Metro

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

Metro

Agenda - Final

Thursday, October 24, 2019

10:00 AM

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

Board of Directors - Regular Board Meeting

James Butts, Chair
Eric Garcetti, Vice Chair
Hilda Solis, 2nd Vice Chair
Kathryn Barger
Mike Bonin
Jacquelyn Dupont-Walker
John Fasana
Robert Garcia
Janice Hahn
Paul Krekorian
Sheila Kuehl
Ara Najarian
Mark Ridley-Thomas
John Bulinski, non-voting member

Phillip A. Washington, Chief Executive Officer

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

PUBLIC INPUT

A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for one (1) minute per item, or at the discretion of the Chair. A request to address the Board must be submitted electronically using the tablets available in the Board Room lobby. Individuals requesting to speak will be allowed to speak for a total of three (3) minutes per meeting on agenda items in one minute increments per item. For individuals requiring translation service, time allowed will be doubled. The Board shall reserve the right to limit redundant or repetitive comment.

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

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

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

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

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

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

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

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

CALL TO ORDER

ROLL CALL

1. APPROVE Consent Calendar Items: 2, 8, 9, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 24, 28, 29, 30, 32, 34, 35, 36, 40, 45, 46, 47 and 51

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

CONSENT CALENDAR

2. SUBJECT: MINUTES 2019-0755

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held September 26, 2019.

Attachments: Regular Board Meeting MINUTES -September 26, 2019

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

8. SUBJECT: LINK UNION STATION PROJECT 2019-0555

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

A. EXECUTE Modification No. 10 to Contract No. PS2415-3172 with HDR Engineering, Inc. to provide environmental, preliminary and advanced engineering design services on the Link Union Station (Link US) Project in the amount not-to-exceed $23,360,000, increasing the Total Contract Value from $62,793,000 to $86,153,000;

B. INCREASE the Contract Modification Authority (CMA) in the amount of $2,836,000, increasing the total CMA amount from $4,356,715 to $7,192,715 and execute future contract modifications up to the CMA authorized amount; and,

C. EXECUTE all necessary agreements and task orders with third parties to support the Link US Project for a total amount of up to $8,000,000.

Attachments: Attachment A - Procurement Summary
Attachment B - Contract Mod Log
Attachment C - DEOD Summary
Presentation

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

9. SUBJECT: I-5 NORTH HOV LANES CONTRACT 2019-0557

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 12 to Contract No. AE469080015383 with CH2M Hill, Inc. (now Jacobs Engineering) for additional design services in the firm-fixed price amount of $923,203 increasing the Total Contract Value from $33,889,867 to $34,813,070.

Attachments: Attachment A - Procurement Summary
Attachment B - ContractModifcaiton
Attachment C - DEOD Summary

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

11. SUBJECT: WB SR-91 ALONDRA BLVD. TO SHOEMAKER AVE. IMPROVEMENT PROJECT 2019-0604

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to execute a two-year, firm fixed price Contract No. AE60979000 with Michael Baker International in the amount of $11,474,367.25 for Architectural and Engineering (A&E) services for the preparation of Plans, Specifications, and Estimates (PS&E) for the WB SR-91 Alondra Blvd. to Shoemaker Ave. Improvement Project (Project), subject to resolution of protest(s), if any.

Attachments: Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Project Location Map.pdf

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

12. SUBJECT: WEST SANTA ANA BRANCH TRANSIT ORIENTED DEVELOPMENT STRATEGIC IMPLEMENTATION PLAN 2019-0664

RECOMMENDATION

CONSIDER:

A. Receiving and Filing the West Santa Ana Branch Transit Oriented Development Strategic Implementation Plan (WSAB TOD SIP); and

B. Authorizing the Chief Executive Officer or designee to enter into multiple agreements with WSAB corridor cities and the County of Los Angeles to fund implementation activities recommended in the WSAB TOD SIP in an aggregate amount not to exceed $1,000,000.

Attachments: Attachment A - Board Motion Revised Item 32.1
Attachment B - WSAB TOD SIP Executive Summary
Attachment C - WSAB TOD SIP
Presentation

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

13. SUBJECT: STATE ACTIVE TRANSPORTATION PROGRAM 2019-0671

RECOMMENDATION

APPROVE:

A. the State Active Transportation Program (ATP) Cycle 5 Grant Assistance Priorities in Attachment A; and

B. the regional ATP Point Assignment Method as described in Attachment B.

Attachments: Attachment A - Grant Assistance Priorities
Attachment B - Point Assignment Method
Presentation

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

14. SUBJECT: 2020 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM 2019-0679

RECOMMENDATION

APPROVE the programming of up to $51,440,000, as well as the proposed program amendments, in the 2020 Los Angeles County Regional Transportation Improvement Program (RTIP) as shown in Attachment A.

Attachments: Attachment A - 2020 Los Angeles County RTIP Summary and Program
Attachment B - RTIP Project Descriptions
Presentation

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

15. SUBJECT: SR-57/SR-60 INTERCHANGE IMPROVEMENTS 2019-0690

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 1 to Contract No. AE51890001 for the State Route 57/State Route 60 Interchange Improvements (Project) with WKE, Inc. to provide professional services in the amount of $3,384,081.72, increasing the total contract value from $21,771,625 to $25,155,706.72.

Attachments: Attachment A - Procurement Summary
Attachment B - Contract Modification Change Order Log
Attachment C - DEOD Summary
Attachment D - Project Map

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

17. SUBJECT: WORKERS' COMPENSATION MEDICAL BILL REVIEW SERVICES 2019-0545

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. PS61721000 to Lien On Me, Inc. for Workers' Compensation Medical Bill Review Services, in an amount not-to-exceed $2,576,976 for the four-year base term, effective July 1, 2020 through June 30, 2024, plus $1,314,258 for the first, two-year option period, and $1,340,724 for the second, two-year option period, for a combined not-to-exceed amount of $5,231,958, subject to resolutions of protest(s), if any.

Attachments: Attachment A - Procurement Summary
Attachment B - DEOD Summary

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

18. SUBJECT: DELEGATED AUTHORITY FOR BUSINESS IMPROVEMENT DISTRICT PARTICIPATION 2019-0546

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to approve and sign all petitions, ballots and other related documents for participation in state-authorized business improvement districts (BID) and any other assessment districts (such as street lighting, health, safety, and crime prevention districts) as defined under California law, where the total assessment over the term of the BID does not exceed $500,000.

Attachments: Attachment A - BID Guidelines

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

19. SUBJECT: TRANSACTION AND USE TAX REVENUE FORECAST AND RECOVERY SERVICES 2019-0613

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a five-year contract No.PS63897 to MuniServices, An Avenu Insights & Analytics Company (MuniServices) for the following:

A. transaction and use tax forecasting at a firm fixed amount of $20,000 a year, or $100,000 for the full five-year period; and

B. transaction and use tax recovery services on a contingency basis, paid only if revenues are recovered through a review of sales tax submissions to the California Department of Tax and Fee Administration (CDTFA), at the following rates:

Recoveries	Fee %
Under $5M	9%
$5M - 10M	9%
$10M - $15M	8%
Over $15M	8%

Attachments: Attachment A - Procurement Summary

Attachment B - DEOD Summary

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

20. SUBJECT: FIRST AMENDMENT TO AMENDED AND RESTATED PARKING LICENSE AGREEMENT WITH WEST ANGELES CHURCH OF GOD IN CHRIST FOR TRANSIT PARKING AT 3500 CRENSHAW BOULEVARD IN LOS ANGELES 2019-0673

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute a First Amendment to the existing License Agreement ("First Amendment") with West Angeles Church of God in Christ ("Landlord"), for the use of 450 parking spaces at a parking garage located at 3500 Crenshaw Boulevard, Los Angeles ("Parking Garage") for five additional years commencing January 1, 2020 at a monthly rate of $57,608 for a total value of $4,418,999 including annual escalations of approximately two percent. There are three five-year options to extend the term under the existing lease through December 31, 2040.

Attachments: Attachment A - Aerial Map of Property Location and Expo/Crenshaw Station
Attachment B - Deal Points

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

21. SUBJECT: ORACLE PRIMAVERA UNIFIER APPLICATION USER LICENSES 2019-0676

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 2 to Contract No. PS54707001, with Mythics Inc., for 220 additional Oracle Primavera Unifier Application User Licenses for a firm fixed price of $495,887, increasing the total contract value from $991,774 to $1,487,661, and extending the contract term through October 31, 2020.

Attachments: Attachment A - Procurement Summary
Attachment B - Contract Modification Log
Attachment C - DEOD Summary

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

24. SUBJECT: FREE METRO A LINE RIDES FOLLOWING COMPLETION OF THE NEW BLUE IMPROVEMENTS PROJECT 2019-0731

RECOMMENDATION

APPROVE providing three consecutive days of free Metro A Line (formerly Blue Line) rail service during the week of October 28, 2019 in recognition of completion of the New Blue Improvements Project and service restoration.

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

28. SUBJECT: UNIFORM RENTAL SERVICES 2019-0653

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to Execute Modification No. 3 for Contract No. OP671430003367 with Prudential Overall Supply, to continue providing uniform rental services by exercising and increasing the value of the one, three-year option term by $600,000, from $3,372,104.00 to $3,972,104.00, increasing the not-to-exceed contract value from $3,447,304.00 to $7,419,408.00, and extending the contract term from February 1 2020 to January 31, 2023.

Attachments: Attachment A - Procurement Summary
Attachment B - Contract Modification Change Order Log
Attachment C - DEOD Summary

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

29. SUBJECT: GATEWAY BUILDING AND UNION STATION EAST COMPLEX ELEVATOR AND ESCALATOR SERVICES 2019-0655

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 2 to Contract No. PS14643013 with Mitsubishi Electric to provide elevator and escalator maintenance services for Gateway Building, increasing the seven (7) year base contract not-to-exceed amount by $850,000, from $4,467,975 to $5,317,975, effective December 1, 2019.

Attachments: Attachment A - Procurement Summary
Attachment B - Contract Modification Change Order Log
Attachment C - DEOD Summary

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

30. SUBJECT: ENGINE OIL 2019-0633

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two-year, indefinite delivery/indefinite quantity Contract No. VM61903000 to The Jankovich Company, the lowest responsive and responsible bidder for Engine Oil. The Contract one-year base amount is $900,905 inclusive of sales tax, and the one-year option amount is $967,638, inclusive of sales tax, for a total contract amount of $1,868,543, subject to resolution of protest(s), if any.

Attachments: Attachment A - Procurement Summary

Attachment B - DEOD Summary

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

32. SUBJECT: TRACK AND TUNNEL INTRUSION DETECTION & VIDEO ANALYTICS TECHNOLOGY GRANT 2019-0665

RECOMMENDATION

ESTABLISH the Life-of-Project for the following capital projects:

A. APPROVE the Life-of-Project for Track and Tunnel Intrusion Detection for Underground Rail Stations for $8,873,092. The project was awarded Transit Security Grant Program (TSGP) grant funds of $6,204,960; and

B. APPROVE the Life-of-Project for Video Analytics Technology for CCTV cameras at Rail Stations and bus lines for $7,200,000. The project was awarded Transit Security Grant Program (TSGP) grant funds of $7,200,000.

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

34. SUBJECT: METRO SECURITY SYSTEM MAINTENANCE AND INSTALLATIONS 2019-0370

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No.1 to Contract No. PS146430106 with MCM Integrated Systems, Inc., to provide security system maintenance and installation services, increasing the total not-to-exceed amount by $2,500,000 from $4,643,803 to $7,143,803.

Attachments: Attachment A - Procurement Summary
Attachment B - Contract Modification Change Order Log
Attachment C - DEOD Summary

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

35. SUBJECT: CONNECTED BUS 2019-0716

RECOMMENDATION

CONSIDER:

A. APPROVING an increase of $1,440,000 in Life-of-Project (LOP) budget for the Connected Bus Project (CP 207152) for a new total LOP of $9,407,000; and

B. AMENDING the FY20 budget $565,000 to reflect the current wireless mobile router installation schedule.

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

36. SUBJECT: METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT CONTRACT MODIFICATION 2019-0638

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 7 to Contract No. AE275020011497 with WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.) to provide technical services for the I-105 ExpressLanes project in the amount of $5,677,001, increasing the Total Contract Value from $8,470,000 to $14,147,001 and extend the period of performance for a period of 36 months.

Attachments: Attachment A - Procurement Summary
Attachment B - Contract Modifcation/Change Order Log
Attachment C - DEOD Summary Program Management

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

40. SUBJECT: CITY OF LOS ANGELES FY20 ANNUAL WORK PLAN 2019-0708

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute annual expenditure budget plan for the FY20 Annual Work Plan for the City of Los Angeles.

Attachments: Attachment A - FY20 Annual Work Plan Anticipated Budget for the City of Los A

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

45. SUBJECT: TITLE VI PROGRAM UPDATE 2019-0599

RECOMMENDATION

ADOPT the Title VI Program Update presented in Attachments A and B.

Attachments: Attachment A - 2019 Draft Title VI Program Update
Attachment B - Appendix Section 2019 Title VI Program Update
Attachment C - FTA Circular 4702.1B

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

46. SUBJECT: OUTSIDE PRINTING SERVICES BENCH 2019-0607

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

A. AWARD five-year, task order-based, bench Contract Nos. PS63216000 and PS63216001 to the following firms, to provide outside printing services, for an aggregate not-to-exceed amount of $2,500,000, effective November 1, 2019, subject to resolution of protest(s), if any;
   1. PS63216000 Fusion Media
   2. PS63216001 Pacific Graphics; and

B. EXECUTE individual task orders under these Contracts for outside printing services for an aggregate not-to-exceed amount of $2,500,000.

Attachments: Attachment A - Procurement Summary
Attachment B - DEOD Summary

EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION FOR APPROVAL AS AMENDED (4-0):

47. SUBJECT: POLICY FOR SOFTWARE AND HARDWARE LICENSE AND MAINTENANCE AGREEMENTS 2019-0726

RECOMMENDATION

DELEGATE to the Chief Executive Officer the authority to approve all multi-year renewals of software and hardware license and maintenance agreements, with a cap of five years per renewal.

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

51. SUBJECT: ALIGNING HIGHWAY PROGRAMS WITH STATE EMISSION REDUCTION GOALS 2019-0782

APPROVE motion by Directors Bonin, Hahn, Garcia and Najarian that the Board direct the CEO to report back to the Planning & Programming Committee in January 2020 with:

A. An assessment of how Metro's highway program will be affected by the Executive Order;

B. Steps that can be taken to align Metro's highway program with the Executive Order in order to ensure continued competitiveness for scarce State resources; and

C. Recommended revisions to local funding and project development rules and guidelines to ensure project eligibility, scoping, and selection criteria are consistent with State and regional planning goals.

Attachments: Governor Gavin Newsom Executive Order

NON-CONSENT

3. SUBJECT: REMARKS BY THE CHAIR 2019-0789

RECOMMENDATION

RECEIVE remarks by the **Chair.**

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER 2019-0790

RECOMMENDATION

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

5. SUBJECT: NORTH SAN FERNANDO VALLEY BUS RAPID TRANSIT IMPROVEMENTS PLANNING AND ENVIRONMENTAL STUDY 2019-0525

RECOMMENDATION

CONSIDER:

A. RECEIVING AND FILING:
   1. Alternatives Analysis Report and the Proposed Project to be evaluated in the environmental review phase; and
   2. Summer 2019 Outreach Summary; and

B. AUTHORIZING STAFF TO:

1. Continue studying the Proposed Project in the environmental review phase while considering community input and the NextGen Bus Study; and
2. Report back to the Board following additional study with an update on refinements to the Proposed Project and the environmental review.

Attachments: Attachment A - Alternatives Analysis Report Executive Summary
Attachment B - Proposed Project Map June 2019
Attachment C - Summer 2019 Outreach Summary.pdf
Attachment D - Roscoe via Lindley Alternative

PLANNING AND PROGRAMMING COMMITTEE MADE THE FOLLOWING RECOMMENDATION AS AMENDED BY MOTION 6.1 (3-0):

6. SUBJECT: DORAN STREET AND BROADWAY/BRAZIL GRADE SEPARATION PROJECT 2019-0747

RECOMMENDATION

APPROVE the Active Transportation Access for the Doran Street and Broadway/Brazil Grade Separation Project (refer to Attachment A).

Attachments: Attachment A - Doran Active Transportation Conceptual Plan
Attachment B - Doran Street and Broadway-Brazil Grade Separation Project_Ja
Attachment C - Salem Sperry Overpass

6.1 SUBJECT: DORAN STREET AND BROADWAY/BRAZIL GRADE SEPARATION PROJECT 2019-0788

APPROVE amending motion by Directors Najarian, Dupont-Walker and Solis that the Board:

A. APPROVE programming $3,000,000 of MEASURE R 3% for design costs, amending the FY 2020 budget for the project, and;

B. AUTHORIZE the Chief Executive Officer to execute task orders from the Regional Rail engineering and design on-call bench for the final design and all necessary third-party and other agreements.

PLANNING AND PROGRAMMING COMMITTEE FORWARDED THE FOLLOWING DUE TO ABSENCES AND CONFLICTS (3-0):

10. SUBJECT: NORTH HOLLYWOOD JOINT DEVELOPMENT 2019-0602

RECOMMENDATION

CONSIDER authorizing the Chief Executive Officer to execute an amendment to the Exclusive Negotiation Agreement and Planning Document with NOHO Development Associates LLC for the development of Metro-owned property, to extend the term for 18 months with an option to extend for an additional 12 months.

Attachments: Attachment A - North Hollywood Joint Development Fact Sheet

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE FORWARDED THE FOLLOWING (4-0):

33. SUBJECT: QUARTERLY UPDATE ON METRO'S HOMELESS OUTREACH EFFORTS 2019-0718

RECOMMENDATION

RECEIVE AND FILE Update on Metro's Homeless Outreach Efforts.

Attachments: Attachment A - Homeless Snapshot Outreach June-August 2019

Presentation

CONSTRUCTION COMMITTEE FORWARDED THE FOLLOWING (4-0):

39. SUBJECT: METRO BUSINESS SOLUTION CENTER (BSC) 2019-0712

RECOMMENDATION

CONSIDER:

A. RECEIVING AND FILING the status update and assessment of the Pilot Crenshaw/LAX Business Solution Center (BSC) and an analysis for the expansion of the BSC from a pilot to permanent program for all upcoming light rail projects in the Measure M pipeline; and

B. AUTHORIZING the Chief Executive Officer to transition the Metro Business Solution Center from a pilot to a permanent program and expand the program to all upcoming light rail projects in the Measure M pipeline.

Attachments: Attachment A - Motion 38.1
Attachment B - Motion 79
Attachment C - BSC Fact Sheet CY2019 Q2
Attachment D - Metro Pilot Business Solutions Center Analysis Report (Septeml
Presentation

EXECUTIVE MANAGEMENT COMMITTEE FORWARDED THE FOLLOWING WITH A RECOMMENDATION FOR APPROVAL (4-0):

50. SUBJECT: ROSA PARKS CUSTOMER CENTER DEDICATION 2019-0776

RECOMMENDATION

DEDICATE the new Metro Customer Center at the Willowbrook/Rosa Parks Station in honor of Rosa Louise Parks, a civil rights activist.

Attachments: Attachment A - Draft Signage
Attachment B - Draft Plaque

52. SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT 2019-0734

RECOMMENDATION

CONSIDER:

A. HOLDING a public hearing on the proposed Resolutions of Necessities; and

B. ADOPTING the Resolutions of Necessities authorizing the commencement of an eminent domain action to acquire a Roadway Easement, Overhang Easement and Temporary Construction Easements from the properties identified as Parcels RM-04 (APN: 8059-029-030) and RM-05 (APN: 8059 -029-031) and to acquire Permanent Footing, Roadway and Temporary Construction Easements and Improvements Pertaining to Realty from the properties identified as Parcels RM-31 (APN: 8069-005-010) and RM-32 (APN: 8069-005-011). The properties listed above are herein referred to as “Properties”.
(REQUIRES 2/3 VOTE OF THE BOARD)

Attachments: Attachment A- Staff Report
Attachment B-1- Resolution of Necessity
Attachment B-2- Resolution of Necessity

END OF NON-CONSENT ITEMS

SUBJECT: GENERAL PUBLIC COMMENT 2019-0766

RECEIVE General Public Comment

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

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

Adjournment

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

Metro

Board Report

File #: 2019-0755, **File Type:** Minutes **Agenda Number:** 2.

REGULAR BOARD MEETING
OCTOBER 24, 2019

SUBJECT: MINUTES

RECOMMENDATION

APPROVE Minutes of the Regular Board Meeting held September 26, 2019.

Metro

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

Metro
Los Angeles, CA

MINUTES

Thursday, September 26, 2019

10:00 AM

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

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:

James Butts, Chair
Eric Garcetti, Vice Chair
Hilda Solis, 2nd Vice Chair
Kathryn Barger
Mike Bonin
Jacquelyn Dupont-Walker
John Fasana
Robert Garcia
Janice Hahn
Paul Krekorian
Sheila Kuehl
Ara Najarian
Mark Ridley-Thomas
John Bulinski, non-voting member

Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER AT: 10:05 A.M.

ROLL CALL

1. APPROVED Consent Calendar Items: 2, 10, 11, 12, 13, 16, 18, 19, 20, 21, ~~24~~, 26, 27, 28, 31, 32, ~~33~~, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, and ~~46~~

Consent Calendar items were approved by one motion except items 24 and 36 which were held by a Director for discussion and/or separate action and Item 33 which failed on the initial vote.

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

2. SUBJECT: MINUTES **2019-0600**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held July 25, 2019.

3. SUBJECT: REMARKS BY THE CHAIR **2019-0729**

RECEIVED remarks by the **Chair.**

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

4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER **2019-0730**

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

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

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

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

5. SUBJECT: UPDATE ON METROLINK'S SCORE PROGRAM 2019-0609

RECEIVED Oral Report by Metrolink CEO on Metrolink's Southern California.

Optimized Rail Expansion (SCORE) Program.

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

5.1 SUBJECT: METROLINK SCORE PROGRAM 2019-0753

APPROVED Motion by Garcetti, Barger, Krekorian, Najarian, Solis and Hahn that the Board and Metro adopt as policy SUPPORT for the build-out of the Metrolink score master plan to improve regional mobility, increase transit ridership, and reduce greenhouse gas emissions.

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

9. SUBJECT: SR-710 NORTH CORRIDOR MOBILITY IMPROVEMENT PROJECTS - ROUND 2 2019-0245

APPROVED the following actions pertaining to the development and implementation of additional corridor mobility improvement projects (MIPs) on local arterials and local freeway interchanges experiencing congestion because of the discontinuity of the SR 710 North Freeway:

A. the attached Round 2 list of eligible MIPs recommended for funding (Attachments A and B);

B. staff to program an additional $280 million in Measure R funds and $232.3 million in State and federal funds for a total of $512.3 million for the Round 2 MIPs starting in FY 2020-~~21~~;

C. staff to reallocate $18 million in Measure R funds from three MIPs in the City of San Marino approved by the Board in December 2018 for projects to other projects due to the City's decision not to pursue those projects;

(continued on next page)

(Item 9 – continued from previous page)

D. staff to consolidate the $105 million Measure R funds allocated to the TSM/TDM Projects cleared under the SR-710 North Final Environmental Document with the Measure R funds for the MIPs under one "MIP" category for ease in managing and reporting all SR-710 North Corridor Mobility Improvements;

E. the CEO or his designee to negotiate and execute all necessary agreements with project sponsors to implement the approved MIPs; and

F. staff to approve changes in the number, scopes, and budgets of projects within the overall program approvals requested in this board report and consistent with the directives in Motion 29.1 (Attachment C).

Approval of the above recommendations will allow programming of all remaining Measure R, State and federal funds for the MIPs listed in this Board Report subject to the availability of funds.

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

10. SUBJECT: LA RIVER PATH **2019-0443**

APPROVED ON CONSENT CALENDAR:

A. RECEIVING AND FILING the Conceptual Design Report; and

B. AUTHORIZING the CEO to initiate the Draft Environmental Impact Report (DEIR).

11. SUBJECT: METRO BIKE HUB MANAGEMENT SERVICES CONTRACT EXTENSION **2019-0553**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 6 to Contract No. PS43203266 with Bike Hub to continue management services and optional tasks for Metro Bike Hubs for up to one year in the not-to-exceed amount of $265,836, increasing the total contract value from $575,977 to $841,813.

12. SUBJECT: PUBLIC-PRIVATE PARTNERSHIP (P3) FINANCIAL ADVISORY SERVICES BENCH **2019-0560**

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

A. AWARD AND EXECUTE five bench Contracts listed below for P3 Financial Advisory Services for a five-year base period in the overall funding amount of $25 million, subject to resolution of protest(s), if any:

1. Arup Advisory, Inc (PS61431000)
2. Deloitte Transactions and Business Analysis LLP (PS61431001)
3. Ernst & Young Infrastructure Advisors, LLC (PS61431002)
4. Public Financial Management Financial Advisors LLC (PS61431003)
5. Sperry Capital Inc. (PS61431004)

B. APPROVE Contract Modification Authority (CMA) in the amount of 20% specific to Contract Nos. PS61431000 through PS61431004 to support the cost of unforeseen issues that may arise during the course of the Contract; and

C. EXECUTE Task Orders under these Contracts for P3 Financial Advisory Services in a total amount not to exceed $25 million.

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

13. SUBJECT: LINK UNION STATION **2019-0652**

APPROVED ON CONSENT CALENDAR:

A. funding for additional Southern California Regional Rail Authority (SCRRA operated as "Metrolink") costs for the Link Union Station (Link US) Project in the amount of $400,000 in Measure R 3% funds; and

B. AUTHORIZING the Chief Executive Officer (CEO) to negotiate and execute all necessary Metrolink agreements up to $400,000.

16. SUBJECT: DELEGATION OF AUTHORITY TO APPROVE REAL ESTATE TRANSACTIONS **2019-0482**

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

A. ESTABLISH just compensation for the acquisition of real property based on an approved appraisal of the fair market value as long as the amount is within the overall Life of Project (LOP) budget or within the approved current annual budget if LOP has not yet been adopted;

B. APPROVE administrative or litigated settlements (including goodwill, furniture, fixtures, and equipment, and other acquisition costs) of up to $1,000,000 above the appraised value or 20% above the appraised value (up to $5 million), whichever is greater, if the amount is within the overall LOP budget or within the approved current annual budget if LOP has not yet been adopted;

C. report back to the Board quarterly on just compensation and/or settlements over $500,000; and

AUTHORIZED ON CONSENT CALENDAR the Inspector General to perform periodic random spot-check audit of these transactions to ensure to the Board that the system and policy are performing in the manner described in the recommendation.

17. SUBJECT: GROUP INSURANCE PLANS **2019-0485**

AUTHORIZED the Chief Executive Officer to renew existing group insurance policies covering Non-Contract and AFSCME employees, including the life and disability coverage for Teamster employees, for the one-year period beginning January 1, 2020.

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

18. SUBJECT: TAP FARE COMPLIANCE VALIDATOR **2019-0594**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 8 to Contract No. PS30203139 with Axiom xCell, Inc. (Axiom) to improve functionalities and capabilities for the Mobile Phone Validator (MPV) used by fare compliance officers in an amount of $627,516, and to extend the contract term for continued maintenance support through November 29, 2021 in an amount of $437,815, thus, increasing the total contract value by $1,065,331 from $2,168,066 to $3,233,397.

19. SUBJECT: LOW INCOME FARE IS EASY (LIFE) PROGRAM ADMINISTRATOR SERVICES **2019-0597**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD a 54-month indefinite delivery indefinite quantity Contract No. PS6056400A to FAME Assistance Corporations for LIFE program administration services for the Southwest and Northwest service regions, in an amount not-to-exceed $1,653,756 for the 30-month base term and $669,104.50 for each of the two, 12-month options, for a combined total not-to-exceed amount of $2,991,965 effective January 1, 2020, subject to resolution of protest(s), if any; and

B. AWARD a 54-month indefinite delivery indefinite quantity Contract No. PS6056400B to International Institute of Los Angeles for LIFE program administration services for the Southeast service region in an amount not-to-exceed $890,124 for the 30-month base term and $357,562 for each of the two, 12-month options, for a combined total not-to-exceed amount of $1,605,248, effective January 1, 2020, subject to resolution of protest(s), if any.

20. SUBJECT: METROLINK ADDITIONAL FY 2020 FUNDING **2019-0620**

APPROVED ON CONSENT CALENDAR:

A. REPROGRAMMING $2,088,793 of forecasted FY 2018-19 (FY19) surplus to fund the Southern California Regional Rail Authority's (SCRRA operated as "Metrolink") FY 2020 CEO Workplan; and

B. AMENDING and APPROVING Metro's revised share of the FY 2019-20 (FY20) Metrolink Budget for a new total programming amount of $119,976,796.

21. SUBJECT: CALIFORNIA SB1 STATE OF GOOD REPAIR PROGRAM **2019-0639**

APPROVED ON CONSENT CALENDAR the Resolution in Attachment A to:

A. AUTHORIZE the Chief Executive Officer (CEO) or his designee to claim $30,066,491 in fiscal year (FY) 2019-20 State of Good Repair Program (SGR) grant funds as the Regional Entity for Los Angeles County for this program; and

B. APPROVE the regional SGR Project List for FY19-20; and

C. CERTIFY that Metro will comply with all conditions and requirements set forth in the SGR Certification and Assurances document and applicable statutes, regulations and guidelines.

24. SUBJECT: EXERCISE OPTIONS ON EXISTING BUS PROCUREMENT CONTRACTS 2019-0605

AUTHORIZED the Chief Executive Officer to execute Contract Modifications to exercise the Options Bus Buy as follows:

A. Modification No.14 to Contract OP28367-000, Part A with El Dorado National (California), Inc. ("ENC"), to procure 259 Contract Option forty-foot CNG buses for the firm fixed price of $189,369,145 increasing the Total Contract Value from $204,278,402 to $393,647,547 inclusive of sales tax;

B. Increase the Life-of-Project budget for the CP 201057 for FY20-22 capital program in the amount of $213,345,580 from $207,567,748 to $420,913,328;

C. Modification No. 3 to Contract OP28367-003, Part B with New Flyer of America Inc. (NFA) to purchase 70 Contract Option sixty-foot CNG articulated buses for the firm fixed price of $73,457,860 increasing the Total Contract Value from $68,414,506 to $141,872,366, inclusive of sales tax;

D. Increase the Life-of-Project budget for CP 201076 for FY20-22 capital program in the amount of $77,111,410 from $72,200,000 to $149,311,410;

E. Modification No. 2 to Contract OP28367-002, Part C with BYD Coach & Bus, LLC (BYD) to purchase 40 Contract Option forty-foot ZE buses for the firm fixed price of $30,863,440, increasing the Total Contract Value from $47,774,723 to $78,638,163, inclusive of sales tax; and

F. Increase the Life-of-Project budget for CP 201077 for FY21-22 capital program in the amount of $63,082,341 from $65,900,000 to $128,982,341.

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

26. SUBJECT: METRO'S PHOTO ENFORCEMENT PROGRAM **2019-0547**

APPROVED ON CONSENT CALENDAR:

A. AUTHORIZING the Chief Executive Officer to award an eight-year, firm fixed price Contract No. PS60032000, to Redflex Traffic Systems, Inc., for Photo Enforcement Program Services in an amount not to exceed $25,385,196, effective October 1, 2019, subject to resolution of protest(s), if any; and

B. TERMINATING Contract No. PS68103079 with Conduent State & Local Solutions, Inc. once all operations, maintenance and citation processing have been transitioned to the new awarded contractor Redflex.

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

27. SUBJECT: SPACE PLANNING/INSTALLATION SERVICES AND FURNITURE **2019-0632**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 1 to Contract No. PS28069-2000 to exercise the two, one-year options with M3 Office, Inc. for Space Planning/Installation Services and Furniture, in the amount of $2,000,000 increasing the not-to-exceed total contract value from $5,000,000 to $7,000,000 and extending the contract term to March 31, 2022.

28. SUBJECT: OFFICE OF INSPECTOR GENERAL REPORTS ON THE AUDIT OF (1) THE GRAFFITI/LANDSCAPING/TRASH MAINTENANCE ON THE GOLD AND ORANGE LINES RIGHT-OF-WAYS AND (2) MISCELLANEOUS EXPENSES FOR THE PERIOD OCTOBER 1, 2018 TO DECEMBER 31, 2018 **2019-0631**

RECEIVED AND FILED ON CONSENT CALENDAR Office of Inspector General (OIG) final reports on the (1) Audit of the Graffiti/Landscaping/Trash Maintenance on the Gold and Orange Lines Right-of-Ways and (2) Statutorily Mandated Audit of Miscellaneous Expenses for the Period October 1, 2018 to December 31, 2018.

31. SUBJECT: US ARMY CORPS OF ENGINEERING MEMORANDUM OF AGREEMENT **2019-0556**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute the Memorandum of Agreement (MOA) between Metro (Authority) and US Army Corps of Engineering ("Corps").

32. SUBJECT: I-5 SOUTH CAPACITY ENHANCEMENTS FROM ORANGE COUNTY LINE TO I-605 **2019-0563**

AUTHORIZED ON CONSENT CALENDAR Contract Modifications No. 102 & No. 103 (CCO 102 & CCO 103) by the California Department of Transportation (Caltrans) for the construction contract for Segment 3 (Shoemaker, Bloomfield and Rosecrans) of the I-5 South Capacity Enhancements Project from Orange County Line to I-605 (Project) under FUNDING AGREEMENT NO. MOU.P0004292 A/A3, in the total amount of $5.03 million within the LOP budget.

33. SUBJECT: SUSTAINABILITY ENGINEERING SERVICES FOR WATER RESOURCES, CONSERVATION AND COMPLIANCE **2019-0657**

AUTHORIZED UNDER RECONSIDERATION the Chief Executive Officer (CEO) to:

A. AWARD a Cost Reimbursable Contract for a base period of performance of three (3) years, Contract No. AE58845, to Geosyntec Consultants Inc., for Sustainability Engineering Services for Water Resources, Conservation and Compliance, for total contract amount of not-to-exceed $17,714,849 with $7,714,849 not-to-exceed value for the first three years, and exercise two one (1) year options in the amount of not-to-exceed value of $5,000,000 for each option year; and,

B. EXECUTE changes and modifications within the Board approved not-to-exceed contract amount.

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

35. SUBJECT: FEDERAL LEGISLATION **2019-0635**

ADOPTED ON CONSENT CALENDAR staff recommended positions:

A. House Resolution 4101 (Bass) / Senate Bill 2404 (Gillibrand) - Build Local Hire Local Act **SUPPORT**

B. Senate Bill 2302 (Barrasso) - Federal Authorization for Highway Programs - America's Transportation Infrastructure Act of 2019 **WORK WITH AUTHOR**

36. SUBJECT: UNDERSTANDING HOW WOMEN TRAVEL **2019-0294**

RECEIVED AND FILED status report on How Women Travel Study (Attachment B).

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

37. SUBJECT: TITLE VI EQUITY ANALYSIS POLICIES **2019-0608**

ADOPTED ON CONSENT CALENDAR Title VI Equity Analysis Policies presented in Attachments A, B and C.

38. SUBJECT: PUBLIC HEARINGS AMENDMENTS - (TITLE VI EQUITY POLICIES) **2019-0616**

APPROVED ON CONSENT CALENDAR amendment of Title 2, Chapter 2-50 of the Los Angeles County Metropolitan Transportation Authority ("Metro") Administrative Code (the "Code"), otherwise known as Public Hearings, as set forth in Attachment A. The amended Code will become effective within 30 days of Board approval.

39. SUBJECT: SERVICE STANDARDS POLICIES FOR TITLE VI PROGRAM UPDATE **2019-0643**

ADOPTED ON CONSENT CALENDAR Service Standards Policies for Title VI Program Update presented in Attachment A.

40. SUBJECT: METRO DRUG AND ALCOHOL OVERSIGHT PROGRAM **2019-0450**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, firm fixed unit rate Contract No. PS60199000 to LPM Consulting, Inc. for a Drug and Alcohol Oversight Program, in an amount not-to-exceed $472,102 for the three-year base term, $189,877 for the first option year, and $189,877 for the second option year, for a combined total not-to-exceed amount of $851,856 inclusive of two, one year options, effective October 1, 2019, subject to resolution of protest(s), if any.

41. SUBJECT: EXPANDING METRO'S YOUTH ON THE MOVE PROGRAM 2019-0626

APPROVED ON CONSENT CALENDAR:

A. a one-year pilot program to extend the expiration date of Youth on the Move (YOTM) passes for foster youth participating in the Independent Living Program (ILP) to their 23rd birthday;

B. a one-year pilot program to extend the lower age of the YOTM Program to 16-years of age at two (2) Department of Children and Family Services (DCFS) offices in Los Angeles County; and

C. INSTRUCTING staff to report back to Board within 12 months to determine whether or not these two pilot programs should be extended.

42. SUBJECT: SERVICE MONITORING RESULTS FOR TITLE VI PROGRAM UPDATE 2019-0644

ADOPTED ON CONSENT CALENDAR Service Monitoring Results for Title VI Program Update presented in Attachment A.

43. SUBJECT: CONGESTION PRICING FEASIBILITY STUDY 2019-0649

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD a twenty-four month, firm fixed price Contract No. PS62790000 to WSP USA, Inc., in the amount of $3,085,929 for the Congestion Pricing Feasibility Study Technical Services, subject to resolution of protest(s), if any; and

B. AWARD a twenty-four month, firm fixed price Contract No. PS62791000 to Guidehouse LLP, in the amount of $1,919,300, with an 18-month option in the amount of $569,840, for a total contract value of $2,489,140, for the Congestion Pricing Feasibility Study Communications and Public Engagement Services, subject to resolution of protest(s), if any.

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

44. SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM - SOUTH BAY SUBREGION **2019-0462**

AUTHORIZED ON CONSENT CALENDAR:

A. Programming of ~~$65,897,857~~ $79,017,857 in Measure M Multi-Year Subregional Program (MSP) - Transportation System and Mobility Improvements Program (Expenditure Line 50);

B. Programming of $2,950,000 in Measure M MSP - South Bay Highway Operational Improvements Program (Expenditure Line 63)

C. Programming of $33,694,502 in Measure M MSP - Transportation System and Mobility Improvements Program (Expenditure Line 66); and

D. the Chief Executive Officer (CEO) or his designee to negotiate and execute all necessary agreements for approved projects.

45. SUBJECT: COMMUNICATIONS SUPPORT SERVICES BENCH **2019-0621**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 2 to Bench Contract Nos. PS44432001 through PS44432010 to:

A. INCREASE the base contract value by $9,000,000 from $9,505,568 to $18,505,568 for communications support services through December 31, 2020; and

B. AWARD AND EXECUTE task orders for a not-to-exceed total authorized amount of $18,505,568.

46. SUBJECT: ADAPTIVE REUSE OF LIGHT RAIL VEHICLE 100 **2019-0714**

APPROVED Motion by Garcia and Hahn that the CEO:

A. Direct Metro staff to contact City of Long Beach staff regarding the City's plans to adaptively reuse Car 100, and

B. Report back to the Metro Board of Directors during the November 2019 board cycle with a strategy on how best to support Long Beach's efforts to adaptively reuse Car 100, in a manner and timeline that aligns with the 30th Anniversary of the Metro Blue Line's opening and that will raise the profile of Car 100 as a resource and destination for our community and many visitors.

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

47. SUBJECT: AUTOMATIC CROSSING GATES **2019-0732**

APPROVED Motion by Fasana that Metro report back to the Operations Committee by January 2020 with a table for each rail line showing the number of occurrences gates have been down at each protected intersection for longer than 3 minutes, 5 minutes, and 10 minutes.

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

48. SUBJECT: CLOSED SESSION **2019-0733**

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

1. Lily Nathan v. LACMTA, Case No. BC 643963

APPROVED settlement in the amount of $600,000.

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

2. Estate of Amando Rojas Rodriguez v. LAMTA, Case No. BC 692717

APPROVED settlement in the amount of $2.5 million.

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

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

NO REPORT.

4. Beverly Hills Unified School District, et al. v. Federal Transit Administration et al. Case No. CV 12-9861-GW (SSx)

NO REPORT.

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

Significant Exposure to Litigation (One Case)

NO REPORT.

(continued on next page)

(Item 48 – continued from previous page)

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

1. Property Description: 11722 S. Wilmington Avenue,
Los Angeles, CA 90059
Agency Negotiator: Craig Justesen
Negotiating Party: Planned Parenthood-Stoller Filer Health Center
Under Negotiation: Terms and Price

In Open Session, this item was withdrawn from Closed Session.

2. Property Description: 13917-13937 Rosecrans Avenue,
Santa Fe Springs
Agency Negotiator: Craig Justesen
Negotiating Party: Tango Kilo
Under Negotiation: Terms and Price

In Open Session, this item was withdrawn from Closed Session.

D. Public Employee Performance Evaluation - G.C. 54957(b)(1)

Titles: Chief Executive Officer, General Counsel, Board Secretary,
Inspector General, and Chief Ethics Officer.

This item was deferred to a date yet to be set.

ADJOURNED at 1:27 p.m.

Prepared by: Eric Chun
Administrative Analyst, Board Administration

Michele Jackson, Board Secretary

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

File #: 2019-0555, **File Type:** Contract **Agenda Number:** 8.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: LINK UNION STATION PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

A. EXECUTE Modification No. 10 to Contract No. PS2415-3172 with HDR Engineering, Inc. to provide environmental, preliminary and advanced engineering design services on the Link Union Station (Link US) Project in the amount not-to-exceed $23,360,000, increasing the Total Contract Value from $62,793,000 to $86,153,000;

B. INCREASE the Contract Modification Authority (CMA) in the amount of $2,836,000, increasing the total CMA amount from $4,356,715 to $7,192,715 and execute future contract modifications up to the CMA authorized amount; and,

C. EXECUTE all necessary agreements and task orders with third parties to support the Link US Project for a total amount of up to $8,000,000.

ISSUE

Staff is requesting Metro Board to authorize the CEO to execute Contract Modification No.10 with HDR Engineering, Inc. to develop preliminary and advance engineering designs based on the FEIR project that was approved by the Metro Board in June 2019 and prepare a new National Environmental Protection Act (NEPA) Environmental Impact Statement (EIS). The Contract Modification also includes a California Environmental Quality Act (CEQA) amendment for a partial relocation of the Burlington North Santa Fe (BNSF) freight storage tracks located south of Los Angeles Union Station where the run through tracks connects to the main line tracks along the west bank of the Los Angeles River.

BACKGROUND

The Link Union Station (Link US) Project will transform how the commuter and intercity rail operates in Southern California with run-through capability at Los Angeles Union Station (LAUS) providing one -seat rides from San Luis Obispo to San Diego, increasing commuter and intercity rail services, and

accommodating future high-speed rail service. The Link US Project is planned to be implemented in two phases:

- Phase A would include construction of the full viaduct structure over the US-101 freeway that accommodates up to nine (9) new run-through tracks, track, signal and communication work in the throat area, run through platform, quiet zone ready improvements at Main Street grade crossing and active transportation improvements.

- Phase B would include raising of the rail yard up to 15 feet for the run-through track viaduct structure, new platforms, a new expanded passageway with retail and passenger amenities, escalators and elevators to all platforms, optimization of the throat with a new lead track and opportunity for a world class terminal station.

DISCUSSION

The Link Union Station Project has completed the FEIR in July 2019 and has expended approximately 95% of HDR's contract performing additional conceptual engineering designs, combined NEPA/CEQA environmental studies, analysis of the above-grade passenger concourse and expanded passage way in the Draft EIR, accommodation of West Santa Ana Branch (WSAB) light rail line, new active transportation improvements on Commercial Street, a new alignment for the combined Regional Rail and High Speed Rail run-through tracks structure with the elimination of the loop track, preparation of a standalone EIR, and other changes to the project.

The proposed Modification No. 10 is needed to address various changes to the project, complete the preliminary and advanced engineering design based on the FEIR project, complete a new NEPA EIS and prepare additional CEQA documentation with the partial relocation of the BNSF freight storage tracks to connect the run-through tracks to the main line tracks along the west bank of the Los Angeles River, preliminary engineering design of new Class IV active transportation improvements along Commercial Street, and other technical support related to the phasing and implementation of the project.

Third Party and Other Anticipated Costs

Additional third party costs are required to complete the preliminary engineering and environmental documentation phase. Funding agreements will need to be executed with SCRRA, Caltrans, City of Los Angeles Bureau of Engineering (BOE), Bureau of Street Lighting (BSL), Bureau of Street Services (BSS), Department of Transportation (DOT), Los Angeles Department of Water and Power, Amtrak, and other third parties as necessary.

Other anticipated project costs include real estate and legal support, testing and disposal of soils from subsurface geotechnical and utility investigations, additional as-needed technical support and coordination with William Mead Homes, the Housing Authority of the City of Los Angeles (HACLA) and Council District 1 for the Main Street Quiet Zone ready improvements. The Quiet Zone ready improvements will reduce train-horn noise experienced by residents at William Mead Homes.

Funding Plan

On April 26, 2018, California State Transportation Agency (CalSTA) awarded $398.39 million to Phase A of Link US, as part of the 2018 Transit Intercity Rail Capital Program (TIRCP) grant award to Southern California Regional Rail Authority's (SCRRA) Southern California Optimized Rail Expansion (SCORE) program. On September 12, 2019, Metro, California High Speed Rail Authority (CHSRA) and California State Transportation Agency (CalSTA) entered into a Memorandum of Understanding (MOU) for $423.335 million of Proposition 1A funds for the Link US Project. Since then, the California Transportation Commission (CTC) authorized allocation of $23.021 million for the Project Approval and Environmental Documentation (PA/ED) phase and $68.531 million for the Right of Way phase of Link US from the TIRCP grant. Staff is continuously working with the funding partners to secure funding agreements for the project. Table 1 provides the funding plan totaling $950.4 million for Phase A of Link US as of October 2019:

Table 1 - Link US Phase A Funding Plan as of October 2019

Funding Source	**Amount (All $ listed in millions)**
State Proposition 1A/High Speed Rail Bonds	$423.34
Transit and Intercity Rail Capital Program (TIRCP)	$398.39
Metro (Measure R 3% Commuter Rail)	$51.67 (1)
Metro (Measure M) or other local funds	$13.27
SCRRA Joint Powers Authority Contribution (non-Metro)	$40.00
Other CHSRA funds	$18.73 (1)
Amtrak or other State funds	$5
Total Funding Identified	**$950.40**

Notes:
1. Metro and HSR have contributed a total of $70.40 million for environmental and preliminary engineering to date.

Link US Phase B
The Link US Phase B is not funded and staff is working with the funding partners (CHSRA, CalSTA and SCRRA) to secure federal and state grants including public private partnership opportunities.

DETERMINATION OF SAFETY IMPACT

The Link US project is being planned and designed in accordance with Metro and Metrolink standards, state and federal requirements. Approval of the Link US project will have no impact on safety.

FINANCIAL IMPACT

Approval of this Contract Modification, third party and other associated anticipated costs would bring the total cost to complete the current phase of the Link US project to $99,761,825 as summarized below:

Use of Funds	Amount
Contract No. PS2415-3172 with HDR Engineering, Inc.)	$91,761,825 (including Contract Modification Authority amount of $7,192,715)
Real Estate, Legal and Third-Party Costs, and Other Anticipated Costs (including $4 million previously approved in 2017)	$8,000,000
Total Costs	$99,761,825

The source of funds for the costs above is as follows:

Source of Funds	Amount
Measure R 3%	$51,671,243
Previously Committed HSR Funds	$18,726,102
TIRCP Grant Funds (for Project Approval and Environmental Document [PA&ED])	$23,021,000
TIRCP Grant Funds (for Plans Specifications and Estimates [PS&E])	$1,927,370
TIRCP Grant Funds (for Right of Way [R/W] and Legal)	$4,416,110
Total funding	$99,761,825

The anticipated cash flow is as follows (amount in millions):

Expenditure from prior years	FY 20	FY 21	FY 22	Total
$61,595,000	$23,446,000	$11,916,110	$2,804,715	$99,761,825

The amount of $23.446 million in FY 20 is included in the approved FY20 budget for cost center 2415 under SCRIP 460089. Approval of the staff recommendations will program the funds Measure R 3% funds for costs to be reimbursed with HSR funds and the State's TIRCP grant. Since this is a multi-year project Senior Executive Officer, Program Management/Regional Rail will be accountable for budgeting the costs in future years.

Impact to Budget

There is no impact to the FY20 budget at this time. The source of funds for the requested contract modification and other related costs consist of the State's TIRCP grant funds, additional CHSRA funds, and previously approved and programmed Measure R 3% funds.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Link US project supports Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The proposed run-through tracks would increase regional and intercity rail capacity and reduce train idling at Los Angeles Union Station (LAUS), enable one-seat rides from Santa Barbara County to San Diego County through LAUS, and accommodate a new high -quality transportation option such as High Speed Rail in Southern California. The project also supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system. The proposed new passenger concourse and the new outdoor plaza (West Plaza) would improve customer experience and satisfaction by enhancing transit and retail amenities at LAUS, and improving access to train platforms with new escalators and elevators. Lastly, the project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. The project requires close collaboration with many local, regional, State and Federal partners including City of Los Angeles, SCRRA, LOSSAN Authority, Caltrans, CHSRA, CalSTA, FRA and Amtrak.

ALTERNATIVES CONSIDERED

The Board may elect not to approve the staff recommendation to execute Contract Modification No. 10 and other related costs and not advance the Link US Project. However, this will not increase the commuter and intercity rail capacity at LAUS causing significant delays and operational challenges. In addition, this will be in conflict with the TIRCP grant award and CHSRA financial agreements.

NEXT STEPS

Upon Board approval, staff will execute Modification No. 10 to Contract No. PS2415-3172 with HDR Engineering, Inc. to provide environmental, preliminary and advanced engineering design services on the Link US Project. CHSRA staff has made a commitment to recommend to the CHSRA Board approval of a funding agreement with Metro in the amount of $423.335 million for the Link US project by December 2019. Metro will return to the Board in December for a recommended project delivery approach for the Link US Phase A project.

ATTACHMENTS

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

Prepared by: Kunle Ogunrinde, Senior Manager, Transportation Planning, Regional Rail, (213) 418-3330
Vincent Chio, Director, Regional Rail, (213) 418-3178
Jeanet Owens, Senior Executive Officer, Regional Rail, (213) 418-3189

Reviewed by: Richard Clarke, Chief Program Management Officer, (213) 922-7557
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

LINK UNION STATION (LINK US) PROJECT
PS2415-3172

1.	**Contract Number**: PS2415-3172			
2.	**Contractor**: HDR Engineering, Inc.			
3.	**Mod. Work Description**: Environmental and preliminary engineering design services on the Link Union Station (Link US) Project.			
4.	**Contract Work Description**: Professional environmental and engineering services for Link US Project.			
5.	**The following data is current as of**: 09/24/19			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	04/24/14	**Contract Award Amount:**	$29,805,884
	Notice to Proceed (NTP):	04/25/14	**Total of Modifications Approved:**	$32,987,116
	Original Complete Date:	08/21/20	**Pending Modifications (including this action):**	$23,360,000
	Current Est. Complete Date:	12/31/21	**Current Contract Value (with this action):**	$86,153,000
7.	**Contract Administrator**: Samira Baghdikian		**Telephone Number**: (213) 922-1033	
8.	**Project Manager**: Jeanet Owens		**Telephone Number**: (213) 418-3189	

A. Procurement Background

This Board Action is to approve Contract Modification No. 10 issued in support of environmental and preliminary engineering design services on the Link US Project. This Contract Modification also extends the period of performance through December 31, 2021.

This Contract Modification was processed in accordance with Metro's Acquisition Policy and maintains a cost-plus fixed fee contract structure. All other terms and conditions remain unchanged.

On April 24, 2014, the Board authorized staff to negotiate and execute a four-year, with two, one-year options, Contract No. PS2415-3172 with HDR Engineering, Inc. for the Link Union Station Project, formerly known as Southern California Regional Interconnector Project (SCRIP). In August 2014, Contract No. PS2415-3172 was fully executed for a contract price of $29,805,884.

A total of nine modifications have been issued to date. Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost Analysis

The recommended not-to-exceed amount has been determined to be fair and reasonable based upon an independent cost estimate, cost analysis, technical evaluation, and fact finding. Fee remains unchanged from the original contract.

Metro staff successfully negotiated a cost savings of $1,531,683 by reducing the duplication of efforts and clarifying the intent of the scope of services.

Proposal Amount	Metro ICE	Not-To-Exceed Amount
$24,891,683	$23,227,625	$23,360,000

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG
LINK UNION STATION (LINK US) PROJECT/PS2415-3172

Mod. No.	Description	Status (approved or pending)	Date	$ Amount
1	No cost administrative changes.	Approved	09/04/14	$0
2	Additional requirement to include the Los Angeles Union Station (LAUS) Master Plan concourse engineering study.	Approved	09/18/14	$831,520
3	Rrevised Scope of Work to include LAUS Master Plan passenger concourse and accommodate HSR. Adjustments to Phase 1; and deletion of Phases 2 and 3.	Approved	03/23/16	$17,641,953
4	Environmental and preliminary engineering services for the expansion of Link US to connect with Patsaouras Transit Plaza to the east and the historic Union Station to the west.	Approved	03/23/17	$13,761,273
5	Grant application assistance for up to 10 applications for the CA Freight Investment Program/Trade Corridors Enhancement Program and the Fostering Advancement in Shipping and Transp. for the Long-term Achievement of National Efficiencies Grant Programs.	Approved	07/24/17	$299,370
6	Add SBE/DVBE subcontractor	Approved	08/16/18	$0
7	Period of performance (POP) extension through 6/30/19.	Approved	02/28/19	$0
8	POP extension through 9/30/19.	Approved	06/28/16	$0
9	Add Task 15 for LAUS Architectural and Development Plan and extend POP through 12/31/19.	Approved	09/24/19	$453,000
10	Environmental and preliminary engineering design services on the Link US Project and extension of POP through 12/31/21.	**Pending**	**Pending**	**$23,360,000**
	Modification Total:			**$56,347,116**
	Original Contract:	**04/24/14**		**$29,805,884**
	Total:			**$86,153,000**

ATTACHMENT C

DEOD SUMMARY

LINK UNION STATION (LINK US) PROJECT / CONTRACT NO. PS-2415-3172

A. Small Business Participation

HDR Engineering, Inc. (HDR) made an overall SB commitment of 28.61%, which is inclusive of a 14.92% Disadvantage Business Enterprise (DBE), 2.4% Disabled Veteran Business Enterprise (DVBE), 9.45% Small Business Enterprise (SBE), and 1.20% for SB Microbusiness. HDR confirmed that the project is 94% complete. Current overall SB participation is 23%, which is inclusive of 10.63% DBE, 2.42% DVBE, 9.11% SBE, and 0.85% SB Microbusiness participation, representing a shortfall of 5.61% in the DBE, DVBE, SBE and SB Microbusiness commitments.

HDR provided two primary reasons for their shortfall: 1) significant SBE participation was scoped in the 35% design phase of the project which was not initiated by Metro due to project redefinition activities; and 2) eight major project scope changes directed by Metro and/or stakeholders necessitated expedited feasibility analyses and complex design changes that required highly specialized skill sets not available with currently contracted SBEs. HDR's Shortfall Mitigation Plan was updated in August of 2019 demonstrating increased participation in all SB categories that began in March of this year and is projected to peak in August of 2020 when SB firms will complete design components of US 101 Bridge and Phase 8.

For this pending contract modification, HDR committed 45% of the work to listed firms, and by the second quarter of 2021, the Prime has indicated that it expects to have met its commitments for all small business categories and firms, with the exception of two SBEs that HDR will seek approval to substitute due to operational closure and critical staff departures. Additionally, HDR has demonstrated its commitment in implementing its SBE Mentor Protégé program offering business proposal and marketing development assistance for its SBE subconsultants.

SMALL BUSINESS COMMITMENT	28.61%	SMALL BUSINESS PARTICIPATION	23.01%

	Subcontractors (DBE/DVBE/SBE/SB Micro)	% Commitment	% Participation
1.	Atwell Consulting Group (DBE)	0.33%	0.09%

2.	BA Inc. (DBE)	0.79%	1.66%
3.	Earth Mechanics (DBE)	1.74%	1.38%
4.	MBI Media (DBE)	1.14%	1.96%
5.	Pacific Railway Enterprises (DBE)	4.91%	0.54%
6.	PacRim Engineering (DBE)	0.48%	0.51%
7.	Rail Surveyors & Engineers (DBE)	4.88%	1.27%
8.	V & A Inc. (DBE)	0.65%	1.92%
9.	Resource Sciences/Planning (DBE)	added	0.16%
10.	Harris Miller Miller & Hanson, Inc	added	0.23%
11.	The Alliance Group (DBE)	added	0.61%
12.	T.A. Group (DBE)	added	0.11%
13.	G2B Consulting	added	0.19%
	Sub Total DBE*	**14.92%**	**10.63%**
14.	Abacus/Rubicon Engineering (DVBE)	0.33%	0.18%
15.	Cal Vada Surveying (DVBE)	0.34%	0.10%
16.	The REM Engineering (DVBE)	1.76%	0.32%
17.	Schwab Engineering (DVBE)	0.24%	0.24%
18.	Value Management Institute (DVBE)	0.25%	0.02%
19.	Aurora Industrial Hygiene (DVBE)	0.12%	0.00%
20.	Ohana Vets, Inc. (DVBE)	added	0.29%
21.	Amheart Solutions	added	1.03%
22.	ZMAssociates Environmental (DVBE)	added	0.24%
	Sub Total DVBE*	**3.04%**	**2.42%**
23.	Blair, Church & Flynn (SBE)	0.31%	0.05%
24.	FPL & Associates (SBE)	1.13%	0.17%
25.	WKE, Inc. (SBE)	8.01%	2.45%
26.	GPA Consulting (SBE)	added	0.35%
27.	Paleo Solutions (SBE)	added	0.26%
28.	Thomas Frawley Consulting (SBE)	added	0.00%
29.	S&K Engineers (SBE)	added	0.46%
30.	W2 Designs, Inc. (SBE)	added	0.50%
31.	IDC Consulting Engineers (SBE)	added	0.46%
32.	D'Leon Consulting (SBE)	added	1.22%
33.	Aguilar Associates (SBE)	added	0.34%
34.	Guida Surveying (SBE)	added	0.81%
35.	Penco Engineering (SBE)	added	0.88%
36.	C2PM (SBE)	added	0.61%
37.	VCA Engineers (SBE)	added	0.15%
38.	Fariba Nation Consulting (SBE)	added	0.00%
39.	Lentini Design & Marketing (SBE)	added	0.16%
40.	Gibson Transportation	added	0.24%
	Sub Total SBE*	**9.45%**	**9.11%**
41.	AirX Utility Surveyors (SB Micro)	0.13%	0.63%
42.	Acoustic Strategies Inc. (SB Micro)	0.29%	0.01%
43.	Jacobus & Yuang, Inc. (SB Micro)	0.30%	0.20%
44.	Morcos Group (SB Micro)	0.48%	0.01%
	Sub Total SB Micro*	**1.20%**	**0.85%**
	TOTAL	**28.61%**	**23.01%**

** Defined as Small Business under the CHSRA SB Program*

B. Living Wage and Service Contract Worker Retention Policy Applicability

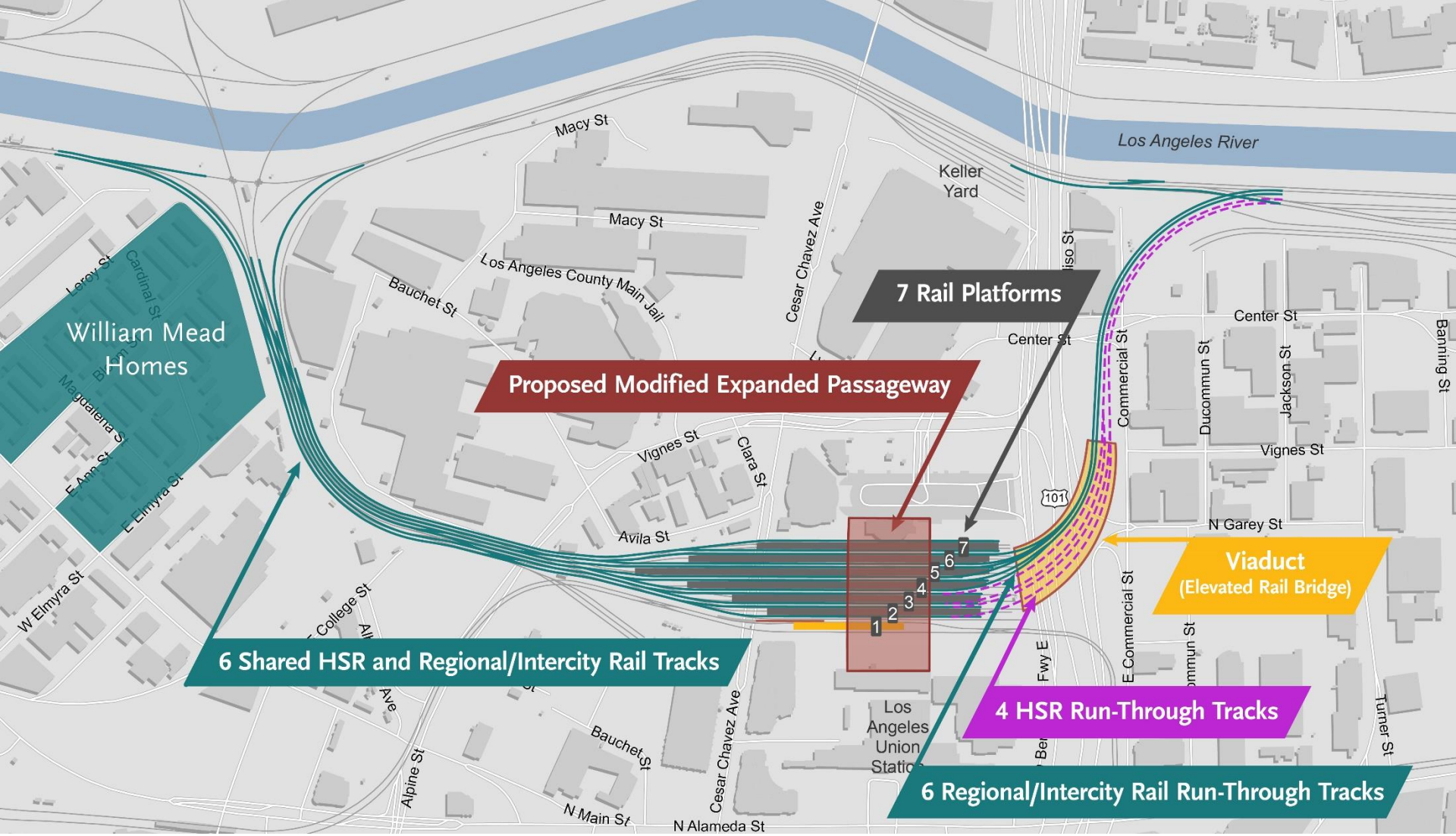
The Living Wage and Service Contract Worker Retention Policy is not applicable to this modification.

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Project Labor Agreement/Construction Careers Policy

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



Link Union Station Project

Planning and Programming Committee

Agenda Number: 8

October 16, 2019

Metro

Recommendation

AUTHORIZE the Chief Executive Officer (CEO) to:

A. EXECUTE Modification No. 10 to Contract No. PS2415-3172 with HDR Engineering, Inc. to **provide environmental, preliminary and advanced engineering design services** on the Link Union Station (Link US) Project in the amount not-to-exceed **$23,360,000**, increasing the Total Contract Value from $62,793,000 to $86,153,000;

B. INCREASE the Contract Modification Authority (CMA) in the amount of $2,836,000, increasing the total CMA amount from $4,356,715 to $7,192,715 and execute future contract modifications up to the CMA authorized amount; and,

C. EXECUTE all necessary agreements and task orders with **third parties to support the Link US Project** for a total amount of up to **$8,000,000.**

Metro

Changes to Link Union Station

Since March 2017

1. **<u>West Santa Ana Branch (WSAB):</u>** accommodation of **WSAB in the Union Station platform area adjacent to Gold Line**, Regional Rail and future High Speed Rail (HSR), including an option of locating and phasing in WSAB on the same run-through track structure with Regional Rail;

2. **<u>Passenger Concourse</u>: evaluation of above-grade** and **at-grade concourse, an expanded passageway** and **modified expanded passageway;**

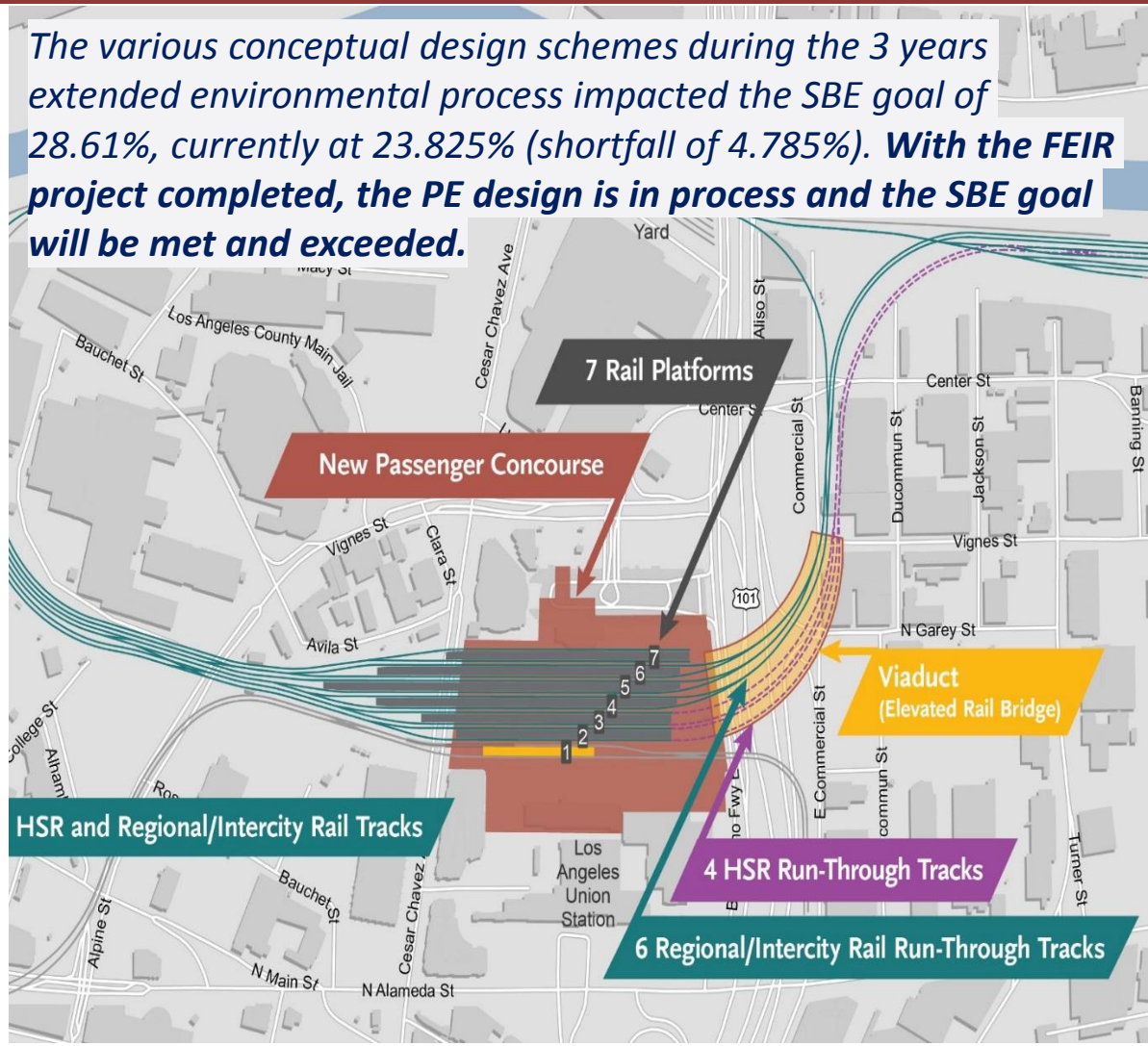
3. **<u>Run-through Tracks Structure</u>: A 15% PE conceptual design has been completed in December 2017 when request for further concept studies of** 8, 9 and 10 tracks, separate Regional Rail and HSR structures with a loop track and a HSR combined structure without a loop track further delaying the EIR & EIS;

4. Separation of NEPA EIS and NEPA EIR

5. **New Construction Phasing based on FEIR**

6. Accommodation of Division 20 Portal Widening

The various conceptual design schemes during the 3 years extended environmental process impacted the SBE goal of 28.61%, currently at 23.825% (shortfall of 4.785%). ***With the FEIR project completed, the PE design is in process and the SBE goal will be met and exceeded.***



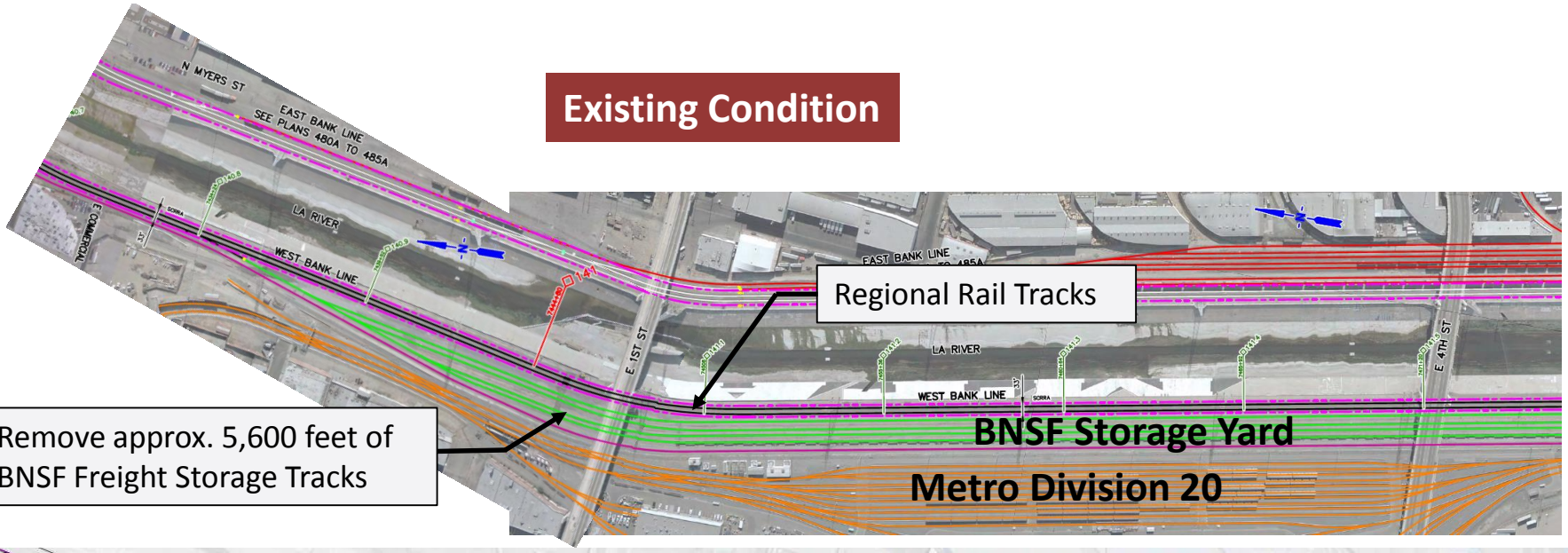
Metro

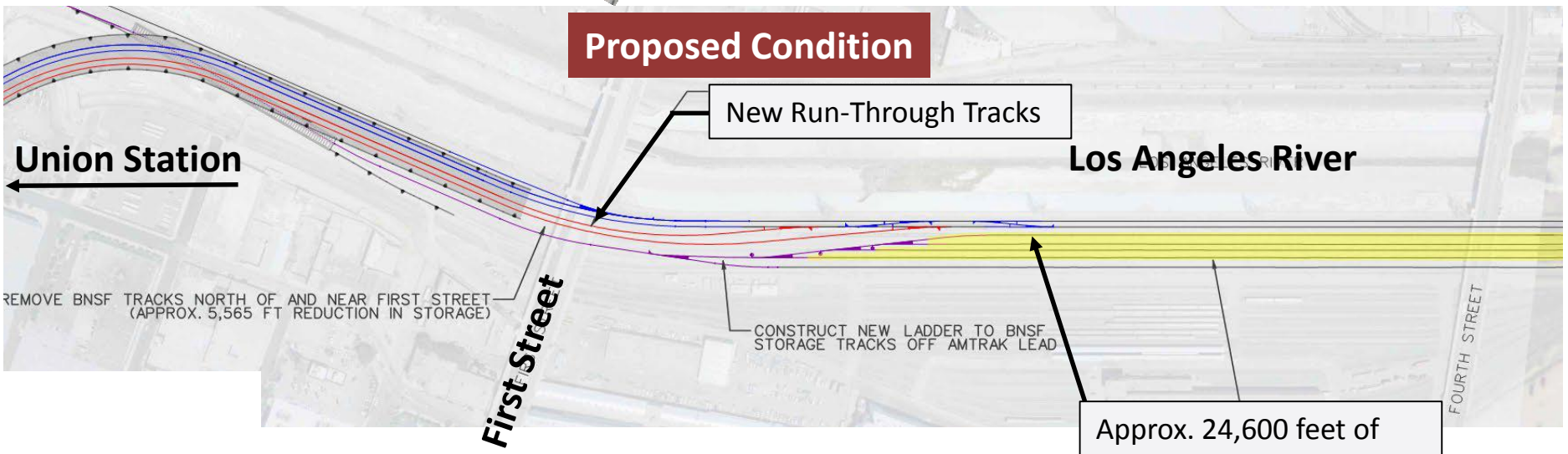
Additional Scope of Work in Contract Modification No. 10 and Third Party Costs

1. **New preliminary and advanced engineering designs** based on the CEQA Final EIR project approved by the Board in June 2019;
2. **New Class IV active transportation improvements** along Commercial Street**;**
3. CEQA Amendment for the **partial relocation of the BNSF freight storage tracks on the west bank of the Los Angeles River**;
4. **A new NEPA Environmental Document** ; and
5. **Additional third party work** including third-party agency reviews, real estate and legal support costs, and as-needed technical support for Link Union Station Project

Metro

Partial Relocation of the BNSF Storage Yard





Note: Conceptual design shown subject to change

Link US Implementation Plan (Phase A & B)

Phase A - Funded

SEGMENT 1 – THROAT AREA

1. Rail signal, communications and track work
2. Utility relocation

SEGMENT 2 – COMMERCIAL & CENTER ST

1. Property acquisition
2. Utility relocation
3. Street and ATP improvements

SEGMENT 3 – VIADUCT & RUN-THROUGH

1. Viaduct structure over US-101 (full width) and south of US-101 to 1st Street.
2. Two run-through tracks from Union Station Platform 4 to mainline tracks
3. Signal and communication

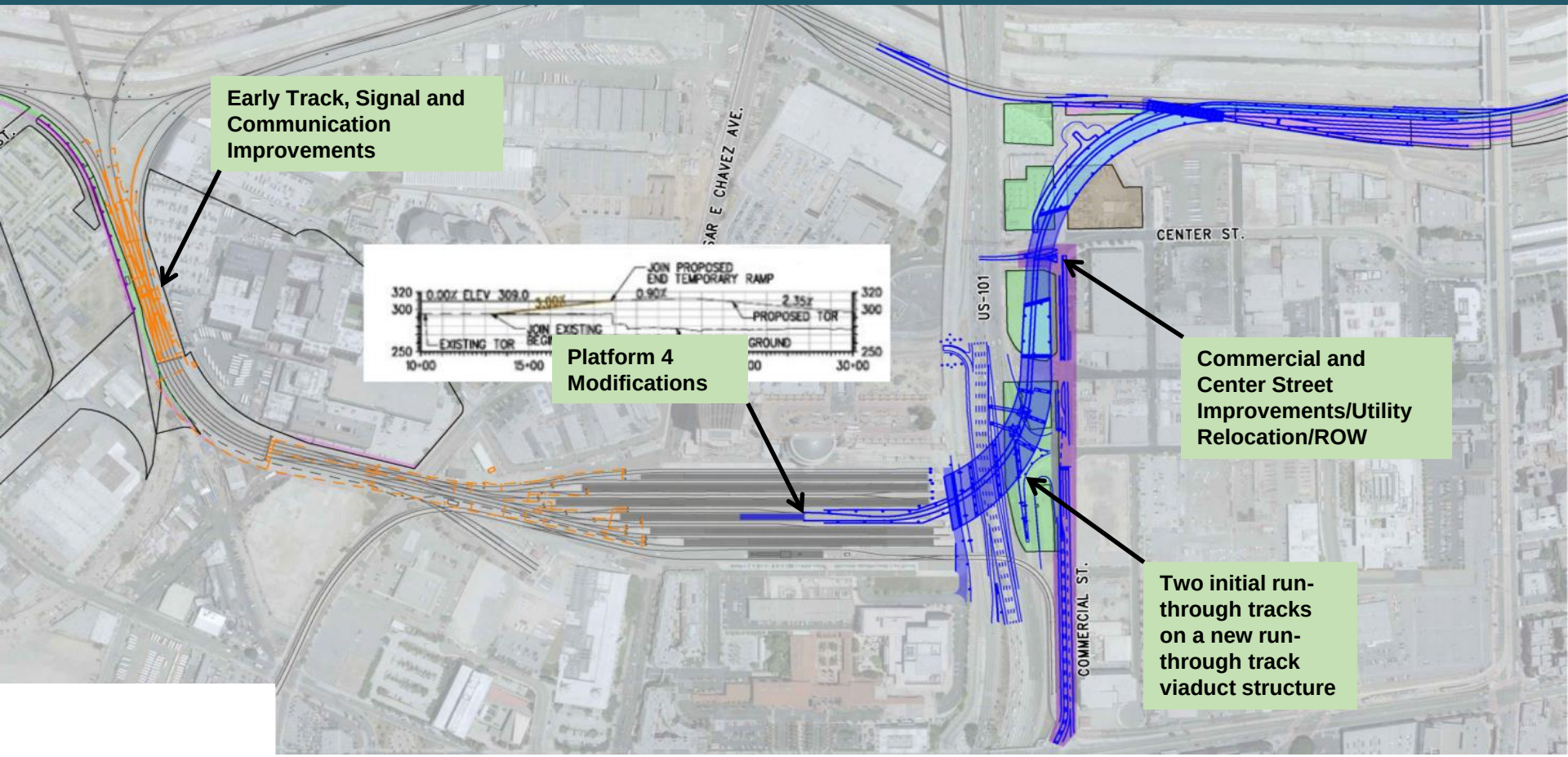
Phase B - Not Funded

SEGMENT 4 – RAIL YARD/CONCOURSE AREA

1. Raising of the rail yard, including new platforms and tracks, new stairs, escalators and elevators, and new bridges over Cesar Chavez Avenue and Vignes Street.
2. Proposed modified expanded passageway, including including East and West Plazas
3. Add remaining run-through tracks and new lead track in the throat

Metro

Phase A (Funded)



Key Project Components

1. Early track, signal and rail communication work (to be constructed by Metrolink)
2. Utility relocation and street improvements
3. Platform #4 modifications and two initial run-through tracks to First Street on a viaduct structure over the US 101 freeway

Link US Funding Plan (Phase A)

Funding Source	Amount (in millions)
State Proposition 1A/High Speed Rail Bonds	$423.3
State Transit Intercity Rail Capital Program (TIRCP)	**$337.6**
State Interregional Transportation Improvement Program (ITIP)	$60.8
Measure R	**$51.7**
Measure M	$13.3
Other High Speed Rail Funds	**$18.7**
SCRRA JPA (Non-Metro)	$40.0
Amtrak/State	**$5.0**
Total	**$950.4[1]**

On Sept 12, 2019, Metro, HSR and CalSTA entered into a Memorandum of Understanding for $423.335 million.

As part of the 2018 Transit and Intercity Rail Capital Program under Metrolink's SCORE program, Link US was awarded $398.4 million (revised to $337.6 million with the reprogramming of ITIP funds).

Subject to CTC approval of the reprogramming of the $60.8 million in 2018 ITIP from the Raymer to Bernson Project to Link US in 2020 ITIP.

Metro

Note

1. Metro and HSR have contributed $70.398 Million for environmental & preliminary engineering (Metro $51.672 M and HSR $18.726 M).

Next Steps

1. Upon Board Approval, staff will execute Modification No. 10 to HDR's Contract.
2. CHSRA staff has committed to recommend to the **CHSRA Board approval of a funding agreement with Metro for $423.335 million by December 2019.**
3. Staff will return to the Board **in November/December 2019 for a recommended project delivery approach** for the **Link US Phase A project.**
4. Staff will complete CEQA Amendment by Spring 2020.
5. **Staff will complete NEPA Environmental Document by Fall 2020.**

Metro

Metro Projects at Union Station

1. West Santa Ana Branch Transit Corridor – Alternative E (Underground) with Forecourt and MWD Station Options

   Measure M Project

2. Link Union Station

   Phase A construction funded for $950.4 million from State and local sources; Phase B not funded

3. Alameda and Los Angeles Streets Active Transportation Improvements

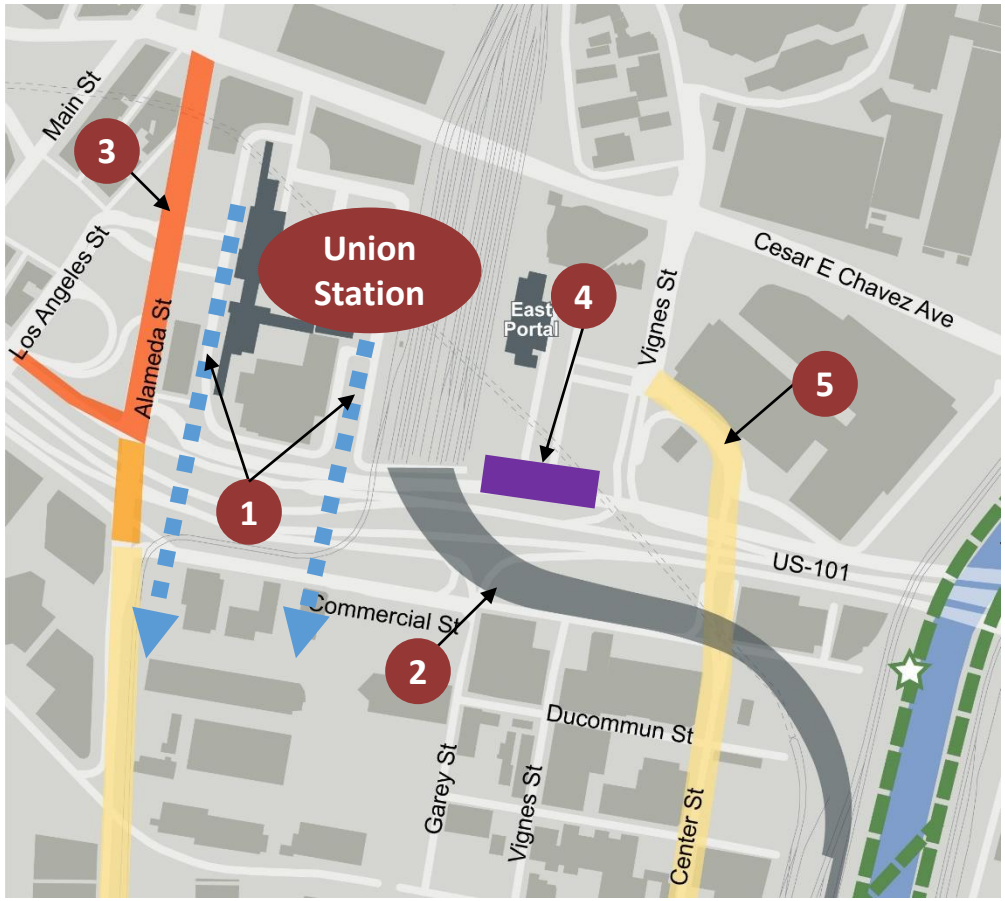
   Design and Construction funded for $18 million from State ATP Grants

4. Patsaouras Bus Plaza Station

   Construction funded for $50.9 million from Federal and local sources

5. Eastside Access Project (First/Last mile connection to the Regional Connector 1st/Central Station)

   Construction funded for $17.0 million from Federal and local sources



Metro

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

File #: 2019-0557, **File Type:** Contract **Agenda Number:** 9.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: I-5 NORTH HOV LANES CONTRACT

ACTION: APPROVE CONTRACT MODIFICATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 12 to Contract No. AE469080015383 with CH2M Hill, Inc. (now Jacobs Engineering) for additional design services in the firm-fixed price amount of $923,203 increasing the Total Contract Value from $33,889,867 to $34,813,070.

ISSUE

This modification to contract No. AE469080015383 is required to complete the Plans, Specifications and Estimate (PS&E) of the I-5 North High Occupancy Vehicle Lanes Project from SR-14 to Parker Road (Project). The additional work is needed to address changes in the baseline conditions of the corridor and Caltrans' changes in design requirements that were not anticipated in the original scope of work. The additional scope includes, but is not limited to:

- additional roadway improvements including overhead sign work, changing the guardrail systems due to a change in Caltrans Design Standards, and changes to the Magic Mountain Parkway NB off-ramp improvements due to a hotel redevelopment that started while the Project design was in progress;
- design changes due to changes in existing conditions as a result of the on-going Caltrans pavement rehabilitation project;
- design updates due to the release of Caltrans 2018 Revised Standard Plans;
- 43 additional non-standard specifications exceeding the original Scope of Work assumptions;
- incorporating additional right of way requirements, including appraisal maps, legal descriptions, and plats for the Temporary Construction Easements (TCEs) and Permanent Easements; and
- additional landscape work based on Caltrans requirement to locate trees in the field and the permit condition of a 5-year plant establishment and monitoring period.

BACKGROUND

The 13.9-mile project on I-5 from SR-14 to Parker Road was identified for capacity enhancements to improve the operations and safety of the corridor, facilitate the movement of freight and people and to

reduce existing and future forecasted congestion due to expected growth in the area.

The proposed improvements include the addition of one High Occupancy Vehicle (HOV) lane in each direction to improve mobility; extension of truck lanes from Calgrove Blvd. to South of Weldon Canyon in the southbound direction (2.23 miles) and from the Gavin Canyon undercrossing to Calgrove Blvd. in the northbound direction (0.98 miles); auxiliary lanes at various locations along the corridor (2.5 miles); widening of the existing roadway and 7 bridges including the Gavin Canyon Undercrossing, Calgrove Boulevard Undercrossing, Butte Canyon Bridge, Magic Mountain Parkway Undercrossing, Santa Clara Overhead, Rye Canyon Undercrossing, and Castaic Creek Bridge; and the replacement of the Weldon Canyon bridge to accommodate the proposed freeway widening.

The original contract for final design was approved by the Board on April 20, 2016.

DISCUSSION

Additional design work/changes required by Caltrans, changes in Caltrans standards, and Hazardous Waste analysis led to additional work not anticipated/included under the original contract. All projects on the State Highway System initiated by Metro need to comply with Caltrans requirements. Hence, the escalation in the value of the current contract that requires Board approval.

Considerations

DETERMINATION OF SAFETY IMPACT

The proposed action has no known adverse impact on the safety of Metro's patrons, employees or users of the facility. Caltrans highway safety standards are followed in the design of the proposed improvements and exceptions to the standards will be incorporated in accordance with Caltrans and Federal Highway Administration (FHWA) procedures.

FINANCIAL IMPACT

For FY20, $15,862,673 has been budgeted in Highway Program Cost Center 4730, in the I-5 North Enhancements from SR-14 to Parker Road Project 460313, Task 5.5.101, in Professional Services Account 50316.

Impact to Budget

The sources of funds for this project are Measure R Highway Capital (20%) and Measure M (17%) Funds. These funds are not eligible for bus and rail operations and/or capital expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports Strategic Plan Goal No. 1, to provide high quality mobility options that enable people to spend less time traveling. New HOV Lanes add capacity to the I-5 and provide an incentive for carpool formation.

ALTERNATIVES CONSIDERED

The Board may elect not to approve the staff's recommendation. This option is not recommended. Without the design changes, final PS&E would not be approved, and the project would not advance to construction.

NEXT STEPS

Upon approval by the Board, staff will execute Contract Modification No. 12 to Contract No. AE469080015383 with CH2M Hill, Inc. (now Jacobs Engineering).

ATTACHMENTS

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

Prepared by: Carlos J. Montez, Sr. Director, Program Management, (213) 418-3241
Abdollah Ansari, Senior Executive Officer, (213) 922-4781
Bryan Pennington, Deputy Chief Programming Management Officer, (213) 922-7449

Reviewed by: Richard F. Clarke, Chief Program Management Officer, (213) 922-7557
Debra Avila, Chief Vendor/Contract Management Officer (213) 418-3051

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

PLANS, SPECIFICATIONS, & ESTIMATE FOR I-5 NORTH MANAGED LANES

AE469080015383

1.	**Contract Number**: AE469080015383			
2.	**Contractor**: CH2M Hill, Inc.			
3.	**Mod. Work Description**: Change alternative flared terminal systems, overhead signage work, design updates, appraisal maps, legal descriptions and plats for the I-5 North Managed Lanes Project.			
4.	**Contract Work Description**: Plans, Specifications & Estimate (PS&E) for I-5 North Managed Lanes			
5.	**The following data is current as of**: September 10, 2019			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	April 28, 2016	**Contract Award Amount:**	$30,975,446
	Notice to Proceed (NTP):	June 13, 2016	**Total of Modifications Approved:**	$2,914,421
	Original Complete Date:	November 30, 2018	**Pending Modifications (including this action):**	$923,203
	Current Est. Complete Date:	December 31, 2021	**Current Contract Value (with this action):**	$34,813,070
7.	**Contract Administrator**: Andrew Conriquez		**Telephone Number**: 213.922.3528	
8.	**Project Manager**: Carlos Montez		**Telephone Number**: 213.418.3241	

A. Procurement Background

This Board Action is to approve Contract Modification No. 12 issued for professional services required to continue preparing Plans, Specification & Estimate (PS&E) on the I-5 North Managed Lanes.

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

On April 28, 2016, the Board awarded a 30-month firm fixed price Contract No. AE469080015383 to CH2M Hill, Inc., for Plans, Specifications and Estimate (PS&E) for I-5 North Managed Lanes in the amount of $30,975,446.

