

# **Metro**

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



**Metro**

## **Agenda - Final**

**Thursday, September 22, 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.

**ADA REQUIREMENTS**

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

**LIMITED ENGLISH PROFICIENCY**

A Spanish language interpreter is available at all Board Meetings. Interpreters for Committee meetings and all other languages must be requested 72 hours in advance of the meeting by calling (213) 922-4600 or (323) 466-3876.



**323.466.3876 x2**

*Español*

**323.466.3876 x3**

한국어	日本語
中文	русский
Հայերէն	ภาษาไทย
Tiếng Việt	ភាសាខ្មែរ

**HELPFUL PHONE NUMBERS**

Copies of Agendas/Record of Board Action/Recordings of Meetings - (213) 922-4880 (Records Management Department)

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

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

TDD line (800) 252-9040

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

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

**APPROVE Consent Calendar Items: 2, 6, 9, 11, 12, 17, 24, 25, 27, 28, 29, 32, 33, 34 and 35.**

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

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

*\*\*Item requires 2/3 vote*

**CONSENT CALENDAR**

2. **APPROVE Minutes of the Regular Board Meeting held August 25, 2016.**

[2016-0707](#)

**Attachments:** [August 25, 2016 Regular Board Minutes](#)

**FINANCE, BUDGET AND AUDIT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

6. **CONSIDER:**
- A. **APPROVING the Crenshaw/LAX Light Rail Transit Project Measure R Local Match Financial Contribution Agreement between the City of Inglewood and Metro; and**
- B. **AUTHORIZING the Chief Executive Officer to execute the said agreement.**

[2016-0697](#)

**Attachments:** [Attachment A - Measure R Local Match Financial Contribution Agreement \(Draft\)](#)

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):**

9. CONSIDER awarding and programming a total of \$4.14 million for Cycle Two (2) of the **Open Streets Grant Program per the Metro Board Motion 72** (Attachment A) and programmatic support as follows: [2016-0527](#)
- A. AWARDING \$4.04 million to 17 new Open Street events scheduled through December 2018 (Attachment B-1);
- B. PROGRAMMING the Cycle One (1) 626 Golden Street event with up to \$200,000 of supplemental funds to execute the event due to postponement from the June Reservoir and Fish fires. The costs to stage the 626 Golden Streets event will not exceed the \$393,600 amount as was originally allocated by the Board; and
- C. REPROGRAMMING \$100,000 from canceled Cycle One Open Street event Car Free Carson towards Cycle Two.

**Attachments:**      [Attachment A June 19 2013 Metro Board Motion 72](#)  
[Attachment B-1 Summary and Funding Recommendation](#)  
[Attachment B-2 Open Streets Grant Program Cycle Two Map](#)  
[Attachment C - March 16, 2016 Metro Board Approved Cycle Two Application a Presentation](#)

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0-1):**

11. CONSIDER: [2016-0566](#)
- A. APPROVING the establishment of 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.

**Attachments:**      [Attachment A - Procurement Summary](#)  
[Attachment A1 - Recommended Firms by Discipline](#)  
[Attachment B - DEOD Summary](#)

**PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):**

12. AUTHORIZE the Chief Executive Officer (CEO) to: [2016-0571](#)
- A. AWARD AND EXECUTE a four-year firm fixed price Contract No. AE5999300 to Parsons Brinckerhoff, Inc., inclusive of all options, in the amount of up to \$12,189,477 to complete the environmental clearance study for the **West Santa Ana Branch (WSAB) Transit Corridor**.
  - B. APPROVE contract modification authority specific to Contract No. AE5999300 in the amount of \$1,828,422 (15%) due to the complexity of the environmental clearance study;
  - C. AWARD AND EXECUTE a four-year firm fixed price Contract No. PS2492300 to Arellano Associates, LLC, inclusive of all options, in the amount of up to \$861,067 to perform the environmental clearance study community outreach for the WSAB Transit Corridor; and
  - D. APPROVE entering into a four-year Funding Agreement (FA) with the Gateway Cities Council of Governments (COG), to be led by the Eco-Rapid Transit Joint Powers Authority (JPA) for WSAB Transit Corridor Third Party Administration to work with the 13 cities along the corridor for participation in the environmental clearance study, in an amount not-to-exceed \$700,000.

**Attachments:**      [Attachment A-1 - Procurement Summary AE5999300](#)  
[Attachment A-2 - Procurement Summary PS2492300](#)  
[Attachment B - West Santa Ana Transit Corridor Study Area Map](#)  
[Attachment C-1 - DEOD Summary for A-1](#)  
[Attachment C-2 - DEOD Summary for A-2](#)

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

17. AUTHORIZE the Chief Executive Officer (CEO) to execute the **Preliminary Engineering Reimbursement Agreement (PERA) for the Westside Purple Line Extension Section 2 Project**. [2016-0611](#)

**Attachments:**      [Attachment A - Preliminary Engineering Reimbursement Agreement \(PERA\).pdf](#)

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

24. ESTABLISH a Life-of-Project (LOP) Budget of \$28,851,200 for the **Metro Green Line Train Control Track Circuits and TWC Replacement Project (CP205107)**. [2016-0466](#)

Attachments: [Attachment A - Expenditure Plan](#)

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

25. AUTHORIZE the Chief Executive Officer (CEO) to: [2016-0516](#)

- A. EXECUTE Contract Modification No. 4 to Contract No. OP39603035 with **ARINC Control and Information Systems (ARINC)**, to upgrade and expand the existing **Supervisory Control and Data Acquisition (SCADA) System on the Metro Green Line (MGL)** to include and integrate the new **Crenshaw/LAX Light Rail Line** for a period of 28 months for the amount-not-to-exceed \$4,994,515 increasing the total contract value from \$10,556,513 to \$15,551,028, inclusive of contract options.
- B. PURCHASE additional coverage on the existing \$15,000,000 supplemental project insurance for 10 years after contract award in excess of ARINC limited liability in an amount not-to-exceed \$450,000 inclusive of premium and fees. This action increases the total coverage cost from \$999,000 to \$1,449,000.

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

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):**

27. AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP5938800 for the **landscape and irrigation maintenance services along Metro Expo Line Phase II with Far East Landscape and Maintenance, Inc.**, the lowest, responsive and responsible bidder, for a not-to-exceed amount of \$1,201,384 for the three-year base period inclusive of as-needed services, \$407,849 for the first option year, and \$428,242 for the second option year, for a combined total of \$2,037,475, effective October 1, 2016 through September 30, 2021. [2016-0572](#)

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

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE MADE THE FOLLOWING RECOMMENDATION (4-0):**

28. AUTHORIZE the Chief Executive Officer to: [2016-0096](#)
- A. AWARD a firm fixed unit rate Contract No. FSP57678900B60 to **Freeway Towing for Metro Freeway Service Patrol (FSP) heavy duty towing services Beat 60** in the amount of \$5,255,700 for 60 months; and
- B. AWARD a firm fixed unit rate Contract No. FSP5769100B61 to **All City Towing for Metro Freeway Service Patrol (FSP) heavy duty towing services Beat 61** in the amount of \$4,741,020 for 60 months.
- C. INCREASE the FY17 budget in Cost Center 3352 in the amount of \$2,019,002.

**Attachments:**      [ATTACHMENT A PROCUREMENT SUMMARY.pdf](#)  
                                 [ATTACHMENT B FSP Beat Map .pdf](#)  
                                 [ATTACHMENT C DEOD SUMMARY.pdf](#)

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**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

29. AUTHORIZE the Chief Executive Officer to award an 18 month firm-fixed price Contract No. PS5782700 pending the resolution of a protest, to **Axiom xCell Inc. in the amount of \$746,160 to design and implement a digital incident management solution.** [2016-0616](#)
- Attachments:** [Attachment A - Procurement Summary](#)  
[Attachment B - DEOD Summary.](#)

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

32. ADOPT staff recommended position: [2016-0719](#)
- ~~AB1X-26~~ ABX1-26 (Beall/Frazier) - Transportation Funding. SUPPORT**
- Attachments:** [Attachment A - ABX1-26 and SBX1-1 Frazier Beall](#)  
[Attachment B - ABX1 - 26 Frazier Beall](#)

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

33. ADOPT Metro's Model Public Engagement Program (Program) and **approve the 2016 Public Participation Plan** (Attachment A) as the baseline and guiding policy for all public outreach. [2016-0540](#)
- Attachments:** [Metro's 2016 Public Participation Plan](#)  
[Metro 2016 Public Participation Plan Staff Guidelines](#)

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (3-0):**

34. AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Location 403 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years. [2016-0625](#)
- Attachments:** [Attachment A - Plot Plan for Location 403](#)  
[Attachment B - Summary of Lease Agreement Key Terms](#)



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**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION****(3-0):**

- 35.** AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Terminal 28 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years.

[2016-0626](#)**Attachments:**[Attachment A - Plot Plan for Terminal 28](#)[Attachment B - Summary of Lease Agreement Key Terms](#)**END OF CONSENT CALENDAR**

NON-CONSENT

3. Report by the **Chair**. [2016-0760](#)
4. Report by the **Chief Executive Officer**. [2016-0761](#)

**FINANCE, BUDGET AND AUDIT COMMITTEE FORWARDED WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES THE FOLLOWING:**

5. AUTHORIZE the Chief Executive Officer to **renew existing group insurance policies covering Non-Contract and AFSCME employees** for the one-year period beginning January 1, 2017. [2016-0556](#)  
**Attachments:** [Attachment A - Proposed Monthly Premium Rates](#)  
[Attachment B - Proposed Monthly Employee Contributions](#)  
[2017 Renewal Presentation](#)
13. RECEIVE report by the **Caltrans District Director on Delivery of Projects on I-5**. [2016-0712](#)
15. RECEIVE AND FILE report on the first **Program Management Annual Program Evaluation (APE)**. [2016-0657](#)  
**Attachments:** [Attachment A - Metro FY17 APE Summary Presentation Sept 2016 Board 9.12.](#)

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

22. AWARD a cost plus fixed fee contract for **Program Control Support Services for the Heavy Rail Vehicle (HRV) Acquisition**, Contract No. PS5868500, to STV/PB Heavy Rail Vehicles II, a Joint Venture, in the not-to-exceed amount of \$5,651,853.54 for the 64 HRV Base Order. [2016-0573](#)  
**Attachments:** [Attachment A - Procurement Summary](#)  
[Attachment B - DEOD Summary](#)  
[Attachment C - Funding/Expenditure Plan](#)

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION DUE TO CONFLICTS AND ABSENCES:**

23. AWARD 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](#)
- Attachments:**      [Attachment A - Procurement Summary](#)  
                                 [Attachment B - DEOD Summary](#)  
                                 [Attachment C - Funding/Expenditure Plan](#)

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

36. AUTHORIZE the Chief Executive Officer to award and execute a five-year firm fixed unit rate Contract No. PS560810024798, to **RMI International, Inc. for security guard services** in an amount not-to-exceed \$81,944,840 effective October 1, 2016 through September 30, 2021. [2016-0565](#)
- Attachments:**      [Attachment A - Procurement Summary](#)  
                                 [Attachment B - DEOD Summary](#)  
                                 [Attachment C - Executive Summary](#)

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

37. AUTHORIZE the Chief Executive Officer to: [2016-0538](#)

- A. ESTABLISH a Life-of-Project (LOP) Budget of \$86,662,000 for the **overhaul of 74 A650 Heavy Rail Vehicles** (HRV's) under CP 206038 - HRV Midlife Overhaul; and
- B. AWARD a firm-fixed Unit Rate Contract Number A650-2015: HRV Overhaul and Critical Component Replacement Program (OCCRP) to Talgo, Inc. for a not-to-exceed amount of \$72,970,493 to perform the overhaul and delivery of 74 HRV's, with a contract period of performance of 56 months, including all option vehicles. The Base Contract is for the overhaul of 38 HRV's (\$54,698,676), with an option to overhaul the remaining 36 HRV's (\$18,271,817).

**Attachments:** [Attachment A - Procurement Summary](#)  
[Attachment B - Funding/Expenditure Plan](#)  
[Attachment C - Metro Board Report July 17, 2014](#)  
[Attachment D - FTA Local Hiring Program Ltr](#)  
[Attachment E - DEOD Summary](#)

38. CONSIDER: [2016-0723](#)

- 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 in the real property identified as portions of **Assessor's Parcel No. 5106-026-017**, described above and shown on Attachment "A" (hereinafter the "Property").

(REQUIRES 2/3 VOTE OF THE BOARD)

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

**39. CONSIDER:**[2016-0724](#)

- 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 in fee simple, a portion of Eucalyptus Avenue. Metro must proceed with a condemnation action to clear various title issues and vacate the street as part of the Crenshaw/LAX Transit Corridor Project. The property sought to be condemned is a **765 square foot portion of Eucalyptus Avenue**, located adjacent to 320 N. Eucalyptus Avenue, north of W. Florence Avenue, in the City of Inglewood (hereinafter the "Property"). The Property is owned by Daniel Freeman, and is encumbered by a public street operated by the City of Inglewood.

(REQUIRES 2/3 VOTE OF THE BOARD)

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

**END OF NON-CONSENT ITEMS**

**CLOSED SESSION:****40. CLOSED SESSION:**[2016-0764](#)**A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)****(1)**

1. Dorcas Higinio v. LACMTA, LASC Case No. BC551410
2. Silvia Martinez, et. al. v. LACMTA, LASC Case No. BC556901
3. Kuen Woo v. LACMTA, LASC Case No. BC562761

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

Property Description: 317 S. Broadway, Los Angeles, CA 90033

Agency Negotiator: Greg Angelo and Cal Hollis

Negotiating Party: Grand Central Square Limited Partnership

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

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**File #:** 2016-0707, **File Type:** Minutes

**Agenda Number:** 2.

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**REGULAR BOARD MEETING  
SEPTEMBER 22, 2016**

**APPROVE Minutes of the Regular Board Meeting held August 25, 2016.**

# **Metro**

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



## **MINUTES**

**Thursday, August 25, 2016**

**9:00 AM**

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

### **Board of Directors Present:**

**John Fasana, Chair  
Eric Garcetti, 1st Vice Chair  
Michael Antonovich**

**Mike Bonin**

**James Butts**

**Diane DuBois**

**Jacquelyn Dupont-Walker**

**Don Knabe**

**Paul Krekorian**

**Ara Najarian**

**Mark Ridley-Thomas**

**Shirley Choate, non-voting member**

**Phillip A. Washington, Chief Executive Officer**

**CALLED TO ORDER AT: 9:19 A.M.**



## ROLL CALL

1. APPROVED Consent Calendar Items: 2, 9, 13, 14, 15, 30, 30.1, 31, 32, 33, 34, 42, 43, 44, 45, 46, 47, 49, 50, 51 and 52.

Consent Calendar items were approved by one motion except Items 2 and 46 which were held by a Director for discussion and/or separate action.

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

## CONSENT CALENDAR

2. APPROVED Minutes of the Regular Board Meeting held June 23, 2016. 2016-0525

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

3. RECEIVED Report by the Chair. 2016-0655

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

4. RECEIVED Report by the Chief Executive Officer. 2016-0656

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

8. ADOPTED a resolution, Attachment A, authorizing the Chief Executive Officer and other Authorized Officers to negotiate and execute the loan agreement and related documents between LACMTA and the U.S. Department of Transportation related to a \$307.0 million Transportation Infrastructure Finance and Innovation Act loan for the Westside Purple Line Extension Project Section 2. 2016-0504

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

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

9. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a **five-year lease agreement**, including one (1) five (5) year option, with Downtown Properties effective March 1, 2017 for the rental of approximately 12,912 square feet of **office space in an office building located at 818 West 7th Street, 5th Floor, Los Angeles**, at an estimated rental cost of \$2,055,891.59 over the term of the lease. 2016-0553
13. APPROVED ON CONSENT CALENDAR: 2016-0313
- A. RECERTIFYING \$102.5 million in existing Fiscal Year (FY) 2016-17 commitments from previously approved **Countywide Calls for Projects** (Call) and AUTHORIZING the expenditure of funds to meet these commitments as shown in Attachment A;
  - B. DEOBLIGATING \$14.5 million of previously approved Call funding, as shown in Attachment B, and REPROGRAMMING these dollars to the same modal category from which they came in the 2015 Call;
  - C. ADOPTING:
    - 1. Revised Lapsing Policy which will apply to existing projects funded through the 2013 and prior Calls with local funds and all projects funded in future Calls, as shown in Attachment D;
    - 2. Project Readiness Criteria prior to executing funding agreements with the project sponsors;
  - D. REPROGRAMMING \$14.2 million of previously approved Call funding, as shown in Attachment E, for those projects that applied for, but were not awarded funds through the State Active Transportation Program (ATP) Cycle 2 according to Metro's Policy for transitioning to the State ATP;
  - E. DELEGATING to the Chief Executive Officer (CEO) or his designee the authority to:
    - 1. reprogram currently programmed Call funds to later years (latest to FY 2020-21) at project sponsor(s)' own risk, to meet project design, right-of-way and construction time frames. Projects identified for reprogramming this FY are shown in Attachment F;

(Continued on next page)

(Item 13 – continued from previous page)

2. allow project sponsor(s) to use Metro Call funds in earlier phase(s) of project development than previously programmed with project sponsor(s) providing full funding commitment to deliver the project upon authorization through its Governing Authority to complete the project as currently scheduled;
3. reprogram or administratively extend approved funding for California Department of Transportation (Caltrans) projects as required, to meet Caltrans design and construction time frames;

F. AUTHORIZING the CEO to:

1. negotiate and execute all necessary agreements for approved projects; and
2. amend the FY 2016-17 budget, as necessary, to include the 2016 Countywide Call Recertification and Extension funding in the Regional Programs' budget;

G. APPROVING changes to the scope of work for:

1. City of Lawndale - Inglewood Avenue Corridor Widening Project (#F1198);
2. City of Lawndale - Inglewood Avenue Corridor Widening (#F3112);
3. City of Los Angeles - Washington Boulevard Transit Enhancements (#F1630);
4. City of Los Angeles - Hollywood Integrated Modal Information System (#F1708);
5. City of Los Angeles - LANI Evergreen Park Street Enhancement (#F3640);
6. City of Los Angeles - Washington Boulevard Pedestrian Transit Access (Hooper/Alameda) II (#F5624);

(Continued on next page)

(Item 13 – continued from previous page)

7. Port of Los Angeles - YTI Terminal Trip Reduction Program (#F9201);
  8. Port of Long Beach - Long Beach South Waterfront Bike Path Gap Closure (#F3503);
  9. City of Signal Hill - Citywide Bus Shelter Upgrades with Electronic Kiosks (#F5404);
- H. REALLOCATING funds originally programmed to the City of Los Angeles for the Downtown LA Inter-Modal Transit Information and Wayfinding Project (#F3731) to Metro, pending Metro Board approval of the City of Los Angeles Bike Share expansion; and
- I. RECEIVING AND FILING:
1. time extensions for the 100 projects shown in Attachment G;
  2. oral update on the future Countywide Call process restructuring in response to the June 2015 Board directive (Attachment H).

**14. APPROVED ON CONSENT CALENDAR:**

**2016-0497**

**A. AUTHORIZING the Chief Executive Officer (CEO) to:**

1. EXECUTE Modification No. 13 for Phase 2 of Contract No. PS114330-2636 with STV/PB - ConnectLAX Joint Venture to prepare the Final Environmental Impact Report (EIR) and federal environmental documentation for the **Airport Metro Connector (AMC)** 96th Street transit station in the firm fixed amount of \$397,953 increasing the total contract value from \$6,886,444 to \$7,284,397;
2. INCREASE Contract Modification Authority (CMA) specific to Contract No. PS114330-2636, AMC, in the amount of \$150,000, increasing the total authorized CMA amount from \$1,800,255 to \$1,950,255; and

(Continued on next page)

(Item 14 – continued from previous page)

**B. RECEIVING AND FILING:**

1. Summary of Draft EIR and comments received during the public comment period (July 22, 2016 to August 6, 2016); and
2. quarterly status report on the project including Architectural and Engineering design services and the Crenshaw/LAX Project design accommodations for the future AMC 96th Street transit station.

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

15. AUTHORIZED ON CONSENT CALENDAR \$59.3 Million in funding for the **SR-71 Gap from I-10 to Rio Rancho Road Project.** 2016-0534

21. AUTHORIZED the Chief Executive Officer to **execute annual expenditure budget plan for the FY17 Annual Work Plan for the City of Los Angeles** in the amount of \$31,247,162. 2016-0559

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

30. AUTHORIZED AS AMENDED ON CONSENT CALENDAR: 2016-0529

- A. Extending **Line 501 Pilot Express Bus Service** for an additional 180 days; and
- B. Approving modification of the service to improve scheduling efficiencies and increase service.

30.1 **AMENDMENT ON ITEM 30 by Antonovich and Najarian** that the CEO direct staff to: 2016-0644

- A. Place wayfinding signage at stops along Line 501, including North Hollywood station, Burbank, Glendale, Del Mar station and Memorial Park station to ensure that riders can easily locate Line 501; and

(Continued on next page)

(Item 30.1 – continued from previous page)

- B. Ensure that Line 501 is included on existing informational signage at each stop that lists connections and destinations; and

FURTHER THAT the CEO report back at the October 2016 Board meeting with an expanded plan to increase Line 501 ridership that includes, but is not limited to:

- A. A feasibility study for reducing fares to match MTA's regular fare and transfer structure and/or promotional programming that offers free or discounted fares for a specified period of time (e.g. 60 days)
- B. Identification of weekend sporting, concert, holiday, cultural and other major events in the City of Los Angeles and the cities along the SR-134 and I-210 corridors, coupled with a cost-effective marketing plan that promotes Line 501 service as a preferred mode of transportation to those events;
- C. New eye-catching marketing materials such as seat drops and signage on the Orange and Gold Lines that promote destinations by way of Line 501 connections, such as Hollywood Burbank Airport; and
- D. A cost estimate and the feasibility of including Line 501 on system map kiosks.
- E. A cost estimate and the feasibility of increasing span of service by adding trips earlier in the morning and later into the evening, up to midnight.

31. AWARDED ON CONSENT CALENDAR Contracts to the following two lowest responsive and responsible bidders for **Compressed Natural Gas (CNG) Fuel Cylinder Tanks** for an Indefinite Delivery Indefinite Quantity, for a total amount not to exceed \$4,351,161 inclusive of sales tax:

2016-0094

- A. Contract No. MA24755-1 with Worthington Industries for line item 1 for a total contract amount not-to-exceed \$2,903,368; and
- B. Contract No. MA24755-2 with Hexagon Lincoln for line item 2 for a total contract amount not-to-exceed \$1,447,793.

32. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer 2016-0517  
to award a firm fixed unit rate Contract No. OP5608900 for the **Landscape and Irrigation maintenance services along Metro Gold Line Foothill Extension** with Woods Maintenance Services, Inc., the lowest, responsive and responsible bidder, for a not-to-exceed amount of \$861,875 for the three-year base period inclusive of as-needed services, \$280,800 for the first option year, and \$280,800 for the second option year, for a combined total of \$1,423,475, effective September 15, 2016 through September 14, 2021.
33. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to 2016-0126  
award a firm fixed unit rate Contract No. OP4939100 for **comprehensive preventative maintenance, inspections, repairs, and cleaning of elevators, escalators and their associated systems and equipment**, with Mitsubishi Electric USA, Inc. (MEUS). Services are provided throughout Metro facilities, excluding Metro Gateway Headquarters and Union Station East Portal which are covered under a separate contract. This contract not-to-exceed amount is \$75,077,960 for the five-year base period, plus \$32,592,290 for the one, two-year option term, for a combined total of \$107,670,250, effective November 1, 2016.
34. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to 2016-0550  
award a three-year fixed price Contract No. PS5491000 to Syncromatics in the amount of \$3,998,865 to **furnish, install, and maintain electronic signs at bus shelters throughout Los Angeles County for the display of real-time bus arrival and other passenger information.**
42. ADOPTED ON CONSENT CALENDAR staff recommended positions: 2016-0583
- A. **AB 1889 (Mullin)** -High-Speed Rail Authority: high-speed train operation.  
**SUPPORT**
  - B. **SB 882 (Hertzberg)** - Crimes: Public Transportation: Fare Evasion by minors **NEUTRAL**
  - C. **Proposition 53 (Cortopassi)** - California Public Vote on Bonds Initiative  
**OPPOSE**
  - D. **AB 1217 (Daly)** - Membership on the Orange County Fire Authority (OCFA) **OPPOSE**

43. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a firm fixed unit rate Contract No. PS5603300, for **media planning and placement services that include strategy, planning, placement, and optimization of traditional, digital, and social media advertising** with Civillian, Inc., for a not-to-exceed amount of \$1,804,590 for the three-year base period, and a not-to-exceed amount of \$1,245,179 for the two-year option term, for a combined not-to-exceed total of \$3,049,769, effective September 1, 2016 through August 31, 2021. 2016-0560

44. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer or his designee to: 2016-0236

A. AMEND the **existing revenue services contract with All Vision LLC by entering into a Second Amended and Restated Contract** to clarify the terms of such contract and provide Metro with an additional option to develop new digital billboard signs on Metro property; and

B. EXERCISE the four remaining one-year options to extend the Contract for four (4) years commencing September 1, 2016 and ending June 30, 2020.

45. AUTHORIZED ON CONSENT CALENDAR: 2016-0317

A. investing \$9,000,000 in the **Metro Affordable Transit Connected Housing Program (Metro MATCH) as described in the Metro MATCH Investment Plan** and \$1,000,000 in a Transit Oriented Community (TOC) Small Business Program to be managed by the Community Development Commission of Los Angeles County (CDC) by establishing a \$10,000,000 Life-of-project budget as empowered by the Board's September 2015 motion (Attachment A);

B. the CEO or his designee to execute necessary agreements in support of Metro MATCH investment and with the CDC in support of the TOC Small Business Program.



46. AUTHORIZED the Chief Executive Officer to:

2016-0457

- A. AWARD a five-year firm fixed price contract, Contract No. PS520450021002, to Parsons Transportation Group, Inc., in the amount of \$4,725,226 for the **modernization of the Regional Integration of Intelligent Transportation Systems (RIITS)**; and
- B. APPROVE Contract Modification Authority specific to Contract No. PS520450021002 in the amount of \$1,000,000.

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

47. APPROVED ON CONSENT CALENDAR the following actions for **Round 2 of the Metro ExpressLanes Net Toll Revenue Reinvestment Grant Program**, in the amount of \$54,155,000. 2016-0549

- A. a total of \$6,000,000 to be deposited into Reserve Accounts - \$2,400,000 for the I-10 and \$3,600,000 for the I-110;
- B. a total of \$13,800,000 for continued incremental Transit Service improvements (see Attachment A for detailed distribution);
- C. a total of \$5,580,000 for Caltrans for improvements to the I-10 and I-110 freeway corridors (list of improvements provided in Attachment B);
- D. the I-10 recommended projects and funding awards totaling \$10,239,525 and program \$920,475 in reserve for the corridor as shown in Attachment C;
- E. the I-110 recommended projects and funding awards totaling \$17,615,000 which includes \$875,000 from Round 1 as illustrated in Attachment D;
- F. ADMINISTER the grant awards and Transit funding with the requirement that funding recipients bear all responsibility for cost increases; and

(Continued on next page)

(Item 47 – continued from previous page)

G. AUTHORIZE the Chief Executive Officer (CEO) or his designee to enter into funding agreements with grantees and Transit service providers.

48. AUTHORIZED Contract Modification No. 184 by Caltrans for **construction** 2016-0623  
**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.P0008355/8501 A/A6, in the amount of \$1,219,548.11.

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

49. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer 2016-0530  
to execute Contract Modification No. 11 to Contract No. OP35902469 with Southland Transit, Inc. to **extend Contracted Bus Services - East Region for up to ten (10) months**, for the period covering September 1, 2016 through June 30, 2017, for an amount not-to-exceed \$11,942,234, thereby increasing the total contract value from \$57,908,736 to \$69,850,970.

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

50. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to 2016-0531  
negotiate and execute Contract Modification No. 10 to Contract No. OP35902470 with MV Transportation, Inc. to **extend Contracted Bus Services - South Region for up to ten (10) months**, for the period covering September 1, 2016 through June 30, 2017, for an amount not-to-exceed \$18,666,336, thereby increasing the total contract amount from \$88,775,825 to not to exceed \$107,442,161.

51. AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to 2016-0580  
award a firm fixed unit rate Contract No. OP5766200 for **Fire-Life Safety Systems Testing and Certification** to Link-Nilsen Corp, in the not-to-exceed amount of \$1,388,558 for the three-year base period, \$478,347 for the first option year, and \$486,474 for the second option year, for a combined total of \$2,353,379, effective September 1, 2016.

**52. APPROVED ON CONSENT CALENDAR Motion by Garcetti, Knabe, Antonovich, Solis, DuBois and Fasana** that the Board direct the CEO on the following:

2016-0632

- A. Review MTA's process for selecting the three projects presented for the first year of FASTLANE grants, including the list of projects and selection process.
- B. Present on lessons learned from the first FASTLANE grant cycle, outlook for future FASTLANE grant cycles, and strategies for better positioning MTA to secure funding from future FASTLANE cycles.
- C. Establish a freight corridor implementation working group which includes representatives from the following:
  - 1. MTA Deputy Executive Officer for Goods Movement
  - 2. Representatives from the Gateway Cities Council of Governments
  - 3. The I-5 Joint Powers Authority
  - 4. Caltrans District 7
  - 5. Southern California Association of Government
  - 6. Alameda Corridor East Construction Authority ("ACE")
  - 7. Alameda Corridor Transportation Authority ("ACTA")
  - 8. Port of Long Beach & Port of Los Angeles
- D. Activation of "charter" for the working group, including but not limited to, the following:
  - 1. Development of early action implementation projects with advanced environmental planning in place.
  - 2. Identification of actions to accelerate and expedite the early action projects which shall include Public Private Partnership ("P3") opportunities and strategy.

(Continued on next page)

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- 3. Preparation of a strategic action program targeted to access the maximum amount of federal freight formula funds apportioned by FHWA to the State, including proposed criteria for the State to use in a project selection process, e.g., Trade Corridor Improvement Program (TCIF).
- E. A comprehensive review of federal advocacy in support of MTA's FASTLANE grant applications, including an assessment of our communications, outreach, and strategies employed to secure these grant funds.
- F. Presentation of an interim report and recommendations by the working group to the October MTA meeting of the Board of Directors.

**54. CLOSED SESSION:**

2016-0650

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

- 1. Raquel Echeverria, et al. v. LACMTA, et al., LASC Case No. BC522415

APPROVED settlement in the amount of \$400,000.

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

- 2. Mark Haynes v. LACMTA, LASC Case No. BC542780

APPROVED settlement in the amount of \$3,500,000.

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

- 3. Mark Karimi v. LACMTA, LASC Case No. BC501597

APPROVED settlement in the amount of \$2,900,000.

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

(Continued on next page)

(Item 54 – continued from previous page)

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

Significant Exposure to Litigation (One Case)

AUTHORIZED Metro to accept payment in the amount of \$3,000,000 from Design Professionals and make payment to McCarthy and its subcontractors in the amount of \$2,450,000 to resolve all remaining claims in regard to the project.

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

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

1. Property Description: Southwest Corner of 2nd Street and Central Avenue, Los Angeles, CA 90012  
Agency Negotiator: Velma C. Marshall  
Negotiating Party: Japanese Village LLC  
Under Negotiation: Price and Terms

NO REPORT.

2. Property Description: 5304 Wilshire Boulevard, Los Angeles, CA 90036  
Agency Negotiator: Carol Chiodo  
Negotiating Party: Bank of America  
Under Negotiation: Price and Terms

NO REPORT.

3. Property Description: 6018-22, 6030, and 6010 Wilshire Boulevard, Los Angeles, CA 90036  
Agency Negotiator: Velma C. Marshall  
Negotiating Party: Wilshire Sieroty LLC; Nancee Enyart fka Nancee Elyse Greenwald, et. al.; and 6030 Wilshire LLC  
Under Negotiation: Price and Terms

NO REPORT.

(Continued on next page)


(Item 54 – continued from previous page)

4. Property Description: 317 S. Broadway, Los Angeles, CA  
90033  
Agency Negotiator: Greg Angelo and Cal Hollis  
Negotiating Party: Grand Central Square Limited  
Partnership  
Under Negotiation: Price and Terms

NO REPORT.

ADJOURNED at 11:36 a.m. in memory of Parkhideh "Kabu" Maleki Amiri, mother  
of Metro employee Shahrzad Amiri

Prepared by: Deanna Phillips  
Board Specialist

  
Michele Jackson, Board Secretary

**Board Report**

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**File #:** 2016-0697, **File Type:** Agreement

**Agenda Number:** 6.

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**FINANCE, BUDGET AND AUDIT COMMITTEE  
SEPTEMBER 14, 2016**

**SUBJECT: CITY OF INGLEWOOD LOCAL CONTRIBUTION TO MEASURE R CRENSHAW /LAX PROJECT**

**ACTION: APPROVE CONTRIBUTION AGREEMENT AND AUTHORIZE EXECUTION**

**RECOMMENDATION**

CONSIDER:

- A. APPROVING the **Crenshaw/LAX Light Rail Transit Project Measure R Local Match Financial Contribution Agreement between the City of Inglewood and Metro**; and
- B. AUTHORIZING the Chief Executive Officer to execute the said agreement.

**ISSUE**

The financial plan for the Crenshaw/LAX Light Rail Transit Project ("Project") assumes that local jurisdictions through which the Project runs will make a contribution towards the Project costs ("the 3% Contribution"). For the subject Project, this would include the cities of Los Angeles and Inglewood. The Metro Board has approved and Metro and the City of Los Angeles have previously entered into an agreement for the Los Angeles contribution which is equal to 3% of the estimated project cost as of the date of the agreement multiplied by the percentage of the project track miles located within the City of Los Angeles. Metro staff and the City of Inglewood staff have negotiated a contribution agreement as described below. The agreement was approved by the Inglewood City Council on August 23, 2016. The agreement requires Metro Board approval to be implemented.

**DISCUSSION**

In 2012 Metro and City of Inglewood staff negotiated a contribution agreement which provided that the City make a contribution equal to approximately 3% of the estimated Project costs multiplied by the percentage of Project track mileage located with the City of Inglewood. This agreement provided for a contribution of approximately \$17.7 million, financed over 35 years. The agreement was approved by the Metro Board but was not approved by the Inglewood City Council in part due to the on-going negotiation with Metro concerning certain Project elements. With most of these issues now

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resolved, the City indicated its willingness to negotiate a contribution but not based on the terms of the draft 2012 agreement. In large part, the difference between the amount the city was willing to pay and the \$17.8 million lies in the fact that the costs of tunneling for the project is attributable to the portion of the Project that is in the city of Los Angeles and the City of Inglewood believes they receive no benefit from that work. Negotiations ensued and the recommended agreement contains the following provisions:

- Total face value of contribution: \$12 million
- Form of contribution:
  - \$6 million in new first/last mile improvements to be approved by Metro and completed within 6 years of the agreement
  - Additional \$ 6 million financed, with interest accruing from the beginning of the 11<sup>th</sup> year of the note and the first payment commencing in year 11 of the agreement, balance financed over 40 years at 3% interest.
- City obligation secured by lien against City's local allocation of Measure R, Proposition A and Proposition C funds.

### **DETERMINATION OF SAFETY IMPACT**

The recommended action has no impact on safety.

### **FINANCIAL IMPACT**

The original Project plan included a \$17.7M Local Contribution from the City of Inglewood for the benefits of new rail construction within the City. The terms of this agreement have been negotiated such that no funds will be provided during construction of the Project. In lieu of construction contributions, \$6 million will be directed to the City of Inglewood for First / Last mile improvements separate from the currently approved Crenshaw Life of Project (LOP) budget. Six (\$6) million of additional funds will be repaid to Metro commencing 11 years from the date of the signed agreement to be paid over a 40 year term.

#### **Impact to Budget**

Substitute funds need to be identified to replace the \$17.7 million originally planned as the City of Inglewood Local Contribution to the Crenshaw LOP budget. There is no impact to the current fiscal year as no City of Inglewood funds were included in the FY17 adopted budget. The funding sources for the project's capital budget that no longer being provided as a local contribution by the City of Inglewood will be offset by other eligible Metro controlled funding sources including, but not limited to



Proposition A 35%, Proposition C 25%, federal Congestion Mitigation and Air Quality (CMAQ), and federal Regional Surface Transportation Program (RSTP) funding. The exact funding sources and amounts will be determined through the Long Range Transportation Plan (LRTP) update process, which will need to prioritize this requirement against other needs and their requisite cash flow demands.

**ALTERNATIVES CONSIDERED**

The alternative is to not approve the subject agreement and seek to negotiate alternatives terms. This is not recommended. The negotiations have been protracted, the parties have negotiated in good faith and additional negotiations will likely not be fruitful. The agreement will provide needed First/Last Mile improvements and a long term contribution to partially reimbursement for Project costs.

..Next\_Steps

**NEXT STEPS**

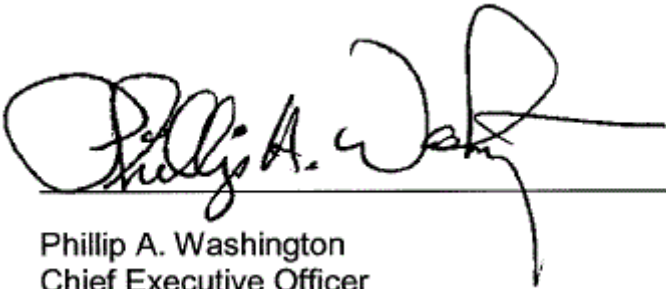
Upon Board approval, the CEO will execute the agreement and the Metro and city staff will proceed to identify the eligible First/Last Mile improvements.

**ATTACHMENTS**

Attachment A - Measure R Local Match Financial Contribution Agreement (Draft)

Prepared by: Calvin Hollis, Senior Executive Officer, (213) 922-7319

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



Phillip A. Washington  
Chief Executive Officer

**CRENSHAW LIGHT RAIL TRANSIT PROJECT  
MEASURE R LOCAL MATCH FINANCIAL  
CONTRIBUTION AGREEMENT**

This CRENSHAW LIGHT RAIL TRANSIT PROJECT MEASURE R LOCAL MATCH FINANCIAL CONTRIBUTION AGREEMENT ("**Agreement**") is made and entered into on this \_\_\_ day of \_\_\_\_\_, 2016 ("**Execution Date**"), by and between the CITY OF INGLEWOOD, a municipal corporation (the "**City**"), and the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("**LACMTA**"), collectively referred to as "Parties" and individually as a "Party," with reference to the following:

RECITALS:

WHEREAS, the City is a municipal corporation duly organized and validly existing under the laws of the State of California with the power to carry on its business as it is now being conducted under the statutes of the State of California and the Charter of the City.

WHEREAS, LACMTA is the public agency designing, constructing and operating the Crenshaw/LAX Transit Corridor Project (the "**Project**"). The Project is a new 8.5 mile light rail line that extends between the Exposition Line (at the intersection of Exposition and Crenshaw Boulevards) and the Metro Green Line (near the existing Aviation/LAX Station) in Los Angeles County, California. The portion of the rail line that is within the city of Inglewood is 2.93 miles.

WHEREAS, the Project includes eight (8) stations of which two (2) stations are located in the City of Inglewood. LACMTA received state environmental clearance for the Project in September 2011 and federal environmental clearance in December 2011.

WHEREAS, the Project has a life-of-project budget of \$1,749,000,000. The Project is being funded in part with Measure R funds. The Measure R financial plan assumes a local funding match of 3% for all Measure R Projects. The City of Los Angeles and the City of Inglewood are responsible for the 3% local funding match to the Project.

WHEREAS, the parties have agreed that City's contribution of \$12,000,000, to be provided as follows, will be accepted by LACMTA to satisfy the City's local contribution to the Project ("**City's Share**"): (1) City shall contribute \$6,000,000 in LACMTA approved projects which address the connection at the beginning or end of an individual trip, commonly referred to as the first and last mile connection; and (2) City has requested that LACMTA advance the City's Share towards the Project for the City. In exchange, City has agreed to repay the advance by making payments of principal plus interest as set forth in the promissory note with an initial principal balance of \$6,000,000

in the form attached hereto as Exhibit A and incorporated herein by reference (the “**Note**”).

WHEREAS, LACMTA is willing to advance a portion of the City’s Share funding contribution as set forth herein.

WHEREAS, the City took action on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ authorizing City to enter into the transactions set forth in this Agreement.

WHEREAS, LACMTA took action on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ authorizing LACMTA to enter into the transactions set forth in this Agreement.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. FUNDING COMMITMENT.

A. City shall contribute \$12,000,000 towards the Project by providing \$6,000,000 in First and Last Mile Improvements Projects (as defined below) and making payments on the \$6,000,000 Note, all as further described herein. The completion of the First and Last Mile Improvements Projects and payment of the Note in full shall constitute City meeting its City Share funding commitment to the Project.

B. First and Last Mile Improvements Projects

i. LACMTA will undertake a study (the “**Study**”) in collaboration with City to identify projects which will improve access to the Inglewood Crenshaw LRT Station. The Study will ensure the projects are consistent with LACMTA’s adopted Active Transportation Strategic Plan Guidelines.

ii. From the list of projects identified in the Study, the City will select a list of projects that it desires to design, construct, operate and maintain. The selected projects shall in the aggregate cost at least \$6,000,000 to design and construct and the design and construction budgets for these projects are subject to LACMTA’s review and concurrence. LACMTA shall review City’s selected list of projects and upon LACMTA approval of such City selected projects, the LACMTA approved list of projects will be referred to, and for purposes of this Agreement are defined as, collectively, the “**First and Last Mile Improvements Projects**” and individually, as a “**First and Last Mile Project.**”

iii. City shall expend at least \$6,000,000 on the First and Last Mile Improvements Projects no later than the date (“the “**Expenditure Date**”) that is six (6) years from the date the LACMTA Board of Directors approved this Agreement. For each First and Last Mile Project that is completed and operational by the Expenditure Date, the amount actually expended on such First and Last Mile Project will be credited toward the \$6,000,000.

iv. City shall be responsible to design, construct, operate and maintain each First and Last Mile Project at its sole cost and expense, using local, State or

Federal sources and these sources shall not include any LACMTA grant funds unless specifically provided herein. Notwithstanding the foregoing, if (1) funds from that certain sales tax measure initiated by LACMTA and included in the November 2016 ballot (“2016 Sales Tax Measure”) are allocated to the South Bay Transit and Mobility funding category or, if permitted by the LACMTA Board, the South Bay share of the Subregional Equity Program category (collectively, the “**SB Funds**”) and (2) the South Bay Council of Governments (“**SBCOG**”) allocates any part of the SB Funds to the City for a First and Last Mile Project, then City may use such SBCOG Funds to design, construct, operate and maintain the applicable First and Last Mile Project; provided, however, use of such SBCOG Funds for the First and Last Mile Project must be subject to and consistent with LACMTA’s approved guidelines for such 2016 Sales Tax Measure categories. City will be required to operate and maintain the First and Last Mile Improvements Projects for at least ten (10) years from their respective date of opening.

C. The Note

i. Concurrent with the execution of this Agreement, the City shall execute and deliver to LACMTA the Note which will obligate the City to pay LACMTA \$6,000,000 plus interest on the terms and conditions set forth in the Note. Upon delivery of the Note, City shall also provide LACMTA with a legal opinion that this Agreement and the Note are duly authorized, executed and delivered by the City and constitutes valid legal and binding obligations of the City enforceable against the City in accordance with their respective terms.

ii. By executing the Note and this Agreement, City hereby authorizes LACMTA to advance and LACMTA shall advance on behalf of City \$6,000,000 for use on the Project. City hereby instructs LACMTA not to pay the advance to the City but to apply the \$6,000,000 directly to the Project. Interest on the Note shall accrue commencing on the date that is ten (10) years from the date of the Note until the advance is repaid in full.

D. LACMTA acknowledges that the City intends to fulfill its financial obligations under this Agreement through its local return share of Proposition A, Proposition C and to the extent it is still available, Measure R funds, and if passed, Maker’s local return share of any future sales tax measures initiated by LACMTA and not through the City’s general funds or by exercise of its powers of taxation, should these special funds prove insufficient. Accordingly, nothing in this Agreement shall require the City to expend or promise to expend monies from its general fund to satisfy all or any portion of the obligations set forth in this Agreement or in the Note. Since this is an obligation which is payable out of special funds, it is not an “indebtedness or liability” of the City within the meaning of Section 18 of Article XI of the Constitution. Further, this obligation is not a lien or encumbrance, legal or equitable, upon any of the City’s property or upon any of the City’s income or receipts or revenues, other than the City’s local return share of Proposition A, Proposition C and Measure R funds, and if passed, City’s local return share of any future sales tax measures initiated by LACMTA, which are hereby pledged as payment sources.

2. UNDERRUNS, OVERRUNS AND BETTERMENTS.

A. In the event the final cost of the Project is less than the budgeted amount of \$1,749,000,000, the City's share of the local match commitment shall be proportionately reduced and the City shall receive a credit against its contributions by reducing the then outstanding principal amount on the Note and recalculating the payment amount. In no event shall the City's Share exceed \$12,000,000, nor will the City be responsible for any cost overruns or budget increases for the Project.

B. Project Betterments shall be paid by the City separate and apart from this Agreement and shall be defined in and paid pursuant to the Letter of Agreement, which was fully executed by both parties on April 17, 2012 (the "LOA").

### 3. INDEMNITY.

A. The LOA specifies procedures which the parties will follow to identify, plan, design and affect the Project. Section IV of the LOA provides for LACMTA to indemnify the City for its performance under the LOA. As LACMTA will use the City's local contribution amount for the Project, the parties desire to remain consistent with LACMTA's indemnity obligations to City with regard to identifying, planning, designing and affecting the Project. Therefore, the parties hereby agree that the indemnity provided by LACMTA to City under Section VI of the LOA is incorporated herein by reference as though set forth in full.

B. City shall indemnify, defend and hold harmless LACMTA and its officers, employees and agents from and against all claims, damages, losses, liabilities, and costs and expenses (including attorneys' fees) arising out of the performance, by City or its employees and agents, of activities the City is required to perform under this Agreement, including without limitation, the design, construction, operation and maintenance of the First and Last Mile Improvements Projects and payments made under the Note.

### 4. RECORDS AND AUDIT.

A. LACMTA shall maintain any and all documents and records demonstrating or relating to LACMTA's performance of services pursuant to this Agreement. LACMTA shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks or other documents or records evidencing or relating to work, services, expenditures and disbursements charged to the Project. Any and all such documents or records shall be maintained in accordance with generally accepted accounting principles and shall be sufficiently complete and detailed so as to permit an accurate evaluation of the services provided by LACMTA pursuant to this Agreement. Any and all such documents or records shall be maintained to the extent required by laws relating to audits of public agencies and their expenditures.

B. City shall have the right to inspect or review any documents or records reasonably required of City to evaluate LACMTA's obligations pursuant to this Agreement. LACMTA shall make all records and documents to be reviewed and inspected by City as a part of any audit or other record review conducted by City available for City's review within ninety (90) days of receiving written notice from City

requesting same. LACMTA shall maintain such data and records in an accessible location and condition for a period of not less than three (3) years from the date of final payment under this Agreement, or until after the conclusion of any audit, whichever occurs last.

C. These audit rights shall not excuse or otherwise affect City's payment obligations hereunder. Any final under or overpayments shall be handled through the audit process.

D. City shall maintain any and all documents and records demonstrating or relating to City's performance of services pursuant to this Agreement. City shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks or other documents or records evidencing or relating to work, services, expenditures and disbursements charged to the First and Last Mile Improvements Projects. Any and all such documents or records shall be maintained in accordance with generally accepted accounting principles and shall be sufficiently complete and detailed so as to permit an accurate evaluation of the services provided by City pursuant to this Agreement. Any and all such documents or records shall be maintained to the extent required by laws relating to audits of public agencies and their expenditures.

B. LACMTA shall have the right to inspect or review any documents or records reasonably required of LACMTA to evaluate City's obligations regarding the First and Last Mile Improvements Projects under this Agreement. City shall make all records and documents to be reviewed and inspected by LACMTA as a part of any audit or other record review conducted by LACMTA available for LACMTA's review within ninety (90) days of receiving written notice from LACMTA requesting same. City shall maintain such data and records in an accessible location and condition for a period of not less than three (3) years from the date of final payment under this Agreement, or until after the conclusion of any audit, whichever occurs last.

## 5. NOTICES.

A. All notices, demands, requests, or approvals to be given under this Agreement shall be given in writing and conclusively shall be deemed served when delivered personally or on the second business day after the deposit thereof in the United States mail, first class postage prepaid, addressed as hereinafter provided.

B. All notices, demands, requests, or approvals to City shall be addressed to City at:

CITY  
Yvonne Horton  
City Clerk  
City of Inglewood  
One Manchester Boulevard  
Inglewood, California 90301

WITH COPY TO  
City of Inglewood  
One Manchester Boulevard  
Inglewood, California 90301  
Attn: City Manager

C. All notices, demands, requests, or approvals to LACMTA shall be addressed to LACMTA at:

Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza,  
Los Angeles, CA 90012  
Attn: Charles Beauvoir, Deputy Executive Officer, Project Management

With a copy to:

Joyce Chang  
Principal Deputy County Counsel  
c/o LACMTA  
One Gateway Plaza, 99-24-2  
Los Angeles, CA 90012

## 6. DEFAULT AND REMEDIES.

A. In the event City fails to perform its obligations under this Agreement, LACMTA shall provide written notice of such breach to City with a 30-day period to cure the breach. If City fails to cure the breach within the 30 day period, then City shall be deemed to be in default under this Agreement.

B. Should City be in default pursuant to Section 1B above, the budgeted value of any First and Last Mile Project which is not completed and operational by the Expenditure Date shall be added together and the resulting cumulative amount shall be referred to as the "**First and Last Mile Outstanding Balance**"). At such time, City's obligation to provide the First and Last Mile Improvements Projects shall be replaced with the obligation to pay the First and Last Mile Outstanding Balance as set forth herein. The First and Last Mile Outstanding Balance shall be paid in monthly installments over ten years with the outstanding unpaid amounts bearing interest at 3% per annum. City shall pay the First and Last Mile Outstanding Balance by hereby authorizing LACMTA to withhold from City's local return share of Measure R, Proposition A and Proposition C in an amount sufficient to pay monthly payments in an amount such that at the end of ten years, the First and Last Mile Outstanding Balance plus all accrued and outstanding interest is paid in full.

C. In the event City fails to perform its obligations under the Note, the parties shall comply with the default and remedies sections set forth in the Note.

D. Further and in addition to the rights set forth herein, If City is in default under this Agreement, LACMTA may take any action against and pursue any remedy against City available to LACMTA under this Agreement or at law or in equity.

E. Article V of the LOA provides for resolution of disputes, claims or controversies arising out of or relating to any construction involving or otherwise relating to the Project. The parties desire to remain consistent with the handling of disputes regarding construction of the Project. Therefore, the parties hereby agree that the Resolution of Disputes set forth in Article V of the LOA is incorporated herein by reference as though set forth in full.

#### 7. TERM.

This Agreement shall become effective upon the date first referenced above and shall remain in full force and affect until the City has paid the Note in full. Once executed, the City shall have no right to terminate this Agreement.

#### 8. INDEPENDENT PARTIES.

The parties to this Agreement will be acting in an independent capacity and not as agents, employees, partners, or joint venturers of one another. Neither the City, LACMTA, nor any of their respective officers or employees or representatives, shall have any control over the conduct of the other party, or the other party's employees, representatives or consultants.

#### 9. INTEGRATED CONTRACT.

This Agreement, its Exhibits and the LOA represents the full and complete understanding of every kind or nature whatsoever between the parties hereto relating to the local contribution obligations by the City for the Project. All preliminary negotiations and agreements of whatsoever kind or nature concerning this matter are merged herein. No verbal agreement or implied covenant shall be held to vary the provisions hereof. Any modification of this Agreement will be effective only by written agreement signed by all the parties. Each and every attachment, if any, to this Agreement is incorporated by reference and made part of this Agreement.

#### 10. MISCELLANEOUS.

A. A waiver by a party of any breach of any term, covenant, or condition contained herein shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained herein whether of the same or a different character.

B. This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Los Angeles. In the event of litigation in the United States District Court, venue shall lie exclusively in the Central District of California, in Los Angeles. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.



C. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which taken together shall constitute but one and the same instrument, provided, however, that such counterparts shall have been delivered to both Parties to this Agreement.

D. Any provision of this Agreement, which by its nature must be exercised after termination of this Agreement, or obligation that accrued hereunder prior to termination, including without limitation Section 3, will survive termination and remain effective for a reasonable time.

E. Each of the Parties represents and warrants that the person who signs this Agreement on its behalf has authority to bind that Party.

(SIGNATURES ON THE NEXT PAGE)

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

CITY OF INGLEWOOD, a municipal corporation

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

Name: \_\_\_\_\_

Its: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

LOS ANGELES COUNTY METROPOLITAN  
TRANSPORTATION AUTHORITY

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

Phillip A. Washington  
Chief Executive Officer

APPROVED AS TO FORM:

MARY C. WICKHAM  
County Counsel

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

Deputy

Exhibit A

Form of Promissory Note



## Board Report

File #: 2016-0527, File Type: Program

Agenda Number: 9.

### PLANNING AND PROGRAMMING COMMITTEE SEPTEMBER 14, 2016

**SUBJECT: OPEN STREETS GRANT PROGRAM**

**ACTION: APPROVE OPEN STREETS GRANT PROGRAM - CYCLE TWO**

#### RECOMMENDATION

CONSIDER awarding and programming a total of \$4.14 million for Cycle Two (2) of the **Open Streets Grant Program per the Metro Board Motion 72** (Attachment A) and programmatic support as follows:

- A. AWARDING \$4.04 million to 17 new Open Street events scheduled through December 2018 (Attachment B-1);
- B. PROGRAMMING the Cycle One (1) 626 Golden Street event with up to \$200,000 of supplemental funds to execute the event due to postponement from the June Reservoir and Fish fires. The costs to stage the 626 Golden Streets event will not exceed the \$393,600 amount as was originally allocated by the Board; and
- C. REPROGRAMMING \$100,000 from canceled Cycle One Open Street event Car Free Carson towards Cycle Two.

#### ISSUE

In September 2013 the Metro Board approved the Open Streets Competitive Grant Program framework to fund a series of regional car-free events in response to the June 2013 Board Motion 72. The approved framework includes the following:

- An annual allocation up to \$2 million.
- Competitive process and program.
- Technical process to collect data and evaluate the events.

In March 2016 The Metro Board approved initiation of Cycle Two of the Open Streets Grant Program (Attachment C). The Cycle Two recommendation includes funding for 17 new events and supplemental programmatic elements per the June 2013 Motion 72, for a total of \$4.14 million over 2.5 fiscal years. This funding recommendation is within the approved framework of an annual allocation of up to \$2 million. Board approval is necessary to program the funds to 17 Cycle Two

events, supplemental funding for one (1) postponed Cycle One event and reprogramming of one (1) Cycle One event.

## **DISCUSSION**

Open Street events are temporary one-day events that close the streets to automotive traffic and open them to people to walk, bike or roll. The goals of the Open Streets Grant Program are to provide opportunities for 1) riding transit, walking and riding a bike, possibly for the first time, 2) to encourage future mode shift, and 3) civic engagement to foster the development of multi-modal policies and infrastructure at the local level.

### Cycle One Summary

In response to the June 2013 Metro Board Motion 72 staff developed a comprehensive framework and competitive grant process to solicit and evaluate applications for Open Street events throughout Los Angeles County. At the June 18, 2014 meeting, the Board awarded \$3.7 million to 12 jurisdictions. 10 of the 12 events awarded in Cycle One were implemented totaling 68 miles of Open Streets in Los Angeles County. The Car Free Carson event was canceled, at the request of the City, due to financial constraints. We are requesting the Car Free Carson grant award of \$100,000 be reprogrammed in Cycle Two. The South Pasadena 626 Golden Streets event was postponed due to public safety concerns related to the nearby Reservoir and Fish wild fires. The South Pasadena led event will be rescheduled for winter/spring 2017 during Cycle Two. The City and their partners have spent funds on marketing, traffic control, event coordination, planning and logistic costs related to the postponed event that the Grantee is unable to recoup. We are requesting that Cycle Two programming include up to \$200,000 to cover any costs necessary for the Grantee to move forward and implement the 626 Golden Streets event. Not including non-recoupable costs, the cost to stage the 626 Golden Streets event during Cycle Two will not exceed the \$393,600 amount as was approved by the Board during Cycle One. Staff will coordinate with the Grantee to ensure that any potential scope changes are consistent with the original Cycle One funding recommendation.

Per Board Motion 72, staff has initiated an evaluation of the events implemented in Cycle One utilizing grantee's post implementation reports, transit TAP data and other sources. The initial event data shows the following:

- Boarding increased an average of 10% systemwide on the day of events
- Boarding on the Metro Expo Line increased 26% during the December 7, 2014 CicLAvia: South LA;
- Metro Gold Line Boardings increased by 32% during the May 31, 2015 CicLAvia: Pasadena;
- Systemwide Day Pass sales increased an average of 17% on the day of events and;
- Systemwide 30 Day Pass sales increased an average of 12% on the day of events.

A Request for Proposals (RFP) package was released in spring 2016 to conduct an in depth evaluation study of the 10 events implemented in Cycle One. Proposals are currently being evaluated. The evaluation study will be completed upon receipt of all Cycle One post event evaluation reports.

The evaluation study consultant will also work with Cycle Two grantees to collect data on participation numbers, participants, business response to the event and the number of bikes utilizing rail to get to and from the event. The consultant will unify these reports by providing a standardized methodology to count participation and collect responses from participants and businesses. The outcome of the study will be a comprehensive analysis of all 17 Cycle Two events. By selecting one group to lead an evaluation, instead of each city collecting their own data, we will ensure a consistent methodology across all the events and thus produce a more cohesive, valid and uniform evaluation of these events.

### Open Streets Cycle Two

#### Outreach

In March 2016 The Metro Board approved initiation of Cycle Two of the Open Streets Grant Program (Attachment C). Following the Board approval of the Open Streets Grant Program Cycle Two, staff conducted extensive outreach, presenting the program to the Councils of Governments (COG), the Technical Advisory Committee (TAC) and the Streets and Freeways Subcommittee. Staff released the Open Streets Grant Application online on March 31, 2016 and subsequently hosted an Open Streets Program Workshop on April 14, 2016. The workshop featured speakers from across the region, who have implemented open street events, sharing guidance on how to plan and implement an event and Metro staff providing instructions on how to apply for grant funding. Over 100 people representing the cities and agencies across the Los Angeles Region attended the events that Metro attended and hosted.

#### Evaluation and Recommendation

A total of 19 project applications were received on May 12, 2016 that included a total of \$4.25 million of funding requests. The event applications are diverse in scope ranging from 0.5 to 6.6 miles in length and are representative of the region (Attachment B-2). The application evaluation was conducted by an internal technical team with experience in multi-modal transportation, including representatives from Planning and Operations. The events were evaluated based on their ability to meet the project feasibility and route setting guidelines approved by the Board that stressed readiness, partnership expertise and connections to transit and existing active transportation infrastructure. Additional criteria requested by the Board and new to this Cycle include extra points for disadvantaged communities as determined by CalEnviroScreen Score, cities who have never hosted an Open Street event, and multi-jurisdictional events. Of the 19 applications received, 13 were for routes along disadvantaged communities, 11 applicant cities have not hosted an Open Street event, and 7 applications received were for multi-jurisdictional events. Of the 19 applications submitted, 17 received passing scores for a total of \$4.04 million of recommended funding requests, allocating the applicants' full funding request.

There were two applications that did not receive passing scores from the Cities of Redondo Beach and Artesia. The events proposed were both approximately a mile or less in length; they did not score competitively in the route setting, project feasibility and regional significance categories; and did not meet the goals of the program as outlined in Metro Board Motion 72. Shall the Board authorize

additional funding for a future program cycle; staff will work with these two cities to develop more competitive applications. Specifically, in the future staff could work with the cities to consider a route that more closely meets the industry standard of four miles.

Cycle Two includes 2.5 years of Open Street programming, with the first event being proposed for fall 2016 and the final event being proposed for winter 2018. The 2.5 year timeline will allow for the staging of events within the December 2018 deadline and ensure that events will maximize attendance and regional participation by not being held on consecutive dates. Funded events are regionally diverse, connected to transit stations, regional bikeways and major activity centers.

Up to an additional \$200,000 is being recommended in order to make the City of South Pasadena whole for expenses incurred in planning the 626 Golden Streets event during Cycle One. The 626 Golden Streets event was postponed four days prior to the event due to the wild fires. The award will allow the City of South Pasadena to carry out planning, coordination and other related work in order to stage the Cycle One funded event during Cycle Two. The costs to stage the new 626 Golden Streets event will not exceed the \$393,600 amount as was originally allocated by the Board.

Staff will utilize funds from the FY 16/17 budget allocation to cover expenses for Rail Operations, Marketing and Community Relations support for Open Streets events through December 2018. Operations is required to support the events with increased rail supervisors at grade crossings, at stations for crowd control, and to provide a bus and operator for community outreach on the day of events. Community Relations and Marketing is needed for event day of support, management and procurement of marketing materials, transport of marketing and outreach goods, staff training and TAP outreach and sales.

### **DETERMINATION OF SAFETY IMPACT**

The Open Streets Grant Program Cycle Two will not have any adverse safety impacts on our employees and patrons.

### **FINANCIAL IMPACT**

The funding of \$1.1 Million for the first year of the program is included in the FY17 budget in cost center number 0441, Active Transportation and Sustainability, under project number 410077, Open Street Grant Program. We expect \$1.1 Million to cover anticipated invoices for events (including Cycle One and Two) in this fiscal year. Since this is a multi-year program, the cost center manager and Chief Planning Officer of Countywide Planning will be responsible for budgeting the costs in future years.

#### **Impact to Budget**

A local funding source, Proposition C 25%, will be utilized for Open Streets. These funds are not eligible for Bus and Rail Operating and Capital expenses.

Proposition C 25% funds are eligible for transportation system management/demand management (TSM/TDM) programs such as Open Streets events. SCAG identifies Open Street Events as

Transportation System Management / Demand Management (TSM/TDM) programs in the 2012 RTP Congestion Management Appendix in the section titled Congestion Management Toolbox - Motor Vehicle Restriction Zones. Should other eligible funding sources become available, they may be used in place of the identified funds.

### **ALTERNATIVES CONSIDERED**

The Board may choose to not approve the recommended funding of Cycle Two of the Open Streets Grant Program. This alternative is not recommended as it is not in line with the June Board Motion 72 establishing a Metro Open Streets Grant Program.

### **NEXT STEPS**

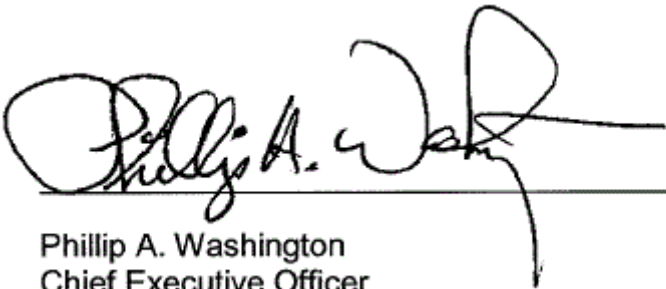
Upon approval, we will notify project sponsors of the final funding award and proceed to initiate memorandum of understanding.

### **ATTACHMENTS**

Attachment A	June 2013 Metro Board Motion 72
Attachment B-1	Open Streets Grant Program Cycle Two Summary of Funding and Recommendations
Attachment B-2	Open Streets Grant Program Cycle Two Map
Attachment C	March 2016 Metro Board Approved Cycle Two Application and Guidelines

Prepared by: Brett Thomas, Transportation Planner, (213) 922-7535  
Avital Shavit, Senior Manager, Transportation Planning, (213) 922-7518  
Laura Cornejo, Deputy Executive Officer, (213) 922-2885  
Calvin Hollis, Executive Officer, (213) 922-7319

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



Phillip A. Washington  
Chief Executive Officer



**MOTION BY  
MAYOR ANTONIO R. VILLARAIGOSA,  
SUPERVISOR GLORIA MOLINA,  
DIRECTOR ARA NAJARIAN, DIRECTOR MEL WILSON**

Planning and Programming Committee  
June 19, 2013

**Los Angeles County “Open Streets” Program**

Across the nation, cities have begun hosting “open streets” events, which seek to close down streets to vehicular traffic so that residents can gather, exercise, and participate in pedestrian, bicycling, skating and other related activities.

These events are modeled after the “*Ciclovias*” started in Bogota, Colombia over thirty years ago in response to congestion and pollution in the city.

In 2010, Los Angeles held its first “open streets” event, called CicLAvia.

After six very successful events, CicLAvia has become a signature event for the Los Angeles region.

With over 100,000 in attendance at each event, CicLAvia continues to successfully bring participants of all demographics out to the streets.

This event offers LA County residents an opportunity to experience active transportation in a safe and more protected environment, and familiarizes them with MTA transit options and destinations along routes that can be accessed without an automobile.

The event also takes thousands of cars off the streets, thereby decreasing carbon emissions.

Bicycling, as a mode share, has increased dramatically within LA County in the last years, boosted largely by the awareness brought about by these “open streets” programs.

Over the past decade, LA County has seen a 90% increase in all bicycle trips.

CONTINUED

In response to this growing demand, many local jurisdictions have begun implementing robust bike infrastructure and operational programs that enhance the safety and convenience of bicycling as a mode of travel.

Seeing the success of CicLAvia in Los Angeles, these jurisdictions have expressed a desire to pursue their own “open streets” events to increase awareness for active transportation and reduced reliance on the private automobile.

MTA should partner alongside a regional “open streets” type program in order to coordinate, assist, and promote transit related options.

These events will become a significant contributor to MTA’s overall strategy to increase mobility and expand multi-modal infrastructure throughout the region.

They will also promote first-mile/last-mile solutions and fulfill the Sustainable Communities Strategy Plan, as proposed by the Southern California Association of Governments.

**WE THEREFORE MOVE THAT** the MTA Board of Directors direct the CEO to use the following framework in order to create an “open streets” program:

1. Identify an eligible source of funds to allocate annually up to \$2 million to support the planning, coordination, promotion and other related organizational costs.
2. Report back at the September 2013 Board meeting a recommended competitive process and program, working with the County Council of Governments and other interested cities, to implement and fund a series of regional “open streets” events throughout Los Angeles County.
3. Develop a technical process to collect data and evaluate the cost and benefits (e.g. transit use increases, reduction of air emissions, etc.) of these events.

###

**CYCLE TWO APPLICATIONS**

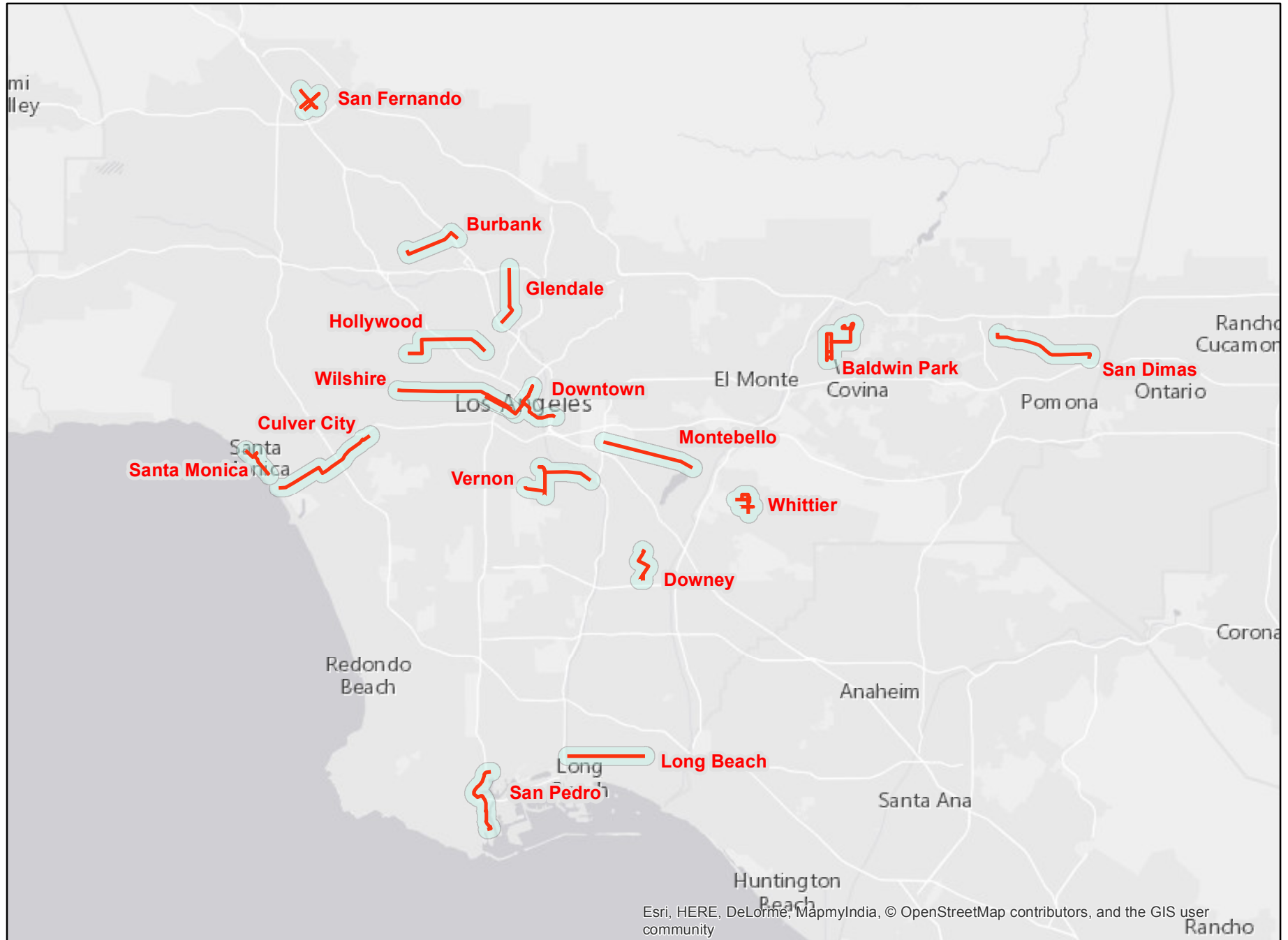
	Applicant	Open Street Event	Date	Rail Stations and Regional Bike/Ped Paths	Length in		Disadvantaged	Multi-Jurisdictional	Score	Total Request	Awarded
					Miles	Time Event					
1	West Hollywood	CicLAvia: Meet the Hollywoods	Spring 2018	Sunset/Vermont, Hollywood/Western, Hollywood/Vine, Hollywood/Highland	5.5	X	X	X	92.3	\$ 298,000.00	\$ 298,000.00
2	Burbank	Burbank on the Boulevard	Spring 2017	North Hollywood Station, Downtown Burbank Station, Chandler Bike Path	3.27	X			89.3	\$ 149,000.00	\$ 149,000.00
3	Culver City	CicLAvia: Culver City to the Beach	Spring 2017	Culver City Station, Ballona Creek Bike Path, North County Bike Path	6.58			X	89.0	\$ 298,000.00	\$ 298,000.00
4	Los Angeles	CicLAvia Heart of LA	Winter 2018	7th/Metro Center, Westlake/MacArthur Park, Pershing Square, Civic Center/Grand Park, Union Station	6		X		87.0	\$ 312,800.00	\$ 312,800.00
5	Baldwin Park	Pride of the Valley Open Streets	Summer 2017	Baldwin Park Station, Duarte/City of Hope Station, San Gabriel River Trail	6.8	X	X	X	86.8	\$ 206,821.00	\$ 206,821.00
6	Vernon	River to Rail: Vernon & Huntington Park's Open Streets Event	Summer 2017	Slauson Station, Los Angeles River Bike Path	5.17	X	X	X	86.8	\$ 199,000.00	\$ 199,000.00
7	Los Angeles	CicLAvia Heart of LA	Fall 2017	7th/Metro Center, Westlake/MacArthur Park, Pershing Square, Civic Center/Grand Park, Union Station	6		X		83.8	\$ 312,800.00	\$ 312,800.00
8	Los Angeles	CicLAvia Iconic Wilshire	Winter 2017	7th/Metro Center, Westlake/MacArthur Park, Wilshire/Vermont, and Wilshire/Western	6.3				79.5	\$ 312,800.00	\$ 312,800.00
9	Glendale	CicLAvia: Glendale meets Atwater Village	Spring 2017	Glendale Station, Los Angeles River Bike Trail	3	X	X	X	78.8	\$ 179,520.00	\$ 179,520.00
10	Santa Monica	Coast Santa Monica's Open Street Event	Summer 2018	Downtown Santa Monica Station. North County Bike Path, Expo Bike Path	2.06				78.7	\$ 149,000.00	\$ 149,000.00
11	Downey	Downey Ride & Stride Open Steets Event	Spring 2017	Lakewood Station	4.96		X		78.0	\$ 125,528.00	\$ 125,528.00
12	San Fernando	Healthy San Fernando Open Street Event	Fall 2017	San Fernando Station, Metrolink Bike path	4	X	X		77.5	\$ 148,800.00	\$ 148,800.00
13	Long Beach	Beach Streets: Anaheim Corridor	Fall 2016	Anaheim Street Blue Line Station, Los Angeles River Bike Trail	4.1		X		77.3	\$ 190,000.00	\$ 190,000.00
14	Whittier	Whittier Walk and Roll Street Festival	Summer 2017	Whittier Greenway Trail	6	X	X		76.8	\$ 119,000.00	\$ 119,000.00
15	Montebello	Cruising Whittier Blvd.	Spring 2018	Maravilla Station, Rio Hondo Bike Path	4.95	X	X	X	76.0	\$ 149,000.00	\$ 149,000.00
16	San Dimas	CicLAvia: Route 66	Spring 2018	Claremont Station, Pomona North Station	5.76	X	X	X	75.0	\$ 596,000.00	\$ 596,000.00
17	Los Angeles	San Pedro Willmington Open Streets	Summer 2017		4.23		X		74.3	\$ 289,600.00	\$ 289,600.00
18	Artesia	Artesia International Street Fair & Diversity Festival	Fall 2016		0.5	X			68.3	\$ 96,000.00	\$ -
19	Redondo Beach	Artesia-A-Go-Go	Summer 2018		1	X			62.3	\$ 120,000.00	\$ -
<b>Total</b>										\$ 4,251,669.00	\$ 4,035,669.00

**CYCLE ONE CANCELED EVENT**

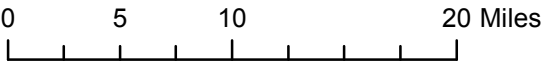
Applicant	Open Street Event	Date	Rail Stations and Regional Bike/Ped Paths	Length in Miles	New App	Disadvantaged	Score	Award	Reprgramed to Cycle Two
Carson	Car Free Carson	Spring 2016	Del Amo Station	5	X	X	92	\$ 100,000.00	\$ 100,000.00

**CYCLE ONE POSTPONED EVENT**

Applicant	Open Street Event	New Date	Rail Stations and Regional Bike/Ped Paths	Length in Miles	New App	Disadvantaged	Score	Original Award	Max needed to execute event
South Pasadena	626 Gloden Streets	Spring 2017	Arcadia, Monrovia, Duarte, Irwindale, Alameda in Azusa, Citrus. San Gabriel River Regional Pedestrian/Bicycle Trail	17+	X	X		393,600	200000



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## Metro

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



## Board Report

File #:2016-0084, File Type:Application

Agenda Number:9

PLANNING AND PROGRAMMING COMMITTEE  
MARCH 16, 2016

**SUBJECT: OPEN STREETS GRANT PROGRAM CYCLE 2****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

**AUTHORIZE the Metro Open Streets Grant Program Cycle 2 Application and Guidelines.**

**AMENDMENT by SOLIS that bonus points be given to disadvantaged communities and have multi-jurisdictional/regional events using the CalEnviroScreen assistance for first time applicants. Also asked staff to seek opportunities to work with the Councils of Governments.**

**ISSUE**

In June 2013 the Board adopted Motion 72 (Attachment B), directing staff to award up to \$2 million annually to support Open Street events. Cycle 2 guidelines and application (Attachment A) build on the Cycle 1 framework to support a competitive process. Board authorization of the Open Streets Cycle 2 competitive grant program, application package and guidelines are needed in order to proceed.

**DISCUSSION**

Open Street events are temporary one-day events that close streets to automotive traffic and open them to people to walk, bike or roll. Cycle 1 of the Open Streets Grant Program was successful in encouraging participants to ride transit and walk and ride a bike on urban streets, possibly for the first time. The Open Streets Grant program provides opportunities for economic development and the improvement of public health, since they get people out onto the street patronizing local businesses - all while exercising and interacting with their community. The Metro Outreach Booth at Open Streets events provides a platform for public input on Metro active transportation corridor projects such as the LA River and Rail to River and other programs, including the Countywide Bike Share Program. During Cycle 2 events the booth will continue to provide a location in the community to promote Metro programs.

**Cycle 1 Implementation**

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In response to Motion 72 (Attachment B) staff developed a comprehensive framework and competitive grant process to solicit and evaluate applications for open street events throughout Los Angeles County. At the June 18, 2014 meeting, the Board awarded \$3.7 million to 12 jurisdictions (Attachment C). To date, 5 of the 12 events awarded funding in Cycle 1 have been staged totaling nearly 32 miles of streets closed to cars and opened to pedestrians, bicyclists and other non-motorized forms of transportation. The remaining events to be held in spring 2016 will add an additional 52 miles of Open Streets. The events have allowed participants to experience the region in a car-free and or car-light manner and ride transit possibly for the first time.

To support cities in executing Open Street events, staff held a half day workshop that highlighted the objectives of the program; the process for planning, implementation and reimbursement; and showcased examples of previous successful regional events.

### Cycle 1 Evaluation

Per Board Motion 72, staff has begun to conduct an evaluation of Cycle 1 utilizing grantee's post implementation reports, transit TAP data and other sources. The initial event data shows:

- Boarding on the Metro Expo Line increased 26% during the December 7, 2014 CicLAvia: South LA;
- Metro Gold Line Boarding increased by 32% during the May 31, 2015 CicLAvia: Pasadena;
- 86% of responding businesses along the Long Beach: Beach Streets route responded that they would like to see another Open Streets event in their community
- Overall sales of Day Passes to the Metro system increased an average of 17% systemwide on the day of events and;
- Sales of 30 Day Passes increased 12% on the day of events.

A Request for Proposals (RFP) package is expected to be released in the spring of 2016 seeking the professional services of a contractor to conduct an in depth evaluation study of the twelve events included in Cycle 1. The evaluation study will be completed upon receipt of all Cycle 1 post event evaluation reports.

### Cycle 2 initiation

The success of the Open Streets Grant Program funded events to date has been the result of the strong partnership among Metro, the grantee cities, and nonprofits such as CicLAvia, Bikeable Communities, BikeSGV and others. Staff will encourage similar partnerships with the Cycle 2 Open Street Program solicitation process. The proposed application and guidelines for Cycle 2 are informed by feedback from applicants, grantees and participants of Cycle 1. In response to feedback and in order to ensure that the Cycle 2 program continues to serve to increase multi-modal access, advance active transportation at local levels and encourage transit usage, the following modifications have been made to the application and guidelines:

- Proposed route length should be based on national and regional best practices;
- Event should be regional in nature, having the ability to attract participants from surrounding and countywide jurisdictions
- Applicants will be required to include a detailed transit agency coordination plan with Metro

- and any other agencies operating service adjacent to the event route
- A maximum funding ceiling was implemented based on population share for large cities and \$149,000 for smaller cities not partnering with other jurisdictions. The amount of \$149,000 is utilized since it is a sufficient amount of funds to create a community-scaled open streets event based on cost observed in Cycle 1 and it is the maximum amount the FHWA allows for a simple procurement process.
  - Counts of bicyclists exiting at all rail transit stations directly adjacent to the event route will be required as part of the post event reporting requirements.
  - Day of event surveys of participants arriving to Open Street events on rail to determine frequency of Metro Rail ridership will be required as part of the post event reporting requirements.
  - Metro's selected Cycle 1 evaluation study contractor will provide support to Cycle 2 grantees to assist with data collection of participation counts, surveys and other information.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this program will have no impact on safety on our employees or patrons.

### **FINANCIAL IMPACT**

There is no impact to the FY 16 budget. Up to \$4 million for Cycle 2 will be requested during the FY 2017 and FY 2018 budget process. As this is a multi-year program it will be the responsibility of the cost center manager and the Chief Planning Officer to budget funds in future years.

#### **Impact to Budget**

There is no impact to the FY16 budget. Staff will work with Regional Programming, Budget and Local Programs and the Office of Financial Services to identify a funding source and will request funds through the FY17 budget process.

### **ALTERNATIVES CONSIDERED**

The Board has the option to not approve the Cycle 2 initiation. This alternative is not recommended as it is not in line with previous Board direction.

### **NEXT STEPS**

Upon Board approval, staff will release the application package for the Open Streets program. An easy to fill-out web-based application will be utilized and an informational workshop will be held for applicants. It is anticipated that the application will be released in early spring 2016 with staff returning for Board approval of the Cycle 2 Open Street Grant Program in fall 2016.

### **ATTACHMENTS**

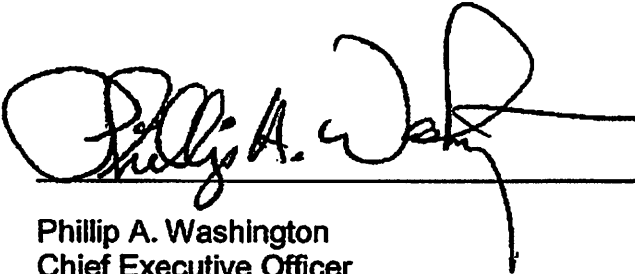
Attachment A - Open Streets Cycle 2 Application Package & Guidelines  
Attachment B - June 27, 2013 Board Motion #72

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Attachment C - June 18, 2014 Planning and Programming Committee Item #15

Prepared by:       Brett Thomas, Transportation Planner I, (213) 922-7535  
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Phillip A. Washington  
Chief Executive Officer





# Metro

## Open Streets Cycle 2 Program Guidelines and Application

All fields are required for application submission unless noted.

### Program Guidelines

#### **Program Objectives**

Open Streets are events which temporarily close the streets to automobiles and open them up to people to re-imagine their streets while walking, biking, rollerblading or pushing a stroller in a car-free environment. The goals of the program are to encourage sustainable modes of transportation (biking, walking and transit), provide an opportunity to take transit for the first time, and provide an opportunity for civic engagement that can foster the development of city's multi-modal policies.

#### **Eligibility**

Applicants must be a city/county within Los Angeles County. Funding may be distributed to more than one event per city/jurisdiction until the city/jurisdiction maximum funding allocation is reached. Applicants shall rank applications in order of priority with 1 being the most important, 2 being the second most important, etc.

#### **Funding**

There is up to \$4 million available for grants for the Open Streets Grant Cycle 2. Each city/jurisdiction can apply for the greater of a. \$149,000 OR b. population share (see chart). If an event is in multiple cities jurisdictions may combine population shares. Funds will be available starting in fall 2016, pending Metro Board approval and events must be staged by December 31, 2018. Funding sources may be federal and cities/jurisdictions will be required to comply with all federal funding procedures and requirements.

**See Chart A for maximum eligibility**

#### **Scoring**

Project will be evaluated on the following criteria on a 100 point score. An event must receive a minimum of 70 points to be eligible for funding.

General Event Information – 10 points

#### Project Feasibility – 30 points

<u>Event readiness (Funds will be required to be expended by December 31, 2018)</u>	<u>10</u>
<u>Agency/Partnership expertise*</u>	<u>5</u>
<u>Matching funds committed</u>	<u>5</u>
<u>Community support</u>	<u>5</u>
<u>Agency's existing active transportation programs and policies</u>	<u>5</u>

\* Partners may include but are not limited to COGs, community groups, event producers and non-profits

#### Project Feasibility – 45 points

- ~~Ability to attract participants from surrounding and countywide jurisdictions~~

- ~~Event readiness (Funds will be required to be expended within 2 years of award)~~
- ~~Agency/Partnership expertise~~
- ~~Matching funds committed~~
- ~~Community support~~
- ~~Support from neighboring cities/jurisdictions~~
- ~~Agency's existing active transportation programs and policies~~
- ~~Transit accessibility~~
- ~~Transit agency coordination plan~~

**Route Setting – 30 points**

<u>Route is along existing bicycle infrastructure*</u>	<u>3</u>
<u>Topography - The grantee should select a route that minimizes hills**</u>	<u>3</u>
<u>Connections to cultural, architectural, and/or historical destinations</u>	<u>3</u>
<u>Activities for pedestrians (dance classes, yoga, concessions, information booths)</u>	<u>3</u>
<u>Cost Effectiveness (cost/per mile and the value of connections &amp; destinations)</u>	<u>3</u>
<u>Proximity and access to commercial and retail corridors</u>	<u>3</u>
<u>Event cost per mile</u>	<u>4</u>
<u>Route includes disadvantaged communities***</u>	<u>4</u>
<u>Route length (industry standards recommend a minimum of 4 miles in length)</u>	<u>4</u>

\*Will the route be on or intersect any existing bicycle infrastructure? Has any of the infrastructure been funded by Metro (though the Call For Projects or by Measure R)?

\*\* As an example see San Francisco's "Wiggle" - [http://en.wikipedia.org/wiki/The\\_Wiggle](http://en.wikipedia.org/wiki/The_Wiggle)

\*\*\*Based on average of 70th percentile CalEnviroScreen Score for census tracts directly adjacent to the proposed route (<http://oehha.maps.arcgis.com/apps/Viewer/index.html?appid=112d915348834263ab8ecd5c6da67f68>)

**Route Setting— 45 points**

- ~~Event cost per mile~~
- ~~Connections between multiple cities and/or central business districts~~
- ~~Route is along existing bicycle infrastructure — Will the route be on or intersect any existing bicycle infrastructure? Has any of the infrastructure been funded by Metro (though the Call For Projects or by Measure R)?~~
- ~~Topography. The grantee should select a route that minimizes hills (for example see San Francisco's "Wiggle" — [http://en.wikipedia.org/wiki/The\\_Wiggle](http://en.wikipedia.org/wiki/The_Wiggle))~~
- ~~Connections to cultural, architectural, and/or historical destinations~~
- ~~Connecting neighborhoods and cities that have active transportation and/or transit facility gaps~~
- ~~Activities for pedestrians (dance classes, yoga, concessions, information booths)~~
- ~~Cost Effectiveness (cost/per mile and the value of connections & destinations)~~
- ~~Proximity and access to commercial corridors.~~
- ~~Proximity and access to transit~~
- ~~Route length (industry standards recommend a minimum of 4 miles in length)~~

**Transit and Community Connectivity - 30 points**

Ability to attract participants from surrounding and countywide jurisdictions	5
Support from neighboring cities/jurisdictions	5
Transit accessibility	5
Connections between multiple cities and/or central business districts	5

Connecting neighborhoods that have active transportation or transit facility gaps	5
Applicant jurisdiction has not had a previous Open Street event in their community	5

### **Funding Eligibility**

Funding may be used for pre-event planning & outreach costs in conjunction with implementing an event. Funding may be used for any operational or capital cost associated with the day-of event excluding alcohol. Funds awarded will not exceed the event cost in the original application and may be less if the key objectives can be achieved at lower costs. Scope and event day changes shall be handled administratively and be approved by Program Manager. Any cost overruns shall be the responsibility of the applicant. Both third party consulting costs and internal staff costs for staff directly providing services with respect to the project will be eligible for funding.

