
- 12:00 PM – Return to hotel to develop report

Thursday, July 10, 2014

- 7:30 AM – Meet at hotel for pick up
- 8:45 AM – Closing Conference (CEO, Security Department)
- 9:00 AM – CEO Conference Call with CEO
- 11:00 AM- Depart for airport



Metro Office of the Inspector General

**Review of Metro Law Enforcement
and Security Options**

April 2015

Submitted by

BCA Watson Rice LLP

in association with

Strategic Policy Partnership, LLC

and

Chief Paul MacMillan (Retired)

Massachusetts Bay Transportation Authority

April 3, 2015

Karen Gorman, Inspector General
Office of the Inspector General
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-4-5
Los Angeles, CA 90012

RE: REVIEW OF METRO LAW ENFORCEMENT AND SECURITY OPTIONS

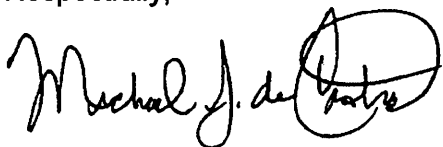
Dear Ms. Gorman,

BCA Watson Rice LLP is pleased to submit this report on our review of Metro Law Enforcement and Security Options. This report was prepared with assistance from Robert Wasserman and Paul MacMillan. Robert Wasserman is the Chairman of Strategic Policy Partnership, LLC, and was the lead consultant for The Bratton Group during our recent audit of Metro's contract with the Los Angeles Sheriff's Department. Paul MacMillan was the Chief of Police of the Massachusetts Bay Transportation Authority (MBTA) Police Department until November 2014.

Our report provides analysis of the advantages and disadvantages of each of the four law enforcement and security options. Our report also provides considerations for review, discussion and resolution moving forward.

We appreciate the cooperation and assistance we received from Metro management and the management of the Los Angeles Sheriff's Department. We reviewed and discussed the draft report with Metro staff and made changes based on their input and suggestions. They are in agreement with the content and recommendations contained in this report.

Respectfully,



Michael J. de Castro
Managing Partner

Robert Wasserman

Robert Wasserman, Chairman
Strategic Policy Partnership, LLC



Paul MacMillan, Chief of Police (Retired)
Massachusetts Bay Transportation Authority



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1. Executive Summary

Background

Metro's current contract with the Los Angeles County Sheriff's Department (LASD) includes personnel at a total annual cost of \$88.7 million. Current sworn staffing is budgeted at 468 positions, with 425 actual filled sworn positions. Civilian or professional staffing is currently budgeted at 176, with 138 actual filled staff positions. (The civilian positions include 106 budgeted security assistant (fare enforcement) positions, with 89 actual filled security assistant positions.)

Metro also directly employs transit security officers to provide security over Metro facilities. Metro is in the process of developing and issuing a request for proposals (RFP), selecting and awarding a contract for the law enforcement and security services currently provided by the LASD. In January 2015, Metro staff presented information on three potential options on the structure for the future law enforcement and security services during a briefing of the Board staff. During this meeting the Board staff identified a fourth potential option.

Objective and Scope

The objective and scope of work for this project was to examine four options for providing law enforcement and security services to the Metro system. Three of the options were presented to the Board staff and the Ad Hoc Transit Policing Committee in January 2015, and Board staff added the fourth option.

As Metro continues to expand its services and the perception of safety and good order continue to be a concern to the Board, the customers and the employees, important decisions need to be made relative to the best way to provide for law enforcement and security.

Analysis of Security Service Options

The options were presented with preliminary cost estimates made by Metro staff that allowed some comparison based on the financial implications of the various options. However, those cost estimates need to be more fully vetted to ensure they contain accurate cost information including ancillary or hidden costs that may accrue over the length of the contract. In addition, the analysis was based on the average in-service staffing by LASD rather than the total number of LASD staff so an appropriate cost comparison was problematic. Cost should always be a consideration when deciding the ultimate security and policing strategy, however, it should not be the deciding factor.

Transit agencies throughout the country use various policing strategies to provide for the safety and security of their employees and customers. Some have their own dedicated police forces and others use their city police department to police the system when no jurisdictional issues are of concern. Others use a hybrid system of local police and security officers while some contract out the entire security policing function to private security officers. There is no one model that can be used as a comparison for the LA Metro system. Each system has developed their policing strategy over time based on historical precedence and the political environment at any given time.



Regardless, most, if not all, rely on cooperation of local law enforcement agencies to respond to incidents that require immediate police action.

The discussions that follow are based on the consultants' collective experience and understanding of current LASD staffing levels. Based on industry best practices the reduction in law enforcement staffing levels in the three options presented by Metro staff would not be appropriate given the size of the Metro transit system, both in ridership and geographical area covered.

The following summarizes our perspectives of the four options presented to and discussed by Board staff.

- **Option 1** proposes using a single law enforcement agency to police the system, reducing the number of sworn officers and deploying additional LA Metro security to provide a visible presence on the system. While we do not recommend reductions in sworn officer staffing levels based on the need to provide law enforcement coverage and response, the assignment of security officers that fall under the direction of Metro staff could provide a visible presence that would allow for the perception of enhanced security.
- **Option 2** proposes using multiple law enforcement agencies to police the system, with sworn staffing below what is currently provided. The management and oversight of this option would be difficult to maintain. It would divide the entire system in a number of contracts that must be managed separately. This would not be practicable nor would it provide a consistent level of security throughout the system. That being said, the contracting out of some of the service areas (e.g., Los Angeles, Long Beach, Pasadena) should not be totally discounted. Metro should also maximize the use of basic services that should be provided at no cost by local law enforcement agencies.
- **Option 3** proposes the creation of a distinct police force dedicated to Metro. This option would require large startup costs over an extended period of time. It would also limit the involvement of the specialized assets and training that a larger law enforcement agency has to offer. Ongoing recruitment, training and equipment costs make this option impractical. It should be pointed out that this option was originally used to police the Metro system and was abandoned several years ago.
- **Option 4** maintains current sworn officer staffing levels and augments them with Metro security. In order to implement a full community and operational policing strategy for the Metro system, the current level of sworn officers could be revised based on risk, staffing, and deployment analysis. Further research and data analysis would be necessary to determine the optimum number and mix of personnel. This option is the most reasonable from a system safety perspective of the four options.

With an appropriate deployment and community policing strategy and operational strategies for buses and rail in place, the current model of a single law enforcement agency being supplemented by Metro security staff seems to be the most viable option



to provide security for LA Metro. Financial considerations notwithstanding, it would appear to be the most effective strategy as the system continues to expand.

Metro staff needs to ensure that they have input into the deployment strategy of LASD personnel and deployment of Metro security personnel. This input, combined with continual oversight and effective management and coordination are crucial to the success of the next contract.

Considerations Moving Forward

The following are key realities and issues that should be considered, discussed, and resolved to the extent possible to most effectively move forward.

- **Current Staffing and Deployment** of services provided by LASD have evolved over time and are not based on an in-depth analysis of workload (crime, calls for service, coverage, etc.) or the risks and risk mitigation strategies needed to address those risks. Moving forward, conducting an in-depth analysis of workload, a risk assessment, identifying risk mitigation strategies, and identifying the staffing and deployment needs and approach to implement these strategies should be accomplished to provide a foundation for evaluating future options, and to arrive at the optimum number and mix of law enforcement and security personnel.
- **The Role of Security Officers** is to provide a visible deterrence, as well as to observe and report any unlawful activity to law enforcement. Metro security officers are not sworn or certified law-enforcement officers and do not have authority to detain or arrest. They cannot be responsible for responding to law enforcement incidents. While Metro security officers may play an effective role in expanded fare enforcement efforts, replacing large numbers of sworn law enforcement personnel with security personnel would likely result in a severe reduction in the level of public safety and security within the system and slower response times to incidents throughout the system.
- **Local Law Enforcement Agencies** have a responsibility to provide basic services to Metro buses and trains within their jurisdictions consistent with the service provided to all others within their jurisdictions. Metro should not have to contract with these agencies for these basic services, but may choose to contract for dedicated or supplemental resources from local agencies. It is important that Metro and local jurisdictions understand that the current staffing provided by LASD can in no way provide complete police coverage of the transit system spread over many square miles, particularly with regard to buses. Local law enforcement should provide first response unless a Metro contracted law enforcement unit is nearby.
- **Management and Oversight** of law enforcement services is key to the safety and security of the Metro system regardless of the structure. Establishing short and long-term priorities for law enforcement services is a critical role for Metro management. The current contract provides opportunities for Metro to accomplish this, including development of the bus and rail policing strategies with



the contracted law enforcement agency, which should provide specific guidance on how the contracted law enforcement agency will use its resources to impact priority problems on the transit system. Directing actual law enforcement personnel and resources will not be effective until priorities are clearly identified and communicated.

Recommended Next Steps

The following are the next steps we recommend be taken by Metro management to most effectively move forward:

- Conduct an in-depth analysis of workload, a risk assessment, risk mitigation strategies, and the staffing and deployment needs and approach to implement these strategies to provide a foundation for evaluating future options, and to arrive at the optimum number and mix of law enforcement and security personnel.
- Work with local law enforcement agencies to identify the level of basic services these agencies can provide to Metro buses and trains within their jurisdictions consistent with the service provided to all others within their jurisdictions. Develop agreements with these agencies to both improve service to Metro and reduce the need for contracted law enforcement services.
- Regarding the timing for selecting future law enforcement contract services, either:
 - Extend the current law enforcement services contract until such time as the in-depth analysis of workload, risk assessment, risk mitigation strategies, and the staffing and deployment needs and approach to implement these strategies is completed, or
 - Issue the Request for Proposals (RFP) for law enforcement services assuming continuation of the current service levels, with the caveat that the level of services would be adjusted upon completion of the risk assessment and staffing and deployment analysis.
- Clearly define the appropriate role for Metro security personnel based on their level of authority, and ensure training, weaponry, and equipment is consistent with that role.
- Establish short and long-term priorities for law enforcement services and develop an effective means of providing oversight to ensure contract services are provided consistent with these priorities.
- If budget constraints dictate that the budget for law enforcement services be reduced, request the LASD to provide options and impact for varying levels (10%, 20% 30%) of budget reductions.
- Continue to move forward on implementation of the recommendations made in the LASD Contract Audit and the APTA Peer Review issued in 2014.



2. Background

The Los Angeles County Metropolitan Transportation Authority (Metro) contracted with the Los Angeles County Sheriff's Department (LASD) to provide Metro with transit law enforcement services on July 1, 2009. The initial contract was for 3 years, and provided for a renewal for two additional years. The contract has been extended to cover the current fiscal year, at a total annual cost of \$88.7 million. Under this extension, current sworn staffing is budgeted at 468 positions, with 425 actual filled sworn positions. Civilian or professional staffing is currently budgeted at 176, with 138 actual filled staff positions. (The civilian positions include 106 budgeted security assistant (fare enforcement) positions, with 89 actual filled security assistant positions.)¹

Metro also directly employs transit security officers. Metro Security's primary role is to provide security for Metro facilities. This includes the Gateway Building, parking lots, bus division facilities, and similar operations. It also includes providing security over Metro revenue collection and cash counting operations. In these roles, Metro Security has the role of providing a visible deterrence, as well as to observe and report any unlawful activity to law enforcement.

Metro is in the process of developing and issuing a request for proposals (RFP), selecting and awarding a contract for the law enforcement services currently provided by the LASD. In January 2015, Metro staff presented the Board staff with information on three potential options on the structure for the future law enforcement contract. During this meeting the Board staff identified a fourth potential option. These options are:

- Option 1. Use a single law enforcement agency to allocate police officers/deputies as guided and defined by Metro. Reduce the number of sworn officers, and direct deployment of Metro employed Transit Security Officers (TSOs) to conduct fare checks and increase safety presence.
- Option 2. Use multiple law enforcement agencies as guided and defined by Metro. Reduce the number of sworn officers, and direct deployment of Metro employed TSOs to conduct fare checks and increase safety presence.

¹ LASD Full Time Equivalent (FTE) Staffing and Minutes of Service Provided - The contracting and billing approach used by the LASD is based on providing and billing for line level units of service. Examples include a 40-hour one-deputy unit, a 56-hour two-deputy unit. The amount of line level service units contracted for is developed into a staffing plan, which includes the number of full-time equivalent (FTE) LASD personnel needed to both provide the line level units, and to provide the management, supervision, and support for these units. The FTE staffing in the current LASD contract extension includes a total of 468 budgeted FTE sworn positions, and a total of 176 budgeted professional or civilian FTE positions. The contract requires the LASD to provide the contracted service units (tracked and billed in minutes) rather than the FTE employees. In this way, the service is intended to be consistent, regardless of vacancies within the FTE staffing due to turnover, extended sick time, or workers compensation absences. It is also important to note that law enforcement services are provided 24 hours each day, 7 days a week, and 365 days each year. As a result, the actual number of sworn staff on duty at any given time will range from about 140 to 180 sworn personnel.



- Option 3. Use only Metro police and TSOs. Allocation of security staff established by Metro.
- Option 4. Maintain the same level of sworn officers, but deploy them differently to enhance security; and increase the number of Metro TSOs. (Note: this option was not presented by Metro staff, but was developed through Board staff discussion.)



3. Objectives, Scope and Methodology

The objective of this review was to evaluate the four options discussed during the January 2015 Board staff briefing regarding the Metro Law Enforcement Services Contract as outlined in the Statement of Work provided by Metro Office of the Inspector General. The Statement of Work for this review specifically required the following tasks be completed:

- A. Review relevant portions concerning deployment and staffing only of:
 1. Audit report on the LASD contract
 2. Transit Community Policing Plan prepared by LASD
 3. APTA peer review report on transit security
 4. Power point on Metro Security Contract
- B. Interview (via telephone/webcam):
 1. LASD management, and
 2. Metro management and other appropriate staff, and
 3. Other persons who might have information or input helpful to the analysis.
- C. Analyze the four options concerning deployment and staffing discussed above and as set forth in Metro Staff's presentation, and any other options that the consultant might recommend for the future Metro Security Contract considering the following:
 - Consistent with industry and/or APTA best practices,
 - Consultant's experience and expertise with transit community policing,
 - Maximizing security and safety while achieving efficiency and cost effectiveness,
 - Providing effective and efficient bus security and safety, and
 - Recommendations and findings made in the audit report on the LASD contract and the APTA peer review report.
- D. Provide a written analysis of the pros and cons of each security contract Option analyzed in terms of deployment, staffing (i.e., ratio of law enforcement to Metro transit security), and use of one or multiple law enforcement entities, and recommend which option would provide the best path forward considering the areas described in Section C above.



4. Analysis of Law Enforcement and Security Service Options

Below we provide our analysis of the four options presented and discussed at the January Board staff meeting. This discussion includes an overview of each, as well as analysis of each using the following five criteria:

- Law Enforcement Response and Service Effectiveness
- Control and Oversight over Service Delivery
- Fare Enforcement Effectiveness
- Legal Liability Potential

Option 1: Single Law Enforcement Agency at Reduced Staffing Level, Supplemented by Metro Security Officers

This option increased the level of non-law enforcement security coverage, especially to the bus system. This was accomplished by reducing the number of sworn personnel currently being provided by the LASD. Metro Security staffing would be increased. These Metro Security personnel would be deployed throughout the bus and rail system in teams with supervision by Transit Security Sergeants.

Exhibit 1 Option 1: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
Law Enforcement Response and Service Effectiveness	Deployment of sworn personnel by Division could improve system coverage.	Reduction in the level of law enforcement personnel staffing and deployment would have a substantial negative impact on the ability to respond to and address incidents or crimes throughout the system. It is unlikely the contract law enforcement agency would accept responsibility for providing the current level of law enforcement services to the Metro system with the reduced staffing levels.
Control and Oversight over Service Delivery	Metro would exercise increased control and oversight over the fare enforcement efforts and outcomes through direct authority over added Metro Security personnel.	The security and law enforcement personnel deployed throughout the system would be divided or split between two organizations, each with their own independent organization structure and chain of command.



Exhibit 1		
Option 1: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
		Command, control, and coordination of personnel in the field would be more complicated and difficult.
Fare Enforcement Service Effectiveness	The role of the Metro Security Officers would be limited to providing a sense of security within the system through their presence, observing and reporting to law enforcement any incidents or issues requiring law enforcement, and performing fare enforcement activities. Given this, the level of fare enforcement and effectiveness would likely be substantially increased.	To be effective, Security Officers would need to be empowered with some sort of fare enforcement authority, which will require some type of lengthy administrative action to occur (e.g. legislation, board approval, union negotiations, etc.). These actions will be time consuming and may have political implications. Security personnel would not be permitted to issue penal code based citations to minors unless the law is changed, resulting in fewer citations for minors. Currently only law enforcement personnel can issue penal code based citations to minors.
Legal Liability Potential	None	Metro Security Officers might appear to the public to be able to respond to crimes in progress and other law enforcement incidents, without having the authority to provide that response. Metro Security Officers, to be helpful, could potentially respond to such incidents, resulting in liability exposure for themselves and Metro.

Option 1, as presented, is not recommended. While there is potential to deploy law enforcement personnel differently and more efficiently, reduction in sworn-personnel provided by the LASD is not realistic without a severe reduction in the level of safety and security within the system. In addition, response times to incidents throughout the



system that require a law enforcement action would likely prove to be unacceptable to the Metro Board and management.

While there may be some advantages to Metro using its own security force to handle fare enforcement and other minor infractions, (e.g. homeless, loitering, smoking, etc.); they need legal authority to conduct these types of interactions. There would also be related training and other ancillary costs that may be difficult to accurately capture for the basis of this report. Despite these costs under this option, it does allow for the deployment of Metro employees at Metro's discretion and under their direct control. More importantly, it provides additional security throughout the system.

Law enforcement personnel duties concerning fare enforcement responsibility could become secondary as a guiding metric. Fare enforcement by the law enforcement agency would then be used more as crime prevention and management strategy, rather than a revenue generating strategy.



Option 2: Multiple Law Enforcement Agencies at Reduced Staffing Level, Supplemented by Metro Security Officers

This option splits the law enforcement contract among multiple agencies, and increases the level of non-law enforcement security coverage, especially to the bus system. This was accomplished by reducing the number of personnel currently provided by the LASD, adding other law enforcement agency personnel, and additional transit security personnel.