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

B. Cost Analysis

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

Proposal Amount	Metro ICE	Negotiated Amount
$923,203	$923,200	$923,203

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

PLANS, SPECIFICATIONS, & ESTIMATE FOR I-5 NORTH MANAGED LANES

AE469080015383

Mod. No.	Description	Status (approved or pending)	Date	$ Amount
1	Scope Clarification	Approved	9/6/16	$ 0
2	Modification to add sub-contractor	Approved	12/6/16	$ 0
3	Added Supplemental Statement of Work	Approved	9/1/17	$ 484,224
4	Added Supplemental Statement of Work	Approved	11/20/17	$ 432,676
5	Added Supplemental Statement of Work	Approved	3/23/18	$ 468,142
6	Added Supplemental Statement of Work	Approved	7/9/18	$ 434,854
7	Modification to add sub-contractor	Approved	7/11/18	$ 0
8	Added Supplemental Statement of Work	Approved	11/6/18	$ 488,831
9	Modification to Extend the Period of Performance	Approved	12/20/18	$ 0
10	Added Supplemental Statement of Work	Approved	6/10/19	$ 473,039
11	Added Supplemental Statement of Work	Approved	8/13/19	$ 132,655
12	**Adding Supplemental Statement of Work**	**Pending**	**10/24/19**	**$ 923,203**
	Modification Total:			**$ 3,837,624**
	Original Contract:		**4/28/2016**	**$ 30,975,446**
	Total:			**$ 34,813,070**

DEOD SUMMARY
I-5 NORTH HOV LANES / CONTRACT NO. AE469080015383

A. Small Business Participation

CH2M Hills, Inc. made a 23.98% commitment, inclusive of a 20.57% Small Business Enterprise (SBE) commitment and 3.41% Disabled Veteran Business Enterprise (DVBE) commitment. The project is 97% complete and CH2M Hill, Inc. is exceeding its commitment. The current participation is 25.06%, inclusive of 21.57% SBE participation and 3.49% DVBE participation.

Small Business Commitment	**20.57% SBE 3.41% DVBE**	**Small Business Participation**	**21.57% SBE 3.49% DVBE**

	SBE Subcontractors	**% Commitment**	**% Participation**
1.	AP Engineering & Testing	0.35%	0.21%
2.	ACT Consulting Engineers	2.42%	2.39%
3.	Arellano Associates	0.91%	0.42%
4.	Civil Works Engineers	1.33%	1.25%
5.	FPL and Associates, Inc.	1.50%	2.71%
6.	Guida Surveying, Inc.	2.60%	3.49%
7.	Martini Drilling Group	1.14%	0.76%
8.	Tatsumi and Partners	1.86%	1.71%
9.	The Robert Group	0.11%	0.07%
10.	V & A Inc.	1.07%	1.10%
11.	Wagner Engineering and Survey	0.88%	0.91%
12.	WKE, Inc.	6.40%	6.55%
	Total SBE Commitment	**20.57%**	**21.57%**

	DVBE Subcontractors	**% Commitment**	**% Participation**
1.	Calvada Surveying, Inc.	0.93%	0.96%
2.	Global Environmental Network	1.02%	0.39%
3.	USA-EPC Group, Inc.	0.62%	0.58%
4.	Virtek Company	0.84%	1.56%
	Total DVBE Commitment	**3.41%**	**3.49%**

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Project Labor Agreement/Construction Careers Policy

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

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

File #: 2019-0604, **File Type:** Contract **Agenda Number:** 11.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: WB SR-91 ALONDRA BLVD. TO SHOEMAKER AVE. IMPROVEMENT PROJECT

ACTION: AWARD PROFESSIONAL SERVICES CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to execute a two-year, firm fixed price Contract No. AE60979000 with Michael Baker International in the amount of $11,474,367.25 for Architectural and Engineering (A&E) services for the preparation of Plans, Specifications, and Estimates (PS&E) for the WB SR-91 Alondra Blvd. to Shoemaker Ave. Improvement Project (Project), subject to resolution of protest(s), if any.

ISSUE

Metro, in collaboration with Caltrans District 7 and the Gateway Cities Council of Governments (GCCOG), is advancing the development and implementation of State Route 91 (SR-91) improvements between Alondra Boulevard and Shoemaker Avenue to reduce congestion and improve freeway and local interchange operations as part of the SR-91/I-605/I-405 Hot Spots Program funded by Measure R and Measure M. Attachment C shows the Project location. This contract award will enable Metro to complete the final design for the proposed improvements.

BACKGROUND

The Metro Board designated $590 million in Measure R funds for the congestion “Hot Spots” relief improvements along the I-605, SR-91 and I-405 Corridors in the Gateway Cities sub-region. In March 2013, Metro completed a feasibility study for improvements on I-605 and crossing corridors (I-405, SR-91, I-105, I-5, and SR-60) to identify congestion “Hot Spots” and develop preliminary improvement concepts. One of the identified congestion Hot Spots was the I-605/SR-91 Interchange.

Metro completed a Project Study Report/Project Development Support (PSR/PDS) for the I-605/SR-91 Interchange in July 2014. The PSR/PDS is an initial scoping/resourcing document that identifies transportation deficiencies, major elements that should be investigated, and the resources needed to complete the preliminary engineering and environmental process for improvement project(s). A total of five independent projects were identified within the SR-91/I-605 interchange area including the proposed project.

The Project limits are from west of Shoemaker Ave. on SR-91 to south of Alondra Blvd. on northbound I-605. The project would add one new mixed-flow lane on SR-91 in the westbound direction from the Artesia Blvd. on-ramp to the I-605 Connector ramp, joining at the point where the westbound SR-91 to the northbound I-605 connector ramp flares from one to two lanes. This would create a three lane transition from westbound SR-91 to I-605: a one lane I-605 southbound connector, and a two lane I-605 northbound connector. This project has been identified as a subregional priority project by Metro and the GCCOG.

DISCUSSION

The budget of $11,474,367.25 will be a firm fixed price to deliver the scope. Metro will be the lead agency for completion of the PS&E for the Project. Upon completion of final design, the Project will be advanced to construction.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

For FY20, $1,800,000 has been budgeted in Highway Program Cost Center 4730, in WB SR-91 Alondra Blvd. to Shoemaker Ave. Improvement Project 462314, Task 5.3.100, Professional Services Account 50316.

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

Impact to Budget

The source of funds will be Measure R Highway Capital (20%) and SB1 Trade Corridor Enhancement Program Funds. These funds are not eligible for bus and rail operations and/or capital expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling by alleviating the current operational deficiencies and improving mobility along the SR-91.

Goal 4: Transform LA County through regional collaboration by partnering with the GCCOG and Caltrans to identify the needed improvements on State highways and take the lead in development and implementation of highway improvement projects.

ALTERNATIVES CONSIDERED

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

NEXT STEPS

Upon Board approval, staff will execute a two-year, firm fixed price Contract No. AE60979000 with Michael Baker International in the amount of $11,474,367.25 for A&E services for completion of PS&E for the Project.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Project Location Map

Prepared by: Julio Perucho, Principal Transportation Planner (213) 922-4387
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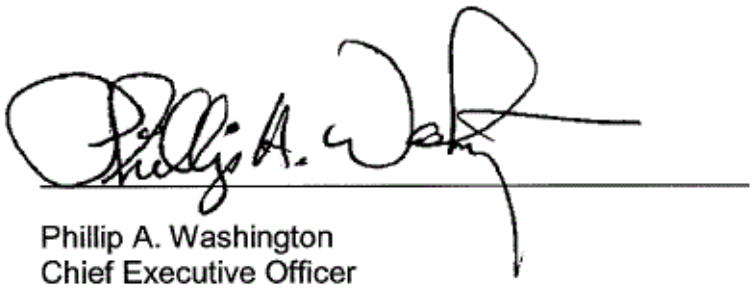
Richard F. Clarke, Chief Program Management Officer (213) 922-7557



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

WB SR-91 Alondra Blvd. to Shoemaker Ave. Improvement Project AE60979000

1.	**Contract Number**: **AE60979000**	
2.	**Recommended Vendor**: Michael Baker International	
3.	**Type of Procurement (check one):** ☐ **IFB** ☐ **RFP** ☒ **RFP–A&E** ☐ **Non-Competitive** ☐ **Modification** ☐ **Task Order**	
4.	**Procurement Dates**:	
	A. Issued: April 25, 2019	
	B. Advertised/Publicized: April 25, 2019	
	C. Pre-Proposal Conference: May 8, 2019	
	D. Proposals Due: May 29, 2019	
	E. Pre-Qualification Completed: September 20, 2019	
	F. Conflict of Interest Form Submitted to Ethics: July 18, 2019	
	G. Protest Period End Date: October 22, 2019	
5.	**Solicitations Picked up/Downloaded**: 95	**Proposals Received**: 4
6.	**Contract Administrator**: DeValory Donahue	**Telephone Number**: 213-922-4726
7.	**Project Manager**: Carlos Montez	**Telephone Number**: 213-418-3241

A. Procurement Background

This Board Action is to approve Contract No. AE60979000 issued to Michael Baker International in support of the Westbound State Route-91 Alondra Blvd. to Shoemaker Ave. Improvement Project. Board approval of a contract award is subject to the resolution of any properly submitted protest.

The Request for Proposal (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is firm fixed price. The RFP was issued with a Disadvantaged Business Enterprise (DBE) goal of 20%.

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

- Amendment No. 1, issued on May 15, 2019, revised Pages 37, 40, 42, and added, Exhibits 14 and 15.

A pre-proposal conference was held on May 8, 2019 and was attended by participants representing 16 companies. There were 16 questions asked and responses were released prior to the proposal due date.

A total of 95 firms downloaded the RFP and were included in the planholders' list. A total of four proposals were received on May 29, 2019.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET), consisting of staff from Metro Highway Programs, was convened and conducted a technical evaluation of the proposals received.

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

• Firm/Team Qualifications	25 percent
• Project Manager, Key Staff, and Sub-Consultants Qualifications	35 percent
• Project Understanding and Approach	25 percent
• Work Plan	15 percent
Total	100 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar highway procurements. Several factors were considered when developing these weights, giving the greatest importance to the Project Manager, Key Staff, and Sub-Consultants Qualifications.

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

All four proposals received were reviewed and are listed below in alphabetical order:

1. AECOM Technical Services, Inc.
2. Michael Baker International
3. Moffatt & Nichol
4. TranSystems Corporation

During the period of May 31, 2019 through June 21, 2019, the PET completed its independent evaluation of the proposals.

The PET conducted oral presentations for all firms during the week of June 10, 2019. The firms had an opportunity to highlight technical challenges and present innovative solutions. In general, each firm 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 the staffing plans, work plans, and perceived project issues. Each team was asked questions relative to each firm's proposed alternatives and previous experience.

The final scoring after the oral presentations, determined Michael Baker International to be the highest ranking firm.

Qualifications Summary of Recommended Firm

Michael Baker International

Michael Baker International is a current and established architectural and engineering firm. Their proposal conveyed extensive knowledge of and the ability to prepare plans,

specifications, and estimates for the WB SR-91 Alondra Blvd. to Shoemaker Ave. improvement with a focused and thorough effort. The firm provided a clear understanding of managing CalTrans projects. The work plan was clear with detailed problem resolution. In addition, they have proposed an experienced team in support of this Metro project. The Senior Project Manager has 36 years of engineering experience, including 10 years on Metro projects, and is also the West Region Transportation Practice Leader for Michael Baker International.

Following is a summary of the PET evaluations scores:

	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
	Michael Baker International				
1	Firm/Team Qualifications	85.56	25.00%	21.39	
2	Project Manager, Key Staff, and Sub-Consultants Qualifications	85.00	35.00%	29.75	
3	Project Understanding and Approach	81.12	25.00%	20.28	
4	Work Plan	86.67	15.00%	13.00	
5	**Total**		**100.00%**	**84.42**	**1**
	TranSystems Corporation				
6	Firm/Team Qualifications	84.44	25.00%	21.11	
7	Project Manager, Key Staff, and Sub-Consultants Qualifications	80.83	35.00%	28.29	
8	Project Understanding and Approach	77.80	25.00%	19.45	
9	Work Plan	88.33	15.00%	13.25	
10	**Total**		**100.00%**	**82.10**	**2**
	Moffatt & Nichol				
11	Firm/Team Qualifications	81.12	25.00%	20.28	
12	Project Manager, Key Staff, and Sub-Consultants Qualifications	80.83	35.00%	28.29	
13	Project Understanding and Approach	78.88	25.00%	19.72	
14	Work Plan	86.13	15.00%	12.92	
15	**Total**		**100.00%**	**81.21**	**3**
	AECOM Technical Services, Inc.				
16	Firm/Team Qualifications	76.68	25.00%	19.17	
17	Project Manager, Key Staff, and Sub-Consultants Qualifications	74.17	35.00%	25.96	
18	Project Understanding and Approach	72.24	25.00%	18.06	
19	Work Plan	84.47	15.00%	12.67	
20	**Total**		**100.00%**	**75.86**	**4**

C. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon a Management Audit Services audit, an independent cost estimate (ICE), cost analysis, technical analysis, fact finding, and negotiations. Staff negotiated a cost savings of $2,609,520.

Proposer Name	Proposal Amount	Metro ICE	Negotiated Price
Michael Baker International	$14,083,887.16	$10,929,600	$11,474,367.25

The primary difference between the negotiated price and ICE is that the ICE did not take into consideration negotiations for temporary construction easements.

D. Background on Proposed Contractors

Michael Baker International

Michael Baker International has been in business for 30 years and has played a significant role in the development of Southern California's expansive transportation network. Since 2011, the firm has developed various studies for the SR-91/1-605/I-405 Congestion Hot Spots. They are currently delivering numerous highway improvements as part of the multi-billion dollar, voter-approved Measure R and M programs. In January 2019, Michael Baker International successfully delivered the PA/ED for the WB SR-91 Improvement Project from Alondra Blvd. to Shoemaker Ave.

DEOD SUMMARY

WB SR-91 ALONDRA BLVD. TO SHOEMAKER AVE. IMPROVEMENT PROJECT/ AE60979000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 20% Disadvantaged Business Enterprise (DBE) goal for this solicitation. Michael Baker International, Inc. exceeded the goal by making a 23.02% DBE commitment.

Small Business Goal	20% DBE	Small Business Commitment	23.02% DBE

	DBE/ Subcontractors	Ethnicity	% Committed
1.	ACT Consulting Engineers, Inc.	Hispanic American	14.24%
2.	Earth Mechanics, Inc.	Subcontinent Asian American	4.48%
3.	Intueor Consulting, Inc.	Subcontinent Asian American	2.33%
4.	Hennessey & Hennessey LLC	Non-Minority Female	0.72%
5.	MA Engineering, Inc.	Hispanic American	0.58%
6.	E-Nor Innovations, Inc.	African American	0.37%
7.	Arellano Associates, LLC	Hispanic American Female	0.30%
	Total DBE Commitment		**23.02%**

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Project Labor Agreement/Construction Careers Policy

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

ATTACHMENT C - PROJECT LOCATION MAP

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

File #: 2019-0664, **File Type:** Program **Agenda Number:** 12.

**PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019**

SUBJECT: WEST SANTA ANA BRANCH TRANSIT ORIENTED DEVELOPMENT STRATEGIC IMPLEMENTATION PLAN

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

A. RECEIVING AND FILING the West Santa Ana Branch Transit Oriented Development Strategic Implementation Plan (WSAB TOD SIP); and

B. AUTHORIZING the Chief Executive Officer or designee to enter into multiple agreements with WSAB corridor cities and the County of Los Angeles to fund implementation activities recommended in the WSAB TOD SIP in an aggregate amount not to exceed $1,000,000.

ISSUE

In 2016, the Metro Board directed staff to identify budget, scope of work, and funds for the purpose of Transit Oriented Communities (TOC) predevelopment and planning activities for the WSAB corridor (see Attachment A). Metro, together with the City of South Gate and EcoRapid Transit, was awarded a grant to develop the WSAB TOD SIP, which was completed in spring 2019. Staff now seeks to enter into agreements with WSAB corridor cities and the County to fund up to $1,000,000 in implementation activities including specialized studies and providing matching funds for grants, in order to continue implementation of the Board's 2016 motion.

BACKGROUND

TOD SIP

Metro has facilitated the development of a WSAB TOD SIP in order to maximize the transit investment that will be made in the WSAB corridor, and to ensure that communities along the corridor equitably benefit from the investment. The TOD SIP was funded by a $2 million grant from the FTA Pilot TOD Project program, together with a $500,000 match from Metro, and completed in collaboration with the WSAB local jurisdictions. The TOD SIP provides an overarching vision and strategic guidance for local WSAB jurisdictions to use as a reference as they develop and implement

plans, policies and economic development and mobility strategies in the 12 station areas on the alignment. This information will support station areas in equitably and sustainably transforming, as well as in improving their safety and accessibility via multiple modes of mobility. This is particularly important, as a concentration of Equity Focused Communities, as well as local jurisdictions with minimal staff resources and constrained local budgets are found in this transit corridor, running from the City of Artesia in the south, to downtown Los Angeles in the north. An Executive Summary of the TOD SIP is included as Attachment B and a link to the full TOD SIP is included as Attachment C.

Implementing the TOD SIP will require continuation of a multi-year strategy for transit supportive planning in this corridor, in which Metro's initial efforts to support land use planning around WSAB stations were largely focused on award of TOD Planning Grants to both EcoRapid Transit and WSAB cities.

DISCUSSION

Implementation Strategy

In addition to the impetus from the 2016 Board motion directing support for WSAB jurisdictions, two other key factors will guide Metro's strategy to support implementation of the TOD SIP moving forward.

First, the TOD SIP recommendations are focused on economic development, while also protecting and benefitting the disadvantaged and lower income populations that live along the corridor and mitigating potential displacement pressures. Metro's support for WSAB corridor TOC activities will track to the recommendations in the TOD SIP and should ensure that TOC activities are pursued with strong community engagement and commitment to the equitable realization of benefits, in keeping with Metro's Equity Platform and TOC Policy.

Second, Metro's role going forward is to assist the municipalities along the corridor to build capacity to pursue and carry out TOC activities. The TOD SIP was managed by Metro in coordination with the WSAB municipalities. In the future, the cities/County, given their control of local land use, will necessarily have primary responsibility for future planning, plan, and program delivery. Future programs and policies will be developed within the local governments and will be implemented by the entities with regulatory authority to carry out the identified activities.

Implementation Program

With these factors in mind, staff proposes that the Board authorize Metro to enter into agreements with WSAB corridor cities and the County in an amount not to exceed $1,000,000 to support an implementation program (Program) over the next three years to provide funding to:

- Conduct new planning studies related to TOD SIP recommendations;
- Provide grant matching funds to enable jurisdictions to pursue grant opportunities; and
- Provide short term loans to provide jurisdictions the cash flow they need to take on typical grant reimbursement requirements.

Implementation activities for which the WSAB jurisdictions may seek funding under this Program will be limited to planning activities in the following categories, which correspond to those that have been

included in the TOD SIP:

Governance	**Equitable Development & Community Preservation**
- Corridor Wide Governance/ Economic Development Entity Structuring - Financing/Value Capture Feasibility - Special Districts Development, including TIFs, EIFDs and CRIAs - Corridor Wide Investment and Marketing Strategies	- Community Engagement/Education Initiatives - Affordable/Inclusionary Housing Policies - Rent Stabilization Ordinances - Anti-Displacement Policies - Land Trust/Property Assembly Studies - Equity Screens/Community Benefits Frameworks - Economic and Workforce Development Strategies Cultural Resource Identification and Development
Transit Supportive Planning	**Placemaking**
- Land Use, Zoning (Form/Use), Infill and Adaptive Reuse Studies - Parking Studies Environmental Clearance	- Design Guidelines - Public Space Activation Plans, Community Design/ Wayfinding/ Branding/ Identity Studies
Mobility, Access & Connectivity	**Sustainability & Resilience**
- Pedestrian/Bike/Active Transportation Plans - New Mobility/Micro Mobility Technologies Planning	- Renewable Power - Infrastructure/Smart Cities Systems: Capacity Studies, Planning, Financing - Environmental Remediation - Low Impact Development - Green Streets - Urban Greening - Green and Healthy Project Certification Planning

Should this program be authorized, WSAB corridor jurisdictions will be invited to express interest in funding, for up to $200,000 per jurisdiction, for implementation of TOD SIP recommendations, within a specified period of time. WSAB jurisdictions will be required to demonstrate, and will be evaluated for selection, based on the following:

- need, either in terms of serving Equity Focused Communities, and/or in augmenting limited city staff or budget capacity,
- demonstrated nexus with TOD SIP recommendations, and
- readiness to take on the work program they propose.

Grant Writing Assistance

In addition to the proposed Program, Metro will continue to provide grant-writing assistance to WSAB jurisdictions, focusing on funding activities that implement the WSAB TOD SIP recommendations. In fall 2018, the TOC team launched a pilot grant writing assistance program by using an existing Metro grant assistance contract and supporting five applications to the State of California's SB 1 Planning Grant program and the SCAG Sustainable Communities program. The five grants requested over $2.4 million in TOC-related planning studies, and over $1.24 million was awarded. The TOC team will continue this grant writing assistance program over the next three years, with an anticipated ability to support up to 10 grants per year.

Equity Platform

Many WSAB corridor communities have been identified as disadvantaged communities that are the

focus of Metro's Equity Platform. Actions recommended in the TOD SIP include best practices for inclusive community engagement process, as well as equitable development and community preservation strategies, and transit supportive planning. Therefore, funds awarded would, in the words of the Equity Platform, "build local government technical capacity serving historically underserved communities". Providing local jurisdictions support in TOD SIP implementation activities also supports the Focus and Deliver pillar of the Equity Platform, targeting areas where Metro partners with others, particularly in land use and transit supportive planning.

DETERMINATION OF SAFETY IMPACT

There is no negative impact to the safety of our employees or patrons. The program will advance transit-supportive, and active transportation planning and development policies that improve the integration of transit stations into existing communities and the built environment. This integration will support improved safety for passengers and Metro operations.

FINANCIAL IMPACT

The FY 2020 budget includes $500,000 in Cost Center 4530, Project 460201 (WSAB Transit Corridor Admin). Since this is a multi-year commitment, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting in future years.

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

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Providing funding to WSAB jurisdictions for TOD SIP implementation will carry out Strategic Plan Goal 3: Enhance communities and lives through mobility and access to opportunity, by facilitating transit supportive planning in future station areas. The program funding, since it will build and enhance the capacity of WSAB local jurisdictions, will also carry out Strategic Plan Goal 4: Transform LA County through regional collaboration and national leadership.

ALTERNATIVES CONSIDERED

The Board may choose not to approve this $1,000,000 funding authorization as requested. We do not recommend this alternative. This program, together with the ongoing grant writing assistance we have committed to provide to WSAB jurisdictions will further:

- implementation of the TOD SIP;
- the creation of transit-oriented communities that maximize access to corridor stations and, ultimately, transit ridership; and
- continuing progress toward the Board's 2016 motion to support WSAB jurisdictions' TOC

predevelopment and planning activities.

NEXT STEPS

With the completion of the TOD SIP, city and county staff are expected to review its recommendations with their local decision makers and stakeholders and use the guidance within the plan to inform their own station area planning, programs and implementation actions. With Board approval, staff will, in the fall of 2019, release an invitation to express interest in funding under the Program, evaluate submissions, and initiate agreements with WSAB corridor jurisdictions, for TOD SIP related implementation predevelopment and planning activities. Staff will report implementation progress to the Board on an annual basis, at minimum.

ATTACHMENTS

Attachment A - Board Motion Revised Item #32.1
Attachment B - WSAB TOD SIP Executive Summary
Attachment C - WSAB TOD SIP

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

Phillip A. Washington
Chief Executive Officer

Item # 32.1

REVISED

Motion by Directors Knabe, DuBois, Garcetti and Solis

West Santa Ana Branch Transit Corridor (Eco-Rapid Transit Project)

Creating Sustainable Transit Oriented Communities

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

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

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

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

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

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

In order to achieve these transit oriented communities goals, we hereby request that:

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

~~B) Metro Staff work with the Gateway Cities Council of Governments or the Eco-Rapid Transit JPA to implement this program.~~

ATTACHMENT B

WEST SANTA ANA BRANCH

Transit Oriented Development Strategic Implementation Plan

May 2019

EXECUTIVE SUMMARY

LINKING DESTINATIONS: THE WSAB CORRIDOR

An unprecedented opportunity lies before the local jurisdictions, the community stakeholders, and the potential investors and developers in the West Santa Ana Branch Corridor, to collaborate to ensure that the Corridor succeeds as an integrated whole – **one corridor**, and that the whole adds up to **distinct communities and destinations** that are more than the sum of their parts. The Corridor rail transit project is currently being environmentally cleared. The alignment is set, and the possible station locations have been identified. But the system is not yet built, and so there is still time to plan and prepare for the evolution that will inevitably come in the cities and county land along the corridor, and within the station areas. There is an opportunity for the communities along the corridor to reap the greatest rewards if jurisdictions collaborate on policy, planning and implementation in their station areas, in ways that cities and counties in California have not typically done, so that important issues, like sustainable, equitable growth and economic development, are addressed consistently and effectively.

The defining characteristics of the corridor (described in more detail in Chapter 2) include its 20 miles of length and 12 proposed stations, as well as the 13 cities and a county that have local jurisdiction – with some station areas split between two, three or even four local jurisdictions. The Corridor's land use, employment base, physical character, population demographics, and economic health vary dramatically along its length. Many of the WSAB communities are identified as disadvantaged communities (or communities most in need of economic investment, good jobs and clean air) per California Senate Bill 535. These disadvantaged communities are currently characterized by a lack of employment opportunities, low home ownership rates and low-income households.

However, the potential for greater access to opportunity – physical *and* economic mobility – for all in the Corridor, abounds. The 12 station areas described in this Transit Oriented Development Strategic Implementation Plan (TOD SIP) fall into five different development typologies (described further in Chapter 4), based on the local jurisdictions' vision for the future in those areas. In some stations the opportunity is to build on a **Main Street**, or center of local commerce and culture. In others there is infill potential to better serve the needs of populations on **Residential Arterials** or in **Industrial Hybrid Areas**. In some stations there are strategic opportunity sites for **Large Scale Redevelopment**, and in others **High Density Walkable Mixed Use** development will continue to emerge.

Ultimately in station areas, transit investment is maximized when:

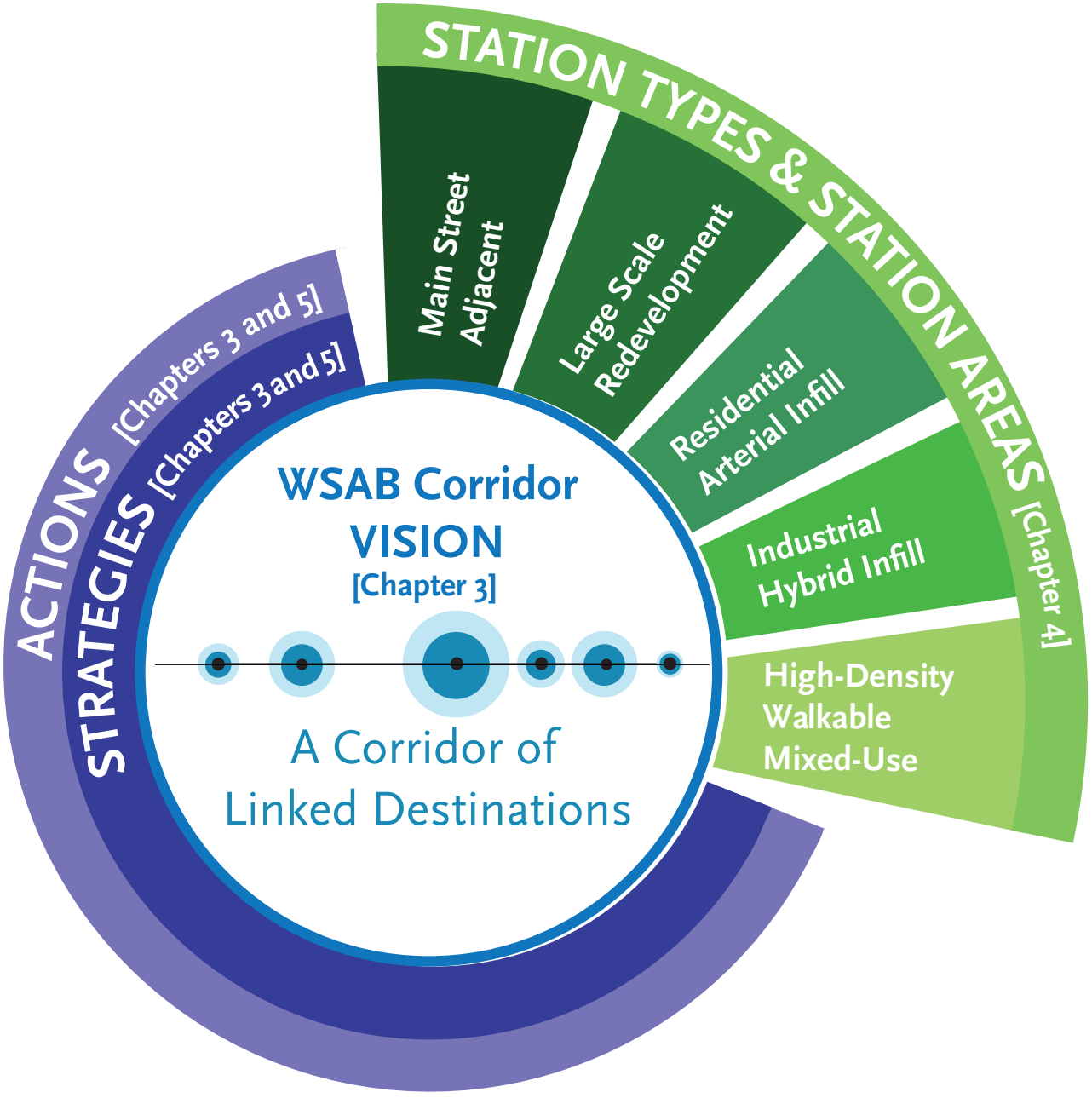
- people drive less and use transit more;
- a mix of uses in the station areas supports transit riders of all income levels with housing, jobs, retail, services and recreation;
- transit supportive densities, parking policies, and urban design support compact, accessible neighborhoods connected by multi modal mobility systems; and
- equitable benefits accrue to existing communities, that may be disadvantaged and underrepresented, and not just to new investors in the station areas.

WHO BENEFITS FROM USING THIS PLAN?

Moving into implementation, local jurisdictions can use this plan and its appendices as a resource to develop new corridor wide governance strategies, and for strategies and actions to adopt into local plans and programs. The TOD SIP also describes best practices to meaningfully engage community stakeholders as planning goes forward. Further, language that may be used to draft local jurisdictions' resolutions of support for the Plan's concepts is included as an appendix.

Community decision makers and stakeholders can use the TOD SIP to understand the cities and county's visions for changes to come in station areas, and the types of development roles that each station will play in the corridor as a whole. Stakeholders can continue to advocate for their role in the planning process ahead, and in adoption of the strategies and actions outlined here that are a priority for them. Further, the list of existing city and county plans that were consulted in the development of this plan is included, and may be a good reference for community members to use to increase their knowledge of planning already in place in their communities.

Potential Corridor investors and developers can use the TOD SIP and its appendices to understand the vision for, and characteristics of the corridor, as well as visions for and details about the station areas, their existing conditions, economic and market conditions, and priorities for multimodal access and mobility.


STATION TYPES & STATION AREAS [Chapter 4]
Main Street Adjacent
Large Scale Redevelopment
Residential Arterial Infill
Industrial Hybrid Infill
High-Density Walkable Mixed-Use
ACTIONS [Chapters 3 and 5]
STRATEGIES [Chapters 3 and 5]
WSAB Corridor VISION
[Chapter 3]
A Corridor of Linked Destinations

VISION, STRATEGIES & ACTIONS

The TOD SIP provides an overarching vision and strategic guidance for local jurisdictions to use as a reference as they develop and implement plans, policies and economic development and mobility strategies in their station areas, in order to ensure that station areas transform equitably and sustainably and are safe and accessible via multiple modes of mobility.

Six strategies and a host of related actions are described in Chapter 3, that jurisdictions can take:

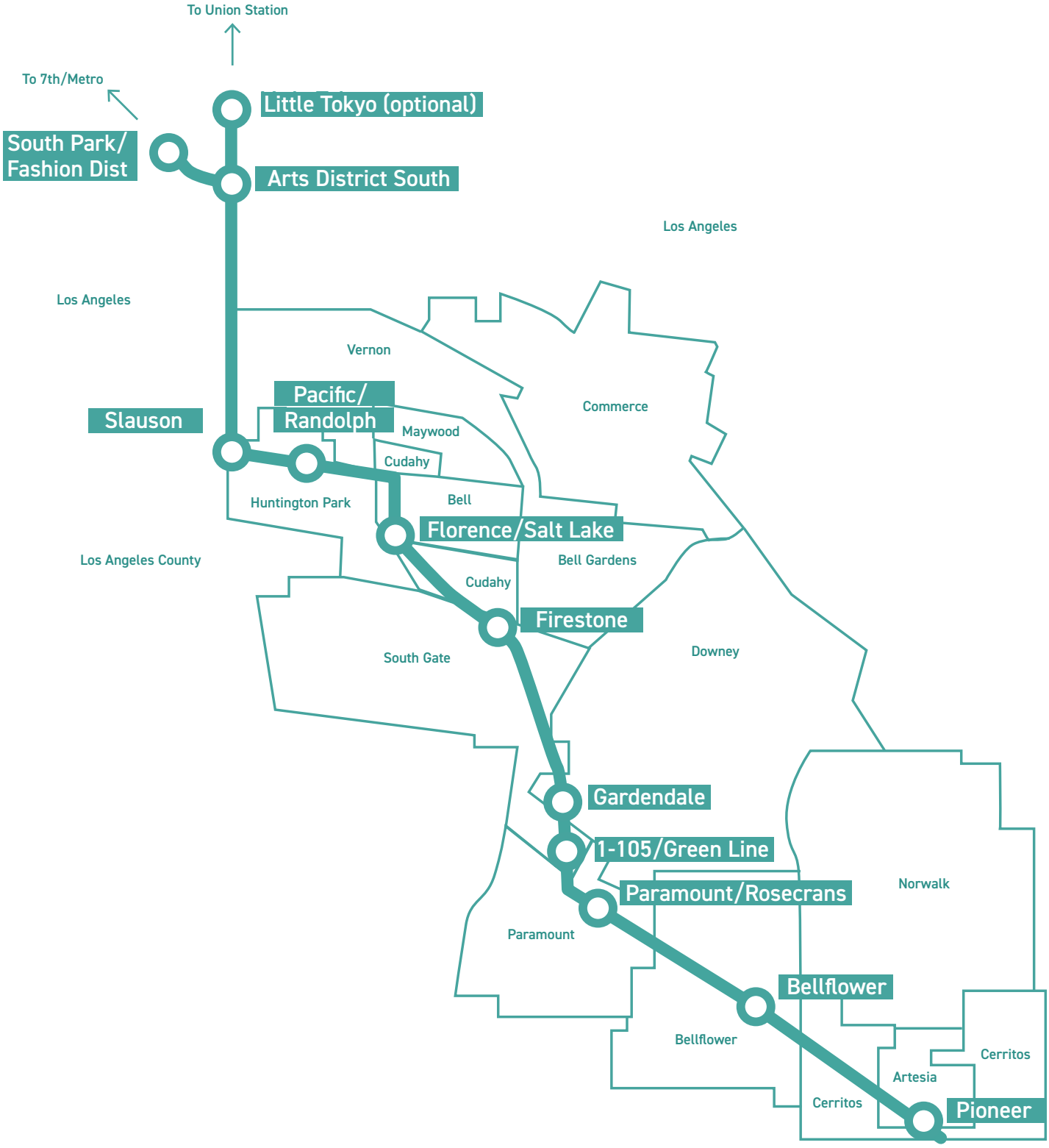
- to establish shared **Governance** approaches within the corridor;
- to ensure **Equitable Development & Community Preservation** go hand in hand in the station areas and populations in the corridor today can stay in the corridor in the future;
- **Transit Supportive Planning** to allow appropriate density and enforce consistent development standards;
- **Placemaking** to ensure the public realm is active and inviting across the corridor;
- **Mobility, Access & Connectivity** for users of all transportation modes; and
- Sustainability & Resilience to ensure that current environmental justice issues in the corridor are addressed and 21st century infrastructure is put in place to serve future needs while minimizing resource use.

These strategies and actions are further detailed in the toolkit included as part of Chapter 5.

With the common foundation established in the TOD SIP, each community can more effectively direct public resources toward attracting the types of development and businesses that are aligned with their particular needs and individual competitive advantages. Adopting coordinated governance strategies and policies, development guidance and access strategies will produce more equitable, sustainable, and impactful benefits for corridor communities, and more transit ridership overall, than would result from local jurisdictions acting alone. Further, taking a unified position to guide and influence regional, state and federal policies, and advocate for a share of regional resources will result in more resources for all.

STATION AREAS

In Chapter 4, the 12 station areas along the WSAB corridor have been characterized by type or typology. Key characteristics and visualizations of the five development typologies that the stations have been sorted into are provided. A vision for each station has been articulated, along with a concept plan representing development that could occur in the station areas, assuming the priority actions identified are taken. Priority strategies and actions from Chapter 3 are identified for each typology as well, to guide action and assist local jurisdictions to focus on the most important next steps. Station area visions and concepts were developed, based on input, information and review from city and county staff that was absorbed through the TOD SIP project process described in Chapter 1.


To Union Station
To 7th/Metro
Little Tokyo (optional)
South Park/
Fashion Dist
Arts District South
Los Angeles
Los Angeles
Vernon
Commerce
Pacific/
Randolph
Slauson
Maywood
Cudahy
Huntington Park
Bell
Florence/Salt Lake
Los Angeles County
Bell Gardens
Cudahy
Firestone
South Gate
Downey
Gardendale
I-105/Green Line
Norwalk
Paramount/Rosecrans
Paramount
Bellflower
Bellflower
Cerritos
Artesia
Cerritos
Pioneer

ATTACHMENT C

WSAB TOD SIP

Please see the link to the completed Plan and Appendices available for download on the Metro website:

http://media.metro.net/projects_studies/westSantaAnaBranch/images/WSAB_TOD_SIP.pdf

Next stop: community development.

WEST SANTA ANA BRANCH TOD SIP

Metro

Planning and Programming Committee
October 16, 2019

Recommendation

CONSIDER:

A. RECEIVING AND FILING the West Santa Ana Branch Transit Oriented Development Strategic Implementation Plan (WSAB TOD SIP);

B. AUTHORIZING the Chief Executive Officer or designee to enter into multiple agreements with WSAB corridor cities and the County of Los Angeles to fund implementation activities recommended in the WSAB TOD SIP in an aggregate amount not to exceed $1,000,000.

Metro

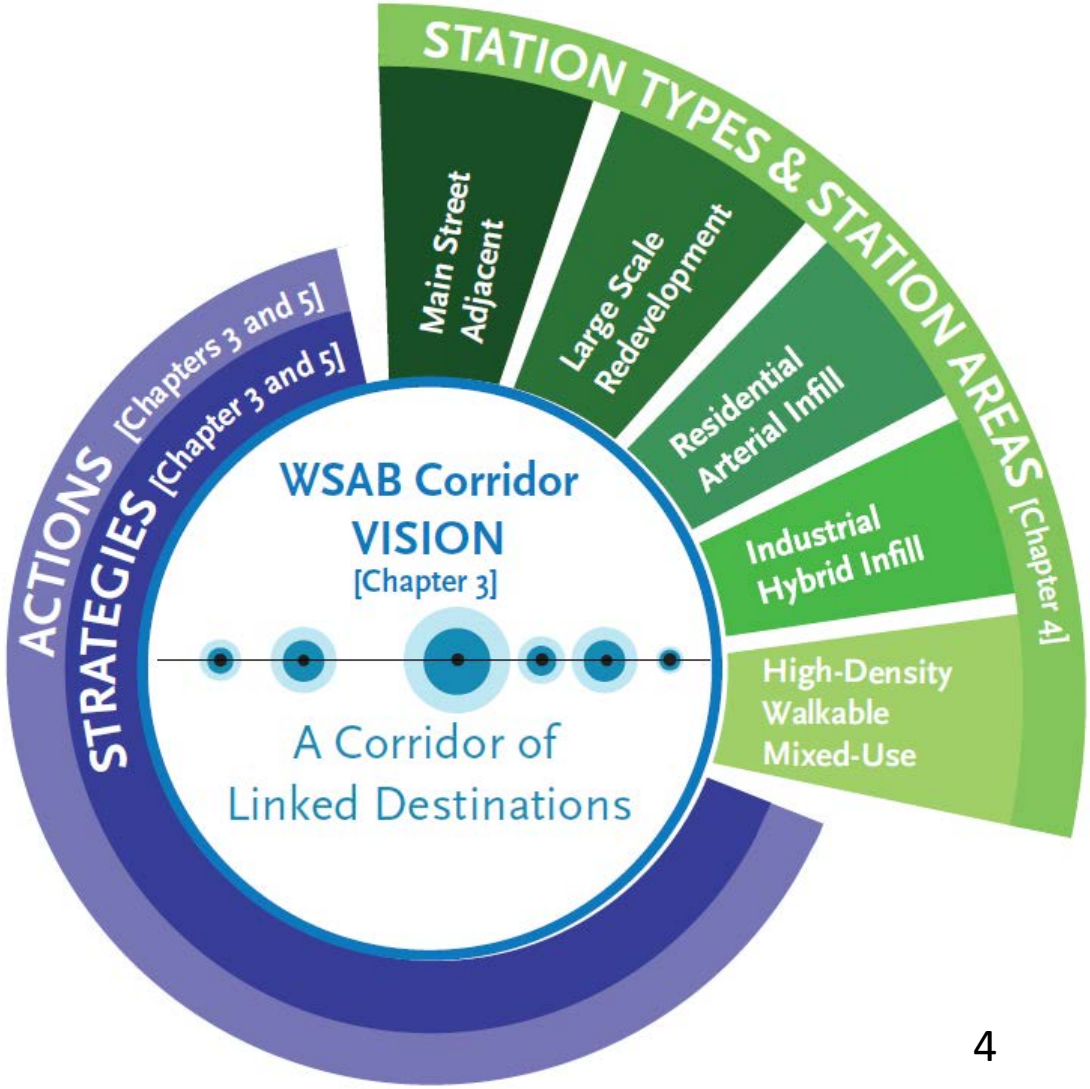
TOD SIP Context

- 2016 Board Motion
- FTA Pilot TOD Program Grant for TOD SIP, completed in 2019
- A foundation for cities/county collaboration & to leverage the transit investment
- Includes strategies for “people to stay” in the vulnerable, high need corridor communities

Metro

TOD SIP Structure

"The West Santa Ana Branch Transit Corridor connects distinct communities that share a common desire to provide safe, walkable and compact neighborhoods around their stations, each with a mix of uses that both reflects and enhances the unique station area, and results in sustainable, equitable and interdependent economic vitality."
Corridor Vision



Metro

Implementing the TOD SIP

Funding will be made available to WSAB jurisdictions, to complete implementation activities recommended in the WSAB TOD SIP in these six categories:

- Governance
- Equitable Development & Community Preservation
- Transit Supportive Planning
- Placemaking
- Mobility, Access & Connectivity
- Sustainability & Resilience

Metro

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

File #: 2019-0671, **File Type:** Policy **Agenda Number:** 13.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: STATE ACTIVE TRANSPORTATION PROGRAM

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

APPROVE:

A. the State Active Transportation Program (ATP) Cycle 5 Grant Assistance Priorities in Attachment A; and

B. the regional ATP Point Assignment Method as described in Attachment B.

ISSUE

Cycle 5 of the ATP will award $445 million over Fiscal Years (FY) 2022-2025. Policies for the provision of grant assistance as well as the assignment of the ten points for the Large Metropolitan Planning Organization (MPO) competition need to be balanced so that, on the one hand, they create a competitive group of projects likely to be a good fit for the Statewide ATP selection criteria and therefore maximize funding for Los Angeles County projects, while on the other hand, incentivize project sponsors to develop projects to implement Metro plans.

BACKGROUND

The ATP is a competitive funding program created in 2013 by Senate Bill 99 and Assembly Bill 101 to encourage increased use of active modes of transportation such as bicycling and walking. The California Transportation Commission (CTC) administers the ATP as a multi-tiered program with various sub-competitions. All Los Angeles County candidate projects not awarded funding through the Statewide Competition will then be considered in the Large MPO competition, which allocates 40% of the funding available. For the Large MPO competition, Senate Bill 99 requires the Southern California Association of Governments (SCAG) to select projects in consultation with its member counties, which is accomplished by Metro's assignment of up to ten points to be added to each project's Statewide Competition score. Four cycles have been administered to date, awarding approximately $459 million for Los Angeles County projects for the Statewide and MPO Competitions combined.

DISCUSSION

As the ATP is a rigorous, competitive program, Metro has provided grant-writing services for Metro project managers as well as local jurisdictions for the past four cycles to ensure that strong applications are developed to secure maximum funding for Los Angeles County. Of the $459 million awarded for Los Angeles County, $234 million, or 51% was awarded for Metro-assisted applications. Cycle 5 represents an opportunity to continue and fine-tune priorities and policies to incentivize the development of projects that align with ATP criteria and priorities, as well as Metro plans and priorities.

Grant Assistance Priorities

For ATP Cycle 5 Metro staff proposes to continue applying the framework approved by the Board in October 2017 (File ID 2017-0602) to ensure the selection of projects which are likely to fit well with the State ATP selection criteria, and contribute to implementing Metro plans and priorities. The pre-existing framework calls for:

- 75% of overall grant assistance directed to first/last mile projects sponsored by Metro and other local jurisdictions;

- 25% of overall grant assistance directed to other state ATP-eligible projects including but not limited to Call for Projects, LA River Path, Rail to River, Regional Bike Share, and the I-710 Active Transportation Corridor; and

- In all cases, if requests for grant writing assistance exceed available resources, priority will be assigned to project sponsors that can clearly demonstrate resource/technical limitations that would hinder submission of a complete and competitive grant application.

Some degree of modification is needed, however, to reflect lessons learned and updated board priorities. These changes include the following:

- Ensure better delivery outcomes: Since the inception of the ATP, funding for 13 projects or project phases in Los Angeles County have either lapsed or voluntarily returned by project sponsors, affecting ATP awards totaling nearly $13 million. Staff proposes to address this issue by improving the screening performed as part of the grant assistance project selection process. This will include consideration of the extent and quality of community outreach performed in support of the project and the project sponsors' recent history with successful completion of ATP projects.

- Compliance with Metro's Complete Streets Policy: An additional change would be to provide priority for project sponsors that are in compliance with Metro's Complete Streets Policy. This policy applies to competition in the Call for Projects and other Metro funding opportunities. It is necessary to consider Complete Streets Policy compliance in selecting projects for ATP grant assistance because Metro plays a direct role in supporting ATP funding decisions in the Large MPO competition through the assignment of up to ten points.

- Metro Active Transportation Program: Finally, the new priorities will recognize the Metro Active Transport, Transit First/Last Mile (MAT) Program as a Board priority.

These changes are summarized in Attachment A, Grant Assistance Priorities.

Point Assignment Method

Senate Bill 99 requires SCAG to select projects in consultation with its member counties. SCAG accomplishes this by combining up to 10 points assigned by Metro with up to 100 points from the Statewide Competition score for each ATP project application.

Staff is proposing three modifications to the previous point assignment method.

1. First, as a prerequisite for receiving any of the 10 points assigned by Metro, the project sponsor must have an adopted Complete Streets Policy or other qualifying document. The points will not be awarded until much later, possibly late calendar year 2020, thus local jurisdictions that do not currently have a compliant policy or other qualifying document will have approximately one year to develop and adopt the policy documents to qualify.

2. Second, to ensure successful project delivery, one point will be given for projects that demonstrate sufficient community outreach. This additional point would become one of the two points given for consistency with local and regional plans under the previous policy.

3. Third, to support Metro's Board and Measure M priorities, projects or corridors selected through the MAT Program will be included under eligible Metro Board priorities.

These changes are summarized in Attachment B, Point Assignment Method.

Equity Platform

This report supports the third pillar of the Equity Platform, Focus and Deliver. The first priority of the ATP Cycle 5 Grant Assistance Framework is to assist project sponsors that can clearly demonstrate resource/technical limitations that prevent development of a competitive application. Three of the 10 points of the Point Assignment Method are assigned to projects that benefit disadvantaged communities.

DETERMINATION OF SAFETY IMPACT

The recommendations in this report will provide policies to facilitate the seeking of funds to improve safety, comfort, and convenience to the 75 to 88 percent of Metro customers accessing major transit facilities via active transportation.

FINANCIAL IMPACT

Approving the staff recommendations will have no impact on the FY 2020 Budget. Funds for grant

assistance have already been budgeted in the FY 2020 Budget for Cost Center 4420 under Project 405510, Task 05.05.01. Funds obtained for first/last mile projects will offset the need for resources to implement the Countywide First/Last Mile Priority Network.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This report seeks approval of policies that will direct funding to meet Vision 2028 goals, especially the first goal, provide high-quality mobility options that enable people to spend less time traveling.

ALTERNATIVES CONSIDERED

The Board could elect not to adopt a grant assistance framework for Cycle 5. Staff does not recommend this alternative, as policies would default to Cycle 4 policies which do not include considerations for Complete Streets Policy compliance, nor measures to ensure successful project delivery. The Board could elect not to adopt the Point Assignment Method at this time. Metro staff does not recommend this alternative as the method should be adopted timely to allow Los Angeles County project sponsors time to identify and develop projects for the ATP with Metro point assignment method in mind.

NEXT STEPS

Upon approval, staff proposes to release a solicitation for Letters of Interest for grant assistance. Projects would be selected by February 2020 and the grant-writing process would begin in March 2020. Applications will be due to the State in summer 2020, with award recommendations published in early 2021. At that time Metro staff will identify up to ten points for consistency with local and regional plans and report back to the Board.

If necessary, staff will return to the Board early to revise the Point Assignment Method to address new policies or other developments.

ATTACHMENTS

Attachment A - Grant Assistance Priorities
Attachment B - Point Assignment Method

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Phillip A. Washington
Chief Executive Officer

Attachment A

Grant Assistance Priorities

In October 2017, the Metro Board adopted the ATP Cycle 4 Priorities Framework to guide the allocation of Metro's grant-writing assistance (File ID 2017-0602). The framework provides for:

- 75% of overall grant assistance directed to first/last mile projects sponsored by Metro and other local jurisdictions

- 25% of overall grant assistance directed to other state ATP-eligible projects including but not limited to Call for Projects, LA River Path, Rail to River, Regional Bike Share, I-710 Active Transportation Corridor

- In all cases, if requests for grant writing assistance exceed available resources, priority will be assigned to project sponsors that can clearly demonstrate resource/technical limitations that would hinder submission of a complete and competitive grant application

For ATP Cycle 5 Metro staff proposes to continue applying the approved framework to ensure the selection of projects which are likely to fit well with the State ATP selection criteria, and contribute to implementing Metro plans and priorities. Some degree of modification is needed, however, to improve delivery outcomes. Since the inception of the ATP, funding for 13 projects or project phases in Los Angeles County have either been lapsed or voluntarily returned by project sponsors, affecting ATP awards totaling nearly $13 million. The obstacles to successful project delivery have generally fallen into four categories: 1) lack of community support for the infrastructure changes, 2) issues arising within the project sponsor jurisdiction after award, 3) unanticipated complexity of environmental clearance process, and 4) insufficient feasibility work prior to application.

Staff plans to address several of these issues by updating the Letter of Interest and project selection process to require a field walk for every project prior to grant assistance. Staff is also working with Caltrans Local Assistance to disseminate information about environmental requirements to prospective applicants. Staff also proposes to strengthen the selection process by evaluating the community outreach completed for the project and the project sponsor's history of successful project completion.

An additional modification will strengthen the implementation of the Metro Complete Streets Policy of 2014 which requires that cities and the County of Los Angeles have an adopted local Complete Streets policy, an adopted City Council Resolution in support of Complete Streets, or an adopted General Plan consistent with the state's Complete Streets Act of 2008 in order to apply for Metro capital grant funding programs. Staff plans to add to the priority for low resource agencies, a secondary priority for agencies who have adopted a complete streets policy or qualifying document.

In the next Cycle of the ATP, Cycle 6, staff plans to make the complete streets policy a requirement for all grant assistance. Deferring the full application of the requirement should give all local jurisdictions the opportunity to adopt the required policy or qualifying document.

For ATP Cycle 5, staff proposes to expand the list of other state ATP-eligible projects to include selected projects and corridors from the Metro Active Transport, Transit First/Last Mile (MAT) Program.

Table 1 summarizes the framework to be used for selecting projects for grant assistance.

Table 1: ATP Cycle 5 Grant Assistance Priorities
• 75% of overall grant assistance directed to first/last mile projects sponsored by Metro and other local jurisdictions
• 25% of overall grant assistance directed to other state ATP-eligible projects consistent with point assignment criteria, such as: o Leverages Measure M o LA River Path o Rail to River o Regional Bike Share o I-710 Active Transp. Corridor o Metro Active Transport, Transit First/Last Mile Program-selected projects and corridors
• First priority will be assigned to project sponsors that can clearly demonstrate resource/technical limitations that would hinder submission of a complete and competitive grant application
• Secondary priority – should capacity be available to project sponsors without serious resource limitations, priority will be given to project sponsors with an adopted Complete Streets policy or other qualifying document.

Attachment B

ATP Cycle 5 Point Assignment Method

Following the Statewide Component, applications from within large MPO areas that are not funded are then considered in the MPO Component. Senate Bill 99 requires SCAG to select projects in consultation with its member counties, and to select projects that are consistent with local and regional plans. SCAG accomplishes this by combining points assigned by Metro and the other counties along with points from the Statewide Competition score for each ATP project application.

For Cycle 4, the following method was used to assign the additional ten points to Los Angeles County projects:

- Disadvantaged Communities – 3 points assigned to help ensure Metro's scoring supports the goals of the Metro Equity Platform.

- Consistency with Local and Regional Plans – 2 points assigned to recognize board priorities, such as First/Last Mile, leveraging Measure M projects, board-adopted projects, and implementation of the Active Transportation Strategic Plan.

- Bonus for First/Last Mile Strategic Plan – 5 bonus points assigned to projects which support the implementation of the First/Last Mile Strategic Plan and First/Last Mile Board Action 14.1 of May 2016 (File ID 2016-0442).

For ATP Cycle 5, Metro staff proposes to modify the point assignment policy to ensure:

- better delivery outcomes
- compliance with Metro's Complete Streets Policy; and
- reflection of the board priority of the Metro Active Transport, Transit First/Last Mile (MAT) Program.

The complete scoring method, including the modifications as described above, is shown on the table on the following page:

Table 1: ATP Cycle 5 Point Assignment Method	Points
Project sponsor must have an adopted Complete Streets Policy or other qualifying document in order to be considered for any points.	
A. Disadvantaged Communities	3
B. a. Consistency with Local/Regional Plans – Regional Plans • Leverages Measure M • Implements Board Priorities, such as: o LA River Path o Rail to River o Regional Bike Share o I-710 Active Transp. Corridor o Metro Active Transport, Transit First/Last Mile Program-selected projects and corridors • Implements the Active Transportation Strategic Plan b. Consistency with Local/Regional Plans – project has robust community Support	1 and/or 1
C. Bonus for First/Last Mile	5
Total (Up to)	**10**

Next stop: access to opportunity.

State Active Transportation Program (ATP)

Planning & Programming Committee Item #13

October 16, 2019

Metro

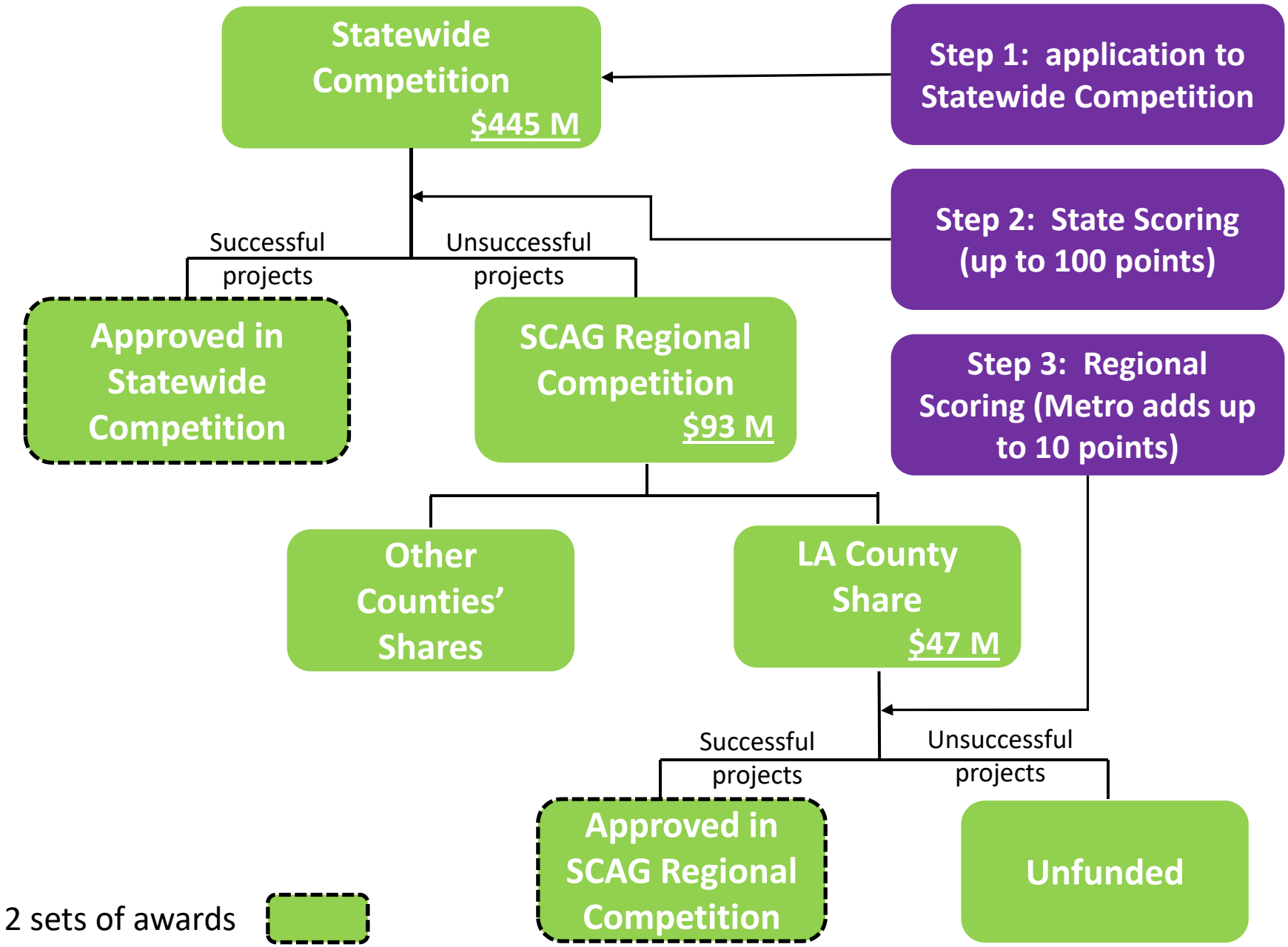
Active Transportation Program (ATP)

What: State funding for projects to increase bicycling and walking

Who: All 88 LA County cities, LA County, and Metro submit applications independently; CTC adopts statewide funding, Metro works with SCAG to develop regional/MPO funding

When: Call for Projects every two years – next Call anticipated Spring 2020

Why: To improve air quality, reduce greenhouse gas emissions, improve safety and health for human-powered transportation, with a focus on disadvantaged communities.


Statewide Competition $445 M
Step 1: application to Statewide Competition
Step 2: State Scoring (up to 100 points)
Step 3: Regional Scoring (Metro adds up to 10 points)
Successful projects
Unsuccessful projects
Approved in Statewide Competition
SCAG Regional Competition $93 M
Other Counties' Shares
LA County Share $47 M
Successful projects
Unsuccessful projects
Approved in SCAG Regional Competition
Unfunded
2 sets of awards

Metro's two levers on the ATP

1) **Grant Assistance** – Metro consultant works with local jurisdiction to prepare and submit application. The purpose is to **maximize funding** for LA County projects, and incentivize projects that implement Metro goals

2) **Assignment of 10 Points** – Metro assigns up to 10 points to add to the statewide score. The purpose is to add regional input for regional funds – **in accordance with SB 99 of 2013.**

Grant Assistance Priorities

Project Selection:

- How well the project fits ATP criteria
- 75% of applications are for first/last mile projects
- Priority for low-resource project sponsors

Proposed changes:

- Add priority for agencies compliant with Complete Streets Policy
- Screening to ensure project deliverability:
  - Community vetting/input
  - History of project delivery

Grant Assistance Priorities

Table 1: ATP Cycle 5 Grant Assistance Priorities
• 75% of overall grant assistance directed to first/last mile projects sponsored by Metro and other local jurisdictions
• 25% of overall grant assistance directed to other state ATP-eligible projects consistent with point assignment criteria, such as: ○ Leverages Measure M ○ LA River Path ○ Rail to River ○ Regional Bike Share ○ I-710 Active Transp. Corridor ○ Metro Active Transport, Transit First/Last Mile Program-selected projects and corridors
• First priority will be assigned to project sponsors that can clearly demonstrate resource/technical limitations that would hinder submission of a complete and competitive grant application
• Secondary priority – should capacity be available to project sponsors without serious resource limitations, priority will be given to project sponsors with an adopted Complete Streets policy or other qualifying document.

Metro

10-Point Assignment

- Metro 10-Point Assignment policy plays a role in project selection for SCAG MPO Component
  - MPO Component adds Metro's (up to) 10 points to the State's score (out of 100) for a total score based on a 110-Point scale
- Continuing from previous cycle:
  - Disadvantaged communities
  - Consistency with local/regional plans
  - First/last mile
- Proposed changes:
  - Complete Streets Policy compliance REQUIRED
  - Screening to ensure project deliverability

10-Point Assignment

Table 1: ATP Cycle 5 Point Assignment Method	Points
Project sponsor must have an adopted Complete Streets Policy or other qualifying document in order to be considered for any points.	
A. Disadvantaged Communities	3
B. a. Consistency with Local/Regional Plans – Regional Plans • Leverages Measure M • Implements Board Priorities, such as: ○ LA River Path ○ Rail to River ○ Regional Bike Share ○ I-710 Active Transp. Corridor ○ Metro Active Transport, Transit First/Last Mile Program-selected projects and corridors • Implements the Active Transportation Strategic Plan b. Consistency with Local/Regional Plans – project has robust community support	1 and/or 1
C. Bonus for First/Last Mile	5
Total (Up to)	**10**

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

File #: 2019-0679, **File Type:** Program **Agenda Number:** 14.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: 2020 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

APPROVE the programming of up to $51,440,000, as well as the proposed program amendments, in the 2020 Los Angeles County Regional Transportation Improvement Program (RTIP) as shown in Attachment A.

ISSUE

In August 2019, the California Transportation Commission (CTC) adopted the 2020 State Transportation Improvement Program (STIP) Fund Estimate (FE), which provides new funding capacity over the five-year STIP period from Fiscal Year (FY) 2021 through FY 2025. Metro prepares the Regional Transportation Improvement Plan (RTIP) for Los Angeles County, programming the county's regional funding share through FY 2025. The RTIP must be adopted by the Board prior to the December 13, 2019 RTIP submittal deadline to the CTC in order to program funds in the 2020 State Transportation Improvement Program (STIP).

BACKGROUND

The STIP is a five-year capital improvement program of transportation projects that is updated every two years. The last STIP was adopted by the CTC in March 2018. The STIP contains two portions. The first portion, the RTIP, accounts for 75% of the total STIP and is programmed by County Transportation Commissions, such as Metro. The RTIP portion is the subject of the recommendations of this report. The second portion is the Interregional Transportation Improvement Program (ITIP), which consists of the remaining 25% of the STIP and is developed by Caltrans.

DISCUSSION

Relationship to the 2018 STIP

Staff utilized the Evaluative Criteria Framework, as established in the September 2017 Board report on State and Federal Transportation Funding Programs (File #2017-0546) and updated in September 2019 (File# 2019-0601), to identify the appropriate program of projects. Staff aimed to use formula funds strategically for projects that were less likely to compete well in discretionary programs and for

those that have a low tolerance for risk.

Through the 2018 STIP, Los Angeles County's RTIP was programmed for its maximum funding share of $427.6 million, of which $110.5 million was advanced future shares. An additional advance of $41 million was made through the Advanced Project Development Element (APDE) of the STIP to fund three projects through final design to support their development as shovel ready projects for future funding cycles. As a result of these advances, very little funding shares will be distributed to LA County through the 2020 STIP, unless additional county share advances are made available.

Proposed 2020 RTIP Programming

Metro staff proposes to program up to $51.44 million (including potential advances) and to amend existing programming in the 2020 RTIP. The 2020 STIP Fund Estimate (FE) included $5.1 million in planning, programming and monitoring funds for Los Angeles County that must be programmed for RTIP administration activities. Additionally, the STIP FE included up to $46.34 million that could be advanced into the 2020 STIP period for Los Angeles County, should other regions under-program their RTIPs in the 2020 STIP. Staff recommends requesting $46.34 million of advanced shares be programmed for a future bus and bus infrastructure project. This recommendation is consistent with the Evaluative Criteria Framework. Lastly, the 2020 RTIP amends the existing program to support the delivery of previously programmed projects. The proposed 2020 RTIP, including the amended and additional programming, is included in Attachment A. The project descriptions for all of the RTIP projects is included in Attachment B.

Equity Platform

This board action employs the Equity Platform Pillar III "Focus and Deliver" by planning resources to strategically invest in high-quality mobility options for Los Angeles County, including highway and transit improvements, as well as cleaner and more efficient infrastructure including new buses.

DETERMINATION OF SAFETY IMPACT

Adoption of the 2020 RTIP will authorize staff to seek funds to make safety and other mobility improvements in several areas of the county.

FINANCIAL IMPACT

Approval of the 2020 RTIP for LA County will have no negative financial impact to the county. The 2020 RTIP fulfills prior and anticipated commitments of the Long Range Transportation Plan and the Measure M Expenditure Plan.

Impact to Budget

The 2020 RTIP includes funding for FY21 through FY25 and has no impact to the FY20 budget. Following CTC action on the 2020 RTIP in the spring of 2020, staff will include the programmed resources in the corresponding budgets.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports Strategic Plan goal #1 to "provide high-quality mobility options that enable people to spend less time traveling" by supporting the delivery of transportation improvements that support the safety and performance of the highway system and expand high-quality transit options.

ALTERNATIVES CONSIDERED

The Board could elect not to approve the staff recommendation for the 2020 RTIP. This option is not recommended as it would force LA County to surrender up to $51.44 million in RTIP funds through the 2020 STIP period. Additionally, failure to adopt the RTIP could cause delay for the projects proposed herein, such as the SR 138 Segments 6 and 13.

NEXT STEPS

With Board approval of our recommendation, staff will proceed with and monitor the following steps to securing the 2020 LA County RTIP submittal:

- Submit RTIP request to CTC - December 13, 2019
- CTC publishes staff recommendations - February 28, 2020
- CTC adopts STIP - March 25-26, 2020

ATTACHMENTS

Attachment A - 2020 Los Angeles County RTIP Summary and Program
Attachment B - RTIP Project Descriptions

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Phillip A. Washington
Chief Executive Officer

2020 RTIP Program Summary **ATTACHMENT A**

Metro is responsible for transmitting the 2020 Regional Transportation Improvement Program (RTIP) to the California Transportation Commission (CTC) by December 13, 2019 for their program adoption in March 2020. The program was developed using the Evaluative Criteria Framework (ECF), which focuses resources on the Metro Board's highest priorities, and maximizes funding opportunities.

Within the ECF, staff's first priority for the 2020 RTIP is to support existing projects within the program. The programming from prior RTIPs is unchanged for the following projects:

1. SR 71 (North)
2. Bus Acquisition Project 2
3. East San Fernando Valley Transit Project
4. Light Rail Vehicles

Staff proposes amending the existing RTIP to support the delivery of existing projects and priorities as follows:

1. Planning, Programming and Monitoring- Reducing prior FY 23 programming by $1,166,000 in order to shift those funds to FY24 for the purposes of maintaining consistent resources year to year.
2. AB3090 Replacement Project- Reducing the AB 3090 project by $618,000 (see item 7 below), for a total of $19,132,000. The project is amended to identify the replacement project as the Bus and Bus Infrastructure Project.
3. The I-405/Crenshaw Ramp Improvement Project- Moving Construction programming from FY23 to FY21 to align with the project's schedule.
4. I-605/I-5 Interchange- Moving Final Design (PS&E) from FY21- FY22 based on the latest project schedule.
5. SR 138 Segment 13- Shifting funds between the Construction Capital and Right-of-Way Capital Phases based on updated cost estimates. An additional $18,400,000 is reduced from the project and shifted to SR 138 Segment 4 to fully fund the segment under an updated cost estimate.
6. SR 138 Segment 4- Increasing the Right-of-Way Capital Phase by $17,400,000 million and the Construction Capital Phase by $1,000,000 using the balance of funds shifted from Segment 13.

7. Bus Acquisition Project 1- Increasing project funding by $618,000 with funds from the AB 3090 Replacement Project to fully fund the 40 Zero Emission Bus order.

Staff proposes programming additional funding as follows:

1. Planning, Programming and Monitoring- Programming the additional $5,096,000 of Planning, Programming and Monitoring Funds between the newly added STIP program years FY24 ($1,671,000) and FY25 ($3,425,000).

2. Bus/Bus Infrastructure Project 2- Requesting to advance up-to $46,344,000 of future shares for the Bus/Bus Infrastructure Project 2, consistent with the Evaluative Criteria Framework.

2020 RTIP NEW AND EXISTING PROGRAMMING AND AMENDMENTS ($1000s) **ATTACHMENT A**

	EXISTING PROGRAMMING (UNCHANGED)	PPNO	Prior	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Total	Project Phase R/W	Con	E&P	PS&E	R/W Sup	Con Sup
	Highway														
1	SR 71 (North Segment)	2741N	-		20,000				20,000		5,000				15,000
	Transit														
2	Bus Acquisition Project 2	5431	-			17,096			17,096		17,096				
3	East San Fernando Valley Transit Corridor	4296	-	34,630		167,509			202,139	34,630	167,509				
4	Light Rail Vehicles	4025	276,471	27,800					304,271		304,271				
5	Prior Programming Subtotal		276,471	62,430	20,000	184,605	-	-	543,506	34,630	493,876	-	-	-	15,000

	AMENDMENTS	PPNO	Prior	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Total	Project Phase R/W	Con	E&P	PS&E	R/W Sup	Con Sup
6	~~Planning Programming & Monitoring~~	~~9001~~	~~2,308~~	~~4,002~~	~~4,002~~	~~4,002~~			~~14,313~~		~~14,313~~				
7	Planning Programming & Monitoring	9001	2,308	4,002	4,002	2,836	1,166		14,313		14,313				
	Highway														
8	~~I 405 Crenshaw Blvd Ramp Improvement~~	~~4451~~	~~-~~			~~12,000~~			~~12,000~~		~~12,000~~				
9	I-405 Crenshaw Blvd Ramp Improvement	4451	-	12,000					12,000		12,000				
10	~~I 605/I 5 Interchange Improvements~~	~~4624~~	~~-~~	~~18,170~~					~~18,170~~				~~18,170~~		
11	I-605/I-5 Interchange Improvements	4624	-		18,170				18,170				18,170		
12	~~SR 138 Seg 13~~	~~4357~~	~~9,500~~	~~4,000~~		~~67,000~~			~~80,500~~	~~9,500~~	~~55,000~~		~~4,000~~		~~12,000~~
13	SR 138 Seg 13	4357	17,800	4,000		40,300			62,100	17,800	33,500		4,000		6,800
14	~~SR 138 Seg 4~~	~~4353~~	~~20,950~~		~~19,000~~				~~39,950~~	~~9,000~~	~~15,000~~		~~5,250~~	~~6,700~~	~~4,000~~
15	SR 138 Seg 4	4353	38,350		20,000				58,350	26,400	16,000		5,250	6,700	4,000
	Transit														
16	~~AB3090 Replacement Project~~	~~4365A~~		~~19,750~~					~~19,750~~		~~19,750~~				
17	Bus/Bus Infrastructure (AB3090 replacement)	4365A			19,132				19,132		19,132				
18	~~Bus Acquisition Project 1~~	~~5430~~		~~30,246~~					~~30,246~~		~~30,246~~				
19	Bus Acquisition Project 1	5430	-	30,864					30,864		30,864				
20	Amendments Subtotal		58,458	50,866	61,304	43,136	1,166		214,929	44,200	125,809		27,420	6,700	10,800

	NEW PROGRAMMING	PPNO	Prior	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Total	Project Phase R/W	Con	E&P	PS&E	R/W Sup	Con Sup
21	Planning Programming & Monitoring	9001					1,671	3,425	5,096		5,096				
	Transit														
22	Bus/Bus Infrastructure Project 2 (*Tier II request*)	5431					46,344		46,344		46,344				
23	New Programming Subtotal						48,015	3,425	51,440	-	51,440	-	-	-	-

	LOS ANGELES COUNTY 2020 RTIP	Prior	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Total	Project Phase R/W	Con	E&P	PS&E	R/W Sup	Con Sup
24	Net New Programming					48,015	3,425	51,440		51,440				
25	Total RIP Funding	334,929	113,296	81,304	227,741	49,181	3,425	809,875	78,830	671,125	-	27,420	6,700	25,800

Projects Proposed for the 2020 Los Angeles Regional Transportation Improvement Program (RTIP)

The following project descriptions are provided to give an overview of the project scopes for the proposed projects in the RTIP. Additional project detail and performance information will be included in the 2020 RTIP submittal to the CTC.

- The Bus Acquisition Project 1 is required to maintain a state of good repair of our bus fleet through a replacement schedule that allows Metro's buses to be retired and replaced after the end of their "useful life" as defined by the FTA. Programming is proposed for FY21. The project supports the ongoing fleet replacement and upgrading required to support Metro's bus operations. The $30.8 million project includes 40 Zero-Emission Buses (ZEBs) and chargers.

- Programming for the Bus Acquisition Project 2 is proposed for FY23.This programming will fund a scheduled future bus purchase and bus infrastructure project. This project supports the ongoing fleet replacement and upgrading required to support Metro's bus operations and ensure Metro's fleet is in a state of good repair. The project scope will include near-zero or Zero-Emission Buses (ZEBs), as well as possible bus chargers and charging infrastructure.

- The Bus and Bus Infrastructure Project is proposed as the replacement project for the AB3090. Programming is requested for FY22 for $19.32 million. This project supports the ongoing fleet replacement and upgrading required to support Metro's bus operations and ensure Metro's fleet is in a state of good repair. The project scope will include near-zero or Zero-Emission Buses (ZEBs), as well as possible bus chargers and charging infrastructure.

- The East San Fernando Valley Transit Corridor Project will provide 9.2 miles of Light Rail Transit service in the eastern San Fernando Valley along Van Nuys Boulevard and San Fernando Road. Programming is proposed for the Right-of-Way Phase in FY 21 and for Construction in FY 23. Should the project be delivered under a design-build contract, the funding proposed would support the right-of-way, design and construction of the project.

- The I-405/Crenshaw Ramp Improvement Project will improve the on and off ramps at Crenshaw Boulevard and 182nd Street, by providing new on-ramp facilities, additional storage capacity for the off-ramps, as well as an auxiliary and deceleration lanes between Western and Crenshaw Blvd on the I-405 mainline.

- The I-605/I-5 Interchange Improvements Project proposes improvements on the I-605 from Florence Ave to Paramount Blvd. Funding for the Plans, Specifications and Estimates Phase is proposed for FY22.

- The SR-138 Segment 4 is programmed for construction in FY22. The new facility provides two travel lanes in each direction, as well as standardized shoulder widths and a median turning lane over a 1 mile stretch of the SR 138. The completion of this project will help deliver approximately 17 miles of continuous improvements over the corridor.

- The SR-138 Segment 13 is proposed for Construction in FY23. The new facility provides two travel lanes in each direction, as well as standardized shoulder widths and a median turning lane over a 2.5 mile stretch of the SR 138. The completion of this project will help deliver approximately 17 miles of continuous improvements over the corridor.

- The SR-71 North converts .8 miles of Route 71 from Mission Boulevard to the I-10 from a four-lane expressway to an eight-lane freeway, inclusive of two HOV lanes. Once complete, it will provide continuous improvements over 4 miles of the corridor.

- Planning, Programming, and Monitoring (PPM) funds are used to fund the planning activities of Metro. Funds are proposed for FY21 ($4 million), FY22 ($4 million), FY23 ($2.8 million), FY24 ($2.8 million) and FY25 ($3.4 million).

Lastly, staff is recommending a second tier of projects should other regions under-program, leaving additional funding capacity available. Tier II is proposed as follows:

- Bus and Bus Infrastructure Project 2 for up-to $46.34 million. This funding will fund a scheduled future bus replacement. This project supports the ongoing fleet replacement and upgrading required to support Metro's bus operations and ensure Metro's fleet is in a state of good repair. The project scope will include near-zero or Zero-Emission Buses (ZEBs), as well as possible bus chargers and charging infrastructure.

2020 Regional Transportation Improvement Program

Planning and Programming

October 2019

Recommendation

Approve the 2020 Regional Transportation Improvement Program (RTIP) for Los Angeles County, which includes:

- Up-to $51.44 M in new programming
- Amendments to prior RTIP projects

Metro

Background

What: The county RTIPs are 75% of the State Transportation Improvement Program (STIP)

Who: Metro prepares and approves the RTIP for LA County, California Transportation Commission (CTC) adopts through their 2020 STIP.

When: Prepared and adopted every two years

Why: To program our region's STIP formula shares for the 2020 STIP period FY 2021-2025

Metro

2018 STIP Success Reduced Capacity in 2020

2018 RTIP/STIP

$317 M in shares

+

advanced $151.5 M to our County shares

As a result…

2020 RTIP/STIP

Zero shares/capacity

$5.1 M for Planning Programming and Monitoring

Potentially up-to $46.34 M in future share advances

Metro

2020 Programming Priorities

1) Prioritize 2018 and Prior STIP Projects, as amended, consistent with CTC priorities.

2) Consistent with Evaluative Criteria Framework
   - Measure M, Measure R and LRTP Priorities
   - Program Alignment/Competitiveness
   - Risk Tolerance
   - Geographic Balance
   - Board Policies and Directives
   - Consistent with the LRTP and RTP

Metro

Proposed 2020 RTIP ($S in 1000s)

PRIOR PROGRAMMING	PPM/HWY/TRANSIT	EXISTING/AMENDED	TOTAL
Planning Programming & Monitoring	PPM	Amended	14,313
I-405 Crenshaw Blvd Ramp Improvement	HWY	Amended	12,000
I-605/I-5 Interchange Improvements	HWY	Amended	18,170
SR 138 Seg 13	HWY	Amended	62,100
SR 138 Seg 4	HWY	Amended	58,350
SR 71 (North Segment)	HWY	Existing	20,000
Bus Acquisition Project 1	TRANSIT	Amended	30,864
Bus Acquisition Project 2	TRANSIT	Existing	17,096
Bus/Bus Infrastructure (AB3090 replacement)	TRANSIT	Amended	19,132
East San Fernando Valley Transit Corridor	TRANSIT	Existing	202,139
Light Rail Vehicles	TRANSIT	Existing	304,271
SUBTOTAL OF PRIOR PROGRAMMING			**758,435**

NEW PROGRAMMING	PPM/HWY/TRANSIT	NEW	TOTAL
Planning Programming & Monitoring	PPM	New	5,096
Bus/Bus Infrastructure Project 2 (Tier II request)	TRANSIT	New	46,344
SUBTOTAL OF POPOSED PROGRAMMING			**51,440**

Metro

Success Realized Through Evaluative Criteria Framework

- Strategically planning for our universe of projects across funding programs.
- Sustains Measure M schedules and commitments.

SB 1 Initial Implementation Strategy - Candidate Project Funding Awards/Recommendations

($ in millions)

Measure M Sequence	Project Name	Notes	Begin Construction Date	Subregion	SB 1 Discretionary Programs: Active Transporation Program (ATP)	SB 1 Discretionary Programs: Local Partnership Program (LPP) - Competitive	SB 1 Discretionary Programs: Solutions for Congested Corridors Program (SCCP)	SB 1 Discretionary Programs: Trade Corridor Enhancement Program (TCEP)	SB 1 Discretionary Programs: Transit and Intercity Rail Capital Program (TIRCP)	Other Programs: Infrastructure For Rebuilding America (INFRA)	Other Programs: Local Partnership Program (LPP) - Formulaic	Other Programs: 2018 Regional Transportation Improvement Program (RTIP)
	Measure M Major Projects											
1	Airport Metro Connector		FY19	sc		$	$150					
2	Westside Purple Line Extension Section 3	1	FY18	w								
3	High Desert Multi-Purpose Corridor (HDMC)	2, 3	FY19	nc								
4	I-5 N Cap Enhancements	4	FY19	nc			$	$247		$47		
5	Gold Line Foothill Extension to Claremont	9	FY19	sg					$290			
6	Orange Line BRT Improvements		FY19	sf		$75	$					
7	BRT Connector Orange/Red/Gold		FY20	sf					$50			
8				av								
9	East SF Valley Transit Corridor		FY21	sf			$		$205			$202
10	West Santa Ana Transit Corridor LRT		FY22	gc					$300		$24	
11	Crenshaw/LAX Track Enhancement		FY22	sd								
12	SR-71 Gap from I-10 to Rio Rancho		FY22	sg		$		$44				$20
13	LA River Waterway & System Bikepath (CC)		FY23	cc	•							
14	Complete LA River Bikepath (SFV)	5	FY23	sf	•							
15	Sepulveda Pass Transit Corridor (Phase 1)	3, 6	FY24	sf								
16				w								
17	Vermont Transit Corridor		FY24	cc					$5			
18	SR-57/SR-60 Interchange		FY25	sg				$22		•		
19	Green Line Extension to Crenshaw Blvd in Torrance		FY26	sb					$231		$20	
20	I-710 South Corridor Project (Phase 1)	3, 7	FY26	gc								$14
21	I-105 ExpressLane from I-405 to I-605		FY27	sb						•		
	Measure M Major Projects #22-45	8										
	Other LRTP/Measure R Priorities											
	I-605 Hotspots		FY18	gc				$32				$18
	Willowbrook/Rosa Parks Station		FY18	gc							$14	
	Metro Bus Fleet Replacement		FY18	All								$47
	SR 138		FY19	nc								$144
	Rosecrans/Marquardt Grade Separation		FY19	gc				$9				
	Alameda Corridor East (ACE)/Ports Projects		FY19	sg/gc				$120		•		
	Link Union Station (US)		FY19	All					$398			
	Arroyo Verdugo Subregion Soundwalls		FY20	av		$5						
	South Bay Highway Operational Improvements		FY22	sb								$12
	Total Funding Awards/Recommendations		**$2,745**			**$80**	**$150**	**$474**	**$1,479**	**$47**	**$58**	**$457**

Metro

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

File #: 2019-0690, **File Type:** Contract **Agenda Number:** 15.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: SR-57/SR-60 INTERCHANGE IMPROVEMENTS

ACTION: AUTHORIZE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 1 to Contract No. AE51890001 for the State Route 57/State Route 60 Interchange Improvements (Project) with WKE, Inc. to provide professional services in the amount of $3,384,081.72, increasing the total contract value from $21,771,625 to $25,155,706.72.

ISSUE

Three project components are being updated which will require additional scope for the Plans, Specifications & Estimates (PS&E) phase. The additional scope will provide benefits to the project including reduced right-of-way (ROW) costs, reduced schedule risk and enhanced operation and safety of the freeway. The additional scope elements include 1) geometric adjustments to the Grand Avenue connectors, 2) hydrologic analysis and consolidation of existing storm drains and 3) preparation of contract bid documents for the Diamond Bar Golf Course as required by mitigation measures under National Environmental Policy Act (NEPA) Section 4(f).

Metro staff developed a statement of services and an independent cost estimate for the additional scope work. The contract modification covers the environmental revalidation studies and PS&E work associated with the additional scope of work.

BACKGROUND

SR-57 and SR-60 are two vital highways that merge and share an alignment for a two-mile segment in the vicinity of the Cities of Diamond Bar and Industry. This shared alignment is the second highest truck involved accident location in Southern California and ranked as the fourth-most congested freight chokepoint in the nation by the American Transportation Institute. Improvements to the SR-57/SR-60 Interchange are needed to improve safety and operational deficiencies at the Grand Avenue Interchange, accommodate expected traffic volumes, eliminate the majority of weaving conflicts in the eastbound direction, improve overall traffic flow and alleviate the bottleneck effect in

this segment.

Environmental clearance for the Project was approved in 2013. In October 2018, Contract No. AE51890001 for PS&E services for the SR-57/SR-60 Interchange Improvement project was awarded to WKE Inc. The Project is included in the Measure M Expenditure Plan.

DISCUSSION

After the contract for PS&E was awarded, the Project team identified design modifications that could reduce ROW cost, schedule risk and future construction cost by eliminating property acquisitions, permanent and temporary easements, consolidating infrastructure work and addressing environmental mitigation measures early in the project development process.

The design of the SR-60 Bypass off-ramp to Grand Avenue is being revised to provide a two-lane off-ramp connector over SR-57 in lieu of the single lane off-ramp under SR-57 originally envisioned. The revised design provides a second lane to eastbound Grand Avenue off-ramp to accommodate high truck volumes and reduce the overall ROW impacts. Within this design the need for acquisition of two parcels and a sliver from a hotel is eliminated. A retaining wall will be put in place to avoid impact to the hotel's parking lot. These design modifications have resulted in substantial reduction in cost of ROW acquisitions and the schedule of the Project.

Consolidation of two existing parallel storm drains into a larger reinforced concrete box (RCB) along the northerly edge of the Diamond Bar Golf Course is also being proposed. The new RCB will be designed in accordance with the Los Angeles County Flood Control District (LACFCD) standards and transferred to LACFCD upon completion. In accordance with the LACFCD Miscellaneous Transfer Drain (MTD) process, LACFCD has required additional hydrological analysis for the entire Diamond Bar Creek watershed tributary to the golf course. The consolidation of the two existing parallel storm drains into one RCB will reduce construction cost in the future.

The Diamond Bar Golf Course abuts the eastern side of the SR-57/SR-60 interchange and will require moderate reconfiguration to accommodate the Project. Los Angeles County Parks and Recreation (LACPR) owns the facility and was initially tasked with leading the reconfiguration of the Golf Course. However, due to LACPR's duration of procurement process for completion of design and construction of the reconfiguration, this work cannot be completed on time to keep the SR-57/SR -60 Interchange Improvement project on schedule. In order to keep the Project on schedule, additional effort is needed under the WKE Inc. contract to prepare a separate construction bid package and environmental clearance/revalidation for the Diamond Bar Golf Course reconfiguration to be completed in an early construction contract.

DETERMINATION OF SAFETY IMPACT

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

FINANCIAL IMPACT

For FY20, $23M has been budgeted in Highway Program Cost Center 4720, SR-57/SR-60

Interchange Improvement Project 475002, Tasks 5.3.100 and 5.4.100, Professional Services Account 50316.

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

Impact to Budget

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

IMPLEMENTATION OF STRATEGIC PLAN GOALS

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

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

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

ALTERNATIVES CONSIDERED

The Board may elect not to approve the proposed Contract Modification. This option is not recommended. Completing the PS&E with identified design modifications is a necessary step in reducing risk and cost for the future construction phase of the Project. Board approval would allow the project to move forward.

NEXT STEPS

Upon approval by the Board, staff will execute the Contract Modification with WKE, Inc.

ATTACHMENTS

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

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

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

AE51890001

1.	**Contract Number**: AE51890001			
2.	**Contractor**: WKE, Inc.			
3.	**Mod. Work Description**: A change in the Project Geometry not included in the original contract scope of work. Add Design Services for Diamond Bar Golf Course mitigation reconstruction PS&E			
4.	**Contract Work Description**: Plans, Specifications & Estimate (PS&E) for SR -57/SR-60 Interchange Improvements.			
5.	**The following data is current as of**: September 19, 2019			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	09/27/2018	**Contract Award Amount:**	$21,771,625.00
	Notice to Proceed (NTP):	10/15/2018	**Total of Modifications Approved:**	$0
	Original Complete Date:	09/30/2021	**Pending Modifications (including this action):**	$3,384,081.72
	Current Est. Complete Date:	09/30/2021	**Current Contract Value (with this action):**	$25,155,706.72
7.	**Contract Administrator**: Leisa Oden-Kurz		**Telephone Number**: 213.922.2790	
8.	**Project Manager**: Roberto Machuca		**Telephone Number**: 213.418.3467	

A. Procurement Background

This Board Action is to approve Contract Modification No. 1 issued in support of the Plans, Specification & Estimates (PS&E) for SR-57/SR-60 Interchange Improvements.

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

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

B. Cost Analysis

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

Proposal Amount	Metro ICE	Negotiated Amount
$3,384,081.72	$3,507,912.79	$3,384,081.72

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

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

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

AE51890001

Mod. No.	Description	Status (approved or pending)	Date	$ Amount
1	A change in the Project Geometry and Design Services for Diamond Bar Golf Course mitigation reconstruction PS&E	Pending	Pending	$3,384,081.72
	Modification Total:			$3,384,081.72
	Original Contract:		9/27/18	$21,771,625.00
	Total:			$25,155,706.72

ATTACHMENT C

DEOD SUMMARY

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

A. Small Business Participation

WKE, Inc. made a 24.25% Small Business Enterprise (SBE) commitment and a 3.03% Disabled Veteran Business Enterprise (DVBE) commitment. The project is 11% complete and the current SBE participation is 18.69% and DVBE participation is 0.09%. While the project is still in the early stages, WKE has indicated that they are committed to utilizing the SBE/DBVE firms, as proposed. The low participation is solely due to the timing of the specific tasks committed to the SBE/DVBE firms but WKE expects all SBE/DVBE firms to be active on the project by November 2019. WKE estimates that 30% of the current modification is committed to SBE subcontractors.