Grantee's shall collaborate with Metro's selected Cycle 1 Evaluation study contractor to assist in providing a post implementation report including counts identifying the number of bikes alighting at transit stations directly connected to the route, and pedestrian and bicycle counts entered online in Metro's Bike Count Clearinghouse at [www.bikecounts.luskin.ucla.edu/](http://www.bikecounts.luskin.ucla.edu/) no later than three months after the event including the following:

#### **1. Participation Counts of Pedestrians, Cyclists along the route using at least one of the following count methods:**

- Use temporary automated electronic counters – Preferred Method
- Conduct an "incomplete count" (a methodology from ecological studies) using visual or pictorial counts using crowdsourcing via Facebook, Twitter or Instagram.
  - An incomplete count involves counting part of a population and then extrapolating to the entire population. A geographic area or screenline may be established as the sample area and an attempt made to count all the individuals in the set area or passing through the screenline. In the case of an open street event several geographic areas or screenlines should be established and sample counting should take place at regular intervals at the same time at all locations.

#### **2. Transportation use data**

- Counts of bicyclists exiting at all rail transit stations directly adjacent to the route
- Survey of at least 500 individuals exiting the train asking the following questions:
  - Are you attending today's open street event?
  - Is this your first time riding Metro Rail?
  - If "NO" how often do you ride metro rail
    - Less than once a month
    - 1-3 times per a month
    - 4-7 times per a month
    - 8 or more times a month

#### **3. Personal Anecdotes**

Provide personal stories from participants, business owners along the route or event volunteers describing how the open street event has positively affected their lives or

community. The grantee shall engage in a dialogue with the community in person, via e-mail or through a social media platform like Facebook, Twitter or Instagram using (at least) one of the following questions:

- **Participants & Volunteers**
  - How has the open street event improved your neighborhood/community?
  - Has the open street event encouraged you to use active transportation or transit modes more often?
- **Business owners**
  - Has the open street event brought new or more patrons to you?
  - In light of the open street event, do you think that active transportation (pedestrian and bicycle) infrastructure improvements would improve your business opportunities?

**3. Bike-Trains & Bike Bus Shuttles Ridership** If bike-trains or special bike shuttles were used to transport participants to the event, then report the ridership of these services on the day of the event. If municipal bus services were employed, report on ridership on the day of the event and provide a monthly average for the same day of the week since the event took place.

#### **4. Local Economic Benefit**

- Report how the event affected sales at selected participating businesses along the route (a minimum of one business for every mile of the event). These businesses may have participated by providing discounts to pedestrians and cyclists or by having a sales display or dining tables on the sidewalk. Surveys, interviews or sales tax data may be used to collect information on sales performance at selected participating businesses.

### **General and Administrative Conditions Lapsing Policy**

Open streets cycle 2 events must be staged by December 31, 2018 and funds not expended within this time will lapse. Lapsed funding will go towards the next grant cycle of the Open Streets Program. Applicants who have their funds lapse may reapply for funding in the next cycle however their requests will be prioritized after new applicants and previously successful applicants.

### **Grant Agreement**

Each awarded applicant must execute a grant agreement with Metro. The agreement will include the event scope and a financial plan reflecting the grant amount, event partners and the local match. Funding will be disbursed on a reimbursement basis subject to satisfactory compliance with the original application cost and schedule as demonstrated in a quarterly report supported by a detailed invoice showing the staff and hours billed to the project, any consultant hours, etc. An amount equal to 10% of each invoice will be retained until final completion of the event and audits. In addition, final scheduled payment will be withheld until the event is staged and approved by Metro and all post implementation requirements have been satisfied.

### **Audits**

All grant programs may be audited for conformance to their original application. Event Schedule and Date Metro shall review the final date of the event to ensure regional and

scheduling distribution. At Metro's Program Manager request events may be rescheduled to avoid overlapping events.

**Chart A**

**Los Angeles County Metropolitan Transportation Authority  
Open Streets Grant Funding Eligibility**

Forecasted shares are based on population percentage as of 1/1/14.

Subregion	Jurisdiction	Population 1/1/14 per State Dept of Finance	% of County	Pop Share Funding	Max eligible
	<b>FY17 &amp; FY18</b>			<b>\$4,000,000</b>	
AV	Burbank	105,543	1.051%	\$42,041	\$149,000
AV	Glendale	195,799	1.950%	\$77,994	\$149,000
AV	La Canada Flintridge	20,535	0.204%	\$8,180	\$149,000
Central	Los Angeles	3,904,657	38.884%	\$1,555,362	\$1,555,362
Gateway	Artesia	16,776	0.167%	\$6,682	\$149,000
Gateway	Avalon	3,820	0.038%	\$1,522	\$149,000
Gateway	Bell	35,972	0.358%	\$14,329	\$149,000
Gateway	Bell Gardens	42,667	0.425%	\$16,996	\$149,000
Gateway	Bellflower	77,741	0.774%	\$30,967	\$149,000
Gateway	Cerritos	49,741	0.495%	\$19,814	\$149,000
Gateway	Commerce	13,003	0.129%	\$5,180	\$149,000
Gateway	Compton	98,082	0.977%	\$39,070	\$149,000
Gateway	Cudahy	24,142	0.240%	\$9,617	\$149,000
Gateway	Downey	113,363	1.129%	\$45,156	\$149,000
Gateway	Hawaiian Gardens	14,456	0.144%	\$5,758	\$149,000
Gateway	Huntington Park	59,033	0.588%	\$23,515	\$149,000
Gateway	La Habra Heights	5,420	0.054%	\$2,159	\$149,000
Gateway	La Mirada	49,178	0.490%	\$19,589	\$149,000
Gateway	Lakewood	81,224	0.809%	\$32,354	\$149,000
Gateway	Long Beach	470,292	4.683%	\$187,334	\$187,334
Gateway	Lynwood	70,980	0.707%	\$28,274	\$149,000
Gateway	Maywood	27,758	0.276%	\$11,057	\$149,000
Gateway	Montebello	63,527	0.633%	\$25,305	\$149,000
Gateway	Norwalk	106,630	1.062%	\$42,474	\$149,000
Gateway	Paramount	55,051	0.548%	\$21,929	\$149,000
Gateway	Pico Rivera	63,873	0.636%	\$25,443	\$149,000
Gateway	Santa Fe Springs	17,349	0.173%	\$6,911	\$149,000
Gateway	Signal Hill	11,411	0.114%	\$4,545	\$149,000
Gateway	South Gate	96,057	0.957%	\$38,263	\$149,000
Gateway	Vernon	122	0.001%	\$49	\$149,000
Gateway	Whittier	86,538	0.862%	\$34,471	\$149,000
LV/M	Agoura Hills	20,625	0.205%	\$8,216	\$149,000
LV/M	Calabasas	23,943	0.238%	\$9,537	\$149,000

LV/M	Hidden Hills	1,901	0.019%	\$757	\$149,000
LV/M	Malibu	12,865	0.128%	\$5,125	\$149,000
LV/M	Westlake Village	8,386	0.084%	\$3,340	\$149,000
North	Lancaster	159,878	1.592%	\$63,685	\$149,000
North	Palmdale	155,657	1.550%	\$62,004	\$149,000
North	Santa Clarita	209,130	2.083%	\$83,304	\$149,000
SFV	San Fernando	24,222	0.241%	\$9,648	\$149,000
SGV	Alhambra	84,697	0.843%	\$33,738	\$149,000
SGV	Arcadia	57,500	0.573%	\$22,904	\$149,000
SGV	Azusa	48,385	0.482%	\$19,273	\$149,000
SGV	Baldwin Park	76,715	0.764%	\$30,558	\$149,000
SGV	Bradbury	1,082	0.011%	\$431	\$149,000
SGV	Claremont	35,920	0.358%	\$14,308	\$149,000
SGV	Covina	48,619	0.484%	\$19,367	\$149,000
SGV	Diamond Bar	56,400	0.562%	\$22,466	\$149,000
SGV	Duarte	21,668	0.216%	\$8,631	\$149,000
SGV	El Monte	115,064	1.146%	\$45,834	\$149,000
SGV	Glendora	51,290	0.511%	\$20,431	\$149,000
SGV	Industry	438	0.004%	\$174	\$149,000
SGV	Irwindale	1,466	0.015%	\$584	\$149,000
SGV	La Puente	40,478	0.403%	\$16,124	\$149,000
SGV	La Verne	32,228	0.321%	\$12,838	\$149,000
SGV	Monrovia	37,162	0.370%	\$14,803	\$149,000
SGV	Monterey Park	61,777	0.615%	\$24,608	\$149,000
SGV	Pasadena	140,879	1.403%	\$56,117	\$149,000
SGV	Pomona	151,713	1.511%	\$60,433	\$149,000
SGV	Rosemead	54,762	0.545%	\$21,814	\$149,000
SGV	San Dimas	34,072	0.339%	\$13,572	\$149,000
SGV	San Gabriel	40,313	0.401%	\$16,058	\$149,000
SGV	San Marino	13,341	0.133%	\$5,314	\$149,000
SGV	Sierra Madre	11,094	0.110%	\$4,419	\$149,000
SGV	South El Monte	20,426	0.203%	\$8,136	\$149,000
SGV	South Pasadena	26,011	0.259%	\$10,361	\$149,000
SGV	Temple City	36,134	0.360%	\$14,393	\$149,000
SGV	Walnut	30,112	0.300%	\$11,995	\$149,000
SGV	West Covina	107,828	1.074%	\$42,952	\$149,000
South Bay	Carson	92,636	0.923%	\$36,900	\$149,000
South Bay	El Segundo	16,897	0.168%	\$6,731	\$149,000
South Bay	Gardena	60,082	0.598%	\$23,933	\$149,000
South Bay	Hawthorne	86,644	0.863%	\$34,513	\$149,000
South Bay	Hermosa Beach	19,750	0.197%	\$7,867	\$149,000
South Bay	Inglewood	111,795	1.113%	\$44,532	\$149,000
South Bay	Lawndale	33,228	0.331%	\$13,236	\$149,000
South Bay	Lomita	20,630	0.205%	\$8,218	\$149,000
South Bay	Manhattan Beach	35,619	0.355%	\$14,188	\$149,000
South Bay	Palos Verdes Estates	13,665	0.136%	\$5,443	\$149,000

South Bay	Rancho Palos Verdes	42,358	0.422%	\$16,873	\$149,000
South Bay	Redondo Beach	67,717	0.674%	\$26,974	\$149,000
South Bay	Rolling Hills	1,895	0.019%	\$755	\$149,000
South Bay	Rolling Hills Estates	8,184	0.081%	\$3,260	\$149,000
South Bay	Torrance	147,706	1.471%	\$58,836	\$149,000
Westside	Beverly Hills	34,677	0.345%	\$13,813	\$149,000
Westside	Culver City	39,579	0.394%	\$15,766	\$149,000
Westside	Santa Monica	92,185	0.918%	\$36,721	\$149,000
Westside	West Hollywood	35,072	0.349%	\$13,970	\$149,000
Unincorporated	County unincorporated	1,046,557	10.422%	\$416,880	\$416,880
	<b>TOTAL</b>	<b>10,041,797</b>	<b>100.000%</b>	<b>\$4,000,000</b>	NA

## **Application**

### **General Information**

1. City/Government Agency Name:
2. Project Manager Name:
3. Project Manager Title and Department:
4. Project Manager Phone Number:
5. Project Manager E-mail Address:
6. City Manager Name:
7. City Manager Phone Number:
8. City Manager E-mail Address:

### **General Open Street Event Information – 10 points**

#### 9. Open Street Event Name

(Example: Sunnyside Sunday Parkways Open Street Event.)

*Maximum Allowed: 150 characters.*

#### 10. Event Description

(Example: Main Street, Flower Street, Spring Street, 7th Street, 1st Street and Broadway Avenue in downtown Sunnyside will be closed to cars from downtown to Mid-Town to invite people on foot and on bikes to rediscover the streets. Street Vendors from local businesses, a health fair, yoga in the street, and an art show will be included in the route.)

*Maximum Allowed: 500 characters.*

#### 11. Estimated Route Length (in miles):

*Maximum Allowed: 4 digits.*

12. Estimated Number of Signalized Intersections:

*Maximum Allowed: 3 digits*

13. Estimated Route Beginning Location:

(Example – Downtown Sunnyside @ Sunny Street & Main Street)

*Maximum Allowed: 150 characters.*

14. Estimated Route Ending Location:

(Example – Mid-Town Sunnyside @ Sunny Street & Happy Street)

*Maximum Allowed: 150 characters.*

15. Attach a map of the proposed route. A digital map made in Google maps or ArcGIS is preferred

16. Does the event include rail grade crossings? (Y/N)

If "YES" for Question 16

16A. How many grade crossings exist along the proposed route and what are their locations? (NOTE: Additional staff resources will be required for each grade crossing at the cost of grantee).

*Maximum Allowed: 150 characters*

**Project Feasibility – 45 30 points**

17 Estimated Month & Year of Event (Funds will be available starting in fall 2016, pending Metro Board approval. Event must be staged by December 31, 2018)

*Maximum Allowed: 6 digits*

18. Does your City's General Plan or other planning program support open street event and/or active transportation?

(Examples include: adopted a Complete Streets Policy or Updated Circulation Element to include Complete Streets, adopted a Bike Plan, adopted a Pedestrian Plan, Developing or implementing Bike Share Programs, Adopted Climate Action Plans, and Implementation of Parking Management Programs to encourage more efficient use of parking resources)

*Maximum Allowed: 500 characters*

19. Would your jurisdiction be amenable to reduced scope or route length? Y/N

**Partnerships**

20. Will your city partner with any other city or agency (including non-profits and other community partners)? Y/N

If "YES" for question 20

20a. List your partners and their role in the event planning and production:

*Maximum Allowed: 600 Characters*

If "YES" for question 20



20b. Do any of the partners (including the applicant) have previous experience organizing large public events (such as large city-wide or region-wide events related to transportation, athletics, cultural celebrations and/or public health such as athletic races or streets fairs)? List and describe.

*Maximum Allowed: 800 Characters*

If "NO" for question 20

20c. What is your city doing in lieu of partnerships with cities or agency (including non-profits and other community partners) to engage the community and make the event successful? *Maximum Allowed: 800 Characters*

### **Event Budget**

21. What is the total estimated cost of the event?

*Maximum Allowed: 10 characters.*

22. What is the requested grant amount? *Maximum Allowed: 10 characters*

23. What is the proposed local match amount? (min 20% in-kind required)

*Maximum Allowed: 10 characters.*

24. What are the estimated outreach costs?

*Maximum Allowed: 10 characters.*

25. What are the estimated pre-event planning costs?

*Maximum Allowed: 10 characters.*

26. What are the estimated day of event staging costs (including staffing, rentals, permits, etc.)?

*Maximum Allowed: 10 characters.*

27. Agencies are required to provide a 20% match: Will you provide an in-kind or a local fund match?

1. In-kind

2. Local Fund Match

28. What is the amount (or value) of the local match? (Answer to #21 x 0.2).

29. What is the event cost per mile (Answer to #11 / Answer #21)?

30. Attach completed Financial Plan and event Scope of Work templates provided at <https://www.metro.net/projects/active-transportation/metro-open-streets-grant-program/>

### **Marketing and Outreach**

~~30. Will the event draw participation from a regional audience? Y/N~~

If "YES" for question 30

~~30a. Briefly describe the marketing strategy you will employ to insure event participation from nearby jurisdictions and throughout the county. *Maximum allowed: 150 characters*~~

31. Will the event organizers perform outreach to local businesses along the event route? Y/N

If "YES" to question 31

31a. What strategies will you employ to encourage increased participation of businesses located along the event route? *Maximum allowed 150 characters*

32. Does the open street event require coordination with Metro and/or municipal transit service operators to provide access to the event? Y/N

33. Upload a letter of support from the city/county applicant and if applicable each city/non-profit/other partner. (Please include all letters in one PDF).

### **Route Setting – 45 30 points**

~~32. Will the route connect multiple cities? Y/N~~

If "YES" to question 32

~~32a. How will the route connect multiple cities? How will you insure connectivity throughout the route, coordination between multiple agencies and a sense of one contiguous event?~~

~~*Maximum Allowed: 1000 characters.*~~

~~334. Will the route be along or connect to commercial corridors? Y/N Explain.~~

~~*Maximum Allowed: 1000 characters.*~~

~~3435. Will the route be along or connect to cultural, architectural, recreational and/or historical destinations and events? Y/N Explain.~~

~~*Maximum Allowed: 1000 characters.*~~

~~3536. List and describe the pedestrian and bicycle infrastructure along or adjacent to the route. Specify which infrastructure (if any) was funded by Metro.~~

~~*Maximum Allowed: 1000 characters.*~~

~~36. Will the project connect neighborhoods or cities that have active transportation and/or transit facility gaps? Y/N Explain.~~

~~*Maximum Allowed: 1000 characters.*~~

37. What are the average elevation gain/loss and the highest and lowest elevations in proposed route? (Tip: you can use a free website like [www.mapmyride.com](http://www.mapmyride.com) to calculate this information).

38. Provide an outline of the general programming elements/ideas/goals that will be represented in activities along the route the day of the event (an example is public health goals will be highlighted by fitness classes such as yoga along the route).

*Maximum Allowed: 1000 characters.*

39. Use EnviroScreen score to determine the average score of the combined census tracts that are located directly adjacent to the route.  
<http://oehha.maps.arcgis.com/apps/Viewer/index.html?appid=112d915348834263ab8ecd5c6da67f68>

Maximum Allowed: 4 digits

~~39. Will the event route connect directly to a Metro Rail or Metrolink Station? Y/N~~

~~If "NO" to question 39~~

~~39a. How will you transport people to the event other than by personal automobile? Explain how you will use organized bike trains/feeder rides (groups of people who travel by bike together), bike-bus shuttles (that carry a minimum of 10 bikes each) or other multi-modal options to transport people to the event.~~

~~Maximum Allowed: 1000 characters~~

~~40. List all the transit stations within ½ mile radius of the proposed event and describe how you will coordinate with the stations transit operators.~~

~~Maximum Allowed: 1000 characters~~

~~41. Does the open street event require coordination with Metro and/or municipal transit service operators to provide access to the event? Y/N~~

~~42. Upload a letter of support from the city/county applicant and if applicable each city/non-profit/other partner. (Please include all letters in one PDF).~~

~~43. If your agency plans to submit more than one application, please rank this application in order of priority with 1 being the most important and 2 the second most important, etc.~~

~~44. Attach completed Financial Plan and event Scope of Work templates provided at <https://www.metro.net/projects/active-transportation/metro-open-streets-grant-program/>~~

### **Regional Significance – 30 Points**

40. Will the event draw participation from a regional audience? Y/N

If "YES" for question 40

40a. Briefly describe the marketing strategy you will employ to insure event participation from nearby jurisdictions and throughout the county. Maximum allowed: 150 characters

41. Will the route connect multiple cities? Y/N

If "YES" to question 41

41a. How will the route connect multiple cities? How will you insure connectivity throughout the route, coordination between multiple agencies and a sense of one contiguous event?

Maximum Allowed: 1000 characters.

42. Will the project connect neighborhoods or cities that have active transportation and/or transit facility gaps? Y/N Explain.

Maximum Allowed: 1000 characters.

43. Will the event route connect directly to a Metro Rail or Metrolink Station? Y/N

If "NO" to question 43

43a. How will you transport people to the event other than by personal automobile? Explain how you will use organized bike trains/feeder rides (groups of people who travel by bike together), bike-bus shuttles (that carry a minimum of 10 bikes each) or other multi-modal options to transport people to the event.

Maximum Allowed: 1000 characters

44. List all the transit stations within ½ mile radius of the proposed event and describe how you will coordinate with the stations transit operators.

Maximum Allowed: 1000 characters

45. Has the applicant jurisdiction been host to an Open Street event in the past? Y/N

If "YES" to question 45

45a. What was the name of the previous Open Street event hosted in the jurisdictions?

Maximum Allowed: 100 characters

46. If your agency plans to submit more than one application, please rank this application in order of priority with 1 being the most important and 2 the second most important, etc.

**MOTION BY  
MAYOR ANTONIO R. VILLARAIGOSA,  
SUPERVISOR GLORIA MOLINA,  
DIRECTOR ARA NAJARIAN, DIRECTOR MEL WILSON**

**Planning and Programming Committee  
June 19, 2013**

**Los Angeles County “Open Streets” Program**

Across the nation, cities have begun hosting “open streets” events, which seek to close down streets to vehicular traffic so that residents can gather, exercise, and participate in pedestrian, bicycling, skating and other related activities.

These events are modeled after the “Ciclovias” started in Bogota, Colombia over thirty years ago in response to congestion and pollution in the city.

In 2010, Los Angeles held its first “open streets” event, called CicLAvia.

After six very successful events, CicLAvia has become a signature event for the Los Angeles region.

With over 100,000 in attendance at each event, CicLAvia continues to successfully bring participants of all demographics out to the streets.

This event offers LA County residents an opportunity to experience active transportation in a safe and more protected environment, and familiarizes them with MTA transit options and destinations along routes that can be accessed without an automobile.

The event also takes thousands of cars off the streets, thereby decreasing carbon emissions.

Bicycling, as a mode share, has increased dramatically within LA County in the last years, boosted largely by the awareness brought about by these “open streets” programs.

Over the past decade, LA County has seen a 90% increase in all bicycle trips.

**CONTINUED**

In response to this growing demand, many local jurisdictions have begun implementing robust bike infrastructure and operational programs that enhance the safety and convenience of bicycling as a mode of travel.

Seeing the success of CicLAvia in Los Angeles, these jurisdictions have expressed a desire to pursue their own “open streets” events to increase awareness for active transportation and reduced reliance on the private automobile.

MTA should partner alongside a regional “open streets” type program in order to coordinate, assist, and promote transit related options.

These events will become a significant contributor to MTA’s overall strategy to increase mobility and expand multi-modal infrastructure throughout the region.

They will also promote first-mile/last-mile solutions and fulfill the Sustainable Communities Strategy Plan, as proposed by the Southern California Association of Governments.

**WE THEREFORE MOVE THAT** the MTA Board of Directors direct the CEO to use the following framework in order to create an “open streets” program:

1. Identify an eligible source of funds to allocate annually up to \$2 million to support the planning, coordination, promotion and other related organizational costs.
2. Report back at the September 2013 Board meeting a recommended competitive process and program, working with the County Council of Governments and other interested cities, to implement and fund a series of regional “open streets” events throughout Los Angeles County.
3. Develop a technical process to collect data and evaluate the cost and benefits (e.g. transit use increases, reduction of air emissions, etc.) of these events.

**###**



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

One Gateway Plaza  
Los Angeles, CA 90012-2952

213.922.2000 Tel  
metro.net

**ATTACHMENT C 22**

**PLANNING AND PROGRAMMING COMMITTEE  
JUNE 18, 2014**

**SUBJECT: 2014 OPEN STREETS GRANT PROGRAM**

**ACTION: APPROVE 2014 OPEN STREETS GRANT PROGRAM - CYCLE 1**

**RECOMMENDATION**

Award and program cycle one (1) of the biennial Open Streets Grant Program including fiscal years 14/15 and 15/16. Award \$3.7 million to 12 Open Street events and set aside \$300,000 to conduct a comprehensive evaluation of these events and evaluate the costs and benefits per the June 2013 Motion 72 (Attachment A).

**ISSUE**

In September 2013 the Metro Board approved the Open Streets Competitive Grant Program framework to fund a series of regional car-free events in response to the June 2013 Board Motion 72. The approved framework includes the following;

- An annual allocation up to \$2 million.
- Competitive process and program.
- Technical process to collect data and evaluate the events.

We are recommending a biannual grant cycle based on the high interest we received, the administrative advantages for both grantor and grantees of having a biannual versus an annual grant cycle, and on the precedent of other Metro grant programs. This first cycle includes funding for 12 events totaling \$3.7 million and a \$300,000 set aside to conduct a comprehensive evaluation of these events and evaluate the costs and benefits per the June 2013 Motion 72, for a total of \$4 million over two fiscal years. This funding recommendation mirrors the approved framework of an annual allocation of up to \$2 million. Board approval is necessary to program the funds to these 12 events and to a comprehensive technical evaluation.

**DISCUSSION**

Open Street events are temporary one-day events that close the streets to automotive traffic and open them to people to walk or bike. The goals of the Open Streets Grant Program is to provide opportunities for 1) riding transit, walking and riding a bike, possibly for the first time, to encourage future mode shift, and for 2) civic engagement to foster the development of multi-modal policies and infrastructure at the local level.

## Outreach

Following and proceeding the Board approval of the Open Streets Grant Program in September 2013, staff conducted extensive outreach, presenting the program to the Councils of Governments (COG), the Technical Advisory Committee (TAC) and The Streets and Freeways Subcommittee. We released the Open Streets Grant Application online in late January and subsequently hosted an Open Streets Program Workshop on January 29, 2014. The workshop featured speakers from San Francisco and Los Angeles, who have implemented open street events, sharing guidance on how to plan and implement an event and Metro staff providing instructions on how to apply for grant funding. Over 80 people attended the event representing the cities and agencies across the Los Angeles Region.

## Scoring and Evaluation

A total of 21 project applications were received on March 14, 2014 that included a total of \$5.2 million of funding requests. The event applications were diverse in scope ranging from 0.5 to 18 miles in length and are representative of the region. The application evaluation was conducted by an internal technical team with experience in multi-modal transportation. The events were evaluated based on their ability to meet the project feasibility and route setting guidelines approved by the Board that stressed readiness, partnership expertise and connections to transit and existing active transportation infrastructure (Attachment B). Out of the 21 applications submitted, 20 received passing scores for a total of \$5.17 million of passing funding requests.

## Open Streets Cycle 1 – FY 14/15 & FY 15/16

Following the the Board direction to fund up to \$2 million annually for Open Street Events, this first cycle includes two years (14/15 and 15/16) and thus, this first cycle will include \$4 million of grant awards. The biannual timeline will allow for the staging of events within the July 2016 deadline and provides time to study and evaluate these events as a group. Funded events are regionally diverse, connected to transit stations, regional bikeways and major activity centers (Attachment C).

In terms of funding requests that can be fulfilled for the next two fiscal years, based on score ranking and prioritizing one application per jurisdiction (before funding multiple applications from the same city), 12 open street events from 12 different jurisdictions can be funded for a total of \$3.7 million (Attachment D). An additional \$300,000 for a technical evaluation study of these events is included. Out of the 12 events, 10 will receive 100% of their funding request and the last two funded applications, that received the same score, will receive 80% of their respective request.



## Evaluation Study

We are requesting a \$300,000 set-aside for an evaluation study of the 12 recommended open street events. Metro will solicit a research firm/university to assist Metro to collect data and to utilize it in a comprehensive analysis of the program. Local cities are required to report back on participation numbers, and the participants and businesses response to the event. The consultant will unify these reports by providing a standardized methodology to count participation and collect responses from participants and businesses. The outcome of the study will be a comprehensive analysis of all 12 events and a tool kit that Metro can adopt as methodology for future awardees to use to conduct evaluations. By selecting one group to lead an evaluation, versus having each city evaluate themselves, we will be using consistent methodologies across all the events and thus produce a more cohesive, valid and uniform evaluation of these events.

## DETERMINATION OF SAFETY IMPACT

The 2014 Open Streets Grant Program Cycle 1 will not have any adverse safety impacts on our employees and patrons. The principals of the Open Streets Grant Program include promoting multi-modalism and active transportation that can improve the mobility and wellness of patrons.

## FINANCIAL IMPACT

The funding of \$2 Million for the first year of the program is included in the FY15 budget in cost center number 4320, Transit Corridors, under project number 410077, Open Street Grant Program. Since this is a multi-year program, the cost center manager and Chief Planning Officer of Countywide Planning will be accountable for budgeting the costs in future years. We are recommending a local funding source for open street events in order for cities to most efficiently utilize the funds and stage the events in the next two years.

## Impact to Budget

The source of funds for these Open Street Events is Congestion Mitigation Air Quality (CMAQ). Metro will serve as a pass-through agency for the CMAQ funds with local cities invoicing Metro directly. These funds are eligible for transportation system management/demand management (TSM/TDM) programs such as Open Streets events. SCAG identifies Open Street Events as Transportation System Management / Demand Management (TSM/TDM) programs in the 2012 RTP Congestion Management Appendix in the section titled Congestion Management Toolbox - Motor Vehicle Restriction Zones.

These funds are eligible for transit capital projects and improved transit services, limited to operational assistance for new or expanded service for up to 3 years. Should other eligible funding sources become available, they may be used in place of the identified funds

## **ALTERNATIVES CONSIDERED**

The Board may choose to not approve the recommended funding of cycle 1 of the Open Streets Grant Program. This alternative is not recommended as it is not in line with the June Board Motion 72 establishing an Open Streets Program. The Board could also choose to fund only one fiscal year of the program, for a total of \$2 million. This is not recommended since that amount would only fund 7 events (6 fully, 1 partial funded) and include a set-aside of \$300,000 for an evaluation study. This scenario would prevent many qualified Open Street events from moving forward, only 39% of qualified events would be funded compared to the recommended scenario which funds 77% of qualified events.

## **NEXT STEPS**

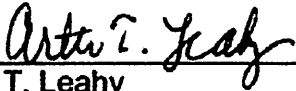
Upon approval, we will notify project sponsors of the final funding award and proceed to initiate memorandum of understanding. We plan to return to the Board in late 2015 to request authorization to initiate cycle two of the Open Streets Program.

## **ATTACHMENTS**

- A. June 2013 Metro Board Motion 72
- B. Open Streets Program Guidelines
- C. Recommended Open Street Events Map
- D. 2014 Open Streets Event Grants Cycle 1: Summary of Funding and Recommendations

Prepared by: Avital Shavit, Transportation Planning Manager IV, (213) 922-7518  
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Cal Hollis, Managing Executive Officer, (213) 922-7319

  
\_\_\_\_\_  
Martha Welborne, FAIA  
Chief Planning Officer

  
\_\_\_\_\_  
Arthur T. Leahy  
Chief Executive Officer

**MOTION BY  
MAYOR ANTONIO R. VILLARAIGOSA,  
SUPERVISOR GLORIA MOLINA,  
DIRECTOR ARA NAJARIAN, DIRECTOR MEL WILSON**

**Planning and Programming Committee  
June 19, 2013**

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**CONTINUED**

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3. Develop a technical process to collect data and evaluate the cost and benefits (e.g. transit use increases, reduction of air emissions, etc.) of these events.

**###**

## **Open Street Application Guidelines**

### ***Application Questions/Requirements***

- Provide the following grantee general information: grantee agency name, project manager contact name, phone #, e-mail, and address.
- Provide a description of the open street event, route and schedule.
- Provide the intersection for the start and end points and the route length.
- Provide a map of the proposed route. Include any alternate route being considered on the map using a different color or symbol to differentiate it from the main route (a digital map made in Google or ArcGIS is preferred).
- Are there any Metro funded pedestrian or bicycle projects along the route? List and describe.
- Coordinate with Metro and/or applicable municipal transit service operators to provide access to the event under one of these conditions:
  - Is the route within ½ mile Metro Rail or Metrolink station? List all the stations within a ½ mile radius. (Proximity to a transit station is a critical element of the open streets event success and the organizer should encourage and assist participants to take transit, walk or bike to the event)
  - If the route is not within ½ of a mile of a Metro Rail or Metrolink station, explain and specifically identify how you will transport people to the event from the nearest transit station using a combination or “bike trains” (groups of people who travel by bike together – [www.labiket trains.com](http://www.labiket trains.com)) and/or a special bike shuttle that carry a minimum of 10 bikes each (see Mammoth Bike Shuttle for an example of a shuttle service that accommodates 20-30 bikes).
- List and describe supportive activities (dancing, pedestrian zones, games and educational programs) that will be offered the day of the event.
- List and identify all community partners and provide letter(s) of support/commitment from each one.
- Describe the partners experience producing large city-wide or region-wide events related to transportation, athletics, cultural celebrations and/or public health. Include the number of people who where in attendance and any demographic information regarding the attendance.
- Provide an estimated budget (include matching funds or in-kind donation)
- Describe how your cities general plan and/or other existing planning programs/projects are supportive of an Open Streets event. Include in your description programs and projects that support and encourage the use of walking and biking for transportation purposes.
- Provide a minimum 20% local match. Match may be in-kind services.
- Provide a letter of support from the COG/sub-region

***Application Evaluation will be based on the following criteria:***

**1. Project Feasibility**

- Event readiness
- Transit accessibility
- Agency/Partnership expertise
- Matching funds committed
- Community support
- Agency's existing active transportation programs

**2. Route Setting**

- Proximity and access to transit
- Topography. The grantee should select a route that minimizes hills (for example see San Francisco's "Wiggle" - [http://en.wikipedia.org/wiki/The\\_Wiggle](http://en.wikipedia.org/wiki/The_Wiggle) )
- Route is along existing bicycle infrastructure – lanes & paths funded through Metro's Call For Projects, TDA Article 3, Propositions A, C, or Measure R Local Return
- Connections between multiple cities and/or central business districts
- Connections to cultural, architectural, and/or historical destinations and events
- Connecting neighborhoods and cities that have active transportation and/or transit facility gaps
- Activities for pedestrians (dance classes, yoga, concessions, information booths)
- Cost Effectiveness (cost/per mile and the value of connections & destinations)

***Grantee's Post Implementation Reporting Requirements***

Grantee's are required to provide a post implementation report and enter participation counts online in Metro's Bike Count Clearinghouse at [www.bikecounts.luskin.ucla.edu/](http://www.bikecounts.luskin.ucla.edu/) no later than three months after the event including the following:

**1. Participation Counts of Pedestrians and Cyclists**

Using at least one of the following count methods

- Install temporary electronic loop detection counters
- Conduct an "incomplete count" (a methodology from ecological studies) using visual or pictorial counts using crowdsourcing via Facebook, Twitter or Instagram

**2. Personal Anecdotes**

Provide personal stories from participants, business owners along the route or event volunteers describing how the open street event has positively affected their lives or community. The grantee shall engage in a dialogue with the

community in person, via e-mail or through a social media platform like Facebook, Twitter or Instagram using (at least) one of the following questions:

- **Participants & Volunteers**
  - How has the open street event improved your neighborhood/community?
  - Has the open street event encouraged you to use active transportation or transit modes more often?
- **Business owners**
  - Has the open street event brought new or more patrons to you?
  - In light of the open street event, do you think that active transportation (pedestrian and bicycle) infrastructure improvements would improve your business opportunities?

### **3. Bike-Trains & Bike Bus Shuttles Ridership**

If bike-trains or special bike shuttles were used to transport participants to the event, then report the ridership of these services.

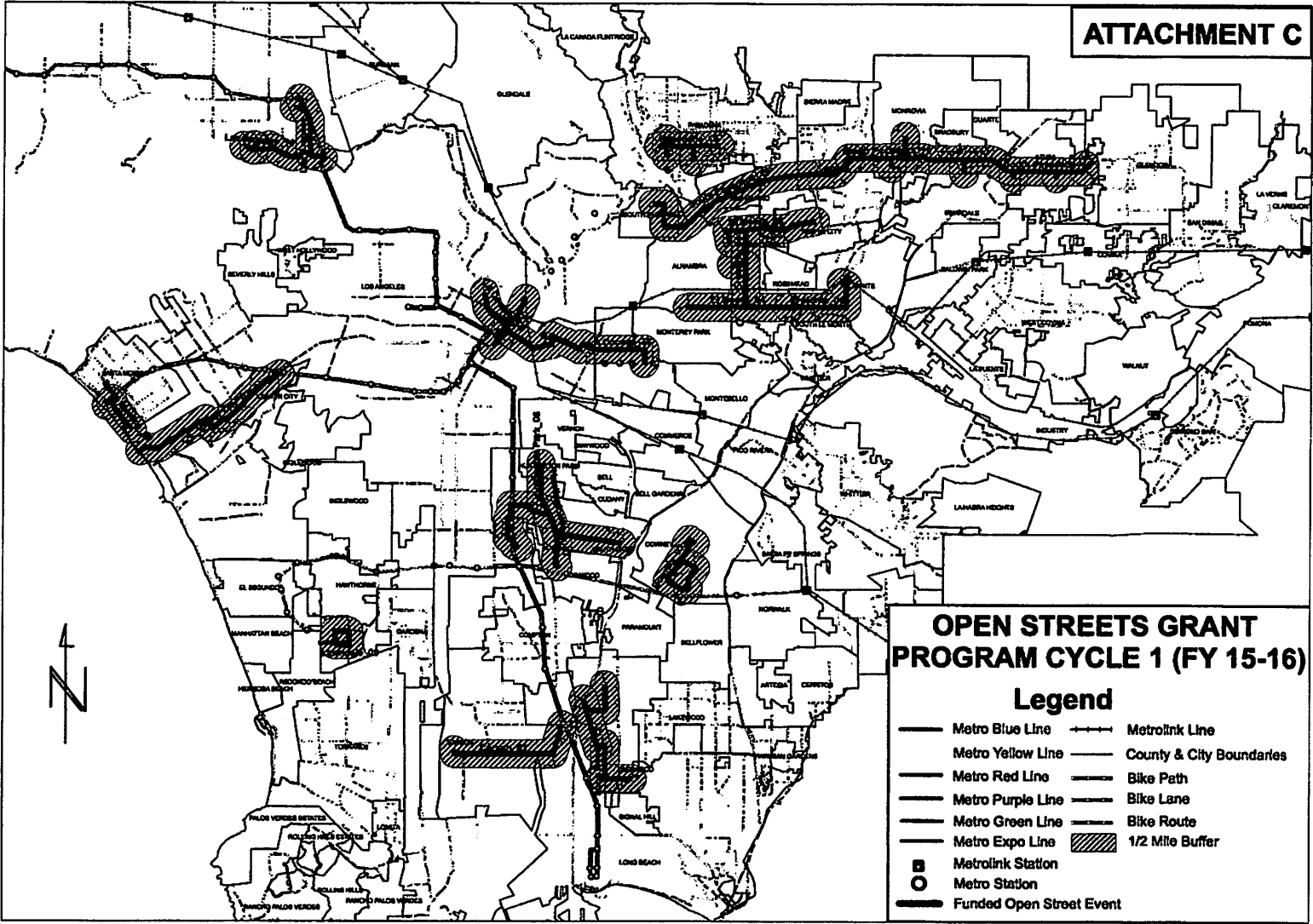
### **4. Local Economic Benefit**

Provide at least one of the following:

- Report the sales tax receipts revenue for all businesses along the route and/or within ¼ mile of the route for the day of the open street event and a monthly average for that same day of the week for comparison.
- Report how the event affected sales at selected participating businesses along the route (a minimum of one business for every mile of the event). These businesses may have participated by providing discounts to pedestrians and cyclists or by having a sales display or dining tables on the sidewalk.



**ATTACHMENT C**



**OPEN STREETS GRANT PROGRAM CYCLE 1 (FY 15-16)**

**Legend**

- Metro Blue Line
- Metro Yellow Line
- Metro Red Line
- Metro Purple Line
- Metro Green Line
- Metro Expo Line
- MetroLink Station
- Metro Station
- MetroLink Line
- County & City Boundaries
- Bike Path
- Bike Lane
- Bike Route
- ▨ 1/2 Mile Buffer
- Funded Open Street Event

2014 Open Streets Events Grants Cycle 1  
 Summary and Funding  
 Recommendation

Attachment D

ID #	Applicant	Open Street Event Name	Co-Applicants/ Major Partners	Rail Stations & Regional Pedestrian/Bicycle Paths	Estimated Date of Event	Score	Total Request	Awarded
12	City of Long Beach	Beach Streets: Bixby Knolls & North Long Beach	BIKEable Communities, Retro Row Business Association, LACBC, Women on Bikes, Safe Moves, Noble Pursuit.	Metro Blue Line Wardlow Station, LA River Regional Bicycle/Pedestrian Path	Spring 2015	93	\$ 260,800	\$ 260,800
4	City of El Monte	SGV Earth Day Festival	South El Monte, Rosemead, Temple City, San Gabriel and Monterey Park, BikeSGV, Day One, APIOPA.	El Monte Metrolink Station, Upper Rio Hondo Regional Pedestrian/Bicycle Trail	Spring 2015	90	\$ 291,520	\$ 291,520
16	City of Pasadena	CicLAvia Pasadena	CicLAvia	Gold Line Stations: Del Mar, Memorial Park, Lake, and Allen	Spring 2015	90	\$ 424,000	\$ 424,000
11	City of Long Beach	Beach Streets: Downtown Long Beach	BIKEable Communities, Retro Row Business Association, LACBC, Women on Bikes, Safe Moves, Noble Pursuit,	Metro Blue Line stops at Pacific Avenue, Downtown Long Beach, 1st Street, and 5th Street.	Fall 2015	90	\$ 156,000	\$ -
21	County of Los Angeles	CicLAvia: Heart of LA	CicLAvia	Union Station Red/Purple Line: Pershing Square, 7th Street/Metro Center and Civic Center Gold Line: Chinatown, Little Tokyo/Arts District, Mariachi Plaza, Soto Station, Indiana Station, Maravilla Station and East LA Civic Center Station.	Fall 2014	89	\$ 508,000	\$ 508,000

ID #	Applicant	Open Street Event Name	Co-Applicants/ Major Partners	Rail Stations & Regional Pedestrian/Bicycle Paths	Estimated Date of Event	Score	Total Request	Awarded
1	City of Carson	Car-Free Carson		The Metro Blue Line Del Amo Station	Spring 2016	88	\$ 100,000	\$ 100,000
3	City of Downey	Downey Ride & Stride Open Street Event	Downey Bicycle Coalition, YMCA and Kaiser Permanente	Metro Green Line Station (0.4 mile from the route)	Spring 2016	88	\$ 62,655	\$ 62,655
19	City of South Pasadena	SGV Golden Streets	San Marino, East Pasadena, Arcadia, Monrovia, Duarte, Irwindale, Azusa, BikeSGV, AQMD	Existing & Future Metro Gold Line Stations : South Pasadena, Arcadia, Monrovia, Duarte, Irwindale, Alameda in Azusa, Citrus. San Gabriel River Regional Pedestrian/Bicycle Trail	Spring 2016	86	\$ 393,600	\$ 393,600
2	City of Culver City	CicLAvia Culver City	CicLAvia, City of LA	Culver City Expo Line Station, Ballona Creek Regional Pedestrian/Bicycle Trail	Spring 2015	85	\$ 453,600	\$ 453,600
9	City of Lawndale	Lawndale Community Bicycle Ride and Open Street Event	Lot to Spot (FLTS), L.A. County Recreation Department, The South Bay Bicycle Coalition,		Spring 2015	85	\$ 40,536	\$ 40,536
18	City of Santa Monica	Expo Opens Santa Monica	Main Street Merchants Association, the SOULstice to the Expo Opens Santa Monica event. Santa Monica Pier, Santa Monica Spoke	Future Santa Monica Expo Light Rail Station	Spring/ Summer 2016	85	\$ 200,000	\$ 200,000

ID #	Applicant	Open Street Event Name	Co-Applicants/ Major Partners	Rail Stations & Regional Pedestrian/Bicycle Paths	Estimated Date of Event	Score	Total Request	Awarded
14	City of Los Angeles	CicLAvia: The Valley	CicLAvia	North Hollywood Red Line, North Hollywood Orange Line Station, Universal City Red Line Station	Spring 2015	82	\$ 462,000	\$ 366,773
7	City of Huntington Park	CicLAvia: Southeast Cities	CicLAvia, Huntington Park, South Gate, Lynwood, City of Los Angeles (Council District 15), County of Los Angeles, South Gate, Lynwood, City of Los Angeles (First Supervisorial District)	Blue Line Slauson Station and 103rd St / Watts Towers Station, Green Line Long Beach Blvd Station	Spring 2015	82	\$ 753,910	\$ 598,515
10	City of Long Beach	Beach Streets: Grand Prix Open Course Pre-Ride	BIKEable Communities, Retro Row Business Association, LACBC, Women on Bikes, Safe Moves, Noble Pursuit,	Metro Blue Line stops at the Downtown Long Beach Station, 1st Street Station, and Pacific Avenue Station.	Spring 2015	81	\$ 40,000	\$ -
13	City of Los Angeles	CicLAvia: South LA	CicLAvia	Expo Line - Expo/Western Station - Expo/Vermont Station - Expo Park / USC Station Blue Line - San Pedro Station	Winter 2014	80	\$ 419,200	\$ -
17	City of Pico Rivera	Walking the Gold Line Open Street Event	The Cities of Pico Rivera, Santa Fe Springs, and Whittier.	San Gabriel River Regional Pedestrian/Bicycle Trail	Summer 2015	79	\$ 160,000	
5	City of Hawthorne	Taste of Hawthorne	Moneta Gardens Improvement, Hawthorne/LAX/Lennox Rotary Club		Spring 2015	77	\$ 30,000	

ID #	Applicant	Open Street Event Name	Co-Applicants/ Major Partners	Rail Stations & Regional Pedestrian/Bicycle Paths	Estimated Date of Event	Score	Total Request	Awarded
20	City of Walnut	Walnut Family Festival Open Street Faire	LA County Sheriff Department Walnut/Diamond Bar Lion's Club, Walnut Valley Chamber of Commerce, Calamba Sister City Filipino Organization		Fall 2014	77	\$ 40,000	
15	City of Montebello	Montebello Walk and Roll: Pedal, Walk and Stroll for Wellness	Montebello Bicycle Coalition: Montebello YMCA:	Montebello Metrolink Station (1/2 mile from route)	Spring 2015	75	\$ 96,000	
8	City of Inglewood	Inglewood Open Streets/Open Studios	Social Justice Learning Institute (SJLI)		Fall 2015	73	\$ 280,000	
6	City of Huntington Park	HP Gran Prix	Wolfpack Hustle (WH)		Fall 2014	60	\$45,000	\$ -
<b>Total</b>							<b>\$ 5,216,821</b>	
<b>Total (with Passing Score)</b>							<b>\$ 5,171,821</b>	<b>\$ 3,700,000</b>
<b>% qualified requests funded</b>								<b>77%</b>
<b>Evaluation Study</b>								<b>\$ 300,000</b>
<b>Grand Total</b>								<b>\$ 4,000,000</b>
1.Guidelines prioritized funding one event per city before funding multiple events.								

# Open Streets Cycle Two

# Recommendation

Award and program a total of \$4.14 million for Cycle Two (2) of the Open Streets Grant Program (through December 2018) per the Metro Board Motion 72 and programmatic support as follows:

Including the following components:

- Award \$4.04 million to 17 new Open Street scheduled through December 2018
- Amend the budget for the 626 Golden Street event with up to \$200,000 to provide funding required to execute the event due to postponement from the June Reservoir and Fish fires
- Reprogram \$100,000 from canceled Cycle One Open Street event Car Free Carson towards Cycle Two
- Program up to \$500,000 for Metro Operations and Community Relations for support of Los Angeles County Open Street events

# Cycle One Open Street Implementation

- 10 out of 12 Events Funded Completed
  - 10% ridership increase along route corridor on the day of the events
  - System-wide Sales of Day Passes increased an average of 17% on the day of events
  - Board directed Cycle One evaluation study ridership analysis in progress - further study pending contract award



# Cycle Two Funding Recommendations

<b>Total Applications</b>	
Applications Received	19
Applications Recommended	17
Funding Requests	\$ 4.25 million
Funding Recommended	\$4.04 million
<b>Recommended Applications</b>	
Cities Represented	23
First Time Cities	11
Disadvantaged Communities	12
Multi-Jurisdictional Events	7
Funding Years	FY17, FY18, FY19
Grant Cycle Length	2.5 years

# Map Cycle 2 - 17 Events



# Timeline For Next Steps

Fall 2016 - Execute MOU Agreements & work with community relations on event engagement strategy

Fall 2017 - Stage first event



## Board Report

File #: 2016-0566, File Type: Contract

Agenda Number: 11.

### REGULAR BOARD MEETING OCTOBER 27, 2016

**SUBJECT: JOINT DEVELOPMENT BENCH CONTRACTS**

**ACTION: AWARD JOINT DEVELOPMENT BENCH CONTRACTS**

#### **RECOMMENDATION**

CONSIDER:

- 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.

#### **ISSUE**

The Metro Joint Development (JD) Program evaluates Metro-owned properties for potential joint development and selects properties that are good candidates. Metro's JD Program staff requires professional services support for the related community engagement, proposal generation, evaluation and due diligence activities for joint development, as well as support for other projects generated by the Transit Oriented Communities (TOC) Demonstration Program. The recommendations in this report will establish a JD Bench (Bench), from which the Metro JD team can procure these needed professional services. The Bench will allow task orders to be awarded more efficiently since the initial qualification reviews have been completed.

#### **DISCUSSION**

The Bench will provide expertise and resources across five (5) disciplines critical to successful JD project delivery: community engagement, solicitation support, urban design, financial feasibility and grant writing. The bench will also support implementation of the TOC Demonstration Program. It is expected that services will be required for selected projects identified as a function of staff activity otherwise approved by the Metro Board and also for smaller scale, shorter term projects, or components of projects with JD potential including adjacent development review, land acquisitions, transportation-ancillary facilities, or other revenue-generating real estate projects. Other potential

services could include grant writing for projects or programs that support TOC goals around Metro's transit stations and JD Program sites.

The JD Program staff continues to receive requests for conceptual analysis and project development for potential JD projects. Having access to Bench contractors for preparation of the technical data required for the analyses will enable staff to more efficiently manage resources in the preliminary phases of JD work. Some of the services provided by the Bench contractors may be coordinated and overseen by staff or may sometimes complement developer teams to fulfill approval and review obligations. Recent JD consultant contracts have ranged from \$20,000 to \$420,000 depending on the nature of the work. The JD Program staff expects to carry out approximately eight Bench procurements over the coming three-year period.

The JD Bench is comprised of 16 prime contractors. Of the 16 prime contractors, eight firms, or 50%, are certified as a Small Business Enterprise(s) (SBE).

Metro's Diversity and Economic Opportunity Department has established a 25% SBE participation goal and a 3% goal for Disabled Veterans' Business Enterprises (DVBE) on the JD Bench. Each prime contractor, both SBE and non-SBE, has committed to meet these goals. In addition, the SBE Set-Aside Policy will apply to the community engagement discipline on the Bench.

### **Policy Implications**

The recommended action is consistent with Metro's Joint Development Policies and Procedures and the TOC Demonstration Program.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will have no impact on safety.

### **FINANCIAL IMPACT**

Funding for joint development activities related to the Bench and any subsequent development activity related thereto, including the solicitation for development proposals, is included in the FY17 budget in Cost Center 2210 (Joint Development), under Project 610011 (Economic Development) or other JD-specific project tasks.

Since this is a multi-year contract, the Chief Planning Officer will be responsible for budgeting costs in future years.

### **Impact to Budget**

The source of funds for joint development activities is local right-of-way lease revenues, which are eligible for bus/rail operating and capital expenses. Award of the contracts will not impact ongoing bus and rail operating and capital costs, Proposition A and C and TDA administration budget or the Measure R administration budget.

### **ALTERNATIVES CONSIDERED**

The Board could choose not to approve the recommendation. This is not recommended as the award of these task orders would then be pursued as separate procurements, which, for each task order, could potentially take six months or longer to complete. This would limit staff's ability to implement the JD work plan, and to respond quickly to JD project needs as well as requests from Executive Management and Board of Directors.

### **NEXT STEPS**

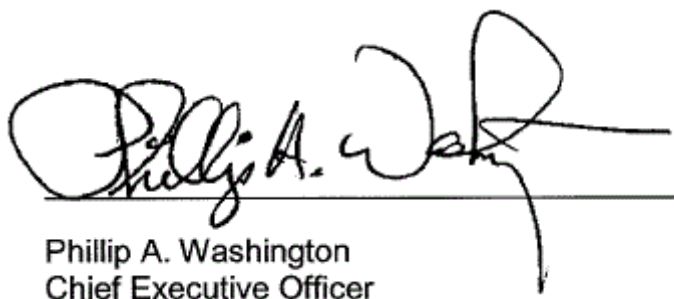
Upon Board approval, staff will execute the Bench Contracts. As needed, staff will solicit responses for individual task orders from specific disciplines.

### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment A-1 - Recommended Firms by Discipline  
Attachment B - DEOD Summary

Prepared by: Alexander E. Kalamaros, Manager, Transportation Planning  
(213) 922-3051  
Jenna Hornstock, Deputy Executive Officer, (213) 922-7437

Reviewed by: Ivan Page, Chief, Vendor/Contract Management (Interim)  
(213) 922-6383  
Therese W. McMillan, Chief Planning Officer, (213) 922-7077



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Phillip A. Washington  
Chief Executive Officer

**RECOMMENDED FIRMS SELECTED BY DISCIPLINE**  
**JOINT DEVELOPMENT BENCH/PS26132**

Discipline	Primes
Discipline 1: Community Outreach Services	<ol style="list-style-type: none"> <li>1. Community Arts Resource (CARS) (SBE)</li> <li>2. Estolano Lesar Perez Advisors (ELP) (SBE)</li> <li>3. Gwynne Pugh Urban Studio (SBE)</li> <li>4. Lee Andrews Group (SBE)</li> <li>5. MIG</li> </ol>
Discipline 2: Urban, Architectural, Wayfinding Design Services	<ol style="list-style-type: none"> <li>1. Cityworks Design (SBE)</li> <li>2. Gruen Associates</li> <li>3. Gwynne Pugh Urban Studio (SBE)</li> <li>4. IBI Group</li> <li>5. Johnson Fain</li> <li>6. Studio One Eleven</li> </ol>
Discipline 3: Financial Feasibility Analysis Services	<ol style="list-style-type: none"> <li>1. BAE Urban Economics (SBE)</li> <li>2. HR&amp;A Advisors</li> <li>3. Keyser Marston</li> <li>4. The Maxima Group (SBE)</li> </ol>
Discipline 4: RFP and Project Support Services	<ol style="list-style-type: none"> <li>1. Estolano Lesar Perez Advisors (ELP) (SBE)</li> <li>2. Epic Land Solutions, Inc. (SBE)</li> <li>3. HR&amp;A Advisors</li> </ol>
Discipline 5: Grant Writing Services	<ol style="list-style-type: none"> <li>1. Estolano Lesar Perez Advisors (ELP) (SBE)</li> <li>2. IBI Group</li> <li>3. Los Angeles Neighborhood Initiative (LANI)</li> </ol>

## PROCUREMENT SUMMARY

## JOINT DEVELOPMENT BENCH/PS26132

1.	<b>Contract Number:</b> PS26132 (Contracts and any task orders will be identified by sequential numbers)	
2.	<b>Recommended Vendor:</b> 16 Contractors (see Attachment A-1)	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input checked="" type="checkbox"/> Task Order RFIQ	
4.	<b>Procurement Dates:</b>	
	A. Issued: 04/11/16	
	B. Advertised/Publicized: 04/12/16	
	C. Pre-Proposal/Pre-Bid Conference: 04/25/16	
	D. Proposals/Bids Due: 05/26/16	
	E. Pre-Qualification Completed: 08/25/16	
	F. Conflict of Interest Form Submitted to Ethics: 07/29/16	
	G. Protest Period End Date: 09/21/16	
5.	<b>Solicitations Picked up/Downloaded:</b> 124	<b>Bids/Proposals Received:</b> 38
6.	<b>Contract Administrator:</b> Ben Calmes	<b>Telephone Number:</b> (213) 922-7341
7.	<b>Project Manager:</b> Alexander Kalamaros	<b>Telephone Number:</b> (213) 922-3051

**A. Procurement Background**

This Request for Information and Qualification (RFIQ) was issued to create and establish a pre-qualified contractor pool, a bench, with contract agreements in order to issue Task Orders for a specific scope of services in the future, in support of the Joint Development (JD) program. These bench contract agreements with the pre-qualified subject experts will provide JD expertise and resources necessary to assist Metro in viable JD projects in the following five disciplines:

1. Community Outreach Services
2. Urban, Architectural & Wayfinding Design Services
3. Financial Feasibility Analysis Services
4. Request for Proposals (RFP) and Project Support Services
5. Grant Writing Services

The RFIQ was issued in accordance with Metro's Acquisition Policy and the task orders will be issued on a Cost Reimbursable or Firm Fixed Price basis, depending on the individual task order statements of work. The RFIQ was issued with an SBE/DVBE goal of 28% (SBE 25% and DVBE 3%).

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

- Amendment No. 1, issued on April 22, 2016, clarified the Letter of Invitation due date for proposals; and



- Amendment No. 2, issued on May 4, 2016, clarified SBE/DVBE requirements; revised the contract document to clarify the task order process; revised the Statement of Qualifications for Discipline 2, Urban, Architectural, Wayfinding Design Services; clarified submittal requirements; and extended the proposal due date to May 26, 2016.

Individual task orders under the Bench Contracts will be issued to the pre-qualified contractors within a specific discipline according to the following procedures. Within each bench discipline, if there are at least three certified, small businesses within the discipline, the Task Order solicitation shall be set aside for small businesses only. Prime firms that are otherwise qualified, but are not small business, will not be eligible for a task order award unless there are fewer than three certified, small businesses on the bench discipline or if Metro receives no qualified proposals to the task order request and the requirement is re-solicited. All task order awards will be made to the highest rated proposer with price being a consideration for non-Architect and Engineering tasks.

A pre-proposal conference was held on April 25, 2016, and attended by 36 participants representing 33 companies, including 20 SBE and DVBE firms. There were 60 questions asked and responses were released prior to the proposal due date.

A total of 124 firms downloaded the RFIQ and were included in the planholders' list.

A total of 38 proposals from 26 separate firms were received on May 26, 2016, covering five disciplines.

## **B. Evaluation of Proposals/Bids**

Separate Proposal Evaluation Teams (PET) were established for each of the five bench disciplines consisting of staff from Metro Countywide Planning and Development and conducted a comprehensive technical evaluation of the proposals received.

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

- |   |     |
|---|-----|
| • Prime and Team Qualifications                               | 30% |
| • Project Manager and Key Staff Qualifications & Availability | 50% |
| • Effective Scheduling/Cost Management Plan                   | 20% |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar procurements for professional services. The intent of the JD Bench is to have a pool of qualified contractors who are pre-qualified/pre-screened in one or more disciplines that will compete for task orders. Placement on the Bench will not guarantee an award of any task order.

The PET members, for each discipline, independently evaluated and scored the technical proposals from May 31, 2016, to June 30, 2016. Based on the proposals, the PET for each discipline unanimously agreed that interviews were not necessary.

Twenty six (26) firms submitted 38 proposals; 16 firms were determined to be within the competitive range and qualified for inclusion on the Bench and are listed in Attachment A-1. Ten firms were determined to be outside the competitive range, and as a result, were not included for further consideration. The PETs did not find satisfactory demonstration of the requirements of the RFIQ in the qualifications submitted by the ten proposers outside the competitive range.

Of the 16 selected proposers, 8 are Metro certified SBE firms. Four proposers qualified for more than one discipline.

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

#### **BAE Urban Economics**

The firm was founded in 1986 in San Francisco as a regional consulting practice under the name of Bay Area Economics (BAE) with offices in Sacramento, Washington, DC, New York City, and Los Angeles. BAE is an urban economics and development advisory consulting practice. BAE has served over 2,000 clients across the United States including public agencies, non-profit organizations, universities, and private developers. BAE's work emphasizes the triple bottom line of economics, equity, and environment. The firm is a Metro certified SBE.

#### **Cityworks Design (CWD)**

CWD, with headquarters in Pasadena, California, was founded in 2006. The firm provides landscape design, urban design and architecture services and specializes in community-based planning and design including pedestrian/bicycle access, transit-oriented development, and transit alignment. CWD has successfully led several projects for Metro, the Exposition Line Construction Authority, and for the cities of Long Beach, Glendale, and Pasadena. The firm is a Metro certified SBE.

#### **Community Arts Resources Center (CARS)**

CARS is a diverse collective of creatively minded planners and producers engaged in the changing dynamics of the urban environment. Based in Los Angeles, CARS focuses on urban planning, event planning and production, public engagement and marketing. CARS partners with neighborhoods, nonprofits, foundations, cities, cultural institutions, developers and designers to create public programs and events that highlight the unique character and untapped potential of a particular place. With more than a quarter of a century of experience in activating the urban realm, CARS creates experiences where arts, culture, community and civic life collide. The firm is a Metro certified SBE.

### **Epic Land Solutions Inc. (Epic)**

Epic is a multi-faceted real property/right-of-way consulting firm, whose purpose is to acquire and manage real property interests needed by clients to construct infrastructure facilities. Based in Los Angeles with four west coast offices, Epic has extensive experience performing services for transportation agencies including Metro. Epic is a DBE/WBE firm and is certified by Metro as an SBE.

### **Estolano Lesar Perez Advisors (ELP)**

ELP specializes in managing multi-stakeholder processes to address complex public policy issues. ELP has led efforts to promote transit oriented development and sustainable economic strategies. ELP has led strategic planning processes and designed performance management measures that tie action to goals, vision, and mission, for many public sector clients, including Metro. The firm is a Metro certified SBE.

### **Gruen Associates (Gruen)**

Gruen is a planning and architecture firm with a portfolio of landmark projects spanning 70 years. Gruen's professionals provide architecture, retail architecture, transportation, urban design, streetscape design, planning and landscape architecture services and solutions that have created multi-purpose, engaging spaces for community interaction, and social and economic growth. Gruen has extensive experience providing services to public agencies, including the Los Angeles Union Station Master Plan for Metro.

### **Gwynne Pugh Urban Studio**

Gwynne Pugh Urban Studio was founded in 2010, marking a new venture from architect and engineer Gwynne Pugh. Gwynne Pugh Urban Studio is structured to ensure Gwynne Pugh's participation in each project, capitalizing on his expertise in architectural and urban design, planning, sustainability and consultation. The firm is a Metro certified SBE.

### **HR&A Advisors (HR&A)**

HR&A is a consulting firm with offices in Los Angeles, New York, Dallas and Washington DC. The firm provides services in real estate, economic development, and program design and implementation. HR&A has provided strategic advisory services for some of the most complex mixed-use, neighborhood, downtown, campus, and regional development projects across North America and abroad for 40 years. HR&A understands the importance of linking accretive private investment with public resources to support investors and communities' responsibilities and aspirations.

### **IBI Group**

IBI Group is a globally integrated architecture, planning, engineering, and technology firm. IBI provides a full range of services related to the movement of people and goods for public and private sector clients. The firm has won numerous awards for

their approach to transportation master plans, multimodal integration, transit-oriented development, and rapid transit designs.

### **Johnson Fain**

With headquarters in downtown Los Angeles, Johnson Fain has established itself as an architecture, planning and interior design firm known for its creative approach to the built environment over the past 25 years. Projects have included master plans, new town plans, facilities master planning, general and specific plans, site feasibility, and land use analysis for a variety of clients and diverse industries including: aviation, universities, media, public agencies, cities, the United States and international governments, resorts, private and public development, and redevelopment.

### **Keyser Marston Associates**

Keyser Marston Associates is a boutique real estate advisory firm, with offices in San Francisco, Los Angeles and San Diego, that specializes in real estate deal structuring, developer selection and transaction negotiation. The firm focuses on the following specialties: public/private partnerships, structuring affordable housing financing and implementation transactions, fiscal analysis and municipal services financing to ensure new development generates sufficient reserves to fund needed services, and traditional real estate market and financial feasibility pro forma analysis.

### **Lee Andrews Group**

Lee Andrews Group is a full-service public affairs and strategic planning firm that specializes in public outreach, government relations, project/construction management support, media communications, media spokesperson and event planning for complex projects. Lee Andrews Group has provided successful outcomes for over 20 years serving Southern and Northern California. Lee Andrews Group serves a wide range of industries including aviation, transportation and infrastructure, energy, school districts/facilities, municipal government, environment, public agencies, ports, developers and smart new companies. The firm is a Metro certified SBE.

### **Los Angeles Neighborhood Initiative (LANI)**

LANI is a non-profit social services organization founded 20 years ago by former Los Angeles Mayor Richard Riordan. The mission of LANI is to stimulate community-driven neighborhood revitalization. LANI facilitates stakeholder participation and decision-making, and promotes public/private partnerships that result in catalytic community improvement projects. LANI achieves this through: community consensus building; transportation and pedestrian corridor improvements; business district revitalization; urban greening development; and support of community organizations. LANI has delivered tangible results to 32 communities across Los Angeles County.

### **MIG**

MIG is a multi-disciplinary firm with headquarters in Berkeley, California, with branch offices nationwide, including Pasadena. MIG designs and implements multi-leveled, well-documented involvement processes aimed at increasing public confidence in decision-making. With more than 25 years of expertise, MIG's community outreach process focuses on developing common objectives and providing a full range of successful strategies for achieving those objectives.

### **Studio One Eleven**

Based in downtown Long Beach, California, Studio One Eleven is an integrated practice of architecture, landscape, and urban design dedicated to creating more vibrant communities. From master plans to individual buildings, each endeavor aims at making a more humane and sustainable urban whole. Studio One Eleven views every project as an opportunity to physically enhance the urban context that sustains it.

### **The Maxima Group**

An independent professional services firm founded in 1995, The Maxima Group has offices in northern and southern California. The firm takes pride in its high standards for creative solutions, quality services and value creation when working with organizations to address their complex and sophisticated business issues or transactions. Drawing on their experience and strong technical capabilities, the firm provides reliable, focused, collaborative and responsive services in several areas including fiscal impact and economic analysis. The firm is a Metro certified SBE.

## **C. Cost/Price Analysis**

The RFIQ contained neither price nor a specific Statement of Work. Each future Task Order RFP will contain a specific Statement of Work which will be competed with the firms within the appropriate discipline. The contractors within each discipline will propose according to the requirements of the task order and a cost/price analysis will be performed, as appropriate, on all task orders issued.

## **D. Background on Recommended Contractor**

Refer to Procurement Summary, Section B, Qualifications Summary, for background on the recommended contractors.

## DEOD SUMMARY

## JOINT DEVELOPMENT BENCH/PS26132

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 28% goal inclusive of a 25% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. Joint Development Bench Proposers were required to submit a "SBE/DVBE Affidavit" confirming their commitment to the 25% SBE and 3% DVBE goal. Additionally, Proposers were required to list all known SBE and DVBE firms that will perform any portion of the work without specific dollar commitments.

The Joint Development Bench is subject to the Small Business Prime Program requirements. If there are at least three SBE Primes within a bench discipline, the task order solicitation shall be set aside for small businesses only. If a task order solicitation is not issued through the Small Business Prime Program, participants on the Bench will be required to meet the 25% SBE and 3% DVBE contract-specific goal. One Discipline currently has at least three SBE Primes: Discipline 1 – Community Outreach Services. SBE and DVBE commitments will be determined based on the aggregate of all Task Orders issued.

<b>Small Business Goal</b>	SBE 25% DVBE 3%	<b>Small Business Commitment</b>	Various SBE and DVBE Commitments
----------------------------	--------------------	----------------------------------	----------------------------------

	<b>Proposer</b>	<b>SBE Commitment %</b>	<b>DVBE Commitment %</b>
1.	IBI Group	25%	3%
2.	Community Arts Resource Center (SBE)	97%	3%
3.	Gwynne Pugh Urban Studio (SBE)	50%	3%
4.	Estolano Lesar Perez Advisors (SBE)	97%	3%
5.	HR&A Advisors, Inc.	25%	3%
6.	Epic Land Solutions, Inc. (SBE)	97%	3%
7.	MIG, Inc.	25%	3%
8.	BAE Urban Economics (SBE)	97%	3%

9.	Keyser Marston Associates, Inc.	25%	3%
10.	Los Angeles Neighborhood Initiative	25%	3%
11.	Lee Andrews Group, Inc. (SBE)	97%	3%
12.	The Maxima Group LLC (SBE)	65%	3%
13.	Studio One Eleven	25%	3%
14.	Gruen Associates	25%	3%
15.	Cityworks Design (SBE)	25%	3%
16.	Johnson Fain	25%	3%

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

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

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

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

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

**Board Report**

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**File #:** 2016-0611, **File Type:** Informational Report**Agenda Number:** 17.

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**CONSTRUCTION COMMITTEE  
SEPTEMBER 16, 2016****SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 2 PROJECT****ACTION: PRELIMINARY ENGINEERING REIMBURSEMENT AGREEMENT FOR  
ENGINEERING SUPPORT BY THE CITY OF BEVERLY HILLS****RECOMMENDATION**

**AUTHORIZE the Chief Executive Officer (CEO) to execute the Preliminary Engineering Reimbursement Agreement (PERA) for the Westside Purple Line Extension Section 2 Project.**

**BACKGROUND**

The Westside Purple Line Extension Section 2 Project (Project) is a 2.59 mile heavy rail transit project that extends the Purple Line to Century City from the interim terminus at Wilshire/La Cienega Station of the Westside Purple Line Extension Section 1 Project that is currently in construction. The Project which begins within the City of Beverly Hills (COBH), consists of twin-bored tunnels and two subway stations. The first station is located near the intersection of Wilshire Boulevard and Rodeo Drive and the second is located within the City of Los Angeles in Century City near the intersection of Constellation Boulevard and Avenue of the Stars.

In January 2013, the Board authorized Advanced Preliminary Engineering for Project, including the design for advanced relocation of utilities, engineering support during the design-build solicitation process and design support services during construction. Presently, the Project's design/build contract is in the procurement phase. A Preliminary Engineering Reimbursement Agreement is required to compensate the COBH for engineering support to review the design and construction documents prepared by Metro's consultants and contractors during the Project's delivery.

**DISCUSSION**

Currently, there is no Master Cooperative Agreement (MCA) between Metro and the COBH, which would establish terms of agreement for reimbursement, by Metro, for services provided by the COBH in support of the Project. In the absence of an MCA, Metro staff has been meeting with COBH staff to establish a Memorandum of Agreement (MOA) for the Westside Purple Line Extension Section 1 Project, which would establish the terms and conditions necessary to provide for reimbursement for services rendered by COBH on the C1045 Design/Build Contract. Negotiations for an MOA for the Westside Purple Line Extension 2 Project have not yet been established, and the COBH continues to



perform services and accrue expenses in support of the Project. Therefore, the COBH requested that a PERA be processed to accommodate reimbursement, as an interim step, until an MOA is in place.

FY15-16 costs for this effort are estimated at \$1,357,138. Actual costs may vary depending upon final invoicing and level of effort required. Metro staff monitors these costs and the agreement provides that the City must notify Metro in advance of any variances.

On March 3, 2016 the COBH's City Council approved the draft PERA. Upon Board approval the PERA document will be executed, its terms implemented, and timely reimbursement to the COBH can be provided.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to execute this PERA, however not executing this PERA would require Metro to follow standard COBH over the counter review processes. Metro would not benefit from streamlined and expedited reviews, and other administrative benefits which are essential elements for a successful project.

### **FINANCIAL IMPACT**

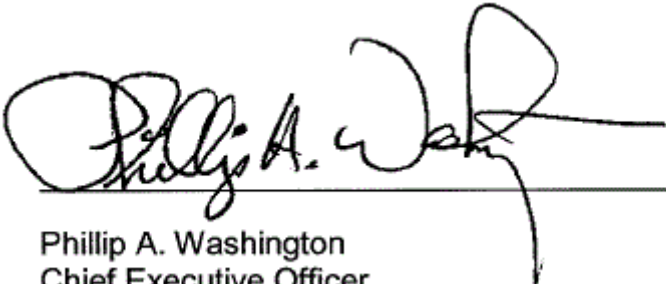
Funding for this action is included in the FY17 budget under Project 865522 (Westside Purple Line Section 2 Project), Cost Center 8510 (Construction Project Management), and Account 50316 (Professional Services). Since this is a multiyear project, the Chief Program Management Officer and the Project Manager will be accountable to budget the cost for future years. 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.

### **ATTACHMENT**

Attachment A - Preliminary Engineering Reimbursement Agreement (PERA)

Prepared by: Eduardo Cervantes, Director, Third Party Administration  
(213) 922-7255

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



Phillip A. Washington  
Chief Executive Officer

## PRELIMINARY ENGINEERING REIMBURSEMENT AGREEMENT

THIS PRELIMINARY ENGINEERING REIMBURSEMENT AGREEMENT (“Agreement”) is made and entered into and effective this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between City of Beverly Hills (“City”), whose mailing address is 455 N. Rexford Drive, Beverly Hills, CA 90210 and Los Angeles County Metropolitan Transportation Authority (“MTA”), whose mailing address is One Gateway Plaza, Mailstop 99-16-7, Los Angeles, California 90012.

### BACKGROUND

A. WHEREAS, MTA desires to perform preliminary work, including potholing and geotechnical boring and commence submitting designs for utility relocations and street improvements to accommodate the Westside Purple Line Extension (PLE) Section 2 alignment.

B. WHEREAS, City owns and has jurisdiction over the City Right of Way along this Westside PLE Section 2 alignment.

C. WHEREAS, as a result of the construction for the Project, it is necessary for City to attend meetings, review pothole and geotechnical boring workplans, utility and street improvement plans to accommodate the Project, and perform such other preliminary work relating to the Project in accordance with and as described in the Annual Work Plan and MTA Form 60 for FY2015-2016 attached hereto as Exhibit A and incorporated herein (collectively, “Preliminary Work”); and

D. WHEREAS, City, under the terms hereinafter stated, is willing to perform the Preliminary Work, provided MTA reimburses City for all of its actual costs, both direct and indirect, and the Beverly Hills City Council authorizes the work to commence.

### AGREEMENT

In consideration of the promises and mutual covenants herein contained, City and MTA hereby agree as follows:

1. If authorized by the City Council, City Staff and/or City’s designated consultant(s) will perform the necessary Preliminary Work as described in the attached Exhibit A, which may be amended annually and from time to time upon mutual agreement of the Parties, and subject to the terms and provisions of this Agreement. MTA represents and warrants that Exhibit A is a reasonable description of the Preliminary Work requested of the City for FY 2015-2016. City Staff and/or the City’s designated consultant(s) shall no longer be obligated to perform the Preliminary Work in the event that the City Council revokes the authorization to do so.
2. MTA will bear and be responsible for and pay in accordance herewith all direct and indirect costs incurred by City and relating to the above referenced Preliminary Work, including, but not limited to, labor, administrative overhead and engineering review work. If the City Council revokes the authorization to perform the Preliminary Work, the MTA shall reimburse the City for work performed up until the time that the authorization is revoked.
3. The total cost of the Preliminary Work for FY 2015-2016 is estimated to be One Million, Three Hundred Fifty Seven Thousand, One Hundred and Thirty-Eight Dollars (\$1,357,138) as more particularly shown in Exhibit A. Notwithstanding the foregoing estimate, the parties recognize and understand that final actual costs may be more or less than such estimate, which will not be construed as a limitation of costs for the Project for which City is entitled to reimbursement from MTA. City will promptly provide notice to MTA if it becomes obvious to City that the final actual costs will exceed the foregoing estimate by more than fifteen percent (15%).

4. Upon execution of this Agreement and for each fiscal year beginning on July 1, MTA shall issue to the City a Work Order for the Preliminary Work described in the Annual Work Plan and Form 60 attached hereto as Exhibit A. Once City receives the Work Order and accumulates costs for reimbursement for its support services provided to accommodate the Preliminary Work, City shall submit to MTA an itemized invoice for City Staff's and/or consultant(s)'s actual costs on a monthly basis. MTA shall pay the full invoice, if the services performed were within the scope of the Preliminary Work, within thirty (30) days following receipt of same. If any services performed were not within the scope of the Preliminary Work, then the MTA shall identify those services to the City within twenty (20) days of receipt of the City's invoice. Failure to send such written notice to City within twenty (20) days after receipt of City's invoice shall result in the MTA's waiver of its right to dispute payment of the invoice. In the event that the MTA disputes the scope of any services performed by the City, City and MTA shall attempt to resolve the dispute within ten (10) business days of the date MTA notifies City of such dispute in writing. If there is no resolution within thirty (30) calendar days, the Parties shall proceed to binding arbitration. The arbitrator shall be neutral and mutually acceptable and the costs shall be borne equally by the Parties. The arbitrator shall determine all rights and obligations under this Agreement and the award of the arbitrator shall be final, binding, and enforceable. The prevailing party shall recover all reasonable attorney fees and costs incurred in resolving the dispute.

5. It is expressly understood by the parties that City and MTA are not abandoning any right, title or interest it may have along the Westside PLE Section 2 alignment, all such rights, title and interest being expressly reserved. The City has filed four lawsuits related to the Westside Subway Extension. The three pending lawsuits include: *The City of Beverly Hills v. Los Angeles County Metropolitan Transportation Authority*, Case No. BS144164, (filed July 26, 2013); *City of Beverly Hills v. Federal Transit Administration et al.* CV 12-9861 (amended November 21, 2013) and *City of Beverly Hills v. Federal Transit Administration*, CV 13-8621 (filed November 21, 2013). Nothing in this Agreement is intended to waive the causes of action or defenses asserted in those lawsuits or to relinquish or otherwise modify in any way the positions of the parties in those lawsuits.

6. The terms of this Agreement shall be binding and inure to the benefit of the parties hereto and their successors and assigns.

7. All notices and other correspondences between City and MTA shall be in writing, addressed as follows, and delivered personally or sent by certified mail, return receipt requested, or reputable overnight messenger service:

To City: Mark Cuneo,  
City Engineer  
345 Foothill Road  
Beverly Hills, CA 90210

To MTA: Dennis Mori  
Executive Officer, Project Management  
One Gateway Plaza, 17th Floor  
Los Angeles, CA 90012

8. This Agreement supersedes any prior understanding or written or oral agreements between City and MTA hereto respecting the within subject matter and contains the entire understanding between City and MTA with respect thereto.

The parties have caused this Agreement to be executed by their proper duly authorized officials as of the date indicated below.

EXECUTED the \_\_\_\_\_ day of \_\_\_\_\_ 2016, at Beverly Hills, California.

CITY OF BEVERLY HILLS,  
A Municipal Corporation

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MAHDI ALUZRI  
City Manager

**APPROVED AS TO CONTENT:**

LOS ANGELES COUNTY METROPOLITAN  
TRANSPORTATION AUTHORITY

CITY OF BEVERLY HILLS

---

PHILLIP A. WASHINGTON  
Chief Executive Officer

---

DAVID LIGHTNER  
Deputy City Manager/Director of Capital  
Assets

**APPROVED TO FORM:**

OFFICE OF COUNTY COUNSEL

CITY OF BEVERLY HILLS

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RONALD W. STAMM  
Principal Deputy County Counsel

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DAVID M. SNOW  
Interim City Attorney

**EXHIBIT A**

**Form 60**

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# ANNUAL WORK PLAN

City of Beverly Hills  
FY 2015-2016  
Annual Work Plan

## Design Build Phase Segment 2

### Schedule Assumptions:

#### 2015 Activities

Advanced Preliminary Engineering (APE) review  
APE permitting  
APE field monitoring of geotechnical boring, utility potholing and trenching, and well development  
60% Project Definition Documents (PDD) design review and coordination  
Second portal study analysis  
Memorandum of Agreement (MOA) development  
Community outreach and constituent meetings  
City Council presentations  
Research existing utilities and equipment  
Overall coordination

#### 2016 Activities (through 6/30/16)

60% PDD amendment review (including technical specifications)  
Construction dewatering analysis  
Geotechnical boring data review and dissemination  
Geotechnical well test monitoring  
Second portal study analysis presentation to City Council  
Community outreach presentations and meetings  
Development of Metro specific community website  
Community outreach newsletters and releases  
MOA development and negotiation  
Third party utility relocation design reviews  
Design build contractor best and final negotiation (pending MOA)

#### Support:

##### July 1, 2015 to June 30, 2016

- Attend Memorandum of Agreement (MOA) meetings (All Departments)
- MOA review and comments (All Departments)
- Review/Approve Permits
- Review/Prepare/administer invoices, Form 60 (inc. draft work plan), and requests for replenishment
- Attend design and coordination meetings
- Prepare City Council Agenda items
- Submittals/Construction-Design-Review List and RFIs
- Enforcement of Permit conditions and mitigation measures
- Respond to COBH constituent inquiries/complaints
- Traffic Control Plan/Traffic Control Management review/coordination
- Respond to COBH resident/business inquiries/complaints
- Community outreach meetings and presentations

CONTRACT PRICING PROPOSAL (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 \$1,357,138	Contract No. 1120	
DETAILED DESCRIPTION OF COST ELEMENTS				
1a. Direct Labor (Specify)	Est. Hours	Rate/ Hour	Est. Cost(\$)	Total Est. Cost
City Staff (Attachment 1)	4,846	Various	550,905	\$550,905
1b. Overtime				
Total Direct Labor				\$550,905
2. Labor Overhead	O.H. (%)	x Base=	Est. Cost(\$)	
	37.49%	550,905	206,534	
Total Labor Overhead				\$206,534
3. Travel*			Est. Cost(\$)	
a. Transportation				
b. Per Diem or Subsistence				
Total Travel				
4. Subcontractors/Subconsultants **			Est. Cost(\$)	
Cordoba Corporation (Attachment 2)			\$552,699	
Richards Watson Gershon (City Attorney) (Attachment 3)			\$35,000	
Total Subcontractors				\$ 587,699
Fee on Subcontractors				
5. Other Direct Costs *				\$ 12,000
6. General & Admin. Expenses				
<b>TOTAL ESTIMATED COST</b>				\$ 1,357,138
7. Fee				
<b>TOTAL ESTIMATED COST AND FEE</b>				\$ 1,357,138
* Itemize on "Form 60" - Continuation Page				
** Attach LACMTA "Form 60" for all proposed subcontractors/subconsultants				

**SUPPORTING SCHEDULE**

ITEM NO.	ITEM DESCRIPTION	Est. Cost (\$)	Total Est. Cost (\$)	
Travel:				
Other Direct Costs:				
	Parking Meter Revenue Lost	\$ 12,000		
<b>TOTAL</b>			<b>\$ 12,000</b>	

Type name and title: Mark Cuneo, City Engineer	Signature:
Name of firm: City of Beverly Hills	Date signed:



# ATTACHMENT 1

City Staff	Department	Hourly Rate	Total Hours	Total
City Engineer	Capital Assets	\$154.00	624	\$96,094.63
Civil Engineer	Capital Assets	\$97.09	104	\$10,096.86
Civil Engineering GIS Specialist	Capital Assets	\$67.92	312	\$21,191.78
Director of Capital Assets	Capital Assets	\$144.62	312	\$45,121.88
Executive Assistant	Capital Assets	\$46.35	42	\$1,928.16
Senior Management Analyst	Capital Assets	\$66.78	208	\$13,890.57
Supervising Inspector	Capital Assets	\$90.58	104	\$9,420.73
Associate Planner	Community Developme	\$64.11	104	\$6,667.74
Deputy Director of Transportation	Community Developme	\$115.31	208	\$23,984.79
Director of Community Development	Community Developme	\$168.68	104	\$17,542.94
Traffic Engineer	Community Developme	\$91.72	312	\$28,616.64
Transportation Planner	Community Developme	\$80.00	21	\$1,664.00
Parks & Urban Forest Manager	Community Services	\$108.28	104	\$11,261.12
Deputy Building Official	Community Developme	\$118.81	104	\$12,355.98
Senior Budget & Financial Analyst	Finance	\$88.30	104	\$9,183.20
Fire Battalion Chief 80	Fire	\$198.40	104	\$20,633.43
Fire Captain	Fire	\$176.39	208	\$36,689.83
Plan Check Inspector	Fire	\$84.28	208	\$17,531.10
Chief Information Officer	Information Technology	\$150.72	104	\$15,674.60
Information Technology	Information Technology	\$125.00	208	\$26,000.00
Web Developer	Information Technology	\$67.75	208	\$14,092.58
Lieutenant	Police	\$159.87	104	\$16,626.28
Sergeant	Police	\$139.24	208	\$28,961.08
Traffic Control Officer	Police	\$57.38	104	\$5,967.90
Traffic Control Supervisor	Police	\$58.85	104	\$6,119.94
Traffic Control Systems Specialist	Police	\$64.23	104	\$6,679.92
Assistant Director Public Works Services	Public Works	\$119.91	104	\$12,470.64
Electrical/Communications Systems Supervisor	Public Works	\$83.90	104	\$8,725.20
Field Services Supervisor	Public Works	\$77.51	104	\$8,060.94
Solid Waste Manager	Public Works	\$90.10	104	\$9,370.69
Water System Production/Operations Supervisor	Public Works	\$79.61	104	\$8,279.68
	<b>Total:</b>		<b>4846</b>	<b>\$550,904.81</b>



CORDOBA CORPORATION  
 10000 N. 19th Avenue, Suite 100  
 Phoenix, AZ 85022

## ATTACHMENT 2

### COBH - Metro Purple Line Extension Support Staffing Plan Projection (July 1, 2015 to June 30, 2016) NORMAL WORK HOURS

Staff Name:	Title:	Billing Rate:	% of # Of Hours	FY 2015-2016 Normal Work Hours	Project Hours for FY 2015-2016	Extended Amount:	AUR	DB	Segment 2	Total:
1 Cathy Higley	Project Manager	\$274.27	30%	2,032	610	\$167,194.99	\$25,079.25	\$117,036.49	\$25,079.25	\$167,194.99
2 Narbeh Iseagholian	Transportation Planner	\$103.46	10%	2,032	203	\$21,023.07	\$0.00	\$14,716.15	\$6,306.92	\$21,023.07
3 David Nimerow	Sr. Construction Manager	\$189.09	100%	2,032	2,032	\$384,230.88	\$76,846.18	\$286,173.16	\$19,211.54	\$384,230.88
4 Gabriel Murillo	Construction Manager	\$173.38	100%	2,032	2,032	\$352,308.16	\$264,231.12	\$70,461.63	\$17,615.41	\$352,308.16
5 Roberto Ramirez	Sr. Civil Engineer	\$217.62	15%	2,032	305	\$66,330.56	\$0.00	\$46,431.40	\$19,899.17	\$66,330.56
6 Angel Alvarez	Sr. Civil - Utilities	\$215.20	15%	2,032	305	\$65,592.96	\$0.00	\$45,915.07	\$19,677.89	\$65,592.96
7 Valerie Mudagoren	Project Controls Manager	\$133.78	100%	2,032	2,032	\$271,840.96	\$190,288.67	\$54,368.19	\$27,184.10	\$271,840.96
8 Augustine Chung	Contracts	\$168.13	15%	2,032	305	\$51,246.02	\$10,249.20	\$35,872.22	\$5,124.60	\$51,246.02
9 Arnold Luft	Project Manager	\$274.27	80%	1,520	1,216	\$333,512.32	\$100,053.70	\$200,107.39	\$33,351.23	\$333,512.32
10 Bill Adams	Sr. Construction Manager	\$189.09	100%	1,776	1,776	\$335,823.84	\$335,823.84		\$335,823.84	\$335,823.84
11 Joseph McTague	Graphics	\$128.26	5%	872	44	\$5,592.14			\$5,592.14	\$5,592.14
12 Vanessa Pia	CADD	\$53.80	10%	1,192	119	\$6,412.96			\$6,412.96	\$6,412.96
13 Lynette Hartanian	Administrative Support	\$62.25	10%	1,192	119	\$7,420.20			\$7,420.20	\$7,420.20
<b>Total Projected for Normal Work Hours:</b>						<b>\$2,668,529.08</b>	<b>\$666,748.12</b>	<b>\$873,081.71</b>	<b>\$528,699.25</b>	<b>\$2,068,529.08</b>

### AFTER HOURS WORK

Staff Name:	Title:	Billing Rate:	% of # Of Normal Work Hours	FY 2015-2016 Normal Work Hours	Project After Hours for FY 2015-2016	Extended Amount:	AUR	DB	Segment 2	Total:
1 Gabriel Murillo	Construction Manager	\$173.38	50%	2,032	1,016	\$176,154.08	\$176,154.08		\$0.00	\$176,154.08
2 David Nimerow	Sr. Construction Manager	\$189.09	5%	2,032	102	\$19,211.54		\$19,211.54		\$19,211.54
<b>Total Projected for After Hours Work:</b>						<b>\$195,365.62</b>	<b>\$176,154.08</b>	<b>\$19,211.54</b>	<b>\$0.00</b>	<b>\$195,365.62</b>
<b>Cordoba Sub-Consultants (Other Direct Costs):</b>						<b>\$240,000.00</b>	<b>\$48,000.00</b>	<b>\$168,000.00</b>	<b>\$24,000.00</b>	<b>\$240,000.00</b>
<b>1 Sub-Consultant Services</b>						<b>\$240,000.00</b>	<b>\$48,000.00</b>	<b>\$168,000.00</b>	<b>\$24,000.00</b>	<b>\$240,000.00</b>
<b>Total Projection for FY 2015-2016:</b>						<b>\$2,503,894.70</b>	<b>\$890,902.20</b>	<b>\$1,060,293.26</b>	<b>\$552,699.25</b>	<b>\$2,503,894.70</b>

# ATTACHMENT 3

## RICHARDS | WATSON | GERSHON Estimate For City Attorney Services

	Hours Projected	Hourly Rate	Projected Amount
Larry Weiner	50.00	\$460.00	\$23,000.00
Nick Ghirelli	302.00	\$255.00	\$77,010.00
DM Snow	25.00	\$395.00	\$9,875.00
AR Contreiras	50.50	\$230.00	\$11,615.00
Total Projected Amount:			\$121,500.00

### Allocation to Metro Projects:

	Allocated Amount
C1056 (AUR)	\$10,812.50
C1045 (DB La Cienega Station)	\$75,687.50
C1120 (Section 2)	\$35,000.00
Total:	<u>\$121,500.00</u>



## Board Report

File #: 2016-0466, File Type: Budget

Agenda Number: 24.