Exhibit 2		
Option 2: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
Law Enforcement Response and Service Effectiveness	For those locations where local law enforcement agencies would be providing service, response times might be improved due to a concentration of law enforcement personnel dedicated to Metro in those areas.	<p>Reduction in the level of law enforcement personnel staffing and deployment would have a substantial negative impact on the ability to respond to and address incidents or crimes throughout the system in those areas where no local law enforcement agency is under contract to Metro because contract law enforcement personnel would be spread too thinly over a large geographic area.</p> <p>Law enforcement would play a limited role in the overall effectiveness of a community policing strategy.</p> <p>Coordination among multiple organizations and clarity over responsibility for response to individual incidents could potentially negatively impact response and service.</p> <p>It is unlikely the contract law enforcement agencies would accept responsibility for providing dedicated law enforcement services to the Metro system with the staffing levels outlined.</p>



Exhibit 2		
Option 2: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
Control and Oversight over Service Delivery	Metro would exercise increased control and oversight over the fare enforcement efforts and outcomes through direct authority over added Metro Security personnel.	The security and law enforcement personnel deployed throughout the system would be divided or split among multiple organizations depending on the number of local law enforcement agencies contracted with, each with their independent organization structure and chain of command. Command, control and coordination of personnel in the field would be much more complicated and difficult.
Fare Enforcement Service Effectiveness	The role of the Metro Security Officers would be limited to providing a sense of security within the system through their presence, observing and reporting to law enforcement any incidents or issues requiring law enforcement, and performing fare enforcement activities. Given this, the level of fare enforcement and effectiveness would likely be substantially increased.	To be effective, Security Officers would need to be empowered with some sort of fare enforcement authority, which will require some type of lengthy administrative action to occur (e.g. legislation, board approval, union negotiations, etc.). These actions will be time consuming and may have political implications. Security personnel would not be permitted to issue penal code based citations to minors unless the law is changed, resulting in fewer citations for minors. Currently only law enforcement personnel can issue penal code based citations to minors.
Legal Liability Potential	None	Placing Security Officers in a position where they appear to the public to be able to provide the appropriate response to crimes in progress and other incidents, without them having the authority to provide that



Exhibit 2		
Option 2: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
		response, puts them in a very difficult position. Metro Security would potentially respond in a manner outside their authority resulting in substantial liability exposure for themselves and Metro.

Option 2, as presented, is not recommended. There is potential to deploy law enforcement personnel differently and more efficiently. There is also potential to supplement the current contract law enforcement services with local police. However, the proposed reduction in the law enforcement services currently provided by the LASD is not realistic without a severe reduction in the level of safety within the system and unacceptable response times to incidents throughout the system.

Under this option, each law enforcement agency would be responsible for coverage in their jurisdiction and the command and control by Metro would be extremely difficult to maintain. The oversight of each individual contract will ultimately prove problematic and unmanageable. Splitting the contract between law enforcement agencies creates an environment where no one has complete ownership of the overall policing strategy. Security effectiveness becomes disjointed and accountability is difficult to maintain.

If the Metro Security force is expanded and law enforcement personnel are reduced the contract law enforcement agency could only react to some of the calls for service. It would be much more limited in undertaking proactive, problem-solving operational services and establishing a strong community policing presence. This is contrary to the current best practice in policing strategies that advocate for a more visible presence and interaction with the community.



Option 3: Establish Metro Police Supplemented by Metro Security Officers

Under this option the Metro Police agency would be reconstituted at reduced sworn staffing levels. Law enforcement personnel would be hired as direct employees of Metro. Metro Police would be supplemented by an increase in the number of Metro Security personnel.

Exhibit 3 Option 3: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
Law Enforcement Response and Service Effectiveness	None	<p>Significant reduction in the level of law enforcement personnel staffing and deployment would have a substantial negative impact on the ability to respond to and address incidents or crimes throughout the system.</p> <p>Direct access to specialized units such as tactical teams, explosive detection assets, etc. would be reduced if not eliminated.</p>
Control and Oversight over Service Delivery	<p>Metro would exercise increased control and oversight over the fare enforcement efforts and outcomes through direct authority over added Metro Security personnel.</p> <p>The security and law enforcement personnel deployed throughout the system would be combined into one organization. Command and control and coordination of personnel in the field would potentially be more direct.</p>	<p>Metro would lose the ability it currently has to remove law enforcement personnel at will by directing the contract law enforcement agency to reassign individuals. Disciplining and discharging Metro Police personnel could potentially be difficult.</p>
Fare Enforcement Service Effectiveness	<p>The role of the Metro Security Officers would be limited to providing a sense of security within the system through their presence, observing and reporting to law enforcement any</p>	<p>To be effective, Security Officers would need to be empowered with some sort of fare enforcement authority, which will require some type of lengthy administrative action to occur</p>



Exhibit 3		
Option 3: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
	<p>incidents or issues requiring law enforcement, and performing fare enforcement activities. Given this, the level of fare enforcement and effectiveness would likely be substantially increased.</p>	<p>(e.g. legislation, board approval, union negotiations, etc.). These actions will be time consuming and may have political implications.</p> <p>Security personnel would not be permitted to issue penal code based citations to minors unless the law is changed, resulting in fewer citations for minors. Currently only law enforcement personnel can issue penal code based citations to minors.</p>
Legal Liability Potential	None	<p>Metro Police under this option would have the authority to address law enforcement issues. However, this option relies heavily on the presence of Metro security officers. Placing security officers in a position where they appear to the public to be able to provide the appropriate response to crimes in progress and other incidents, without them having the authority to provide that response, puts them in a very difficult position. Metro Security would potentially respond in a manner outside their authority resulting in substantial liability exposure for themselves and Metro.</p>

Option 3, as presented, is not recommended. The level of Metro Police staffing presented would be lower than the level currently provided by LASD under contract. This reduction in law enforcement services provided is not realistic without a severe reduction in the level of safety and security within the system and unacceptable response times to incidents throughout the system. In addition, the total number of officers is not conducive to a viable community policing strategy for a transit system that continues to expand.



Rebuilding the Metro Police would be a major and lengthy undertaking. There would be a significant transition period while this option is implemented. The costs of this transition have not been factored into this option by Metro staff.

While a Metro Police force would allow for continuous command and oversight, the long-term disadvantages such as personnel issues, liability, union and supervisory concerns would create an increased burden on Metro.



Option 4: Maintain Current Law Enforcement Staffing Deployed Differently, Increase Number of Metro Security Officers

Option 4 was not presented to the Board staff. The Board Staff identified this option through discussion and it was presented to the Ad Hoc Transit Policing Committee. This option maintains the current level of law enforcement services, and increases the level of non-law enforcement security coverage system-wide.

The LASD currently conducts fare enforcement using security assistants. These personnel and costs could potentially be eliminated or reduced given the fare enforcement efforts of the increased Metro Security personnel.

Exhibit 4 Option 4: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
Law Enforcement Response and Service Effectiveness	Service could be enhanced by more effectively deploying LASD personnel as a part of an operational transit policing strategy, as well as specific bus and rail policing plans.	None
Control and Oversight over Service Delivery	Metro would exercise increased control and oversight over the fare enforcement efforts and outcomes through direct authority over added Metro Security personnel.	The dedicated law enforcement agency or agencies may discount Metro input relative to deployment citing the ability of Metro to assign security to affected areas
Fare Enforcement Service Effectiveness	The role of the Metro Security Officers would be limited to providing a sense of security within the system through their presence, observing and reporting to law enforcement any incidents or issues requiring law enforcement, and performing fare enforcement activities. Given this, the level of fare enforcement and effectiveness would likely be substantially increased.	The dedicated law enforcement agency or agencies may limit responsibility for fare enforcement due to Metro security involvement.
Legal Liability Potential	None	Placing Security Officers in a position where they appear to the public to be able to provide



Exhibit 4		
Option 4: Advantages and Disadvantages		
Criteria	Advantages	Disadvantages
		the appropriate response to crimes in progress and other incidents, without them having the authority to provide that response, puts them in a very difficult position. Metro Security would potentially respond in a manner outside their authority resulting in substantial liability exposure for themselves and Metro.

This option allows for current staffing levels to be maintained and allows for better control and deployment of Metro Security personnel. Once a deployment and staffing analysis is performed, it may allow for reduction in certain staffing levels within the contract law enforcement agency or agencies when Metro security officers are empowered to perform fare enforcement. Determining an appropriate mix of sworn and non-sworn personnel to police the system should be performed. Creative ways to improve safety and fare compliance at minimum increased cost is a reasonable objective as the Metro system expands. Option 4 could provide a step toward that objective.



5. Considerations Moving Forward – Next Steps

Option 4, maintaining the current law enforcement resources deployed differently, is the most viable option of the four options presented and/or discussed. Determining how these resources should be deployed differently is key to moving forward with providing law enforcement and security services for the Metro System. The following are key issues that should be considered, discussed, resolved and clarified to the extent possible in order to most effectively move forward.

Staffing and Deployment Based on Risks and Risk Mitigation Strategies

Ideally, the current staffing and deployment of LASD law enforcement services should be based on a detailed analysis of the safety and security needs of the Metro system. This would include clear identification of the various risks that face the Metro system followed by a discussion and identification of a set of strategies for mitigating these risks, and clear staffing and deployment needs to implement these risk mitigation strategies.

The current staffing and deployment of the law enforcement services provided by LASD to the Metro System have evolved over time, and does not appear to be fully articulated based on risk and risk mitigation strategies. While deployments in an overarching community policing strategy can be based solely on risk, there are times that other considerations for deployment should be employed. This is especially true in the mass transit environment where high visibility patrols are an effective use of personnel to provide reassurance to the riding public in a reserved fashion, and where civilian personnel can perform the more close-up fare inspection work. Consideration should be given to total ridership by line or by station, crime within a certain distance outside of the station, the location of the station itself (e.g. near a tourist attraction, a hospital, large business, historical landmark, etc.) and political or customer input.

Some of this could have been accomplished through the development of an overall Transit Policing Plan, a Bus Operations Policing Plan, and a Rail Operations Policing Plan. The requirements for these plans in the current law enforcement contract provided the opportunity for Metro to clearly articulate its safety and security priorities and for the LASD to clearly outline strategies to meet these priorities.

Moving forward, conducting a risk assessment, identifying risk mitigation strategies, and then identifying the staffing and deployment needs and approach to implement these strategies should be accomplished to provide a foundation for evaluating future options.

Role of Metro Security

Each of the three options presented to the Board staff included substantial expansion of the use of Metro Security personnel to provide safety and security throughout the system. These three options also included reductions in sworn law enforcement staffing, whether provided by LASD, local law enforcement agencies, or a newly reconstituted Metro Police agency.



Metro Security has the role of providing a visible deterrence, as well as to observe and report an unlawful activity to law enforcement. Metro Security officers are not sworn or certified law-enforcement officers and do not have authority to detain or arrest. They therefore cannot be made responsible for responding to law enforcement incidents.

Metro Security Officers need to be provided training that clearly indicates the limits of their authority to avoid liability concerns. This will allow them to take positive actions when they confront problematic situations. Their role is not minimal; they provide an important adjunct to the law enforcement roles performed by a contracted law enforcement agency as well as local police in meeting Metro's security needs. It is important, however, that they not be expected to take actions that would place them in danger or face liability challenges.

While Metro Security may play an effective role in expanded fare enforcement efforts, security personnel cannot replace law enforcement in areas that require the authority to detain and arrest. A reduction in the level of sworn personnel may reduce safety and security within the system and result in slower response times to incidents throughout the system.

Role of Local Law Enforcement Agencies

The contract with LASD required development of a Memoranda of Understanding (MOU) with police agencies throughout the Metro service area. The intent of the MOU's was to ensure that these agencies would be used to augment or supplement the law enforcement services provided under contract.

Local law enforcement agencies have a responsibility to provide basic services to Metro buses and trains within their jurisdictions consistent with the service provided to all others within their jurisdictions. Particularly with buses, which travel completely above ground and are a part of the urban neighborhood, local law enforcement can best be a first responder to incidents on those buses, just as they are to other situations in the neighborhood. Sharing responsibility with these local law enforcement agencies for responding to some types of incidents on buses and trains is appropriate.

The LASD has been developing MOU's with local police agencies. However, the primary purpose of the MOU's developed appears to be clarifying that the Metro buses and trains are the jurisdiction of the LASD rather than attempting to leverage these local resources to augment and improve law enforcement response to incidents on buses and trains.

It is important that Metro and local jurisdictions understand that the current staffing provided to LASD can in no way provide complete police coverage of the transit system spread over many square miles, particularly with regard to buses. Local law enforcement must provide first response unless an LASD unit is nearby. In those situations, the LASD Transit Services follow-up on the incident will help understand whether it is a part of a pattern requiring strategic responses to prevent future occurrences.



Metro is funding transit policing services so that coverage is provided beyond that which local law enforcement can provide. This is particularly true with regard to rail, which is often very separate from the neighborhood through which it runs. But local law enforcement has a core responsibility to respond to many incidents involving transit in their neighborhoods. This immediate and sometimes dual response should be articulated in any MOU's that are implemented with local law enforcement.

Management and Oversight of Law Enforcement Services

The presentation to the Board staff and Ad Hoc Transit Policing Committee stated that under the current model "LASD establishes priorities for resource allocation and deployment of personnel throughout the system." This expresses a need for increased control over law enforcement resources and services by Metro management. Efforts have been occurring to improve the coordination between LASD and Metro management in the past six months, moving toward a more collaborative approach.

In some areas Metro can exercise more control over contracted law enforcement services than if it directly employed law enforcement resources. For example, under the contract Metro can request specific LASD personnel be removed from the Transit Services Division and reassigned immediately. This can be requested without cause or discussion. Metro would have much more difficulty removing directly employed law enforcement personnel.

It may be helpful to distinguish between the functions and roles of establishing priorities, and directing law enforcement resources. Establishing short and long-term priorities for law enforcement services is a critical role for Metro management. The current contract provides opportunities for Metro to accomplish this, including development of the bus and rail policing strategies with the Metro law enforcement provider and expectations on specific performance indicators. These strategies should clearly outline the priorities for law enforcement services. They are far different from the Community Policing Strategy that has been developed, as they provide specific guidance on how the LASD will use its resources to impact priority problems on the transit system. At a minimum, any new contract should provide these requirements and enforcement of the terms should be a priority.

Directing actual law enforcement resources is, and should be, a role reserved to the command structure of the Metro contracted law enforcement agency, consistent with the priorities established by Metro management. In cities, it is the role of the Mayor or City Manager to establish priorities and provide direction regarding what they need. It is the role of the police chief to decide how to deploy law enforcement resources to accomplish those priorities. The Metro Board and management should be able to exercise the same control over priorities and direction.



Appendix:
Review Team Members' Background Information

Robert Wasserman (Strategic Policy Partnership, LLC), served as the Lead Consultant for The Bratton Group's role in the Metro LASD Contract Audit completed for the Metro Office of the Inspector General in 2014. Mr. Wasserman has been intimately involved in transit policing activities for some years, with work including the assessment and design of the transit policing strategy for Transport for London (UK), has served as Interim Director of Transport Policing and Enforcement for Transport for London, developed the performance management (CompStat) initiatives for that agency, and developed the strategic policing plan for the Transit Police in Boston, among many other engagements over the years. He recently served as the lead consultant to the Department of Homeland Security on Suspicious Activity Reporting on rail systems throughout the United States. He is presently serving as a senior advisor to Commissioner William Bratton of the New York Police Department.

Paul MacMillan, Chief of Police (Retired), Massachusetts Bay Transportation Authority, joined the MBTA Transit Police Department in November 1983. He worked in various positions within the department including Patrol, Investigative Services, Accreditation, and Field Training. He was promoted through the ranks and on November 6, 2008, the MBTA Board of Directors appointed then Deputy Chief MacMillan as the Chief of the Department. Chief MacMillan was the first MBTA Transit Police Officer to rise through the ranks to become Chief in the history of the agency. He received a B.S. in Criminal Justice from Northeastern University, a Graduate Certificate in Dispute Resolution from the University of Massachusetts, Boston and a M.A. Degree in Criminal Justice from Western New England College. He is also a graduate of the FBI National Academy and the Senior Management Institute for Police. He was Chair of the Transit Police and Security Peer Advisory Group and Chair of the Committee for Public Safety for the American Public Transportation Association and has participated in numerous peer reviews of transit police and security departments. In addition, he was an assessor and Team leader for the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA).

Scott Bryant, BCA Watson Rice Management Consulting Partner, served as the project manager for the Metro LASD Contract Audit completed for the Metro Office of the Inspector General in 2014. He has worked extensively with law enforcement and public safety organizations and agencies. Scott recently led a review of the staffing and services of the Port Police for the Port of Los Angeles. He also conducted a review of staffing of the Los Angeles Sheriff's Department for the County Auditor/Controller. Scott served as Special Assistant to the Chief of Police in Oakland California. For the Orange County Sheriff, Scott was responsible for developing a strategic management approach including a focus on specific outcome oriented goals and developing specific outcome indicators to monitor progress toward these goals. In Long Beach, Scott was responsible for evaluating a proposal by the Los Angeles County Sheriff to provide police services citywide. He also evaluated contracted law enforcement services for the cities of Compton and Elk Grove.

OIG Metro Policing and Security Workload Staffing Analysis. Jan 2016

Link: http://libraryarchives.metro.net/DB_Attachments/161109_Attachment%20E%20-OIG%20Metro%20Policing%20and%20Workload%20Staffing%20Analysis%20January%202016.pdf

PROCUREMENT SUMMARY

TRANSIT LAW ENFORCEMENT SERVICES

1.	Contract Number: PS5862100LAPD24750, PS5863200LASD24750 and PS5862300LBPD24750	
2.	Recommended Vendor: City of Los Angeles County of Los Angeles City of Long Beach	
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: February 5, 2016	
	B. Advertised/Publicized: February 5, 2016	
	C. Pre-Proposal/Pre-Bid Conference: February 18, 2016	
	D. Proposals/Bids Due: May 27, 2016	
	E. Pre-Qualification Completed: N/A	
	F. Conflict of Interest Form Submitted to Ethics: May 31, 2106	
	G. Protest Period End Date: November 28, 2016	
5.	Solicitations Picked up/Downloaded: 18	Bids/Proposals Received: 3
6.	Contract Administrator: Aielyn Q. Dumaua	Telephone Number: (213) 922-7320
7.	Project Manager: Alex Z. Wiggins	Telephone Number: (213) 922-4433

A. Procurement Background

This Board Action is to approve Contract Nos. PS5862100LAPD24750, PS5863200LASD24750 and PS5862300LBPD24750 issued to provide law enforcement services to support bus and rail operations throughout the entire Metro transit system. Board approval of contract awards are subject to resolution of all properly submitted protests.