Small Business Commitment	**24.25% SBE 3.03% DVBE**	**Small Business Participation**	**18.69% SBE 0.09% DVBE**

	SBE Subcontractors	**% Committed**	**Current Participation[1]**
1.	ADVANTEC Consulting Engineers, Inc.	2.17%	0.60%
2.	Arellano Associates, LLC	0.49%	0.26%
3.	D'Leon Consulting Engineers Corp.	0.23%	0.00%
4.	Earth Mechanics, Inc.	4.63%	-1.01%
5.	2R Drilling Inc.	1.31%	5.60%
6.	A Cone Zone, Inc.	0.98%	3.73%
7.	FRS Environmental, Inc.	0.06%	0.50%
8.	Galvin Preservation Associates, Inc.	1.39%	2.23%
9.	Impact Sciences, Inc.	0.18%	0.00%
10.	Geo-Advantec, Inc.	1.22%	2.02%
11.	Kroner Environmental Services, Inc.	1.78%	2.65%
12.	DC Traffic Control	0.18%	0.00%
13.	Martini Drilling Corp.	0.22%	0.00%
14.	Performance Analytical Laboratories, Inc.	0.69%	0.00%
15.	V & A Inc.	0.16%	0.00%
16.	Lin Consulting, Inc.	5.51%	0.19%
17.	Tatsumi & Partners, Inc.	1.37%	0.00%
18.	Wagner Engineering & Survey, Inc.	1.27%	1.92%
19.	Safeprobe, Inc.	0.41%	0.00%

	SBE Total	**24.25%**	**18.69%**

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

	DVBE Subcontractors	% Committed	Current Participation[1]
1.	Brentwood Reprographics, Inc.	0.88%	0.09%
2.	MA Engineering	2.15%	0.00%
	DVBE Total	**3.03%**	**0.09%**

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

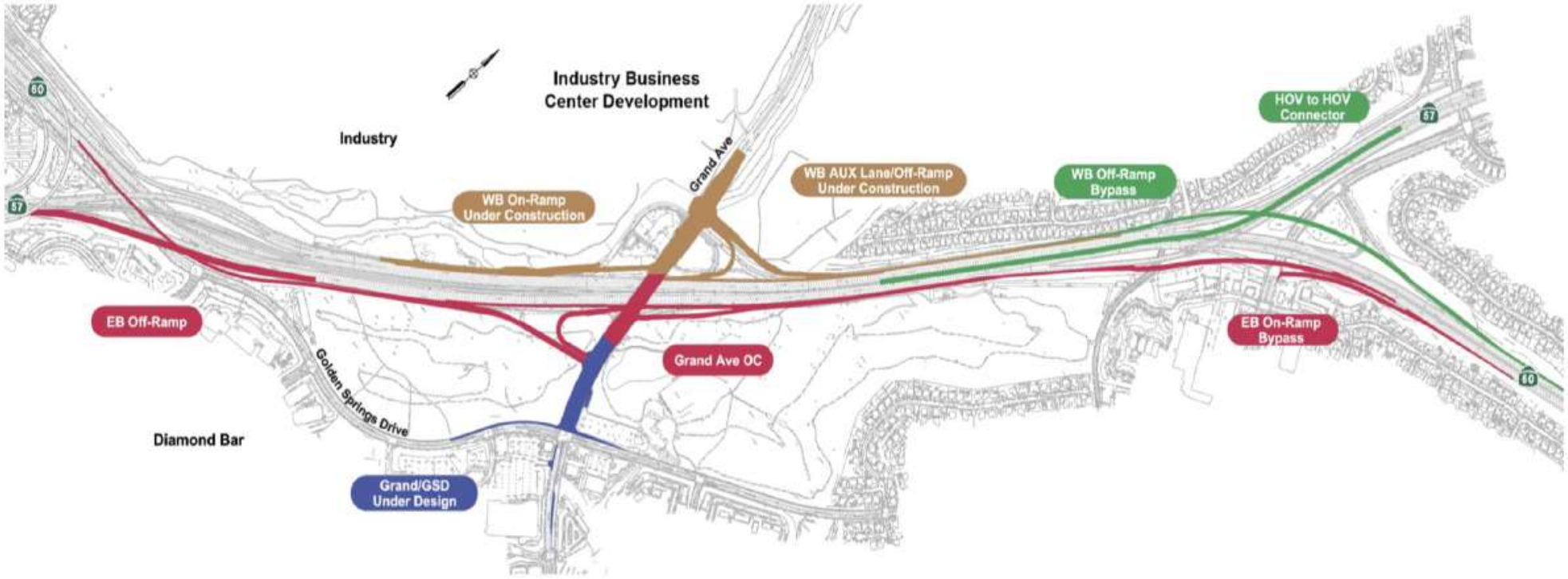
Prevailing Wage requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Project Labor Agreement/Construction Careers Policy

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

Project Map

ATTACHMENT D



Los Angeles County
Metropolitan Transportation
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3rd Floor Board Room
Los Angeles, CA

Metro

Board Report

File #: 2019-0545, **File Type:** Contract **Agenda Number:** 17.

FINANCE, BUDGET AND AUDIT COMMITTEE
OCTOBER 16, 2019

SUBJECT: WORKERS' COMPENSATION MEDICAL BILL REVIEW SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. PS61721000 to Lien On Me, Inc. for Workers' Compensation Medical Bill Review Services, in an amount not-to-exceed $2,576,976 for the four-year base term, effective July 1, 2020 through June 30, 2024, plus $1,314,258 for the first, two-year option period, and $1,340,724 for the second, two-year option period, for a combined not-to-exceed amount of $5,231,958, subject to resolutions of protest(s), if any.

ISSUE

The current contract for this service expires on June 30, 2020. Review of medical bills for workers' compensation claims ensures Metro pays for various medical services in accordance with the State of California approved fee schedules and pre-established rates contracted with Preferred Provider Organization (PPO) providers.

DISCUSSION

The review of medical bills is consistent with industry best practice and is one of a variety of techniques government agencies and private entities employ to lower workers' compensation related medical expenditures. Bill review service providers take gross medical billings from physicians, hospitals, pharmacies and other medical service providers and recommend reductions in conformance with the State of California Fee Schedule and negotiated rates between service providers (PPO contracts). Bill review service providers have custom dedicated software that apply the bill review reduction in accordance with the California Fee Schedule and detect duplicate billings at the line level. In addition to reviewing bills, bill review service providers have the ability to integrate PPO networks with their bill review system to determine the highest level of savings per line item and maintain the appropriate software to facilitate submission of California regulatory reporting requirements via Electronic Data Interchange (EDI) with the California Workers' Compensation Information System (WCIS). Bill review vendors represent Metro in legal proceedings involving bill payment disputes with service providers. The review of medical bills is consistent with industry best practice and is one of a variety of techniques to lower our medical expenditures.

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DETERMINATION OF SAFETY IMPACT

Approval of this recommendation will not impact the safety of Metro's patrons or employees.

FINANCIAL IMPACT

Funding for this action is not included in the FY20 budget given the contract starts in FY21. Since this is a multi-year contract, the Chief Risk, Safety and Asset Management Officer will be responsible to budget the cost in future years, including any options exercised. In FY19, $304,000 was expended on these services.

Impact to Budget

Approval of this action has no impact on the FY20 budget.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports strategic plan goal # 5 “Provide responsive, accountable and trustworthy governance within the LA Metro organization.” The responsible administration of Metro’s workers’ compensation claims within the guidelines of California’s regulatory requirements lowers Metro’s medical expenditures.

ALTERNATIVES CONSIDERED

The alternative of not reviewing medical bills will result in Metro overpaying for medical treatment costs and foregoing savings that could have been generated through the application of bill review services. For FY19, bill review services generated an average monthly savings of approximately $1.5 million.

NEXT STEPS

Upon Board approval, staff will execute Contract No. PS61721000 with Lien On Me, Inc. for workers’ compensation medical bill review services, effective July 1, 2020.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared by: Cathy Yates, Director, Workers’ Compensation Claims Administration, (213) 922-4297

Reviewed by: Vijay Khawani, Interim Chief Risk, Safety and Asset Management Officer, (213) 922-4035
Debra Avila, Chief Vendor/Contract Management, (213) 418-3051

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

WORKERS' COMPENSATION MEDICAL BILL REVIEW SERVICES/PS61721000

1.	**Contract Number**: **PS61721000**	
2.	**Recommended Vendor**: Lien On Me, Inc.	
3.	**Type of Procurement (check one):** ☐ **IFB** ☒ **RFP** ☐ **RFP–A&E** ☐ **Non-Competitive** ☐ **Modification** ☐ **Task Order**	
4.	**Procurement Dates**:	
	A. Issued: May 7, 2019	
	B. Advertised/Publicized: May 7, 2019	
	C. Pre-Proposal Conference: N/A	
	D. Proposals Due: June 5, 2019	
	E. Pre-Qualification Completed: September 5, 2019	
	F. Conflict of Interest Form Submitted to Ethics: August 28, 2019	
	G. Protest Period End Date: October 22, 2019	
5.	**Solicitations Picked up/Downloaded**: 28	**Bids/Proposals Received**: 2
6.	**Contract Administrator**: **Marc Margoni**	**Telephone Number**: **(213) 922-1304**
7.	**Project Manager**: **Cathy Yates**	**Telephone Number**: **(213) 922-4297**

A. Procurement Background

This Board Action is to approve the award of Contract No. PS61721000 to Lien On Me, Inc. (LOM) to provide medical claims review services in support of Metro's Risk Management Workers' Compensation Claims unit.

Request for Proposal (RFP) No. PS61721 was issued as a competitive negotiated procurement in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rate. The RFP was issued as a Small Business Prime Set Aside.

No amendments were issued during the solicitation phase of the RFP.

A total of 28 firms downloaded the RFP and were included on the plan holders list. A total of two proposals were received by the due date of June 5, 2019 and are listed below in alphabetical order:

- Innovative Claims Strategies LLC
- Lien On Me, Inc.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from the Risk Management Department convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were initially evaluated based on the pass/fail minimum qualifications criteria as outlined in the RFP. The pass/fail requirements included experience in reviewing and processing anticipated monthly volume of medical bills; possession of a web-based software application that can interface with Metro's Ventiv/IVOS system, knowledge of current California Bill Review Regulations, including documentation of Bill Reviewers State Designation certification, and the ability to provide references to demonstrate the performance of similar required services.

Of the two proposals received, LOM passed the minimum qualifications and was further evaluated based on the following weighted evaluation criteria:

- Experience 30 percent
- Technical Capacity 30 percent
- Other Criteria (approach, and data transition plan) 20 Percent
- Cost 20 Percent

Several factors were considered when developing these weights, giving the greatest importance to the proposer's experience and technical capacity of the firm.

On August 16, 2019, the PET met and conducted an independent technical evaluation of the proposals received and determined that LOM was responsive and met the technical requirements of the RFP.

Qualifications Summary of Firm:

Lien On Me, Inc.

Lien On Me, Inc. (LOM) was founded in 1991 and has been providing cost containment services for over 27 years. It has expertise in the fields of medical bill review, lien defense, claims administration and technology. Their client list includes City of Long Beach, City of Santa Ana, City of Glendale, Los Angeles Community College District (LACCD), and City of Monterey Park.

The following is a summary of the PET scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**Lien on Me Inc.**				
3	Experience	100.00	30.00%	30.00	
4	Technical Capacity	93.33	30.00%	28.00	
5	Other Criteria (approach and data transition plan)	86.65	20.00%	17.33	

6	Cost	100.00	20.00%	20.00	
7	**Total**		**100.00%**	**95.33**	**1**

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based on price analysis, technical analysis, an Independent Cost Estimate (ICE), fact finding, and negotiations.

	Proposer Name	Proposal Amount	Metro ICE	Negotiated or NTE amount
1.	Lien On Me, Inc.	**$8,566,704**	**$5,195,863**	**$5,231,958**

D. Background on Recommended Contractor

The recommended firm, Lien On Me, Inc. (LOM) is located in Glendale, CA. It evaluates medical provider statements using state-adopted fee schedules, national Preferred Provider Organization (PPO) networks, experienced bill review analysis and its own proprietary database. Further, LOM has a lien defense process that enables it to handle any dispute, defend clients against liens and reduce claims portfolio, medical expenses and litigation costs.

LOM's Medical Bill Review and Lien Defense Manager has 14 years of experience in the workers compensation industry. Their medical bill reviewers are certified biennially with the Insurance Commissioner of the State of California. Their staff are required to complete continuing education classes to maintain and upgrade their skills related to coding new legislations and fee schedule changes.

DEOD SUMMARY

WORKERS' COMPENSATION MEDICAL BILL REVIEW SERVICES/PS61721000

A. Small Business Participation

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

Lien On Me, Inc., an SBE Prime, is performing 100% of the work with its own workforce.

SMALL BUSINESS SET-ASIDE

	SBE Prime Contractor	**SBE % Committed**
1.	Lien On Me, Inc. (Prime)	100%
	Total Commitment	**100%**

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

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

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Los Angeles, CA

Metro

Board Report

File #: 2019-0546, **File Type:** Policy **Agenda Number:** 18.

FINANCE, BUDGET AND AUDIT COMMITTEE
OCTOBER 16, 2019

SUBJECT: DELEGATED AUTHORITY FOR BUSINESS IMPROVEMENT DISTRICT PARTICIPATION

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to approve and sign all petitions, ballots and other related documents for participation in state-authorized business improvement districts (BID) and any other assessment districts (such as street lighting, health, safety, and crime prevention districts) as defined under California law, where the total assessment over the term of the BID does not exceed $500,000.

ISSUE

Presently, Metro's policy requires all new BIDs (that have not yet been approved by the Metro Board of Directors), be authorized by the Board. Frequently, the votes to form BIDs have short timeframes and Metro cannot participate in the vote because of this requirement. Board approval of this item will facilitate approval and processing of all new BIDs where total assessment does not exceed $500,000 over the term of the BID.

BACKGROUND

BIDs are generally accepted methods for providing essential services for the safety and cleanliness of communities where municipal funding gaps exist. Metro currently participates in all the BIDs which touch its landholdings at an annual cost to the agency of $633,000.

In May 2014, the Board approved delegation of authority to the CEO for participation in BIDs where the total assessment over the term of the BID does not exceed $500,000, and where the action represents a renewal of a BID previously approved by the Board (Attachment A, pages 1-2).

DISCUSSION

Staff analyzes BID participation using the *General Guidelines for MTA Participation in Proposed Assessment Districts* (included in Attachment A, pages 4-5). Local BIDs often serve as the first line of defense and notification to Metro for issues related to site security, cleanliness, and other general

upkeep related to public stewardship of land.

In June 2019, the Board approved the Highland Park BID. The 5-year obligation is estimated to be less than $10,000. The current policy required board approval because it was a newly formed district. Metro is involved in more than 50 BIDs and the Board has not refused to participate in any of them.

Equity Platform

BIDs have proven to support Metro's equity platform by providing for a general subsidy to support neighborhood cleanliness, personal hygiene, and safety where the agency has property. By being able to participate in BID votes, Metro can better support these efforts.

DETERMINATION OF SAFETY IMPACT

This action will have no impact on Metro safety.

FINANCIAL IMPACT

Real Estate accounts for all costs related to BID payments in Cost Center 0651. Real Estate charges on the order of $633,000 per year across the service areas and land holdings to Account 50799, Tax Others. The Funding source is operating funds including fares and sales tax revenues. These funds are eligible for bus and rail operations and capital projects.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This is an assessment obligation for Metro to pay based on a locally-formed district's decision to assess a fee. Assuring timely participation in BIDs therefore provides responsive, accountable, and trustworthy governance as stated in Strategic Plan Goal #5.

ALTERNATIVES CONSIDERED

The Board could continue to require approval of new BIDs. This is not recommended as the likely outcome would be a delayed return of BID ballots which would negate Metro's affirmation or re-affirmation to establish and participate in a BID among the communities of its various operating lines.

NEXT STEPS

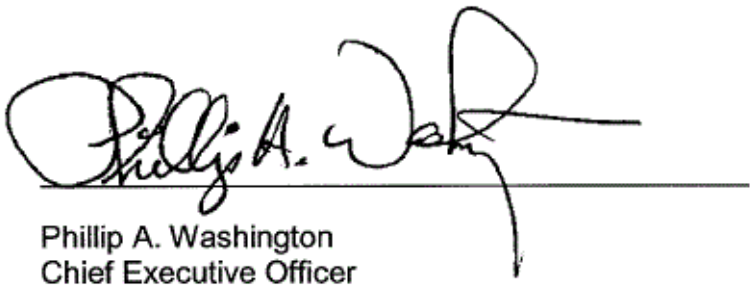
Upon Board approval, staff will begin routing to the CEO for approval and signature all BID petitions, ballots and other related documents for participation in state-authorized business improvement districts and any other benefit assessment district as defined under California law, where the total assessment over the term of the BID does not exceed $500,000.

ATTACHMENTS

Attachment A - BID Guidelines

Prepared by: John Beck, Sr. Real Estate Officer, Countywide Planning & Development, (213) 922-4435
John Potts, Executive Officer, Countywide Planning & Development, (213) 928-3397
Holly Rockwell, Sr. Exec. Officer - Real Estate, Transit Oriented Communities and Transportation Demand Management, (213) 922-5585

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



Phillip A. Washington
Chief Executive Officer

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Metro

REVISED
FINANCE, BUDGET AND AUDIT COMMITTEE
MAY 14, 2014

SUBJECT: GUIDELINES ON LACMTA'S PARTICIPATION IN PROPOSED BENEFIT ASSESSMENT DISTRICTS (BID)

ACTION: DELEGATION OF AUTHORITY

RECOMMENDATION

Delegate authority to the Chief Executive Officer to determine the Los Angeles County Metropolitan Transportation Authority's ("LACMTA") participation in Benefit Assessment District where the total assessment over the term of the BID does not exceed $500,000, **and where the action represents a renewal of a BID previously approved by the Board.**

BACKGROUND

The MTA Board adopted Guidelines on LACMTA Participation in Proposed Assessment Districts ("Guidelines") in June 1998 (See Attachment A). The Guidelines require staff to analyze each assessment district and/or improvement based on whether they improve MTA property or facility, benefit MTA employees, benefit Metro's passengers, or reduce costs for the agency. Staff is to provide the Board with an analysis, on a case by case basis, that determines whether MTA property benefits from the proposed services or improvements; and whether the benefit to the property exceeds the cost of the assessment. Based on the guidelines, the Board must determine whether or not to participate in the proposed district.

DISCUSSION

The existing policy specifically requires that staff analyze each new assessment district's services and provide the MTA Board with an analysis, on a case by case basis. Many of the BIDS are at levels that are significantly below the current delegated authority of the Chief Executive Officer of $500,000. In addition, the analysis of the benefit to LACMTA is routine and warrants the agency's participation. **Staff would prepare the same level of review and analysis of the benefits of participation in the BID and submit to the CEO for review and approval.** In any case where the total assessment **for a BID's renewal** exceeds $500,000 over the term of the BID, the

analysis will be completed and submitted to the Board for approval. **Any participation in a newly proposed BID will be subject to Board approval.** ~~Staff would still prepare the same level of review and analysis of the benefits of participation in the BID and submit to the CEO for review and approval.~~

DETERMINATION OF SAFETY IMPACT

The Board action will not have an impact on safety standards for Metro. However, generally a BID's safety program will increase safety and crime prevention in the area around LACMTA owned properties.

FINANCIAL IMPACT

LACMTA currently participate in ~~40~~ **41** BIDs and street lighting districts. The annual budget as of FY14 is approximately ~~$517,~~000.00. Funding to participate in the established BIDs is included in Cost Center 0651, Account No. 50799 (Taxes). Funds are budgeted for each fiscal year. **Funding for the BIDS are allocated from the revenue generated from the General Fund - Right of Way Lease Revenue.**

ALTERNATIVES CONSIDERED

The Board could not approve this recommendation to delegate authority to the Chief Executive Officer and staff would continue to bring **BID renewals** ~~these requests~~ to the Board for approval. The efficiency and the time involved in agendizing the request on the Board's agenda is often constrained by the timeline established by the BID to obtain MTA's approval. In those cases, MTA would not **be able to** sign the petition circulated to property owners affected by the BID **for renewals.**

ATTACHMENTS

Attachment A Guidelines on MTA Participation in Proposed Assessment District dated June 18, 1998

Prepared by: Velma C. Marshall, Deputy Executive Officer – Real Estate
(213) 922-2415

Calvin E. Hollis, Managing Executive Officer- Countywide Planning and Development
(213) 922-7319

Martha Welborne, FAIA
Chief Planning Officer

Arthur T. Leahy
Chief Executive Officer

GENERAL GUIDELINES
for MTA Participation in Proposed Assessment Districts

1. MTA Participation in Assessment Districts

Assessment districts can provide a wide variety of services and improvements. However, the MTA must decide individually whether or not specific MTA property benefits from such services and improvements. Such determination shall be dependent upon:

- the use of MTA property, and
- the services or improvements provided by the assessment district.

2. Evaluation Criteria

The following criteria shall be used to evaluate whether or not an assessment district services and/or improvements will benefit MTA is the extent that the services or improvements specifically:

- improve MTA property or facilities,
- benefit MTA employees,
- benefit the MTA riding public, or
- reduce costs for the MTA.

3. Determination of Benefit

Each proposed assessment district containing MTA property will be analyzed on a case-by-case basis; however, general guidelines for determining benefit to MTA properties are as outlined in the following:

TIER 1 - NO BENEFIT

- Subsurface easements
- Aerial easements
- Rights of Way

TIER 2 - MINOR OR NO POTENTIAL BENEFIT

- Vacant Land
- Parking Lots

- Bus Layovers

TIER 3 - MINOR OR SOME POTENTIAL BENEFIT

- Bus Divisions
- Bus Terminals
- Customer Service Centers
- USG Headquarters Building
- Maintenance Facilities
- Rail Division
- Rail Terminus
- Stations

TIER 4 - ACTUAL BENEFIT

- Joint Development Projects

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Los Angeles, CA

File #: 2019-0613, **File Type:** Contract **Agenda Number:** 19.

FINANCE, BUDGET AND AUDIT COMMITTEE
OCTOBER 16, 2019

SUBJECT: TRANSACTION AND USE TAX REVENUE FORECAST AND RECOVERY SERVICES

ACTION: AWARD CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a five-year contract No.PS63897 to MuniServices, An Avenu Insights & Analytics Company (MuniServices) for the following:

A. transaction and use tax forecasting at a firm fixed amount of $20,000 a year, or $100,000 for the full five-year period; and

B. transaction and use tax recovery services on a contingency basis, paid only if revenues are recovered through a review of sales tax submissions to the California Department of Tax and Fee Administration (CDTFA), at the following rates:

Recoveries	Fee %
Under $5M	9%
$5M - 10M	9%
$10M - $15M	8%
Over $15M	8%

ISSUE

The existing five-year transaction and use tax recovery and forecasting service contract with MuniServices will expire on December 31, 2019.

BACKGROUND

Los Angeles County Metropolitan Transportation Authority (Metro) requires transaction and use tax (sales tax) recovery services including the review of internet sales to insure the correct collection, allocation, and distribution of Propositions A and C and Measures R and M sales taxes to Metro. In order to recover transaction and use taxes incorrectly allocated to other jurisdictions, Metro must examine Los Angeles County businesses' quarterly sales tax reports and file claims with the California Department of Tax and Fee Administration (CDTFA) when errors are noted. Additionally, Metro will require increased emphasis on internet sales to realize the revenue generated from retailers located outside of California, who are now required to collect and pay taxes due to the

implementation of the Wayfair decision and California AB147.

MuniServices assists Metro in sales tax forecasting by identifying new sales permits and closed permits for a bottom up assessment of future sales activity in Los Angeles County. It is one of the major sales tax forecasting sources that Metro depends on when developing its short-term and long-term budget plans.

DISCUSSION

Findings

The current contract was awarded through a competitive procurement in November 2014 to MuniServices, the only firm that submitted a proposal. MuniServices has a well-established tax review program to help recover Metro's tax revenue. They identify and file claims on our behalf on sales tax reporting errors and deficiencies. Errors may be caused by a business incorrectly identifying the county on the CDTFA form, not applying the tax to all sales, or applying an incorrect tax rate. Deficiencies are usually identified by comparing the amount Metro received to the local tax allocations the city the business is located in received. Over the last 19 ½ years of contract work, MuniServices has recovered approximately $42.9 million in revenues for Metro. Currently over 150 local governmental entities, including Bay Area Rapid Transit, Santa Clara Valley Transportation Authority and Riverside County Transportation Authority contract with MuniServices for transaction and use tax recovery or forecasting services.

DETERMINATION OF SAFETY IMPACT

Approval of this report will not impact the safety of our patrons or employees.

FINANCIAL IMPACT

The funding of $20,000 for sales tax forecasting is included in the FY20 budget, in Treasury Department cost center #5210, project numbers 100002 (4%), 300076 (43%), and 610340 (53%). Since this is a multi-year contract, the cost center manager and Executive Officer will be accountable for budgeting the cost in future years. In FY19, $20,000 was expended on forecasting services.

During the 19 ½ years under contract, MuniServices has earned contingency fees of approximately $6.4 million. Fees for MuniServices revenue recovery services will be deducted from actual gross recovered revenues when realized. MuniServices has agreed to the following fee schedule: contingency fee compensation of 9% for the first $5 million in recoveries, 9% for the next $5 million, 8% for the next $5 million and 8% for anything over $15 million. Assuming $20 million revenue recovered during the 5-year term, Metro saves $850,000 under the new fee schedule compared to the existing contract.

IMPACT TO BUDGET

The funding for this service comes from a combination of General Fund - Prop A, C, TDA Admin, Enterprise Fund - Bus and Rail Operations Fund and Special Revenue Fund - Measure R and

Measure M Admin. Any recovered revenues from Propositions A and C and Measures R and M will increase Bus and Rail Operating Funds.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports strategic plan goal #5.2 “Metro will exercise good public policy judgment and sound fiscal stewardship” by insuring the correct collection, allocation, and distribution of Propositions A and C and Measures R and M sales taxes to Metro.

ALTERNATIVES CONSIDERED

The alternative is to perform these services in-house. This is not recommended as Metro has neither the staff resources nor in-house expertise to monitor and review all aspects of sales tax transactions unique to transit districts. Metro benefits from the expertise of a specialized contractor as well as gaining an independent forecasting source to compliment other sources of data currently in use.

If Metro performed the function in-house, Metro risks losing transaction and use tax data and revenue.

NEXT STEPS

Upon Board approval, staff will execute Contract No.PS63897 to MuniServices effective January 1, 2020 to provide transaction and use tax recovery and forecasting services.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared by: Jin Yan, Principal Financial Analyst, (213) 922-2127
Mary E. Morgan, DEO, Finance, (213) 922-4143

Reviewed by: Nalini Ahuja, Chief Financial Officer, (213) 922-3088
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY
TRANSACTION AND USE TAX REVENUE FORECAST AND RECOVERY SERVICES
PS63897000

1.	**Contract Number**: **PS63897000**	
2.	**Recommended Vendor**: MuniServices, LLC	
3.	**Type of Procurement (check one):** ☐ **IFB** ☒ **RFP** ☐ **RFP–A&E** ☐ **Non-Competitive** ☐ **Modification** ☐ **Task Order**	
4.	**Procurement Dates**:	
	A. Issued: July 10, 2019	
	B. Advertised/Publicized: July 10, 2019	
	C. Pre-Proposal Conference: Not Applicable	
	D. Proposals Due: July 29, 2019	
	E. Pre-Qualification Completed: September 22, 2019	
	F. Conflict of Interest Form Submitted to Ethics: August 12, 2019	
	G. Protest Period End Date: October 22, 2019	
5.	**Solicitations Picked up/Downloaded**: 9	**Bids/Proposals Received**: 2
6.	**Contract Administrator**: **James A. Nolan**	**Telephone Number**: **(213) 922-7312**
7.	**Project Manager**: **Jin Yan**	**Telephone Number**: **(213) 922-2127**

A. Procurement Background

This Board Action is to approve the award of Contract No. PS63897000 to MuniServices, LLC in support of Metro Treasury Department to provide transaction and use tax revenue forecast and recovery services beginning January 1, 2020. The current contract expires on December 31, 2019. Board approval of contract awards are subject to resolution of any properly submitted protest.

On July 10, 2019, Request for Proposal (RFP) PS63897 was issued in accordance with Metro's Acquisition Policy. The contract type is a firm fixed price for the transaction and use tax revenue forecasting services, and a percentage fee of actual revenue recovered amount for the transaction and use tax revenue recovery services.

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

Two proposals were received on the due date of July 29, 2019 from the firms listed below in alphabetical order:

1. HdL Companies
2. MuniServices, LLC

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Treasury and Office of Management and Budget (OMB) was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Qualification of the Firm 25%
- Qualification of Staff 15%
- Work Plan and Project Organization 30%
- Price/Fees: 30%

The evaluation criteria are appropriate for this procurement and are consistent with criteria developed for similar procurements. Several factors were considered when developing these weights, giving the greatest importance to work plan and project organization, as well as, pricing.

During the week of July 29, 2019, the PET met and evaluated the proposals in accordance with the evaluation criteria as published in the RFP.

The two proposals received were determined to be within the competitive range.

Qualifications Summary of Firms:

MUNISERVICES, LLC

MuniServices, LLC (MuniServices/an Avenu Insights & Analytic Company) is the incumbent contractor providing transaction and use tax audit recovery and forecasting services to Metro. They are headquartered in Fresno, CA and have a local office in Los Angeles County. MuniServices has experience in providing audit recovery and forecasting services for over 150 large and small government and transportation agencies.

HdL COMPANIES

HdL Companies (Hinderliter, de Llamas and Associates) was founded in 1983 and provides revenue management services to local governments, transaction tax districts and special districts. HdL maintains a staff of over 150 specialists in performing audits, analysis and software support. HdL currently serves over 500 local government agencies in six states. HdL provides audit and management services to 167 transaction tax districts.

The following is a summary of the PET's evaluation scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**MuniServices, LLC**				
3	Qualification of the Firm	91.60	25.00%	22.90	
4	Qualification of Staff	94.67	15.00%	14.20	
5	Work Plan and Project Organization	96.00	30.00%	28.80	
6	Price/Fees	98.30	30.00%	29.49	
7	**Total**		**100.00%**	**95.39**	**1**
8	**HDL Companies**				
9	Qualification of the Firm	78.40	25.00%	19.60	
10	Qualification of the Staff	94.00	15.00%	14.10	
11	Work Plan and Project Organization	76.00	30.00%	22.80	
12	Price/Fees	80.00	30.00%	24.00	
13	**Total**		**100.00%**	**80.50**	**2**

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon adequate competition, comparative price analysis of the competing proposal, independent cost estimate (ICE), and technical evaluation.

(a) Forecasting Fee	Proposer Name	Proposal Amount	Metro ICE	NTE amount
1.	MuniServices, LLC	$100,000	$150,000	$100,000
2.	HDL Companies	$90,000	$150,000	

(b) Recovery Fee	Proposer Name	Proposal Amount *	Fee Basis	Amount
1.	MuniServices, LLC	$1,700,000	**Contingency based and will be deducted from the actual revenues when**	$1,700,000

			realized	
2.	HDL Companies	$2,250,000	**Contingency based and will be deducted from the actual revenues when realized**	$2,250,000

* Assuming a total of $20 million revenue recovery for the 5-year term. Recovery fees are contingency based and will be deducted from actual recovered gross revenues when realized.

D. Background on Recommended Contractor

The recommended firm, MuniServices, LLC, headquartered in Fresno, CA with offices in Los Angeles, has been in business since 1978. This firm employs about 800 people and is a leader in the field of compliance auditing, tax and license administration, IT management solutions and tax revenue audit and recovery. MuniServices has provided its services to state and local government jurisdictions and municipalities in California, Florida, Georgia, Nevada, Pennsylvania, Texas and the District of Columbia. This firm has provided services to Metro for over 19 years, and is the incumbent contactor. In that time, MuniServices has recovered over $42 million dollars for Metro.

DEOD SUMMARY

TRANSACTION AND USE TAX REVENUE FORECAST AND RECOVERY SERVICES CONTRACT NO. PS63897000

A. Small Business Participation

The Diversity & Economic Opportunity Department (DEOD) did not establish a Small Business Enterprise/Disabled Veteran Business Enterprise (SBE/DVBE) participation goal for this procurement based on the lack of subcontracting opportunities. According to the Project Manager, the nature of the work and the requirements for strict control of the information gathered does not allow Metro to split off part of the work or allow a prime contractor to accept work provided by another vendor. MuniServices will perform the listed work with its own workforces.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

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

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

Metro

Board Report

File #: 2019-0673, **File Type:** Agreement **Agenda Number:** 20.

FINANCE, BUDGET AND AUDIT COMMITTEE
OCTOBER 16, 2019

SUBJECT: FIRST AMENDMENT TO AMENDED AND RESTATED PARKING LICENSE AGREEMENT WITH WEST ANGELES CHURCH OF GOD IN CHRIST FOR TRANSIT PARKING AT 3500 CRENSHAW BOULEVARD IN LOS ANGELES

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute a First Amendment to the existing License Agreement ("First Amendment") with West Angeles Church of God in Christ ("Landlord"), for the use of 450 parking spaces at a parking garage located at 3500 Crenshaw Boulevard, Los Angeles ("Parking Garage") for five additional years commencing January 1, 2020 at a monthly rate of $57,608 for a total value of $4,418,999 including annual escalations of approximately two percent. There are three five-year options to extend the term under the existing lease through December 31, 2040.

ISSUE

Metro has had a license with the Landlord to use parking spaces in the Parking Garage since April 2, 2012. In 2015, Metro determined that it had overestimated the parking demand at the Expo Crenshaw Station and entered into a new license to reduce the number of parking spaces by half from 450 to 225 parking spaces.

Due to the anticipated opening of the Crenshaw/LAX transit line in 2020, Metro Parking Management anticipates there will be an increased demand for parking at the Parking Garage and has determined that it is now time to revise the agreement to lease all the 450 spaces available in the Parking Garage again and implement the Supportive Transit Parking Program to support the operation of the new transit corridor.

DISCUSSION

The Parking Garage owned by the Landlord has served as the park-and-ride facility for the Expo/Crenshaw Station since 2012. With the upcoming operation of the Crenshaw/LAX transit line, staff expects increased parking demand at the garage. The Expo/Crenshaw Station will be the northern terminus of the Crenshaw/LAX transit corridor and is one of only three stations on the corridor that provide a park-and-ride function. The new Crenshaw/LAX transit corridor also connects

to Los Angeles International Airport, so parking demand is expected to rise significantly.

Along with the anticipated increased parking demand, the Parking Garage is also replacing the original planned park-and-ride facility at the Expo/Crenshaw Station. The original park-and-ride facility will be replaced with a transit-oriented development project. Metro has received concurrence from the FTA to use the Parking Garage to provide park-and-ride function for both lines.

Real Estate Asset Management has negotiated market rental terms to rent 450 parking spaces for a five-year term extension. The resulting amendment ensures Metro retains access to these parking spaces through 2040.

Equity Platform

This project aligns with Metro's equity platform by facilitating access to the Expo/Crenshaw Station by Expo Line customers.

DETERMINATION OF SAFETY IMPACT

Providing secure parking in close proximity to the Crenshaw Station makes for safer travel to the station for Metro riders.

FINANCIAL IMPACT

Approval of the First Amendment with West Angeles Church of God in Christ will cost a total of $4,418,999 over the additional five-year term of the license. This cost is inclusive of the annual Consumer Price Index increases to the operating expense portion of the rent provided for in the terms and conditions of the agreement.

Impact to Budget

Real Estate has planned and submitted the cost of this First Amendment as part of its FY2020 Non-Departmental Real Estate Cost Center budget (0651) under the Expo Line Project 300066. Funding for any subsequent options will be requested during the Metro annual budget process. Funds used are eligible for rail operating expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This project addresses strategic goal #2 to provide "outstanding trip experiences for all" addressing station parking availability that may negatively impact a customer's decision to use public transportation.

ALTERNATIVES CONSIDERED

The alternative is to not increase the number of spaces leased for the station and continue with the current lease as is. This alternative does not consider increased parking demand due to new

operations and minimal parking resources available along the new line.

NEXT STEPS

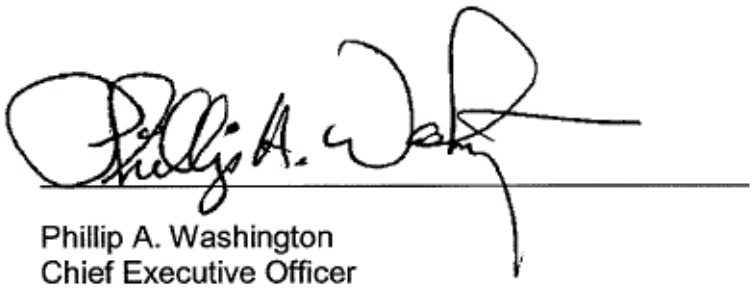
The Metro-executed lease will be delivered to the Landlord for counter-signature.

ATTACHMENTS

Attachment A - Aerial Map of Property Location and Expo/Crenshaw Station
Attachment B - Deal Points

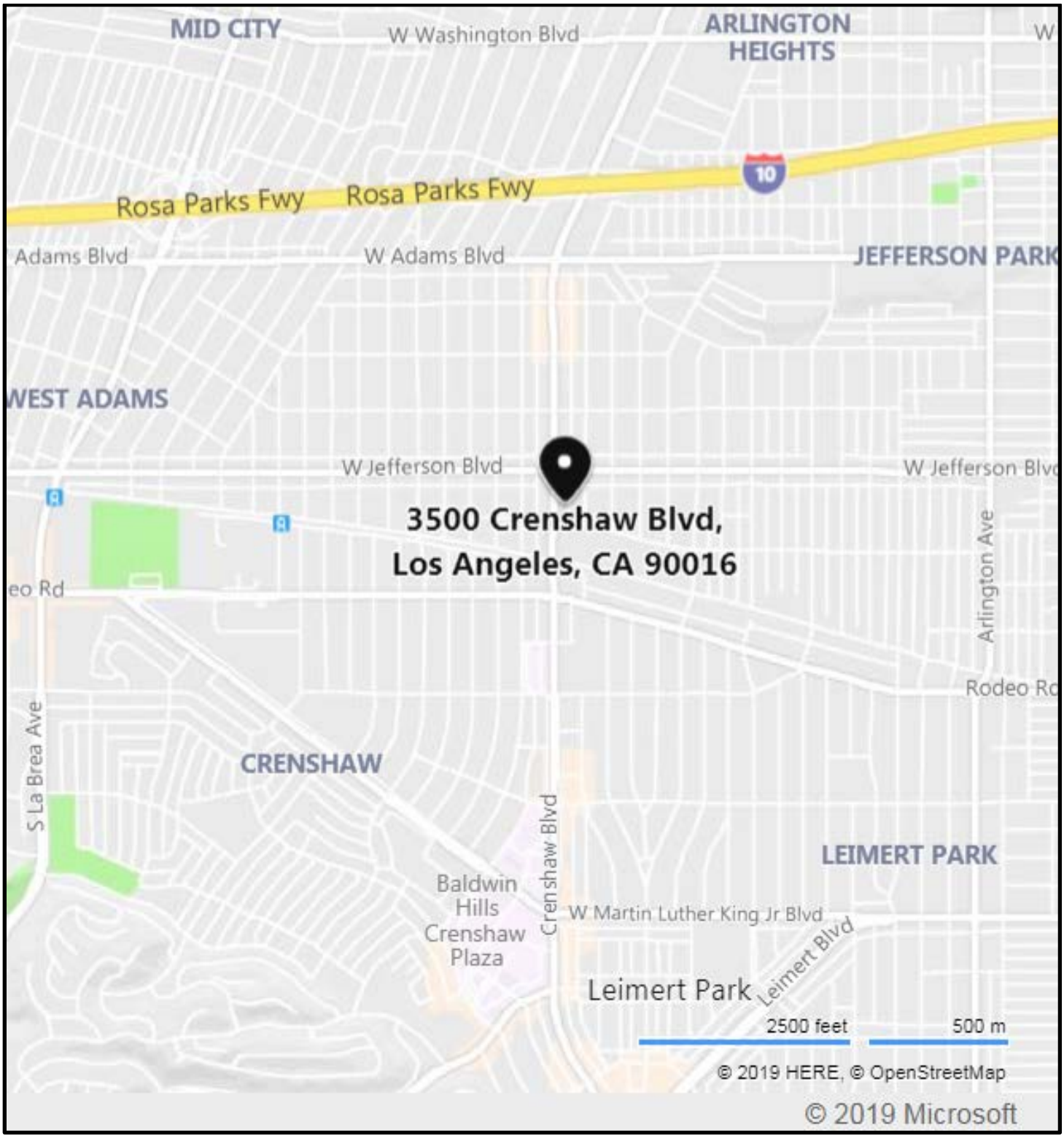
Prepared by: John Beck, PREO, Countywide Planning & Development (213) 922-4435
Shannon Hamelin, Sr. Director, Parking Management (213) 418-3076
Frank Ching, DEO, Countywide Planning & Development (213) 922-3033
John Potts, EO, Countywide Planning & Development (213) 418-3397
Holly Rockwell, SEO, Countywide Planning & Development (213) 922-5585

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



Phillip A. Washington
Chief Executive Officer

Attachment A – License Location



Attachment B – Deal Points

New or renewal	First Amendment
Landlord/Owner	West Angeles Church of God in Christ
Location	3500 Crenshaw Boulevard, Los Angeles
Size	450 parking spaces in a parking structure
Purpose	Parking for Expo Line and other nearby Metro properties
Duration (note any extensions)	Five additional years with three five-year options to extension under the current license for a total of 20 years through 2040.
Total Cost	$4,418,999 over the amended term through 12/31/2025 for an average annual rent of $736,500. This includes year-over-year CPI increases to the operating portion of the rental rate.
Early Termination Clauses	Unchanged. Metro can terminate this license with 60 days' notice and payment of $50,000 termination fee.
Determination of Lease Value	The base rental rate is within market, based on a survey of parking structures in a three-mile radius.
Background with this Landlord	Same landlord as the original license.
Special Provisions	None.

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File #: 2019-0676, **File Type:** Contract **Agenda Number:** 21.

FINANCE, BUDGET AND AUDIT COMMITTEE
OCTOBER 16, 2019

SUBJECT: ORACLE PRIMAVERA UNIFIER APPLICATION USER LICENSES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 2 to Contract No. PS54707001, with Mythics Inc., for 220 additional Oracle Primavera Unifier Application User Licenses for a firm fixed price of $495,887, increasing the total contract value from $991,774 to $1,487,661, and extending the contract term through October 31, 2020.

ISSUE

The existing contract document management system for Program Management is being replaced as the prior product was retired by Oracle. Contract document management is the electronic document exchange including review between Metro and contractors. Additionally, the system provides change and cost control functionality. Oracle Primavera Unifier software is being implemented to replace the prior system and to improve technology for document management.

As the software was initially implemented, the need for additional licenses arose to support the increased number of capital projects underway with Measure R and in development with Measure M. Staff is requesting Board approval for the Contract Modification as the total Contract value exceeds Metro's Chief Executive Officer's delegation of contracting authority.

BACKGROUND

In 2009, Metro deployed a Program Management Information System (PMIS) to facilitate program wide project tracking, contract document administration and management reporting. PMIS was implemented to maximize efficiencies through automation, standardization, and provide program performance transparency. The system utilized the latest version of Oracle Primavera software that has been configured to support the program wide reporting requirements. Software applications included Oracle Primavera P6, Professional, Project Status, Oracle Primavera Contract Management (CM14), Microsoft® SharePoint 2016, and EcoSys EPC. All applications were integrated to the organizational financial system in Oracle E Business Suite.

In 2016, Oracle determined that Primavera Contract Manager had reached the end of its product life

and was retired from support. The replacement project identified for contract document administration and cost control was Oracle Primavera Unifier. System implementation began for the new product in 2017.

In November 2018, Mythics, Inc. was awarded the Oracle Primavera Unifier Software contract for an amount of $495,887 to provide 220 application user licenses. Mythics, Inc. offered a competitive discount and price hold for additional software licenses within one year of purchase. Contract Modification 1 was issued in March 2019 for an amount of $495,887 to provide 220 additional application user licenses. As new Measure M projects begin implementation, there is a need for additional 220 user software licenses.

DISCUSSION

Metro has deployed the PMIS to facilitate program-wide project tracking, administration and management reporting. The system utilizes the latest version of Oracle Primavera software configured to support electronic document exchange for document control, change control, and cost control.

Document Control - involves electronic document exchange of major contract deliverables including the review and approval of documents. Contract document database logs are maintained including a document repository to protect the overall integrity of contract project records.

Change Control - contains configuration management of contract change requests and modifications for both professional services and construction contracts. Contract change database logs are maintained to document pertinent reasons for changes and costs associated.

Cost Control - comprises a centralized cost database that is automated to other systems for financial data integration and utilized for cost reporting of budget, actuals and forecast. Cost logs are maintained for reporting and to review variances and trends.

DETERMINATION OF SAFETY IMPACT

Procuring this software will not have any impacts on the safety of our customers and/or employees.

FINANCIAL IMPACT

The FY20 budget includes an aggregate of $495,887 in Cost Centers 8510 and 8610, in projects 465521 East San Fernando Transit Corridor, 460201 West Santa Ana Branch Transit Corridor, and 100055 Measure R Administration. This recommendation is a onetime purchase however on-going future maintenance costs will be budgeted through the annual budget process and allocated to agency overhead.

Impact to Budget

The sources of the funds are from the respective projects and comprised of mostly Measure R Administration, Measure R 35% and Measure M 35%. These funds are designated for transit expansion projects identified in the Measure R and M ordinance and are not eligible for operating

purposes. No other funds were considered.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this recommendation supports the following Metro Strategic Plan Goal: Provide high-quality mobility options that enable people to spend less time travelling. This project will help expand the transportation system with targeted infrastructure and service investments. These investments deliver increased safety, improved air quality, and better access for all whom live, work, and play within LA County.

ALTERNATIVES CONSIDERED

The Board could consider not procuring this software in favor of increased staff labor with manual document review. This option is not recommended as document review timeliness is tied to reducing costs for construction projects. In addition, efficient document exchange serves to reduce contract claim exposure and project delays.

NEXT STEPS

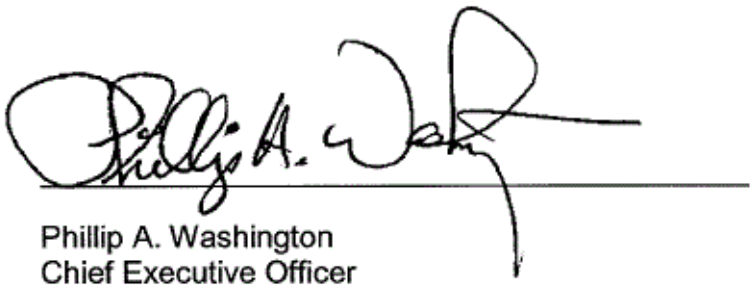
Upon Board approval, staff will execute Contract Modification No. 2 with Mythics, Inc. to Contract No. PS54707001 to provide 220 additional Oracle Primavera Unifier software licenses.

ATTACHMENTS

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

Prepared by: Julie Owen, DEO, Program Control, Program Management (213) 922-7313
Brian Boudreau, Sr. Executive Officer Program Control, Program Management, (213) 922-2474

Reviewed by: Rick Clarke, Chief Program Management Officer, (213) 922-7557
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

ORACLE PRIMAVERA UNIFIER APPLICATION USER LICENSES PS54707001

1.	**Contract Number**: PS54707001			
2.	**Contractor**: Mythics, Inc.			
3.	**Mod. Work Description**: Procure 220 Additional Oracle Primavera Unifier Application User Licenses			
4.	**Contract Work Description**: Contractor shall provide 220 Oracle Primavera Unifier Application User Licenses and Oracle Autovue 2D Professional Application User License with annual software maintenance			
5.	**The following data is current as of**: August 23, 2019			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	11/30/18	**Contract Award Amount:**	$495,887
	Notice to Proceed (NTP):		**Total of Modifications Approved:**	$495,887
	Original Complete Date:	03/31/20	**Pending Modifications (including this action):**	$495,887
	Current Est. Complete Date:	10/31/20	**Current Contract Value (with this action):**	$1,487,661
7.	**Contract Administrator**: Annie Duong		**Telephone Number**: (213) 418-3048	
8.	**Project Manager**: Julie Owen		**Telephone Number**: (213) 922-7313	

A. Procurement Background

This Board Action is to approve Contract Modification No. 2 to Contract No. PS54707001 for 220 additional Oracle Primavera Unifier Application User Licenses.

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

On November 30, 2018, Contract No. PS54707001 was issued to Mythics, Inc. in a firm fixed price amount of $495,887 to provide 220 Oracle Primavera Unifier Software application user licenses and Oracle Autovue 2D Professional Application User License with annual software maintenance.

On March 28, 2019, Metro's Board of Directors approved Contract Modification No. 1 to Contract No. PS54707001 for the firm fixed price amount of $495,887 to provide 220 additional Oracle Primavera Unifier Software application user licenses and

Oracle Autovue 2D Professional Application User License with annual software maintenance.

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 price analysis, technical evaluation, historical pricing and independent cost (ICE). Mythics, Inc. offered a competitive discount from catalog price for the additional software license.

Proposal Amount	Metro ICE	Negotiated Amount
$495,887	$530,000	$495,887

ATTACHMENT B

CONTRACT MODIFICATION / CHANGE ORDER LOG

ORACLE PRIMAVERA UNIFIER APPLICATION USER LICENSES / PS54707001

Mod. No.	Description	Status (approved or pending)	Date	$ Amount
1	Procurement of 220 additional Oracle Primavera Unifier Application User Licenses	Approved	03/29/19	$495,887
2	Procurement of 220 additional Oracle Primavera Unifier Application User Licenses	Pending	10/24/19	$495,887
	Modification Total:			**$991,774**
	Original Contract Amount:			**$495,887**
	Total:			**$1,487,661**

DEOD SUMMARY

ORACLE PRIMAVERA UNIFIER APPLICATION USER LICENSES/PS54707001

A. Small Business Participation

The Diversity & Economic Opportunity Department (DEOD) did not establish a Small Business Enterprise/ Disadvantaged Veteran Business Enterprise (SBE/DVBE) goal for this procurement due to the Oracle Primavera Unifier Application proprietary software licenses and technology. It is expected that Mythics, Inc., an authorized Oracle Primavera reseller, will perform the services with its own workforce.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage / 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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of $2.5 million.

Los Angeles County
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3rd Floor Board Room
Los Angeles, CA

Metro

Board Report

File #: 2019-0653, **File Type:** Contract **Agenda Number:** 28.

SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
OCTOBER 17, 2019

SUBJECT: UNIFORM RENTAL SERVICES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to Execute Modification No. 3 for Contract No. OP671430003367 with Prudential Overall Supply, to continue providing uniform rental services by exercising and increasing the value of the one, three-year option term by $600,000, from $3,372,104.00 to $3,972,104.00, increasing the not-to-exceed contract value from $3,447,304.00 to $7,419,408.00, and extending the contract term from February 1 2020 to January 31, 2023.

ISSUE

Per the current ATU and TCU Collective Bargaining Unit agreements Metro is required to provide each of the unit employees 11 uniforms per person as well as provide laundry services for such regulation uniforms. Currently, uniform rental services are provided to over 2,585 Metro represented labor employees as well as providing vehicle seat covers and laundry services for hand towels and floor mats.

The existing three-year base contract term expires on January 31, 2020. The contractor has been providing satisfactory uniform rental services.

To avoid uniform rental services interruption, a contract modification is required to exercise and increase the one, three-year option term from $3,372,104.00 to $3,972,104.00, and extend the period of performance through January 31, 2023.

BACKGROUND

On January 19, 2017, Metro Board of Directors awarded Contract No. OP671430003367 to Prudential Overall Supply to provide uniform rental services for approximately 2,300 Metro represented labor employees as well as providing vehicle seat covers and laundry services for hand towels and floor mats.

DISCUSSION

Under the existing contract, 8% SBE/DVBE goal was established. The contractor exceeded the goal with 2.7% SBE commitment and 6.3% DVBE commitment for a total combined commitment of 9%.

For the existing contract, the number of employees receiving uniform rental services has increased by 285 from 2,300 to 2,585 to accommodate expansion projects and maintenance needs system-wide.

In addition, during FY20, 200 bus mechanics' uniforms will change from the cotton blend to the Flash Resistant (FR) uniforms to accommodate their job duties performing maintenance services on Metro's new fleet of electric buses.

These changes will result in a cost increase of $600,000 for the one, three-year option term, from $3,372,104.00 to $3,972,104.00.

Staff continues to work closely with the ATU representatives and employees to ensure delivery of timely and quality services. Under this contract, improvements implemented include but are not limited to replacing all 376 aged lockers with new bigger size units throughout Metro bus and rail facilities, posting signs throughout Metro facilities to improve employee awareness of the scheduled uniform pick-up dates, implementing new uniform service request procedures and forms, along with ongoing oversight of contractor's performance and service delivery, and maintaining effective communications among all parties involved to ensure quality and timely service delivery.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the supply of uniforms that clearly identify Metro represented labor employees and continue delivering safe, quality, on-time and reliable services system-wide.

FINANCIAL IMPACT

Funding of $937,936 for this contract is included in the FY20 budget cost center 8370 - Contracts and Administration, account 50215, F/B Uniforms, under various projects.

Since this is a multi-year contract, the Sr. Director, Facilities Maintenance, and the Sr. Executive Officer, Maintenance and Engineering will be accountable for budgeting the cost in future years.

Impact to Budget

The source of funds for this action will come from state and local funds including fares that are eligible for Bus and Rail Operating Projects. These funding sources will maximize funds used on approved funding allocation provisions.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This board action supports Strategic Goal 5; Provide responsive, accountable, and trustworthy governance within the Metro organization. By providing uniforms to represented employees, Metro is

in compliance with both ATU and TCU Collective Bargaining Unit agreements.

ALTERNATIVES CONSIDERED

Staff considered purchasing uniforms, hand towels, mats, and vehicle seat covers, along with providing in-house laundry services. This consideration would require the hiring and training of additional personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibilities. The staff assessment indicates this is not a cost-effective or efficient option for Metro.

NEXT STEPS

Upon approval by the Board, staff will execute Modification No. 3 for Contract No. OP671430003367 with Prudential Overall Supply, to continue providing uniform rental services by exercising and increasing the value of the one, three-year option term by $600,000, from $3,372,104.00 to $3,972,104.00, increasing the total contract not-to-exceed amount from $3,447,304.00 to $7,419,408.00, and extending the contract term from February 1, 2020 to January 31, 2023.

ATTACHMENTS

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

Prepared by: Brady Branstetter, DEO, Facilities Maintenance, (213) 922-6767
Lena Babayan, Sr. Director, Facilities Maintenance, (213) 922-6765

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

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

UNIFORM RENTAL SERVICES/OP671430003367

1.	**Contract Number**: OP671430003367			
2.	**Contractor**: Prudential Overall Supply			
3.	**Mod. Work Description**: Exercise option, increase contract value, and extend contract term			
4.	**Contract Work Description**: Provide uniform rental services			
5.	**The following data is current as of**: 9/3/19			
6.	**Contract Completion Status**		**Financial Status**	
	Contracts Awarded:	1/19/17	**Contracts Award Amounts:**	$3,372,104
	Notice to Proceed (NTP):	2/15/17	**Total of Modifications Approved:**	$75,200
	Original Complete Date:	1/31/20	**Pending Modifications (including this action):**	$3,972,104
	Current Est. Complete Date:	1/31/23	**Current Contracts Values (with this action):**	$7,419,408
7.	**Contract Administrator**: Rommel Hilario		**Telephone Number**: (213) 922-4654	
8.	**Project Managers**: Alberto Garcia		**Telephone Numbers**: (213) 922-6762	

A. Procurement Background

This Board Action is to approve Modification No. 3 to Contract No. OP671430003367 with Prudential Overall Supply to exercise the three-year option term to provide uniform rental services for Metro represented labor employees. Modification No. 3 also includes a $600,000 increase in contract authority for the base term for 285 additional maintenance personnel and increase in uniform costs for 200 bus mechanic uniforms which will change from the cotton blend to the Flash Resistant (FR) uniforms to accommodate their job duties performing maintenance services on Metro's new electric buses.

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

In January 2017, the Board approved a three-year contract, that included one, three-year option term, to Prudential Overall Supply to provide uniform rental services, which include laundry services, and providing of vehicle seat covers, hand towels and floor mats.

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 on rates that were evaluated as part of the competitive contract award in 2017. Rates remain unchanged and are subject to living wage rates set by Metro.

Modification Amount	Metro ICE	Negotiated Amount
$3,972,104	$3,972,104	$3,972,104

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

UNIFORM RENTAL SERVICES/OP671430003367

Mod. No.	Description	Date	Amount
1.	Purchase of new uniform lockers	6/21/17	$75,200
2	Add Payment Certification form	9/5/19	$0
3	Exercise 3-year Option Term and increase contract authority for base term	**PENDING**	**$3,972,104**
	Modification Total:		**$4,047,304**
	Original Contract:	**1/19/17**	**$3,372,104**
	Total Contract Value:		**$7,419,408**

ATTACHMENT C

DEOD SUMMARY

UNIFORM RENTAL SERVICES/OP671430003367

A. Small Business Participation

Prudential Overall Supply (POS) made a 9% commitment, inclusive of a 2.7% SBE and 6.3% DVBE commitment. The project is 40% complete and POS is exceeding their commitments with a current SBE participation of 10.04% and DVBE participation of 16.79%.

Small Business Commitment	2.7% SBE 6.3% DVBE	Small Business Participation	10.04% SBE 16.79% DVBE

	SBE Subcontractors	% Commitment	% Participation[1]
1.	Becnel Uniforms, Inc.	2.7%	10.04%
	SBE Total	**2.7%**	**10.04%**

	DVBE Subcontractors	% Commitment	% Participation[1]
1.	Image Gear, Inc.	6.3%	16.79%
	DVBE Total	**6.3%**	**16.79%**

[1]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 (LW/SCWRP) is not applicable to this modification.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this modification.

D. Project Labor Agreement/Construction Careers Policy

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

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

File #: 2019-0655, **File Type:** Contract **Agenda Number:** 29.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
OCTOBER 17, 2019

SUBJECT: GATEWAY BUILDING AND UNION STATION EAST COMPLEX ELEVATOR AND ESCALATOR SERVICES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 2 to Contract No. PS14643013 with Mitsubishi Electric to provide elevator and escalator maintenance services for Gateway Building, increasing the seven (7) year base contract not-to-exceed amount by $850,000, from $4,467,975 to $5,317,975, effective December 1, 2019.

ISSUE

In September 2014, during this contract's period of performance, Metro assumed all maintenance responsibilities for the Union Station East Portal, including the seven (7) elevators and three (3) escalators for a total of 10 units. These units were added to this contract under Modification No. 1, however, funds added as part of the modification are insufficient considering the required and ongoing maintenance services.

To continue providing the critical and state mandated maintenance services for the 10 elevators and escalators at Union Station East Portal, Contract Modification No. 2 is required to increase the seven (7) year base contract amount by $850,000 from $4,467,975 to $5,317,975, effective December 1, 2019.

BACKGROUND

On January 23, 2014, Metro Board of Directors awarded a seven (7) year base Contract No. PS14643013 to Mitsubishi Electric to provide state mandated elevator and escalator maintenance services for the Gateway Building.

In September 2014, Metro assumed all maintenance responsibilities for the Union Station East Portal, including the seven (7) elevators and three (3) escalators for a total of 10 units. These units were added to this contract under Modification No. 1, however, funds added as part of the modification are insufficient considering the required and ongoing maintenance services.

In 2015, this contract was transferred from General Services to Operations for oversight and management. Since then, Facilities Maintenance Contracts and Administration staff have been managing this contract and providing the critical and state mandated maintenance services in a timely manner to ensure units' availability and reliability.

DISCUSSION

Under this contract, Mitsubishi Electric provides maintenance services on all 26 elevators and seven (7) escalators in the Gateway Building and Union Station East Portal to ensure compliance with state mandated maintenance requirements and service reliability.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure service continuity for the elevators and escalators throughout the Gateway Building and Union Station East Portal in an effort to continue delivering safe, on-time, and reliable services.

FINANCIAL IMPACT

Funding of $418,036 for FY20 is allocated under cost center 8370 - Contracts and Administration, account 50308, Service Contract Maintenance, under project 100090.

Since this is a multi-year contract, the Sr. Director, Facilities Maintenance, and the Sr. Executive Officer, Maintenance and Engineering will be accountable for budgeting the cost in future years.

Impact to Budget

The source of funds for these services are allocated through General Overhead funding which is based on Metro's federally approved indirect-cost-allocation plan which distributes costs agency-wide including eligible Bus and Rail Projects. No other funds were considered because these funds are programmed for this use.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This Board action supports Strategic Goal 1) Provide high-quality mobility options that enable people to spend less time traveling, and Strategic Goal 2) Deliver outstanding trip experiences for all users of the transportation system. Specifically, the Gateway Building Elevator and Escalator Maintenance Service Contract ensures all units receive the state mandated and critical maintenance services necessary to provide safe, timely, and reliable service.

ALTERNATIVES CONSIDERED

Staff considered providing this service with in-house staff. This would require the hiring and training of additional personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibility. Staff's assessment indicates this is not a cost-effective option for Metro.

NEXT STEPS

Upon approval by the Board, staff will execute Modification No. 2 to Contract No. PS14643013 with Mitsubishi Electric to provide elevator and escalator maintenance services for Gateway Building and East Portal, increasing the seven (7) year base contract not-to-exceed amount by $850,000, from $4,467,975 to $5,317,975, effective December 1, 2019.

ATTACHMENTS

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

Prepared by: Brady Branstetter, DEO, Facilities Maintenance, (213) 922-6767
Lena Babayan, Sr. Director, Facilities Maintenance, (213) 922-6765

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

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

GATEWAY BUILDING AND UNION STATION EAST COMPLEX ELEVATOR AND ESCALATOR SERVICES/PS14643013

1.	**Contract Number**: PS14643013			
2.	**Contractor**: Mitsubishi Electric US, Inc., Elevator and Escalator Division			
3.	**Mod. Work Description**: Increase contract authority			
4.	**Contract Work Description**: On-going preventive maintenance and repair services of 26 elevators and seven escalators in the Gateway Building and Union Station East complex.			
5.	**The following data is current as of**: 9/3/19			
6.	**Contract Completion Status**		**Financial Status**	
	Contracts Awarded:	1/23/14	**Contracts Award Amounts:**	$3,852,225
	Notice to Proceed (NTP):	N/A	**Total of Modifications Approved:**	$615,750
	Original Complete Date:	2/28/21	**Pending Modifications (including this action):**	$850,000
	Current Est. Complete Date:	2/28/21	**Current Contracts Values (with this action):**	$5,317,975
7.	**Contract Administrator**: Rommel Hilario		**Telephone Number**: (213) 922-4654	
8.	**Project Managers**: Shaunt Avansian		**Telephone Numbers**: (213) 922-5931	

A. Procurement Background

This Board Action is to approve Contract Modification No. 2 in support of Facility Maintenance to provide critical and state mandated maintenance services for elevators and escalators at the Gateway Building and Union Station East complex.

This Contract Modifications will be processed in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rate.

In January 2014, the Board approved a seven-year contract to Mitsubishi Electric US, Inc., Elevator and Escalator Division, the highest rated proposer, to provide preventive maintenance and repairs of elevators and escalators in the Gateway Headquarters building elevators and escalators. In September 2014, Metro issued Modification No.1 to include maintenance and repair of elevators and escalators in the Union Station East complex.

Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon rates that were established as part of the competitive contract award in January 2014, and are subject to prevailing wages rates set by the State of California.

Modification Amount	Metro ICE	Negotiated Amount
$850,000	$850,000	$850,000

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

GATEWAY BUILDING AND UNION STATION EAST COMPLEX ELEVATOR AND ESCALATOR SERVICES/PS14643013

Mod. No.	Description	Date	Amount
1	Add units/equipment and maintenance costs	9/1/14	$615,750
2	Add funds for maintenance costs	**PENDING**	**$850,000**
	Modification Total:		**$1,465,750**
	Original Contract:	**1/23/14**	**$3,852,225**
	Total Contract Value:		**$5,317,975**

DEOD SUMMARY

GATEWAY BUILDING ELEVATOR AND ESCALATOR MAINTENANCE SERVICES / CONTRACT NO. PS14643013

A. Small Business Participation

Mitsubishi Electric made a Disadvantaged Business Enterprise (DBE) participation commitment of 5.00%. The project is 72% complete. Mitsubishi Electric is exceeding its DBE commitment with a current DBE participation of 9.75%.

Small Business Commitment	5% DBE	Small Business Participation	9.75% DBE

	DBE Subcontractors	Ethnicity	% Committed	Current Participation[1]
1.	Excelsior Elevator Corp.	Asian Pacific American	5.00%	9.75%
		Total	**5.00%**	**9.75%**

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

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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

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

File #: 2019-0633, **File Type:** Contract **Agenda Number:** 30.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
OCTOBER 17, 2019

SUBJECT: ENGINE OIL

ACTION: AWARD CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a two-year, indefinite delivery/indefinite quantity Contract No. VM61903000 to The Jankovich Company, the lowest responsive and responsible bidder for Engine Oil. The Contract one-year base amount is $900,905 inclusive of sales tax, and the one-year option amount is $967,638, inclusive of sales tax, for a total contract amount of $1,868,543, subject to resolution of protest(s), if any.

ISSUE

This procurement is for the acquisition of engine oil which is required for maintaining the safe and reliable operation of the bus fleet. Award of this contract will ensure that operating divisions and Central Maintenance Shops have adequate inventory to maintain the bus fleet according to Metro maintenance standards.

BACKGROUND

The Material Management usage reports revealed that on an annual basis nearly 120,000 gallons of engine oil was issued to Bus Maintenance in support of the bus preventive maintenance program. The engine oil is replaced by Metro Mechanics at the Central Maintenance Shops and at all bus operating divisions.

DISCUSSION

Engine oil is the lifeblood of an engine, providing lubrication and cooling to a complex system of fast moving mechanical parts. Routine engine oil changes are provided at all Metro bus operating divisions to ensure that used engine oil is replaced before it loses its chemical and mechanical properties, thus maximizing protection against wear. Engine oil is replaced in accordance with the manufacturer's recommendations and Metro's preventative maintenance program to ensure the performance and longevity of the bus fleet.

The contract to be awarded is a “requirements type” agreement in which we commit to order only from the awardee, up to the specified quantity for a specific duration of time, but there is no obligation

or commitment for us to order any or all of the engine oil that may be anticipated. The bid quantities are estimates only, with deliveries to be ordered and released as required. The Diversity and Economic Opportunity Department (DEOD) does not recommend a Disadvantaged Business Enterprise (DBE) goal or subcontracting for this procurement since suppliers are oil manufacturers that use their own tanker delivery trucks and will not assume the risk of allowing a third party to deliver hazardous products on their behalf.

Engine oil will be purchased, maintained in inventory, and managed by Material Management. As the engine oil is issued, the appropriate budget project numbers and accounts will be charged.

DETERMINATION OF SAFETY IMPACT

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

The used engine oil generated in the maintenance of buses at Metro divisions is accumulated in storage tanks. These storage tanks are evacuated in accordance with Department of Toxic Substances Control accumulation regulations. The used oil is transported by a licensed transporter and recycled at a permitted Treatment, Storage and Disposal Facility. The used oil shipments and recycling activities are documented on a Uniform Hazardous Waste Manifest to ensure the health and safety of residents of our local communities.

FINANCIAL IMPACT

The twelve (12) month funding of $900,905 for engine oil is included in the FY20 budget under project 306002 Operations Maintenance under line 50406, Lubricant-Revenue Equipment.

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

Impact to Budget

The source of funds for this procurement will come from Federal, State and local funding sources including fares that are eligible for Bus and Rail Operating or Capital Projects. These funding sources will maximize the use of funds for these activities.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The procurement of engine oil supports Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The engine oil will maintain the reliability of the bus fleet and ensure that our customers are able to arrive at their destinations without interruption and in accordance with the scheduled service intervals for Metro bus operations.

ALTERNATIVES CONSIDERED

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

NEXT STEPS

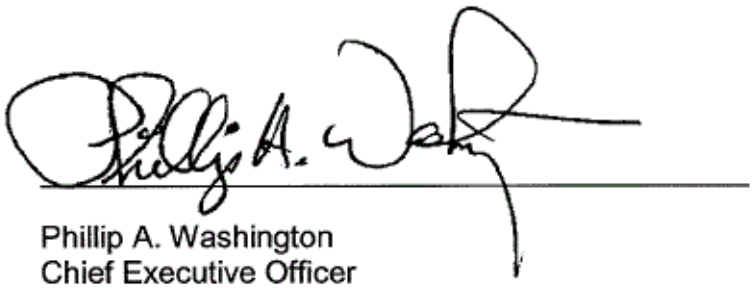
Metro's requirements for engine oil will be fulfilled under the provisions of the contract.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

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

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



Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

PROCUREMENT SUMMARY

PURCHASE OF ENGINE OIL

CONTRACT NO. VM61903000

1.	**Contract Number**: VM619030000	
2.	**Recommended Vendor**: The Jankovich Company, 14066 Garfield Avenue, Paramount, CA 90723	
3.	**Type of Procurement (check one):** ☒ **IFB** ☐ **RFP** ☐ **RFP–A&E** ☐ **Non-Competitive** ☐ **Modification** ☐ **Task Order**	
4.	**Procurement Dates**:	
	A. Issued: 4/30/19	
	B. Advertised/Publicized: 5/2/19	
	C. Pre-proposal/Pre-Bid Conference: N/A	
	D. Proposals/Bids Due: 5/30/19	
	E. Pre-Qualification Completed: 7/19/19	
	F. Conflict of Interest Form Submitted to Ethics: 7/19/19	
	G. Protest Period End Date: 9/27/19	
5.	**Solicitations Picked up/Downloaded**: 12	**Bids/Proposals Received**: 6
6.	**Contract Administrator**: **Tanya Allen**	**Telephone Number**: **213/922-1018**
7.	**Project Manager**: **Alex DiNuzzo**	**Telephone Number**: **213/922-5860**

A. Procurement Background

This Board Action is to approve Contract No. VM61903000 for the procurement of Engine Oil. Board approval of contract awards are subject to resolution of any properly submitted protest.

IFB No. VM61903 was issued in accordance with Metro's Acquisition Policy and the contract type is Indefinite Delivery, Indefinite Quantity (IDIQ).

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

Staff has twice attempted to procure its engine oil supply service through the SBE set-aside program without success. In November 2018, staff cancelled its first solicitation because the lowest responsive responsible bid was $500,000 in excess of Metro's Independent Cost Estimate (ICE), thus the bid price was deemed not fair or reasonable. Subsequently, staff issued a second SBE set-aside solicitation in December 2018 and received two bids in March 2019. Unfortunately, both bids were deemed to be non-responsive.

A total of six bids were received on May 30, 2019.

1. Jamison Professional Services
2. The Jankovich Company (TJC)
3. Valdes, LLC
4. Patten Energy, Inc.
5. Van De Pol Enterprises, Inc. Bid #1
6. Van De Pol Enterprises, Inc. Bid #2

B. Evaluation of Bids

This procurement was conducted in accordance and complies with LACMTA's Acquisition Policy for a competitive sealed bid. There were three (3) bids from the Jankovich Company (TJC), Valdes, LLC and Patten Energy, Inc. that were deemed Responsive and Responsible to the IFB requirements.

Two bids were deemed Non-Responsive, Jamison Professional Services and Van de Pol Enterprises. Jamison Professional Services, the apparent low bidder was deemed Non-Responsive because they altered the IFB's Schedule of Quantities and Pricing Form. Van De Pol Enterprises, which submitted two (2) separate bids, was deemed Non-Responsive for not offering bid prices for the required option year.

The Jankovich Company (TJC) was determined to be the lowest Responsible and Responsive bidder and was in full compliance with the technical requirements of the IFB.

C. Price Analysis

The recommended total bid price from TJC has been determined to be fair and reasonable based upon adequate price competition and current market value of the oil industry.

Bidder Name	Bid Amount	Metro ICE
		$1,560,533.00
The Jankovich Company	$1,868,543.04	
Valdes, LLC	$1,994,200.86	
Patten Energy, Inc.	$2,541,917.67	

D. Background on Recommended Contractor

The recommended firm, The Jankovich Company (TJC) has been in business for eighty-six (86) years and is a leader in fuel and lubricant supplies. TJC has extensive experience in supplying engine oil to other municipalities and companies such as the Orange County Transit Authority, City of Pasadena, City of Torrance, LADWP, MBUSA, Toyota Corporation, Nissan Corporation, KIA Corporation, Metrolink, General Motors Corporation. TJC has provided satisfactory products and services to Metro.

DEOD SUMMARY

PURCHASE OF ENGINE OIL/CONTRACT NO. VM61903000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this solicitation due to the lack of certified firms that have adequate tanker trucks for delivery, or the certified firm is acting as a broker or transaction expediter whose fees and commissions are not enough to perform a commercially useful function. While Metro has set DBE goals for this type of contract in the past, certified firms that performed on those contracts are no longer certified or have been acquired by larger companies. Metro will continue to outreach to certified firms and identify other potential subcontracting opportunities based on industry practice. It is expected that The Jankovich Company will perform the work with its own workforces.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

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

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

File #: 2019-0370, **File Type:** Contract **Agenda Number:** 34.

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE
OCTOBER 17, 2019

SUBJECT: METRO SECURITY SYSTEM MAINTENANCE AND INSTALLATIONS

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Contract Modification No.1 to Contract No. PS146430106 with MCM Integrated Systems, Inc., to provide security system maintenance and installation services, increasing the total not-to-exceed amount by $2,500,000 from $4,643,803 to $7,143,803.

ISSUE

Metro is protected by an Intrusion Detection Access Control System (IDACS). The IDACS includes a variety of components to grant or deny access, and to detect and notify appropriate personnel of intrusions, including ID badges, badge readers, motion sensors, security cameras and computer hardware and software to manage access controls.

The recommended amendment to Metro's Intrusion Detection Access Control System contract with MCM Integrated Services (MCM) is required to maintain, expand and improve upon the IDACS to meet emerging security needs that were not identified when the contract was initiated related to the four areas below:

- Metro System Growth
- Transition to Current Technology
- Newly Identified IDACS Requirements
- Bridging Strategy

BACKGROUND

MCM is a Tier 5 qualified Metro SBE, and an authorized Sielox dealer that provides upgrades and maintenance to Metro's agency-wide Sielox IDACS. The Sielox access control system is a proprietary technology with a limited number of authorized dealers. The initial installation of the system in the USG Building was in 1995 and is the primary and first defense at the Gateway Building against unauthorized access to the building, floors and staff housed in the building. Since then, the

system has been installed at all operating divisions and customer service centers and has over 30,000 users. Installing the system throughout the agency provides for a more reliable and consistent system to ensure the safety and security of our employees, passengers and facilities and is critical in meeting Metro's commitment to safety.

The system is designed to significantly reduce threats to Metro employees and patrons and serves as one of the primary tools used by law enforcement and Transit Security to ensure safety. It also restricts access to Metro communication rooms and facilities.

The current contract will expire on December 31, 2021.

DISCUSSION

Over the past several years, Metro's requirements for security systems has grown in several important areas.

Metro System Growth: Metro's plans have accelerated introduction of new facilities, all of which specify installation of system compatible Sielox IDACS as a turn-key system when facilities are delivered, and which are maintained under the current contract. Some facilities were not anticipated to be completed during the current term of the contract and therefore were not included in the original contract authority.

Transition to Current Technology: Metro Red Line and Metro Purple Line stations have undergone conversion from a 25 year-old legacy, stand-alone access control system to Metro's current system-wide technology. As the legacy system became outdated, and it became difficult to source replacement parts, Rail Operations decided to decommission legacy system and integrate with Metro's system-wide IDACS. This change allows Metro to meet its needs with one agency-wide IDACS using one badge per employee. Additionally, transition from outdated analogue video cameras to current digital video cameras and installation of Blue-Light security phone/camera stations in the USG parking garage are underway.

Newly Identified IDACS Requirements: Metro's 2018 system-wide Threat and Vulnerability Assessment was conducted at all Metro facilities, including operating bus and rail divisions and other support facilities. This assessment identified 88 new locations requiring access controls. Additional system-wide access control requests are anticipated as the organization evolves and business requirements change.

Bridging Strategy: Metro System Security and Law Enforcement Department anticipates presenting to the Board, at some point in the future, with a proposal for a large project to transition the system-wide IDACS to a newer and more advanced technology. This Board action is required now to allow Metro to maintain, expand and improve upon its current IDACS capability while the anticipated replacement project is fully developed.

DETERMINATION OF SAFETY IMPACT

Approval of the recommendation will allow Metro to maintain, expand and improve upon Metro's

IDACS which will improve passenger, employee and infrastructure security throughout the Metro system.

FINANCIAL IMPACT

The funding of $216,000 for these services is included in the FY20 budget in cost center 6430 (General Services) under project 100090 (Gateway Building Cost).

Since this is a multi-year contract, the cost center manager and the Chief Human Capital & Development Officer will be responsible for budgeting the cost in future years.

Impact to Budget

The source of funds for project 100090 is Federal, State and local revenues that are eligible for these services.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This action supports strategic plan goal #2, Initiative 2.5 - Metro is committed to improving security by installation of state-of-the-art video surveillance and access control system.

This action also supports strategic plan goal #5, Initiative 5.5 - Metro will supplement and strengthen programs to address workplace safety, security and employee wellness by acting and implementing recommended physical security measures.

ALTERNATIVES CONSIDERED

The Board may choose not to exercise this Contract Modification and direct staff to undergo a new procurement process to meet the identified IDACS requirements. This alternative is not recommended because it is unlikely that a new procurement will result in more favorable pricing than the current contract as the Sielox access control system is a proprietary technology with a limited number of authorized dealers.

NEXT STEPS

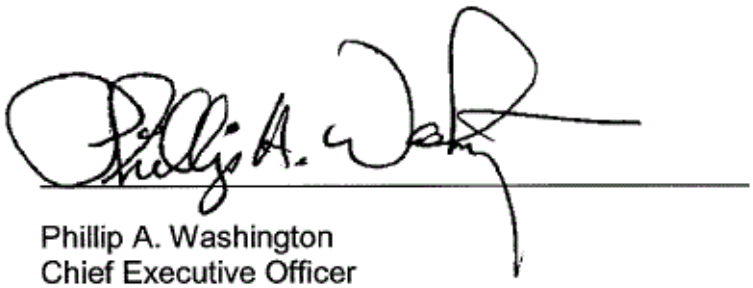
Upon approval by the Board, staff will execute Contract Modification No. 1 to Contract No. PS146430106 with MCM Integrated Systems Inc., to maintain, expand, and improve upon the IDACS to meet emerging security needs.

ATTACHMENTS

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

Prepared by: John Flores, Facilities Maintenance Supervisor, (213) 922 277
Steve Jaffe, Deputy Executive Officer, General Services
(213) 922-6284

Reviewed by: Joanne Peterson. Chief Human Capital & Development Officer
(213) 418-3088
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

METRO SECURITY SYSTEM MAINTENANCE AND INSTALLATIONS / PS146430106

1.	**Contract Number**: PS146430106			
2.	**Contractor**: MCM Integrated Systems, Inc.			
3.	**Mod. Work Description**: Increase contract authority to maintain, expand, and improve upon the Intrusion Detection Access Control System (IDACS)			
4.	**Contract Work Description**: Provide security system maintenance and installation services for protection, surveillance and access control to sensitive and confidential data such as servers, financial records and employee records.			
5.	**The following data is current as of**: 9/9/19			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	1/1/15	**Contracts Award Amounts:**	$4,643,803
	Notice to Proceed (NTP):	N/A	**Total of Modifications Approved:**	$0
	Original Complete Date:	12/31/21	**Pending Modifications (including this action):**	$2,500,000
	Current Est. Complete Date:	12/31/21	**Current Contracts Values (with this action):**	$7,143,803
7.	**Contract Administrator**: Rommel Hilario		**Telephone Number**: (213) 922-4654	
8.	**Project Managers**: Don Howey		**Telephone Numbers**: (213) 922-8867	

A. Procurement Background

This Board Action is to approve Modification No. 1 to support the maintenance and new installations to Metro's agency-wide security system. These services are required to provide security, protection, surveillance and access control to sensitive and confidential data such as servers, financial records and employee records.

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

Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon rates that were established as part of the competitive contract award in January 2015, price analysis (equipment rates are set by the manufacturer), and prevailing wages rates set by the State of California.

Modification Amount	Metro ICE	Negotiated Amount
$2,500,000	$2,500,000	$2,500,000

CONTRACT MODIFICATION/CHANGE ORDER LOG

METRO SECURITY SYSTEM MAINTENANCE AND INSTALLATIONS
PS146430106

Mod. No.	Description	Date	Amount
1	Additional contract authority to maintain, expand, and improve upon the Intrusion Detection Access Control System (IDACS) to meet Metro's security needs	**PENDING**	**$2,500,000**
	Modification Total:		**$2,500,000**
	Original Contract:	**1/1/15**	**$4,643,803**
	Total Contract Value:		**$7,143,803**

DEOD SUMMARY

METRO SECURITY SYSTEM MAINTENANCE AND INSTALLATIONS / PS146430106

A. Small Business Participation

The Diversity & Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise goal for this procurement as the Sielox access control system is a proprietary technology. It is expected that MCM Integrated Systems, Inc., an authorized dealer, will perform the services with its own workforce.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

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

D. Project Labor Agreement/Construction Careers Policy

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

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

File #: 2019-0638, **File Type:** Contract **Agenda Number:** 36.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
OCTOBER 17, 2019**

SUBJECT: METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT CONTRACT MODIFICATION

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 7 to Contract No. AE275020011497 with WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.) to provide technical services for the I-105 ExpressLanes project in the amount of $5,677,001, increasing the Total Contract Value from $8,470,000 to $14,147,001 and extend the period of performance for a period of 36 months.

ISSUE

Board action is requested in order to execute the contract modification for technical services needed to complete the Project Approval/Environmental Document (PA/ED) and 30% design for the I-105 ExpressLanes project.

BACKGROUND

In June 2015, the Metro Board approved the Metro ExpressLanes Program Management Support Contract to provide professional services in support of ExpressLanes project planning and development. Work conducted in this contract includes preparation of Project Study Reports, traffic and revenue studies, PA/EDs, and Concepts of Operations.

In January 2017, the Los Angeles County ExpressLanes Strategic Plan was presented to the Board which identified the I-105 ExpressLanes project as a Tier 1 (near-term) project. At that meeting, the Board directed staff to initiate planning studies for Tier 1 projects.

Given that Caltrans had completed the required Project Initiation Document (PID) in September 2015 for the I-105, the bulk of the Program Management Support contract was dedicated to preparation of further studies associated with the I-105 ExpressLanes. This includes the PA/ED and Concept of Operations for the potential implementation of ExpressLanes on the I-105 between I-405/LAX and I-605.

DISCUSSION

The execution of Contract Modification No. 7 will enable the contractor to prepare additional geotechnical and structures studies and traffic modeling that were not anticipated at the beginning of the project but are required in order to complete the PA/ED.

In addition, this modification will include completion of 30% design including field surveys, preliminary roadway designs, drainage plans, utility design and coordination, and traffic engineering plans. Preparation of 30% design is a part of the PA/ED in other Metro ExpressLanes projects such as the I-605 Corridor Improvement Project currently in progress. Conducting 30% design for the I-105 ExpressLanes project at this point would result in significant time and potential cost savings in the project development process and better position the project for future grant opportunities.

DETERMINATION OF SAFETY IMPACT

These actions will not have any impact on the safety of our customers and/or employees because this Project is at the study phase and no capital or operational impacts result from this Board action.

FINANCIAL IMPACT

The FY 2019-20 budget includes $5,000,000 in Cost Center 2220 (Congestion Reduction), Project 405548 for I-105 ExpressLanes project professional services. Since this is a multi-year contract, the Cost Center Manager and Executive Officer, Congestion Reduction Programs, will be responsible for budgeting in future years.

Impact to Budget

The funding for this Project is from Measure M. As these funds are earmarked for the I-105 ExpressLanes project, they are not eligible for Metro bus and rail capital and operating expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports strategic plan goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The purpose of the I-105 ExpressLanes project, as well as the existing I-110 and I-10 ExpressLanes is to actively manage traffic through dynamic pricing of roadway capacity to optimize traffic flow and provide faster, more reliable trips.

ALTERNATIVES CONSIDERED

The Board could decide not to approve the recommended contract modification. This alternative is not recommended, as this would impact the Project's environmental clearance schedule, delay the completion of the PA/ED, and result in additional cost for project development.

NEXT STEPS

Upon Board approval, staff will execute Contract Modification No. 7 with WSP USA, Inc. for technical

services needed to complete the PA/ED.

ATTACHMENTS

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

Prepared by: Philbert Wong, Senior Manager, (213) 418-3137
Mark Linsenmayer, Deputy Executive Officer, (213) 922-5569

Reviewed by: Shahrzad Amiri, Executive Officer, (213) 922-3061
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT

AE275020011497

1.	**Contract Number**: AE275020011497			
2.	**Contractor**: WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.)			
3.	**Mod. Work Description**: Additional planning studies and Geotechnical reports; 30% design plans and estimate, traffic modeling			
4.	**Contract Work Description**: ExpressLanes Program Management Support			
5.	**The following data is current as of**: September 12, 2019			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	06/25/2015	**Contract Award Amount:**	$7,700,000
	Notice to Proceed (NTP):	06/25/2015	**Total of Modifications Approved:**	$770,000
	Original Complete Date:	09/13/2018	**Pending Modifications (including this action):**	$5,677,001
	Current Est. Complete Date:	09/13/2023	**Current Contract Value (with this action):**	$14,147,001
7.	**Contract Administrator**: Leisa Oden-Kurz		**Telephone Number**: 213.922.2790	
8.	**Project Manager**: Philbert Wong		**Telephone Number**: 213.418.3137	

A. Procurement Background

This Board Action is to approve Contract Modification No. 7 issued to continue program management support services for a Project Approval/Environmental Document (PA/ED) and 30% design for the Interstate 105 ExpressLanes project.

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

On June 25, 2015, the Board awarded a 36-month, firm fixed price Contract No. AE275020011497 to WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.) for ExpressLanes Program Management Support Services in the amount of $7,700,000.

B. Cost Analysis

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

Proposal Amount	Metro ICE	Negotiated Amount
$5,677,001	$5,910,381	$5,677,001

Refer to Attachment B – Contact Modification /Change Order Log.

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT

AE275020011497

Mod. No.	Description	Status (approved or pending)	Date	$ Amount
1	Modification to Attachment A and Schedule 1 to Attachment A	Approved	5/24/16	$ 0
2	Modification to A.2, Schedule 1b to Attachment A.2, and extend Period of Performance	Approved	2/3/17	$ 0
3	Modification to add Schedule 1.c to Attachment A.2	Approved	4/17/17	$ 0
4	Modification to not-to-exceed contract value increase	Approved	8/10/17	$ 165,865.18
5	Modification to not-to-exceed contract value increase	Approved	10/18/17	$ 499,928.00
6	Modification to not-to-exceed contract value increase	Approved	8/16/19	$ 104,206.82
7	Modification for Interstate 105 ExpressLanes Project, 30% Design and PA/ED	**Pending**	**Pending**	**$5,677,001**
	Modification Total:			**$6,447,001**
	Original Contract:			**$ 7,700,000**
	Total:			**$ 14,147,001**

DEOD SUMMARY

METRO EXPRESSLANES PROGRAM MANAGEMENT SUPPORT / CONTRACT NO.: AE275020011497

A. Small Business Participation

DEOD established a 25% Small Business Enterprise (SBE) goal for this Task Order contract for the participation of SBE certified firms. WSP USA made a 25% SBE overall commitment for this contract. The overall SBE participation is based on the cumulative value of all task orders issued.

To date, six (6) task orders have been awarded. Based on payments reported, the cumulative SBE participation of all task orders awarded is 23.69%, which represents a 1.31% SBE shortfall. As confirmed by the Project Manager, WSP USA has committed 44.6% of the current pending Modification 7 to SBE firms, which is projected to increase WSP USA's overall SBE participation to 34.90%.

Small Business Commitment	**25% SBE**	**Small Business Participation**	**23.69% SBE**

	SBE Subcontractors	**% Participation[1]**
1.	AFSHA	3.74%
2.	Arellano Associates, LLC	0.23%
3.	Diaz Yourman & Associates	0.16%
4.	Epic Land Solutions	0.02%
5.	Intueor Consulting, Inc.	1.90%
6.	Kal Krishnan Consulting Services	0.26%
7.	Redhill Group	0.31%
8.	System Metrics Group	10.04%
9.	VCS Environmental	0.02%
10.	WKE, Inc.	7.01%
	Total	**23.69%**

[1]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

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

C. Prevailing Wage Applicability

Prevailing Wage is not applicable to this modification.

D. Project Labor Agreement/Construction Careers Policy

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

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

Metro

Board Report

File #: 2019-0708, **File Type:** Plan **Agenda Number:** 40.

CONSTRUCTION COMMITTEE
OCTOBER 17, 2019

SUBJECT: CITY OF LOS ANGELES FY20 ANNUAL WORK PLAN

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute annual expenditure budget plan for the FY20 Annual Work Plan for the City of Los Angeles.

ISSUE

During the design, construction and maintenance phases of Metro projects, a significant amount of support is required from local jurisdictions via an annual work plan. A significant amount of Metro's capital projects are being done within the City of Los Angeles. The annual work plan shall serve as a commitment from the agency for the reimbursement of services by City of Los Angeles reviewing jurisdictions for an estimated amount of services. Without an annual work plan, the City of Los Angeles would have no funding sources to support the projects.

BACKGROUND

In December of 2002, A Master Cooperative Agreement (MCA) was executed between Metro and the City of Los Angeles. The intent of the agreement was to establish a streamlined process among both entities to successfully construct Metro's ongoing projects. A function of MCA was to clearly identify a yearly budget for each City department to provide those city services. This function was labeled as the Annual Work Plan.

DISCUSSION

The action contained herein provides funding for the City of Los Angeles participation in the project within the limit of the current approved FY20 budget for Third Party Review and maintenance. (See Attachment A). The City reviews plans and inspects work on City right of way to assure compliance with City standards. Examples of these reviews include support of excavation (SOE) to assure that underground work does not impact buildings or utilities, traffic detours, relocations of city utilities, changes to intersection lighting, landscaping and hardscaping designs, traffic signal impacts, drainage and inspections of constructed work.

Metro staff efforts to proactively manage these costs will include the following:

A. Controlling the design review process through the early coordination of design efforts to define scope and establish/clarify standards and requirements.
B. Reviewing submittals for completeness.
C. Ensuring that third party requirements are identified and addressed prior to sending to the third party.
D. Reviewing timesheets with each third party organization on a monthly basis to ensure that hours charged are appropriate.
E. Conducting executive and staff level partnering with third parties.

DETERMINATION OF SAFETY IMPACT

The recommended action has no impact on safety.

FINANCIAL IMPACT

The funding, which may be obligated and spent under this one-year work plan of $33,593,232 is included in the FY20 budget in respective project budgets that will require services to be performed by the City of Los Angeles. See attachment “A”. Since these are multi-year projects, the Project Managers and Chief Program Manager will be responsible for budgeting future year costs.

IMPACT ON BUS AND RAIL OPERATING AND CAPITAL BUDGET

The funding for this Annual Work Plan will come from various sources of funds. See attachment “A”. With the exception of major construction projects funded with specific grant funds, these funds are eligible for bus and rail operating and capital expenditures. No other sources of funds were considered for this activity because the primary beneficiary of the service is bus, rail and capital projects.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

By executing the Annual Work Plan for FY20 and allowing the City departments to successfully review plans and provide a streamlined approval processes to successfully construct Metro’s ongoing projects, it would positively support Metro’s overall plan and goal of expanding the transportation network, increase mobility for all users and improve LA County’s overall transit networks and assets.

ALTERNATIVES CONSIDERED

The Board may reject the Recommendation and direct us to include this work under Construction Contracts. Unfortunately, this is not recommended because it will delay each of the projects.

NEXT STEPS

Upon Metro board approval of the annual work plan, the City of Los Angeles shall submit the

annual work plan to the Los Angeles City Council and Mayor's Office for adoption.

ATTACHMENTS

Attachment A - FY20 Annual Work Plan Anticipated Budget for the City of Los Angeles

Prepared by: Bryan Pennington, Senior Executive Officer; 213-922-7449
Androush Danielians, Executive Officer; 213-922-7598
Eduardo Cervantes, Deputy Executive Officer; 213-922-7255.