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### SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE SEPTEMBER 15, 2016

**SUBJECT: METRO GREEN LINE TRAIN CONTROL TRACK CIRCUITS AND TWC REPLACEMENT**

**ACTION: ESTABLISH A LIFE OF PROJECT BUDGET**

#### **RECOMMENDATION**

ESTABLISH a Life-of-Project (LOP) Budget of \$28,851,200 for the **Metro Green Line Train Control Track Circuits and TWC Replacement Project** (CP205107).

#### **ISSUE**

The Metro Green Line's train control systems are equipped with legacy AF900 track circuit units and PC-Genisys based Train-to-Wayside Communication (TWC) hardware that has been operational from the start of revenue service in 1995. The systems are obsolete and no longer supported by the Original Equipment Manufacturer (OEM). Their replacement is necessary to maintain a State of Good Repair (SGR) of the Green Line train control system.

#### **DISCUSSION**

Commencing in 2012, Metro Wayside Systems has implemented a phased program of rehabilitation of the Metro Green Line train control system. The first phase of work (replacement of obsolete vital control processors) is nearing completion. The next phase is to replace obsolete track circuits and Train-to-Wayside Communication (TWC) equipment. Upon completion, the Green Line train control system will have been rehabilitated to the same equipment and configuration as the new Crenshaw Line, thus providing a fully up-to-date system, and conforming across the entire Green Line and Crenshaw system.

The scope of the project is to replace all 450 existing track circuits which provide train detection as well as transmitting cab signals to maintain safe train speed and safe train separation. Track circuit equipment is located in Train Control and Communication (TC&C) rooms throughout the line. At each of the 19 TC&C rooms, TWC equipment will also be replaced, comprising of non-safety train routing, train berthing, communication and local control panel equipment.

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

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Approval of the recommendations will have a positive impact on safety as the project will move forward to ensure compliance with the OEM's replacement cycle specifications. Further, maintaining the rail system in a State of Good Repair (SGR) is essential to providing a safe and reliable service to riders who ride the Metro rail system daily.

### **FINANCIAL IMPACT**

This action will establish an LOP budget of \$28,851,200 for the replacement of the MGL track circuits and TWC. A portion of the LOP budget includes support for bus bridges to transport Metro patrons from closed station(s) to the nearest open station(s) during track closures to replace track circuits. Staff has calculated that it will cost approximately \$2,620,600 to provide the necessary bus bridge support.

For FY17, funds of \$83,500 has been budgeted and approved by the Board as part of the adopted annual budget for development of engineering technical specifications and procurement activities. Since this a multi-year project, the Project Manager will ensure that the balance of funds is budgeted in future years. The expenditure plan for CP205107 is shown in Attachment A.

#### **Impact to Budget**

The source of funds will come from Prop A 35% Bonds, which are eligible for Rail Capital projects. This funding source will maximize the provisions for fund use for these activities.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to authorize the life-of-project budget for CP205107. But this is not recommended by Metro staff because without proceeding to replace track circuits and TWC, any failure(s) will cause delays in MGL service as train movements will need stop until repairs are completed. Not performing or postponing these replacements is not recommended as these rail infrastructure components are safety sensitive; and if not properly maintained, will impact service reliability, passenger safety and comfort. Additionally, unscheduled maintenance repair costs on a per component basis will result in higher operating costs versus reduced costs when performing work as scheduled.

### **NEXT STEPS**


Metro Maintenance of Way (MOW) will proceed forward with preparation of engineering specifications, contract solicitation, evaluation, and contract award in FY17.

### **ATTACHMENTS**

Attachment A - CP205107 Expenditure Plan

Prepared by: Michael Harris-Gifford, Executive Officer, Rail Maintenance and Engineering  
(213) 617-6263  
Geyner Paz, Senior Administrative Analyst (213) 617-6251

Reviewed by: James T. Gallagher, Chief Operations Officer



Phillip A. Washington  
Chief Executive Officer

**ATTACHMENT A**

**CP205107 Expenditure Plan**

**Metro Green Line Train Control Track Circuits and TWC Replacement Project**

<b>Use of Funds</b>	<b>FY 17</b>	<b>FY 18</b>	<b>FY 19</b>	<b>FY 20</b>	<b>FY 21</b>	<b>Total</b>
Track Circuits and TWC Workstations	-	5,036,000	7,536,000	5,036,000	2,536,000	20,144,000
Metro Installation Labor	-	796,300	818,100	844,400	883,800	3,342,600
Agency Costs	83,500	71,500	74,000	76,200	78,000	383,200
Bus Bridge Support	-	562,400	577,800	596,400	624,200	2,360,800
Contingency 9%						2,620,600
<b>Total Project Funding</b>	<b>83,500</b>	<b>6,466,200</b>	<b>9,005,900</b>	<b>6,553,000</b>	<b>4,122,000</b>	<b>28,851,200</b>



## Board Report

File #: 2016-0516, File Type: Contract

Agenda Number: 25.

### SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE SEPTEMBER 15, 2016

**SUBJECT: CRENSHAW/LAX LIGHT RAIL SCADA INTEGRATION**

**ACTION: APPROVE CONTRACT MODIFICATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. EXECUTE Contract Modification No. 4 to Contract No. OP39603035 with **ARINC Control and Information Systems (ARINC), to upgrade and expand the existing Supervisory Control and Data Acquisition (SCADA) System on the Metro Green Line (MGL) to include and integrate the new Crenshaw/LAX Light Rail Line** for a period of 28 months for the amount-not-to-exceed \$4,994,515 increasing the total contract value from \$10,556,513 to \$15,551,028, inclusive of contract options.
- B. PURCHASE additional coverage on the existing \$15,000,000 supplemental project insurance for 10 years after contract award in excess of ARINC limited liability in an amount not-to-exceed \$450,000 inclusive of premium and fees. This action increases the total coverage cost from \$999,000 to \$1,449,000.

#### **ISSUE**

Contract No. OP39603035 was approved by the Board in November 2013 and was awarded to ARINC on January 15, 2014 for the replacement of the obsolete Red Line SCADA System. ARINC was chosen as the most technically qualified firm with the lowest price. Modification No.1 was executed July 14, 2014 to include integration of the Foothill and EXPO-II light rail expansion projects. Modification No. 3 was executed June 19, 2015 to include modifications and deletions necessary to comply with updated Metro Information Technology Hardware and Security standards and to purchase an additional project specific professional liability insurance associated with the increased contract scope.

Approval of this action will expand the existing SCADA system to include the new Crenshaw Light Rail territory, migration of existing Green Line train control for a unified SCADA platform, and add additional insurance coverage for this expanded scope.

Supplemental project specific professional liability insurance policy covers exposure resulting from



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Metro's contractual obligation to limit the contractor's professional liability to the value of the contract. Approval of this action will add additional coverage for Crenshaw and Green Line light rail integration activities.

## **DISCUSSION**

Metro Rail Operations and Wayside Maintenance rely exclusively on the SCADA system to provide supervisory and control functions essential for the safe, reliable and efficient operation of the Metro rail lines. These functions include centralized control and/or monitoring of train movement, traction and auxiliary power, fire detection and suppression, gas detection, emergency tunnel and ancillary ventilation, elevators and escalators, radio, emergency telephone, Transit Passenger Information System (TPIS) and intrusion.

Modification and expansion of the existing system to include the new Crenshaw light rail territory is proposed as a means to provide a unified SCADA platform for centralized supervision and control. A unified platform has the following benefits over procurement of a new and separate system:

- Dispatchers and maintenance personnel at the Rail Operations Control Center require training of only one system.
- Disaster recovery and Emergency Backup Control Center implementation requires synchronization and backup of only one system.
- External business systems such as Nextbus, Variable Message Signs, Material Maintenance Manager (M3) system, etc. require integration of only one system.
- System maintainers will be able to provide better overall reliability and reduced mean-time-to-repair of one system than could be provided for multiple different systems.

The new Crenshaw/LAX Line is intended to operate seamlessly with the existing Metro Green Line (MGL). Modification and expansion of the existing ARINC SCADA system must also include migration of MGL Centralized Automatic Train Control (ATC) functions. The existing MGL ATC system was delivered in 1995 by Ansaldo STS (formally Union Switch and Signal Inc.) under Contract No. H1100 and is now obsolete and no longer supported by the vendor.

Future contracts with ARINC are anticipated to further expand the SCADA system to seamlessly integrate the Regional Connector and Purple Line extensions currently under construction.

## **DETERMINATION OF SAFETY IMPACT**

SCADA provides enhanced safety by providing an efficient and effective means of centralized supervision and control of system that directly affects safe operations. This includes fire/gas detection, emergency ventilation, and traction power. Approval of this item would further enhance safety by providing a unified SCADA system for all rail lines. Dispatchers will not be burdened with achieving and maintaining competencies for multiple user interfaces.

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## **FINANCIAL IMPACT**

Work will be performed within the existing SCADA Upgrade and Crenshaw/LAX Light Rail project LOPs.

The total amount required for Recommendation A and B in FY17 is \$3,600,000. An amount of \$2,700,000 is included in the FY17 budget: Project 205038, Heavy Rail Subway SCADA System Replacement; Cost Center 3960, Rail Transit Engineering; Account 53102, Acquisition of Equipment. An amount of \$900,000 is included in Project 865512, Crenshaw/LAX Transit Corridor; Cost Center 8510, Construction Contracts/Procurement; Account 53102.

Since this is a multi-year project, the Project Manager and Senior Executive Officer, Rail Maintenance and Engineering, are responsible for budgeting in future years.

### **Impact to Budget**

This system upgrade and expansion is funded using a combination of Federal, State, and Local funding sources that are eligible for Rail capital including Federal CMAQ, RIP, STIP and Measure R 35% cash and/or bonds. Use of these funds maximizes Metro's funding based on availability.

## **ALTERNATIVES CONSIDERED**

The Board may choose to require an open solicitation and not authorize the subject single-source contract modification. This alternative is not recommended. An open solicitation may result in delivery of a new and different SCADA system. This presents training and maintenance difficulties that negatively affect the overall safe, effective and efficient operation. Award to a new contractor will also present significant schedule and cost risks to the Crenshaw project.

Metro could decide not to purchase additional supplemental insurance if the Board determines that additional exposure related to the inability to collect damages for ARINC professional negligence for their integration activities is an acceptable risk. This alternative is not recommended by Metro Risk Management.

## **NEXT STEPS**


Upon approval by the Board, staff will execute Contract Modification No. 4 to Contract No. OP39603035 with ARINC to ensure the delivery of an expanded SCADA system to support an on-time opening of the Crenshaw/LAX Light Rail line.

## **ATTACHMENTS**

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

Prepared by: Charles Weissman, Supervising Engineer, (323) 563-5232

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



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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## CRENSHAW/LAX LIGHT RAIL SCADA INTEGRATION / OP39603035

1.	<b>Contract Number:</b> OP39603035		
2.	<b>Contractor:</b> ARINC Control and Information Systems (ARINC)		
3.	<b>Mod. Work Description:</b> Metro Green Line / Crenshaw Line/LAX Light Rail SCADA Integration		
4.	<b>Contract Work Description:</b> Expand the Metro SCADA system to integrate Metro Green Line automatic train control and new Crenshaw Line for unified supervision and control.		
5.	<b>The following data is current as of:</b>		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	1/15/14	<b>Contract Award Amount:</b> \$6,178,383
	<b>Notice to Proceed (NTP):</b>	1/3/14	<b>Total of Modifications Approved:</b> \$4,378,130
	<b>Original Complete Date:</b>	1/3/21	<b>Pending Modifications (including this action):</b> \$4,994,515
	<b>Current Est. Complete Date:</b>	1/3/21	<b>Current Contract Value (with this action):</b> \$15,551,028
7.	<b>Contract Administrator:</b> James Nolan		<b>Telephone Number:</b> 213-922-7312
8.	<b>Project Manager:</b> Chuck Weissman		<b>Telephone Number:</b> 323-563-5232

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 4 issued in support of expanding and upgrading the existing Supervisory Control and Data Acquisition (SCADA) System to include the new Crenshaw/LAX Light Rail Line and operate seamlessly with the Metro Green Line (MGL).

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

Contract No. OP39603035 was approved by the Board in November 2013 and was awarded to ARINC on January 15, 2014, for the replacement of the obsolete Metro Red Line Supervisory Control and Data Acquisition (SCADA) System. ARINC was chosen as the most technically qualified firm with the lowest price. Modification No. 1 was executed July 14, 2014, to include integration of the Foothill and EXPO-II light rail expansion projects. Modification No. 2, executed November 14, 2014, was an administrative action which did not change contract value. Modification No. 3 was executed June 19, 2015, to include modifications and deletions necessary to comply

with updated Metro Information Technology Hardware and Security standards and to purchase an additional project specific professional liability insurance associated with the increased contract scope.

(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 MAS audit findings, cost analysis, technical evaluation, fact finding, and negotiations. The ICE was based on ARINC's rates, fees and overhead prior to the firm being bought by Rockwell. As a result of being acquired by Rockwell, ARINC's rates, overhead and G&A increased. Therefore, the negotiated amount is higher than ICE.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$5,177,397	\$4,168,914	\$4,994,515

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## CRENSHAW/LAX LIGHT RAIL SCADA INTEGRATION/OP39603035

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Integration of Foothill and EXPO II Light Rail Expansion	Approved	07/14/14	\$2,914,575
2	Administrative Change Only	Approved	11/14/14	\$0.00
3	Additions and Deletions to SCADA Tech Spec	Approved	06/19/15	\$1,463,555
4	<b>Metro Green Line/Crenshaw Line/LAX Light Rail SCADA Integration</b>	<b>Pending</b>	<b>TBD</b>	<b>\$4,994,515</b>
	<b>Modification Total:</b>			<b>\$9,372,645</b>
	<b>Original Contract:</b>			<b>\$6,178,383</b>
	<b>Total:</b>			<b>\$15,551,028</b>

DEOD SUMMARY

CRENSHAW/LAX LIGHT RAIL SCADA INTEGRATION/OP39603035

**A. Small Business Participation**

ARINC made a 12.64% Small Business Enterprise (SBE) commitment. The project is 76% complete. Current SBE participation is 11.55%, a shortfall of 1.09%. ARINC confirmed that its original SBE commitment was based on the delegation of hardware procurement logics and system factory testing. Metro’s Project Manager confirmed that subsequent modifications to the contract, such as the integration of Foothill and EXPO Phase II, have not added significant hardware procurement value, thus posing challenges to meeting the original commitment.

ARINC is developing its SBE subcontractor, Anysolv Technologies, to perform work on proprietary software. Also on Modification No. 4, ARINC will engage the SBE in software configuration and development. ARINC is expected to meet its overall commitment upon completion of the project.

<b>Small Business Commitment</b>	<b>12.64% SBE</b>	<b>Small Business Participation</b>	<b>11.55% SBE</b>
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	<b>SBE Subcontractors</b>	<b>% SBE Committed</b>	<b>Current SBE Participation<sup>1</sup></b>
1.	Anysolv Technologies	12.64%	11.55%
	<b>Total</b>	<b>12.64%</b>	<b>11.55%</b>

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

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

The Living Wage and Service Contract Worker Retention Policy 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**

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**File #:** 2016-0572, **File Type:** Contract**Agenda Number:** 27.

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**2<sup>nd</sup> REVISED**  
**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE**  
**SEPTEMBER 15, 2016**

**SUBJECT: LANDSCAPE AND IRRIGATION MAINTENANCE SERVICES - EXPO II EXTENSION****ACTION: APPROVE CONTRACT AWARD****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP5938800 pending the resolution of a protest for the **landscape and irrigation maintenance services along Metro Expo Line Phase II with Far East Landscape and Maintenance, Inc.**, the lowest, responsive and responsible bidder, for a not-to-exceed amount of \$1,201,384 for the three-year base period inclusive of as-needed services, \$407,849 for the first option year, and \$428,242 for the second option year, for a combined total of \$2,037,475, effective October 1, 2016 through September 30, 2021.

**ISSUE**

Under this new contract, the contractor is required to provide landscape and irrigation maintenance services for Metro's newly opened Division 14 and the Expo II Extension stations and facilities. Currently, these facilities are under the Construction Authority warranty period; however, maintenance services are on an as-needed basis, pending this new contract award to provide routine landscape and irrigation maintenance services.

To ensure providing safe, quality and on-time services, performing routine landscape and irrigation maintenance, and responding to as-needed inquiries throughout Division 14 and the Expo II Extension, a new contract award is required effective October 1, 2016.

**DISCUSSION**

The Expo II Extension is 6.6 miles of right-of-way (ROW) extending the existing Metro Expo I from Culver City to downtown Santa Monica. There are a total of seven (7) new stations along the alignment, one (1) parking structure, two (2) parking lots, and seven (7) Traction Power Substations (TPSS).

Division 14 is the Expo Line new maintenance yard located within the City of Santa Monica. This 9.7 acres Expo Line Operations campus allows Metro to provide efficient transportation and maintenance



services.

Division 14 and the Expo II stations and facilities combined include over two (2) acres of lush landscaped areas supplied by a permanent irrigation system.

This service contract was competitively procured and four bids were received. Far East Landscape and Maintenance, Inc. bid was deemed the lowest responsive and responsible bidder. This company is a Metro registered Small Business Enterprise (SBE) firm with a 100% SBE commitment exceeding the 25% goal for this contract.

Under this contract, the contractor is required to provide general landscape and irrigation maintenance services. The contractor is also required to provide optimal water management service to comply with local water agencies irrigation water use ordinances. In addition, the contractor will provide as-needed services as directed by Metro staff, such as repairing vandalized or damaged irrigation system components and replacing damaged or lost plant materials.

Regular and as-needed landscape and irrigation maintenance services are necessary in order to maintain proper plant health and keep planters free of trash and weed infestation to provide a neat appearance at all times.

To ensure providing timely landscape and irrigation maintenance services and maintain healthy plants and pleasant overall appearance and cleanliness, a new contract award is required effective October 1, 2016.

### **DETERMINATION OF SAFETY IMPACT**

The approval of this item will ensure meeting Metro maintenance standards in delivering clean and well maintained facilities and properties, provide on-going landscape and irrigation maintenance services, and provide prompt response time to deliver safe, quality, on-time, and reliable services to our customers and the public.

### **FINANCIAL IMPACT**

The annual contract value is \$400,462. Funds are allocated in Cost Center 3367 - Facilities Property Maintenance, Account 50308 - Service Contract Maintenance, Project 300066 - Rail Operations Expo Line.

Since this is a multi-year contract, the Cost Center manager, and the Senior Executive Officer, Rail Maintenance will be accountable for budgeting the cost in future years, including any option(s) exercised.

### **Impact to Budget**

The current year funding for this action will come from State and Local sources eligible for use for Operations. These sources will maximize the use of funds available for these activities.

**ALTERNATIVES CONSIDERED**

Staff considered providing this service through in-house staff; however, 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 that this is not a cost-effective option for Metro.

**NEXT STEPS**

Upon Board approval, staff will execute Contract No. OP5938800 to Far East Landscape and Maintenance, Inc., effective October 1, 2016, to provide landscape and irrigation maintenance services for Division 14 and the Metro Expo II Extension stations and facilities.

**ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

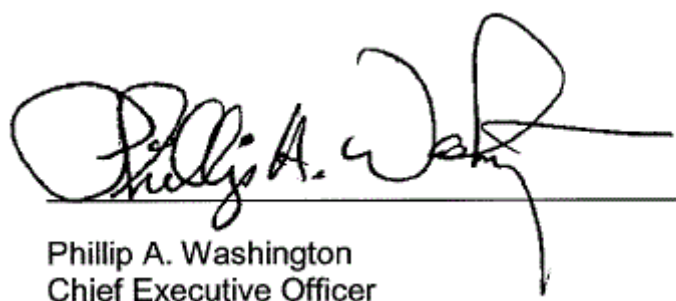
Prepared by: Brady Branstetter, DEO, Facilities Maintenance, (213) 922-6767

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

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



Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

LANDSCAPE AND IRRIGATION MAINTENANCE SERVICES – EXPO LINE  
PHASE II/ OP5938800

1.	<b>Contract Number:</b> OP5938800	
2.	<b>Recommended Vendor:</b> Far East Landscape and Maintenance Inc.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> RFP <input checked="" type="checkbox"/> IFB <input type="checkbox"/> IFB-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> July 8, 2016	
	<b>B. Advertised/Publicized:</b> July 7, 2016	
	<b>C. Pre-proposal/Pre-Bid Conference:</b> July 19, 2016	
	<b>D. Proposals/Bids Due:</b> August 9, 2016	
	<b>E. Pre-Qualification Completed:</b> August 22, 2016	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> August 14, 2016	
	<b>G. Protest Period End Date:</b> September 22, 2016	
5.	<b>Solicitations Picked up/Downloaded:</b> 17	<b>Bids/Proposals Received:</b> 4
6.	<b>Contract Administrator:</b> Rommel Hilario	<b>Telephone Number:</b> (213) 922-4654
7.	<b>Project Manager:</b> Shaunt Avanesian	<b>Telephone Number:</b> (213) 922-5931

**A. Procurement Background**

This Board Action is to approve contract award in support of Facilities Maintenance to provide landscape and irrigation maintenance services throughout Metro Expo Line Phase II which consists of facilities along ~~six~~ 6.6 miles of Right of Ways (ROW), seven passenger stations, ~~eight~~ seven Traction Power Sub-Station (TPSS) and one Operations and Maintenance Yard. The facilities will also include one parking structure and two parking lots as outlined in Invitation for Bid (IFB) No. OP28144.

The IFB was issued as a competitive 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 IFB:

- Amendment No. 1, issued on July 21, 2016, provided pre-bid conference material including sign-in sheets, planholder's list, and prevailing/living wage information;
- Amendment No. 2, issued on August 2, 2016, provided a Completed Projects form for bidders to complete;

A Pre-Bid Conference was held on July 19, 2016. A total of four bids were received on August 9, 2016.

## **B. Evaluation of Bids**

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

1. Far East Landscape and Maintenance Inc.
2. Marina Landscape Maintenance Inc.
3. Parkwood Landscape Maintenance, Inc.
4. Woods Maintenance Services, Inc.

All four firms were determined to be responsive, responsible, and qualified to perform the required services based on the IFB's minimum requirements and technical evaluation by the Project Manager. Further analysis was conducted to review appropriate staffing levels for each bid, and all were deemed responsive to the IFB requirements by the Program Manager's technical evaluation.

## **C. Cost/Price Analysis**

The recommended pricing from Far East Landscape and Maintenance Inc. (Far East) has been determined to be fair and reasonable based upon adequate competition, fact finding, and Metro's independent cost estimate. Metro's independent cost estimate was based on historical data, recent job walks and quotes received from contractors for facilities of similar size and maintenance frequencies. These three factors validate why the independent cost estimate was substantially higher than the bids received.

<b>BIDDER</b>	<b>AMOUNT</b>	<b>METRO ICE</b>	<b>AWARD AMOUNT</b>
Far East Landscape and Maintenance Inc.	\$2,037,475.27	\$3,450,348.00	\$2,037,475.27
Woods Maintenance Services, Inc.	\$2,041,034.46		
Marina Landscape Maintenance Inc.	\$2,195,268.85		
Parkwood Landscape Maintenance, Inc	\$2,820,108.00		

## **D. Background on Recommended Contractor**

Far East has been providing residential and commercial landscaping services for over 30 years in Los Angeles County including projects with the Los Angeles County Departments of Public Works, Department of Park and Recreation, Department of Health Services, Department of Probation, and Department of Children and Family. As a full service landscape company, Far-East provides gardening and lawn care to

extensive landscaping projects including areas such as construction, water, lighting, stone layout, irrigation and commercial development.

Far-East is currently a subcontractor to both Parkwood Landscape Maintenance, Inc. and Wood Maintenance, Inc. for Metro's Graffiti Abatement, Landscape & Irrigation Maintenance and Trash & Vegetation Removal Services contracts in Region 1, 2, 3, and 4.

**DEOD SUMMARY**

**LANDSCAPE AND IRRIGATION MAINTENANCE SERVICES – EXPO II  
EXTENSION / OP5938800**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 25% Small Business Enterprise (SBE) goal for this solicitation. Far East Landscape & Maintenance, an SBE certified Prime, exceeded the goal by making a 100% SBE commitment.

<b>Small Business Goal</b>	25% SBE	<b>Small Business Commitment</b>	100% SBE
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Far East Landscape & Maintenance (SBE Prime)	100%
	<b>Total Commitment</b>	<b>100%</b>

**B. Living/Prevailing 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.



## Board Report

File #: 2016-0096, File Type: Contract

Agenda Number: 28.

### SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE SEPTEMBER 15, 2016

**SUBJECT: METRO FREEWAY SERVICE PATROL**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATIONS**

AUTHORIZE the Chief Executive Officer to:

- A. AWARD a firm fixed unit rate Contract No. FSP57678900B60 to **Freeway Towing for Metro Freeway Service Patrol (FSP) heavy duty towing services Beat 60** in the amount of \$5,255,700 for 60 months; and
- B. AWARD a firm fixed unit rate Contract No. FSP5769100B61 to **All City Towing for Metro Freeway Service Patrol (FSP) heavy duty towing services Beat 61** in the amount of \$4,741,020 for 60 months.
- C. INCREASE the FY17 budget in Cost Center 3352 in the amount of \$2,019,002.

#### **ISSUE**

Recommendations A and B will replace two expiring heavy duty tow service contracts. Recommendation C increases the FY17 Freeway Service Patrol (FSP) budget due to initial project contract expenses.

#### **DISCUSSION**

The Metro FSP Big Rig service is an integral part of the countywide FSP program and is currently provided on two major large commercial truck corridors, the I-710 (Beat 60) and the SR-91 (Beat 61) freeways. The award of these two contracts will enable Metro to continue to provide a valuable tool in the region's on-going efforts to address congestion created by these larger vehicles.

FSP Big Rig provides free roadside assistance and towing services to disabled vehicles larger than 6,000 Gross Vehicle Weight Rating (GVWR). Each beat consists of two roving vehicles, a heavy-duty tow truck and a heavy-duty utility truck, that patrol their respective freeway segments on weekdays from 5 am to 7 pm. The services provided by FSP Big Rig are similar to the services provided by the FSP light duty service and include providing fuel, water, minor repair services, and towing assistance. FSP Big Rig drivers



performed 3,087 assists in 2015.

The FSP Big Rig service is part of the larger Metro FSP program which also provides light duty service on all freeways and ExpressLanes service via 38 tow service contracts comprised of 43 beats patrolled by 149 trucks providing service during peak commuting periods, and patrolling over 475 center line miles on all major freeways in Los Angeles County. The FSP program provides assistance to motorists with disabled vehicles weighing less than 6,000 GVWR on all major freeways and on the two ExpressLanes corridors. The service is provided by 22 independent tow service contractors and performs approximately 25,000 assists per month and, per the most recent statewide evaluation, provides a benefit to cost ratio of 10:1.

### New Contract Award

The recommendation ensures that the two FSP Big Rig contracts are replaced and will continue to provide service for a period of 60 months.

The recommendation awards contracts to one current and one former FSP contractor each of whom provides or has /provided service on one FSP light duty beat. Contractors are eligible to operate up to two FSP contracts each based on the beat cap policy approved by the Metro Board on September 20, 2001. The award of the Big Rig contract will give one of the two proposers the maximum number of contracts allowed.

The overall cost of each contract to be awarded is higher than the current existing contract. The increase in costs is attributed to several factors: the two awardees do not have the capability of manufacturing their own vehicles as the current contractor was able to do; the implementation of Metro's Living Wage Policy; and market forces which, over time, have slowly increased program costs.

Once contracts are awarded, Contractors will have a 16 to 20-week mobilization period to complete the required startup activities in order to begin service. The following list comprises the majority of the activities that must be completed prior to providing FSP service:

- Purchase vehicle chassis and beds
- Build vehicles to FSP specifications (12-16 Weeks)
- Metro Radio Shop installation of communications equipment (2-3 Weeks)
- Hire and train prospective FSP drivers
- CHP testing and certification of FSP drivers
- Obtain program supplies
- Inspection and certification of contract vehicles

Once each contract is awarded, the contractor is responsible for coordination of vehicles/parts/equipment and the timing of these activities to ensure that they are completed prior to the start of contracted service.

### Budget Amendment

Budget amendment authority for cost center 3352 is required to increase the FY17 budget by \$2,019,002 due to increased vehicle costs, the Living Wage Policy and other market forces.

### **DETERMINATION OF SAFETY IMPACT**

The FSP Program enhances safety on Los Angeles County freeways by assisting motorists with disabled vehicles, towing vehicles from freeway lanes to prevent secondary accidents, and removing debris/obstacles from lanes that may be a hazard to motorists. During FSP operating hours, drivers provide specific services to motorists with disabled vehicles to get them safely back on the road or tow them to a designated safe location off of the freeway. FSP drivers patrolling their Beat locate and assist motorists in freeway lanes or along the shoulder significantly faster than it would take to call a private tow service. The FSP Program completes approximately 300,000 assists annually.

### **FINANCIAL IMPACT**

A portion of the funding of \$9,996,720 for this program is included in the FY17 budget in cost center 3352, Metro Freeway Service Patrol, under project number 300070. However, it is necessary to increase the FY17 budget in the amount of \$2,019,002 for the upfront contract startup costs.

Since this is a multi-year contract/project, the cost center manager and Executive Officer, Congestion Reduction, will be accountable for budgeting the funds in future years.

### Impact to Budget

The FSP program is funded through a combination of Proposition C 25% sales tax, State and SAFE funds. There is no impact to bus and rail operating or capital; Proposition A, C and TDA administration; or Measure R funds.

### **ALTERNATIVES CONSIDERED**

The Board may decide not to authorize the execution of these contracts. This alternative is not recommended as it would result in interruption of the Big Rig FSP services thereby hindering staff's ability to manage non-recurrent congestion caused by trucks in the most cost-effective and efficient manner.

### **NEXT STEPS**

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Upon Board approval, staff will execute the new contracts with Freeway Towing and All City Towing and budget amendment.

**ATTACHMENTS**

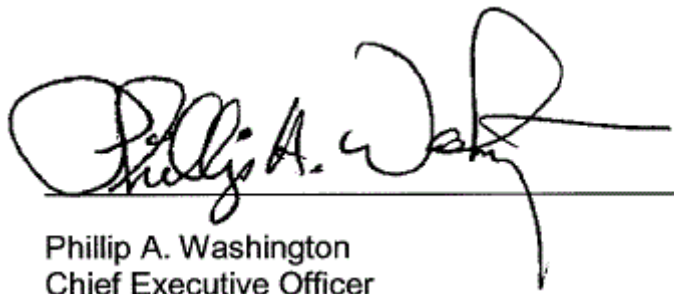
Attachment A - Procurement Summary

Attachment B - FSP Beat Map

Attachment C - DEOD Summary

Prepared by: John Takahashi, Sr. Highway Operations Program Manager, (213) 922-6346  
Kathleen McCune, Deputy Executive Officer, (213) 922-7241  
Shahrzad Amiri, Executive Officer, (213) 922-3061

Reviewed by: Ivan Page, Chief, Vendor/Contract Management (Interim), (213) 922-6383  
Stephanie Wiggins, Deputy CEO, (213) 922-1023



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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

**FREEWAY SERVICE PATROL BIG RIG SERVICES**  
**FSP5768900B60 – BEAT 60**  
**FSP5769100B61 – BEAT 61**

1.	<b>Contract Number:</b> Beat 60 – FSP5768900B60 Beat 61 – FSP5769100B61	
2.	<b>Recommended Vendor:</b> Beat 60 – Freeway Towing, Inc. Beat 61 – EVS (dba All City Tow Services)	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP–A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> November 18, 2015	
	<b>B. Advertised/Publicized:</b> November 17, 2015	
	<b>C. Pre-proposal/Pre-Bid Conference:</b> December 2, 2015	
	<b>D. Proposals/Bids Due:</b> January 11, 2016	
	<b>E. Pre-Qualification Completed:</b> August 9, 2016	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> August 9, 2016	
	<b>G. Protest Period End Date:</b> September 21, 2016	
5.	<b>Solicitations Picked up/Downloaded:</b> 22	<b>Bids/Proposals Received:</b> 4 (2 for each beat)
6.	<b>Contract Administrator:</b> Brian Selwyn	<b>Telephone Number:</b> (213) 922-4679
7.	<b>Project Manager:</b> John Takahashi	<b>Telephone Number:</b> (213) 922-6346

**A. Procurement Background**

This Board Action is to approve two contracts for the provision of Big Rig Freeway Service Patrol Services (FSP), Contract No. FSP5768900B60 (Beat 60), and Contract No. FSP5769100B61 (Beat 61).

Metro has established a contracting opportunity to provide heavy duty FSP towing services on Beat 60 (I-710, Long Beach Freeway) and Beat 61 (SR-91, Riverside Freeway). Proposers awarded FSP contracts are required to provide continuous roving patrol vehicles and service assistance to disabled vehicles (over 6,000 lbs.) during contracted hours.

The RFP was issued as a competitively negotiated procurement in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit price. This RFP was issued with an SBE/DVBE goal of 10% (SBE 7% and DVBE 3%). In addition, the RFP, which reflects the regulations of the Metro FSP Program, stated ***“Contractors are limited to operate only one (1) Big Rig Contract under the Metro Freeway Service Patrol Program.”*** Therefore, Metro is awarding **separate contracts** for Beats 60 and 61.

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

- Amendment No. 1, issued on December 4, 2015, provided a planholders list, sign-in sheets from the pre-proposal conference, a Living Wage flyer, information on changes to the Letter of Invitation in the subject RFP, and responses to questions posed by potential proposers. The amendment also marked “Reserved” SP-24, Subcontract Administration, Item L, Modified Compensation and Payment, which addresses progress payment retention by Metro and also the permissibility for the Contractor to substitute securities in lieu of retention.
- Amendment No. 2, issued on December 22, 2015, provided changes to proposer instructions, changes to submittal requirements and proposal letter format, and responses to proposer questions.

A pre-proposal conference, held on December 2, 2015, was attended by 13 participants, representing 11 firms. Eighteen questions were asked and responses provided prior to the proposal due date. A total of 22 firms downloaded the RFP and those firms were included in the planholder’s list. On January 11, 2016, two firms, EVS, Inc. -dba All City Tow Services (All City) and Freeway Towing, Inc. (Freeway Towing) submitted two proposals each, one to provide big rig towing service for Beat 60 and one to provide service for Beat 61.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro, the Orange County Transportation Authority and the San Diego Association of Governments was convened and conducted a comprehensive technical evaluation of the proposals received in response to the RFP for both Beat 60 and Beat 61.

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

- |  |            |
|--|------------|
| • Degree of Skills and Experience of the Team              | 30 percent |
| • Experience and Capabilities of Key Personnel of the Team | 15 percent |
| • Management Plan  | 15 percent |
| • Site Visit   | 15 percent |
| • Cost   | 25 percent |

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

The two proposals received were determined to be within the competitive range and are listed below in alphabetical order:

1. All City
2. Freeway Towing

On January 22, 2016, the PET and Metro Project Manager conducted site visits at both proposers' facilities. The proposed facilities were the same for both beats. During the week of January 26, 2016, the PET met and evaluated the proposals submitted by Freeway Towing and All City. Subsequently, on February 10, 2016, the PET interviewed both firms. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the PET's questions. Each team's presentation addressed the requirements of the RFP, experience with all aspects of the required tasks, and stressed each firm's commitment to the success of the project. Also highlighted were daily staffing plans, facility-related questions, driver training plans, daily service plans, and perceived project issues. Each proposing team was asked questions related to their firm's previous experience.

The final scoring, after interviews and site visits, determined that both firms were qualified to undertake the work delineated in the RFP for both beats. Staff recommends award of Beat 60 to Freeway Towing. Freeway Towing was selected to receive Beat 60 because their facility is adjacent to the I-710 freeway/Beat 60. Their facility is in the ideal location to operate this beat with minimal service disruptions in the event of equipment or manpower issues. As the highest rated firm, All City, in turn, is being proposed for award of Beat 61. Neither firm is eligible for award of two Big Rig FSP Towing contracts. As stated earlier, the RFP included the provision that ***“Contractors are limited to operate only one (1) Big Rig Contract under the Metro Freeway Service Patrol Program.”*** Freeway Towing and All City both currently have one non-Big Rig FSP contract.

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

#### **ALL CITY**

All City is located in Culver City and serves the greater West Los Angeles area and surrounding cities. The firm has provided roadside, towing, recovery, and impound services for the past quarter century. Thirty-five of the company's 40 employees, including the CEO and management staff, are licensed and certified tow truck operators. All City has been providing big rig towing services since 2000, having grown from a fleet of two trucks to the current fleet of four trucks and five road service utility support vehicles. On average, the company performs 70 big rig tows and 2,500 light duty tows per month and has worked with governmental agencies such as the California Highway Patrol, the Santa Monica Police Department, and the City of Culver City. All City has also held towing contracts with the Cross Country Motor Club and Road America.

All City's proposal strongly reflects the company's thorough understanding of the project and its ability and experience to successfully perform the work required of an FSP provider. The work and staffing plans are well thought out and, coupled with the firm's service record, provide a good indication of the firm's ability to successfully undertake the work of the contract over its five year term.

**FREEWAY TOWING**

Freeway Towing is a family-owned and operated towing and storage company which serves the greater Los Angeles area. It was founded in 1991 by John Haddad and is currently run by members of his family. The proposed team has a great deal of experience providing light, heavy and super heavy duty and recovery towing throughout the region, working with such governmental agencies as the California Highway Patrol, Santa Clarita Transit and the Monterey Park Police Department.

Freeway Towing's proposal strongly demonstrates an understanding of the project and the company's capability and experience to successfully perform the work required of an FSP provider. The work and staffing plans are well thought out and, coupled with the firm's service record, provide a good indication of the firm's ability to successfully undertake the work of the contract over its five year term.

Following is a summary of the PET evaluation scores. Again, scoring was applied to the PET's evaluation of proposals for both beats:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	<b>All City</b>				
3	Skills and Experience of the Team	70.00	30.00%	21.00	
4	Experience and Capabilities of Key Personnel of the Team	83.33	15.00%	12.50	
5	Management Plan	90.00	15.00%	13.50	
6	Site Visit	86.66	15.00%	13.00	
7	Cost		25.00%	25.00	
8	<b>Total</b>		<b>100.00%</b>	<b>85.00</b>	<b>1</b>
9	<b>Freeway Towing</b>				
10	Skills and Experience of the Team	80.00	30.00%	24.00	
11	Experience and Capabilities of Key Personnel of the Team	80.00	15.00%	12.00	
12	Management Plan	89.00	15.00%	13.35	
13	Site Visit	63.33	15.00%	9.50	
14	Cost		25.00%	22.55	
15	<b>Total</b>		<b>100.00%</b>	<b>81.40</b>	<b>2</b>

### C. Price Analysis

Both proposers submitted identical price proposals for both beats. Since the price proposals of each firm are identical the table below shows the price for a single beat. The recommended prices have been determined to be fair and reasonable based upon adequate price competition, including an independent cost estimate (ICE), price analysis, technical analysis, fact finding, and final negotiations. The discrepancy between the ICE and All City's and Freeway Towing's final negotiated costs can be attributed to the following factors:

- Metro's estimated price for the vehicles required in the operation of the FSP, two big rig tow trucks and one heavy duty service truck, was lower than the negotiated price. All City's price and Freeway Towing's price have been determined to be reasonable based on a review of vehicles of a similar type available for purchase over the next six months.
- Metro's estimation of the cost of diesel fuel over the life of the contract was lower than that proposed by both contractors. The negotiated costs were determined to be fair and reasonable based on projections on changes in fuel costs through 2022.
- Metro's estimation of the cost of vehicle insurance over the life of the contract was lower than that estimated by the contractors. The negotiated cost was determined to be fair and reasonable based on projections on changes in insurance costs through 2022.

The negotiated hourly rate for each of the five proposed years, which excludes the cost of purchasing three trucks to be used by the contractors in service, is \$112.56 for All City and \$130.00 for Freeway Towing. Below is a comparison of total five year contract costs for the two proposers.

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
1.	All City	\$5,116,040	\$4,636,500	<b>\$4,741,020</b>
2.	Freeway Towing	\$5,846,835	\$4,636,500	<b>\$5,255,700</b>

### D. Background on Recommended Contractors

#### Beat 60: Freeway Towing

The recommended firm for Beat 60, Freeway Towing, is located in Monterey Park, with a second office in Santa Clarita. The company has been in business for 25 years, providing both light and heavy duty towing services during this time. Freeway sits on the Automobile Club of Southern California's advisory committee, a distinction held by only eight other towing companies. The company has prior experience working with Metro as a light duty FSP contractor. The company has



also performed heavy duty recovery work for the California Highway Patrol and has worked with such private sector firms as FedEx, Penske, 7 Up and GE Financial. The proposed project manager and assistant project manager have both been certified by the California Tow Truck Association for heavy duty towing.

Beat 61: All City

The recommended firm for Beat 61, All City, is located in Culver City. This full-service towing company has been in business for 24 years and currently operates heavy, medium, flatbed, and light duty trucks. All City has commercial accounts to provide heavy duty service for companies such as Hertz and Penske and provides big rig towing for several local municipalities, including the cities of Culver City and Santa Monica.



## DEOD SUMMARY

**FREEWAY SERVICE PATROL BIG RIG  
FSP57678900B60 – FREEWAY TOWING  
FSP5769100B61 – ALL CITY TOW SERVICES**

**A. Small Business Participation (Freeway Towing Inc./Beat 60)**

The Diversity and Economic Opportunity Department (DEOD) established a 10% goal, inclusive of a 7% Small Business Enterprise (SBE) and 3% Disabled Veteran Owned Business Enterprise (DVBE) goal for this solicitation. Freeway Towing Inc. exceeded the goal by making a 10.65% commitment, inclusive of a 7.23% SBE and 3.42% DVBE commitment.

<b>SMALL BUSINESS GOAL</b>	<b>7% SBE 3% DVBE</b>	<b>SMALL BUSINESS COMMITMENT</b>	<b>7.23% SBE 3.42% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Manatek Insurance Services	0.44%
2.	Casanova Towing Equipment	6.79%
	<b>Total SBE Commitment</b>	<b>7.23%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels	3.42%
	<b>Total DVBE Commitment</b>	<b>3.42%</b>

**B. Small Business Participation (All City Towing/Beat 61)**

The Diversity and Economic Opportunity Department (DEOD) established a 10% goal, inclusive of a 7% Small Business Enterprise (SBE) and 3% Disabled Veteran Owned Business Enterprise (DVBE) goal for this solicitation. For Beat 61, All City Towing exceeded the goal by making a 10.24% commitment, inclusive of a 7.00% SBE and 3.24% DVBE commitment.

<b>SMALL BUSINESS GOAL</b>	<b>7% SBE 3% DVBE</b>	<b>SMALL BUSINESS COMMITMENT</b>	<b>7.00% SBE 3.24% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Casanova Towing Equipment	7.00%
	<b>Total SBE Commitment</b>	<b>7.00%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Arciero and Sons	1.39%
2.	Image Gear dba Reflective Stripe	0.56%
3.	Oasis Fuels	1.29%
	<b>Total DVBE Commitment</b>	<b>3.24%</b>

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

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this solicitation. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$16.04 per hour (\$11.17 base + \$4.87 health benefits), including yearly increases. 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.

**D. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

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

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

**Board Report**

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**File #:** 2016-0616, **File Type:** Contract**Agenda Number:** 29.

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**REGULAR BOARD MEETING  
OCTOBER 27, 2016****SUBJECT: DIGITAL INCIDENT MANAGEMENT SYSTEM****ACTION: AWARD AN 18-MONTH CONTRACT TO DESIGN AND IMPLEMENT A DIGITAL INCIDENT MANAGEMENT SOLUTION****RECOMMENDATION**

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

**ISSUE**

The manual process of downloading and distributing video is time consuming and inefficient for staff. Valuable maintenance time is spent supporting the video download process, administrating and managing the video distribution and storage of the various videos clips once they are received for follow up investigations. Metro currently manages approximately 15,000 video clips per year related to accidents, customer inquiries, on-board law enforcement issues and related operator training issues. Streamlining Metro's video process will save time and help us meet the increasing demand for incident based video inquiries.

Over time Metro has acquired multiple and disparate video systems. Bus, Rail, Facilities and security systems are provided by different vendors. The recommended contractor will implement an agency-wide, integrated, video file management solution to support the video incident management process regardless of vendor and type. This single source of management will replace the largely manual process currently deployed with an electronic process.

Under this initiative, Metro will implement an integrated video file management software and solution to achieve Metro's Digital Incident Management System (DIMS) objectives. The DIMS core features include the following capabilities:

1. Process user video requests and fetch bus, rail and fixed facility video segments from a central database through a common system.
2. Transfer a copy of video files which have evidentiary value from the source DVR or intermediate storage device to a central DIMS file repository.
3. Provide features to securely manage, with chain of custody, these video files throughout their

lifecycle from acquisition to deletion regardless if the files are downloaded via Wi-Fi or manually added to DIMS.

4. Securely delete the video files after the assigned retention period.

Metro expects a full chain of custody over the DIMS video files including the logging of user access, file usage, metadata/attributes changes, distribution and disposition of the video files managed through DIMS.

## **DISCUSSION**

The current process for collecting and distributing videos on the bus is primarily manual. Once the bus pulls into a division, an Electronic Communication Technician has to manually download and burn the video to a CD and distribute it. This requires large number of labor-hours and limits the capability of Metro to meet the increasing demand of incident based video. There are approximately 1200 downloads requested per month for bus operations alone. Even though Metro is moving toward automatic download of video through Wi-Fi, video distribution process is still manual and time consuming.

Rail video is currently being collected through various systems. There are new California Public Utility Commission (CPUC) requirements to review operator activity on rail via video. The system needs to be able to document this information based on the operator review. Currently there are different methods for requesting rail versus bus video. Staff has to either contact different departments or go through different systems to get videos for incidents.

Videos collected from cameras at various Metro facilities are currently stored on different storage devices. A work order is created to download and burn the videos as needed.

The intent of the new system is to streamline this process for rail, bus and various Metro facilities as required and to use a common entry request and processing system for video.

## **Future Network Infrastructure Improvements**

DIMS will provide improvement via the centralized, integrated management of video files using the current network infrastructure. That said, future investment in wireless network improvements at bus and rail facilities would further streamline the collection of relevant video files. The current Wi-Fi networks at bus and rail locations can download video using the current infrastructure when the bus or rail car is parked close to a Wi-Fi access point. However, if the bus or rail car is parked in the middle or at the outer edges of the parking area the current Wi-Fi signal coverage cannot support the DIMS system because the bandwidth requirements. Therefore, as a separate, future initiative the ITS and Operations teams will refine detailed requirements to improve the Wi-Fi coverage at the divisions to support this and other initiatives as funding and resources become available.

## **DETERMINATION OF SAFETY IMPACT**

DIMS will help Metro streamline the digital video collection and distribution process. Streamlining and centralizing the digital video management process allows Metro to expedite video requests as well as

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address potential hardware maintenance issues with the video system. Digital videos are critical in resolving safety concerns to transit riders. The timely turnaround of video requests helps Metro improve safety on our transit systems as well as fixed facilities by allowing law enforcement and operational staff to review and address potential safety issues for our passengers.

### **FINANCIAL IMPACT**

Funding for this service has been approved under a capital project (CP 207120) and is included in the FY17 budget under cost center 9210, Information Management - Transit Applications. Since this project will span over one year, the project manager and the Chief Information Officer will be responsible for budgeting the cost in future years.

#### **Impact to Budget**

The funding for this action is TDA Article 4 which is eligible for bus and rail operations and capital.

### **ALTERNATIVES CONSIDERED**

The alternative is to not award a contract for the Digital Incident Management System and continue to use the current systems. This option is not recommended because of the current deficiencies of having multiple systems and the current labor costs of downloading the approximate 15,000 video clips per year.

### **NEXT STEPS**

Upon approval by the Board, staff will execute Contract No. PS5782700 with Axiom xCell, Inc. for the implementation of Digital Incident Management System. Staff expects to come back to the Board to request authorization for a Wi-Fi improvement project to increase the coverage area at the divisions to enhance DIMS and other initiatives.

### **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by:

Patrick Astredo, DEO, Enterprise Transit Applications, ITS (213) 922-4290

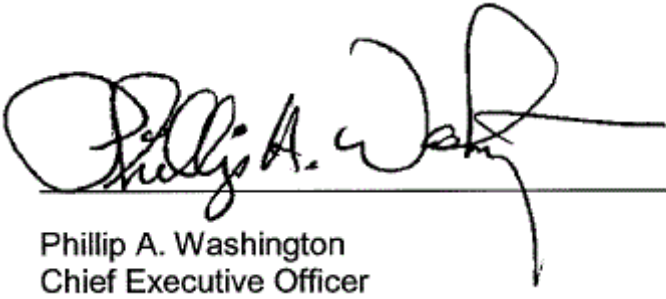
Reviewed by:

James T. Gallagher, Chief Operations Officer (213) 922-4424

Alex Wiggins, Chief, Systems Security and Law Enforcement Officer (213) 922-4433

David C. Edwards, Chief Information Officer, ITS Administration (213) 922-5510

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



Phillip A. Washington  
Chief Executive Officer



## PROCUREMENT SUMMARY

## DIGITAL INCIDENT MANAGEMENT SYSTEMS (DIMS) / PS5782700

1.	Contract Number: PS5782700	
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: February 19, 2016	
	B. Advertised/Publicized: February 20, 2016	
	C. Pre-Proposal/Pre-Bid Conference: March 1, 2016	
	D. Proposals/Bids Due: April 4, 2016	
	E. Pre-Qualification Completed: June 30, 2016	
	F. Conflict of Interest Form Submitted to Ethics: August 2, 2016	
	G. Protest Period End Date: September 27, 2016	
5.	Solicitations Picked up/Downloaded: 24	Bids/Proposals Received: 4
6.	Contract Administrator: Mark Lu	Telephone Number: (213) 922-4689
7.	Project Manager: Bahram Chaudhry	Telephone Number: (213) 922-6411

**A. Procurement Background**

This Board Action is to approve Contract No. PS5782700 issued in support of furnishing, implementing, and maintaining an enterprise-wide video file management solution to support the incident management process.

Request for Proposals (RFP) No. PS25055 was issued in accordance with Metro's Acquisition Policy and the contract type is firm fixed price. The RFP was issued as a small business prime and was open to SBE certified small businesses only.

One amendment was issued during the solicitation phase of this RFP. Amendment No. 1, issued on March 23, 2016, extended the proposal due date from March 28, 2016 to April 4, 2016.

On March 1, 2016, a pre-proposal conference was held and representatives from three firms attended the meeting. Potential firms submitted 21 questions that were asked during the meeting and submitted via e-mail, and answers to those questions were provided in writing on March 17, 2016.

A total of four proposals were received on April 4, 2016. The four proposals are listed in alphabetical order:

1. Axiom xCell, Inc.
2. JM Fiber Optics, Inc.
3. Synexus Inc.
4. Zehner Group

Staff received a protest of award from Synexxus, Inc. on September 12, 2016. Metro responded to the protest on October 6, 2016 and the protest was denied. Synexxus did not file an appeal to the protest decision.

## **B. Evaluation of Proposals/Bids**

A Proposal Evaluation Team (PET) consisting of staff from Information Technology Services (ITS), System Security & Law Enforcement, Revenue Collection Equipment Maintenance, and Rail Communications was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- |  |            |
|--|------------|
| • Contractor's Business & Service Profile        | 10 percent |
| • Contractor's Resource's Skillsets & Experience | 20 percent |
| • Technical Solution                             | 30 percent |
| • Project Methodology, Approach & Schedule       | 20 percent |
| • Price  | 20 percent |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar type of procurements. Several factors were considered when developing these weights, giving the greatest importance to the Technical Solution.

The PET conducted the initial independent technical evaluation of the four proposals received and determined that one firm did not meet the minimum requirements listed in the RFP.

The three firms within the competitive range are listed below in alphabetical order:

1. Axiom xCell, Inc.
2. JM Fiber Optics, Inc.
3. Synexxus Inc.

During the weeks of May 16 and May 23, 2016, the PET met and interviewed the three firms. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions.

In general, each team's presentation addressed the requirements of the RFP, experience with all aspects of the required tasks, and stressed each firm's commitment to the success of the project. Also highlighted were staffing plans, work plans, schedule, and perceived project issues. Each team was asked questions relative to each firm's proposed alternatives and previous experience. The firms were asked to submit Best and Final Offers (BAFO) based on the discussions and clarification communicated in the interviews.

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

### **Axiom xCell, Inc.**

Axiom xCell, Inc. (Axiom) is located in San Diego, California. Axiom was founded in 2004 to provide testing services and qualifying applications for the Qualcomm BREW mobile eco-system. Due to customers' demand, Axiom's integration, design, development and hosting services evolved into server, database, iOS, Android, Windows Mobile, and support services. For over 10 years, Axiom has provided these services to Hewlett Packard, Disney, Qualcomm, Electronic Arts, Warner Brothers, Yahoo!, Real Networks, LA Metro, LA SAFE, Hawaii DOT, Nevada DOT, and the Federal Highway Administration.

For this project, Axiom proposed as a Metro certified Small Business Enterprise (SBE) prime contractor to manage the contract and serve as client interface to Metro. Axiom proposes TASER International, Inc. (TASER) as its subcontractor.

TASER is a 22 year old publicly traded company focused exclusively on making communities safe through innovative public safety solutions. TASER has a proven track record of successfully implementing and supporting video solutions for agencies of all sizes.

### **JM Fiber Optics, Inc.**

JM Fiber Optics, Inc. was established in 1992, with headquarters located in Chino, California. JM Fiber Optics provides fiber optic communication and security products, integrated systems, and technician certification training to customers worldwide, and is a full service communications company servicing commercial and governmental agencies.

JM Fiber Optics is a Metro certified SBE, and has been providing fiber optic communication and security products and related training services to Metro since 1996.

For this project, JM Fiber Optics proposed as the prime contractor and partnered with LexRay, to manage the contract and team as a whole, and serve as the client interface to Metro.

LexRay specializes in video integration and customization. The firm began as a company with heavy engineering culminating from requests received from Naval Research and other Department of Defense projects. LexRay's clients range from law enforcement to public transportation and Major League Baseball. Since 2013,

Metro has awarded contracts to LexRay for land-based camera integration on Metro Rail Lines and related projects.

**Synexxus Inc.**

Synexxus is an electronic software and hardware design, manufacturing, data collection, and system integration company founded in 2006. Headquartered in Arlington, Virginia, with assembly facilities in Chantilly, Virginia, Synexxus specialized in military mobile sensor integration, video and data distribution systems that connect, collect, integrate, display and access any sensor or communication device on military vehicles.

Synexxus has the ability to leverage its ten years of Department of Defense combat experience in designing, manufacturing, and fielding complex sensor and video storage, retrieval and access architectures on military vehicles and apply to the Integration of Metro video into a seamless DIMS architecture.

Synexxus is a disabled veteran owned small business and a Metro certified SBE. For this project, Synexxus proposed as the prime contractor to provide hardware, software and integration services, and partnered with Microsoft for the video repository by using Microsoft Azure cloud service.

As a result of the proposals, interviews, and BAFO responses, the PET recommendation for contract award is the following:

<b>1</b>	<b>FIRM</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>Axiom xCell, Inc.</b>				
<b>3</b>	Contractor's Business & Service Profile	95.00	10.00%	9.50	
<b>4</b>	Contractor's Resource's Skillsets & Experience	87.50	20.00%	17.50	
<b>5</b>	Technical Solution	85.00	30.00%	25.50	
<b>6</b>	Project Methodology, Approach & Schedule	90.00	20.00%	18.00	
<b>7</b>	Price		20.00%	20.00	
<b>8</b>	<b>Total</b>		<b>100.00%</b>	<b>90.50</b>	<b>1</b>
<b>9</b>	<b>Synexxus, Inc.</b>				
<b>10</b>	Contractor's Business & Service Profile	82.50	10.00%	8.25	
<b>11</b>	Contractor's Resource's Skillsets & Experience	88.75	20.00%	17.75	
<b>12</b>	Technical Solution	81.27	30.00%	24.38	

13	Project Methodology, Approach & Schedule	83.75	20.00%	16.75	
14	Price		20.00%	8.11	
15	<b>Total</b>		<b>100.00%</b>	<b>75.24</b>	<b>2</b>
16	<b>JM Fiber Optics, Inc.</b>				
17	Contractor's Business & Service Profile	67.50	10.00%	6.75	
18	Contractor's Resource's Skillsets & Experience	63.75	20.00%	12.75	
19	Technical Solution	63.77	30.00%	19.13	
20	Project Methodology, Approach & Schedule	62.50	20.00%	12.50	
21	Price		20.00%	4.30	
22	<b>Total</b>		<b>100.00%</b>	<b>55.43</b>	<b>3</b>

### **C. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon independent cost estimate, price analysis, technical evaluation, fact finding, and negotiations. Axiom proposed a system where the majority of the requirements for Metro have been fully developed and their solution has also been implemented with other agencies. The other two firms proposed to develop their solution for Metro which resulted in higher prices.

	<b>Proposer Name</b>	<b>BAFO Amount</b>	<b>Metro ICE</b>	<b>Award Amount</b>
1.	Axiom xCell, Inc.	<b>\$746,160</b>	<b>\$1,134,173</b>	<b>\$746,160</b>
2.	Synexxus, Inc.	\$1,839,846		
3.	JM Fiber Optics, Inc.	\$3,473,293		

### **D. Background on Recommended Contractor**

The recommended firm, Axiom xCell, Inc., located in San Diego, California, has been in business for 10 years, is a leader in design, development, integration, testing, operations and management of Application Programming Interfaces (API) to optimize extensible markup language (XML) data feeds for server dissemination to mobile, web, and other platforms providing end-to-end solutions to its customers.

In the last 5 years, Metro awarded 4 technology integration projects to Axiom: Mobile Media Application program interface (MMAPI) solution, Transit Access Pass (TAP) Mobile Phone Validation Solution, Go Metro and Go 511, and Axiom has completed the projects satisfactorily.

TASER International, Inc. is the sub-contractor for Axiom for this project. TASER is the market leader in both body-worn video solutions and conducted electrical device

("CED") technologies, and has sold its products to more than 100 countries around the world.

The proposed Digital Incident Management System (DIMS), Axon Commander, is a software package designed as an enterprise Digital Evidence Management solution. Agencies such as Toronto Police Department and Charlotte-Mecklenburg Police Department use this solution in various capacities. Axon Commander has streamlined process by creating a single repository for all digital evidence to be ingested, managed, stored, and shared.

## DEOD SUMMARY

## DIGITAL INCIDENT MANAGEMENT SYSTEMS (DIMS) / PS5782700

**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 Prime/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**.

Axiom xCell, Inc., an SBE Prime, is performing 36.68% of the work with its own workforce and made a total SBE commitment of 36.68%. The prime listed one major firm, TASER International, Inc., as a subcontractor on this project.

	<b>SBE Firm Name</b>	<b>SBE % Committed</b>
1.	Axiom xCell, Inc. (Prime)	36.68%
	<b>Total Commitment</b>	36.68%

**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 #: 2016-0719, File Type: Federal Legislation / State Legislation (Position)

Agenda Number: 32.

**2<sup>nd</sup> REVISED**  
**EXECUTIVE MANAGEMENT COMMITTEE**  
**SEPTEMBER 15, 2016**

**SUBJECT: STATE LEGISLATION**

**ACTION: ADOPT STAFF RECOMMENDED POSITIONS**

**RECOMMENDATION**

ADOPT staff recommended position:

**~~AB4X-26~~ ABX1-26 (Beall/Frazier) - Transportation Funding. **SUPPORT****

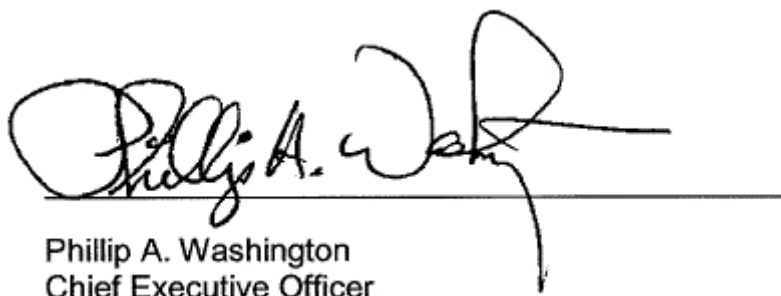
**ATTACHMENTS**

Attachment A - ~~AB4X-26~~ ABX1-26 (Frazier) and SBX1-1 (Beall) REVISED Legislative Analysis

Attachment B - ~~AB4X-26~~ ABX1-26 (Beall) Legislation

Prepared by: Michael Turner, DEO, Government Relations, (213) 922-2122  
Desarae Jones, Government Relations Administrator, (213) 922-2230

Reviewed by: Pauletta Tonilas, Chief Communications Officer, (213) 922-3777



Phillip A. Washington  
Chief Executive Officer



**BILL:** ABX1 - 26 / SBX1 - 1

**AUTHOR:** ASSEMBLYMEMBER JIM FRAZIER (D-OAKLEY)  
&  
SENATOR JIM BEALL (D-SAN JOSE)

**SUBJECT:** TRANSPORTATION FUNDING

**STATUS:** PENDING COMMITTEE REFERRAL

**ACTION:** SUPPORT

**RECOMMENDATION**

Staff recommends that the Board of Directors adopt a SUPPORT position on the measures ABX1-26 (Frazier) and SBX1-1 (Beall). These joint measures would provide \$7.4 billion in annual funding for transportation. The bills would increase various taxes and fees, specify the allocation processes for the various programs, and, make various other reforms in the way transportation is funded.

Specifically the bills would:

- Increase the gasoline excise tax by \$0.17 and require it to be adjusted annually based on the Consumer Price Index (CPI).
- Restore the price based gasoline excise tax to the level prior to 2010; an increase of \$0.075.
- Increase the diesel excise tax by \$0.30.
- Increase the diesel sales tax by 3.5%.
- Increase the vehicle license fee by \$38.
- Implement a new Zero Emissions Vehicle Registration Fee of \$165.
- Increase the percentage of cap and trade funds allocated to public transit.
- Restore truck weight fees to the State Highway Account.
- Remove the California Transportation Commission from the California State Transportation Agency.
- Make reforms in the environmental process for various transportation projects.
- Create an Advanced Mitigation program for transportation projects.
- Require various new reporting requirements for local agencies.

These measures would provide new annual funding as follows:

- ~~State -- \$2.9 billion annually for maintenance and rehabilitation of the state highway system.~~

- ~~**Locals** -- \$2.5 billion annually for maintenance and rehabilitation of local streets and roads.~~
- ~~**Regions** -- \$534 million annually to help restore the cuts to the State Transportation Improvement Program (STIP).~~
- ~~**Transit** -- \$516 million annually for transit capital projects and operations.~~
- ~~**Freight** -- \$900 million annually for goods movement.~~
- ~~**Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects.~~

## DISCUSSION

Over the last few months the Chairs of the transportation policy committees in the Senate and Assembly have developed a consensus transportation funding proposal. Each Chair had introduced individual and different proposals in both the regular and extraordinary legislative sessions. The two Chairs have now reached an agreement on one proposal and have each introduced the proposal in their respective houses. These proposals are reflected in the legislation Assembly Bill X1-26 (Frazier) and Senate Bill X1-1 (Beall).

ABX1-26 (Frazier) and SBX1-1 (Beall) are expected to generate \$7.4 billion in annual funding to repair and maintain state and local roads, improve trade corridors, support public transportation and make investments in active transportation.

These measures would provide new annual funding as follows:

- **State** -- \$2.9 billion annually for maintenance and rehabilitation of the state highway system. These funds would be allocated by the California Transportation Commission.
- **Locals** -- \$2.5 billion annually for maintenance and rehabilitation of local streets and roads. These funds would be allocated to cities and counties via existing formulae.
- **Regions** -- \$534 million annually to help restore the cuts to the State Transportation Improvement Program (STIP). These funds are programmed by local agencies based on existing formulae.
- **Transit** -- \$516 million annually for transit capital projects and operations. The transit capital program is a discretionary grant program at the state level and the operations funds are allocated to local agencies via existing formulae.
- **Freight** -- \$900 million annually for goods movement. These funds would be allocated via the Trade Corridors Improvement Fund process.
- **Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects. These funds would be allocated via discretionary grants by the state.

Historically, state funding for transportation has relied on the sales and use and excise taxes for diesel and gasoline. The transportation system nationwide has been challenged by a number of factors including the declining value of the gas tax. The gas

tax at the state and federal level has not been increased in over 20 years. Over that time, significant gains have been made in fuel efficiency and propulsion technologies which have allowed California in particular to significantly improve its air quality.

These new technologies are less reliant on gasoline and therefore pay less in gas taxes. As a result the ability to fund both the maintenance needs of the state highway and local streets and roads systems are facing significant challenges.

California is in the process of pursuing a Mileage Based User Fee pilot program through the California Transportation Commission. This effort currently being implemented as a pilot program statewide. This is an important effort for the state and could create a long-term and sustainable funding system. In the meantime however it is appropriate to consider an alternative short term solution for filling the funding gaps in the state's transportation funding budget as we continually face transportation, mobility, infrastructure and climate change challenges in our state.

~~ABX1-26 and SBX1-1 are expected to generate \$7.4 billion in annual funding to repair and maintain state and local roads, improve trade corridors, support public transportation and make investments in active transportation.~~

These bills have been introduced in the extraordinary session on transportation funding which expires on November 30, 2016. While it is unlikely that these measures will be considered this year, such proposals could be considered at a later time. Staff believes that due to the magnitude of the proposals and the importance of addressing transportation funding, it is important to take a position on these proposals.

Staff recommends that the Board adopt a SUPPORT position on the measures ABX1-26 (Frazier) and SBX1-1 (Beall).

### **DETERMINATION OF SAFETY IMPACT**

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

### **FINANCIAL IMPACT**

The enactment of the provisions in this statute could result in securing accelerated funding for Metro's expansive long-range transportation plan. The funding proposals will also help augment local streets and road repairs and increase access to funding through competitive grant programs. The estimated financial impact has yet to be determined.

### **ALTERNATIVES CONSIDERED**

Staff has considered adopting either an oppose or neutral position on the bill. An oppose or neutral position would be inconsistent with Metro's Board approved 2016 State Legislative Program Goals to support efforts to increase funding for transportation projects in Los Angeles County.

## **NEXT STEPS**

Should the Board decide to adopt a SUPPORT position on these measures; staff will communicate the Board's position to the authors and work to ensure passage. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

AMENDED IN ASSEMBLY AUGUST 30, 2016

CALIFORNIA LEGISLATURE—2015–16 FIRST EXTRAORDINARY SESSION

**ASSEMBLY BILL**

**No. 26**

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**Introduced by Assembly Member Frazier**  
(Principal coauthor: Senator Beall)

August 24, 2016

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An act to amend Sections 13975, 14500, 14526.5, and 16965 of, to add Sections 14033, 14526.7, and 16321 to, to add Part 5.1 (commencing with Section 14460) to Division 3 of Title 2 of, and to repeal Section 14534.1 of, the Government Code, to amend Section 39719 of the Health and Safety Code, to amend Section 21080.37 of, and to add Division 13.6 (commencing with Section 21200) to, the Public Resources Code, to amend Section 99312.1 of the Public Utilities Code, to amend Sections 6051.8, 6201.8, 7360, 8352.4, 8352.5, 8352.6, and 60050 of the Revenue and Taxation Code, to amend Sections 183.1, 820.1, 2192, 2192.1, and 2192.2 of, to add Sections 2103.1 and 2192.4 to, and to add Chapter 2 (commencing with Section 2030) to Division 3 of, the Streets and Highways Code, and to add Sections 9250.3, 9250.6, and 9400.5 to the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 26, as amended, Frazier. Transportation funding.

(1) Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain

registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account.

This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues attributable to a \$0.17 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill with an inflation adjustment, as provided, an increase of \$38 in the annual vehicle registration fee with an inflation adjustment, as provided, a new \$165 annual vehicle registration fee with an inflation adjustment, as provided, applicable to zero-emission motor vehicles, as defined, and certain miscellaneous revenues described in (7) below that are not restricted as to expenditure by Article XIX of the California Constitution.

This bill would annually set aside \$200,000,000 of the funds available for the program to fund road maintenance and rehabilitation purposes in counties that have sought and received voter approval of taxes or that have imposed fees, including uniform developer fees, as defined, which taxes or fees are dedicated solely to transportation improvements. These funds would be continuously appropriated for allocation pursuant to guidelines to be developed by the California Transportation Commission in consultation with local agencies. The bill would require \$80,000,000 of the funds available for the program to be annually transferred to the State Highway Account for expenditure on the Active Transportation Program. The bill would require \$30,000,000 of the funds available for the program in each of 4 fiscal years beginning in 2017–18 to be transferred to the Advance Mitigation Fund created by the bill pursuant to (12) below. The bill would continuously appropriate \$2,000,000 annually of the funds available for the program to the California State University for the purpose of conducting transportation research and transportation-related workforce education, training, and development. The bill would require the remaining funds available for

the program to be allocated 50% for maintenance of the state highway system or to the state highway operation and protection program and 50% to cities and counties pursuant to a specified formula. The bill would impose various requirements on the department and agencies receiving these funds. The bill would authorize a city or county to spend its apportionment of funds under the program on transportation priorities other than those allowable pursuant to the program if the city's or county's average Pavement Condition Index meets or exceeds 80.

The bill would also require the department to annually identify savings achieved through efficiencies implemented at the department and to propose, from the identified savings, an appropriation to be included in the annual Budget Act of up to \$70,000,000 from the State Highway Account for expenditure on the Active Transportation Program.

(2) Existing law establishes in state government the Transportation Agency, which includes various departments and state entities, including the California Transportation Commission. Existing law vests the California Transportation Commission with specified powers, duties, and functions relative to transportation matters. Existing law requires the commission to retain independent authority to perform the duties and functions prescribed to it under any provision of law.

This bill would exclude the California Transportation Commission from the Transportation Agency, establish it as an entity in state government, and require it to act in an independent oversight role. The bill would also make conforming changes.

(3) Existing law creates various state agencies, including the Department of Transportation, the High-Speed Rail Authority, the Department of the California Highway Patrol, the Department of Motor Vehicles, and the State Air Resources Board, with specified powers and duties. Existing law provides for the allocation of state transportation funds to various transportation purposes.

This bill would create the Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that all of the above-referenced state agencies and all other state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. The bill would provide for the Governor to appoint the Transportation Inspector General for a 6-year term, subject to confirmation by the Senate, and would provide that the Transportation Inspector General may not be removed from office during the term except for good cause. The bill

would specify the duties and responsibilities of the Transportation Inspector General and would require an annual report to the Legislature and Governor.

This bill would require the department to update the Highway Design Manual to incorporate the “complete streets” design concept by January 1, 2017.

(4) Existing law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified.

This bill would require the Department of Finance, on or before September 1, 2016, to compute the amount of outstanding loans made from specified transportation funds. The bill would require the Department of Transportation to prepare a loan repayment schedule and would require the outstanding loans to be repaid pursuant to that schedule, as prescribed. The bill would appropriate funds for that purpose from the Budget Stabilization Account. The bill would require the repaid funds to be transferred, pursuant to a specified formula, to cities and counties and to the department for maintenance of the state highway system and for purposes of the state highway operation and protection program.

(5) The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of \$2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement and for specified categories of projects eligible to receive these funds. Existing law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes.

This bill would deposit the revenues attributable to a \$0.30 per gallon increase in the diesel fuel excise tax imposed by the bill into the Trade Corridors Improvement Fund. The bill would require revenues apportioned to the state from the national highway freight program established by the federal Fixing America’s Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to these provisions.

Existing law requires the commission, in determining projects eligible for funding, to consult various state freight and regional infrastructure and goods movement plans and the statewide port master plan.



This bill would delete consideration of the State Air Resources Board’s Sustainable Freight Strategy and the statewide port master plan and would instead include consideration of the applicable port master plan when determining eligible projects for funding. The bill would also expand eligible projects to include rail landside access improvements, landside freight access improvements to airports, and certain capital and operational improvements.

(6) Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 10% of the annual proceeds of the fund to the Transit and Intercity Rail Capital Program and 5% of the annual proceeds of the fund to the Low Carbon Transit Operations Program.

This bill would, beginning in the 2016–17 fiscal year, instead continuously appropriate 20% of those annual proceeds to the Transit and Intercity Rail Capital Program and 10% of those annual proceeds to the Low Carbon Transit Operations Program, thereby making an appropriation.

(7) Article XIX of the California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. Existing law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990.

This bill would delete the transfer of these miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. The bill, subject to a specified exception, would instead require the miscellaneous revenues to be retained in the State Highway Account and to be deposited in the Road Maintenance and Rehabilitation Account.

(8) Article XIX of the California Constitution requires gasoline excise tax revenues from motor vehicles traveling upon public streets and highways to be deposited in the Highway Users Tax Account, for allocation to city, county, and state transportation purposes. Existing law generally provides for statutory allocation of gasoline excise tax revenues attributable to other modes of transportation, including aviation, boats, agricultural vehicles, and off-highway vehicles, to particular accounts and funds for expenditure on purposes associated with those other modes, except that a specified portion of these gasoline excise tax revenues is deposited in the General Fund. Expenditure of the gasoline excise tax revenues attributable to those other modes is not restricted by Article XIX of the California Constitution.

This bill, commencing July 1, 2016, would instead transfer to the Highway Users Tax Account for allocation to state and local transportation purposes under a specified formula the portion of gasoline excise tax revenues currently being deposited in the General Fund that are attributable to boats, agricultural vehicles, and off-highway vehicles. Because that account is continuously appropriated, the bill would make an appropriation.

(9) Existing law, as of July 1, 2011, increases the sales and use tax on diesel and decreases the excise tax, as provided. Existing law requires the State Board of Equalization to annually modify both the gasoline and diesel excise tax rates on a going-forward basis so that the various changes in the taxes imposed on gasoline and diesel are revenue neutral.

This bill would eliminate the annual rate adjustment to maintain revenue neutrality for the gasoline and diesel excise tax rates and would reimpose the higher gasoline excise tax rate that was in effect on July 1, 2010, in addition to the increase in the rate described in paragraph (1).

Existing law, beyond the sales and use tax rate generally applicable, imposes an additional sales and use tax on diesel fuel at the rate of 1.75%, subject to certain exemptions, and provides for the net revenues collected from the additional tax to be transferred to the Public Transportation Account. Existing law continuously appropriates these revenues to the Controller for allocation by formula to transportation agencies for public transit purposes.

This bill would increase the additional sales and use tax on diesel fuel by an additional 3.5%. By increasing the revenues deposited in a continuously appropriated fund, the bill would thereby make an appropriation. The bill would restrict expenditures of revenues from

this increase in the sales and use tax on diesel fuel to transit capital purposes and certain transit services and would require a recipient transit agency to comply with certain requirements, including submitting a list of proposed projects to the Department of Transportation, as a condition of receiving a portion of these funds. The bill would require an existing required audit of transit operator finances to verify that these new revenues have been expended in conformance with these specific restrictions and all other generally applicable requirements.

This bill would, beginning July 1, 2019, and every 3rd year thereafter, require the State Board of Equalization to recompute the gasoline and diesel excise tax rates and the additional sales and use tax rate on diesel fuel based upon the percentage change in the California Consumer Price Index transmitted to the board by the Department of Finance, as prescribed.

(10) Existing law requires the Department of Transportation to prepare a state highway operation and protection program every other year for the expenditure of transportation capital improvement funds for projects that are necessary to preserve and protect the state highway system, excluding projects that add new traffic lanes. The program is required to be based on an asset management plan, as specified. Existing law requires the department to specify, for each project in the program the capital and support budget and projected delivery date for various components of the project. Existing law provides for the California Transportation Commission to review and adopt the program, and authorizes the commission to decline and adopt the program if it determines that the program is not sufficiently consistent with the asset management plan.

This bill would add to the program capital projects relative to the operation of those state highways and bridges. The bill would require the commission, as part of its review of the program, to hold at least one hearing in northern California and one hearing in southern California regarding the proposed program. The bill would require the department to submit any change to a programmed project as an amendment to the commission for its approval.

This bill, on and after February 1, 2017, would also require the commission to make an allocation of all capital and support costs for each project in the program, and would require the department to submit a supplemental project allocation request to the commission for each project that experiences cost increases above the amounts in its allocation. The bill would require the commission to establish guidelines

to provide exceptions to the requirement for a supplemental project allocation requirement that the commission determines are necessary to ensure that projects are not unnecessarily delayed.

(11) Existing law imposes weight fees on the registration of commercial motor vehicles and provides for the deposit of net weight fee revenues into the State Highway Account. Existing law provides for the transfer of certain weight fee revenues from the State Highway Account to the Transportation Debt Service Fund to reimburse the General Fund for payment of debt service on general obligation bonds issued for transportation purposes. Existing law also provides for the transfer of certain weight fee revenues to the Transportation Bond Direct Payment Account for direct payment of debt service on designated bonds, which are defined to be certain transportation general obligation bonds issued pursuant to Proposition 1B of 2006. Existing law also provides for loans of weight fee revenues to the General Fund to the extent the revenues are not needed for bond debt service purposes, with the loans to be repaid when the revenues are later needed for those purposes, as specified.

This bill, notwithstanding these provisions or any other law, would only authorize specified percentages of weight fee revenues to be transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds in accordance with a prescribed schedule and would prohibit the transfer of weight fee revenues from the State Highway Account after the 2020–21 fiscal year. The bill would also prohibit loans of weight fee revenues to the General Fund.

(12) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

CEQA, until January 1, 2020, exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, as defined, other than a state roadway, if the project or activity is carried out by a city or county with a population of less than 100,000 persons to improve public safety and meets other specified requirements.

This bill would extend the above-referenced exemption indefinitely and delete the limitation of the exemption to projects or activities in cities and counties with a population of less than 100,000 persons. The bill would also expand the exemption to include state roadways.

This bill would also establish the Advance Mitigation Program in the Department of Transportation. The bill would authorize the department to undertake mitigation measures in advance of construction of a planned transportation project. The bill would require the department to establish a steering committee to advise the department on advance mitigation measures and related matters. The bill would create the Advance Mitigation Fund as a continuously appropriated revolving fund, to be funded initially from the Road Maintenance and Rehabilitation Program pursuant to (1) above. The bill would provide for reimbursement of the revolving fund at the time a planned transportation project benefiting from advance mitigation is constructed.

(13) Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Existing law, until January 1, 2017, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities the Department of Transportation assumed as a participant in this program.

This bill would delete the January 1, 2017, repeal date, thereby extending these provisions indefinitely.

(14) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

- 1 (a) Over the next 10 years, the state faces a \$59 billion shortfall  
 2 to adequately maintain the existing state highway system in order  
 3 to keep it in a basic state of good repair.
- 4 (b) Similarly, cities and counties face a \$78 billion shortfall  
 5 over the next decade to adequately maintain the existing network  
 6 of local streets and roads.
- 7 (c) Statewide taxes and fees dedicated to the maintenance of  
 8 the system have not been increased in more than 20 years, with  
 9 those revenues losing more than 55 percent of their purchasing  
 10 power, while costs to maintain the system have steadily increased  
 11 and much of the underlying infrastructure has aged past its expected  
 12 useful life.
- 13 (d) California motorists are spending \$17 billion annually in  
 14 extra maintenance and car repair bills, which is more than \$700  
 15 per driver, due to the state’s poorly maintained roads.
- 16 (e) Failing to act now to address this growing problem means  
 17 that more drastic measures will be required to maintain our system  
 18 in the future, essentially passing the burden on to future generations  
 19 instead of doing our job today.
- 20 (f) A funding program will help address a portion of the  
 21 maintenance backlog on the state’s road system and will stop the  
 22 growth of the problem.
- 23 (g) Modestly increasing various fees can spread the cost of road  
 24 repairs broadly to all users and beneficiaries of the road network  
 25 without overburdening any one group.
- 26 (h) Improving the condition of the state’s road system will have  
 27 a positive impact on the economy as it lowers the transportation  
 28 costs of doing business, reduces congestion impacts for employees,  
 29 and protects property values in the state.
- 30 (i) The federal government estimates that increased spending  
 31 on infrastructure creates more than 13,000 jobs per \$1 billion spent.
- 32 (j) Well-maintained roads benefit all users, not just drivers, as  
 33 roads are used for all modes of transport, whether motor vehicles,  
 34 transit, bicycles, or pedestrians.
- 35 (k) Well-maintained roads additionally provide significant health  
 36 benefits and prevent injuries and death due to crashes caused by  
 37 poorly maintained infrastructure.
- 38 (l) A comprehensive, reasonable transportation funding package  
 39 will do all of the following:
- 40 (1) Ensure these transportation needs are addressed.

1 (2) Fairly distribute the economic impact of increased funding.

2 (3) Restore the gas tax rate previously reduced by the State  
3 Board of Equalization pursuant to the gas tax swap.

4 (4) Direct increased revenue to the state’s highest transportation  
5 needs.

6 SEC. 2. Section 13975 of the Government Code is amended  
7 to read:

8 13975. There is in the state government the Transportation  
9 Agency. The agency consists of the Department of the California  
10 Highway Patrol, the Department of Motor Vehicles, the Department  
11 of Transportation, the High-Speed Rail Authority, and the Board  
12 of Pilot Commissioners for the Bays of San Francisco, San Pablo,  
13 and Suisun.

14 SEC. 3. Section 14033 is added to the Government Code, to  
15 read:

16 14033. On or before January 1, 2017, the department shall  
17 update the Highway Design Manual to incorporate the “complete  
18 streets” design concept.

19 SEC. 4. Part 5.1 (commencing with Section 14460) is added  
20 to Division 3 of Title 2 of the Government Code, to read:

21 PART 5.1. OFFICE OF THE TRANSPORTATION INSPECTOR  
22 GENERAL  
23

24  
25 14460. (a) There is hereby created in state government the  
26 independent Office of the Transportation Inspector General, which  
27 shall not be a subdivision of any other governmental entity, to  
28 ensure that the Department of Transportation, the High-Speed Rail  
29 Authority, the Department of the California Highway Patrol, the  
30 Department of Motor Vehicles, the State Air Resources Board,  
31 and all other state agencies expending state transportation funds  
32 are operating efficiently, effectively, and in compliance with  
33 applicable federal and state laws.

34 (b) The Governor shall appoint, subject to confirmation by the  
35 Senate, the Transportation Inspector General to a six-year term.  
36 The Transportation Inspector General may not be removed from  
37 office during that term, except for good cause. A finding of good  
38 cause may include substantial neglect of duty, gross misconduct,  
39 or conviction of a crime. The reasons for removal of the  
40 Transportation Inspector General shall be stated in writing and

1 shall include the basis for removal. The writing shall be sent to  
2 the Secretary of the Senate and the Chief Clerk of the Assembly  
3 at the time of the removal and shall be deemed to be a public  
4 document.

5 14461. The Transportation Inspector General shall review  
6 policies, practices, and procedures and conduct audits and  
7 investigations of activities involving state transportation funds in  
8 consultation with all affected state agencies. Specifically, the  
9 Transportation Inspector General's duties and responsibilities shall  
10 include, but not be limited to, all of the following:

11 (a) To examine the operating practices of all state agencies  
12 expending state transportation funds to identify fraud and waste,  
13 opportunities for efficiencies, and opportunities to improve the  
14 data used to determine appropriate project resource allocations.