RFP No. PS24798 was issued as a competitively negotiated procurement in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate. The RFP clearly indicated that Metro may award the entire contract to a single Agency, to a partnership between agencies, or to an Agency located within a specific municipal jurisdiction. Hence, potential proposers were given the flexibility to submit proposals covering a specific territorial jurisdiction, multiple jurisdictions, or the entire Metro system. Further, no DBE contract goal was established for this procurement but Proposers were encouraged to utilize DBE certified firms whenever potential subcontracting opportunities are available.

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

- Amendment No. 1, issued on February 24, 2016, provided electronic copies of the Planholders' List and pre-proposal conference materials, revised the submittal requirements for the Cost Proposal (Volume III), and extended the proposal due date;
- Amendment No. 2, issued on March 3, 2016, updated the Notary Public Acknowledgment section of the Proposal Letter (Pro Form 053), and revised Exhibit 4: Part A – Cost Proposal (Summary) and Exhibit 5 – Part A- Cost Proposal (Detail) to include the Expo Line Phase 2 stations and exclude duplicate stations;
- Amendment No. 3, issued on April 1, 2016, revised the final date for questions to align with the extension of the proposal due date, revised Exhibit 4: Part A – Cost Proposal (Summary) to clarify cost information to be provided, and invited potential proposers to a one-time site visit/job walk to tour selected Metro facilities that may be made available to the Contractor upon contract award;
- Amendment No. 4, issued on April 15, 2016, revised Exhibit 5: Part A – Cost Proposal (Detail) to align with changes to Exhibit 4: Part A: Cost Proposal (Summary) issued per Amendment No. 3;
- Amendment No. 5, issued on May 5, 2016, clarified the basis of selection and award and the evaluation process, and revised Exhibit 4: Part A – Cost Proposal (Summary) and Exhibit 5: Part A – Cost Proposal (Detail) to include a separate cost proposal table for management/supervisory staff; and
- Amendment No. 6, issued on May 17, 2016, provided electronic copies of the Site Visit/Job Walk sign-in sheet and agenda and materials provided.

A pre-proposal conference was held on February 18, 2016, and was attended by 23 participants representing 7 law enforcement agencies. The site visit/job walk was conducted on April 22, 2016 and was attended by 10 participants representing 2 law enforcement agencies. There were 27 questions received and responses were provided prior to the proposal due date.

A total of three proposals were received on May 27, 2016, and are listed below in alphabetical order:

1. Los Angeles County Sheriff's Department
2. Los Angeles Police Department
3. Long Beach Police Department

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff from Metro's System Security and Law Enforcement, Risk Management, and Office of Management and Budget was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Agency Qualifications and Capabilities 15 percent
- Experience and Capabilities of Key Personnel 15 percent
- Management Plan/Approach 45 percent
- Homeland Security and Emergency Preparedness 10 percent
- Cost Proposal 15 percent

The evaluation criteria are appropriate and consistent with criteria developed for law enforcement services procurements. Several factors were considered when developing these weights, giving the greatest importance to the Management Plan/Approach.

On May 31, 2016, the PET met to process confidentiality and conflict forms and take receipt of the three responsive proposals to initiate the evaluation phase. Evaluations were subsequently conducted and the PET determined that all three agencies were within the competitive range. Based on evaluation results, the PET deemed that it would be most advantageous to Metro to award contracts to all three law enforcement agencies based on best value. This alternative would increase law enforcement visibility, improve response time to calls for service, deter crime, reduce vulnerability to terrorism, maximize the use of free basic "911" services, enforce Metro's Code of Conduct and reduce fare evasion. More importantly, this alternative is less cost prohibitive. In view thereof, the PET determined to commence negotiations without need for oral presentations with all three agencies.

Qualifications Summary of Firms Within the Competitive Range:

Los Angeles County Sheriff's Department

The Los Angeles County Sheriff's Department (LASD) was established in 1850 and has been providing contract law enforcement services to government agencies/entities since 1954. It presently serves 40 contract cities, 90 unincorporated communities, 216 facilities, hospitals and clinics located throughout the County, nine community colleges and 47 Superior Courts. It also provides services such as laboratories and academy training to smaller law enforcement agencies within the County. Additionally, LASD is responsible for securing approximately 18,000 inmates daily in seven custody facilities which include providing food and medical treatment.

LASD proposed to provide transit law enforcement services on all Metro properties, including all rail and bus stations, lines, platforms, tunnels, buildings, Maintenance and Operations Divisions and other critical infrastructure and the like.

Los Angeles Police Department

The Los Angeles Police Department (LAPD), established in 1869, provides police service to the City of Los Angeles encompassing 498 square miles and a population of 4,030,904 people. With about 9,843 officers and 2,773 civilian staff, LAPD is the third largest municipal police department in the United States. Aside from serving the communities within the City of Los Angeles, LAPD presently provides Bomb K-9 contract police services at LAX and responds to bus-related emergencies. From 1997 to 2002, LAPD partnered with Metro to provide contract law enforcement services to Metro's Red Line and Metro's bus service within the City of Los Angeles.

LAPD's proposed contract policing services include the major components of Metro's transportation system that lie within the geographical boundaries of the City of Los Angeles. LAPD defines the proposed service areas as follows: the entire Red Line; the entire Purple Line; the entire Orange Line; portions of the Blue Line, Gold Line, Expo Line, Green Line, and Silver line within the City of Los Angeles and Metro bus service within the City of Los Angeles.

Long Beach Police Department

The Long Beach Police Department (LBPD), founded in 1888, is the second largest municipal agency in Los Angeles County and provides law enforcement services to the City of Long Beach, the seventh largest city in the State of California. It has over 800 sworn officers and a total staffing of over 1,200 personnel. LBPD also provides contracted law enforcement services to the Port of Long Beach, Long Beach Airport, Long Beach Transit, and Long Beach City College.

LBPD proposed to provide law enforcement services on a segment of the Blue Line, consisting of 10 stations namely: Artesia, Del Amo, Wardlow, Willow Street, Pacific Coast Highway, Anaheim Street, 5th Street, 1st Street, Downtown Long Beach, and Pacific Avenue stations.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Long Beach Police Department				
3	Agency Qualifications and Capabilities	74.20	15.00%	11.13	
4	Experience and Capabilities of Key Personnel	80.00	15.00%	12.00	
5	Management Plan/Approach	73.67	45.00%	33.15	
6	Homeland Security and Emergency Preparedness	81.50	10.00%	8.15	
7	Cost Proposal	100.00	15.00%	15.00	
8	Total		100.00%	79.43	1

9	Los Angeles Police Department				
10	Agency Qualifications and Capabilities	85.53	15.00%	12.83	
11	Experience and Capabilities of Key Personnel	90.80	15.00%	13.62	
12	Management Plan/Approach	77.67	45.00%	34.95	
13	Homeland Security and Emergency Preparedness	90.00	10.00%	9.00	
14	Cost Proposal	14.40	15.00%	2.16	
15	Total		100.00%	72.56	2
16	LA County Sheriff Department				
17	Agency Qualifications and Capabilities	73.00	15.00%	10.95	
18	Experience and Capabilities of Key Personnel	75.87	15.00%	11.38	
19	Management Plan/Approach	66.78	45.00%	30.05	
20	Homeland Security and Emergency Preparedness	87.00	10.00%	8.70	
21	Cost Proposal	33.33	15.00%	5.00	
22	Total		100.00%	66.08	3

C. Cost/Price Analysis

The final negotiated amounts will comply with all requirements of Metro's Acquisition Policy and Procedures, including fact-finding, clarifications, negotiations, and cost analysis to determine a fair and reasonable price before contract execution.

Original Proposal

	Proposer Name	Area of Coverage	Proposal Amount	Metro ICE
1.	LASD	Entire Metro System	\$732,030,980	\$367,179,833
2.	LAPD	Metro rail and bus stations and other Metro facilities within City of Los Angeles	\$396,782,595	
3.	LBPD	10 Blue Line Stations	\$42,171,878	

Staff Recommendation

	Proposer Name	Area of Coverage	Revised Proposal ^{1/}	Negotiated or NTE amount	Metro ICE
1.	LASD	Bus and rail	\$129,800,051	\$129,800,051	\$367,179,833

		stations outside the Cities of Los Angeles and Long Beach		<u>\$149,800,051</u>	
2.	LAPD	Metro rail and bus stations and other Metro facilities within City of Los Angeles	\$377,620,834	\$369,696,813	
3.	LBPD	8 Blue Line Stations	\$27,532,772	27,088,968	
Total				\$526,585,832 \$546,585,832	

1/ as a result of clarifications

The proposed aggregate amount of the three contracts in the amount of ~~\$526,585,832~~ **\$546,585,832** is greater than Metro’s independent cost estimate (ICE) because of the following factors:

1. unanticipated start-up costs for all 3 agencies;
2. supplemental services not provided in the statement of work which were found to be of significant benefit to Metro through discussions (e.g., Special Problems Unit and Threat Unit, Homeless Outreach and Mental Evaluation Teams etc.);
3. staffing adjustments in light of increasing threats associated with global terrorism and violent extremism; and
4. increase in estimated labor escalation rate to align with labor union contracts.

D. Background on Recommended Contractor

Los Angeles County Sheriff Department

The Los Angeles County Sheriff Department (LASD) is headquartered in Los Angeles, California. LASD is statutorily responsible for providing law enforcement in the County of Los Angeles and serves as the Director of Emergency Management for the County.

LASD has been providing transit community policing services to Metro since July 2009. Performance generally meets the scope of work requirements. LASD proposed the same key personnel team under the current contract.

Los Angeles Police Department

The Los Angeles Police Department's (LAPD) is the law enforcement agency for the City of Los Angeles. Its authority to police was granted by the state constitution.

LAPD's proposed management team possesses a wide breadth of experience which includes community policing, anti-terrorism and DHS activities, gang/narcotics, traffic and transit. The proposed Commanding Officer is a graduate of the Federal Bureau of Investigation (FBI) National Academy.

Long Beach Police Department

The Long Beach Police Department (LBPD) provides law enforcement for the City of Long Beach. It has partnered with entities such as Metro, Los Angeles County Sheriff's Department, Transportation Security Administration, Department of Homeland Security, FBI, and Union Pacific Railroad Police to improve communication and increase security in the City of Long Beach.

The Command Unit collectively has experience in transit and airport policing.

DEOD SUMMARY

TRANSIT LAW ENFORCEMENT SERVICES

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal because there were no apparent subcontracting opportunities. The County of Los Angeles, City of Los Angeles, and City of Long Beach will provide the transit policing services.

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.

Metro Comprehensive Policing and Security Strategy



Metro

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Today's Transit Security Environment

Agency executives and security professionals must address crime and disorder, while concurrently mitigating threats associated with terrorism.



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Integrated, Multi-Layered Security Approach



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How the Pieces Work Together

Metro's security plan is multi-layered, integrating technology, Metro employees and patrons, security personnel, local police and federal partners.

- **Partners** - Metro collaborates with DHS/TSA and the FBI's Rail Security Coordinator
- **Police** - Metro relies on a community policing model to address crime and reduce the system's vulnerability to terrorism by maintaining a "felt" presence
- **Metro Security Officers** - are tasked with system security and fare enforcement
- **Private Security Guards** - assigned to stations and facilities
- **Employees & Patrons** - "see something say something"



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Overarching Mission

“To ensure Metro patrons and employees can ride and work safely, without fear, 100% of the time.”

Rider Feedback

A recent Metro survey revealed
29% of past riders left the system
because they did not feel safe.

Rider Feedback

15% of current riders want to see more security

Law Enforcement Performance Reviews

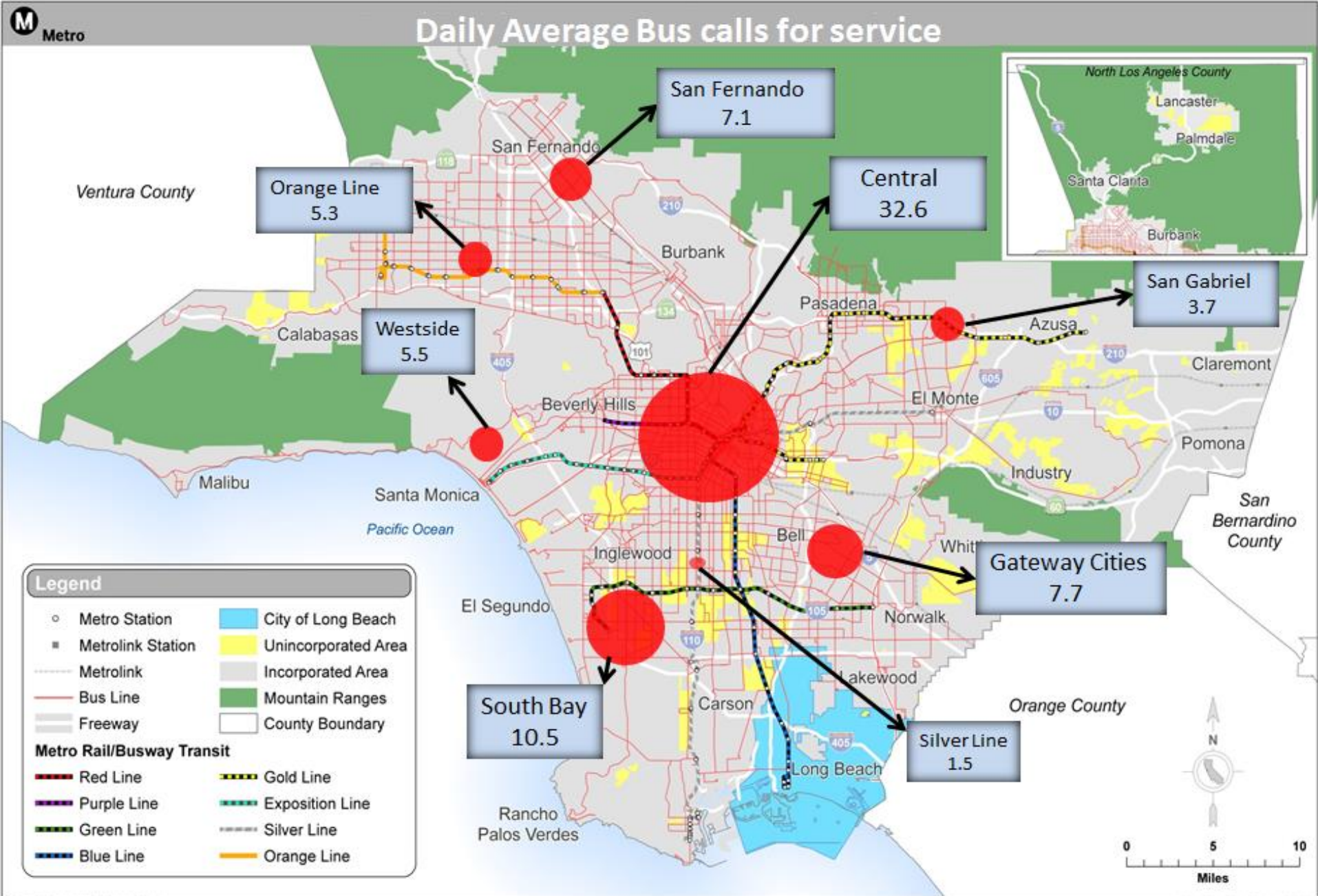
- March 2014: Request for Interest to all law enforcement agencies
- June 2014: OIG LASD Contract Audit
- July 2014: APTA Peer Review
- September 2014: AD-Hoc Transit Policing and Oversight Committee Established
- April 2015: Law Enforcement and Security Options
- January 2016: OIG Workload Staffing Analysis

Key Areas of the 2016 Analysis

Key focus areas included:

- Enhancing system-wide security presence to deter crime and disorder, as well as to reduce the system's vulnerability to terrorism
- Securing Metro bus and rail facilities
- Exploring alternate mixes of security and law enforcement staffing
- Defining the roles of law enforcement and security personnel