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

Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

FY20 ANNUAL WORK PLAN ANTICIPATED BUDGET FOR CITY OF LOS ANGELES

CRENSHAW/LAX TRANSIT	
Dept. of Transportation	$1,880,174
Bureau of Engineering	$1,100,000
Bureau of Street Lighting	$324,166
Bureau of Street Services	$366,120
Contract Administration	$1,200,000
Cross Coordination Support	$188,684
Police Department/Safety	$10,000
Subtotal:	$ 5,069,144

REGIONAL CONNECTOR	
Dept. of Transportation	$1,010,598
Bureau of Engineering	$950,000
Bureau of Street Lighting	$134,327
Bureau of Street Services	$140,671
Contract Administration	$407,295
Cross Coordination Support	$188,771
Police Department/Safety	$106,803
Bureau of Sanitation	$37,719
General services	$5,326
Subtotal:	$ 2,981,510

WESTSIDE EXTENSION SECTION 1	
Dept. of Transportation	$1,152,031
Bureau of Engineering	$1,100,000
Bureau of Street Lighting	$302,343
Bureau of Street Services	$100,420
Contract Administration	$582,495
Cross Coordination Support	$94,306
Police Department/Safety	$48,547
Subtotal:	$ 3,380,142

ATTACHMENT A (continued)

WESTSIDE EXTENSION SECTION 2	
Dept. of Transportation	$1,619,969
Bureau of Engineering	$1,100,000
Bureau of Street Lighting	$427,180
Bureau of Street Services	$213,826
Contract Administration	$582,494
Cross Coordination Support	$141,571
Subtotal:	$4,085,040

WESTSIDE EXTENSION SECTION 3	
Dept. of Transportation	$1,519,090
Bureau of Engineering	$1,100,000
Bureau of Street Lighting	$529,893
Bureau of Street Services	$253,544
Contract Administration	$582,494
Cross Coordination Support	$94,308
Subtotal:	$ 4,079,329

PATSAOURAS TRANSIT PLAZA	
Dept. of Transportation	$47,246
Bureau of Engineering	$150,000
Bureau of Street Services	$5,545
Bureau of Street Lighting	$178,152
Contract Administration	$12,670
Subtotal:	$ 393,613

LINK US	
Dept. of Transportation	$116,455
Bureau of Engineering	$300,000
Bureau of Street Services	$122,689
Bureau of Street Lighting	$288,081
Contract Administration	$25,000
Subtotal:	$ 852,225

ATTACHMENT A (continued)

ESOC	
Dept. of Transportation	$75,000
Bureau of Engineering	$150,000
Bureau of Street Services	$40,000
Bureau of Street Lighting	$150,000
Contract Administration	$50,000
LAPD	$10,000
Subtotal:	$ 475,000

RAILTO RIVER	
Bureau of Engineering	$300,000
Dept. of Transportation	$529,327
Bureau of Street Services	$130,172
Bureau of Street Lighting	$299,168
Contract Administration	$576,802
Subtotal:	$1,835,469

1ST AND CENTRAL	
Bureau of Engineering	$300,000
Dept. of Transportation	$166,996
Bureau of Street Services	$201,089
Bureau of Street Lighting	$91,295
Contract Administration	$250,000
Subtotal:	$1,009,380

DORAN STREET SEPERATION	
Dept. Of Transportation	$111,000
Bureau of Street Services	$25,000
Bureau of Street Lighting	$150,000
Bureau of Engineering	$150,000
Subtotal:	$ 436,000

METRO SUNDWALLS #11	
Bureau of Engineering	$90,000
Dept. of Transportation	$113,943
Bureau of Street Lighting	$221,143
Contract Administration	$133,210
Subtotal:	$ 558,296

ATTACHMENT A (continued)

METRO ORANGE LINE TRANSIT PRIORITY MAINTENANCE	
Dept. of Transportation	$408,000
Subtotal:	$408,000
UNION STATION FORECOURT AND ESPLANADE PROJECT	
Bureau of Engineering	$150,000
Dept. of Transportation	$124,088
Bureau of Street Lighting	$180,402
Bureau of Street Services	$125,000
Subtotal:	$ 579,490
96th STREET STATION/AMC	
Bureau of Engineering	$15,000
Dept. of Transportation	$15,000
Bureau of Street Services	$15,000
Bureau of Street Lighting	$15,000
Contract Administration	$15,000
LAPD	$10,000
Subtotal:	$ 85,000
DIVISION 20 PORTAL WIDENING	
Bureau of Engineering	$150,000
Dept. of Transportation	$65,000
Bureau of Street Services	$75,000
Bureau of Street Lighting	$179,111
Contract Administration	$60,000
Bureau of sanitation	$25,000
LAPD	$10,000
Subtotal:	$ 564,111
MOLE GRADE SEPERATION	
Bureau of Engineering	$900,000
Dept. of Transportation	$936,077
Bureau of Street Services	$170,113
Bureau of Street Lighting	$435,228
Contract Administration	$50,681
Cross Coordination Support	$94,308
Subtotal:	$ 2,586,407

ATTACHMENT A (continued)

ESVTC	
Bureau of Engineering	$1,400,000
Dept. of Transportation	$590,763
Bureau of Street Services	$181,314
Bureau of Street Lighting	$742,765
Cross Coordination Support	$141,574
City Planning	$500,000
Subtotal:	$ 3,556,416
WEST SANTA ANA	
Bureau of Engineering	$50,000
Dept. of Transportation	$50,000
Bureau of Street Services	$25,000
Bureau of Street Lighting	$25,000
Subtotal:	$150,000
CESAR CHAVEZ BUS IMPROVEMENT	
Bureau of Street Services	$8,660
Subtotal:	$8,660
TRAFFIC ENGINEERING WORK GROUP	
Dept. of Transportation	$500,000
Subtotal:	$500,000

GRAND TOTAL: $ 33,593,232

TOTAL FY20 BUDGET: $ 33,593,232

Board Report

File #: 2019-0599, **File Type:** Policy **Agenda Number:** 45.

EXECUTIVE MANAGEMENT COMMITTEE
OCTOBER 17, 2019

SUBJECT: TITLE VI PROGRAM UPDATE

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

ADOPT the Title VI Program Update presented in Attachments A and B.

ISSUE

Title VI of the Civil Rights Act of 1964 (Title VI) prohibits discrimination on the basis of race, color, and national origin in programs that receive federal funding. The Federal Transit Administration (FTA) requires transportation agencies to demonstrate their compliance with Title VI by submitting a triennial Title VI Program Update in compliance with Title 49 CFR Section 21.9(b) and with FTA Circular 4702.1B "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," issued October 1, 2012. FTA requires the Metro Board of Directors to review and approve the Title VI Program Update prior to its submittal.

BACKGROUND

Section 601 of Title VI of the Civil Rights Act of 1964 (Title VI) states the following:

> "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Metro's Equity Platform takes Title VI protected groups at its core and includes additional protected groups including vulnerable populations. The Title VI Program Update consists of a report and supporting documentation that provides evidence of the equitable distribution of services; promotion of full and fair participation in public transportation decision-making without regard to race, color, or national origin, and meaningful access to transit-related programs and activities by persons with limited English proficiency. FTA reviews and concurs with the Title VI Program Update or requests additional information.

Metro's Title VI Obligations

Metro last submitted a Title VI Program Update to the FTA on November 17, 2016. On December 6, 2017, FTA sent Metro a Letter of Concurrence informing Metro that Metro's submitted Title VI Program Update met the requirements set out in the FTA Title VI Circular, 4702.1B. Metro's next Title VI Program Update is due on November 1, 2019.

Metro will submit a Title VI Program Update that incorporates all of the requirements set forth in the FTA Circular 4702.1B. There are twelve requirements under Title VI that Metro must report which different departments assist is compiling:

1. The notice to beneficiaries of their civil rights under Title VI; (Marketing)
2. The development of complaint procedures and a complaint form; (Civil Rights)
3. A list of all transit-related complaints, investigations, or lawsuits;(Civil Rights)
4. A Public Participation Plan; (Communications, Community Relations)
5. A Limited English Proficiency (LEP) Four-Factor Analysis and Language Assistance Plan; (Civil Rights, Executive Office of Strategic Initiatives, Marketing)
6. Report on minority representation on planning & advisory committees; (Multiple)
7. The provision of assistance to and monitoring of subrecipients; (Civil Rights)
8. Equity evaluations relating to the site and location of facilities; (Real Estate)
9. Service standards and system-wide service policies; (Service Development & Scheduling)
10. The collection and reporting on demographic data;(Executive Office of Strategic Initiatives)
11. The requirement to monitor transit service; and (Service Development & Scheduling)
12. The requirement to evaluate service and fare changes following Board adopted policies (Multiple)
13. Board approval of the Title VI Program (Civil Rights)

A more detailed description of these requirements can be found in the FTA Circular 4702.1B (Attachment C).

Although no substantial changes were made to the Title VI Program since the 2016 submission, Metro made the following minor updates to the Title VI Program:

1. Updated the Civil Rights Notice to Beneficiaries to include additional state protected categories;
2. Updated the list of Metro's Title VI transit-related complaints, investigations and lawsuits;
3. Updated the Public Participation Plan to include current demographic data on Metro's stakeholders. Identified minimum baseline thresholds for public outreach and listed Metro's public outreach activities since October 2016;
4. Updated the Language Assistance Plan to include an updated LEP Four Factor Analysis and initiation of a monitoring program for the Language Assistance Plan;
5. Updated the demographic data for the participants of Metro's planning and advisory committees;
6. Updated the Title VI Program due date for Metro's subrecipients;
7. Provided information on Metro's Title VI equity evaluation for the sitting of new constructed facilities;
8. Provided Metro's current Board adopted service standards and policies;
9. Provided updated demographical data on Metro's stakeholders and distribution of service;

10. Provided documentation on Metro's Board approval of Metro's service monitoring program;
11. Provided documentation of Title VI equity analyses for Metro's fare and major services changes and documentation of Metro's board approval of the Title VI equity analyses for fare and major service changes;
12. Provide documentation of Metro's board approval on 2019 Title VI Program, once program is approved by Metro's Board of Directors.

Before submitting the completed Title VI Program Update, the Metro Board of Directors must review and approve the program. A copy of the Board Resolution will be submitted with the program as evidence of this approval.

DETERMINATION OF SAFETY IMPACT

The requested action in this report will have no direct impact on the safety of Metro's employees or customers.

FINANCIAL IMPACT

Adoption of the Title VI Program Update has no direct impact upon Metro's expenditures or revenues. Approval is consistent with the implementation of service included in the adopted FY2020 Budget.

Impact to Budget

Adoption of the Title VI Program Update has no direct impact upon Metro's expenditures or revenues. Approval is consistent with the implementation of service included in the adopted FY2020 Budget.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports strategic plan goal # 5, "Provide responsive, accountable, and trustworthy governance within the Metro organization" by adhering to civil rights requirements mandated by Title VI of the Civil Rights Act of 1964.

ALTERNATIVES CONSIDERED

There is no alternative to filing a Title VI Program Update by November 1, 2019. Failure to timely file a Title VI Program Update may result in potential suspension of federal funds and ultimately the loss of eligibility for federal funds.

NEXT STEPS

The Title VI Program Update will be submitted to the FTA not later than November 1, 2019.

ATTACHMENTS

Attachment A - 2019 Draft Title VI Program Update
Attachment B - Appendix Section 2019 Title VI Program Update
Attachment C - FTA Circular 4702.1B

Prepared by: Aida Berry, Senior Manager, Civil Rights Programs (Title VI), (213) 922-2748

Reviewed by: Jonaura Wisdom, Chief of Civil Rights Programs, (213) 418-3168

Phillip A. Washington
Chief Executive Officer

Attachment A

http://libraryarchives.metro.net/DB_Attachments/2019-0599_Attachment_A_2019_Draft_Title_VI_Program_Update.pdf

Attachment B

http://libraryarchives.metro.net/DB_Attachments/2019-0599_Attachment_B_Appendix_Section_2019_Title_VI_Program_Update.pdf

U.S. Department
of Transportation

**Federal Transit
Administration**

CIRCULAR

FTA C 4702.1B

October 1, 2012

Subject: TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL TRANSIT ADMINISTRATION RECIPIENTS

1. PURPOSE. The purpose of this Circular is to provide recipients of Federal Transit Administration (FTA) financial assistance with guidance and instructions necessary to carry out U.S. Department of Transportation ("DOT" or "the Department") Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005).

2. CANCELLATION. This Circular supersedes FTA Circular 4702.1A "Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients," dated May 13, 2007.

3. AUTHORITY.

   a. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.

   b. Federal Transit Laws, Title 49, United States Code, Chapter 53.

   c. 49 CFR § 1.51.

   d. 49 CFR part 21.

   e. 28 CFR § 42.401 et seq.

4. WAIVER. FTA reserves the right to waive any requirements of this Circular to the extent permitted by law.

5. FEDERAL REGISTER NOTICE. In conjunction with publication of this Circular, FTA published a notice in the *Federal Register* on August 28, 2012, addressing comments received during development of the Circular.

6. AMENDMENTS TO THE CIRCULAR. FTA reserves the right to update this Circular to reflect changes in other revised or new guidance and regulations that undergo notice and comment, without further notice and comment on this Circular. FTA will post updates on our

website at **www.fta.dot.gov**. The website allows the public to register for notification when FTA issues *Federal Register* notices or new guidance. Please visit the website and click on "Sign Up For Email Updates" for more information.

7. ACCESSIBLE FORMATS. This document is available in accessible formats upon request. To obtain paper copies of this Circular as well as information regarding these accessible formats, call FTA's Administrative Services Help Desk, at 202-366-4865. Individuals with hearing impairments may contact the Federal Relay Service at 1-800-877-8339 for assistance with the call.

/s/
Peter Rogoff
Administrator

TITLE VI GUIDELINES FOR FTA RECIPIENTS

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CHAPTER I

INTRODUCTION AND BACKGROUND

1. THE FEDERAL TRANSIT ADMINISTRATION (FTA). FTA is one of ten operating administrations within the U.S. Department of Transportation (DOT). Headed by an Administrator who is appointed by the President of the United States, FTA functions through a Washington, DC, headquarters office, ten regional offices, and five metropolitan offices that assist transit agencies in all 50 States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, Northern Mariana Islands, and American Samoa.

   Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed route or demand response service.

   The Federal Government, through FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. FTA oversees thousands of grants to hundreds of State and local transit providers, primarily through its ten regional offices. These grant recipients are responsible for managing their programs in accordance with Federal requirements, and FTA is responsible for ensuring that recipients follow Federal statutory and administrative requirements.

2. AUTHORIZING LEGISLATION. Most Federal transit laws are codified at title 49 U.S.C. Chapter 53. Authorizing legislation is substantive legislation enacted by Congress that establishes or continues the legal operation of a Federal program or agency. FTA's most recent authorizing legislation is the Moving Ahead for Progress in the 21st Century (MAP-21), Public Law 112-141, signed into law on July 6, 2012, and effective October 1, 2012.

3. HOW TO CONTACT FTA. FTA's regional and metropolitan offices are responsible for providing financial assistance to FTA recipients and oversight of grant implementation for most FTA programs. Certain specific programs are the responsibility of FTA headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which the recipient is located. See FTA's website for more information.

   Visit FTA's website, **http://www.fta.dot.gov**, or contact FTA Headquarters at the following address and phone number:

   Federal Transit Administration
   Office of Communications and Congressional Affairs
   1200 New Jersey Avenue SE
   East Building
   Washington, DC 20590
   Phone: 202-366-4043; Fax: 202-366-3472

4. GRANTS.GOV. FTA posts all competitive grant opportunities on Grants.gov. Grants.gov is the one website for information on all discretionary Federal grant opportunities. Led by the U.S. Department of Health and Human Services (DHHS) and in partnership with Federal grant-making agencies, including 26 agencies, 11 commissions, and several States,

Grants.gov is one of 24 government-wide E-government initiatives. It is designed to improve access to government services via the Internet. More information about Grants.gov is available at **http://www.grants.gov/**.

5. DEFINITIONS. All definitions in chapter 53 of title 49, United States Code, and in 49 CFR part 21 apply to this Circular, as well as the following definitions:

   a. Applicant means a person or entity that submits an application, request, or plan required to be approved by the FTA Administrator or by a primary recipient, as a condition of eligibility for financial assistance from FTA, and "application" means such an application, request, or plan.

   b. Demand response system: Any non-fixed route system of transporting individuals that requires advanced scheduling including services provided by public entities, non-profits, and private providers. An advance request for service is a key characteristic of demand response service.

   c. Designated recipient means an entity designated, in accordance with the planning process under sections 5303 and 5304, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under section 5336 to urbanized areas of 200,000 or more in population; or a State or regional authority, if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.

   d. Direct recipient means an entity that receives funding directly from FTA. For purposes of this Circular, a direct recipient is distinguished from a primary recipient in that a direct recipient does not extend financial assistance to subrecipients, whereas a primary recipient does.

   e. Discrimination refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

   f. Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

   g. Disproportionate burden refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

   h. Disparate treatment refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.

i. Fixed guideway means a public transportation facility—using and occupying a separate right-of-way for the exclusive use of public transportation; using rail; using a fixed catenary system; for a passenger ferry system; or for a bus rapid transit system.

j. Fixed route refers to public transportation service provided in vehicles operated along pre-determined routes according to a fixed schedule.

k. Federal financial assistance refers to

(1) grants and loans of Federal funds;

(2) the grant or donation of Federal property and interests in property;

(3) the detail of Federal personnel;

(4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and

(5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

l. Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

m. Low-income person means a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.

Recipients are encouraged to use a locally developed threshold, such as the definition found in 49 U.S.C. 5302 as amended by MAP-21: "refers to an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C 9902(2)), including any revision required by that section) for a family of the size involved" or another threshold, provided that the threshold is at least as inclusive as the HHS poverty guidelines.

n. Low-income population refers to any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.

o. Metropolitan planning organization (MPO) means the policy board of an organization created and designated to carry out the metropolitan transportation planning process.

p. Metropolitan transportation plan (MTP) means the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.

q. Minority persons include the following:

(1) American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

(2) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

(3) Black or African American, which refers to people having origins in any of the Black racial groups of Africa.

(4) Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

(5) Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

r. Minority population means any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

s. Minority transit route means a route that has at least 1/3 of its total revenue mileage in a Census block or block group, or traffic analysis zone(s) with a percentage of minority population that exceeds the percentage of minority population in the transit service area. A recipient may supplement this service area data with route-specific ridership data in cases where ridership does not reflect the characteristics of the census block, block group, or traffic analysis zone.

t. National origin means the particular nation in which a person was born, or where the person's parents or ancestors were born.

u. Noncompliance refers to an FTA determination that the recipient is not in compliance with the DOT Title VI regulations, and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity on the basis of race, color, or national origin.

v. Non-profit organization: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation under 26 U.S.C. 501(a) or one which has been determined under State law to be

non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.

w. Predominantly minority area means a geographic area, such as a neighborhood, Census tract, block or block group, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.

x. Primary recipient means any FTA recipient that extends Federal financial assistance to a subrecipient.

y. Provider of fixed route public transportation (or "transit provider") means any entity that operates public transportation service, and includes States, local and regional entities, and public and private entities. This term is used in place of "recipient" in chapter IV and is inclusive of direct recipients, primary recipients, designated recipients, and subrecipients that provide fixed route public transportation service.

z. Public transportation means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and does not include Amtrak, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intra-facility shuttle services. Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed route or demand response service.

aa. Recipient as used in this Circular, means any public or private entity that receives Federal financial assistance from FTA, whether directly from FTA or indirectly through a primary recipient. This term includes subrecipients, direct recipients, designated recipients, and primary recipients. The term does not include any ultimate beneficiary under any such assistance program.

bb. Secretary means the Secretary of the U.S. Department of Transportation.

cc. Service area refers either to the geographic area in which a transit agency is authorized by its charter to provide service to the public, or to the planning area of a State Department of Transportation or Metropolitan Planning Organization.

dd. Service standard/policy means an established service performance measure or policy used by a transit provider or other recipient as a means to plan or distribute services and benefits within its service area.

ee. Statewide transportation improvement program (STIP) means a statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

ff. Subrecipient means an entity that receives Federal financial assistance from FTA through a primary recipient.

gg. Title VI Program refers to a document developed by an FTA recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to FTA every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent.

hh. Transportation improvement program (TIP) means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

ii. Transportation management area (TMA) means an urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the Secretary of Transportation.

6. ENVIRONMENTAL JUSTICE. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," was signed by President Clinton on February 11, 1994. Subsequent to issuance of the Executive Order, the U.S. Department of Transportation (DOT) issued a DOT Order for implementing the Executive Order on environmental justice (EJ). The DOT Order (Order 5610.2(a), "Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," 77 FR 27534, May 10, 2012) describes the process the Department and its modal administrations (including FTA) will use to incorporate EJ principles into programs, policies, and activities.

   The Presidential memorandum accompanying EO 12898 identified Title VI of the Civil Rights Act of 1964 as one of several Federal laws that should be applied "to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects." According to the U.S. Department of Justice, "…the core tenet of environmental justice—that development and urban renewal benefitting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community's minority—flows directly from the underlying principle of Title VI itself."[1]

   Title VI prohibits discrimination by recipients of Federal financial assistance on the basis of race, color, and national origin, including the denial of meaningful access for limited English proficient (LEP) persons. Under DOT's Title VI regulations, recipients of Federal financial assistance are prohibited from, among other things, using "criteria or methods of administering its program which have the effect of subjecting individuals to discrimination based on their race, color, or national origin." For example, facially neutral policies or

[1] *See* Title VI Legal Manual, U.S. Department of Justice Civil Rights Division (2001), page 59.

practices that result in discriminatory effects or disparate impacts violate DOT's Title VI regulations, unless the recipient can show the policies or practices are substantially justified and there is no less discriminatory alternative. In addition, Title VI and DOT regulations prohibit recipients from intentionally discriminating against people on the basis of race, color, and national origin.

The overlap between the statutory obligation placed on Federal agencies under Title VI to ensure nondiscrimination in federally assisted programs administered by State and local entities, and the administrative directive to Federal agencies under the Executive Order to address disproportionate adverse impacts of Federal activities on minority and low-income populations explain why Title VI and environmental justice are often paired. The clear objective of the Executive Order and Presidential memorandum is to ensure that Federal agencies promote and enforce nondiscrimination as one way of achieving the overarching objective of environmental justice—fair distribution of the adverse impacts of, or burdens associated with, Federal programs, policies, and activities.

Over the years, U.S. DOT has encouraged a proactive approach to the implementation of environmental justice principles in its programs, policies, and activities. This is reflected in the DOT Order on Environmental Justice (DOT Order 5610.2(a)) which, consistent with E.O. 12898, sets forth a process by which DOT and its Operating Administrations, including FTA, will integrate the goals of environmental justice into their existing operations to ensure that consideration of EJ principles is an integral part of all programs, policies, and activities, from the inception of the planning process through to project completion, operations, and evaluation.

FTA has developed policy guidance in the form of a Circular (Circular 4703.1), "Environmental Justice Policy Guidance for Federal Transit Administration Recipients," in order to provide recipients with a distinct framework to assist them as they integrate principles of environmental justice into their public transportation decision-making processes. FTA expects the clarification provided by the EJ Circular and the updated Title VI Circular will provide recipients with the guidance they need to properly incorporate both Title VI and environmental justice into their public transportation decision-making.

Because of the connection between EJ and Title VI, the consideration of EJ principles has sometimes been confused with the requirements of Title VI. Here is a summary of the key differences between the two:

Key Aspects of the Authorities	Title VI	Environmental Justice
What is the basis for the authority?	Title VI is a Federal statute and provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving	The basis for addressing environmental justice is an Executive Order: EO 12898 directs each Federal agency to "make achieving environmental justice part of its mission." The EO is intended to improve the internal management of the

Key Aspects of the Authorities	Title VI	Environmental Justice
	Federal financial assistance.	executive branch and not to create legal rights enforceable by a party against the U.S.
What is the purpose of the authority?	Title VI prohibits recipients of Federal financial assistance (e.g., states, local governments, transit providers) from discriminating on the basis of race, color, or national origin in their programs or activities, and it obligates Federal funding agencies to enforce compliance.	EO 12898 calls on each Federal agency to achieve "environmental justice...by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations...."
To whom does the authority apply?	Title VI is a Federal law that applies to recipients and subrecipients of Federal financial assistance (e.g., States, local governments, transit providers), and not to DOT itself.	EO 12898 applies to Federal agency actions, including DOT's and FTA's actions. Title VI is one of the tools used by Federal agencies to implement this directive.
What does the authority require, and of whom?	Under Title VI, DOT has the responsibility to provide oversight of recipients and to enforce their compliance with Title VI, to ensure that recipients do not use DOT funds to subsidize discrimination based on race, color, or national origin.	EO 12898 is a directive from the President of the United States to Federal agencies intended to improve the internal management of the Federal government. DOT issued its own Order implementing EO 12898, and updated the Order in May 2012 (Order 5610.2(a)).
What does the authority say with regard to negative effects or impacts?	In accordance with 49 CFR part 21 and Title VI case law, if an otherwise facially neutral program, policy, or activity will have a discriminatory impact on minority populations, that program, policy, or activity may only be carried out if (1) the recipient can demonstrate a substantial legitimate justification for the program, policy, or activity; (2) there are	In accordance with EO 12898 and the DOT Order on EJ, if a DOT program, policy, or activity will have a disproportionately high and adverse effect on minority or low-income populations, that program, policy, or activity may only be carried out if further mitigation measures or alternatives that would reduce the disproportionately high and

Key Aspects of the Authorities	Title VI	Environmental Justice
	no comparably effective alternative practices that would result in less-disparate impacts; and (3) the justification for the program, policy or activity is not a pretext for discrimination.	adverse effects are not practicable. In determining whether a mitigation measure or an alternative is "practicable," the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account.
Does the authority create any rights or remedies?	Title VI allows persons alleging discrimination based on race, color, or national origin by recipients of Federal funds to file administrative complaints with the Federal departments and agencies that provide financial assistance. Persons alleging intentional discrimination (i.e., disparate treatment) may bring a court action seeking to enforce Title VI but cannot do so with regard to allegations of discrimination based on agency disparate impact regulations. Disparate impact claims may be filed with the Federal agency.	EO 12898 establishes the Executive Branch policy on environmental justice; it is not enforceable in court and does not create any rights or remedies.

Thus, while Title VI is one tool for agencies to use to achieve the principles of environmental justice, it is important to recognize that Title VI imposes statutory and regulatory requirements that are broader in scope than environmental justice. Recipients are cautioned that while there may be overlap, engaging in an EJ analysis under Federal transportation planning and NEPA provisions will not satisfy Title VI requirements, as outlined in this Title VI Circular. Similarly, a Title VI analysis will not necessarily satisfy environmental justice, given that Title VI does not include low-income populations. Moreover, Title VI applies to all activities of Federal recipients, not solely those which may have disproportionately high and adverse human health or environmental effects on EJ populations.

For example, while a bus rehabilitation project may not impose disproportionately high or adverse health or environmental effects on minority or low-income populations, the ***use*** of those buses subsequent to the rehabilitation may be subject to a Title VI analysis to ensure that vehicles assigned to a particular area do not result in a disparate impact on the basis of

race, color, or national origin. In addition, if there are substantive changes to the service levels for which the rehabilitated or other buses will be used, i.e., the vehicles are deployed in such a way that the nature and quantity of service in a particular area is changed, then a service equity analysis must be conducted to determine whether this change results in a disparate impact on the basis of race, color, or national origin. The requirements for that particular analysis are part of the compliance determinations made for Federal transit recipients under chapter IV of this Circular.

CHAPTER II

PROGRAM OVERVIEW

1. PROGRAM OBJECTIVES. The direction, guidance and procedures in this document will help FTA recipients to:

   a. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory 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.

2. STATUTORY AUTHORITY. Section 601 of Title VI of the Civil Rights Act of 1964 states the following:

   > No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

   The Civil Rights Restoration Act of 1987 clarified the broad, institution-wide application of Title VI. Title VI covers all of the operations of covered entities without regard to whether specific portions of the covered program or activity are Federally funded. The term "program or activity" means all of the operations of a department, agency, special purpose district, or government; or the entity of such State or local government that distributes such assistance and each such department or agency to which the assistance is extended, in the case of assistance to a State or local government.

   Therefore, compliance with this Circular does not relieve a recipient from the requirements and responsibilities of the DOT Title VI regulation at 49 CFR part 21, or any other requirements under other Federal agencies' Title VI regulations, as applicable. This Circular only provides guidance on the transit-related aspects of an entity's activities. Recipients are responsible for ensuring that all of their activities are in compliance with Title VI. In other words, a recipient may engage in activities not described in the Circular, such as ridesharing programs, roadway incident response programs, or other programs not funded by FTA, and those programs must also be administered in a nondiscriminatory manner.

3. REGULATORY AUTHORITY. The U.S. Department of Justice ("DOJ") Title VI regulations can be found at 28 CFR § 42.401 *et seq*., and 28 CFR § 50.3. The U.S. Department of Transportation ("DOT") Title VI implementing regulations can be found at 49 CFR part 21.

   All programs receiving financial assistance from FTA are subject to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and DOT's implementing regulations. In addition, DOJ's regulations require agencies such as DOT to issue guidelines to recipients to provide

detailed information on the requirements of Title VI. In order to assist recipients in carrying out the provisions of DOT's Title VI regulations, each of the requirements in this Circular includes a reference to the corresponding provision of 49 CFR part 21.

4. ADDITIONAL DOCUMENTS. In addition to the above-listed statute and regulations the following documents incorporate Title VI principles:

   a. The Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons ("DOT LEP Guidance"), 70 FR 74087, (December 14, 2005). This guidance is based on the prohibition against national origin discrimination in Title VI of the Civil Rights Act of 1964, as it affects limited English proficient persons.

   b. Section 12 of FTA's Master Agreement, which provides, in pertinent part, that recipients agree to comply, and assure the compliance of each subrecipient, lessee, third party contractor, or other participant at any tier of the Project, with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d *et seq*., and with U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21. Except to the extent FTA determines otherwise in writing, recipients agree to follow all applicable provisions of the most recent edition of FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," and any other applicable Federal directives that may be issued. Unless FTA states otherwise in writing, the Master Agreement requires all recipients to comply with all applicable Federal directives.

5. REPORTING REQUIREMENTS. Title 49 CFR Section 21.9(b) requires recipients to "keep such records and submit to the Secretary timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Secretary may determine to be necessary to enable him to ascertain whether the recipient has complied or is complying with [49 CFR part 21]." FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Program to their FTA regional civil rights officer once every three years. The Title VI Program must be approved by the direct or primary recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. Recipients shall submit a copy of the Board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program. FTA will review and concur or request the recipient provide additional information.

   Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding, in order to assist the primary recipient in its compliance efforts, on a schedule to be determined by the primary recipient. In the event an entity receives funds from more than one primary recipient, the subrecipient shall submit Title VI Programs to all primary recipients from which it receives funds. Chapters III, IV, V, and VI and appendices

detail the specific information that shall be included in Title VI Programs, based on recipient characteristics.

6. APPLICABILITY TO CONTRACTORS. Contractors and subcontractors are responsible for complying with the Title VI Program of the recipient with whom they are contracting. Contractors are not required to prepare or submit Title VI Programs. Recipients are responsible for ensuring that contractors are following the Title VI Program, and complying with Title VI.

CHAPTER III

GENERAL REQUIREMENTS AND GUIDELINES

1. INTRODUCTION. This chapter describes requirements that all FTA recipients must follow to ensure that their programs, policies, and activities comply with DOT's Title VI regulations.

2. REQUIREMENT TO PROVIDE TITLE VI ASSURANCES. In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA. Primary recipients shall collect Title VI assurances from subrecipients prior to passing through FTA funds. The text of FTA's annual certifications and assurances is available on FTA's website.

3. REQUIREMENTS FOR FIRST-TIME APPLICANTS. First-time applicants must submit a Title VI Program that is compliant with this Circular, and submit an assurance (as noted in Section 2 above) that it will comply with Title VI. In addition, and consistent with 28 CFR § 50.3, entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency. This shall include a copy of any Title VI compliance review activities conducted in the previous three years. The summary shall include:

   a. The purpose or reason for the review.

   b. The name of the agency or organization that performed the review.

   c. A summary of the findings and recommendations of the review.

   d. A report on the status and/or disposition of such findings and recommendations. This information shall be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.

   In addition, first-time applicants shall submit a brief description of any pending applications to other Federal agencies for assistance, and whether any Federal agency has found the applicant to be in noncompliance with any civil rights requirement.

4. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM. Title 49 CFR Section 21.9(b) requires recipients to "keep such records and submit to the Secretary timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Secretary may determine to be necessary to enable him to ascertain whether the recipient has complied or is complying with this [rule]." FTA requires that all direct and primary recipients document their compliance with DOT's Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including subrecipents), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State

DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. Recipients shall submit a copy of the board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program. FTA will review and concur or request the recipient provide additional information.

Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts. Such Programs may be submitted and stored electronically at the option of the primary recipient. Subrecipients may choose to adopt the primary recipient's notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan where appropriate. Operational differences between the primary recipient and subrecipient may require, in some instances, that the subrecipient tailor its language assistance plan. Subrecipients shall develop and submit to the primary recipient a list of complaints, investigations, or lawsuits. Subrecipients that have transit-related non-elected planning boards, advisory councils, or committees, the membership of which is selected by the subrecipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees. Subrecipients must submit all the above information to the primary recipient on a schedule requested by the primary recipient. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the primary recipient.

a. Contents. Every Title VI Program shall include the following information:

(1) A copy of the recipient's Title VI notice to the public that indicates the recipient complies with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI. Include a list of locations where the notice is posted. A sample Title VI notice is in Appendix B.

(2) A copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form. Sample complaint procedures are in Appendix C, and a sample Title VI complaint form is in Appendix D.

(3) A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission. See Appendix E for an example of how to report this information. This list should include only those investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs and that pertain to the recipient submitting the report, not necessarily the larger agency or department of which the recipient is a part.

(4) A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission. A recipient's targeted public participation plan for minority populations may be part of efforts that extend more broadly to

include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

(5) A copy of the recipient's plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.

(6) Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.

(7) Primary recipients shall include a narrative or description of efforts the primary recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions.

(8) If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

(9) Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a fixed route transit provider, a State, or an MPO.

b. Upload Title VI Program to TEAM. Direct and primary recipients must upload their Title VI Program into FTA's Transportation Electronic Award Management (TEAM) system, or other tracking system as directed by FTA. The Title VI Program shall be attached via the paper clip function on the Civil Rights screen, and not attached to a particular grant. Recipients must also notify their FTA Regional Civil Rights Officer via email that they have uploaded their Title VI Program to TEAM. The Title VI Program must be uploaded to TEAM no fewer than sixty calendar days prior to the date of expiration of the Title VI Program.

c. Determinations. The status of a direct or primary recipient's Title VI Program will be noted in TEAM. The three status determinations are:

(1) Concur. This status indicates that the recipients' Title VI Program meets the requirements as set out in this Circular. The recipient may receive grant funds.

(2) In review. This status indicates that the recipient's Title VI Program is being reviewed by FTA staff and a determination as to sufficiency has not yet been made. "In review" status is only effective for sixty days and grants may be processed while a Title VI Program has an "in review" status.

(3) Expired/Expiration. This status indicates that the recipients' Title VI Program has expired and that an updated Title VI Program must be submitted. A recipient with an expired Title VI Program may have its draw-down privileges suspended and grants may not be processed.

d. Reporting Requirement Exemptions. Recipients whose only FTA funding is through FTA's University Transportation Center Program, National Research and Technology Program, Transportation Cooperative Research Program, Over the Road Bus Accessibility program, or the Public Transportation on Indian Reservations program are exempt from submitting a Title VI Program to FTA. In addition, FTA may exempt a recipient, upon receipt of a request for a waiver submitted to the Director of the Office of Civil Rights, from the requirement to submit a Title VI Program, or from some elements of the Title VI Program. The absence of the requirement to submit a Title VI Program does not obviate the underlying obligations to comply with DOT's Title VI regulations. Furthermore, with the exception of the Public Transportation on Indian Reservation program, FTA may, at any time, request information from an exempt recipient in order to determine compliance with Title VI regulations and statutes.

5. REQUIREMENT TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI. Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles. A sample Title VI notice to the public is provided in Appendix B.

a. Contents. The Title VI notice shall include:

(1) A statement that the agency operates programs without regard to race, color, or national origin.

(2) A description of the procedures that members of the public should follow in order to request additional information on the recipient's Title VI obligations.

(3) A description of the procedures that members of the public shall follow in order to file a Title VI discrimination complaint against the recipient.

b. Effective Practices for Fulfilling the Notification Requirement.

(1) Dissemination. Agencies shall inform the public of their rights under Title VI through such measures as posting the Title VI notice on posters, comment cards, or flyers placed at stations, bus shelters, and in transit vehicles. The type, timing, and frequency of these measures are at the recipient's discretion, as long as the type, timing, and frequency are sufficient to notify passengers and other interested persons of their rights under DOT's Title VI regulations with regard to the recipient's program.

(2) Document translation. Notices detailing a recipient's Title VI obligations and complaint procedures shall be translated into languages other than English, as needed and consistent with the DOT LEP Guidance and the recipient's language assistance plan.

(3) Subrecipients. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI Notice developed by the primary recipient; however, subrecipients shall notify passengers and other interested persons that they may file discrimination complaints directly with the subrecipient.

6. REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM. In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website. FTA requires direct and primary recipients to report information regarding their complaint procedures in their Title VI Programs in order for FTA to determine compliance with DOT's Title VI regulations. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI complaint investigation and tracking procedures and complaint form developed by the primary recipient. Sample complaint procedure and complaint forms are located in Appendices C and D. See Chapter IX of this Circular for more information on complaints.

7. REQUIREMENT TO RECORD AND REPORT TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS. In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years. See Appendix E for an example of how to report this information.

8. PROMOTING INCLUSIVE PUBLIC PARTICIPATION. The content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance shall be integrated into each recipient's established public participation plan or process (i.e., the document that explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities). Recipients have wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. Recipients should make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities can include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in a recipient's decision-making process. FTA has developed a Circular, 4703.1, "Environmental Justice Policy Guidance for Federal Transit Administration Recipients," that includes many examples of effective strategies for engaging minority and low-income populations. FTA

encourages recipients to review that Circular for ideas when developing their public engagement strategy. Some of those effective practices include:

a. Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.

b. Employing different meeting sizes and formats.

c. Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.

d. Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.

e. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

Grant recipients are required to comply with the public participation requirements of 49 U.S.C. Sections 5307(b) (requires programs of projects to be developed with public participation) and 5307(c)(1)(I) (requires a locally developed process to consider public comment before raising a fare or carrying out a major reduction in transportation service). FTA/FHWA (Federal Highway Administration) joint planning regulations (23 CFR part 450) require States and MPOs engaged in planning activities to seek out and consider the needs and input of the general public, including interested parties and those traditionally underserved by existing transportation systems, such as minority and LEP persons, who may face challenges accessing employment and other services, as States and MPOs develop and conduct their public involvement activities. Recipients engaged in planning and other decision-making activities at the local level should consider the principles embodied in the planning regulations, and develop and use a documented public participation plan or process that provides adequate notice of public participation activities, as well as early and continuous opportunities for public review and comment at key decision points.

9. REQUIREMENT TO PROVIDE MEANINGFUL ACCESS TO LEP PERSONS. Consistent with Title VI of the Civil Rights Act of 1964, DOT's implementing regulations, and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP). This Circular contains only a summary of the LEP requirements as they apply to FTA recipients; recipients are encouraged to review DOT's LEP guidance for additional information (70 FR 74087, Dec. 14, 2005) http://www.gpo.gov/fdsys/pkg/FR-2005-12-14/pdf/05-23972.pdf. Recipients are also encouraged to review DOJ's guidelines on self-assessment, Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (May 2011), as well as other materials, available at www.lep.gov.

a. Four Factor Analysis. In order to ensure meaningful access to programs and activities, recipients shall use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. A careful analysis can help a recipient determine if it communicates effectively with LEP persons and will inform language access planning. The Four Factor Analysis is an individualized assessment that balances the following four factors:

(1) **The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.** This population will be program-specific. In addition to the number or proportion of LEP persons served, the recipient's analysis should, at a minimum, identify:

(a) How LEP persons interact with the recipient's agency;

(b) Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group;

(c) The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice; and

(d) Whether LEP persons are underserved by the recipient due to language barriers.

(2) **The frequency with which LEP persons come into contact with the program.** Recipients should survey key program areas and assess major points of contact with the public, such as:

(a) Use of bus and rail service;

(b) Purchase of passes and tickets through vending machines, outlets, websites, and over the phone;

(c) Participation in public meetings;

(d) Customer service interactions;

(e) Ridership surveys;

(f) Operator surveys.

(3) **The nature and importance of the program, activity, or service provided by the program to people's lives**. Generally speaking, the more important the program, the more frequent the contact and the likelihood that language services will be needed. The provision of public transportation is a vital service, especially for people without access to personal vehicles. An MPO's regional planning activities will impact every person in a region. Development of a coordinated plan to meet the specific

transportation needs of seniors and people with disabilities will often also meet the needs of LEP persons. A person who is LEP may have a disability that prevents the person from using fixed route service, thus making the person eligible for ADA complementary paratransit. Transit providers, States, and MPOs must assess their programs, activities and services to ensure they are providing meaningful access to LEP persons. Facilitated meetings with LEP persons are one method to inform the recipient on what the local LEP population considers to be an essential service, as well as the most effective means to provide language assistance.

(4) **The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach**. Resource and cost issues can often be reduced by technological advances, reasonable business practices, and the sharing of language assistance materials and services among and between recipients, advocacy groups, LEP populations and Federal agencies. Large entities and those entities serving a significant number of LEP persons should ensure that their resource limitations are well substantiated before using this factor as a reason to limit language assistance.

b. Developing a Language Assistance Plan. After completing the Four Factor Analysis, the recipient shall use the results of the analyses to determine which language assistance services are appropriate. Additionally, the recipient shall develop an assistance plan to address the identified needs of the LEP population(s) it serves. The DOT LEP Guidance recognizes that certain recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written plan. However, FTA has determined it is necessary to require its recipients to develop an assistance plan in order to ensure compliance. A recipient may formally request an exemption from this requirement if it believes it fits within the exception described.

Recipients have considerable flexibility in developing a Language Assistance Plan, or LEP Plan. An LEP Plan shall, at a minimum:

(a) Include the results of the Four Factor Analysis, including a description of the LEP population(s) served;

(b) Describe how the recipient provides language assistance services by language;

(c) Describe how the recipient provides notice to LEP persons about the availability of language assistance;

(d) Describe how the recipient monitors, evaluates and updates the language access plan; and

(e) Describe how the recipient trains employees to provide timely and reasonable language assistance to LEP populations.

FTA will solely determine, at the time the recipient submits its Title VI Program or subsequent to a complaint investigation or compliance review, whether a recipient's plan is sufficient to ensure meaningful access and thus ensure the recipient is not engaging in discrimination on the basis of national origin.

After completing the Four Factor Analysis, a recipient may determine that an effective LEP plan for its community includes the translation of vital documents into the language of each frequently encountered LEP group eligible to be served and/or likely to be affected by the recipient's programs and services. Vital written documents include, but are not limited to, consent and complaint forms; intake and application forms with the potential for important consequences; written notices of rights; notices of denials, losses, or decreases in benefits or services; and notices advising LEP individuals of free language assistance services. Examples of vital documents include an ADA complementary paratransit eligibility application, a Title VI complaint form, notice of a person's rights under Title VI, and other documents that provide access to essential services. Failure to translate these vital documents could result in a recipient denying an eligible LEP person access to services and discrimination on the basis of national origin.

c. Safe Harbor Provision. DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.

10. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES. Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program." Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

11. PROVIDING ASSISTANCE TO SUBRECIPIENTS. Title 49 CFR Section 21.9(b) states that if "a primary recipient extends Federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to carry out its obligations under this part." See Appendix L for clarification of reporting responsibilities by recipient category. Primary recipients should assist their subrecipients in complying with DOT's Title VI regulations, including the general reporting requirements. Assistance shall be provided to the subrecipient as necessary and appropriate by the primary recipient. Primary recipients should provide the following information to subrecipients; such information, forms, and data may be kept in a central repository and available for all subrecipients:

    a. Sample notices to the public informing beneficiaries of their rights under DOT's Title VI regulations, procedures on how to file a Title VI complaint, and the recipient's Title VI complaint form.

    b. Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient, and when the primary recipient expects the subrecipient to notify the primary recipient of complaints received by the subrecipient.

    c. Demographic information on the race and English proficiency of residents served by the subrecipient. This information will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance.

    d. Any other recipient-generated or obtained data, such as travel patterns, surveys, etc., that will assist subrecipients in complying with Title VI.

12. MONITORING SUBRECIPIENTS. In accordance with 49 CFR 21.9(b), and to ensure that subrecipients are complying with the DOT Title VI regulations, primary recipients must monitor their subrecipients for compliance with the regulations. Importantly, if a subrecipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance.

    a. In order to ensure the primary and subrecipient are in compliance with Title VI requirements, the primary recipient shall undertake the following activities:

        (1) Document its process for ensuring that all subrecipients are complying with the general reporting requirements of this circular, as well as other requirements that apply to the subrecipient based on the type of entity and the number of fixed route vehicles it operates in peak service if a transit provider.

        (2) Collect Title VI Programs from subrecipients and review programs for compliance. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the primary recipient.

        (3) At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary by the primary recipient, the primary recipient shall request that subrecipients who provide transportation services verify that their level and quality of

service is provided on an equitable basis. Subrecipients that are fixed route transit providers are responsible for reporting as outlined in Chapter IV of this Circular.

b. When a subrecipient is also a direct recipient of FTA funds, that is, applies for funds directly from FTA in addition to receiving funds from a primary recipient, the subrecipient/direct recipient reports directly to FTA and the primary recipient/designated recipient is not responsible for monitoring compliance of that subrecipient. The supplemental agreement signed by both entities in their roles as designated recipient and direct recipient relieves the primary recipient/designated recipient of this oversight responsibility. See Appendix L for clarification of reporting responsibilities by recipient category.

13. DETERMINATION OF SITE OR LOCATION OF FACILITIES. Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin." For purposes of this requirement, "facilities" does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations:

a. The recipient shall complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. Recipients shall engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.

b. When evaluating locations of facilities, recipients should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.

c. If the recipient determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the recipient may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The recipient must show how both tests are met; it is important to understand that in order to make this showing, the recipient must consider and analyze alternatives to determine whether those alternatives would have less

of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

14. REQUIREMENT TO PROVIDE ADDITIONAL INFORMATION UPON REQUEST. FTA may request, at its discretion, information other than that required by this Circular from a recipient in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations.

CHAPTER IV

REQUIREMENTS AND GUIDELINES FOR FIXED ROUTE TRANSIT PROVIDERS

1. INTRODUCTION. The requirements described in this chapter apply to all providers of fixed route public transportation (also referred to as transit providers) that receive Federal financial assistance, inclusive of States, local and regional entities, and public and private entities. Contractors are responsible for following the Title VI Program(s) of the transit provider(s) with whom they contract. Transit providers that are subrecipients will submit the information required in this chapter to their primary recipient (the entity from whom they directly receive transit funds) every three years on a schedule determined by the primary recipient. Direct and primary recipients will submit the information required in this chapter to FTA every three years. See Appendix L for clarification of reporting responsibilities by recipient category.

   All transit providers—whether direct recipients, primary recipients or subrecipients—that receive financial assistance from FTA are also responsible for following the general requirements in Chapter III of this circular. The requirements in this chapter are scaled based on the size of the fixed route transit provider.

   Providers of public transportation that only operate demand response service are responsible only for the requirements in Chapter III. Demand response includes general public paratransit, Americans with Disabilities Act complementary paratransit, vanpools, and Section 5310 non-profits that serve only their own clientele (closed door service). Providers of public transportation that operate fixed route and demand response service, or only fixed route service, are responsible for the reporting requirements in this chapter, but these requirements only apply to fixed route service.

Requirement	Transit Providers that operate fixed route service	Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population
Set system-wide standards and policies	Required	Required
Collect and report data	Not required	Required: • Demographic and service profile maps and charts • Survey data regarding customer demographic and travel patterns
Evaluate service and fare equity changes	Not required	Required
Monitor transit service	Not required	Required

a. If a transit provider:

(1) Operates 50 or more fixed route vehicles in peak service and is located in an Urbanized Area (UZA) of 200,000 or more in population; or
(2) Has been placed in this category at the discretion of the Director of Civil Rights in consultation with the FTA Administrator,

Then the transit provider's Title VI Program must contain all of the elements described in this chapter.

b. If a fixed route transit provider does not meet the threshold in paragraph a, then the transit provider is only required to set system-wide standards and policies, as further described below.

c. Threshold. FTA requires all transit providers to submit a Title VI Program to comply with DOT Title VI regulations; the threshold provides a distinction regarding the degree of evidence a fixed route transit provider must provide to demonstrate compliance with those regulations.

d. Determination. As of the effective date of this circular (4702.1B), those transit providers that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population, are required to meet all requirements of this chapter (i.e., setting service standards and policies, collecting and reporting data, monitoring transit service, and evaluating fare and service changes).

2. IMPLEMENTATION. Fixed route transit providers with Title VI Programs due between October 1, 2012 and March 31, 2013 must submit a Title VI Program that is compliant with this Circular by March 31, 2013. On or about October 1, 2012, FTA will publish a list of recipients that are in this group, and FTA will also reach out to each recipient to ensure awareness of the requirement.

a. All fixed route transit providers with Title VI Programs that do not expire between October 1, 2012, and March 31, 2013, are required to develop or update their system-wide standards and policies and submit them into TEAM by March 31, 2013.

b. Title VI Programs due to expire on or after April 1, 2013, must comply with the reporting requirements of this Circular, 4702.1B.

c. Service Equity Analyses. Transit providers with 50 or more vehicles in fixed route service that are located in large UZAs and have major service changes scheduled between October 1, 2012 and March 31, 2013, may follow the service equity analysis guidance provided in FTA Circular 4702.1A. A transit provider may conduct a service equity analysis consistent with the new Circular for major service changes occurring prior to April 1, 2013, but is not required to do so. All major service changes occurring on or after April 1, 2013 must be analyzed with the framework outlined in section 7 of this chapter.

d. Surveys. Transit providers with 50 or more vehicles in fixed route service that are located in large UZAs and that have not conducted passenger surveys in the last five years will have until December 31, 2013, to conduct these surveys.

3. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM. As stated in Chapter III of this Circular, in order to ensure compliance with the reporting requirements of 49 CFR Section 21.9(b), FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all transit providers (including subrecipients), the Title VI Program must be approved by the transit provider's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. Transit providers shall submit a copy of the board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program. FTA will review and concur or request the recipient provide additional information. Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding, on a schedule to be determined by the primary recipient, in order to assist the primary recipient in its compliance efforts. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the primary recipient.

a. Contents of the Title VI Program. Providers of fixed route public transportation shall include the following information in their Title VI Program.

(1) All fixed route transit providers shall submit:

(a) All general requirements set out in Section 4 of Chapter III of this Circular; and

(b) System-wide service standards and system-wide service policies, whether existing or new (i.e., adopted by the transit provider since the last submission) as described in this chapter.

(2) Transit providers that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population shall include the information in paragraph a(1) above, and will also include:

(a) A demographic analysis of the transit provider's service area. This shall include demographic maps and charts completed since submission of the last Title VI Program that contains demographic information and service profiles;

(b) Data regarding customer demographics and travel patterns, collected from passenger surveys;

(c) Results of the monitoring program of service standards and policies and any action taken, including documentation (e.g., a resolution, copy of meeting minutes, or similar documentation) to verify the board's or governing entity or official(s)'s consideration, awareness, and approval of the monitoring results;

(d) A description of the public engagement process for setting the "major service change policy" and disparate impact policy;

(e) A copy of board meeting minutes or a resolution demonstrating the board's or governing entity or official(s)'s consideration, awareness, and approval of the major service change policy and disparate impact policy.

(f) Results of equity analyses for any major service changes and/or fare changes implemented since the last Title VI Program submission; and

(g) A copy of board meeting minutes or a resolution demonstrating the board's or governing entity or official(s)'s consideration, awareness, and approval of the equity analysis for any service or fare changes required by this circular.

4. REQUIREMENT TO SET SYSTEM-WIDE SERVICE STANDARDS AND POLICIES. These requirements apply to all fixed route providers of public transportation service. Title 49 CFR Section 21.5 states the general prohibition of discrimination on the grounds of race, color, or national origin. Section 21.5(b)(2) specifies that a recipient shall not "utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color, or national origin." Section 21.5(b)(7) requires recipients to "take affirmative action to assure that no person is excluded from participation in or denied the benefits of the program or activity on the grounds of race, color, or national origin." Finally, Appendix C to 49 CFR part 21 provides in Section (3)(iii) that "[n]o person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of service of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin."

All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide. Fixed route modes of service include but are not limited to, local bus, express bus, commuter bus, bus rapid transit, light rail, subway, commuter rail, passenger ferry, etc. These standards and policies must address how service is distributed across the transit system, and must ensure that the manner of the distribution affords users access to these assets.

These system-wide service standards differ from any standards set by the APTA Standards Development Program and other standards development organizations (SDOs), in that they will be set by individual transit providers and will apply agency-wide rather than industry-wide.

Providers of fixed route public transportation shall also adopt system-wide service policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

a. Effective Practices to Fulfill the Service Standard Requirement. FTA requires all fixed route transit providers to develop quantitative standards for all fixed route modes of operation for the indicators listed below. Providers of public transportation may set additional standards as appropriate or applicable to the type of service they provide. See Appendix G for an example of how to report this information.

(1) Vehicle load for each mode. Vehicle load can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees. A vehicle load standard is generally expressed in terms of peak and off-peak times. Transit providers that operate multiple modes of transit must describe the specific vehicle load standards for peak and off-peak times for each mode of fixed route transit service (i.e., bus, express bus, bus rapid transit, light rail, heavy rail, commuter rail, passenger ferry, etc., as applicable), as the standard may differ by mode.

(2) Vehicle headway for each mode. Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Vehicle headways are measured in minutes (e.g., every 15 minutes); service frequency is measured in vehicles per hour (e.g., 4 buses per hour). Headways and frequency of service are general indications of the level of service provided along a route. Vehicle headway is one component of the amount of travel time expended by a passenger to reach his/her destination. A vehicle headway standard is generally expressed for peak and off-peak service as an increment of time (e.g., peak: every 15 minutes; and off peak: every 30 minutes). Transit providers may set different vehicle headway standards for different modes of transit service. A vehicle headway standard might establish a minimum frequency of service by area based on population density. For example, service at 15-minute peak headways and 30-minute off-peak headways might be the standard for routes serving the most densely populated portions of the service area, whereas 30-minute peak headways and 45-minute off-peak headways might be the standard in less densely populated areas. Headway standards are also typically related to vehicle load. For example, a service standard might state that vehicle headways will be improved first on routes that exceed the load factor standard or on routes that have the highest load factors.

(3) On-time performance for each mode. On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be "on time." For example, a transit provider may consider it acceptable if a vehicle completes a scheduled run between zero and five minutes late in comparison to the established schedule. On-time performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along the route. Some transit providers set an on-time performance standard that prohibits vehicles from running early (i.e., ahead of schedule) while others allow vehicles to run early within a specified window of time (e.g., up to five minutes ahead of schedule). An acceptable level of performance must be defined (expressed as a percentage). The percentage of runs completed system-wide or on a particular route or line within the standard must be calculated and measured against the level of

performance for the system. For example, a transit provider might define on-time performance as 95 percent of all runs system-wide or on a particular route or line completed within the allowed "on-time" window.

(4) Service availability for each mode. Service availability is a general measure of the distribution of routes within a transit provider's service area. For example, a transit provider might set a service standard to distribute routes such that a specified percentage of all residents in the service area are within a one-quarter mile walk of bus service or a one-half mile walk of rail service. A standard might also indicate the maximum distance between stops or stations. These measures related to coverage and stop/station distances might also vary by population density. For example, in more densely populated areas, the standard for bus stop distance might be a shorter distance than it would be in less densely populated areas, and the percentage of the total population within a one-quarter mile walk of routes or lines might be higher in more densely populated areas than it would be in less densely populated areas. Commuter rail service or passenger ferry service availability standards might include a threshold of residents within a certain driving distance as well as within walking distance of the stations or access to the terminal.

b. Effective Practices to Fulfill the Service Policy Requirement. FTA requires fixed route transit providers to develop a policy for each of the following service indicators. Transit providers may set policies for additional indicators as appropriate. See Appendix H for an example of how to report this information.

(1) Distribution of transit amenities for each mode. Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. Fixed route transit providers must set a policy to ensure equitable distribution of transit amenities across the system. Transit providers may have different policies for the different modes of service that they provide. Policies in this area address how these amenities are distributed within a transit system, and the manner of their distribution determines whether transit users have equal access to these amenities. This subparagraph is not intended to impact funding decisions for transit amenities. Rather, this subparagraph applies after a transit provider has decided to fund an amenity.

This policy does not apply to transit providers that do not have decision-making authority over the siting of transit amenities. Transit providers are not responsible for setting a policy for transit amenities that are solely sited by a separate jurisdiction (e.g., a city, town, or county) unless the transit provider has the authority to set policies to determine the siting of these amenities. Transit providers are responsible for setting a policy for transit amenities that are installed under a contract between the transit provider and a private entity. In these cases, the transit provider shall communicate its service policy to the private entity.

Transit providers shall submit their siting policy where the definition of transit amenities includes but is not limited to:

(a) Seating (i.e., benches, seats at stops/stations)

(b) Bus and rail shelters and rail platform canopies
(c) Provision of information:
    i. Printed signs, system maps, route maps, and schedules.
    ii. Digital equipment such as next vehicle arrival time signs along bus routes and at fixed guideway stations (i.e., electronic signage that depicts when a transit vehicle will next arrive at the station or stop).
(d) Escalators
(e) Elevators
(f) Waste receptacles (including trash and recycling)

(2) Vehicle assignment for each mode. Vehicle assignment refers to the process by which transit vehicles are placed into service in depots and on routes throughout the transit provider's system. Policies for vehicle assignment may be based on the age of the vehicle, where age would be a proxy for condition. For example, a transit provider could set a policy to assign vehicles to depots so that the age of the vehicles at each depot does not exceed the system-wide average. The policy could also be based on the type of vehicle. For example, a transit provider may set a policy to assign vehicles with more capacity to routes with higher ridership and/or during peak periods. The policy could also be based on the type of service offered. For example, a transit provider may set a policy to assign specific types of vehicles to express or commuter service. Transit providers deploying vehicles equipped with technology designed to reduce emissions could choose to set a policy for how these vehicles will be deployed throughout the service area.

5. REQUIREMENT TO COLLECT AND REPORT DEMOGRAPHIC DATA. This requirement applies only to transit providers that operate 50 or more fixed route vehicles in peak service and are located in Urbanized Areas (UZA) of 200,000 or more in population or that otherwise meet the threshold in the Introduction section of this chapter. Title 49 CFR Section 21.9(b) requires recipients to keep records and submit compliance reports (a Title VI Program) to FTA. Title VI Programs shall contain "such information, as the Secretary may determine to be necessary to enable him to ascertain whether the recipient has complied or is complying with this part." In addition, 49 CFR 21.9(b) states that recipients "should have available for the Secretary racial and ethnic data showing the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance." In order to ensure compliance with the regulation, FTA requires these transit providers to prepare data regarding demographic and service profile maps and charts as well as customer demographics and travel patterns.

   In order to comply with the reporting requirements in 49 CFR Section 21.9(b), transit providers that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population shall collect and analyze racial and ethnic data as described below in order to determine the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance from FTA.

   a. Demographic and Service Profile Maps and Charts. Transit providers shall prepare demographic and service profile maps and charts after each decennial census and prior to proposed service reductions or eliminations. Transit providers may use decennial census

data to develop maps and charts until the next decennial census or they may use American Community Survey (ACS) data between decennial censuses. These maps and charts will help the transit provider determine whether and to what extent transit service is available to minority populations within the transit provider's service area. These maps may be prepared using Geographic Information System (GIS) technology, although transit providers without access to GIS technology may prepare the maps in alternative formats. FTA requires transit providers to prepare the following maps and charts:

(1) A base map of the transit provider's service area that overlays Census tract, Census block or block group, traffic analysis zone (TAZ), or other locally available geographic data with transit facilities—including transit routes, fixed guideway alignments, transit stops and stations, depots, maintenance and garage facilities, and administrative buildings—as well as major activity centers or transit trip generators, and major streets and highways. Major activity centers and transit trip generators can include, but are not necessarily limited to, the central business district, outlying high employment areas, schools, and hospitals. This map shall overlay Census tract, block or block group data depicting minority populations with fixed transit facilities, such as bus shelters, transit stations, and fixed guideways. Another map shall highlight those transit facilities that were recently replaced, improved or are scheduled (projects identified in planning documents) for an update in the next five years.

(2) A demographic map that plots the information listed in (1) above and also shades those Census tracts, blocks, block groups, TAZs, or other geographic zones where the percentage of the total minority population residing in these areas exceeds the average percentage of minority populations for the service area as a whole. Transit providers may elect to produce maps that highlight separately the presence of specific minority populations if this information will assist the transit provider in determining compliance with Title VI and/or LEP. Transit providers shall also prepare a GIS or alternative map overlaying minority populations with fixed transit facilities, such as bus shelters, transit stations, and fixed guideways.

(3) For purposes of addressing environmental justice, and in order to evaluate the impacts of major service changes on low-income populations, demographic maps shall also depict those Census tracts, blocks, block groups, TAZs, or other geographic zones where the percentage of the total low-income population residing in these areas exceeds the average percentage of low-income populations for the service area as a whole.

b. Demographic Ridership and Travel Patterns. Fixed route providers of public transportation that meet the threshold in the Introduction section of this chapter shall collect information on the race, color, national origin, English proficiency, language spoken at home, household income and travel patterns of their riders using customer surveys. Transit providers shall use this information to develop a demographic profile comparing minority riders and non-minority riders, and trips taken by minority riders and non-minority riders. Demographic information shall also be collected on fare usage by fare type amongst minority users and low-income users, in order to assist with fare equity

analyses. The demographic information shall be displayed in tabular format. An example of this analysis is depicted in Appendix I.

The information required in this subparagraph may be integrated into passenger surveys employed by transit providers on a schedule determined by the transit provider but no less than every five years and may be collected at the time that such surveys are routinely performed, such as customer satisfaction surveys and origin and destination surveys used to update travel demand models. Transit providers should contact FTA for further guidance on survey sample sizes, data expansion procedures, and data collection methods suitable to the transit provider's specific situation.

Transit providers shall take steps to translate customer surveys into languages other than English as necessary, or to provide translation services in the course of conducting customer surveys consistent with the DOT LEP guidance and the recipient's language assistance plan.

6. REQUIREMENT TO MONITOR TRANSIT SERVICE. This requirement applies only to providers of public transportation that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population or that otherwise meet the threshold in the Introduction section of this chapter. In order to ensure compliance with DOT's Title VI regulations, FTA requires these transit providers to monitor the performance of their transit system relative to their system-wide service standards and service policies (i.e., vehicle load, vehicle assignment, transit amenities, etc.) not less than every three years using the following method:

   a. Transit providers shall use the minority transit route definition to implement this monitoring program. Transit providers shall select a sample of minority and non-minority routes from all modes of service provided, e.g., local bus, bus rapid transit, light rail, etc. The sample shall include routes that provide service to predominantly minority areas and non-minority areas. Transit providers should bear in mind that the greater the sample size, the more reliable the results.

      As defined in Chapter I, a minority transit route is one in which at least one-third of the revenue miles are located in a Census block, Census block group, or traffic analysis zone where the percentage minority population exceeds the percentage minority population in the service area. Transit providers may supplement this with ridership data and adjust route designations accordingly. For example, a commuter bus that picks up passengers in generally non-minority areas and then travels through predominantly minority neighborhoods but does not pick up passengers who live closer to downtown might be more appropriately classified as a non-minority route, even if one-third of the route mileage is located in predominantly minority Census blocks or block groups. On the other hand, a light rail line may carry predominantly minority passengers to an area where employment centers and other activities are located, but the minority population in the surrounding Census blocks or block groups does not meet or exceed the area average. This route may be more appropriately classified as a minority transit route. Transit providers should ensure they have

adequate ridership data before making these determinations, and include that data in their analyses.

b. Transit providers shall assess the performance of each minority and non-minority route in the sample for each of the transit provider's service standards and service policies.

c. Transit providers shall compare the transit service observed in the assessment to the transit provider's established service policies and standards.

d. For cases in which the observed service for any route exceeds or fails to meet the standard or policy, depending on the metric measured, the transit provider shall analyze why the discrepancies exist, and take steps to reduce the potential effects.

e. Transit providers shall evaluate their transit amenities policy to ensure amenities are being distributed throughout the transit system in an equitable manner.

f. Transit providers shall develop a policy or procedure to determine whether disparate impacts exist on the basis of race, color, or national origin, and apply that policy or procedure to the results of the monitoring activities;

g. Transit providers shall brief and obtain approval from the transit providers' policy-making officials, generally the board of directors or appropriate governing entity responsible for policy decisions regarding the results of the monitoring program;

h. Submit the results of the monitoring program as well as documentation (e.g., a resolution, copy of meeting minutes, or similar documentation) to verify the board's or governing entity or official(s)'s consideration, awareness, and approval of the monitoring results to FTA every three years as part of the Title VI Program. See Appendix J for an example of how to report this information.

Transit providers shall undertake these periodic service monitoring activities to compare the level of service provided to predominantly minority areas with the level of service provided to predominantly non-minority areas to ensure the end result of policies and decision-making is equitable. A transit provider at its discretion may choose to conduct service monitoring more frequently than every three years.

If a transit provider determines, based on its monitoring activities, that prior decisions have resulted in a disparate impact on the basis of race, color, or national origin, the transit provider shall take corrective action to remedy the disparities to the greatest extent possible, and shall discuss in the Title VI Program these disparate impacts and actions taken to remedy the disparities.

7. REQUIREMENT TO EVALUATE SERVICE AND FARE CHANGES. This requirement applies only to transit providers that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population or that otherwise meet the threshold in the Introduction section of this chapter. These transit providers are required to prepare and submit service and fare equity analyses as described below. Transit providers not

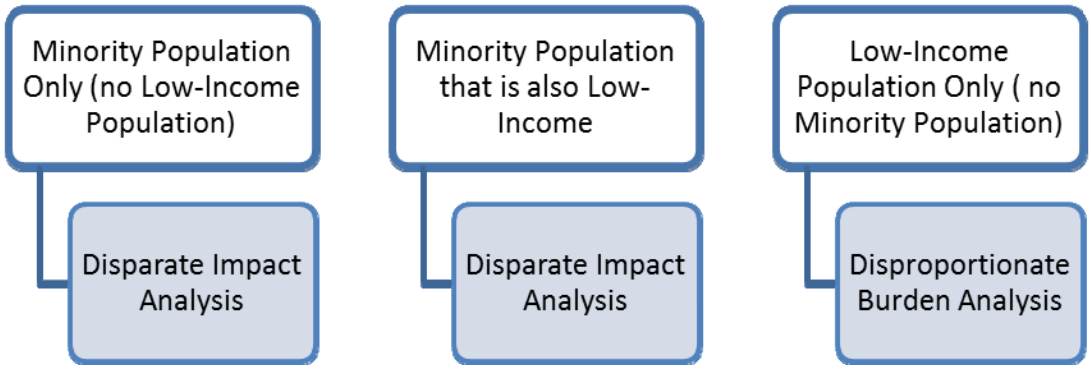
subject to this requirement are responsible for complying with the DOT Title VI regulations which prohibit disparate impact discrimination, and therefore should review their policies and practices to ensure their service and fare changes do not result in disparate impacts on the basis of race, color, or national origin.

To further ensure compliance with 49 CFR Section 21.5(b)(2), 49 CFR Section 21.5(b)(7), and Appendix C to 49 CFR part 21, all providers of public transportation to which this Section applies shall develop written procedures consistent with this Section to evaluate, prior to implementation, any and all service changes that exceed the transit provider's major service change threshold, as well as all fare changes, to determine whether those changes will have a discriminatory impact based on race, color, or national origin. The written procedures and results of service and/or fare equity analyses shall be included in the transit provider's Title VI Program.

One purpose of conducting service and fare equity analyses prior to implementing service and/or fare changes is to determine whether the planned changes will have a disparate impact on the basis of race, color, or national origin.

The typical measure of disparate impact involves a comparison between the proportion of persons in the protected class who are adversely affected by the service or fare change and the proportion of persons not in the protected class who are adversely affected. The comparison population for a statistical measure of disparate impact is all persons who are either affected by the service or fare changes or who could possibly be affected by the service or fare change (e.g., potential passengers). When a transit provider uses ridership as the comparison population, the transit provider will compare the ridership of the affected route(s) with the ridership of the system. For example, if the ridership of affected route(s) is 60 percent minority and the system ridership is 40 percent minority, then changes to the route(s) may have a disparate impact. When a transit provider uses the population of the service area as the comparison population, it will compare the population in Census blocks or block groups served by the affected route(s) with the population in the service area. For example, if affected route(s) serves Census blocks that are 40 percent minority and the service area is 45 percent minority, there would likely not be a disparate impact. Examples of this analysis are provided in Appendix K.

Low-income populations are not a protected class under Title VI. However, recognizing the inherent overlap of environmental justice principles in this area, and because it is important to evaluate the impacts of service and fare changes on passengers who are transit-dependent, FTA requires transit providers to evaluate proposed service and fare changes to determine whether low-income populations will bear a disproportionate burden of the changes. As depicted below, when a minority population is present, the correct analysis is a disparate impact analysis:



Transit providers shall use tables similar to those provided in Appendix K to depict the results of the service and/or fare equity analysis. Transit providers should refer to the checklist and examples in the Appendix for additional technical assistance with service and fare equity analyses.

Upon completion of a service or fare equity analysis, the transit provider shall brief its board of directors, top executive, or appropriate governing entity or official(s) responsible for policy decisions regarding the service and/or fare change(s) and the equity impacts of the service and/or fare change(s). The transit provider shall submit documentation such as a board resolution, copy of meeting minutes, or similar documentation with the Title VI Program as evidence of the board or governing entity or official's consideration, awareness, and approval of the analysis.

a. Service Equity Analysis

FTA encourages transit providers to contact their FTA Regional Civil Rights Officer for technical assistance when they have determined that a service equity analysis is necessary. Upon request, FTA can provide technical assistance related to methodology and analysis prior to a transit provider's board of directors taking action.

Transit providers shall evaluate the impacts of their proposed service changes on minority and low-income populations separately, using the following methods:

(1) Service Equity Analysis for Minority Populations:

(a) Major Service Change Policy. In order to begin the analysis, the transit provider must first identify what constitutes a "major service change" for its system, as only "major service changes" are subject to a service equity analysis. The transit provider must conduct a service equity analysis for those service changes that meet or exceed the transit provider's "major service change policy."

A major service change policy is typically presented as a numerical standard, such as a change that affects "x" percent of a route, "x" number of route miles or hours, or some other route-specific or system-wide change, or the number or concentration of people affected. The major service change policy will include

adding service and reducing service. The threshold for analysis shall not be set so high so as to never require an analysis; rather, agencies shall select a threshold most likely to yield a meaningful result in light of the transit provider's system characteristics.

A transit provider may exempt a temporary addition of service (e.g., demonstration projects), including those that would otherwise qualify as a major service change, from its definition of major service change. If a temporary service addition or change lasts longer than twelve months, then FTA considers the service addition or change permanent and the transit provider must conduct a service equity analysis if the service otherwise qualifies as a major service change.

(b) Adverse Effects. The transit provider shall define and analyze adverse effects related to major changes in transit service. The adverse effect is measured by the change between the existing and proposed service levels that would be deemed significant. Changes in service that have an adverse effect and that may result in a disparate impact include reductions in service (e.g., elimination of route, shortlining a route, rerouting an existing route, increase in headways). Elimination of a route will generally have a greater adverse impact than a change in headways. Additions to service may also result in disparate impacts, especially if they come at the expense of reductions in service on other routes. Transit providers shall consider the degree of adverse effects, and analyze those effects, when planning their service changes.

(c) Disparate Impact Policy. The transit provider shall develop a policy for measuring disparate impacts. The policy shall establish a threshold for determining when adverse effects of service changes are borne disproportionately by minority populations. The disparate impact threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by minority populations compared to impacts borne by non-minority populations. The disparate impact threshold must be applied uniformly, regardless of mode, and cannot be altered until the next Title VI Program submission.

For illustrative purposes only, here is an example: a transit provider adopts a disparate impact policy that provides any time there is a difference in adverse impacts between minority and non-minority populations of plus or minus ten percent, this is statistically significant, and such differences in adverse impacts are disparate. For example, if minorities make up 30 percent of the overall population, but would bear 45 percent of the impacts, and the non-minority group would bear 55 percent, there may be a disparate impact insofar as the minority group bears 15 percent more than its expected share, from 45 percent of the burden to 30 percent of the population; while the non-minority group bears 15 percent less than its expected share of 55 percent of burden compared to 70 percent of population—even though the absolute majority of the burden rests with the non-minority group. Applying the ten percent disparate impact policy, the provider will find a disparate impact and must therefore consider

modifying the proposed changes in order to avoid, minimize, or mitigate the disparate impacts of the proposed changes. [**NOTE**: Ten percent is not a suggested baseline or standard, and is used here solely as an example. As described above, each transit provider will adopt a disparate impact policy.]

(d) Public Participation. The transit provider shall engage the public in the decision-making process to develop the major service change policy and disparate impact policy.

(e) Data Analysis. The transit provider shall describe the dataset(s) the transit provider will use in the service equity analysis, i.e., whether the provider is using American Community Survey (ACS), Census blocks, block groups, traffic analysis zone (TAZ) level, or using ridership data. The transit provider shall also describe what techniques and/or technologies were used to collect the data. When relying on population data instead of ridership data, the choice of dataset should be the smallest geographic area that reasonably has access to the bus or rail stop or station. For example, passengers will generally walk up to one-quarter mile to a bus stop or one-half mile to a light or heavy rail station, or drive up to three miles to a commuter rail station. The demographics of the neighborhoods within those distances should be the datasets used. Transit providers may use the data from an entire Census block or block group when a portion of the area is within the walking or driving distance described above.

(f) Assessing Service Impacts. Transit providers shall evaluate the impacts of proposed service changes on minority populations using the following framework:

(i) The typical measure of disparate impact involves a comparison between the proportion of persons in the protected class who are adversely affected by the service or fare change and the proportion of persons not in the protected class who are adversely affected. The population for a statistical measure of disparate impact is all persons that are either affected by the service or fare changes or that could possibly be affected by the service or fare change (e.g., potential passengers), thus the comparison population may vary depending on the type of change under evaluation. The transit provider shall include in the analysis the reason for the comparison population selected.

For example, when making headway changes, eliminating a route, or increasing service to an area currently served by the transit system, the appropriate comparison population would likely be ridership, and the transit provider would compare the ridership of the affected route(s) with the ridership of the system.

On the other hand, when proposing to provide new service to a neighborhood or corridor not served by the transit system, the appropriate comparison population would likely be the population of the service area, and the transit

provider would compare the population in Census blocks or block groups served by the proposed route(s) with the population in the service area.

Further, if a transit provider is proposing a major service change that involves both headway changes and new service to a neighborhood or corridor not served by the transit system, the transit provider would not have to use different comparison populations for the different types of changes. The transit provider would select either ridership or population of the service area and conduct an analysis using the same comparison population.

Transit providers are cautioned not to "mix and match" their comparison populations. Ridership of affected route(s) should be compared to ridership of the system, and Census blocks or block groups should be compared with the population of the service area.

In instances where a transit provider does not have adequate ridership data or is otherwise uncertain as to which population to use for comparison purposes, the transit provider should contact their FTA regional office for technical assistance.

(ii) Ridership Data. When the transit provider determines that the correct population base is ridership, the transit provider shall document the reasons for selecting this population base and analyze any available information generated from ridership surveys to determine the minority and non-minority population ridership of the affected route(s) and the minority and non-minority ridership of the entire system.

(iii) GIS or Alternative Maps. When the transit provider determines that the correct population base is Census blocks or block groups, the transit provider shall document the reasons for selecting this population base and shall prepare maps of the routes that would be reduced, increased, eliminated, added, or restructured, overlaid on a demographic map of the service area, in order to study the affected population. Transit providers may also find it helpful to prepare these maps when doing an analysis based on ridership.

(iv) Determination of Disparate Impact. Each service change analysis must compare existing service to proposed changes, and calculate the absolute change as well as the percent change. The transit provider shall use its adverse effects definition and disparate impact threshold to determine whether the proposed major service change will result in adverse effects that are disproportionately borne by minority populations, by comparing the proportion of minorities adversely affected to the proportion of non-minorities adversely affected. The transit provider shall consider the degree of the adverse effects when doing this analysis. Any service change analysis shall be expressed as a percent change in tabular format. See Appendix K for an example of how to report this data.

(v) Analysis of Modifications. If the transit provider finds potential disparate impacts and then modifies the proposed changes in order to avoid, minimize, or mitigate potential disparate impacts, the transit provider must reanalyze the proposed changes in order to determine whether the modifications actually removed the potential disparate impacts of the changes.

(vi) Finding a Disparate Impact on the Basis of Race, Color, or National Origin. If a transit provider chooses not to alter the proposed service changes despite the potential disparate impact on minority populations, or if the transit provider finds, even after the revisions, that minority riders will continue to bear a disproportionate share of the proposed service change, the transit provider may implement the service change *only* if:

- the transit provider has a substantial legitimate justification for the proposed service change, **and**
- the transit provider can show that there are no alternatives that would have a less disparate impact on minority riders but would still accomplish the transit provider's legitimate program goals.

  It is important to understand that in order to make this showing, the transit provider must consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

(vii) Examining Alternatives. If the transit provider determines that a proposed service change will have a disparate impact, the transit provider shall analyze the alternatives (identified in the second bullet above) to determine whether alternatives exist that would serve the same legitimate objectives but with less of a disparate effect on the basis of race, color, or national origin. The existence of such an alternative method of accomplishing the transit provider's substantial and legitimate interests demonstrates that the disparate effects can be avoided by adoption of the alternative methods without harming such interests. In addition, if evidence undermines the legitimacy of the transit provider's asserted justification - that is, that the justification is not supported by demonstrable evidence - the disparate effects will violate Title VI, as the lack of factual support will indicate that there is not a substantial legitimate justification for the disparate effects. At that point, the transit provider must revisit the service changes and make adjustments that will eliminate unnecessary disparate effects on populations defined by race, color, or national origin. Where disparate impacts are identified, the transit provider shall provide a meaningful opportunity for public comment on any proposed mitigation measures, including the less discriminatory alternatives that may be available.

(2) Service Equity Analysis for Low-Income Populations. As noted above, low-income populations are not a protected class under Title VI. However,

recognizing the inherent overlap of environmental justice principles in this area, and because it is important to evaluate the impacts of service and fare changes on passengers who are transit-dependent, FTA requires transit providers to evaluate proposed service and fare changes to determine whether low-income populations will bear a disproportionate burden of the changes.

(a) Major Service Change Policy. As described under the Service Equity Analysis for Minority Populations, the transit provider must first identify what constitutes a "major service change" for its system, as only "major service changes" are subject to a service equity analysis. The transit provider's major service change policy will apply to both analyses.

(b) Adverse Effects. As described under the Service Equity Analysis for Minority Populations, the transit provider shall define and analyze adverse effects related to major changes in transit service. The transit provider's adverse effects policy will apply to both analyses.

(c) Disproportionate Burden Policy. The transit provider shall develop a policy for measuring disproportionate burdens on low-income populations. The policy shall establish a threshold for determining when adverse effects of service changes are borne disproportionately by low-income populations. The disproportionate burden threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by low-income populations as compared to impacts borne by non-low-income populations. The disproportionate burden threshold must be applied uniformly, regardless of mode.

(d) Public Participation. The transit provider shall engage the public in the decision-making process to develop the disproportionate burden policy.

(e) Selection of Comparison Population. Transit providers may use ridership data or population of the service area for the comparison population. If a transit provider uses ridership as the comparison population for the Title VI (minority populations) service equity analysis, the transit provider should use ridership as the comparison population for the low-income equity analysis. Similarly, if the transit provider uses the service area as the comparison population for the Title VI (minority populations) analysis, the provider should use the service area as the comparison population for the low-income analysis.

(f) Data Analysis. The transit provider shall describe the dataset(s) the transit provider will use in the service equity analysis, i.e., whether the provider is using American Community Survey (ACS), Census blocks, block groups, or traffic analysis zone (TAZ) level, or using ridership data. The transit provider shall also describe what techniques and/or technologies were used to collect the data. When relying on population data instead of ridership data, the choice of dataset should be the smallest geographic area that reasonably has access to the bus or rail stop or station. [NOTE: Census tract level may be used if that is the smallest geographic area available for income data]. For example,

passengers will generally walk up to one-quarter mile to a bus stop or one-half mile to a light or heavy rail station, or drive up to three miles to a commuter rail station. The demographics of the neighborhoods within those distances should be the datasets used. Transit providers may use the data from an entire Census block or block group when a portion of the area is within the walking or driving distance described above.

(g) Assessing Service Impacts. Transit providers shall evaluate the impacts of proposed service changes on low-income populations using the following method:

(i) Ridership Data. When the transit provider determines that the correct comparison population is ridership, the transit provider shall document the reasons for selecting this comparison population and analyze any available information generated from ridership surveys to determine the low-income and non-low-income population ridership of the affected route(s) and the low-income and non-low-income ridership of the entire system.

(ii) GIS or Alternative Maps. When the transit provider determines that the correct population base is Census blocks or block groups, the transit provider shall document the reasons for selecting this population base and shall prepare maps of the routes that would be reduced, increased, eliminated, added, or restructured/rerouted, overlaid on a demographic map of the service area, in order to study the affected population. Transit providers may also find it helpful to prepare these maps when doing an analysis based on ridership.

(iii) Determination of Disproportionate Burden. Each service change analysis must compare existing service to proposed service, and calculate the absolute change as well as the percent change. The transit provider shall use its disproportionate burden threshold to determine whether the proposed change will result in adverse effects that are disproportionately borne by low-income populations, by comparing the proportion of low-income persons adversely affected to the proportion of non-low-income persons adversely affected. Any service change analysis shall be expressed as a percent change in tabular format. See Appendix K for an example of how to report this data.

(iv) Avoid, Minimize, Mitigate. At the conclusion of the analysis, if the transit provider finds that low-income populations will bear a disproportionate burden of the proposed major service change, the transit provider should take steps to avoid, minimize, or mitigate impacts where practicable. The provider should also describe alternatives available to low-income passengers affected by the service changes.

(v) FTA considers the disproportionate burden analysis for low-income populations described above to be important for planning and environmental justice analysis purposes; however, since low-income populations are not a protected class under Title VI, failure to complete this analysis will not result in a finding of noncompliance under Title VI.

b. Fare Equity Analysis

(1) Fare Changes. The fare equity analysis requirement applies to all fare changes regardless of the amount of increase or decrease. As with the service equity analysis, FTA requires transit providers to evaluate the effects of fare changes on low-income populations in addition to Title VI-protected populations.

(a) Exceptions.

(i) "Spare the air days" or other instances when a local municipality or transit agency has declared that all passengers ride free.

(ii) Temporary fare reductions that are mitigating measures for other actions. For example, construction activities may close a segment of a rail system for a period of time and require passengers to alter their travel patterns. A reduced fare for these impacted passengers is a mitigating measure and does not require a fare equity analysis.

(iii) Promotional fare reductions. If a promotional or temporary fare reduction lasts longer than six months, then FTA considers the fare reduction permanent and the transit provider must conduct a fare equity analysis.

(2) Data Analysis. For proposed changes that would increase or decrease fares on the entire system, or on certain transit modes, or by fare payment type or fare media, the transit provider shall analyze any available information generated from ridership surveys indicating whether minority and/or low-income riders are disproportionately more likely to use the mode of service, payment type, or payment media that would be subject to the fare change. Notably, Census data will not be effective data for fare analyses, since it is impossible to know, based on Census data, what fare media people are using. The transit provider shall describe the dataset(s) the transit provider will use in the fare change analysis. This section shall also describe what techniques and/or technologies were used to collect the data. The transit provider shall—

(i) Determine the number and percent of users of each fare media being changed;
(ii) Review fares before the change and after the change;
(iii) Compare the differences for each particular fare media between minority users and overall users; and
(iv) Compare the differences for each particular fare media between low-income users and overall users.

Please see Appendix K for a sample analysis.

(3) Assessing Impacts. Transit providers shall evaluate the impacts of their proposed fare changes (either increases or decreases) on minority and low-income populations separately, using the following framework:

(a) Minority Disparate Impact Policy. The transit provider shall develop a policy for measuring disparate impact to determine whether minority riders are bearing a disproportionate impact of the change between the existing cost and the proposed cost. The impact may be defined as a statistical percentage. The disparate impact threshold must be applied uniformly, regardless of fare media, and cannot be altered until the next Title VI Program submission.

(b) Public Participation Process. The transit provider shall engage the public in the decision-making process to develop the disparate impact threshold.

(c) Modification of Proposal. If the transit provider finds potential disparate impacts and then modifies the proposed changes in order to avoid, minimize or mitigate those impacts, the transit provider must reanalyze the proposed changes in order to determine whether the modifications actually removed the potential disparate impacts of the changes.

(d) Finding a Disparate Impact on the Basis of Race, Color, or National Origin. If a transit provider chooses not to alter the proposed fare changes despite the disparate impact on minority ridership, or if the transit provider finds, even after the revisions, that minority riders will continue to bear a disproportionate share of the proposed fare change, the transit provider may implement the fare change only if:

- the transit provider has a substantial legitimate justification for the proposed fare change, **and**

- the transit provider can show that there are no alternatives that would have a less disparate impact on minority riders but would still accomplish the transit provider's legitimate program goals.

  It is important to understand that in order to make this showing, the transit provider must consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

(e) Examining Alternatives. If the transit provider determines that a proposed fare change will have a disparate impact, the transit provider shall analyze the alternatives (identified in the second bullet above) to determine whether alternatives exist that would serve the same legitimate objectives but with less of a disparate effect on the basis of race, color, or national origin. The existence of such an alternative method of accomplishing the transit provider's substantial and legitimate interests demonstrates that the disparate effects can be avoided by adoption of the alternative methods without harming such interests. In addition, if evidence undermines the legitimacy of the transit provider's asserted justification—that is, that the justification is not supported by demonstrable evidence—the disparate effects will violate Title VI, as the lack of factual support will indicate that there is not a substantial legitimate justification for the disparate effects. At that point, the transit provider must revisit the fare changes and make

adjustments that will eliminate unnecessary disparate effects on populations defined by race, color, or national origin. Where disparate impacts are identified, the transit provider shall provide a meaningful opportunity for public comment on any proposed mitigation measures, including any less discriminatory alternatives that may be available.

(f) Low-Income Disproportionate Burden Policy. The transit provider shall develop a policy for measuring the burden of fare changes on low-income riders to determine when low-income riders are bearing a disproportionate burden of the change between the existing fare and the proposed fare. The impact may be defined as a statistical percentage. The disproportionate burden threshold must be applied uniformly, regardless of fare media, and cannot be altered until the next program submission.

(i) The transit provider shall engage the public in the decision-making process to develop the disproportionate burden threshold.

(ii) At the conclusion of the analysis, if the transit provider finds that low-income populations will bear a disproportionate burden of the proposed fare change, the transit provider should take steps to avoid, minimize or mitigate impacts where practicable. The transit provider should describe alternatives available to low-income populations affected by the fare changes.

c. Service and Fare Equity Analysis for New Starts and Other New Fixed Guideway Systems. Transit providers that have implemented or will implement a New Start, Small Start, or other new fixed guideway capital project shall conduct a service and fare equity analysis. The service and fare equity analysis will be conducted six months prior to the beginning of revenue operations, whether or not the proposed changes to existing service rise to the level of "major service change" as defined by the transit provider. All proposed changes to parallel or connecting service will be examined. If the entity that builds the project is different from the transit provider that will operate the project, the transit provider operating the project shall conduct the analysis. The service equity analysis shall include a comparative analysis of service levels pre-and post- the New Starts/Small Starts/new fixed guideway capital project. The analysis shall be depicted in tabular format and shall determine whether the service changes proposed (including both reductions and increases) due to the capital project will result in a disparate impact on minority populations. The transit provider shall also conduct a fare equity analysis for any and all fares that will change as a result of the capital project.

CHAPTER V

REQUIREMENTS FOR STATES

1. INTRODUCTION. This chapter provides requirements for States. States that receive financial assistance from FTA are also responsible for following:

   a. The general requirements in Chapter III of this Circular; and

   b. The requirements in Chapter IV of this Circular if the State is a provider of fixed route public transportation.

2. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM. Title 49 CFR Section 21.9(b) requires recipients to submit reports to FTA in order for FTA to ascertain whether the recipient is in compliance with the DOT Title VI regulations, and recipients must have available "racial and ethnic data showing the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance." As stated in Chapter III of this Circular, FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Program to their FTA regional civil rights officer once every three years, or as otherwise directed by FTA.

   For all recipients (including subrecipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. States shall submit a copy of the appropriate documentation demonstrating that the State's Secretary of Transportation or equivalent official has approved the Title VI Program. FTA will review and concur or request the recipient provide additional information. Subrecipients, including MPOs that receive planning money from the State, shall submit Title VI Programs to the State as the primary recipient from whom they receive funding, in order to assist the State in its compliance efforts, on a schedule determined by the State. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the State. See Appendix L for clarification of reporting responsibilities by recipient category.

   States shall include the following information in their Title VI Program:

   a. All general requirements set out in section 4 of Chapter III of this Circular;

   b. All requirements for transit providers set out in Chapter IV of this Circular if the State is a provider of fixed route public transportation services;

   c. A demographic profile of the State that includes identification of the locations of minority populations in the aggregate;

   d. Demographic maps that overlay the percent minority and non-minority populations as identified by Census or American Community Survey data at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in

the aggregate for public transportation purposes, including Federal funds managed by the State as a designated recipient;

e. An analysis of impacts identified in paragraph d that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.

f. A description of the statewide transportation planning process that identifies the transportation needs of minority populations;

g. A description of the procedures the State uses to pass through FTA financial assistance to subrecipients in a non-discriminatory manner; and

h. A description of the procedures the State uses to provide assistance to potential subrecipients applying for funding, including its efforts to assist applicants that would serve predominantly minority populations.

3. PLANNING. All States are responsible for conducting planning activities that comply with 49 U.S.C. Section 5304, Statewide Transportation Planning, as well as subpart B of 23 CFR part 450, Statewide Transportation Planning and Programming. Since States "pass through" planning funds to the MPO, the State as primary recipient is responsible for collecting Title VI programs from MPOs on a schedule to be determined by the State. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the State. The State is thus responsible for monitoring the Title VI compliance of the MPO for those activities for which the MPO is a subrecipient.