15 (b) To identify best practices in the delivery of transportation  
16 projects and develop policies or recommend proposed legislation  
17 enabling state agencies to adopt these practices when practicable.

18 (c) To provide objective analysis of and, when possible, offer  
19 solutions to concerns raised by the public or generated within  
20 agencies involving the state's transportation infrastructure and  
21 project delivery methods.

22 (d) To conduct, supervise, and coordinate audits and  
23 investigations relating to the programs and operations of all state  
24 transportation agencies with state-funded transportation projects.

25 (e) To recommend policies promoting economy and efficiency  
26 in the administration of programs and operations of all state  
27 agencies with state-funded transportation projects.

28 (f) To ensure that the Secretary of Transportation and the  
29 Legislature are fully and currently informed concerning fraud or  
30 other serious abuses or deficiencies relating to the expenditure of  
31 funds or administration of programs and operations.

32 14462. The Transportation Inspector General shall report at  
33 least annually to the Governor and Legislature with a summary of  
34 his or her findings, investigations, and audits. The summary shall  
35 be posted on the Transportation Inspector General's Internet Web  
36 site and shall otherwise be made available to the public upon its  
37 release to the Governor and Legislature. The summary shall  
38 include, but need not be limited to, significant problems discovered  
39 by the Transportation Inspector General and whether  
40 recommendations of the Transportation Inspector General relative



1 to investigations and audits have been implemented by the affected  
2 agencies. The report shall be submitted to the Legislature in  
3 compliance with Section 9795.

4 SEC. 5. Section 14500 of the Government Code is amended  
5 to read:

6 14500. There is in state government a California Transportation  
7 Commission. The commission shall act in an independent oversight  
8 role.

9 SEC. 6. Section 14526.5 of the Government Code is amended  
10 to read:

11 14526.5. (a) Based on the asset management plan prepared  
12 and approved pursuant to Section 14526.4, the department shall  
13 prepare a state highway operation and protection program for the  
14 expenditure of transportation funds for major capital improvements  
15 that are necessary to preserve and protect the state highway system.  
16 Projects included in the program shall be limited to improvements  
17 relative to maintenance, safety, rehabilitation, and operation of  
18 state highways and bridges that do not add a new traffic lane to  
19 the system.

20 (b) The program shall include projects that are expected to be  
21 advertised prior to July 1 of the year following submission of the  
22 program, but which have not yet been funded. The program shall  
23 include those projects for which construction is to begin within  
24 four fiscal years, starting July 1 of the year following the year the  
25 program is submitted.

26 (c) (1) The department, at a minimum, shall specify, for each  
27 project in the state highway operation and protection program, the  
28 capital and support budget for each of the following project  
29 components:

- 30 (A) Project approval and environmental documents.
- 31 (B) Plans, specifications, and estimates.
- 32 (C) Rights-of-way.
- 33 (D) Construction.

34 (2) The department shall specify, for each project in the state  
35 highway operation and protection program, a projected delivery  
36 date for each of the following components:

- 37 (A) Environmental document completion.
- 38 (B) Plans, specifications, and estimate completion.
- 39 (C) Right-of-way certification.
- 40 (D) Start of construction.

1 (d) The department shall submit its proposed program to the  
2 commission not later than January 31 of each even-numbered year.  
3 Prior to submitting its proposed program, the department shall  
4 make a draft of its proposed program available to transportation  
5 planning agencies for review and comment and shall include the  
6 comments in its submittal to the commission. The department shall  
7 provide the commission with detailed information for all  
8 programmed projects, including, but not limited to, cost, scope,  
9 schedule, and performance metrics as determined by the  
10 commission.

11 (e) The commission shall review the proposed program relative  
12 to its overall adequacy, consistency with the asset management  
13 plan prepared and approved pursuant to Section 14526.4 and  
14 funding priorities established in Section 167 of the Streets and  
15 Highways Code, the level of annual funding needed to implement  
16 the program, and the impact of those expenditures on the state  
17 transportation improvement program. The commission shall adopt  
18 the program and submit it to the Legislature and the Governor not  
19 later than April 1 of each even-numbered year. The commission  
20 may decline to adopt the program if the commission determines  
21 that the program is not sufficiently consistent with the asset  
22 management plan prepared and approved pursuant to Section  
23 14526.4.

24 (f) As part of the commission's review of the program required  
25 pursuant to subdivision (a), the commission shall hold at least one  
26 hearing in northern California and one hearing in southern  
27 California regarding the proposed program.

28 (g) Expenditures for these projects shall not be subject to  
29 Sections 188 and 188.8 of the Streets and Highways Code.

30 (h) Following adoption of the state highway operation and  
31 protection program by the commission, any change to a  
32 programmed project shall be submitted as an amendment by the  
33 department to the commission for its approval before the change  
34 may be implemented.

35 SEC. 7. Section 14526.7 is added to the Government Code, to  
36 read:

37 14526.7. (a) On and after February 1, 2017, an allocation by  
38 the commission of all capital and support costs for each project in  
39 the state highway operation and protection program shall be  
40 required.

1 (b) For a project that experiences increases in capital or support  
2 costs above the amounts in the commission’s allocation pursuant  
3 to subdivision (a), a supplemental project allocation request shall  
4 be submitted by the department to the commission for approval.

5 (c) The commission shall establish guidelines to provide  
6 exceptions to the requirement of subdivision (b) that the  
7 commission determines are necessary to ensure that projects are  
8 not unnecessarily delayed.

9 SEC. 8. Section 14534.1 of the Government Code is repealed.

10 SEC. 9. Section 16321 is added to the Government Code, to  
11 read:

12 16321. (a) Notwithstanding any other law, on or before  
13 September 1, 2016, the Department of Finance shall compute the  
14 amount of outstanding loans made from the State Highway  
15 Account, the Motor Vehicle Fuel Account, the Highway Users  
16 Tax Account, and the Motor Vehicle Account to the General Fund.  
17 The department shall prepare a loan repayment schedule, pursuant  
18 to which the outstanding loans shall be repaid, as follows:

19 (1) On or before June 30, 2017, 50 percent of the outstanding  
20 loan amounts.

21 (2) On or before June 30, 2018, the remainder of the outstanding  
22 loan amounts.

23 (b) Notwithstanding any other law, as the loans are repaid  
24 pursuant to this section, the repaid funds shall be transferred in the  
25 following manner:

26 (1) Fifty percent to cities and counties pursuant to clauses (i)  
27 and (ii) of subparagraph (C) of paragraph (3) of subdivision (a) of  
28 Section 2103 of the Streets and Highways Code.

29 (2) Fifty percent to the department for maintenance of the state  
30 highway system and for purposes of the state highway operation  
31 and protection program.

32 (c) Funds for loan repayments pursuant to this section are hereby  
33 appropriated from the Budget Stabilization Account pursuant to  
34 subclause (II) of clause (ii) of subparagraph (B) of paragraph (1)  
35 of subdivision (c) of Section 20 of Article XVI of the California  
36 Constitution.

37 SEC. 10. Section 16965 of the Government Code is amended  
38 to read:

1 16965. (a) (1) The Transportation Debt Service Fund is hereby  
2 created in the State Treasury. Moneys in the fund shall be dedicated  
3 to all of the following purposes:

4 (A) Payment of debt service with respect to designated bonds,  
5 as defined in subdivision (c) of Section 16773, and as further  
6 provided in paragraph (3) and subdivision (b).

7 (B) To reimburse the General Fund for debt service with respect  
8 to bonds.

9 (C) To redeem or retire bonds, pursuant to Section 16774,  
10 maturing in a subsequent fiscal year.

11 (2) The bonds eligible under subparagraph (B) or (C) of  
12 paragraph (1) include bonds issued pursuant to the Passenger Rail  
13 and Clean Air Bond Act of 1990 (Chapter 17 (commencing with  
14 Section 2701) of Division 3 of the Streets and Highways Code),  
15 the Seismic Retrofit Bond Act of 1996 (Chapter 12.48  
16 (commencing with Section 8879) of Division 1 of Title 2), and the  
17 Safe, Reliable High-Speed Passenger Train Bond Act for the 21st  
18 Century (Chapter 20 (commencing with Section 2704) of Division  
19 3 of the Streets and Highways Code), and nondesignated bonds  
20 under Proposition 1B, as defined in subdivision (c) of Section  
21 16773.

22 (3) (A) The Transportation Bond Direct Payment Account is  
23 hereby created in the State Treasury, as a subaccount within the  
24 Transportation Debt Service Fund, for the purpose of directly  
25 paying the debt service, as defined in paragraph (4), of designated  
26 bonds of Proposition 1B, as defined in subdivision (c) of Section  
27 16773. Notwithstanding Section 13340, moneys in the  
28 Transportation Bond Direct Payment Account are continuously  
29 appropriated for payment of debt service with respect to designated  
30 bonds as provided in subdivision (c) of Section 16773. So long as  
31 any designated bonds remain outstanding, the moneys in the  
32 Transportation Bond Direct Payment Account may not be used  
33 for any other purpose, and may not be borrowed by or available  
34 for transfer to the General Fund pursuant to Section 16310 or any  
35 similar law, or to the General Cash Revolving Fund pursuant to  
36 Section 16381 or any similar law.

37 (B) Once the Treasurer makes a certification that payment of  
38 debt service with respect to all designated bonds has been paid or  
39 provided for, any remaining moneys in the Transportation Bond

1 Direct Payment Account shall be transferred back to the  
2 Transportation Debt Service Fund.

3 (C) The moneys in the Transportation Bond Direct Payment  
4 Account shall be invested in the Surplus Money Investment Fund,  
5 and all investment earnings shall accrue to the account.

6 (D) The Controller may establish subaccounts within the  
7 Transportation Bond Direct Payment Account as may be required  
8 by the resolution, indenture, or other documents governing any  
9 designated bonds.

10 (4) For purposes of this subdivision and subdivision (b), and  
11 subdivision (c) of Section 16773, “debt service” means payment  
12 of all of the following costs and expenses with respect to any  
13 designated bond:

14 (A) The principal of and interest on the bonds.

15 (B) Amounts payable as the result of tender on any bonds, as  
16 described in clause (iv) of subparagraph (B) of paragraph (1) of  
17 subdivision (d) of Section 16731.

18 (C) Amounts payable under any contractual obligation of the  
19 state to repay advances and pay interest thereon under a credit  
20 enhancement or liquidity agreement as described in clause (iv) of  
21 subparagraph (B) of paragraph (1) of subdivision (d) of Section  
22 16731.

23 (D) Any amount owed by the state to a counterparty after any  
24 offset for payments owed to the state on any hedging contract as  
25 described in subparagraph (A) of paragraph (2) of subdivision (d)  
26 of Section 16731.

27 (b) From the moneys transferred to the fund pursuant to  
28 paragraph (2) or (3) of subdivision (c) of Section 9400.4 of the  
29 Vehicle Code, there shall first be deposited into the Transportation  
30 Bond Direct Payment Account in each month sufficient funds to  
31 equal the amount designated in a certificate submitted by the  
32 Treasurer to the Controller and the Director of Finance at the start  
33 of each fiscal year, and as may be modified by the Treasurer  
34 thereafter upon issuance of any new issue of designated bonds or  
35 upon change in circumstances that requires such a modification.  
36 This certificate shall be calculated by the Treasurer to identify, for  
37 each month, the amount necessary to fund all of the debt service  
38 with respect to all designated bonds. This calculation shall be done  
39 in a manner provided in the resolution, indenture, or other  
40 documents governing the designated bonds. In the event that

1 transfers to the Transportation Bond Direct Payment Account in  
2 any month are less than the amounts required in the Treasurer's  
3 certificate, the shortfall shall carry over to be part of the required  
4 payment in the succeeding month or months.

5 (c) The state hereby covenants with the holders from time to  
6 time of any designated bonds that it will not alter, amend, or restrict  
7 the provisions of subdivision (c) of Section 16773 of the  
8 Government Code, or Sections 9400, 9400.1, 9400.4, and 42205  
9 of the Vehicle Code, which provide directly or indirectly for the  
10 transfer of weight fees to the Transportation Debt Service Fund  
11 or the Transportation Bond Direct Payment Account, or  
12 subdivisions (a) and (b) of this section, or reduce the rate of  
13 imposition of vehicle weight fees under Sections 9400 and 9400.1  
14 of the Vehicle Code as they existed on the date of the first issuance  
15 of any designated bonds, if that alteration, amendment, restriction,  
16 or reduction would result in projected weight fees for the next  
17 fiscal year determined by the Director of Finance being less than  
18 two times the maximum annual debt service with respect to all  
19 outstanding designated bonds, as such calculation is determined  
20 pursuant to the resolution, indenture, or other documents governing  
21 the designated bonds. The state may include this covenant in the  
22 resolution, indenture, or other documents governing the designated  
23 bonds.

24 (d) Once the required monthly deposit, including makeup of  
25 any shortfalls from any prior month, has been made pursuant to  
26 subdivision (b), from moneys transferred to the fund pursuant to  
27 paragraph (2) or (3) of subdivision (c) of Section 9400.4 of the  
28 Vehicle Code, or pursuant to Section 16965.1 or 63048.67, the  
29 Controller shall transfer as an expenditure reduction to the General  
30 Fund any amount necessary to offset the cost of current year debt  
31 service payments made from the General Fund with respect to any  
32 bonds issued pursuant to Proposition 192 (1996) and three-quarters  
33 of the amount of current year debt service payments made from  
34 the General Fund with respect to any nondesignated bonds, as  
35 defined in subdivision (c) of Section 16773, issued pursuant to  
36 Proposition 1B (2006). In the alternative, these funds may also be  
37 used to redeem or retire the applicable bonds, pursuant to Section  
38 16774, maturing in a subsequent fiscal year as directed by the  
39 Director of Finance.

1 (e) Once the required monthly deposit, including makeup of  
2 any shortfalls from any prior month, has been made pursuant to  
3 subdivision (b), from moneys transferred to the fund pursuant to  
4 paragraph (2) or (3) of subdivision (c) of Section 9400.4 of the  
5 Vehicle Code, or pursuant to Section 16965.1 or 63048.67, the  
6 Controller shall transfer as an expenditure reduction to the General  
7 Fund any amount necessary to offset the eligible cost of current  
8 year debt service payments made from the General Fund with  
9 respect to any bonds issued pursuant to Proposition 108 (1990)  
10 and Proposition 1A (2008), and one-quarter of the amount of  
11 current year debt service payments made from the General Fund  
12 with respect to any nondesignated bonds, as defined in subdivision  
13 (c) of Section 16773, issued pursuant to Proposition 1B (2006).  
14 The Department of Finance shall notify the Controller by July 30  
15 of every year of the percentage of debt service that is expected to  
16 be paid in that fiscal year with respect to bond-funded projects that  
17 qualify as eligible guideway projects consistent with the  
18 requirements applicable to the expenditure of revenues under  
19 Article XIX of the California Constitution, and the Controller shall  
20 make payments only for those eligible projects. In the alternative,  
21 these funds may also be used to redeem or retire the applicable  
22 bonds, pursuant to Section 16774, maturing in a subsequent fiscal  
23 year as directed by the Director of Finance.

24 (f) On or before the second business day following the date on  
25 which transfers are made to the Transportation Debt Service Fund,  
26 and after the required monthly deposits for that month, including  
27 makeup of any shortfalls from any prior month, have been made  
28 to the Transportation Bond Direct Payment Account, the Controller  
29 shall transfer the funds designated for reimbursement of bond debt  
30 service with respect to nondesignated bonds, as defined in  
31 subdivision (c) of Section 16773, and other bonds identified in  
32 subdivisions (d) and (e) in that month from the fund to the General  
33 Fund pursuant to this section.

34 SEC. 11. Section 39719 of the Health and Safety Code is  
35 amended to read:

36 39719. (a) The Legislature shall appropriate the annual  
37 proceeds of the fund for the purpose of reducing greenhouse gas  
38 emissions in this state in accordance with the requirements of  
39 Section 39712.

1 (b) To carry out a portion of the requirements of subdivision  
2 (a), annual proceeds are continuously appropriated for the  
3 following:

4 (1) Beginning in the 2016–17 fiscal year, and notwithstanding  
5 Section 13340 of the Government Code, 50 percent of annual  
6 proceeds are continuously appropriated, without regard to fiscal  
7 years, for transit, affordable housing, and sustainable communities  
8 programs as following:

9 (A) Twenty percent of the annual proceeds of the fund is hereby  
10 continuously appropriated to the Transportation Agency for the  
11 Transit and Intercity Rail Capital Program created by Part 2  
12 (commencing with Section 75220) of Division 44 of the Public  
13 Resources Code.

14 (B) Ten percent of the annual proceeds of the fund is hereby  
15 continuously appropriated to the Low Carbon Transit Operations  
16 Program created by Part 3 (commencing with Section 75230) of  
17 Division 44 of the Public Resources Code. Moneys shall be  
18 allocated by the Controller, according to requirements of the  
19 program, and pursuant to the distribution formula in subdivision  
20 (b) or (c) of Section 99312 of, and Sections 99313 and 99314 of,  
21 the Public Utilities Code.

22 (C) Twenty percent of the annual proceeds of the fund is hereby  
23 continuously appropriated to the Strategic Growth Council for the  
24 Affordable Housing and Sustainable Communities Program created  
25 by Part 1 (commencing with Section 75200) of Division 44 of the  
26 Public Resources Code. Of the amount appropriated in this  
27 subparagraph, no less than 10 percent of the annual proceeds shall  
28 be expended for affordable housing, consistent with the provisions  
29 of that program.

30 (2) Beginning in the 2015–16 fiscal year, notwithstanding  
31 Section 13340 of the Government Code, 25 percent of the annual  
32 proceeds of the fund is hereby continuously appropriated to the  
33 High-Speed Rail Authority for the following components of the  
34 initial operating segment and Phase I Blended System as described  
35 in the 2012 business plan adopted pursuant to Section 185033 of  
36 the Public Utilities Code:

37 (A) Acquisition and construction costs of the project.

38 (B) Environmental review and design costs of the project.

39 (C) Other capital costs of the project.



1 (D) Repayment of any loans made to the authority to fund the  
2 project.

3 (c) In determining the amount of annual proceeds of the fund  
4 for purposes of the calculation in subdivision (b), the funds subject  
5 to Section 39719.1 shall not be included.

6 SEC. 12. Section 21080.37 of the Public Resources Code is  
7 amended to read:

8 21080.37. (a) This division does not apply to a project or an  
9 activity to repair, maintain, or make minor alterations to an existing  
10 roadway if all of the following conditions are met:

11 (1) (A) The project does not cross a waterway.

12 (B) For purposes of this paragraph, “waterway” means a bay,  
13 estuary, lake, pond, river, slough, or a perennial, intermittent, or  
14 ephemeral stream, lake, or estuarine-marine shoreline.

15 (2) The project involves negligible or no expansion of an  
16 existing use beyond that existing at the time of the lead agency’s  
17 determination.

18 (3) (A) The site of the project does not contain wetlands or  
19 riparian areas and does not have significant value as a wildlife  
20 habitat, and the project does not harm any species protected by the  
21 federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et  
22 seq.), the Native Plant Protection Act (Chapter 10 (commencing  
23 with Section 1900) of Division 2 of the Fish and Game Code), or  
24 the California Endangered Species Act (Chapter 1.5 (commencing  
25 with Section 2050) of Division 3 of the Fish and Game Code), and  
26 the project does not cause the destruction or removal of any species  
27 protected by a local ordinance.

28 (B) For the purposes of this paragraph:

29 (i) “Riparian areas” mean those areas transitional between  
30 terrestrial and aquatic ecosystems and that are distinguished by  
31 gradients in biophysical conditions, ecological processes, and biota.  
32 A riparian area is an area through which surface and subsurface  
33 hydrology connect waterbodies with their adjacent uplands. A  
34 riparian area includes those portions of terrestrial ecosystems that  
35 significantly influence exchanges of energy and matter with aquatic  
36 ecosystems. A riparian area is adjacent to perennial, intermittent,  
37 and ephemeral streams, lakes, and estuarine-marine shorelines.

38 (ii) “Significant value as a wildlife habitat” includes wildlife  
39 habitat of national, statewide, regional, or local importance; habitat  
40 for species protected by the federal Endangered Species Act of

1 1973 (16 U.S.C. Sec. 1531, et seq.), the California Endangered  
 2 Species Act (Chapter 1.5 (commencing with Section 2050) of  
 3 Division 3 of the Fish and Game Code), or the Native Plant  
 4 Protection Act (Chapter 10 (commencing with Section 1900) of  
 5 Division 2 of the Fish and Game Code); habitat identified as  
 6 candidate, fully protected, sensitive, or species of special status  
 7 by local, state, or federal agencies; or habitat essential to the  
 8 movement of resident or migratory wildlife.

9 (iii) “Wetlands” has the same meaning as in the United States  
 10 Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

11 (iv) “Wildlife habitat” means the ecological communities upon  
 12 which wild animals, birds, plants, fish, amphibians, and  
 13 invertebrates depend for their conservation and protection.

14 (4) The project does not impact cultural resources.

15 (5) The roadway does not affect scenic resources, as provided  
 16 pursuant to subdivision (c) of Section 21084.

17 (b) Prior to determining that a project is exempt pursuant to this  
 18 section, the lead agency shall do both of the following:

19 (1) Include measures in the project to mitigate potential  
 20 vehicular traffic and safety impacts and bicycle and pedestrian  
 21 safety impacts.

22 (2) Hold a noticed public hearing on the project to hear and  
 23 respond to public comments. The hearing on the project may be  
 24 conducted with another noticed lead agency public hearing.  
 25 Publication of the notice shall be no fewer times than required by  
 26 Section 6061 of the Government Code, by the public agency in a  
 27 newspaper of general circulation in the area.

28 (c) For purposes of this section, “roadway” means a roadway  
 29 as defined pursuant to Section 530 of the Vehicle Code and the  
 30 previously graded and maintained shoulder that is within a roadway  
 31 right-of-way of no more than five feet from the edge of the  
 32 roadway.

33 (d) (1) If a state agency determines that a project is not subject  
 34 to this division pursuant to this section and it approves or  
 35 determines to carry out that project, it shall file a notice with the  
 36 Office of Planning and Research in the manner specified in  
 37 subdivisions (b) and (c) of Section 21108.

38 (2) If a local agency determines that a project is not subject to  
 39 this division pursuant to this section and it approves or determines  
 40 to carry out that project, it shall file a notice with the Office of

1 Planning and Research, and with the county clerk in the county in  
2 which the project will be located in the manner specified in  
3 subdivisions (b) and (c) of Section 21152.

4 SEC. 13. Division 13.6 (commencing with Section 21200) is  
5 added to the Public Resources Code, to read:

6

7 DIVISION 13.6. ADVANCE MITIGATION PROGRAM ACT

8

9

CHAPTER 1. GENERAL

10

11 21200. This division shall be known, and may be cited, as the  
12 Advance Mitigation Program Act.

13 21201. (a) The purpose of this division is to improve the  
14 success and effectiveness of actions implemented to mitigate the  
15 natural resource impacts of future transportation projects by  
16 establishing the means to implement those actions well before the  
17 transportation projects are constructed. The advance identification  
18 and implementation of mitigation actions also will streamline the  
19 delivery of transportation projects by anticipating mitigation  
20 requirements for planned transportation projects and avoiding or  
21 reducing delays associated with environmental permitting. By  
22 identifying regional or statewide conservation priorities and by  
23 anticipating the impacts of planned transportation projects on a  
24 regional or statewide basis, mitigation actions can be designed to  
25 protect and restore California's most valuable natural resources  
26 and also facilitate environmental compliance for planned  
27 transportation projects on a regional scale.

28 (b) This division is not intended to create a new environmental  
29 permitting or regulatory program or to modify existing  
30 environmental laws or regulations, nor is it expected that all  
31 mitigation requirements will be addressed for planned  
32 transportation projects. Instead, it is intended to provide a  
33 methodology with which to anticipate and fulfill the requirements  
34 of existing state and federal environmental laws that protect fish,  
35 wildlife, plant species, and other natural resources more efficiently  
36 and effectively.

37 21202. The Legislature finds and declares all of the following:

38 (a) The minimization and mitigation of environmental impacts  
39 is ordinarily handled on a project-by-project basis, usually near

1 the end of a project’s timeline and often without guidance regarding  
2 regional or statewide conservation priorities.

3 (b) The cost of critical transportation projects often escalates  
4 because of permitting delays that occur when appropriate  
5 conservation and mitigation measures cannot easily be identified  
6 and because the cost of these measures often increases between  
7 the time a project is planned and funded and the time mitigation  
8 is implemented.

9 (c) Addressing conservation and mitigation needs early in a  
10 project’s timeline, during the project design and development  
11 phase, can reduce costs, allow natural resources conservation to  
12 be integrated with project siting and design, and result in the  
13 establishment of more valuable and productive habitat mitigation.

14 (d) When the Department of Transportation is able to anticipate  
15 the mitigation needs for planned transportation projects, it can  
16 meet those needs in a more timely and cost-effective way by using  
17 advance mitigation planning.

18 (e) Working with state and federal resource protection agencies,  
19 the department can identify, conserve, and, where appropriate,  
20 restore lands for mitigation of numerous projects early in the  
21 projects’ timelines, thereby allowing public funds to stretch further  
22 by acquiring habitat at a lower cost and avoiding environmental  
23 permitting delays.

24 (f) Advance mitigation can provide an effective means of  
25 facilitating delivery of transportation projects while ensuring more  
26 effective natural resource conservation.

27 (g) Advance mitigation is needed to direct mitigation funding  
28 for transportation projects to agreed-upon conservation priorities  
29 and to the creation of habitat reserves and recreation areas that  
30 enhance the sustainability of human and natural systems by  
31 protecting or restoring connectivity of natural communities and  
32 the delivery of ecosystem services.

33 (h) Advance mitigation can facilitate the implementation of  
34 climate change adaptation strategies both for ecosystems and  
35 California’s economy.

36 (i) Advance mitigation can enable the state to protect, restore,  
37 and recover its natural resources as it strengthens and improves  
38 its transportation systems.

39 21203. The Legislature intends to do all of the following by  
40 enacting this division:

1 (a) Facilitate delivery of transportation projects while ensuring  
2 more effective natural resource conservation.

3 (b) Develop effective strategies to improve the state’s ability to  
4 meet mounting demands for transportation improvements and to  
5 maximize conservation and other public benefits.

6 (c) Achieve conservation objectives of statewide and regional  
7 importance by coordinating local, state, and federally funded  
8 natural resource conservation efforts with mitigation actions  
9 required for impacts from transportation projects.

10 (d) Create administrative, governance, and financial incentives  
11 and mechanisms necessary to ensure that measures required to  
12 minimize or mitigate impacts from transportation projects will  
13 serve to achieve regional or statewide natural resource conservation  
14 objectives.

15  
16 CHAPTER 2. DEFINITIONS

17  
18 21204. For purposes of this division, the following terms have  
19 the following meanings:

20 (a) “Acquire” and “acquisition” mean, with respect to land or  
21 a waterway, acquisition of fee title or purchase of a conservation  
22 easement, that protects conservation and mitigation values on the  
23 land or waterway in perpetuity.

24 (b) “Advance mitigation” means mitigation implemented before,  
25 and in anticipation of, environmental effects of planned  
26 transportation projects.

27 (c) “Commission” means the California Transportation  
28 Commission.

29 (d) “Department” means the Department of Transportation.

30 (e) “Transportation agency” means the department, the  
31 High-Speed Rail Authority, a metropolitan planning organization,  
32 a regional transportation planning agency, or another public agency  
33 that implements transportation projects.

34 (f) “Transportation project” means a transportation capital  
35 improvement project.

36 (g) “Planned transportation project” means a transportation  
37 project that a transportation agency has concluded is reasonably  
38 likely to be constructed within 20 years and that has been identified  
39 to the agency for purposes of this division. A planned transportation

1 project may include, but is not limited to, a transportation project  
2 that has been proposed for approval or that has been approved.

3 (h) “Program” means the Advance Mitigation Program  
4 implemented pursuant to this division.

5 (i) “Regulatory agency” means a state or federal natural resource  
6 protection agency with regulatory authority over planned  
7 transportation projects. A regulatory agency includes, but is not  
8 limited to, the Natural Resources Agency, the Department of Fish  
9 and Wildlife, California regional water quality control boards, the  
10 United States Fish and Wildlife Service, the National Marine  
11 Fisheries Service, the United States Environmental Protection  
12 Agency, and the United States Army Corps of Engineers.

13  
14 CHAPTER 3. ADVANCE MITIGATION PROGRAM  
15

16 21205. (a) The Advance Mitigation Program is hereby created  
17 in the department to accelerate project delivery and improve  
18 environmental outcomes of environmental mitigation for planned  
19 transportation projects.

20 (b) The program may utilize mitigation instruments, including,  
21 but not limited to, mitigation banks, in lieu of fee programs, and  
22 conservation easements as defined in Section 815.1 of the Civil  
23 Code.

24 (c) The department shall track all implemented advance  
25 mitigation projects to use as credits for environmental mitigation  
26 for state-sponsored transportation projects.

27 (d) The department may use advance mitigation credits to fulfill  
28 mitigation requirements of any environmental law for a  
29 transportation project eligible for the State Transportation  
30 Improvement Program or the State Highway Operation and  
31 Protection Program.

32 21206. No later than February 1, 2017, the department shall  
33 establish an interagency transportation advance mitigation steering  
34 committee consisting of the department and appropriate state and  
35 federal regulatory agencies to support the program so that advance  
36 mitigation can be used as required mitigation for planned  
37 transportation projects and can provide improved environmental  
38 outcomes. The committee shall advise the department of  
39 opportunities to carry out advance mitigation projects, provide the  
40 best available science, and actively participate in mitigation

1 instrument reviews and approvals. The committee shall seek to  
2 develop streamlining opportunities, including those related to  
3 landscape scale mitigation planning and alignment of federal and  
4 state regulations and procedures related to mitigation requirements  
5 and implementation. The committee shall also provide input on  
6 crediting, using, and tracking of advance mitigation investments.

7 21207. The Advance Mitigation Fund is hereby created in the  
8 State Transportation Fund as a revolving fund. Notwithstanding  
9 Section 13340 of the Government Code, the fund shall be  
10 continuously appropriated without regard to fiscal years. The  
11 moneys in the fund shall be programmed by the commission for  
12 the planning and implementation of advance mitigation projects  
13 consistent with the purposes of this chapter. After the transfer of  
14 moneys to the fund for four fiscal years pursuant to subdivision  
15 (c) of Section 2032 of the Streets and Highways Code, commencing  
16 in the 2017–18 fiscal year, the program is intended to be  
17 self-sustaining. Advance expenditures from the fund shall later be  
18 reimbursed from project funding available at the time a planned  
19 transportation project is constructed. A maximum of 5 percent of  
20 available funds may be used for administrative purposes.

21 21208. *The program is intended to improve the efficiency and*  
22 *efficacy of mitigation only and is not intended to supplant the*  
23 *requirements of the California Environmental Quality Act (Division*  
24 *13 (commencing with Section 21000) or any other environmental*  
25 *law. The identification of planned transportation projects and of*  
26 *mitigation projects or measures for planned transportation projects*  
27 *under this division does not imply or require approval of those*  
28 *projects for purposes of the California Environmental Quality Act*  
29 *(Division 13 (commencing with Section 21000) or any other*  
30 *environmental law.*

31 SEC. 14. Section 99312.1 of the Public Utilities Code is  
32 amended to read:

33 99312.1. (a) Revenues transferred to the Public Transportation  
34 Account pursuant to Sections 6051.8 and 6201.8 of the Revenue  
35 and Taxation Code are hereby continuously appropriated to the  
36 Controller for allocation as follows:

37 (1) Fifty percent for allocation to transportation planning  
38 agencies, county transportation commissions, and the San Diego  
39 Metropolitan Transit Development Board pursuant to Section  
40 99314.

1 (2) Fifty percent for allocation to transportation agencies, county  
 2 transportation commissions, and the San Diego Metropolitan  
 3 Transit Development Board for purposes of Section 99313.

4 (b) For purposes of this chapter, the revenues allocated pursuant  
 5 to this section shall be subject to the same requirements as revenues  
 6 allocated pursuant to subdivisions (b) and (c), as applicable, of  
 7 Section 99312.

8 (c) The revenues transferred to the Public Transportation  
 9 Account that are attributable to the increase in the sales and use  
 10 tax on diesel fuel pursuant to subdivision (b) of Section 6051.8 of  
 11 the Revenue and Taxation Code, as adjusted pursuant to  
 12 subdivision (c) of that section, and subdivision (b) of Section  
 13 6201.8 of the Revenue and Taxation Code, as adjusted pursuant  
 14 to subdivision (c) of that section, upon allocation pursuant to  
 15 Sections 99313 and 99314, shall only be expended on the  
 16 following:

17 (1) Transit capital projects or services to maintain or repair a  
 18 transit operator’s existing transit vehicle fleet or existing transit  
 19 facilities, including rehabilitation or modernization of existing  
 20 vehicles or facilities.

21 (2) The design, acquisition, and construction of new vehicles  
 22 or facilities that improve existing transit services.

23 (3) Transit services that complement local efforts for repair and  
 24 improvement of local transportation infrastructure.

25 (d) (1) Prior to receiving an apportionment of funds pursuant  
 26 to subdivision (c) from the Controller in a fiscal year, a recipient  
 27 transit agency shall submit to the Department of Transportation a  
 28 list of projects proposed to be funded with these funds. The list of  
 29 projects proposed to be funded with these funds shall include a  
 30 description and location of each proposed project, a proposed  
 31 schedule for the project’s completion, and the estimated useful life  
 32 of the improvement. The project list shall not limit the flexibility  
 33 of a recipient transit agency to fund projects in accordance with  
 34 local needs and priorities so long as the projects are consistent  
 35 with subdivision (c).

36 (2) The department shall report to the Controller the recipient  
 37 transit agencies that have submitted a list of projects as described  
 38 in this subdivision and that are therefore eligible to receive an  
 39 apportionment of funds for the applicable fiscal year. The



1 Controller, upon receipt of the report, shall apportion funds  
2 pursuant to Sections 99313 and 99314.

3 (e) For each fiscal year, each recipient transit agency receiving  
4 an apportionment of funds pursuant to subdivision (c) shall, upon  
5 expending those funds, submit documentation to the department  
6 that includes a description and location of each completed project,  
7 the amount of funds expended on the project, the completion date,  
8 and the estimated useful life of the improvement.

9 (f) The audit of transit operator finances required pursuant to  
10 Section 99245 shall verify that the revenues identified in  
11 subdivision (c) have been expended in conformance with these  
12 specific requirements and all other generally applicable  
13 requirements.

14 SEC. 15. Section 6051.8 of the Revenue and Taxation Code  
15 is amended to read:

16 6051.8. (a) Except as provided by Section 6357.3, in addition  
17 to the taxes imposed by this part, for the privilege of selling  
18 tangible personal property at retail a tax is hereby imposed upon  
19 all retailers at the rate of 1.75 percent of the gross receipts of any  
20 retailer from the sale of all diesel fuel.

21 (b) Except as provided by Section 6357.3, in addition to the  
22 taxes imposed by this part and by subdivision (a), for the privilege  
23 of selling tangible personal property at retail a tax is hereby  
24 imposed upon all retailers at the rate of 3.5 percent of the gross  
25 receipts of any retailer from the sale of all diesel fuel, as defined  
26 in Section 60022, sold at retail in this state. The tax imposed under  
27 this subdivision shall be imposed on and after the first day of the  
28 first calendar quarter that occurs 90 days after the effective date  
29 of the act adding this subdivision.

30 (c) Beginning July 1, 2019, and every third year thereafter, the  
31 State Board of Equalization shall recompute the rates of the taxes  
32 imposed by this section. That computation shall be made as  
33 follows:

34 (1) The Department of Finance shall transmit to the State Board  
35 of Equalization the percentage change in the California Consumer  
36 Price Index for all items from November of three calendar years  
37 prior to November of the prior calendar year, no later than January  
38 31, 2019, and January 31 of every third year thereafter.

39 (2) The State Board of Equalization shall do all of the following:

1 (A) Compute an inflation adjustment factor by adding 100  
2 percent to the percentage change figure that is furnished pursuant  
3 to paragraph (1) and dividing the result by 100.

4 (B) Multiply the preceding tax rate per gallon by the inflation  
5 adjustment factor determined in subparagraph (A) and round off  
6 the resulting product to the nearest tenth of a cent.

7 (C) Make its determination of the new rate no later than March  
8 1 of the same year as the effective date of the new rate.

9 (d) Notwithstanding subdivision (b) of Section 7102, all of the  
10 revenues, less refunds, collected pursuant to this section shall be  
11 estimated by the State Board of Equalization, with the concurrence  
12 of the Department of Finance, and transferred quarterly to the  
13 Public Transportation Account in the State Transportation Fund  
14 for allocation pursuant to Section 99312.1 of the Public Utilities  
15 Code.

16 SEC. 16. Section 6201.8 of the Revenue and Taxation Code  
17 is amended to read:

18 6201.8. (a) Except as provided by Section 6357.3, in addition  
19 to the taxes imposed by this part, an excise tax is hereby imposed  
20 on the storage, use, or other consumption in this state of diesel  
21 fuel, as defined in Section 60022, at the rate of 1.75 percent of the  
22 sales price of the diesel fuel.

23 (b) Except as provided by Section 6357.3, in addition to the  
24 taxes imposed by this part and by subdivision (a), an excise tax is  
25 hereby imposed on the storage, use, or other consumption in this  
26 state of diesel fuel, as defined in Section 60022, at the rate of 3.5  
27 percent of the sales price of the diesel fuel. The tax imposed under  
28 this subdivision shall be imposed on and after the first day of the  
29 first calendar quarter that occurs 90 days after the effective date  
30 of the act adding this subdivision.

31 (c) Beginning July 1, 2019, and every third year thereafter, the  
32 State Board of Equalization shall recompute the rates of the taxes  
33 imposed by this section. That computation shall be made as  
34 follows:

35 (1) The Department of Finance shall transmit to the State Board  
36 of Equalization the percentage change in the California Consumer  
37 Price Index for all items from November of three calendar years  
38 prior to November of the prior calendar year, no later than January  
39 31, 2019, and January 31 of every third year thereafter.

40 (2) The State Board of Equalization shall do all of the following:

1 (A) Compute an inflation adjustment factor by adding 100  
2 percent to the percentage change figure that is furnished pursuant  
3 to paragraph (1) and dividing the result by 100.

4 (B) Multiply the preceding tax rate per gallon by the inflation  
5 adjustment factor determined in subparagraph (A) and round off  
6 the resulting product to the nearest tenth of a cent.

7 (C) Make its determination of the new rate no later than March  
8 1 of the same year as the effective date of the new rate.

9 (d) Notwithstanding subdivision (b) of Section 7102, all of the  
10 revenues, less refunds, collected pursuant to this section shall be  
11 estimated by the State Board of Equalization, with the concurrence  
12 of the Department of Finance, and transferred quarterly to the  
13 Public Transportation Account in the State Transportation Fund  
14 for allocation pursuant to Section 99312.1 of the Public Utilities  
15 Code.

16 SEC. 17. Section 7360 of the Revenue and Taxation Code is  
17 amended to read:

18 7360. (a) (1) (A) A tax of eighteen cents (\$0.18) is hereby  
19 imposed upon each gallon of fuel subject to the tax in Sections  
20 7362, 7363, and 7364.

21 (B) In addition to the tax imposed pursuant to subparagraph  
22 (A), on and after the first day of the first calendar quarter that  
23 occurs 90 days after the effective date of the act adding this  
24 subparagraph, a tax of seventeen cents (\$0.17) is hereby imposed  
25 upon each gallon of fuel, other than aviation gasoline, subject to  
26 the tax in Sections 7362, 7363, and 7364.

27 (2) If the federal fuel tax is reduced below the rate of nine cents  
28 (\$0.09) per gallon and federal financial allocations to this state for  
29 highway and exclusive public mass transit guideway purposes are  
30 reduced or eliminated correspondingly, the tax rate imposed by  
31 subparagraph (A) of paragraph (1), on and after the date of the  
32 reduction, shall be recalculated by an amount so that the combined  
33 state rate under subparagraph (A) of paragraph (1) and the federal  
34 tax rate per gallon equal twenty-seven cents (\$0.27).

35 (3) If any person or entity is exempt or partially exempt from  
36 the federal fuel tax at the time of a reduction, the person or entity  
37 shall continue to be so exempt under this section.

38 (b) On and after July 1, 2010, in addition to the tax imposed by  
39 subdivision (a), a tax is hereby imposed upon each gallon of motor  
40 vehicle fuel, other than aviation gasoline, subject to the tax in

1 Sections 7362, 7363, and 7364 in an amount equal to seventeen  
 2 and three-tenths cents (\$0.173) per gallon.

3 (c) Beginning July 1, 2019, and every third year thereafter, the  
 4 State Board of Equalization shall recompute the rates of the taxes  
 5 imposed by this section. That computation shall be made as  
 6 follows:

7 (1) The Department of Finance shall transmit to the State Board  
 8 of Equalization the percentage change in the California Consumer  
 9 Price Index for all items from November of three calendar years  
 10 prior to November of the prior calendar year, no later than January  
 11 31, 2019, and January 31 of every third year thereafter.

12 (2) The State Board of Equalization shall do all of the following:

13 (A) Compute an inflation adjustment factor by adding 100  
 14 percent to the percentage change figure that is furnished pursuant  
 15 to paragraph (1) and dividing the result by 100.

16 (B) Multiply the preceding tax rate per gallon by the inflation  
 17 adjustment factor determined in subparagraph (A) and round off  
 18 the resulting product to the nearest tenth of a cent.

19 (C) Make its determination of the new rate no later than March  
 20 1 of the same year as the effective date of the new rate.

21 SEC. 18. Section 8352.4 of the Revenue and Taxation Code  
 22 is amended to read:

23 8352.4. (a) Subject to Sections 8352 and 8352.1, and except  
 24 as otherwise provided in subdivision (b), there shall be transferred  
 25 from the money deposited to the credit of the Motor Vehicle Fuel  
 26 Account to the Harbors and Watercraft Revolving Fund, for  
 27 expenditure in accordance with Division 1 (commencing with  
 28 Section 30) of the Harbors and Navigation Code, the sum of six  
 29 million six hundred thousand dollars (\$6,600,000) per annum,  
 30 representing the amount of money in the Motor Vehicle Fuel  
 31 Account attributable to taxes imposed on distributions of motor  
 32 vehicle fuel used or usable in propelling vessels. The actual amount  
 33 shall be calculated using the annual reports of registered boats  
 34 prepared by the Department of Motor Vehicles for the United  
 35 States Coast Guard and the formula and method of the December  
 36 1972 report prepared for this purpose and submitted to the  
 37 Legislature on December 26, 1972, by the Director of  
 38 Transportation. If the amount transferred during each fiscal year  
 39 is in excess of the calculated amount, the excess shall be  
 40 retransferred from the Harbors and Watercraft Revolving Fund to

1 the Motor Vehicle Fuel Account. If the amount transferred is less  
2 than the amount calculated, the difference shall be transferred from  
3 the Motor Vehicle Fuel Account to the Harbors and Watercraft  
4 Revolving Fund. No adjustment shall be made if the computed  
5 difference is less than fifty thousand dollars (\$50,000), and the  
6 amount shall be adjusted to reflect any temporary or permanent  
7 increase or decrease that may be made in the rate under the Motor  
8 Vehicle Fuel Tax Law. Payments pursuant to this section shall be  
9 made prior to payments pursuant to Section 8352.2.

10 (b) Commencing July 1, 2016, the revenues attributable to the  
11 taxes imposed pursuant to subdivision (b) of Section 7360 and  
12 Section 7361.1 and otherwise to be deposited in the Harbors and  
13 Watercraft Revolving Fund pursuant to subdivision (a) shall instead  
14 be transferred to the Highway Users Tax Account for distribution  
15 pursuant to Section 2103.1 of the Streets and Highways Code.

16 SEC. 19. Section 8352.5 of the Revenue and Taxation Code  
17 is amended to read:

18 8352.5. (a) (1) Subject to Sections 8352 and 8352.1, and  
19 except as otherwise provided in subdivision (b), there shall be  
20 transferred from the money deposited to the credit of the Motor  
21 Vehicle Fuel Account to the Department of Food and Agriculture  
22 Fund, during the second quarter of each fiscal year, an amount  
23 equal to the estimate contained in the most recent report prepared  
24 pursuant to this section.

25 (2) The amounts are not subject to Section 6357 with respect  
26 to the collection of sales and use taxes thereon, and represent the  
27 portion of receipts in the Motor Vehicle Fuel Account during a  
28 calendar year that were attributable to agricultural off-highway  
29 use of motor vehicle fuel which is subject to refund pursuant to  
30 Section 8101, less gross refunds allowed by the Controller during  
31 the fiscal year ending June 30 following the calendar year to  
32 persons entitled to refunds for agricultural off-highway use  
33 pursuant to Section 8101. Payments pursuant to this section shall  
34 be made prior to payments pursuant to Section 8352.2.

35 (b) Commencing July 1, 2016, the revenues attributable to the  
36 taxes imposed pursuant to subdivision (b) of Section 7360 and  
37 Section 7361.1 and otherwise to be deposited in the Department  
38 of Food and Agriculture Fund pursuant to subdivision (a) shall  
39 instead be transferred to the Highway Users Tax Account for

1 distribution pursuant to Section 2103.1 of the Streets and Highways  
2 Code.

3 (c) On or before September 30, 2012, and on or before  
4 September 30 of each even-numbered year thereafter, the Director  
5 of Transportation and the Director of Food and Agriculture shall  
6 jointly prepare, or cause to be prepared, a report setting forth the  
7 current estimate of the amount of money in the Motor Vehicle  
8 Fuel Account attributable to agricultural off-highway use of motor  
9 vehicle fuel, which is subject to refund pursuant to Section 8101  
10 less gross refunds allowed by the Controller to persons entitled to  
11 refunds for agricultural off-highway use pursuant to Section 8101;  
12 and they shall submit a copy of the report to the Legislature.

13 SEC. 20. Section 8352.6 of the Revenue and Taxation Code  
14 is amended to read:

15 8352.6. (a) (1) Subject to Section 8352.1, and except as  
16 otherwise provided in paragraphs (2) and (3), on the first day of  
17 every month, there shall be transferred from moneys deposited to  
18 the credit of the Motor Vehicle Fuel Account to the Off-Highway  
19 Vehicle Trust Fund created by Section 38225 of the Vehicle Code  
20 an amount attributable to taxes imposed upon distributions of motor  
21 vehicle fuel used in the operation of motor vehicles off highway  
22 and for which a refund has not been claimed. Transfers made  
23 pursuant to this section shall be made prior to transfers pursuant  
24 to Section 8352.2.

25 (2) Commencing July 1, 2016, the revenues attributable to the  
26 taxes imposed pursuant to subdivision (b) of Section 7360 and  
27 Section 7361.1 and otherwise to be deposited in the Off-Highway  
28 Vehicle Trust Fund pursuant to paragraph (1) shall instead be  
29 transferred to the Highway Users Tax Account for distribution  
30 pursuant to Section 2103.1 of the Streets and Highways Code.

31 (3) The Controller shall withhold eight hundred thirty-three  
32 thousand dollars (\$833,000) from the monthly transfer to the  
33 Off-Highway Vehicle Trust Fund pursuant to paragraph (1), and  
34 transfer that amount to the General Fund.

35 (b) The amount transferred to the Off-Highway Vehicle Trust  
36 Fund pursuant to paragraph (1) of subdivision (a), as a percentage  
37 of the Motor Vehicle Fuel Account, shall be equal to the percentage  
38 transferred in the 2006–07 fiscal year. Every five years, starting  
39 in the 2013–14 fiscal year, the percentage transferred may be  
40 adjusted by the Department of Transportation in cooperation with

1 the Department of Parks and Recreation and the Department of  
2 Motor Vehicles. Adjustments shall be based on, but not limited  
3 to, the changes in the following factors since the 2006–07 fiscal  
4 year or the last adjustment, whichever is more recent:

5 (1) The number of vehicles registered as off-highway motor  
6 vehicles as required by Division 16.5 (commencing with Section  
7 38000) of the Vehicle Code.

8 (2) The number of registered street-legal vehicles that are  
9 anticipated to be used off highway, including four-wheel drive  
10 vehicles, all-wheel drive vehicles, and dual-sport motorcycles.

11 (3) Attendance at the state vehicular recreation areas.

12 (4) Off-highway recreation use on federal lands as indicated by  
13 the United States Forest Service’s National Visitor Use Monitoring  
14 and the United States Bureau of Land Management’s Recreation  
15 Management Information System.

16 (c) It is the intent of the Legislature that transfers from the Motor  
17 Vehicle Fuel Account to the Off-Highway Vehicle Trust Fund  
18 should reflect the full range of motorized vehicle use off highway  
19 for both motorized recreation and motorized off-road access to  
20 other recreation opportunities. Therefore, the Legislature finds that  
21 the fuel tax baseline established in subdivision (b), attributable to  
22 off-highway estimates of use as of the 2006–07 fiscal year,  
23 accounts for the three categories of vehicles that have been found  
24 over the years to be users of fuel for off-highway motorized  
25 recreation or motorized access to nonmotorized recreational  
26 pursuits. These three categories are registered off-highway  
27 motorized vehicles, registered street-legal motorized vehicles used  
28 off highway, and unregistered off-highway motorized vehicles.

29 (d) It is the intent of the Legislature that the off-highway motor  
30 vehicle recreational use to be determined by the Department of  
31 Transportation pursuant to paragraph (2) of subdivision (b) be that  
32 usage by vehicles subject to registration under Division 3  
33 (commencing with Section 4000) of the Vehicle Code, for  
34 recreation or the pursuit of recreation on surfaces where the use  
35 of vehicles registered under Division 16.5 (commencing with  
36 Section 38000) of the Vehicle Code may occur.

37 (e) In the 2014–15 fiscal year, the Department of Transportation,  
38 in consultation with the Department of Parks and Recreation and  
39 the Department of Motor Vehicles, shall undertake a study to  
40 determine the appropriate adjustment to the amount transferred

1 pursuant to subdivision (b) and to update the estimate of the amount  
2 attributable to taxes imposed upon distributions of motor vehicle  
3 fuel used in the operation of motor vehicles off highway and for  
4 which a refund has not been claimed. The department shall provide  
5 a copy of this study to the Legislature no later than January 1,  
6 2016.

7 SEC. 21. Section 60050 of the Revenue and Taxation Code is  
8 amended to read:

9 60050. (a) (1) A tax of thirteen cents (\$0.13) is hereby  
10 imposed upon each gallon of diesel fuel subject to the tax in  
11 Sections 60051, 60052, and 60058.

12 (2) If the federal fuel tax is reduced below the rate of fifteen  
13 cents (\$0.15) per gallon and federal financial allocations to this  
14 state for highway and exclusive public mass transit guideway  
15 purposes are reduced or eliminated correspondingly, the tax rate  
16 imposed by paragraph (1) shall be increased by an amount so that  
17 the combined state rate under paragraph (1) and the federal tax  
18 rate per gallon equal what it would have been in the absence of  
19 the federal reduction.

20 (3) If any person or entity is exempt or partially exempt from  
21 the federal fuel tax at the time of a reduction, the person or entity  
22 shall continue to be exempt under this section.

23 (b) In addition to the tax imposed pursuant to subdivision (a),  
24 on and after the first day of the first calendar quarter that occurs  
25 90 days after the effective date of the act amending this subdivision  
26 in the 2015 First Extraordinary Session, an additional tax of thirty  
27 cents (\$0.30) is hereby imposed upon each gallon of diesel fuel  
28 subject to the tax in Sections 60051, 60052, and 60058.

29 (c) Beginning July 1, 2019, and every third year thereafter, the  
30 State Board of Equalization shall recompute the rates of the taxes  
31 imposed by this section. That computation shall be made as  
32 follows:

33 (1) The Department of Finance shall transmit to the State Board  
34 of Equalization the percentage change in the California Consumer  
35 Price Index for all items from November of three calendar years  
36 prior to November of the prior calendar year, no later than January  
37 31, 2019, and January 31 of every third year thereafter.

38 (2) The State Board of Equalization shall do all of the following:



1 (A) Compute an inflation adjustment factor by adding 100  
2 percent to the percentage change figure that is furnished pursuant  
3 to paragraph (1) and dividing the result by 100.

4 (B) Multiply the preceding tax rate per gallon by the inflation  
5 adjustment factor determined in subparagraph (A) and round off  
6 the resulting product to the nearest tenth of a cent.

7 (C) Make its determination of the new rate no later than March  
8 1 of the same year as the effective date of the new rate.

9 SEC. 22. Section 183.1 of the Streets and Highways Code is  
10 amended to read:

11 183.1. Except as otherwise provided in Section 54237.7 of the  
12 Government Code, money deposited into the account that is not  
13 subject to Article XIX of the California Constitution, including,  
14 but not limited to, money that is derived from the sale of  
15 documents, charges for miscellaneous services to the public,  
16 condemnation deposits fund investments, rental of state property,  
17 or any other miscellaneous uses of property or money, shall be  
18 deposited in the Road Maintenance and Rehabilitation Account  
19 created pursuant to Section 2031.

20 SEC. 23. Section 820.1 of the Streets and Highways Code is  
21 amended to read:

22 820.1. (a) The State of California consents to the jurisdiction  
23 of the federal courts with regard to the compliance, discharge, or  
24 enforcement of the responsibilities assumed by the department  
25 pursuant to Section 326 of, and subsection (a) of Section 327 of,  
26 Title 23 of the United States Code.

27 (b) In any action brought pursuant to the federal laws described  
28 in subdivision (a), no immunity from suit may be asserted by the  
29 department pursuant to the Eleventh Amendment to the United  
30 States Constitution, and any immunity is hereby waived.

31 (c) The department shall not delegate any of its responsibilities  
32 assumed pursuant to the federal laws described in subdivision (a)  
33 to any political subdivision of the state or its instrumentalities.

34 (d) Nothing in this section affects the obligation of the  
35 department to comply with state and federal law.

36 SEC. 24. Chapter 2 (commencing with Section 2030) is added  
37 to Division 3 of the Streets and Highways Code, to read:

CHAPTER 2. ROAD MAINTENANCE AND REHABILITATION PROGRAM

2030. (a) The Road Maintenance and Rehabilitation Program is hereby created to address deferred maintenance on the state highway system and the local street and road system. Funds made available by the program shall be prioritized for expenditure on basic road maintenance and road rehabilitation projects, and on critical safety projects. For funds appropriated pursuant to paragraph (1) of subdivision (d) of Section 2032, the California Transportation Commission shall adopt performance criteria, consistent with the asset management plan required pursuant to 14526.4 of the Government Code, to ensure efficient use of the funds available for these purposes in the program.

(b) (1) Funds made available by the program shall be used for projects that include, but are not limited to, the following:

- (A) Road maintenance and rehabilitation.
(B) Safety projects.
(C) Railroad grade separations.
(D) Complete street components, including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project.
(E) Traffic control devices.

(2) Funds made available by the program may also be used to satisfy a match requirement in order to obtain state or federal funds for projects authorized by this subdivision.

2031. The following revenues shall be deposited in the Road Maintenance and Rehabilitation Account, which is hereby created in the State Transportation Fund:

(a) Notwithstanding subdivision (b) of Section 2103, the portion of the revenues in the Highway Users Tax Account attributable to the increase in the motor vehicle fuel excise tax by seventeen cents (\$0.17) per gallon pursuant to subdivision (a) of Section 7360 of the Revenue and Taxation Code, as adjusted pursuant to subdivision (c) of that section.

(b) The revenues from the increase in the vehicle registration fee pursuant to Section 9250.3 of the Vehicle Code.

(c) The revenues from the increase in the vehicle registration fee pursuant to Section 9250.6 of the Vehicle Code.

1 (d) The revenues deposited in the account pursuant to Section  
2 183.1 of the Streets and Highways Code.

3 (e) Any other revenues designated for the program.

4 2031.5. Each fiscal year the annual Budget Act shall contain  
5 an appropriation from the Road Maintenance and Rehabilitation  
6 Account to the Controller for the costs of carrying out his or her  
7 duties pursuant to this chapter and to the California Transportation  
8 Commission for the costs of carrying out its duties pursuant to this  
9 chapter and Section 14526.7 of the Government Code.

10 2032. (a) (1) After deducting the amounts appropriated in the  
11 annual Budget Act, as provided in Section 2031.5, two hundred  
12 million dollars (\$200,000,000) of the remaining revenues deposited  
13 in the Road Maintenance and Rehabilitation Account shall be set  
14 aside annually for counties that have sought and received voter  
15 approval of taxes or that have imposed fees, including uniform  
16 developer fees as defined by subdivision (b) of Section 8879.67  
17 of the Government Code, which taxes or fees are dedicated solely  
18 to transportation improvements. The Controller shall each month  
19 set aside one-twelfth of this amount, to accumulate a total of two  
20 hundred million dollars (\$200,000,000) in each fiscal year.

21 (2) Notwithstanding Section 13340 of the Government Code,  
22 the funds available under this subdivision in each fiscal year are  
23 hereby continuously appropriated for allocation to each eligible  
24 county and each city in the county for road maintenance and  
25 rehabilitation purposes pursuant to Section 2033.

26 (b) (1) After deducting the amounts appropriated in the annual  
27 Budget Act pursuant to Section 2031.5 and the amount allocated  
28 in subdivision (a), beginning in the 2017–18 fiscal year, eighty  
29 million dollars (\$80,000,000) of the remaining revenues shall be  
30 transferred annually to the State Highway Account for expenditure,  
31 upon appropriation by the Legislature, on the Active Transportation  
32 Program created pursuant to Chapter 8 (commencing with Section  
33 2380) of Division 3 to be allocated by the California Transportation  
34 Commission pursuant to Section 2381.

35 (2) In addition to the funds transferred in paragraph (1), the  
36 department shall annually identify savings achieved through  
37 efficiencies implemented at the department. The department,  
38 through the annual budget process, shall propose, from the  
39 identified savings, an appropriation to be included in the annual  
40 Budget Act of up to seventy million dollars (\$70,000,000), but not

1 to exceed the total annual identified savings, from the State  
2 Highway Account for expenditure on the Active Transportation  
3 Program.

4 (c) After deducting the amounts appropriated in the annual  
5 Budget Act pursuant to Section 2031.5, the amount allocated in  
6 subdivision (a) and the amount transferred in paragraph (1) of  
7 subdivision (b), in the 2017–18, 2018–19, 2019–20, and 2020–21  
8 fiscal years, the sum of thirty million dollars (\$30,000,000) in each  
9 fiscal year from the remaining revenues shall be transferred to the  
10 Advance Mitigation Fund in the State Transportation Fund created  
11 pursuant to Section 21207 of the Public Resources Code.

12 (d) After deducting the amounts appropriated in the annual  
13 Budget Act pursuant to Section 2031.5, the amount allocated in  
14 subdivision (a), and the amounts transferred in paragraph (1) of  
15 subdivision (b) and in subdivision (c), beginning in the 2017–18  
16 fiscal year and each fiscal year thereafter, and notwithstanding  
17 Section 13340 of the Government Code, there is hereby  
18 continuously appropriated to the California State University the  
19 sum of two million dollars (\$2,000,000) from the remaining  
20 revenues for the purpose of conducting transportation research and  
21 transportation-related workforce education, training, and  
22 development. Prior to the start of each fiscal year, the chairs of the  
23 Assembly Committee on Transportation and the Senate Committee  
24 on Transportation and Housing shall confer and set out a  
25 recommended priority list of research components to be addressed  
26 in the upcoming fiscal year.

27 (e) Notwithstanding Section 13340 of the Government Code,  
28 the balance of the revenues deposited in the Road Maintenance  
29 and Rehabilitation Account are hereby continuously appropriated  
30 as follows:

31 (1) Fifty percent for allocation to the department for maintenance  
32 of the state highway system or for purposes of the state highway  
33 operation and protection program.

34 (2) Fifty percent for apportionment to cities and counties by the  
35 Controller pursuant to the formula in clauses (i) and (ii) of  
36 subparagraph (C) of paragraph (3) of subdivision (a) of Section  
37 2103 for the purposes authorized by this chapter.

38 2033. (a) On or before January 1, 2017, the commission, in  
39 cooperation with the department, transportation planning agencies,  
40 county transportation commissions, and other local agencies, shall

1 develop guidelines for the allocation of funds pursuant to  
2 subdivision (a) of Section 2032.

3 (b) The guidelines shall be the complete and full statement of  
4 the policy, standards, and criteria that the commission intends to  
5 use to determine how these funds will be allocated.

6 (c) The commission may amend the adopted guidelines after  
7 conducting at least one public hearing.

8 2034. (a) (1) Prior to receiving an apportionment of funds  
9 under the program pursuant to paragraph (2) of subdivision (d) of  
10 Section 2032 from the Controller in a fiscal year, an eligible city  
11 or county shall submit to the commission a list of projects proposed  
12 to be funded with these funds pursuant to an adopted city or county  
13 budget. All projects proposed to receive funding shall be included  
14 in a city or county budget that is adopted by the applicable city  
15 council or county board of supervisors at a regular public meeting.  
16 The list of projects proposed to be funded with these funds shall  
17 include a description and the location of each proposed project, a  
18 proposed schedule for the project's completion, and the estimated  
19 useful life of the improvement. The project list shall not limit the  
20 flexibility of an eligible city or county to fund projects in  
21 accordance with local needs and priorities so long as the projects  
22 are consistent with subdivision (b) of Section 2030.

23 (2) The commission shall report to the Controller the cities and  
24 counties that have submitted a list of projects as described in this  
25 subdivision and that are therefore eligible to receive an  
26 apportionment of funds under the program for the applicable fiscal  
27 year. The Controller, upon receipt of the report, shall apportion  
28 funds to eligible cities and counties.

29 (b) For each fiscal year, each city or county receiving an  
30 apportionment of funds shall, upon expending program funds,  
31 submit documentation to the commission that includes a description  
32 and location of each completed project, the amount of funds  
33 expended on the project, the completion date, and the estimated  
34 useful life of the improvement.

35 2036. (a) Cities and counties shall maintain their existing  
36 commitment of local funds for street, road, and highway purposes  
37 in order to remain eligible for an allocation or apportionment of  
38 funds pursuant to Section 2032.

39 (b) In order to receive an allocation or apportionment pursuant  
40 to Section 2032, the city or county shall annually expend from its

1 general fund for street, road, and highway purposes an amount not  
2 less than the annual average of its expenditures from its general  
3 fund during the 2009–10, 2010–11, and 2011–12 fiscal years, as  
4 reported to the Controller pursuant to Section 2151. For purposes  
5 of this subdivision, in calculating a city’s or county’s annual  
6 general fund expenditures and its average general fund expenditures  
7 for the 2009–10, 2010–11, and 2011–12 fiscal years, any  
8 unrestricted funds that the city or county may expend at its  
9 discretion, including vehicle in-lieu tax revenues and revenues  
10 from fines and forfeitures, expended for street, road, and highway  
11 purposes shall be considered expenditures from the general fund.  
12 One-time allocations that have been expended for street and  
13 highway purposes, but which may not be available on an ongoing  
14 basis, including revenue provided under the Teeter Plan Bond Law  
15 of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1  
16 of Division 2 of Title 5 of the Government Code), may not be  
17 considered when calculating a city’s or county’s annual general  
18 fund expenditures.

19 (c) For any city incorporated after July 1, 2009, the Controller  
20 shall calculate an annual average expenditure for the period  
21 between July 1, 2009, and December 31, 2015, inclusive, that the  
22 city was incorporated.

23 (d) For purposes of subdivision (b), the Controller may request  
24 fiscal data from cities and counties in addition to data provided  
25 pursuant to Section 2151, for the 2009–10, 2010–11, and 2011–12  
26 fiscal years. Each city and county shall furnish the data to the  
27 Controller not later than 120 days after receiving the request. The  
28 Controller may withhold payment to cities and counties that do  
29 not comply with the request for information or that provide  
30 incomplete data.

31 (e) The Controller may perform audits to ensure compliance  
32 with subdivision (b) when deemed necessary. Any city or county  
33 that has not complied with subdivision (b) shall reimburse the state  
34 for the funds it received during that fiscal year. Any funds withheld  
35 or returned as a result of a failure to comply with subdivision (b)  
36 shall be reapportioned to the other counties and cities whose  
37 expenditures are in compliance.

38 (f) If a city or county fails to comply with the requirements of  
39 subdivision (b) in a particular fiscal year, the city or county may  
40 expend during that fiscal year and the following fiscal year a total

1 amount that is not less than the total amount required to be  
2 expended for those fiscal years for purposes of complying with  
3 subdivision (b).

4 2037. A city or county may spend its apportionment of funds  
5 under the program on transportation priorities other than those  
6 allowable pursuant to this chapter if the city's or county's average  
7 Pavement Condition Index meets or exceeds 80.

8 2038. (a) The department and local agencies, as a condition  
9 of receiving funds from the program, shall adopt and implement  
10 a program designed to promote and advance construction  
11 employment and training opportunities through preapprenticeship  
12 opportunities, either by the public agency itself or through  
13 contractors engaged by the public agencies to do work funded in  
14 whole or in part by funds made available by the program.

15 (b) The department and local agencies, as a condition of  
16 receiving funds from the program, shall ensure the involvement  
17 of the California Conservation Corps and certified community  
18 conservation corps in the delivery of projects and services funded  
19 in whole or in part by funds made available by the program.

20 SEC. 25. Section 2103.1 is added to the Streets and Highways  
21 Code, to read:

22 2103.1. (a) Notwithstanding Section 2103, the revenues  
23 transferred to the Highway Users Tax Account pursuant to Sections  
24 8352.4, 8352.5, and 8352.6 of the Revenue and Taxation Code  
25 shall be distributed pursuant to the formula in paragraph (3) of  
26 subdivision (a) of Section 2103.

27 (b) Notwithstanding subdivision (b) of Section 2103, the portion  
28 of revenues in the Highway Users Tax Account attributable to the  
29 increase in the motor vehicle fuel excise tax by seventeen cents  
30 (\$0.17) per gallon pursuant to subdivision (a) of Section 7360 of  
31 the Revenue and Taxation Code, as adjusted pursuant to  
32 subdivision (c) of that section, shall be transferred to the Road  
33 Maintenance and Rehabilitation Account pursuant to Section 2031.

34 (c) Notwithstanding subdivision (b) of Section 2103, the portion  
35 of revenues in the Highway Users Tax Account attributable to the  
36 increase in the diesel fuel excise tax by thirty cents (\$0.30) per  
37 gallon pursuant to subdivision (b) of Section 60050 of the Revenue  
38 and Taxation Code, as adjusted pursuant to subdivision (c) of that  
39 section, shall be transferred to the Trade Corridors Improvement  
40 Fund pursuant to Section 2192.4.

1 SEC. 26. Section 2192 of the Streets and Highways Code is  
2 amended to read:

3 2192. (a) (1) The Trade Corridors Improvement Fund, created  
4 pursuant to subdivision (c) of Section 8879.23 of the Government  
5 Code, is hereby continued in existence to receive revenues from  
6 state sources other than the Highway Safety, Traffic Reduction,  
7 Air Quality, and Port Security Bond Act of 2006.

8 (2) Revenues apportioned to the state under Section 167 of Title  
9 23 of the United States Code from the national highway freight  
10 program, pursuant to the federal Fixing America’s Surface  
11 Transportation Act (“FAST Act,” Public Law 114-94) shall be  
12 allocated for projects approved pursuant to this chapter.

13 (b) This chapter shall govern the expenditure of those state and  
14 federal revenues described in subdivision (a).

15 (c) The funding described in subdivision (a) shall be available  
16 upon appropriation for allocation by the California Transportation  
17 Commission for infrastructure improvements in this state on  
18 federally designated Trade Corridors of National and Regional  
19 Significance, on the Primary Freight Network, and along other  
20 corridors that have a high volume of freight movement, as  
21 determined by the commission. In determining the projects eligible  
22 for funding, the commission shall consult the Transportation  
23 Agency’s state freight plan as described in Section 13978.8 of the  
24 Government Code and the trade infrastructure and goods movement  
25 plan submitted to the commission by the Secretary of  
26 Transportation and the Secretary for Environmental Protection.  
27 The commission shall also consult trade infrastructure and goods  
28 movement plans adopted by regional transportation planning  
29 agencies, adopted regional transportation plans required by state  
30 and federal law, and the applicable port master plan when  
31 determining eligible projects for funding. Eligible projects for  
32 these funds include, but are not limited to, all of the following:

33 (1) Highway capacity improvements, rail landside access  
34 improvements, landside freight access improvements to airports,  
35 and operational improvements to more efficiently accommodate  
36 the movement of freight, particularly for ingress and egress to and  
37 from the state’s land ports of entry, rail terminals, and seaports,  
38 including navigable inland waterways used to transport freight  
39 between seaports, land ports of entry, and airports, and to relieve  
40 traffic congestion along major trade or goods movement corridors.



1 (2) Freight rail system improvements to enhance the ability to  
2 move goods from seaports, land ports of entry, and airports to  
3 warehousing and distribution centers throughout California,  
4 including projects that separate rail lines from highway or local  
5 road traffic, improve freight rail mobility through mountainous  
6 regions, relocate rail switching yards, and other projects that  
7 improve the efficiency and capacity of the rail freight system.

8 (3) Projects to enhance the capacity and efficiency of ports.

9 (4) Truck corridor and capital and operational improvements,  
10 including dedicated truck facilities or truck toll facilities.

11 (5) Border capital and operational improvements that enhance  
12 goods movement between California and Mexico and that  
13 maximize the state's ability to access funds made available to the  
14 state by federal law.

15 (6) Surface transportation and connector road improvements to  
16 effectively facilitate the movement of goods, particularly for  
17 ingress and egress to and from the state's land ports of entry,  
18 airports, and seaports, to relieve traffic congestion along major  
19 trade or goods movement corridors.

20 (d) (1) Except as provided in paragraph (2), the commission  
21 shall allocate the funding described in subdivision (a) for trade  
22 infrastructure improvements consistent with Section 8879.52 of  
23 the Government Code and the Trade Corridors Improvement Fund  
24 (TCIF) Guidelines adopted by the commission on November 27,  
25 2007, or as amended by the commission, and in a manner that (A)  
26 addresses the state's most urgent needs, (B) balances the demands  
27 of various land ports of entry, seaports, and airports, (C) provides  
28 reasonable geographic balance between the state's regions, (D)  
29 places emphasis on projects that improve trade corridor mobility  
30 and safety while reducing emissions of diesel particulate and other  
31 pollutant emissions and reducing other negative community  
32 impacts, and (E) makes a significant contribution to the state's  
33 economy.

34 (2) The commission shall allocate the federal freight funding,  
35 specifically, pursuant to the original TCIF Guidelines, as adopted  
36 by the commission on November 27, 2007, and in the manner  
37 described in (A) to (E), inclusive, of paragraph (1).

38 (3) In addition, the commission shall also consider the following  
39 factors when allocating these funds:

1 (A) “Velocity,” which means the speed by which large cargo  
2 would travel from the land port of entry or seaport through the  
3 distribution system.

4 (B) “Throughput,” which means the volume of cargo that would  
5 move from the land port of entry or seaport through the distribution  
6 system.

7 (C) “Reliability,” which means a reasonably consistent and  
8 predictable amount of time for cargo to travel from one point to  
9 another on any given day or at any given time in California.

10 (D) “Congestion reduction,” which means the reduction in  
11 recurrent daily hours of delay to be achieved.

12 SEC. 27. Section 2192.1 of the Streets and Highways Code is  
13 amended to read:

14 2192.1. (a) To the extent moneys from the Greenhouse Gas  
15 Reduction Fund, attributable to the auction or sale of allowances  
16 as part of a market-based compliance mechanism relative to  
17 reduction of greenhouse gas emissions, are transferred to the Trade  
18 Corridors Improvement Fund, projects funded with those moneys  
19 shall be subject to all of the requirements of existing law applicable  
20 to the expenditure of moneys appropriated from the Greenhouse  
21 Gas Reduction Fund, including, but not limited to, all of the  
22 following:

23 (1) Projects shall further the regulatory purposes of the  
24 California Global Warming Solutions Act of 2006 (Division 25.5  
25 (commencing with Section 38500) of the Health and Safety Code),  
26 including reducing emissions from greenhouse gases in the state,  
27 directing public and private investment toward disadvantaged  
28 communities, increasing the diversity of energy sources, or creating  
29 opportunities for businesses, public agencies, nonprofits, and other  
30 community institutions to participate in and benefit from statewide  
31 efforts to reduce emissions of greenhouse gases.

32 (2) Projects shall be consistent with the guidance developed by  
33 the State Air Resources Board pursuant to Section 39715 of the  
34 Health and Safety Code.

35 (3) Projects shall be consistent with the required benefits to  
36 disadvantaged communities pursuant to Section 39713 of the  
37 Health and Safety Code.

38 (b) All allocations of funds made by the commission pursuant  
39 to this section shall be made in a manner consistent with the criteria  
40 expressed in Section 39712 of the Health and Safety Code and

1 with the investment plan developed by the Department of Finance  
2 pursuant to Section 39716 of the Health and Safety Code.

3 (c) For purposes of this section, “disadvantaged community”  
4 means a community with any of the following characteristics:

5 (1) An area with a median household income less than 80  
6 percent of the statewide median household income based on the  
7 most current census tract-level data from the American Community  
8 Survey.

9 (2) An area identified by the California Environmental  
10 Protection Agency pursuant to Section 39711 of the Health and  
11 Safety Code.

12 (3) An area where at least 75 percent of public school students  
13 are eligible to receive free or reduced-price meals under the  
14 National School Lunch Program.

15 SEC. 28. Section 2192.2 of the Streets and Highways Code is  
16 amended to read:

17 2192.2. The commission shall allocate funds made available  
18 by this chapter to projects that have identified and committed  
19 supplemental funding from appropriate local, federal, or private  
20 sources. The commission shall determine the appropriate amount  
21 of supplemental funding each project should have to be eligible  
22 for moneys based on a project-by-project review and an assessment  
23 of the project’s benefit to the state and the program. Funded  
24 improvements shall have supplemental funding that is at least equal  
25 to the amount of the contribution under this chapter. The  
26 commission may give priority for funding to projects with higher  
27 levels of committed supplemental funding.

28 SEC. 29. Section 2192.4 is added to the Streets and Highways  
29 Code, to read:

30 2192.4. Notwithstanding subdivision (b) of Section 2103, the  
31 portion of the revenues in the Highway Users Tax Account  
32 attributable to the increase in the diesel fuel excise tax by thirty  
33 cents (\$0.30) per gallon pursuant to subdivision (b) of Section  
34 60050 of the Revenue and Taxation Code, as adjusted pursuant to  
35 subdivision (c) of that section, shall be deposited in the Trade  
36 Corridors Improvement Fund.

37 SEC. 30. Section 9250.3 is added to the Vehicle Code, to read:

38 9250.3. (a) In addition to any other fees specified in this code  
39 or the Revenue and Taxation Code, commencing 120 days after  
40 the effective date of the act adding this section, a registration fee

1 of thirty-eight dollars (\$38) shall be paid to the department for  
2 registration or renewal of registration of every vehicle subject to  
3 registration under this code, except those vehicles that are expressly  
4 exempted under this code from payment of registration fees.

5 (b) Beginning July 1, 2019, and every third year thereafter, the  
6 Department of Motor Vehicles shall adjust the fee imposed under  
7 this section for inflation in an amount equal to the change in the  
8 California Consumer Price Index for the prior three-year period,  
9 as calculated by the Department of Finance, with amounts equal  
10 to or greater than fifty cents (\$0.50) rounded to the next highest  
11 whole dollar.

12 (c) Revenues from the fee, after the deduction of the  
13 department's administrative costs related to this section, shall be  
14 deposited in the Road Maintenance and Rehabilitation Account  
15 created pursuant to Section 2031 of the Streets and Highways  
16 Code.

17 SEC. 31. Section 9250.6 is added to the Vehicle Code, to read:

18 9250.6. (a) In addition to any other fees specified in this code,  
19 or the Revenue and Taxation Code, commencing 120 days after  
20 the effective date of the act adding this section, a registration fee  
21 of one hundred and sixty-five dollars (\$165) shall be paid to the  
22 department for registration or renewal of registration of every  
23 zero-emission motor vehicle subject to registration under this code,  
24 except those motor vehicles that are expressly exempted under  
25 this code from payment of registration fees.

26 (b) Beginning July 1, 2019, and every third year thereafter, the  
27 Department of Motor Vehicles shall adjust the fee imposed under  
28 this section for inflation in an amount equal to the change in the  
29 California Consumer Price Index for the prior three-year period,  
30 as calculated by the Department of Finance, with amounts equal  
31 to or greater than fifty cents (\$0.50) rounded to the next highest  
32 whole dollar.

33 (c) Revenues from the fee, after deduction of the department's  
34 administrative costs related to this section, shall be deposited in  
35 the Road Maintenance and Rehabilitation Account created pursuant  
36 to Section 2031 of the Streets and Highways Code.

37 (d) This section does not apply to a commercial motor vehicle  
38 subject to Section 9400.1.

1 (e) The registration fee required pursuant to this section does  
2 not apply to the initial registration after the purchase of a new  
3 zero-emission motor vehicle.

4 (f) For purposes of this section, “zero-emission motor vehicle”  
5 means a motor vehicle as described in subdivisions (c) and (d) of  
6 Section 44258 of the Health and Safety Code, or any other motor  
7 vehicle that is able to operate on any fuel other than gasoline or  
8 diesel fuel.

9 SEC. 32. Section 9400.5 is added to the Vehicle Code, to read:

10 9400.5. (a) Notwithstanding Sections 9400.1, 9400.4, and  
11 42205 of this code, Sections 16773 and 16965 of the Government  
12 Code, Section 2103 of the Streets and Highways Code, or any  
13 other law, weight fee revenues shall only be transferred consistent  
14 with the schedule provided in subdivision (b) from the State  
15 Highway Account to the Transportation Debt Service Fund, the  
16 Transportation Bond Direct Payment Account, or any other fund  
17 or account for the purpose of payment of the debt service on  
18 transportation general obligation bonds and shall not be loaned to  
19 the General Fund.

20 (b) (1) The transfer of weight fee revenues, after deduction of  
21 collection costs, from the State Highway Account pursuant to  
22 subdivision (a) shall not exceed:

23 (A) 80 percent of the total weight fees in the 2017–18 fiscal  
24 year.

25 (B) 60 percent of the total weight fees in the 2018–19 fiscal  
26 year.

27 (C) 40 percent of the total weight fees in the 2019–20 fiscal  
28 year.

29 (D) 20 percent of the total weight fees in the 2020–2021 fiscal  
30 year.

31 (2) No weight fees, after deduction of collection costs, shall be  
32 transferred from the State Highway Account after the 2020–21  
33 fiscal year.

34 SEC. 33. This act is an urgency statute necessary for the  
35 immediate preservation of the public peace, health, or safety within  
36 the meaning of Article IV of the Constitution and shall go into  
37 immediate effect. The facts constituting the necessity are:

- 1 In order to provide additional funding for road maintenance and
- 2 rehabilitation purposes as quickly as possible, it is necessary for
- 3 this act to take effect immediately.

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## Board Report

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File #: 2016-0540, File Type: Policy

Agenda Number: 33.

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### EXECUTIVE MANAGEMENT COMMITTEE SEPTEMBER 15, 2016

**SUBJECT: METRO'S MODEL PUBLIC ENGAGEMENT PROGRAM AND 2016 PUBLIC PARTICIPATION PLAN**

**ACTION: ADOPT A MODEL PUBLIC ENGAGEMENT PROGRAM AND APPROVE METRO'S 2016 PUBLIC PARTICIPATION PLAN**

**RECOMMENDATION**

**ADOPT Metro's Model Public Engagement Program (Program) and approve the 2016 Public Participation Plan** (Attachment A) as the baseline and guiding policy for all public outreach.

**ISSUE**

The FTA requires that Metro issue a Public Participation Plan to guide all outreach as part of its Title VI Program Update every three years. This plan is accountable, first and foremost, to the public, and it demonstrates Metro's ongoing commitment to provide a robust and inclusive public engagement program that sustains, strengthens and deepens our relationships with stakeholders countywide. The plan meets and exceeds the requirements set forth by the FTA, FHWA, and Title VI, and it aligns with our mission and commitment to excellence in service and support. Adoption of the Model Public Engagement Program will formally establish the agency's baseline commitment to providing a robust and inclusive public engagement process that provides critical public participation throughout the life of projects, programs and initiatives.

**DISCUSSION**

As the system expands, Metro is uniquely positioned with an unprecedented opportunity to invest in Los Angeles County's transportation system for all types of travel - buses, trains, highways, and more. This transformation through transportation will impact stakeholders throughout the region. As such, it is essential that the agency continues to bridge connections with communities and individuals who have deep relationships and insights into community-specific needs and opportunities through a comprehensive and sustained Public Engagement Program. This Program also aligns with the goals and guiding principles set forth in Metro's Public Participation Plan, approved by the Board as part of the Title VI Program Update in 2013. The 2016 plan was updated in response to internal review by a

multidisciplinary committee and public feedback received in the spring. The three main components to Metro's 2016 Plan are:

- Goals and Guiding Principles
- Minimum Baseline Thresholds for Public Outreach
- Strategies, Methods and Procedures

### Stakeholder Outreach

Staff conducted an extensive process to ensure that a diverse set of stakeholders had an opportunity to provide input to the plan. In early 2016, a multidisciplinary committee of Metro departments, including Communications (Marketing; Construction Relations, Community and Municipal Affairs, and Transit Safety Programs within Community Relations; Digital Communications; Customer Relations; Public Relations; and Government Relations), Planning (Office of Strategic Initiatives, Rider Relief Programs), and Civil Rights, updated the plan approved by the Metro Board in 2013. Shortly thereafter, a 30-day comment period was held to gather public input on the updated draft plan.

A variety of outreach methods were used to collect meaningful public feedback. The updated draft plan was posted online in English and eight other languages (Armenian, Chinese, Japanese, Korean, Russian, Spanish, Thai, and Vietnamese), emailed to more than 11,000 stakeholders countywide, presented to Metro's five sub-regional Service Councils, Citizens Advisory Council, Accessibility Advisory Committee, and LA County Commission on Disabilities, and shared through social media and Metro's blogs, The Source and El Pasajero. Metro's committee tabulated the 46 public comments received, revised the draft plan in response to these comments, and is submitting the final 2016 plan as part of the 2016 Title VI Program Update.

### Goals and Guiding Principles

The 2016 plan outlines goals and guiding principles for all outreach that is deployed in support of Metro's projects, programs and initiatives. Given that many non-English speaking and low-income communities use public transit as a primary method of transport, the plan emphasizes access to multilingual resources, holding meetings that are flexible around working hours, enhancing new outreach methods, measuring the effectiveness of community outreach and encouraging meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips.

It guides staff to look at community decision-making processes through several lenses, taking into consideration neighborhood and community values, community structures, urban and rural areas, and special ethnic and cultural groups. The plan promotes exploration of unconventional but effective approaches like contemporary education methods to explain harder to decipher technical details and utilizing participatory planning tools to increase awareness and understanding.

### Minimum Baseline Thresholds for Public Outreach

Driven by these goals and guiding principles, the plan has established eight Minimum Baseline Thresholds for Public Outreach and grounded this plan with these principal strategies to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation. These



minimum thresholds are in addition to the guidelines for public hearings on fares and service changes that are outlined in Metro’s Administrative Code and Title VI Program Update.

As stated in the Minimum Baseline Thresholds for Public Outreach, the plan promotes public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs
- Development, planning and construction of new projects and programs, including bus, rail, highway and transit oriented communities

The Minimum Baseline Thresholds for Public Outreach describe minimum requirements for each of the following eight outreach methods:

- Community Meeting and Public Hearing Noticing
- Community Meeting and Public Hearing Locations and Times
- Community Meeting Language Translation
- Public Hearing Language Translation and Documentation
- Neighborhood/Community Lenses
- Non-traditional Popular Education Methods
- Online Language Translation
- Telephone Interpretation

Outreach Method	Description
Community Meeting and Public Hearing Noticing	Stakeholders will be given a minimum of 10 days’ notice for all Metro-hosted community meetings and public hearings. Notices will be provided in English and Spanish at a minimum, and translated into multiple other languages as demographics indicate. Ads and take-one notices will be placed on adjacent buses and trains for specific area meetings whenever possible. Meeting and hearing materials will also be posted online for those who are unable to attend in person.
Community Meeting and Public Hearing Locations and Times	Metro-hosted community meetings and public hearings will be held at transit-convenient, ADA compliant venues at times that are flexible around working hours, such as at nighttime and on the weekends. Venues will be near the communities of interest.

Community Meeting Language Translation	Community meeting materials and live translation will be provided in English and other languages spoken by significant populations in the project area, as resources allow, and as outlined in Metro’s LEP Plan Four Factor Analysis; additional languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days’ (72 hours) notice. Language translation will be performed by fluent speakers.
Public Hearing Language Translation and Documentation	Public hearing materials and live translation will be provided in English and Spanish at a minimum; other languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days’ (72 hours) notice. Language translation will be performed by fluent speakers. Court reporters will also document the hearing proceedings and public comments.
Neighborhood/Community Lenses	Metro will look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups, paying particular attention to users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.
Non-traditional Popular Education Methods	Metro will strive to use videos, pictures, examples, participatory planning tools (such as interactive maps and activities), the use of real life examples, art, and other popular education programs whenever possible to explain harder to decipher technical details and increase public awareness and understanding.
Online Language Translation	The Metro Rider’s guide, available on <a href="http://www.metro.net">www.metro.net</a> < <a href="http://www.metro.net">http://www.metro.net</a> >, will provide web visitors with transportation information assistance in nine languages in addition to English. Additionally, Metro will offer Google Translate on every web page for language accessibility above Title VI requirements. Metro’s website content will also be ADA accessible; it will be compatible with screen reading devices for individuals with visual impairments.

Telephone Interpretation	<p>Metro’s Customer Relations Department will provide patrons with Limited English Proficiency (LEP) with transportation information assistance in over 200 languages by utilizing a third party language interpretation service. Telephone interpretation will also be ADA accessible with California Relay Line <a href="http://ddtp.cpuc.ca.gov/default1.aspx?id=1482">http://ddtp.cpuc.ca.gov/default1.aspx?id=1482</a>. In addition to Customer Relations, Rail Operations will utilize the third-party languages interpretation service to provide information and emergency response to LEP patrons who contact the Rail Operations Center (ROC) using the communication devices (G-Tel, P-Tel, and E-Tel) located on rail platforms.</p>
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Strategies, Methods and Procedures

Beyond the Minimum Baseline Thresholds, the Model Public Engagement Program outlines a range of strategies, methods and procedures that will be utilized to conduct comprehensive community outreach and encourage robust public engagement at every decision opportunity. Each Metro study or initiative will develop an individual public participation plan that targets the unique needs of its stakeholders. This tailored approach results in meaningful dialogue and broad public access throughout the decision-making process. In addition, this will ensure the agency’s connectivity to stakeholders whether it relates to daily issues, operations, studies, initiatives, construction activities, transit safety programs, and interagency communications and collaboration. All of these activities require a measure of public participation, and this Program creates baseline commitment that all stakeholders regardless of their sex or age - including minority and low-income communities, people with Limited English Proficiency, and individuals with disabilities - are given an opportunity to participate as options are considered and decisions are made.