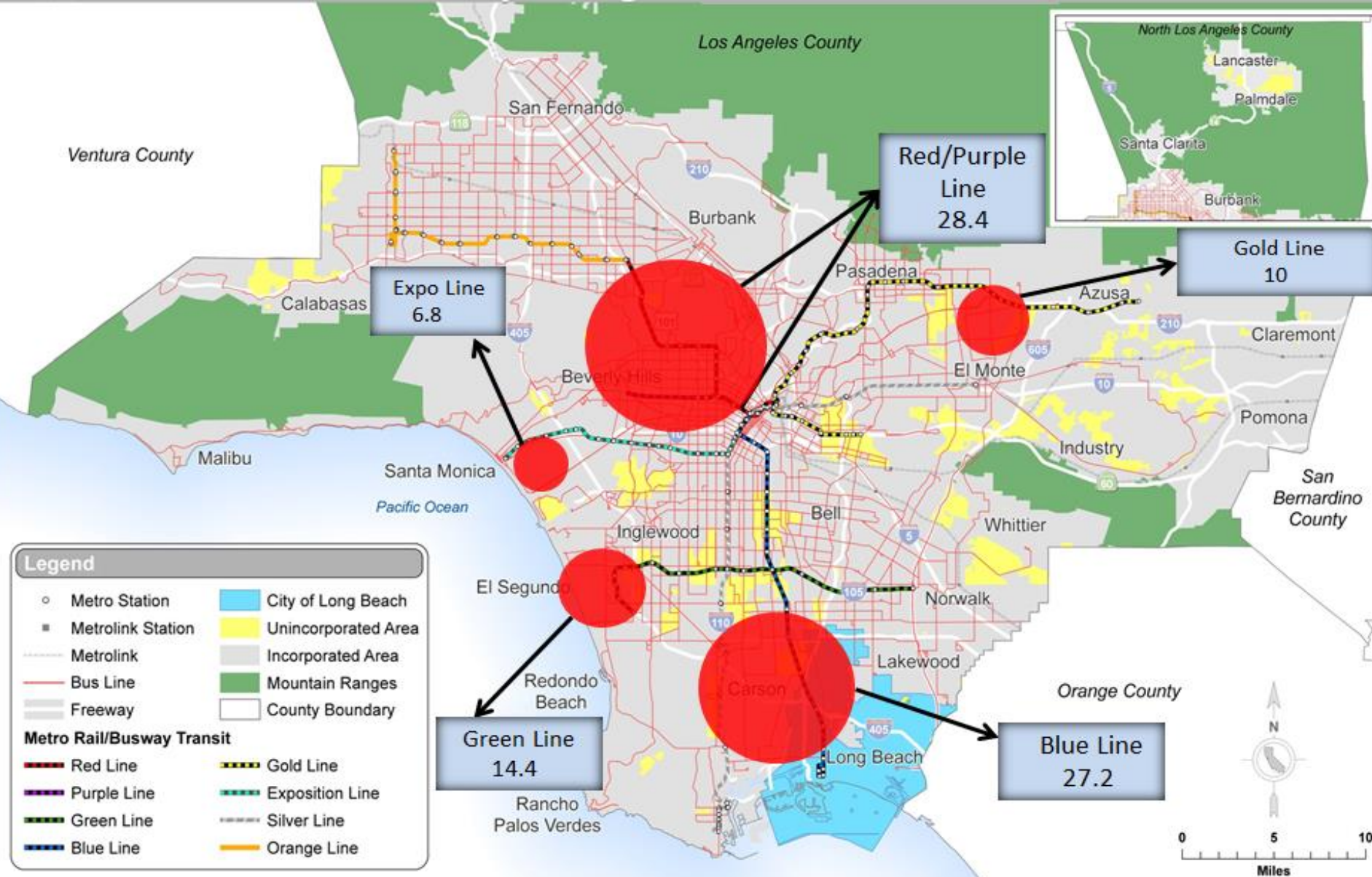
Bus Related Calls for Service



Rail Related Calls for Service



Daily Average Rail calls for service

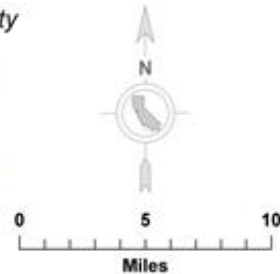


Legend

- Metro Station
- Metrolink Station
- Metrolink
- Bus Line
- Freeway
- City of Long Beach
- Unincorporated Area
- Incorporated Area
- Mountain Ranges
- County Boundary

Metro Rail/Busway Transit

- Red Line
- Purple Line
- Green Line
- Blue Line
- Gold Line
- Exposition Line
- Silver Line
- Orange Line



New Law Enforcement RFP

Staff worked with Operations, OMB and the OIG's consultant (BCA) to establish a baseline for police services. Key changes:

- Improve system-wide visibility and response times
- Achieve reliable staffing
- Leverage “*no cost*” basic 911 police services
- Partner with local agencies
- Tighten contract compliance

Staff Recommendation

MULTI-AGENCY CONTRACT AWARD

- LONG BEACH POLICE DEPARTMENT
 - ✓ Effective January 1, 2017
- LOS ANGELES POLICE DEPARTMENT
 - ✓ Begin Mobilization January 1, 2017
 - ✓ Full Strength July 1, 2017
- LOS ANGELES COUNTY SHERIFF DEPARTMENT
 - ✓ Begin Demobilization and Redeploy January 1, 2017
 - ✓ Complete Demobilization and Redeploy July 1, 2017



A New Model

Now

Proposed

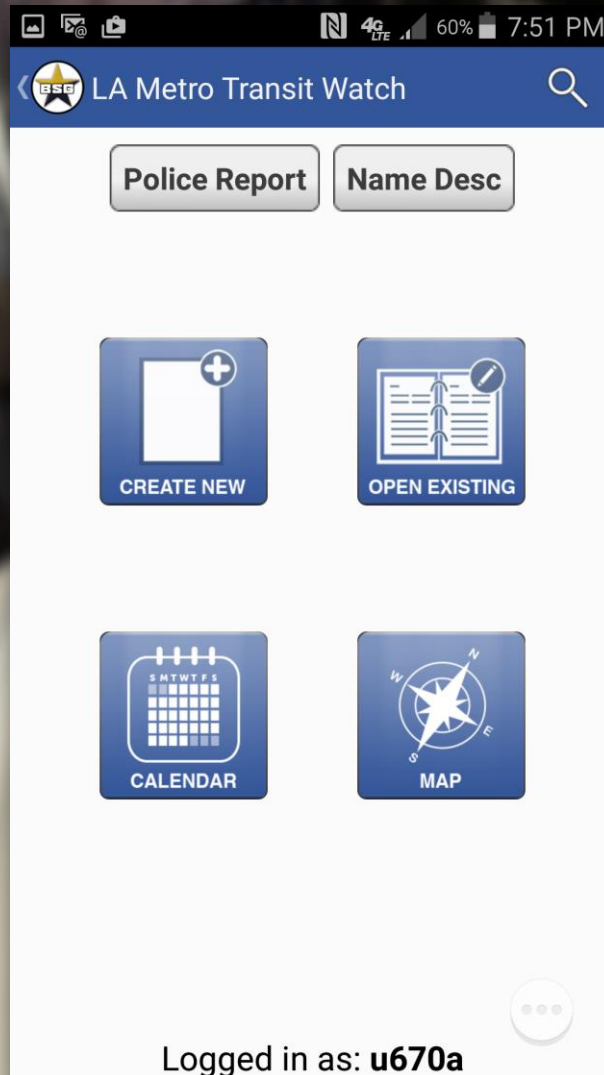
- Staffing does not meet Metro's Operational Needs
- Major gaps during shift change
- Poor late night coverage
- Staffing is unpredictable
- Dedicated bus and rail staffing - 240-257
- Coverage during shift change
- Improved late night coverage
- Accountability for staffing

Accountability & Reporting Requirements

- **Summary of daily activity**
 - Inclusive of name, activity, assignment, rank, and hours worked by each officer/deputy/supervisor
- **Monthly reporting of all enforcement activity, crime analysis trends, and cases referred to follow investigators (including disposition)**
- **Key Performance Indicators (KPI's) to track increases/decreases in reported crime, proactive patrol activity, response times, bus & train rides, vacancy ratios...**



Mobile GPS Enabled Communications



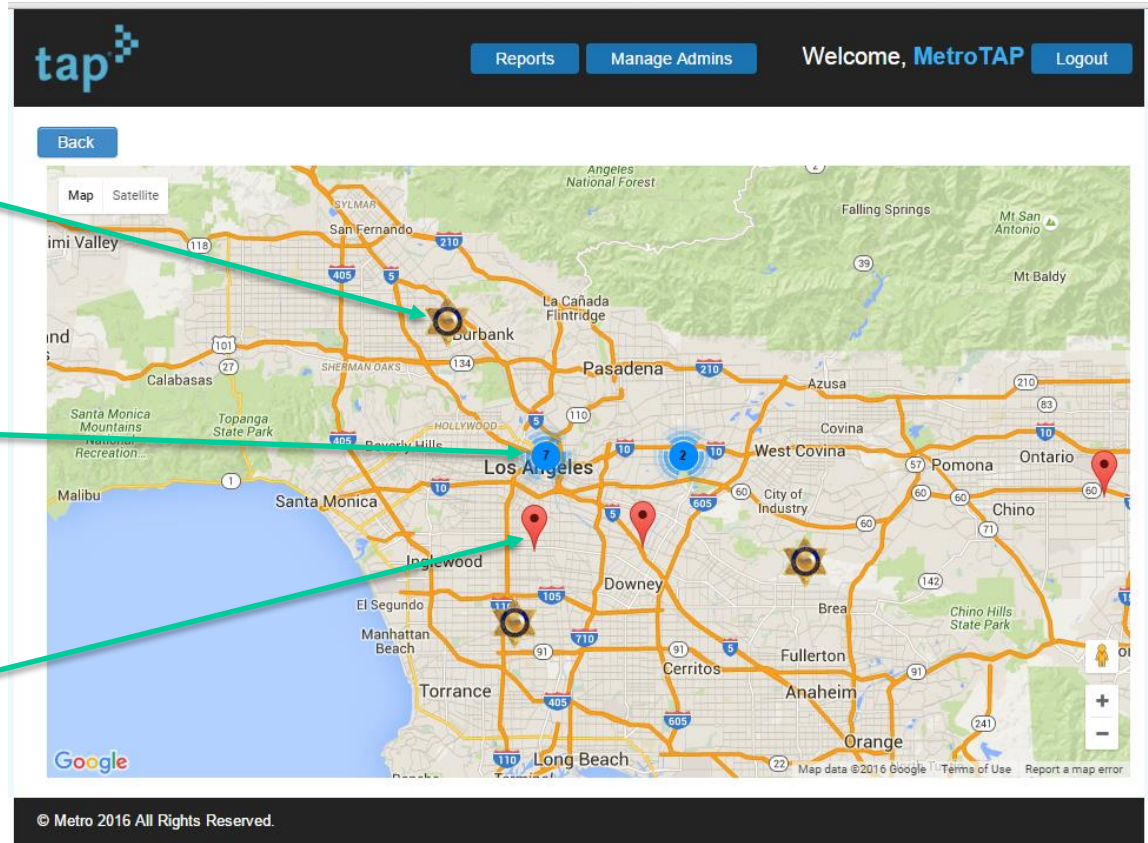
- **Receives Transit Watch reports**
- **Logs officer initiated activity**
- **Records disposition of calls**

Real-Time GPS Tracking

Sworn Officers
identified by
agency

Multiple Metro
fare inspectors
identified by #

Individual fare
inspectors
identified by
pin



Multi-Agency Operational Benefits

- 1400 square miles service area
- Agencies are best positioned to manage Metro incidents within their own jurisdiction
- Improved response times for emergency calls
 - 6 minutes in the City of Los Angeles
 - Under 5 minutes in Long Beach
 - Current response times average 16 minutes for all calls. The January OIG Workload and Staffing Analysis identified 14.1 minutes for bus calls; 12.8 minutes for rail calls
- Leverages “free” basic police services



Metro

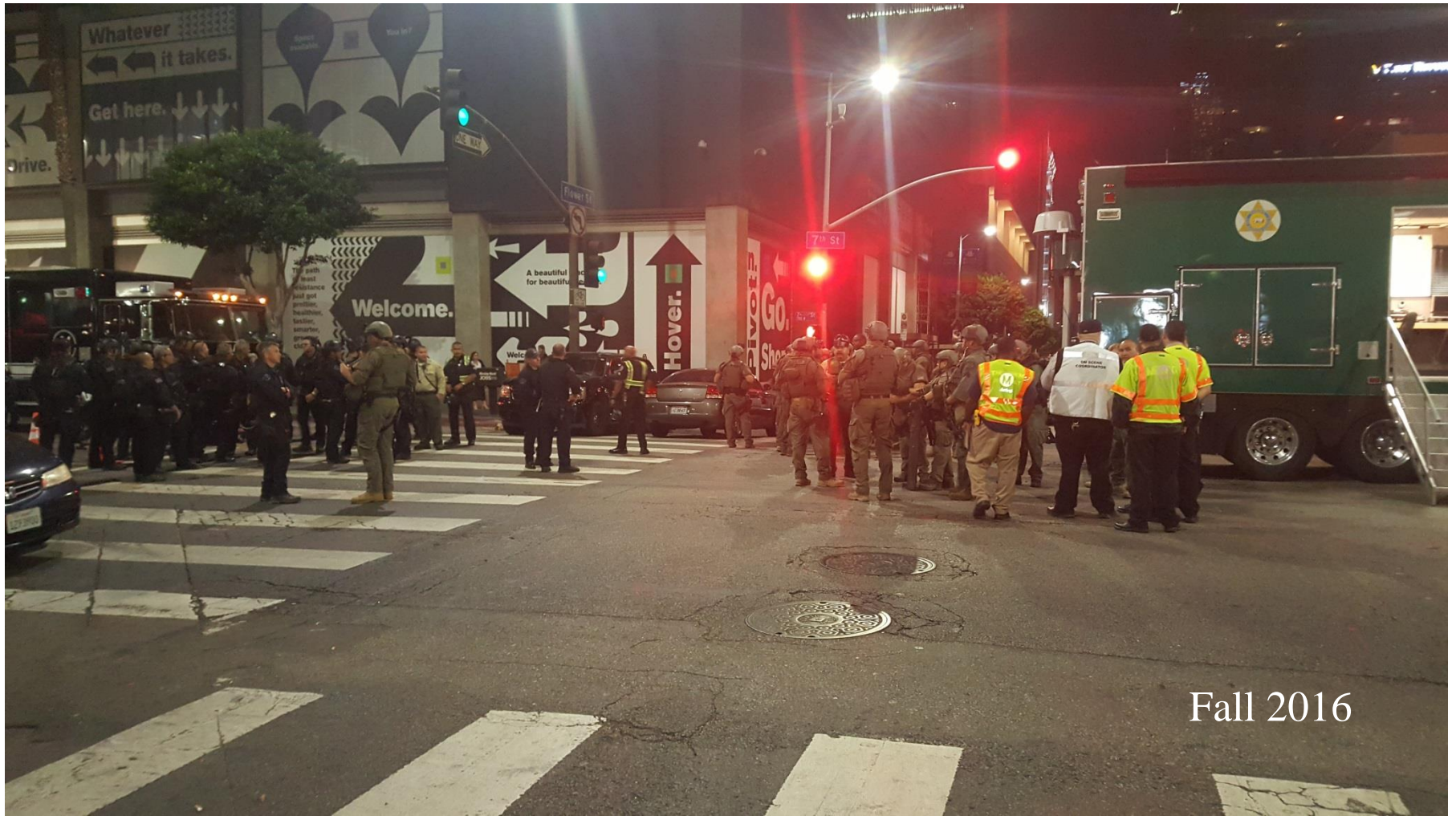
To provide excellence in service and support

Day to Day Command and Control

- Law enforcement dispatching co-located with bus/rail operations
- Unified Command is implemented when multiple agencies are required to respond to large scale events
- Post 9/11, police, fire and EMS can communicate across agencies
- Metro is the lead agency for security, emergency management, and oversees transit police contract compliance
 - 4 FTEs added since August 2015



Unified Command and Multi-Agency Coordination



Fall 2016



Metro

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Transit Agency Security Approaches

Multi-Agency Examples:

- Portland's Tri-Met - 17 police agencies
- Denver's RTD - 4 police agencies
- Oakland's AC Transit - 2 police agencies
- Sacramento Regional Transit - 4 police agencies

Transit Agencies with in-house policing only

- Boston, Philadelphia, & Bay Area
- But in every case, the transit agency manages its law enforcement & security resources based upon operational needs



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Multi-Agency Staffing

- **168 LAPD Field Personnel**
- **14 LBPD Field Personnel**
- **58 - 75 LASD Field Personnel**
- **Total 240 – 257 Field Personnel**

Budget Distribution by Agency

Jurisdiction/ Agency	Field Personnel	% Personnel	Bus & Train Boardings %	Allocated budget %
LONG BEACH	14	5.8% - 5.5%	1.43%	5%
LOS ANGELES	168	70% - 65.4%	72.39%	67.6%
LASD/or Others	58 - 75	24.2% - 29.2%	26.18%	27.4%
Total	240 - 257	100%	100.00%	100.00%



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Rider Feedback

A recent Metro survey revealed
18% of past riders indicated that
they would ride Metro again if
increased safety/security measures
were implemented.

Final Staff Recommendation

- LONG BEACH POLICE DEPARTMENT
 - ✓ Effective January 1, 2017
- LOS ANGELES POLICE DEPARTMENT
 - ✓ Begin Mobilization January 1, 2017
 - ✓ Full Strength July 1, 2017
- LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
 - ✓ Begin Demobilization and Redeploy January 1, 2017
 - ✓ Complete Demobilization and Redeploy July 1, 2017
- Flexibility for additional local law enforcement MOU as system grows.

Next Steps

- Initiate 6 month LAPD mobilization beginning January 1, 2017
 - ✓ Train staff
 - ✓ Acquire, install equipment
 - ✓ Coordinate with Metro Security, Operations, LASD to develop response protocols
- Train LBPD immediately and develop response protocols
- Mobilize and deploy LBPD January 1, 2017
- Initiate LASD redeployment strategy January 1, 2017

**Board Report**

File #: 2016-0711, **File Type:** Contract**Agenda Number:** 45.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
OCTOBER 20, 2016****SUBJECT: CITATION PROCESSING SERVICES****ACTION: APPROVE CONTRACT AWARD****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award and execute a five-year, firm fixed unit rate Contract No. **OP608960027253** to Axiom xCell Inc., **for services related to the processing, adjudication and collection of transit and parking citations** in an amount not-to-exceed \$1,586,533 effective January 1, 2017 through December 31, 2021, subject to resolution of protest(s), if any.

ISSUE

In July 2010, the Board established an administrative Transit Court to resolve fare related, parking and other citations issued for violations under Metro's Customer Code of Conduct and Parking Ordinance. The Board action also established an administrative review process to ensure patrons could dispute citations believed to have been issued in error. The goal of Metro's Transit Court is to provide patrons with an administrative rather than criminally punitive adjudication process.

DISCUSSION

Metro's Transit Court requires great efficiency to process and adjudicate the volume of citations issued for fare evasion, improper parking and other violations. State of the art information systems will allow staff to better manage correspondence, records, payments, and the disposition of citations. Advancements in the analysis of information supports better records management and enables Metro to leverage latest smart phone technology to issue citations. These processes will now be made available to Transit Court staff to provide patrons with the information needed in regards to citation.