Self-certification of compliance with all applicable Federal requirements is required of all States, which is reviewed by FTA and the Federal Highway Administration (FHWA) in the joint Statewide Planning Finding, rendered at the time of update or amendment of the Statewide Improvement Program (STIP). The joint FTA/FHWA planning certification review includes a review of Title VI compliance. The self-certification and joint FTA/FHWA "Finding" include a review of Title VI compliance. As part of the planning certification review, FTA/FHWA review State-developed documentation to determine whether States have:

a. Analyzed regional demographic data to identify minority populations within the non-urbanized areas of the State.

b. Where necessary, provided local service providers and agencies with data to assist them in identifying minority populations in their service area.

c. Ensured that members of minority communities are provided with full opportunities to engage in the Statewide Transportation Planning process. This includes actions to eliminate language, mobility, temporal, and other obstacles to allow these populations to participate fully in the process.

d. Monitored the activities of subrecipients with regard to Title VI compliance, where the State passes funds through to subrecipients.

4. REQUIREMENTS FOR PROGRAM ADMINISTRATION. In order to comply with 49 CFR Section 21.5, the general nondiscrimination provision, States shall document that they pass through FTA funds under the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) program, the Formula Grants for Rural Areas (Section 5311) program, and any other FTA funds, to subrecipients without regard to race, color, or national origin, and assure that minority populations are not being denied the benefits of or excluded from participation in these programs.

   States shall prepare and maintain, but not report unless requested by FTA, the following information:

   a. A record of funding requests received from private non-profit organizations, State or local governmental authorities, and Indian tribes. The record shall identify those applicants that would use grant program funds to provide assistance to predominantly minority populations. The record shall also indicate which applications were rejected and accepted for funding.

   b. A description of how the agency develops its competitive selection process or annual program of projects submitted to FTA as part of its grant applications. This description shall emphasize the method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority populations, including Native American tribes, where present. Equitable distribution can be achieved by engaging in outreach to diverse stakeholders regarding the availability of funds, and ensuring the competitive process is not itself a barrier to selection of minority applicants.

   c. A description of the agency's criteria for selecting entities to participate in an FTA grant program.

   When a subrecipient is also a direct recipient of FTA funds, that is, applies for funds directly from FTA in addition to receiving funds from a State, the subrecipient/direct recipient reports directly to FTA and the State as designated recipient is not responsible for monitoring compliance of that subrecipient/direct recipient. The supplemental agreement signed by both entities in their roles as designated recipient and direct recipient relieves the State as designated recipient of this oversight responsibility. See Appendix L for clarification of reporting responsibilities by recipient category.

CHAPTER VI

REQUIREMENTS FOR METROPOLITAN TRANSPORTATION PLANNING ORGANIZATIONS

1. INTRODUCTION. This chapter describes the procedures that metropolitan planning organizations (MPOs) shall follow in order to comply with the DOT's Title VI regulations. MPOs are also responsible for following the general requirements in Chapter III of this circular.

   An MPO may serve many different roles depending on its "recipient" status, i.e., designated recipient, direct recipient, primary recipient, or subrecipient. This chapter describes the many roles an MPO may fill, and provides guidance on Title VI compliance for each of those roles.

2. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM. Title 49 CFR Section 21.9(b) requires recipients to submit reports to FTA in order for FTA to ascertain whether the recipient is in compliance with the DOT Title VI regulations, and recipients must have available "racial and ethnic data showing the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance." As stated in Chapter III of this Circular, FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Program to their FTA regional civil rights officer once every three years, or as otherwise directed by FTA.

   For all recipients (including subrecipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. FTA will review and concur or request the recipient provide additional information. Subrecipients, including MPOs that receive Federal planning money from the State, shall submit Title VI Programs to the State as the primary recipient from whom they receive funding, on a schedule to be determined by the State, in order to assist the State in its compliance efforts. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the State. See Appendix L for clarification of reporting responsibilities by recipient category.

   MPOs shall include the following information in their Title VI Programs.

   a. In its regional transportation planning capacity, the MPO shall submit to the State as the primary recipient, and also to FTA:

      (1) All general requirements) set out in section 4 of Chapter III of this Circular;

      (2) A demographic profile of the metropolitan area that includes identification of the locations of minority populations in the aggregate;

      (3) A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process;

(4) Demographic maps that overlay the percent minority and non-minority populations as identified by Census or ACS data, at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the MPO as a designated recipient;

(5) An analysis of impacts identified in paragraph (4) that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.

b. In its capacity as a direct recipient, the MPO shall submit to FTA:

(1) The information required under section 2a of this chapter; and

(2) If the MPO is a provider of fixed route public transportation service, the information required under section 2 of chapter IV (Requirements and Guidelines for Fixed Route Transit Providers). The reporting requirements that the MPO must follow for the provision of public transportation service will be based on whether the MPO serves a large UZA with 200,000 or more in population and whether the number of fixed route vehicles in peak service is 50 or more.

c. In its capacity as a primary recipient, the MPO shall submit to FTA:

(1) The information required under section 2a of this chapter;

(2) A description of the procedures the MPO uses to pass through FTA financial assistance to subrecipients in a nondiscriminatory manner; and

(3) A description of the procedures the MPO uses to provide assistance to potential subrecipients applying for funding, including its efforts to assist applicants that would serve predominantly minority populations.

See Appendix L for clarification of reporting responsibilities by recipient category.

3. PLANNING. All MPOs are responsible for conducting planning activities that comply with 49 U.S.C. Section 5303, Metropolitan Transportation Planning, as well as subpart C of 23 CFR part 450, Metropolitan Transportation Planning and Programming, for a specified metropolitan planning area. Since States "pass through" planning funds to the MPO, MPOs are subrecipients of the State and must submit Title VI compliance reports for planning activities to the State in order to assist the State in demonstrating compliance with Title VI. The State is thus responsible for monitoring the Title VI compliance of the MPO for those activities for which the MPO is a subrecipient. If the MPO passes planning funds through to one or more subrecipients, the MPO is responsible for ensuring those subrecipients comply with Title VI.

All MPOs are required to self-certify compliance with all applicable Federal requirements. Planning certification reviews conducted jointly by FTA and FHWA of the metropolitan transportation planning processes of transportation management areas include a review of Title VI compliance. As part of the planning certification review, FTA/FHWA review MPO-developed documentation to determine whether MPOs have:

a. Analyzed regional demographic data to identify minority populations within the region.

b. Where necessary, provided member agencies with regional data to assist them in identifying minority populations in their service area.

c. Ensured that members of minority communities are provided with full opportunities to engage in the transportation planning process. This includes actions to eliminate language, mobility, temporal, and other obstacles to allow these populations to participate fully in the process.

d. Monitored the activities of subrecipients with regard to Title VI compliance, where the MPO passes funds through to subrecipients.

4. DESIGNATED RECIPIENT. MPOs sometimes serve the role of designated recipient. FTA apportions funds each year to the MPO as designated recipient, and the MPO, in turn, suballocates funds (without receiving the actual funds from FTA) to various entities and/or retains funds to carry out its own projects or activities, or to pass through to subrecipients. If the MPO as designated recipient simply suballocates the funds to other entities, and those entities apply to FTA directly for the funds, the MPO and each entity to which it suballocates funds enter into a "supplemental agreement." Under a supplemental agreement, the direct recipient is responsible for demonstrating compliance with Federal law, including Title VI, and the MPO is not in any manner subject to or responsible for the direct recipient's compliance with the DOT Title VI regulations.

   However, the MPO as designated recipient is responsible for suballocating FTA funds without regard to race, color, or national origin. Suballocations must be based on project implementation priorities in the MTP, which includes a robust public participation process. Each MPO must have a locally developed process that establishes criteria for making determinations of funding priorities in a nondiscriminatory manner.

5. DIRECT RECIPIENT. An MPO that receives funding directly from FTA for its own activities is a direct recipient, and therefore must develop a Title VI Program and report Title VI compliance to FTA for those activities for which it is a direct recipient. As a direct recipient, an MPO may also pass through funds to subrecipients. When an MPO receives funds directly from FTA and then passes funds through to subrecipients, the MPO becomes a primary recipient under the DOT Title VI regulations and is responsible for monitoring the compliance of its subrecipients with Title VI, unless that subrecipient is also an FTA direct recipient. Refer to Appendix L for clarification of reporting responsibilities by recipient category.

6. REQUIREMENTS FOR PROGRAM ADMINISTRATION. In order to comply with 49 CFR Section 21.5, the general nondiscrimination provision, MPOs shall document that they pass

through FTA funds under any FTA programs (e.g., 49 U.S.C. 5310, Enhanced Mobility for Seniors and Individuals with Disabilities), to subrecipients without regard to race, color, or national origin, and assure that minority populations are not being denied the benefits of or excluded from participation in these programs.

MPOs shall prepare and maintain, but not report unless requested by FTA, the following information:

a. A record of funding requests received from private non-profit organizations, State or local governmental authorities, and Indian tribes. The record shall identify those applicants that would use grant program funds to provide assistance to predominantly minority populations. The record shall also indicate which applications were rejected and accepted for funding.

b. A description of how the MPO develops its competitive selection process or annual program of projects submitted to FTA as part of its grant applications. This description shall emphasize the method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority populations, including Native American tribes, where present. Equitable distribution can be achieved by engaging in outreach to diverse stakeholders regarding the availability of funds, and ensuring the competitive process is not itself a barrier to selection of minority applicants.

c. A description of the MPO's criteria for selecting entities to participate in an FTA grant program.

CHAPTER VII

EFFECTING COMPLIANCE WITH DOT TITLE VI REGULATIONS

1. INTRODUCTION. This chapter outlines procedures when FTA determines that a recipient is noncompliant with the DOT Title VI regulations. Title 49 CFR Section 21.13(a) states the following:

> If there appears to be a failure or threatened failure to comply with this part, and if the noncompliance or threatened noncompliance cannot be corrected by informal means, compliance with this part may be effected by the suspension or termination of or refusal to grant or to continue Federal financial assistance or by any other means authorized by law. Such other means may include, but are not limited to: (1) A reference to the Department of Justice with a recommendation that appropriate proceedings be brought to enforce any rights of the United States under any law of the United States (including other titles of the [Civil Rights] Act), or any assurance or other contractual undertaking, and (2) any applicable proceeding under State or local law.

2. PROCEDURES FOR SECURING VOLUNTARY COMPLIANCE. FTA may determine a recipient is noncompliant with DOT's Title VI regulations following a compliance review or after FTA completes an investigation in response to a Title VI complaint. Prior to taking measures to effect compliance, FTA will attempt to resolve noncompliance informally and by using the following procedures.

   a. Notification to the Recipient. When FTA has determined that a recipient is noncompliant with DOT's Title VI regulations, it will transmit a letter of finding to the recipient that describes FTA's determination and requests that the recipient voluntarily take corrective action(s) that FTA deems necessary and appropriate.

   b. Recipient Response. Within 30 days of receipt of FTA's letter of finding, the recipient must submit a remedial action plan, including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations. The recipient's plan shall:

      (1) List all corrective action(s) accepted by the recipient.

      (2) Describe how the corrective actions will be implemented, and provide a timeline for achieving compliance.

      (3) Include a written assurance that the recipient will implement the accepted corrective action(s) and has the capability to implement the accepted corrective action(s) in the manner discussed in the plan.

      (4) A copy of the board resolution, meeting minutes, or similar documentation with evidence that the board of directors or appropriate governing entity or official(s) has approved the remedial action plan.

c. Request for Reconsideration. A recipient may request that FTA reconsider its finding. A request for reconsideration shall provide a justification for the request to reconsider, including any evidence or information supporting such a request, and include a written assurance that on the basis of the requested reconsideration, the agency is or otherwise will come into compliance with DOT's Title VI regulations. This request shall be submitted within 30 days of FTA's notification to the recipient.

d. FTA Review of the Recipient Response. Within 30 days after receiving the recipient's response, FTA will review the submitted remedial action plan and any request for reconsideration and decide what remedial action(s) are necessary and appropriate to bring the recipient into compliance. If necessary, before making a decision, FTA may conduct a site visit to substantiate information or statements contained in the recipient's response. FTA will issue a decision, including its findings and recommendations, as part of a final remedial action plan. The final remedial action plan will be sent to the recipient for review and consent. Consent means the recipient agrees to initiate action(s) specified in the plan.

e. Conditions for Declining the Remedial Action Plan. The recipient has 15 days from the date of notification by FTA to agree or disagree with the final remedial action plan. If a recipient disagrees with this plan, it must submit a written statement of its reasons for not agreeing to the remedial actions contained in the plan. Under those circumstances, the recipient will be considered in noncompliance, and FTA will schedule a meeting with the recipient within 30 days to resolve the disagreements.

3. PROCEEDINGS. When FTA and the recipient cannot agree on a final remedial action plan and the recipient continues to be in noncompliance with DOT Title VI regulations, in accordance with 49 CFR Section 21.13, FTA may suspend, terminate, or refuse to grant or continue Federal financial assistance to the recipient. This will generally occur when all means of informal resolution have failed to get the recipient to comply with the law. FTA may refer a matter to DOJ with a recommendation that appropriate proceedings be brought to enforce any rights of the United States under any law of the United States or any assurance or other contractual undertaking.

a. Termination of or refusal to grant or to continue Federal financial assistance. In accordance with 49 CFR Section 21.13(c), FTA will not suspend, terminate, or refuse to grant or continue Federal financial assistance until:

(1) FTA has notified the applicant or recipient of its failure to comply and has determined that compliance cannot be secured by voluntary means;

(2) FTA has found, after opportunity for a hearing, that the applicant or recipient has failed to comply with Title VI regulations;

(3) The action has been approved by the Secretary of Transportation; and

(4) 30 days have passed after FTA has filed with the Transportation and Infrastructure Committee of the House of Representatives; and the Banking, Housing and Urban

Affairs Committee of the Senate, a full written report of the circumstances and the grounds for such action.

b. Other means authorized by law. In accordance with 49 CFR Section 21.13(d), FTA will not refer the matter to DOJ or take any other action to effect compliance until:

(1) FTA has determined that compliance cannot be secured by voluntary means;

(2) FTA has notified the recipient of its failure to comply and the action FTA intends to take; and

(3) At least 10 days have passed from the mailing of such notice to the recipient. During this 10-day period, FTA will make additional efforts to persuade the recipient to comply with the regulation and to take such corrective action as may be appropriate.

c. Hearings. Whenever FTA has determined that it is appropriate to terminate or refuse to grant or continue Federal financial assistance, prior to such action FTA will provide the applicant or recipient with an opportunity for a hearing, in accordance with 49 CFR Section 21.15. FTA will provide reasonable notice of the hearing by registered or certified mail, return receipt requested, to the applicant or recipient. The notice will advise the applicant or recipient of the action proposed to be taken, the specific provision under which the proposed action against it is to be taken, and the matters of fact or law asserted as the basis for this action. The notice will either:

(1) Fix a date not less than 20 days after the date of such notice within which the applicant or recipient may request of the FTA Administrator that the matter be scheduled for hearing; or

(2) Advise the applicant or recipient that the matter in question has been scheduled for a hearing at a stated place and time. The time and place will be reasonable and subject to change for cause.

The complainant, if any, shall be advised of the time and place of the hearing.

d. Waiver of Hearing. An applicant or recipient may waive a hearing and submit written information and argument for the record. The failure of an applicant or recipient to request a hearing or to appear at a hearing for which a date has been set shall be deemed to be a waiver of the right to a hearing under Section 602 of the Civil Rights Act of 1964 and 49 CFR Section 21.13(c), and consent to FTA making a decision on the basis of the available information.

e. Time and Location of Hearing. Hearings will be held at the FTA Headquarters office in Washington, DC, at a time fixed by the FTA Administrator unless the convenience of the applicant or recipient or of FTA requires that another place be selected.

f. Hearing officer. Hearings will be held before the Secretary of Transportation or before a hearing examiner appointed in accordance with Section 3105 of title 5, United States Code.

g. Right to counsel. In all proceedings carried out under the authority of 49 CFR Section 21.15, the applicant or recipient and FTA shall have the right to be represented by counsel.

h. Procedures, evidence, and record. Pursuant to 49 CFR 21.15(d), the hearing, decision, and any administrative review thereof shall be conducted in conformity with Sections 554 through 557 of title 5, United States Code, and in accordance with such rules of procedure as are proper relating to the conduct of the hearing, giving of notices to the applicant or recipient, taking of testimony, exhibits, arguments and briefs, requests for findings, and other related matters. FTA and the applicant or recipient shall be entitled to introduce all relevant evidence on the issues as stated in the notice for hearing or as determined by the officer conducting the hearing at the outset of or during the hearing.

4. JUDICIAL REVIEW. When FTA issues a final order after a hearing on the record, such final action is subject to judicial review.

CHAPTER VIII

COMPLIANCE REVIEWS

1. INTRODUCTION. This chapter describes the review process FTA will follow when determining whether a recipient is compliant or noncompliant with DOT Title VI regulations, subsequent to the award of Federal financial assistance, and describes the information and actions expected from recipients that are subject to these reviews.

2. COMPLIANCE PROCEDURES. Title 49 CFR Section 21.11(a) requires FTA to conduct compliance reviews of its recipients. These reviews are separate from and may be in addition to a Triennial Review, State Management Review, or Planning Certification Review and will be conducted either as a desk audit or an on-site visit. The review may cover all or a portion of the recipient's compliance with Title VI. Such reviews are conducted at the discretion of FTA, and the scope of a review is defined on a case-by-case basis.

3. CRITERIA. The following list of factors will contribute to the selection of recipients for compliance reviews:

   a. Lawsuits, complaints, or investigations conducted by organizations other than FTA alleging the recipient is noncompliant with DOT Title VI regulations;

   b. Alleged noncompliance brought to the attention of FTA by other Federal, State, or local agencies;

   c. A recipient submitting an incomplete or insufficient Title VI Program; and

   d. Title VI findings or recommendations on prior Triennial, State Management, or Planning Certification Reviews that have not been sufficiently resolved or implemented, or repeat findings in any FTA review concerning Title VI.

4. SCOPE. In general, compliance reviews will assess the following information:

   a. The recipient's documented efforts to meet the requirements under Chapter III and the program-specific sections of this Circular.

   b. Other information that is necessary and appropriate to make a determination that the recipient is in compliance with Title VI.

5. DETERMINATIONS. After reviewing the recipient's or subrecipient's efforts to meet the general reporting and program-specific reporting sections of the Circular, FTA will issue a compliance report that includes findings of no deficiency, deficiency, or noncompliance.

   a. Findings of no deficiency are determinations that no deficiency was found in review of the recipient's Title VI Program or after the results of an investigation or compliance review. Agencies are not expected to take any corrective action in response to findings of no deficiency except with regard to advisory comments. Advisory comments are recommendations that the recipient undertake activities in a manner more consistent with

the guidance provided in the pertaining section of the Circular. FTA expects recipients to notify FTA as to whether the recipient will take action in response to the advisory comments.

b. Findings of deficiency are determinations that the recipient has not complied with one or more of the pertinent provisions of this circular. Recipients are expected to take corrective actions in response to findings of deficiency and the compliance review will provide specific instructions to the recipient on how the corrective action shall be taken.

c. Findings of noncompliance are determinations that the recipient has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding them from participation in, or subjecting persons to discrimination on the basis of race, color, or national origin under the recipient's program or activity; upon such determination, FTA will consider the recipient to be noncompliant with Title VI. If noncompliance cannot be corrected informally, the recipient may be subject to remedial action or proceedings under Chapter VII of this Circular and the DOT Title VI regulations at 49 CFR Sections 21.13, 21.15, and 21.17.

6. RESULTS OF COMPLIANCE REVIEW ACTIVITIES. FTA will summarize the results of the review in a draft compliance report, which will include findings of no deficiency, findings of deficiency, and advisory comments, as appropriate. If findings of deficiency remain in the final compliance report, the recipient will be required to take corrective action, develop a timeline for compliance, and report on its progress to FTA on, at minimum, a quarterly basis. Once FTA determines that the recipient has satisfactorily responded to the review's findings, it will inform the recipient that the review process has ended and release it from further progress reporting in response to the review. FTA may follow up on a compliance review with additional reviews as necessary.

7. EFFECTING COMPLIANCE. Consistent with the provisions of 49 CFR Sections 21.13, 21.15, and 21.17, and as explained in Chapter VII of this Circular, if a recipient fails to take appropriate corrective action in response to the findings of deficiency in the report, FTA may initiate proceedings that could result in action taken by the U.S. DOT to suspend, terminate, refuse to grant or continue Federal financial assistance to a recipient, or may make a referral to the Department of Justice (DOJ) with a recommendation that appropriate proceedings be brought to enforce any rights of the United States under any law of the United States or any assurance or other contractual undertaking.

CHAPTER IX

COMPLAINTS

1. INTRODUCTION. This chapter describes how FTA will respond to complaints filed with FTA alleging that an FTA recipient has violated the DOT Title VI regulations. FTA will promptly investigate all complaints in accordance with 49 CFR Section 21.11. FTA may delay its investigation if the complainant and the party complained against agree to postpone the investigation pending settlement negotiations.

2. RIGHT TO FILE A COMPLAINT. Any person who believes himself, herself, or any specific class of persons to be subjected to discrimination on the basis of race, color, or national origin may by himself or by a representative file a written complaint with FTA. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA.

3. COMPLAINT ACCEPTANCE. Once a complaint has been accepted by FTA for investigation, FTA will notify the recipient that it is the subject of a Title VI complaint and ask the recipient to respond in writing to the complainant's allegations. If the complainant agrees to release the complaint to the recipient, FTA will provide the agency with the complaint, which may have personal information redacted at the request of the complainant. If the complainant does not agree to release the complaint to the recipient, FTA may choose to close the complaint.

4. INVESTIGATIONS. FTA will make a prompt investigation whenever a compliance review, report, complaint, or any other information indicates a possible failure to comply with DOT's Title VI regulations. The investigation will include, where appropriate, a review of the pertinent practices and policies of the recipient, the circumstances under which the possible noncompliance with DOT's Title VI regulations occurred, and other factors relevant to a determination as to whether the recipient has failed to comply with DOT's Title VI regulations.

5. LETTERS OF FINDING. After FTA has concluded the investigation, FTA's Office of Civil Rights will transmit to the complainant and the recipient one of the following letters based on its findings:

    a. A letter of finding indicating FTA did not find a violation of DOT's Title VI regulations. This letter will include an explanation of why FTA did not find a violation. If applicable, the letter may include a list of procedural violations or concerns, which will put the recipient on notice that certain practices are questionable and that without corrective steps, a future violation finding is possible.

    b. A letter of finding indicating the recipient is in violation of DOT's Title VI regulations. The letter will include each violation referenced to the applicable regulation, a brief description of proposed remedies, notice of the time limit on coming into compliance, the consequences of failure to achieve voluntary compliance, and an offer of assistance to the recipient in devising a remedial plan for compliance, if appropriate.

6. ADMINISTRATIVE CLOSURE. FTA will administratively close Title VI complaints before a resolution is reached where (1) the complainant decides to withdraw the case; (2) the complainant is not responsive to FTA's requests for information or to sign a consent release form; (3) FTA has conducted or plans to conduct a related compliance review of the agency against which the complaint is lodged; (4) litigation has been filed raising similar allegations involved in the complaint; (5) the complaint was not filed within 180 days of the alleged discrimination; (6) the complaint does not indicate a possible violation of 49 CFR part 21; (7) the complaint is so weak, insubstantial, or lacking in detail that FTA determines it is without merit, or so replete with incoherent or unreadable statements that it, as a whole, cannot be considered to be grounded in fact; (8) the complaint has been investigated by another agency and the resolution of the complaint meets DOT regulatory standards; (9) the complaint allegations are foreclosed by previous decisions of the Federal courts, the Secretary, DOT policy determinations, or the U.S. DOT's Office of Civil Rights; (10) FTA obtains credible information that the allegations raised by the complaint have been resolved; (11) the complaint is a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same recipient or other recipients that have been found factually or legally insubstantial by FTA; (12) the same complaint allegations have been filed with another Federal, state, or local agency, and FTA anticipates that the recipient will provide the complainant with a comparable resolution process under comparable legal standards; or (13) the death of the complainant or injured party makes it impossible to investigate the allegations fully.

INTRODUCTION TO TECHNICAL APPENDICES

The following Appendices A through M provide sample checklists, templates, standards, policies, tables and maps for FTA recipients to consult when preparing their Title VI Programs. FTA is issuing these appendices in order to provide technical assistance and guidance and thereby increase the level of clarity, organization, and uniformity across Title VI Programs. The samples are provided as guidance; recipients may revise as appropriate for their purposes.

APPENDIX A

TITLE VI PROGRAM CHECKLIST

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Subrecipients shall submit the information below to their primary recipient (the entity from whom the subrecipient receives funds directly), on a schedule to be determined by the primary recipient.

General Requirements (Chapter III)

All recipients must submit:

- ❒ Title VI Notice to the Public, including a list of locations where the notice is posted
- ❒ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ❒ Title VI Complaint Form
- ❒ List of transit-related Title VI investigations, complaints, and lawsuits
- ❒ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ❒ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ❒ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ❒ Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions
- ❒ A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- ❒ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT's, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ❒ Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

Requirements of Transit Providers (Chapter IV)

All Fixed Route Transit Providers must submit:

- ❒ All requirements set out in Chapter III (General Requirements)
- ❒ Service standards

- Vehicle load for each mode
- Vehicle headway for each mode
- On time performance for each mode
- Service availability for each mode

❒ Service policies
- Transit Amenities for each mode
- Vehicle Assignment for each mode

Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

❒ Demographic and service profile maps and charts
❒ Demographic ridership and travel patterns, collected by surveys
❒ Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
❒ A description of the public engagement process for setting the "major service change policy," disparate impact policy, and disproportionate burden policy
❒ Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

Requirements of States (Chapter V)

States must submit:

❒ All requirements set out in Chapter III (General Requirements)
❒ The requirements set out in Chapter IV (Transit Provider) if the State is a provider of fixed route public transportation
❒ Demographic profile of the State
❒ Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
❒ Analysis of the State's transportation system investments that identifies and addresses any disparate impacts
❒ A description of the Statewide planning process that identifies the transportation needs of minority populations
❒ Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance
❒ Description of the procedures the agency uses to provide assistance to potential subrecipients, including efforts to assist applicants that would serve predominantly minority populations

Requirements of MPOs (Chapter VI)

Metropolitan Planning Organizations and other planning entities must submit:

❒ All requirements set out in Chapter III (General Requirements)

- ❒ The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation
- ❒ Demographic profile of the metropolitan area
- ❒ A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- ❒ Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- ❒ Analysis of the MPO's transportation system investments that identifies and addresses any disparate impacts
- ❒ Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)
- ❒ Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)

APPENDIX B

TITLE VI NOTICE TO THE PUBLIC (GENERAL REQUIREMENT)

Background

A Title VI Notice to the Public must be displayed to inform a recipient's customers of their rights under Title VI. At a minimum, recipients must post the notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Many agencies display their Title VI Notices in transit facilities (e.g., headquarters, transit shelters and stations, etc.), and on transit vehicles (e.g., buses, rail cars, etc.). The Title VI Notice is a vital document. If any of the Limited English Proficient (LEP) populations in your service area meet the Safe Harbor threshold (see Chapter III), then the Notice should be provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. At a minimum, this statement in the Notice—"If information is needed in another language, then contact [phone number]"—should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold.

The sample below is provided for the purposes of guidance only.

SAMPLE Title VI Notification to the Public

Notifying the Public of Rights Under Title VI

THE CITY OF USA

- The City of USA operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of USA.
- For more information on the City of USA's civil rights program, and the procedures to file a complaint, contact 800-555-1212, (TTY 800-555-1111); email title.vi.complaint@city.ca.us; or visit our administrative office at 1234 Center Street, City of USA, State 11111. For more information, visit www.city.ca.us
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- If information is needed in another language, contact 800-555-1212.
  - *MAKE SURE THE SENTENCE ABOVE IS ALSO PROVIDED IN ANY LANGUAGE(S) SPOKEN BY LEP POPULATIONS THAT MEET THE SAFE HARBOR THRESHOLD*

APPENDIX C

TITLE VI COMPLAINT PROCEDURE (GENERAL REQUIREMENT)

Background

Recipients' Title VI Programs must include a copy of the agency's Title VI complaint procedure. The complaint procedure and complaint form shall be available on the recipient's website. The Title VI Complaint Procedure is a vital document. If any of the Limited English Proficient (LEP) populations in your service area meet the Safe Harbor threshold (see Chapter III), then the complaint procedure should be provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. At a minimum, the complaint procedure should include a notice—"If information is needed in another language, then contact [phone number]"—should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold.

The sample below is provided for the purposes of guidance only.

SAMPLE Title VI Complaint Procedure

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the City of USA Transit Authority (hereinafter referred to as "the Authority") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The City of USA Transit Authority investigates complaints received no more than 180 days after the alleged incident. The Authority will process complaints that are complete.

Once the complaint is received, the Authority will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The Authority has XX days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has XX business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within XX business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has XX days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

APPENDIX D

SAMPLE TITLE VI COMPLAINT FORM (GENERAL REQUIREMENT)

Background

Recipients must create and make available a Title VI Complaint Form for use by customers who wish to file a Title VI complaint. The complaint form shall be available on the recipient's website. A recipient's Title VI Complaint Form shall specify the three classes protected by Title VI—race, color, and national origin—and allow the complainant to select one or more of those protected classes as the basis/bases for discrimination. The Title VI Complaint Form is a vital document. If any of the Limited English Proficient (LEP) populations in your service area meet the Safe Harbor threshold (see Chapter III), then the procedure should be provided in English *and* in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold.

The sample below is provided for the purposes of guidance only.

Section I:				
Name:				
Address:				
Telephone (Home):		Telephone (Work):		
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?		Yes*	No	
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No	
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
[ ] Race	[ ] Color	[ ] National Origin		
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information				

of any witnesses. If more space is needed, please use the back of this form. _____ _____
Section IV

Have you previously filed a Title VI complaint with this agency?	Yes	No

Section V
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? [ ] Yes [ ] No If yes, check all that apply: [ ] Federal Agency: _____ [ ] Federal Court _____ [ ] State Agency _____ [ ] State Court _____ [ ] Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

_____ _____ _____

Signature Date

Please submit this form in person at the address below, or mail this form to:
City of USA Title VI Coordinator
1234 Center Street
City of USA, State 11111

APPENDIX E

LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS (GENERAL REQUIREMENT)

Background

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years.

The sample below is provided for the purposes of guidance only.

SAMPLE List of Investigations, Lawsuits and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

APPENDIX F

TABLE DEPICTING MINORITY REPRESENTATION ON COMMITTEES AND COUNCILS SELECTED BY THE RECIPIENT (GENERAL REQUIREMENT)

Background

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the membership of those committees broken down by race, and a description of efforts made to encourage the participation of minorities on such committees.

The sample below is provided for the purposes of guidance only.

SAMPLE Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American
Population	46%	28%	14%	8%	4%
Access Committee	60%	23%	10%	7%	0%
Citizens Advisory Council	40%	25%	20%	10%	5%
Bicycle Pedestrian Committee	45%	30%	15%	5%	5%

APPENDIX G

SERVICE STANDARDS (REQUIREMENT FOR ALL FIXED ROUTE TRANSIT PROVIDERS)

Background

FTA requires all fixed route transit providers of public transportation to develop *quantitative* standards for the following indicators. Individual public transportation providers will set these standards; therefore, these standards will apply to each individual agency rather than across the entire transit industry.

- *Vehicle load for each mode*: Generally expressed as the ratio of passengers to the number of seats on a vehicle, relative to the vehicle's maximum load point. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees. Transit providers can specify vehicle loads for peak vs. off-peak times, and for different modes of transit.
- *Vehicle headways for each mode*: The amount of time between two vehicles traveling in the same direction on a given line or combination of lines.
- *On-time performance for each mode:* A measure of runs completed as scheduled.
- *Service availability for each mode*: A general measure of the distribution of routes within an agency's service area.

The samples below are provided for the purposes of guidance only.

SAMPLE Standards

SAMPLE Vehicle Load Standards

1. ***Expressed in writing***

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 30 passengers for a 15' mini-bus, 51 passengers for low-floor 40-foot buses, 60 passengers for standard 40-foot buses, and 133 passengers on a light rail car**.**

2. ***Expressed in tabular format***

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Maximum Load Factor
15′ Mini-Bus	28	2	30	1.1
40′ Low Floor Bus	39	12	51	1.3
40′ Standard Bus	43	17	60	1.4
Light Rail Vehicle	64	69	133	2.1

SAMPLE Vehicle Headway Standards

1. Expressed in writing

Service operates on regional trunk lines every 15 minutes or better from early morning to late in the evening, seven days a week. On weekdays, 15 minute or better service should begin no later than 6:00 a.m. and continue until 10:30 p.m. On weekends, 15 minute or better service should begin by 8:00 a.m. and continue until 10:30 p.m.

Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to the *Regional Transportation Plan*, relationship to major transportation developments, land use connectivity, and transportation demand management.

2. Expressed in tabular format

POLICY HEADWAYS AND PERIODS OF OPERATION

WEEKDAY	Peak	Base	Evening	Night
Regional Trunk	10	15	15	30
Urban Radial	15	15	30	60
Cross-Town	15	15	30	--
Secondary Radial	30	30	60	--
Feeder	30	30	60	--
Peak Express	30	--	--	--
Employer Feeder	60	--	--	--

** Peak: 7-9 am and 4-6 pm; Base 9am - 4pm; Evening: 6-9:30 pm; Night: 9:30pm-Midnight;*
"--" means no service is provided during that time period.

SATURDAY	Day	Evening	Night
Regional Trunk	15	30	30
Urban Radial	30	60	--
Cross-Town	15	30	--
Secondary Radial	60	60	--
Feeder	60	60	--
Peak Express	--	--	--
Employer Feeder	--	--	--

** Day 7am - 6pm; Evening: 6-9:30 pm; Night: 9:30pm – Midnight;*
"--" means no service is provided during that time period.

SUNDAY	Day	Evening	Night
Regional Trunk	30	60	--
Urban Radial	30	60	--
Cross-Town	30	--	--
Secondary Radial	--	--	--
Feeder	--	--	--
Peak Express	--	--	--
Employer Feeder	--	--	--

** Day 7am - 6pm; Evening: 6-9:30 pm; Night: 9:30pm-Midnight;*
"--" means no service is provided during that time period.

SAMPLE On-Time Performance Standards

Expressed in writing

- Sample 1:
  - Ninety-five (95) percent of the City of USA's transit vehicles will complete their established runs no more than 5 minutes early or late in comparison to the established schedule/published timetables.
- Sample 2:
  - A vehicle is considered on time if it departs a scheduled timepoint no more than 1 minute early and no more than 5 minutes late. The City of USA's on-time performance objective is 90% or greater. The City of USA continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

SAMPLE Service Availability Standards

Expressed in writing

The City of USA will distribute transit service so that 90% of all residents in the service area are within a ¼ mile walk of bus service or within a ½ mile walk of rail service.

AND/OR

Local bus stops will be not more than 3 blocks apart. Express bus stops will be one-half to three-quarters of a mile apart.

APPENDIX H

SERVICE POLICIES (REQUIREMENT FOR ALL FIXED ROUTE TRANSIT PROVIDERS)

Background

FTA requires that all providers of fixed route public transportation develop *qualitative* policies for the following procedures. These policies are to be set by individual transit providers; therefore, these policies will apply to individual agencies rather than across the entire transit industry.

- Vehicle Assignment
- Transit Amenities

The samples below are provided for the purposes of guidance only.

Policies

SAMPLE Vehicle Assignment Policy

Expressed in writing
Vehicles will be assigned to the South, North, and East depots such that the average age of the fleet serving each depot does not exceed "x" years. Low-floor buses are deployed on frequent service and other high-ridership lines, so these buses carry a higher share of ridership than their numerical proportion of the overall bus fleet. Low-floor buses are also equipped with air conditioning and automated stop announcement systems.

All rail cars are equipped with air conditioning, and high-floor rail cars are always paired with a low-floor car to provide accessibility.

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 30-foot buses rather than the 40-foot buses. Some routes requiring tight turns on narrow streets are operated with 30-foot rather than 40-foot buses.

SAMPLE Transit Amenities Policy

Expressed in writing
Installation of transit amenities along bus and rail routes are based on the number of passenger boardings at stops and stations along those routes.

APPENDIX I

DEMOGRAPHIC PROFILE AND TRAVEL PATTERNS (REQUIREMENT FOR TRANSIT PROVIDERS THAT OPERATE 50 OR MORE FIXED ROUTE VEHICLES IN PEAK SERVICE AND ARE LOCATED IN URBANIZED AREAS (UZA) OF 200,000 OR MORE PEOPLE, OR THAT OTHERWISE MEET THE THRESHOLD DEFINED IN CHAPTER IV)

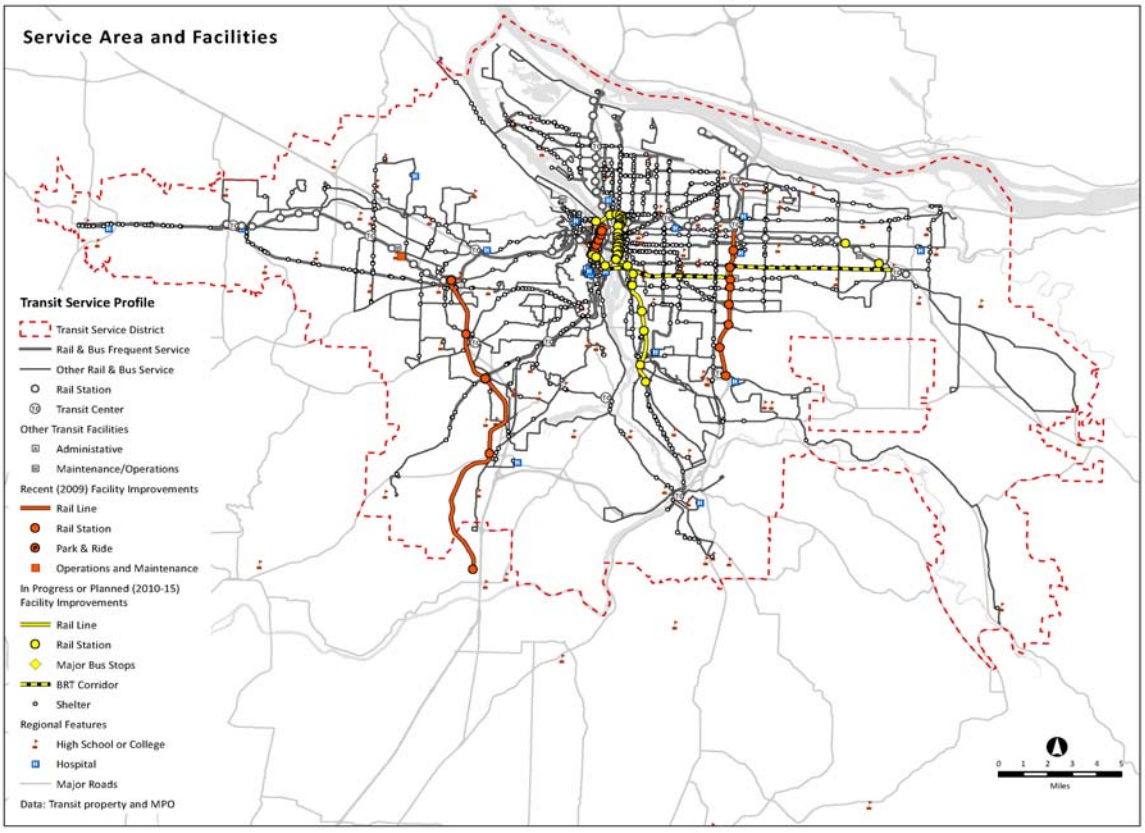
Background

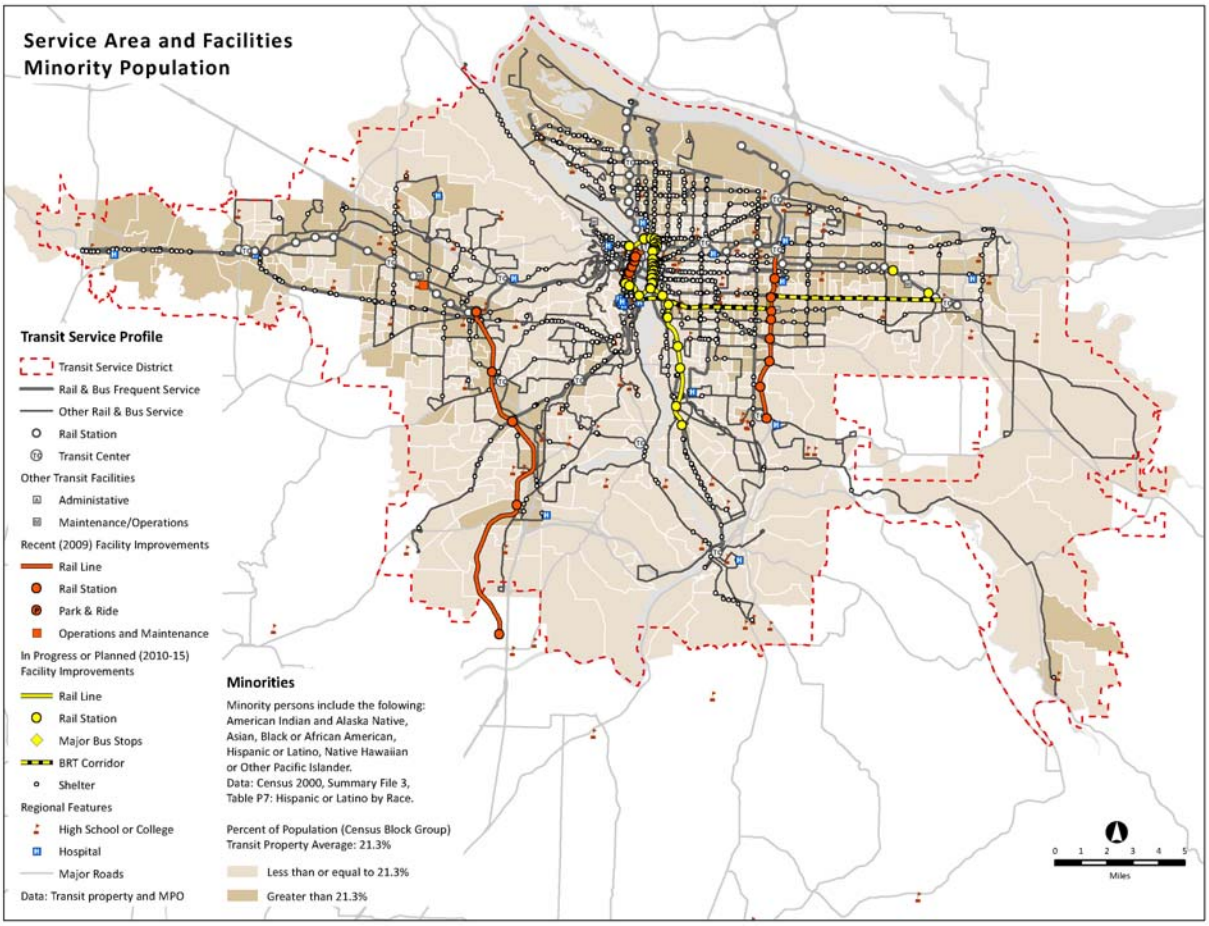
Transit service providers that operate 50 or more fixed route vehicles in peak service and are located in urbanized areas (UZA) of 200,000 or more people, or that otherwise meet the threshold defined in Chapter IV, are required to prepare demographic and service profile maps and charts to determine whether and to what extent transit service is available to minority populations within the recipient's service area. Transit providers shall include charts and tables summarizing data in their Title VI Programs. Transit providers shall not send raw data to FTA unless requested.

The aforementioned transit providers are also required to prepare data regarding customer demographics and travel patterns.

The sample below is provided for the purposes of guidance only.

SAMPLE Demographic and Service Profile Maps and Charts





Additional guidance

FTA will publish additional guidance, and/or update this appendix, with detailed approaches to data collection, surveys, and analysis methods.

APPENDIX J

REQUIREMENT TO MONITOR TRANSIT SERVICE (REQUIREMENT FOR TRANSIT PROVIDERS THAT OPERATE 50 OR MORE FIXED ROUTE VEHICLES IN PEAK SERVICE AND ARE LOCATED IN URBANIZED AREAS (UZA) OF 200,000 OR MORE PEOPLE, OR THAT OTHERWISE MEET THE THRESHOLD DEFINED IN CHAPTER IV)

Background

FTA requires transit providers that operate 50 or more fixed route vehicles in peak service and are located in urbanized areas (UZA) of 200,000 or more people, or that otherwise meet the threshold defined in Chapter IV, to monitor their service standards and policies. Service standards and policies provide the framework for monitoring and assessment of service to compare service provided in areas with a percentage of minority population that exceeds the percentage of minority population in the service area to service provided in areas with a percentage of minority populations that is below the percentage of minority population in the service area.

The following tables and maps are provided as examples of how to assess the performance of service on minority and non-minority routes for each of the transit provider's service standards and service policies. Providers of fixed route public transportation should follow these examples for submitting data in their Title VI Programs. Transit providers should assess transit service and compare actual/observed service to the established service policies and standards. The standards and policies that must be monitored are:

- Standards
  - Vehicle Load for each mode
  - Vehicle Headway for each mode
  - On-Time Performance for each mode
  - Service Accessibility for each mode
- Policies
  - Vehicle Assignment for each mode
  - Distribution of Transit Amenities (Policy and Standards) for each mode

The samples below are provided for the purposes of guidance only.

SAMPLE Methodology

This section describes a sample methodology to determine the minority populations served by each bus and rail line, and provides a framework for comparisons.

For each individual bus and/or rail line, calculate the percentages of all persons residing in areas served by the line who are minority persons. Define a unique geographic area of coverage for each line by including all Census Block Groups within one-quarter mile walking distance of bus stops and/or within one-half mile walking distance of rail stations served by that line. For each

line, calculate the number of minority persons residing in all Block Groups served, and determine the percentage of minority persons among all persons served by the line.

SAMPLE Monitoring of Service Standards

SAMPLE Vehicle Load Monitoring

Table 1 below shows passenger capacities for buses and light rail cars as the average maximum number of persons seated and standing during the peak one-hour in the peak direction. Maximum load factors represent the maximum achievable capacity, and are calculated by dividing the total seated and standing capacity by the seated capacity of the vehicle.

Table 1. SAMPLE Passenger Capacities

Average Passenger Capacity					
Vehicle Type	Seated	Standing	Total	Load Standard	Maximum Load Factor
30’ Bus	28	2	30	1.1	1.5
40’ Low-Floor Bus	39	12	51	1.3	1.6
40’ Standard Bus	43	17	60	1.4	1.7
Light Rail Vehicle	64	69	133	2.1	2.5

Assessment: Average weekday loads on each line were determined for the following time periods and directions of travel:

- AM in peak direction (7-9 a.m.)
- PM in peak direction (4-6 p.m.)
- Midday in both directions (9 a.m. – 4 p.m.)

Transit providers may create a more sensitive set of analyses by breaking routes into quartiles to determine the highest concentration or they may simply compare minority routes with non-minority routes. Either way they must compare the minority routes with non-minority routes in order to monitor the routes compared to the standards and policies.

Table 2 below shows the average vehicle loads by time period for lines in each quartile, for minority lines, for non-minority lines, and for all lines in the system.

In this example the transit provider uses quartiles to identify all Census Block Groups served by bus lines within ¼ mile walking distance from bus stops and ½ mile walking distance from rail stations. The agency calculated the percentage and number of minority and non-minority populations served by the line. Then, staff ranked all lines by the highest percentage of minority populations and further subdivided the list into four quartiles; Q1, Q2, Q3, Q4; and Q1 being the lines with the lowest percentage of minority populations served and Q4 being the lines with the

highest percentage of minority populations served. The breakpoint for Q4 and Q3 were determined by comparing the percent minority with the median percentage of these populations within the agencies service area.

Table 2. Vehicle Loads for Minority and Non-Minority Lines

Shaded Cells Represent Lines Serving Areas with Minority Populations Above the Service Area Average

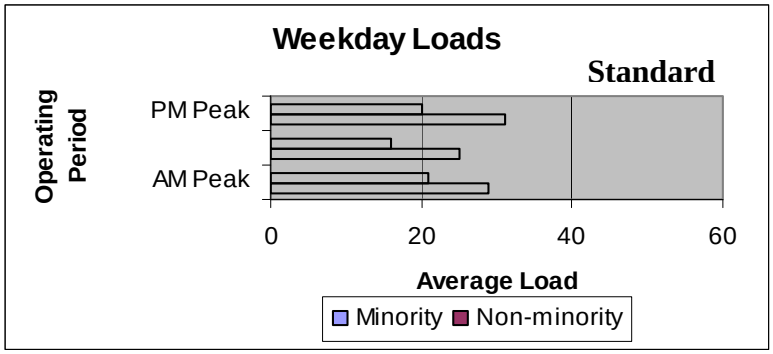
	AM Peak IB		Midday IB & OB		PM Peak OB	
Lines and System	Load/Seats	Avg Load	Load/Seats	Avg Load	Load/Seats	Avg Load
4th Quartile (Minority Population > 29%)	0.62	34	0.55	28	0.65	37
3rd Quartile (Minority Population > 21.6%)	0.60	24	0.54	21	0.62	24
2nd Quartile (Minority Population > 16.6%)	0.59	23	0.49	18	0.59	22
1st Quartile (Minority Population < 16.6%)	0.49	18	0.39	14	0.48	18
Minority Lines (3rd and 4th Quartiles)	0.61	29	0.54	25	0.64	31
Non-Minority Lines (1st and 2nd Quartiles)	0.54	21	0.44	16	0.54	20
System	0.58	25	0.49	21	0.59	26

Currently, no line exceeds the standard.

The average load factors in the AM peak were .61 for minority lines and .54 for non-minority lines. The average load factors in the PM peak were .64 for minority lines and .54 for non-minority lines. No lines exceeded the vehicle load standard during the peak periods.

Figure 1 below depicts the average loads for minority and non-minority lines for PM peak, midday, and AM peak as shown in Table 2 above, in comparison to the maximum capacity of 62 passengers for a 40-foot bus.

Figure 1. Vehicle Loads for Minority and Non-Minority Lines by Peak Period



SAMPLE Vehicle Headway Monitoring

SAMPLE Assessment: Table 3 below shows the average headway in minutes for minority and non-minority lines for AM peak, midday, PM peak, evening, and night periods, for weekday, Saturday, and Sunday, respectively. The average span of service in hours and tenths of hours is shown for minority and non-minority lines for weekdays, Saturdays, and Sundays, respectively.

Table 3. Weekday, Saturday and Sunday Headways and Span of Service on Weekdays, Saturdays, and Sundays, for Minority and Non-Minority Lines

WEEKDAY	Lines Operating	% Operating	Freq Lines	Rail Lines	Service Begins	AM Peak Headway	Midday Headway	PM Peak Headway	Evening Headway	Night Headway	Service Ends	Span (Hours)
4th Quartile (Minority Population > 29%)	25	100%	5	3	5:14 a	26	28	27	31	41	9:48 p	16.6
3rd Quartile (Minority Population > 21.6%)	24	100%	6		5:14 a	21	26	22	30	44	10:52 p	17.6
2nd Quartile (Minority Population > 16.6%)	24	100%	3		5:33 a	27	39	27	38	42	8:56 p	15.4
1st Quartile (Minority Population < 16.6%)	24	100%	2		5:45 a	30	38	31	45	53	8:13 p	14.5
Minority Lines (3rd and 4th Quartiles)	49	100%	11		5:14 a	24	27	24	30	43	10:19 p	17.1
Non-Minority Lines (1st and 2nd Quartiles)	48	100%	5		5:39 a	29	38	29	41	47	8:35 p	14.9
System	97	100%	16		5:26 a	26	32	27	34	44	9:29 p	16.0

SATURDAY	Lines Operating	% Operating	Freq Lines	Rail Lines	Service Begins	Daytime Headway	Evening Headway	Night Headway	Service Ends	Span (Hours)
4th Quartile (Minority Population > 29%)	18	72%	5	3	5:35 a	33	37	36	10:22 p	16.8
3rd Quartile (Minority Population > 21.6%)	19	79%	6		5:52 a	25	38	45	12:00 a	18.1
2nd Quartile (Minority Population > 16.6%)	16	67%	3		6:50 a	43	48	48	8:56 p	14.1
1st Quartile (Minority Population < 16.6%)	11	46%	2		7:50 a	37	45	50	9:11 p	13.3
Minority Lines (3rd and 4th Quartiles)	37	76%	11		5:43 a	29	38	42	11:13 p	17.5
Non-Minority Lines (1st and 2nd Quartiles)	27	56%	5		7:15 a	40	47	49	9:02 p	13.8
System	64	66%	16		6:21 a	34	41	44	10:19 p	16.0

SUNDAY	Lines Operating	% Operating	Freq Lines	Rail Lines	Service Begins	Daytime Headway	Evening Headway	Night Headway	Service Ends	Span (Hours)
4th Quartile (Minority Population > 29%)	17	68%	5	3	6:08 a	34	39	33	10:38 p	16.5
3rd Quartile (Minority Population > 21.6%)	19	79%	6		6:27 a	32	46	46	11:33 p	17.1
2nd Quartile (Minority Population > 16.6%)	13	54%	3		7:02 a	45	48	48	9:55 p	14.9
1st Quartile (Minority Population < 16.6%)	7	29%	2		7:57 a	34	40	45	8:52 p	12.9
Minority Lines (3rd and 4th Quartiles)	37	76%	11		6:18 a	33	43	42	11:07 p	16.8
Non-Minority Lines (1st and 2nd Quartiles)	27	56%	5		7:21 a	41	46	47	9:33 p	14.2
System	64	66%	16		6:40 a	36	44	44	10:33 p	15.9

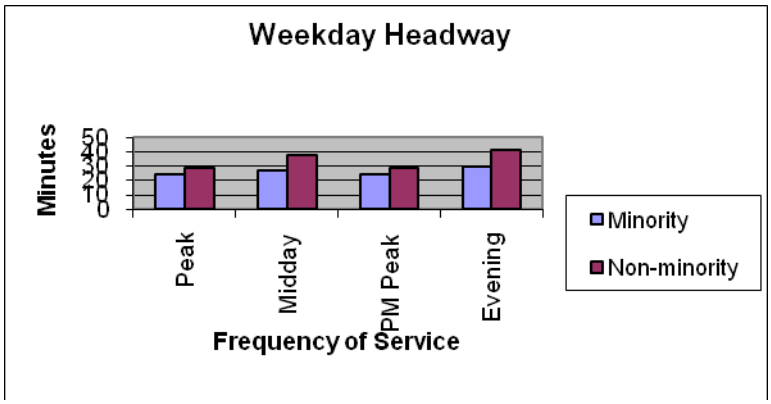
Shaded cells represent minority lines.

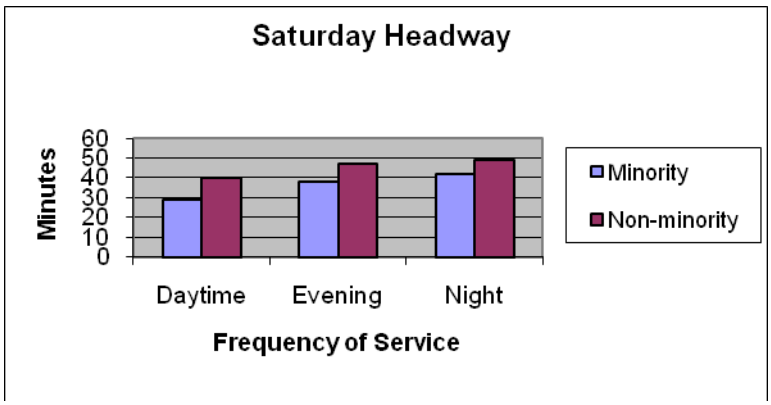
On weekdays, Saturdays, and Sundays, eleven (11) minority lines and five (5) non-minority lines were designated as Frequent Service lines (i.e., Freq Lines). On weekdays, the average AM and PM peak headway on minority lines was 24 minutes, versus 29 minutes on non-minority lines. Average headways on minority lines during weekday midday, evening, and night periods were lower (i.e., provided more frequent service) than on non-minority lines. Minority lines had an average weekday span of service of 17.1 hours, as compared with a 14.9 span of service on non-minority lines.

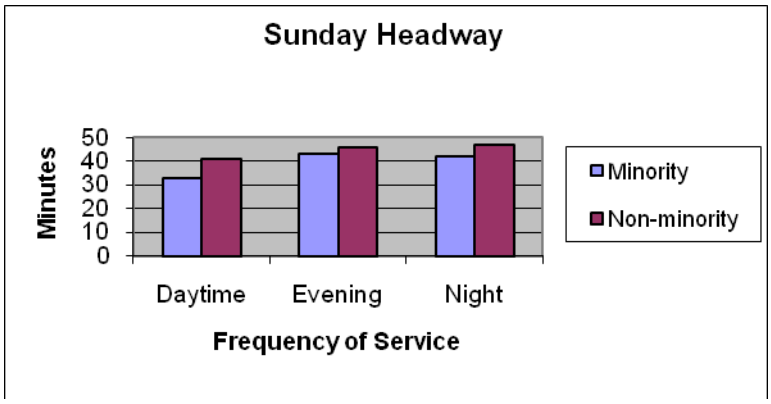
On Saturdays and Sundays, average daytime headways on minority lines were 29 and 33 minutes, respectively, versus 40 and 41 minutes, respectively, for non-minority lines. Average headways on minority lines during Saturday and Sunday evening and night periods were lower (i.e., provided more frequent service) than on non-minority lines. Minority lines had average Saturday and Sunday span of service of 17.5 and 16.8 hours, respectively, as compared with a 13.8 and 14.2 span of service on non-minority lines.

Figure 2 below depicts weekday headways for minority and non-minority lines for AM peak, midday, PM peak, and evening. Saturday and Sunday headways for minority and non-minority lines are shown for daytime, evening, and night periods. In all days and time periods, average frequency of service on minority lines exceeded frequency of service on non-minority lines (i.e., the average headway in minutes was lower on minority lines).

Figure 2. Headways for Minority and Non-Minority Lines on Weekdays, Saturdays, and Sundays by Time Period





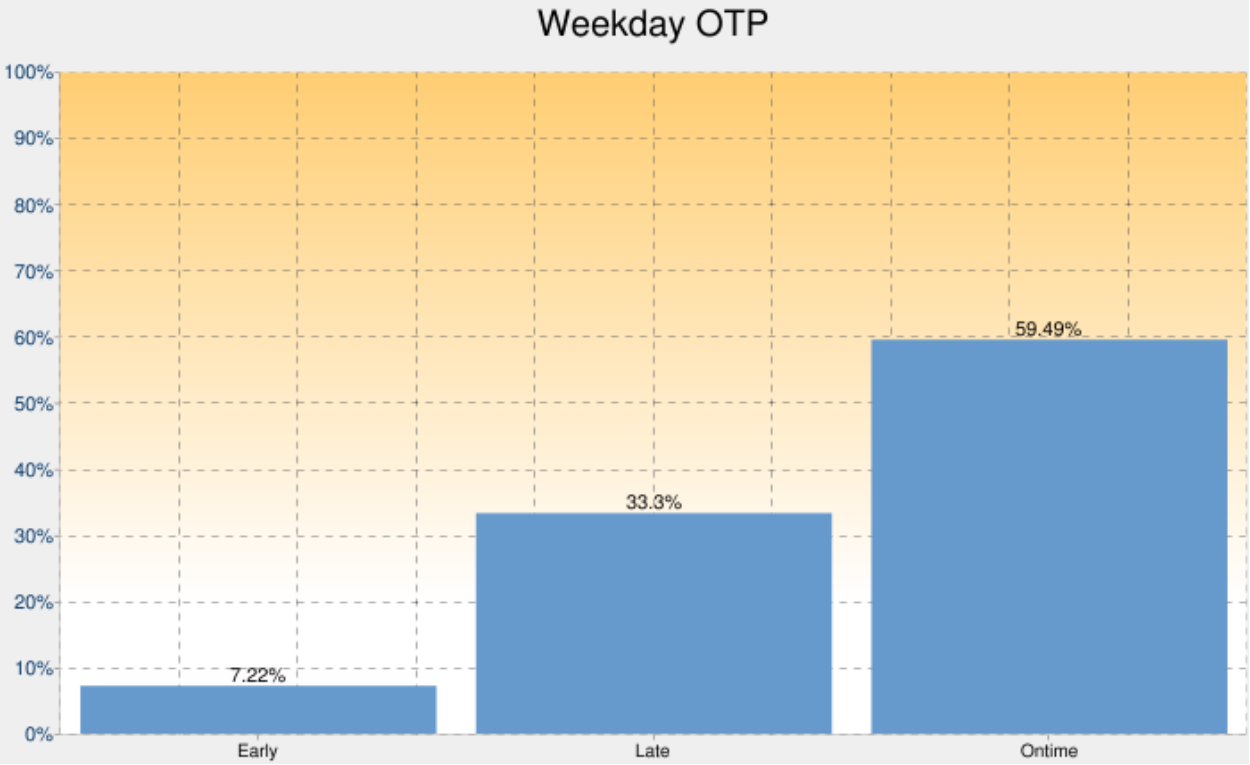


SAMPLE On-Time Performance Monitoring

- ***SAMPLE Figure:*** Figure 3 below shows that 59.49% of transit vehicles passed time points on time, 7.22% passed time points early, and 33.3% passed time points late. This

information would be compared with the On-Time Performance Standard and analyzed to determine potential disparate impacts.

Figure 3. Weekday On-Time Performance



Courtesy of ACE Transit

- ***SAMPLE Assessment:*** The City of USA initiated a random spot check program to assess a variety of performance measures, including on-time performance. This "Mystery Rider" program completed a total 77 observations during the past fiscal year. Of the 77 bus trips observed, approximately five (5) percent were found departing a schedule time point late (i.e., more than 5 minutes after the departure time in the printed schedule). These routes on which late departures were observed were:
  - B07
  - R10
  - R24
  - B48

  Of these four routes, three (B07, R10, and R24) have a greater-than-average proportion of route miles in minority Census blocks. These findings suggest that additional monitoring of on-time performance to assess potential disparate impacts is warranted. The City of USA will initiate additional on-time performance monitoring as part of the "Mystery Rider" spot check program.

SAMPLE Service Availability Monitoring

SAMPLE Assessment: Table 4 below shows the percentages of minority and non-minority households served. The percentage of minority households within a ½ mile walk of stops and/or

stations was 86.6%. The percentage of non-minority households within a ½ mile walk of stops and/or stations was 76.8%.

Table 4. Service Availability for Minority and Non-Minority Residents

Households	Within ½ Mile	More than ½ Mile
Minority	86.6%	13.4%
Non-Minority	76.8%	23.2%
System	78.5%	21.5%

Source: 2000 Census Block Group Data

All residents of Census Block Groups where geographic center of the Block Group is within ½-mile walk of a bus stop and/or rail station are considered within ½-mile of service.

SAMPLE Monitoring of Service Policies

SAMPLE Vehicle Assignment Monitoring

SAMPLE Assessment: Table 5 below shows the average age of buses in relation to minority population served. In this case, all rail lines are minority lines, so rail vehicle age is excluded from the calculation of average vehicle age. Buses on minority lines had an average age of 12.1 years, compared to the system bus fleet average age of 12.7 years.

SAMPLE Table:

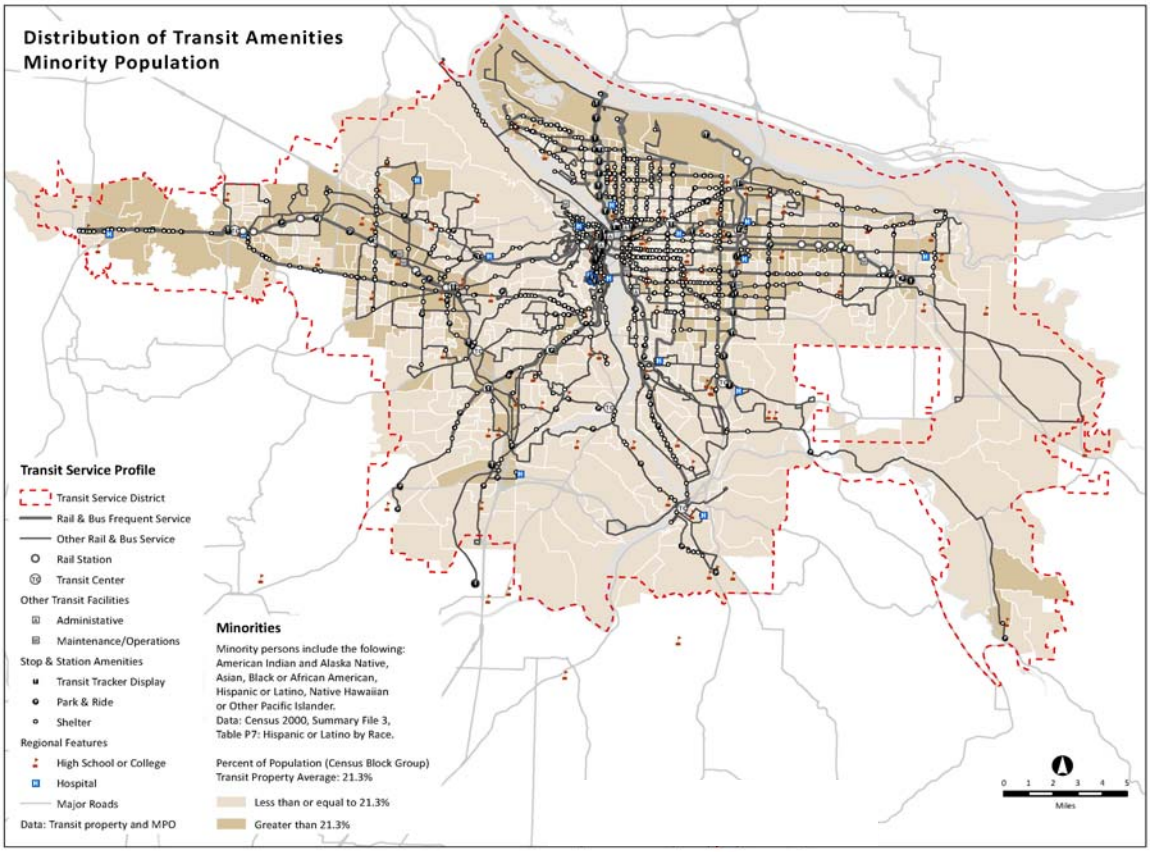
Table 5. Vehicle Assignment
Shaded Cells Represent Lines Serving Areas with Minority Percentages Above the Median

Average Vehicle Age	Avg Date of Purchase	Avg Age of Buses	Lines with Low Floor Buses
4th Quartile (Minority Population > 29%)	1994.4	13.1	8
3rd Quartile (Minority Population > 21.6%)	1996.3	11.2	9
2nd Quartile (Minority Population > 16.6%)	1994.3	13.2	4
1st Quartile (Minority Population < 16.6%)	1994.3	13.2	5
Minority Lines (3rd and 4th Quartiles)	1995.4	12.1	17
Non-Minority Lines (1st and 2nd Quartiles)	1994.3	13.2	9
System	1994.8	12.7	26

SAMPLE Transit Amenities Monitoring

The overlay map below shows the locations of many of the transit agency's amenities, including park and ride facilities, transit centers, pedestrian improvements, and bus shelters, relative to the locations of bus and rail routes and the locations of minority and non-minority populations. Such a map is one way to demonstrate how amenities are distributed across the transit system.

Figure 4. Transit Amenities Overlay Map



APPENDIX K

SERVICE AND FARE EQUITY ANALYSIS QUESTIONNAIRE CHECKLIST (REQUIREMENT FOR TRANSIT PROVIDERS THAT OPERATE 50 OR MORE FIXED ROUTE VEHICLES IN PEAK SERVICE AND ARE LOCATED IN URBANIZED AREAS (UZA) OF 200,000 OR MORE PEOPLE, OR THAT OTHERWISE MEET THE THRESHOLD DEFINED IN CHAPTER IV)

Background

Transit providers that operate 50 or more fixed route vehicles in peak service and are located in urbanized areas (UZA) of 200,000 or more people, or that otherwise meet the threshold defined in Chapter IV, must conduct a Title VI equity analysis whenever they plan a fare change and/or a major service change. Equity analyses are required regardless of whether proposed changes would cause positive or negative impacts to riders. In other words, transit providers must conduct an equity analysis for all fare changes and for major service reductions and major service expansions. Financial exigencies and other special circumstances (e.g., economic hardships, size of transit provider's service area or staff) do not exempt transit providers from the requirement to conduct equity analyses.

The checklist below is provided for the purposes of guidance only.

Service and Fare Equity Questionnaire Checklist

(1) Considerations for Service Equity Analysis

A. Major Service Change Policy

- ❒ We have briefly and clearly stated our Major Service Change Policy.
- ❒ We have briefly and clearly explained how this particular service change meets or exceeds our Major Service Change Policy.
- ❒ Our Major Service Change Policy is presented as a numerical standard, applies to both service reductions and service increases, and is not set so high as to never require an analysis.
- ❒ We have included a description of the public engagement process for setting the major service change policy.
- ❒ We have included a copy of board meeting minutes or a resolution demonstrating the board's or governing entity or official(s)'s consideration, awareness, and approval of the major service change policy.

B. Adverse Effects

- ❒ We have defined and analyzed adverse effects related to major service changes, paying attention to the fact that elimination of a route will likely have a greater adverse effect that a reduced frequency (headway change) in service. We have analyzed service between the existing and proposed service, and have considered the degree of the adverse effects when planning service changes.

C. Disparate Impact Policy

- ❒ We have briefly and clearly stated our policy to determine when a "disparate impact" occurs in the context of major service changes, including both service reductions and/or expansions. In particular, our agency has established a threshold for determining whether adverse effects are borne disproportionately by minority populations.
- ❒ Our agency applies the disparate impact policy uniformly to all major service changes, regardless of mode.
- ❒ Our policy describes how we engaged the public in developing our policy for measuring disparate impacts.
- ❒ We have included a copy of board meeting minutes or a resolution demonstrating the board's or governing entity or official(s)'s consideration, awareness, and approval of the disparate impact policy.

D. Disproportionate Burden Policy

- ❒ We have briefly and clearly stated our policy to determine when a disproportionate burden occurs in the context of major service changes. In particular, our agency has established a threshold for determining whether adverse effects are borne disproportionately by low-income populations.
- ❒ Our agency applies the disparate impact policy uniformly to all major service changes, regardless of mode
- ❒ Our policy describes how we engaged the public in developing the disproportionate burden policy.
- ❒ We have included a copy of board meeting minutes or a resolution demonstrating the board's or governing entity or official(s)'s consideration, awareness, and approval of the disproportionate burden policy.

E. Analysis Framework

- ❒ We have described the dataset(s) used in the analysis and provided the reason for the dataset(s) selected, as well as the techniques and/or technologies used to collect the data.
- ❒ If using general population for the comparison population, we have described the geographic level (e.g., Census block, Census block group, TAZ, etc.) at which we have measured minority and low-income concentrations.
- ❒ If using ridership as the comparison population, we have described how we determined the minority and low-income ridership of affected routes and the system as a whole.

F. Assessing Impacts

- ❒ We have shown how the proposed major service changes would impact minority and low-income populations at the geographic level by including the following:
  - o **Overlay maps** showing proposed service changes as well as demographic data in order to study the affected population
  - o **Tables** showing impacts associated with each type of route or service change (e.g., routing, frequency, span of service, addition or elimination of routes).
- ❒ We have used our adverse effects definition and our disparate impact policy and compared the proportion of minorities adversely affected to the proportion of non-minorities adversely affected.
- ❒ We have provided a step-by-step description of the analytical methodology we followed to determine whether the proposed change(s) would have a disparate impact on minority populations.
- ❒ We have identified whether minority populations will experience disparate impacts.
- ❒ If we have determined that a disparate impact exists, we have considered modifying our proposal to remove these impacts. If we modified our proposal, we have analyzed the modified proposal to determine whether minority populations will experience disparate impacts.
- ❒ If we have determined that a disparate impact exists and we will make the service changes despite these impacts, we have also:
  - o Clearly demonstrated that we have a substantial legitimate justification for the proposed service changes; and

- Clearly demonstrated that we analyzed alternatives to determine whether the proposed service changes are the least discriminatory alternative.

❒ We have used our adverse effects definition and our disproportionate burden policy and compared the proportion of low-income persons adversely affected to the proportion of non-low-income persons adversely affected.

❒ We have provided a step-by-step description of the analytical methodology we followed to determine whether the proposed change(s) would have a disproportionate burden on low-income populations.

❒ We have identified whether low-income populations will experience disproportionate burdens.

❒ If we have determined that a disproportionate burden exists, we have also taken steps to avoid, minimize, or mitigate impacts where practicable. We have also described alternatives available to low-income passengers affected by the service changes.

- Note: Alternatives could include the availability of other lines or services, potentially involving transfers and/or other modes, which connect affected riders with destinations that they commonly access. Depending on the nature of impacts, service-related mitigation could include strategies such as alignment or frequency changes to nearby lines or services to offer more convenient access to affected areas.

❒ If we are proposing a service improvement, we have analyzed accrual of benefits for minority populations as compared to non-minority populations, and low-income populations as compared to non-low-income populations, using the comparison population we selected (i.e., ridership or service area).

❒ If service is proposed to be increased and/or expanded, but minority and/or low-income populations are not expected to benefit from the expansion as much as non-minority and/or non-low-income populations, then we have explained how our agency plans to improve service to the minority and/or low-income populations.

❒ We have described any plans our agency has developed to restore service as additional funds become available.

Exhibit 1.

SAMPLE reporting of proposed headway change based on ridership.

Impact of Potential Service Adjustments on Minority and Low Income Passengers								
Weekly Numbers								
Bus Lines	Wkly Ons	Under20k	Minority	%<20k	% Min	Impacted Ons	Under20k	Minority
1	50,340	25,081	21,602	50%	43%	1,453	724	624
2	56,929	20,727	10,639	36%	19%	4,623	1,683	864
3	39,479	15,902	7,414	40%	19%	2,396	965	450
4	18,396	7,309	4,509	40%	25%	688	273	169
5	52,845	21,450	13,172	41%	25%	1,572	638	392
6	952	446	248	47%	26%	237	111	62
7	4,562	679	2,012	15%	44%	659	98	291
8	1,781	455	414	26%	23%	280	71	65
9	13,596	4,177	4,093	31%	30%	1,161	357	349
10	19,346	7,186	4,965	37%	26%	1,014	377	260
11	65,337	33,005	22,653	51%	35%	998	402	187
12	19,406	7,565	3,864	39%	20%	378	150	93
13	21,728	7,379	4,359	34%	20%	931	378	232
Ridership Adjusted Lines	364,697	151,360	99,943	42%	28%	16,390	6,228	4,037
Total Percent impacted							38%	25%
Ridership All Bus Lines	1,266,568	527,728	381,169	42%	30%			

"Impacted Ons" is calculated by taking the number of trips eliminated in a given hour times the number of passengers per trip during that hour and adding up the number of passengers impacted in a week.

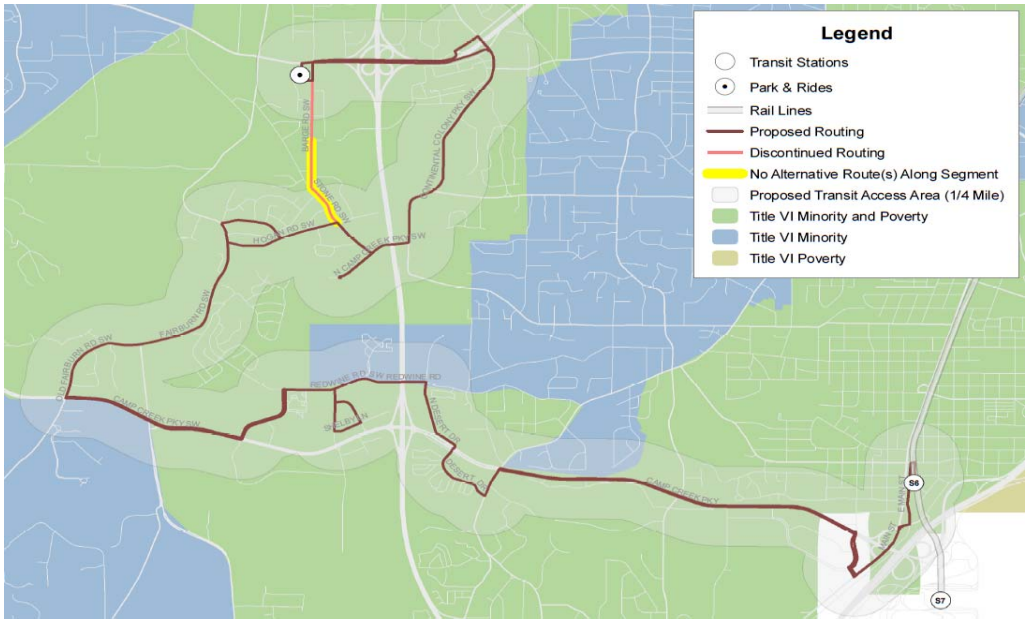
In the table above, an agency has assessed how proposed reductions in service frequency (headway changes) would impact minority and low-income passengers on a bus-only system. Here, the cumulative proposed reduction in service frequency will impact minority and low-income passengers slightly less than their proportion of ridership of the system.

Notably, assessing the cumulative impacts of the route changes appears to reduce the impacts of some of the changes, while increasing the impacts of other changes. Transit providers should consider whether to evaluate changes to routes separately or cumulatively and include this in their disparate impact policy.

If the cumulative impact analysis showed a different result, i.e., a higher percent of minority or low-income populations being impacted than their presence in the overall ridership, the transit provider would likely want to take another look at the routes with high passenger counts and higher-than-system-average minority and/or low-income passengers in order to adjust the changes and reduce the adverse effects.

Exhibit 2.

SAMPLE GIS map depicting proposed route changes and nearby minority and low-income concentrations.



Type of Service Change	Minority Proportion of Population		Low-Income Proportion of Population	
	Census blocks along routes	Average population in service area	Census blocks along routes	Average population in service area
Changes in Routing	38.9%	34.3%	13.7%	12.2%
Headway Changes	27.5%	34.3%	11.0%	12.2%
Route discontinuation	30.6%	34.3%	12.8%	12.2%

In the table above, the transit provider has analyzed the cumulative impacts of each type of service change on minority populations and low-income populations in its service area. The analysis is based on block-level Census demographic data and therefore does not represent ridership directly.

The changes in routing appear to affect minority populations more adversely than the population as a whole, and the changes in routing and route discontinuations appear to affect low-income populations more adversely than the population as a whole. The transit provider's ultimate determination of disparate impact on minority riders or disproportionate burden on low-income riders would depend on the disparate impact and disproportionate burden threshold policies developed by the transit provider through a public participation process.

Exhibit 3.

SAMPLE Population Comparison

Table 1 - Regional Population Data				
Total Population of Service Area	Minority Population	Percent Minority	Low-income Population	Percent Low-Income
242,916	50,829	21%	43,000	18%

Table 2 - Affected Census Block Area Population Data						
Route #	Change type	Total Population affected Census blocks	Minority Population	Percent Minority	Low-Income Population	Percent Low-Income
Route 6	Discontinued	5870	800	14%	250	4%
Route 7	Discontinued	9500	2500	26%	2100	22%
Total		15370	3300	21%	2350	15%

Here, the transit provider is proposing elimination of two routes, and is using population data, not ridership data. The affected population is the Census blocks with access to the route, generally defined as a one-quarter mile walk to a bus stop or a one-half mile walk to a rail station. While the elimination of Route 7 appears to affect low-income and minority populations more adversely than the population as a whole, the provider's ultimate determination of disparate impact on minority riders or disproportionate burden on low-income riders would depend on the disparate impact and disproportionate burden threshold policies developed by the transit provider through a public participation process.

Notably, assessing the cumulative impacts of the two route changes appears to reduce the impacts of the elimination of Route 7. Transit providers should consider whether to evaluate changes to routes separately or cumulatively and include this in their disparate impact policy. See the example on the next page for a different result.

Exhibit 4.

SAMPLE Ridership Comparison

Table 3 - Regional Ridership Data				
Total System-wide Riders	Minority Riders	Percent Minority	Low-Income Riders	Percent Low-Income
3,224,000	1,346,000	42%	1,235,000	38%

Table 4 - Affected Route Ridership Data					
	Discontinued Segment - Ridership	Minority Riders	% Minority Riders	Low-Income Riders	% Low-Income Riders
Route 1	20,800	6,000	29%	4,700	23%
Route 2	72,600	33,400	46%	31,200	43%
Total	93,400	39,400	42%	35,900	38%

Here, the transit provider is proposing eliminating segments of two different routes (shortlining). The elimination of a segment of Route 2 appears to affect minority and low-income passengers more adversely than ridership of the system as a whole; however, the provider's ultimate determination of disparate impact on minority passengers or disproportionate burden on low-income passengers would depend on the disparate impact and disproportionate burden threshold policies developed by the transit provider through a public participation process.

Here, assessing the cumulative impacts of two shortlined routes appears to increase the adverse effects of the change to Route 1, and decrease the effects of the change to Route 2. Transit providers should consider whether to evaluate changes to routes separately or cumulatively and include this in their disparate impact policy.

Exhibit 5.

SAMPLE Impacts to passengers

Type of Service Change	Ridership of affected route			Ridership of system	
	Total Boardings	% Minority	% Low-Income	% Minority	% Low-Income
Service span (reduction of entire trips)	24	83%	17%	73.7%	10%

Here, a transit provider that operates service into the late evening has proposed to discontinue trips that begin after 10:00 p.m. In this example, the provider's ridership is the basis of the analysis, not the population of adjacent Census blocks. The table shows that both minority populations and low-income populations would bear a disproportionate share of the service change, when comparing the ridership of the affected route with the ridership of the system as a whole. However, the ridership that is affected is relatively small, particularly if it is divided over a number of trips.

As with the other examples, the provider's ultimate determination of disparate impact on minority passengers or disproportionate burden on low-income passengers would depend on the disparate impact and disproportionate burden threshold policies developed by the transit provider through a public participation process.

When changes are disproportionately borne by minority passengers, and the provider determines there is a disparate impact based on its policy, the transit provider can make the change as long as it can clearly demonstrate that it has a substantial legitimate justification for the proposed service changes; and the transit provider clearly demonstrates that it analyzed alternatives to determine whether the proposed service changes are the least discriminatory alternative.

If the transit provider determines there is a disproportionate burden on low-income passengers, the transit provider should review alternatives to see if the impacts on the low-income passengers can be avoided, minimized, or mitigated.

(2) Considerations for a Fare Equity Analysis

- ❒ We have briefly and clearly stated our policy to determine when a "disparate impact" occurs in the contexts of fare changes. In particular, our agency has developed policy thresholds (in terms of absolute numbers or proportions) for identifying disparate impacts.
- ❒ Our policy specifies how we engaged the public in developing our policy for measuring disparate impacts.
- ❒ We have briefly and clearly stated our disproportionate burden policy, and our policy describes how we engaged the public in developing the disproportionate burden policy.
- ❒ We have analyzed the fare media generated from ridership surveys indicating whether minority and/or low-income riders are disproportionately more likely to use the mode of service, payment type, or fare media that would be subject to the fare increase or decrease (see sample, page K-12).
- ❒ We have determined the number and percent of users of each fare media proposed for increase or decrease.
    - o Our analysis includes a profile of fare usage by group—minority, low-income, and overall ridership—as shown below.
    - o If the proposed changes would only affect certain fare media, the analysis should address whether focusing changes on those fare media may lead to a disparate impact or disproportionate burden.
- ❒ We have clearly depicted the information in tabular format.
    - o The table depicts the fare media comparing the existing cost, the percent change, and the usage of minority groups as compared to overall usage and low-income groups as compared to overall usage. We have clearly analyzed fare media for minority groups distinct from low-income.
- ❒ We have compared the differences in impacts between minority users and overall users.
- ❒ We have compared the differences in impacts between low-income users and overall users.
- ❒ We have analyzed any alternative transit modes, fare payment types, or fare media available for people affected by the fare change.
    - o Analysis compared the fares paid by the proposed changes with fares that would be paid through available alternatives.

- Analysis shows whether vendors that distribute/sell the fare media are located in areas that would be convenient to impacted populations.

❒ We have identified whether minority populations will experience disparate impacts.

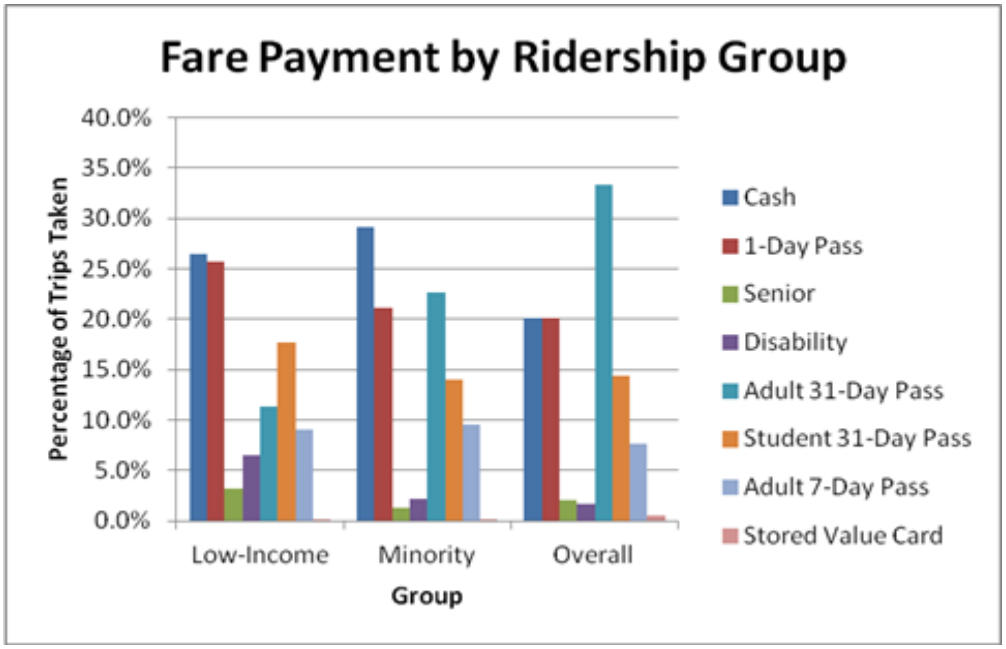
❒ If we have determined that a disparate impact exists, we have considered modifying our proposal to remove these impacts. If we modified our proposal, we have analyzed the modified proposal to determine whether minority populations will experience disparate impacts.

❒ If we have determined that a disparate impact exists and we will make the fare changes despite these impacts, we have also:

- Clearly demonstrated that we have a substantial legitimate justification for the proposed fare changes; and
- Clearly demonstrated that we analyzed alternatives to determine whether the proposed fare changes are the least discriminatory alternative.

❒ If we have documented a disparate impact or a disproportionate burden, we have explored alternatives and mitigation, including the timing of implementing the fare increases, providing discounts on passes to social service agencies that serve the impacted populations, and other alternatives as appropriate.

Charting fare payment by ridership group (as shown on the next page) can be a useful early step in a fare equity analysis to understand how fare media usage varies between low-income riders, minority riders, and overall ridership. Comparing fare payment patterns for minority versus non-minority and low-income versus higher-income riders can yield even clearer depictions of differences that should be considered when developing fare change proposals.



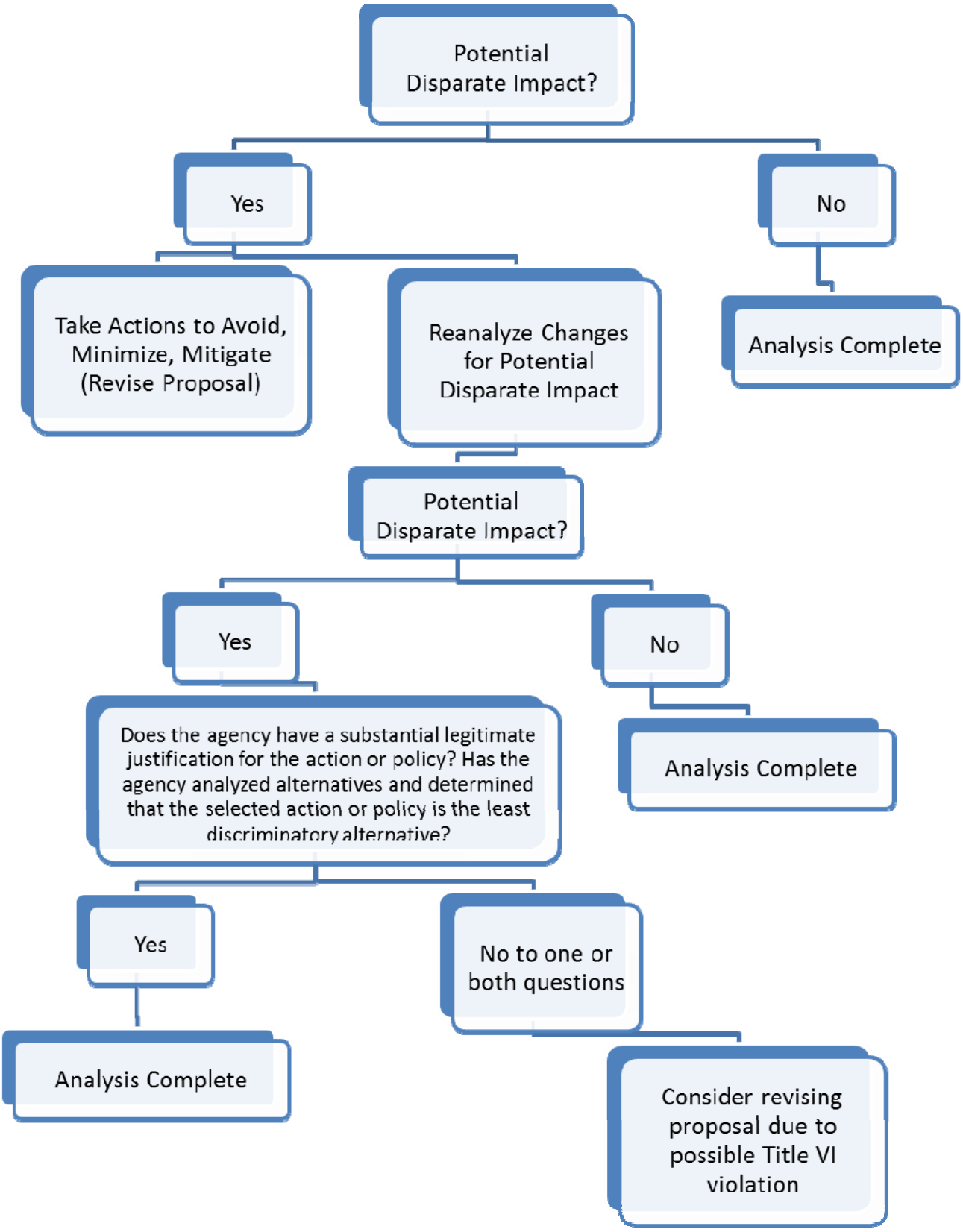
SAMPLE Fare Equity Analysis

Count	Cost		Change		Usage by Group		
Fare type	Existing	Proposed	Absolute	Percentage	Low-Income	Minority	Overall
Cash	$1.50	$2.00	$0.50	33.3%	308,287	402,021	451,152
1-Day Pass	$4.50	$5.50	$1.00	22.2%	299,880	290,456	448,907
Senior	$0.50	$0.75	$0.25	50.0%	37,536	17,681	46,077
Disability	$0.50	$1.00	$0.50	100.0%	75,440	29,280	38,600
Adult 31-Day Pass	$57.00	$63.00	$6.00	10.5%	132,720	311,225	746,769
Student 31-Day Pass	$30.00	$35.00	$5.00	16.7%	205,708	192,661	323,150
Adult 7-Day Pass	$15.00	$17.00	$2.00	13.3%	105,831	132,135	170,300
10-Ride Card	$13.50	$18.00	$4.50	33.3%	184	780	11,400
Total					**1,165,586**	**1,376,239**	**2,236,355**

% of Total	Cost		Change		Usage by Group		
Fare type	Existing	Proposed	Absolute	Percentage	Low-Income	Minority	Overall
Cash	$1.50	$2.00	$0.50	33.3%	26.4%	29.2%	20.2%
1-Day Pass	$4.50	$5.50	$1.00	22.2%	25.7%	21.1%	20.1%
Senior	$0.50	$0.75	$0.25	50.0%	3.2%	1.3%	2.1%
Disability	$0.50	$1.00	$0.50	100.0%	6.5%	2.1%	1.7%
Adult 31-Day Pass	$57.00	$63.00	$6.00	10.5%	11.4%	22.6%	33.4%
Student 31-Day Pass	$30.00	$35.00	$5.00	16.7%	17.6%	14.0%	14.4%
Adult 7-Day Pass	$15.00	$17.00	$2.00	13.3%	9.1%	9.6%	7.6%
Stored Value Card	$13.50	$18.00	$4.50	33.3%	0.0%	0.1%	0.5%
Total					**100.0%**	**100.0%**	**100.0%**

Here, an agency has presented a fare increase proposal and determined fare media usage for low-income, minority and overall ridership from a rider survey. Although a price increase is proposed for all fare media, certain media used disproportionately by low-income and/or minority riders (such as cash fares, one-day passes, and disability fares) are proposed for more substantial price increases than other media used more commonly by other riders (particularly the adult 31-day pass). In order to make an appropriate assessment of disparate impact or disproportionate burden, the transit provider must compare the survey data, and show the number and percent of minority riders and low-income riders using a particular fare media. While the changes appear to affect low-income and minority riders more adversely than other riders, the agency's ultimate determination of disparate impact on minority riders or disproportionate burden on low-income riders would depend on the disparate impact and disproportionate burden threshold policies developed by the transit provider through a public participation process.