**DETERMINATION OF SAFETY IMPACT**

The plan covers the life cycle of projects including Metro’s Transit Safety Program. This Program is responsible for increasing public awareness and knowledge on how to live, work and travel safely around trains and grade crossings to reduce pedestrian, vehicle and bicycle accidents.

**FINANCIAL IMPACT**

There is no additional financial impact to Metro’s expenditures or revenues because the Model Public Engagement Program and 2016 Public Participation Plan are policy updates that are already budgeted for in the FY2017 budget. Policy updates are executed by staff that are already Metro employees and consultants so there is no need for additional costs.

The Model Public Engagement Program and 2016 Public Participation Plan policy updates formalize

how Metro as an agency will continue to meet and exceed the minimum baseline thresholds for public participation that are required by the FTA, FHWA, and Title VI. Failure to approve the 2016 Public Participation Plan today may result in adverse impacts with the FTA and FHWA.

### **Impact to Budget**

There are no additional impacts to the operating or capital budgets because the Model Public Engagement Program and 2016 Public Participation Plan are already budgeted for in the FY2017 budget.

Public engagement is embedded in everything that we do as an agency. We encourage public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs
- Development, planning and construction of new projects and programs, including bus, rail, highway and transit oriented communities

As such, the Model Public Engagement Program and 2016 Public Participation Plan apply to many Metro Departments and staff as they guide all of our outreach to gather important public input on everything from possible changes to bus and rail service, new projects in planning and construction, fare changes and other programs.

Because the Model Public Engagement Program and Public Participation Plan are implemented by staff across the agency in many different departments, there are a variety of different funds that are used.

Many departments will be responsible for leading implementation of the Minimum Baseline Thresholds outlined herein, including Communications (Marketing; Construction Relations, Community and Municipal Affairs, Transit Safety Programs within Community Relations; Digital Communications; Customer Relations; Public Relations; and Government Relations), Planning (Office of Strategic Initiatives, Rider Relief Programs), and Civil Rights.

Some of the funds are eligible for bus, rail, or capital expenses. Other funds are eligible for environmental planning, communications or transit safety programs.

In summary, the actions requested in this report have no direct impact upon Metro's expenditures or revenues, and approval is consistent with the implementation of the adopted FY2017 Budget.

### **ALTERNATIVES CONSIDERED**

The Board could decide to delay or forgo the adoption of the Plan. This alternative is not recommended as it would not advance previous Board direction and policies, including

- Metro's 2013 Public Participation Plan and Title VI Program Update

What makes this new 2016 Plan different from years past is that it establishes eight Minimum Baseline Thresholds for Public Outreach to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation. These thresholds are in addition to the guidelines for public hearings on fares and service changes that are outlined in Metro's Administrative Code, and they serve as direction for staff on what is needed at a minimum for public participation at every decision opportunity.

The alternative to approving a Public Participation Plan as part of the Title VI Program Update by October 1, 2016 could have significant negative impacts to the agency. Failure to timely file a Public Participation Plan may result in suspension of federal funds, the initiation of an audit by the FTA and FHWA, and ultimately the loss of eligibility for federal funds.

### **NEXT STEPS**

Upon approval, the 2016 Public Participation Plan will be submitted to the FTA as part of the Title VI Program Update not later than October 1, 2016. In addition, staff will broadly inform every public-facing Metro department of the newly established Minimum Baseline Thresholds for Public Outreach, and continue implementation of the strategies, methods, and procedures identified in the Plan.

### **ATTACHMENTS**

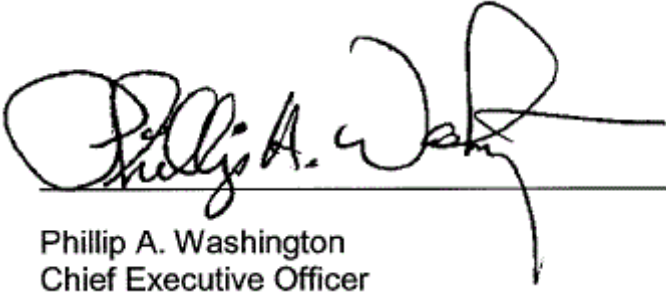
- A. Metro's 2016 Public Participation Plan
- B. Metro's 2016 Public Participation Plan Staff Guidelines

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## **Metro's 2016 Public Participation Plan (Plan) Staff Guidelines**

### **What is the Plan, why do we need it, and how was it updated?**

We are recommending that the Board approve our 2016 Public Participation Plan (Plan) as the guiding policy for all of our outreach to gather important public input on possible changes to bus and rail service, new projects in planning and construction, fare changes and other programs. We are doing this because the FTA requires us to issue a Plan as part of our Title VI Program Update every three years.

We went above and beyond what was legally required in seeking public input to help make our 2016 Plan the best it could be. In early 2016, staff updated the most recent Plan that had been approved by the Metro Board in 2013. Shortly thereafter, the updated Draft Plan was circulated for a 30-day public comment period to gather input. Staff then reviewed the public comments received, revised the Draft Plan in response to these comments, and submitted our 2016 Plan to the Board for their consideration in September 2016.

### **What makes this new Plan different from years past?**

Our 2016 Plan outlines goals and guiding principles for all outreach that is deployed in support of Metro's projects, programs and initiatives. What makes this Plan different is that it establishes eight Minimum Baseline Thresholds for Public Outreach (see below) to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation. These thresholds are in addition to the guidelines for public hearings on fares and service changes that are outlined in Metro's Administrative Code and Title VI Program Update.

### **What do you need to do at a minimum?**

Please continue to encourage public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs
- Development, planning and construction of new projects and programs, including bus, rail, highway and transit oriented communities

Please work with the Communications Department to follow the Minimum Baseline Thresholds for each of the outreach methods outlined below.

(For a complete table, refer to pp. 3-5 in the 2016 Plan\*):

- Community Meeting and Public Hearing Noticing -  
Stakeholders shall be giving a minimum of 10 days' notice for all Metro-hosted community meetings and public hearings and notices shall be provided in English and Spanish at a minimum.
- Community Meeting and Public Hearing Locations and Times -  
Metro-hosted community meetings and public hearings shall be held at transit-convenient ADA compliant venues at times that are flexible around working hours, such as at night and on the weekends.
- Community Meeting Language Translation -  
Community meeting materials and live translation shall be provided in English and other languages spoken by significant populations in the project area, as resources allow; additional languages and ADA accommodations shall be provided upon request with at least 3 working days' notice.
- Public Hearing Language Translation and Documentation -  
Public hearing materials and live translation shall be provided in English and Spanish at a minimum; other languages and ADA accommodations shall be provided upon request with at least 3 working days' notice. Court reporters shall also document the hearing proceedings.
- Neighborhood/Community Lenses -  
Staff shall look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups.
- Non-traditional Popular Education Methods -  
Staff shall strive to use videos, pictures, examples, participatory planning tools, real life examples, art and other popular education programs whenever possible.
- Online Language Translation -  
Our Rider's Guide, available on [metro.net](http://metro.net), shall provide web visitors with transportation information assistance in 9 languages in addition to English. Additionally, Google Translate shall offer language accessibility above Title VI requirements on every web page.
- Telephone Interpretation -



Our Customer Relations Department shall provide patrons with LEP transportation information assistance in over 200 languages by utilizing a third party language interpretation service. Telephone interpretation shall also be ADA accessible with California Relay Line 711. In addition, Rail Operations shall utilize the third party language interpretation service to provide information and emergency response to LEP patrons who contact the ROC.

**Where can I find more information?**

\*Please visit [metro.net/communityrelations](http://metro.net/communityrelations) to download our new 2016 Plan or contact Bronwen Keiner, Sr. Community Relations Officer, at 213.922.4465 or [keinerb@metro.net](mailto:keinerb@metro.net) for additional information.



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## **Acknowledgments**

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# Los Angeles County Metropolitan Transportation Authority's (Metro's) 2016 Public Participation Plan

## 1. Introduction to Metro's Los Angeles County Stakeholders

The Los Angeles County Metropolitan Transportation Authority (Metro) considers all who reside, work and travel within Los Angeles County to be stakeholders of the agency. Residents, institutions, locally situated businesses and the elected officials who represent them are particularly important in relation to public participation planning and outreach. Communications with the public is a continuum of involvement concerning service, fare changes, studies and initiatives, short and long range planning documents, environmental studies, project planning and construction and transit safety education.

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

### *Service Area and Agency Functions*

On a daily basis, Metro rolls out more than 2,228 buses to 15,967 stops for 183 bus routes covering 1,433 miles of bus service area with over 1 million average daily boardings. On the 100 miles of light and heavy rail, another 330,000 daily boardings are logged. Total system wide monthly boardings often exceed 34 million.

Metro plans, funds, constructs and operates public transportation for 4,751 square miles of land area for the benefit of nearly 10 million residents, making it the most populous of California's 58 counties. The remainder of Southern California's surrounding counties adds more than 11 million residents to comprise a greater regional population totaling over 21 million. Agency accountability for conveying information to the people of the 88 cities and the unincorporated areas that lie within Los Angeles County's borders requires a commitment to appreciate the diverse

composition of stakeholders who have been identified in American Community Survey data as 48.1% Hispanic, 27.2% white, 13.8% Asian, 8.0% African American and a broad spectrum of ethnicities that make-up the remaining 2.9%. 14.6% of the population has earnings below the poverty level, 50% of the population is male, 50% of the population is female and 43.5% of the population is age 40 or older. Additionally 32 languages with multiple dialects have been identified with 1,000 or more language practitioners. Los Angeles County is a multi-culturally enriched environment and a transportation hub for the region, the state and the world.

## **2. Goals and Guiding Principles**

This Plan guides all of Metro's outreach to gather important public input on possible changes to bus and rail service, new projects in planning and construction, fare changes and other programs. As the system expands, Metro is uniquely positioned with an unprecedented opportunity to invest in Los Angeles County's transportation system for all types of travel – highways, buses, trains, and more. This transformation through transportation will impact stakeholders throughout the region. As such, it is essential that Metro continues to bridge connections with communities and individuals who have deep relationships and insights into community specific needs and opportunities through a comprehensive and sustained public participation program regarded as the nation's gold-standard.

This Plan meets and exceeds the requirements set forth by the FTA, FHWA, and Title VI, and it aligns with Metro's mission and commitment to excellence in service and support. It is accountable, first and foremost, to the public, and it reflects the agency's dedication to provide a robust and inclusive public engagement program that sustains, strengthens and deepens our relationships with stakeholders countywide.

Given that many non-English speaking and low-income communities use public transit as a primary method of transport, and over half of Los Angeles County will be Hispanic by 2040, Metro must continue to emphasize access to multi-lingual resources, holding meetings that are flexible around working hours, enhancing new outreach methods, measuring the effectiveness of community outreach and encouraging meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips.<sup>1</sup>

It is also critical that Metro continue to look at community decision-making processes through several lenses, taking into consideration neighborhood and community

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<sup>1</sup> This key principle is from Investing in Place's comment letter (see Attachment 6).

values, Los Angeles County community structures, urban and rural areas, and special ethnic and cultural groups. Metro must also continue exploring unconventional but effective approaches like popular education methods<sup>2</sup> to explain harder to decipher technical details and utilizing participatory planning tools to increase awareness and understanding.

Metro has established eight Minimum Baseline Thresholds for Public Outreach (see table below) and grounded this Plan with these principal strategies to ensure that surrounding neighborhoods, individuals and civic engagement organizations are involved in all stages of the life cycle of each project, program or initiative, from planning to implementation.

***Minimum Baseline Thresholds for Public Outreach***

Metro encourages public participation at every decision opportunity, including:

- New policy and policy changes, such as possible changes to bus and rail service, fares, and other programs<sup>3</sup>
- Development, planning and construction of new projects and programs, including bus, rail, highway, and transit oriented communities

Outreach Method	Description
Community Meeting and Public Hearing Noticing	Stakeholders will be given a minimum of 10 days’ notice for all Metro-hosted community meetings and public hearings. Notices will be provided in English and Spanish at a minimum, and translated into multiple other languages as demographics indicate. Ads and take-one notices will be placed on adjacent buses and trains for specific area meetings whenever possible. Meeting and hearing materials will also be posted online for those who are unable to attend in person.
Community Meeting and Public Hearing Locations and Times	Metro-hosted community meetings and public hearings will be held at transit-convenient, ADA compliant venues at times that are flexible around working hours, such as at nighttime and on the weekends. Venues will be near the communities of interest.

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<sup>2</sup> Popular education methods are an educational approach that encourages people to teach and learn from each other about issues that matter most in their lives; it sees all participants as learners and teachers. These methods include brainstorming, cooperative learning, group exercises and interactive games. Like participatory planning, popular education involves and empowers the entire community in the planning process. “What is Popular Education?”, The Popular Education News, <http://www.popednews.org/newsletters/definitions.html>)

<sup>3</sup> The Minimum Baseline Thresholds for Public Outreach outlined here are in addition to the guidelines for public hearings on fares and service changes that are described in Metro’s *Title VI Program Update* which will be available at [www.metro.net/civilrights](http://www.metro.net/civilrights).

Outreach Method	Description
Community Meeting Language Translation	Community meeting materials and live translation will be provided in English and other languages spoken by significant populations in the project area, as resources allow, and as outlined in Metro's LEP Plan Four Factor Analysis <sup>4</sup> ; additional languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days' (72 hours) notice. Language translation will be performed by fluent speakers.
Public Hearing Language Translation and Documentation	Public hearing materials and live translation will be provided in English and Spanish at a minimum; other languages and ADA accommodations, such as large print and Braille, will be provided upon request with at least three working days' (72 hours) notice. Language translation will be performed by fluent speakers. Court reporters will also document the hearing proceedings and public comments.
Neighborhood/Community Lenses	Metro will look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups, paying particular attention to users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs. <sup>5</sup>
Non-traditional Popular Education Methods	Metro will strive to use videos, pictures, examples, participatory planning tools (such as interactive maps and activities), the use of real life examples, art, and other popular education programs whenever possible to explain harder to decipher technical details and increase public awareness and understanding.
Online Language Translation	The Metro Rider's Guide, available on <a href="http://www.metro.net">www.metro.net</a> , will provide web visitors with transportation information assistance in nine languages in addition to English. Additionally, Metro will offer Google Translate on every web page for language accessibility above Title VI requirements. Metro's website content will also be ADA accessible; it will be compatible with screen reading devices for individuals with visual impairments.

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<sup>4</sup> Metro's 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at [www.metro.net/civilrights](http://www.metro.net/civilrights).

<sup>5</sup> This key principle based on comment letter from Investing in Place (see Attachment 6) and section on community engagement from the USC Program for Environmental and Regional Equity Report (2013). *An Agenda for Equity: A Framework for Building a Just Transportation System in Los Angeles County* [https://dornsife.usc.edu/assets/sites/242/docs/Executive\\_Summary\\_Agenda\\_for\\_Equity\\_PERE\\_A.pdf](https://dornsife.usc.edu/assets/sites/242/docs/Executive_Summary_Agenda_for_Equity_PERE_A.pdf)



Outreach Method	Description
Telephone Interpretation	Metro’s Customer Relations Department will provide patrons with LEP with transportation information assistance in over 200 languages by utilizing a third party language interpretation service. Telephone interpretation will also be ADA accessible; Metro’s Customer Service line will be accessible with California Relay Line <a href="http://ddtp.cpuc.ca.gov/default1.aspx?id=1482">http://ddtp.cpuc.ca.gov/default1.aspx?id=1482</a> . In addition to Customer Relations, Rail Operations will utilize the third party languages interpretation service to provide information and emergency response to LEP patrons who contact the Rail Operations Center (ROC) using the communication devices (G-Tel, P-Tel, and E-Tel) located on rail platforms.

***Public Participation Plans for Individual Studies and Initiatives***

Beyond the Minimum Baseline Thresholds, this Plan outlines additional Strategies, Methods, and Procedures (Section 3) that Metro uses to conduct comprehensive community outreach and encourage robust community engagement at every decision opportunity. It also describes how each Metro study or initiative develops an individual Public Participation Plan that targets the individual needs of its stakeholders. This tailored approach results in meaningful dialogue and broad public access throughout the decision-making process.

To achieve both State and Federal sustainability goals for the region, and in accordance with fulfilling the Short and Long Range Transportation Plans to consider a range of multi-modal solutions, Metro is typically conducting 30 or more studies at any given time throughout Los Angeles County to determine preferred alternatives for consideration to fund, build and operate. These studies evaluate both transit and highway as well as local arterial impacts and analyze the factors that improve air quality, mobility, pedestrian and cycling accessibility as well as all of the required CEQA and NEPA disciplines necessary for completion of an environmental document. In all cases, for all studies and initiatives, Metro applies the concepts articulated in the Four Factor Analysis<sup>6</sup> as paramount to the structure and implementation of public participation. This tenet ensures that public investment includes those who require encouragement through targeted outreach in order to be at the table as options are considered and decisions are made.

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<sup>6</sup> Metro’s 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at [www.metro.net/civilrights](http://www.metro.net/civilrights).

Each Metro study has an individual public participation plan that targets the specific needs of the stakeholders of a project that frequently goes above and beyond Metro's baseline thresholds for public participation. Metro includes evidence in this document of successful public participation efforts that have influenced decisions regarding both mode and design by communities who, by definition, are considered within the environmental justice framework<sup>7</sup>.

Strategies for public participation vary depending on the scope and breadth of the study or initiative and what is known to be familiar and accessible locations, forms, and forums for communication. In addition to tailored strategies, many studies and projects at Metro have their own website, Facebook and Twitter accounts. Others utilize existing Metro social media resources. Advances in electronic communication and social media platforms have cleared new pathways for widespread distribution of information that are especially helpful when there are outlying communities in geographically expansive study areas.

### ***Implementation of the Guiding Principles: An Integrated Team for Stakeholder Engagement and Continuity***

Given the range of agency responsibilities and the breadth of the county it serves, Metro has developed expertise in outreach and public participation that is carefully tailored according to the specific needs of each project or program while maintaining a sustained relationship to stakeholders countywide. The commitment to engage stakeholders in the decision making process has resulted in the development of specialty teams that function under the banner of Community Relations. Those teams are Community and Municipal Affairs, Construction Relations and Transit Safety Programs. Public participation is also fostered and maintained by five sub-regional Metro Service Councils, an Accessibility Advisory Committee, a Citizens Advisory Council, a Technical Advisory Committee, as well as several other non-elected planning and advisory committees that provide guidance and leadership on numerous Metro programs and initiatives. The objective of Community Relations is to ensure Metro's connectivity to stakeholders whether it relates to daily issues, operations, studies, initiatives, construction activity impacts and preparation for safe use of a system once built and ready for service. All of these agency activities require a measure of public participation. In close coordination is Metro's Customer Relations Department whose staff receive, track and respond to all travel inquiries, comments, and complaints from the general public.

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<sup>7</sup> See Attachments 1 and 2 for a list of projects.

At the fore of **Community and Municipal Affairs** is the understanding that members of a “community” live, work and travel in local jurisdictions within Los Angeles County. In this baseline acknowledgment, there are qualities and characteristics of a community that are known, such as the cultural or ethnic composition and what values may be expressed and reflected through local elected representation. When a study or initiative is taken up by Metro, this information is integral to the design and implementation of a public participation program that will incorporate these factors. In addition, a number of other considerations, such as convenient meeting locations, announcements in local publications and identification of organizations, serve, in combination, to establish both qualitative and quantitative standards for engagement.

When consultant support is part of the plan, great effort is made to contract with outreach specialists who have a depth of knowledge about a study area, including bilingual skills for the diverse needs of communities. Consultants must provide detailed written records of public feedback to Metro for every meeting they attend and every touchpoint they have with the community. Metro must consider all comments - positive and negative - and employ them to affect meaningful decisions. When multiple jurisdictions are involved in the joint study or initiative (for example, when SCAG, Caltrans and/or other agencies partner with Metro), Metro will ensure that at least the Minimum Baseline Thresholds outlined in this Plan are upheld.

As the Metro system ages and expands, the need to address and resolve day-to-day operational issues is increasingly important. Community and Municipal Affairs managers coordinate internally with Operations, Planning, Customer Relations, and other business units to build strategic relationships with the 88 cities of Los Angeles County, Councils of Government, business and civic organizations and other key stakeholders around the County on behalf of Metro. A lead Community Relations Manager is assigned to each geographic area of the county, including the outlying areas. He or she will identify opportunities to develop new and enhance existing partnerships with cities and stakeholders and regularly attend city council meetings; bring issues/concerns to resolution proactively; and lead outreach efforts for all agency initiatives, bus and rail operations, planning studies, projects and programs. These Managers lead all communications on operational issues and respond quickly to complaints, comments and suggestions from these stakeholders. The Service Councils, Citizens Advisory Council, Technical Advisory Committee, and other advisory committees described further down provide valuable guidance and feedback on daily operational issues, updates and challenges.

When a project proceeds into construction, the **Construction Relations** team steps in to manage the community impacts called out in the environmental planning documents. This team is the beneficiary of the expertise developed in the study and

planning stage where very specific issues have been memorialized and now require in-the-field strategies for palliative measures that sustain communities through the rigors of system construction. Metro Construction Relations is co-located in field offices with the Project Team including Construction Management and the Contractor.

In July 2013, Metro's Board of Directors approved a Metro Construction Relations Model to support construction mitigation for all transit and highway projects. This model established a baseline of outreach and communications efforts that communities affected by construction can expect. It includes pre-construction surveys of residents and businesses, methods and strategies for keeping the public informed, processing and response to complaints, palliative measures for construction impacts, maintaining safety, access and business visibility and informing the public of claims procedures. Public participation during construction includes regularly scheduled public meetings conveniently located within the community.

Significantly, most contact with the community is via one-on-one interaction with the Construction Relations staff that is available daily and, if required, round the clock to address community concerns. Almost every Metro project is staffed with bi-lingual expertise reflective of the ethnicity and Limited English Proficient Population of the project area. Informational materials are distributed in as many languages as necessary to successfully communicate project information to the community including all time-sensitive notifications. For continued public participation through the end of the project, Metro holds regularly scheduled community meetings where input on construction schedules and activities are shared and feedback is sought regarding traffic controls, hours of work, and possible impacts to scheduled community events or activities.

As the final year of construction commences on a new at-grade rail system or segment, Metro's **Transit Safety Programs** is responsible for increasing public awareness and knowledge amongst the residents of Los Angeles County on how to live, work and travel safely around trains and grade crossings to reduce pedestrian, vehicle and bicycle accidents. The program covers a 1.5 mile radius of all Metro at-grade light rail lines, and countywide as requested. The team activates a comprehensive community outreach plan by presenting to schools and facilities, including community centers, senior centers, health care institutions, libraries and places of worship on a yearly basis. The outreach plan leaves a permanent impression through the use of safety and site specific presentations, Safety Orientation Tours, On the Move Riders Clubs, participation at community events/activities and deployment of Rail Safety Ambassadors. On many of Metro's alignments, this involves engagement with communities where several languages may be represented. All materials and

presentations are matched to the diversity of the community and its language requirements for successful communications.

To continuously address Metro's bus and rail service issues, five sub-regional Service Councils have been established. The **Metro Service Councils** are staffed by Operations personnel with participation from Community and Municipal Affairs. Council member appointments are made by local jurisdictions and COGs for approval by the Metro Board of Directors. As a condition of membership, Council members must live, work, or represent the communities within the boundaries of the designated region they represent. These Councils meet on a monthly basis, receive public input on Metro service, review and recommend service changes, receive presentations on all agency initiatives and meet quarterly with the Chief Executive Officer of the agency. All Service Council Meetings are publicly noticed in accordance with the Brown Act and, as such, are open to the public. The Councils, which have been active for over a decade, have proven to be a valuable, sustained source of community input and meaningful public participation.

Metro's **Accessibility Advisory Committee (AAC)** meets monthly and is facilitated by the Office of Civil Rights. The purpose of the AAC is to provide feedback on accessibility-related issues regarding Metro's services (including over 200 bus and rail routes) and facilities, which must be fully accessible to all customers, including those with disabilities. AAC agendas are available in alternative formats upon request and live captioning is provided at every AAC meeting.

The Metro **Citizens Advisory Council (CAC)** was authorized by State Charter as an advisory body of community representatives from throughout the region to consult, obtain and collect public input on those matters of interest and concern to the community and communicate key feedback and CAC recommendations to staff and the Metro Board. Issues may also be assigned to the CAC by Metro for its review, consideration, and recommendation. The CAC meets twice monthly, once at the beginning of the month for their Executive Committee Meeting, and once towards the end of the month for the General Assembly Committee Meeting. Every Metro Board member may appoint up to four members to the CAC.

Metro's **Technical Advisory Committee (TAC)** was established by state law in 1977 and is staffed by Metro's Planning department. It has undergone periodic reviews of its membership, functions and responsibilities based upon the changing needs of Metro; however, its function remains relatively unchanged. The TAC reviews, evaluates, and provides comment on various transportation proposals and alternatives within Los Angeles County. Transportation issues transmitted to the committee include the funding, operation, construction and maintenance of streets and freeways, bus and rail transit, demand and system management, accessibility for the disabled and air quality

improvements. The TAC meets monthly and is currently composed of thirty-five voting and non-voting members representing countywide agencies. In addition, the TAC includes four subcommittees: Bus Operations, Streets and Freeways, Local Transit Systems, and Transportation Demand Management/Air Quality.

In addition, several other non-elected planning and advisory committees provide important guidance and leadership on a variety of Metro projects, programs and subject-area initiatives. For example, Metro started the Bicycle Roundtable in 2010 to discuss bicycle-related issues with the community. It provides a regular forum for LA County's bicycle community to engage with Metro staff on Bike Planning, including the Bike Share Program, which among other things helps address first mile/last mile issues. Such stakeholder participation will increase in importance as bicycling becomes ever more integrated into Metro's transportation system.

The Crenshaw/LAX Community Leadership Council (CLC) is another example of a corridor-based transportation advisory body which was formed in 2010 for the purpose of sustained involvement by representatives who serve in a liaison role to the greater community as this light rail transit project is brought to fruition into operations<sup>8</sup>. Similarly, the Regional Connector Community Leadership Council (RCCLC) was formed in 2012 to provide a continuum of station-area working groups to advise Metro through construction.

Another example of an advisory committee is the Boyle Heights Design Review Advisory Committee which was established in 2013 to advise Metro on the design of Metro joint development (JD) projects within Boyle Heights; to serve as the formal means through which the community members are involved in the evaluation of the JD design process; and to act as representatives of residents, businesses, and institutions in the project area.

With this encompassing framework, Metro's Community Relations team has achieved the objective of sustaining quality relationships with our stakeholders where we make the agency accountable for public participation in all key areas of the agency's stated mission, vision and goals.

Finally, **Metro's Customer Relations** department is the communication link to ensuring that customers receive timely and accurate responses to their travel inquiries, resolution to their complaints/concerns and assistance with Transit Access Pass (TAP) services. There are three different functional units within the department and they are: Metro Information Contact Center, TAP Information Contact Center and Customer

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<sup>8</sup> See Section 4. "Range of Public Participation Methods Employed by Metro" for more information.

Complaints. The two contact centers respond to and support regional programs/services and Customer Complaints receives, tracks and addresses customer comments/complaints from the general public.

Metro's Information Contact Center provides route, schedule, fare and other transit information to an average of two and a half million customers annually who call 323.GOMETRO for trip planning and travel assistance, seven days a week. It also maintains schedule, route, fare and stop data for 70 transit properties including Metro, in and around Los Angeles, Ventura, Orange, Riverside and San Bernardino Counties that is uploaded on Metro Trip Planner. The TAP Information Contact Center responds to regional customers, who call 866.TAPTOGO (866.827.8646) or send emails to TAPTOGO.NET requesting assistance with TAP services weekdays including the twenty-six local transit agencies on TAP, plus Metro.

The Customer Complaints team receives, tracks, investigates and responds to all complaints, inquiries and suggestions received via phone, email, internet, written correspondence and walk-in customers regarding Metro services, programs and projects. It is also responsible for responding to the [customerrelations@metro.net](mailto:customerrelations@metro.net) email box and the agency's switchboard weekdays.

“The Life Cycle of Community Outreach” graphic below depicts traditional points of community interaction based on proactive and required outreach.





### 3. Strategies, Methods, and Procedures

The strategies, methods, and procedures outlined here are integral components to the effectiveness of Metro's Plan in meeting and exceeding Federal guidelines. They are consistent with the letter of law and legislative intent of: Title VI Civil Rights Act of 1964, Executive Order 12898 (Executive Order for Federal Agencies to address Environmental Justice in Minority Populations and Low-Income Populations) and FHWA's Title VI program obligations. The Plan is also responsive to the direction of FTA Circular 4703.1 that provides guidance "in order to incorporate environmental justice principles into plans, projects and activities that receive funding from FTA." Guidelines from FTA Circular 4702.1B, directing recipients on the responsibilities to integrate their programs and activities to include Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005) also are acknowledged by specific outreach activities defined in this section.

The strategies, overarching methods description and procedures summarized present comprehensive and targeted ventures customized to serve the public and meet Federal law and guidelines. They also broaden the value of transit service through stakeholder access and deliberations.

Metro's charge is to develop strategic plans and implementing methods to be consistent with Circular 4702.1B as follows:

- a. ensure level and quality of public transportation service is provided in non-discriminatory manner
- b. promote full and fair participation in public transportation decision-making without regard to race, color or national origin
- c. ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

In addition, and consistent with FTA Circular 4703.1, Metro conducts an Environmental Justice Analysis, as required, that:

"avoids, minimizes and mitigates disproportionately high and adverse effects, ensures the full and fair participation by all potentially affected communities and prevents the denial of, reduction in, or significant delay in the receipt of benefits by minority and low income populations."

***Race/Ethnicity/Income/Persons with Physical Disabilities – LA County in 2015***

<b>Category</b>	<b>Percentage</b>
<b>Race/Ethnicity</b>	
African American/Black (not Hispanic)	8%
American Indian/Alaskan	.2%
Asian/Asian American	13.8%
Native Hawaiian/Other Pac. Islander	.2%
Hispanic	48.1%
White (not Hispanic)	27.2%
Other	.3%
Multiracial	2.2%
<b>Income</b>	
Median Household Income (2010-2014)	\$55,870
Per Capita Income (2010-2014)	\$27,987
Persons Below Federal Poverty Level (2010-2014)	14.6%
<b>Persons With Physical Disabilities</b>	
Persons with Vision Difficulty	1.9%
Persons with Hearing Difficulty	2.4%
Persons with Ambulatory Difficulty	5.3%

Source: 2010-2014 American Community Survey (ACS) 5- Year estimates

***Languages Spoken in Los Angeles County (With More Than 1,000 LEP Persons)***

Limited English Proficiency (LEP) Populations: The 2010-2014 ACS 5- Year estimates show a total population of 9,974,203 for Los Angeles County. Data on languages spoken in Metro’s service area is gathered from multiple sources for the Four Factor Analysis<sup>9</sup>. Of the 9,329,565 people who are at least 5 years old, an estimated 2,407,270 people, or 25.80%, speak English less than “well”. The table below shows the breakdown of those languages for Los Angeles. Maps included in the 2013 Factor One LEP Analysis<sup>10</sup> show concentrations of LEP groups by language within the County of

<sup>9</sup> Metro’s 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at [www.metro.net/civilrights](http://www.metro.net/civilrights).

<sup>10</sup> *Ibid.*

Los Angeles, especially within the City of Los Angeles, and will be utilized for targeted customer outreach in those languages.

		TOTAL	LEP Population (Speaks English Less than Well)	Percent of Total Population over 5 yrs. old
1	Spanish or Spanish Creole	3,678,805	1,656,302	16.61%
2	Chinese	354,501	212,843	2.13%
3	Korean	183,483	112,411	1.13%
4	Armenian	171,484	86,432	0.87%
5	Tagalog	227,733	73,492	0.74%
6	Vietnamese	82,707	49,598	0.50%
7	Persian	73,447	30,391	0.30%
8	Russian	51,529	26,589	0.27%
9	Japanese	51,723	25,095	0.25%
10	Mon-Khmer; Cambodian	30,804	17,561	0.18%
11	Arabic	43,105	16,916	0.17%
12	Thai	22,847	14,109	0.14%
13	French (incl. Patois; Cajun)	39,033	6,081	0.06%
14	Hindi	23,769	5,567	0.06%
15	Hebrew	23,990	4,762	0.05%
16	Portuguese or Portuguese Creole	12,701	3,400	0.03%
17	Italian	15,372	3,021	0.03%
18	Urdu	9,081	2,830	0.03%
19	Gujarathi	9,193	2,818	0.03%
20	German	23,089	2,817	0.03%
21	Hungarian	4,736	1,607	0.02%
22	Greek	6,745	1,522	0.02%
23	Polish	5,187	1,497	0.02%
24	Serbo-Croatian	5,845	1,465	0.01%
25	Laotian	3,232	1,362	0.01%

Metro is charged with developing strategy and implementing a public access practice that informs and engages distinct socio-economic communities within large geographic swaths of Los Angeles County. However diverse, these communities are connected by an opportunity for improved transit services and the desire to reduce or improve their daily commutes to jobs, health providers, schools and businesses. The Plan formally outlines the way in which Metro provides pragmatic and cost-effective outreach that is responsive to information gathered in LEP community surveys and other public comment on the types of information and interactions deemed most useful.

This information is critical to informing Metro’s Plan. A comprehensive community outreach, public information and engagement strategy is designed to serve all stakeholders regardless of their sex or age and including LEP, minority, low-income, and people with disabilities, within the project service or study area. The strategies, methods, and overview of implementation elements present traditional outreach practices with overlays of evolving technological tools. Some of these have been established in the last few years. Metro has harnessed the power of the internet to broaden communication, public information and involvement recognizing that there are many communities without equal, daily access to the range of social media sites in use. Therefore, the development of each specific public participation plan includes the assessment of how best to effectively communicate with technology within low-income, LEP, and minority communities coupled with outreach methods to engage people with disabilities, hard to reach communities and general population stakeholders. This combined approach provides meaningful and broad public access to the public process.

The agency is informed quickly through technology that allows immediate feedback and perspective on the value of these applications in engagement. It also presents user performance measures through comments. Qualitative and quantitative results are used to adjust project/plan outreach and to contribute over time to strategic outreach planning.

Metro’s Plan provides multiple platforms for communication providing comfortable, accessible, far-reaching, broadly serving and individually engaging settings. The examples below are associated with public participation plans of the last 3 years on both regional and local plans. These strategies, methods and tools have been overlaid to foster ongoing public involvement in decision-making.

### ***Strategies***

Metro’s strategic elements include:

- Convene an advance planning team that includes technical project planners, demographic and data resource researchers and community outreach specialists to identify anticipated issues from various stakeholder positions.
- Utilize additional data resources beyond Metro’s LEP Four Factor<sup>11</sup> sources, as appropriate, to advance the effectiveness of team outreach planning in diverse socioeconomic communities.

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<sup>11</sup> *Ibid.*

- Advance and integrate the principles of environmental justice through the Plan by selecting Metro team members with special cultural and linguistic abilities, as well as historical, economic and local knowledge, who can contribute to the development of a best practice palette addressing barriers and broadening input.
- Identify community leaders, government and community-based organizations to provide input on known barriers to communication.
- Analyze existing community-based informational connections, via appropriate organizations' networks and through consultation with civic, community or grassroots leadership to advance transmission of information at a grassroots level.
- Identify and create ongoing communication practices that respond to communication barriers, including multilingual platforms (including sign language translation) that will provide a means of involvement and information exchange.
- Identify a range of outreach activities that can inform members of diverse communities of new or ongoing projects and programs, or to plan in advance for a formal public hearing process.
- Develop a multi-language communication platform, based on demographic and community input that equalizes opportunities among identified stakeholders for access to information from the inception of a project through its completion and operation phase.
- Identify outreach options that provide opportunities for initial comments, and create the means by which those comments are incorporated into the ongoing outreach process and, as feasible, into the plans and projects themselves.
- Ensure that if Metro is requesting public feedback, stakeholders are given sufficient lead time to provide comments: 30-days at a minimum.
- Identify the potential uses of electronic communication, including websites, web video and social media, while ensuring the Plan takes into consideration individuals and households in low-income, minority and limited English proficiency communities who may have limited access to computers and other communications electronics.

- Measure public engagement and adjust public participation plans by monitoring website metrics and transit stakeholders' comments on websites and social media.
- Measure public engagement and adjust long-range planning services based on query and monitoring of public comment from varied customer service interactions and stakeholder groups.

### ***Methodology and Menu of Public Participation Tools & Purpose***

For every program, plan, project or other activity, Metro's technical, environmental and community outreach planners evaluate and determine the most effective methods for involving the public during the decision-making process. This advance team also identifies, designs and implements ongoing communication methods that engage Metro customers and open up opportunities for expanded participation.

As part of our public involvement process, Metro uses varied tools to encourage, facilitate, and engage the public in dialog and activities. This is sometimes accomplished through the creation of advisory groups that include varied civic, community, and government entities affected by proposed or planned projects or service changes and the dissemination of notice and project information through various formats, in person, by written notice, and those advanced through networks of technology with community partners.

Methods of outreach are tailored to engage our diverse population. We are mindful in identifying and including in this process minority and low income participants, people with limited English proficiency, and people with disabilities and in providing meaningful access to our outreach activities by making available the service of translators and providing materials in appropriate languages, adapting a wide range of media communications to advertise and increase public participation.

The menu of public participation tools follows with an explanation of its value to this process. Marketing materials and translation practices are consistent with Metro's LEP Plan<sup>12</sup> and Federal guidelines. Additional interpretive language assistance, whether officially required or not, is provided as needed.

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<sup>12</sup> *Ibid.*

## Menu of Public Participation Tools & Purpose

### ***Meeting Planning - Location & Structure***

First and foremost, meeting venues should be transit accessible and ADA compliant. Meeting planning takes into consideration minority, low income, and LEP community members and individuals with disabilities on varied work and family schedules. Meeting times and venues are selected to allow for greater participation of diverse groups including non-typical participants (college age, seniors, disadvantaged). Metro publicizes meetings through multiple distribution channels, is sensitive to multiple language needs, and selects transit accessible venues in compliance with the *Americans with Disabilities Act of 1990 (ADA)*.

Meeting venues are selected on a number of criteria: (1) room size (selected to accommodate anticipated attendance and ADA requirements), (2) room layouts that help facilitate dialog/input, (3) technology infrastructure for presentations or multilingual communication, (4) hours of operation of facility tied to area transit options to ensure transit dependent community attendance, and (5) geographic location within impacted or hard to reach stakeholder communities for convenience and comfort of dialog.

Selection of language services takes into consideration meeting format as well as these factors: (1) Simultaneous E/S translation – Spanish is the non-English language that is most frequently encountered in the Metro service area, and is therefore offered at virtually every public meeting. In addition, fact sheets and other handouts are translated consistent with demographic analysis. Multilingual communications are called for in many communities, and documents and translations are offered if useful and as required. ADA accommodations, such as sign language interpreters, are provided on an as-request basis provided that requests are made with at least three working days' (72 hours) advance notice. In addition, information is also made available in large print and Braille as necessary.

### ***Meeting Types***

Metro values direct interaction with community members. The following are the types of meetings designed to achieve that goal:

- Milestone Meetings (required meetings) introduce the public to the proposed projects and plans, present anticipated ongoing activities, provide ways to engage and follow the project and register comments and concerns. Meetings are translated as required given demographic and LEP factors. Collateral

materials are also developed and distributed when required and to facilitate dialog and an understanding of key stakeholder issues.

- Workshops and briefings are held to update stakeholders and resolve new or ongoing issues.
- Advisory Committees Meetings among constituents at the grassroots level offer input and resolution to issues/mitigations.
- At the introduction of a proposed project, service or plan, the schedules are translated into multiple languages as appropriate given research to reasonably facilitate meetings. At the outset, stakeholders are provided the schedule, the engagement period/s, and both formal public and Board meetings.
- Project update meetings are provided during the environmental review process. Participants include local civic, business and community organizations, elected officials and the general public. Meetings are noticed in multiple languages through mailers and e-blasts, and via new media sources (Twitter, Facebook, and blogs).
- Community relationships are enhanced through the established Metro Service Councils, a sustained source of community input for the last 15 years.

### ***Public Meeting Notice - Delivery System***

A wide variety of media are available to notice public meetings:

- US Postal Service – Traditional mail service can be employed for initial project noticing, as well as to publicize community workshop opportunities, project updates and activities during the environmental process and for construction updates and service impacts.
- Email – Email can be used in addition to traditional mailing to stakeholders and community members. Recipients have previously opted in to email communications by providing their email addresses. “E-blasts” are sent by Metro and through community partners in advance of initial milestone meetings and for updates.
- Location Placement – Meeting notices in multiple languages are often posted in high-traffic gathering places that can include: colleges, parks, libraries, community and senior centers, farmers’ markets, cultural events, local elected officials’ offices, civic and other community based organizations.



- Transit – Meeting leaflets or “Take-ones” and related collateral may also be available on buses and rail, notifying riders of upcoming meetings and providing basic Metro contact information.
- Community Networking – Metro frequently partners with civic and business organizations, non-profits and individuals to distribute notices through their proprietary channels and social media networks. Metro’s team attends and distributes notices at cultural and neighborhood events when feasible. Metro provides content to varied community groups for posting on community calendars including transit coalitions and economic development councils.
- Posters – Multilingual posters at terminal points can also be used as an effective means of noticing meetings and directing individuals to general information about Metro.

***Online communications – meetings, updates and ongoing communications***

- The Metro Rider’s guide, available on [www.metro.net](http://www.metro.net), provides web visitors with transportation information assistance in nine languages in addition to English. Additionally, Metro offers Google Translate on every web page for language accessibility above Title VI requirements.
- Metro’s “The Source” is a transit blog presented in English; its Spanish-language counterpart is “El Pasajero.” The Source announces meetings, project updates, proposed project plans, video presentations, Board actions and other transportation news. Readers can also comment on stories or share them on their own personal social media sites.
- Metro has created landing pages for many of its projects, with up-to-date information available in bi- or multilingual formats, as appropriate. Visitors are invited to provide comments, stream recorded meetings, view PowerPoint presentations, and sign up to receive email updates about the specific project.
- Metro strategically utilizes online advertising in English, Spanish and other commonly-used languages, targeted to demographic groups and project parameters in such platforms as Facebook, Twitter, and others.
- Metro is actively engaged in popular social media sites Facebook and Twitter to launch outreach campaigns, provide project updates, and direct users to information, meeting announcements and special events.
- Metro monitors its social media outlets to ensure content is appropriate and useful, gauge areas of concern and interest as well as measure customer satisfaction.

Metro's Comment Guidelines will be updated to include platforms such as Twitter, Instagram, and other social media platforms as needed. Staff will also be trained on the policy.

- The public is invited to contact project staff through project helplines. The system allows callers to leave messages and staff with appropriate language skills return calls. The public is advised of the project specific helpline through Metro's website, printed materials, ads and in-person outreach.
- E-mail updates - As projects develop and reach milestones, e-mail updates are sent to community stakeholders. Metro also shares these email updates with its key stakeholders, including partners and community based organizations, to distribute the email updates through their own networks.

### ***Other language access sites or tools***

A Metro advisory card has been prepared listing how to get language assistance services. As identified in Metro's LEP Plan<sup>13</sup>, the information is listed in nine languages other than English. Pocket transit guides are also offered in nine languages, distributed at meetings and through customer service sites. These can assist stakeholders with long-term interest in the plan, project or service change action, to more easily access community meetings and get additional information in-language.

### ***Broadcast and print media***

- Media alerts and releases are distributed to multi-lingual news sources, media briefings for minority-owned and distributed newspapers
- Purchase of display ads in Spanish-language media and other outlets as appropriate
- Press releases are distributed to websites, blogs, Facebook/Twitter

(For a complete list of media outlets, see Attachment 4 - Database of Media.)

### ***Additional approaches to communications***

- Business Webinars are announced on the project website, notice is emailed to stakeholders, promoted via a project's social media sites, on regional blogs, and local organizations' websites.
- Virtual meetings and simultaneous broadcast of meetings are often used via Ustream, GotoMeeting, Periscope and Metro's website.

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<sup>13</sup> *Ibid.*

- YouTube videos are produced and posted to provide broad accessibility and include: news programs, transit project information, bus routes, rail services, safety and security as well as public meetings. Information posted is often relayed in multiple languages and includes video dubbing and subtitles for some public service messages.
- Door-to-door campaigns in various languages in both residential and business communities are employed to increase participation and access of potentially affected stakeholders.

### *On-going Communication Activities & Approaches*

- Briefing Meetings/Workshops are established in addition to required meetings to bring the public up to date on project elements, respond to initial comments, and address specific conflicts or concerns of community members.
- One-on-one and group briefings are conducted with community leaders, elected officials and staff, and individual stakeholders.
- Scoping meetings are held to present the public with initial discussion and results or changes.
- Specific design meetings engage the public by introducing the technical considerations and offer solutions to potential impacts or present design opportunities
- Tours are offered to area stakeholders for better understanding of the proposed project/service change.

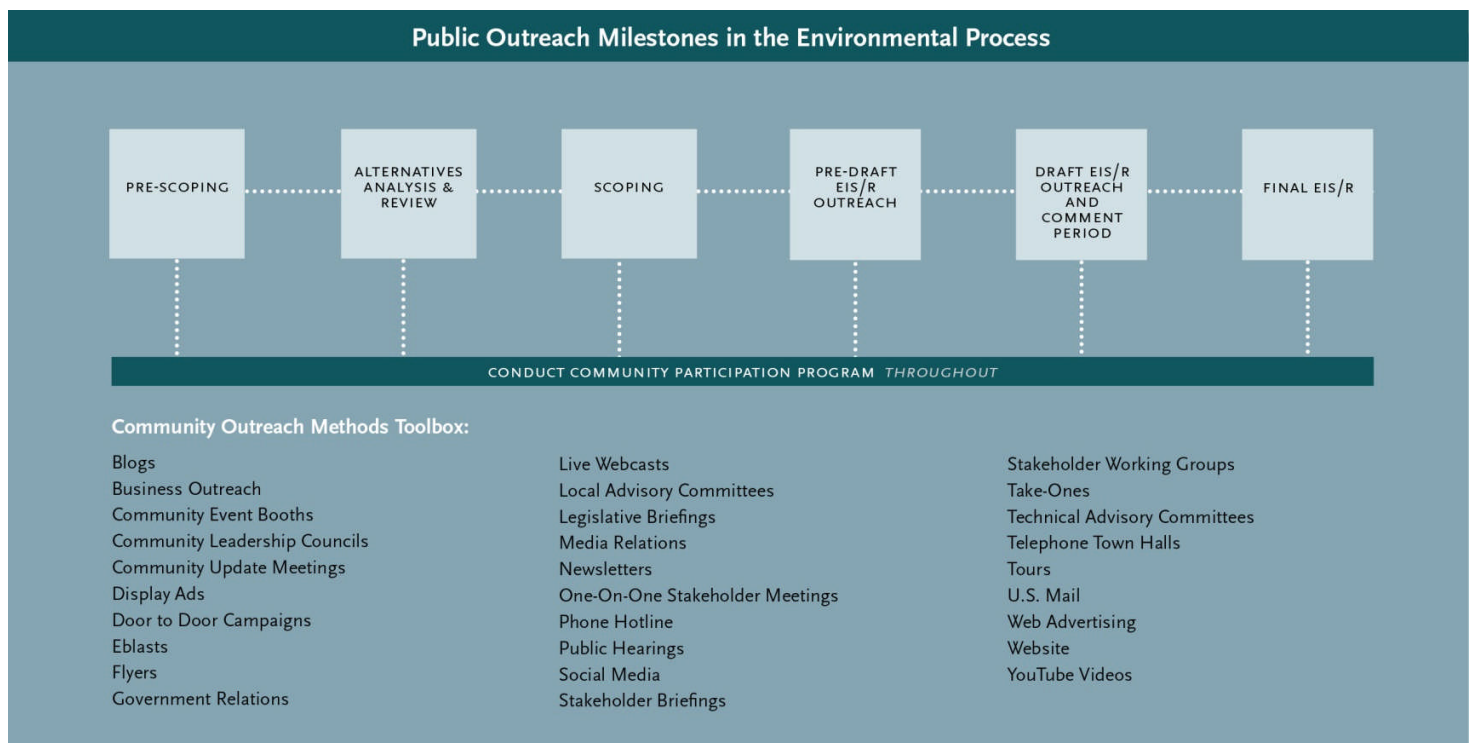
### *Evolving Practices - All Stakeholders Including LEP, Minority, Low Income, and Individuals with Disabilities*

- **Management: “Advance Team” Assignment** - Staff with multilingual, cultural, historical, economic or special community knowledge provide early input to outreach strategies partnering with technical staff on planning matters and statistical experts to design outreach approach.
- **Technology: Public Engagement Platform Development** - The launch of an internet-based Interactive GeoSocial Map presents a model for enhanced public participation, allowing close examination of proposed transit projects by stakeholders living anywhere within the Los Angeles County 4,751 square miles. Users may examine various perspectives and details of routes, post comments on maps and images to be viewed by all interested parties and further shared on social media sites such as Facebook and Twitter. This innovative informational tool, also compatible with varied phone applications, brings greater involvement and a new level of engagement typically found

through community meetings. In addition to its value as a public participation element, it also contributes as a project monitoring and tracking mechanism.

- **Online/Digital Communication for Input and Telephone Town Halls:** In 2016, Metro reached over 2.7 million Angelenos with promoted posts on social media and educational content on The Source, Metro’s English language blog, regarding the Long Range Transportation Plan (LRTP). On Twitter and Facebook, Metro used the hashtag #MetroPLan to encourage public feedback on the LRTP and engage the public directly in a conversation about details of the plan. An online virtual meeting was held where participants asked questions and shared their views in real time. In addition, more than 47,947 people participated in 14 telephone town halls to discuss Metro’s draft expenditure plan. Metro will continue to develop these fun, user-friendly and effective digital communication tools to maximize public input and community engagement.

#### 4. Range of Public Participation Methods Employed by Metro



A range of public participation strategies, methods and tools are developed and used to engage diverse communities and create on-going public access, participation and input throughout the environmental process. While Metro’s outreach planning begins early and continues past the environmental approval, the purpose of this section is to present specific examples of how

barriers to communication are identified and addressed, engagement is strengthened, input is garnered, issues are resolved and projects are adapted to reflect the public's values.

A comprehensive public participation plan is one that provides early and on-going access for all stakeholders while demonstrating the principles of environmental justice and meeting the statutory obligations placed on Federal recipients under Title VI non-discriminatory regulations. Through the principles and practices herein, each public outreach process engages varied stakeholders: residents, businesses, transit users, elected officials, local area industries, local organizations and others. The parameters for development of each public participation plan are based on required analytical methods, such as demographic analysis, language assessments, customer and employee surveys articulated through the Four Factor Analysis<sup>14</sup>. Other considerations include the type of plan, program, or service and resources available. Additionally, Metro applies further community analysis beyond LEP's Four Factors to examine linguistic, cultural, historic, economic, and social barriers that may prevent stakeholders from participating in the public decision-making process.

Once the public process has been initiated, continual adjustments are made to improve outreach, deliver information and encourage participation. Targeted measures are customized to relay project design or respond to community issues, to facilitate discussion on determined disproportionate/disparate impacts or to expand and balance participation among stakeholders. Project updates are provided on a continuum via Metro's website, social media and multi-language print venues including localized community network bulletins and newspapers to promote further vetting at a grassroots level.

The following five Public Participation Plan examples summarize customized outreach eliminating communication barriers, promoting participation and input, resolving issues and delivering meaningful participation.

- Crenshaw/LAX Community Leadership Council (CLC)
- Regional Connector Little Tokyo Working Group (LTWG) and Community Leadership Council (RCCLC)
- I-710 Community Participation Framework
- Metro ExpressLanes Corridor Advisory Groups
- Metro Bike Share Crowd Sourcing Outreach

Introduction: Given the large geographic reach of each of these projects, the Public Participation Plan provided a range of measures to promote inclusive and meaningful

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<sup>14</sup> *Ibid.*

involvement. The full description of each mentioned project's Public Participation Plan can be provided upon request or referred to in Metro's Title VI Triennial Program Update<sup>15</sup>.

The five (5) cases below illustrate customized outreach elements designed to: respond to a community's specific concern or request, advance communication and participation within low-income, limited English proficiency and/or minority community, expand and balance participation among diverse stakeholders, provide a heightened and on-going communication system between interested parties, identify and address issues of greatest impact or concern, and expand benefits to project-adjacent communities through dialog.

***Project: Crenshaw/LAX Light Rail Transit Project***

Description: The Crenshaw/LAX Light Rail Transit Project is an 8.5 mile alignment from the Exposition/Crenshaw station on the north following Crenshaw Blvd south and west to the Metro Green Line connection. The project purpose is to improve public transit service and mobility in the Crenshaw Corridor between Wilshire and El Segundo Blvds. The overall goal of the project is to improve mobility in the corridor by connecting with existing lines such as the Metro Green Line and the Expo Line. The alignment traverses both South Los Angeles and the City of Inglewood, comprised primarily of minority populations.

***Customized Approach - Establishment of Crenshaw/LAX Community Leadership Council (CLC) for Sustained Involvement & Continuity through Project Buildout***

In addition to Metro's traditional and targeted outreach measures engaged during early deliberations, in 2010 Metro pioneered the formation of the CLC. The CLC is a corridor-based transportation advisory body, formed for the purpose of sustained involvement by representatives who will serve in a liaison role to the greater community as the LRT is brought to fruition into an operating system. The mission of the CLC is to promote community-based dialogue around opportunities arising from the Crenshaw/LAX Line development and engage a wide base of community stakeholders with ongoing project activities throughout communities located along the Project alignment in a way that's equitable, beneficial, resourceful and meets the needs of the community. The CLC is racially diverse, and includes representatives from small business, faith-based organizations, labor, local media, academia, local empowerment congress, chambers, local economic development corporations and law enforcement. Participation in the CLC also allows for engagement on topics that have direct correlation to the assets of a new transit system linking the corridor to Metro's countywide rail and transit system. The CLC, led by Co-Chairs representing the City of Los Angeles and the City of

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<sup>15</sup> Metro's 2016 Title VI Triennial Program Update can be found in the *Title VI Program Update* which will be available at [www.metro.net/civilrights](http://www.metro.net/civilrights).

Inglewood, meets on a quarterly basis and is assisted in their duties by a series of Working Groups.

Working Groups are topic-specific groups open to the public that convene quarterly or as-needed to set goals, strategize and implement working plans that support the project area communities and/or the Crenshaw/LAX Transit Project. These Working Groups serve as a platform to share information, address community concerns and develop work plans related to community opportunities arising from the Project. The four working groups include:

- 1) Community Engagement**  
Solicit input and encourage dialogue in the community on topics surrounding the Project.
- 2) Economic Development**  
Establish opportunities for job creation, commercial development, capital investment, jobs and small business development within the project area.
- 3) Quality of Life**  
Identify opportunities to improve quality of life for the community within the areas of mobility, safety and environmental health.
- 4) Special Projects**  
Additional areas of community interest

**Result:** Metro, working with the CLC, has succeeded in fostering greater awareness of and involvement in the new transit line and the attendant mobility and economic development benefits that will accrue to the community. Additionally, the CLC was instrumental in identifying the need for an additional station at the historic Leimert Park, a center of community, family, artistic and business activities. On June 27, 2013, Metro's Board of Directors approved a contract to build the line including stations at Leimert Park and Westchester/Veterans.

***Project: Regional Connector Transit Project***

Description: The Metro Regional Connector Project connects the Metro Gold, Blue and Expo Lines through downtown Los Angeles from the Little Tokyo/Arts District Station to the 7th Street/Metro Center Station. The 1.9-mile alignment will serve Little Tokyo, the Arts District, Civic Center, The Historic Core, Broadway, Grand Avenue, Bunker Hill, Flower St. and the Financial District.

This new Metro Rail extension will also provide a one-seat ride for travel across Los Angeles County. From the Metro Gold Line, passengers will be able to travel from Azusa to Long Beach and from East Los Angeles to Santa Monica without transferring to and from the Red/Purple lines.

### *Customized Approach - Formation of Little Tokyo Working Group for Impact Issues Resolution and Collaboration with Diverse Area Stakeholders*

In addition to required technical and demographic analysis leading to a multi-lingual platform for communication, outreach measures were developed to address cultural, historic and economic impact concerns among stakeholders. One of the communities in the project area, Little Tokyo, is one of only three remaining "Japantowns" in the United States. Over the years, Little Tokyo has experienced the loss of some significant portions of its community to the construction of several city, state, and federal buildings via eminent domain. Many community members saw the Regional Connector as one more attempt to encroach into Little Tokyo, further reducing its size and negatively impacting the community's cultural identity and economic viability. This unease peaked when the Little Tokyo community coalesced against both of the build alternatives initially proposed for study in the Draft EIS/EIR at several Metro Board and community meetings in the summer and fall of 2009.

In 2010, recognizing the unique challenges and opportunities of the proposed project, Metro developed a response to specific input raised during public discussions, intended to respond to specific stakeholder concern on design and impacts as well as to identify mitigation measures.

This outreach culminated in the formation of the Little Tokyo Working Group (LTWG), comprised of Metro staff and leaders of the Little Tokyo Community Council (LTCC), which represents over 100 business and community organizations. It included engagement of a wide diversity of stakeholders and opinion leaders including business organizations, chambers of commerce, business improvement districts (BIDs), neighborhood councils, community councils, arts organizations, and residential groups in downtown Los Angeles.

The LTWG worked collaboratively to develop an alternative and discussed possible mitigation measures that could address the construction and operational impacts of the Regional Connector. Metro also provided funding to hire a consultant to assist the community in acquiring an in-depth understanding of the environmental process and develop potential mitigation measures for documentation in the Draft EIS/EIR.

**Result:** The ongoing work with the LTWG led to the development of a new alternative that not only was acceptable to Little Tokyo stakeholders, but also generated widespread enthusiasm and support for the Regional Connector. In February 2010, in response to the LTWG and LTCC, the Metro Board of Directors approved the addition of the new alternative to the Draft EIS/EIR for a full environmental evaluation. Significant numbers of Little Tokyo community members attended the Board meeting to show their support for the new alternative and to commend



Metro for addressing their concerns. Following the conclusion of the Draft EIS/EIR public review period, the Metro Board of Directors designated the Fully Underground LRT Alternative as the Locally Preferred Alternative (LPA) at the October 28, 2010 meeting.

Henceforth, the Metro Board approved the Project in 2012, refined to reduce project impacts and improve design in response to input from the Little Tokyo community and other stakeholders in the project area. This interaction led the Metro Board to approve a fully underground light rail transit alternative, which in turn, generated considerable community support for the project. The community engagement process continues today with an alignment-wide Regional Connector Community Leadership Council (RCCLC) led by an executive committee comprised of the chairs from each of the three station areas, 1<sup>st</sup> St/Central Av, 2<sup>nd</sup> St/Broadway St, 2<sup>nd</sup> Pl/Hope St, and the Financial District. The advisory body meets monthly to review construction activities, monitor mitigation compliance, and to identify unique means of leveraging this transit investment to foster economic vitality. The Regional Connector Community Leadership Council will remain in place throughout construction to further stakeholder participation. Furthermore, bi-monthly project wide construction update meetings, with in-language assistance, are held to keep the general public appraise on the project.

***Project: I-710 Corridor EIR/S***

Description: The I-710 Corridor has long been a vital transportation artery for goods movement from the Ports of Los Angeles and Long Beach. The Corridor stretches 18 miles from the ports moving north through the Gateway Cities region which is home to one of the most socio-economically diverse areas in the County. The Ports together form the largest container-port complex in the country, and the 5<sup>th</sup> largest in the world. As a result of population growth, cargo container growth, increasing traffic and an aging infrastructure the I-710 freeway now suffers from serious congestion and safety issues. Expressed community priorities are to improve air quality and public health, increase mobility, reduce congestion, improve safety and assess alternative, green, goods movement technologies.

***Customized Approach: Formation of Varied Stakeholder Committees Influencing Regional Decision-Makers & Funders***

In this case, Metro developed a Community Participation Framework to identify and address the range of local issues and gather feedback on an on-going basis to inform decision-makers and the partner agencies.

The community participation framework for the I-710 Corridor Project Study encourages corridor communities to stay informed about the project, and to provide input throughout the process. Local Advisory Committees (LACs) represent the communities along the corridor, and

are made up of residents and business owners from each community the project touches. The Chair of each LAC sits on the Corridor Advisory Committee, along with other appointees representing corridor-wide interests.

The primary responsibility of the Corridor Advisory Committee is to advise the Project Committee (PC), which is made up of elected officials and funding partners, which in turn provide recommendations to a high-level Executive Committee comprised of members of County Board of Supervisors, Chairpersons of the funding partners, and the co-chairs of the Project Committee. There is also a Technical Advisory Committee (TAC), made up of technical experts from corridor jurisdictions, city and community staffs and Funding Partners who advise the PC on technical aspects of the project. The Executive Committee (EC) is the highest level committee, and is comprised of representatives from Los Angeles County and the Funding Partner agencies, as well as the co-Chairs of the PC. This committee provides policy direction and final recommendations to Caltrans and FHWA.

**Result:** The participation framework has promoted superior dialogue within the study area, and often times resulted in significant changes to the project during the planning phases, such as greater attention to health issues and incorporation of state-of-the-art technology in the goods movement industry and the addition of complete street elements to the project. Upon review of the extensive feedback received during the Draft EIR/EIS public comment period, Metro, Caltrans, and the project Funding Partners decided in March 2013 to move forward with a Recirculated DEIR/Supplemental DEIS (RDEIR/SDEIS) to be released for public review and comment in Fall 2016. The project team continues to work closely with the advisory committees to provide progress updates and receive feedback.

***Project: Metro ExpressLanes Corridor Advisory Groups***

Description: Metro and State of California Department of Transportation (Caltrans) District 7, along with other L.A. County municipal operators, partnered in a one-year demonstration program during which existing carpool lanes on the I-10 El Monte Busway and I-110 Harbor Transitway were converted to High Occupancy Toll (HOT) lanes— called Metro ExpressLanes. The Program was primarily funded with a \$210 million congestion reduction demonstration grant from the U.S. Department of Transportation (USDOT), and today it is self-sustaining and made permanent by the state legislature in 2014. The I-110 ExpressLanes opened November 10, 2012; the I-10 ExpressLanes opened February 23, 2013. These are the first toll lanes in Los Angeles County.

***Customized Approach: Corridor Advisory Groups in LEP & Low Income Communities Established to Collaborate with Area Stakeholders to Expand Project Involvement***

Early in the planning phase, Metro recognized that robust stakeholder outreach was needed to inform and involve the diverse populations along the I-10 and I-110 in the

City of Los Angeles, South Bay and San Gabriel Valley. In January 2009, the Metro Board approved a Public Outreach and Communications Plan that outlined a strategy to reach diverse groups of people and interests – including minority, Limited English Proficiency, and low-income communities – throughout the I-110 and I-10 project areas. Three Corridor Advisory Groups (CAGs) were established, comprised of stakeholders along the I-10, I-110 North and I-110 South corridors. The CAGs facilitated community participation and collaboration with businesses, community groups, institutional/cultural groups, employers, City of Los Angeles neighborhood councils, local governance and councils of governments, and legislative representatives, among others.

Metro held numerous CAG meetings to share information about the program and get feedback on everything from the concept of operations to the toll rates and tolling policy to the mitigation for low-income commuters. Eight public hearings were held during the environmental planning phase and another seven public hearings were held to collect public feedback on the performance of the program in 2014. Meetings were held with Spanish and Mandarin translation provided, and were advertised in foreign-language and English newspapers as well as ethnic newspapers along the corridors. Since its inception the program team has conducted more than 400 grassroots stakeholder briefings with neighborhood councils, community organizations, and local city councils to get meaningful community input.

**Result:** Whenever there is talk of pricing the issue of fairness is raised. Senate Bill 1422 (Ridley-Thomas), which conveyed tolling authority to Los Angeles County Metro, required that Metro assess the impact of the program on low income commuters and provide mitigation. As a result, in March 2010 the Metro Board authorized the implementation of a Low Income Assistance Plan for low-income commuters that is the first of its kind in the country. With the Low Income Assistance Plan, residents of Los Angeles County with an annual household income (family of 3) equal to or below \$40,180 (twice the 2015 federal poverty level) qualify for a \$25 credit when they set up their account.

Since the Low Income Assistance Program began in 2012, more than 7,991 L.A. County households have enrolled. When transponders became available, Metro executed a countywide and targeted paid media campaign in English, Spanish and Mandarin to get the word out to diverse communities throughout the County. The campaign included billboards, radio and TV advertising, focus groups, social media, eblasts, briefings, information tables, and mobile van events reaching thousands of residents in LA County. The Metro ExpressLanes Mobile Van “MEL” was also launched to distribute transponders and provide Program information with particular emphasis in low-income and hard to reach areas. To date, over 245 MEL events and information

tables have been held at community fairs, schools, churches, businesses and conferences reaching thousands of residents directly in their neighborhoods.

During the evaluation phase, the team launched another multilingual paid media campaign, conducted focus groups on carpools and the Low Income Assistance Plan, and garnered extensive media coverage as well as more than 670 public comments.

In response to comment, Metro has increased transit service significantly in the ExpressLanes to provide more options that do not require payment of a toll. As a result of the increased transit investment there has been a 126% increase in Metro Silver Line ridership from 2011.

In addition, all net toll revenues must be invested in transit improvements in the corridors where they are generated. This offers a unique opportunity to advance the Long Range Transportation Plan (LRTP) and Metro's goals for a more sustainable countywide transportation system. During Round One, over \$20 million was distributed in the I-10 and I-110 corridors to increase mobility through a series of integrated strategies (transit operations, transportation demand management, transportation systems management, active transportation, and capital investments).

The Corridor Advisory Group and its Net Toll Revenue Grant Program Subcommittee continues to meet at least twice a year to provide strategic guidance and valuable feedback on the Grant Program, process, and eligibility guidelines. The Subcommittee, which was formed in 2014, reviews staff recommendations for grant recipients. In 2016, they will meet again to evaluate applications for the Round Two grants to ensure that the process is open, transparent, fair, and accountable.

***Project: Metro Bike Share Crowd Sourcing Outreach***

Metro partnered with the City of Los Angeles to launch the Downtown Los Angeles Metro Countywide Bike Share Pilot Program in Summer 2016. The Pilot Program features up to 1,000 bicycles and 80 stations in Downtown Los Angeles. The Program provides a fleet of bicycles that can be borrowed for short periods from strategically placed bike share stations. This user-friendly bike share system will increase transportation choices for people making short trips and traveling to and from transit stations. There are options to expand the system countywide to other bike-ready communities throughout Los Angeles County in future years. Metro is supporting communities throughout the region as they prepare to join the Metro Bike Share program, and working with other cities that are launching bike share programs, such as Santa Monica and Long Beach, to create an interoperable system.

### ***Customized Approach: Engage Social Media, Grassroots Outreach and Local Business Districts to Maximize Stakeholder Involvement in the Station Siting Process***

In Summer 2014, Metro's Bike Share team developed a list of pilot bike share stations in downtown Los Angeles, Long Beach and Pasadena using community input received through an interactive crowd sourcing map. In December 2014 the team further refined that list by taking additional public suggestions for bike share locations throughout the county. Metro received a tremendous response with suggested locations identified from Arleta to Pomona.

**Result:** Based on preliminary studies and this robust public feedback process involving stakeholders throughout LA County, over 100 possible station locations were identified for the pilot program in Downtown Los Angeles.

Metro is further refining station locations based on additional public feedback. In November 2015 a crowd sourcing website – [www.metro.net/bikeshare](http://www.metro.net/bikeshare) – was launched which allowed members of the public to view the map of proposed Bike Share station locations and say why they liked or disliked a location directly on the map. Business Improvement Districts and community organizations shared this link with their networks, and the team encouraged feedback from stakeholders who live and work throughout Downtown Los Angeles through social media networks.

In addition, the Bike Share team provided numerous briefings to BIDs and community organizations in Downtown Los Angeles to collect input from residents, businesses and property owners on their Bike Share station siting preferences. This engagement program involved the community at every step of the planning process by allowing hundreds of stakeholder to state their station preferences. The terrific response from the public is expected to result in a strong sense of ownership and involvement among users when the program is launched in Summer 2016.

## **5. Public Engagement Measures and Objectives**

- **Monitoring and Tracking**

In Los Angeles County, an immense service area encompassing 10 million residents, the responsiveness of the public transit system to public opinion is essential to the sustainability of the system. In order to meet the needs and expectations of residents and stakeholders, Metro's Plan must be monitored, fine-tuned and adjusted.

The Plan has been developed utilizing a wide range of analytical tools, data sources – including the Four Factor Analysis<sup>16</sup> – culturally- and community-informed human resources, social media, partnerships with community-based organizations and institutions including government, engagement of area businesses and informed and applied outreach practices.

Metro’s metric for monitoring and tracking public engagement and participation in projects/programs/service changes, is based on and evaluated concurrently at four levels:

- Metro’s Community Relations Team management, which convenes weekly to assess the methods employed and provide assessment and approval of reasoned adjustments in county-wide outreach based on updated community input, staff experiences, desires and concerns of transit stakeholders, participation levels, new project information and issues to be conveyed.
- The project team is comprised of staff who are vested in grassroots community engagement and who solicit, receive and record input as the public process is initiated. This recordkeeping and observation of community engagement provide insight to short-term adjustments and informs long-term strategic planning.
- Responses from social media messaging can be assessed on a virtually daily basis through web analytics.
- In order to continually provide excellence in service and support for all Metro customers, including people with Limited English Proficiency, Metro surveys its customers twice a year in English and Spanish as well as maintains a website with the survey in the seven other languages identified in Metro's Limited English Proficiency Plan Four Factor Analysis. Metro assesses the languages spoken in the communities of interest at the outset of environmental planning studies for new projects. For public meetings, Metro often provides translation into Spanish or another language known to be prevalent in the community where the meeting is occurring. The agency also provides translation into other languages at meetings if the request is received at least three working days (72 hours) prior to the meeting and meeting notices provide basic information for how to request this translation.

In addition, under Title VI reporting measures and LEP Plan updates, the public is surveyed through various methods on Metro’s public engagement measures and objectives. These were considered in developing this Plan model.

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<sup>16</sup> Metro’s 2016 LEP Plan Four Factor Analysis can be found in the *Title VI Program Update* which will be available at [www.metro.net/civilrights](http://www.metro.net/civilrights)

The previously presented best practice project examples are perhaps the most compelling measure of meaningful access: projects that carry the impression of community comment through program design.

## **6. Conclusion**

This Plan must, first and foremost, be accountable to the public. This plan ensures that no person shall on the grounds of race, color, national origin, sex, disability, age or any other protected category described by state or federal law be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Metro programs or activities. This Plan has been assembled to capture the methods, innovations and measurements representative of the agency's commitment to meet and exceed the prescribed requirements as a recipient of public investment, Title VI regulations, FTA Circular instructions in consideration of Environmental Justice, FHWA requirements, and on behalf of Limited English Proficient, low-income, and minority communities and individuals with disabilities.

## 7. CEO Signature Page

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Phillip A. Washington, Chief Executive Officer

Date:



## 8. Resources Page

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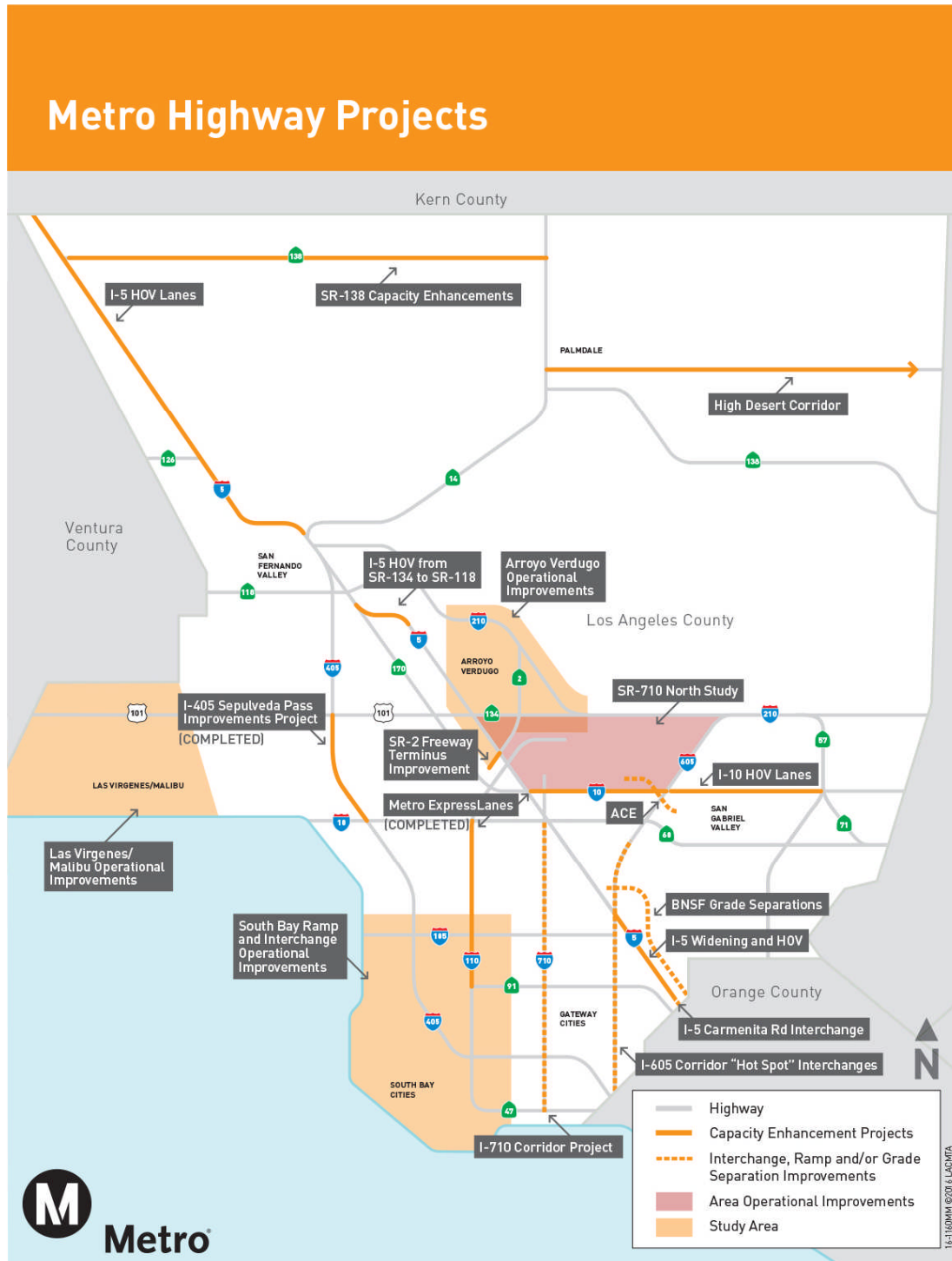
## 9. Attachments (see following pages)

- Attachment 1 - Metro Transit Projects
- Attachment 2 - Metro Highway Projects
- Attachment 3 - Database of Stakeholders
- Attachment 4 - Database of Media Including Ethnic Media
- Attachment 5 - Metro's 2016 Draft Public Participation Plan Outreach Summary
- Attachment 6 - Metro's 2016 Draft Public Participation Plan Comment Matrix and Letter

# Metro Transit Projects



Attachment 2 – Metro Highway Projects



### Attachment 3 - Database of Stakeholders

Active Transportation Stakeholders (including Bicycle and Pedestrian)
Advertising Firms
Advocacy Organizations
Airports (including Burbank, John Wayne, Long Beach, Los Angeles World, Santa Monica, and Van Nuys Airports)
Braille Institute
Business Improvement Districts
Business Organizations and Trade Associations (including LA County Business Federation, Valley Industry Alliance and Valley Industry and Commerce Association)
Carpoolers and Vanpoolers
Chambers of Commerce
Citizens Advisory Committees
City and County Commissions, including commissions on disabilities
City and County Staff throughout the 88 cities and unincorporated areas of LA County (including City Managers, City Planning and Public Works Departments)
City Planning Associations
Civic Clubs (including Rotary and Kiwanis)
Commercial Bus, Taxi, and Car Share Services, Car Rental Agencies, and Transportation Network Companies (including Uber and Lyft)
Community Advisory Groups
Community Fairs and Festivals
Community Food Banks and Pantries
Community Leadership Councils
Community-Based and Nonprofit Organizations
Constituents/Residents (Members of the General Public)
Councils of Government (including Arroyo Verdugo, Gateway Cities, North County Transportation Coalition, Las Virgenes-Malibu, San Fernando Valley, San Gabriel Valley, South Bay Cities and Westside Cities) and Southern California Association of Governments
Cultural/Arts Organizations
Developers/Real Estate Firms
Educational Institutions (including K-12, Higher Ed, Trade Schools and Apprenticeship Programs) and School Bus Services
Employee Transportation Coordinators
Energy Industry
Entertainment Industry and Major Entertainment Venues

Environmental Justice Advocates
Environmental Organizations and Conservancy Groups (Air, Soil, and Water Quality and Remediation)
Farmers Markets
Federal, State, and Local Elected Officials and Staff (including Senators, Members of Congress, State Senators and Assemblymembers, County Supervisors, Mayors and City Councilmembers representing the 88 cities and unincorporated areas of LA County)
Financial Institutions
Foundations
Government Agencies (including General Services Administration)
Healthcare Industry / Hospitals and Medical Institutions
Homeowners Associations, Block Clubs, and Community/Neighborhood Watch Groups
Hospitality Industry (including LA Tourism and Convention Board, tourist and visitor centers)
Independent Living Councils
LA County Economic Development Corporation
LA River Advocates and Organizations
Labor Organizations (including Unions, Project Labor Agreement Stakeholders)
Law Enforcement Sector and Public Safety Organizations (including California Highway Patrol, LA Sheriff's Department Transit Services Bureau, and Police and Fire Departments through LA County)
League of Cities
Legal Sector
Logistics Firms (including Delivery Services and United States Parcel Services)
Los Angeles County Economic Development Corporation
Media, Blogs and Social Media Outlets
Metro Service Councils, Citizens Advisory Council, and Other Advisory Committees (including the Accessibility Advisory Committee, Blue Ribbon Committee, Technical Advisory Committee and Subcommittees, Measure R Oversight Committee, and Transportation Business Advisory Council)
Native American Tribal Organizations
Neighborhood and Town Councils
Office of the Inspector General
Parks and Recreation Groups

Ports (including California Association of Port Authorities, Ports of Los Angeles and Long Beach, and San Pedro Cruise Ports)
Professional Organizations
Public Agencies
Public Libraries
Regional Centers (for individuals with developmental disabilities and their families)
Rail Companies and Agencies (including Amtrak, BNSF, High Speed Rail, and Metrolink)
Rancho Los Amigos
Religious Organizations and Faith-Based Institutions
Senior Centers
Social Service Agencies
Stakeholder Working Groups and Outreach Advisory Committees
Trade Associations
Transit Advocates (including Bus Riders Union)
Transit Agencies and Providers
Transportation Agencies and Advocates (including AAA)
Trucking Associations
Vendors, Consultants and Contractors
Veterans Administration
WorkSource Centers

#### Attachment 4 - Database of Media Including Ethnic Media

<b><u>Major Dailies/General Market/Wire Services</u></b>
LA Times-Full Run
Los Angeles News Group Metro (Includes Daily News, Long Beach Press-Telegram, Torrance Daily Breeze, San Gabriel Valley Tribune, Pasadena Star News, Whittier Daily News)
City News Service
Associated Press
Reuters
UPI
Bloomberg News
New York Times
EFE (Spanish Language News Group)
Notimex
<b><u>Westside Central/Downtown Los Angeles</u></b>
The Malibu Times
Santa Monica Mirror
Santa Monica Daily Press
Beverly Hills Courier
Beverly Hills Weekly
Los Angeles Independents (Part of Wave Nwsp Group. Includes the LA Independent and Wave Culver City Star)
Prk Labrea Nws/Bev Press
L. A. Downtown News
The Argonaut
Culver Cty Nws/Blue Pacific
Culver City Observer Grp
Includes: Culver City Observer, Santa Monica Observer
Inglewood Today Weekly
Our Weekly LA
L.A. Business Journal
Beach Reporter
UCLA Daily Bruin
Wehnews.com
Brentwood News
L.A. Weekly
Watts Times

Larchmont Chronicle
Random Length News
<b><u>San Fernando Valley</u></b>
Daily News
Valley News Group (Includes Warner Center News, Valley Vantage and Las Virgenes Enterprise)
SVF Sun\El Sol
The Toluca Times
Chatsworth Patch
Encino Patch
San Fernando Valley Business Journal
Glendale News Press
Santa Clarita Signal
Toluca Times
Van Nuys Press
<b><u>San Gabriel Valley</u></b>
San Gabriel Valley News Group
Eastern Group
Pasadena Weekly
Beacon Media Full Group (Includes Pasadena Independent, Arcadia Weekly, Monrovia Weekly, San Gabriel Sun, Sierra Madre Weekly, Temple City Tribune, Azusa Beacon, Duarte Dispatch, El Monte Reader, Rosemead Reader)
The Outlooks
Includes La Canada Flintridge Outlook and Pasadena Outlook
Mid Valley News
East L.A. Times
South Pasadena Review
Whittier Daily News
Alhambra Source
<b><u>South Bay</u></b>
Torrance Daily Breeze
Beach Reporter
PV Peninsula News
Herald Pubs Group (Includes: El Segundo Herald, Torrance Tribune, Hawthorne Press Tribune, Inglewood News, Lawndale Tribune)
Easy Reader
Gardena Valley News
Inglewood Today



Inglewood News
Morningside Park Chronicle
California Crusader
Long Beach Post
L.A. Focus
<b><u>Gateway Cities</u></b>
Long Beach Press Telegram
Los Angeles Wave Publications Group (Include Wave West, Wave East, NE Wave, The Press, Herald American, Lynwood Press)
Downey Patriot
The Compton Bulletin
Cerritos Comnty News Group (Includes Los Cerritos Community News, Norwalk Community News, Pico Rivera Community News, La Mirada Lamplighter, Downey Community News)
Gazette Newspapers (Includes Downtown Gazette, Grunion Gazette)
Signal Tribune (Signal Hill)
<b><u>Antelope Valley</u></b>
Antelope Valley Press
Antelope Valley Times
<b><u>African-American</u></b>
L.A. Watts Times
Los Angeles Sentinel
Inglewood Today
<b><u>Spanish</u></b>
La Opinion
Impacto USA
Hoy
Dia a Dia
La Voz Libre
CNN Latino
CNN Espanol
Vida Nueva
<b><u>Other including Armenian, Asian and Jewish Media</u></b>
China Press
Chinese Daily News
World Journal News
Sing Tao Daily
The Korea Daily

The Korea Times
The Rafu Shimpo
Sereechai News Inc.
Asbarez Armenian Daily Newspaper
Nor Gyank
Philippine Media
Asian Journal Pub, Inc.
Asian Pacific News
Panorama
Asian Pacific News
Jewish Journal
Epoch Times
International Daily News
Japanese Daily Sun
Bridge
Frontline
LaLaLa
Vivinavi
Nikkansan
Japan Up
<b><u>Major Television Stations/Cable</u></b>
KCBS/KCAL 2/9
KNBC 4
KTLA 5
KABC 7
KTTV 11
KMEX 34
KTAN & LA 18
KWHY 22
KVEA 52
KAZA 54
KBS 24
KRCA 62
LA City View 35
ETTV America (Chinese)
Skylink TV
Crown City News
CNN

KCET
Time Warner Cable
Asahi TV
Annenberg TV News
MBC
NTDTV
TVKZU
Telemundo
Univision
Time Warner Cable News Channel Antelope Valley
UTB
NHK
<b><u>Major Radio Stations</u></b>
KNX
KFWB
KFI
KCRW
KPCC
KPFK
KROQ
KABC Radio
KWKW Radio
Metro Networks
Radio Exitos
Univision Radio
KCSN
National Public Radio
Voce of America
Radio Korea
Radio Manila
Radio Seoul
<b><u>Blogs</u></b>
L.A. Streetsblog
Curbed L.A.
Laist.com
BlogDowntown
The Source
El Pasajero

Latinola.com
USC Neon Tommy
Huffington Post
L.A. Observed
Planetizen
Transit Coalition
Metroped.net
Latino California
The Eastsider
The Voice
<b><i>Trades</i></b>
Passenger Transport
Fleets and Fuels
Engineering News Record
Mass Transit
Metro Magazine
Builders & Developers
Building Trade News

## Attachment 5 - Metro's 2016 Draft Public Participation Plan Outreach Summary

### Background

In February 2016, Metro Community Relations released the Draft Public Participation Plan (Plan) for a 30-day public comment period concluding March 12, 2016. The FTA requires Metro to issue a Plan as part of its Title VI Program Update every three years. This plan guides all of Metro's outreach to gather important public input on possible changes to bus and rail service, new projects in planning and in construction, fares and other programs. Metro sought the public's input to help make this plan the best it can be.

### Outreach on Draft Plan

Metro sent an e-blast to more than 11,000 stakeholders county-wide, presented at Metro's five sub-regional Service Councils, Citizens Advisory Council, Accessibility Advisory Committee, and LA County Commission on Disabilities. Metro also spread the word through social media, The Source and El Pasajero. Based on the public feedback, the Draft Plan was revised and will be submitted to the Metro Board of Directors for their consideration.

- Metro went above and beyond what was legally required in seeking public input to help make the Draft Plan the best it can be.
- The Plan that was approved by the Metro Board in 2013 was updated in early 2016 by a multidisciplinary committee of Metro Departments, including Marketing, Construction Relations, Community and Municipal Affairs, Local Programming, Transit Safety Programs, Digital Communications, Office of Civil Rights, Customer Relations, the Office of Strategic Initiatives, and Public Relations.
- In addition to the Plan, this committee updated other documents as part of the 2016 Title VI Program Update, including the Four Factor Analysis (led by Strategic Initiatives and Marketing) and Triennial Program Update (led by Community Relations).

### Outreach Plan and Schedule

A variety of methods were employed to get meaningful public feedback on the Plan.