Citation processing services allows law enforcement and Transit Security to enforce Metro's Customer Code of Conduct and Parking Ordinance. Code enforcement includes high visibility teams to ride trains and buses at corridors to combat quality of life issues on the Metro system. Numerous complaints of people illegally vending, eating, drinking, smoking, riding their bicycles, skateboarding

on the platforms, evading fare and committing other Metro code of conduct violations are received on a daily basis. Daily high visibility foot patrol saturation may result in the issuance of citations in order to address these complaints occurring on Metro's rails and stations. Law enforcement and Transit Security make numerous contacts during these operations enhancing passenger safety.

The current citation processing services contract will expire on December 31, 2016.

Axiom xCell, Inc. is able to provide and meet the needs for citation processing because the firm has a track record of providing design and strategic development of integrated software and mobile application services to government agencies in the California transit industry. In addition Axiom's ongoing projects at Metro are in satisfactory standing. Moreover Axiom is able to provide expertise in various aspects of software engineering including Android based platforms, program management and system engineering.

DETERMINATION OF SAFETY IMPACT

Citation processing plays a direct role in Metro's effort to improve the ridership experience. As law enforcement and Metro's security team take action to address fare evasion, illegal parking and other violations of Metro's Customer Code of Conduct, the efficient processing of these citations ensures that violations can be promptly addressed, while concurrently providing patrons with an option to resolve or dispute citations on-line, in person or by mail.

FINANCIAL IMPACT

The total five-year contract amount is \$1,586,533. The contract costs for the balance of the fiscal year is \$317,307 and is included in the FY17 budget under Cost Center 2412, Transit Court. Since this is a multi-year contract, the System Security and Law Enforcement Department will update its budget on an annual basis to fund years two (2) through five (5).

Impact to Budget

Funding for this project will come from Citation revenues collected. These funds are eligible for bus and rail operating and capital expenses.

ALTERNATIVES CONSIDERED

The Board may decline to approve the contract award. This alternative is not recommended because Metro does not have the internal staff resources to provide citation processing services. Further, this would result in an interruption of code enforcement by law enforcement and Metro security.

NEXT STEPS

Upon approval by the Board, staff will execute Contract No. **OP608960027253** with Axiom xCell, Inc. to provide citation processing services.

ATTACHMENTS

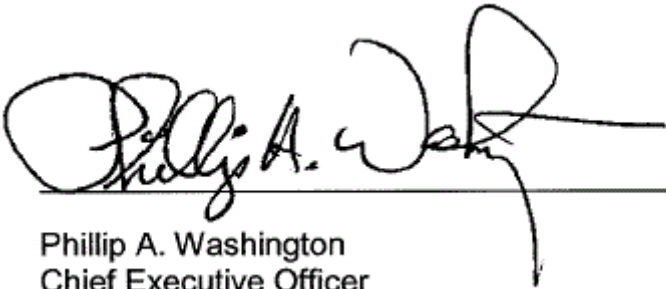
Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Alex Z. Wiggins - Chief, System Security and Law Enforcement (213) 922-4433

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

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



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

CITATION PROCESSING SERVICES / CONTRACT NO. OP608960027253

1.	Contract Number: OP608960027253	
2.	Recommended Vendor: Axiom xCell, 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: April 28, 2016	
	B. Advertised/Publicized: April 28, 2016	
	C. Pre-Proposal/Pre-Bid Conference: May 12, 2016	
	D. Proposals/Bids Due: June 3, 2016	
	E. Pre-Qualification Completed: June 27, 2016	
	F. Conflict of Interest Form Submitted to Ethics: June 6, 2016	
	G. Protest Period End Date: October 22, 2016	
5.	Solicitations Picked up/Downloaded: 18	Bids/Proposals Received: 3
6.	Contract Administrator: Aielyn Dumaua	Telephone Number: (213) 922-7320
7.	Project Manager: Helen Valenzuela	Telephone Number: (213) 922-6928

A. Procurement Background

This Board Action is to approve Contract No. **OP608960027253** to provide an electronic citation processing application for smartphones, handheld ticket printers and citation processing services to support citation administration and Metro Transit Court. Board approval of contract awards are subject to resolution of all properly submitted protests.

RFP No. OP27253 was issued as a competitively negotiated procurement in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate. This RFP was issued with an SBE/DVBE Goal of 10% of the total contract price (7% SBE and 3% DVBE).

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

- Amendment No. 1, issued on May 5, 2016, informed potential proposers that the pre-proposal conference shall be made available via tele-conference and revised "Section 3 - Evaluation Criteria" to clarify the evaluation process and basis of award.
- Amendment No. 2, issued on May 13, 2016, provided electronic copies of the Planholders' List and pre-proposal conference materials, clarified the SBE/DVBE forms to be submitted together with the Cost Proposal, extended the proposal due date and final date for questions, deleted "IP-02 Bidders List Form" of the Instruction to Proposers as it not applicable, and clarified the items that count toward the page limit of "Volume I - Technical Proposal".

- Amendment No. 3, issued on May 19, 2016, revised certain sections of “Exhibit A - Statement of Work” to clarify the contractor’s duties and responsibilities.

A pre-proposal conference was held on May 12, 2016, and was attended by 11 participants representing eight firms. There were 80 questions received and responses were provided prior to the proposal due date.

A total of three proposals were received on the due date of June 3, 2016, and are listed below in alphabetical order:

1. Axiom xCell, Inc.
2. INET, Inc. dba iParq
3. Xerox State and Local Solutions, Inc.

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff from Metro Transit Court, System Security and Law Enforcement, and the Inspector General was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- | | |
|--|------------|
| • Qualifications of the Firm/Team | 15 percent |
| • Qualifications and Experience of Key Personnel | 10 percent |
| • Operating Methodology/Work Plan | 40 percent |
| • Cost Proposal | 35 percent |

The evaluation criteria are appropriate and consistent with criteria developed for similar services procurements. Several factors were considered when developing these weights, giving the greatest importance to the operating methodology/work plan.

On June 6, 2016, the PET met to review the evaluation criteria package, process confidentiality and conflict forms and take receipt of the three responsive proposals to initiate the evaluation phase.

On June 21, 2016, the PET reconvened then invited all three firms for an oral presentation on July 6, 2016. Each firms’ project managers and key team members had an opportunity to demonstrate the proposed citation processing system, E-ticket application and E-ticket printer; present each team’s qualifications and respond to the PET’s questions.

The bulk of each team’s oral presentation focused on the features and functionalities of the proposed citation processing system, E-ticket application and E-ticket printer

and how the proposed systems/applications meet Metro requirements. The teams also discussed the availability and commitment of key personnel, specific role of the subcontractors, proposed strategies to meet the SBE/DVBE goal and foreseen issues/obstacles in the performance of the statement of work including strategies or solutions to overcome these issues/obstacles.

Qualifications Summary of Firms Within the Competitive Range:

Axiom xCell, Inc.

Axiom xCell, Inc. was founded in 2004 as a partner for testing Qualcomm’s BREW mobile application platform. It has implemented innovative computer information system solutions for a variety of transportation agencies including LA Metro, Los Angeles 511, Federal Highway Administration, Hawaii 511 and Walk San Diego. Other clientele include Hewlett Packard, Disney, Qualcomm, Electronic Arts, Warner Brothers, Yahoo, and Real Networks.

INET, Inc. dba iParq.

iParq, established in 1999, is based in Las Vegas, Nevada. It is well known for its web-based parking management system. iParq provides services to a diverse group of cities (Norwalk, San Diego and Baltimore), law enforcement agencies, universities, colleges (Citrus College and Contra Costa Community College), and private parking operators across the country.

Xerox State and Local Solutions , Inc.

Xerox State and Local Solutions, Inc. has been in business for over 30 years, administering transit and parking citation programs. It currently provides citation processing services to Metro. Other clientele include the San Francisco Municipal Transportation Authority, Los Angeles Department of Transportation and various cities outside of California such as City of Newton, MA City of New Orleans, and City of Indianapolis.

At the conclusion of the evaluation process, including oral presentations, Axiom xCell, Inc. was determined to be the top ranked firm. The following is a summary of the PET’s scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Axiom xCell, Inc				
3	Qualifications of the Firm/Team	95.00	15.00%	14.25	
4	Qualifications and Experience of Key Personnel	90.00	10.00%	9.00	

5	Operating Methodology/Work Plan	97.33	40.00%	38.93	
6	Cost Proposal	76.17	35.00%	26.66	
7	Total		100.00%	88.84	1
8	INET, Inc. dba iParq				
9	Qualifications of the Firm/Team	88.33	15.00%	13.25	
10	Qualifications and Experience of Key Personnel	85.00	10.00%	8.50	
11	Operating Methodology/Work Plan	72.00	40.00%	28.80	
12	Cost Proposal	100.00	35.00%	35.00	
13	Total		100.00%	85.55	2
14	Xerox State and Location Solutions, Inc.				
15	Qualifications of the Firm/Team	83.33	15.00%	12.50	
16	Qualifications and Experience of Key Personnel	82.50	10.00%	8.25	
17	Operating Methodology/Work Plan	80.00	40.00%	32.00	
18	Cost Proposal	55.46	35.00%	19.41	
19	Total		100.00%	72.16	3

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based on adequate price competition, price analysis, and technical analysis. Metro's ICE is higher than the recommended price because it was primarily based on higher unit rates currently paid by Metro for citation processing services, which included manual data input. In addition, the proposer's recommended technology based efficiencies significantly reduced manual citation inputs, which resulted in the lower recommended price.

	Proposer Name	Proposal Amount	Metro ICE	Award Amount
1.	Axiom xCell, Inc.	\$1,595,934	\$5,344,750	\$1,586,533
2.	INET, Inc. dba iParq	\$1,215,700		
3.	Xerox State and Location Solutions, Inc.	\$2,192,078		

D. Background on Recommended Contractor

The recommended firm, Axiom xCell, Inc. (Axiom) is a Metro certified SBE firm headquartered in San Diego, California. It provides design and strategic development of integrated software and mobile application services to government agencies in the California transit industry. Ongoing and completed projects at Metro include:

- **Go Metro** – Metro mass transit application used by more than 200,000 commuters everyday
- **Go 511** – LA Safe’s traffic and transit mobile application
- **MMAPI Server** – provides Application Program Interface (API) to display traffic, incidents, roadwork, cameras and alerts
- **TAP Mobile Phone Validator** – deployed to 600+ TAP Fare Inspectors and Law Enforcement Officers

Axiom’s performance on the above Metro projects is satisfactory.

For this project, Axiom has partnered with Choice Technical Services, a DVBE subcontractor based in Cerritos, to provide the handheld mobile ticket printers.

The proposed Project Manager has over 17 years’ of experience with various aspects of software engineering, program management, systems engineering, field engineering and software validation.

DEOD SUMMARY

CITATION PROCESSING SERVICES / CONTRACT NO. OP608960027253

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 10% goal for this solicitation, inclusive of a 7% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE). Axiom xCell, Inc., a SBE Prime, exceeded the goal by making a 95.08% commitment, inclusive of 88.69% SBE and 7.39% DVBE.

Small Business Goal	7% SBE 3% DVBE	Small Business Commitment	87.69% SBE 7.39% DVBE
------------------------------------	---------------------------	--	----------------------------------

	SBE/DVBE Subcontractors	% Committed
1.	Axiom xCell, Inc. (SBE Prime)	87.69%
2.	Choice Technical Service (DVBE)	7.39%
	Total Commitment	95.08%

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.



Board Report

File #: 2016-0904, File Type: Policy

Agenda Number: 46.

REGULAR BOARD MEETING
DECEMBER 1, 2016

SUBJECT: WILLOWBROOK/ROSA PARKS STATION IMPROVEMENT PROJECT

ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE PORTIONS OF ASSESSOR'S
PARCEL NUMBERS (APNs) 6150-008-046, 6150-008-047 AND 6150-008-048

RECOMMENDATION

CONSIDER:

- A. HOLDING a public hearing on the proposed Resolution of Necessity; and
- B. ADOPTING the **Resolution of Necessity authorizing the commencement of an eminent domain action to acquire portions of APNs 6150-008-046, 6150-008-047 and 6150-008-048**, consisting of the fee and leasehold interests in real property, together with a permanent easement, temporary construction easements, and Improvements Pertaining to the Realty (hereinafter the "Property" as identified in Attachment A). This acquisition is for the Willowbrook/Rosa Parks Station Improvement project.

(REQUIRES TWO-THIRDS VOTE)

BACKGROUND

Acquisition of the Property is required for the construction of and operation of the Willowbrook/Rosa Parks Station Improvements ("Project"). A written offer was presented to the Owner of Record ("Owner") and the owner of the Leasehold Interest ("Master Tenant"), as required by California Government Code Section 7267.2. To date, staff has been unable to reach an agreement with the Master Tenant. The Owner has waived its right to receive compensation for its ownership of the fee interest, and the permanent and temporary easements as confirmed by prior Resolution adopted by the Board of Supervisors. The Property is necessary for construction of the Project; therefore, 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), Metro has prepared and mailed notice of this hearing to the Owner and Master Tenant 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; and (5) that any environmental review of the Project, as may be necessary, pursuant to the California Environmental Quality Act (CEQA) has occurred.

Attached is the Staff Report prepared by staff and legal counsel setting forth the required findings for acquiring the Property through the use of eminent domain (Attachment B). After Metro Board receives testimony and evidence from all interested parties, the Metro must make a determination as to whether to acquire the Property by eminent domain and adopt the proposed Resolution of Necessity (Attachment C). The Board must find and determine that based upon all the evidence and the existence of the above stated conditions, acquisition by eminent domain is necessary; and a two-thirds vote of all the members of its governing body is required to adopt the Resolution of Necessity.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on Metro's safety standards.

FINANCIAL IMPACT

The funding for the acquisition of the Property is included in the FY17 budget, in Cost Center 2210, and Project Number 210151 (Acquisition of Land).

Impact to Budget

The approved FY17 Budget is designated for the Willowbrook/Rosa Parks Station Improvement Project and does not have an impact to operation funding sources. The funding source for the land acquisition **Prop A 35% Bond, Federal Tiger Grant and State Cap & Trade Funds**. The funds were assumed in the Long Range Transportation Plan for the Project.

NEXT STEPS

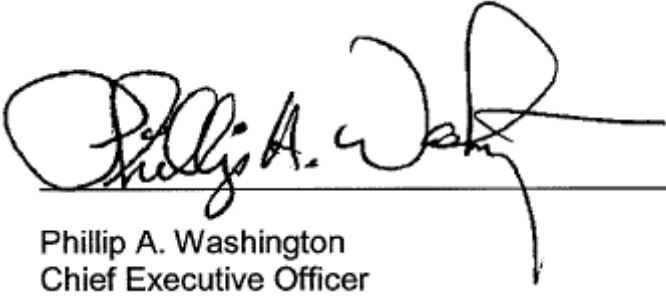
If this action is approved by the Board, the Metro's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property interest by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment Possession in accordance with the provisions of the eminent domain law.

ATTACHMENTS

Attachment A - Site Plan
Attachment B - Staff Report
Attachment C - Resolution of Necessity

Prepared by: Velma C. Marshall, Deputy Executive Officer, (213) 922-2415

Reviewed by: Therese W. McMillian, Chief Planning Officer, (213) 922-7077



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A



Kenneth Hahn Plaza Shopping Center
(Willowbrook Center Partnership/Los Angeles)

11780-11640 South Wilmington Avenue, Willowbrook CA

ATTACHMENT B

STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PROPERTY REQUIRED FOR THE WILLOWBROOK/ROSA PARKS STATION IMPROVEMENT PROJECT (“PROJECT”)

BACKGROUND

The property and property interests are required for the construction and operation of the Project. The Community Development Commission of the County of Los Angeles (“CDC”) is the fee owner of the parcels and Willowbrook Center Partnership (“Willowbrook”) is the master tenant. The address, record owner, physical description, and nature of the property interest sought to be acquired for the Project are summarized as follows:

Assessor's Parcel Number	Parcel Address	Property Owner/Master Tenant	Purpose of Acquisition	Property Interest(s) Sought
6150-008-046 6150-008-047 6150-008-048	11780-11640 South Wilmington Avenue, Willowbrook, CA 90222	Willowbrook	Construction and operation of the Civic Plaza and Transit Station	Leasehold and Improvements pertaining to realty
6150-008-048	11780-11640 South Wilmington Avenue, Willowbrook CA 90222	Willowbrook and CDC	Pedestrian Crossing	Pedestrian Access Easement
6150-008-046 6150-008- 047 6150- 008-048	11780-11640 South Wilmington Avenue, Willowbrook, CA 90222	CDC	Construction and operation of the Civic Plaza and Transit Station	Fee Interest
6150-008-046 6150-008- 047 6150- 008-048	11780-11640 South Wilmington Avenue, Willowbrook, CA 90222	Willowbrook and CDC	Construction and Construction staging	Temporary Construction Easement

A revised written offer for the Property comprising of portions of APN: 6150-008-047, 6150-008-047 and 6150-008-048 was presented to the CDC and Willowbrook on November 3, 2016 for acquisition of Property consisting of: (1) the fee and leasehold interest in 49,165 square feet (including 14,941 square feet of building improvements) owned by the CDC that is leased to Willowbrook as more particularly described in Exhibit A-1 (the “Shopping Center Area”); (2) a 4,742 square foot pedestrian easement (the

“Permanent Easement”), as more particularly described in Exhibit A-2; and three (3) temporary construction easements (the “Temporary Construction Easements”) which will encumber three (3) separate areas totaling 19,210 square feet, as more particularly described in Exhibit A-3. In addition to the above described property interests, LACMTA require certain improvements to the remaining portion of the Kenneth Hahn Shopping Center (“Shopping Center”) required as a result of the Project. To date, the offer has not been accepted by the Master Tenant, and negotiations have not resulted in a settlement agreement. The CDC has waived its right to receive compensation for its ownership of the fee interest, and the permanent and temporary easements as confirmed by prior Resolution adopted by Board of Supervisors.