Disparate Impact Analysis



APPENDIX L

REPORTING REQUIREMENTS

1. RECIPIENT TYPE. This circular defines many types of recipients of Federal financial assistance: designated recipients, direct recipients, primary recipients and subrecipients. The reporting and monitoring requirements vary depending on what role an entity serves. One entity could be all four types of recipients, and therefore have many different reporting and monitoring requirements. The following questions are designed to assist recipients in determining what their responsibilities are:

   a. Have you been designated by the Governor of your State or other local officials to receive and apportion funds from FTA? If yes, you are a ***designated recipient***.

   b. Do you apply to FTA for funds for programs you operate/manage? If yes, you are a ***direct recipient.*** You will submit a Title VI Program directly to FTA.

   c. Do you pass through funds you receive directly from FTA to subrecipients? If yes, then you are a ***primary recipient*** and you must monitor your subrecipients' compliance with Title VI requirements, and collect Title VI Programs from them.

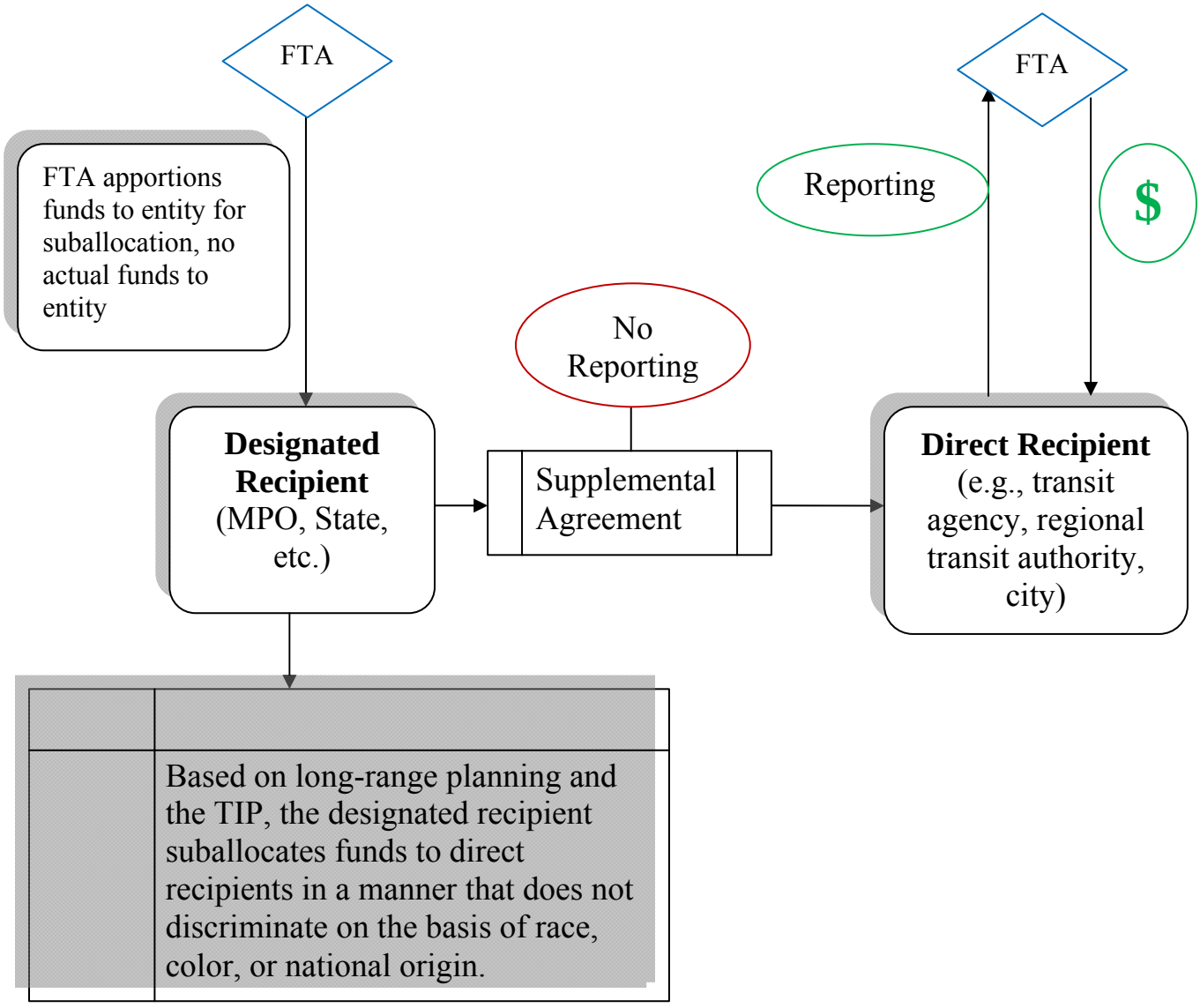
   d. Do you receive funds from another FTA recipient, that is, are funds "passed through" to you from an entity that received those funds from FTA or another recipient? If yes, then you are a ***subrecipient.*** You must submit a Title VI Program to the entity that passed funds through to you.

   e. Do you suballocate funds to recipients that apply directly to FTA for their funds (i.e., direct recipients)? If yes, have you signed a supplemental agreement? If yes, you do not have any responsibility to monitor the Title VI Program of direct recipients, even if you also "pass through" funds to those recipients (i.e., subrecipients).

   f. Do you receive discretionary, specialized funding (e.g., TIGER, Livability Urban Circulator)? If yes, do you regularly apply for funds from FTA, i.e., are you a traditional recipient of FTA funds? If you are not a traditional recipient of FTA funds, or are a first-time applicant for FTA funds, special rules may apply.

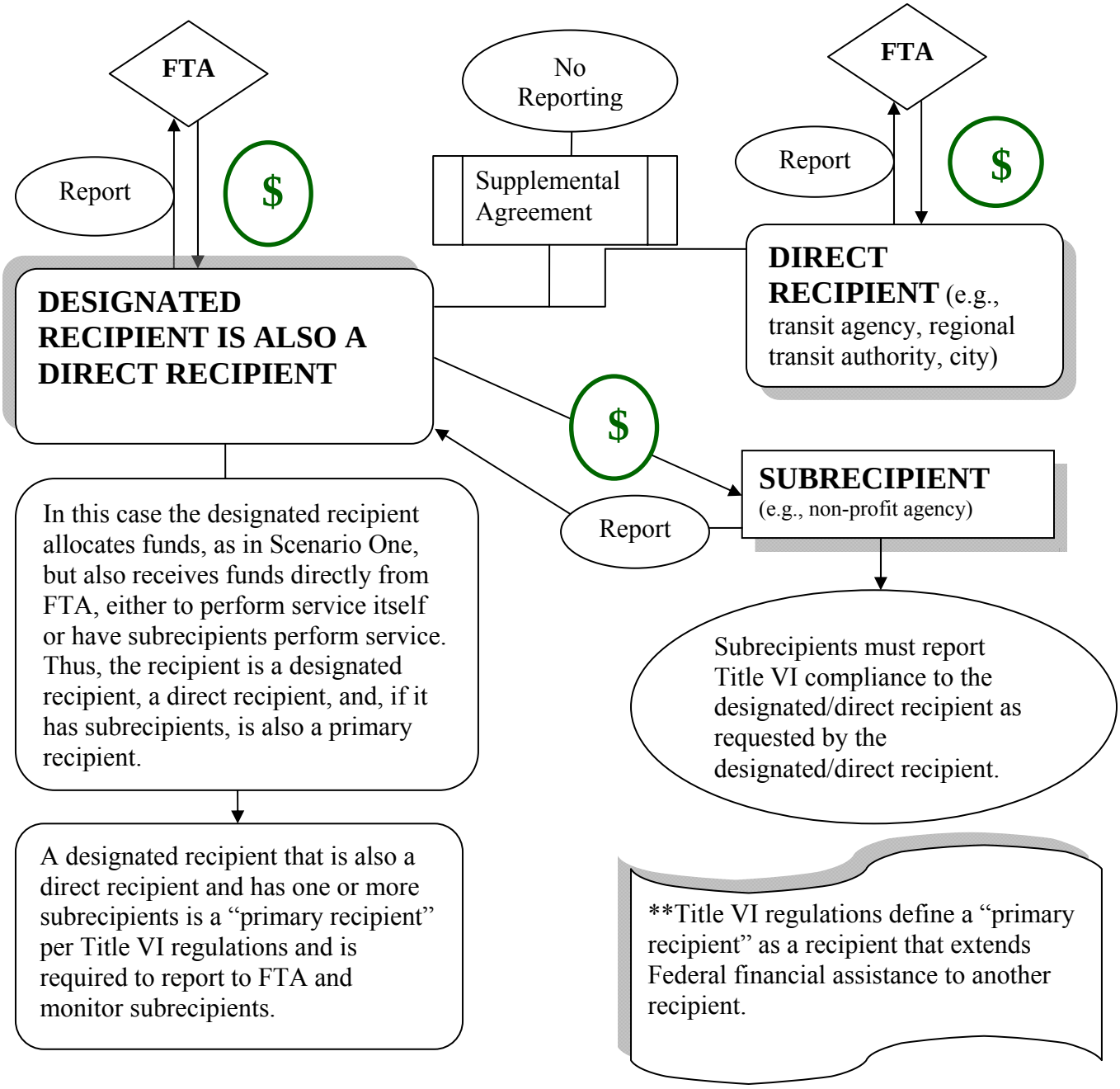
On the following pages are flowcharts that demonstrate the reporting requirements of various types of entities.

Scenario One—States, Designated Recipients, MPOs, and Other Entities That Suballocate FTA Funds



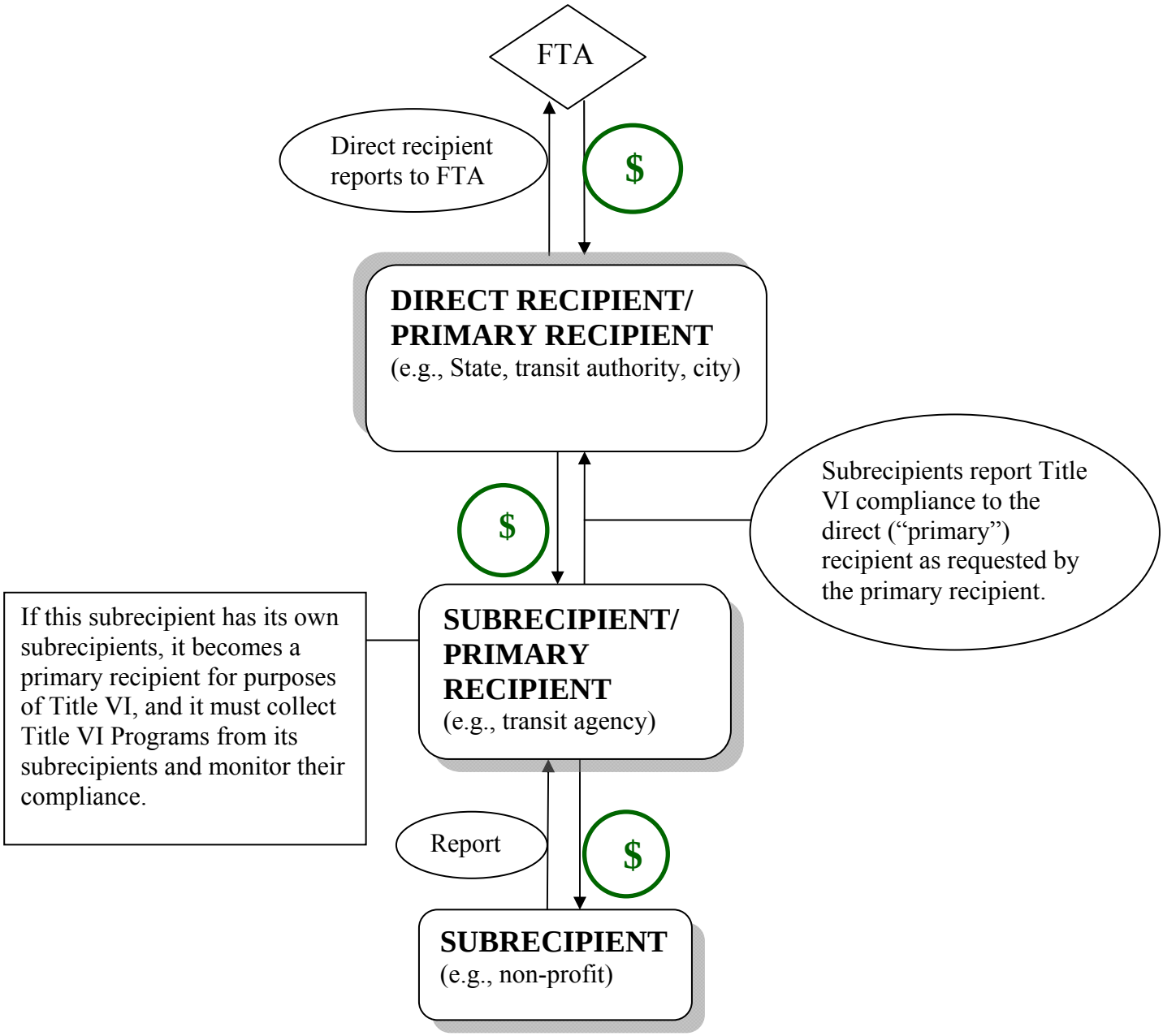
Reporting requirements follow the source of Federal funds. In this case, the designated recipient receives no funding from FTA; it only receives notice of an apportionment and then suballocates funds to direct recipients; therefore, the designated recipient has no oversight responsibility for direct recipients that receive their funding directly from FTA. Direct recipients submit Title VI reports to FTA.

Scenario Two—Designated Recipients That Are Also Direct Recipients



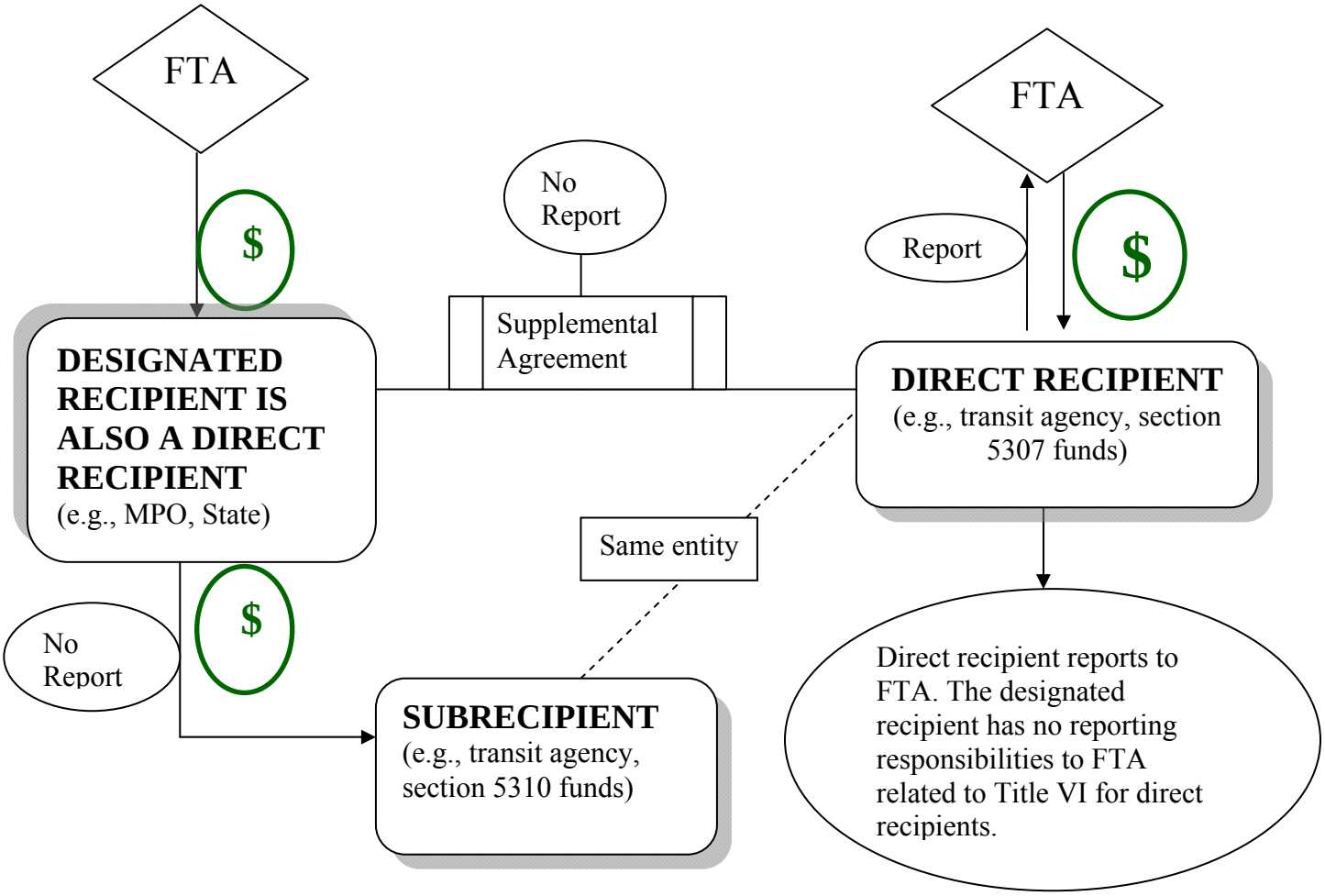
Reporting requirements follow the source of Federal funds. In this case, the designated recipient receives funding from FTA; therefore the designated recipient submits a Title VI Program to FTA and includes a description of how it monitors subrecipients. The designated recipient does not collect Title VI Programs from direct recipients to whom it only allocates funds. Direct recipients submit Title VI Programs to FTA.

Scenario Three—Direct Recipients, Including States



Reporting requirements follow the source of Federal funds. In this case, the direct (primary) recipient submits a Title VI Program to FTA and monitors subrecipients at all tiers.

Scenario Four—Designated Recipients That Pass Funds Through to Direct Recipients That Are Covered by a Supplemental Agreement

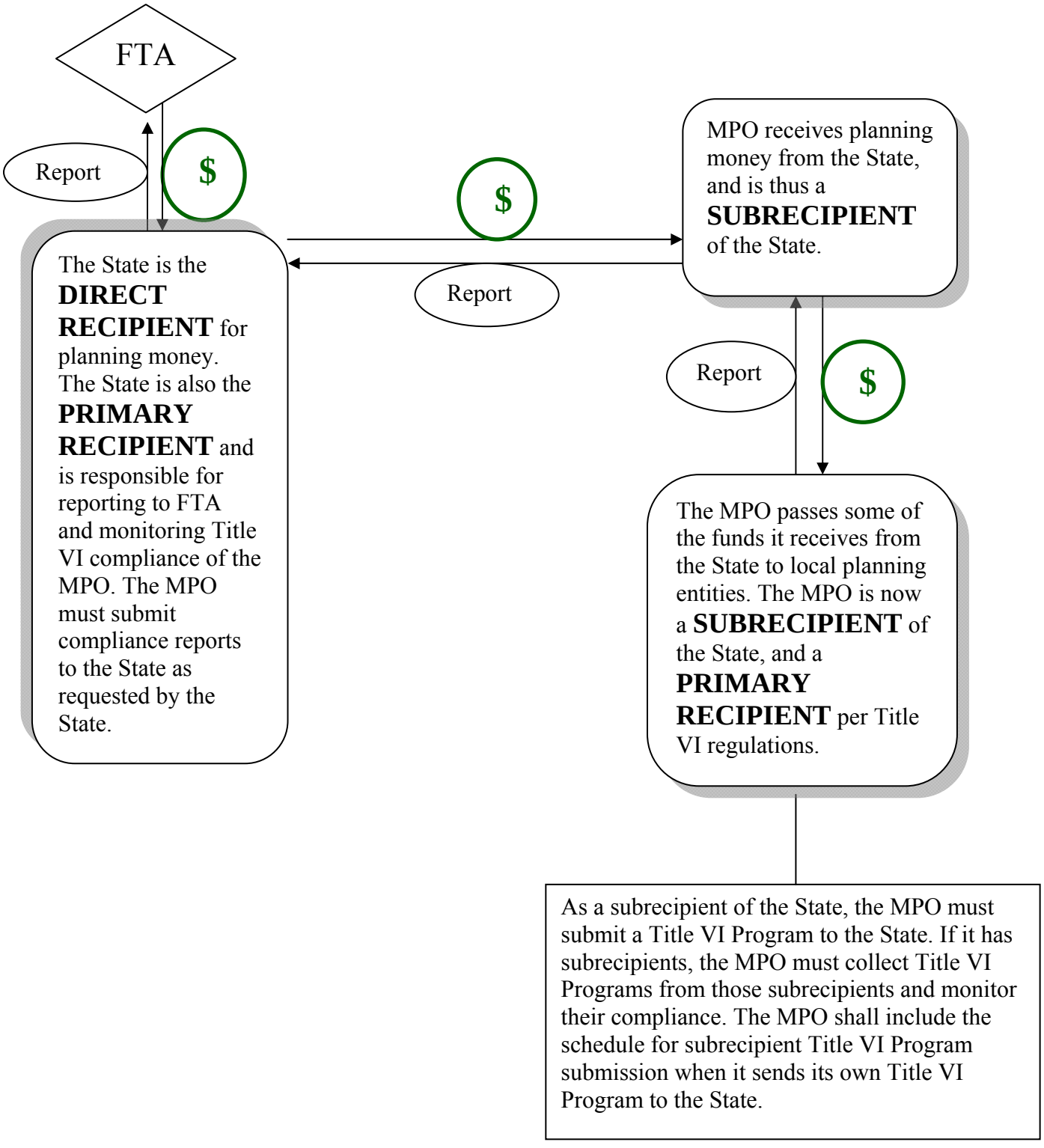


A subrecipient that is also a direct recipient is required to have an FTA approved Title VI Program in place, and the funds the subrecipient receives through the designated recipient must be utilized in accordance with that Title VI Program. Since the subrecipient/direct recipient must report compliance to FTA, it is not required to report to the designated recipient, and the designated recipient, consistent with the supplemental agreement, is not required to oversee the subrecipient's Title VI Program.

NOTE: If the direct recipient relationship with FTA changes, such that the entity becomes only a subrecipient of the designated recipient, then the subrecipient will report to the designated recipient, and the designated recipient will report to FTA.

NOTE also that while the designated recipient is not reporting to FTA for the direct/subrecipient, when the designated recipient is also a direct recipient it will report directly to FTA, and it may also have other reporting responsibilities, as when the designated recipient is an MPO or provides transit service itself.

Scenario Five—Role of MPOs and States With Regard to Planning Funds (Other Scenarios May Also Apply)



APPENDIX M

TITLE VI AND LIMITED ENGLISH PROFICIENCY TECHNICAL ASSISTANCE RESOURCES

The following resources should help recipients integrate the guidance and procedures of this circular into their planning and operations. Recipients seeking additional resources that may have been published subsequent to the date of this circular may inquire with their local FTA Regional Office or FTA's Office of Civil Rights. Technical assistance resources will be published on the FTA Office of Civil Rights website, http://www.fta.dot.gov/civil_rights.html, on an ongoing basis.

1. Relevant Websites. Recipients and subrecipients are encouraged to review information on the following websites:

   a. FTA's Title VI Website**.** www.fta.dot.gov/civilrights/civil_rights_5088.html**.** This website provides an overview of FTA's Title VI activities, including links to recent compliance reviews of recipients, related websites, policy guidance and procedures, and instructions on how to file a Title VI complaint.

   b. Federal Interagency Working Group on Limited English Proficiency. www.lep.gov promotes a cooperative understanding of the importance of language access to Federal programs and Federally-assisted programs. The site acts as a clearinghouse, providing and linking to information, tools, and technical assistance regarding limited English proficiency and language services for Federal agencies, recipients of Federal funds, users of Federal programs and Federally-assisted programs, and other stakeholders.

   c. U.S. Department of Justice Civil Rights Division. http://www.justice.gov/crt/ The Civil Rights Division of the Department of Justice, established in 1957, is the program institution within the Federal government responsible for coordinating the implementation and enforcement of Federal statutes prohibiting discrimination on the basis of race, color, national origin, and other protected classes.

   d. Community Impact Assessment Website. http://www.ciatrans.net. The Community Impact Assessment (CIA) website seeks to inform transportation officials and the general public about the potential impacts of proposed transportation actions on communities and their subpopulations.

   e. United We Ride. www.unitedweride.gov. United We Ride is an interagency Federal national initiative that supports States and their localities in developing coordinated human service delivery systems originating from the Office of Program Management or the Federal Transit Administration. In addition to State coordination grants, United We Ride provides State and local agencies a transportation-coordination and planning self-assessment tool, help along the way, technical assistance, and other resources to help their communities succeed.

2. Technical Assistance Products. Recipients and subrecipients are encouraged to review information on the following technical assistance products. Interested parties can access these products through the relevant website or by contacting FTA's Office of Civil Rights.

   a. "How to Engage Low-Literacy and Limited English Proficient Populations in Transportation Decision-making." http://www.fhwa.dot.gov/hep/lowlim/. This report documents "best practices" in identifying and engaging low-literacy and limited-English-proficiency populations in transportation decision-making. These "best practices" were collected during telephone interviews with individuals in 30 States.

   b. "Disaster Response and Recovery Resource for Transit Agencies" http://transit-safety.volpe.dot.gov/Publications/order/singledoc.asp?docid=437. This resource provides local transit agencies and transportation providers with useful information and best practices in emergency preparedness and disaster response and recovery, including information on how to respond to the needs of low-income persons, limited English proficient persons, persons with disabilities, and older adults.

REFERENCES

a. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000d.

b. Federal Transit Laws, Title 49, United States Code, Chapter 53.

c. National Environmental Policy Act of 1969, as amended, 42 U.S.C. Section 4321 *et seq.*

d. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. Section 4601, et seq.

e. U.S. Department of Justice regulations, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs," 28 CFR part 42, Subpart F.

f. U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964," 49 CFR part 21.

g. Joint FTA/Federal Highway Administration (FHWA) regulations, "Environmental Impact and Related Procedures," 23 CFR part 771 and 49 CFR part 622.

h. Joint FTA/FHWA regulations, "Planning Assistance and Standards," 23 CFR part 450 and 49 CFR part 613.

i. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," Feb. 11, 1994, 59 FR 7629 (Feb. 16, 1994).

j. Executive Order 13166, "Improving Access to Services for Persons With Limited English Proficiency," Aug. 11, 2000, 65 FR 50121 (Aug. 16, 2000).

k. U.S. Department of Transportation Order to Address Environmental Justice in Minority Populations and Low-Income Populations, 62 FR 18377 (Apr. 15, 1997).

l. U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 70 FR 74087 (Dec. 14, 2005).

m. FTA Master Agreement, FTA MA (17), Oct. 1, 2010.

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File #: 2019-0607, **File Type:** Contract **Agenda Number:** 46.

EXECUTIVE MANAGEMENT COMMITTEE
OCTOBER 17, 2019

SUBJECT: OUTSIDE PRINTING SERVICES BENCH

ACTION: AWARD CONTRACTS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

A. AWARD five-year, task order-based, bench Contract Nos. PS63216000 and PS63216001 to the following firms, to provide outside printing services, for an aggregate not-to-exceed amount of $2,500,000, effective November 1, 2019, subject to resolution of protest(s), if any;

   1. PS63216000 Fusion Media
   2. PS63216001 Pacific Graphics; and

B. EXECUTE individual task orders under these Contracts for outside printing services for an aggregate not-to-exceed amount of $2,500,000.

ISSUE

Metro has a recurring need for outside printing services whenever production requirements exceed in-house resources and capacity, such as during Division shake-ups and grand opening of projects, and to handle other complex printing jobs and time-sensitive materials. Printed materials include specialty items such as maps, posters, artwork, direct-mailers and other literature essential to the execution of Metro's mission.

Award of these contracts does not obligate any funds and it establishes a bench of qualified printing vendors that can readily provide printing services on an as-needed basis.

DISCUSSION

Metro's in-house Print Shop produces all bus and rail timetables, bus cards, brochures, and other customer communication materials. At peak times such as Division shake-ups, and/or when the volume, complexity and time-sensitivity of print jobs are beyond the internal capacity of the Print Shop's equipment and personnel, outside printing services are requested to meet the agency's

needs. An outside printing services bench is needed for Metro to have access to outside printing services for emergency and overflow printing needs in support of Metro's projects and initiatives.

DETERMINATION OF SAFETY IMPACT

This program does not affect the incidence of injuries or healthful conditions for patrons or employees. Therefore, approval of this request will have no impact on safety.

FINANCIAL IMPACT

The funding of $300,000 for outside printing services is included in the FY20 budget in cost center 7140, Customer Communications, line 50316, under project number 100001 (General Overhead), 300066 (Rail Ops Expo), and 306005 (Public Affairs). Since these are multi-year contracts, the cost center manager and Executive Officer will be responsible for budgeting the cost in future years. In FY19, $375,000 was expended on this line item. Funding is also furnished by various departments that charge to the bench contract. Examples are, but not limited to, Safety, Construction, OMB, Operations, and Metro Art. There are new rail line openings scheduled in the next couple of years and funding will be needed to cover additional print costs that are always associated with these events.

ALTERNATIVES CONSIDERED

The Board may decline to approve the award of bench contracts and instead expand Metro's internal printing capacity to handle agency printing requirements in-house. This is not recommended because this requires the purchase of limited-use equipment and hiring of additional staff to operate the equipment, which may not be cost-effective.

NEXT STEPS

Upon Board approval, staff will execute these outside printing services bench contracts, effective November 1, 2019, and work will be competed as needed on a task order basis.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared by: Robert Hartert, Printing Services Supervisor, (213) 418-3206
Antwaun Boykin, Sr. Contract Administrator (213) 922-1056

Reviewed by: Yvette Rapose, Chief Communication Officer, (213) 418-3154
Debra Avila, Chief Vendor/Contract Management Officer, (213) 418-3051

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

OUTSIDE PRINTING SERVICES BENCH / PS63216000 and PS63216001

1.	**Contract Numbers:** PS63216000 and PS63216001	
2.	**Recommended Vendors**: Fusion Media and Pacific Graphics	
3.	**Type of Procurement (check one):** ☐ **RFP** ☒ **IFB** ☐ **IFB–A&E** ☐ **Non-Competitive** ☐ **Modification** ☐ **Task Order**	
4.	**Procurement Dates**:	
	A. Issued: June 6, 2019	
	B. Advertised/Publicized June 12, 2019	
	C. Pre-bid Conference: June 19, 2019	
	D. Bids Due: July 10, 2019	
	E. Pre-Qualification Completed: August 8, 2019	
	F. Conflict of Interest Form Submitted to Ethics: July 30, 2019	
	G. Protest Period End Date: September 23, 2019	
5.	**Solicitations Picked up/Downloaded**: 15	**Bids Received**: 4
6.	**Contract Administrator**: Antwaun Boykin	**Telephone Number**: **(**213) 922-1056
7.	**Project Manager**: Robert Hartert	**Telephone Number**: **(**213) 418- 3206

A. Procurement Background

This Board Action is to approve the Bench Contract Nos. PS63216000 and PS63216001 in support of the Metro Print Shop for a five-year term. These services will be performed on an "as-needed" basis for which task orders will be issued. Board approval of contract awards are subject to resolution of any properly submitted protest(s).

Invitation for Bids (IFB) No. PS63216 was issued in the Small Business Enterprise Set-Aside Program in accordance with Metro's Acquisition Policy and the contract type is task-order based, as-needed.

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

- Amendment No. 1, issued on June 20, 2019 provided documents from the pre-bid conference;
- Amendment No. 2, issued on July 1, 2019 revised Schedule of Quantities and Prices Form – Item No. 4 Bid;
- Amendment No. 3, issued on July 3, 2019 extended the bid due date

A pre-bid conference was held on June 19, 2019 and was attended by three participants representing three firms. Five questions were received, and Metro provided responses prior to the bid due date.

B. Evaluation of Bids

A total of four bids were received on July 10, 2019 from firms listed below in alphabetical order:

1. Bash Boy Enterprises
2. Fusion Media
3. Pacific Graphics
4. Peaks and Associates

Two of the four firms are being recommended for the bench contracts. Both Bash Boy Enterprises and Peaks and Associates failed to meet the Small Business Enterprise Commercially Useful Function (CUF) requirement as stated in the IFB.

C. Price Analysis

Each individual task order will be competed among the recommended contractors and will comply with all requirements of Metro's Acquisition Policy and the terms and conditions of these Contracts. The contractors will bid according to the requirements of the task order, and independent cost estimate, technical evaluation, and cost/price analysis will be performed, as appropriate, on all task orders issued.

D. Background on Recommended Contractors

Fusion Media

Based in Fullerton, California, Fusion Media provides streamlined solutions for printing, fulfillment, electronic media, web service and mailing services. Fusion Media has over 5 years of print, bindery, paper and prepress experience and manages all levels of projects including budgeting, materials, production, distribution and administration. Fusion Media has provided outside printing services to Metro since 2014 and performance has been satisfactory.

Pacific Graphics International

Founded in 1989 and headquartered in the City of Industry, California, Pacific Graphics International (PGI) is a commercial lithographic offset and digital printing, mailing, fulfillment and distribution and distribution service company. Its clients include Southern California Edison, Orange County Transportation Authority, City of Santa Monica – The Big Blue Bus, City of Chino Hills, City of Pico Rivera, US Government Printing Office, Choice Hotels, Marriott Hotels and other corporations and government agencies including Metro. PGI has been an outside printing services provider of Metro since 2000 and performance has been satisfactory.

DEOD SUMMARY

OUTSIDE PRINTING SERVICES/ PS63216002 PS63216003

A. Small Business Participation

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

Both bench participants are SBE Primes and have committed to perform 30% or more of the work with their own workforces. Work throughout these Contracts will be issued on a task order basis, as needed.

SMALL BUSINESS PRIME (SET-ASIDE)

	SBE Primes	**SBE % Committed**
	Fusion Media	30%
	Total Commitment	**30%**

	SBE Primes	**SBE % Committed**
	Pacific Graphics	100%
	Total Commitment	**100%**

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

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

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

construction contracts that have a construction contract value in excess of $2.5 million.

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

File #: 2019-0782, **File Type:** Motion / Motion Response **Agenda Number:**

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

Motion by:

BONIN, HAHN, GARCIA AND NAJARIAN

Aligning Highway Programs with State Emissions Reduction Goals

In California, over 40 percent of greenhouse gas emissions are from cars and trucks. Unlike all other major sources, emissions from the transportation sector continue to increase and are on pace to prevent the State from meeting its goal of reducing greenhouse gas emissions 40 percent below 1990 levels by 2030. On September 20th, Governor Gavin Newsom issued an Executive Order to align certain discretionary transportation funding with the State's emissions reduction goals. Governor Newsom directed the California State Transportation Agency to realign its portfolio of construction, operations, and maintenance projects to help reverse trends of rising fuel consumption and greenhouse gas emissions from the transportation sector. This Order affects approximately $5 billion in annual State expenditures, which are a significant funding source for projects in Los Angeles County.

Inconsistencies between local project development processes and State funding criteria could affect the relative competitiveness of Los Angeles County highway projects for State funding. In order to maintain the region's competitiveness, Metro should conduct a review of local highway planning and programming policies and practices in parallel with the state process.

SUBJECT: ALIGNING HIGHWAY PROGRAMS WITH STATE EMISSION REDUCTION GOALS

APPROVE motion by Directors Bonin, Hahn, Garcia and Najarian that the Board direct the CEO to report back to the Planning & Programming Committee in January 2020 with:

A. An assessment of how Metro's highway program will be affected by the Executive Order;

B. Steps that can be taken to align Metro's highway program with the Executive Order in order to ensure continued competitiveness for scarce State resources; and

C. Recommended revisions to local funding and project development rules and guidelines to ensure project eligibility, scoping, and selection criteria are consistent with State and regional planning goals.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-19-19

WHEREAS California is proof that a bold climate agenda is good for the economy, for workers, for health and for our future, as evidenced by our state having achieved record economic growth while reaching some of the strongest climate goals in the world; and

WHEREAS in the face of inaction on climate change from the federal government, California is a global leader in climate change mitigation efforts through bold climate goals and actions, as well as leadership in the US Climate Alliance and Under2 Coalition, using the state's power as the fifth largest economy in the world to drive positive action; and

WHEREAS California has ambitious and essential climate goals to transition to a healthier, more sustainable and more inclusive economy, including: reducing greenhouse gas emissions 40 percent below 1990 levels by 2030; providing 100 percent of the state's electricity from clean energy sources by 2045; reducing methane emissions and hydrofluorocarbon gases by 40 percent; and adding five million zero-emission vehicles to California's roads by 2030; and

WHEREAS California has made substantial, measurable progress on many of the goals enumerated above, but in recent years, direct tailpipe emission from cars, ships, diesel trains, airplanes, and other transportation sources have remained a stubborn driver of greenhouse gas emissions, totaling 40.1 percent of all greenhouse gas emissions statewide; and

WHEREAS the California Air Resources Board has a fifty-year history of leading the globe in addressing harmful pollution through innovative air pollution control standards, including the nation's first NOx emissions standards for motor vehicles; and

WHEREAS California's renewable energy targets have spurred innovation and private investment in new technologies with California leading the nation in clean technology patents and bringing in more than 50 percent of all clean energy investment in the nation; and

WHEREAS the state has made significant progress in lowering greenhouse gas emissions and mitigating climate risk in California's own state government operations and public schools; and

WHEREAS achieving California's climate goals will require concerted commitment and partnership by government, the private sector, and California residents.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and the statutes of the State of California, do hereby issue the following Order to become effective immediately to require that every aspect of state government redouble its efforts to reduce greenhouse gas emissions and mitigate the impacts of climate change while building a sustainable, inclusive economy.

1. To leverage the state's $700 billion investment portfolio to advance California's climate leadership, protect taxpayers, and support the creation of high-road jobs, the Department of Finance shall create a Climate Investment Framework.

    a. The Framework shall include a proactive investment strategy for the state's pension funds that reflects the increased risks to the economy and physical environment due to climate change.

    b. The Framework shall provide the timeline and criteria to shift investments to companies and industry sectors that have greater growth potential based on their focus of reducing carbon emissions and adapting to the impacts of climate change, including but not limited to investments in carbon-neutral, carbon-negative, climate resilient, and clean energy technologies.

    c. The Framework shall align with the fiduciary responsibilities of the California Public Employees' Retirement System, California State Teachers' Retirement System and the University of California Retirement Program.

    d. The Department of Finance shall consult with the Governor's Office of Planning and Research, and the California Department of Human Resources on the Framework.

2. The State Transportation Agency shall leverage the more than $5 billion in annual state transportation spending for construction, operations, and maintenance to help reverse the trend of increased fuel consumption and reduce greenhouse gas emissions associated with the transportation sector. To accomplish this, the State Transportation Agency, in consultation with the Department of Finance, shall:

    a. Align the state's climate goals with transportation spending on planning, programming and mitigation to achieve the objectives of the state's Climate Change Scoping Plan, where feasible,

    b. Reduce vehicle miles traveled by strategically directing discretionary transportation investments in support of housing production near available jobs and in accordance with the state's smart growth principles, as defined in Government Code section 65041.1, and taking public health into account,

c. Reduce congestion through innovative strategies designed to encourage people to shift from cars to other modes of transportation,

d. Fund transportation options that contribute to the overall health of Californians and reduce greenhouse gas emissions, such as transit, walking, biking and other active modes, and

e. Mitigate increases in transportation costs for lower income Californians.

3. The Department of General Services shall leverage its management and ownership of the state's 19 million square feet in managed buildings, 51,000 vehicles and other physical assets and goods to minimize state government's carbon footprint. To accomplish this, the Department of General Services shall:

   a. Maximize reduction of greenhouse gas emissions, including harmful diesel emissions, from the state fleet,

   b. Develop and implement sustainable purchasing policies across state agencies that prioritize the purchase of environmentally preferable goods such as more sustainable food and recycled materials, consistent with state climate policies,

   c. Reduce greenhouse gas emissions and mitigate climate risk from the state's owned and future-leased buildings,

   d. Manage energy demand to maximize benefits to the grid, and

   e. Promote zero-emission vehicle purchasing in state and local government fleets.

4. To accelerate progress towards California's goal of five million zero emissions vehicles sales by 2030, the California Air Resources Board shall:

   a. Develop new criteria for clean vehicle incentive programs to encourage manufacturers to produce clean, affordable cars,

   b. Propose new strategies to increase demand in the primary and secondary markets for zero emissions vehicles, and

   c. Consider strengthening existing or adopting new regulations to achieve the necessary greenhouse gas reductions from within the transportation sector.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice shall be given to this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 20th day of September 2019.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

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

File #: 2019-0525, **File Type:** Project **Agenda Number:** 5.

REGULAR BOARD MEETING
OCTOBER 24, 2019

SUBJECT: NORTH SAN FERNANDO VALLEY BUS RAPID TRANSIT IMPROVEMENTS PLANNING AND ENVIRONMENTAL STUDY

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

CONSIDER:

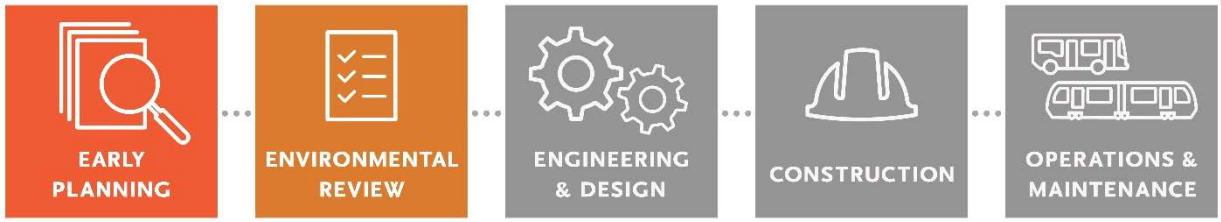
A. RECEIVING AND FILING:
1. Alternatives Analysis Report and the Proposed Project to be evaluated in the environmental review phase; and
2. Summer 2019 Outreach Summary; and

B. AUTHORIZING STAFF TO:
1. Continue studying the Proposed Project in the environmental review phase while considering community input and the NextGen Bus Study; and
2. Report back to the Board following additional study with an update on refinements to the Proposed Project and the environmental review.

ISSUE

This report provides an update on the North San Fernando Valley (SFV) Bus Rapid Transit (BRT) project development process and the start of the environmental review phase. Figure 1 shows where we are in Metro's Project Development Process- Start of Environmental Review phase.

Figure 1: Project Development Process - Start of Environmental Review phase



BACKGROUND

The North SFV BRT Improvements Project (Project) is a proposed new 18-mile BRT line that would enhance existing bus service and increase transit system connectivity. Metro operates a large and varied transit network in the San Fernando Valley and is advancing the planning and construction of multiple high-capacity transit improvements that will provide new, high-quality mobility options to further enhance communities and lives.

The Project has been identified in the Measure M Expenditure Plan, with a projected opening date between FY 2023-25 and $180 million of funding.

In May 2018, the Board authorized initiating the planning and environmental review of the North SFV BRT project (#2018-0130). Staff initiated work on the AA Study in July 2018 to evaluate a range of possible BRT routes in the San Fernando Valley between Chatsworth, Sylmar/San Fernando and North Hollywood. The AA Study was completed in June 2019.

In June 2019, the Planning and Programming Committee received staff's presentation and public comment on the Alternatives Analysis (AA) Report and forwarded the item to the full Board without recommendation. The item was subsequently continued to a future Board meeting for consideration. During the postponement, staff conducted additional public outreach in the Summer of 2019 to ensure stakeholders had an opportunity to better understand the Project and offer feedback.

DISCUSSION

Alternatives Analysis Overview

The purpose of the Alternatives Analysis is to identify, evaluate, and screen or narrow down the number of transit alternatives that are to be studied as part of the subsequent environmental review phase. The AA Report can be found on the Metro website at <https://www.metro.net/nsfvbrt>. The AA Executive Summary is included as Attachment A.

Below is the AA timeline:

- July 2018: Alternatives Analysis began
- Fall 2018: Community meetings, outreach events, and agency meetings were conducted to introduce the project and solicit input on the proposed alternatives
- June 2019: Alternatives Analysis completed

The AA focused on alternatives for a premium east-west BRT service to link key activity centers, jobs, education, and essential services in the North San Fernando Valley to the regional transit system.

The study identified bus routes and stations that connect the places where a BRT line could be most successful, help the most riders, and do the best job of taking cars off the road. The AA included detailed planning, conceptual engineering, ridership forecasting, consideration of community and stakeholder input, and opportunities to support First/Last Mile improvements.

A key finding of the AA is that terminating in North Hollywood better meets the project purpose and need than terminating in Sylmar/San Fernando. This is because the future ESFV light rail line will provide more frequent and faster service to Sylmar/San Fernando than what the North SFV BRT line could provide. Furthermore, operating the BRT to North Hollywood allows the lines to complement each other and increases the overall accessibility of the transit network to more areas.

Based on the results of the analysis, the highest performing alternatives utilize Nordhoff Street and Roscoe Boulevard for the majority of east-west travel. The alternatives link activity centers along Nordhoff Street in the western portion of the study area, access more transit supportive land uses in the center portion of the alignment and use a portion of Roscoe Boulevard east of the I-405 Freeway to link up with concentrated activity centers in the east. All alternatives could use Laurel Canyon or Lankershim Boulevard to access North Hollywood and the Metro Red/Orange Line station.

The ridership is projected to be between 27,500 and 28,700 daily boardings in 2042. These ridership numbers are a distinguishing factor for assessing the relative performance of the options studied in the AA. It is important to note that analysis, results, and inputs will continue to be refined through the environmental process. Several design variations have been identified for further review during the environmental phase as illustrated on the Proposed Project Map (Attachment B).

Summer 2019 Outreach Summary

Staff conducted additional public outreach to ensure stakeholders had an opportunity to better understand the Project and offer feedback. A recap of outreach activities, brief summary of the public comments received, and next steps are provided below. Additional detail is provided in the Summer 2019 Outreach Summary (Attachment C).

Recap of Outreach Activities

Metro released a project video in July 2019 and used social media advertising to promote awareness of the project and attendance at the community meetings. Metro produced two versions of this video, in English and Spanish. The videos provide a project overview and information on the purpose of the project and were viewed 29,052 times following targeted messaging to users in the study area.

Metro held three community meetings in August 2019 in North Hollywood, Panorama City and Northridge. All of the meetings were conducted in an open-house format where participants could engage in one-on-one dialogue with project staff at different information stations, provide input by participating in an interactive map exercise and submit comment cards. This format supports Metro's goal of providing a safe and equitable environment for all participants and all viewpoints at our community meetings. Staff from the office of California Senator Robert Hertzberg also hosted information tables at the North Hollywood and Northridge meetings. Bilingual staff from the Senator's office also attended the Panorama City community meeting and engaged with meeting attendees.

More than 400 people attended the community meetings, with the largest turnout of over 300 attendees at the Northridge meeting on the California State University-Northridge (CSUN) campus. Approximately thirty-five people attended the North Hollywood meeting and approximately 35 people attended the Panorama City meeting.

In addition to meetings, the Metro team conducted presentations and outreach efforts at a variety of community fairs and events in the study area to continue to build project awareness, expand the stakeholder database and invite public input.

Approximately 4,400 comments have been received from June 2019 through September 23, 2019. The broad stakeholder participation in this outreach reflects the high level of interest in this project. People provided input in a variety of ways including website comments, emails, phone calls, Facebook/social media, the Source blog, at meetings/events, petitions, and letters.

Summary of Comments

A summary of the public comments that were received following completion of the AA study through September 23, 2019, organized by six key topic areas, is provided in the Summer 2019 Outreach Summary (Attachment C). To provide a high-level understanding of the comments that were received, an excerpt from the summary of comments received, organized by six key topic areas, follows:

- Routes and Stations - Comments were received on potential routes and stations. Some comments advocated for further consideration of a route along Roscoe Blvd west of the I-405 freeway. Some comments expressed that dedicated bus lanes are unnecessary on a particular route and advocated for careful study and consideration of additional transit improvement options. Other comments emphasized the importance of dedicated bus lanes on a particular route. Comments were received on the placement of station locations.

- Service Quality and Frequency - Comments received included questions about how existing service would be adjusted in relation to the BRT project. Some comments expressed a desire for increased service frequency and faster transit travel speeds. Other comments expressed skepticism that people would ride the bus in an auto-oriented area. There were also comments that highlighted concerns over high temperatures and a lack of shade at existing bus stops and inquiries about lighting and real-time arrival information screens.

- Traffic and Parking - Comments expressed concern that dedicated bus lanes for the project would result in additional traffic impacts and loss of on-street parking. There were also comments regarding increased parking by students in the neighborhoods surrounding CSUN. Some comments expressed support for reallocating space from car parking to transit use. Other comments expressed concern that that project would cause increased congestion and that drivers would utilize neighborhood streets as alternate travel routes.

- Land Use and Property Impacts - Comments received expressed concern about the project's potential impacts to property values, and the possibility of high-rise apartments abutting single-family homes. Some comments expressed a desire for more compact and dense development that would help with housing affordability.

- Public Safety - Comments expressed concern about perceived safety risks related to the project. Some comments expressed concern over the existing high travel speeds on major arterials. There were also comments that expressed a belief that dedicated bus lanes could not be used by emergency response vehicles, or a concern that the project would impede emergency response times.

- Outreach - Comments were received on outreach issues. Comments expressed concern that the timing and adequacy of outreach to affected stakeholders was insufficient. Some comments were complimentary of the information made available. Others needed help finding materials about the project online. There were also comments requesting additional outreach to students and transit riders.

Start of Environmental Review Phase

As the first step in the environmental review phase, staff will conduct additional study of the Proposed Project while considering community input and the NextGen Bus Study.

The additional study will develop further details on proposed routes, station locations, BRT infrastructure, street design, transit priority and other technology advancements to deliver high-performing transit. The study may include the development and evaluation of new and or refined alternatives. We will also refine our understanding of when and where various design options have

the potential to achieve equal or greater performance outcomes and positive impacts for people with the most need for transit. A key challenge for Metro and the City of Los Angeles is to design a project that meets the area's mobility needs by offering outstanding trip experiences while operating within existing right-of-way on local streets.

Since the AA was published, the Metro Board approved the NextGen Regional Bus Service Concept, including goals and objectives to guide the system redesign regionally and measures of success that are more customer-focused. The Board endorsed travel speed, frequency, and reliability as the highest priority for the system redesign and established a Technical Working Group in coordination with the City of Los Angeles. Staff will coordinate closely with the NextGen Bus Study and the City of Los Angeles to ensure the project complements the future, proposed transit network in the study area. Staff will leverage the analysis and public input available from the NextGen Bus Study to help inform refinements to the Proposed Project.

As identified in the AA, Panorama City and CSUN are key destinations in the SFV and have the potential to contribute significant ridership to any improved transit service. CSUN was the first university to join Metro's U-Pass program in Fall 2016 and has the second highest number of students in the nation receiving need-based federal assistance. Refinements to the Proposed Project and design decisions will continue to take into account the need to deliver superior connectivity and travel time reliability to these key destinations. The success of the North SFV BRT Project is further enhanced by both the future ESFV light rail line and the Metro Orange Line (MOL) improvements project. Project teams will continue to exchange information and work towards seamless transfers at the potential Valley transit hub in the Panorama City area and at connections with the MOL.

Metro acknowledges that there are issues to consider during the environmental review phase. One such issue involved strong community support behind Metro continuing to study a route option along Roscoe Blvd between the I-405 freeway and Reseda Blvd. Given the community feedback and the evolving NextGen Bus Study, the CEO has directed that staff include further evaluation of the Roscoe Blvd alternative identified in the AA Report (see Attachment D) as part of the environmental review phase. Additional route options using Roscoe Blvd may also be considered so long as a connection to CSUN is provided.

The additional study will generate further detail for decision makers and the public to understand the project better. Key details that the additional study will provide include but are not limited to:

- Detail on the types of BRT improvements that are proposed for various sections of the corridor
- Snapshot of transit performance in the San Fernando Valley
- Updated ridership forecasts
- Travel time estimates
- New operating scenarios
- How community input has been incorporated into the refined Project

Consistency with Measure M

This project will increase system connectivity in the North San Fernando Valley and the Metro transit

system, consistent with the Measure M Ordinance.

Consistency with Metro's Equity Platform Framework

In order to define and measure equity and evaluate scenarios in planning efforts currently underway, the Metro Board recently adopted a working definition of Equity Focus Communities (EFC), or those communities that are most heavily impacted by gaps in equity in Los Angeles County. The project will be using EFC, along with supplemental metrics as appropriate and directed, to actively lead and partner in addressing and overcoming disparities in access to opportunity.

DETERMINATION OF SAFETY IMPACT

Approval of this item will not impact the safety of Metro's customers or employees because this project is at the study phase and no capital or operational impacts results from this Board action.

FINANCIAL IMPACT

Funding of $2.3 million is included in the FY20 budget in Cost Center 4360, Project 471403 (North SFV BRT Corridor) for planning and environmental studies and community outreach. Since this is a multiyear contract, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting in future years.

Impact to Budget

The funding source for the North SFV BRT Corridor project is Measure M 35% Transit Construction. These funds are earmarked for the North SFV BRT project and are not eligible for Metro bus and rail capital and operating expenditures.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The future transit improvements will support the following goals outlined in Metro's Vision 2028 Strategic Plan:

- Provide high-quality mobility options that enable people to spend less time traveling.

The project will address significant gaps in the high-capacity transit network to enable people to spend less time traveling. The project will best meet this goal by serving key destinations and improving travel times through transit priority improvements.

- Enhance communities and lives through mobility and access to opportunity.

The project will expand transit access to key educational, employment and healthcare destinations and provide improved service to Metro's larger transit network for EFC.

ALTERNATIVES CONSIDERED

Staff considered not proceeding into the Environmental Review phase. Given the project was delayed four months following completion of the AA Report, community feedback received during the additional Summer 2019 Outreach and recent developments with the NextGen Bus Study, staff does

not recommend this action.

NEXT STEPS

Staff will begin the environmental review phase with further evaluation of the Proposed Project. Staff will report back to the Board following additional study with an update on refinements to the Proposed Project, community input received, and next steps.

Metro will keep the community informed on the progress of the study and upcoming decision points and will provide meaningful ways for the public to participate in the development of refinements to the Proposed Project.

Expanding community consensus is a key goal for staff during the environmental phase.

ATTACHMENTS

Attachment A - Alternatives Analysis Report Executive Summary (June 2019)
Attachment B - Proposed Project Map (AA Report)
Attachment C - Summer 2019 Outreach Summary
Attachment D - Roscoe Boulevard via Lindley Avenue Alternative (AA Report)

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NORTH SAN FERNANDO VALLEY BUS RAPID TRANSIT CORRIDOR

Alternatives Analysis Report
Executive Summary

JUNE 2019

Prepared by:

IBI

Metro

Executive Summary

The Los Angeles County Metropolitan Transportation Authority (Metro) has initiated an Alternatives Analysis (AA) to study a Bus Rapid Transit (BRT) project in the North San Fernando Valley (NSFV). The purpose of the Alternatives Analysis is to define, screen, and recommend Proposed Project alternatives to be studied as part of the environmental analysis phase in order to environmentally clear the project pursuant to California Environmental Quality Act (CEQA) guidelines.

Study Background

The NSFV BRT Project is identified and funded by Measure M, a half-cent transportation funding sales tax measure approved by LA County residents in November 2016. The Metro Board of Directors gave approval to initiate a technical study preceding environmental review for this project in March 2017. This technical study was completed in September 2017 with the publication of the NSFV BRT Improvements Environmental Framework Report. The Metro Board of Directors authorized the North San Fernando Valley Bus Rapid Transit Corridor Study in May 2018. Per Measure M, the project is expected to open between Fiscal Years 2023 and 2025.

The intent of the AA is to enable Metro and City stakeholders to evaluate a range of alternatives for a bus rapid transit service that can provide a new mode of travel in the project study area. The goal of the NSFV BRT project is to provide a high-capacity premium east-west transit service that will connect key activity centers and the regional transit system in the North San Fernando Valley. The Alternatives Analysis includes detailed planning, conceptual engineering, ridership forecasting, and consideration of community and stakeholder input, and opportunities to support Transit Oriented Communities and First/Last Mile improvements.

Study Area

The project study area is in the north San Fernando Valley and includes the City of Los Angeles neighborhoods of Chatsworth, Northridge, North Hills, Panorama City, Sun Valley, Pacoima, Sylmar, North Hollywood, and the City of San Fernando. The study area is approximately 18 miles in length and is bounded by Devonshire Street and Polk Street to the north, Strathern Street and Magnolia Boulevard to the south, Glenoaks Boulevard and Tujunga Ave to the east, and Canoga Avenue, Laurel Canyon Boulevard, and SR-170 to the west. Crossing the study area are several interregional freeways including the San Diego Freeway (I-405), the Golden State Freeway (I-5), and the Hollywood Freeway (SR-170).

There are three major transit corridors that serve regional trips in the study area: the Metro Orange Line (MOL), the Metro Red Line, the Metrolink Ventura County Line and Amtrak service, and the Metrolink Antelope Valley Line. Future major transit corridors that transverse and border the study area include the East San Fernando Valley Rail Transit Corridor (ESFVTC) and the Sepulveda Transit Corridor. The project study area is illustrated in Figure ES-1.

Figure ES-1: **Project Study Area**

Purpose and Need

The NSFV BRT project will provide a premium east-west transit service to link key activity centers and improve access to jobs, education, essential services and the regional transit system. The key challenge for the NSFV BRT is to design a premium transit service that offers outstanding trip experiences and improves regional connectivity while operating within existing right-of-way on local streets and roads.

Metro operates a large and varied transit network in the San Fernando Valley, and is advancing the planning and construction of an extensive transit network to provide high-quality mobility options to further enhance communities and lives. This project is part of Metro's network expansion, and will close a significant gap in the frequent transit network in the San Fernando Valley (the Valley).

Projects including the East San Fernando Valley Rail Transit Corridor (ESFV light rail), Metro Orange Line Improvements, North Hollywood to Pasadena BRT, and the Sepulveda Transit Corridor projects, together with this project, will provide a world-class transportation system that meets Metro's Vision 2028 goals. Metro's Valley transit expansion plan is shown in Figure ES-2.

Frequent bus rapid transit service will enable people to spend less time traveling and will work to address equity goals by connecting Valley residents and visitors with education and employment. The project will provide an opportunity for local jurisdictions to partner with Metro to advance first/last mile planning, green/sustainable infrastructure, active transportation, and urban design along the corridor.

Metro Vision 2028 Goals

Figure ES-2: **Measure M Transit Projects in the San Fernando Valley (source: Metro)**

To identify project needs, the technical team performed an analysis of demographic, socioeconomic, and mobility data within the study area, and reviewed policy and planning documents from Metro and local jurisdictions. The needs highlighted in these assessments informed the development of four Project Objectives established to guide the planning process.

Objective 1: Improve transit accessibility and connectivity to major activity centers, employment sites, as well as the existing and planned regional transit system.

Objective 2: Design comfortable, convenient, and reliable rapid transit service that enables people to spend less time traveling.

Objective 3: Provide equitable access opportunities to benefit communities through urban design, transit-oriented communities, and green/sustainable infrastructure.

Objective 4: Design an improved transit service that complements Metro's network and improves accessibility and sustainability.

Definition of Project Alternatives

Preliminary BRT Concepts

In September 2017, the NSFV BRT Environmental Framework Report was completed, which established a study area and identified three preliminary BRT alignment concepts for the purpose of framing the approach to the Alternatives Analysis. These preliminary concepts are shown in Figure ES-3. The options all connect with Chatsworth on the west. One option goes north to Sylmar and the other two options connect to North Hollywood. The report characterized the existing community characteristics and transportation settings. Local streets and existing transit demand were reviewed to identify corridors for the potential implementation of dedicated bus lanes to improve regional connectivity in the North San Fernando Valley. The report advanced all three preliminary concepts to the Alternatives Analysis phase for initial discussion purposes as representative alignments.

AA Study Alternatives

The AA process began in July 2018 with early study activities focused on field reviews, planning assessments, stakeholder engagement, and operational study to reassess the three initial BRT concepts. Initial planning assessments were completed in September 2018 that resulted in development of three families of alignment options as shown in Figure ES-4. These three families of alignment options represent refined and improved versions of the three initial BRT concepts presented in the 2017 NSFV BRT Improvements Environmental Framework Report shown in Figure ES-3.

Figure ES-3: **Environmental Framework Report BRT Concepts**

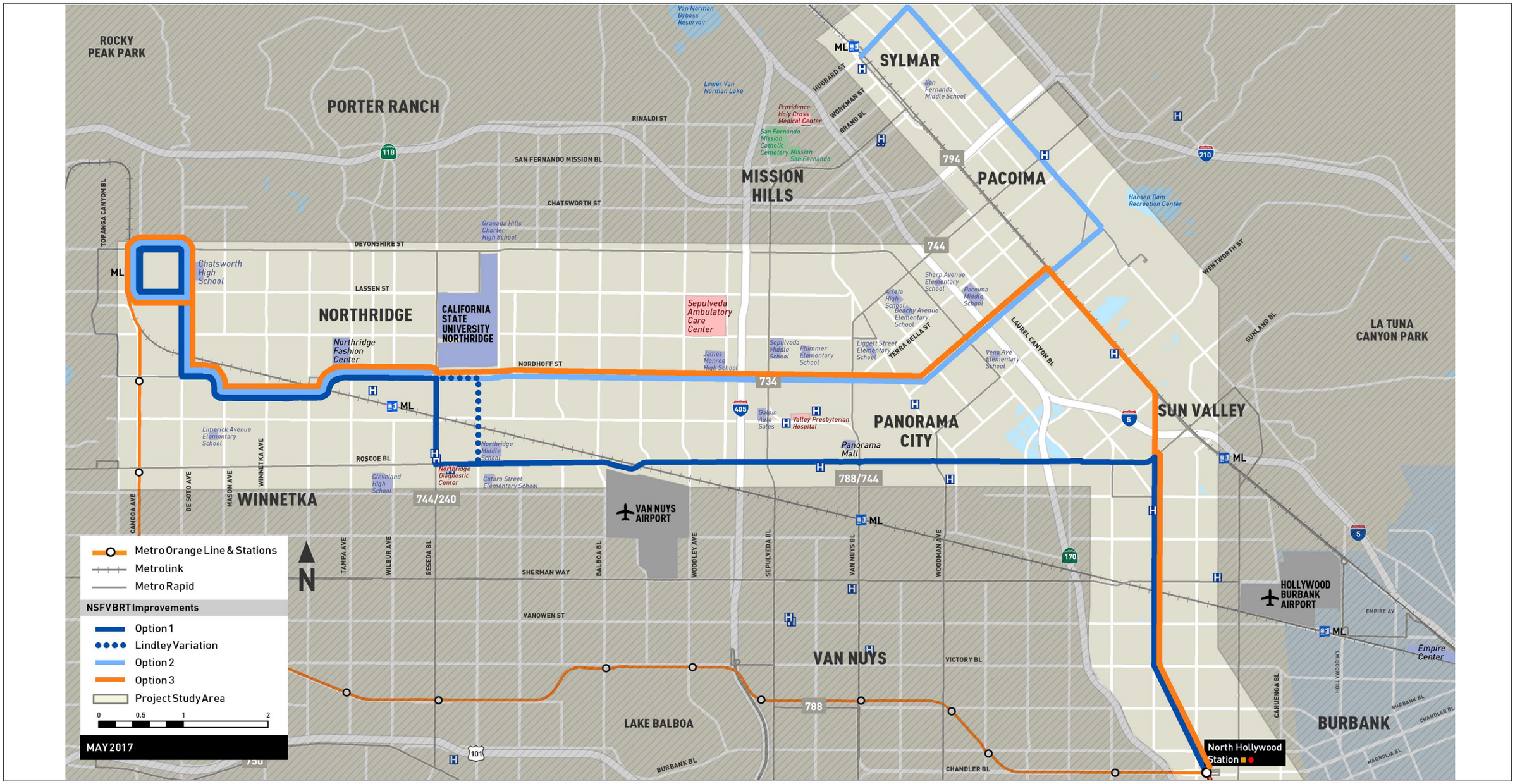
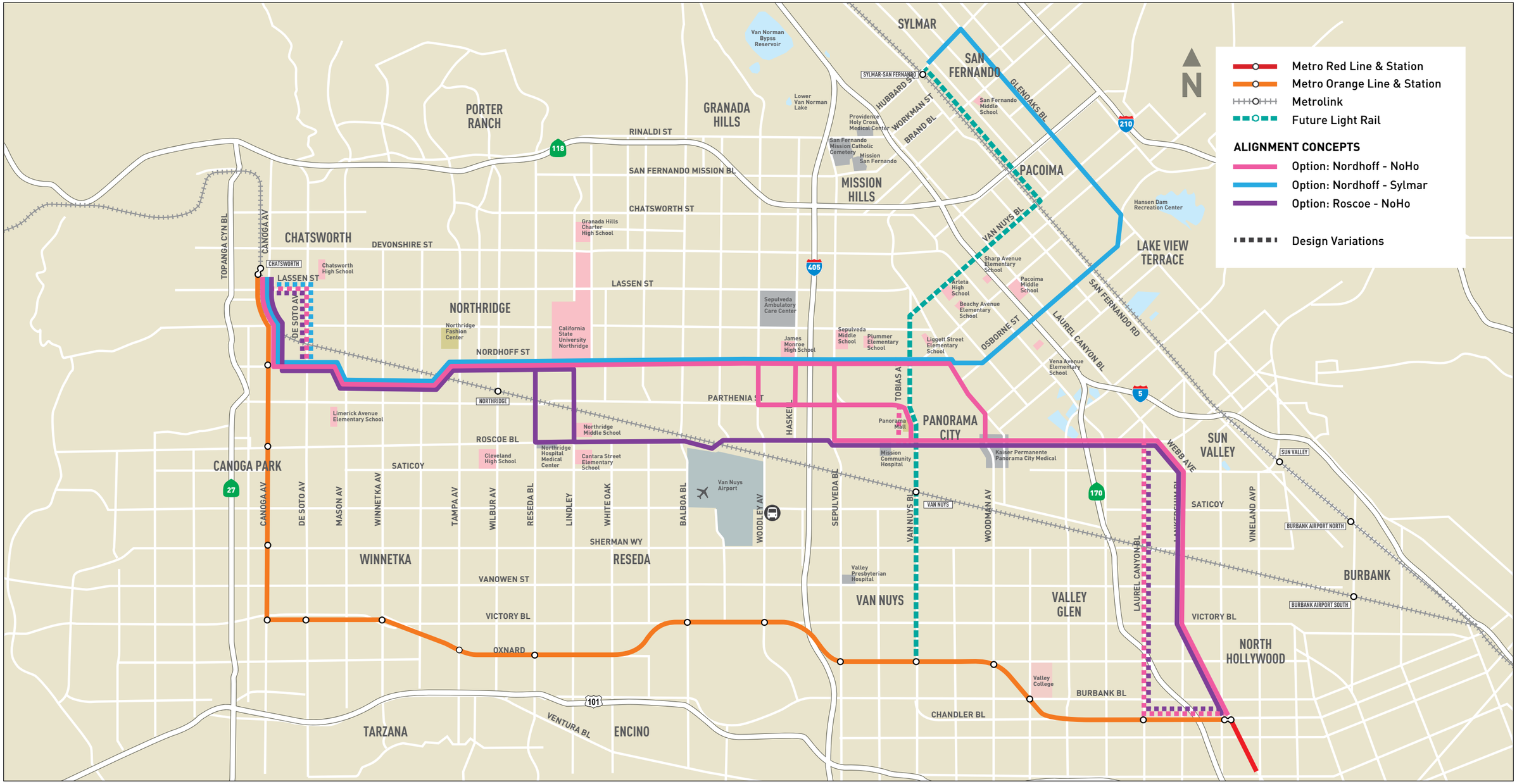


Figure ES-4: **Refined Project Alternatives**



From the three families of alignment options, the technical team was able to formulate seven distinct alignment options to test the relative performance of the alignments.

All of the alignment options begin on the west side of the study area at the Chatsworth Metro Orange Line/Metrolink station, and propose following the Metro Orange Line BRT guideway south before turning east onto Nordhoff Street. The first deviation begins as the alignments approach California State University, Northridge (CSUN), in the vicinity of Reseda Boulevard and Lindley Avenue.

Two of the alignment options travel south on either Reseda Boulevard or Lindley Avenue to Roscoe Boulevard, then follow Roscoe Boulevard and Lankershim Boulevard to the North Hollywood Station to connect with the Metro Red Line.

The five remaining alignment options continue along Nordhoff Street past CSUN. Option 3: Nordhoff-Sylmar/San Fernando, continues along Nordhoff Street past Van Nuys Boulevard, travels northeast along Osborne Street, northwest along Glenoaks Boulevard, and west along Hubbard Street, to connect to the Sylmar/San Fernando Metrolink station. The remaining Nordhoff-NoHo alignment options follow Nordhoff Street with different options to connect south to Roscoe Boulevard in the Panorama City neighborhood before continuing along Roscoe Boulevard to Lankershim Boulevard to the North Hollywood station and the Metro Red Line. The alignment options considered for screening are listed below and shown in Figures ES-5 through ES-11.

- Option 1: Roscoe-NoHo via Reseda
- Option 2: Roscoe-NoHo via Lindley
- Option 3: Nordhoff-Sylmar/San Fernando
- Option 4: Nordhoff-NoHo via Woodley
- Option 5: Nordhoff-NoHo via Haskell
- Option 6: Nordhoff-NoHo via Sepulveda
- Option 7: Nordhoff-NoHo via Woodman

Figure ES-5: **Alignment Option 1: Roscoe - NoHo via Reseda**

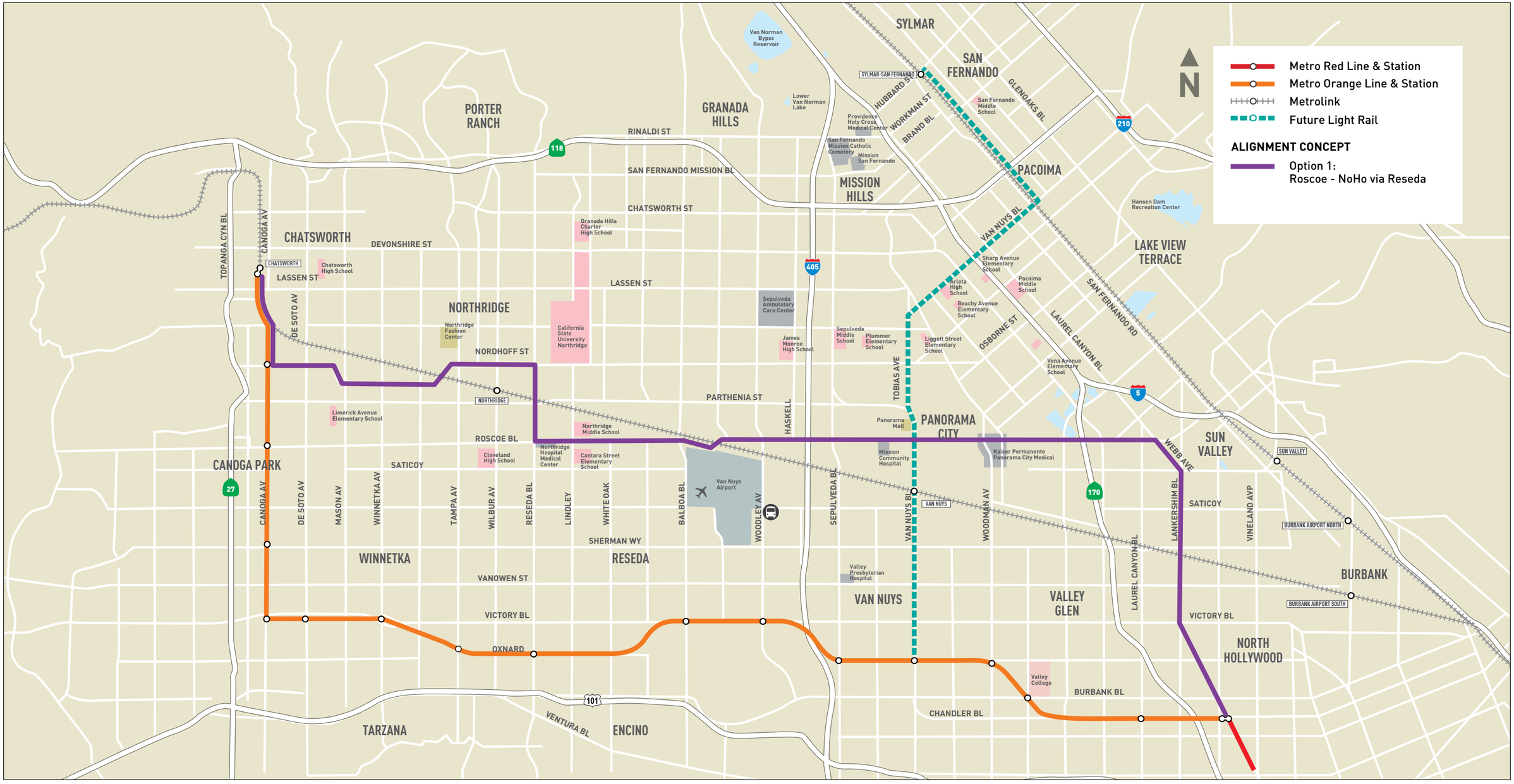


Figure ES-6: **Alignment Option 2: Roscoe - NoHo via Lindley**

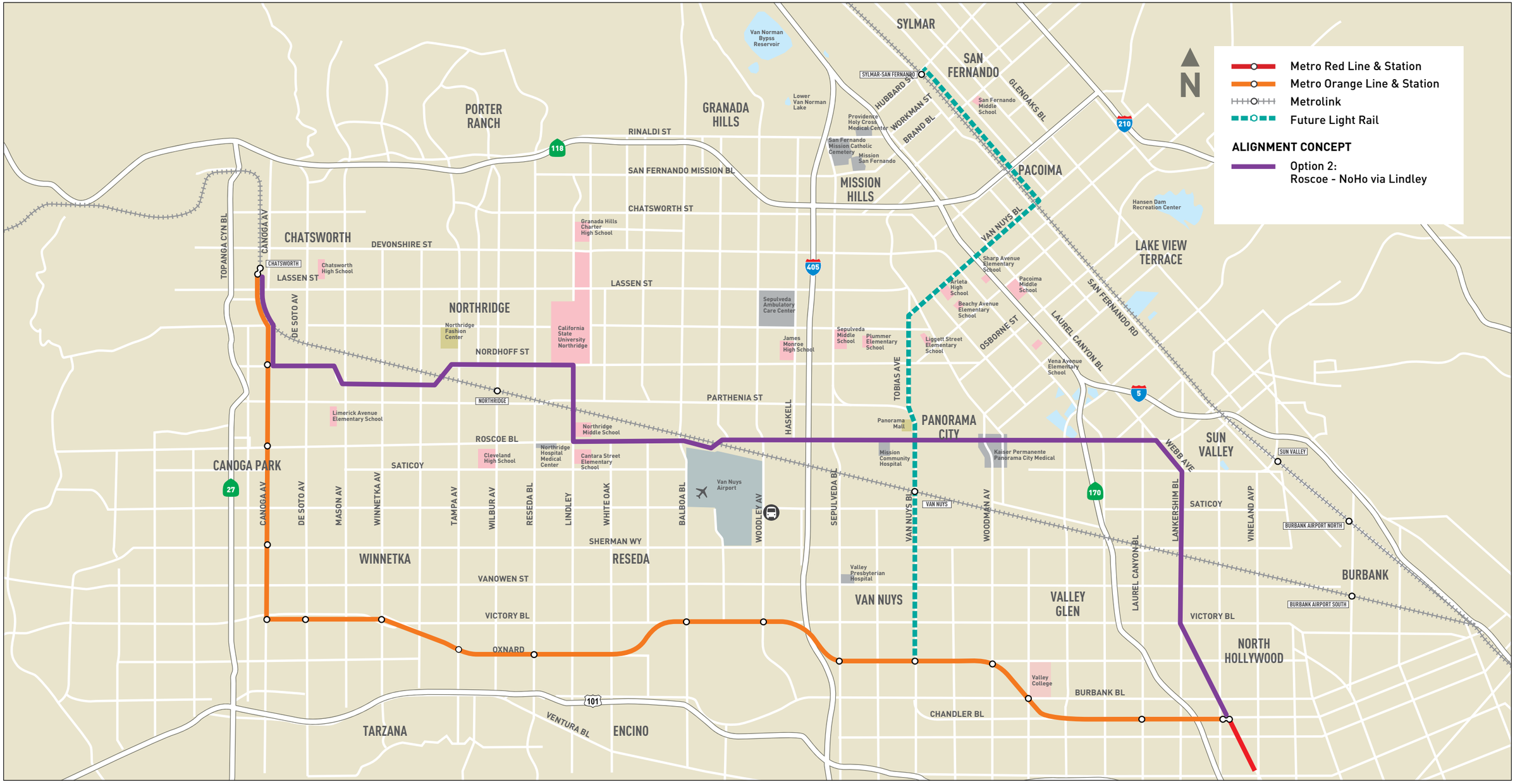


Figure ES-7: **Alignment Option 3: Nordhoff - Sylmar/San Fernando**

Figure ES-8: **Alignment Option 4: Nordhoff - NoHo via Woodley**

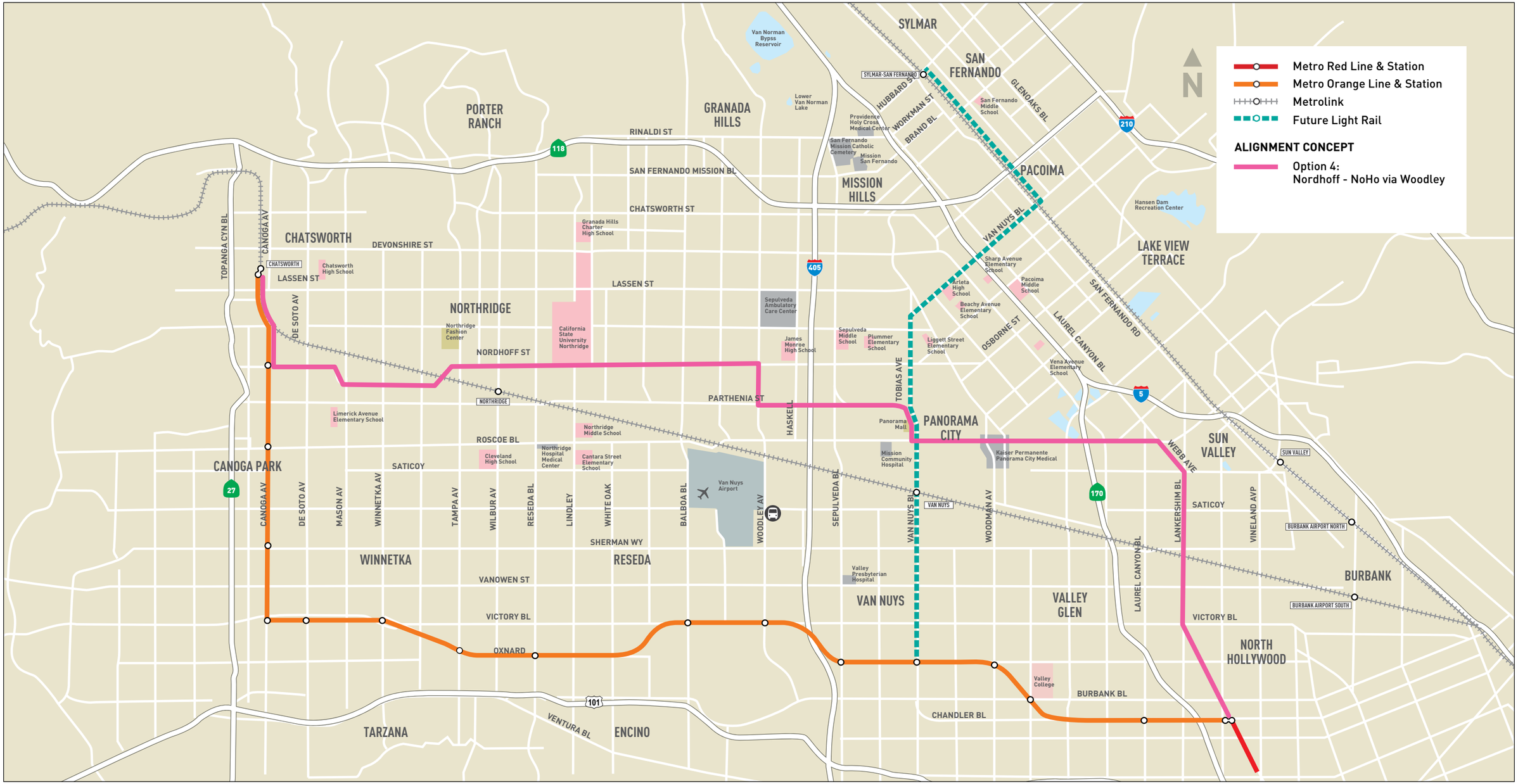


Figure ES-9: **Alignment Option 5: Nordhoff - NoHo via Haskell**

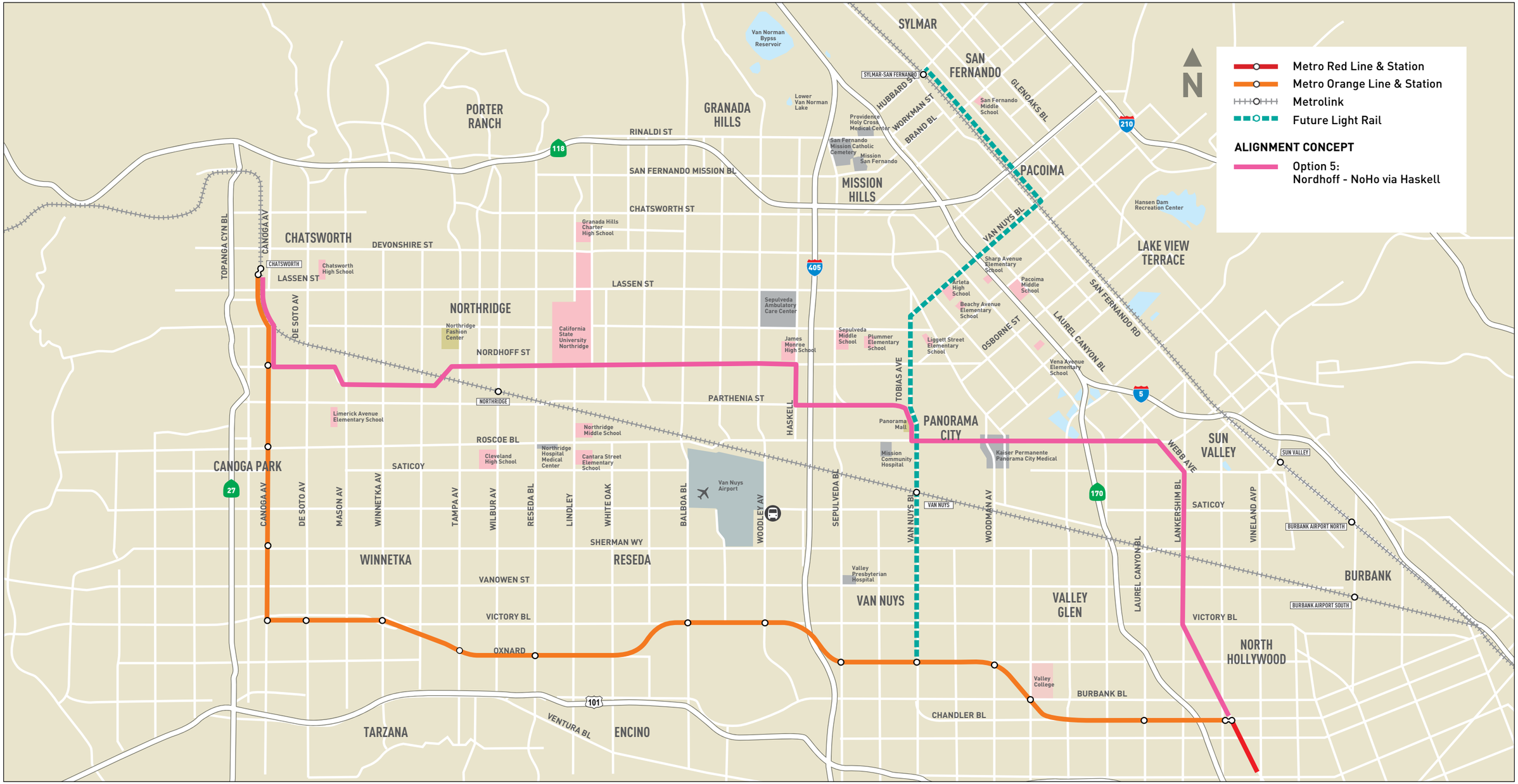


Figure ES-10: **Alignment Option 6: Nordhoff - NoHo via Sepulveda**

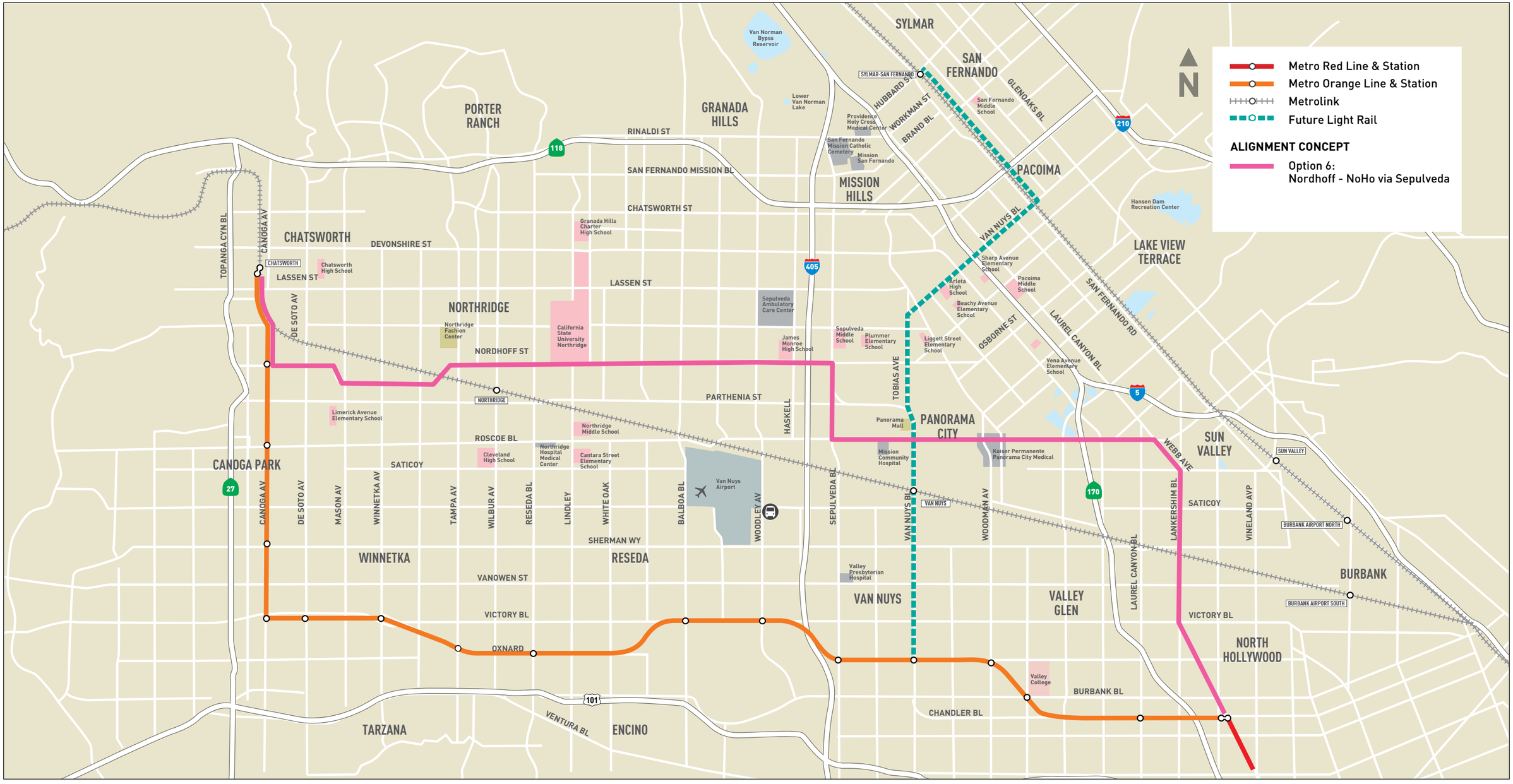
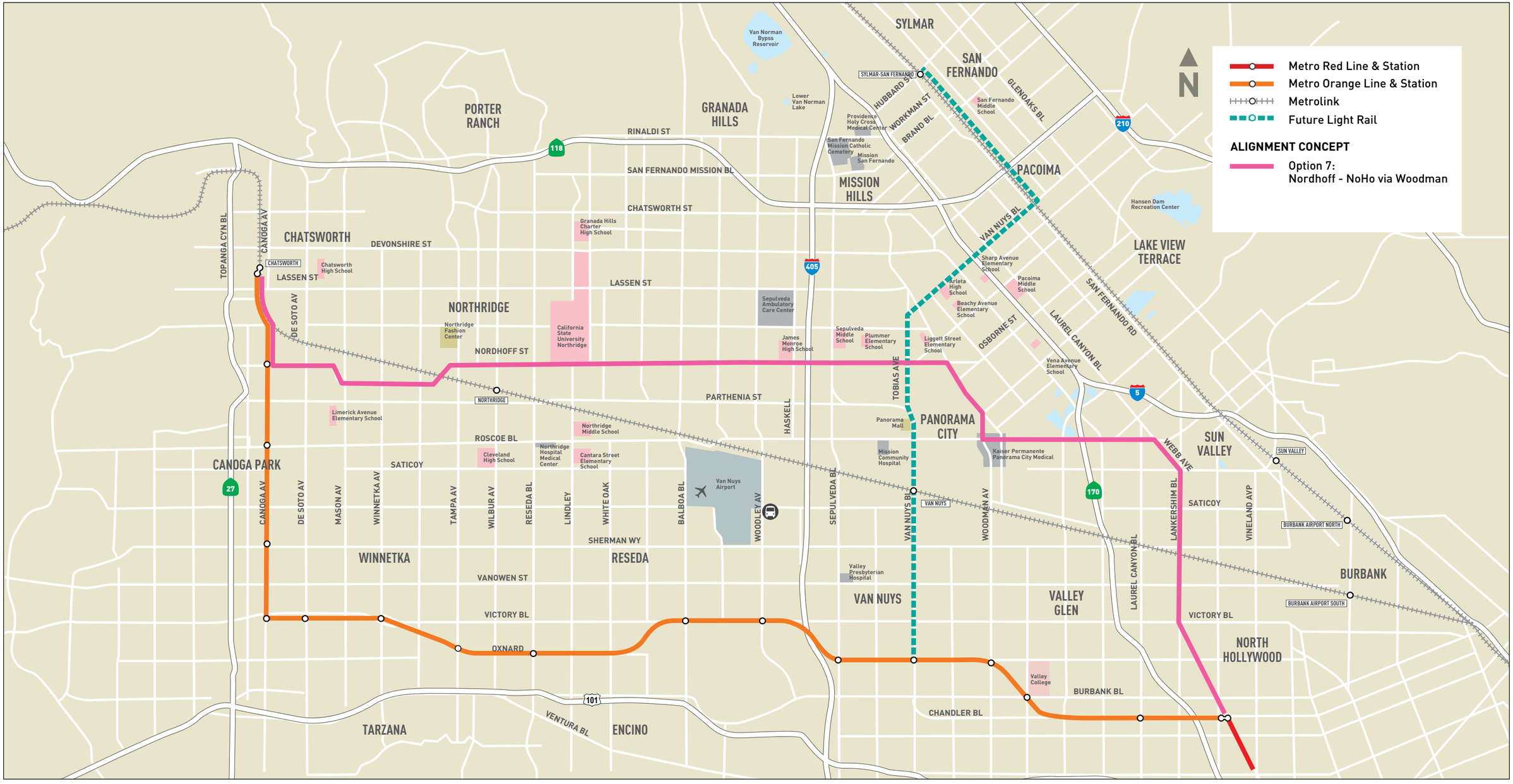


Figure ES-11: **Alignment Option 7: Nordhoff - NoHo via Woodman**



Public Outreach

Metro has initiated an outreach and public engagement strategy that is intended to engage and inform stakeholders through traditional and non-traditional outreach approaches that encourages them to provide input on the project. This process includes a wide range of opportunities for feedback that is designed to be transparent and inclusive. The outreach effort has also been guided by the Metro Equity Platform Framework adopted by the Metro Board in February 2018, ensuring outreach includes meaningful engagement with historically underserved communities. Since June 2018, the Metro team has met regularly with the local cities, key stakeholders, and the public within the project study area. By the conclusion of the pre-scoping meetings in November 2018, Metro held a total of 18 stakeholder meetings and five community meetings, with the goal of informing the public about the proposed project, gathering input, and hearing community issues, concerns and suggestions.