- Metro asked members of the public to say what they thought by sending comments to [communityrelations@metro.net](mailto:communityrelations@metro.net) or Metro Community Relations, One Gateway Plaza, MS 99-13-1, Los Angeles, CA 90012 by 3/12/16
- Members of the public visited [metro.net/communityrelations](http://metro.net/communityrelations) to:
  - View the Draft Plan in English and other languages, including Armenian, Chinese, Japanese, Korean, Russian, Spanish, Thai, and Vietnamese
  - Learn about meetings where the plan was presented
  - View the presentation

### Feb/Mar 2016 - Public Comment Period

A 30-day comment period was held for the Draft Plan from Friday, February 12 – Saturday, March 12, 2016, during which time Metro used the following outreach methods to maximize public feedback:

- Posted the plan in nine languages (English plus eight languages listed above) on the Community Relations website – [metro.net/about/community-relations/](http://metro.net/about/community-relations/).
- Every Voice Counts (EVC) – CEO Brief
  - Placed a paragraph in CEO’s EVC Brief on Friday, Feb. 19<sup>th</sup> to announce availability of the Plan to the Metro Board.
- Sent eblast to the following stakeholders\*:
  - Federal, State and Local Elected Officials throughout LA County
  - City Managers, Public Works Directors, and Planning Directors
  - Key Organizations, Non-profits and Businesses throughout LA County
  - Cultural and Ethnic Stakeholders throughout LA County
  - Metro’s Rider Relief Transportation Program Stakeholders
  - Metro Advisory Councils and Committee Members, including Metro Service Councils, TAC and TAC Subcommittees, Measure R Oversight Committee, Accessibility Advisory Committee, Office of the Inspector General, and Blue Ribbon Committee
  - COG Executive Directors
  - Construction Project Databases

\*These stakeholders were encouraged to eblast the Plan to their networks to further broaden the reach.

- Provided presentations on the plan at all five Metro Service Councils, Accessibility Advisory Committee, Citizens Advisory Council, and LA County Commission on Disabilities on the following dates and included a link to the presentation on the Community Relations webpage:
  - San Fernando Valley Service Council- Wednesday, February 3, 2016 at 6:30 pm at Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl
  - San Gabriel Valley Service Council- Monday, February 8, 2016 at 5 pm at Metro Division 9 building (adjacent to the El Monte Station) in El Monte, 3449 Santa Anita Ave, 3rd Floor Service Council Room
  - Westside/Central Service Council- Wednesday, February 10, 2016 at 5 pm at Metro Gateway Headquarters, adjacent to Union Station
  - Accessibility Advisory Committee – Thursday, February 11, 2016 at 10:30 am at Metro Gateway Headquarters, adjacent to Union Station
  - Gateway Cities Service Council- Thursday, February 11, 2016 at 6 pm at Salt Lake Park Community Center in Huntington Park, 3401 E Florence Av
  - South Bay Service Council- Friday, February 12, 2016 at 9:30 am at Inglewood City Hall, One Manchester Bl
  - LA County Commission on Disabilities on Wednesday, February 17 and April 20, 2016 at 1 pm, 500 W. Temple Ave., 3rd floor room 374A

- Citizens Advisory Council- Wednesday, February 24, 2016 at 6:30 pm and Friday, May 6, 2016 at 12pm at Metro Gateway Headquarters, adjacent to Union Station
- Spread the word via Facebook (facebook.com/losangelesmetro), Twitter (@metrolosangeles), The Source, Metro English language blog, and El Pasajero, Metro's Spanish language blog.

In Spring 2016, after the 30-day public comment period, Metro's multidisciplinary committee:

- Tabulated Public Comments.
  - 46 comments were received, including:
    - 3 related to Advisory Councils' Roles
    - 3 related to Environmental Justice
    - 3 were General comments
    - 13 related to Goals and Guiding Principles
    - 3 related to Language Translation
    - 2 related to Media
    - 3 related to PPP examples
    - 2 related to PPP outreach
    - 3 related to Stakeholder outreach
    - 4 related to Service Change outreach
    - 3 related to Service Councils' Roles
    - 2 related to Strategies, Methods and Procedures
    - 2 related to Website and Social Media Policy
- Revised the Draft Plan in response to the public comments.

Afterwards, the 2016 Plan was submitted to the Metro Board of Directors for their consideration.

**Attachment 6 - Metro's 2016 Draft Public Participation Plan Comment Matrix and Letter**



**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

<b>Name</b>	<b>Date</b>	<b>Format</b>	<b>Comment</b>	<b>Response</b>	<b>Any Change(s) Made to PPP</b>
SFV Service Council Chair Michael Cano	Wed., Feb 3, 2016	San Fernando Valley (SFV) Service Council Meeting at 6:30 pm, Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl	Verbal: Is the draft plan in all of the languages that it will be presented?	Verbal: Yes, It's in Armenian, Cambodian, Chinese, Japanese, Korean, Russian, Spanish, Thai and Vietnamese. - Community Relations Manager Karen Swift	No.
SFV Service Council Member Jess Talamantes	Wed., Feb 3, 2016	San Fernando Valley (SFV) Service Council Meeting at 6:30 pm, Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl	Verbal: You forgot Tagalog.	A federally required Four Factor Analysis of Limited English Proficiency (LEP) persons found that with the number of Metro riders, the English fluency reported in this community, and resources available, Tagalog was not one of the eight non-English languages identified in Metro's 2013 LEP Plan.	No.
SFV Service Council Member Yvette Lopez-Ledesma	Wed., Feb 3, 2016	San Fernando Valley (SFV) Service Council Meeting at 6:30 pm, Marvin Braude Constituent Center in Van Nuys, 6262 Van Nuys Bl	Verbal: I think this is great. I can't stress enough the value of community outreach, and you've done an excellent job and now it's time to just work on Metro to be really able to make sure this outreach -- let people know about things that are coming like the corridor and the planning process, but also in encouraging people, you know, to use the service.	N/A	No.

**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Mr. Timberlake	Mon., Feb 8, 2016	San Gabriel Valley (SGV) Service Council at 5 pm, Metro Division 9 building in El Monte, 3449 Santa Anita Ave, 3rd Floor Service Council room	Verbal: Mr. Timberlake commented on public participation at hearings when a bus line is proposed for cancellation or to be assumed by another municipal operator. He has ridden three of the lines proposed for cancellation and hardly anyone he spoke to on the bus knew about the proposed changes. He suggested placing an 8 1/2" by 11" sign on the bulkhead with information about the bus line. It should be large enough that people see it. Of the 30 people he spoke with, only 2 knew that the line was proposed for cancellation. The take one brochures are not enough to inform people of proposed changes.	Despite Metro's best efforts to notify the public, some stakeholders were unaware of the service change proposals. Staff has taken a step to select time and locations for public hearings that may be scheduled for July 2016 that would affect service. By having this step already completed, additional time is being allowed for Metro to advertise the hearing dates and times and to further provide opportunities for more people to obtain the required information.	No.

**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
WC Service Council Member Maria Sipin	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: I'm looking at the life cycle of community outreach, and it strikes me as really interesting that the Metro service councils seem to be in its own little bubble, in its own world, detached. I would think it would have some relation to community and municipal affairs or have more of a list below it, but I also understand that we focus on bus and rail service issues.	Verbal: All of these core functions relate to one another. The Community Relations Department is comprised of community and municipal affairs managers, construction relations managers, and transit safety managers. Although they are not Metro staff, Service Councils provide them guidance and leadership. Service Councils also provide feedback on the service of the system comes to the community and municipal affairs managers, and that feedback is factored into their activities as well as into the agency's big picture endeavors. - Community Relations Manager Eric Geier	Yes. The Accessibility Advisory Committee and Citizens Advisory Council were added to the Metro Service Councils' unit of the The Life Cycle of Community Outreach graphic in the Goals and Guiding Principles section. This better reflects the breadth of advisory committees that provide guidance and leadership on bus and rail service issues and more.

**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
WC Service Council Member Maria Sipin	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: I really wanted to hear from you how you think we could operate better in terms of these meetings. I think our last discussion at our last meeting talked about some of our ways that we can improve getting better attendance in this room. Just stepping back, how do you view the service councils and do you have any recommendations you can make in terms of how we can better improve these meetings and how we operate?	Verbal: There have been suggestions to hold the meeting at a different location. I understand the challenges that come along with that, but I also understand the benefits. There's a lot of the services that goes on the Westside. It is the "Westside/Central" service council but as I look around the room and see folks that are from further west, getting Downtown at 5 pm on a weekday night isn't necessarily the easiest thing to do. I think there's definitely credence to seeing about holding the meeting in another location. - Community Relations Manager Eric Geier	No.

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See above.	See above.	See above.	See above.	<p>Verbal: We also have live web casts, media relations, newsletters, public hearings and social media. While it might not necessarily be apparent from the attendance at the service council meetings, a lot of the times service council members do work outside of the meetings. They inform their own stakeholders and public interest groups about the things that they are educated about and that they weigh in on here at the meetings. They are seen in the community when there are community meetings held for draft EIS/EIR and workshops regarding station naming or other public events. They're all interrelated.</p>	See above.

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See above.	See above.	See above.	See above.	<p>Service councils all vary specifically in terms of the organizational charts under bus and rail service. But over the last year or two particularly, the current Metro Board has been looking more and more towards Service Councils to make sure that everything from fare structures, to bus service changes, to larger projects, are brought before them. Their functions are becoming more integrated. Unfortunately it's not always reflected in the attendance at the meetings. - Service Council Analyst Dolores Ramos</p>	See above.

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WC Service Council Member Elliott Petty	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: The FTA requires that the plan be responsive to environmental justice principles. Can you define what those types of principles are that the FTA put forth?	Verbal: We do a Title VI analysis for service changes that studies distributive equity, and who's receiving the services that are being paid for using federal or other tax dollars. That is one of the essential parts, and we look at not only the individuals who are being affected by the projects but the wider community, and that's part of the environmental justice activity. - Deputy Executive Officer Gary Spivack	No.

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WC Service Council Vice Chair David Feinberg	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: Have transit systems done any disparate impact studies to make sure that your impacts, when you make service changes, aren't impacting certain communities [disproportionately]. If they are, how do you respond to that so that it's very clear?	Verbal: The most basic example I can give is the outreach we provide to different audiences and different languages. Metro studies what language groups use our system and are in L.A. County. As a result of that, information regarding all public meetings is listed in nine languages on the front of every single service council agenda. We also provide translation of major documents on the website, including the draft public participation plan which was translated into nine languages. - Service Council Analyst Dolores Ramos	No.
WC Service Council Vice Chair David Feinberg	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: If you have a service change on a line, does that trigger a public hearing?	Verbal: Yes. In fact, as a result of the public hearing that we're going to have after this meeting, all of the information will be transcribed and put into the analysis, and we will make recommendations back to the service council in March relative to the hearing comments. - Deputy Exeucutive Officer Gary Spivack	No.



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WC Service Council Vice Chair David Feinberg	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: I didn't know if this public participation plan was different than the public hearing policy so I wanted to make sure.	Verbal: It's the whole ball of wax relative to what we're doing as an agency and how we communicate to the public. - Deputy Executive Officer Gary Spivack	Yes. A footnote was added to Goals and Guiding Principles to clarify that the Plan's new Minimum Baseline Thresholds for Public Outreach are in addition to the guidelines for public hearings on fares and service changes.
AAC Board Member	Thu., Feb 11, 2016	Accessibility Advisory Committee (AAC) at 10:30 am, Metro Gateway Headquarters	Verbal: I highly recommend that you add Metro's AAC to the ["Life Cycle of Community Outreach"] process wheel.	Verbal: We think this is a great idea. The graphic will be revised to include the AAC. - Sr. Community Relations Officer Bronwen Keiner	Yes. The Accessibility Advisory Committee and Citizens Advisory Council were added to the Metro Service Councils' unit of the Life Cycle of Community Outreach graphic in the Goals and Guiding Principles section. This better reflects the breadth of advisory committees that provide guidance and leadership on bus and rail service issues and more. In addition, a paragraph summarizing the role of the AAC was added to the Goals and Guiding Principles section.

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AAC Board Member	Thu., Feb 11, 2016	Accessibility Advisory Committee (AAC) at 10:30 am, Metro Gateway Headquarters	Verbal: You should have city and county commissions on disabilities on your stakeholder list. Independent Living Councils (ILCs) need to be informed on this as well. We need an email on this so we can distribute it to our contacts, too.	Verbal: An e-blast regarding the PPP was sent to county-wide stakeholder database on Friday, 2/12. Metro asked staff and members of the AAC to forward it along to their own contacts and stakeholders in turn. In addition, contacts for the ILCs and city and county commissions on disabilities will be added to Metro's stakeholder database to receive updates on all Metro's projects, and programs. - Sr. Community Relations Officer Bronwen Keiner	Yes. ILCs and contacts for the city and county commissions on disabilities have been added to the Database of Stakeholders as noted in Attachment 3.
AAC Staff Person Yvonne Price	Wed., Feb 10, 2016	Westside/Central (WC) Service Council at 5 pm, Metro Gateway Headquarters	Verbal: Recommended that the PPP be presented at the LA County Commission on Disabilities (LACCOD) as well.	Verbal: Excellent suggestion. Follow-up: Joanna Lemus provided an update at the LACCOD meeting on 2/16 and Bronwen Keiner provided the presentation at the LACCOD meeting on 4/20. Commissioners provided input at both meetings.	No.

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J.K. Drummond	Fri., Feb 12, 2016	South Bay Service Council at 9:30 am, Inglewood City Hall, One Manchester Bl	Verbal: J.K. Drummond commented on the Draft Public Participation Plan presentation on Metro's outreach to gather important public input on possible changes to rail and bus service. He feels outreach has been inadequate and in one case distorted. Maps of all the proposed changes should be available at all of the Council meetings along with maps of routes outside of the South Bay. Residents connect with lines outside the South Bay and the changes affect them. The legal descriptions on the public change notice were inadequate. He feels maps are needed.	Metro staff have not traditionally provided maps of service changes at the time that a hearing date is selected. Other brochures describe the change, but do not include maps because of space requirements and costs for advertising. Metro meets all of the requirements for providing information to the public regarding service changes. Metro staff will investigate the possibility of including maps for future notifications.	No.
Commission Member	Wed., Feb 17, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: Suggest that Metro have surveys on the bus to gather input from customers who may not have internet accessibility.	Metro surveys its customers twice a year in English and Spanish as well as maintains a website with the survey in the seven other languages identified in Metro's 2013 Limited English Proficiency Plan Four Factor Analysis.	No.

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Commission Member	Wed., Feb 17, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: Comment that input taken at outreach events is not being effectively shared with Metro employees. The impression is that many outreach events are led by consultants who do not make an effort to share the public's concerns.	Good feedback. A change was made to the Goals and Guiding Principles section of the Plan.	Yes. A section was added to the Goals and Guiding Principles explaining that consultants must provide detailed written records of public feedback received to Metro.
Commission Member	Wed., Feb 17, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: Comment that some feel that feedback is provided however changes are not seen.	Good feedback. A change was made to the Goals and Guiding Principles section of the Plan.	Yes. A section was added to the Goals and Guiding Principles explaining that Metro must consider all comments received and employ them to affect meaningful change.
CAC Member Tony Banash	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Asked "What is environmental justice?" He hears this buzzword a lot.	Verbal: Responded that "incorporating environmental justice principles into plans, etc." means that Metro is responsible for conducting effective outreach to communities throughout LA County - equitably across geographic regions - including to minority and low-income communities that have been historically disadvantaged. - Sr. Community Relations Officer Bronwen Keiner	No.

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CAC Member Wally Shidler	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Noted that 80% of Metro ridership is below the federal poverty level, and that this ridership is very diverse. He asked, "What does Metro need to do to get a more economically diversified ridership?"	Verbal: Responded that this was a good comment and would be considered in the updated Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. The Goals and Guiding Principles section was updated to highlight Metro's diverse ridership. A Minimum Baseline Threshold was added to require that Metro look at community decision-making processes through several lenses, including neighborhood and community values, LA County community structures, urban and rural areas, and special ethnic and cultural groups, paying particular attention to users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.
CAC Member Seymour Rosen	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Thinks we need to look at transportation differently here in LA County than they do in other cities such as San Francisco, Chicago, etc. because LA is so much larger and spread out geographically.	Verbal: We definitely agree with this point, and we will consider it as we update the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. See above.

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CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Hank Fung read the entire Draft Plan and made several comments/suggestions: o Overall, he thinks it's a good document with lots of good examples. He suggested that the SR710 Conversations be added as they are a very well-done model for public participation and education.	Verbal: Thanked him and replied that this is exactly the type of feedback that we are looking for. All of Mr. Fung's comments will be considered in the update of the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	No.
CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: The Plan should clarify "What is Metro's role?". How does Metro differ from Caltrans and the local jurisdictions, etc. in terms of project implementation, funding, etc? On the clarification, basically it's describing how this plan relates to other plans. For instance SCAG and Caltrans have their own PPPs, how does this relate, which one is followed for planning activities like the SR-710 North project? Because, in that project, Caltrans is preparing the EIR but Metro is involving in funding it through Measure R. Email Follow-Up (3/12/16): Coordination/relationship between Metro, SCAG, and Caltrans public participation plans - which plan is considered controlling depending on which project?	See above.	Yes. A sentence explaining that when multiple jurisdictions are involved in the same study or initiative (for example, when SCAG, Caltrans and/or other agencies partner with Metro), Metro will ensure that the Minimum Baseline Thresholds outlined in this Plan are upheld, at the least.

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CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: We should re-evaluate whether to use traditional Chinese or simplified Chinese in the written translation. Simplified Chinese is used among more recent immigrants and people from Taiwan whereas traditional Chinese is used by older immigrants from mainland China. So there are political implications. Email Follow-up (3/12/16): - Recognize diversity of Asian community, particularly Chinese (Simplified and Traditional Chinese writing, Mandarin and Cantonese dialects, among others).	This comment is important and will be considered in Metro's 2016 Limited English Proficiency Plan Four Factor Analysis.	No.
CAC Member Hank Fung	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: There should be a broad social media policy that covers all of Metro's social media pages and it should be welcoming to encourage an active dialogue, free speech and a variety of opinions. For example, Hank was blocked from the ExpressLanes Twitter page for posting something controversial but not foul or defamatory, yet he is still actively posting on the Metro general Facebook page. Why was he blocked from one and not the other? The policies need to be consistent.	Both Hank Fung and Erik Griswold have been unblocked from the ExpressLanes Twitter page.	Yes. An explanation of Metro's social media monitoring was included in the Online Communications section of the Strategies, Methods and Procedures. A sentence was added to note that Metro's Comment Guidelines will be updated to include platforms such as Twitter, Instagram, and other social media platforms as needed. Staff will also be trained on the policy.

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See above.	See above.	See above.	<p>Email Follow-Up (3/12/16): - Need a social media policy, especially for blocking. Public agencies should not be blocking people from reading their tweets or comments - this should be a hard and fast rule. If people are being abusive then the proper tool is to mute the person, or block them from posting comments on Facebook or the comment board in question. In particular, Erik Griswold's critical tweets on the Expresslanes site were not abusive and he should be unblocked. When individuals are muted, there needs to be a process of warning that person and due process. If they are making threats against Metro personnel or property, there should be existing procedures to refer them to law enforcement to determine if they are a threat and take appropriate action.</p>	See above.	See above.



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CAC Member Hank Fung	3/12/2016	Email	Need to have community meetings in transit accessible locations, and at times accessible to the public. Public hearings, especially, like at the sector councils need to be held at 6 pm or later, in places where there is transit access until 8 or 9 pm. For events and workshops that gear to both practitioners and nonprofits, put them in the late afternoon. I think the time for the active transportation plan workshops, for example, in the late afternoon were a good example, to allow people to participate in their work time if it is work related, while interested stakeholders not participating for work can leave early to attend. Also, live stream these meetings to allow those who are not present to watch presentations. This is easy to do with Periscope and Ustream, and has been done before with some Metro projects - but needs to be more consistent.	Verbal: Thanked him and replied that this is exactly the type of feedback that we are looking for. All of Mr. Fung's comments will be considered in the update of the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. A Minimum Baseline Threshold on "Community Meeting Locations and Times" was added to the Goals and Guiding Principles to require that all Metro-hosted community meetings and public hearings will be held at transit-convenient, ADA compliant venues at times that are flexible around working hours, such as at night and on the weekends. Venues will also be near the communities of interest. In addition, Periscope was added to the Strategies, Methods and Procedures section under "Additional approaches to communications" as a way Metro may often live streams community meetings.

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CAC Member Hank Fung	3/12/2016	Email	When there are presentations for CAC, steering committees like 710 TAC, etc. they should be posted within 7 days of them being presented. Once it is going out at a public meeting, it should be for public consumption. Create a policy for posting handouts, documents, etc. so that they are all online so people who couldn't make in person meetings have access to documents.	See above.	Yes. A Minimum Baseline Threshold on "Community Meeting Noticing" was added to the Goals and Guiding Principles to require that stakeholders are given a minimum of 10 days' notice for all Metro-hosted community meetings and public hearings. Notices will be provided in English and Spanish at a minimum, and translated into multiple other languages as demographics indicate. Ads and take-one notices will be placed on adjacent buses and trains for specific area meetings whenever possible. It also requires that meeting and hearing materials will also be posted online for those who are unable to attend in person.
CAC Member Hank Fung	3/12/2016	Email	News sites: Include Antelope Valley news outlets like the Antelope Valley Press, Antelope Valley Times, Time Warner Cable NewsChannel Antelope Valley, etc. The Antelope Valley is part of LA County, too!	See above.	Yes. Antelope Valley news outlets, include Antelope Valley Press, Antelope Valley Times, Time Warner Cable News Channel Antelope Valley were added to Metro's Database of Media outlined in Attachment 4.

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CAC Member Hank Fung	3/12/2016	Email	I think Metro could do better outreach to suburban city councils. Major utilities and County departments often attend city council meetings to share progress of items and projects. It would be nice for Metro to make presentations to the city councils of some of these outlying cities so that elected officials can feel connected to the agency and know what is going on. Work with the city managers to get a block of time, but even if it's not available, showing up to a public meeting and giving a three minute summary of activities every few months would help.	See above.	Yes. A Minimum Baseline Threshold was added to the Goals and Guiding Principles section to require that Metro look at community decision-making processes through several lenses, including rural areas. In addition, a paragraph was added to the Implementation of Guiding Principles ensuring that a lead Community Relations Manager is assigned to each geographic area of the county, including the outlying areas. He or she will identify opportunities to develop new and enhanced existing partnerships with cities and stakeholders and regularly attend city council meetings.
CAC Member Jerard Wright	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Jerard Wright asked if there was a Source article about the Draft Plan.	Verbal: Yes, the link to the Source article is here: <a href="http://thesource.metro.net/2016/02/14/for-your-consideration-metros-draft-public-participation-plan/">http://thesource.metro.net/2016/02/14/for-your-consideration-metros-draft-public-participation-plan/</a> - Sr. Community Relations Officer Bronwen Keiner	No.

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CAC Member Bill Weisman	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Bill Weisman commented that he has been active on the SR710 Community Advisory Committee. He said he's noticed that some Metro projects have contracted with outside consulting firms and some haven't. He asked, "What is the criteria for whether an outside consultant is hired?" He also noted that with the I-710 S lane addition and other projects, communities in historically disadvantaged neighborhoods are disproportionately affected by proposed infrastructure projects than others in more affluent areas.	Verbal: Traditionally Metro contracts with outside consultants if a project is large in size and has a definitive time-frame and scope of work. Metro typically contracts with outside consultants for projects in the environmental phase but typically not in construction or transit safety programs. The comment on disproportionate impacts is also noted. - Sr. Community Relations Officer Bronwen Keiner and Community Relations Manager Danielle Valentino	No.
CAC Member Darrell Clarke	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Darrell Clarke noted that Metro does a good job with our capital projects, but day-to-day operational issues are increasingly important. We need to do a better job of communicating with the public on operational issues, updates and challenges. Many CAC discussions revolve around this topic of operations and special attention to operations outreach should be highlighted in the Draft Plan.	Verbal: This is an excellent comment that will be considered as we update the Draft Plan. - Sr. Community Relations Officer Bronwen Keiner	Yes. A paragraph was added to the Implementation of Guiding Principles section outlining Metro's pressing need to resolve operational issues as the system ages and expands and guidelines for how Community Relations, Service Councils and advisory committees will communicate and coordinate to address daily operational issues, updates and challenges.

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CAC Member Tony Banash	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Tony Banash commented that the Citizens Advisory Council (CAC) has a clearly outlined mandate and code of conduct (Tony was specifically commenting on the short paragraph that is printed on the back of the CAC Agenda template that has been used since 2003). Follow-up: Per Tony's feedback, Metro needs to more clearly describe what the CAC does and to not repeat what in the past has resulted in a "gag order" on comments by CAC members.	Verbal: We think this is a great idea. The graphic will be revised to move the CAC into the Service Councils and Advisory Committees unit. More detailed information is also being added on the CAC's purpose and mandate.- Sr. Community Relations Officer Bronwen Keiner	Yes. The CAC and Accessibility Advisory Committee were added to the Metro Service Councils and Advisory Committees' unit of the Life Cycle of Community Outreach graphic in the Goals and Guiding Principles section. This better reflects the breadth of advisory committees that provide guidance and leadership on bus and rail service issues and more. In addition, details clarifying the CAC's purpose and mandate were added to the Goals and Guiding Principles section.
CAC Member Dalila Sotelo	Wed., Feb 24, 2016	Citizens Advisory Council at 6:30 pm, Metro Gateway Headquarters	Verbal: Dalila Sotelo asked presenter Bronwen Keiner to return in May to provide feedback on what we heard from constituents and explain how we incorporated their comments, suggestions and edits into the Draft Plan. That way the CAC could review the Final Draft before it is submitted to the Board for their consideration in the Fall.	Verbal: Bronwen responded that she would return in May to report on the updated Plan and would also provide a report on the updated Four Factor Analysis (focus groups on multi-lingual outreach in LA County). - Sr. Community Relations Officer Bronwen Keiner Follow Up: Bronwen Keiner and Jeff Boberg presented to the CAC Executive Committee on 5/6.	No.

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Commission Member	Wed., Apr 20, 2016	LA County Commission on Disabilities at 1pm, Kenneth Hahn Hall of Administration, 500 W. Temple Ave., 3rd floor room 374A	Verbal: This is a very thorough process that Metro goes through for outreach. I would like to suggest that contacts for the Regional Centers in LA County (offices for individuals with developmental disabilities and their families) should be in your database to receive updates and information. A lot of people there accessing those services also ride the bus.	This is an excellent comment. Community Relations will ensure that contacts for the LA County Regional Centers are already in or have been added to Metro's outreach database and will receive information and updates on all of Metro projects, programs and initiatives.	Yes. Contacts for the LA County Regional Centers have been added to Metro's Database of Stakeholders as noted in Attachment 3.
Aaron Paley	3/4/2016	Email	Just read it over. Looks fine to me! Thank you for sharing.	N/A	No.

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Jim Stoker	3/4/2016	Email	<p>1. Large areas of Los Angeles County have been left out of this plan. In particular, Palmdale and Lancaster seem to be missing in action. High desert residents already feel abandoned by most government agencies.</p>	<p>These comments - #1 regarding a need for outreach to the High Desert Corridor and #2 a need for Metro to engage the average commuter at every decision opportunity - were considered in the update of the Plan and related changes were made to the Goals and Guiding Principles.</p>	<p>Yes. 1. A Minimum Baseline Threshold was added to the Goals and Guiding Principles section to require that Metro look at community decision-making processes through several lenses, including rural areas. In addition, a paragraph was added to the Implementation of Guiding Principles ensuring that a lead Community Relations Manager is assigned to each geographic area of the county, including the outlying areas. He or she will identify opportunities to develop new and enhanced existing partnerships with cities and stakeholders and regularly attend city council meetings.</p>

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See above.	See above.	See above.	<p>2. The most vexing issue with the Metro Community Relations activities has been completely missed: That this group merely advances existing Metro strategies and projects. There is no provision made for hearing and acting on proposals for new projects, alternatives to existing projects, or outside expert opinions relating to proposed or ongoing Metro projects. In short, the Community Relations plan merely describes how Metro will work to manipulate public opinion to its own ends. Probably this is why most current Metro programs are totally irrelevant to the average commuter – except for painful fact that those same commuters are being asked to PAY for those projects.</p>	See above.	<p>2. Metro established eight Minimum Baseline Thresholds for Public Outreach to ensure that the public is involved in all stages of the life cycle of each project, program or initiative, from planning to operations. The Plan encourages public participation at every decision opportunity so that all perspectives are heard and everyone, particularly the average commuter, has a say on everything from changes bus and rail service, new projects in planning and in construction, fares and other programs.</p>



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See above.	See above.	See above.	3. This plan fails to address the importance of giving voice to those who will be significantly impacted – either positively or negatively, in the near term or long run – by Metro projects. In fact, recent experience has shown that the hearings are slanted toward and located near only those segments of the population who might see a project in positive light. The intent seems to be to create the impression of unanimous support and commendation of Metro programs.	3. A change was made to the Goals and Guiding Principles section of the Plan.	Yes. 3. A section was added to the Goals and Guiding Principles to explain that Metro is required to consider all comments received - positive and negative - and employ them to affect meaningful change. It also requires that Metro pay particular attention to those who will be significantly impacted, especially those who rely on walking, bicycling, buses and trains to meet their daily needs.

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See above.	See above.	See above.	<p>4. Lastly, this plan fails to deal with the “elephant in the room”: the prevailing public sentiment that Metro has, for decades, spent lavishly without accomplishing anything. Vast, expensive Metro transportation initiatives have been total failures in terms of ridership and benefit to the communities they were meant to serve. Community Relations staff must do the impossible: address decades of negative public sentiment concerning Metro in particular, and Public Transportation in Los Angeles county in general. This will require a radical departure from any strategy ever employed by Metro in trying to shape public opinion – and probably a rebuilding of the entire transit agency from the ground up.</p>	<p>4. This comment is an opinion that Metro's transportation initiatives have been total failures. We respectfully disagree. Metro's investments in public transportation throughout LA County have improved the quality of life for millions of Angelenos. Ridership exceeds 450 million rides a year, 1.4 million rides a day, on 2,200 buses and 99 miles of rail and subway. The system helps ease congestion and get people where they want to go. Metro is expanding through the public's investment, and we have a strong foundation in place to plan for future transportation needs.</p>	<p>4. No change was made to the Plan.</p>

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Richard Stanger	3/9/2016	Email	Thanks for the opportunity to comment on the public participation process. Metro needs to make sure its web pages for the projects are up-to-date. For example, the drawings for the Expo II line have been those for Expo I from the beginning. If the public wants to compare the progress on Expo II with the EIS/R drawings, that has never been possible. (This may be the first time someone's pointed this out, which of course is no excuse.)	This comment is appreciated and was transmitted to the web team. Follow-up: Metro's updated Expo Line Phase 2 to Santa Monica website debuted in April 2016: <a href="https://www.metro.net/projects/expo-santa-monica/">https://www.metro.net/projects/expo-santa-monica/</a> . It includes links to the Expo Phase 1 website and <a href="http://www.buildexpo.org">www.buildexpo.org</a> website which provides links to the Expo EIR for both phases.	Yes. A phrase was added to the Online Communications section under Strategies, Methods and Procedures to ensure that project landing pages are kept up-to-date with the newest maps and information.
Ann Dorsey	3/10/2016	Email	I am quite impressed with the measures that Metro takes to make it possible for the public to provide feedback regarding Metro Projects. I appreciated being able to comment on the EIR for the plans to extend the 710. It is difficult for me to be at meetings so having the option to read over and comment on projects through the internet makes it possible for me to participate.	This comment is appreciated, and an update to the Plan will be made.	Yes. A Minimum Baseline Threshold on "Community Meeting and Public Hearing Noticing" was added to the Goals and Guiding Principles to, among other things, require that meeting and hearing materials are posted online for those who are unable to attend community meetings in person.

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Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Kevin Burton	3/10/2016	Email	This is a comment on Metro's Draft Public Participation Plan. In the section on Metro's Los Angeles County Stakeholders, p. 5, please add a short paragraph describing Metro's Bicycle Roundtable, which provides a regular forum for L.A. County's bicycle community to engage with Metro staff on its Bike Planning services for bicyclists, including the Bike Share Program, which among other things helps address first mile/last mile issues. Such stakeholder participation will increase in importance as bicycling becomes ever more integrated into Metro's transportation system.	This is a great suggestion. The Plan will be revised to include Metro's multiple non-elected planning and advisory committees.	Yes. Three paragraphs were added to the end of the Goals and Guiding Principles section describing Metro's multiple non-elected planning and advisory committees, including the Bicycle Roundtable. These committees provide important guidance and leadership on a variety of Metro projects, programs and subject-area initiatives.

**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

<b>Name</b>	<b>Date</b>	<b>Format</b>	<b>Comment</b>	<b>Response</b>	<b>Any Change(s) Made to PPP</b>
Rey Fukuda	3/11/2016	Email	<p>To whom it may concern: Little Tokyo Service Center would like to add the following comments to the Draft Plan.</p> <p>General: - provide more time for public comment (the email was received this Monday, so we had 5 business days to comment) - have Japanese translation done by someone fluent in Japanese (the translation was very very hard to understand)</p> <p>How to hold meetings: - have more visuals in the plan, pictures of meetings, examples of committees etc - use of participatory planning tools for things like mapping - using popular education methods at meetings such as many visuals, interactive activities, use of real life examples, art</p>	<p>These are excellent suggestions. Although the Plan was circulated for a 30-day comment period, this stakeholder said he only had 5 business days to comment. Language translation should be provided by fluent language speakers. In addition, meetings should employ visual and participatory planning tools. The Plan will be updated to reflect these comments.</p>	<p>Yes. A bullet was added to the Strategies section to ensure that if Metro is requesting public feedback, stakeholders are given sufficient lead time to provide comments: 30-days at a minimum. In the Goals and Guiding Principles, two Minimum Baseline Thresholds on Language Translation were added to ensure that translation is performed by fluent speakers. In addition, a Minimum Baseline Threshold on Non-traditional Popular Education Methods was added to ensure that Metro uses visual and interactive educational methods to increase public awareness and understanding.</p>
Rey Fukuda	3/11/2016	Email	<p>Outreach: - using bus and train ad space to promote meetings - flyering on busses and trains for specific area meetings (match the train with meeting. e.g. Goldline Mariachi Plaza for a Boyle Heights specific meeting)</p>	<p>These are great suggestions. The Plan will be updated to reflect these comments.</p>	<p>Yes. A Minimum Baseline Threshold on Community Meeting Noticing was added to the Goals and Guiding Principles to ensure that ads and take-one notices are placed on adjacent buses and trains for specific area meetings whenever possible.</p>

**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Rey Fukuda	3/11/2016	Email	Ethnic Media outlets - rename "Other" to "Other including Asian and Jewish media" (or some description instead of just other) Under "Other" add the following: - Bridge - Frontline - LaLaLa - Vivinavi - Nikkansan - Japan Up TV - UTB - NHK	See above.	Yes. The Database of Media "Other" section was renamed to "Other, including Armenian, Asian and Jewish media" and updated to include the outlets noted here.

**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Joanne Kumamoto	3/17/2016	Email	I spoke to Ann Kerman on Monday regarding some thoughts on the draft Public Participation Plan on some general observations, not such a cookie cutter approach to Public Participation. Look at neighborhood and community decision making process through several lenses, including neighborhood and community values in Los Angeles County (urban/rural, special ethnic and cultural pockets, etc.) Community structures. Inclusion and/or exclusion of the METRO process. Ann suggested I send my observations in and that the staff will figure out how to include these in the plan.	Metro agrees wholeheartedly with these suggestions, and a new Minimum Baseline Threshold will be added to the Plan reflecting this key principle.	Yes. A Minimum Baseline Threshold on Neighborhood/Community Lenses was added to the Goals and Guiding Principles. This key principle will ensure that Metro utilizes an inclusive and tailored approach to public participation at every at every decision opportunity, paying particular attention to neighborhood and community values in Los Angeles County and users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.

**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
Investing in Place	3/11/2016	Letter via John Guevarra, Communications and Research Associate, Investing in Place	See attached comment letter.	The thoughtful and insightful letter from Investing in Place - particularly their comments about inclusive, multilingual and socioeconomically equitable outreach - are excellent suggestions that have contributed to several updates to the Plan. We agree that as the system expands, it is critical that Metro bridges connections with communities and individuals who have deep relationships and insights into community specific needs and tailors outreach to users with the most need.	Yes. Several key principles have been incorporated into the Plan to reflect these excellent comments. #1) The Goals and Guiding Principles section has been updated to reflect the acute need for Metro to deepen relationships with stakeholders county-wide, particularly with those who have the greatest need who use public transit as a primary method of getting around. As suggested, a key principle from the USC Program for Environmental and Regional Equity was incorporated as a Minimum Baseline Threshold to ensure that public outreach targets users who rely on walking, bicycling, buses and trains to meet their daily needs.



**Metro's 2016 Draft Public Participation Plan  
Comment Matrix**

Name	Date	Format	Comment	Response	Any Change(s) Made to PPP
See above.	See above.	See above.	See above.	See above.	<p>#2) New Minimum Baseline Thresholds incorporated the suggestions to provide community meetings and materials in multiple languages, hold meetings that are flexible around working hours and encourage meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips. #3) Additional Thresholds were added to ensure that the surrounding neighborhoods and civic engagement organizations are involved at every decision making opportunity and that popular education programs are utilized to increase awareness and understanding.</p>

March 11, 2016



Metro Community Relations  
One Gateway Plaza, MS 99-13-1  
Los Angeles, CA 90012

VIA EMAIL: [communityrelations@metro.net](mailto:communityrelations@metro.net)

Re: Feedback on Metro's Public Participation Plan (PPP)

Dear Metro Office of Community Relations,

We the undersigned thank you for the opportunity to comment on Metro's Public Participation Plan (PPP). We commend Metro's Office of Community Relations for updating the PPP and adhering to the Federal Transit Administration's Title VI standards of the Civil Rights Act of 1964.

After reviewing Metro's PPP, in theory, it is on the right track to ensuring broad community engagement. That said, many of Metro's strategic elements listed on page 11 are great on paper and in practice, we believe the USC Program for Environmental and Regional Equity (USC PERE) report, "An Agenda for Equity: A Framework for Building a Just Transportation System in Los Angeles County,"<sup>1</sup> and Prevention Institute's Healthy, Equitable, Active Land Use (HEALU) Network platform<sup>2</sup> can serve as a valuable resource for fulfilling Metro's methodology of public participation. For instance, Metro should continue bridging connections with community-specific projects by working with community development organizations that have deep relationships and insights into community specific needs and opportunities, have planning expertise and explore unconventional - but effective - approaches like popular education programs to explain harder to decipher technical details.

To summarize a section on community engagement from the USC PERE report, the four following principles can help ground Metro's public participation process:

- Ensure the surrounding neighborhoods and the fabric of civic engagement organizations are involved in all stages of the planning process, especially users with the most need who rely on walking, bicycling, buses and trains to meet their daily needs.
- Ensure that community input is reflected in the research, policy alternatives, and project outcome indicators.
- Ensure that any conflicts represented in community dialogue are worked through and not just avoided.
- Last, ensure that partnerships are sustained from project to project.

<sup>1</sup> USC Program for Environmental and Regional Equity. (2013). An Agenda for Equity: A Framework for Building a Just Transportation System in Los Angeles County. [https://dornsife.usc.edu/assets/sites/242/docs/Executive\\_Summary\\_Agenda\\_for\\_Equity\\_PERE\\_A.pdf](https://dornsife.usc.edu/assets/sites/242/docs/Executive_Summary_Agenda_for_Equity_PERE_A.pdf)

<sup>2</sup> Prevention Institute. (2016). Healthy, Equitable, Active Land Use (HEALU) Network platform. *Forthcoming.*

In addition, Prevention Institute’s forthcoming report can provide guiding points for an equitable public participation process:

- Target investments for community-based “anchor” organizations to build and sustain community engagement in land use processes.
- Invest resources for anchor organizations to elevate the scope and scale of existing community-level training and capacity building initiatives (including collateral materials) to maximize their collective impact and improve health equity outcomes.
- Develop inclusive outreach and public engagement standards modeled on the City of Seattle’s *Inclusive Outreach and Public Engagement* approach.
- Develop and promote early consultation and engagement practices for major land use projects that are grounded in a health equity ethos. Government agencies, the private sector, and community-based anchor organizations should collaborate to ensure healthy equitable and active land uses.
- Prioritize engagement in “high need” or “disadvantaged” communities following Seattle’s example; that city’s Department of Transportation devotes particular attention to engaging people in neighborhoods with high concentrations of immigrants, walking seniors, children, low-income households, and traffic injury “hot spots.”
- Infuse an ethos of equity into high-visibility development initiatives like the development of Transit Oriented Communities. This initiative can explicitly prioritize healthy, equitable development for the communities that need it most; this includes protecting low-income communities from the negative health impacts of displacement.
- Pilot innovative land use policies and projects in low-income communities of color, and apply the lessons learned from successful efforts to drive policy change.

**Specifically, Metro should continue strengthening stakeholder engagement on project selection and investment allocation.**

A particular best practice we have seen at Metro, and we applaud, is the Corridor Advisory Group (CAG) process on page 24 and 25, particularly on Metro’s Express Lanes efforts. We commend the CAG for ensuring diverse and meaningful public engagement and efforts with local community based organizations. Jessica Meaney, Managing Director of Investing in Place, and several other community-based organizations were invited to a participant in Metro’s Express Lanes CAG and appreciate the opportunity to be involved in all stages of the project process and have the opportunity to impact project and funding outcomes. We believe the CAG process can be improved with not only engaging stakeholders for the entire project timeline, but to sustain and grow the relationships with stakeholders in the area for the entire lifecycle of the project.

Los Angeles County Metropolitan Transportation Authority (Metro) is unique among the nation’s transportation agencies. It serves as transportation planner and coordinator, designer, builder and operator for one of the country’s largest, most populous counties. More than 9.6 million people – nearly one-third of California’s residents – live, work, and play within its 1,433-square-mile service area. Metro is responsible for the continuous improvement of an efficient and effective

transportation system for Los Angeles County for all types of travel - highways, buses, trains, local roads and sidewalks. Because transportation shapes communities' access to health-promoting resources like jobs, housing, healthy food, safe places to play and be physically active, and more, Metro has a unique opportunity to shape the health of Angelenos. Prioritizing engagement and investments in “high need” or “disadvantaged” communities would infuse an ethos of health equity into Metro’s work and set a precedent for other regions across the nation.

With an unprecedented opportunity to invest in our transportation system given Measure R and a potential 2016 transportation sales tax measure, we believe it’s critical that Metro continue to grow and expands its efforts to engage the public in a meaningful and equitable way by structuring their engagement process based on best practices. With the fact that many Spanish-speaking and low-income communities use our public transportation as a primary method of getting around, and over half of Los Angeles County will be Latino by 2040, we highly recommend Metro continue to emphasize access to multi-lingual resources, holding meetings that are flexible around working hours, measure the effectiveness of community outreach, and to encourage meaningful participation especially for those who rely on walking, bicycling, buses and trains for their daily trips.

We appreciate Metro’s commitment to achieving their objective of sustaining quality relationships with stakeholders early and being accountable to the public participation process. Please contact Jessica Meaney at (213) 210-8136 or [jessica@investinginplace.org](mailto:jessica@investinginplace.org) with any feedback or questions on this letter.

Sincerely,

Megan McClaire  
Director of Healthy City  
Advancement Project California

Wesley Reutimann  
Project Director  
Bike San Gabriel Valley

Jessica Meaney  
Managing Director  
Investing in Place

Tamika Butler  
Executive Director  
Los Angeles County Bicycle Coalition

Veronica Padilla-Campos  
Executive Director  
Pacoima Beautiful

Manal J. Aboelata, MPH  
Managing Director  
Prevention Institute

Sandra McNeill  
Executive Director  
T.R.U.S.T. South LA

Fernando Cazares  
California Manager, Climate-Smart Cities  
Trust for Public Land



## Board Report

File #: 2016-0625, File Type: Contract

Agenda Number: 34.

### EXECUTIVE MANAGEMENT COMMITTEE SEPTEMBER 15, 2016

**SUBJECT: RENEWAL OF LEASE AGREEMENT WITH CALTRANS AT LOCATION 403**

**ACTION: AUTHORIZE THE CEO TO EXECUTE THE RENEWAL OF A FIVE-YEAR LEASE AGREEMENT**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Location 403 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years.

#### **ISSUE**

Metro staff has negotiated the renewal of the lease agreement with Caltrans to provide for the continued use of Location 403 for employee parking.

Approval of the lease agreement requires board approval.

#### **DISCUSSION**

Metro has leased Location 403 from Caltrans since 1999 for employee parking for Division 2. This site is located under the Santa Monica Freeway at the southeast intersection of 16<sup>th</sup> Street and Griffith Avenue. This site consists of approximately 72,825 square feet and provides parking for approximately 200 employees.

The current lease expired on September 30, 2015 and has continued on month to month holdover. The current monthly rent is \$9,949.

Negotiations for a new five-year lease commenced in June 2015, however, the negotiations were unusually protracted due to Metro's efforts to negotiate competitive rental rates. Metro staff appraised the site and concluded that the fair market rental rate for this site is approximately \$11,600 per month or \$0.16 per square foot. Caltrans and Metro staff subsequently agreed to this rental rate. Staff believes that the new rental rate for this location is fair and reasonable.

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Staff is developing a facility master plan to assess and optimize the use and service deployment at the Bus Divisions. Division 2 is included in the assessment, and this may impact the use of Location 403. If an alternative or modified facility use is identified for Division 2, the lease terms include a termination clause that states the lease may be terminated by either party, given 90-day prior notice.

### **DETERMINATION OF SAFETY IMPACT**

This Board Action will not have an impact on safety standards for Metro operations.

### **FINANCIAL IMPACT**

Current funding for the payment of rent for the lease is included in the FY17 budget in cost center 0651, Non-Departmental Real Estate, under project number 306006, task number 01.001, Bus Operations. The total rental cost for the lease for the term covering October 1, 2016 to September 30, 2021 is estimated to be \$739,000. The cost center manager, DEO of Real Estate, will budget the cost in future years.

#### Impact to Budget

The source of funds for this lease agreement will come from Federal, State, and Local sources that are eligible for Operating projects.

### **ALTERNATIVES CONSIDERED**

The alternative is to not approve the lease agreement. This alternative is not recommended because Location 403 provides employee parking for staff at Division 2. The location is paved and fenced. There are no available properties in the area that could replace this location. Caltrans cannot sell this property because it is airspace under the freeway.

### **NEXT STEPS**

Execute the lease agreement with Caltrans, subject to County Counsel approval as to form.

### **ATTACHMENTS**

Attachment A - Plot Plan for Location 403

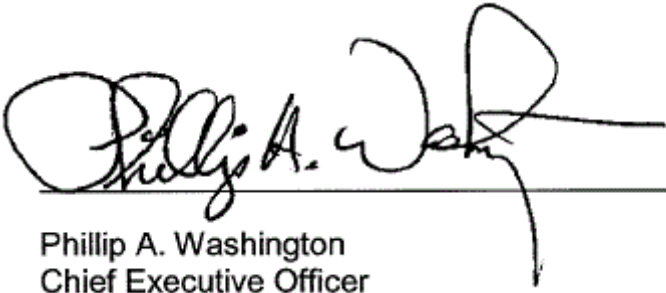
Attachment B - Summary of Lease Agreement Key Terms

Prepared by: Thurman Hodges, Director, Real Property Management & Development,  
(213) 922-2435

Velma C. Marshall, Deputy Executive Officer- Real Estate, (213) 922-2415

Calvin Hollis, Senior Executive Officer, (213) 922-7319

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



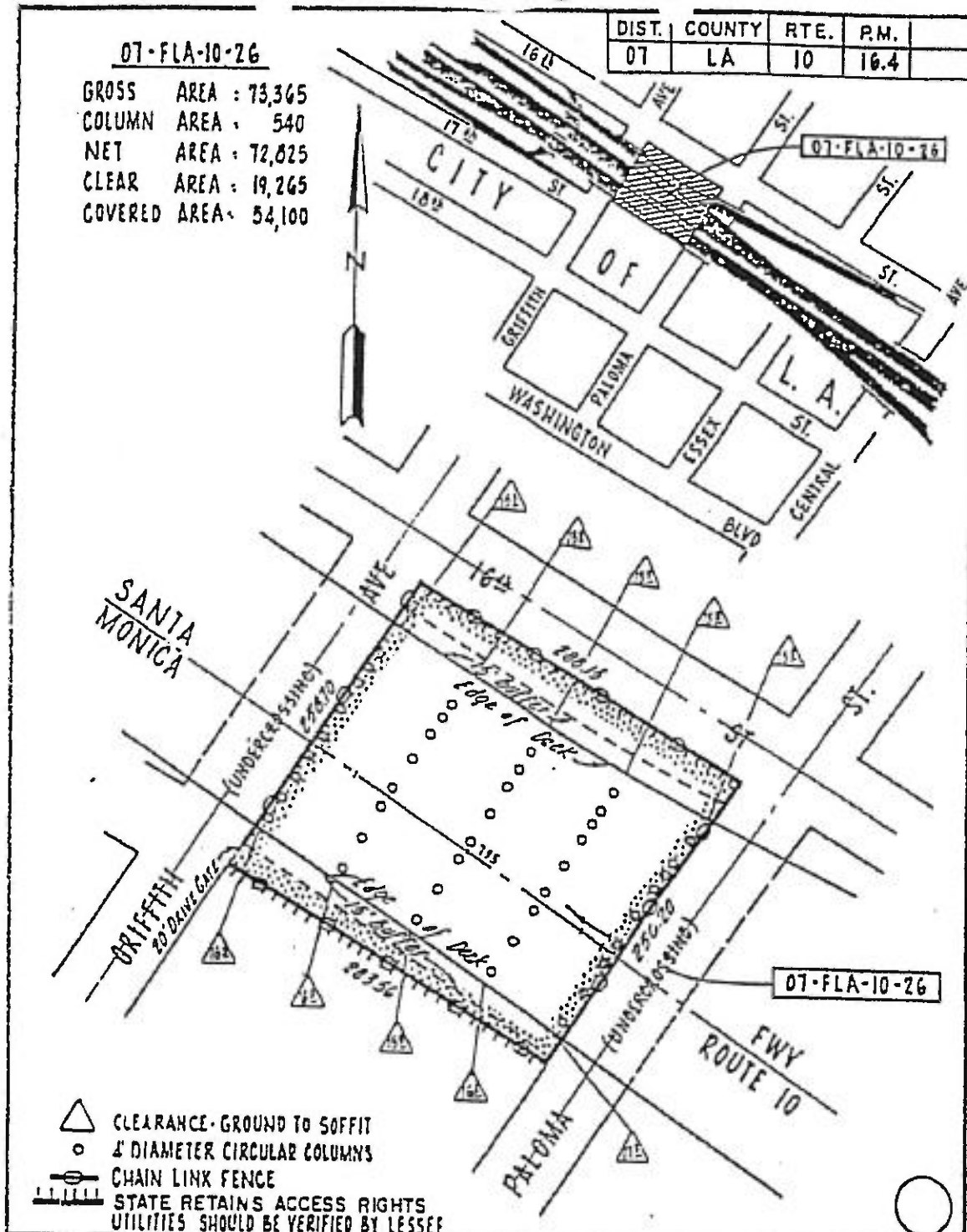
Phillip A. Washington  
Chief Executive Officer

PLOT PLAN FOR LOCATION 403

07-FLA-10-26

GROSS AREA : 73,365  
 COLUMN AREA : 540  
 NET AREA : 72,825  
 CLEAR AREA : 19,265  
 COVERED AREA : 54,100

DIST.	COUNTY	RTE.	P.M.
07	LA	10	16.4



- CLEARANCE - GROUND TO SOFFIT
- 4" DIAMETER CIRCULAR COLUMNS
- CHAIN LINK FENCE
- STATE RETAINS ACCESS RIGHTS UTILITIES SHOULD BE VERIFIED BY LESSEE

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION - DISTRICT 07

INVENTORY **FREWAY LEASE AREA**

07-FLA-10-26

SCALE: NONE  
 DRWN: DF CHKD: KD  
 DATE: OCT. 1982  
 25659-C

REF. MAP: F2080-2 APPR MAP 25037-C



## ATTACHMENT B

### SUMMARY OF LEASE AGREEMENT KEY TERMS

Premises	The Premises for Location 403 consists of consists of approximately 72,825 square feet and is located at the southeast intersection of 16 <sup>th</sup> Street and Griffith Avenue.
Term	The term of the lease agreement is five (5) years commencing October 1, 2016. Metro has the option to extend the term of the lease for an additional five-year (5-year) period with 180 days prior written notice.
Rent	Metro shall pay Caltrans a fixed monthly rental, in the amount of Eleven Thousand Six Hundred (\$11,600) Dollars, for the first year of the Lease term. The rent increases three percent (3%) per year over the term of the lease and any extension.
Use	Location 403 is used for employee parking for Division 2.
Termination	The lease may be terminated by either party on 90-days prior written notice.



## Board Report

File #: 2016-0626, File Type: Contract

Agenda Number: 35.

### EXECUTIVE MANAGEMENT COMMITTEE SEPTEMBER 15, 2016

**SUBJECT: RENEWAL OF LEASE AGREEMENT WITH CALTRANS AT TERMINAL 28**

**ACTION: AUTHORIZE THE CEO TO EXECUTE THE RENEWAL OF A FIVE-YEAR LEASE AGREEMENT**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute the **renewal of a five-year (5-year) lease agreement with Caltrans for Terminal 28 in Los Angeles** at a monthly lease rate of eleven thousand six hundred dollars (\$11,600) with annual increases of three percent (3%) per year, including one option to extend the term of the lease for an additional five years.

#### **ISSUE**

Metro staff has negotiated the renewal of the lease agreement with Caltrans to provide for the continued use of Terminal 28 for Bus Operations.

Approval of the lease agreement requires board approval.

#### **DISCUSSION**

Metro has maintained Terminal 28 as a bus layover site since 1976. The terminal is located under the Santa Monica Freeway at the southeast intersection of Hill Street and 17<sup>th</sup> Street. This site, which consists of approximately 68,135 square feet, accommodates buses serving the downtown area, West Los Angeles, the San Fernando Valley, El Monte, and the San Gabriel Valley. Terminal 28 is a critical location for layovers because there is insufficient on-street parking in the Central Business District for the buses. The site also services as a staging area for buses during special events and is the only close-in location that has adequate restroom facilities for the bus operators.

The current lease expired on December 31, 2014 and has continued on month to month holdover. The current monthly rent is \$10,023.

Negotiations for a new five-year lease commenced in June 2014, however, the negotiations were unusually protracted due to Metro's efforts to negotiate competitive rental rates. Based on their rental survey, Caltrans had requested an increase to \$15,000 per month or \$0.22 per square foot for

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Terminal 28. Metro staff appraised the site and concluded that the fair market rental rate for Terminal 28 is approximately \$11,600 per month or \$0.17 per square foot. Caltrans and Metro staff subsequently agreed on this rental rate.

Staff believes that the new rental rate for this location is fair and reasonable.

### **DETERMINATION OF SAFETY IMPACT**

This Board Action will not have an impact on safety standards for Metro operations.

### **FINANCIAL IMPACT**

Current funding for the payment of rent for this lease is included in the FY17 budget in cost center 0651, Non-Departmental Real Estate, under project number 306006, task number 01.001, Bus Operations. The total rental cost for this lease for the term covering October 1, 2016 to September 30, 2021 is estimated to be \$739,000. The cost center manager, DEO of Real Estate, will budget the cost in future years.

#### **Impact to Budget**

Source of funds for this lease renewal will come from Federal, State, and Local sources that are eligible for Operating projects.

### **ALTERNATIVES CONSIDERED**

The alternative is to not approve the lease agreement. This alternative is not recommended because Terminal 28 is critical for bus operations. The location is paved, fenced and includes bus operator rest room facilities. There are no available properties in the area that could replace this location. Caltrans cannot sell this property because it is airspace under the freeway.

### **NEXT STEPS**

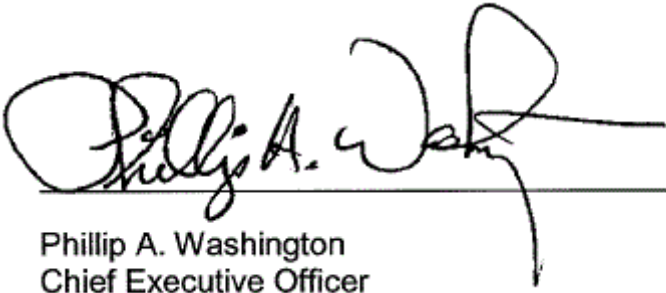
Execute the lease agreement with Caltrans, subject to County Counsel approval as to form

### **ATTACHMENTS**

Attachment A - Plot Plan for Terminal 28  
Attachment B - Summary of Lease Agreement Key Terms

Prepared by: Thurman Hodges, Director, Real Property Management & Development,  
(213) 922-2435  
Velma C. Marshall, Deputy Executive Officer- Real Estate, (213) 922-2415  
Calvin Hollis, Senior Executive Officer, (213) 922-7319

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

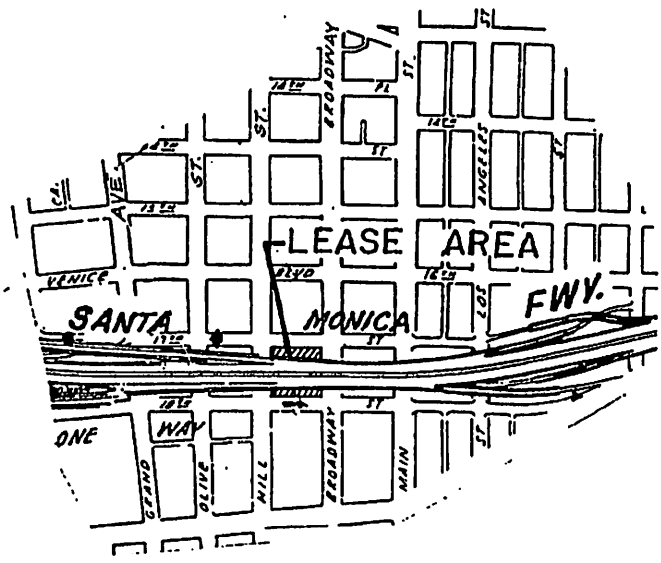
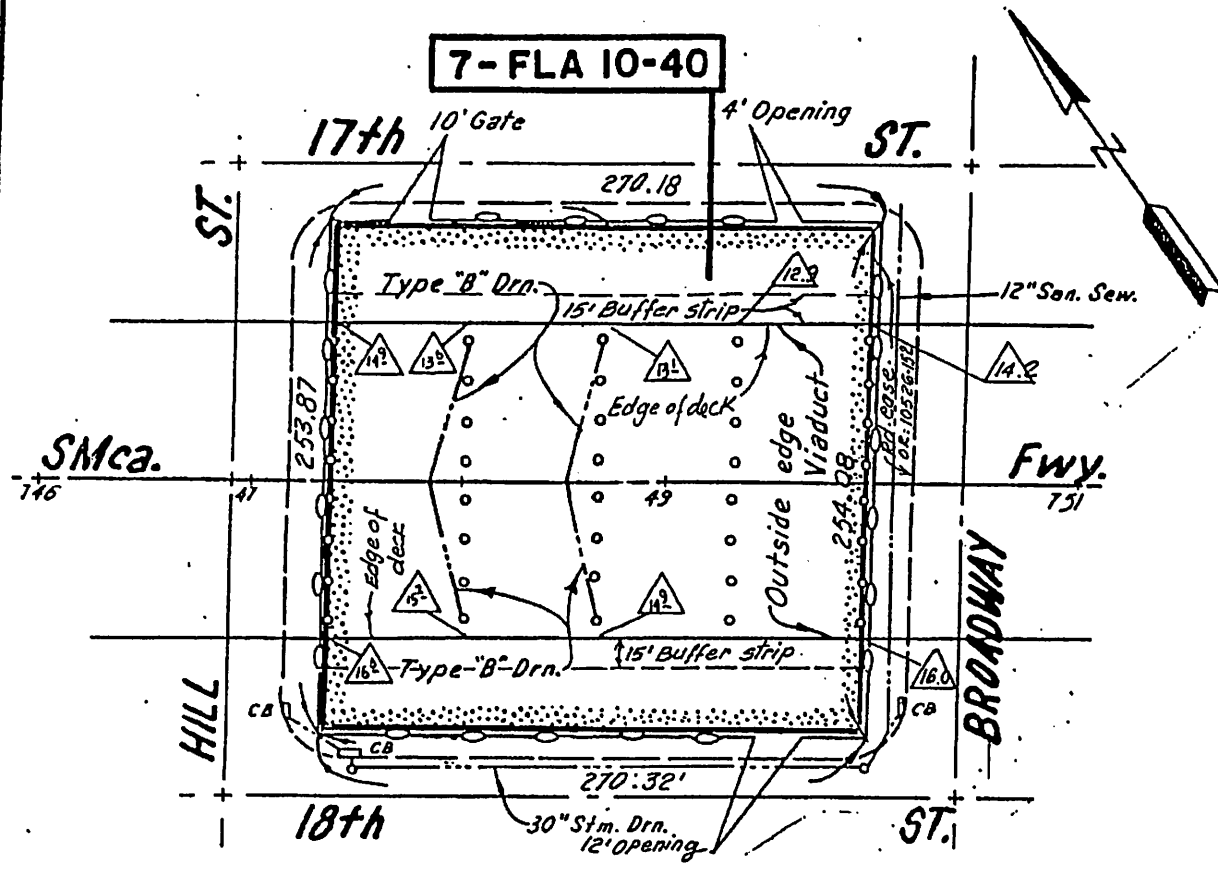


Phillip A. Washington  
Chief Executive Officer

# CITY OF LOS ANGELES

DIST.	COUNTY	RTE.	P.M.
07	LA	10	15.4

**7-FLA 10-40**

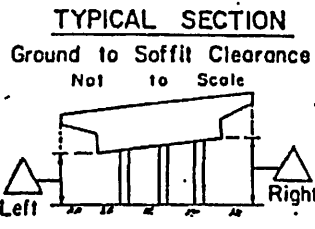


**APPROXIMATE AREAS**

COVERED AREA	=	42,029	SF
CLEAR AREA	=	28,608	SF
GROSS AREA	=	68,637	SF
COLUMN AREA	=	502	SF
NET AREA	=	68,135	SF

- CHAIN LINK FENCE
- 4' DIAMETER CIRCULAR COLUMN
- |||| STATE RETAINS ACCESS RIGHTS

NOTE: Complete and Accurate Utility Data Should Be Verified By The Lessee



STATE OF CALIFORNIA- DEPARTMENT OF TRANSPORTATION- DISTRICT 07

**EXHIBIT A** FLA 07-LA 10-40 "A"

SCALE: NONE  
DRAWN: LG CHKD: JCH  
DATE: 10-12-89  
25425-C

PLOT PLAN FOR TERMINAL 28

ATTACHMENT A

## ATTACHMENT B

### SUMMARY OF LEASE AGREEMENT KEY TERMS

Premises	The Premises for Terminal 28 consists of approximately 68,135 square feet and is located at the southeast intersection of Hill Street and 17 <sup>th</sup> Street..
Term	The term of the lease agreement is five (5) years commencing October 1, 2016. Metro has the option to extend the term of the lease for an additional five-year (5-year) period with 180 days prior written notice.
Rent	Metro shall pay Caltrans a fixed monthly rental, in the amount of Eleven Thousand Six Hundred (\$11,600) Dollars, for the first year of the Lease term. The rent increases three percent (3%) per year over the term of the lease and any extension.
Use	Terminal 28 is used as a bus layover yard and as a staging area for buses during special events.
Termination	The lease may be terminated by either party on 90-days prior written notice.

**Board Report**

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**File #:** 2016-0556, **File Type:** Policy**Agenda Number:** 46.

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**REGULAR BOARD MEETING  
OCTOBER 27, 2016****SUBJECT: GROUP INSURANCE PLANS****ACTION: RENEW GROUP INSURANCE POLICIES****RECOMMENDATION**

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

**ISSUE**

A comprehensive package of health resources provides existing employees a foundation to maintain or improve health, and helps to attract and retain qualified employees. Los Angeles County Metropolitan Transportation Authority (LACMTA), including the Public Transportation Services Corporation (PTSC), seeks to offer benefit plans that promote efficient use of health resources and are cost effective for the company and our employees.

**DISCUSSION**

The Non-Contact Group Insurance Plan, a flexible benefits program, was implemented in August 1994. Roughly 99% of the employees covered by the benefit plans are PTSC employees. With the closing of Expo at the end of 2016, there will no longer be a need to provide benefit plans for this small group. Healthcare benefits and employee contributions for those represented by SMART-TD, ATU, and TCU unions are determined by the respective Health and Welfare Trust Funds, and the employer subsidy is established through contract negotiations.

On an annual basis, Non Contract, AFSCME, and Teamster employees are encouraged to review their enrollment and may choose medical, dental, vision, supplemental life, long-term disability, and accidental death and dismemberment plans that meet their needs. Alternatively, employees may opt to waive medical and/or dental coverage and receive a taxable cash benefit, provided proof of other coverage is submitted. Employees may also participate in the flexible spending accounts, a vehicle to pay for certain out-of-pocket healthcare and dependent care expenses on a pre-tax basis.

The overall premium increase for calendar year 2017 is 2.2%. This reflects \$1.05 million in negotiated reductions from the initial renewal quotes. The recommended medical, dental, and vision premiums are shown on Attachment A. As previously established by the Chief Executive Officer, Non

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-Contract and AFSCME employees contribute 10% of the actual premium for each medical and dental plan selected. The monthly employee contributions are shown in Attachment B.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will have no impact on safety.

### **FINANCIAL IMPACT**

Funding for the group insurance plans is included in each department's FY17 budget and allocated based on the approved federal cost allocation plan. Based on the current employee participation by plan, estimated employer costs of \$45.4 million, an increase of \$1 million over 2016, are expected to be within the adopted budget of \$49.4 million.

Implementation of the 40% excise tax (Cadillac Tax), a part of Health Care Reform, has been postponed from 2018 to 2020. The Cadillac Tax is intended to be assessed on the cost of coverage for health plans that exceed an annual limit, currently set at \$10,200 for individual coverage and \$27,500 for family coverage. For fully-insured plans like ours, the excise tax is the responsibility of the insurance carrier, though it is anticipated that carriers may pass these costs back to the employer. The Anthem Blue Cross PPO plan currently exceeds the annual limits by approximately \$4,000 per participant. However, since the excise tax does not take effect until 2020, we will continue to monitor regulatory requirements and evaluate our plan provisions such as copays, out-of-pocket maximums and other features in order to mitigate exposure to the excise tax.

### **ALTERNATIVES CONSIDERED**

Plan design changes such as increasing office and prescription copays, annual deductibles, and out-of-pocket maximums were considered. However, with the favorable 2017 renewal, and the postponement of the Excise Tax until 2020, it is recommended that current plan designs be renewed, thereby avoiding provider access/disruption for 2017.

The Board could decide to self-insure and self-administer health benefits. However, this is not recommended due to the resources required to establish the medical expertise and operational infrastructure required to review and process claims as well as the liability that would be assumed.

### **NEXT STEPS**


- Conduct annual open enrollment for Non Contract and AFSCME employees during November 2016.
- Implement elections effective January 1, 2017.

### **ATTACHMENTS**

Attachment A - Monthly Premium Rates  
Attachment B - Monthly Employee Contributions



Prepared by: Jan Olsen, Manager, Pension & Benefits, (213) 922-7151  
Donna Mills, Treasurer, 213-922-4047  
Reviewed by: Nalini Ahuja, Chief Financial Officer, (213) 922-3088



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Phillip A. Washington  
Chief Executive Officer

# Renew Group Insurance Policies

Board Meeting  
September 22, 2016

# Group Insurance Plans 2017 Renewal

Comprehensive health benefits:

- Promote efficient use of health resources while being cost effective for the company and our employees
- Help attract and retain qualified employees as a component of the total compensation system
- Provide a foundation for employees to maintain and improve health

# Group Insurance Plans 2017 Renewal

## Governance and Policy

- Affordable Care Act mandates offering medical coverage
- Metro's Medical/Dental Policy covering NC and AFSCME reflects regulatory requirements and company goals
- Health benefits for SMART-TD, ATU, TCU and Teamster represented employees determined by the respective Health and Welfare Trust Funds

# Group Insurance Plans 2017 Renewal

- Non Contract/AFSCME premiums approved annually by Board
- Employer per capita contributions to SMART-TD, ATU, TCU and Teamsters Health and Welfare Trust Funds per Collective Bargaining Agreements

	<b>Est. Budget FY17 (\$ Millions)</b>	<b># Active Employees</b>	<b># Retirees</b>
SMART – TD	\$ 69.6	4,866	884
ATU	\$ 53.8	2,458	1,169
TCU	\$ 17.0	896	149
TEAMSTERS	\$ 1.6	96	Included as NC Retirees
AFSCME	\$ 16.0	765	30
NON-CONTRACT	\$ 33.4	1,347	206
<b>TOTAL</b>	<b>\$191.4</b>	<b>10,428</b>	<b>2,438</b>

# Group Insurance Plans 2017 Renewal

- Overall increase for CY 2017 is 2.2% which translates to \$1M increase over 2016
- Based on current participation by plan, estimated employer cost of \$45.4M expected to be within the adopted budget of \$49.4M

# Group Insurance 2017 Renewal

## Recommendation and Next Steps

- Authorize the CEO to renew existing group insurance policies covering Non-Contract and AFSCME employees for a one year period beginning January 1, 2017
- Next Steps:
  - Configure the annual open enrollment system for 2017 with new premiums and enrollment data
  - Conduct Annual Open Enrollment in November
  - Audit elections and integrate with payroll system
  - Implement elections effective January 1, 2017

# Group Insurance 2017 Renewal

- Questions



## Proposed Monthly Premium Rates

Provider	Coverage Option	CY 2016	CY 2017	%Change	Est # of Employees (1/1/17)
Blue Cross (PPO)	Single	\$1,113.90	\$1,186.53	6.52%	216
	Couple	\$2,242.25	\$2,388.45	6.52%	206
	Family	\$3,007.50	\$3,203.59	6.52%	278
Blue Cross (HMO)	Single	\$746.93	\$795.45	6.50%	84
	Couple	\$1,568.54	\$1,670.44	6.50%	74
	Family	\$2,240.64	\$2,386.19	6.50%	175
Kaiser (HMO)	Single	\$643.04	\$610.89	-5.0%	253
	Couple	\$1,286.08	\$1,221.78	-5.0%	222
	Family	\$1,819.80	\$1,728.81	-5.0%	385
Delta Dental (PPO)	Single	\$57.20	\$57.20	0.00%	383
	Couple	\$99.41	\$99.41	0.00%	432
	Family	\$149.37	\$149.37	0.00%	623
DeltaCare (DHMO)	Single	\$20.21	\$20.21	0.00%	75
	Couple	\$36.71	\$36.71	0.00%	51
	Family	\$54.32	\$54.32	0.00%	122
Dental Health Services (DHMO)	Single	\$16.82	\$16.82	0.00%	72
	Couple	\$32.60	\$32.60	0.00%	56
	Family	\$49.15	\$49.15	0.00%	110
Vision Service Plan	Single	\$10.15	\$10.15	0.00%	284
	Couple	\$14.68	\$14.68	0.00%	300
	Family	\$26.30	\$26.30	0.00%	459
Voluntary Waiver of Coverage:*					
	Medical	\$230.00	\$235.00	2.4%	155
	Dental	\$33.00	\$34.00	2.4%	94

\* Waiver of Medical coverage requires proof of alternative coverage.

## Proposed Monthly Employee Contributions

<b>Provider</b>	<b>Coverage Option</b>	<b>NC &amp; AFSCME Employee Contribution (Current)</b>	<b>NC &amp; AFSCME Employee Contribution (Proposed) Effective 1/1/17</b>	<b>Change</b>
Blue Cross (PPO)	Single	\$111.00	\$119.00	\$8.00
	Couple	\$224.00	\$239.00	\$15.00
	Family	\$301.00	\$320.00	\$19.00
Blue Cross (HMO)	Single	\$75.00	\$80.00	\$5.00
	Couple	\$157.00	\$167.00	\$10.00
	Family	\$224.00	\$239.00	\$15.00
Kaiser (HMO)	Single	\$64.00	\$61.00	-\$3.00
	Couple	\$129.00	\$122.00	-\$7.00
	Family	\$182.00	\$173.00	-\$9.00
Delta Dental (PPO)	Single	\$6.00	\$6.00	\$0.00
	Couple	\$10.00	\$10.00	\$0.00
	Family	\$15.00	\$15.00	\$0.00
DeltaCare (DHMO)	Single	\$2.00	\$2.00	\$0.00
	Couple	\$4.00	\$4.00	\$0.00
	Family	\$5.00	\$5.00	\$0.00
Dental Health Services (DHMO)	Single	\$2.00	\$2.00	\$0.00
	Couple	\$3.00	\$3.00	\$0.00
	Family	\$5.00	\$5.00	\$0.00
Vision Service Plan	Single	\$1.00	\$1.00	\$0.00
	Couple	\$1.00	\$1.00	\$0.00
	Family	\$3.00	\$3.00	\$0.00

Non-Contract and AFSCME Employees contribute 10% (rounded to the nearest whole dollar) towards their individually selected plan's medical and dental premiums.



**Board Report**

**File #:** 2016-0657, **File Type:** Informational Report

**Agenda Number:** 15.

**FINANCE, BUDGET AND AUDIT COMMITTEE**  
**SEPTEMBER 14, 2016**  
**CONSTRUCTION COMMITTEE**  
**SEPTEMBER 15, 2016**

**SUBJECT: FISCAL YEAR 2017 PROGRAM MANAGEMENT ANNUAL PROGRAM EVALUATION (APE)**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE report on the first **Program Management Annual Program Evaluation (APE)**.

**ISSUE**

In the Chief Executive Officer’s January 2016 State of the Agency address, the Annual Program Evaluation (APE) was introduced as a priority initiative to evaluate Metro’s Capital Program. Given the challenges of managing a multi-billion dollar capital program, a comprehensive review of the risks associated with the cost and schedules of the program is to be conducted on an annual basis. This report summarizes the results of the first APE initiative performed by Program Management.

**DISCUSSION**

**Introduction of APE**

The APE initiative is a comprehensive evaluation of Metro’s Capital Program, including Transit, Highway, and Regional Rail projects. As part of the APE process, staff reviewed and updated project costs and schedule to current conditions and challenges. Any changes to project budgets/schedules and the reasons for the adjustments are to be reported to the Board annually for approval. In addition, APE serves as a project management tool bringing greater consistency, transparency, and discipline in project managers to better manage and deliver Board-approved projects. The APE is a dynamic tool, which is updated annually as projects move towards completion and any changes approved by the Board are incorporated.

**FY2017 APE**

For the FY2017 APE, Program Management focused on new and carry-over projects to FY2017 with project cost estimated at least \$5 million or greater. Program Management staff evaluated sixty-one

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projects, including 29 Transit projects, 25 Highway projects, and 7 Regional Rail projects (see Attachment A for a complete project listing) which total approximately \$11 billion.

Since many of Metro Transit projects are in construction or near completion, the major focus is on managing the projects within the Board-approved life-of-project (LOP) budgets and schedules established for these projects.

A summary of the potential adjustments to the Metro's Capital Program in FY17 is reported in the FY2017 Program Management APE presentation (Attachment A; pgs. 39-40).

### **FINANCIAL IMPACT**

The FY17 Program Management APE report does not have any specific budgetary or financial impacts. The APE report serves as an annual and early notice instrument to assess the scope, cost and schedule risk items affecting the respective projects under the oversight of Program Management. Risk items affecting scope, cost and schedule are identified on a project by project basis within the APE Presentation (Attachment A).

Should any of the potential project risks affecting scope, cost and schedule parameters be realized, the Chief Program Management Officer and affected project staff will return to the Board with separate board report recommendations to address the identified risks and adjust the project element (s) of the Board adopted project parameters.

### **NEXT STEPS**

Staff will manage to deliver projects on-time and within the Board-approved budgets. Staff will continue to provide the Board with monthly updates on the project status throughout the year. The next FY2018 Program Management APE report will be presented to the Board in Spring 2017.

### **ATTACHMENTS**

Attachment A - Fiscal Year 2017 Program Management Annual Program Evaluation (APE) presentation

Prepared by: Brian Boudreau, Senior Executive Officer, Program Control (213) 922-2474

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



Phillip A. Washington  
Chief Executive Officer



# **Fiscal Year 2017 Program Management Annual Program Evaluation (APE)**



# Presentation Overview

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- APE Purpose and Process
- Metro Capital Program Status
- Metro Capital Program Cost
- Adjustments for FY2017 APE
- Summary
- Next Steps



# APE Purpose

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- Annual evaluation of Metro's capital program
- Reporting to the Board any project budget and schedule changes, and reasons for the changes
- A project management tool bringing greater consistency, transparency, and discipline
- Facilitates financial planning





# APE Process

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- A review of project costs and schedule
- Update project capital cost estimates to current conditions, including price trends and changes
- Focus on budget to complete current project phase/milestone
- Include APE results in future fiscal year annual budget review and adoption by the Board

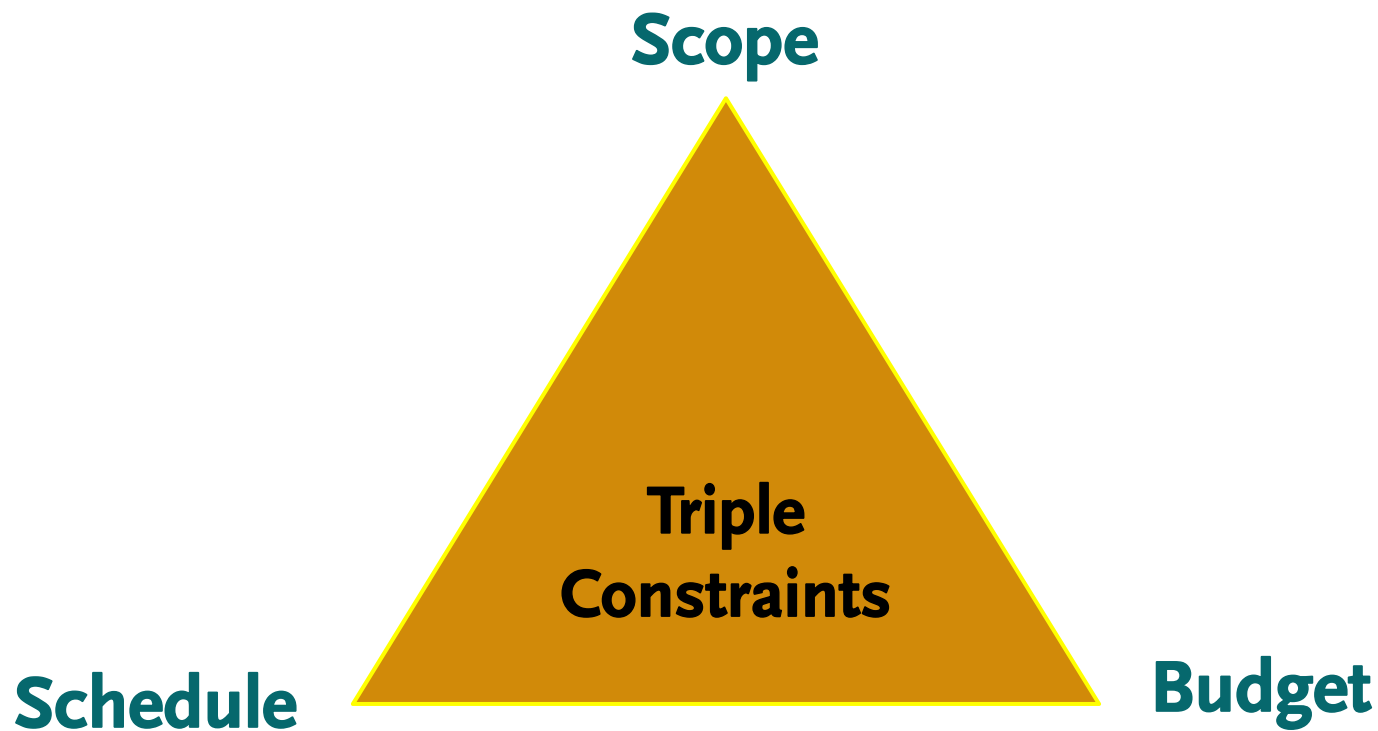


# Project Management

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One side of the triangle cannot be changed without affecting the others:



# FY17 APE Scope

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- Focus on 61 capital projects with total project cost greater than \$5M being managed by Program Management:
  - Major Transit Construction Projects – 5 projects
  - Other Transit Capital Projects – 24 projects
  - Regional Rail Projects – 7 projects
  - Highway Program – 25 projects
- Project budgets in the APE focus on authorized funding project amount



## FY17 APE Scope

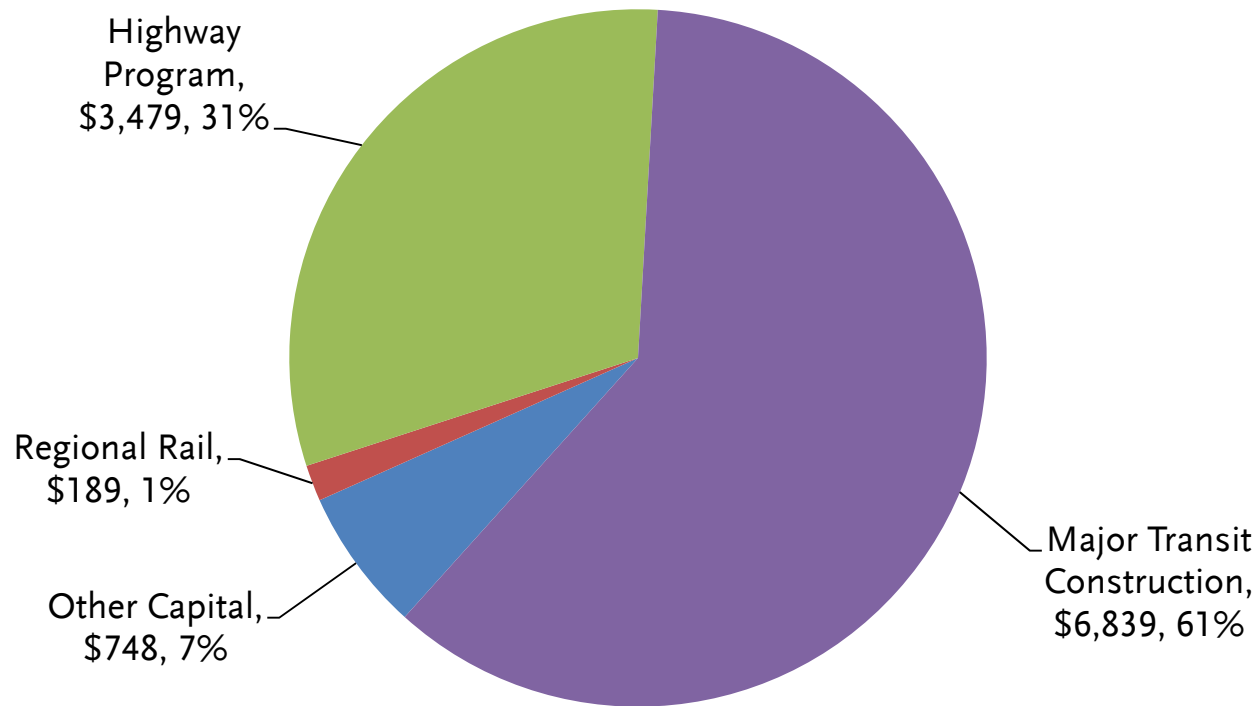
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- In addition to the projects in APE, Program Management also manages/oversees an additional 100+ projects
- In total, Program Management manages a volume of 160+ projects with a total authorized value at approximately \$12B
- Approximately \$11B projects are included in the FY17 APE review



# FY17 APE Current Program: \$11 B

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# Metro Transit Program



# Metro Transit Capital Projects

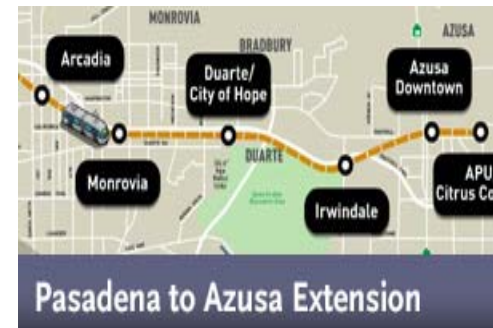
Type	Project Budget	# of Projects
Major Transit Construction	\$6,839	5
Other Transit Capital	\$748	24
Rail Facilities Improvements	\$229	6
Bus Facilities Improvements	\$218	10
Wayside System	\$124	2
Security/Safety	\$124	2
Misc. Capital Projects	\$53	4
<b>Total Transit Capital Program</b>	<b>\$7,587</b>	<b>29</b>



# Metro Transit Capital Program Status

## 6 Projects Completed in FY2016

- Metro Blue Line Station Enhancements Project – December 2015
- Division 13 Bus Operation & Maintenance Facility – January 2016
- Metro Rail Security Kiosks – March 2016
- Metro Gold Line Foothill Extension – March 2016
- Metro Red Line Universal City Pedestrian Bridge – April 2016
- Exposition Blvd Light Rail Transit Phase 2 – May 2016





# Metro Transit Capital Program Status Con't

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## 4 Projects Planned to Be Completed in FY17

- Metro Red Line to Orange Line Underpass at North Hollywood Station – July 2016
- Division 3 Master Plan Phase II-IV – June 2017
- Fuel Storage Tank System Enhancements (FY15 - FY17) – June 2017
- Bus Facility Maintenance Improvements & Enhancements Phase I – June 2017



# Crenshaw/LAX Transit Project



# Crenshaw/LAX Transit Project

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Project Budget: \$2,058M

Project Completion: October 2019

% Project Complete: 52%

## Accomplishments:

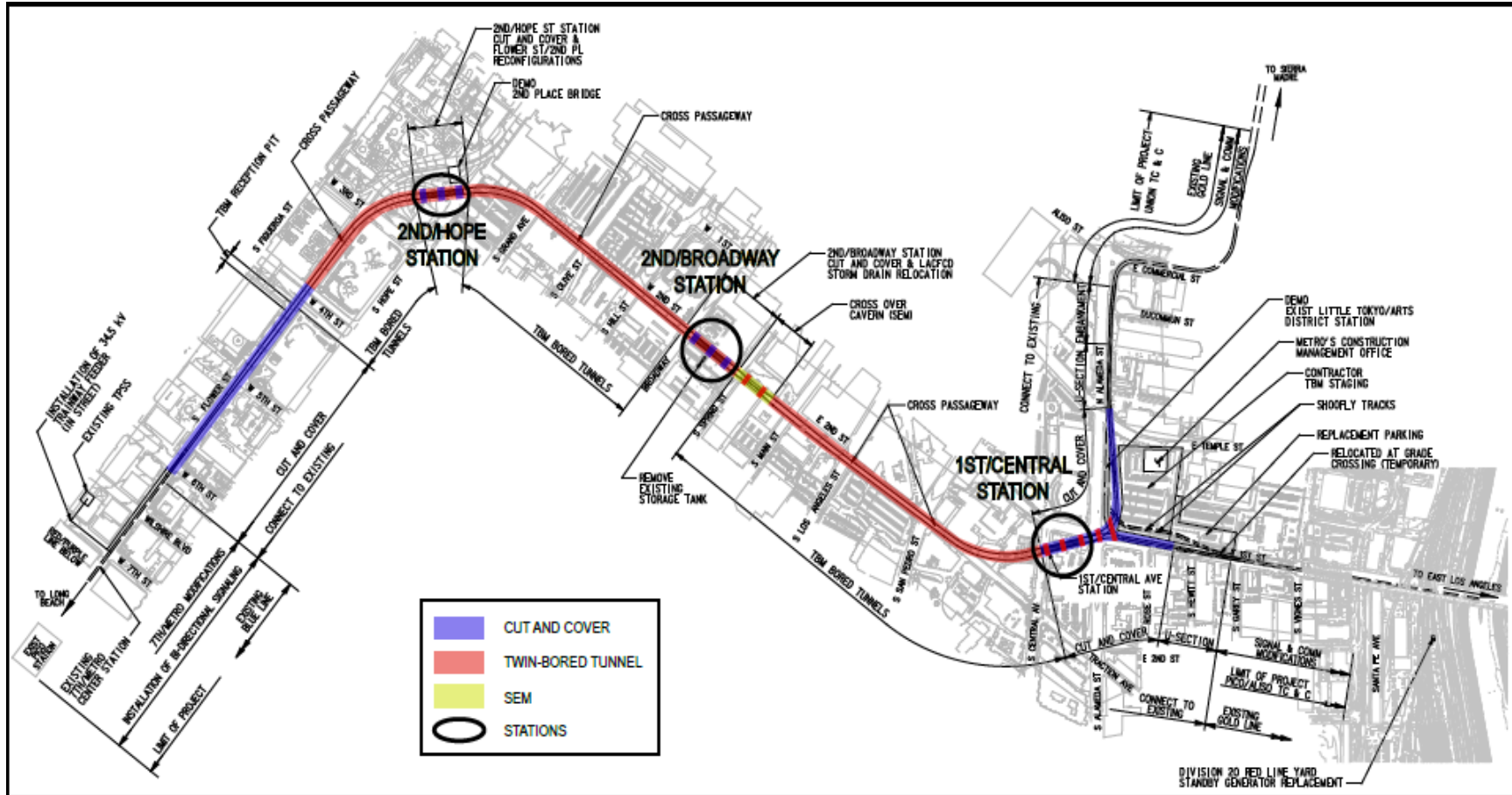
- Project at halfway mark
- Final design of base work is complete with only design continuing for change work
- Critical tunneling work commenced in late April and has entered the MLK Expo/Crenshaw Station site

## Challenges / Risks:

- Track alignment changes to incorporate accommodations to not preclude a future LRT station at 96<sup>th</sup> Street results in changes to base scope, budget, and schedule
- Contractor's ability to meet the tunneling productivity level
- Timely resolution of merit and quantum for valid contractor claims
- Submittal and approval of a revised contractor's baseline schedule
- Resolution of potential betterments being considered by the City of LA
- Continuous efforts to meet community expectations



# Regional Connector Transit Project



# Regional Connector Transit Project

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**Project Budget: \$1,551.8 M**

\*Excludes planning and finance costs

**Project Completion: July 2021**

**% Project Complete: 23%**

## Accomplishments:

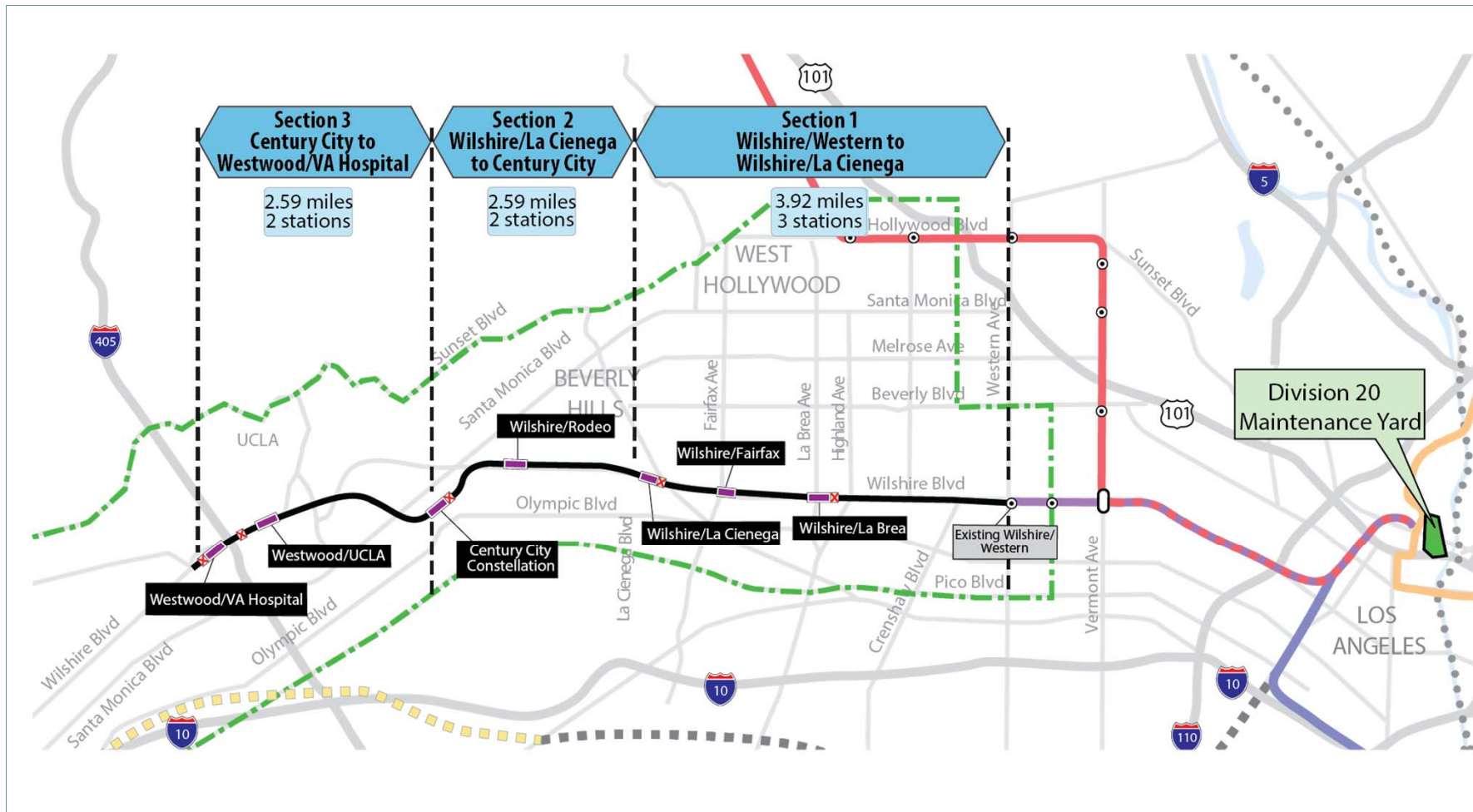
- 1<sup>st</sup>/Alameda Shoofly work completed on schedule
- 1<sup>st</sup>/Central Station Box fully excavated; permanent works now underway

## Challenges/Risks:

- Obtaining continued City of LA support for, and approval of, the necessary traffic control and extended work hour permits to effectively work in a dense urban setting
- Continue to redefine schedule options to the extent possible as a result of early experienced delays due to utility relocation issues
- Conclusion of contractor negotiations on schedule recovery measures related to delayed utility relocations
- Safely prosecute underground construction across Alameda Street to facilitate placement, and launching of tunnel boring machine (TBM) and the timely excavation of the related TBM recovery shaft on Flower Street
- Defining current and projected cost trends into a revised cost at completion forecast; seek budget adjustments accordingly. This action is expected to be guided upon completion of FTA risk assessments



# Westside Purple Line Extension Project



# Westside Purple Line Extension Section 1

**Project Budget: \$2,778.9M**

(Excludes finance costs)

**Project Completion: November 2023**

**% Project Complete: 12%**

## Accomplishments:

### FY16

- Awarded and Issued NTP for Design-Build Contract of Division 20 Maintenance-of-Way and Non-Revenue Vehicle Building 61S.
- AUR Contract Wilshire/Fairfax achieved substantial completion, ahead of schedule and within budget (second of three AUR contracts to have been completed).
- Completed all environmental property abatement/remediation along the Project alignment and gave access to all properties to the Tunnels, Stations, Trackwork, Systems and Testing Contractor.
- The planned 22-weekend closures began on June 10, 2016 for the installation of deck beams and concrete deck panels prior to the Wilshire/La Brea Station excavation under the temporary street decking.