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. The public interest and necessity require the Project for the following specific reasons:

1. The Project area is located in the Willowbrook community, an unincorporated area of Los Angeles County. Willowbrook has a high concentration of low-income, minority, transit-dependent residents. It is also surrounded by other economically distressed and transit dependent communities, including: the Watts neighborhood of the City of Los Angeles to the north; the City of Compton and other unincorporated areas of Los Angeles County to the south; the City of Lynwood and the City of South Gate to the east; and the City of Gardena and other unincorporated areas of Los Angeles County and neighborhoods of the City of Los Angeles to the west. The Project will provide significant improvements for low-income, elderly and transit-dependent persons living in the Corridor area by improving the mobility of those who live and/or work in Willowbrook and adjacent communities.
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 be a major link to the existing county-wide rail transit system, and will thereby provide alternative means of transportation during fuel crises and increased future traffic congestion.
4. The Project will improve transportation equity by meeting the need for improved transit service of the significant transit-dependent population within the Project area.
5. 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.

Metro prepared an Initial Study/Negative Declaration for the Willowbrook/Rosa Parks Station Improvement Project in compliance with the California Environmental Quality Act (CEQA) Guidelines. The environmental review process included preparation of an Initial Study (“IS”) meeting all California Environmental Quality Act (CEQA) requirements that resulted in a Negative Declaration (“ND”) document, and a National Environmental Policy Act (NEPA) Categorical Exclusion (CE) Category II (d) Document. On May 7, 2015, the Draft IS and ND were released for public review and comment for a 30-day public review period. Metro staff presented on the project at meetings for five community organizations which serve the Project area. On May 28, 2015, staff also hosted a Public Hearing specifically to solicit comments from community members. Information flyers regarding the public review and comment period were also distributed throughout the community.

Public feedback on the IS included interest in the proposed Mobility Hub, local hire opportunities, and the Project’s potential to turn the Station into a stronger gateway for the community. The Draft IS was updated to address the comments received during the public review period. The resulting Final IS and ND were certified with the State Clearinghouse on June 5, 2015. Per CEQA guidelines, a Notice of Determination was published on October 23, 2015.

C. The Property is necessary for the Project.

The Willowbrook/Rosa Parks Station is a multimodal, multi-level station served by the Metro Blue Line, Metro Green Line, and six Metro and six municipal bus and community shuttle services, including Gardena Municipal Bus Line 5; DASH Watts; Lynwood Breeze Route D; The Link Willowbrook A and B; and the MLKMCC Shuttle. The Project is situated on properties owned by Caltrans and the CDC, which is comprised of Metro right-of-way adjacent to and under the I-105 Freeway and Wilmington Avenue. The Station is located in the Willowbrook community, an economically-distressed area of unincorporated Los Angeles County.

The Station has been operating for 25 years and requires significant modernization and enhancement to improve its capacity to meet the growth in transit demand and the changing needs of the community. Much of the existing transit infrastructure has reached economic and functional obsolescence as a result of the increasing levels of patronage and over more than two decades of service life. Additionally, features typical to a “Gateway Station” are lacking, such as customer amenities, attractive pedestrian connections, modern bicycle infrastructure and enhancements, and elements that would support station area transit oriented development (TOD) opportunities being planned by the Los Angeles County Regional Planning Department.

With the planned extensions of Metro Green Line service to the South Bay, and the opening of new Metro rail lines including the Crenshaw/LAX Transit Corridor, Regional Connector, and Metro Purple Line extension, the Willowbrook/Rosa Parks Station will be part of an expanded rail system that will make available a wider range of regional employment, educational, and cultural opportunities for the low income and minority residents of the Willowbrook community. The Project aims to: 1) improve safety and circulation between the various modes; 2) improve access from surrounding uses to the Station; 3) improve transit patron experience; and 4) increase the sense of security. These objectives cannot be achieved within the existing station footprint. Acquisition of the Property is needed to include: construction of a transit security facility, which will provide an increased sense of security for patrons; potential construction of a Metro Customer Service Center to serve a disproportionate number of patrons dependent on subsidized transit in the station area; and construction of a Mobility Hub, to include a Bike Hub, to support and encourage active transportation and a variety of first/last mile options.

The Property was chosen based upon the approved IS/ND 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 and Master Tenant, 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 Master Tenant 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. Obtained appraisals to determine the fair market value of the Property, which included consideration of any immovable fixtures and equipment;
2. Reviewed and approved the appraisal, and established the amount it believes to be just compensation;
3. Determined the Owner of the Property by examining the county assessor's record and a preliminary title report;

4. Made a written offer to the Owner and Master Tenant for the full amount of just compensation - which was not less than the approved appraised value;
5. Provided the Owner 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 the 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 Owner.

E. CEQA/NEPA Compliance

The environmental impacts of the Project were evaluated in the Final Initial Study/Negative Declaration (IS/ND). The IS/ND was circulated and review by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. All public comments received were addressed; and were incorporated in the Final IS/ND document pursuant to and in compliance with CEQA Guidelines. No substantive comments on content or significant environmental issues related to the proposed project were raised, and the CEQA process concluded August 2015 with no comments or challenges. The Project is exempt from NEPA pursuant to (CFR) 771.118(c). The Final IS/ND document served as documentation to support the exemption from NEPA in anticipation of the Federal Transit Administration's (FTA) consideration of a Federal TIGER grant to help fund the Project. FTA found that the Project is exempt under 23 Code of Federal Regulations (CFR) 771.118(c) (5).

CONCLUSION

Staff recommends that the Board approve the Resolution of Necessity.

ATTACHMENT C

RESOLUTION OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF WILLOWBROOK/ROSA PARKS STATION IMPROVEMENT PROJECT,

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 interests 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 a (1) the fee and leasehold interest in 49,165 square feet (including 14,941 square feet of building improvements) as more particularly described in Exhibit A-1; (2) a 4,742 square foot pedestrian easement (the "**Permanent Easement**"), as more particularly described in Exhibit A-2; and three (3) temporary construction easements (the "**Temporary Construction Easements**") which will encumber three (3) separate areas totaling 19,210 square feet, as more particularly described in Exhibit A-3 and (4) within the fee area being acquired, reserve to the owner, lessee and their invitees an easement for ingress and egress within a 42.20 foot wide strip along the northern boundary of the Property beginning at Wilmington Avenue and extending easterly approximately 193.5 feet in length as more particularly described in Exhibit A-4. In addition to the above described property interests, LACMTA is seeking to make certain improvements to the remaining portion of the Kenneth Hahn Shopping Center ("**Shopping Center**") as described in Exhibit A-4.

Section 4.

(a.) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Willowbrook/Rosa Parks Station Improvement ("Project");

The environmental impacts of the Project were evaluated in the Final Initial Study/Negative Declaration (IS/ND). The IS/ND was circulated and review by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. All public comments received were addressed; and were incorporated in the Final IS/ND document pursuant to and in compliance with CEQA Guidelines. No substantive comments on content or significant environmental issues related to the proposed project were raised, and the CEQA process concluded August 2015 with no comments or challenges. The Project is exempt from NEPA pursuant to (CFR) 771.118(c). The Final IS/ND document served as documentation to support the exemption from NEPA in anticipation of the Federal Transit Administration's (FTA) consideration of a Federal TIGER grant to help fund the Project. FTA found that the Project is exempt under 23 Code of Federal Regulations (CFR) 771.118(c) (5); and

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 of the Project consistent with the California Environmental Quality Act has been completed.

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, and, with the concurrence and approval of Metro Staff, to make minor adjustments to the scope and descriptions of easements to be acquired in order to ameliorate any claims for severance damages.

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.

ATTACHMENTS


Exhibit A-1 - Fee and Leasehold Area

Exhibit A-2 - Permanent Easement Area

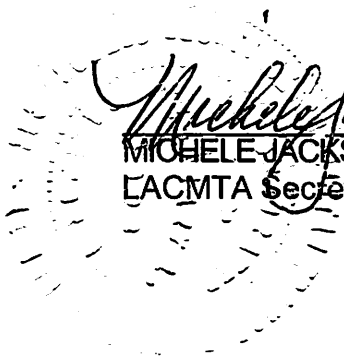
Exhibit A-3 - Temporary Construction Easement Areas

Exhibit A-4 – Improvements to Remainder

I, MICHELE 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 1st day of December, 2016.



MICHELE JACKSON
LACMTA Secretary



Date: DECEMBER 6, 2016

EXHIBIT A-1

LEGAL DESCRIPTION

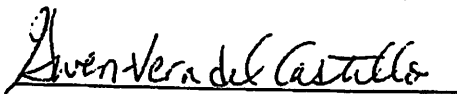
THAT PORTION OF LOTS 1 AND 2 IN TRACT NO. 44379, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1059, PAGES 86 THROUGH 89, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 1; THENCE ALONG THE WESTERLY LINE OF SAID LOT 1 SOUTH 00°16'41" WEST 31.56 FEET TO THE NORTHERLY LINE OF THE LAND DESCRIBED IN PARCEL 1 OF THE MEMORANDUM OF GROUND LEASE RECORDED NOVEMBER 15, 1985 IN DOCUMENT NO. 85-1360388 OF OFFICIAL RECORDS, IN THE OFFICE OF SAID COUNTY RECORDER, ALSO BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID NORTHERLY PARCEL LINE SOUTH 89°25'00" EAST 308.86 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE ALONG SAID NORTHEASTERLY LINE AND THE NORTHEASTERLY LINE OF SAID LOT 2 SOUTH 23°26'13" EAST 221.46 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE SOUTH 66°38'25" WEST 195.09 FEET; THENCE NORTH 23°11'03" WEST 64.88 FEET; THENCE NORTH 00°18'32" EAST 176.88 FEET; THENCE NORTH 88°31'36" WEST 193.50 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE ALONG SAID WESTERLY LINE NORTH 00°16'41" EAST 42.21 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 49,165 SQUARE FEET, MORE OR LESS.

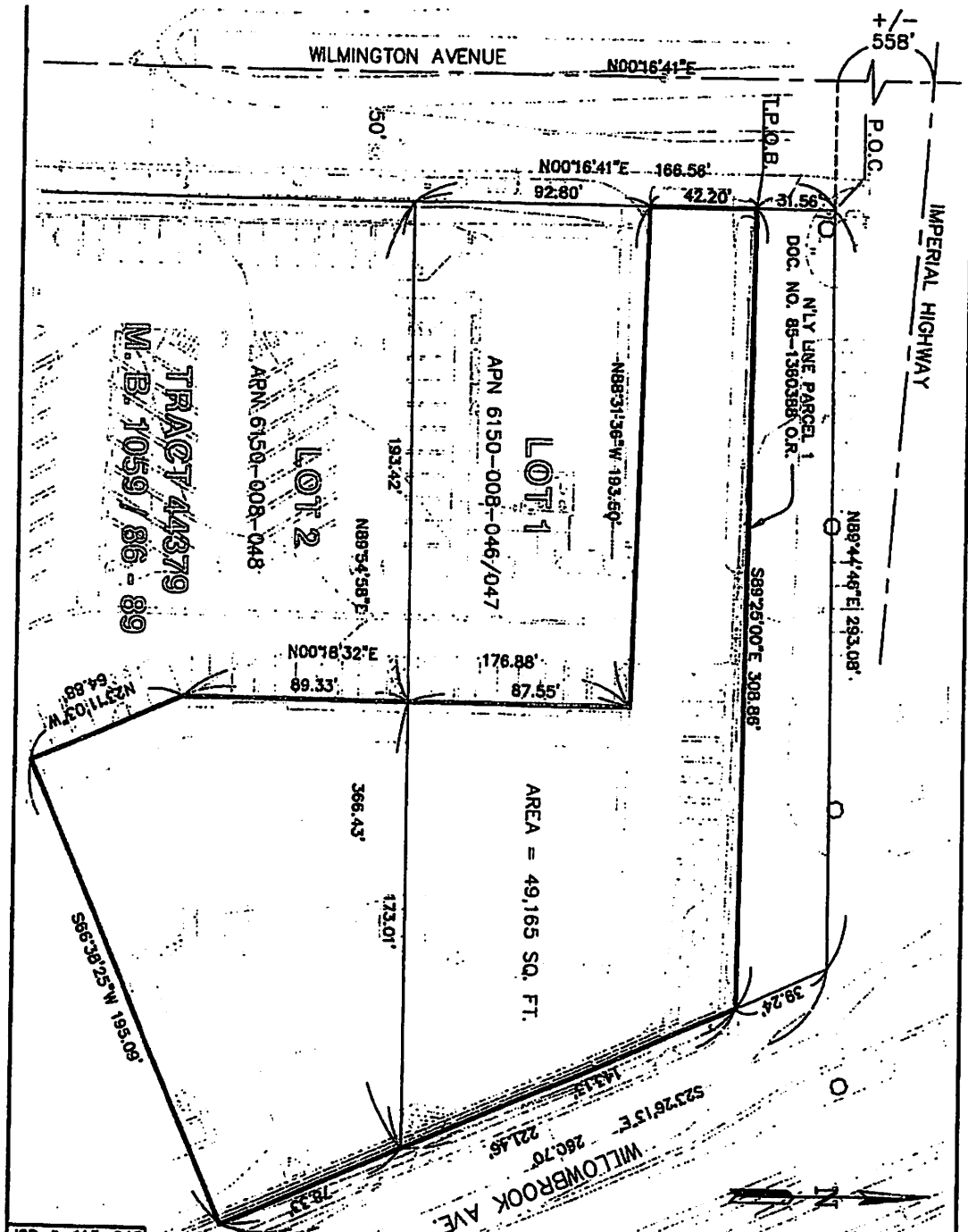
SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

DATED THIS 16TH DAY OF MARCH, 2016



GWEN-VERA DEL CASTILLO, PLS 5108





JOB #: 115-045
 DATE: 3-14-16
 SCALE: 1" = 50'
 SHEET 1 OF 1

EXHIBIT A-1

COAST SURVEYING, INC.
 15031 PARKWAY LOOP, SUITE B
 TUSTIN, CA 92780-5527 (714) 918-6266

Exhibit A-2: Permanent Easement

A permanent, non-exclusive easement, including rights of access, in, on, over, across and through that certain 4,742 square foot area of real property more particularly described and depicted on the attached Exhibit "A-2-a" (the "Easement Area") subject to the following terms and conditions:

- 1. LACMTA shall use the Easement Area for the purpose of constructing, operating and maintaining a pedestrian pathway which will provide pedestrian access to and from the adjoining public streets, sidewalks and roadways and the Willowbrook/Rosa Parks Station and Plaza area. Such use will include the construction, operation and maintenance of hardscape and landscape upon the Easement Area.**
- 2. LACMTA and its permittees shall have unfettered access to use the Easement Area on a 24 hour per day/7 day per week basis. LACMTA's permittees means LACMTA's agents, representatives, consultants, contractors, subcontractors, engineers, licensees, customers, patrons, station users and invitees.**
- 3. LACMTA shall use good faith efforts that its use of the Easement Area will not unreasonably interfere with the Willowbrook's use of those areas surrounding the Easement Area.**
- 4. LACMTA shall be solely responsible for the upkeep and maintenance of the Easement Area.**

EXHIBIT A-2-a

LEGAL DESCRIPTION

THAT PORTION OF LOT 2 IN TRACT NO. 44379, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1059, PAGES 86 THROUGH 89, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 2; THENCE ALONG THE WESTERLY LINE OF SAID LOT 2 SOUTH 00°16'41" WEST 77.23 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY LINE SOUTH 89°59'01" EAST 22.92 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 3.00 FEET; THENCE SOUTHEASTERLY 4.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE SOUTH 00°00'59" EAST 4.49 FEET; THENCE NORTH 89°59'01" EAST 150.00 FEET; THENCE NORTH 00°00'59" WEST 4.50 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3.00 FEET; THENCE NORTHWESTERLY 4.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 89°59'01" EAST 14.45 FEET; THENCE SOUTH 00°18'32" WEST 11.89 FEET; THENCE SOUTH 23°11'03" EAST 26.43 FEET; THENCE SOUTH 66°32'21" WEST 15.53 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 12.00 FEET; THENCE SOUTHWESTERLY 4.91 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°26'40"; THENCE SOUTH 89°59'01" WEST 5.65 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 3.00 FEET; THENCE NORTHWESTERLY 4.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 00°00'59" WEST 14.68 FEET; THENCE SOUTH 89°59'01" WEST 150.00 FEET; THENCE SOUTH 00°00'59" EAST 14.68 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 3.00 FEET; THENCE SOUTHWESTERLY 4.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE SOUTH 89°59'01" WEST 23.25 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG SAID WESTERLY LINE NORTH 00°16'41" EAST 43.34 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 4,742 SQUARE FEET, MORE OR LESS.