Northridge Community Meeting (September, 2018)

The following key takeaways were received from the public outreach process:

- **General Support for the Proposed Project:** Stakeholders and agencies generally agreed the project is needed to improve mobility in the North San Fernando Valley area and to enhance the regional transit network. There was near universal agreement that the Metro Orange Line is a great transit project. CSUN students and teachers reiterated a need for enhanced transit in north San Fernando Valley. Some attendees expressed a preference for light rail over buses and there was some opposition to bus-only lanes on the Lankershim Boulevard portion of the alternatives. The San Fernando Valley Council of Governments (SFV COG) unanimously passed an amendment to add the NSFV BRT Project to its 2019 Transportation Priorities list. CSUN is the largest stakeholder and travel generator in the study area, so the formal comment letter from CSUN President Diane Harrison expressing support for the project and the planning process was another demonstration of the greater San Fernando Valley community's support for the project.

- **Alignment Preferences:** More stakeholders supported the eastern terminus being the Metro North Hollywood Station rather than the Sylmar/San Fernando Metrolink Station. This was due to two reasons; (1) they liked the connection to the regional transit system and access to Downtown LA provided by the transfer opportunity to the Red Line, and (2) they felt that the ESFVTC provided a better connection to the Sylmar/San Fernando Metrolink station and a BRT alternative would be duplicative and competitive with the LRT route. The Parthenia option received support because it avoided the congested I-405 ramp intersections, is bordered by multi-family residential land uses, and has no existing

bus service. Several commenters suggested that a route further to the north be considered, citing Lassen, Plummer and Devonshire as potential alternatives. A number of commenters liked both the Roscoe and Nordhoff to North Hollywood alternatives.

- **Station Preferences:** There was a strong consensus that a station at CSUN should be located at Nordhoff and Lindley, in addition to a station at Nordhoff and Reseda, since it was closer to the center of campus. Other popular station locations included the Kaiser Permanente Medical Center on Roscoe, the Northridge Fashion Center, and the interface with the planned ESFVTC project on Van Nuys Boulevard.

Screening and Evaluation Summary

In order to determine which alternatives would be taken into environmental review, the technical team and Metro developed a three-step screening process that began with more qualitative information and became more quantitative through each step. Each step gradually applied more focused considerations to filter the alignment options down to the higher performing options and to identify the project corridor that is expected to perform at the highest levels according to the screening criteria. Figure ES-12 illustrates the way in which more quantitative and specific levels of analysis are applied during the screening process.

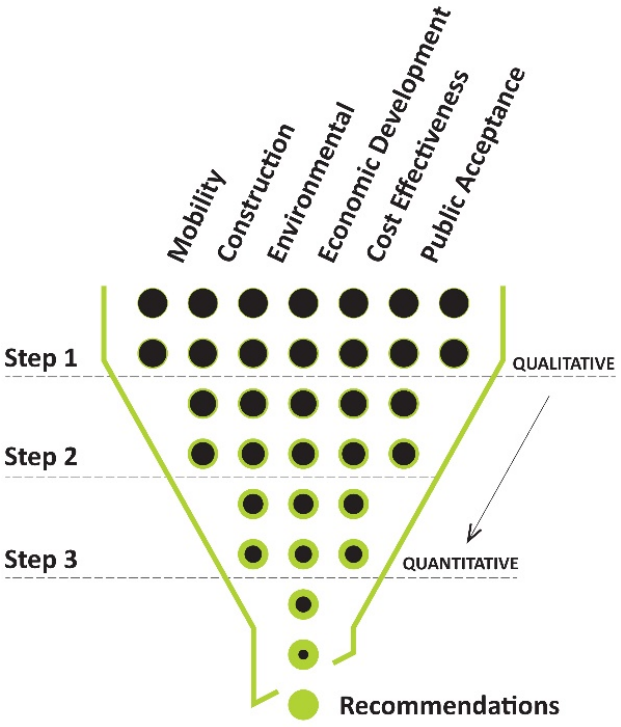


Figure ES-12: Screening Process

Quantification of performance is possible at this level of conceptual planning but it is important to note that the numbers are only for relative comparison purposes between the alternatives. At this high level, values such as ridership and costs lack precision which can only be generated as more detailed planning and engineering is performed.

Where appropriate, the report presents numbers but also uses a “high,” “medium,” and “low” rating system to help identify performance at each step. The use of a “high,” “medium,” and “low” rating system allows for a comparative analysis of the trade-offs between each alignment option’s ability to best meet the project purpose and need. Table ES.1 describes how the ratings were used.

Rating		Description
●	HIGH	A high rating indicates the alternative highly supports and satisfies the criterion, or has a low potential for negative impacts.
◐	MEDIUM	A medium rating indicates the alternative moderately supports the criterion, or has a moderate potential for negative impacts.
○	LOW	A low rating indicates that an alternative does not support or conflicts with the crite-rion, or has a high potential for negative impacts.

Table ES.1: Screening Rating Descriptions

There are six categories for evaluation, each having corresponding evaluation criteria that were developed to help screen the alternatives. The categories and evaluation criteria are reflective of the project objectives, and are listed below.

Mobility: This category evaluates how the alternative affects the ability of the BRT to move easily, reliably and quickly, as well as opportunities for bicycle and pedestrian connections, and potential changes to existing traffic.

Construction Impacts: This category primarily evaluates the extent of potential conflicts with existing infrastructure, right of way, and utilities.

Environmental Impacts: This category is a high level qualitative environmental assessment of the degree to which an alignment concept would introduce a potentially significant adverse environmental impact to the study area. The detailed environmental assessment will be addressed during the environmental analysis phase. This category also included CalEnviroScreen's metric of environmental equity.

Economic Development Impacts: This category evaluates how the alternatives impact or benefit the economic well-being of the community, particularly as it relates to the overall connection to existing employment centers and key activity centers and the potential for transit oriented communities to thrive.

Cost Effectiveness: This category evaluates the costs associated with each alternative and comparison to other similar Metro transit projects.

Public Acceptance: This category considers the public and key stakeholder input as well as compatibility with local and regional plans.

Within these categories, high-level quantitative analysis in the categories of ridership modeling, operating scenarios, and cost estimates informed the screening process.

Ridership Modeling

Future NSFV BRT alignment concepts were modeled using the 2042 horizon year and the future-year baseline network that includes other corridor improvements within the regional transit network. The project team used the Metro Ridership Model to conduct the analysis presented in the AA Report and found that all of the BRT alignment options would increase overall transit ridership (as measured by total daily boardings), but Nordhoff-NoHo Options 4-7 performed the best in terms of ridership.

Potential Operating Plans and Service Characteristics

The potential operational characteristics for the alignment concepts were determined based on the passenger load patterns that were found in the ridership estimates. The conceptual BRT service plan assumed peak headways of:

- 5 minutes during the AM and PM peak
- 10 to 15 minutes during midday and early evening
- 20 minutes during the evening and night
- 30 minutes in the early morning on weekends

Operating hours were based on the Metro Red Line, with 21 hours per day (4 AM to 1 AM) Sunday through Thursday and longer hours (4 AM to 3 AM) on Fridays and Saturdays.

Regardless of alignment option, the peak hour load analysis consistently showed that by far the heaviest passenger loads occur between Reseda Boulevard and Van Nuys Boulevard. The next heaviest passenger loads are on Roscoe Boulevard in the segment east of Van Nuys Boulevard, followed by the Chatsworth to Reseda Blvd segment on Nordhoff Street. The alternatives generally demonstrated a similar peak hour passenger load profile.

Preliminary Operating and Maintenance Cost Estimates

The operating statistics and ridership estimates were used to help develop operating and maintenance (O&M) cost estimates for the NSFV BRT project. The O&M costs were developed using operating statistics which included annual revenue hours, annual revenue miles, peak vehicles, total vehicles, station platforms, directional lane miles, and maintenance facility needs. Using these statistics, O&M cost models were developed to estimate the annual cost to operate, maintain and administer the NSFV BRT. O&M costs for BRT service for all alignment options is estimated at $22 to $23 million annually.

Preliminary Capital Cost Estimates

The NSFV BRT project is in conceptual planning and important decisions on project features have not yet been finalized to develop fully refined cost estimates. At this early stage of design, the conceptual cost estimate takes a parametric approach, and incorporates additional unit cost details as available. The cost estimates produced during this phase are intended to inform initial decision-making and the alternatives screening process. Capital costs ranged from $265 million to $280 million in 2019$, and $396 million to $418 million in year of expenditure dollars (YOE$), with contingencies included to cover specific cost items that have yet to be fully developed.

The Nordhoff-NoHo and Roscoe-NoHo alignment options are similar in alignment length (17.7 to 18.0 miles) and potential station numbers (20 to 21 stations), therefore both have similar costs.

While similar in route length (17.6 miles) to the other options, the Nordhoff-Sylmar/San Fernando alignment option has the fewest number of station locations (17 stations) and therefore has the lowest projected capital cost.

The results of the Step 1 screening process are presented in Table ES.2. During the first step in the screening process, Option 3: Nordhoff-Sylmar/San Fernando was eliminated due to low scores in the mobility and economic development category, and a medium score in public acceptance.

Step 1 Screening Results

Evaluation Category	Rating						
	STEP 1 SCREENING						
Alignment Option	1	2	3	4	5	6	7
Mobility	◑	◑	○	●	●	●	●
Environmental Impacts	●	●	●	●	●	●	●
Economic Development Impacts	◑	◑	○	●	●	●	◑
Cost Effectiveness	●	●	●	●	●	●	●
Public Acceptance	◑	●	◑	●	●	●	◑
Recommended for further evaluation	Y	Y	N	Y	Y	Y	Y

Table ES.2: Step 1 Screening Results Summary

The greatest difference between Option 3 and the other alignment options is its lower system connectivity due to a lack of connection to North Hollywood. The poor scores can also be attributed to low ridership potential, a duplication of service with the future ESFVTC, and a public preference for the North Hollywood terminus over the Sylmar/San Fernando terminus.

In the second screening step, Options 1 and 2 (those which operate primarily along Roscoe Boulevard) were eliminated for their low scores in mobility. They underperformed in this category because of lower ridership, slower bus speeds, increased travel time, and reduced travel time savings due to ramps at Interstate 405. Both Options 1 and 2 incurred an additional travel time penalty due to an at-grade railroad crossing on Roscoe Boulevard, and Option 2 would encounter an additional at-grade railroad crossing on Lindley Avenue. Option 1 in particular received a lower score in the public acceptance category because it would not directly service the CSUN campus. The results of the Step 2 screening are summarized in Table ES.3.

Step 2 Screening Results

Evaluation Category	Rating						
	STEP 2 SCREENING						
Alignment Option	1	2		4	5	6	7
Mobility	○	○		●	●	◑	◑
Construction Impacts	●	●		●	●	●	●
Environmental Impacts	●	●		●	●	●	●
Economic Development Impacts	●	●		●	●	●	◑
Cost Effectiveness	●	●		●	●	●	●
Public Acceptance	◑	●		●	●	●	◑
Recommended for further evaluation	N	N		Y	Y	Y	Y

Table ES.3: Step 2 Screening Results Summary

Step 3 Screening Results

Evaluation Category	Rating						
				STEP 3 SCREENING			
Alignment Option				4	5	6	7
Mobility				●	●	◑	◑
Construction Impacts				◑	◑	◑	◑
Environmental Impacts				●	●	●	●
Economic Development Impacts				●	●	●	◑
Cost Effectiveness				●	●	●	●
Public Acceptance				◑	●	●	◑
Recommended for further evaluation				Y	Y	Y	N

Table ES.4: Step 3 Screening Results Summary

In the third and final screening step, which is illustrated in Table ES.4, Option 7: Nordhoff-NoHo via Woodman was eliminated. All of the Nordhoff-NoHo alternatives ranked similarly in several categories such as construction impacts, environmental impacts, and cost effectiveness, but Option 7 received lower scores in the greatest number of categories.

Option 7 does not directly serve the more densely-developed areas of Panorama City as was indicated through the community outreach process. This option also has the potential to need more extensive physical infrastructure reconstruction on segments of Nordhoff Street and Woodman Avenue.

Proposed Project

Based on the three step screening process, Option 4: Nordhoff-NoHo via Woodley, Option 5: Nordhoff-NoHo via Haskell, and Option 6: Nordhoff- NoHo via Sepulveda are the three alignment options that best meet the project objectives and are recommended for advancement into environmental review.

The Nordhoff-NoHo via Woodley alignment (Option 4) has higher ridership projections, avoids potential peak hour congestion from freeway on/off ramps and railroad crossings, provides multiple regional rail and BRT transfer opportunities, and serves multiple employment and key activity centers within the study area.

The Nordhoff-NoHo via Haskell alignment (Option 5) has higher ridership projections, avoids potential peak hour congestion from freeway on/off ramps and railroad crossings, provides multiple regional rail and BRT transfer opportunities, and serves multiple employment and key activity centers within the study area.

The Nordhoff-NoHo via Sepulveda alignment (Option 6) also benefits from higher ridership projections, avoids railroad crossings, provides multiple regional rail and BRT transfer opportunities, and serves multiple employment and key activity centers within the study area. While this option does cross the I-405 freeway ramps, the end-to-end travel times are reasonably comparable to the Nordhoff-NoHo via Woodley & Haskell options that avoid the freeway ramps.

High-level ridership and cost projections for these options are summarized in Table ES.5. Forecast boarding data refers to Year 2042 average weekday boardings for the NSFV BRT service.

ALIGNMENT OPTIONS	TOTAL DAILY BOARDINGS (2042)	NEW TRANSIT TRIPS (2042)	CAPITAL COSTS ($YOE)	ANNUAL OPERATING COST
Option 4: Nordhoff-NoHo via Woodley	28,652	13,566	$298M - $413M	$22M - $23M
Option 5: Nordhoff-NoHo via Haskell	28,120	12,709	$297M - $413M	$22M - $23M
Option 6: Nordhoff-NoHo via Sepulveda	27,461	11,717	$300M - $417M	$22M - $23M

Table ES.5: Recommended Options Ridership and Cost Projections

It is important to note that further conceptual engineering will be developed during the environmental assessment. These efforts will result in refinements to the project alternatives that are carried forward. As such, the characteristics of the alternatives will evolve with respect to ridership potential, and cost estimates. Revised estimates will be provided in future technical materials as the engineering designs are advanced.

Design Variations

Following technical study and community input, several specific design variations were developed for further consideration and evaluation in the environmental analysis phase, as illustrated in Figure ES-13. The design variations are highlighted as potential route modifications that could be considered during the environmental phase of the project to improve bus operations or offer an alternative route to constrained corridors that might not easily accommodate some of the desired features of a BRT service. The design variations generally offer similar project benefits, but may allow reduced capital costs, operating costs, and/or environmental impacts. Studying the variations also preserves flexibility to respond to community feedback during the environmental phase or to overcome potential engineering constraints. The design variations considered were:

- **De Soto-Lassen**: This design variation is included should the project require an alternative to running on the Orange Line busway on the western end of the project study area adjacent to the Chatsworth Station. The variation would run east-west along Lassen Street and north-south along De Soto Avenue to reach Nordhoff Street.

- **Tobias Avenue**: This design variation is between Parthenia Street and Roscoe Boulevard and offers an alternative route to staying on Parthenia Street/Van Nuys Boulevard. The future ESFVTC will operate at-grade on Van Nuys Boulevard, limiting available right-of-way for dedicated BRT lanes and likely resulting in the need for mixed-flow BRT operations on this portion of the corridor. In addition, as Van Nuys Boulevard is a heavily traveled corridor, there could be potential operational constraints for the BRT. Therefore, Tobias Avenue (located approximately 870 feet west of Van Nuys Boulevard) is highlighted as a potential design variation to be considered during the environmental phase of work when detailed engineering and operational analysis take place. This variation would also give the project more direct access to new mixed-use development planned on Tobias Avenue.

- **Laurel Canyon-MOL/Chandler**: This design variation runs parallel to and west of Lankershim Boulevard from Roscoe Boulevard to Chandler Boulevard, where the BRT could then join the Metro Orange Line BRT guideway or a parallel local road to access the Metro North Hollywood Station. This potential design variation was identified as a viable alternative route to Lankershim Boulevard as it offers a similar roadway configuration and lane widths. Due to its length, a preliminary look at the Laurel Canyon corridor was conducted during the AA process. The analysis supported the recommendation of Laurel Canyon for further study during the environmental phase and can be found in the Supplemental Analysis Technical Memorandum.

Within each alignment option, additional variations with regard to horizontal configuration (center-running, side-running, combination center-/side-running, or mixed-flow), design variations to improve operations, and other design intricacies, will be studied further as the NSFV BRT project moves into environmental assessment.

Next Steps

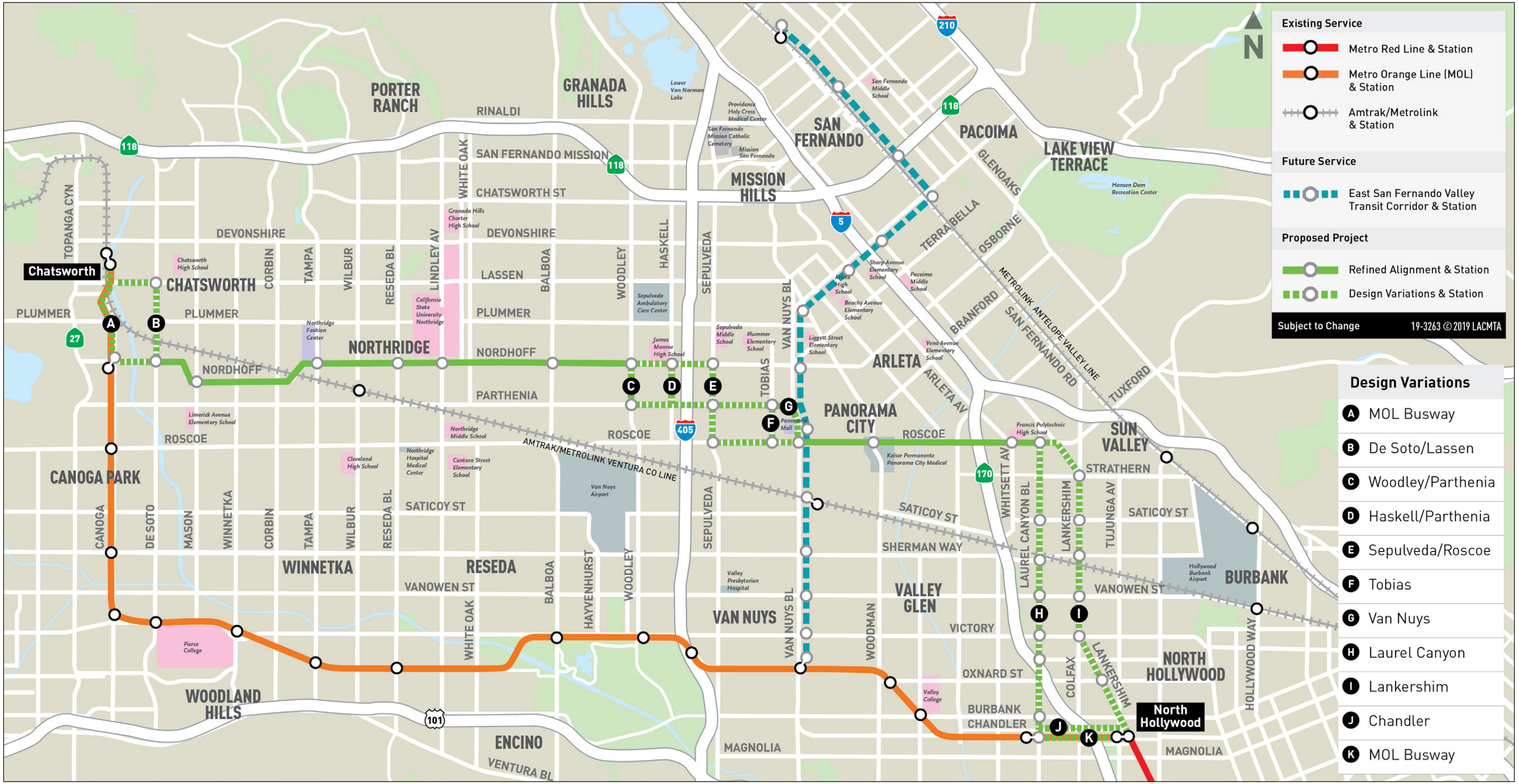
Based on all the parameters examined in the Alternatives Analysis, the three highest-performing alignment options under consideration were combined into the Proposed Project map shown in Figure ES-13. The Proposed Project map illustrates the path of the project and each of the potential design variations traveling between the Chatsworth Metro Orange Line/Metrolink Station and the Metro North Hollywood Station. Potential station locations are also identified on the map to highlight locations under consideration for further analysis. These locations will be assessed in detail in the environmental analysis phase to test their performance and impact on accessibility, operations and costs.

Design variations are labeled "A" through "K," and include the Metro Orange Line Busway (adjacent to Chatsworth), De Soto/Lassen, Woodley/Parthenia, Haskell/Parthenia, Sepulveda/Roscoe, Tobias, Van Nuys, Laurel Canyon, Lankershim, Chandler, and the Metro Orange Line Busway (adjacent to North Hollywood). The design variations will be considered in further detail in subsequent phases to identify the strongest performers.

Following conclusion of the Alternatives Analysis phase, a Notice of Preparation (NOP) is issued signifying the start of the Public Scoping period for the CEQA environmental review process. The Environmental Analysis will examine the potential benefits and impacts associated with each route under consideration and identify the preferred BRT alignment for engineering design. Construction is currently planned to begin in 2022 to meet an opening date in 2025.

Project Timeline

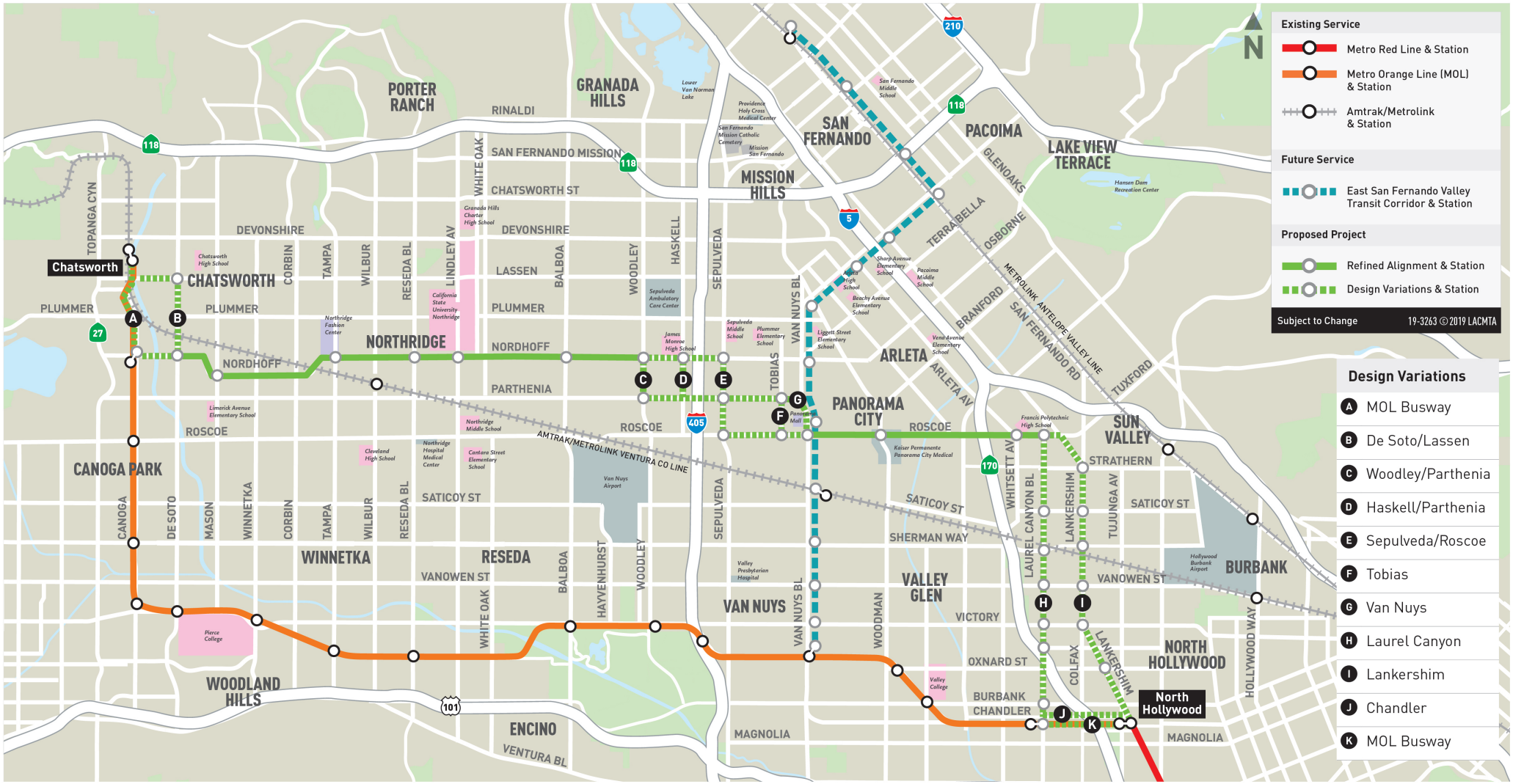
Figure ES-13: **North San Fernando Valley BRT Corridor Proposed Project**



Metro

North San Fernando Valley BRT Corridor

Proposed Project



Metro

ATTACHMENT B

Proposed Project Map (June 2019 AA)

Summer 2019 Outreach Summary – North SFV BRT Project

Introduction

The North San Fernando Valley (SFV) Bus Rapid Transit (BRT) Improvements Project (Project) is a proposed new 18-mile BRT line that would enhance existing bus service and increase transit system connectivity. The project has been identified in the Measure M Expenditure Plan, with a projected opening date between FY 2023-25 and $180 million of funding.

In May 2018, the Board authorized initiating the North SFV BRT Corridor Planning and Environmental Study. The first step in the study was the completion of the Alternatives Analysis (AA) Study. The purpose of the AA Study is to identify, evaluate, and screen or narrow down the number of transit alternatives that are to be studied as part of the subsequent environmental review phase.

Staff initiated work on the AA Study in July 2018 to evaluate a range of possible BRT routes in the San Fernando Valley between Chatsworth, Sylmar/San Fernando and North Hollywood.

Metro initiated an outreach and public engagement strategy to engage and inform stakeholders and encourage them to provide input on the project during the Alternatives Analysis (AA) phase of the project. Metro sought broad-based public input from local leaders, community members, potential transit riders and representatives of land uses that would be served by transit as to the preferred alignment, station locations and service parameters. The Metro team sought feedback about the proposed alternatives and station options, along with general comments regarding BRT benefits, project funding, ridership, and the preferred alternative selection process.

Below is the AA timeline:

- July 2018 Alternatives Analysis began
- Fall 2018 Community meetings, outreach events, and agency meetings were conducted to introduce the project and solicit input on the proposed routes
- June 2019 Alternatives Analysis completed

During the AA phase, Metro built a stakeholder database of approximately 2,100 contacts and collected over 200 comments. Common topics which were mentioned in comments received included, but were not limited to: safety, connectivity, parking, traffic congestion, property impacts, future development, interface with the East San Fernando Valley light rail transit line, additional alternatives, and station options. The AA Study was completed in June 2019. Key takeaways from the public engagement were included in the June 2019 Alternatives Analysis Report. This information was also summarized in the AA Outreach Report. Both reports can be found on the Metro website at https://www.metro.net/nsfvbrt

In June 2019, the Planning and Programming Committee received staff's presentation and public comment on the AA Study. The committee meeting video including staff's presentation, public comment, and committee discussion can be found on the Metro website at http://metro.granicus.com/MediaPlayer.php?view_id=2&clip_id=1123

The Planning and Programming Committee forwarded the item to the full Board without

recommendation. The item was subsequently continued to a future Board meeting for consideration. During the postponement, staff conducted additional public outreach in the Summer of 2019 to ensure stakeholders had an opportunity to better understand the Project and offer feedback.

The next sections list those outreach efforts, describe the collected comments and summarize the feedback received during this period.

Recap of Summer 2019 Outreach Activities

Staff conducted additional public outreach to ensure stakeholders had an opportunity to better understand the Project and offer feedback. This recap of outreach activities provides an overview of the variety of outreach and noticing strategies Metro utilized to build Project awareness, direct community members to the project website, and to promote the meetings.

Metro also used social media advertising to promote awareness of the project and promote attendance at community meetings. These ads ran on Facebook and Instagram platforms, meeting community members where they are. With more than six million active users in LA County spanning a range of age, race and income demographics, these platforms allowed Metro to reach significant numbers of people in the study area with paid ads to complement outreach tactics in the field.

Project Overview Video

During the Summer of 2019, Metro released a video providing an overview of the Project to describe the purpose and need. Metro produced two versions of this video, in English and Spanish.

The English video can be viewed at:
https://www.youtube.com/watch?time_continue=3&v=um9UrEAHwqk

The Spanish video was tailored to a Spanish-speaking audience and can be viewed at:
https://www.youtube.com/watch?v=hMLOTrPSp84

Both videos were available for viewing at the community meetings and are posted on the project website.

Using geographic targeting technology, the English video was promoted to the project area between July 30 and August 12, 2019, with the following results:

> Ad with video link was seen by 106,976 unique people

> Video was viewed 29,052 times

> Generated 48 user comments, 68 instances of people sharing with their own networks and 302 ‘reactions’ in which a user clicked an emoji to show how they feel about it (283 of these were ‘likes’ and ‘loves’, or the thumbs-up or heart emoji, respectively)

Community Meetings Overview

Community Meeting Noticing

A total of four email notices (e-blasts) were sent out prior to the meetings utilizing the project database with email addresses of over 2,700 stakeholders. Metro used its Nextdoor account to share information with neighborhoods located along the project corridor, which include 70,115

people who are registered on Nextdoor.

A total of 59,000 flyers were distributed to residences and businesses. An additional 1,000 flyers were delivered to key community centers and organizations.

Ads for the community meetings ran on Facebook and Instagram, geographically targeting communities surrounding the meeting locations, between July 27 and August 11. The meetings were added to Facebook as 'event pages,' where users could note their plans to attend, integrate with their Facebook calendars and discuss the event with other users. For each meeting, one set of ads targeted "likely riders"; the second set targeted everyone else in the area surrounding the meeting location. Overall, the "likely rider" audience engaged with the ads more, meaning that they clicked the ad, commented on the ad or 'event page' or noted plans to attend the community meeting.

Overall, these ads generated the following results*:

- 943 'yes' or 'maybe' RSVPs to attend a community meeting
- 114,586 people saw the ads for the community meetings

*Overlap in audience between ad sets makes these combined overall numbers imprecise.

In addition to social media, neighborhood, and community center noticing, Metro relied on existing relationships with community partners, elected officials, neighborhood councils, and the San Fernando Valley Council of Governments to share the meeting information through their trusted notification measures, including California State University, Northridge (CSUN), State Senator Robert Hertzberg, Los Angeles Council District 12, and North Hills West Neighborhood Council, among others.

Community Meetings Summary

Metro held three community meetings in August 2019 in North Hollywood, Panorama City and Northridge. All of the meetings were conducted in an open-house format where participants could engage in one-on-one dialogue with project staff at different information stations, provide input by participating in an interactive map exercise and submit comment cards. This format supports Metro's goal of providing a safe and equitable environment for all participants and all viewpoints at our community meetings. Refreshments and a kids activity table were provided at all meetings to provide a welcoming, family-friendly environment.

Upon arriving at the meeting, participants received a guided comment card and a "passport" guide to each information station. As participants moved through the presentation materials, they received a sticker on their passport, and upon filling up the passport with stickers for every station, they received a bag of Metro promotional items to thank them for their participation. The guided comment card included three different prompts: "What I like," "I want Metro to study," and "What I suggest" which attendees were encouraged to complete after visiting the information stations.

North Hollywood Meeting

The North Hollywood meeting was held on Thursday, August 8, 2019 from 5:30 pm to 7:30 pm at Laurel Hall School, a private school affiliated with a Lutheran church, located near one of the proposed design variations for the Project on Laurel Canyon.

North Hollywood Meeting

Panorama City Meeting

The Panorama City meeting was held on Saturday, August 10th from 11:00 am to 1:00 pm in a community room at Plaza del Valle, a family-oriented community plaza with approximately 100 small retail shops and restaurants. The community room is located adjacent to a playground, and Metro's meeting featured children's activities like pop-up buses and coloring sheets as well as empanadas and sandwiches to draw families over. The meeting was also timed to coincide with a back-to-school event at the venue. Presentation boards were displayed in English and Spanish, and bilingual team members guided Spanish-speaking attendees through the boards to explain the project in detail. Following the meeting, outreach staff hosted an information table next to the playground through the late afternoon to maximize opportunities to interact with families attending the back-to-school fair.

Panorama City Meeting

Northridge Meeting

The Northridge meeting was held on Monday, August 12th from 6:00 pm to 8:00 pm at the CSUN campus at the Orange Grove Bistro. More than 350 people attended this meeting. The number of meeting attendees exceeded the capacity of the room, so many attendees had to wait outside in line for 30 minutes – 1 hour. Metro staff regularly walked the length of the line to ensure that anyone with mobility challenges or who indicated they could not wait in line was

accommodated either to enter the meeting room sooner or to sit outside the Bistro with Metro staff who used a paper handout to walk them through the presentation materials. Metro staff extended the meeting duration to ensure that everyone who waited in line was able to review the information stations and submit their comments.

Northridge Meeting

The following table provides a summary of the number of participants by location.

MEETING DATE	LOCATION	PARTICIPANTS
Thursday, August 8, 2019	North Hollywood	35
Saturday, August 10, 2019	Panorama City	35
Monday, August 12, 2019	Northridge	357
Total		427

Summer Community Meeting Participants

Earned Media

A press release announcing the meetings was sent to 681 publications, individuals and blogs on the Metro media list. The project and meetings earned featured media coverage in 14 different stories, including Metro's The Source, Los Angeles Times, LA Daily News, Southern California Public Radio's KPCC, Curbed LA, among others.

Other Community Outreach Efforts

In addition to the community meetings, the Metro team conducted thirteen presentations and outreach efforts at events. Outreach efforts resulted in over 600 stakeholders being added to the email database since June 2019, bringing the stakeholder email database up to over 2,700 stakeholders.

Metro recognizes that there can be a variety of barriers which prevent community members from attending Metro's meetings, including work and caregiving responsibilities, infrequent public transit service in the SFV, and concern about attending formal government-hosted meetings, to name a few. By hosting tables at community fairs, Metro was able to reach new audiences during the summer to build project awareness and expand the stakeholder database.

To respond to community requests for more information about the Project, Metro scheduled the community meetings as soon as possible following the June Planning and Programming

Committee, so the community meeting at the CSUN campus took place during the summer session when fewer students were on campus. Metro staff employed a variety of different strategies to reach CSUN students in August and September. Metro Commute Services staff assisted with promoting the August community meeting during their outreach at student orientation the week of August 5th to promote the Universal College Student Transit Pass (U-Pass) and through an email to the approximately 1,500 CSUN U-Pass holders. The outreach team participated in three events hosted on campus by CSUN Associated Students once the fall session began in late August.

CSUN Associated Students Fair Event

CSUN Commuter Week Event

Lastly, Metro made presentations at several different organizations to provide the latest information on the North SFV BRT project and answer questions from attendees, including the San Fernando Valley Council of Governments Transportation Committee and the Granada Hills South Neighborhood Council.

A complete list of all presentations and outreach events conducted in Summer 2019 is listed below.

MEETING DATE	EVENT DESCRIPTION	PARTICIPANTS

MEETING DATE	EVENT DESCRIPTION	PARTICIPANTS
June 20, 2019	SFV Council of Governments Transportation Committee	20
June 22, 2019	LA Valley Pride Event	150-200
July 11, 2019	Granada Hills South Neighborhood Council	60
July 11, 2019	Valley Alliance of Neighborhood Councils	30
July 27, 2019	NoHo Summer Nights Event	10
Week of August 5, 2019	U-Pass outreach at CSUN	n/a
August 10, 2019	Plaza Del Valle Back to School Event	10
August 27, 2019	BizFed Presentation	12
August 27, 2019	CSUN Associated Students Fair	150-175
August 28, 2019	Kaiser Permanente Panorama City Farmers Market	30-45
August 29, 2019	Veterans Job & Resource Fair – Sepulveda VA Ambulatory Care Center	20
September 10, 2019	CSUN Associated Students Commuter Week	150-200
September 18, 2019	CSUN Associated Students Civic Engagement Fair	80-100

Summer Presentations and Outreach Events

Summary of Comments Received

Approximately 4,400 comments have been received from June 2019 through September 23, 2019. The broad stakeholder participation reflects the high level of interest in this project. People provided input in a variety of ways including website comments, emails, phone calls, Facebook/social media, the Source blog, at meetings/events, petitions, and letters.

Letters from Community Organizations and Elected Officials

As of September 23, 2019, Metro received 15 letters as described below.

> Ten support letters were received from community-based organizations, noting the importance of the BRT project for their employees and the individuals they represent and serve. Letters have been received from providers of health care, education, and social and community services, chamber and small business organizations, and veterans, including the following organizations:

- Assurance Learning Academy
- California Small Business Association
- Greater San Fernando Valley Chamber of Commerce
- Hope of the Valley
- LA Service Provider Coalition

(Representing 18 community-based organizations which provide direct services to more than 21,000 people with disabilities)

- Mission Community Hospital
- Mid-Valley YMCA
- The Adult Skills Center
- Valley Community Healthcare
- Veterans of Foreign Wars

> Three support letters were received from elected officials representing the study area including:

- United States Congressman Tony Cardenas
- California State Senator Robert Hertzberg
- Los Angeles Unified School Board Member Scott Schmerelson

> A letter from Interim Los Angeles Councilmember Greig Smith, 12th District was received, requesting Metro consider postponing the item from the September 2019 Board Agenda and holding a Board Meeting in the San Fernando Valley.

> A letter from the Sherwood Forest Homeowners Association was received requesting the opportunity to meet with Metro to discuss how better public transportation can be accomplished to serve the people of the San Fernando Valley.

Frequently Repeated Statements

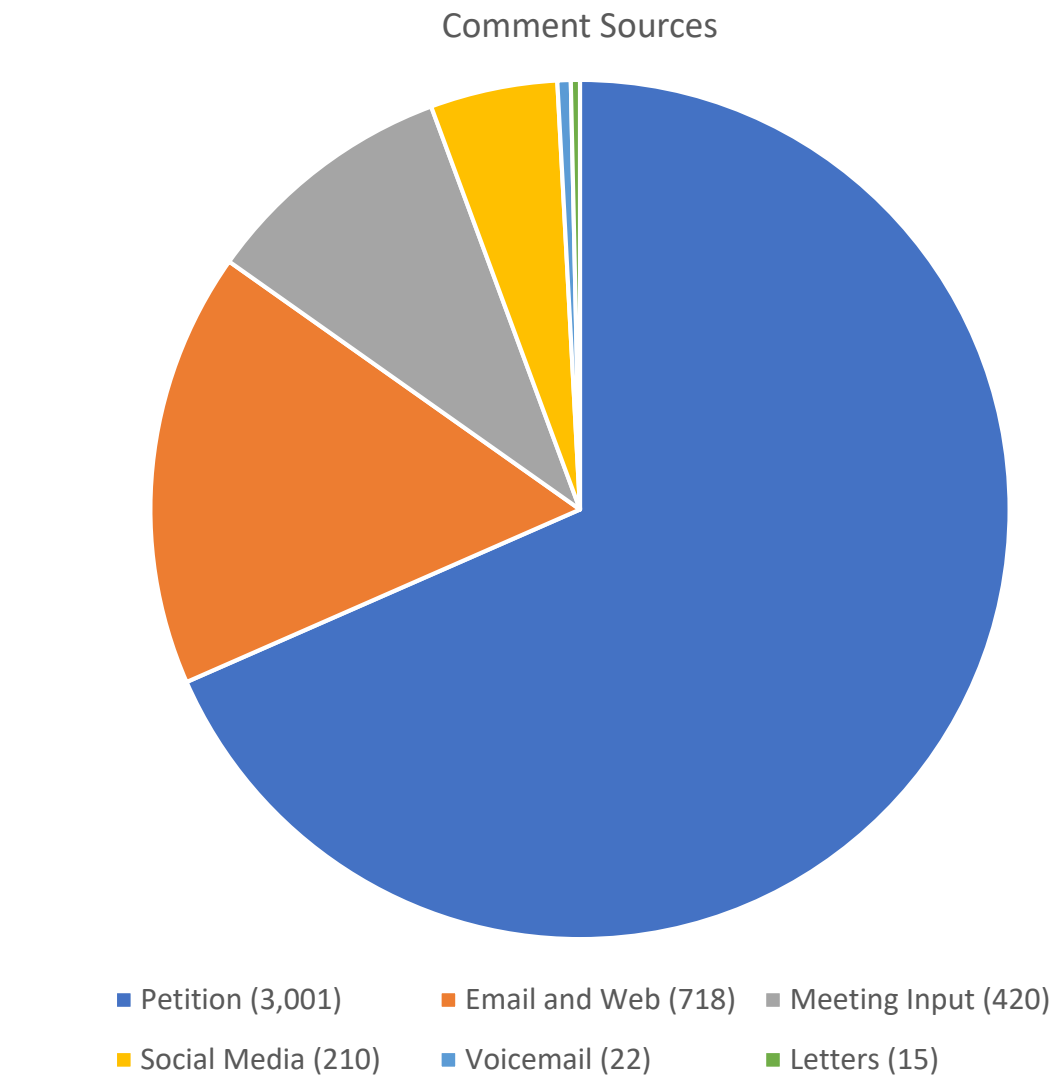
Many individuals took advantage of easy ways to communicate with Metro by signing onto statements of support and opposition to the project.

> Approximately 3,000 names were gathered on the CSUN campus in support of Metro providing much faster transit service and providing "the best possible solution to meet CSUN's transportation needs."

> Over 500 emails and phone calls were received in opposition to the project, expressing potential impact concerns regarding: loss of travel lanes, loss of parking, "up-zoning" neighborhoods, and the adequacy of outreach to affected stakeholders.

Summary of Comments

Comments received through September 23, 2019 were received from the following sources:



In order to summarize the range of comments received, a summary of the key topic areas is presented below. It is the goal of the environmental assessment phase to fully disclose refinements to the Project and to disclose the benefits and impacts of the Project to help dispel misconceptions and clarify any ambiguities.

Routes and Stations

Routes and Stations - Comments were received on potential routes and stations. Some comments advocated for further consideration of a route along Roscoe Blvd west of the I-405 freeway. Some emphasized the importance of dedicated bus lanes on a particular route while others expressed that dedicated bus lanes are unnecessary on a particular route and advocated for careful study and consideration of additional transit improvement options. Comments were received on the placement of station locations. Some comments suggested alternate routes that were not previously considered by the project, such as Plummer Street or the Metrolink right-of-way. A few comments received referenced connection to other transit and First/Last Mile options. Comments included mentions of other transit lines that individuals use

and suggestions for transit hubs or shuttle buses. Some comments asked how the project would impact bicycle lanes or what the project would do to improve sidewalks and ADA accessibility. A few comments expressed concern regarding station locations. Comments ranged from a request for a station location adjacent to a facility that serves individuals with developmental disabilities who regularly use transit, to opposition to station placement in front of homes.

Service Quality and Frequency

Service Quality and Frequency - Comments were received regarding service quality and the frequency of service. These comments included questions about how existing service would be adjusted in relation to the project. Some comments expressed a desire for increased service frequency and faster transit travel speeds. Other comments expressed skepticism that people would ride the bus in an auto-oriented area. Some comments highlighted concerns over high temperatures and a lack of shade and passenger amenities at existing bus stops. Some remarks expressed support for BRT because of the increased bus speeds and reduced travel times expected from the service. Other remarks felt that the project should operate in mixed-flow travel lanes. Other comments in this category include questions about lighting, TAP card vending machines, real-time arrival information screens, and parking at stations.

Traffic and Parking

Traffic and Parking - Comments expressed concern that dedicated bus lanes for the project would result in traffic impacts on major arterial streets, in particular around I-405, near CSUN, and in the Panorama City area. Comments were received regarding on-street parking. Some comments expressed support for reallocating space from car parking to transit use. Other comments expressed concern about a loss of on-street parking in front of single-family residences, or concern about parking by students in the neighborhoods surrounding CSUN. A number of comments expressed concern that that project would cause increased congestion and that drivers would utilize neighborhood streets as alternate travel routes.

Land Use and Property Impacts

Land Use and Property Impacts - Comments were received mentioning property impacts and land use change. Some commenters expressed concern that the transit project would negatively impact the value of single-family homes while others suggested that the project would increase property values. There were also comments that expressed uncertainty over how the project would impact zoning of single-family residential neighborhoods or requested clarification on impacts to zoning in the project study area. Some of the comments were related to the City of Los Angeles Transit Oriented Communities Affordable Housing Incentive Program and or legislation at the State level. Some comments expressed a desire for more compact and dense development

near transit that would help with housing affordability. Other comments expressed a concern about the possibility of high-rise apartments abutting single-family homes.

Public Safety

Public Safety – Comments were received expressing concern about perceived safety issues related to the project. Some comments expressed a need to address and enhance safety with this project. Some were concerned that the project would increase travel speeds on major arterials. There were also comments that expressed a belief that dedicated bus lanes could not be used by emergency response vehicles, or a concern that the project would impede emergency response times. Other comments expressed a need for traffic calming measures to protect pedestrian safety. Some comments expressed concern about safety on board the Metro system, and or concern about individuals experiencing homelessness.

Outreach

Outreach – Comments were received on outreach issues. Some comments were complimentary of the information made available. Other comments expressed concern that the timing and adequacy of outreach to affected stakeholders was insufficient. Some requested more information about the project development process and schedule. There were also comments requesting additional outreach to students and transit riders. Others needed help finding materials about the project online.

Other

Other – Most of the comments in the other category were left on social media platforms and included requests for general Metro information, input on other Metro projects or unrelated policies, or comments where a user tagged another person on the platform but did not leave a comment. A few comments received suggested either fully supporting the project financially or requested reallocating the project funding to other transportation projects.

Next Steps

This section describes Metro's approach to incorporating the feedback and concerns recieved into its planning process. All summer outreach comments will be carried forward to inform project development.

Metro acknowledges that there are issues to consider during the environmental review phase. One such issue involved strong community support behind Metro continuing to study a route option along Roscoe Blvd between the I-405 freeway and Reseda Blvd. Considering the community feedback and the NextGen Bus Study, staff will include further evaluation of the Roscoe Blvd alternative identified in the AA Report as part of the environmental review phase. Additional route options along Roscoe Blvd may also be considered so long as a connection to CSUN is provided.

The project will be using Metro's working definition of Equity Focused Communities (EFC), or those communities that are most heavily impacted by gaps in equity in Los Angeles County, as well as supplemental metrics as appropriate and directed, to actively lead and partner in addressing and overcoming disparities in access to opportunity.

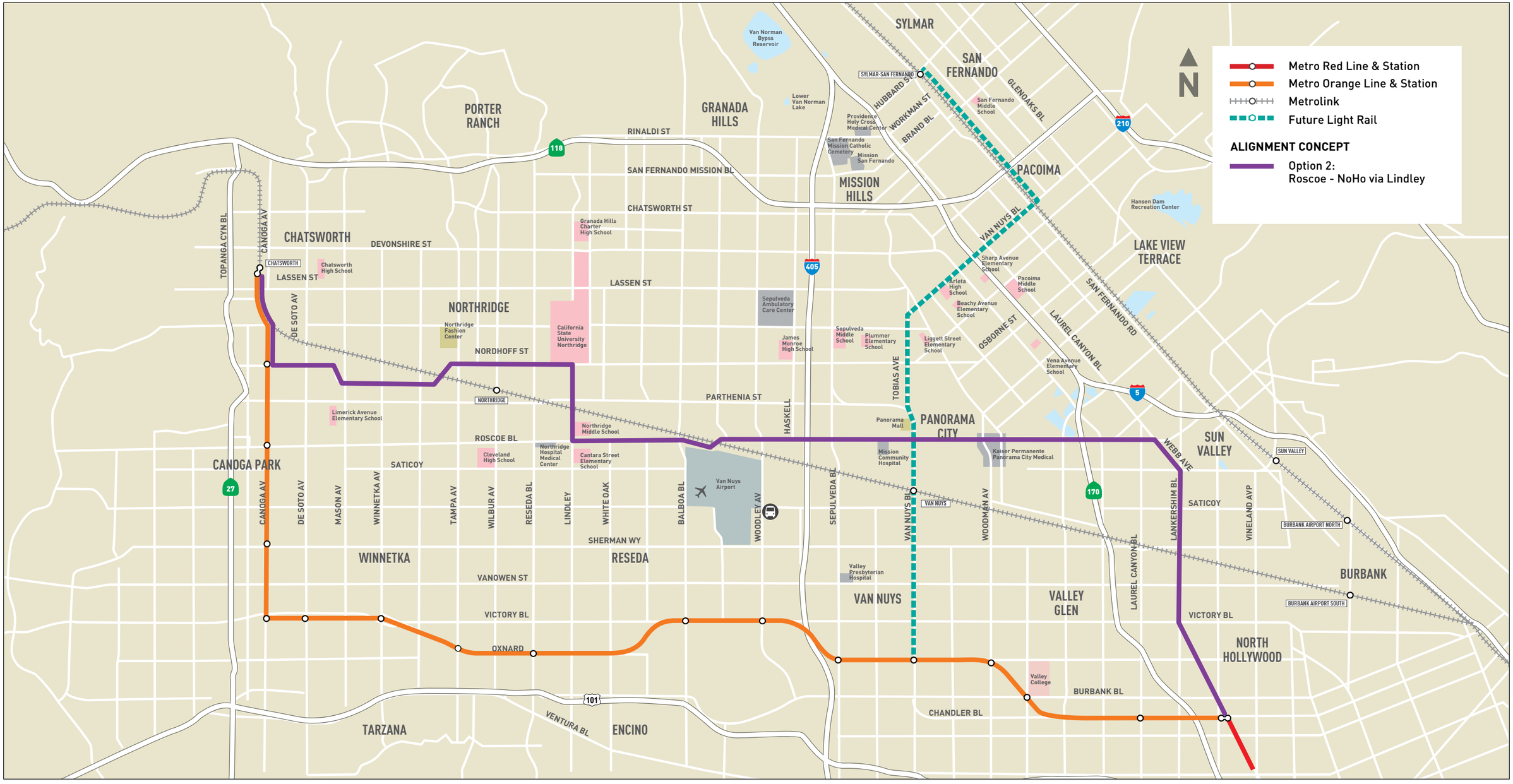
Generally, the remaining issue areas will be addressed following the completion of the additional study and the refinement of the Project as the environmental review phase advances. The initial issue areas will also continue to be addressed following the additional study.

Conclusion

The purpose of this summary is to acknowledge and summarize the valuable input received from community members and stakeholders.

Metro will continue to stay flexible as we refine the project in consultation with the community to achieve equal or greater performance outcomes and positive impacts for the people with the most need for transit. Metro will keep the community informed on the progress of the planning and environmental study and upcoming decision points and will provide meaningful ways for the public to participate in the development of refinements to the Project. Expanding community consensus is a key goal for Metro during the environmental review phase.

Figure ES-6: **Alignment Option 2: Roscoe - NoHo via Lindley**



ATTACHMENT D: Roscoe Blvd via Lindley Ave Alternative AA Report (June 2019)

#2019-0525

Next stop: a new way to travel in the North Valley.

NORTH SAN FERNANDO VALLEY TRANSIT CORRIDOR

Metro

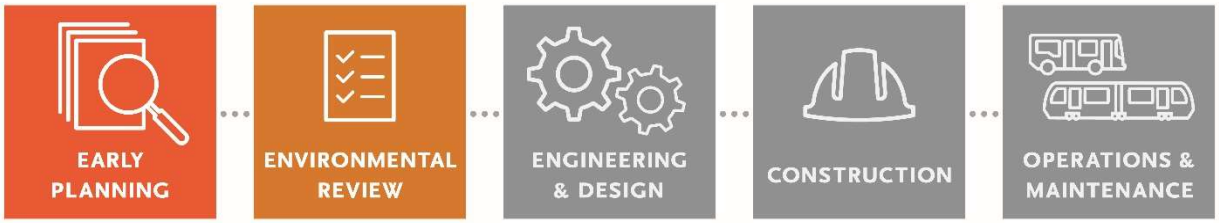
Board of Directors Meeting

October 24, 2019

Agenda Number: 5

Project Status

Current Status: Start of Environmental Review Phase

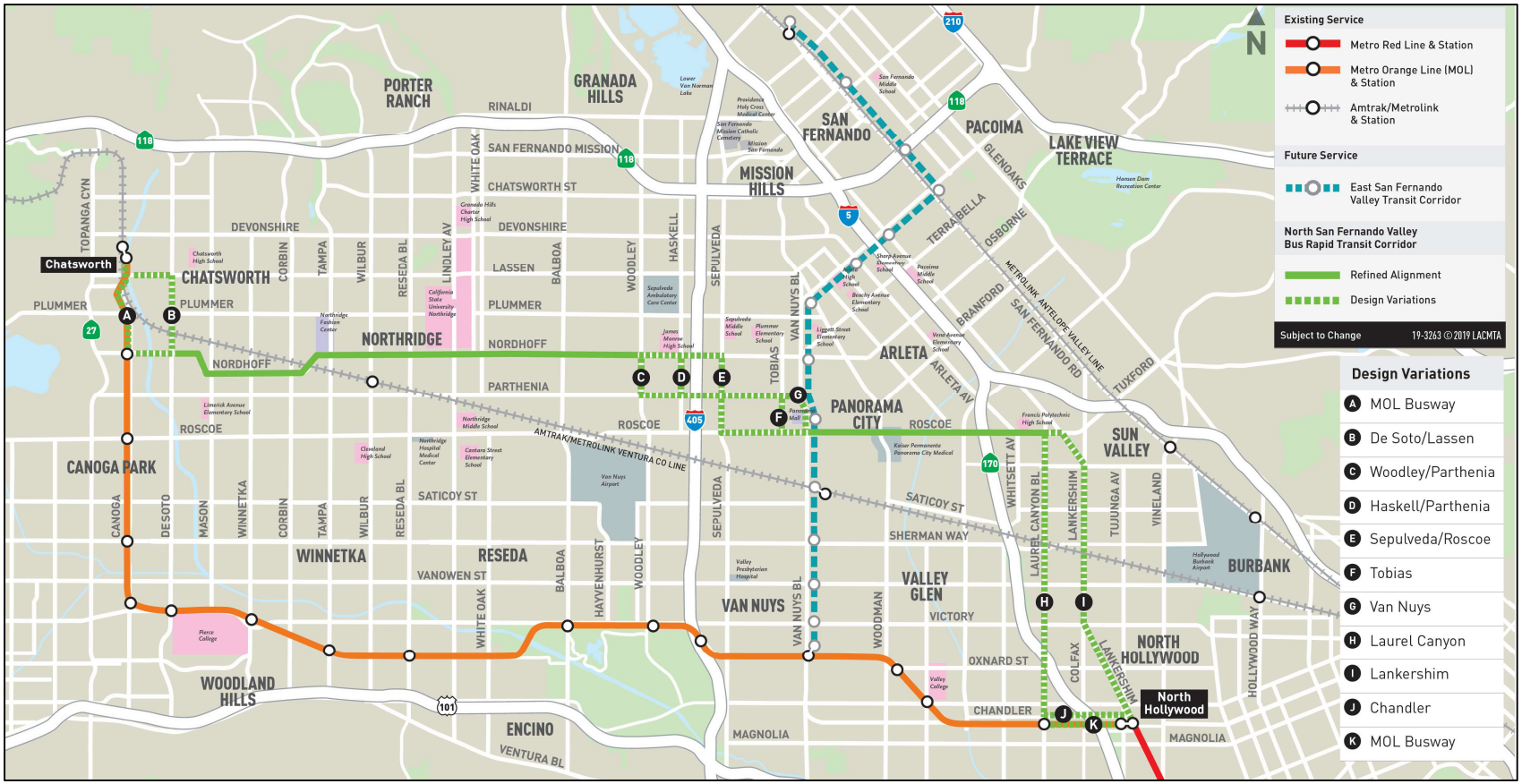


Background

- May 2018
  - Board authorized initiating planning and environmental review
- July 2018 – June 2019
  - Alternatives Analysis (AA) Study
- July - September 2019
  - Staff conducted additional public outreach

Metro

Proposed Project



Metro

Summer 2019 Outreach

- Following additional noticing and outreach, approximately 4,400 comments were received
- Comments organized into key topic areas:
  - Routes and Stations
  - Service Quality and Frequency
  - Traffic and Parking
  - Land Use and Property Impacts
  - Public Safety
  - Outreach

August 12, 2019 Northridge Meeting

- Approximately 15 letters from organizations and elected officials were received as of September 23, 2019.

Metro

Next Phase of Study

- **Purpose:** Evaluate new and or refined alternatives; Continue coordination with NextGen Bus Study and City of Los Angeles.

- **Consider:**
  - Service Options
  - BRT Infrastructure
  - Cost Effectiveness
  - Community Input
  - Technology Advances
  - Routes and Station Locations
  - Street Design
  - Ridership Forecasts

- **Provide:** Continued outreach to engage affected stakeholders including Equity Focus Communities, residents, students, community-based organizations, and businesses in advance of key decision points

- **Outcomes:**
  - Refined Proposed Project
  - Assessment of the appropriate level of environmental review
  - Maintain Measure M Schedule

Metro

Recommendation

A. RECEIVE AND FILE:

1. Alternatives Analysis Report and the Proposed Project to be evaluated in the environmental review phase; and
2. Summer 2019 Outreach Summary; and

B. AUTHORIZE STAFF TO:

1. Continue studying the Proposed Project in the environmental review phase while considering community input and the NextGen Bus Study; and
2. Report back to the Board following additional study with an update on refinements to the Proposed Project and the environmental review.

Metro

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

File #: 2019-0747, **File Type:** Project **Agenda Number:** 6.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: DORAN STREET AND BROADWAY/BRAZIL GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

APPROVE the Active Transportation Access for the Doran Street and Broadway/Brazil Grade Separation Project (refer to Attachment A).

ISSUE

In January 2017, the Metro Board approved the Doran Street and Broadway/Brazil Grade Separation Project with the Salem/Sperry Overpass and the Northerly Point of Access that includes a two-way traffic connection to Fairmont Avenue with a protected bike lane and sidewalk as the preferred alternative in the California Environmental Quality Act (CEQA)/National Environmental Pollution Act (NEPA) environmental documents (refer to Attachment B). Since then, staff determined the Northerly Point of Access structure was not able to include active transportation for it connects to the Fairmont Avenue Bridge that does not allow for non-motorized traffic.

The City of Los Angeles staff along with the City of Glendale staff preferred the active transportation of the Northerly Point of Access compromise of two separate proposed pedestrian/bicycle bridges structures. One pedestrian/bicycle bridge structure is called the River Walk Bridge and the other pedestrian/bicycle bridge structure is called River Access Bridge. Staff's recommendation is to approve the River Walk and River Access bridges which are designed to provide dedicated and safer pedestrian connectivity over the existing Verdugo Wash. In addition, staff is recommending approval of the active transportation on the Salem/Sperry Overpass (refer to Attachment C). The active transportation access creates an environment that encourages more residents, employees and visitors to choose non-motorized modes of transportation.

DISCUSSION

On August 28, 2017, the City of Glendale hosted a coordination meeting with the City of Los Angeles to propose the inclusion of active transportation elements into the Doran Street Grade Separation Project. All parties agreed on the importance of providing dedicated pedestrian connections to and along the Los Angeles River and adjacent trails.

In January 2019, the California Transportation Commission (CTC) approved the award of $16,319,000 million from Active Transportation Program (ATP) funds for the Doran Street Grade Separation Active Transportation Access Project, which is a component of the Doran Street and Broadway/Brazil Grade Separation project. All project stakeholders provided letters of support for the ATP grant with both the City of Glendale and Los Angeles including letters of intent to assume responsibility for maintenance and operations of the two active transportation structures once constructed. In April 2019, staff received an approved California Environmental Quality Act Statutory Exemption for Doran Street and Broadway/Brazil Grade Separation Project including the River Walk and River Access bridge structures. Staff will continue to seek federal, state and local grants to fund the Doran Street and Broadway/Brazil Grade Separation project.

The Active Transportation Access component for the project that comprises of the River Walk Bridge and the River Access Bridge will improve safety and increase non-motorized access between employment centers, residencies and newly developed recreational opportunities in an area that are currently land locked by the Los Angeles River, Interstate 5 and State Route 134 freeways, and the Antelope Valley Line railroad corridor with up to 90 trains per day. With train volumes in this corridor expecting to increase with planned improvements to the commuter and intercity rail service and eventual arrival of High Speed Rail service, a project like this is essential to minimize risk of bicycle and pedestrian collisions.

The River Walk Bridge will provide new access across the Verdugo Wash and under the State Route 134 freeway, connecting residents of North Atwater Village in Los Angeles directly to the new Glendale Narrows Riverwalk Trail along the Los Angeles River. Travelers in the opposite direction from Glendale will now have direct access to businesses and restaurants in Atwater Village without having to cross the railroad tracks. Future active transportations projects illustrate a Los Angeles River Bridge in the area that will provide access from the Glendale Narrows Riverwalk Trail to the Los Angeles Zoo and Autry Museum of the American West. The River Access Bridge is designed to provide a safer route spanning over the railroad corridor for the City of Glendale and Los Angeles residents and businesses alike.

DETERMINATION OF SAFETY IMPACT

This active transportation component for the project will enhance safety along the commuter corridor and the Los Angeles River by providing two separate active transportation structures while allowing improved non-motorized circulation for the Atwater Village community and City of Glendale residents.

FINANCIAL IMPACT

Adoption of the active transportation access to the Doran Street Grade Separation Project would have no impact to the FY20 budget at this time. Staff will work with Metro Planning to identify an additional ATP funding estimated at approximately $8,681,000 required for the final design of the Doran Street Grade Separation Active Transportation Access Project with a total preliminary estimate at approximately $25,000,000.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendations support Metro Regional Rail's partnership with other rail operators to improve service reliability and mobility, provide better transit connections throughout the network and serves to implement the following strategic plan goals:

- Goal 1.2: Improve LA County's overall transit network and assets;
- Goal 2.1: Metro is committed to improving security;
- Goal 3.3: Genuine public and community engagement to achieve better mobility outcomes for the people of LA County; and
- Goal 4.1: Metro will work with partners to build trust and make decisions that support the goals of the Strategic Plan.

ALTERNATIVES CONSIDERED

The Board could choose not to continue to complete the design documents for the active transportation components to the Doran Street Grade Separation Project. This alternative is not recommended due to the significant benefits this project provides to commuter rail transportation and active transportation. In addition, not recommending this alterative will risk the $16 million in grant funding already awarded to this project.

NEXT STEPS

Staff shall report back to the board to program funding for the final design phase and return to the board should the final construction cost estimate exceed the ATP award of $16.3 million.

ATTACHMENTS

Attachment A - Doran Active Transportation Conceptual Plan
Attachment B - Doran Street and Broadway/Brazil Grade Separation Project January 2017 Board Report
Attachment C - Salem Sperry Overpass

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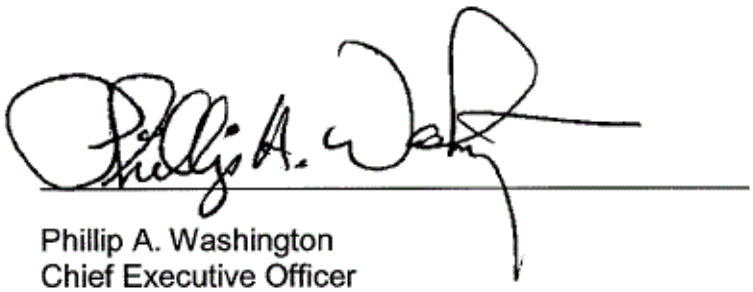
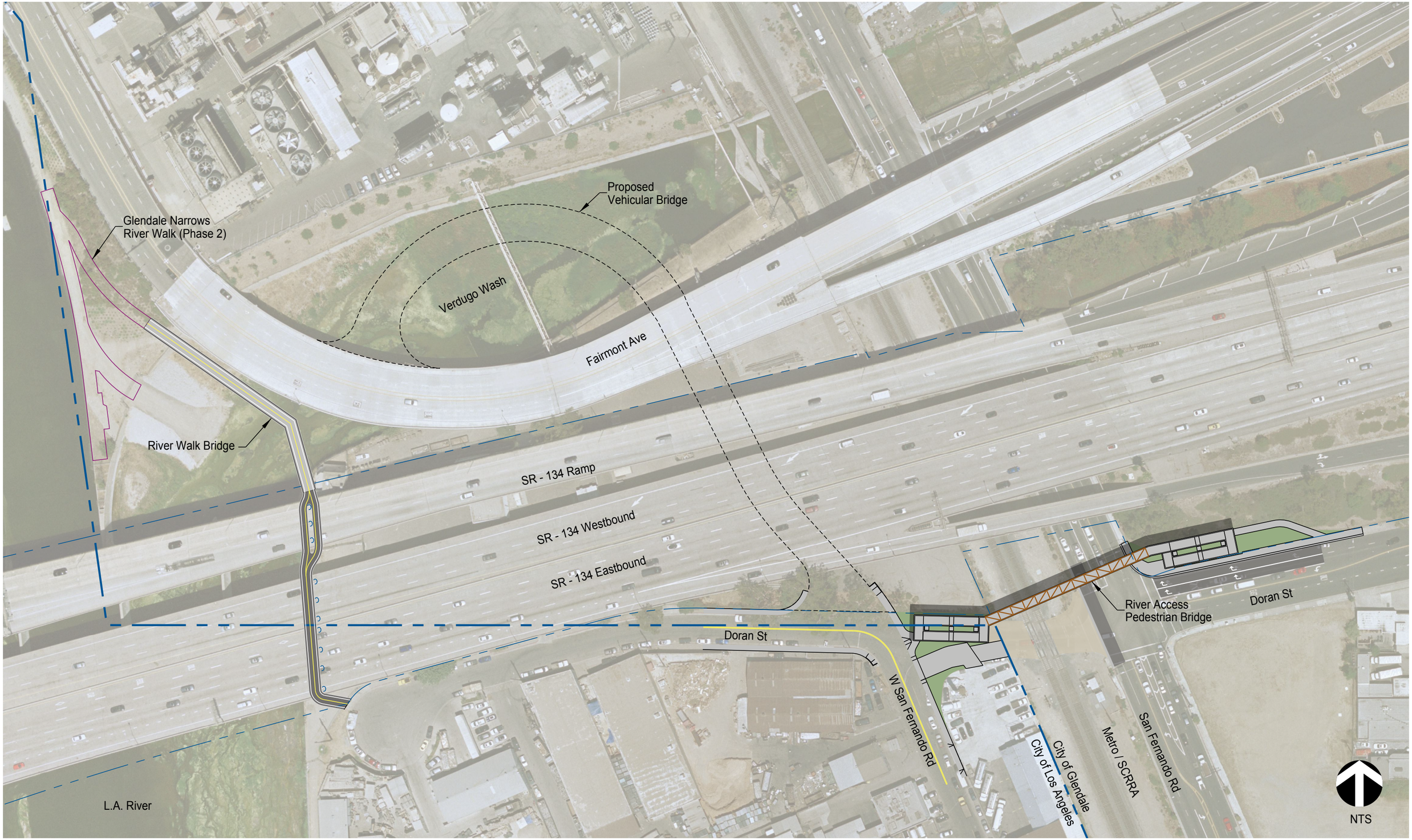


Phillip A. Washington
Chief Executive Officer



DORAN STREET GRADE SEPARATION ACTIVE TRANSPORTATION ACCESS PROJECT - CONCEPTUAL EXHIBIT

Metro

Active Transportation Facilities

ATTACHMENT A

File #:2016-0967, **File Type:**Program Agenda Number:19

REVISED
PLANNING AND PROGRAMMING COMMITTEE
JANUARY 18, 2017

SUBJECT: DORAN STREET AND BROADWAY/BRAZIL GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

APPROVE:

A. The recommended **Alternative 2 Northerly Point of Access and Salem Sperry Grade Separation** for the environmental documents and preliminary engineering design phase; and

B. Third party costs of up to $2 million for the City of Glendale, City of Los Angeles, Southern California Regional Rail Authority and other third parties and authorize the Chief Executive Officer (CEO), or his designee, to negotiate and execute all agreements necessary for this action.

ISSUE

In June 2015, the Metro Board partially approved the Doran Street and Broadway/Brazil Safety Access Project, Alternative 2 Fairmont Connector and Salem/Sperry Overpass. The Board approved the Salem/Sperry Overpass but Director Najarian amended the motion and directed staff to work with the City of Glendale and the City of Los Angeles to examine the project without the Fairmont Connector and to report back to the Board on furthering the study to develop another feasible alternative to the Fairmont Connector that meets the short term and long term goals of the region and local communities (Refer to Attachment A).

Staff has completed a new traffic study that examined several alternatives, including prohibiting public access, one-way outbound traffic, and two-way traffic solutions. The results of the study indicate that both the Salem/Sperry Overpass and the Fairmont Connector, currently referred to as the “Northerly Point-of-Access”, with a two-way connection to Fairmont Avenue work in tandem, and together these provide a comprehensive solution that addresses the existing and forecasted traffic growth. The two-way traffic solution is critical for the economic vitality of the North Atwater Village businesses while not significantly impacting the intersection operations on Fairmont Avenue. The Salem/Sperry Overpass and two-way Northerly Point-of-Access to Fairmont Avenue will allow for the closure of both the Doran Street and Broadway/Brazil at-grade rail crossings, resulting in a

substantial safety and mobility improvement for the community (Refer to Attachment B). Staff is requesting the Board to approve the recommended actions.

DISCUSSION

The goal of the Doran Street and Broadway/Brazil Grade Separation Project, formerly referred to as the Doran Street and Broadway/Brazil Safety and Access Project, is to significantly improve safety and enhance mobility by closing both at-grade rail crossings. The project as brought to the Board in June, 2015, consisted of two components. First is the Salem/Sperry Overpass which connects West San Fernando Road to San Fernando Road in the vicinity of Sperry Street in Los Angeles and Salem Avenue in Glendale (Refer to Attachment C). The second component was the Fairmont Connector, which would be the extension of West San Fernando Road over the Verdugo Wash with a two-way connection to Fairmont Avenue (Attachment D and D-1). This utilizes Fairmont Avenue as an overpass, resulting in a significant cost savings by using existing infrastructure as part of the solution.

Up to 90 Metrolink, Amtrak and freight trains a day run through the rail corridor which accounts for a total of 8 hours of gate-down time at the two at-grade crossings. Both crossings have considerable traffic volumes in the order of 7,000 vehicles a day crossing Doran Street and 5,000 vehicles a day crossing Broadway/Brazil Street. The California Public Utilities Commission (CPUC) identified the Doran Street at-grade crossing as one of the most hazardous intersection in the City of Glendale and the City of Los Angeles with 14 recorded pedestrian and vehicular incidents by the Federal Railroad Administration (FRA). The CPUC also mandated that Doran Street be converted temporarily to a one -way westbound movement until the at-grade crossing can be closed permanently when the grade separation is built. There are 9 recorded pedestrian and vehicular incidents reported by FRA at the Broadway/Brazil grade crossing.

In response to the amended motion by Director Najarian to find an alternative design in lieu of the Fairmont Connector, staff hired a new traffic consultant, Gibson Transportation, to work with HNTB to conduct a new traffic study (Refer to Attachment E). The new traffic study consists of new traffic counts for up to 35 intersections in the study area including origin- destination counts from the Doran Street at-grade crossing to and from State Route 134 on-ramps and off-ramps. Additionally, this data was integrated into the SCAG regional traffic model for year 2035 to better examine the traffic patterns and future growth in the vicinity of the project area. With this data, staff examined several alternatives for the Northerly Point-of-Access in lieu of the proposed Fairmont Connector. Staff concluded that the Northerly Point-of-Access with a “J-hook” or “P-hook” configuration that includes a two-way traffic connection to Fairmont Avenue with a protected bike lane and sidewalk is the best alternative. The results of the study indicate that the Salem/Sperry Overpass and Northerly Point-of-Access work in tandem to comprehensively address the existing and forecasted traffic growth of the area. While the study identified an increase of traffic on Fairmont Avenue by future year 2035, the increase does not significantly impact the intersection operations, where the projected Level of Service for the intersections will operate at Level B or C. The Northerly Point-of-Access provides a critical connection for emergency vehicles as well as for economic vitality of the businesses in North

Atwater Village. By implementing the two project components, the Salem/Sperry Overpass and the Northerly Point-of-Access, both at-grade rail crossings at Doran Street and Broadway/Brazil will be closed, substantially improving safety and enhancing mobility, eliminating the need for train horns, and improving the efficiency of train movement along this busy rail corridor.

Community Meetings

Metro conducted two community meetings on December 7, 2016 to present the results of the new traffic study and the recommended alternative for the project. Over 75 people total attended the community meetings. The comments received from the community meetings were favorable related to the results of the expanded traffic circulation analysis beyond Doran Street and Broadway/Brazil Street and the solutions as presented.

One topic of considerable discussion at both community meetings was the CPUC mandate to convert the Doran Street at-grade crossing to a one-way westbound configuration on an interim basis until such time that a grade separation can be constructed. The community concerns are related to the poor traffic signal operations and congestion at the Broadway/Brazil at-grade crossing. The interim condition at Doran would exacerbate the existing traffic condition at Broadway/Brazil Street. The issue is the limitation of the existing traffic signal controller at this very complex intersection at Broadway/Brazil Street and San Fernando Road. Metro staff is already engaged in discussions with the City of Glendale and Metrolink to purchase and upgrade the traffic signal software which will improve signal operations and alleviate congestion. The community was in favor of this signal upgrade. The recommended action for third party cost will include the design and implementation of the traffic signal software.

In addition, the community expressed interest in foregoing the interim at-grade improvements on Doran Street and instead expedite the construction the Northerly Point-of-Access. Another concern raised is the truck traffic on Fairmont Avenue and the community requested the evaluation of eliminating left-turn truck movements from the Northerly Point-of-Access onto Fairmont Avenue. If the Board approves the recommended actions, staff intends to analyze and implement the aforementioned comments received from the community meetings, if deemed feasible.

Third Party Costs

In May 2011, the Metro Board programmed $6.6 million for the Project for environmental and engineering work. However, third party involvement from the City of Glendale, City of Los Angeles, County of Los Angeles Public Works, SCRRA and other agencies is necessary in order to complete the environmental and design documents. Up to $2.0 million as listed in the table below is needed to fund third party agencies to participate in meetings, technical inputs, and review of technical and design documents during the environmental and design phases.

ITEM	COST
Traffic signal upgrades at Broadway/Brazil Street an Doran Street	$500,000

City of Glendale	Up to $500,000
City of Los Angeles	Up to $400,000
SCRRA	Up to $400,000
All other third party agencies	Up to $200,000

With Board approval of this recommendation, Metro's total commitment to the Project will increase from $6.6 million to $8.6 million.

Other Engineering and Environmental Cost
Based on the community engagement and feedback the project has received to date, the project will have other cost related to environmental work and engineering design. Staff had to analyze several more engineering alternatives including adding a J-hook configuration for the Northerly Access Point Overpass which delayed the project contract schedule approximately two years resulting in added escalation cost. Staff intends to return to the Board by April 2017 once the new traffic study has been finalized for the additional environmental and engineering work.

DETERMINATION OF SAFETY IMPACT

This Project will significantly improve safety as it is a grade separation of the roadway from active railroad right-of-way. With the construction of this project, two at-grade crossings at Doran Street and Broadway/Brazil Street will be closed, eliminating the possibility of train to vehicle collisions.

FINANCIAL IMPACT

The approval of third party costs will require a $2.0 million increase in Metro's $6.6 million already programmed to the Project for a total $8.6 million in Measure R 3% funds.

Since this is a multi-year contract, the cost center manager, and Chief of Program Management will be accountable and responsible for budgeting the cost of future fiscal year requirements in department 2415, Regional Rail, Project No. 460065, Tasks 6.3.01.02 and 6.3.01.03.

Impact to Budget
The source of funds for this request is Measure R 3% Transit Capital. These funds are not eligible to be used for Metro bus/rail operating or capital budget expenses.

ALTERNATIVES CONSIDERED

An alternative would be not to approve the recommended actions. This is not recommended as the Project provides a significant safety improvement to the City of Glendale and Los Angeles, improves traffic flow and the efficiency of train movement along the Metrolink and LOSSAN rail corridor.

NEXT STEPS
Upon Board approval, staff will move forward with the environmental and design of the project and hold another community meeting by June 2017. Staff will return to the Board by April 2017 for

contract modification for the additional environmental and engineering work.

ATTACHMENTS

Attachment A - June 2015 Board Report
Attachment B - Northerly Point-of-Access and Salem/Sperry Overpass
Attachment C - Recommended Alternative 2 - Salem/Sperry Overpass
Attachment D - Recommended Alternative 2 - Northerly Point-of-Access (J-Hook)
Attachment D1 -Recommended Alternative 2 - Northerly Point-of-Access (P-Hook)
Attachment E - Director Najarian Board Motion

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Metro

Board Report

File #:2015-0339, **File Type:**Policy Agenda Number:20.

PLANNING AND PROGRAMMING COMMITTEE
JUNE 17, 2015

SUBJECT: DORAN STREET AND BROADWAY/BRAZIL SAFETY AND ACCESS PROJECT

ACTION: ADOPT LOCALLY PREFERED ALTERNATIVE

RECOMMENDATION
APPROVED AS AMENDED BY Najarian Motion:

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

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

ISSUE

The Project Study Report for the Doran Street and Broadway/Brazil Safety and Access Project (Project) was completed in March, 2015. Three alternatives are proposed. It is the recommendation to proceed with Alternative 2 as the Locally Approved Alternative to advance into the Final Environmental Document.

DISCUSSION

The Los Angeles County Metropolitan Transportation Authority (Metro) is working towards improving safety, mobility and quality of life for the Glendale and Los Angeles communities by closing the Doran Street at-grade crossing. As with any at-grade railroad crossing, safety is of significant importance. Furthermore, a unique combination of limited access, high traffic volumes, adjacent industrial uses, and residential interests, make mobility improvements important to this Project. Doran Street has 13 incidents on record resulting in two fatalities and one injury since 1976. These safety statistics have made the Doran Street crossing the subject of safety hearings and arbitrations by the California Public Utilities Commission (CPUC). The at-grade crossing of Doran Street with the Metro owned right-of-way operated by Metrolink has been the subject of concern for several years. Additionally, this crossing has significant truck and vehicle traffic as well as 90 passenger and freight trains per day.

In May 2011, the Metro Board authorized $6.6 million for improving the safety of the intersection of

Doran Street and the Metro owned right-of-way. A portion of these funds is being used to fund the engineering and environmental work necessary for the grade separation of this intersection. Since the Board motion was passed, additional funding has been obtained that will fund the construction of the grade separation of this roadway. Since the crossing is located along the route of the proposed California High Speed Rail Project, staff has worked with the California High Speed Rail Authority (CHSRA) and the Federal Railroad Administration (FRA) to gain additional funding. This project has been ranked as number seven in the region in the Advance Investment Memorandum of Understanding with the CHSRA.

Since the Metro Board action, staff has been working towards the advancement of a solution to the challenges related to this crossing. This has included examining several grade separation alternatives that will provide the maximum safety benefit while minimizing impacts to the communities. This analysis has included existing and the proposed future uses of the railroad corridor. The first phase of the project was completed in April, 2015 and the key deliverable was the Project Study Report Equivalent highlighting three alternatives to close Doran Street and/or Broadway/Brazil crossings.

Community Outreach

A comprehensive community outreach program is underway to inform the public about the Doran Street and Broadway/Brazil Safety and Access Project. Metro has hosted two rounds of community outreach meetings and presented at 19 meetings hosted by other stakeholders.

For the two rounds of Metro hosted Community Outreach meetings, residents were notified of the public process through mailings, direct calls to businesses within the project area, Metro Daily Briefs, Metro's The Source, email blasts, a public telephone hotline, fact sheets, and a dedicated webpage on Metro's website. The project received media coverage in the Glendale News Press, Los Angeles Times, and NBC Los Angeles with a total of eight stories written about the project. Communication also went out in local newsletters and distribution lists for the City of Glendale and other local stakeholder organizations.

Community Meetings: Round 1 (February 6, 2014)

Two community workshops were held in Atwater Village on February 6, 2014, 3-5pm and 6-8pm, to accommodate participation from all stakeholders, including businesses and residents. Notification of the meeting was sent to more than 1,500 owners and tenants using the Los Angeles County Assessor's database. Three email notifications were sent out to the project stakeholder database. Individual phone calls were also placed to 69 businesses within the area. An additional eight stakeholder meetings were held prior to Feb. 6th including individual business owners, Pelanconi Estates HOA, the Atwater Village NC and staff from the Cities of Glendale and Los Angeles.

A total of 60 stakeholders attended the February 6th workshops and Metro received 63 comments. Issues raised included access for first responders, traffic and circulation for vehicles and trucks, safety, and impacts to residential and business areas.

Community Meetings: Round 2 (December 9, 2014)

Two community workshops were held in Atwater Village (3-5pm) and Glendale (6-8pm) on December 9, 2014. Notification of the meeting was sent to nearly 2,000 owners and tenants using an updated list pulled from the Los Angeles County Assessor's database. Two email notifications were sent out to individuals in the exiting project stakeholder database. Individual phone calls were also placed to 100 businesses within the area. An additional six stakeholder meetings were held prior to Dec. 9th including Council District 13, business owners, Pelanconi Estates HOA, Atwater Village Neighborhood Council, Walk Bike Glendale and the Los Angeles River Cooperating Committee. After the meeting, Metro held additional briefings with legislative representatives and business owners who were unable to attend the meeting on December 9th.

A total of 89 stakeholders participated at the workshops. Metro received 68 comments. The Stakeholders were shown several alternatives at the workshop. Input from the Stakeholders regarding additional alternatives. These alternatives were evaluated. Aspects of some of these alternatives were incorporated into the ultimate designs. Overall, the comments touched on safety, points of access to North Atwater Village, eminent domain, pedestrian and bicycle access, traffic in the residential areas of Glendale, the timeline for High-Speed Rail, property impacts, air quality, Glendale's Riverwalk Bike project, and the need for a grade separation following the recent improvements to Broadway/Brazil. Business and property owners within the project area expressed concerns about potential impacts and property takings.

There will be additional opportunities for the public to comment during the environmental phase of the project.

ALTERNATIVES FROM PROJECT STUDY REPORT (EQUIVALENT) (PSRE)

During the Alternative Analysis portion of the study, several alternatives were examined that would provide the benefit of closing the Doran Street crossing while minimizing the impacts to the communities. During the study it became apparent that the Broadway/Brazil crossing was closely related to the Doran Street crossing and alternatives considered had to address this relationship. As part of the analysis, the railroad corridor was examined to raise or lower the railroad tracks to cross under or over Doran Street and Broadway/Brazil. These alternatives are not feasible due to the constraints of the I-134 Freeway, Colorado Blvd. and Verdugo Wash.

In addition, grade separations that would lower the roadway under the railroad were eliminated due to the community impacts of several roadway and railroad detours needed to complete the construction.

The following alternatives were carried forward with the PSRE.

No Build: This alternative would keep Doran Street and Broadway/Brazil as at-grade crossings. However, this does not meet the requirements of the CPUC Order to take steps to close the Doran Street crossing.

Alternative 1: Doran Overpass: Alternative 1 proposes to raise Doran Street over San Fernando

Road, the rail tracks, and West San Fernando Road. The existing intersection of Doran Street and San Fernando Road will be replaced with a new signalized intersection at a widened and realigned Commercial Street. This will facilitate traffic movements between San Fernando Road, Doran Street and the State Route 134 ramps. Milford Street will tie to Commercial Street in a tee-intersection. West San Fernando Road will pass under the Doran Street overpass bridge and connect to Doran Street. This alternative will close the Doran Street at-grade crossing while Broadway/Brazil will remain open as an at-grade crossing. Refer to Figure 1 of Attachment A - Executive Summary for a conceptual layout of this alternative.

Alternative 2: Fairmont Connector and Salem/Sperry Overpass: Alternative 2 has two components, the first consists of a connector road that extends West San Fernando Road to the Fairmont Avenue bridge and the second is an overpass crossing over San Fernando Road, the rail tracks, and West San Fernando Road in the vicinity of Salem Street and Sperry Street. This alternative will also consider two options for providing multi-modal movements over the Verdugo Wash as planned in the City of Glendale River Walk project. Alternative 2 will close both the Doran Street and Broadway/Brazil at-grade crossings. Refer to Figure 2 of Attachment A - Executive Summary for a conceptual layout of this alternative.

Alternative 3: Fairmont Connector and Zoo Drive Connector: Alternative 3 utilizes the same connector road from West San Fernando Road to the Fairmont Avenue Bridge as Alternative 2. However, this alternative proposes to construct this road in conjunction with a road that connects Doran Street across the Los Angeles River to Zoo Drive. Similar to Alternative 2, this alternative includes an option to construct a bridge to extend the Glendale River Walk across the Verdugo Wash. Alternative 3 will close the Doran Street at-grade crossing while Broadway/Brazil will remain an at-grade crossing. Refer to Figure 3 of Attachment A - Executive Summary for a conceptual layout of this alternative.

EVALUATION OF OPTION DISCUSSED AT MAY 20 PLANNING AND PROGRAMMING COMMITTEE MEETING

Alternatives 2 and 3 contained within the Project Study Report (Equivalent) (PSRE), dated May 18, 2015, include the Fairmont Connector which will extend West San Fernando Road to connect to the Fairmont Avenue bridge over the Verdugo Wash. The Fairmont Connector is planned to be striped for one lane of traffic in each direction and have a signalized intersection at Fairmont Avenue. During public comments at the Glendale Council Meeting on May 19, 2015, a community member suggested an option of making the Fairmont Connector available for first responders only and closed to the general public. The option is intended to address the CPUC and first responder's requirement to provide access for emergency vehicles to the northern Atwater Village area in the City of Los Angeles. The option would close the Doran Street at-grade crossing, facilitating a future quiet zone. The Metro Planning and Programming Committee confirmed the desire to evaluate this community option at their meeting on May 20, 2015 prior to selecting a preferred alternative for the Project. This

section summarizes the findings from the evaluation.

CONSIDERATIONS

The following considerations were factored into the evaluation of the option:

First Responders: Discussions with the first responders, both police and fire from the cities of Glendale and Los Angeles, were conducted via email and telephone in order to receive their input, feedback, and requirements on the proposed option.

LOSSAN Expansion: The LOSSAN Corridor Agency Strategic Implementation Plan will increase daily rail traffic from 84 trains to 124 trains by 2030, a 50% increase. This will result in additional vehicular delays at remaining at-grade crossings, such as Broadway/Brazil.