### FY17

- Complete final design on Division 20 Maintenance-of-Way and Non-Revenue Vehicle Building 61S and Westside Purple Line Extension Section 1 Design-Build contracts
- Wilshire/La Brea and Wilshire/Fairfax Stations installation of deck beams and concrete deck panels are planned to be completed. Wilshire/Fairfax Station excavation is planned to begin and Wilshire/La Brea Station excavation will near completion
- Site preparation work and construction mobilization activities have begun at the Wilshire/La Cienega Station. Installation of station piles are planned to begin and will near completion
- AUR Contract Wilshire/La Cienega is planned to achieve substantial completion, ahead of schedule and within budget (last of the three AUR contracts to complete)



# Westside Purple Line Extension Section 2

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Approved Budget through FY17: \$ 358.5 M

Project Completion: August 2025

Working Project Estimate: \$ 2,410.5 M

(Excludes planning and finance costs)

## Accomplishments:

- Received Proposals for Contract Management Support Services (CMSS) contract in April 2016, currently under evaluation, award anticipated October 2016
- Received Proposals for Design-Build contract in June 2016, currently under evaluation, award anticipated January 2017
- Began design of advanced relocation of utilities
- Construction of the telecom joint trench at Century City Constellation has begun
- Real Estate certifications and acquisitions are underway
- In August 2016, U.S. District Court issued final remedy ruling in the NEPA lawsuits brought by Beverly Hills. The judge declined to vacate FTA's approval of the project; FTA can execute an FFGA with Metro for the project. The judge is requiring that FTA prepare a Supplemental Environmental Impact Statement (FFGA), which Metro is preparing with FTA's guidance for completion in Spring 2017

## Challenges/Risks:

- Receive a FFGA and a Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan





# Westside Purple Line Extension Section 3

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Projected Budget through FY17: \$51.5M  
Working Project Estimate: TBD

Project Completion: TBD

## Accomplishment:

- Advanced preliminary engineering and design of advanced relocation of utilities to advance the project delivery under Operation Shovel Ready Program of Projects

## Challenge/Risk:

- Project funding commitment



# Patsaouras Plaza Busway Station

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Project Budget: \$ 39.7 M

Project Completion: December 2017

## Accomplishments:

- Completed final design

## Challenges/Risks:

- Maintain Third Party cooperation review/approval, including Caltrans, to be consistent with project schedule
- DWP vault and conduit relocation
- Utility relocation must be completed by August 2016 to avoid conflicts with foundation construction
- Budget impacts due to design changes or unforeseen underground conditions



# Metro Blue Line Signal Rehabilitation Project

Project Budget: \$ 93.6 M      Project Completion: August 2020

## Accomplishments:

- Solicitation released in March 2016, design-build proposals due October 2016
- Secured additional funding from State Cap & Trade Transit and Intercity Rail Capital Program (TIRCP) for \$38.5 million

## Challenges/Risks:

- Track allocations coordination with other projects/maintenance on Metro Blue Line
- Existing aged ductbank/conduits may require replacement
- Additional right-of-way needed for new Slauson Interlocking bungalow near 51<sup>st</sup> Street
- Meet December 2016 Cap & Trade deadline for funding
- Receiving technically acceptable competitive proposals



New train control



Project adds 6 Crossovers



# Metro Red Line to Metro Orange Line North Hollywood Station West Entrance

Project Budget      \$ 23M

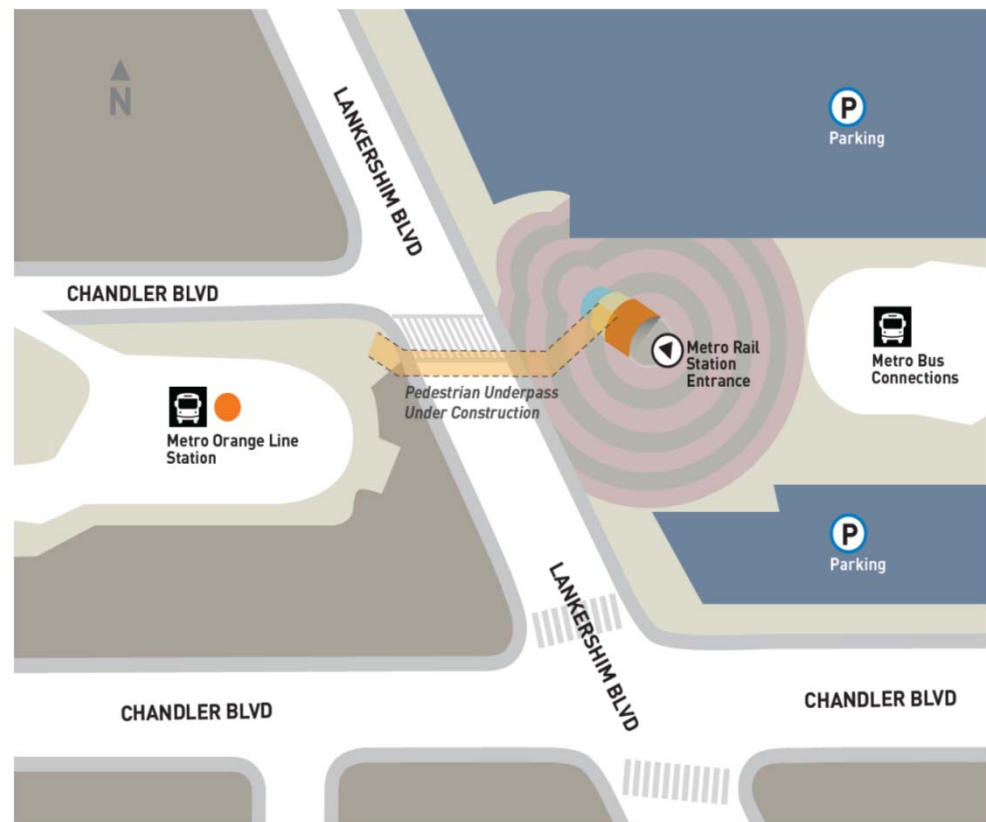
Project Completion: August 2016

## Accomplishment:

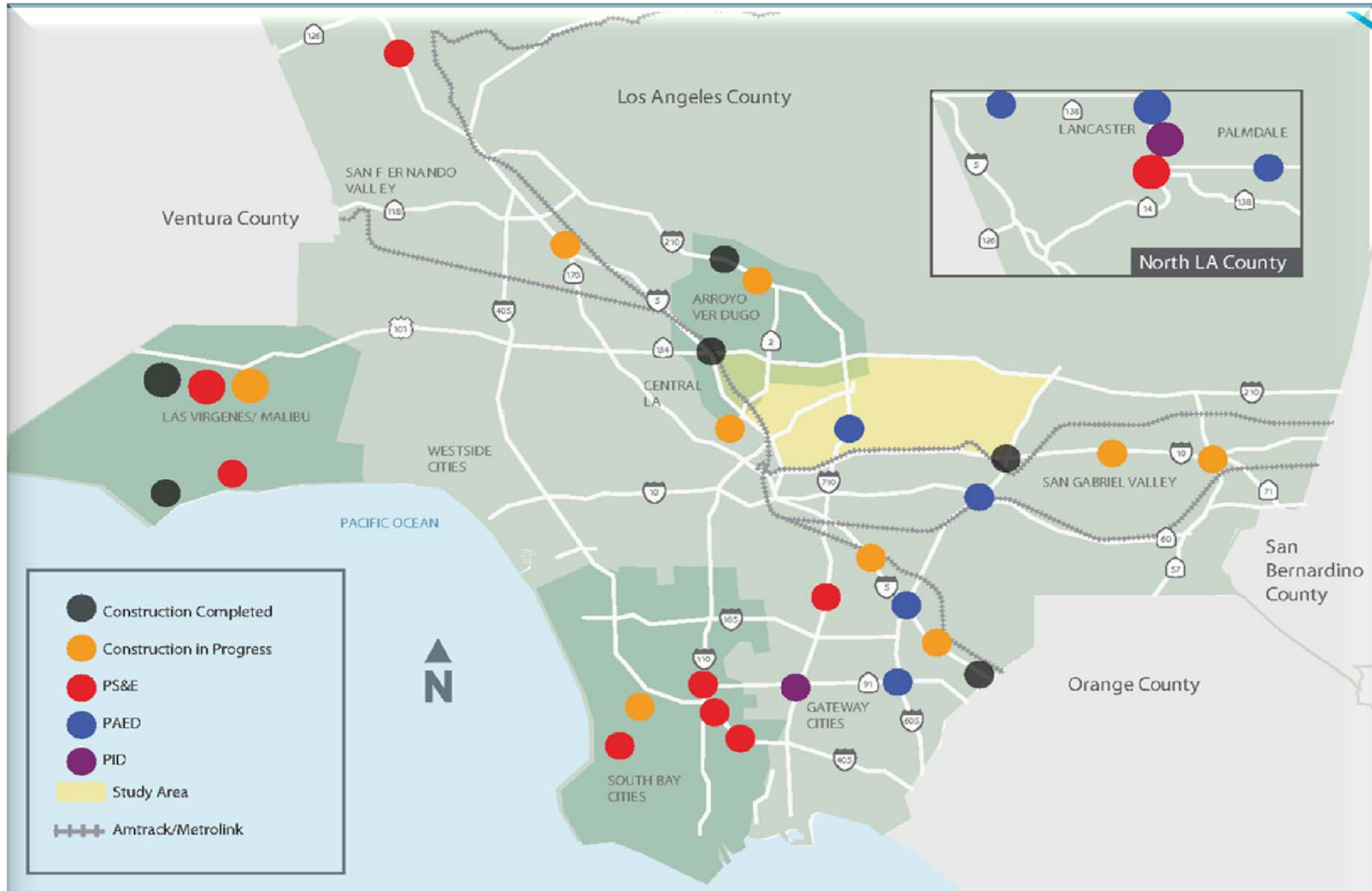
- Project substantial completion in August 2016

## Challenge:

- Timely contract close-out



# Highway Program





# Highway Program Status Summary (Measure R Funded)

#	Project	Current Phase	Estimated Cost of Current Phase (\$mil.)	Phase Completion
1	I-5 South - Alondra	Construction	\$114.07	Completed
2	I-5 South – Valley View Interchange	Construction	\$631.12	Feb 2020
3	I-5 South – Shoemaker, Rosecrans, Bloomfield	Construction	\$188.22	Aug 2017
4	I-5 South – San Antonio, Imperial Hwy and Orr Day	Construction	\$323.29	May 2018
5	I-5 South – Florence	Construction	\$211.67	Sep 2019
6	I-5 South - Carmenita Interchange	Construction	\$419.88	Dec 2018
7	I-5 North - HOV from SR 118 to SR 170	Construction	\$219.49	Completed
8	I-5 North - HOV from SR 170 to North of Buena Vista	Construction	\$94.72	Completed
9	I-5 North – North of Buena Vista to South of Magnolia Blvd	Construction	\$402.38	Jan 2020
10	I-5 North - Magnolia Blvd to SR 134	Construction	\$137.37	Dec 2018



# Highway Program Status Summary (Measure R Funded)

#	Project	Current Phase	Estimated Cost of Current Phase (\$mil.)	Phase Completion
11	I-5 North HOV Project SR 14 to Parker Road	Plan, Specification & Estimate (PS&E)	\$31.0	Jul 2018
12	Interstate 605 Corridor Hot Spots – I-605/I-5 Interchange Improvement	Project Approval / Environmental Document (PAED)	\$20.84	Mar 2019
13	Interstate 605 Corridor Hot Spots – I-605/SR 60 Interchange Improvement	PAED	\$30.0	Feb 2020
14	Interstate 605 Corridor Hot Spots – I-605/SR 91 Interchange Improvement	PAED	\$7.8	May 2019
15	Interstate 605 Corridor Hot Spots – I-710/SR 91 Interchange Improvement	Project Study Report / Project Development Support (PSR/PDS)	\$2.6	June 2017
16	Interstate 405 Crenshaw Blvd On and Off Ramp Improvements	PS&E	\$10.3	Aug 2016
17	Interstate 405 and I-110 Aux Lane from SR 91 to Torrance Blvd	PS&E	\$9.0	Jul 2017
18	SR 138 I-5 to SR 14	PAED	\$25.0	Apr 2017
19	I-710 South	PAED	\$91.0	Sep 2018
20	I-710 South Early Action Projects - Soundwall Projects (3 locations)	PS&E	\$12.7	Nov 2017
<b>Subtotal Measure R Highway Project</b>			<b>\$2,982.45</b>	



# Highway Program Status Summary (Non-Measure R Funded)

#	Project	Current Phase	Estimated Cost of Current Phase (\$mil.)	Phase Completion
21	I-10 HOV from Citrus Avenue to SR 57	Construction	\$264.4	Nov 2021
22	I-10 HOV from Puente Avenue to Citrus Avenue	Construction	\$195.6	Apr 2019
23	SR 57 and SR 60 Mixed Flow Interchange ** (Eastbound and Westbound flyover off-ramp to Grand Ave, Eastbound on-ramp SR-60)	PS&E	\$13.0*	Dec 2019
24	SR 71: Interstate 10 to Mission Blvd **	PS&E	\$11.0*	Nov 2026
25	SR 71: Mission Blvd to Rio Rancho Road **	PS&E	\$13.0*	Dec 2019
Subtotal Non-Measure R Funded Highway Projects			\$497	
Total Highway Program			\$3,479.45	

\* Initial Budget Estimate is through completion of Design

\*\* These are projects with completed PAED and in Approved 2009 LRTP and 2014 SRTP





# I-605 “Hot Spots”

Approved budget: \$61.24 M

Estimated Cost to Complete Phase: \$61.24 M

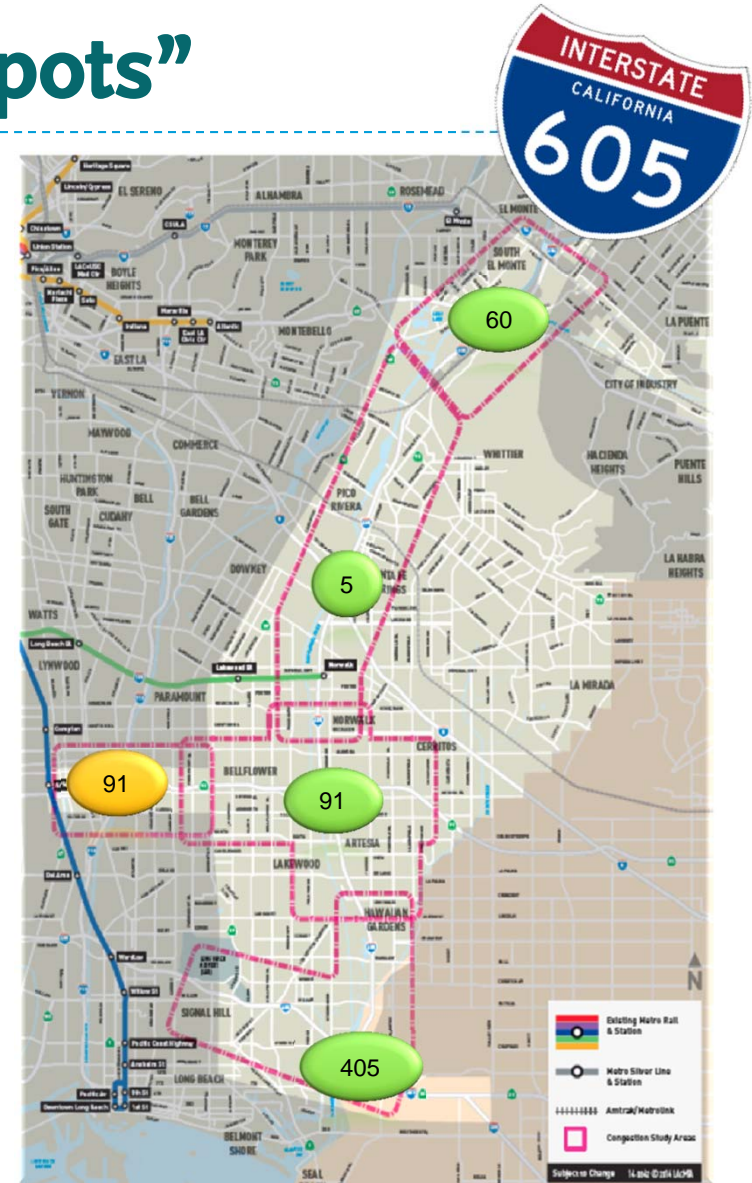
## Accomplishments:

- Aggressive contract starts:
  - 605/5 PAED awarded December 2015
  - 710/91 PSR-PDS awarded December 2015
  - 605/91 PAED awarded May 2016
  - 605/60 PAED awarded June 2016
- Effective coordination of all contracts

## Challenges/Risks:

- Funding to advance projects to design and construction
- Strategy to resolve: Considering breaking down the mega projects to smaller fundable projects with independent utility and sustainability

Note: Project costs, schedules, milestones, and delivery plans are on project-by-project basis.



# I-710 South

Approved Budget: \$91.0 million

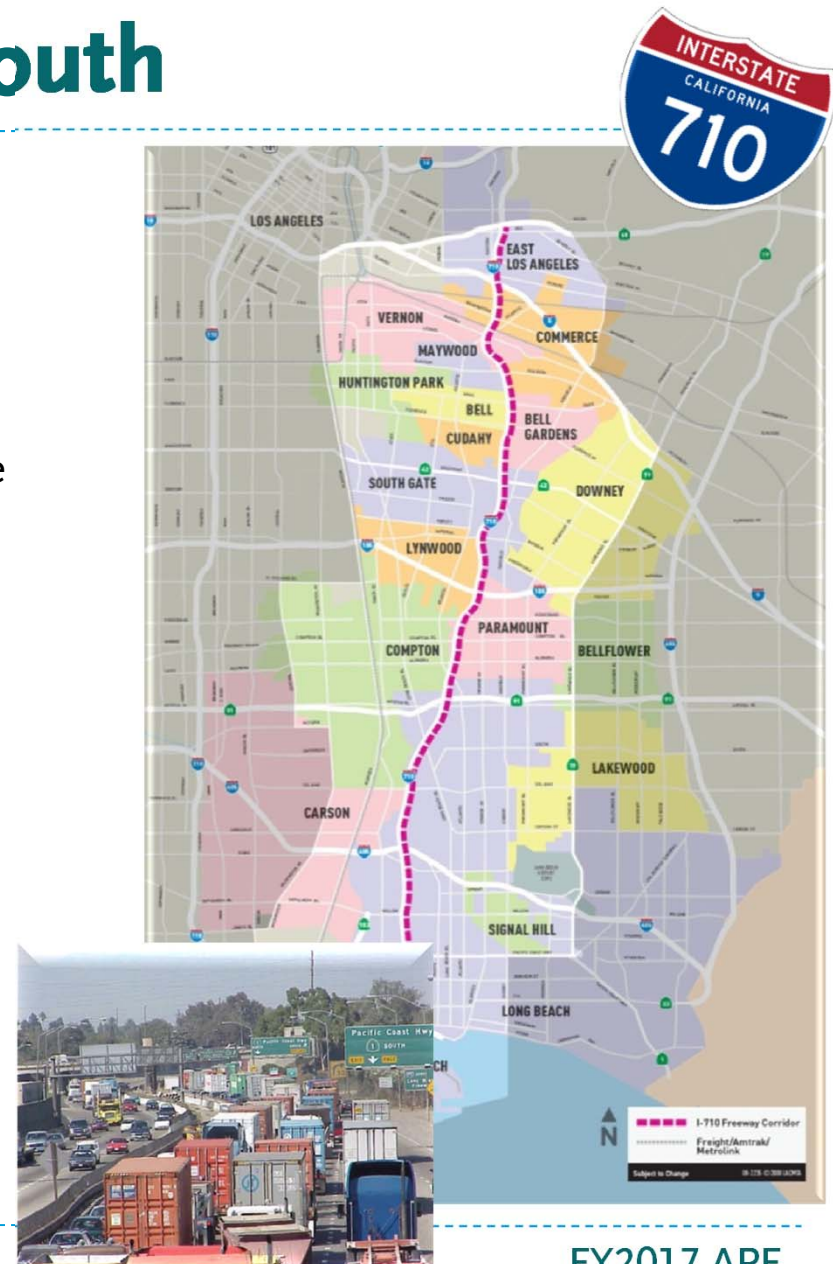
Estimated Cost to Complete Phase: \$91.0 mil

## Accomplishments:

- On schedule
- Conducting additional studies as directed by the Board
- Strong collaborative work with the local agencies, communities, and Metro Board members in addressing community concerns
- Pursuing early action projects during the development of the corridor environmental documents

## Challenges/Risks:

- Funding to pursue design and construction of the proposed improvements
- Strategy to resolve: Pursuing implementation of early action projects with independent utility and sustainability.



# I-5 North HOV: SR 14 to Parker Road



Approved Budget: \$31.4 M  
Estimated Cost to Complete Design: \$31 M

## Accomplishments:

- Award of consultant services contract in May 2016 to complete final design
- Agreement with the consultant to complete final design in 30 months

## Challenges/Risks:

- Funding for construction
- Coordination with Caltrans pavement rehabilitation project.



I-5 Corridor  
Construction  
Projects Managed  
by Caltrans





# I-5 South: Orange County Line to I-605



Project Managed by Caltrans :

- Approved budget: \$1,888.25 M
- Estimated Cost to Complete Construction: TBD

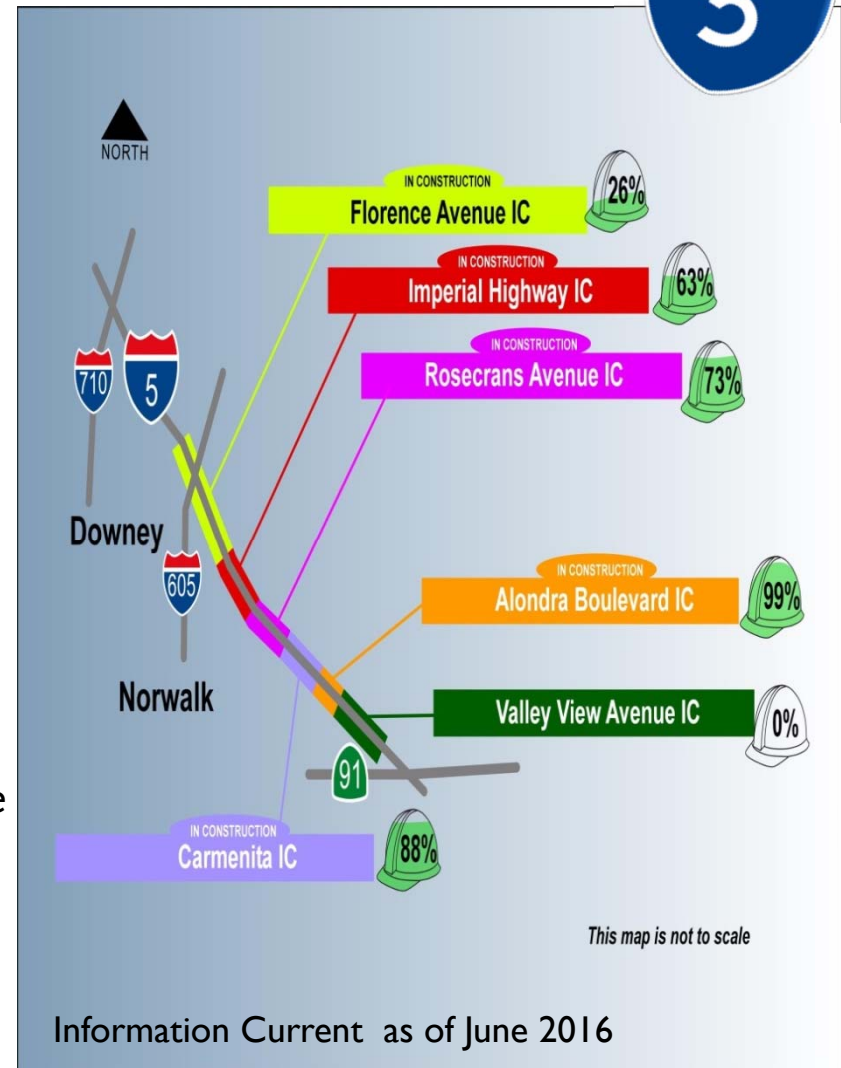
## Accomplishments:

Effective coordination of all contracts:

- Alondra Blvd – Completed and Open to traffic
- Valley View Avenue – Construction begin summer 2016
- Rosecrans Avenue – Construction in progress
- Imperial Highway – Construction in progress
- Florence Avenue – Construction in progress
- Carmenita Interchange – Construction in progress

## Challenges/Risks:

- Extensive utility and ROW relocation
- Different soil condition encountered on site for the piles
- Railroad work
- Working proactively with Caltrans to manage contingency



Information Current as of June 2016





# I-5 North: SR 118 to SR 134



## Project Managed by Caltrans :

- Approved budget: \$853.96 M
- Estimated Cost to Complete Construction: TBD

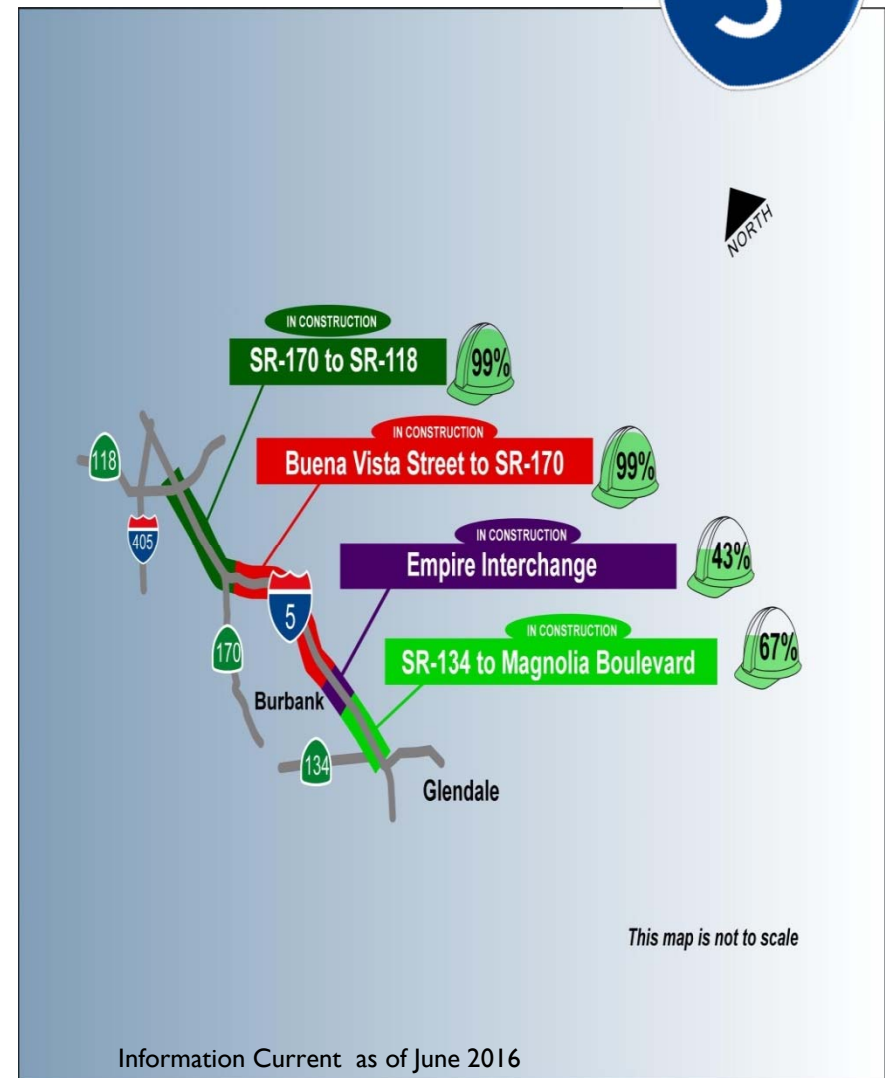
## Accomplishments:

### Effective coordination of all contracts

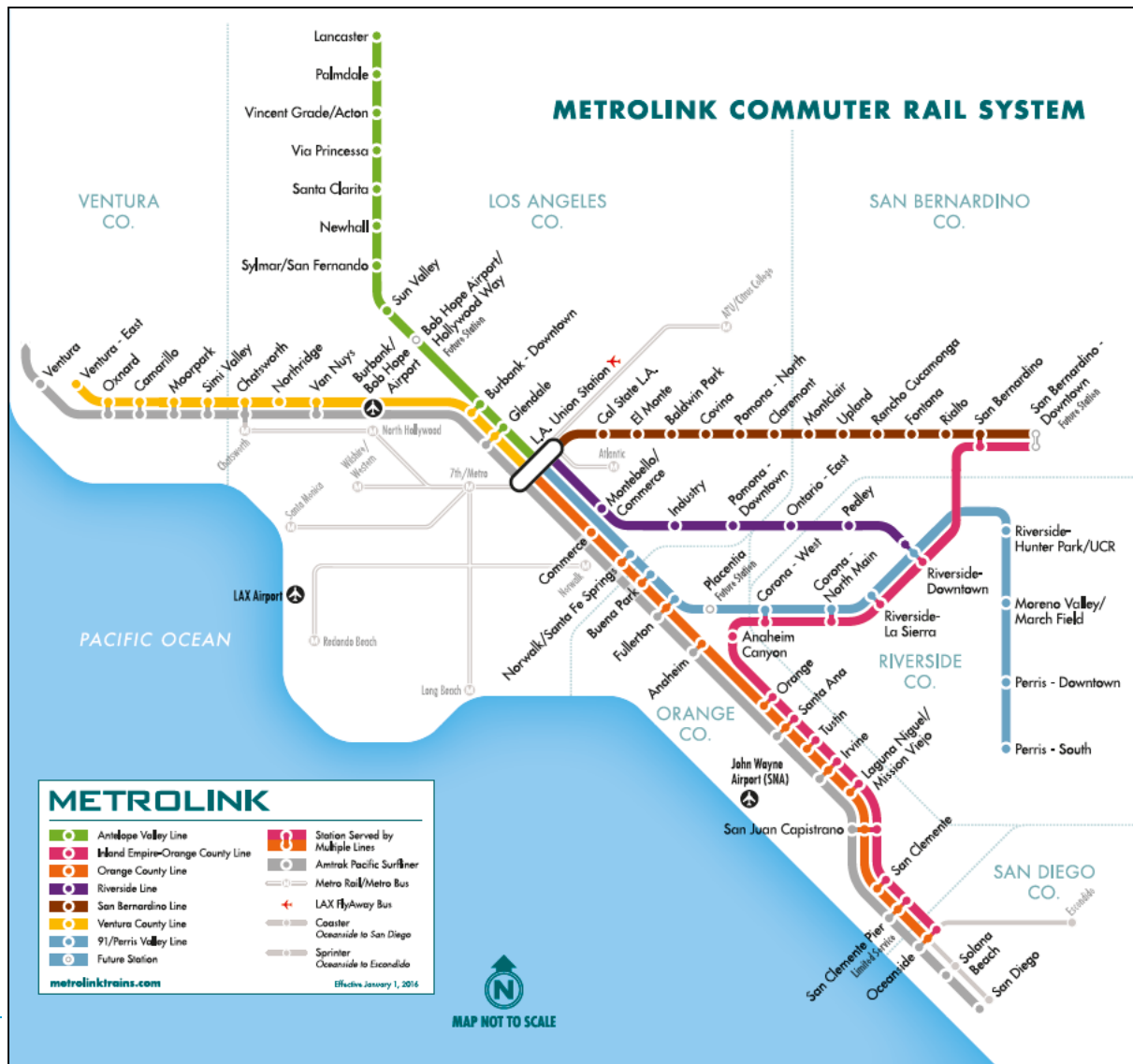
- SR118 to SR170 – Completed and Open to traffic
- SR170 to North of Buena Vista – Completed and Open to traffic
- North of Buena Vista to Magnolia Blvd including Empire Blvd Interchange – Construction in progress
- Magnolia Blvd to SR 134 – Construction in progress

## Challenges/Risks:

- Girder manufacturing delay (Segment 4)
- Utility relocation/ Railroad work changes (Seg. 3)
- Survey work related to roadway and structures (Seg.4)
- LA River Bridge construction requires significant changes to avoid working on the River bed. (Seg. 4)
- Working proactively with Caltrans to manage contingency



# Regional Rail Program



# Regional Rail Program Summary

#	Project	Current Phase	Estimated Cost of Current Phase (\$mil.)	Phase Completion
1	LINK Union Station (Southern California Regional Interconnector Project)	Environmental & PE	\$55	March 2018
2	Bob Hope Airport Metrolink Station Pedestrian Bridge Project	Environmental & 90% Design	\$4	June 2017
3	Bob Hope Airport/Hollywood Way Metrolink Station Project	Construction	\$15	Anticipated Construction to begin Nov 2016
4	Doran Street and Broadway/Brazil Safety and Access Project	Environmental/100% PE Design	\$10	December 2018
5	Brighton to Roxford Double Track Project	Environmental; Plan, Specification & Estimate	\$15	October 2018
6	Rosecrans/Marquardt Grade Separation Project	Environmental; Plan, Specification & Estimate; Real Estate Acquisition	\$85	June 2019
7	Lone Hill to CP White Double Track Project	Environmental & 30% PE	\$5	June 2017
		<b>Total Regional Rail Program</b>	<b>\$189</b>	



# Bob Hope Airport/ Hollywood Way Metrolink Station

Project Budget: \$15M

Project Schedule: Anticipate Construction  
to begin November 2016

## Accomplishments:

- 100% design complete
- Airport committed to providing courtesy shuttle service between Station and Airport
- Invitation for bids for construction was issued in August 2016

## Challenges/Risks:

- To arrange short term, long term parking solution with the City of Burbank
- To establish Operating & Maintenance (O&M) Plan with the Bob Hope Airport, City of Burbank, and City of Los Angeles
- City of Burbank requested design revisions to accomplish a more cost-effective O&M
- Potential closure of Sun Valley Station (within 2 miles of Bob Hope Station) to be determined



# Rosecrans/Marquardt Grade Separation Project

Estimated Cost: \$85 M

- Environmental/PS&E: \$12M
- Real Estate Acquisition, Third Party: \$73M
- Construction: TBD

Phase Completion: June 2019

## Accomplishments:

- Alternative #2 Offset overpass with connector roads was approved by Santa Fe Springs City Council and the Metro Board
- Environmental documentation obtained CEQA clearance
- Completed 35% Design

## Challenges/Risks:

- Multi-agencies cooperation and approval process
- Minimize traffic impacts during construction
- Constraints at Coyote Creek
- Diagonal rail crossing at a busy intersection may be a potential risk
- Securing multi-agency funding for construction





# FY17 APE Summary

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- New Project with Planned Adoption of Life-of-Project Budget
  - Westside Purple Line Extension Section 2 Project (separate board action)
- Existing Project with Planned Adjustments to Approved Budget
  - Div. 20 Portal Widening and Turnback Facility Design (separate board action)
- Existing Projects with Potential Adjustments to LOP Budget
  - Regional Connector Transit Project
  - Crenshaw/LAX Transit Project
  - ~~▪ I-5 South: Orange County Line to I-605~~
  - ~~▪ I-5 North: SR 118 to SR 134~~



# Next Steps

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- Project Managers to manage project scope, budget, and schedule for quality, on-time and within budget delivery
- To present project-specific LOP budget for Board review/adoption
- Seek additional revenue sources needed to fulfill funding commitment required to build and deliver projects
- Begin FY18 Program Management APE process in Fall 2016 and report to the Board in Spring 2017



# Appendix: Project Listing by Type

TRANSIT CAPITAL PROJECTS WITH TOTAL PROJECT COSTS > \$5 M		TYPE	LOP BUDGET (\$ MIL.)
1	BRT Freeway Station Sound Enclosure	Bus Facilities Improvements	\$5.8
2	Fuel Storage Tank System Enhancements (FY15 - FY17)	Bus Facilities Improvements	\$6.5
3	Metro Silver Line Improvements & Upgrades	Bus Facilities Improvements	\$7.8
4	Division 3 Master Plan Phases II-IV	Bus Facilities Improvements	\$13.2
5	Division 1 Improvements	Bus Facilities Improvements	\$20.9
6	Bus Facility Maintenance Improvements & Enhancements Phase II	Bus Facilities Improvements	\$20.9
7	Bus Facility Maintenance Improvements & Enhancements Phase I	Bus Facilities Improvements	\$21.2
8	Bus Facilities Maintenance & Improvement - Phase III	Bus Facilities Improvements	\$21.7
9	Patsaouras Plaza Bus Station Construction	Bus Facilities Improvements	\$39.8
10	El Monte Busway & Transit Center Expansion	Bus Facilities Improvements	\$60.1
		Bus Facilities Improvements Total	\$217.8
11	Westside Purple Line Extension Section 1 Project	Major Construction	\$2,778.9
12	Westside Purple Line Extension Section 2 Project	Major Construction	\$395.3*
13	Westside Purple Line Extension Section 3 Project	Major Construction	\$55.5**
14	Regional Connector: Construction	Major Construction	\$1,551.8
15	Crenshaw/LAX Light Rail Transit: Construction	Major Construction	\$2,058.0
		Major Construction Total	\$6,839.5
16	Patsaouras Bus Plaza Paver Retrofit	Misc. Capital Projects	\$9.1
17	Division 20 Portal Widening Turnback Facility Design	Misc. Capital Projects	\$3.5***
18	Division 22 Paint And Body Shop	Misc. Capital Projects	\$11.0
19	Metro Red Line University City Pedestrian Bridge	Misc. Capital Projects	\$29.6
		Misc. Capital Projects Total	\$53.2
20	Southwestern Maintenance Yard	Rail Facilities Improvements	\$157.0
21	Systemwide Elevator Installations (Vertical Systems)	Rail Facilities Improvements	\$8.0
22	LRT Freeway Stations Sound Enclosures	Rail Facilities Improvements	\$8.6
23	Metro Red Line Civic Center Station Escalator/Elevator Modernization	Rail Facilities Improvements	\$12.0
24	Metro Red Line Escalator Replacement/Modernization	Rail Facilities Improvements	\$20.8
25	Metro Red Line to Orange Line North Hollywood Station West Entrance	Rail Facilities Improvements	\$23.1
		Rail Facilities Improvements Total	\$229.5
26	Metro Gold Line I-210 Barrier Replacement Phase I	Security/Safety	\$11.1****
27	Metro Emergency Security Operations Center	Security/Safety	\$112.7
		Security/Safety Total	\$123.8
28	Metro Blue Line Pedestrian Safety Enhancement at Grade Crossings	Wayside Systems	\$30.2
29	Metro Blue Line Signal System Rehabilitation	Wayside Systems	\$93.6
		Wayside Systems Total	\$123.8
		<b>TRANSIT CAPITAL TOTAL</b>	<b>\$7,587</b>

\* Based on FY17 approved budget, LOP to be established

\*\* Based on projected budget through FY17 non-accelerated schedule

\*\*\* This is the approved budget to complete preliminary engineering. A separate report to the Board later this calendar year is planned to request budget adjustment.

\*\*\*\* Design LOP budget approved for risk assessment study, environmental clearance and final design

# Appendix: Project Listing by Type

	HIGHWAY	TYPE	CURRENT ESTIMATE (\$ MIL.)
1	I-5 South – Alondra	Measure R Highway Capital Project	\$114.1
2	I-5 South – Valley View Interchange	Measure R Highway Capital Project	\$631.1
3	I-5 South – Shoemaker, Rosecrans, Bloomfield	Measure R Highway Capital Project	\$188.2
4	I-5 South – San Antonio, Imperial Hwy and Orr Day	Measure R Highway Capital Project	\$323.3
5	I-5 South – Florence	Measure R Highway Capital Project	\$211.7
6	I-5 South – Carmenita Interchange	Measure R Highway Capital Project	\$419.9
7	I-5 North – HOV from SR 118 to SR 170	Measure R Highway Capital Project	\$219.5
8	I-5 North – HOV from SR 170 to North of Buena Vista	Measure R Highway Capital Project	\$94.7
9	I-5 North – North of Buena Vista to South of Magnolia Blvd	Measure R Highway Capital Project	\$402.4
10	I-5 North – Magnolia Blvd to SR 134	Measure R Highway Capital Project	\$137.4
11	I-5 North HOV Project	Measure R Highway Capital Project	\$31.0
12	Interstate 605 Corridor Hot Spots – I-605/I-5 Interchange Improvement	Measure R Highway Capital Project	\$20.8
13	Interstate 605 Corridor Hot Spots – I-605/SR 60 Interchange Improvement	Measure R Highway Capital Project	\$30.0
14	Interstate 605 Corridor Hot Spots – I-605/SR 91 Interchange Improvement	Measure R Highway Capital Project	\$7.8
15	Interstate 605 Corridor Hot Spots – I-710/SR 91 Interchange Improvement	Measure R Highway Capital Project	\$2.6
16	Interstate 405 Crenshaw Blvd On and Off Ramp Improvements	Measure R Highway Capital Project	\$10.3
17	Interstate 405 and I-110 Aux Lane from SR 91 to Torrance Blvd	Measure R Highway Capital Project	\$9.0
18	SR 138 I-5 to SR 14	Measure R Highway Capital Project	\$25.0
19	I-710 South	Measure R Highway Capital Project	\$91.0
20	I-710 South Early Action Projects - Soundwall Projects (3 locations)	Measure R Highway Capital Project	\$12.7
		<b>Measure R Highway Total</b>	<b>\$2,982.5</b>
21	I-10 HOV from Citrus Avenue to SR 57	Other Highway Projects	\$264.4
22	I-10 HOV from Puente Avenue to Citrus Avenue	Other Highway Projects	\$195.6
23	SR 57 and SR 60 Mixed Flow Interchange	Other Highway Projects	\$13.0
24	SR 71: Interstate 10 to Mission Blvd	Other Highway Projects	\$11.0
25	SR 71: Mission Blvd to Rio Rancho Road	Other Highway Projects	\$13.0
		<b>Other Highway Total</b>	<b>\$497.0</b>
		<b>HIGHWAY PROGRAM TOTAL</b>	<b>\$3,479.4</b>
	REGIONAL RAIL	TYPE	CURRENT ESTIMATE (\$ MIL.)
1	Link Union Station	Regional Rail	\$55
2	Bob Hope Airport Metrolink Station	Regional Rail	\$15
3	Bob Hope Airport Pedestrian Bridge	Regional Rail	\$4
4	Brighton to Roxford Double Track	Regional Rail	\$15
5	Doran St Grade Separation	Regional Rail	\$10
6	Lone Hill to White - Env & 30 % Design	Regional Rail	\$5
7	Rosecrans Marquardt Grade Separation	Regional Rail	\$85
		<b>REGIONAL RAIL PROGRAM TOTAL</b>	<b>\$189</b>

**Board Report**

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**File #:** 2016-0573, **File Type:** Contract

**Agenda Number:** 22.

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**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE  
SEPTEMBER 15, 2016**

**SUBJECT: CONSULTING SERVICES FOR HEAVY RAIL VEHICLE ACQUISITION,  
PROGRAM CONTROL SUPPORT SERVICES**

**ACTION: AWARD PROFESSIONAL SERVICES CONTRACT**

**RECOMMENDATION**

AWARD a cost plus fixed fee contract for **Program Control Support Services for the Heavy Rail Vehicle (HRV) Acquisition**, Contract No. PS5868500, to STV/PB Heavy Rail Vehicles II, a Joint Venture, in the not-to-exceed amount of \$5,651,853.54 for the 64 HRV Base Order.

**ISSUE**

This action authorizes contract award to STV/PB Heavy Rail Vehicles II, a Joint Venture, to support Metro's designated Project Manager, with project control, management and oversight of the Rail Vehicle Contractor to ensure performance consistent with the requirements of the HR4000 Heavy Rail Vehicle Acquisition Contract. Consultant shall apply appropriate program control and oversight support resources to facilitate the timely production and delivery of the HR4000 HRVs and associated deliverables for the 64 HRV Base Order.

**DISCUSSION**

Metro is currently supporting three rail line extensions on the Purple Line Extension (PLE). This rail line expansion, previously named the Westside Subway Extension, extends service from the terminus of the Purple Line at the Wilshire/Western Station to Westwood.

In accordance with the Rail Fleet Management Plan FY2015-FY2040 (Draft, June 10, 2015, v.7.1), Metro anticipates a need to expand each rail fleet to accommodate anticipated growth in ridership, line extensions; replace vehicles reaching the end of their useful revenue service life; and support the maintenance department with reasonable spare ratios to prevent deferred maintenance issues. The base order of 64 HRVs will address the operational service requirements of the PLE, Section 1, with 34 HRVs; the remaining 30 HRVs will be used to replace the original A650 HRVs that will be reaching the end of their revenue service life. As such, this contract base order will be supporting the fleet replacement efforts in addition to the PLE section 1 extension. There are five (5) Options totaling 218 HRVs for potentially a cumulative purchase of 282 vehicles.



The Options below were evaluated as part of this procurement action, but the authority to award the Options are not included in the staff recommendation. The Options can be exercised at any time during the term of the contract. Authority will be requested at the same time that the HRV Options are recommended to be approved by the Board for award in the future.

- Option 1 - 24 HRVs: Red Line Expansion
- Option 2 - 84 HRVs: System Expansion
- Option 3 - 20 HRVs: PLE, Section 2
- Option 4 - 16 HRVs: PLE, Section 3
- Option 5 - 74 HRVs: Fleet Replacement of existing 74 vehicles

STV/PB Heavy Rail Vehicles II, a Joint Venture shall provide support to Metro's designated Project Manager or his/her designee, with program control and oversight of the Rail Vehicle Contractor to ensure that performance is consistent with the delivery requirements of the HR4000 Heavy Rail Vehicle Contract, which may include Metro's exercise of any or all of the five (5) Options.

The scope of services shall include, but not be limited to:

- provide oversight of the project status;
- identify any variances from schedule and deliverable requirements and recommend corrective action;
- assess and report on project performance;
- support of Project Reviews;
- performing Buy America audit and reviewing Change Order requests; and
- other program management and oversight support services as directed by Metro.

The Consultant shall provide, on an as needed basis, highly experienced and qualified Program Control staff with demonstrated expertise in all subject areas listed in STV/PB Heavy Rail Vehicles II, a Joint Venture Statement of Qualifications for the duration of the Contract.

The Diversity & Economic Opportunity Department (DEOD) has completed its initial evaluation of the Proposer's commitment to meet the twenty percent (20%) Race Conscious Disadvantage Business Enterprise (RC DBE) goal established for this project. STV/PB Heavy Rail Vehicles II, a Joint Venture exceeded the goal by making a 20.88% DBE commitment and is deemed responsive to the DBE requirements.

## **DETERMINATION OF SAFETY IMPACT**

The approval of this contract award will have a direct and positive impact to system safety. The procurement of sixty-four (64) new HRVs will feature the most current safety systems and augment service levels by replacing the underperforming original 30 A650 HRVs.

### **FINANCIAL IMPACT**

The total not-to-exceed contract amount is \$5,651,853.54. Funding for the base order is within the respective Life of Project (LOP) budgets for the PLE Section 1 (865518) of \$2,773,880,000 and the Heavy Rail Procurement Project (206037) of \$130,910,000.

The FY17 planned expenditures of \$2,497,043 is included in the annual budgets for the two aforementioned projects in Cost Center 3043, Rail Vehicle Acquisition, and Account 50316, Professional & Technical Services and as per Attachment C.

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 Measure R 35%, and is within the Adopted LOP budget. Funding sources for the PLE Section 1 project is planned for the design, construction and procurement efforts; these funds are not eligible for operations.

The source of funds for the Heavy Rail Procurement project is a combination of Measure R 35% which is not eligible for transit operations and Proposition A 35% which is eligible for transit operations. Staff is actively pursuing additional Federal sources such as Section 5337 and other 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 project 206037.

### **ALTERNATIVES CONSIDERED**

Staff considered using in-house Metro resources to perform this work. This approach is not recommended as Metro does not have sufficient resources and Subject Matter Experts (SME) available to perform this work.

The Board of Directors may choose not to authorize the Contract award for this project; however, this alternative is not recommended by staff as this project is critical to support the Purple Line Extension, accommodate projected growth in ridership, and increase vehicle spare ratios to enable the Maintenance department to effectively plan and schedule its work.

### **NEXT STEPS**

Upon Board approval, a Contract will be awarded and a Notice-to-Proceed will be issued to STV/PB Heavy Rail Vehicles II, a Joint Venture. Metro and STV/PB Heavy Rail Vehicles II, a Joint Venture

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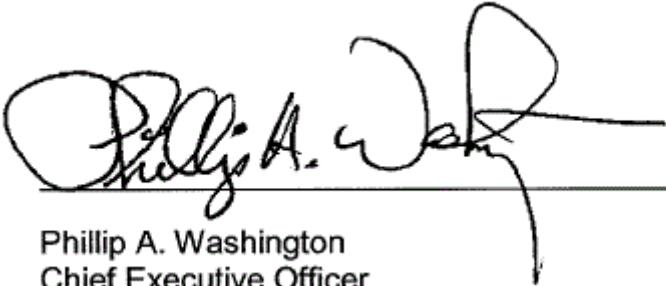
will mobilize required resources and SMEs to ensure timely completion of deliverables by the Vehicle Contractor.

**ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - DEOD Summary  
Attachment C - Funding/Expenditure Plan

Prepared by: Cop Tran, Sr Manager, Project Control, Rail Vehicle Acquisition, (213) 922-3188  
Jesus Montes, Sr Executive Officer, Vehicle Acquisition,  
(213) 922-3838

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 922-4424  
Ivan Page, Interim Executive Director, Vendor/Contract Management, (213) 922-6383



Phillip A. Washington  
Chief Executive Officer

**PROCUREMENT SUMMARY**

**HEAVY RAIL VEHICLES ACQUISITION PROGRAM CONTROL SUPPORT SERVICES/PS5868500**

1.	Contract Number: PS5868500	
2.	Recommended Vendor: STV/PB Heavy Rail Vehicles II, a Joint Venture	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: May 10, 2016	
	B. Advertised/Publicized: May 11, 2016	
	C. Pre-proposal/Pre-Bid Conference: May 26, 2016	
	D. Proposals/Bids Due: July 5, 2015	
	E. Pre-Qualification Completed: August 15, 2016	
	F. Conflict of Interest Form Submitted to Ethics: August 11, 2016	
	G. Protest Period End Date: (15 Calendar Days after Notification of Intent to Award)	
5.	Solicitations Picked up/Downloaded: 13	Bids/Proposals Received: 1
6.	Contract Administrator: Nicole Dang	Telephone Number: 213-922-7438
7.	Project Manager: Cop Tran	Telephone Number: 213-922-3188

**A. Procurement Background**

This Board Action is for a Best Value procurement issued to obtain professional consulting services for Heavy Rail Vehicles (HRV) program control support services to assist and augment Metro staff engaged in the acquisition and on time delivery of Heavy Rail Vehicles.

The RFP was issued in accordance with Metro’s Acquisition Policy and the contract type is Cost-Plus Fixed Fee.

Three (3) amendments were issued during the solicitation phase of this RFP;

- Amendment No. 1 issued on May 17, 2016 extended the proposal due date to June 30, 2016.
- Amendment No. 2 issued on June 22, 2016 extended the proposal due date to July 1, 2016.
- Amendment No. 3 issued on June 29, 2016 extended the proposal due date to July 5, 2016, corrected administrative errors, and added Regulatory Requirements No. 27 entitled “Compliance with California Health and Safety Code (HSC) §25250.51”.

Only one (1) proposal was received on July 5, 2016. LACMTA conducted a market survey to determine if the RFP was issued with any unduly restricted elements in the Statement of Work. Staff determined that the solicitation contained no restrictions to competition and that an environment of fair and open competition existed and was encouraged. The RFP was downloaded by 13 firms.

It should be noted that this RFP was the second phase of two separate RFPs issued by LACMTA to obtain consulting services for the HR4000 consulting support services. The first RFP for technical consulting support services (Element A), was awarded in May 2016. This RFP for program management consulting support services is the second phase (Element B).

The firms awarded the contract for Element A are prohibited from proposing on Element B. This prohibition prevents any organizational conflicts of interest and ensures the project has appropriate checks and balances between engineering and program management oversight. Firms such as CH2M Hill, Inc., LTK Engineering Services, and Virginkar and Associates, Inc. that meet the RFP's technical requirements were not able to compete because they were awarded Element A. The two remaining firms left in the industry left to propose for this RFP were STV and PB, a long standing joint venture, resulting in one proposal received for this solicitation. The market survey performed by staff confirmed that CH2MHill, LTK Engineering Services and Virginkar and Associated choose not to submit proposals because they recognized that their participation would create an organizational conflict of interest. This left only the STV and PB Joint Venture as the remaining known source.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro's Rail Vehicle Acquisition Department and Metro's Rail Fleet Services were convened and conducted a comprehensive technical evaluation of the proposal received. The proposal was evaluated based on the following evaluation criteria and weights:

- |  |             |
|--|-------------|
| • The firm's degree of skills and experience                               | 30% percent |
| • Staff quality and technical expertise                                    | 20% percent |
| • Understanding of work and appropriateness of approach for implementation | 20% Percent |
| • Price  | 30% percent |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Best Value procurements. Several factors were considered when developing these weights, giving the greatest importance to the firm's skills, staff experience, and price.

From July 6, 2016 through July 19, 2016, the PET met to review the proposal from STV/PB, JV.

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

**STV/PB Heavy Rail Vehicle II, JV**

The PET determined that STV/PB, JV's proposal significantly exceeded the RFP's requirements based on the firm and staff's experiences on similar projects. STV/PB, JV demonstrated their expertise in rail vehicle engineering consulting services by providing a comprehensive implementation plan showing specific consultant staff responsible for managing each major milestone during the program support services.

STV/PB, JV provided technical consulting services to assist LACMTA staff with development of the HR4000 technical specification and commercial requirements. The same staff are proposed for this new work, thus STV/PB, JV team has no learning curve and will be able to begin work immediately as an integrated team to support the design development and to oversee the timely production and delivery of the HRVs.

This contract scope of work is similar to the project that the STV/PB, JV worked on for Massachusetts Bay Transportation Authority (MBTA) to develop the technical specification for the procurement of 226 HRVs. The STV/PB, JV is currently assisting MBTA with program management support on this procurement. STV/PB, JV also provided technical consulting support services to Chicago Transit Authority (CTA) on the 5000 Series Procurement and Southeastern Pennsylvania Transportation Authority (SEPTA) on the Silver Liner V Procurement.

**Evaluation Summary:**

The PET assessed STV/PB, JV's proposal strengths, weaknesses and associated risks based on the Evaluation Criteria of the RFP. The PET determined STV/PB, JV has the ability to provide the services as required in the RFP.

<b>1</b>	<b>FIRM</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>STV/PB, JV</b>				
<b>3</b>	The Firm's Degree of Skills and Experience	8.42	30.00%	25.25	
<b>4</b>	Staff Quality of Technical Expertise	8.42	20.00%	16.83	
<b>5</b>	Understanding of Work and Appropriateness of Approach for Implementation	8.17	20.00%	16.33	
<b>6</b>	Price	30.00	30.00%	30.00	
<b>7</b>	<b>Total</b>		<b>100.00%</b>	<b>88.41</b>	<b>1</b>

### **C. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon Metro Management Audit Services (MAS) audit findings, an Independent Cost Estimate of \$8,510,800, cost analysis of labor rates of similar job titles from the Bureau of Labor Statistics, technical evaluation, and negotiations. Metro has negotiated fixed billing rates for direct labor, overhead rates, and a fixed fee based on the total estimated cost for each Task Order. The pricing for each Task Order will use the Contract defined fixed direct labor rates, overhead rates, other direct costs (ODC) plus a portion of the negotiated fixed fee to establish a lump sum price.

<b>Years</b>	<b>Proposed</b>	<b>Negotiated</b>
Base Year 1-5	\$ 5,772,489.98	\$ 5,651,853.54
Option 1	\$ 638,567.23	\$ 600,403.58
Option 2	\$ 933,987.67	\$ 879,806.00
Option 3	\$ 229,122.79	\$ 213,680.38
Option 4	\$ 194,804.64	\$ 183,121.30
Option 5	\$ 753,343.64	\$ 689,324.36
Total NTE Amount	\$ 8,522,315.94	\$ 8,218,189.15

### **D. Background on Recommended Contractor**

The recommended firm, STV/PB, JV located in Los Angeles, CA has been in business and worked together as a Joint Venture for 13 years, is a leader in the field of engineering rail vehicle procurement. STV/PB, JV has worked with such municipals such as LA Metro, Massachusetts Bay Transportation Authority (MBTA), City of Anaheim DPW Regional Transportation Intermodal Center, Amtrak, New Jersey Transit, New York City Transit, and Santa Clara VTA Silicon Valley rapid Transit.

STV/PB, JV proposed senior vehicle specialist Andrew Frohn, who has over 30 years of experience in this industry and has been involved with HRV procurements from specification development to final acceptance. STV/PB, JV proposed Safety and Security subject matter expert, Gulzar Ahmed who has over 46 years of professional experience, and has extensive experience with performing safety certifications on projects in California in accordance with CPUC requirements. Overall, the proposed staff clearly exceeded the minimum requirements and they have extensive technical and program management support experience.

## DEOD SUMMARY

HEAVY RAIL VEHICLES ACQUISITION PROGRAM CONTROL SUPPORT  
SERVICES/PS5868500**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 20% Disadvantaged Business Enterprise (DBE) goal for this solicitation. STV/PB Heavy Rail Vehicles II, a Joint Venture, exceeded the goal by making a 20.88% DBE commitment.

<b>Small Business Goal</b>	<b>20% DBE</b>	<b>Small Business Commitment</b>	<b>20.88% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	Capitol GCS, Inc.	Hispanic American	19.75%
2.	Information Design Consultants, Inc.	African American	1.13%
	<b>Total Commitment</b>		<b>20.88%</b>

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

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

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

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

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



# ATTACHMENT C

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	Total	% of Project
<b>Use of Funds</b>		<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>		
Replacement: 30 Vehicles (CP 206037)	\$0	\$0	\$595,000	\$5,900,000	\$24,497,000	\$24,544,000	\$24,559,000	\$24,477,000	\$104,572,000	35.9%
Professional Services	\$0	\$629,759	\$405,000	\$1,123,200	\$1,921,000	\$1,921,000	\$1,921,000	\$1,821,000	\$9,741,959	3.3%
MTA Administration	\$279,343	\$157,890	\$500,000	\$775,000	\$859,568	\$812,668	\$833,068	\$839,068	\$5,056,605	1.7%
Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$11,539,436	\$11,539,436	4.0%
<b>Total</b>	<b>\$279,343</b>	<b>\$787,649</b>	<b>\$1,500,000</b>	<b>\$7,798,200</b>	<b>\$27,277,568</b>	<b>\$27,277,668</b>	<b>\$27,313,068</b>	<b>\$38,676,504</b>	<b>\$130,910,000</b>	<b>45.0%</b>
WSE Section 1: 34 Vehicles (Project 865518)	\$0	\$0	\$727,728	\$7,216,124	\$29,961,593	\$30,019,077	\$30,037,424	\$29,937,132	\$127,899,078	43.9%
Professional Services	\$0	\$770,241	\$495,362	\$1,373,803	\$2,349,605	\$2,349,605	\$2,349,605	\$2,227,293	\$11,915,513	4.1%
MTA Administration	\$341,657	\$193,110	\$611,536	\$947,881	\$1,051,313	\$993,951	\$1,018,902	\$1,026,241	\$6,184,591	2.1%
Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$14,113,517	\$14,113,517	4.8%
<b>Total</b>	<b>\$341,657</b>	<b>\$963,351</b>	<b>\$1,834,626</b>	<b>\$9,537,808</b>	<b>\$33,362,511</b>	<b>\$33,362,634</b>	<b>\$33,405,930</b>	<b>\$47,304,183</b>	<b>\$160,112,700</b>	<b>55.0%</b>
<b>Base Order Total</b>	<b>\$621,000</b>	<b>\$1,751,000</b>	<b>\$3,334,626</b>	<b>\$17,336,008</b>	<b>\$60,640,079</b>	<b>\$60,640,302</b>	<b>\$60,718,998</b>	<b>\$85,980,686</b>	<b>\$291,022,700</b>	<b>100.0%</b>

	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	Total Uses	% of Project
<b>Base Order Summary</b>		<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>		
Base Order 64 Vehicles	\$0	\$0	\$1,322,728	\$13,116,124	\$54,458,593	\$54,563,077	\$54,596,424	\$54,414,132	\$232,471,078	79.9%
Professional Services	\$0	\$1,400,000	\$900,362	\$2,497,003	\$4,270,605	\$4,270,605	\$4,270,605	\$4,048,293	\$21,657,472	7.4%
MTA Administration	\$621,000	\$351,000	\$1,111,536	\$1,722,881	\$1,910,881	\$1,806,619	\$1,851,970	\$1,865,309	\$11,241,196	3.9%
Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$25,652,953	\$25,652,953	8.8%
<b>Base Order Summary Total</b>	<b>\$621,000</b>	<b>\$1,751,000</b>	<b>\$3,334,626</b>	<b>\$17,336,008</b>	<b>\$60,640,079</b>	<b>\$60,640,302</b>	<b>\$60,718,998</b>	<b>\$85,980,686</b>	<b>\$291,022,700</b>	<b>100.0%</b>

		FY15	FY16	FY17	FY18	FY19	FY20	FY21	Total Sources	%
<b>Sources of Funds</b>										
Measure R 35% Per WSE PLE Sec	\$341,657	\$963,351	\$1,834,626	\$9,537,808	\$33,362,511	\$33,362,634	\$33,405,930	\$47,304,183	\$160,112,700	
<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					\$6,466,092	
Cap and Trade; Other State & Federal sources (206037)*				\$3,899,100	\$27,277,568	\$27,277,668	\$27,313,068	\$38,676,504	\$124,443,908	
<i>* Future Local, State &amp; Federal Funds to be identified as they become available.</i>										
<b>Total Funding Sources</b>	<b>\$621,000</b>	<b>\$1,751,000</b>	<b>\$3,334,626</b>	<b>\$17,336,008</b>	<b>\$60,640,079</b>	<b>\$60,640,302</b>	<b>\$60,718,998</b>	<b>\$85,980,686</b>	<b>\$291,022,700</b>	

\* 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.

**Board Report**

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**File #:** 2016-0554, **File Type:** Contract**Agenda Number:**

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**REGULAR BOARD MEETING  
OCTOBER 27, 2016****SUBJECT: CONSULTING SERVICES FOR THE A650 HEAVY RAIL VEHICLE (HRV)  
OVERHAUL PROGRAM, TECHNICAL AND PROGRAM MANAGEMENT SUPPORT  
SERVICES****ACTION: AWARD PROFESSIONAL SERVICES CONTRACT****RECOMMENDATION**

AWARD 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.

**ISSUE**

This action authorizes LTK Engineering Services to support Metro's designated Project Manager, or his/her designee, with the engineering, technical oversight, program management support services of the Rail Vehicle Contractor to ensure performance is consistent with the requirements of the A650 Overhaul Program. Subject to Metro's direction, the Consultant shall apply appropriate engineering, technical and program management support services and resources to facilitate the timely overhaul and delivery of the A650 HRVs and associated deliverables.

**DISCUSSION**

The Los Angeles County Metropolitan Authority (Metro) operates the Metro Red Line (MRL) with a fleet of 104 Vehicles, consisting of the Original 30 (Base-Buy) HRVs and Newest 74 (Option-Buy) HRVs manufactured by Breda Costruzioni-Ferroviarie between 1992 and 2000. The Original HRVs have an average age of 23.5 years and average mileage of 790,000 miles per vehicle. The Newer 74 HRVs have an average age of 17.6 years with average mileage greater than 1.3 million miles per vehicle.

The Consultant shall provide Metro with expert professional engineering, technical oversight, and program management support services as directed and required by Metro's staff to ensure the Rail

Vehicle Contractor's performance is consistent with the delivery requirements of the Contract. Subject to Metro's direction, the Consultant shall apply appropriate engineering, technical and program management resources to ensure the timely overhaul and delivery of the overhauled Vehicles and associated deliverables.

The scope of services shall include, but not be limited to reviewing and preparation of correspondence in response to technical submissions; provide oversight of the project status; identify any variances from schedule and deliverable requirements and recommend corrective action; assess and report on project performance; support of Project Reviews; document control; oversight of the Rail Vehicle Contractor's supply chain process; performing Buy America audit and reviewing Change Order requests; testing and inspection activity oversight; and other technical and program management support services as directed by Metro.

The Consultant shall provide, on an as needed basis, highly experienced and qualified passenger heavy rail transit engineers and program management staff with demonstrated expertise in all subject areas listed in the Statement of Qualifications for the duration of the Contract.

The Diversity & Economic Opportunity Department (DEOD) has completed its initial evaluation of the Proposer's commitment to meet the twenty percent (20%) Race Conscious Disadvantage Business Enterprise (RC DBE) goal established for this project. LTK Engineering Services exceeded the goal by making a 30.74% DBE commitment and is deemed responsive to the DBE requirements.

### **DETERMINATION OF SAFETY IMPACT**

The approval of this Contract award will have a direct and positive impact to system safety, service quality, system reliability, maintainability and overall customer satisfaction. The A650 Overhaul Program will permit Metro to maintain a "State of Good Repair (SGR)" on the 74 Newest A650 HRVs.

### **FINANCIAL IMPACT**

The planned expenditure of \$760,000 is included in the FY17 budget in cost center 3043, Rail Vehicle Acquisition, Account 50316, Professional and Technical Services, under project number CP206038, Heavy Rail Vehicle Midlife Overhaul Program.

Since this is a multi-year project, the cost center manager, project manager, and Senior Executive Officer, Rail Maintenance and Engineering will ensure that funds are budgeted in future Fiscal Years.

### **Impact to Budget**

The current source of funds for the overhaul program and Consulting Services is Proposition A 35% which are eligible for transit operations. Staff will pursue additional federal funds that may become available through MAP-21 or other federal sources for this project to maximize and conserve the use

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of local funding sources before considering debt financing.

**ALTERNATIVES CONSIDERED**

Staff considered the following alternatives: using in-house Metro resources to perform this work. This approach is not recommended as Metro does not have sufficient resources and Subject Matter Experts available to perform this work. This approach is not recommended for the lack of staff capabilities listed above.

The Board of Directors may choose not to authorize the Contract award for this project; however, this alternative is not recommended by Metro staff because the Overhaul Program is critical in maintaining a SGR on the 74 Newest A650 HRVs and enables the Maintenance department to effectively plan and schedule its work.

**NEXT STEPS**

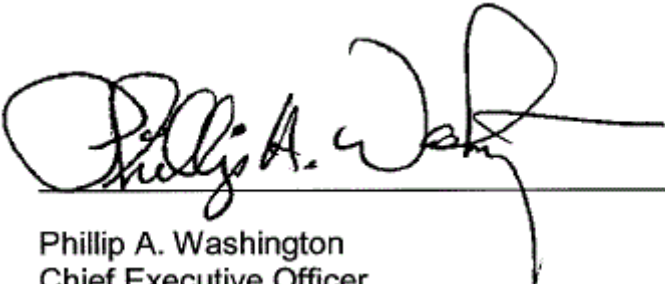
Upon Board approval, a contract will be awarded and a Notice-to-Proceed will be issued to LTK Engineering Services. Metro and LTK Engineering Services will mobilize required resources and SMEs to ensure timely completion of deliverables by the Rail Vehicle Contractor.

**ATTACHMENTS**

- Attachment A - Procurement Summary
- Attachment B - DEOD Summary
- Attachment C - Funding/Expenditure Plan

Prepared by: Cop Tran, Sr. Manager, Project Control, Rail Vehicle Acquisition, (213) 922-3188  
Jesus Montes, Sr. Executive Officer, Vehicle Acquisitions, (213) 922-3838

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



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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

**CONSULTING SERVICES FOR THE A650 HEAVY RAIL VEHICLE (HRV)  
OVERHAUL PROGRAM, TECHNICAL AND PROGRAM CONTROL SUPPORT  
SERVICES / OP30433488**

1.	<b>Contract Number:</b> OP30433488	
2.	<b>Recommended Vendor:</b> LTK Engineering Services	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	A. Issued: 07.27.15	
	B. Advertised/Publicized: 07.27.15	
	C. Pre-proposal/Pre-Bid Conference: 08.11.15	
	D. Proposals/Bids Due: 09.17.15	
	E. Pre-Qualification Completed: 08.22.16	
	F. Conflict of Interest Form Submitted to Ethics: 08.22.16	
	G. Protest Period End Date: 09.08.16	
5.	<b>Solicitations Picked up/Downloaded:</b> 48	<b>Bids/Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Wayne Okubo	<b>Telephone Number:</b> (213)922-7466
7.	<b>Project Manager:</b> Cop Tran	<b>Telephone Number:</b> (213)922-3188

**A. Procurement Background**

This Board Action is to approve Contract No. OP30433488 issued in support of the A650 Heavy Rail Vehicle Overhaul and Critical Component Replacement Program. The recommended consultant shall provide engineering and administrative resources to support Metro's Project Manager in the technical and program management of the overhaul. The intent of the overhaul program is to replace vital systems and components, and to update relevant technology to ensure the continued safety, reliability, availability, and maintainability of the fleet for full revenue service and maintain the fleet's State of Good Repair.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a cost plus fixed fee.

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

- Amendment No. 1, issued on August 19, 2015 extended the proposal due date to September 17, 2015;
- Amendment No. 2, issued on July 15, 2016 after receipt of proposals requested Best and Final Offers (BAFOs);

A total of two proposals were received on September 17, 2015. A Pre-Proposal conference was held on August 11, 2015 with a total of 12 attendees.

Uncertainty over the A650 overhaul program caused delays in completing the procurement process for this Technical and Program Management Support contract. The award of this contract is contingent upon proceeding with the overhaul of the A650 fleet. Proposal negotiations were delayed until a determination to continue with the overhaul program was made. After oral presentations were conducted on October 29, 2015 both proposers were advised that Metro would not proceed until the status of the overhaul program was determined. Discussions with the proposers resumed once the decision to continue was made.

## **B. Evaluation of Proposals/Bids**

A Proposal Evaluation Team (PET) consisting of staff from Rail vehicle Acquisition and Rail Fleet Services was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- |  |            |
|--|------------|
| • Team's Degree of Skill and Experience                                    | 30 percent |
| • Price  | 30 percent |
| • Staff Quality and Technical Expertise                                    | 20 percent |
| • Understanding of Work and Appropriateness of Approach for Implementation | 20 percent |

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

Both of the proposals received were determined to be within the competitive range. The firms are listed below in alphabetical order:

- CH2M HILL, Inc.
- LTK Engineering Services

During the week of September 28, 2015, the evaluation committee met and started the review of the proposals. Proposal clarifications were necessary from both firms with requests sent on October 6, 2015. After clarifications were received and accepted, oral presentations were conducted on October 29, 2015. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. In general each team's presentation addressed the requirements of the RFP, experience with all aspects of the required tasks, and stressed each firm's commitment to the success of the project. Also highlighted were staffing plans, work plans, and perceived project issues. Each team adequately responded to questions relative to each firm's proposed alternatives and previous experience.

Discussions were held with both firms during the week of July 11, 2016. Each firm had adjusted the labor hour base in their initial price proposal by reducing the total hours for some of the labor categories. Best and Final Offers (BAFOs) were requested on July 15, 2016 and both firms were explicitly instructed to use the labor categories and hours provided by Metro on their BAFOs. Metro's BAFO request also contained a division of the work into base and option elements. This segmenting of the work follows the same base and option breakdown applied on the actual vehicle overhaul program. The Option for these services must be exercised by Metro no later than 12 months after Notice to Proceed.

BAFOs were received from both firms and evaluated by the PET. Each proposer made changes to their team, either based on discussions or out of their own best interests. LTK's organization was strengthened by the changes reflected in its BAFO.

LTK proposed a new Senior Schedule Analyst who strengthened the team's skill, quality, technical expertise, and experience based on the scheduler's education and experience background. LTK proposed a new Systems Integrator Engineer who's well rounded background and systems integration experience improves LTK's team in the critical area of system integration. The firm also moved its originally propose Systems Integrator Engineer to the Senior Electrical Engineer role. This move enhances the quality and experience of the engineering team proposed by LTK.

LTK submitted a comprehensive technical proposal that provided a clear implementation approach and a concise plan that addressed design, qualification, production, inspection, and testing phases of the overhaul. The proposal also included "lessons learned" from prior engagements that utilized a similar overhaul approach.

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

#### **LTK**

LTK is headquartered in Ambler, PA with regional offices in Los Angeles, Atlanta, Boston, Chicago, Dallas, Denver, Houston, Minneapolis, Newark, New York, Petaluma, Portland, San Francisco, Seattle, and Washington, D.C. LTK has assisted in the design, procurement, rehabilitation, inspection and acceptance testing of over 26,000 passenger railcars operating in North America. LTK has an estimated 360 employees which includes 290 engineers and technicians with expertise in rail vehicle systems planning, engineering, and economic analyses. LTK has provided various engineering, technical, and management services in support of other transit agencies as well as Metro on the P3010 vehicle acquisition project.

## CH2M HILL

CH2M HILL has over 30 years of experience in providing vehicle engineering and program management services. CH2M has supported both procurement and overhaul of rail vehicles, managing more than 110 projects totaling more than 13,300 vehicles, working to resolve the range of design, production, testing, and delivery issues that can arise. CH2M HILL has provided various engineering, technical, and management services in support of other transit agencies as well as Metro on the specification development for the A650 overhaul project.

The PET evaluated the proposals and assessed strengths, weaknesses, and associated risks of each proposal utilizing the evaluation criteria factors and sub-factors defined in the RFP. LTK Engineering Services was determined to be the PET's highest rated firm.

Although LTK's final price offer was higher than CH2MHill's price, LTK provided Metro with the "Best Value" for critical technical elements in System Integration, System Engineering, Quality Assurance Engineering and greater availability of key personnel. **These technical advantages in team and individual skill, experience, approach and availability provide Metro with the highest degree of probability of program success.**

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	<b>LTK</b>				
3	Team's Degree of skill and Experience	83.33	30.00%	25.00	
4	Price	92.44	30.00%	27.73	
5	Staff Quality and Technical Expertise	80.00	20.00%	16.00	
6	Understanding of Work and Appropriateness of Approach for Implementation	85.00	20.00%	17.00	
7	<b>Total</b>		<b>100.00%</b>	<b>85.73</b>	<b>1</b>
8	<b>CH2M HILL</b>				
9	Team's Degree of skill and Experience	70.00	30.00%	21.00	
10	Price	100.00	30.00%	30.00	
11	Staff Quality and Technical Expertise	66.67	20.00%	13.33	
12	Understanding of Work and Appropriateness of Approach for Implementation	70.00	20.00%	14.00	
13	<b>Total</b>		<b>100.00%</b>	<b>78.33</b>	<b>2</b>



### **C. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon adequate competition, MAS audit findings, an Independent Cost Estimate, cost analysis, technical evaluation, fact finding, and negotiations. Metro has negotiated fixed billing rates for direct labor, overhead rates, and a fixed fee based on the total estimated cost for each Task Order. The pricing for each Task Order will use the Contract defined fixed direct labor rates, overhead rates, other direct costs (ODC) plus a portion of the negotiated fixed fee to establish a lump sum price.

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated or NTE amount</b>	
1.	LTK	\$4,368,578	\$6,235,300	Base	<b>\$3,897,599</b>
				Option	<b>\$ 597,238</b>
2.	CH2M HILL	\$3,969,582	\$6,235,300	Base	\$3,576,485
				Option	\$ 578,602

### **D. Background on Recommended Contractor**

The recommended firm, LTK Engineering Services, located in Los Angeles, California, has been in business for 32 years and is an experienced rail vehicle consultant in North America. LTK specializes in rail vehicle and systems engineering with a pool of resources with expertise in rail vehicle procurement, engineering, and component systems. LTK has supported transit car procurements in Los Angeles, Boston, New York City, New Jersey, Philadelphia, and Washington, DC.

LTK has provided engineering expertise for over 20 years to Metro's vehicle procurement projects that include program management for the Blue Line and Green Line Light Rail Vehicles (LRVs). LTK was also selected to provide engineering support for the recent acquisition of the P3010 LRV.

## DEOD SUMMARY

**CONSULTING SERVICES FOR THE A650 HEAVY RAIL VEHICLE (HRV)  
OVERHAUL PROGRAM, TECHNICAL AND PROGRAM CONTROL SUPPORT  
SERVICES / OP30433488**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 20% Disadvantaged Business Enterprise (DBE) goal for this solicitation. LTK Engineering Services exceeded the goal by making a 30.74% DBE commitment.