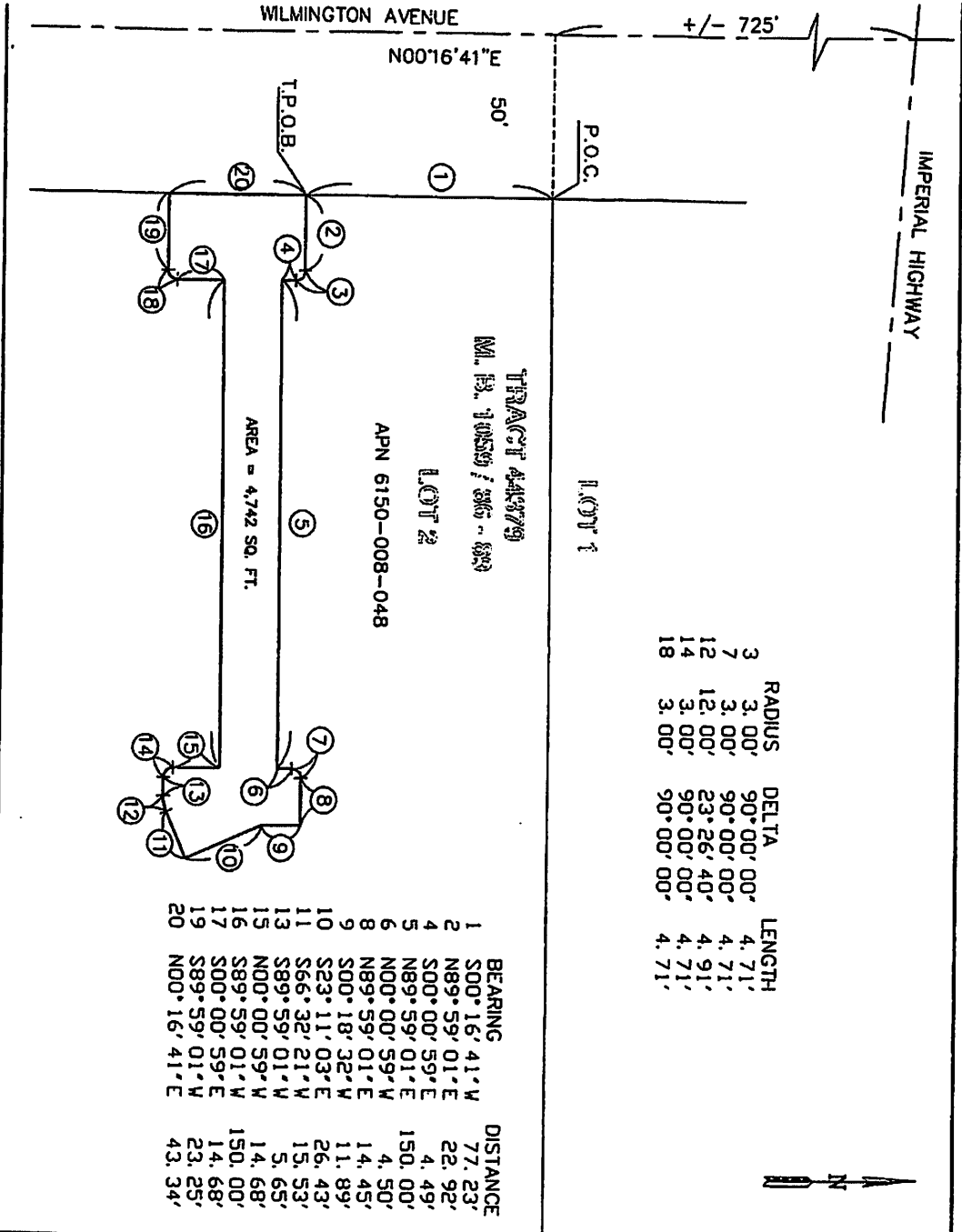
SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

DATED THIS 26TH DAY OF FEBRUARY, 2016

Gwen Vera del Castillo

GWEN-VERA DEL CASTILLO, PLS 5108





JOB #: 115-045
 DATE: 2-26-16
 SCALE: 1" = 40'
 SHEET 1 OF 1

EXHIBIT A-2-a
 PEDESTRIAN EASEMENT

COAST SURVEYING, INC.
 15031 PARKWAY LOOP, SUITE B
 TUSTIN, CA 92780-6327 (714) 916-6266

Exhibit A-3: Temporary Construction Easements

Three temporary construction easements, including rights of access, in, on, over, across and through the temporary construction areas identified as "TCE 1 Area", "TCE 2 Area" and "TCE 3 Area", all as more particularly described and depicted on the attached Exhibit A-3-a (collectively, the "TCE Areas") which will be documented in a Right of Entry and Construction Permit subject to the following terms and conditions:

TCE 1 Area Temporary Construction Easement:

- (1) LACMTA shall the non-exclusive right to use the TCE 1 Area as follows:
 - (a) Ingress and egress over, through and across the TCE 1 Area to perform the activities permitted herein;
 - (b) Install a temporary construction fence within or along the TCE 1 Area as needed during construction; and
 - (c) If necessary, LACMTA will remove the existing fence, landscaping and other improvements.
- (2) LACMTA shall have the right to enter and use TCE 1 Area for a period of three (3) months commencing upon thirty (30) days advanced notice. LACMTA shall provide updated construction schedules from time to time to provide as much advanced notice when the 30 days' notice should be expected.
- (3) In the event, the TCE 1 Area is needed beyond the thirty 30 day period, LACMTA shall pay to Willowbrook the amount of \$12.56 per day up to a maximum of 30 days or the completion of the LACMTA's work in the TCE 1 Area, whichever is earlier.
- (4) LACMTA and its agents, representatives, consultants, contractors, subcontractors, and engineers ("LACMTA Permittees") shall use the TCE 1 Area in such a manner that will continue to allow Willowbrook and its permittees access to the remaining portions of the Shopping Center during the Shopping Center business hours.
- (5) Following the completion of LACMTA's activities on the TCE 1 Area, LACMTA shall remove all of LACMTA's equipment and materials from the TCE 1 Area and repair and restore those portions of the TCE 1 Area which are in any way affected, damaged or disturbed due to the performance of LACMTA's activities, including, without limitation, constructing a new curb, replacing the landscaping and restoring the

existing fence, as necessary, to the condition that existed before LACMTA's entry onto the TCE 1 Area.

TCE 2 Area Temporary Construction Easement:

- (1) LACMTA shall have the exclusive right to use the TCE 2 Area as follows:
 - (a) Ingress and egress over, through and across the TCE 2 Area to perform the activities permitted herein;
 - (b) Install a temporary construction fence within or along the TCE 2 Area as needed during construction; and
 - (c) Use the TCE 2 Area as a lay down and temporary construction staging area for the construction of the Project on nearby properties (but which Project will not be constructed in, on, over, across and through the TCE Areas) and other similar uses necessary, incidental, convenient or useful to the construction by LACMTA of the Project.
- (2) LACMTA shall need rights to enter and use TCE 2 Area for a period of three (3) months commencing upon thirty (30) days advanced notice. LACMTA shall provide updated construction schedules from time to time to provide as much advanced notice when the 30 days' notice should be expected.
- (3) In the event, the TCE 2 Area is needed beyond the thirty 30 day period, LACMTA shall pay to Willowbrook the amount of \$30.40 per day up to a maximum of 30 days or the completion of the LACMTA's work in the TCE 2 Area, whichever is earlier.
- (4) LACMTA and LACMTA Permittees shall have unfettered access to use the TCE 2 Area on a 24 hour per day/7 day per week basis.
- (5) Following the completion of LACMTA's activities on the TCE 2 Area, LACMTA shall remove all of LACMTA's equipment and materials from the TCE 2 Area and repair and restore those portions of the TCE 2 Area which are in any way affected, damaged or disturbed due to the performance of LACMTA's activities, including, without limitation, constructing a new curb, re-grading the TCE 2 Area as required by appropriate governing agencies and restriping the parking spaces to the condition that existed prior to LACMTA's entry onto the TCE 2 Area.

TCE 3 Area Temporary Construction Easement:

- (1) LACMTA shall non-exclusive right to use the TCE 3 Area as follows:

- (a) Ingress and egress over, through and across the TCE 3 Area to perform the activities permitted herein;
 - (b) Install a temporary construction fence within or along the TCE 3 Area as needed during construction;
 - (c) Use the TCE 3 Area as a lay down and temporary construction staging area for the construction of the Project on nearby properties (but which Project will not be constructed in, on, over, across and through the TCE 3 Area) and other similar uses necessary, incidental, convenient or useful to the construction by LACMTA of the Project; and
 - (d) Remove the existing paving and other improvements on the TCE 3 Area.
- (2) LACMTA shall need rights to enter and use TCE 3 Area for a period of three (3) months commencing upon thirty (30) days advanced notice. LACMTA shall provide updated construction schedules from time to time to provide as much advanced notice when the 30 days' notice should be expected.
- (3) In the event, the TCE 3 Area is needed beyond the thirty (30) day period, LACMTA shall pay to Willowbrook the amount of \$140.67 per day up to a maximum of 30 days or the completion of the LACMTA's work in the TCE 3 Area, whichever is earlier.
- (4) LACMTA and LACMTA Permittees shall use the TCE 3 Area in such a manner that will continue to allow Willowbrook and its permittees access to the remaining portions of the Shopping Center during the Shopping Center business hours.
- (5) Following the completion of LACMTA's activities on the TCE 3 Area, LACMTA shall remove all of LACMTA's equipment and materials from the TCE 3 Area and repair and restore those portions of such TCE 3 Area which are in any way affected, damaged or disturbed due to the performance of LACMTA's activities, including, without limitation, replacing the existing improvements, re-grading the TCE 3 Area as required by appropriate governing agencies and restriping the parking spaces to the condition that existed prior to LACMTA's entry onto the TCE 3 Area.

Exhibit A-3-a

[See Attached Legal Descriptions and Plat maps]

EXHIBIT A-3-a

LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENTS

TEMPORARY CONSTRUCTION EASEMENT 1

THAT PORTION OF LOT 1 IN TRACT NO. 44379, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1059, PAGES 86 THROUGH 89, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1; THENCE ALONG THE WESTERLY LINE OF SAID LOT 1 NORTH 00°16'41" EAST 80.66 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID WESTERLY LINE NORTH 89°57'00" EAST 176.57 FEET; THENCE NORTH 00°18'32" EAST 7.51 FEET; THENCE NORTH 88°31'36" WEST 176.61 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE ALONG SAID WESTERLY LINE SOUTH 00°16'41" WEST 12.21 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,741 SQUARE FEET, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT 2

THAT PORTION OF LOTS 1 AND 2 IN TRACT NO. 44379, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1059, PAGES 86 THROUGH 89, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 2; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 NORTH 89°54'58" EAST 176.53 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID NORTHERLY LINE NORTH 00°18'32" EAST 88.01 FEET; THENCE SOUTH 88°31'36" EAST 16.89 FEET; THENCE SOUTH 00°18'32" WEST 176.88 FEET; THENCE SOUTH 23°11'03" EAST 64.88 FEET; THENCE SOUTH 66°48'57" WEST 16.89 FEET; THENCE NORTH 23°11'03" WEST 68.39 FEET; THENCE NORTH 00°18'32" EAST 92.74 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 4,145 SQUARE FEET, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT 3

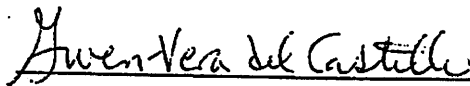
THAT PORTION OF LOT 2 IN TRACT NO. 44379, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1059, PAGES 86 THROUGH 89, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 2; THENCE ALONG THE WESTERLY LINE OF SAID LOT 2 SOUTH 00°16'41" WEST 80.37 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID WESTERLY LINE NORTH 89°59'01" EAST 176.49 FEET; THENCE SOUTH 00°18'32" WEST 12.16 FEET; THENCE SOUTH 23°11'03" EAST 64.24 FEET; THENCE SOUTH 89°59'01" WEST 202.06 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG SAID WESTERLY LINE NORTH 00°16'41" EAST 71.22 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 13,324 SQUARE FEET, MORE OR LESS.

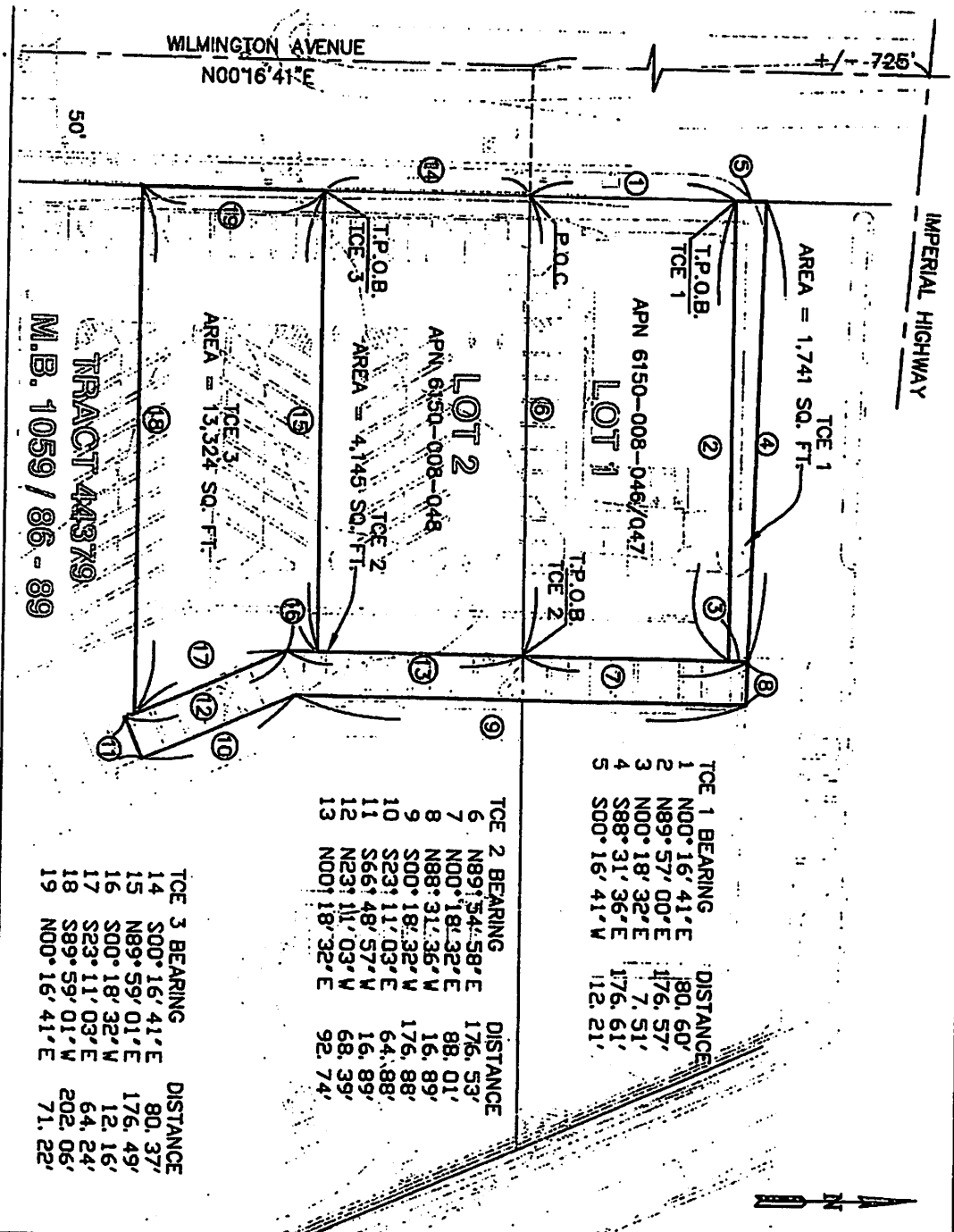
SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

DATED THIS 16TH DAY OF MARCH, 2016



GWEN-VERA DEL CASTILLO, PLS 5108





JOB #: 115-045
 DATE: 3-7-16
 SCALE: 1" = 50'
 SHEET 1 OF 1

EXHIBIT A-3-a

TEMPORARY CONSTRUCTION EASEMENTS

COAST SURVEYING, INC.
 15031 PARKWAY LOOP, SUITE B
 TUSTIN, CA 92780-6327 (714) 918-8266

EXHIBIT A-4

IMPROVEMENTS TO THE REMAINDER SIT

The proposed improvements will consist of the following:

- 1. Relocation of the loading doors at the General Discount Building;**
- 2. Relocation of the Exit Door at the General Discount Building;**
- 3. Replace and relocate two (2) Pylon signs;**
- 4. Restriping that may be required to facilitate truck loading and maintain current parking ratio at the rear of the shopping center;**
- 5. New bollards or other barriers that may be required to protect new infrastructure;**
- 6. Trash enclosure at General Discount Store; and**
- 7. Miscellaneous Site Furnishing**

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 1st day of December, 2016.

MICHELLE JACKSON
LACMTA Secretary

Date: _____



Board Report

File #: 2016-0908, **File Type:** Policy

Agenda Number: 47.

**REGULAR BOARD MEETING
DECEMBER 1, 2016**

SUBJECT: METRO BLUE LINE PEDESTRIAN SWING GATES PROJECT

ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE A FEE INTEREST IN A PORTION OF THE PROPERTY LOCATED AT 1657 NADEAU STREET (APN 6021-018-020)

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 a Fee Interest to 91 square feet of the private property located at 1657 Nadeau Street, Los Angeles (APN 6021-018-020).** This acquisition is for the Metro Blue Line Pedestrian Swing Gates Project.

(REQUIRES TWO-THIRDS VOTE)

BACKGROUND

Acquisition of a portion of Parcel No. 6021-018-020 (Property - See Attachment A) is required for the construction of the Metro Blue Line Pedestrian Swing Gate Project (Project). A written offer was presented to the owner of record, Fox Holdings, LLC (Owner) as is required by California Government Code Section 7267.2. To date, staff has been unable to reach an agreement with the Owner due to an unrelated legal case pending against the Owner. The property interest is necessary for construction of the Project; therefore, staff recommends the acquisition through eminent domain to maintain the Project schedule.

In accordance with the provisions of the California Eminent Domain Law and Sections 30503, 13022.5, and 132610 of the Public Utilities Code (which authorize the public acquisition of private property by eminent domain) the Los Angeles Metropolitan Transportation Authority (Metro) has prepared and mailed a notice of this hearing to the Owner informing him of his 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; and (5) that any environmental review of the Project, as may be necessary, pursuant to the

California Environmental Quality Act (CEQA), has occurred.

Attached is the staff report setting forth the required findings for acquiring the Property through the use of eminent domain (Attachment B). After receiving all of the testimony and other evidence from all interested parties, the Metro Board must make a determination as to whether to adopt the proposed Resolution of Necessity (Attachment C) to acquire the Property by eminent domain. In order to adopt the Resolution, the Metro Board must find and determine, based upon all the evidence before it and by a two-thirds vote of all the members of its governing body, that the conditions stated above exist.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on Metro's safety standards.

FINANCIAL IMPACT

The funding for the acquisition of the Property is included in the Board-approved FY 17 budget under Proposition C 25% cash and Proposition C 25% bond for the Metro Blue Pedestrian Swing Gate Project in Cost Center 211005, and Account Number 8510 (Acquisition of Land).

Impact to Budget

The source of the funds for this action is from Props C 25% Cash and/or Bonds funds. These funds are eligible to be used for transit capital improvement to the existing right-of-way. No other sources of funds were considered for this project. This action will not impact on-going operating expenses.

NEXT STEPS

If this action is approved by the Board, Metro'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 as necessary.