<b>Small Business Goal</b>	20% DBE	<b>Small Business Commitment</b>	30.74% DBE
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	Virginkar & Associates	Sub-Continent Asian American	18.35%
2.	Ramos Consulting Services	Hispanic American	12.39%
	<b>Total Commitment</b>		<b>30.74%</b>

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

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

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

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

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

ATTACHMENT B - Funds Uses and Sources Tables

	From Inception to Date (ITD) thru FY15 Jun	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			
		FY16	FY17	FY18	FY19	FY20	FY21	Total	% of Project	
1	Use of Funds									
2	Overhaul 38 Option-Buy Vehicles	\$0	\$4,946,536	\$8,656,439	\$11,954,129	\$15,664,032	\$0	\$41,221,136	79.1%	
3	Professional Services	\$744,000	\$320,000	\$760,000	\$870,000	\$880,000	\$890,000	\$0	\$4,464,000	8.6%
4	MTA Administration	\$500,000	\$422,000	\$420,000	\$420,000	\$400,000	\$420,000	\$0	\$2,582,000	5.0%
5	Contingency		\$0	\$0	\$0	\$0	\$3,822,864	\$3,822,864	7.3%	
6	Base Order Summary	\$1,244,000	\$742,000	\$6,126,536	\$9,946,439	\$13,234,129	\$16,974,032	\$3,822,864	\$52,090,000	100.0%
7	Overhaul 38 Option-Buy Vehicles (Increase Requested)						\$13,500,000	\$13,500,000	20.6%	
8	Total Base Order Summary	\$1,744,000	\$1,164,000	\$6,546,536	\$10,366,439	\$13,634,129	\$17,394,032	\$21,145,728	\$65,590,000	100.0%
9	Overhaul 36 Option-Buy Vehicles (Increase Requested)	\$0	\$0	\$0	\$0	\$0	\$18,272,000	\$18,272,000	86.7%	
10	Professional Services (Increase Requested)	\$0	\$0	\$0	\$0	\$0	\$800,000	\$800,000	3.8%	
11	MTA Administration (Increase Requested)	\$0	\$0	\$0	\$0	\$0	\$600,000	\$600,000	2.8%	
12	Contingency (Increase Requested)	\$0	\$0	\$0	\$0	\$0	\$1,400,000	\$1,400,000	6.6%	
13	Option Order Summary	\$0	\$0	\$0	\$0	\$0	\$21,072,000	\$21,072,000	100.0%	
14	Overhaul 74 Option-Buy Vehicles	\$0	\$0	\$4,946,536	\$8,656,439	\$11,954,129	\$15,664,032	\$31,772,000	\$72,993,136	84%
15	Professional Services	\$744,000	\$320,000	\$760,000	\$870,000	\$880,000	\$890,000	\$800,000	\$5,264,000	6%
16	MTA Administration	\$500,000	\$422,000	\$420,000	\$420,000	\$400,000	\$420,000	\$600,000	\$3,182,000	4%
17	Contingency	\$0	\$0	\$0	\$0	\$0	\$0	\$5,222,864	\$5,222,864	6%
18	Total Order Summary Total	\$1,244,000	\$742,000	\$6,126,536	\$9,946,439	\$13,234,129	\$16,974,032	\$38,394,864	\$86,662,000	100.0%
19	Sources of Funds	FY16	FY17	FY18	FY19	FY20	FY21	Total Sources	%	
20	Measure R 2% (206038)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
21	Cap and Trade: Other State & Federal sources (206038)*		\$0	\$0	\$0	\$0	\$0	\$0	\$0	
22										
23	* Future Local, State & Federal Funds to be identified as they become available.									
24	Total Funding Sources	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	

\* Staff will pursue additional funding sources to supplement Project 206038 budget which may become available through MAP-21 or other federal sources for this project and also utilize other State and Local funding sources as opportunities arise such as Cap and Trade or other new sources.

**Board Report**

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**File #:** 2016-0565, **File Type:** Contract**Agenda Number:** 36.

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**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE  
SEPTEMBER 15, 2016****SUBJECT: SECURITY GUARD SERVICES****ACTION: APPROVE CONTRACT AWARD****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award and execute a five-year firm fixed unit rate Contract No. PS560810024798, to **RMI International, Inc. for security guard services** in an amount not-to-exceed \$81,944,840 effective October 1, 2016 through September 30, 2021.

**ISSUE**

As part of a comprehensive approach to managing Metro's security and law enforcement programs, this award recommendation supports the vital role law enforcement plays in safeguarding the transit system, but does not replace existing law enforcement functions. Metro's approach is multi-layered, comprised of internal Metro security officers, officers provided by the private sector, and commissioned law enforcement officers working under an existing Memorandum of Understanding (MOU). This award recommendation factored how the various security and law enforcement elements work to complement each other, and identifies the specific tasks assigned to the private sector officers.

In 2015, the Board of Directors instructed the Office of the Inspector General (OIG) to undertake a detailed analysis of Metro's security and law enforcement workload. The OIG secured the services of BCA Watson Rice (BCA) to conduct the analysis and report their findings to the Board. BCA's analysis was completed in January 2016, and among others, recommended that Metro make a clear distinction between tasks assigned to security and those assigned to law enforcement. Recommendations 4 and 5 (Attachment C) address this issue specifically, encouraging alternate approaches to security staffing and establishing clearly defined roles, respectively.

**DISCUSSION**

Consistent with the referenced BCA report, providing a visible security presence is an effective deterrent to crime and disorder, as well as mitigating acts of terrorism. Toward that end, Metro's private sector security firm plays an important role in safeguarding patrons, employees, and facilities. This award recommendation is a major enhancement to existing staffing levels and assigning guards

to areas previously understaffed. The current private security contract directs the majority of resources to guard Metro's bus and rail maintenance facilities. The new contract augments existing coverage, but assigns significantly more resources to provide security at key bus and rail stations.

As a result of the increased staffing, the security contract award is higher so Metro can expand system-wide coverage from 928 hours per day to 1,843 hours per day. This increase in staffing is in direct response to customer feedback about the need for improved security visibility, with greater emphasis at customer facing facilities such as rail stations, bus hubs and parking garages.

The resulting changes support the following priorities:

1. Increasing physical security at stations and parking lots/structures;
2. Safeguarding critical infrastructure;
3. Improving security at bus/rail maintenance facilities.

Metro's private sector security officers will be tasked with patrolling and guarding stations, bus/rail yards, maintenance facilities, parking structures, and supporting special events. The enhanced security staffing takes into consideration Metro's recent expansion of service and infrastructure, and improves system-wide visibility as an industry best practice. The increased visibility will have a positive impact on the perception of security felt by patrons, and complement agency efforts to prevent blight and disorder.

The current security guard services contract will expire on September 30, 2016. If approved, the length of the new security contract will be aligned with the upcoming law enforcement contract, also a planned five (5) year term.

### **DETERMINATION OF SAFETY IMPACT**

The authorization of FY17 contract will provide a positive safety impact for our employees and patrons by assisting in efforts to safeguard Metro's critical infrastructure.

### **FINANCIAL IMPACT**

The total five year contract amount is \$81,944,840. The contract costs for the balance of the fiscal year is \$11,933,505, and is included in the FY17 budget in Cost Center 2610. 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 and capital.

### **ALTERNATIVES CONSIDERED**

Two alternatives were considered:

1. The Board may decline to approve the award of contract. This alternative is not recommended because Metro currently does not have internal resources to provide the necessary level of staffing system-wide.
2. Hire additional internal Metro security officers or utilize contracted law enforcement personnel. These alternatives are not recommended because of long lead time requirements or substantially higher costs.

### **NEXT STEPS**

Upon approval by the Board, staff will execute Contract No. **PS560810024798** with RMI International, Inc. to provide security guard services.

### **ATTACHMENTS**

Attachment A - Procurement Summary

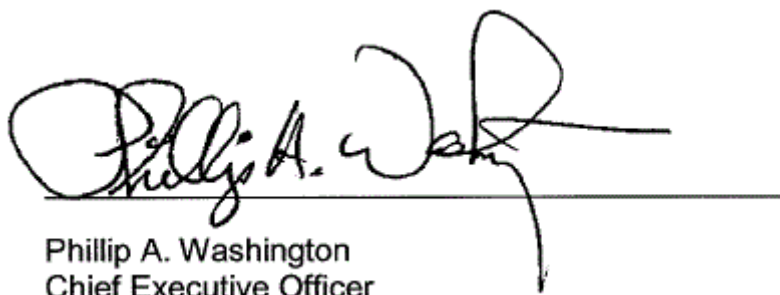
Attachment B - DEOD Summary

Attachment C - Executive Summary

Prepared by: Alex Z. Wiggins - Chief, System Security and Law Enforcement Division (213) 922-4433

Reviewed by: Debra Avila, Chief, Vendor/Contract Management,  
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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## SECURITY GUARD SERVICES/PS560810024798

1.	<b>Contract Number:</b> PS560810024798	
2.	<b>Recommended Vendor:</b> RMI International, Inc.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> March 14, 2016	
	<b>B. Advertised/Publicized:</b> March 14, 2016	
	<b>C. Pre-Proposal/Pre-Bid Conference:</b> March 23, 2016	
	<b>D. Proposals/Bids Due:</b> April 25, 2016	
	<b>E. Pre-Qualification Completed:</b> July 14, 2016	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> April 28, 2016	
	<b>G. Protest Period End Date:</b> September 26, 2016	
5.	<b>Solicitations Picked up/Downloaded:</b> 48	<b>Bids/Proposals Received:</b> 7
6.	<b>Contract Administrator:</b> Aielyn Dumaua	<b>Telephone Number:</b> (213) 922-7320
7.	<b>Project Manager:</b> Alex Wiggins	<b>Telephone Number:</b> (213) 922-4433

**A. Procurement Background**

This Board Action is to approve Contract No. PS560810024798 to provide security guard services for selected portions of the regional Metro System which includes rail and bus lines, stations, transit facilities, parking lots, construction sites, bus and rail operating divisions and maintenance facilities.

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 price. This RFP was issued with a RC DBE contract goal of 30%. It is also subject to the DBE Contracting Outreach and Mentoring Plan (COMP), which the selected contractor is required to mentor one firm for protégé development.

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

- Amendment No. 1, issued on March 28, 2016, provided electronic copies of the Planholders' List and pre-proposal conference materials, extended the proposal due date and final date for questions, clarified the contact information of the DEOD representative, and deleted the retention provision per CP-03 Retention, Escrow Accounts and Deductions;
- Amendment No. 2, issued on April 14, 2016, revised the Statement of Work (Exhibit A) to include Attachment D, Service Level Requirements by Personnel Classification;
- Amendment No. 3, issued on April 15, 2016, reiterated the proposal due date.

A pre-proposal conference was held on March 23, 2016, and was attended by 22 participants representing 18 firms. There were 112 questions received and responses were provided prior to the proposal due date.

A total of seven proposals were received on April 25, 2016, and are listed below in alphabetical order:

1. AlliedBarton Security Services LP
2. Ceed Security Corporation
3. Cypress Security, LLC aka Cypress Private Security
4. G4S Secure Solutions (USA) Inc.
5. Platinum Security, Inc.
6. RMI International, Inc.
7. Securitas Security Services USA, Inc.

**B. Evaluation of Proposals/Bids**

A Proposal Evaluation Team (PET) consisting of staff from Metro’s System Security and Law Enforcement, and Transportation was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Qualifications of the Firm/Team 20 percent
- Qualifications and Experience of Key Personnel 25 percent
- Management Plan/Approach 31 percent
- DBE Contracting Outreach & Mentor Protégé Approach 4 percent
- Price 20 percent

The evaluation criteria are appropriate and consistent with criteria developed for similar security guard services procurements. Several factors were considered when developing these weights, giving the greatest importance to the management plan/approach.

On April 26, 2016, the PET met to review the evaluation criteria package, process confidentiality and conflict forms and take receipt of the seven responsive proposals to initiate the evaluation phase. Evaluations were conducted from April 27, 2016, through May 27, 2016.

On May 27, 2016, the PET reconvened and determined that of the seven proposals received, three were within the competitive range. The three firms within the competitive range are listed below in alphabetical order:

1. AlliedBarton Security Services LP
2. Platinum Security, Inc.



### 3. RMI International, Inc.

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

On June 2, 2016, proposers in the competitive range were invited to make oral presentations. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the PET's questions.

In general, each team's presentation addressed how they will meet pertinent Metro Key Performance Indicators and maintain compliance with Metro's Drug and Alcohol and Drug-Free Workplace Program. The teams were also asked to discuss their training plan and suggestions were solicited on alternative approaches that could benefit Metro now or in the future.

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

##### **AlliedBarton Security Services LP**

AlliedBarton Security Services LP, established in 1957, is headquartered in Conshohocken, Pennsylvania. It serves more than 20 transit agencies. Clients include Santa Clara VTA, Denver RTD, Phoenix Valley Metro, RTC of Southern Nevada, Houston Metro, New York MTA and Metrolink

##### **Platinum Security, Inc.**

Platinum Security, Inc., founded in 1997, is based in Los Angeles, California. It provides security services to critical government infrastructure, six food distribution centers and 271 retail chain facilities. Government clients include the City of San Bernardino and LADWP.

##### **RMI International, Inc.**

RMI International, Inc. has been in business for 19 years and currently provides security guard services to Metro. Security services provided include executive and dignitary protection, armed and unarmed security staff and security consulting. It has provided security services to numerous entities in the private and public sector. Clients include the City of Los Angeles Department of General Services and Department of Transportation, the Port of Long Beach, and the City of Downey.

At the conclusion of the evaluation process, including oral presentations, RMI International, Inc. was determined to be the top ranked firm.

The following is a summary of the PET scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	<b>RMI International, Inc</b>				
3	Qualifications of the Firm/Team	86.00	20.00%	17.20	
4	Qualifications and Experience of Key Personnel	84.92	25.00%	21.23	
5	Management Plan/Approach	89.45	31.00%	27.73	
6	DBE Contracting Outreach & Mentor Protégé Approach	25.00	4.00%	1.00	
7	Price	99.95	20.00%	19.99	
8	<b>Total</b>		<b>100.00%</b>	<b>87.15</b>	<b>1</b>
9	<b>AlliedBarton Security Services LP</b>				
10	Qualifications of the Firm/Team	92.65	20.00%	18.53	
11	Qualifications and Experience of Key Personnel	87.88	25.00%	21.97	
12	Management Plan/Approach	89.35	31.00%	27.70	
13	DBE Contracting Outreach & Mentor Protégé Approach	25.00	4.00%	1.00	
14	Price	88.58	20.00%	17.72	
15	<b>Total</b>		<b>100.00%</b>	<b>86.92</b>	<b>2</b>
16	<b>Platinum Security, Inc.</b>				
17	Qualifications of the Firm/Team	82.00	20.00%	16.40	
18	Qualifications and Experience of Key Personnel	86.68	25.00%	21.67	
19	Management Plan/Approach	78.81	31.00%	24.43	
20	DBE Contracting Outreach & Mentor Protégé Approach	100.00	4.00%	4.00	
21	Price	100.00	20.00%	20.00	
22	<b>Total</b>		<b>100.00%</b>	<b>86.50</b>	<b>3</b>

### **C. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based on adequate price competition including an independent cost estimate, price analysis, technical analysis, and fact-finding. The recommended price is lower than Metro's ICE. Furthermore, Metro staff clarified RMI's proposed costs as they relate to the Living Wage. As a result of a lower Living Wage rate increase effective July 1, 2016, costs were adjusted accordingly.

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>NTE amount</b>
1.	RMI International, Inc.	\$82,763,922	\$89,028,609	\$81,944,840
2.	AlliedBarton Security Services LP	\$93,424,157	\$89,028,609	
3.	Platinum Security, Inc.	\$82,755,918	\$89,028,609	

### **D. Background on Recommended Contractor**

The recommended firm, RMI International, Inc. (RMI) is headquartered in Paramount, CA. It is a privately held, Minority Business Enterprise with ongoing operations in 17 states across the United States. RMI has been providing private security guard services to Metro since 2008 and performance has been satisfactory.

RMI team includes three DBE subcontractors: Security America, Inc.; Allied Protection Services, Inc., and North American Security and Investigations, Inc.. All three DBE subcontractors are full-service security companies predominantly serving commercial and government clients. Collectively, the DBE subcontractors will provide all unarmed security guards and 22% of armed security personnel required by the contract. RMI will provide armed security personnel.

The proposed Project Manager has over 21 years of experience in the security field. He is skilled at retail theft investigations, conflict resolution, customer service, report analysis, staffing and scheduling. He is the project manager of Metro's current contract.

**DEOD SUMMARY  
SECURITY GUARD SERVICES/PS560810024798**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 30% Disadvantaged Business Enterprise (DBE) goal for this solicitation. RMI International Inc. exceeded the goal by making a 33.18% DBE commitment.

<b>Small Business Goal</b>	<b>30% DBE</b>	<b>Small Business Commitment</b>	<b>33.18% DBE</b>
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	<b>DBE Subcontractors</b>	<b>% Committed</b>
1.	Allied Protection Services	13.43%
2.	North American Security & Investigations	5.96%
3.	Security America	13.79%
	<b>Total Commitment</b>	<b>33.18%</b>

**B. Contracting Outreach and Mentoring Plan**

To be responsive, Proposers were required to submit a Contracting Outreach and Mentor Protégé Plan (COMP), which included its plan to mentor one (1) DBE firm for protégé development. RMI International Inc. selected three (3) DBE protégés: Allied Protection Services, North American Security & Investigations, and Security America.

**C. 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.

**D. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

**E. All Subcontractors Included with Recommended Contractor's Proposal**

	<b>Subcontractor</b>	<b>Services Provided</b>
1.	Allied Protection Services	Security Guard Services
2.	North American Security & Investigations	Security Guard Services
3.	Security America	Security Guard Services

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

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

## 1. Executive Summary

The Los Angeles County Metropolitan Transportation Authority (Metro) contracts with the Los Angeles County Sheriff's Department (LASD) to provide Metro with transit policing services. The current annualized cost of the transit policing contract is \$108.5 million.<sup>1</sup> Metro will soon be developing a Request for Proposal (RFP) for a new contract, and needs an in-depth analysis to identify staffing and deployment requirements for the RFP.

The primary objective of this analysis was to perform an analysis of the law enforcement and security workload, identify key risks for the Metro System, identify risk mitigation strategies, and identify staffing needs and staffing options.

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. 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 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 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 or security personnel.
- **Protecting Metro Critical Infrastructure** (Union Station and the Gateway Metro Headquarters Building) Union Station protection strategies include routine patrol, K9 explosives detection, and random passenger and baggage screenings currently conducted by law enforcement personnel. The Gateway Building security is currently provided through armed security officers at the security desk on the plaza level and third floor, loading dock, roving security officers in both the interior and exterior of the building, the Transit Court, and the Security Control Room. Providing critical infrastructure protection of the Gateway Metro Headquarters Building is a security function, and does not require law enforcement personnel.
- **Providing Security for Metro Facilities and Operations** through security units that patrol the various Metro facilities and provide a visible security presence for those facilities. In addition, Metro revenue operations security and protection provided through security

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<sup>1</sup> The annualized cost includes full-year costs for the 2016 expansion of the Metro Expo and Gold lines.

escorts of Metro revenue collection personnel, and security presence in the Metro cash counting facility. Security personnel also provide a visible security presence and deterrent to assaults or other actions against Metro pressure washer personnel that clean various Metro stations and facilities during the overnight hours. Providing security for Metro facilities and operations is a security function, and does not require law enforcement personnel.

The resources available to Metro to provide the elements of Metro's safety and security mission described above include:

- **LASD Transit Policing Division (TPD)** has established a strong partnership with Metro and currently provides sworn law enforcement personnel to fulfill the safety and security mission of the Metro rail and bus system. These law enforcement personnel are fully trained and equipped and have powers to detain and arrest and use force as needed. They are currently responsible for responding to incidents and calls for service, addressing crime and related issues, and providing a visible security presence throughout the Metro Rail and Bus System. These law enforcement personnel are also responsible for enforcing fare compliance and the Metro customer code of conduct throughout the System.

The TPD also provides uniformed Security Assistants (SA's) to Metro under contract. These SA's are not sworn personnel, nor are they qualified or certified as security personnel. The SA's are not armed and have no authority to detain or arrest. The role of the SA's is limited to checking fare compliance and issuing administrative citations.

The LASD also employs Sheriff Security Officers (SSO's) that are uniformed and armed or unarmed security personnel. These personnel do not have the powers to detain and arrest nor use force except in a defensive mode. The TPD and the current Metro contract do not currently include any such SSO's, who are a potential resource option to provide the security element of Metro's safety and security mission.

- **Local Law Enforcement Agencies** throughout the Metro service area respond to and handle incidents and calls for service within their jurisdiction, and have a responsibility to do so. This is part of their basic service as law enforcement agencies. Similarly, these agencies have a responsibility to provide these same 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 law enforcement agencies.
- **Metro Security** includes uniformed and armed or unarmed security personnel primarily responsible for providing security for the Gateway Metro Headquarters Building, and for Metro facilities and operations. Metro Security officers are neither sworn nor certified law enforcement officers and do not have the authority to detain or arrest nor use force except in a defensive mode. Metro Security personnel could potentially play a substantial role on the Metro rail and bus systems by providing the security element of

the Metro safety and security mission. However, several key issues must be resolved prior to assuming such a role. The primary need is to resolve ongoing questions regarding the authority these security personnel have, and the entity or agency responsible for granting and overseeing that authority. Metro also contracts for private security personnel.

The following exhibit shows the estimated annual hours required to provide each key safety and security service by category (e.g. rail system, bus system, etc.). It also shows the average hourly cost of the different options of personnel types or resources available that could provide the service required. These costs, and the estimated hours required, were used to calculate the annual costs of providing these services using each of the alternative resources. A mix of these personnel could also be used to provide the services.

<b>Exhibit 1</b>								
<b>Summary Overview of Metro Safety and Security Services, Estimated Hours Required, and Options for Providing Services</b>								
		<b>LASD Transit Policing Division</b>			<b>Local LE Agencies</b>		<b>Metro Security</b>	
	<b>Estimated Hours Required</b>	<b>Law Enforcement</b>	<b>Security Officers</b>	<b>Security Assistants</b>	<b>Basic Service</b>	<b>Dedicated Service</b>	<b>Armed Security Officers</b>	<b>Unarmed Security Officers</b>
Average Hourly Cost		\$129.86	\$84.47	\$33.34	\$0.00	TBD	\$64.04	\$49.23
<b>Rail System Protection</b>	<b>Hours</b>	<b>Estimated Annual Costs in Millions</b>						
Crime / Calls for Service	108,404	\$14.0	NA	NA	\$0.0	TBD	NA	NA
Visible Security Presence	327,040	\$42.5	\$27.6	NA	NA	TBD	\$20.9	NA
Fare Enforcement	186,880	NA	\$15.8	\$6.2	NA	TBD	NA	\$9.2
<b>Bus System Protection</b>								
Crime / Calls for Service	169,360	\$22.0	NA	NA	\$0.0	TBD	NA	NA
Visible Security Presence	153,058	\$19.9	\$12.9	NA	NA	TBD	\$9.8	NA
<b>Investigations and Special Operations *</b>								
Investigations	32,202	\$4.2	NA	NA	\$0.0	TBD	NA	NA
Special Operations	41,505	\$5.4	NA	NA	NA	TBD	NA	NA
Mental Evaluation Team	7,156	\$0.9	NA	NA	NA	TBD	NA	NA
<b>Critical Infrastructure Protection</b>								
High Visibility Patrol	25,680	\$3.3	NA	NA	NA	TBD	NA	NA
K9 Explosives Detection	8,760	\$1.1	NA	NA	NA	TBD	NA	NA
Passenger Screening	16,320	\$2.1	\$1.4	NA	NA	TBD	\$1.0	NA
Gateway Bldg. Security	63,808	NA	\$5.4	NA	NA	TBD	\$4.1	NA
<b>Metro Facilities and Operations Security</b>								
Mobile Security Units	46,720	NA	\$3.9	NA	NA	NA	\$3.0	NA
Revenue Operations	75,920	NA	\$6.4	NA	NA	NA	\$4.9	NA
Pressure Washer Escort	17,520	NA	\$1.5	NA	NA	NA	\$1.1	NA
NA – Not applicable, this service cannot be provided by the resource in that column.								
TBD – To Be Determined, the cost for dedicated service by local law enforcement agencies will be determined through the Request for Proposal process.								
* Hours for investigations and special operations are based on the current number of FTE deputies assigned.								



The estimated staffing needs detailed above were developed based on our review and analysis of the following:

- ***Descriptive and Operational Information*** including the number of stations, one-way miles, train and bus start and end times, average daily ridership, peak trains and buses in service, train and bus revenue hours, and train and bus revenue miles.
- ***Rail and Bus System Risks*** including violent crime, property crime, and other crime on the system by rail line or bus line and area. It also includes the public's perception of safety on the system. The level of fare compliance or evasion was also considered.
- ***Rail and Bus System Safety and Security Workload and Performance*** including responding to and handling incidents that occur on the system, or calls for service. Responding to these calls and effectively handling the incidents that generate these calls is a high priority for ensuring system safety and security. We analyzed the number of calls for service by rail line and bus line and area; and by priority, calls by day of week and time of day, the average amount of time required to dispatch calls for service, as well as the average amount of time required to respond to these calls.
- ***Current Rail and Bus System Protection Approach*** including the number of personnel currently deployed to provide safety and security on each rail line and bus line and area, and the total cost of these personnel.
- ***Current Critical Infrastructure and Metro Facilities and Operations Protection Approach*** including the number of personnel currently deployed to provide security on each within Union Station, the Gateway Building, throughout Metro's facilities and operations, and the total cost of these personnel.

Detailed information on each of these factors by rail line and bus line and area is presented in the body of this report.

The following table shows the recommendations made throughout the body of this report. This report was provided to management of the Systems Safety and Law Enforcement Division who reviewed the draft report and did not have any modifications. Management stated that the report recommendations are under review, and they are in the process of drafting a formal response.

<b>Exhibit 2</b>			
<b>Summary or Recommendations and Metro's Response</b>			
<b>No.</b>	<b>Recommendation</b>	<b>Metro's Response</b>	<b>Comments</b>
1.	The Metro System Safety and Law Enforcement Division should assist the Transit Policing Working Group established by the Metro Board, to use the information on risks, workload, staffing estimates and options outlined in this report to move forward with implementing staffing and deployment consistent with the goals, key priorities, and key strategies established.	Under Review	
2.	The Metro System Safety and Law Enforcement Division should continue to monitor and track the various safety and security risks facing the Metro System, deploy personnel consistent with the information provided in this report, and make revisions in plans and operations as needed including deployment of personnel to mitigate these risks on an ongoing basis.	Under Review	
3.	The Metro System Safety and Law Enforcement Division should continue to collect information on risk mitigation strategies implemented by other transit safety and security operations and implement them for Metro as appropriate.	Under Review	
4.	The Metro System Safety and Law Enforcement Division should continue to maintain and build the strong partnership Metro has with the contract law enforcement service through increased planning and collaboration. Also, consider alternate mixes of contract law enforcement, security, and Metro Security personnel to optimally mitigate safety and security risks.	Under Review	
5.	The Metro System Safety and Law Enforcement Division should consider the types of duties described in this report that might be performed by the Metro Security personnel to better define their roles, and work to resolve ongoing questions regarding the authority of	Under Review	

No.	Recommendation	Metro's Response	Comments
	Metro Security personnel within their confines, and the entity or agency responsible for granting and overseeing that authority.		
6.	The Metro System Safety and Law Enforcement Division should continue to work with local law enforcement agencies to identify the potential for no cost basic services. Also consider if paid dedicated service from these agencies is beneficial and manageable, and leverage these services as appropriate. Efforts should also be made to increase regular communication and education to promote collaboration and coordination.	Under Review	
7.	The Metro System Safety and Law Enforcement Division should work with Metro Operations to identify the potential use of other Metro employees on the System, define their roles, create a plan of coordination and communication for seamless service, and evaluate the impact of these employees on System safety and security.	Under Review	
8.	The Metro System Safety and Law Enforcement Division should consider developing or acquiring and implementing a resource oversight and monitoring application for use on the smartphones currently used by Metro safety and security personnel. Metro should also consider identifying specific reporting requirements as input into the development of the new Computer Aided Dispatch (CAD) system by the LASD.	Under Review	
9.	The Metro System Safety and Law Enforcement Division should review and discuss the rail system risks, current safety and security workload, estimated staffing needs, and options for providing rail protection services outlined in this report to develop the Request for Proposals for law enforcement and security services and to develop a Rail Safety and Security Plan.	Under Review	
10.	The Metro System Safety and Law Enforcement Division should consider these elements and review and discuss the bus system risks, current safety and security workload, estimated staffing needs, and options for	Under Review	

No.	Recommendation	Metro's Response	Comments
	providing bus protection services outlined in this report to develop the Request for Proposals for law enforcement and security services and to develop a Bus Safety and Security Plan.		
11.	The Metro System Safety and Law Enforcement Division should use the information obtained through the Request for Proposal for law enforcement and security services, and identify the level of and approach to investigative and special operations services as part of the Rail and Bus Safety and Security Plans.	Under Review	
12.	The Metro System Safety and Law Enforcement Division should use the information and options outlined in this report to develop a Request for Proposal for law enforcement and security services, and to develop a Critical Infrastructure Protection Plan.	Under Review	
13.	The Metro System Safety and Law Enforcement Division should use the information and options outlined in this report to develop a Metro and Operations Security Plan.	Under Review	
14.	The Metro System Safety and Law Enforcement Division should use the information obtained through the Transit Policing Division and Metro Security employee surveys to identify and address key issues.	Under Review	
15.	The Metro System Safety and Law Enforcement Division should continue to monitor progress made implementing the LASD Contract Audit and APTA Peer Review recommendations and continue to report progress to Metro management and the Board. Where appropriate, recommendations should be considered in developing the Request for Proposals for law enforcement and security services.	Under Review	

**Board Report**

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**File #:** 2016-0538, **File Type:** Contract

**Agenda Number:** 37.

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**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE  
SEPTEMBER 15, 2016**

**SUBJECT: A650 HEAVY RAIL VEHICLE (HRV) OVERHAUL AND CRITICAL COMPONENT REPLACEMENT PROGRAM (OCCRP), RAIL VEHICLE CONTRACTOR**

**ACTION: APPROVE CONTRACT AWARD**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. ESTABLISH a Life-of-Project (LOP) Budget of \$86,662,000 for the **overhaul of 74 A650 Heavy Rail Vehicles** (HRV's) under CP 206038 - HRV Midlife Overhaul; and
- B. AWARD a firm-fixed Unit Rate Contract Number A650-2015: HRV Overhaul and Critical Component Replacement Program (OCCRP) to Talgo, Inc. for a not-to-exceed amount of \$72,970,493 to perform the overhaul and delivery of 74 HRV's, with a contract period of performance of 56 months, including all option vehicles. The Base Contract is for the overhaul of 38 HRV's (\$54,698,676), with an option to overhaul the remaining 36 HRV's (\$18,271,817).

**ISSUE**

In July 2014, the Board authorized staff to issue a federally funded solicitation for a Best Value Request for Proposals (RFPs) as competitive negotiations pursuant to PCC § 20217 and Metro's procurement policies and procedures for the Overhaul Program.

Staff's recommendation presents the firm that is most advantageous to Metro. Talgo, Inc.'s offer represents the Best Value to Metro when all technical and price factors are considered in accordance with the approved evaluation criteria. The Procurement Summary of this report (Attachment A) further describes the evaluation results and detailed rankings for all Proposers, including the weighted scores associated with each evaluation criteria.

This action authorizes Talgo, Inc. to overhaul and replace the critical components further described in the RFP No. A650-2015 Heavy Rail Vehicle Overhaul and Critical Component Replacement Program (OCCRP) in order to maintain the fleet in a State of Good Repair (SGR).

**DISCUSSION**

The primary objective of the project is to obtain safe, reliable, high quality overhauled HRVs on-time and within budget, and to create new jobs for Los Angeles County that can be tied directly to the Overhaul Program.

The Los Angeles County Metropolitan Transportation Authority (Metro) operates the Metro Red Line (MRL) with a fleet of 104 Vehicles, consisting of 30 Original (Base-Buy) HRVs and 74 Newer (Option-Buy) HRVs manufactured by Breda Costruzioni-Ferrovie between 1992 and 2000. The Original fleet has an average age of 23.5 years and average mileage of 790,000 miles per vehicle. The Newer HRVs have an average age of 17.6 years with average mileage greater than 1.3 million miles per vehicle.

The Newer HRVs are the heaviest used Vehicles. Many of the critical systems and components suffer from parts obsolescence, lack of vendor support and outdated technology. These deficiencies diminish the performance and maintainability of the fleet. By overhauling and replacing these vital systems and components and by updating relevant technology, this Overhaul Program will maintain the fleet's State of Good Repair and ensure the continued safety, reliability, availability, and maintainability of the fleet for full revenue service.

Performing the Overhaul Program is also in accordance with the Rail Fleet Management Plan FY2015 - FY2040 (Draft, May 24, 2016, v.8). The plan anticipates a need to expand each rail fleet to accommodate anticipated growth in ridership, line extensions and to replace vehicles reaching the end of their useful revenue service life. The Overhaul Program will also support the maintenance department with reasonable spare ratios.

Metro's Source Selection Committee (SSC) reviewed the proposals and evaluated four (4) key factors, weighted in descending levels of relative importance: 1) Experience and Past Performance, 2) Price, 3) Technical Compliance, and 4) Project Management. Metro also applied the US Department of Transportation's (US DOT) pilot Local Employment Program (LEP) as voluntary incentive evaluation criteria. The two proposals received were in compliance with the RFP requirements and determined to be within the Competitive Range.

Upon Board approval, Notice-to-Proceed (NTP) will be issued to the vehicle contractor. Delivery of the 38 overhauled base order HRVs is scheduled to be completed within 46 months following NTP, approximately by June 2020. The Contract contains one (1) Option to overhaul the remaining 36 HRVs. The Option may be exercised within 12 months following NTP without being subject to escalation costs. If exercised, the Contract will be extended by 10 months with up to four (4) overhauled HRVs delivered per month. This approach permits Metro flexibility and time to identify and program future funding. The required delivery dates have liquidated damage assessments that may be imposed for late deliveries.

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.

### US DOT Contracting Initiative Pilot Program

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 use of geographical preferences in the evaluation of Construction and Rolling Stock projects. Metro's LEP was approved for use on the A650 Overhaul Program on a voluntary basis, and established evaluation scoring preferences for Proposers that commit to creating new local jobs for Los Angeles County residents.

DOT and FTA determined that using a Los Angeles County geographical preference for a rail car overhaul project would not provide an unfair competitive advantage for any one Proposer. Metro's LEP is limited to new jobs created by the Proposers in Los Angeles County, provided that at least 10 percent of the jobs are targeted for defined disadvantaged populations in Los Angeles County. Metro's LEP incentivized Proposers to create new jobs in Los Angeles County as a function of the Best Value evaluation process, by providing preferential scoring points based on the committed wages and benefits for new Los Angeles County workers.

Staff's goal of creating meaningful new manufacturing jobs that are tied to Metro's Rolling Stock overhaul program was achieved, as evidenced by the fact that the recommended Awardee, Talgo, Inc. has committed to creating new jobs in Los Angeles County totaling \$2,212,676 in wages and benefits. This equates to 16.9 FTE job years for the Base and Option period.

### **DETERMINATION OF SAFETY IMPACT**

The approval of this Contract award will have a direct and positive impact to system safety, service quality, system reliability, maintainability and overall customer satisfaction. The A650 Overhaul Program will permit Metro to maintain the "State of Good Repair" on the A650 Option-Buy fleet.

### **FINANCIAL IMPACT**

Upon Board approval, this action will establish an LOP Budget of \$86,662,000 for Overhaul of 74 HRV's. The Project LOP not only includes resources for the HRV Overhauls (\$72,970,493), there are also resources necessary for Professional Services, Metro Labor, and Project Contingency. The Base Overhaul is of 38 HRV's (\$54,698,676) and Option Overhaul is of the remaining 36 HRV's (\$18,271,817). Full funding of \$54,698,676 for the 38 Base Overhauls is included in the FY17 budget. Base overhauls are currently scheduled to be completed in FY21. The \$18,271,817 needed for the 36 HRV's, as well as other project resources will be budgeted upon reassessment of project cash flows and programming of additional funds. These resources will be programmed during Metro's annual budget process.

Project funding of \$6,136,536 is included in the FY17 budget in Cost Center 3043 - Rail Vehicle Acquisition, Account 50308 - Service Contract Maintenance, under Project CP206038, Heavy Rail Vehicle Midlife Overhaul.

Since this is a multi-year contract, the cost center manager, project manager, and Senior Executive

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Officer, Vehicle Acquisition will be responsible for ensuring that Project costs are budgeted in future fiscal years.

Impact to Budget

The sources of funds for this action is Measure R 2% and Prop A 35% Bonds, which are eligible for rail capital activities. The funding sources under this project are sufficient to award the contract base of this recommendation. Staff is actively pursuing additional State and Federal sources such as MAP -21 and other 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 for the Project.

**ALTERNATIVES CONSIDERED**

Staff considered using in-house Metro resources to perform this work. This approach is not recommended as Metro does not have sufficient resources and Subject Matter Experts available to perform this work. This approach is not recommended for the lack of staff capabilities listed above.

The Board of Directors may choose not to authorize the Contract award for this project; however, this alternative is not recommended by Metro staff because the Overhaul Program is critical in maintaining a SGR on 74 Newest A650 HRVs and to enable the Maintenance department to effectively plan and schedule its work.

**NEXT STEPS**

Upon Contract award, Metro will meet with Talgo, Inc. for the Contract required Specification Review Meeting. During the same meeting, Metro will establish communication and reporting protocols. Key Milestones and deliverables, through the shipment of the first six (6) pilot vehicles and delivery of the production vehicles will be discussed to ensure understanding and agreement of requirements to ensure expedient reviews and approvals.

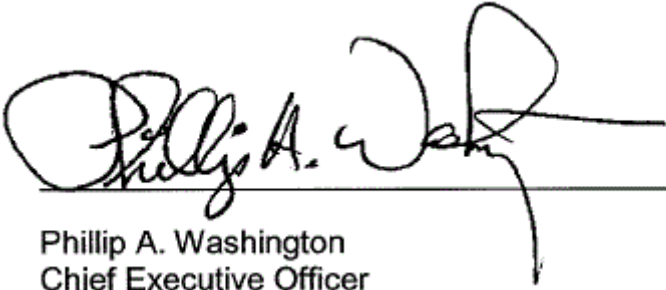
**ATTACHMENTS**

- Attachment A - Procurement Summary
- Attachment B - Funding/Expenditure Plan
- Attachment C - Metro Board Report July 17, 2014
- Attachment D - FTA Local Hiring Program Ltr Dated 09 30 2015
- Attachment E - DEOD Summary

Prepared by: Cop Tran, Sr. Manager, Project Control, Rail Vehicle Acquisition, (213) 922-3188  
Jesus Montes, Sr. Executive Officer, Vehicle Acquisitions, (213) 922-3838

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





Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

**A650 HEAVY RAIL VEHICLE (HRV) OVERHAUL AND CRITICAL  
COMPONENT REPLACEMENT PROGRAM (OCCRP)  
CONTRACT A650-2015**

1.	<b>Contract Number:</b> A650-2015	
2.	<b>Recommended Vendor:</b> Talgo, Inc.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	A. Issued: 05.05.15	
	B. Advertised/Publicized: 05.09.15	
	C. Pre-proposal/Pre-Bid Conference: 06.02.15	
	D. Proposals/Bids Due: 10.15.15	
	E. Pre-Qualification Completed: 08.09.16	
	F. Conflict of Interest Form Submitted to Ethics: 08.11.16	
	G. Protest Period End Date: 09.08.16	
5.	<b>Solicitations Picked up/Downloaded:</b> 133	<b>Bids/Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Wayne Okubo	<b>Telephone Number:</b> (213)922-7466
7.	<b>Project Manager:</b> Cop Tran	<b>Telephone Number:</b> (213)922-3188

**A. Procurement Background**

This Board Action is to approve Contract No. A650-2015 issued in support of the A650 Heavy Rail Vehicle Overhaul and Critical Component Replacement Program. The intent of this overhaul program is to replace vital systems and components and update relevant technology to ensure the continued safety, reliability, availability, and maintainability of the Red Line fleet for full revenue service and maintain the fleet's State of Good Repair.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit price.

Twenty-one amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on 05.18.15 clarified vehicle inspection dates;
- Amendment No. 2, issued on 05.29.15 established project data repository for planholder access to reference documents;
- Amendment No. 3, issued on 06.05.15 extended proposal due date to 08.10.15;
- Amendment No. 4, issued on 06.19.15 clarified commercial terms and edited technical specifications;
- Amendment No. 5, issued on 07.02.15 modified work completion schedule and edited technical specifications;

- Amendment No. 6, issued on 07.15.15 extended proposal due date to 09.10.15;
- Amendment No. 7, issued on 07.29.15 established additional vehicle inspection dates and edited technical specifications;
- Amendment No. 8, issued on 07.30.15 edited technical specifications;
- Amendment No. 9, issued on 08.19.15 extended the proposal due date to 10.01.15 and edited technical specifications;
- Amendment No. 10, issued on 09.04.15 established site inspection for loading and unloading location and edited technical specifications;
- Amendment No. 11, issued on 09.09.15 clarified loading and unloading location;
- Amendment No. 12, issued on 09.17.15 extended proposal due date to 10.08.15;
- Amendment No. 13, issued on 10.01.15 extended proposal due date to 10.15.15 and clarified commercial terms;
- Amendment No. 14, issued on 10.08.15 modified proposal forms;
- Amendment No. 15, issued on 10.12.15 modified proposal forms;
- Amendment No. 16, issued on 03.17.16 after receipt of proposals requested Best and Final Offers (BAFOs);
- Amendment No. 17, issued on 03.30.16 after receipt of proposals edited BAFO technical specifications;
- Amendment No. 18, issued on 04.06.16 after receipt of proposals modified BAFO proposal forms;
- Amendment No. 19, issued on 06.10.16 after receipt of proposals requested Second BAFOs;
- Amendment No. 20, issued on 06.15.16 after receipt of proposals clarified BAFO commercial terms;
- Amendment No. 21, issued on 06.22.16 after receipt of proposals modified BAFO proposal forms.

The RFP included requirements for the DOT Contracting Initiative Pilot Program for a voluntary local hiring preference incentive in the evaluation of proposals, which was re-confirmed with FTA on October 14, 2015. This voluntary program provides an opportunity for proposers that participate in the program to submit a qualifying Local Employment Plan, to earn additional points above and beyond all other evaluation criteria in the RFP. All new jobs and facility investments in a proposal, measured in dollars and created within Los Angeles County, would be eligible for the incentive points.

A total of two proposals were received on October 15, 2015. A Pre-Proposal Conference was held on June 2, 2015 at Division 20 so vehicle inspections could be conducted over the following three days. Additional vehicle inspection requests were accommodated on Amendment No. 07, which added inspection dates of August 6-7, 2015.

A request for a site visit to the loading/unloading location was requested and granted on Amendment No. 10, which scheduled the site inspection for September 14, 2015.

Responses to questions received throughout the solicitation period, were grouped and posted to the project data repository accessible to all solicitation plan holders. Thirteen groups of questions/answers were uploaded to the site from June 19, 2015 to October 5, 2015. All available drawings, manuals, and other reference material were posted to the site.

Over the course of the solicitation period numerous requests to extend the proposal due date were submitted by prospective proposers and the actual proposal due date of October 15, 2015. These requests were granted to ensure maximum competition from an already limited field of interested proposers.

The proposal evaluation period, from October 15, 2015 through March 2016 included oral presentations, site visits, and face-to-face negotiations. The lengthy process was necessary to thoroughly assess the technical proposals and also the price proposals, which were both significantly higher than the project budget. Alternatives to the overhaul program were considered but ultimately rejected because of the current condition of the A650 fleet.

## **B. Evaluation of Proposals/Bids**

A Proposal Evaluation Team (PET) consisting of staff from the Rail Vehicle Acquisition department was convened and conducted a comprehensive technical evaluation of the proposals received. Additionally, technical advisors (TAs) from Metro's Rail Fleet Services and Rail Vehicle Engineer departments augmented the PET as subject matter experts.

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

- |  |            |
|--|------------|
| • Past Experience and Past Performance | 350 points |
| • Price                                | 300 points |
| • Technical Compliance                 | 250 points |
| • Project Management Experience        | 100 points |
| • Incentive: Local Employment Plan     | 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 weights, giving the greatest importance to past experience and past performance on rail vehicle overhaul and integration, or new rail vehicle acquisition.

Both of the proposals received were determined to be within the competitive range. The firms are listed below in alphabetical order:

1. Alstom Transportation, Inc. (Alstom)
2. Talgo, Inc. (Talgo)

Proposal evaluation kick-off was conducted on October 19, 2015. Technical Advisors (TAs) were used to support the PET with their expertise in the relevant subject matter. Comments from the TAs were compiled and presented to the PET on November 24, 2015. Request for Clarifications were sent to both competitive range firms on November 25, 2015, with a due date of December 15, 2015. Clarification review was extended due to the Holidays, and was conducted with TAs and the PET from December 16, 2015, through January 5, 2016. Oral presentations with each firm were scheduled to cover two days with the Talgo, Inc.'s presentation on January 7-8, 2016, and Alstom's on January 14-15, 2016. Immediately following the oral presentations, the PET conducted site visits to each of the firms proposed overhaul locations. These site visits were held the week of January 18, 2016, covering trips to Alstom Transportation, Inc.'s Mare Island, CA facility and Talgo, Inc.'s Milwaukee, WI facility. The PET was able to evaluate and assess each of the proposer's facilities along with the corresponding capability and capacity of the location. The PET considered the proposals, oral presentations, and the site visits in their initial proposal evaluation score. The price proposals were then opened and pre-negotiation positions were established using Metro's Independent Cost Estimate. Negotiation discussions held March 2-11, 2016, resulted in conforming commercial terms and technical specifications to be used as the basis for the request for Best and Final Offers (BAFOs). The discussions addressed the Proposer's strengths and weaknesses and to better understand why proposals exceeded the existing project budget. On March 17, 2016, a request for BAFOs was issued with a due date of April 11, 2016. The BAFO price proposals submitted continued to contain pricing that exceeded the project budget. On April 13, 2016, staff developed alternative scope and quantity scenarios to address the budget issue. The recommended alternative divided the overhaul program into a base quantity of 38 vehicles, with an option for the balance of 36 vehicles that can be exercised within 12 months after contract notice to proceed is issued. Discussions regarding this new scope of work quantities were conducted during the week of June 6, 2016. Invitations to submit a second BAFO were issued to both firms on June 10, 2016. Revised BAFOs were received from both firms on July 1, 2016. Final evaluations of the second BAFO were completed the week of July 5, 2016, and were used as the basis of the current recommendation for award.

An important evaluation factor throughout the RFP process was the incentives created by Metro's Local Employment Plan (LEP). Both firms proposed a level of participation in the voluntary Local Employment Plan (LEP) under the FTA's Pilot Program. This participation resulted in a normalized distribution of the preference points allocated in accordance with their respective commitment value of the new local jobs created by each firm, and added to the final evaluation score. Talgo proposed the higher LEP commitment value and, therefore, received the maximum incentive score.

A Buy America Pre-Award Audit was conducted by Metro the week of July 11, 2016, in accordance with FTA guidance stated in 49 CFR 663. Both Proposers were audited and found to far exceed the FTA's Buy America requirements.

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

**Alstom Transportation Inc.**

Alstom Transportation, Inc. (Alstom) has proposed to perform this overhaul project out of its Mare Island, California facility. This dedicated manufacturing facility is located approximately 400 miles from Los Angeles and has been performing component replacements, overhauls, and extensive railcar repairs there for the past six years. The firm proposed to perform the railcar stripping, final assembly, and testing at this facility, while the engineering work would be generated out of its Naperville, Illinois site. Alstom has extensive experience in U.S. railcar overhaul work, having overhauled or modernized nearly 5,100 railcars for many of the major transit agencies.

**Talgo Inc.**

Talgo, Inc. (Talgo) is headquartered in Seattle, Washington and has proposed to perform this overhaul project out of its Milwaukee, Wisconsin production facility. Talgo intends to draw from its global engineering resources and relocate them to Milwaukee for this project. Talgo is one of the world's leading suppliers of rolling stock with a particular focus on extended lifecycle and service/reliability. While Talgo is primarily known globally as a railcar manufacturer, its experience also encompasses the U.S. market with new railcars, and overhaul and maintenance work for Amtrak, Oregon DOT, and Washington State DOT.

<b>1</b>	<b>Firm</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>Talgo Inc.</b>				
<b>3</b>	Past Experience and Past Performance	71.91	350	251.7	
<b>4</b>	Price (Base + Option)	100.00	300	300.0	
<b>5</b>	Technical Compliance	74.80	250	187.0	
<b>6</b>	Project Management Experience	75.80	100	75.8	
<b>7</b>	Voluntary Local Employment Plan Incentive	50.00	50	50.0	
<b>8</b>	<b>Total</b>		<b>1050</b>	<b>864.5</b>	<b>1</b>

9	<b>Alstom Transportation Inc.</b>				
10	Past Experience and Past Performance	80.94	350	283.3	
11	Price (Base + Option)	88.05	300	264.2	
12	Technical Compliance	78.24	250	195.6	
13	Project Management Experience	76.00	100	76.0	
14	Voluntary Local Employment Plan Incentive	44.80	50	22.4	
15	<b>Total</b>		<b>1050</b>	<b>841.5</b>	<b>2</b>

### C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon adequate price competition, Independent Cost Estimate, technical evaluation, fact finding, and negotiations. Although the recommended price is 66.73% higher than the ICE, Metro's technical evaluation of all price elements for both Proposers confirmed that the offers are valid current market prices.

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated or NTE amount</b>
1	Talgo Inc.	\$77,961,362	\$43,764,550	\$72,970,493
2.	Alstom Transport. Inc.	\$100,567,306	\$43,764,550	\$82,874,817

The Negotiated breakdown for Base and Option amounts is as follows:

	<b>Proposer Name</b>	<b>Base</b>	<b>Option</b>	<b>Total</b>
1	Talgo Inc.	\$54,698,676	\$18,271,817	\$72,970,493
2	Alstom Transport. Inc.	\$62,880,485	\$19,994,331	\$82,874,817

The Proposer's total commitment of wages and benefits for new local job creation is as follows:

	<b>Proposer Name</b>	<b>Total</b>
1	Talgo Inc.	\$2,212,676
2	Alstom Transport. Inc.	\$989,987

### D. Background on Recommended Contractor

The recommended firm, Talgo, Inc., located in Seattle, Washington, has been in business for 74 years and is a leading supplier of rolling stock with a unique integrated life-cycle approach to railcar manufacturing and maintenance. Its recent contracts include the manufacture of 26 new railcars to Oregon DOT, and the ongoing railcar maintenance (including overhaul work) for Washington State DOT.

ATTACHMENT B - Funds Uses and Sources Tables

	From Inception to Date (ITD) thru FY15 Jun	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			
		FY16	FY17	FY18	FY19	FY20	FY21	Total	% of Project	
1	<b>Use of Funds</b>									
2	38 Option Vehicles	\$ -	\$ 4,946,536	\$ 8,656,439	\$ 11,954,129	\$ 15,664,032	\$ 13,477,540	\$ 54,698,676	83.4%	
3	Professional Services	\$ 744,000	\$ 320,000	\$ 760,000	\$ 870,000	\$ 880,000	\$ 890,000	\$ 4,464,000	6.8%	
4	MTA Administration	\$ 500,000	\$ 422,000	\$ 420,000	\$ 420,000	\$ 400,000	\$ 420,000	\$ 2,582,000	3.9%	
5	Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,822,864	\$ 3,822,864	5.8%	
6	<b>38 Option Vehicle Summary</b>	<b>\$ 1,244,000</b>	<b>\$ 742,000</b>	<b>\$ 6,126,536</b>	<b>\$ 9,946,439</b>	<b>\$ 13,234,129</b>	<b>\$ 16,974,032</b>	<b>\$ 17,300,404</b>	<b>\$ 65,567,540</b>	<b>100.0%</b>
9	36 Option Vehicles	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,271,817	\$ 18,271,817	86.6%	
10	Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 800,000	\$ 800,000	3.8%	
11	MTA Administration	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600,000	\$ 600,000	2.8%	
12	Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,422,643	\$ 1,422,643	6.7%	
13	<b>Option Order Summary</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 21,094,460</b>	<b>\$ 21,094,460</b>	<b>100.0%</b>	
14	Total 74 Option Vehicles	\$ -	\$ 4,946,536	\$ 8,656,439	\$ 11,954,129	\$ 15,664,032	\$ 31,749,357	\$ 72,970,493	84%	
15	Professional Services	\$ 744,000	\$ 320,000	\$ 760,000	\$ 870,000	\$ 880,000	\$ 890,000	\$ 5,264,000	6%	
16	MTA Administration	\$ 500,000	\$ 422,000	\$ 420,000	\$ 420,000	\$ 400,000	\$ 420,000	\$ 3,182,000	4%	
17	Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,245,507	\$ 5,245,507	6%	
18	<b>Total Order Summary Total</b>	<b>\$ 1,244,000</b>	<b>\$ 742,000</b>	<b>\$ 6,126,536</b>	<b>\$ 9,946,439</b>	<b>\$ 13,234,129</b>	<b>\$ 16,974,032</b>	<b>\$ 38,394,864</b>	<b>\$ 86,662,000</b>	<b>100.0%</b>
19	<b>Sources of Funds</b>									
20	Measure R 2% (206038)	\$ 1,244,000	\$ 742,000	\$ -	\$ -	\$ -	\$ -	\$ 1,986,000	2.3%	
21	PropA 35% Bonds/Cash	\$ -	\$ -	\$ 6,126,536	\$ 9,946,439	\$ 13,234,129	\$ -	\$ 29,307,104	33.8%	
22	Cap and Trade; Other State & Federal sources (206038)*	\$ -	\$ -	\$ -	\$ -	\$ 16,974,032	\$ 38,394,864	\$ 55,368,896	63.9%	
23		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%	
24	<i>* Future Local, State &amp; Federal Funds to be identified as they become available.</i>							\$ -	0.0%	
25	<b>Total Funding Sources</b>	<b>\$ 1,244,000</b>	<b>\$ 742,000</b>	<b>\$ 6,126,536</b>	<b>\$ 9,946,439</b>	<b>\$ 13,234,129</b>	<b>\$ 16,974,032</b>	<b>\$ 38,394,864</b>	<b>\$ 86,662,000</b>	<b>100.0%</b>

\* Staff will pursue additional funding sources to supplement Project 206038 budget which may become available through MAP-21 or other federal sources for this project and also utilize other State and Local funding sources as opportunities arise such as Cap and Trade or other new sources.



**Metro**Los Angeles County  
Metropolitan Transportation AuthorityOne Gateway Plaza  
Los Angeles, CA 90012-2952213.922.2000 Tel  
metro.net**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**

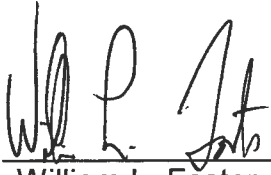
Procurement by a low bid process was considered but is not recommended. The sealed bid process does not adequately account for any technical superiority of performance, reliability, or system life cycle costs that on firm's equipment or solution may have over another since the process must award to the 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.

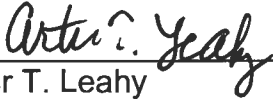
Prepared by: Richard Hunt, General Manager Strategic Vehicle & Infrastructure Delivery

Questions: Carolyn Kreslake, Transportation Planning Manager IV  
213-922-7420



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William L. Foster  
Interim Chief Operations Officer



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Arthur T. Leahy  
Chief Executive Officer



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION IX  
Arizona, California,  
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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.<sup>1</sup> 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.

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<sup>1</sup> 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.<sup>2</sup> 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.

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<sup>2</sup> 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](mailto:Dana.Nifosi@dot.gov).

Sincerely,

  
Leslie T. Rogers  
Regional Administration

**DEOD SUMMARY**

**Heavy Rail Vehicle (HRV) Overhaul & Critical Component Replacement Program  
(OCCRP) / A650-2015**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this procurement. The Federal Transit Administration (FTA) requires that each Transit Vehicle Manufacturer (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.

**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**

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**File #:** 2016-0723, **File Type:** Policy

**Agenda Number:** 38.

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**REGULAR BOARD MEETING  
SEPTEMBER 22, 2016**

**SUBJECT: METRO BLUE LINE TRACK IMPROVEMENT PROJECT**

**ACTION: ADOPT A RESOLUTION OF NECESSITY TO ACQUIRE A FEE INTEREST IN REAL PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NO. 5106-026-017 IN THE CITY OF LOS ANGELES**

**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 in the real property identified as portions of **Assessor's Parcel No. 5106-026-017**, described above and shown on Attachment "A" (hereinafter the "Property").

(REQUIRES 2/3 VOTE OF THE BOARD)

**BACKGROUND**

Acquisition of the Property is required in connection with the construction and operation of the Metro Blue Line Track Improvement Project (hereinafter the "Project"). A written offer was presented to the Owner of Record, Residential Holdings & Investment, LLC (hereinafter "Owner"), as required by California Government Code Section 7267.2. The Owner has rejected the offer, and to date the parties have been unable to reach a negotiated agreement. Because the Property is necessary for construction of the Project, staff recommends the acquisition of the Property through eminent domain.

In accordance with the provisions of the California Eminent Domain law and Sections 30503, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), the Los Angeles County Metropolitan Transportation Authority ("Metro") has prepared and mailed notice of this hearing to the Owner 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 public good and the least private injury; (3) whether the Property is necessary for the Project; and (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.

Attached is evidence submitted by staff that supports adoption of the Resolution that has been approved by counsel, and which sets forth the required findings (Attachment "B"). After all of the testimony and other evidence has been received by the Metro from all interested parties, Metro 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, Metro must, based upon all the evidence before it, and by a vote of two-thirds of all the members of its governing body, find and determine that the conditions stated above exist.

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on Metro's safety standards.

### **FINANCIAL IMPACT**

Funding for the acquisition of the property is included in the FY17 budget, in Construction Cost Center 8510, Project 211005 - Metro Blue Line Track Improvement, account number 53103 - Acquisition of Land.

#### Impact to Budget

The source of funds for this procurement will come from Prop A 35% funding, which eligible for Rail Capital Projects. This funding source will maximize the use of funds for these activities.

### **NEXT STEPS**

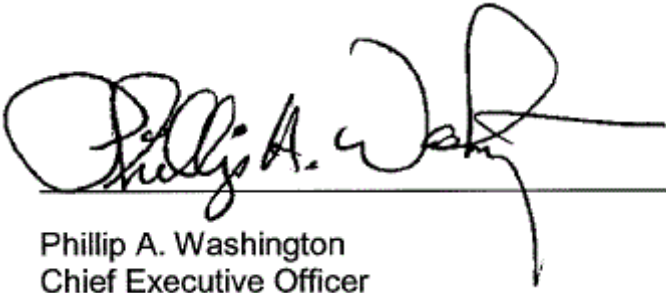
If this action is approved by the Board, Metro's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment Possession in accordance with the provisions of the eminent domain law.

### **ATTACHMENTS**

Attachment A - Site Plan  
Attachment B - Staff Report  
Attachment C - Resolution of Necessity

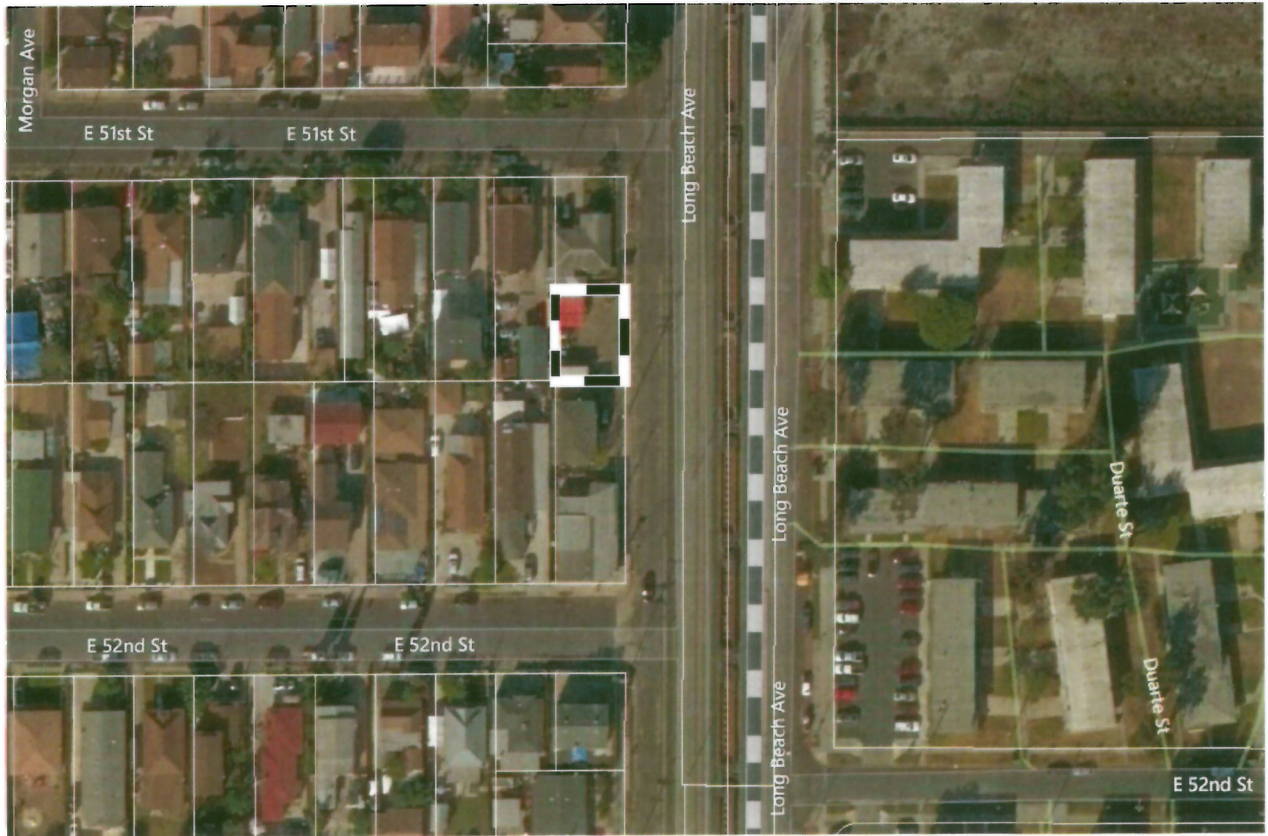
Prepared by: Carol A. Chiodo, Director of Real Property Management and Development, (213) 922-2404

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



Phillip A. Washington  
Chief Executive Officer

**ATTACHMENT A**



5109 Long Beach Avenue West, Los Angeles, CA

APN: 5106-026-017

METRO Blue Line Track Improvement Project (Re-Signaling Portion)

**ATTACHMENT B**

**STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF FEE INTERESTS IN REAL PROPERTY COMMONLY KNOWN AS 5109 LONG BEACH AVENUE WEST, IN THE CITY OF LOS ANGELES (THE "PROPERTY") FOR THE METRO BLUE LINE TRACK IMPROVEMENT PROJECT**

**BACKGROUND**

The Property is required for the construction and operation of the Metro Blue Line Track Improvement Project ("Project"). The address, record owner (as indicated by a title report prepared by Orange Coast Title Company), physical description, and nature of the property interest sought to be acquired for the Project is summarized as follows:

<b>Assessor's Parcel Number</b>	<b>Parcel Address</b>	<b>Owner</b>	<b>Purpose of Acquisition</b>	<b>Property Interest(s) Sought</b>
5106-026-017	5109 Long Beach Avenue West, in the City of Los Angeles	Residential Holdings & Investment, LLC	Installation of signaling devices and related improvements and equipment	Fee Simple Interests in APN 5106-026-017 consisting of 2,731 square feet.

A written offer for the fee simple property interest was presented to the Owner and Tenants on May 20, 2015 and June 30, 2016. To date, the offer has not been accepted, and negotiations have not resulted in a settlement agreement.

**A. The public interest and necessity require the Project.**

The public interest and necessity require the Project for the following reasons:

1. The population and employment densities in the Blue Line Transit Corridor ("Corridor") are extremely high and very transit dependent. The Corridor (inclusive of the cities of Los Angeles, Compton, Long Beach and Los Angeles County) has a high concentration of low-income, minority, transit-dependent residents. Forecasts show a growing transit-dependent population, with projected increases in Corridor residents that rely on, or will rely on the area's transit system. The Project will provide significant improvements for low-income, elderly and transit-dependent persons living in the Corridor area by improving signalization along the Blue Line.
2. Implementation of the Project will result in a reduction of vehicle miles per day and reduction of auto air pollutants.
3. The Project will relieve congestion on the already over capacity 710 Pasadena

and the I-10 Santa Monica Freeways and surrounding major thoroughfares. In addition, it will reduce the parking demands in the Project area by providing an alternative means of transportation, competitive in rush-hour travel times with the automobile.

4. The Project will increase operation efficiencies, and continue providing alternative means of transportation during fuel crises and increased future traffic congestion.
5. The Project will meet the need for improved transit service of the significant transit-dependent population within the Project area.

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/Mitigated Negative Declaration (IS/MND) for the MBL Track Improvement Project in compliance with the California Environmental Quality Act (CEQA) Guidelines. On May 14, 2015, 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.

Changes were subsequently made to the Project and an Addendum to the IS/MND was prepared pursuant to and in compliance with CEQA Guidelines. The Addendum was prepared and distributed to public agencies and the general public by Metro in June 2015 for a 30-day public review period. A Notice of Availability (NOA) for public review was posted at the Los Angeles County Clerk's Office, a public notice was published in the Los Angeles Times on May 16, 2015, and a Notice of Completion (NOC) was filed with the State Clearinghouse of the Governor's Office of Planning and Research. No substantive comments on content of the Addendum or significant environmental issues related to the proposed Project were raised. The CEQA process concluded December 2015 with no comments or challenges.

The Project will cause private injury, including the displacement or relocation of certain owners and users of private property. However, no other alternative locations for the Project provide greater public good with less private injury. Therefore, the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

**C. The Property is necessary for the Project.**

The Property is required for the installation of signaling devices and related improvements and equipment to refurbish and modernize the Automatic Train Control and Signaling Systems in support of the Project. The Property was chosen based upon the approved IS/MND and Addendum for the Project. Staff recommends that the Board find that the acquisition of the Property is necessary for the Project.

**D. Offers were made in compliance with Government Code Section 7267.2.**

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the Owner and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the Property. In addition, the agency is required to provide the Owner with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

1. Obtained an appraisal to determine the fair market value of the Property;
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 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 the basis for, the amount established as just compensation.

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.

**CONCLUSION**

Staff recommends that the Board approve the Resolution of Necessity.

**RESOLUTION OF THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC  
PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF IN SUPPORT OF THE  
METRO BLUE LINE TRACK IMPROVEMENT PROJECT ("PROJECT").**

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 real property interest described hereinafter is to be taken for public use, namely, for public transportation purposes and all uses necessary, incidental or convenient thereto, and for all public purposes pursuant to the authority conferred upon the Board to acquire property by eminent domain by California Public Utilities Code Sections 30000-33027, inclusive, and particularly Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections 130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive, and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The real property interest to be acquired consists of a fee interest in APN 5106-026-017, commonly known as 5109 Long Beach Avenue West, in Los Angeles, California (hereinafter, the "Property"). The Property is further described in the legal description (Exhibit A), and depicted on the plat map (Exhibit B), all of which are incorporated herein by this reference.

Section 4

(a) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Metro Blue Line Track Improvement Project ("Project");

(b) The environmental impacts of the Project were evaluated in the Final Initial Study/Mitigated Negative Declaration (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. Changes were subsequently made to the Project and an Addendum to the IS/MND was prepared pursuant to and in compliance with CEQA Guidelines. No substantive comments on content of the Addendum or significant environmental issues related to the proposed project were raised, and the CEQA process concluded December 2015 with no comments or challenges; 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; and
- (d) The offers required by Section 7267.2 of the Government Code have been made to the Property Owners.

#### 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 Property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, MICHELLE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Metropolitan Transportation Authority at a meeting held on the 22nd day of September, 2016.

\_\_\_\_\_

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

MICHELLE JACKSON  
METRO Secretary

**ATTACHMENTS**

- 1 - Legal Description (Exhibit "A")
- 2 - Plat Map (Exhibit "B")

## EXHIBIT A

### LEGAL DESCRIPTION

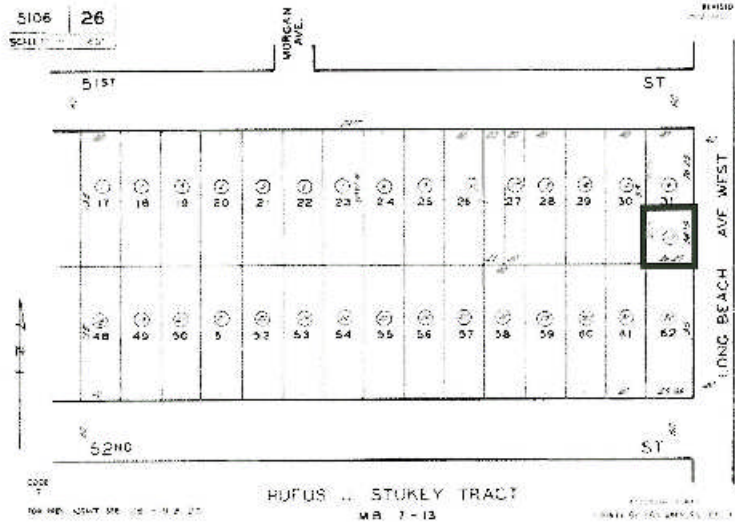
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 31 OF RUFUS J. STUKEY TRACT IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 7 PAGE 13 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THE NORTH 76.25 FEET THEREOF. ALSO EXCEPT THEREFROM ALL CRUDE OIL, PETROLEUM, GAS, BREA, ASPHALTUM AND ALL KINDRED SUBSTANCES AND OTHER MINERALS UNDER AND IN SAID LAND THAT MAY BE PRODUCED FROM A DEPTH OF 500 FEET BELOW THE SURFACE OF SAID LAND AND AS RESERVED BY LUTHER J. SHEAFFER AND BILLIE C. SHEAFFER, HUSBAND AND WIFE IN DEED RECORDED MARCH 4, 1970, IN BOOK C-4648, PAGE 372, OFFICIAL RECORDS.

APN 5106-026-017

# EXHIBIT B





## Board Report

File #: 2016-0724, File Type: Policy

Agenda Number: 39.

REGULAR BOARD MEETING  
SEPTEMBER 22, 2016**SUBJECT: CRENSHAW/LAX TRANSIT CORRIDOR PROJECT PROPERTY ACQUISITION****ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY INTERESTS IN PORTIONS OF EUCALYPTUS AVENUE****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 in fee simple, a portion of Eucalyptus Avenue. Metro must proceed with a condemnation action to clear various title issues and vacate the street as part of the Crenshaw/LAX Transit Corridor Project. The property sought to be condemned is a **765 square foot portion of Eucalyptus Avenue**, located adjacent to 320 N. Eucalyptus Avenue, north of W. Florence Avenue, in the City of Inglewood (hereinafter the "Property"). The Property is owned by Daniel Freeman, and is encumbered by a public street operated by the City of Inglewood.

(REQUIRES 2/3 VOTE OF THE BOARD)

**BACKGROUND**

Los Angeles County Metropolitan Transportation Authority ("METRO") seeks to acquire the Property set forth in (Attachment "A") for the construction and operation of the Crenshaw/LAX Transit Corridor Project ("Project") and in particular as part of realignment of Eucalyptus Avenue, adjacent driveways, and for parking mitigation purposes. Metro's review of title records has revealed that title to the property is held by Daniel Freeman. Mr. Freeman has been deceased since 1908. A written offer was presented to Christie M. Bourdet on July 18, 2016, the only known living heir of Daniel Freeman ("Owners"), as required by California Government Code Section 7267.2. The Owners have not accepted the offer made by METRO or presented counter offers; and consequently, negotiated agreements have not been reached. The Property is necessary for construction of the Project, and for mitigation and realignment of driveways and streets; therefore, staff recommends the acquisition of the Property through eminent domain in order to maintain the Project schedule.

In accordance with the provisions of the California Eminent Domain Law and Sections 30503, 30600,

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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 each Owner informing the Owner of its 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 public good and the least private injury; (3) whether the Property is necessary for the Project; and (4) whether either the offer required by Section 7267.2 of the Government Code has been made to the Owner or Owners of Record, or the offer has not been made because the Owner cannot be located with reasonable diligence. In addition, notice of this hearing was published in the Los Angeles Daily Journal for four consecutive weeks beginning August 30, 2016.

Attached is evidence from staff and legal counsel setting forth the required findings for acquiring the Property through the use of eminent domain (Attachment "B"). After METRO receives 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 Properties is included in the LOP budget under Measure R project 865512 (Crenshaw/LAX Transit Corridor Project), in cost center number 8510, and account number 53013 (Acquisition of Land).

#### **Impact to Budget**

The source of funds for this action is Measure R 35%. These funds are not eligible for transit operations.

### **NEXT STEPS**

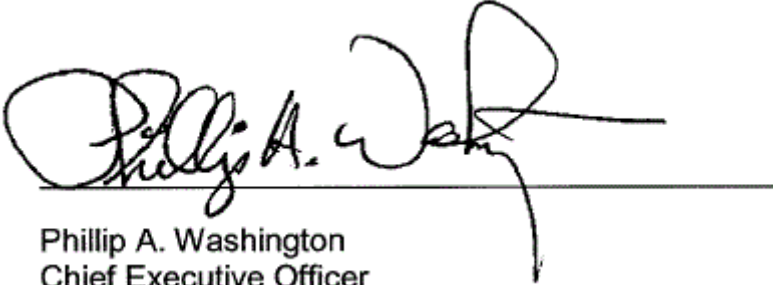
If this action is approved by the Board, METRO's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property interest by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment 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

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



Phillip A. Washington  
Chief Executive Officer

**ATTACHMENT A**

<b>Assessor's Parcel Number</b>	<b>Parcel Address</b>	<b>Property Owner</b>	<b>Purpose of Acquisition</b>	<b>Property Interest(s) Sought</b>	<b>METRO Parcel Number</b>
None (See Legal Description and Plat Map)	Portion of N. Eucalyptus Avenue adjacent to 320 N. Eucalyptus Ave., Inglewood, CA	Daniel Freeman, Heirs & Devisees	Driveway relocation, street realignment parking mitigation	Fee Simple	None



## ATTACHMENT B

### STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF A PORTION OF EUCALYPTUS AVENUE (THE "PROPERTY") FOR THE CRENSHAW/LAX TRANSIT CORRIDOR PROJECT

#### **BACKGROUND**

Fee simple interest in the Property is required for the construction and operation of the Crenshaw/LAX Transit Corridor Project ("Project"). The Property is a portion of N. Eucalyptus Avenue currently encumbered by a public right of way. No complete parcels are sought to be acquired and no residences or businesses will be displaced by acquisition of the Property. The address, record owner, physical description, and nature of the property interests sought to be acquired for the Project are summarized as follows:

<b>Assessor's Parcel Number</b>	<b>Parcel Address</b>	<b>Property Owner</b>	<b>Purpose of Acquisition</b>	<b>Property Interest(s) Sought</b>	<b>METRO Parcel Number</b>
None	A 765 sq. ft. portion of N. Eucalyptus Ave adjacent to 320 N. Eucalyptus Ave., Inglewood, CA	Daniel Freeman, Heirs & Devisee	Driveway relocation, street realignment and parking mitigation	Fee Simple	None

A written offer for the property was presented to the Owners heirs and negotiations are continuing. The Owners have not accepted the offer made by the Los Angeles County Metropolitan Transportation Authority ("METRO"); consequently, negotiated agreements have 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 Crenshaw/LAX Transit Corridor are extremely high and very transit-dependent. The population and employment densities are four times 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. The Project

will provide significant improvements for low-income, elderly and transit-dependent persons living in the Corridor area.

2. Implementation of the Project will result in a reduction of vehicle miles per day and reduction of auto air pollutants.
3. The Project will relieve congestion on the already over capacity I-405 San Diego and the I-10 Santa Monica Freeways and surrounding major thoroughfares. In addition, it will reduce the parking demands in the Westside area by providing an alternative means of transportation, competitive in rush-hour travel times with the automobile.
4. The Project will be a major link in the existing county-wide rail transit system, and will thereby provide alternative means of transportation during fuel crises and increased future traffic congestion.
5. The Project will meet the need for improved transit service of the significant transit-dependent population within the Project area.

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 September 11, 2009, a Draft Environmental Impact Statement / Draft Environmental Impact Report (DEIS/DEIR) was circulated and reviewed by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. Public hearings were held to solicit citizen and agency comments. A total of four alternatives, including two build alternatives, were presented in the September 2009 DEIS/DEIR. On December 20, 2009, the Board adopted the Light Rail Transit (LRT) Alternative as the Locally Preferred Alternative (LPA), after review and consideration of the comments received from circulation of the 2009 DEIS/DEIR. The Board certified the FEIR on September 22, 2011. A Record of Decision was received from the Federal Transit Administration on December 30, 2011.

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. During various community meetings, the residents of the Corridor area expressed their need for improved transit service because many are transit-dependent and need better access to the region's educational, employment, and cultural opportunities. The LPA addresses those needs and moves more people in a way that is energy efficient and with the least environmental impact.

The Project is a LRT dual-track alignment, which will extend from the existing Metro Exposition Line at Crenshaw and Exposition Boulevards. The LRT line will travel 8.5

miles to the Metro Green Line Aviation/LAX Station and will serve the cities of Los Angeles, Inglewood, Hawthorne and El Segundo and portions of unincorporated Los Angeles County. The project includes six stations and two optional stations:

- Crenshaw / Exposition
- Crenshaw / Martin Luther King Jr.
- Leimert Park
- Crenshaw / Slauson
- Florence / West
- Hindry
- Aviation / Century

The overall Project will cause private injury, including the displacement or relocation of certain owners and users of private property. The Property under consideration as part of this Resolution of Necessity will not cause such displacement. 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.

Due to its bulk, the FEIS/FEIR is not physically included in the Board's agenda packet for this public hearing. However, the FEIS/FEIR documents should be considered in connection with this matter. It is recommended that, based upon the foregoing, the Board find and determine that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

**C. The Property is necessary for the Project.**

The Property consists of a 765 square foot portion of N. Eucalyptus Avenue located adjacent to 320 N. Eucalyptus Ave., north of Florence Avenue, in the City of Inglewood. The Property is part of the current public right of way known as Eucalyptus Avenue. METRO has been working with the City of Inglewood to vacate a portion Eucalyptus Ave to realign the street as part of the Project. Additionally, a portion of the Property is necessary to mitigate parking and driveway issues for adjacent property owners. While the City of Inglewood is agreeable to voluntarily vacating a portion of the street and granting the Property to METRO, after conducting title searches, it has been determined that said portion of Eucalyptus Avenue is not owned by the adjacent property owner, nor does there appear to be a properly recorded street easement in favor of the City of Inglewood. Accordingly, to clear all title issues related to the Property, METRO seeks to condemn the Property in fee simple and grant interest to the various parties as necessary to maintain the public street, to accomplish the realignment and to mitigate any driveway and parking issues for adjacent property owners. The property interest is depicted in the legal description and plat map attached as exhibits to the Proposed Resolution of Necessity.

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 only known Heir and Devisee of 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.

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(s) of record.

**E. The environmental review is consistent with the California Environmental Quality Act.**

The required environmental review of the Project was completed and certified by the Board. On September 22, 2011, the Board certified the FEIS/FEIR. A Record of Decision was received from the Federal Transit Administration in December of 2011. The FEIS/FEIR documents were consistent with the California Environmental Quality Act Guidelines.

**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  
(CRENSHAW / LAX TRANSIT CORRIDOR PROJECT  
PORTION OF N. EUCALYPTUS AVENUE)**

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:

<b>METRO Parcel Number</b>	<b>Assessor's Parcel Number</b>	<b>Parcel Address</b>	<b>Property Owner</b>	<b>Purpose of Acquisition</b>	<b>Property Interest(s) Sought</b>
None	None	Portion of N. Eucalyptus Ave., adjacent to 320 N. Eucalyptus Ave., Inglewood, CA	Daniel Freeman, Heirs & Devisees	Driveway relocation, street realignment and parking mitigation	<b>See Exhibits 1A and 1B</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 Crenshaw / LAX Transit Corridor Project ("Project");

(b) The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR), which was certified by the Board on September 22, 2011. The Board found that in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no subsequent or supplemental Environmental Impact Report is required for the Project, and the FEIS/FEIR documents are consistent with CEQA; and

(c) The Board has reviewed and considered the FEIS/FEIR, before and as part of the process of determining whether to acquire the above-referenced Property.

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.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

That notice of intention to adopt this resolution was given by first class mail to each person whose Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of said Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is 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 13<sup>th</sup> day of November 2014.

\_\_\_\_\_  
MICHELLE JACKSON  
METRO Secretary

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

**ATTACHMENTS**

1 - Exhibit "1" – Parcel Legal & Plat



## **EXHIBIT 1 – A&B**

# PSOMAS

## EXHIBIT 'A'

### LEGAL DESCRIPTION

#### Portion of Eucalyptus Avenue

In the City of Inglewood, County of Los Angeles, State of California, being a portion of Eucalyptus Avenue, 60 feet wide, as shown on Parcel Map No. 12542, filed in book 121 of Parcel Maps, pages 73 and 74, in the office of the County Recorder of said County, described as follows:

**Beginning** at the southwesterly corner of Parcel A of Parcel Map No. 12174, filed in book 113 of Parcel Maps, pages 15 and 16, in the office of said Recorder; thence along the westerly line of said Parcel A, North  $00^{\circ}15'04''$  East 103.83 feet; thence North  $89^{\circ}44'56''$  West 2.30 feet to a non-tangent curve concave westerly having a radius of 675.00 feet, a radial line to said curve bears South  $87^{\circ}01'00''$  East; thence southerly along said curve an arc distance of 103.38 feet through a central angle of  $8^{\circ}46'32''$  to the westerly prolongation of the southerly line of said Parcel A; thence along said prolongation South  $84^{\circ}39'19''$  East 15.16 feet to the **Point of Beginning**.

Containing 765 square feet.

All as shown on Exhibit "B" attached hereto and made a part thereof.

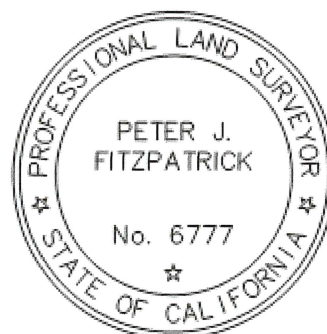
This legal description was prepared by me or under my direction.

*Peter Fitzpatrick*

*March 25, 2016*

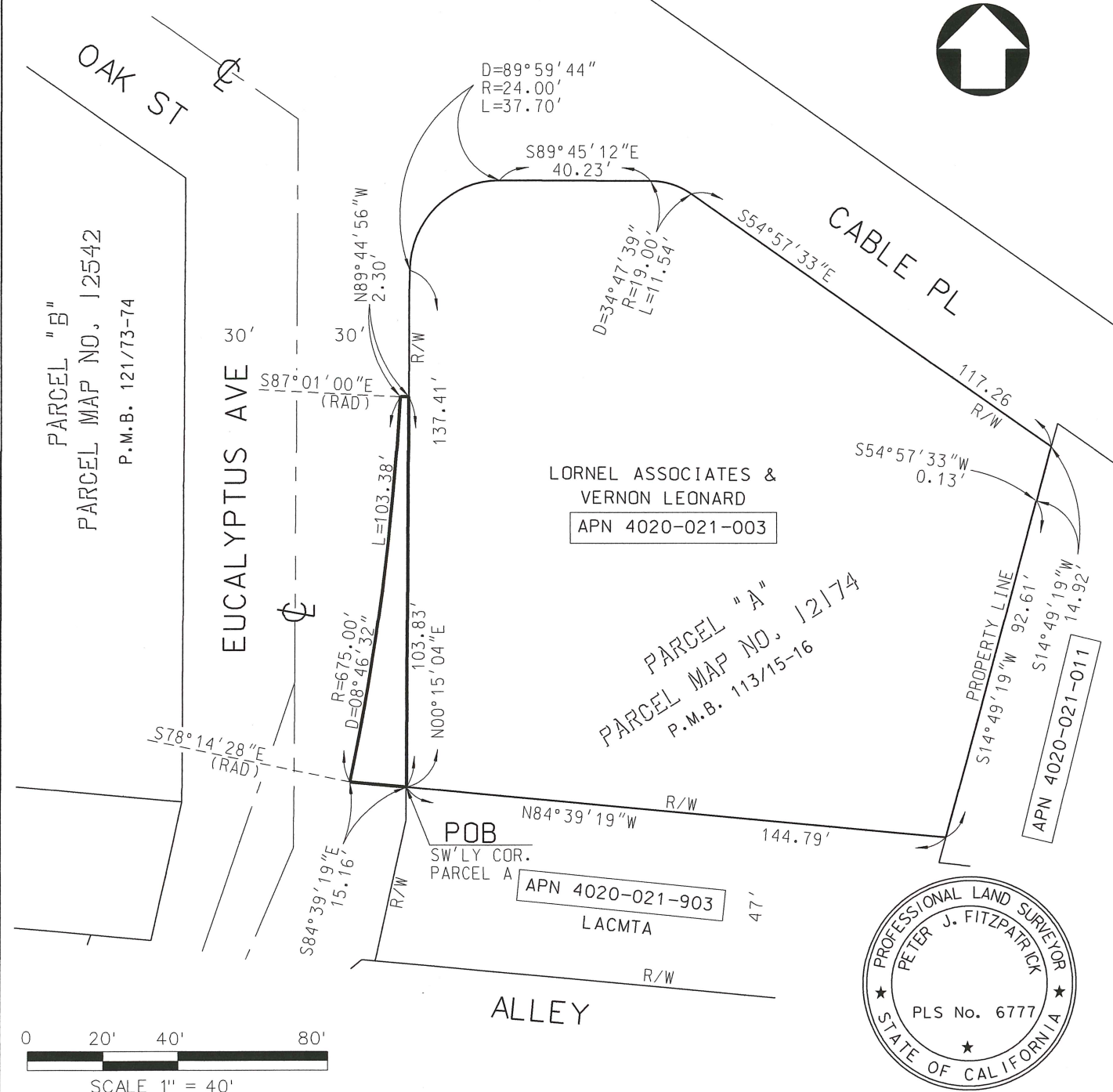
Peter J. Fitzpatrick, PLS 6777

Date



GRANTOR : DANIEL FREEMAN		The data shown on this plat are based on record information. Any topographic features shown are based on a field survey dated February 2016. Bearings and distances are based on California Coordinate System 83 Zone 5.		
DESCRIPTION : A PORTION OF EUCALYPTUS AVENUE AS SHOWN ON PARCEL MAP NO. 12174, P.M.B. 113/15-16				
IN THE CITY OF INGLEWOOD, STATE OF CALIFORNIA.				
TITLE REPORT : 08026633 (COMMONWEALTH)		0	3-22-2016	Original Submittal
ASSESSORS REF. N/A (ADJ. TO 4020-021-003)	ROW REF : N/A	NO.	DATE	REVISION DESCRIPTION

# EXHIBIT "B"



AREA OF PROPERTY				
765 SQ. FT				

<p><b>LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY</b> <b>CRENSHAW CORRIDOR PROJECT</b></p>	<p>PARCEL PLAT EUCALYPTUS AVE.</p>	<p>CONTRACT NO. N/A</p> <p>SCALE 1"=40'</p> <p>DATE 3-23-2016</p> <p>DRAWN BY AAP</p> <p>CHECKED BY PJF</p> <p>REV. DATE 3-23-2016 REV. NO. 0</p>
	<p>PREPARED BY: <i>Peter Fitzpatrick</i> 3-25-16</p> <p>APPROVED BY:</p>	<p>SHEET 1 OF 1</p>
<p>SUBMITTED BY: PROJECT MANAGER DATE</p>	<p>PROJECT MANAGER DATE</p>	

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