ATTACHMENTS

Attachment A - Property Information
Attachment B - Staff Report
Attachment C - Resolution of Necessity

Prepared by: Carol A. Chiodo, Director of Real Property Management & Development, (213) 922-2404
Cal Hollis, SEO, Countywide Planning & Development, (213) 922-7319

Reviewed by: Therese W. McMillan, Chief Planning Officer, (213) 922-7077



Phillip A. Washington
Chief Executive Officer

EXHIBIT "A"

LEGAL DESCRIPTIONS
NADEAU STREET/GRAHAM AVENUE

PARCEL NDE NW PVT:

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE UNINCORPORATED TERRITORY OF COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF NADEAU STREET, SAID POINT BEING IN THE SOUTHWEST CORNER OF SOUTHERN PACIFIC RAIL ROAD COMPANY RIGHT-OF-WAY (FORMERLY UNION PACIFIC RAIL ROAD), AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 152, PAGES 14 TO 26, INCLUSIVE OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID NORTHERLY LINE, N89°35'17"W 10.08 FEET; THENCE LEAVING SAID NORTHERLY LINE, N00°01'55"E 9.09 FEET; THENCE S89°35'17"E 9.01 FEET; THENCE S38°31'57"E 1.71 FEET TO THE WESTERLY LINE OF SAID SOUTHERN PACIFIC RAIL ROAD COMPANY; THENCE ALONG SAID WESTERLY LINE, S00°02'52"E 7.76 FEET TO THE POINT OF BEGINNING.

CONTAINS: 91 SQUARE FEET, MORE OR LESS.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S.: 5752

June 12, 2015
DATE:



EXHIBIT "B"

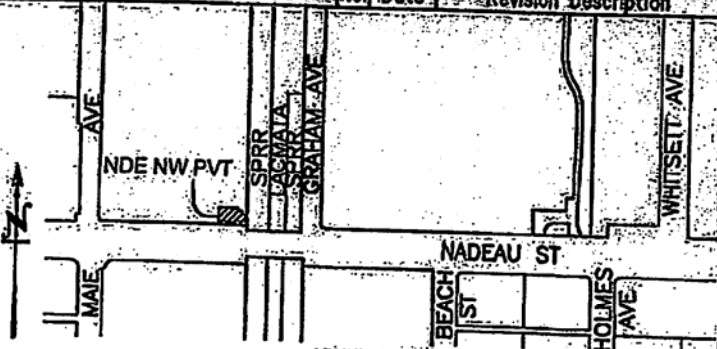
Grantor: FOX HOLDING, LLC
 Description: POR NE 1/4 OF SEC 28, T2S, R13W, S.B.M. IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

THE BASIS OF BEARINGS IS PER CCS, ZONE 5, NAD 83 (EPOCH 2010), AS DETERMINED LOCALLY BY NGS STATIONS DY1716 AND DY9288.

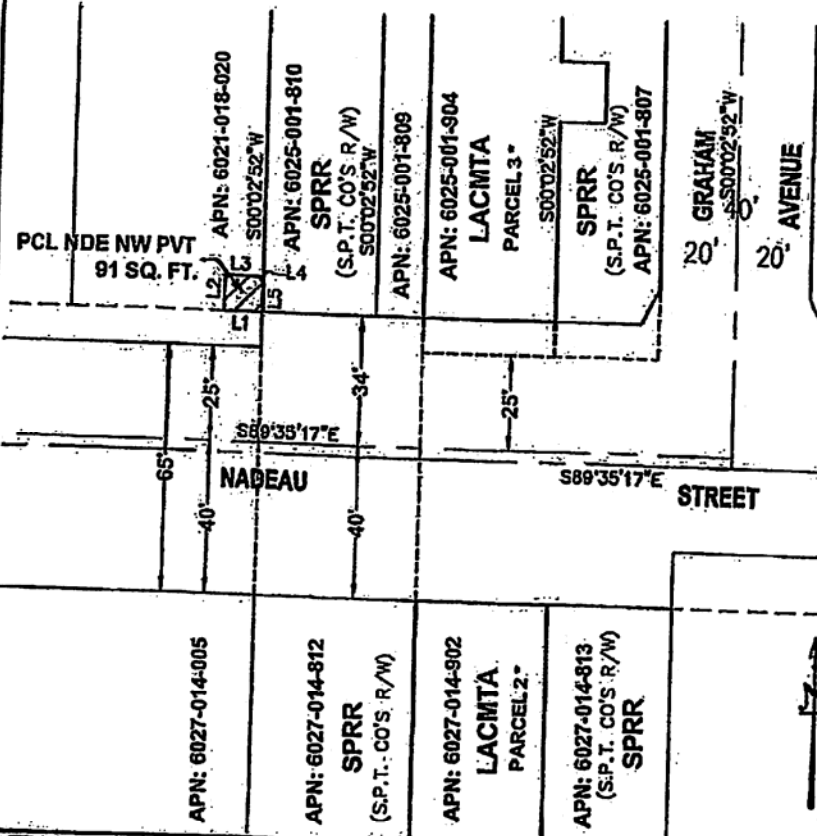
Assessor's Ref: 6021-018-020 ROW Ref: No. Date Revision Description

* - RECORD OF SURVEY, R.S. 152/14-28.

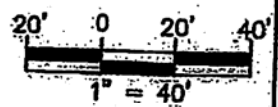
LEGEND:
 LACMTA - LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
 SPRR - SOUTHERN PACIFIC RAILROAD COMPANY S.P.T.CO. - SOUTHERN PACIFIC TRANSPORTATION COMPANY (PREDECESSOR TO UPRR)
 PCL - PARCEL
 NW - NORTHWEST
 POB - POINT OF BEGINNING



VICINITY MAP NOT TO SCALE



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°35'17"W	10.08'
L2	N00°01'55"E	9.08'
L3	S89°35'17"E	9.01'
L4	S39°31'57"E	1.71'
L5	S00°02'52"W	7.78'



M Metro APPROVED BY: PROJECT MANAGER
 PREPARED BY: STEPHANIE WAGNER, LICENSED LAND SURVEYOR, No. 5752, State of California
 CHECKED BY: Stephanie Wagner, LS: 5752

METRO BLUE LINE PEDESTRIAN GATE INSTALLATION
 NADEAU STREET / GRAHAM AVENUE
 UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

DATE: 06/12/2015
 SCALE: 1" = 50'
 REV. No. DATE:
 REV. No. DATE:
 PARCEL No. NDE NW PVT

ATTACHMENT B

STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF A PORTION OF 1657 NADEAU STREET, LOS ANGELES FOR THE METRO BLUE LINE PEDESTRIAN SWING GATE PROJECT

BACKGROUND

Fee simple interest in a portion of private property located at 1657 Nadeau Street, Los Angeles (“Property”) required for the construction and operation of the Metro Blue Line Pedestrian Swing Gate Project (“Project”). The address, record owner, physical description, and nature of the property interest to be acquired for the Project are summarized as follows:

Assessor’s Parcel Number	Parcel Address	Property Owner	Purpose of Acquisition	Property Interest(s) Sought	Metro Parcel Number
6021-018-020	A 91 sq. ft. portion of 1657 Nadeau Street, Los Angeles	Fox Holdings, LLC	Metro Blue Line Pedestrian Swing Gate Project	Fee Simple	Nadeau-NW

A written offer for the Property was presented to the Owner and, due to the fact that the Owner is currently involved in an unrelated lawsuit, staff has been unable to reach an agreement with the owner of the property. The Owner has not accepted the offer made by the Los Angeles County Metropolitan Transportation Authority (“Metro”); consequently, a negotiated agreement has not been reached.

A. The public interest and necessity require the Project.

The public interest and necessity require the Project for the following specific reasons:

1. The population and employment densities in the Blue Line Transit Corridor (“Corridor”) are extremely high and very transit-dependent and are much higher than Los Angeles County as a whole. The Corridor has a high concentration of low-income, minority, transit-dependent residents. More than 49 percent of all Corridor households are designated as low income. In addition, 16 percent of all Corridor households do not have access to an automobile, compared to 8 percent in the County’s urbanized area. Forecasts show a growing transit-dependent population, with a projected 55 percent increase in Corridor residents that rely on, or will rely on the area’s transit system.
2. Implementation of the Project will result in a reduction in motor and personal accidents and loss of lives. The Project will provide significant safety for low-income, elderly and transit-dependent persons living in the Corridor area.
3. 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.

On May 14, 2015, a Draft Initial Study/ Mitigated Negative Declaration (“IS/MND”) was circulated and reviewed by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. This pedestrian gate is located at the northwest corner of Nadeau Street and Union Pacific Railroad (“UPRR”) Right of Way. The area surrounding the proposed pedestrian gate is composed primarily of commercial and single family residential land uses. The nearest residential land use is approximately 100 feet from the center of the proposed construction activity. The dominant noise source at this location is the traffic traveling on Nadeau Street and the light rail and freight trains traveling on the nearby tracks. The Corridor has some of the highest population and employment density in the Southern California region, as well as the highest proportion of transit ridership. No significant expansion of existing freeway and street networks is planned to accommodate this growth. This project addresses the need of the local residents, as expressed in community meetings.

The Property under consideration as part of this Resolution will cause the least private injury and will not cause displacement or relocation of owners and users of private property. Moreover, 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.

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 consists of a 91 square foot portion of 1657 Nadeau Street and is located at the northwest corner of Nadeau Street and the UPRR Right of Way. The area surrounding the proposed pedestrian gate is composed primarily of commercial and single-family residential land uses. The installation of the pedestrian safety gates increase pedestrian safety with the addition of pedestrian-oriented crossing arms, bells and flashing lights that are activated along with the grade crossing warning systems. The barriers create queuing zones separated from the track areas and also reduce jaywalking.

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(s) of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the owner or to the owner(s) of record 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(s) 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. Obtained an appraisal to determine the fair market value of the Property, which included consideration of any immovable fixtures and equipment as appropriate;
2. Reviewed and approved the appraisal, and established the amount it believes to be just compensation;
3. Determined the owner(s) of the Property by examining the county assessor's record and the title report;
4. Made a written offer to the Owner for the full amount of just compensation - which was not less than the approved appraised value; and
5. Provided the Owner with a written statement of, and summary of the basis for, the amount established as just compensation with respect to the foregoing offer.

E. CEQA/NEPA Compliance

The environmental impacts of the Project were evaluated in IS/MND. The IS/MND was circulated and reviewed by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. All public comments received were addressed; and were incorporated in the final IS/MND document pursuant to and in compliance with California Environmental Quality Act ("CEQA") Guidelines. No substantive comments on content or significant environmental issues related to the proposed project were raised, and the CEQA process concluded May 2015 with no comment or challenges. The project is exempt from the National Environmental Policy Act ("NEPA") pursuant to (CFR) 771.118(c). The final IS/MND document served as documentation to support the exemption from NEPA in anticipation of the Federal Transit Administration's ("FTA") consideration of a Federal TIGER grant to help fund the project. FTA found that the Project is exempt under 23 Code of the Federal Regulations 771.118 (c) (5).

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 owner(s) of record.

CONCLUSION

Staff recommends that the Board approve 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
PORTION OF 1657 NADEAU STREET, L.A**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("METRO") 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, 130220.5, and 132610, 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 to be acquired consists of the fee simple interest as designated below, and as described more specifically in the exhibits attached hereto (hereinafter, the "Property"), all of which are incorporated herein by this reference:

METRO Parcel Number	Assessor's Parcel Number	Parcel Address	Property Owner	Purpose of Acquisition	Property Interest(s) Sought - See Exhibit:
Nadeau Street-NW	6021-018-020	Portion of 1657 Nadeau Street., Los Angeles, CA 90001	Fox Holdings, LLC.	Metro Blue Line Pedestrian Swing Gates Project	Fee Simple as shown of Exhibit A & B

METRO's acquisition of the above property interests is subject to the following limitation:

Construction of temporary or permanent improvements will not adversely impact the normal operations of surface traffic, or performance of utilities in the Project area. During construction, reasonable access to businesses and residences will be maintained at all times

Section 4.

(a) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Metro Track Improvement and Safety Enhancement Project ("Project");

(b) The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR) Initial Study/ Mitigated Negative Declaration.

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; and

(d) The offer required by Section 7267.2 of the Government Code has been made to the owner(s) of record.

(6) Environmental review of the Project consistent with the California Environmental Quality Act (CEQA) has occurred.

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, and with the concurrence and approval of METRO staff, to make minor adjustments to the scope and descriptions of easements to be acquired in order to ameliorate any claims for severance damages.

Counsel is also authorized to reduce or modify the extent of the interests or property to be acquired so as to reduce the compensation payable in the action where such change would not substantially impair the construction and operation for the project for which the real property is being acquired.

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 1st day of December, 2016.

MICHELLE JACKSON
METRO Secretary

Date: _____

ATTACHMENTS

1 - Exhibit "1" – Parcel Legal & Plat

EXHIBIT "A"

**LEGAL DESCRIPTIONS
NADEAU STREET/GRAHAM AVENUE**

PARCEL NDE NW PVT:

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN ACCORDING TO THE OFFICIAL PLAT THEREOF, IN THE UNINCORPORATED TERRITORY OF COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF NADEAU STREET, SAID POINT BEING IN THE SOUTHWEST CORNER OF SOUTHERN PACIFIC RAIL ROAD COMPANY RIGHT-OF-WAY (FORMERLY UNION PACIFIC RAIL ROAD), AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 152, PAGES 14 TO 26, INCLUSIVE OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID NORTHERLY LINE, N89°35'17"W 10.08 FEET; THENCE LEAVING SAID NORTHERLY LINE, N00°01'55"E 9.09 FEET; THENCE S89°35'17"E 9.01 FEET; THENCE S38°31'57"E 1.71 FEET TO THE WESTERLY LINE OF SAID SOUTHERN PACIFIC RAIL ROAD COMPANY; THENCE ALONG SAID WESTERLY LINE, S00°02'52"E 7.76 FEET TO THE POINT OF BEGINNING.

CONTAINS: 91 SQUARE FEET, MORE OR LESS.

NOTE:

THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

Stephanie A. Wagner
STEPHANIE A. WAGNER, P.L.S. 5752

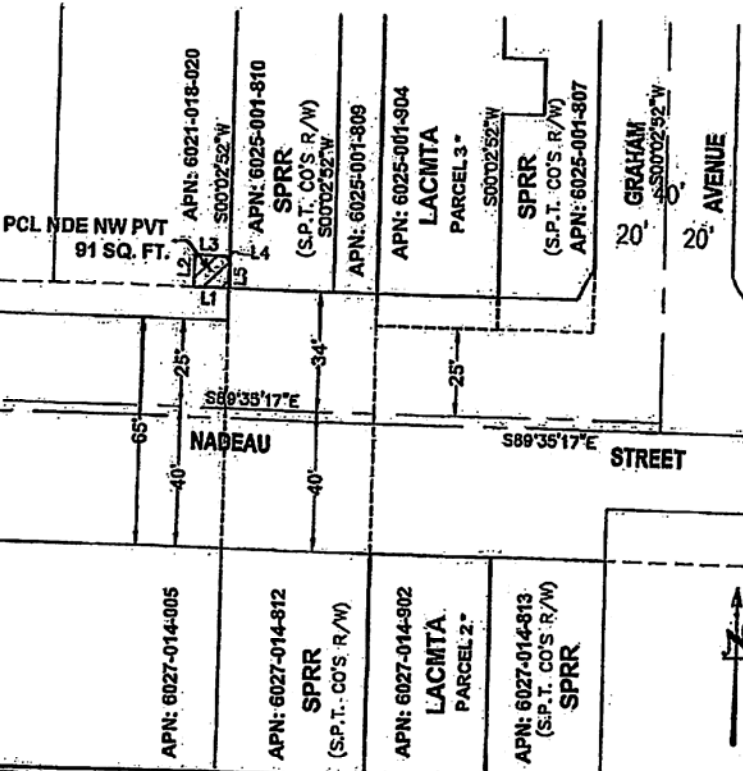
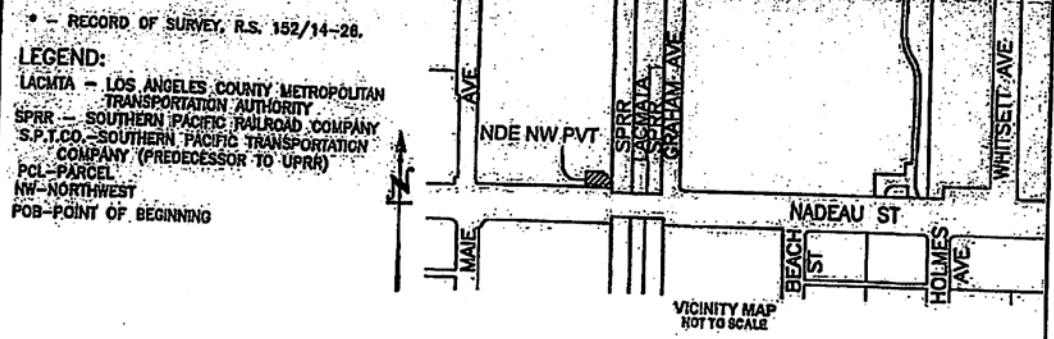
June 12, 2015
DATE:



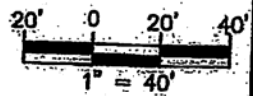
EXHIBIT "B"

Grantor: **FOX HOLDING, LLC**
 Description: **POR NE 1/4 OF SEC 28, T2S, R13W, S.B.M. IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES**
 THE BASIS OF BEARINGS IS PER CCS, ZONE 6, NAD 83 (EPOCH 2010), AS DETERMINED LOCALLY BY NGS STATIONS DY1716 AND DY9296.

Assessor's Ref: **6021-018-020** | ROW Ref: | No. | Date | Revision | Description



LINE	BEARING	LENGTH
L1	N89°35'17"W	10.09'
L2	N00°01'55"E	9.09'
L3	S89°35'17"E	8.01'
L4	S38°31'57"E	1.71'
L5	S00°02'52"W	7.76'



M Metro
 APPROVED BY: _____
 PROJECT MANAGER
 PREPARED BY: *Stephanie Wagner*
 DATE: _____
 CHECKED BY: _____
 L.S.: 6752

METRO BLUE LINE PEDESTRIAN GATE INSTALLATION
 NADEAU STREET / GRAHAM AVENUE
 UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES
 DATE: **06/12/2015**
 SCALE: **1" = 50'**
 REV. No. _____ DATE: _____
 REV. No. _____ DATE: _____
 PARCEL No. _____
NDE NW PVT