Los Angeles River: The cities of Glendale and Los Angeles voted to adopt Alternative 20 of the L.A. River Revitalization as the Locally Preferred Alternative (LPA). In May of 2014, the US Army Corps of Engineers adopted Alternative 20 and it is currently being advanced through the environmental clearance process. A goal of this project is to avoid or mitigate any encroachment into the Alternative 20 footprint.

Traffic Growth: The projected traffic forecast on Fairmont Avenue and in the vicinity of the eastbound and westbound SR-134 ramps is due primarily to the expansion of the Disney Grand Central Creative Campus (CG3).

Traffic Circulation: Overall circulation within the Atwater Village area must be considered with adequate Level of Service (LOS). The ability to reroute traffic and mitigate impacts of doing so will be challenging as existing right-of-way is narrow, 50-feet in width on most streets, and points of access to this area are limited.

CONCLUSION

The community option addresses a singular issue, providing access for first responders to the northern Atwater Village area that would address the CPUC and first responders concerns. The intent of this community option is to close the current Doran Street at-grade crossing, leading to a quiet zone.

The larger issue with the closure of the Doran Street at-grade crossing is the traffic circulation within Atwater Village and the ability to move traffic and goods through the West San Fernando Road/Brazil Street and San Fernando Road/Broadway intersections. Both of these intersections will be significantly impacted.

In summary, the closure of the Doran Street at-grade crossing, while it provides emergency responder access only, results in:

1. Closure of the Doran Street at-grade crossing that will result in 80% of the parcels in Atwater Village area, north of Colorado Street, being solely reliant upon the West San Fernando Road/Brazil Street intersection as the lifeline for their business.

- Degradation of the West San Fernando Road/Brazil Street intersection from a Level of Services (LOS) D to LOS F.
- Queuing in both the southbound and eastbound directions at the West San Fernando Road/Brazil Street intersection effectively gridlocks traffic to the west and north of this intersection.
- Southbound left-turn queuing would require over 650 feet of turn pocket length where only 100 feet is available. Any queuing beyond 100 feet blocks through movements as well.

2. San Fernando Road/Broadway intersection remains a LOS F however operations are further impacted. Level of service is determined through Synchro analysis and is reflective of the signal operations. It does not, however, account for train delays. Inclusion of train delays will reduce available capacity resulting in even further degradation of the intersection operations.

- Significant increase in southbound right-turn movement from San Fernando Road to Brazil Street (from 56 vehicles per hour (vph) to 452 vph in the AM peak hour), far exceeding capacity. This will significantly reduce capacity of the through traffic as the #2 southbound lane will be blocked by the right-turn queue.
- To avoid the long queue and delay from the excessive southbound right-turn movement from San Fernando Road to Brazil Street, it could be expected that drivers will seek other routes with the most direct being Concord Avenue as a bypass to and from the SR-134 and Broadway.

3. If built in conjunction with Alternative 2 Salem/Sperry Overpass, excessive queuing would still exist and an additional lane of traffic at each intersection of the overpass would be required to address the turning movements. This will increase the right-of-way and construction costs.

4. If built in conjunction with Alternative 3 Zoo Drive Connector, the existing at-grade intersection would remain at Broadway/Brazil. While the Zoo Drive Connector redirects some traffic towards the I-5 Interchange, the remaining traffic still significantly impacts the West San Fernando Road/Brazil Street and San Fernando/Broadway intersections.

Based on the evaluation, the $15 million expenditure for an emergency access only bridge does not outweigh the resultant impacts that closing the Doran Street at-grade crossing would have on overall traffic operations, local businesses, and the potential bypass traffic in Glendale. Staff does not recommend adopting this option.

RECOMMENDATION FROM METRO STAFF

A quantitative analysis was conducted to compare the three alternatives. A constraints analysis matrix was developed as part of this analysis. The constraints matrix included design considerations like cost/fundability, right-of-way impacts, environmental considerations, traffic circulation and diversion, constructability, railroad impacts, geometrics, utility impacts, consistency with the L.A. River revitalization plan and overall programmatic outlook keeping in mind future community impact. Please see Attachment B - Constraints Matrix Analysis for additional information about the development of the matrix.

Issue	Alt 1	Alt 2	Alt 3
Permanently closes Doran crossing	✓	✓	✓
Permanently closes Broadway/Brazil crossing		✓	
No future grade separation required		✓	
Keeps traffic on arterials	✓	✓	
Both crossings open during construction		✓	✓
Consistent with L.A. River Revitalization		✓	
Consistent with funding sources	✓	✓	

Figure 1: Alternatives Comparison

Metro Staff recommend Alternative 2 because it achieves the optimal safety goal to permanently close both Doran Street and Broadway/Brazil at-grade crossings. It eliminates the cumulative effects of constructing two separate grade separations at two different times. If a grade separation is constructed at only Doran Street right now, we anticipate another grade separation soon to improve safety at the Broadway/Brazil crossing. This will be required because of increased service levels from Metrolink and Amtrak and the proposed use of this corridor for high speed trains.

The effects of constructing two grade separations at two different times in Alternatives 1 and 3 will include cumulative impact on right-of-way because of the need for additional land acquisition and business relocation. This additional right-of-way need for Alternatives 1 and 3 in the future will be the same as the current need for the Salem/Sperry Overpass. Attachment C - Cumulative Right-of-Way Impact illustrates the cumulative right-of-way impacts for the three alternatives.

The overall programmatic costs accrued from adopting each alternative is shown in figure 2 below. In addition to the overall programmatic cost savings accrued from adopting alternative 2, significant cost savings are anticipated from economies of scale if a single grade separation is constructed to replace the two at-grade crossings. Alternative 2 ensures traffic stays on the arterials in the permanent condition, and keeps both crossing open during construction. Finally, this alternative is consistent with L.A. River Revitalization Plan and the requirements of the funding sources. A summary chart highlighting how each alternative meets the project objectives is shown in attachment D - Alternatives Comparison

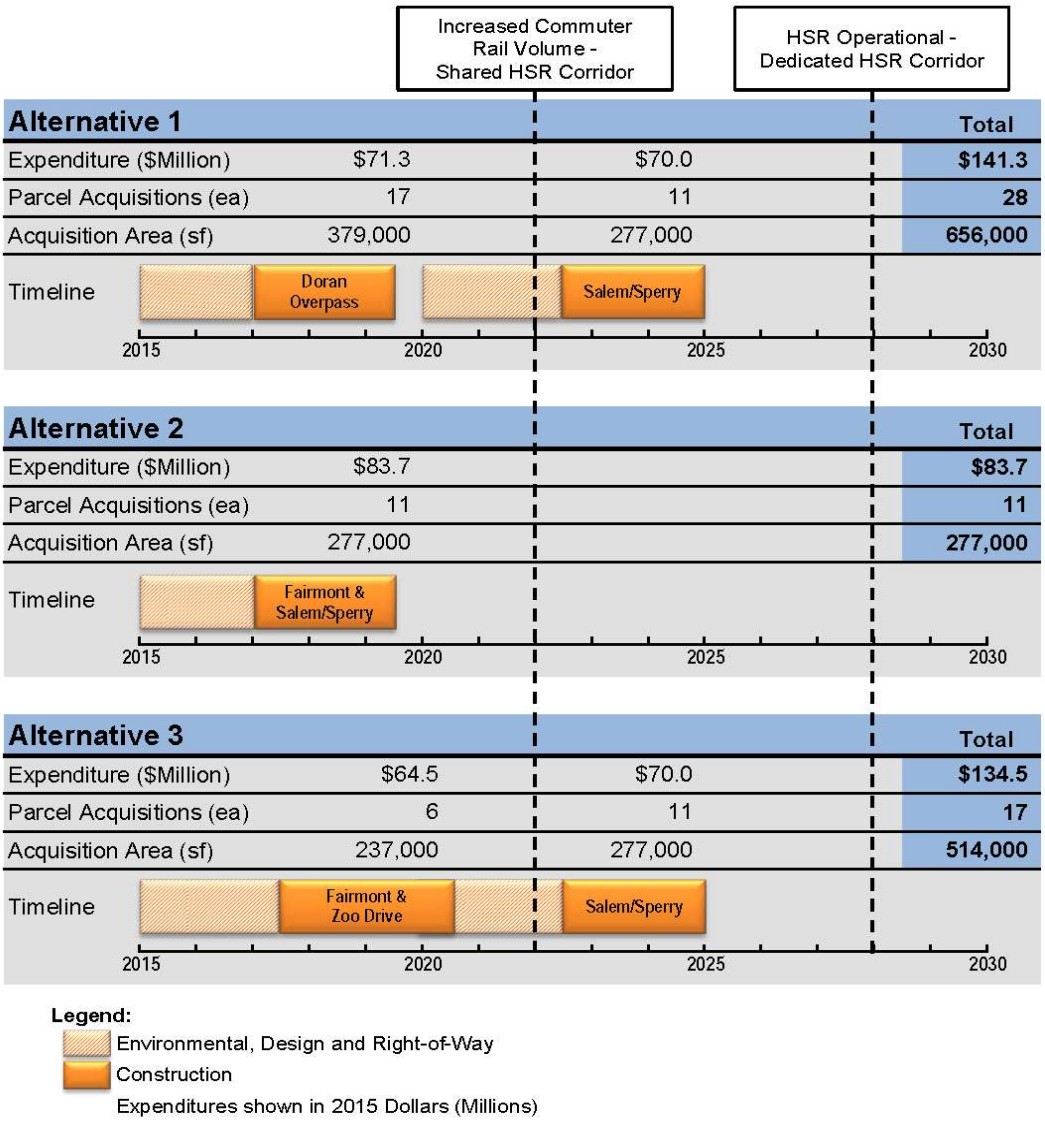


Figure 2: Project Programmatic Overview

DETERMINATION OF SAFETY IMPACT

Due to the urgent need to improve safety at this crossing, an Administrative Law Judge (ALJ) has ruled that the Doran Street at-grade crossing be closed permanently. However, there is a requirement to provide two points of access for emergency responders into the area west of the railroad corridor during an emergency. To accomplish this requirement, the ALJ required that Doran Street be converted to a one-way westbound movement until the crossing can be closed permanently.

The Broadway/Brazil at-grade crossing, located less than a half mile from the Doran Street crossing, has a similar safety record. Broadway/Brazil has 9 incidents resulting in five fatalities and three injuries. Broadway/Brazil was upgraded in December, 2014 as part of the mitigation agreement

between the city of Glendale and other agencies and the CPUC. In addition, Metro staff been involved with hearings and arbitrations initiated by the CPUC.

Irrespective of safety improvements adopted, at-grade crossings will always have the potential conflict between rail and vehicles, trucks and/or pedestrians. With a grade separation or closure, this conflict is eliminated. Over the coming years, Metrolink and Amtrak passenger service is expected to increase along this corridor. This further highlights the urgency to close these at-grade crossings. In addition to the increased service levels from Metrolink and Amtrak, the California High Speed Rail Authority (CHSRA) is also proposing this railroad corridor for their Palmdale/Los Angeles segment that is expected to be in service by 2022. In order for high speed rail to utilize this corridor, all at-grade crossings will have to be grade separated or closed.

This project has support from the Federal Railroad Administration (FRA), Caltrans, CPUC, Metrolink, Amtrak, and the CHSRA. The project comprises four phases: Alternative Analysis, Environmental Studies & Preliminary Engineering, Final Design, and Construction.

The project area includes a second at-grade crossing less than half mile south of Doran Street at Broadway/Brazil. With the two at-grade crossings being near each other, there is a higher chance for an accident occurring in the project area. Moreover, the number of incidents in Los Angeles County has continued to increase in the last five years, as shown in the Table 1 below. The ultimate safety enhancement would be to close both crossings and separate the vehicles and pedestrians from the trains.

Table 1: Los Angeles County Incident Table
(Source Federal Railroad Administration)

Year	Accidents	Fatalities	Injuries
2009	24	5	4
2010	20	6	9
2011	21	5	11
2012	20	9	19
2013	32	12	35
Totals	**117**	**37**	**78**

FINANCIAL IMPACT

$2.5 million of Measure R 3% funding for design and construction of this project is included in cost center 2415, Regional Rail FY16 Budget in Project 460091 Doran Street Grade Separation. Since this is a multi-year contract, the Executive Officer, Regional Rail will be accountable to budget the

costs in future years.

Impact to Budget

Table 2: Summary of Funding Sources	
FUNDING SOURCE	AMOUNT
Local Measure R 3%	$6.6 Million
State Proposition 1A	$45.0 Million
Federal American Recovery and Reinvestment Act (ARRA)	$15.8 Million
CHSRA and other sources	$19.6 Million
TOTAL	$87.0 Million

Measure R 3% funds are designated for Metrolink commuter rail capital improvements in Los Angeles County. These funds are not eligible to be used for Metro bus/rail operating or capital budget expenses. This programming action has no impact to the Proposition A and C, TDA or Measure R administration budgets.

The three alternatives studied have the following estimated project costs see table 3 below and the attached Project Study Report for additional information.

Table 3: Summary of Project Costs for Alternatives	
ALTERNATIVE	TOTAL PROJECT COSTS
1 Doran Overpass	$71.31 Million
2 Fairmont Connector and Salem / Sperry Overpass	$83.73 Million
3 Fairmont Connector and Zoo Drive Connector	$64.49 Million

ALTERNATIVES CONSIDERED

The Board could choose not to select a locally preferred alternative. This alternative is not recommended due to the safety concerns at this crossing. The two at-grade crossings will still have the possibility of vehicle-train collisions. After several hearings and arbitrations with the CPUC, and the attempts by that agency to close the crossing, it was determined that there is a significant need to move to a grade separation.

NEXT STEPS

Upon selection of a locally preferred alternative by the Board, we will commence the environmental studies and preliminary engineering.

Upon approval of the request to program additional funds, Metro CEO will negotiate a design fee with Contractor HNTB Inc. and approve Modification 2 for signal engineering.

ATTACHMENTS

Attachment A - Project Study Report - Executive Summary
Attachment B - Constraints Analysis Matrix
Attachment C - Cumulative Right-of-Way Impact
Attachment D - Alternatives Comparison

Prepared by:

Kunle Ogunrinde, P.E., Transportation Planning Manager (213) 922-8830
Don A. Sepulveda, P.E., Executive Officer, Regional Rail (213) 922-7491

Reviewed by:

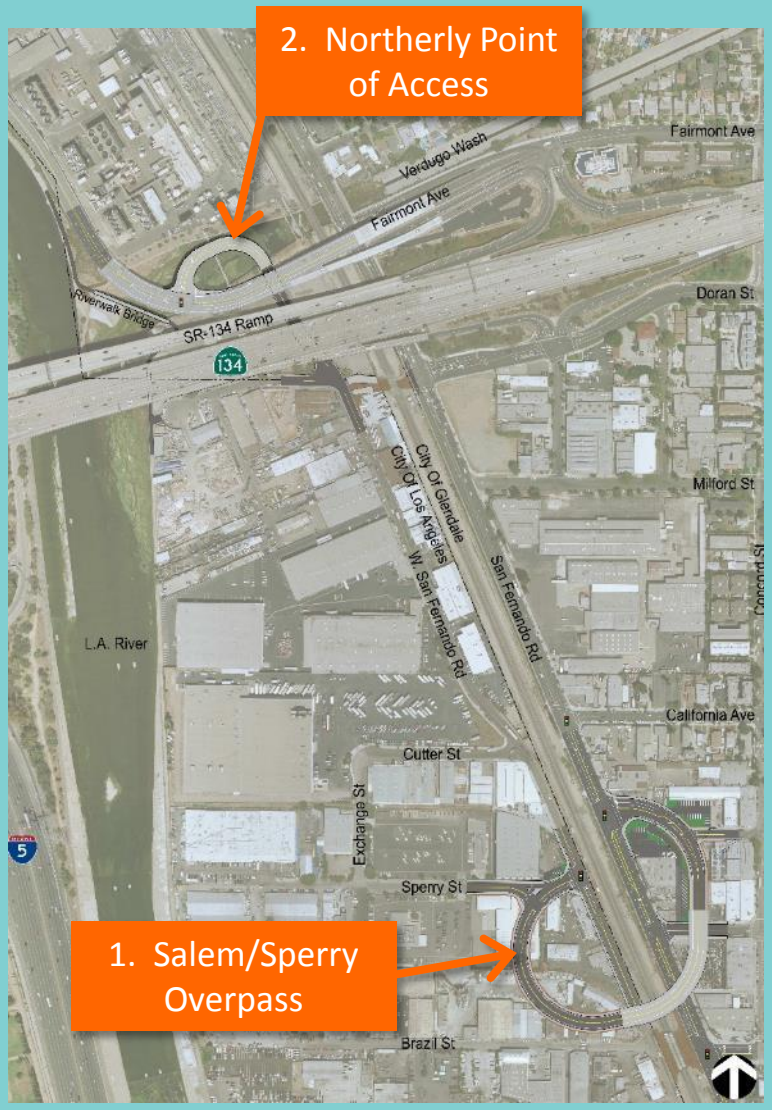
Nalini Ahjua, Executive Director, Office of Management and Budget (213) 922-3088

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

Phillip A. Washington
Chief Executive Officer

ATTACHMENT B
Northerly Point-of-Access and Salem/Sperry Overpass

- These two components work in tandem to provide a comprehensive safety and access solution
- Benefits:
  - Closes two at-grade crossings,
  - Eliminates longer term impacts with no need for a future grade separation at Broadway/Brazil
  - Uninterrupted access over the railroad corridor with minimal diversion of traffic
  - The two components support Quiet Zones for Doran St and Broadway/Brazil



Metro

ATTACHMENT C
Recommended Alternative - Salem/Sperry Overpass

Conceptual rendering; subject to change.

ATTACHMENT D-1
Recommended Alternative 2 - Northerly Point-of-Access(P-Hook)

Conceptual rendering; subject to change.

ATTACHMENT D
Recommended Alternative 2 - Northerly Point-of-Access(J-Hook)

Conceptual rendering; subject to change.

ATTACHMENT E

Metro

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Los Angeles, CA

Metro

Board Report

File #:2015-0954, **File Type:**Motion / Motion Response

Agenda Number:20.1.

REGULAR BOARD MEETING
JUNE 25, 2015

Motion by:

Ara Najarian

June 17, 2015

Item #20, File ID 2015-0339
Doran Street & Broadway/Brazil Safety & Access Project

In response to the actions of the California Public Utilities Commission, Metro has been developing a grade separation that will allow the closure of the Doran Street and Broadway/Brazil at grade crossings. Several alternatives have been examined that would provide this closure and allow two points of access into the area west of the railroad right-of-way.

Local residents have expressed concerns that Alternatives 2 will place additional traffic into neighborhoods where there is currently minimal traffic. Consequently, the community has raised options for Alternative 2 that should be further studied. These options included the elimination or reconfiguration of the Fairmont Connector portion of Alternative 2.

Alternative 2 as presented to the Board provides the most opportunity for safety and mobility in the area. However, there is a possibility that this alternative will direct additional traffic into neighborhoods where there is currently minimal traffic. Furthermore, it appears that there are ways of providing the necessary access to the area with minimal impacts to the community.

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

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

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

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

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ATTACHMENT C
Recommended Alternative - Salem/Sperry Overpass

Conceptual rendering; subject to change.

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Metro

Board Report

File #: 2019-0747, **File Type:** Project **Agenda Number:** 6.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: DORAN STREET AND BROADWAY/BRAZIL GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

APPROVE the Active Transportation Access for the Doran Street and Broadway/Brazil Grade Separation Project (refer to Attachment A).

ISSUE

In January 2017, the Metro Board approved the Doran Street and Broadway/Brazil Grade Separation Project with the Salem/Sperry Overpass and the Northerly Point of Access that includes a two-way traffic connection to Fairmont Avenue with a protected bike lane and sidewalk as the preferred alternative in the California Environmental Quality Act (CEQA)/National Environmental Pollution Act (NEPA) environmental documents (refer to Attachment B). Since then, staff determined the Northerly Point of Access structure was not able to include active transportation for it connects to the Fairmont Avenue Bridge that does not allow for non-motorized traffic.

The City of Los Angeles staff along with the City of Glendale staff preferred the active transportation of the Northerly Point of Access compromise of two separate proposed pedestrian/bicycle bridges structures. One pedestrian/bicycle bridge structure is called the River Walk Bridge and the other pedestrian/bicycle bridge structure is called River Access Bridge. Staff's recommendation is to approve the River Walk and River Access bridges which are designed to provide dedicated and safer pedestrian connectivity over the existing Verdugo Wash. In addition, staff is recommending approval of the active transportation on the Salem/Sperry Overpass (refer to Attachment C). The active transportation access creates an environment that encourages more residents, employees and visitors to choose non-motorized modes of transportation.

DISCUSSION

On August 28, 2017, the City of Glendale hosted a coordination meeting with the City of Los Angeles to propose the inclusion of active transportation elements into the Doran Street Grade Separation Project. All parties agreed on the importance of providing dedicated pedestrian connections to and along the Los Angeles River and adjacent trails.

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In January 2019, the California Transportation Commission (CTC) approved the award of $16,319,000 million from Active Transportation Program (ATP) funds for the Doran Street Grade Separation Active Transportation Access Project, which is a component of the Doran Street and Broadway/Brazil Grade Separation project. All project stakeholders provided letters of support for the ATP grant with both the City of Glendale and Los Angeles including letters of intent to assume responsibility for maintenance and operations of the two active transportation structures once constructed. In April 2019, staff received an approved California Environmental Quality Act Statutory Exemption for Doran Street and Broadway/Brazil Grade Separation Project including the River Walk and River Access bridge structures. Staff will continue to seek federal, state and local grants to fund the Doran Street and Broadway/Brazil Grade Separation project.

The Active Transportation Access component for the project that comprises of the River Walk Bridge and the River Access Bridge will improve safety and increase non-motorized access between employment centers, residencies and newly developed recreational opportunities in an area that are currently land locked by the Los Angeles River, Interstate 5 and State Route 134 freeways, and the Antelope Valley Line railroad corridor with up to 90 trains per day. With train volumes in this corridor expecting to increase with planned improvements to the commuter and intercity rail service and eventual arrival of High Speed Rail service, a project like this is essential to minimize risk of bicycle and pedestrian collisions.

The River Walk Bridge will provide new access across the Verdugo Wash and under the State Route 134 freeway, connecting residents of North Atwater Village in Los Angeles directly to the new Glendale Narrows Riverwalk Trail along the Los Angeles River. Travelers in the opposite direction from Glendale will now have direct access to businesses and restaurants in Atwater Village without having to cross the railroad tracks. Future active transportations projects illustrate a Los Angeles River Bridge in the area that will provide access from the Glendale Narrows Riverwalk Trail to the Los Angeles Zoo and Autry Museum of the American West. The River Access Bridge is designed to provide a safer route spanning over the railroad corridor for the City of Glendale and Los Angeles residents and businesses alike.

DETERMINATION OF SAFETY IMPACT

This active transportation component for the project will enhance safety along the commuter corridor and the Los Angeles River by providing two separate active transportation structures while allowing improved non-motorized circulation for the Atwater Village community and City of Glendale residents.

FINANCIAL IMPACT

Adoption of the active transportation access to the Doran Street Grade Separation Project would have no impact to the FY20 budget at this time. Staff will work with Metro Planning to identify an additional ATP funding estimated at approximately $8,681,000 required for the final design of the Doran Street Grade Separation Active Transportation Access Project with a total preliminary estimate at approximately $25,000,000.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendations support Metro Regional Rail's partnership with other rail operators to improve service reliability and mobility, provide better transit connections throughout the network and serves to implement the following strategic plan goals:

- Goal 1.2: Improve LA County's overall transit network and assets;
- Goal 2.1: Metro is committed to improving security;
- Goal 3.3: Genuine public and community engagement to achieve better mobility outcomes for the people of LA County; and
- Goal 4.1: Metro will work with partners to build trust and make decisions that support the goals of the Strategic Plan.

ALTERNATIVES CONSIDERED

The Board could choose not to continue to complete the design documents for the active transportation components to the Doran Street Grade Separation Project. This alternative is not recommended due to the significant benefits this project provides to commuter rail transportation and active transportation. In addition, not recommending this alterative will risk the $16 million in grant funding already awarded to this project.

NEXT STEPS

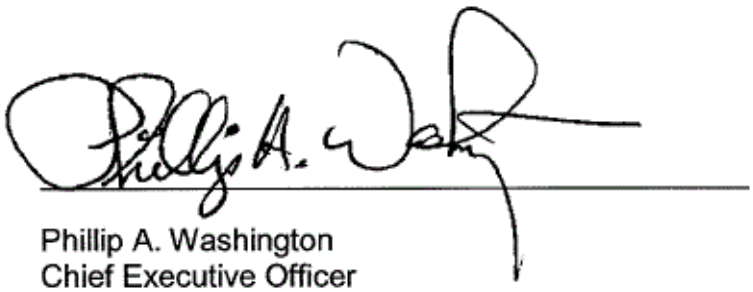
Staff shall report back to the board to program funding for the final design phase and return to the board should the final construction cost estimate exceed the ATP award of $16.3 million.

ATTACHMENTS

Attachment A - Doran Active Transportation Conceptual Plan
Attachment B - Doran Street and Broadway/Brazil Grade Separation Project January 2017 Board Report
Attachment C - Salem Sperry Overpass

Prepared by: Brian Balderrama, Senior Director, (213) 418-3177
Jeanet Owens, Senior Executive Officer, (213) 418-3189

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



Phillip A. Washington
Chief Executive Officer

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

Metro

Board Report

File #: 2019-0747, **File Type:** Project **Agenda Number:** 6.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: DORAN STREET AND BROADWAY/BRAZIL GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

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On August 28, 2017, the City of Glendale hosted a coordination meeting with the City of Los Angeles to propose the inclusion of active transportation elements into the Doran Street Grade Separation Project. All parties agreed on the importance of providing dedicated pedestrian connections to and along the Los Angeles River and adjacent trails.

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DETERMINATION OF SAFETY IMPACT

This active transportation component for the project will enhance safety along the commuter corridor and the Los Angeles River by providing two separate active transportation structures while allowing improved non-motorized circulation for the Atwater Village community and City of Glendale residents.

FINANCIAL IMPACT

Adoption of the active transportation access to the Doran Street Grade Separation Project would have no impact to the FY20 budget at this time. Staff will work with Metro Planning to identify an additional ATP funding estimated at approximately $8,681,000 required for the final design of the Doran Street Grade Separation Active Transportation Access Project with a total preliminary estimate at approximately $25,000,000.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendations support Metro Regional Rail's partnership with other rail operators to improve service reliability and mobility, provide better transit connections throughout the network and serves to implement the following strategic plan goals:

- Goal 1.2: Improve LA County's overall transit network and assets;
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ALTERNATIVES CONSIDERED

The Board could choose not to continue to complete the design documents for the active transportation components to the Doran Street Grade Separation Project. This alternative is not recommended due to the significant benefits this project provides to commuter rail transportation and active transportation. In addition, not recommending this alterative will risk the $16 million in grant funding already awarded to this project.

NEXT STEPS

Staff shall report back to the board to program funding for the final design phase and return to the board should the final construction cost estimate exceed the ATP award of $16.3 million.

ATTACHMENTS

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Attachment B - Doran Street and Broadway/Brazil Grade Separation Project January 2017 Board Report
Attachment C - Salem Sperry Overpass

Prepared by: Brian Balderrama, Senior Director, (213) 418-3177
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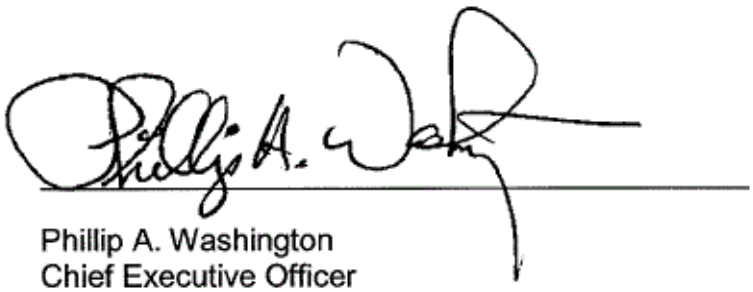

Phillip A. Washington
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Los Angeles County
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Los Angeles, CA

File #: 2019-0602, **File Type:** Agreement **Agenda Number:** 10.

PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 16, 2019

SUBJECT: NORTH HOLLYWOOD JOINT DEVELOPMENT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

CONSIDER authorizing the Chief Executive Officer to execute an amendment to the Exclusive Negotiation Agreement and Planning Document with NOHO Development Associates LLC for the development of Metro-owned property, to extend the term for 18 months with an option to extend for an additional 12 months.

ISSUE

Metro and NOHO Development Associates LLC (Developer) are parties to an Exclusive Negotiation Agreement and Planning Document (ENA) for the development of a 15-acre mixed-use project adjacent to the North Hollywood Station. The ENA is set to expire on December 12, 2019. An extension of the ENA term is necessary to allow the Developer sufficient time to fully entitle and environmentally clear the Project with the City of Los Angeles and finalize Joint Development Agreement (JDA) and Ground Lease (GL) terms, subject to Metro Board of Directors (Board) approval.

BACKGROUND

On June 24, 2016, following a competitive solicitation process, Metro and the Developer entered into a six-month Short Term ENA for the Project. Both parties executed a three-month administrative extension of the Short Term ENA on December 24, 2016, and the Board authorized an additional three-month extension on February 23, 2017. These extensions allowed additional time for Metro and the Developer to confirm feasibility of transit infrastructure requirements for Site and conduct further public outreach.

Having satisfactorily fulfilled the requirements of the Short Term ENA, on June 12, 2017 Metro and the Developer entered into a 24-month ENA, which was further extended on May 15, 2019 in order to refine the project design, negotiate terms for a JDA and GL, continue the outreach and community engagement and allow the Developer to complete the environmental clearance process. The ENA will expire on December 12, 2019.

DISCUSSION

The project (see Attachment A) consists of two primary components: (1) the integrated Transit Center, to be owned and operated by Metro; and (2) the commercial development to be ground leased to and operated by the Developer (Project). The commercial development is made possible by combining the existing Orange Line and local bus facilities and relocating the existing surface parking to allow for eight new development blocks surrounding the station.

The Transit Center includes:

- 14 local bus bays
- 12 60-foot bays for the Orange Line and future Bus Rapid Transit (BRT) Services
- A new portal to accommodate increased passenger flows between the Red Line and the Transit Center (more than double current capacity)
- Electric bus charging facilities for the Orange Line and new BRT services, with charging facility expansion capability including conduit and space allocation for future charging infrastructure at all local bus bays
- 915 dedicated park-and-ride spaces, reflecting current and projected demand for parking at the station
- Significantly reduced transfer times

The Commercial Development includes:

- 1,250-1,500 housing units (20% affordable)
- 80,000 to 120,000 square feet of ground floor retail activating the area around the Metro portal
- 400,000 - 500,000 square feet of office space
- Over two acres of landscaped public open space
- Extension of the existing street grid to improve neighborhood walkability and station access
- New bike infrastructure to support safe bike connections to and around the station
- Streetscape improvements and increased pedestrian amenities
- A Metro Bike Hub
- A dedicated pick-up and drop-off zone including a dedicated ADA pick-up and drop-off space

Metro, with support from an urban design consultant, has extensively reviewed the Developer's Project plans and provided feedback on the design. The review has focused on the public realm, transportation connections to the station and conformance with the community vision as outlined in the Guide for Development, which specifies standards and guidelines for development of the site, as

approved by the Board in 2015.

Metro's JD Process typically allows for a 30-month ENA period to refine the project design, set deal terms and allow the developer time to secure project entitlements. The 15-acre North Hollywood site is unique however, in that to make the site available for development, the Developer first had to design both a temporary and permanent transit center to house Metro's transit functions. The design of the transit center was carefully developed and refined with extensive input from and coordination with Operations, Security, ADA / Civil Rights, Systemwide Station Design, and Parking Management to accommodate projected increases in ridership at this station due to the implementation of several Measure M projects in the San Fernando Valley. This additional complexity, along with the scale and phasing of the eight remaining development blocks contained within the project site, have led to a more extended design review and entitlement timeline.

Equity Platform

Consistent with the Equity Platform pillar "listen and learn", the Project has gone through a lengthy community engagement process beginning with the creation of the Guide for Development, which articulates the community's vision for the site. The Developer continues to maintain a commitment to engaging with stakeholders, focusing especially on relationships with local businesses, artists and community non-profits. The vast public benefits contemplated by the Project represent an opportunity to "focus and deliver" by bringing high-quality open space, new bicycle and pedestrian infrastructure and streetscape improvements to the existing North Hollywood community.

DETERMINATION OF SAFETY IMPACT

Approval of this item will have no adverse impact on safety as it only seeks a time extension for the ENA period during which no improvements will be constructed. An analysis of safety impacts will be completed and presented to the Board for consideration if and when negotiations result in proposed terms for a JDA and GL.

FINANCIAL IMPACT

Funding for joint development activities related to the ENA and the proposed Project is included in the adopted FY20 budget in Cost Center 2210, Project 401011.

Impact to Budget

There is no impact to the FY20 budget. The ENA requires the Developer to pay Metro a non-refundable fee of $50,000, as well as a $50,000 deposit to cover certain Metro staff costs and third-party expenses. The deposit balance is replenished by the Developer as Metro draws down its costs.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports the Strategic Plan Goal to "enhance communities and lives through mobility and access to opportunity," specifically Initiative 3.2 which states "Metro will leverage its transit investments to catalyze transit-oriented communities and help stabilize neighborhoods where these investments are made." The proposed Project will deliver a number of community benefits, including transit-accessible housing, new open space and an expanded and enhanced transit center.

ALTERNATIVES CONSIDERED

The Board could choose not to extend the ENA term, in which case the ENA would expire in December 2019. Metro could then choose to solicit a new developer and proposal for development of the North Hollywood Station. Staff does not recommend this alternative because Metro and the Developer have worked diligently in good faith as partners to advance the Project. Furthermore, the recommended action builds upon the significant community input and procurement process that has transpired thus far. A new procurement process would delay the development of the Site, and Metro may fail to take advantage of currently favorable conditions in the real estate market.

NEXT STEPS

Upon approval of the recommended action, staff will prepare and execute an amendment to the ENA extending the term for 18 months with the option to extend for an additional 12 months. Metro staff, with support from a financial consultant and County Counsel, will continue working with the Developer to finalize negotiations for a JDA and GL. Following the Developer's completion of the entitlements and environmental clearance process with the City of Los Angeles and before the end of the ENA negotiation period, staff will return to the Board with recommended JDA and GL terms. The Developer together with Metro will continue to engage with the community as the Project advances. Additionally, the Developer will begin to assemble financing for the Project including affordable housing resources.

ATTACHMENTS

Attachment A - North Hollywood Joint Development Project Fact Sheet

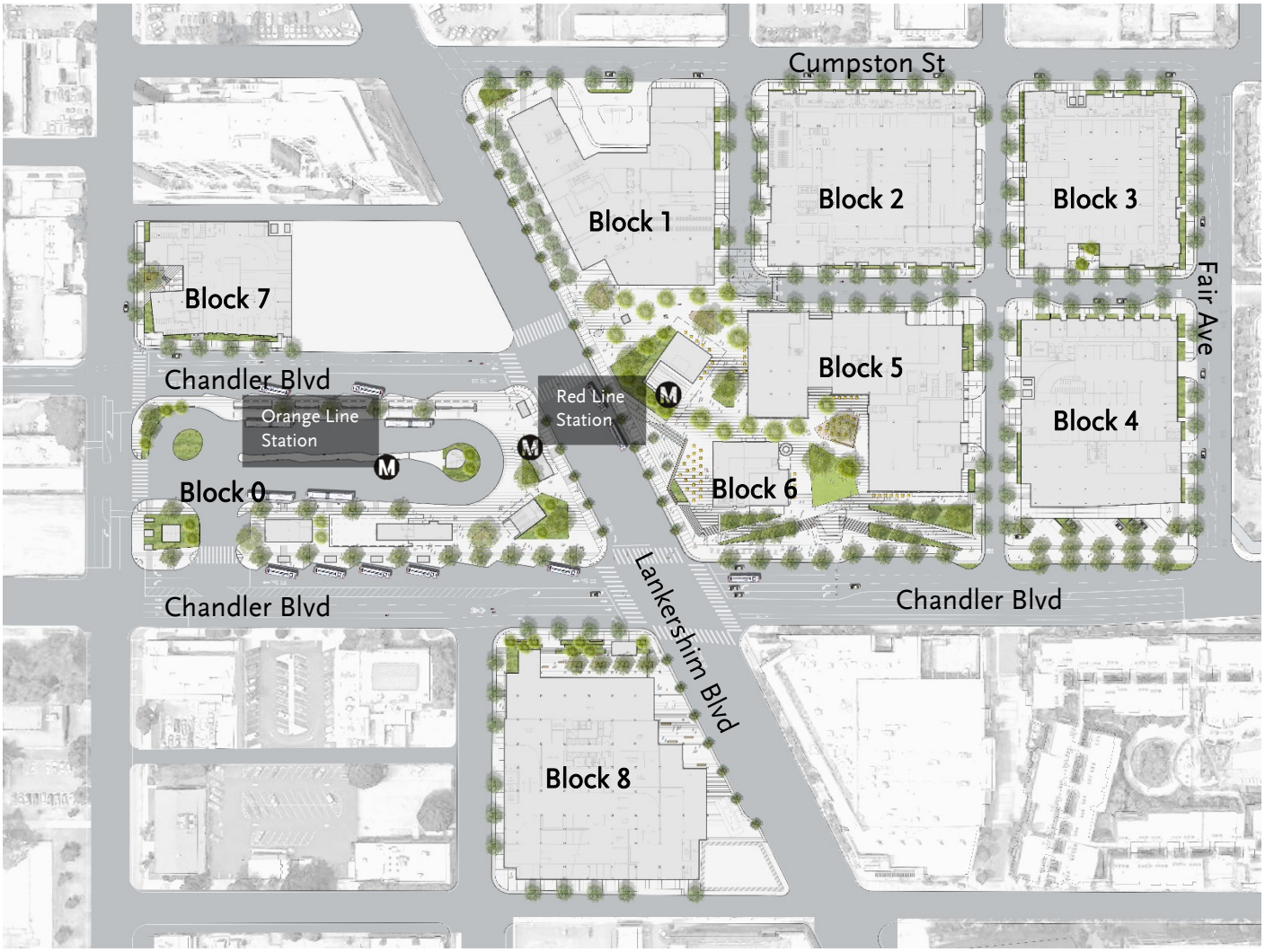
Prepared by: Wells Lawson, Sr. Director, Countywide Planning & Development, (213) 922-7217
Nick Saponara, Executive Officer (Interim), Countywide Planning & Development, (213) 922-4313
Holly Rockwell, Sr. Exec. Officer, Real Estate, Transit Oriented Communities and Transportation Demand Management, (213) 922-5585

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

Phillip A. Washington
Chief Executive Officer

Attachment A - North Hollywood Joint Development Project Fact Sheet

Joint Development Overview



Development Program

Affordable housing: 250-300 units
Market-rate housing: 1,000-1,200 units
Retail: 80,000-120,000 Square Feet
Office: 400,000-500,000 Square Feet
Open space: Over 2 Acres
Transit parking spaces: 800-1000 stalls

Project Schedule

District NoHo will be constructed in phases to ensure all transit services remain operational during construction. The first phase will construct a temporary transit center, followed by a permanent transit center and the first block of affordable housing.

DESIGN REVIEW & ENTITLEMENTS METRO BOARD CONSIDERATION	PHASE I: TEMPORARY TRANSIT CENTER CONSTRUCTION	PHASE II: PERMANENT TRANSIT CENTER & AFFORDABLE HOUSING	PHASES III - VII: NOHO SQUARE CONSTRUCTION & BEYOND
24 MONTHS	6 – 8 MONTHS	18 – 20 MONTHS	4 – 8 YEARS

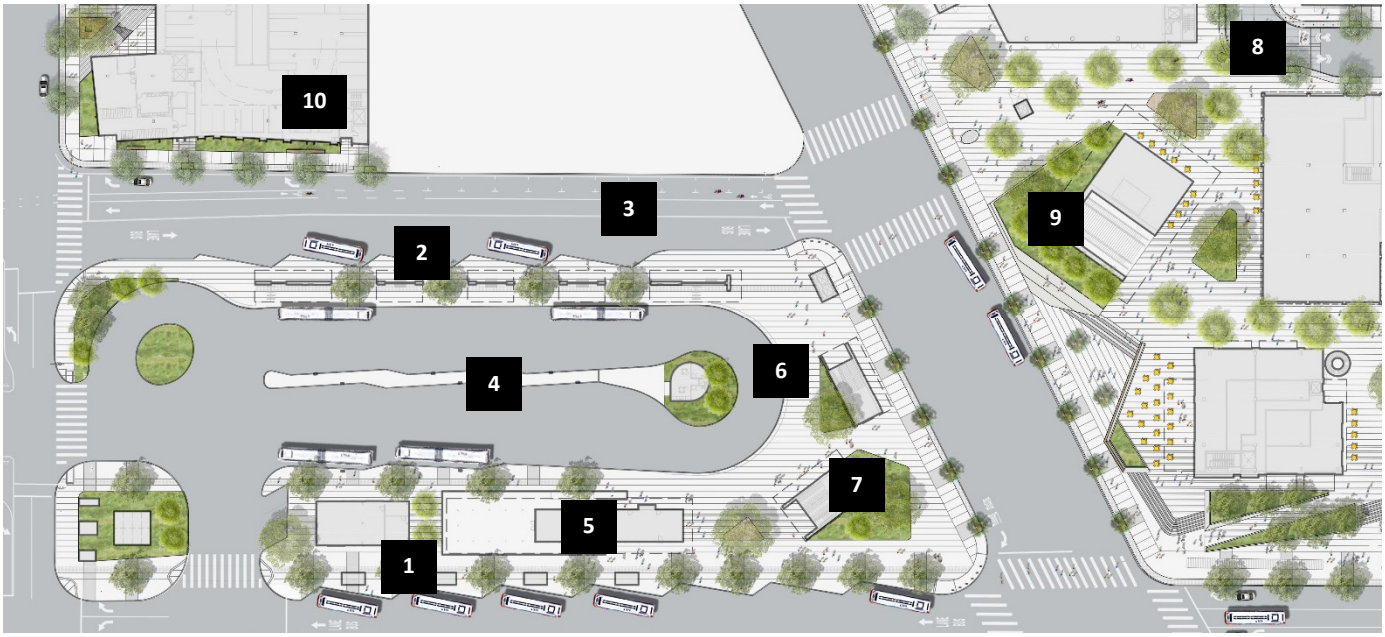
Project Renderings

The Project design and architecture is organized around transit and mobility.

Reflecting input received from Metro's 2015 community outreach effort, the Project will integrate local-serving retail and a variety of open spaces.

The transit center will expand station capacity and simplify connections making for a faster, easier transfers.

Transit Center Details

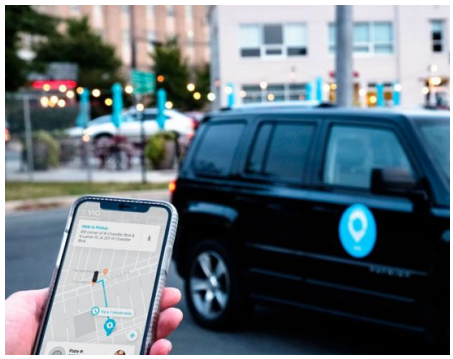


1. Expanded bus transfer and layover facilities
2. New passenger waiting areas
3. Dedicated bicycle facilities connecting to the Burbank-Chandler Bikeway
4. Electric Bus Charging
5. Preserved Lankershim Depot
6. Improved pedestrian connections to the Red Line
7. Transit Security Center
8. Dedicated pick-up and drop-off zones
9. New iconic station portal
10. Metro Bike Hub

Mobility for Everyone

Bike Hub / Bike Share

Metro Bike Hubs include secure bike parking, safety gear retail, and bike repair services. Users making local trips may hop on one of Metro's new Smart Bike Share bikes.



Pick-up/drop-off

Ridesharing services – such as Uber, Lyft, and Via – will be integrated into the project design to maximize travel options.

Complete Streets

New streets will be designed as public spaces that are safe, convenient, and welcome all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

Next stop: building communities.

North Hollywood
Joint Development ENA Extension

Regular Board Meeting

October 24, 2019

Legistar Item: 2019-0602

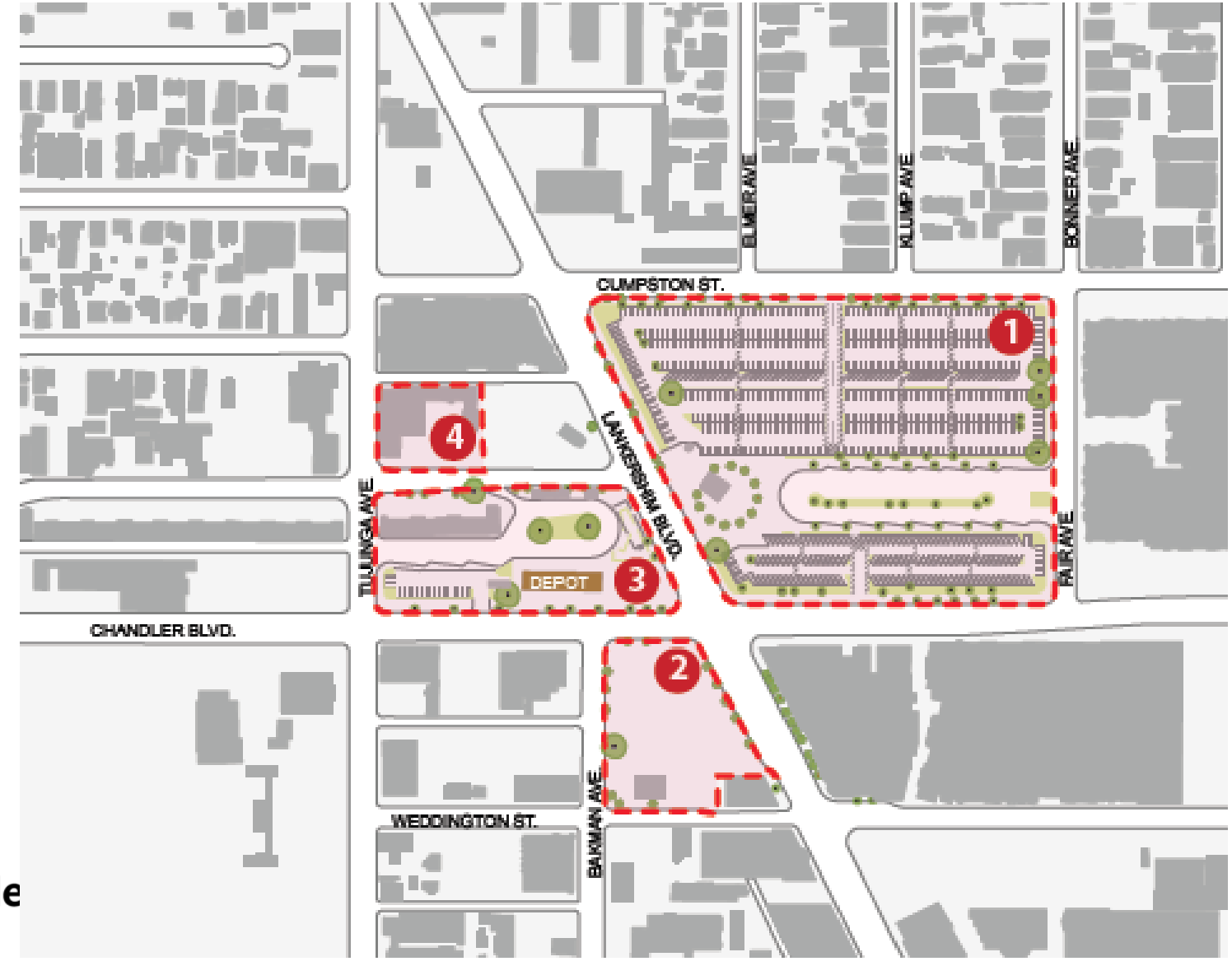
Agenda Item: 10

Metro

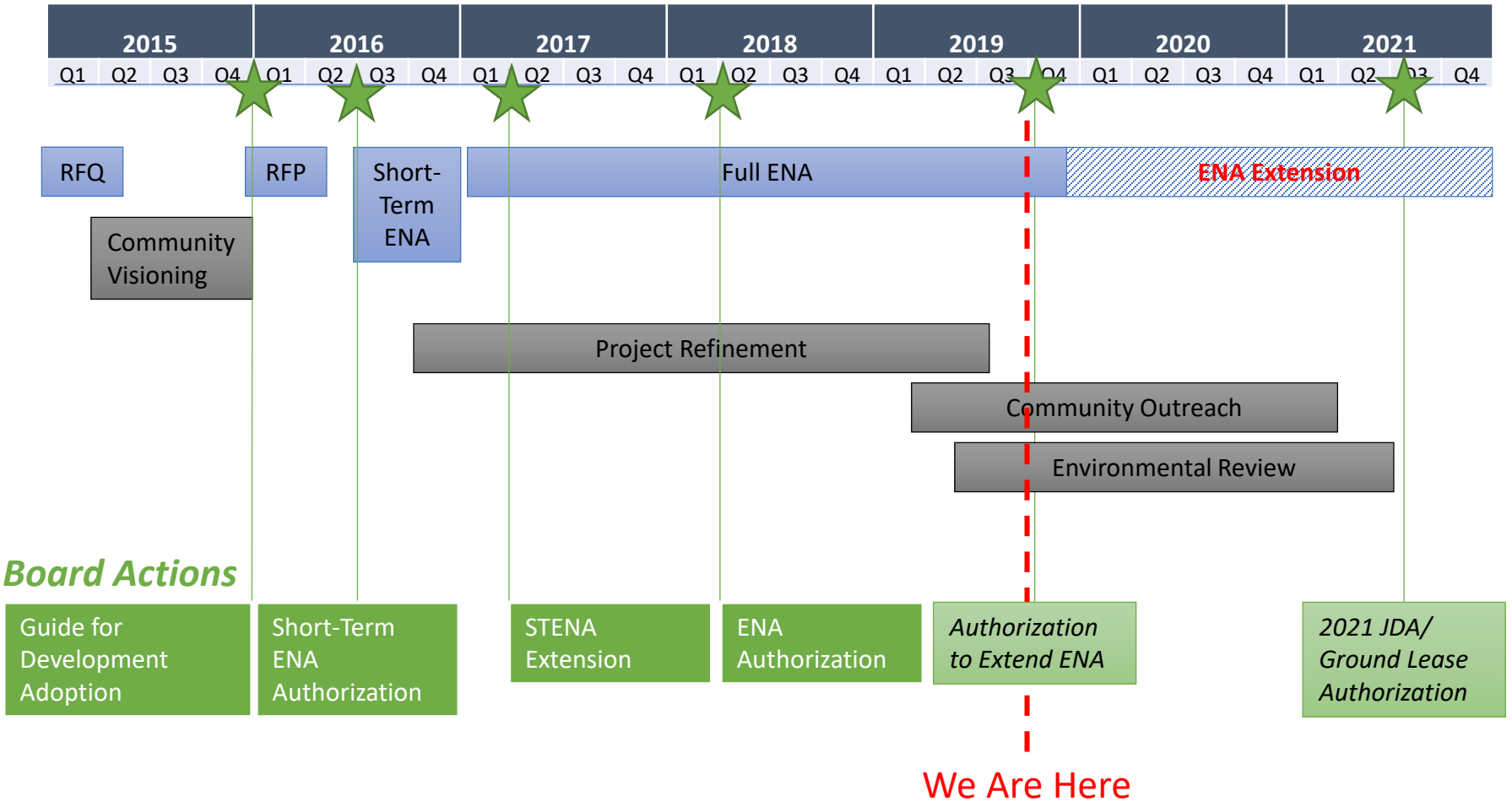
Recommendation

CONSIDER authorizing the Chief Executive Officer to execute an amendment to the Exclusive Negotiation Agreement and Planning Document with NOHO Development Associates LLC for the development of Metro-owned property, to extend the term for 18 months with an option to extend for an additional 12 months.

JD Opportunity Site

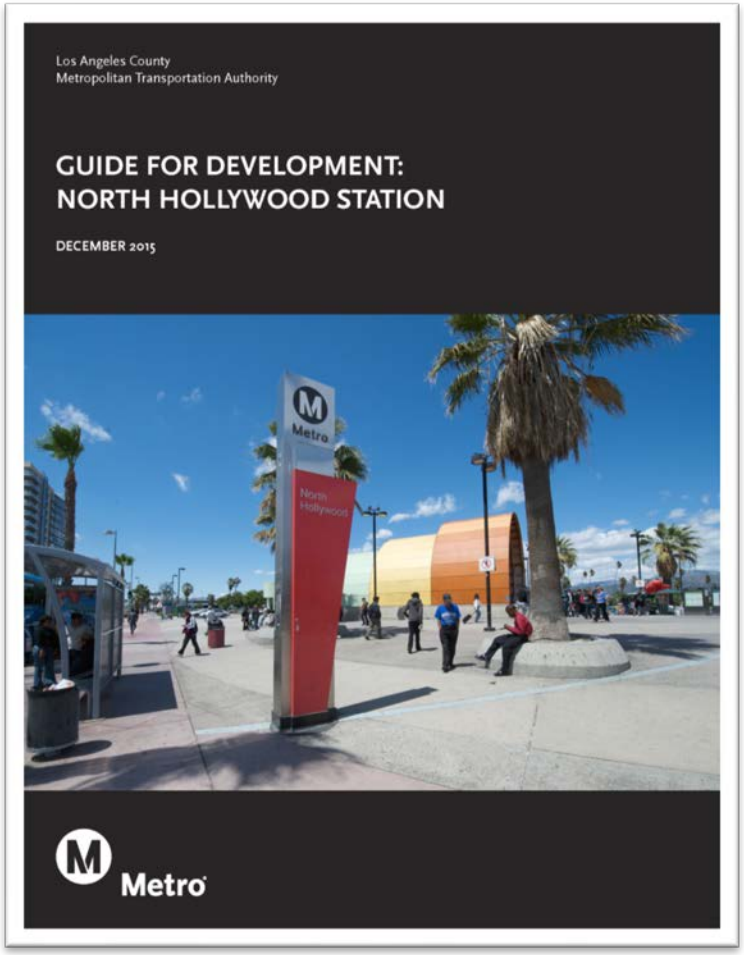


Timeline



Metro

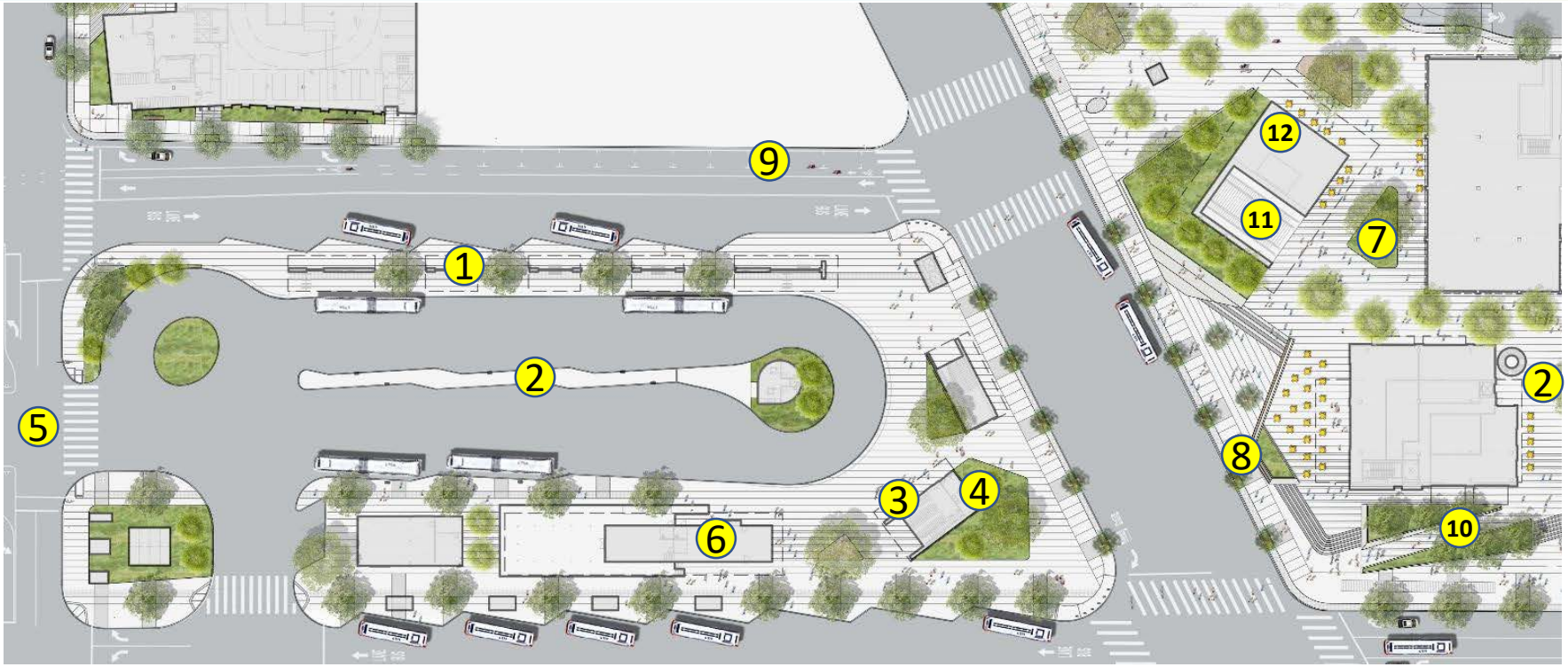
Development Guidelines



- Continuous Operations of Transit Center
- Preference for Local Retail
- Community Open Space and Programming
- Streetscape Improvements
- Metro Bike Hub and space for Bikeshare
- Extension of Chandler Cycletrack
- Preservation of Subsurface Structures
- Accommodate LRT Conversion and ROW
- Expansion of Orange Line Terminal to Accommodate Future Service
- Replacement Parking
- Public Art
- LEED Sliver

Metro

Public Benefits



1. Expanded bus transfer and layover facilities
2. Electric Bus Charging
3. New Red Line Portal
4. Transit Security Center
5. Orange Line Gating
6. Preserved Lankershim Depot and Plaza
7. 1.2 acre community park
8. Streetscape improvements
9. Chandler Cycletrack Gap Closure
10. Public art and performance space
11. New iconic station portal
12. Metro Bike Hub

Metro

Affordable Housing

- Minimum 20% affordable at all stages of the project
- 311 new affordable units (currently Metro has 746 affordable units in its portfolio)
- First affordable housing phase and Transit Center must be completed before market rate development
- 99-year Covenant
- Affordable to households earning less than 50% of Area Median Income and below
- Currently 635 units (52% of total) in the North Hollywood development pipeline are affordable, not including the Project.

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

Metro

Board Report

File #: 2019-0718, **File Type:** Informational Report **Agenda Number:** 33.

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE
OCTOBER 17, 2019

SUBJECT: QUARTERLY UPDATE ON METRO'S HOMELESS OUTREACH EFFORTS

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE Update on Metro's Homeless Outreach Efforts.

ISSUE

In spring 2016, Metro created the Metro Homeless Task Force to address the displaced persons that have turned to Metro system and property for alternative shelter. Out of the Task Force, Metro created the Metro Transit Homeless Action Plan which was presented to the Metro Board of Directors in February 2017. The Action Plan's goals are to enhance the customer experience, maintain a safe and secure system, and provide coordinated outreach. Components of the plan include Metro's coordination with County and City Measure H and Measure HHH. The plan also called for the hiring of two C3 teams (County, City, Community) through the County Department of Health Services as indicated by Metro's Board of Directors. The C3 teams are to provide coordinated and responsive outreach to the homeless and to ultimately get them in housing resources.

BACKGROUND

In 2017, after an extensive study and community review, PATH was contracted (via The Dept. of Health Services) to begin a pilot program-two multi-disciplinary teams (MDTs-consisting of a Mental health Specialist, a Substance Abuse Specialist, and a Generalist often with lived experience-supported by a medical professional shared between the teams) on the Metro Red Line, M-F, 7 am to 3:30 pm. After a few months of operation, the data supported adding additional coverage and in 2018 the Metro Board decided to expand to eight teams operating across the system, with some teams working 11 pm to 7:30 am and others 7 am to 3:30pm. Flexibility has been built into the approach, and the current deployment of teams during two shifts has proven to provide the best coverage and greatest flexibility in addressing the shifting needs on the system.

DISCUSSION

The PATH MDT approach to homeless outreach is an evidence-based "whatever it takes" practice

proven effective in building rapport and helping people who are experiencing homelessness to move off the streets and into permanent housing in accordance with their needs, abilities and desires. PATH teams offer services and support including meeting simple basic human needs, support in obtaining required documentation, connections to mental and physical health support, transportation support, housing location support, referrals to programs designed to assist people in finding/obtaining/maintaining permanent housing, etc. The approach is supportive, and thus PATH works in partnership with security and law enforcement whose approach typically focuses on security and enforcement for the benefit of all Metro riders.

Daily:

PATH teams "huddle" at Union Station daily at 7 am, providing teams an opportunity to communicate and receive any specific news/info/assignments in response to any requests from Metro, Metro Security, LAPD, other law enforcement, service and community partners. A typical pattern of deployment is engaged (please see below) with the understanding that we are available to respond to specifics of each day. PATH team members will typically be reaching out to offer services as well as continuing the engagement process and providing on-going support to those with whom they have already connected.

Communication:

All PATH team members are equipped with cell phones and ipads. Program Managers coordinate requests for immediate response and all are in constant communication regarding location and availability. Given the changeable nature of the work, this is essential. Team documentation takes place in the field.
The communication with Metro Security and other law enforcement partners is continual. LAPD and others will attend morning huddles as needed to communicate any needs/concerns.

Data:

PATH teams enter data into the federally-mandated Homeless Management Information System (HMIS) to record information/case notes/documentation. Data collection, analysis, and presentation are performed by the Health Service Department. The PATH teams provide Metro with a basic monthly report including numbers of contacts, numbers of folks connected to services, and number of folks who have been connected to permanent support programs, with YTD and Contract-to-date totals.

Oversight/Cooperation:

The PATH Metro MDTs work in partnership with the Health Services Department which provides guidance, training support, data support, etc. PATH's communication is continual and they meet at least monthly for review and support. PATH deploys Program Managers who directly oversee MDTs as well as Associate Directors who provide direction, administrative leadership and support, as well as "boots-on-the-ground" guidance, engagement and accompaniment for the MDTs. PATH also provides licensed clinical support for the teams. The PATH team is in regular communication with Metro Security as well as with the Metro Project Manager to coordinate services and meet pressing

needs.

General Deployment strategy and line coverage specifics:

At any given time PATH teams will be found across Metro rail/bus lines, responding to specific observations and requests as well as doing outreach to people in need. Staff are deployed at 3 a.m. - 11:30 a.m. and 11 a.m. - 7:30 p.m. Focus is on the Red Line, with Union Station as a priority. When the teams reach terminus points the teams leave the trains and outreach the bus system as well.

Union Station coverage:

Swing shift red line team specifically cover Union from 3:30-5:30am. Red and Gold line teams also sweep Union each time they pass through Union throughout the shift, which provides additional hours of coverage throughout the day.

Day teams rotate specifically covers Union from 7:30-9:30am. If there are individuals seeking assistance, the team remains longer to provide services. If the team is not encountering anyone looking for services, they disperse to their assigned lines. Red and Gold line teams also sweep Union each time they pass through throughout the shift, which provides additional hours of coverage throughout the day.

Security/LAPD contacts day time manager and nighttime managers when individuals are interested in services at Union or other stations, and when a team is not on-site, the closest available team member is assigned to respond.

Both teams begin their shifts with a huddle at Metro headquarters. The swing shift teams then disperse to the terminus points to outreach as the gates open. The day shift teams attend the huddle, and then either meet with clients for pre-scheduled appointments, or proceed to their assigned lines for outreach.

Once an individual is encountered who is interested in services, the team spends time working toward housing and related services with that individual. Team members accompany clients to appointments such as medical or mental health, take individuals to obtain documentation such as ID’s, attend housing related appointments, take clients to shelters, etc. The bulk of outreach work is in assisting the individuals with the tasks necessary to obtain housing and health. As the program has continued, the teams have become very familiar to folks experiencing homelessness on the system, and much of the team’s time is spent with these follow-up activities. When the teams are not working with a specific individual, they spend their time outreaching their assigned lines and locating new individuals to assist.

People who are experiencing homelessness may have difficulty trusting staff members or express that they are not initially interested in services. In these situations, the team continues to build rapport through repeated contacts, offers of assistance, or items such as food and water. For individuals who have been homeless for a considerable amount of time or have serious mental health issues, the team may spend months or even years building rapport before a person agrees to move forward with housing related services.

In addition to working with individuals, the team also attends outreach coordination meetings throughout the county in order to obtain additional resources and coordinate client care.

PATH Impact Stories resulting in Stable Housing

I. July 10th, two PATH Outreach Team members brought Mr. Mathew Norwood, a youthful African American, to the Leadership Academy program at Metro to share his testimony. Mr. Norwood had been using drugs and was disconnected from family; he described himself as "lost." Mr. Norwood became homeless for two years and sought shelter at Union Station. PATH engaged Mr. Norwood for some time before he agreed to accept assistance. July 10th was a memorable day in the life of Mr. Norwood. Mr. Norwood described the "rough life" he lived and expressed profound gratefulness for PATH's persistence in reaching out to him. At the conclusion of Mr. Norwood's presentation, he joyfully said that he had been reunited with his family and that PATH was accompanying him to sign his lease for permanent housing that afternoon. All present gave Mr. Norwood a standing ovation!

II. Client is a 41 year old female who has been working with PATH Metro MDT since March 2019. June 2019, client returned to school. As a result of engaging in mental health services, the client is in the process of being reunified with her children. Client Quote: "Months ago I wouldn't believe any of this could happen."

III. S is a 54 year old African American male who became homeless in January 2019, after he could no longer pay for a room in Compton, CA. He was staying at various homeless shelters throughout LA, and often rode the Metro trains to stay safe during the day. S is highly functioning and capable of living on his own; however, he was unable to independently find a housing opportunity that he could afford on GR.

On 4/23/19, Metro MDT Substance Use Specialist Julian engaged S at the 7th and Metro Red Line Station. To build rapport, Julian accompanied S to a nearby wash station to shower and do laundry. After an assessment, Julian and S decided to work toward a housing plan. Based on S's capabilities and independence, Julian began the referral process to Skid Row Housing Trust's affordable housing units. S continued to stay at the VOA shelter in LA through this process. By mid-May, Julian ensured that S was document ready, in case an affordable SRO unit became available through SRHT. In early June, S and Julian attended a leasing interview at SRHT and he was successfully approved for an affordable unit. Unit inspection was completed and S utilized his savings to pay the deposit.

As a result of his engagement with Substance Use Specialist Julian, S was able to get connected to an appropriate housing opportunity. This was vital to get S out of the shelter system and into permanent Housing. Julian provided consistent case management services to ensure that S remained document ready and supported at his leasing/move-in appointments. S moved into his new apartment at the SRHT St. Marks Hotel on 8/15/19.

IV. Cumulative Performance Metrics:

a. Through PATH C3 Outreach Team workers, 145 homeless individuals were permanently housed beginning May 17, 2019 - August 31, 2019.

LAPD Outreach

V. Reported several contacts during the month of July resulted in positive contacts with individuals that were interested in services. There is ongoing efforts to bring these outreach efforts to a long-term solution. The most significant success for July is the 35 new contacts by HOPE's DMH clinician that has resulted in several individuals being connected to outpatient mental health and other services.

VI. LAPD TRSG HOPE Officers and DMH engaged a homeless female on 08/06/19 while conducting outreach at the Orange Line/De Soto Station.

During their contact officers determined that Brenda had been enlisted in the U.S. Army from 2001 to 2006 and had been deployed to Iraq three times. While in the service she met her husband and they later had a child together. Approximately one year later she separated from her husband and moved from Texas to New York where she attempted to start a small business and attend law school. Due to child custody and other family struggles Brenda fell into homelessness. Brenda decided to move to Alaska and starting working while living out of a motorhome. After working a seasonal job, she relocated to Seattle. She again attempted to operate a small business but approximately six months into living in Seattle she was involved in a traffic collision causing her to lose her motorhome and all of her belongings. After becoming homeless she relocated to Santa Clarita followed by Compton and then set up camp along the Orange Line at De Soto. Brenda is an admitted Meth user and based on the initial assessment she has been for approximately two years.

Officers and DMH confirmed her Veteran status and transported her to the VA in the San Fernando Valley to apply for benefits. She was also connected to PATH. PATH placed Brenda into a motel in West Hollywood while working on more permanent housing. On 08/27/19 officers transported to Brenda to the WLA VA to transfer her case and connect her to a social worker for further benefits. On 08/28/19 it was determined that Brenda will receive full benefits and will be placed into shared housing.

Homeless Projects in Progress:

1. Faith Leader Survey
   - Goal: identify faith leaders' concerns, perceptions and recommendations
   - Serves as a basis for open discussion/exploration
   - Identifies areas of collaboration to mitigate homelessness on Metro's system
   - Supports continuity of connection between Metro and faith leaders (post-Faith Leader Roundtable event)

2. Faith Leader Roundtable Events
    - Opportunity to follow-up and collaborate with faith leaders on:
        - hosting Connect Days
        - partnering with entities that provide necessities (food, shelter, clothing)
        - providing counseling (voluntary)
        - providing welcome home boxes containing household items
        - purchasing welcome home boxes (empty boxes to be filled)

As a result of the Korean Faith Leader Roundtable Event, August 8th, Pastors expressed interest in reconvening to expand the homelessness conversation. One Pastor, Timothy Park, contacted the homeless SSLE's project manager in mid-July with a request to connect four (4) homeless individuals to PATH services. Pastor Park, PATH team members, the four homeless individuals and project manager met to begin the intake process. PATH continues to work with these individuals.

3. Esri Mapping Tool

The Esri app is a location strategy to reduce homelessness. Introducing the Esri mapping app to C3 Homeless Outreach efforts will prove to be an effective tool to strategically deploy resources where needed in near real- time. The use of the Esri app will revolutionize the traditional manner of data collection thereby increasing efficiency and accuracy in deployment and data collection.

- The Esri mapping app will enable C3 Outreach team members to:
- Identify the geographic location of the homeless transit population in near real-time.
- Count the homeless transit population in point-in-time surveys.
- Connect homeless persons with support and services.
- Report and analyze homeless activity.
- Assess risk factors and indicators.

The use of the Esri mapping tool will enhance the Customer Experience by ensuring that homelessness is addressed rapidly throughout the System.

ATTACHMENTS

Attachment A - Homeless Snapshot Outreach June-August 2019

Prepared by: Aston T. Greene, Interim Chief, System Security and Law Enforcement, (213) 922-2599

Reviewed by: Phillip A. Washington, Chief Executive Officer, (213) 922-7555

Phillip A. Washington
Chief Executive Officer

Metro Homeless Snapshot – By System Outreach

C3 Teams

Performance Measure	Number Served August 2019	Project Year to date Number Served (May 2017 - August 2019)
Contacts with unduplicated individuals	192	5,818
Unduplicated individuals engaged	68	3,071
Unduplicated individuals provided services (obtaining vital documents, follow-up activities, transportation, CES packet, clinical assessment, etc.) or successful referral (supportive services, benefits linkage etc.)	93	2,462
Unduplicated individuals engaged who are successfully linked to an interim housing resource	51	1,034
Unduplicated individuals engaged who are linked to a permanent housing resource	7	358
Unduplicated individuals engaged who are permanently housed	10	145

Law Enforcement Homeless Outreach (June 2019 – August 2019)

ACTION	LAPD HOPE	LASD MET	LBPD Q.O.L	Total
Contacts	3,181	1,595	129	4,905
Referrals	59	897	26	982
5150 Hold	30	46	2	78
Mental Illness	52	537	26	615
Substance Abuse	97	445	16	558
Veterans	6	30	1	37
Shelter	1	15	3	19
Motel With Housing Plan	2	1	0	3
VA Housing	3	0	0	3
Return To Family	0	2	2	4
Transitional Long Tern Housing	2	0	1	3
Detox	8	0	0	8
Rehab	1	3	0	4

Metro

LAHSA Point-In-Time Count on Metro

- Friday, January 25, 2019 from 5am – 7am
- 55 Volunteers
- Count on platforms only

Individuals experiencing homelessness on Metro station platforms categorized by line

Station Line or Station	Individual Adults
Blue	20
Expo	3
Blue/Expo	9
Gold	30
Green	4
Purple	12
Red	21
Red/Purple	20
Union Station	100
TOTAL	**219**

Source:2019 Greater Los Angeles Homeless Count, LAHSA

Metro

LA Metro's Transit Homeless Action Plan

Quarterly Board Update
2019-0718

Metro

Metro Provides Excellence in Service and Support.

LA County Homeless

People experiencing homelessness at point-in-time count

CITY OF LOS ANGELES
16% Increase

COUNTY OF LOS ANGELES
12% Increase

The LA CoC total number was 56,257 a 12% increase from 2018. The LA CoC is Los Angeles County excluding Glendale, Pasadena, & Long Beach CoCs.

LAHSA

*LAHSA 2019 vs. 2018 figures

Metro

LA Metro's Homeless Action Plan

Research

Education

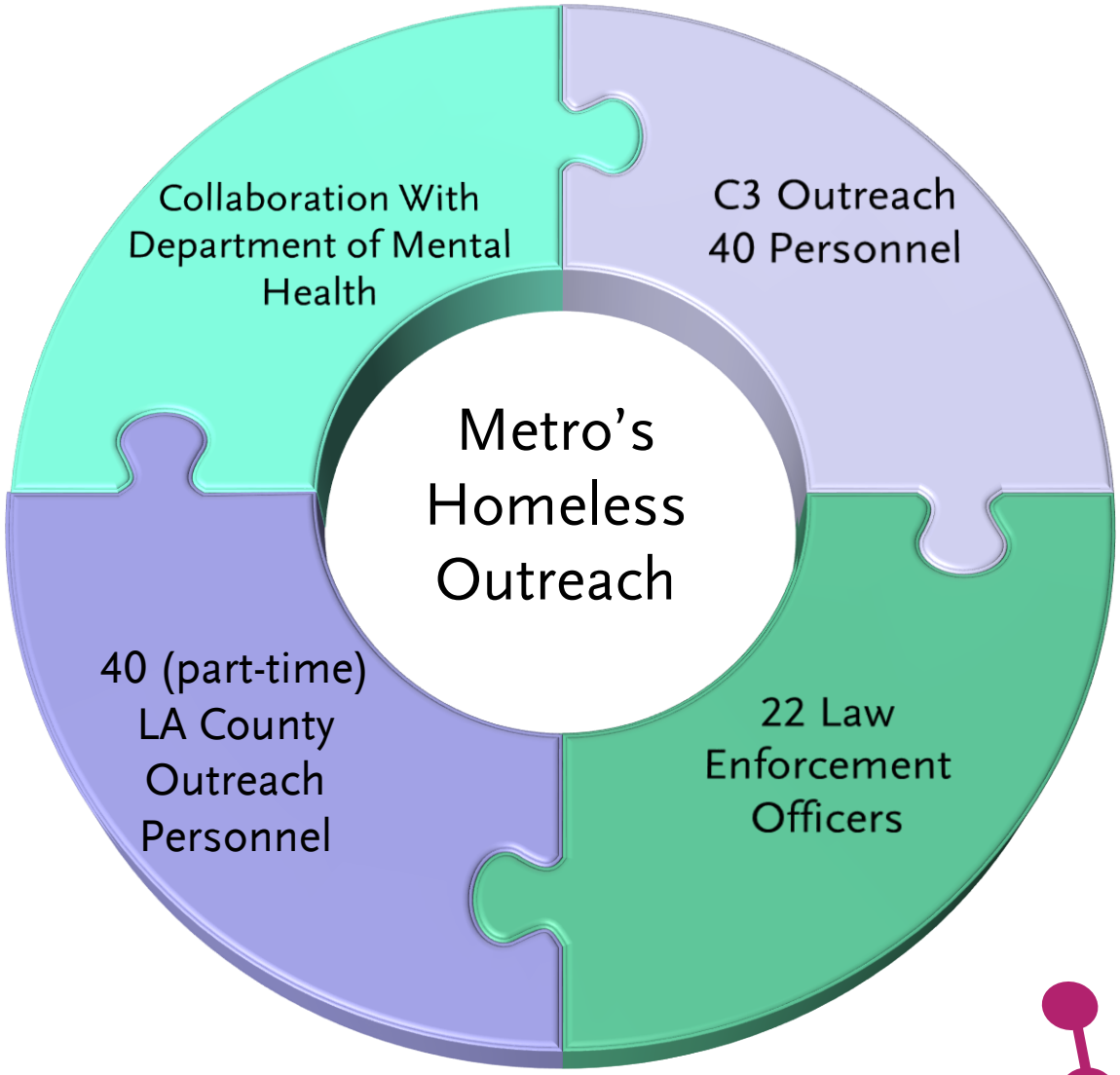
Coordination

Outreach

- Enhanced ridership experience
- Improved public safety for all passengers
- Coordinated and responsive homeless outreach and engagement

Metro

Holistic Approach



Metro

C3 Teams Outreach Results

Performance Measure	Number of Persons Served Jan-Aug 2019	Cumulative of Persons Served (May 2017-Aug 2019)
Contacts with unduplicated individuals	1,768	5,818
Unduplicated individuals engaged	667	3,071
Unduplicated individuals provided services (obtaining vital documents, follow-up activities, transportation, CES packet, clinical assessment, etc.) or successful referral (supportive services, benefits linkage etc.)	899	2,462
Unduplicated individuals engaged who are successfully linked to an interim housing resource	446	1,034
Unduplicated individuals engaged who are linked to a permanent housing resource	69	358
Unduplicated individuals engaged who are permanently housed	75	145

Metro

File #: 2019-0712, **File Type:** Motion / Motion Response **Agenda Number:** 39.

CONSTRUCTION COMMITTEE
OCTOBER 17, 2019

SUBJECT: METRO BUSINESS SOLUTION CENTER (BSC)

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

A. RECEIVING AND FILING the status update and assessment of the Pilot Crenshaw/LAX Business Solution Center (BSC) and an analysis for the expansion of the BSC from a pilot to permanent program for all upcoming light rail projects in the Measure M pipeline; and

B. AUTHORIZING the Chief Executive Officer to transition the Metro Business Solution Center from a pilot to a permanent program and expand the program to all upcoming light rail projects in the Measure M pipeline.

ISSUE

Metro's Board of Directors (Board) issued Motion 38.1 on June 27, 2019 (Attachment A) that authorized the Chief Executive Officer (CEO) to transition the pilot Metro Business Solution Center to a permanent program and expand the program to all upcoming light rail transit projects in the Measure M pipeline inclusive of the "Four Pillar Projects" identified as part of the "Twenty-eight by '28" Initiative. As highlighted by the Board, the light rail transit projects will bring high-quality transportation options to communities throughout Los Angeles County. However, during construction, the local small business communities will likely experience construction impacts that may hinder their daily operations.

In accordance to the Board's Motion, the Receive and File Report provides a status update and assessment of the Pilot Crenshaw/LAX Business Solution Center and an analysis for the expansion of the Business Solution Center (BSC) from a pilot to permanent program for all upcoming light rail projects in the Measure M pipeline.

BACKGROUND

Recognizing the importance of supporting small businesses during construction as vital to ensure economic sustainability of communities, Metro's Board of Directors issued Motion 79 (Attachment B)

on July 24, 2014 that authorized the CEO to establish the Pilot Crenshaw/LAX Transit Project BSC to provide hands-on case management services and business assistance to small businesses along the Crenshaw Corridor between 48th and 60th Streets during the term of the Crenshaw/LAX Transit Line Project. Furthermore, in recognition of construction impacts to small businesses outside of the original boundary of 48th and 60th Street, Metro expanded the BSC to provide an increased level of support services to all businesses along the Crenshaw/ LAX Corridor. The BSC, which has been operational for nearly five years, continues to provide direct hands-on technical assistance to small and micro businesses within the Crenshaw and Inglewood communities impacted by the transit rail construction. As of September 2019, more than 300 small businesses have been supported by Metro's BSC.

DISCUSSION

The program model for Metro's Pilot BSC was developed through the framework outlined in a July 2014 analysis, "Recommendations for a Pilot Metro Business Solutions Center," developed by Estalano LeSar Perez Advisors, LLP, and through the recommendations as outlined in Board Motion 79. The early implementation of the BSC focused on providing business assistance including expert business advice, technical assistance and other resources for businesses in the target area of Crenshaw Boulevard from 48th - 60th Street based on construction activity of the at-grade portion of the transit rail project. The BSC program model and the scope of services has evolved throughout the operations of the center; and Metro staff has gained many lessons learned, insights into the effects of construction impacts on small businesses, and the type of technical and support services that help businesses sustain during the period of impact.

This report provides a status update on the BSC, including a high-level assessment based on the current program model, and an analysis for the expansion of the BSC for Measure M light rail projects with focus on the "Four Pillar Projects." Additionally, the report provides an overview of the "Metro Pilot Business Solutions Center Expansion Analysis (Report)" developed by Chen Ryan Associates.

I. Crenshaw/LAX Business Solution Center Assessment

In response to the construction impacts that businesses within the Crenshaw and Inglewood communities were experiencing during the early stages of Crenshaw/LAX Transit Project, Metro contracted the professional services of Del Richardson and Associates, Inc (DRA) to serve as the program administrator to operationalize the BSC along the Crenshaw Corridor. Metro implemented the BSC through the soft-launch in December 2014 followed by the formal launch in February 2015. The mission of the BSC is to enhance the capacity of impacted small businesses to sustain through disruptions caused by construction and ultimately to take advantage of opportunities arising from the completion of the Crenshaw/LAX Transit Project. The active construction along the Crenshaw/LAX alignment not only resulted in the need to provide services immediately upon program soft-launch, but it also created a demand for services to be provided to businesses outside of the identified target area effected by the ongoing and phased construction activities that heavily centered around construction of the underground stations which began first. Thus, a comprehensive program assessment was conducted in 2016 and through the information, observations and lessons learned, as well as the realization that more than 60% of small businesses seeking support services were

outside of the predefined BSC target area, Metro staff made enhancements to the program model for the expansion of services. The expanded program model afforded Metro and the program administrator the opportunity to provide one-on-one client services and targeted outreach for small businesses along the Crenshaw/LAX Transit corridor regardless of location.

A. Performance Outcomes

Metro staff, in close coordination with the BSC program administrator, continue to monitor the effectiveness of the program through analysis of business intakes and assessments, business referrals and other activities such as the type of business support services requested by business owners, as well as the overall sustainability of businesses demonstrated by continued operations. A comprehensive summary of the BSC activity is outlined within the BSC Fact Sheet (Attachment C).

B. Lessons Learned

The implementation of the Pilot Crenshaw/LAX BSC has afforded Metro an opportunity to gather best practices and lessons learned that will lend to the potential expansion of the BSC program model along the forecasted Measure M light rail projects. Highlighted are various best practices and lessons learned throughout the operations of the BSC.

- **Community Trust** - Metro has achieved a level of success in delivering the BSC through a team of diverse small business professionals complemented by staff within Metro's Diversity and Economic Opportunity (DEOD) unit. Partnering with organizations anchored within the Crenshaw and Inglewood communities, the team has fostered an understanding of the community and business demographics, the social and cultural relevance and history of the community, the small business landscape, and it has facilitated trust building within the impacted communities through direct in-person contact and relationship building.

- **Co-Located Center** - A similarly important feature of the BSC is the co-location of the center along the alignment and within the impacted community. Having the center located along the alignment has been ideal in facilitating small business owners' access to the BSC program staff and the available resources. The co-location not only allows for workshops and one-on-one appointments to occur at the center and within the community, but also supports the ease and convenience of hosting one-on-one client sessions at the small business location recognizing that many "mom and pop" businesses are directly operated by the owner. The co-location also affords BSC program staff the opportunity to experience the construction activities and impacts and maintain close coordination with Metro's program staff including the Construction and Community Relations teams.

- **Phased Program Implementation** - Phased program implementation afforded Metro and the BSC program staff the opportunity to outreach and engage business owners early into the construction and impact. Recognizing the need to build trust is a significant consideration, the phased implementation supported that effort. Ideally through phased implementation, the community outreach, engagement and trust building began with pre-construction activation.

- **Program Model & Partners** - A component of the original program model focused on leveraging free business support services provided by local organizations and community partners. Early on, program staff observed that small businesses needed both immediate and

tangible resources, as well as technical assistance. Businesses required focused one-on-one services including accounting management, tax preparation, marketing, etc. from technical professionals that did not offer services free of charge. Technical professionals have been able to provide one-on-one services as well as special group trainings and workshops. The professionals are often apart of the Crenshaw and Inglewood communities allowing for community re-investment.

- **Staffing Level(s)** - The Crenshaw/LAX BSC is comprised of a small dedicated contract team that is responsible for all center activities including day-to-day operations, direct business assistance, client case management including outreach and administrative tasks as well as data collection. The demand for support was initially underestimated, yet through Metro's effort to rescope the program model including the services, additional adjustments to staffing were made; however, the demand for support is elevated as construction activities progress and impacts are experienced. Increased and adequate staffing levels would allow for more businesses to receive focused support directly from BSC program staff.

- **Services** - With the changing landscape of the corridor comes a need for business services related to real estate, commercial leasing, IT infrastructure and façade improvements. As the mission of Metro's BSC is to help small business sustain during the challenges of construction and reap the economic benefits that transit rail has demonstrated to bring to communities, focusing on long term business planning and sustainment is vital. There has been an ongoing need to assist businesses with real estate and commercial leasing as well as storefront improvements to better match the new transportation infrastructure, landscaping, station art, and overall corridor improvements such as new curbs, gutters, sidewalks and roadway restoration that enhance the business corridor.

- **Program Data** - With nearly five years of program implementation, a key lesson learned has included formalizing the data collection methods and determining the methodology by which the data is analyzed and reported. Formalizing these processes ensures data collection responsibilities can be transitioned between Metro staff and the contracted program administrator.

- **Capital to complete Assessment Recommendations** - A valuable lesson learned has been the need to have access to capital for implementation of assessment recommendations. In the current program model, BSC clients have received free assessments related to branding, IT, security systems and others. While the assessments covered by the BSC are free of charge to the business owners, the "mom and pop" owners often need access to capital to implement assessment recommendations. The completion of recommendations has led to more comprehensive brand development, upgrade of IT infrastructure and installment of new security infrastructure, business planning and other areas that support business retention and long-term growth.

II. Business Solution Center Expansion Analysis

As of July 2019, staff has advanced efforts to evaluate and measure the impact of Metro's existing Pilot BSC and perform an analysis for the transition of the pilot program to permanent with focus on

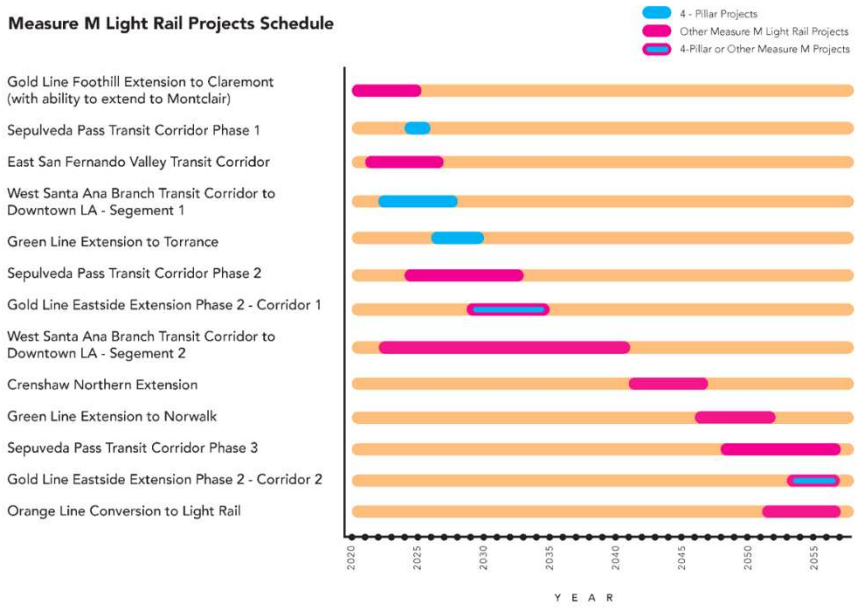
the expansion of the program along the upcoming light rail projects in the Measure M pipeline, particularly the “Four Pillar Projects,” within “Twenty-eight by ’28” Project List. Furthermore, recognizing the urgency of the request and commitment to report back to the Board by October 2019, Metro contracted the professional services of Chen Ryan Associates to perform an expansion analysis which resulted in the comprehensive Report (Attachment D).The analysis included an examination of the business composition along Measure M light rail corridors comprised of: an assessment of the potentially impacted small businesses along each corridor; estimates of business revenues within the project corridors; the number of those businesses in disadvantaged communities (based on Priority Populations as defined by California Environmental Protection Agency) and Equity Focus Areas as defined by Metro’s Equity Platform Framework; projected cost estimate for the expansion of the BSC; and recommendations for the additional services based on the expanded program.

As outlined in the Report, the projected number of small business identified within the potential impact buffer along all Measure M light rail projects is between 4,015 and 6,025. Through assessment of the current Pilot BSC program model and the contracted professional services including other considerations, an analysis was derived for the projected cumulative range of costs for implementing the expanded BSC. The forecast cost for the expansion of the BSC along all the Measure M light rail projects between 2020 and 2058 is between $28,500,978 and $39,632,138 (stated in 2019 dollars). The Report provides a comprehensive outline of the methodology for the cost forecast including the business impact levels which include but not limit to: assumptions made based on the current cost for operations of the Pilot Crenshaw/LAX BSC including existing service levels; inclusion of multiple alignment alternatives that currently exist for many of the Measure M projects; and the project construction schedule for each project and various alternatives including others. Costs projections are stated in 2019 dollars.

A. Construction Analysis

The construction schedule for the “Four Pillar Projects” and other Measure M Projects will span from the year 2020 to 2057. The construction timeline of the Four Pillar Projects is projected to expand the years of 2022 and 2035 while other Measure M projects are anticipated to be constructed between the years of 2020 and 2057. The analysis focused on the construction corridors located across Los Angeles County for the following Measure M funded light rail projects:

Figure 1. Measure M Light Rail Project Schedule



B. Potentially Impacted Small Businesses

To identify the extent of impacts that the transit rail construction would have on small businesses located along the business corridors of each transit rail project, an assessment of the alternative alignments was performed, and an impact buffer was applied based on the assumed alignment configuration and construction method. For the light rail projects that had alignments that were determined to be at-grade and within public right-of-way the impact buffer was identified as 200 feet, i.e. the impact distance for surrounding properties. The same methodology was applied to derive an impact buffer for the alternative alignments with construction contained within the existing right-of-way. In consideration of various assumptions, the impact buffer was identified at 400 feet. In keeping with Metro's definition for small "mom and pop" businesses, the analysis was of businesses having 25 or fewer employees.

C. Business Corridor Composition

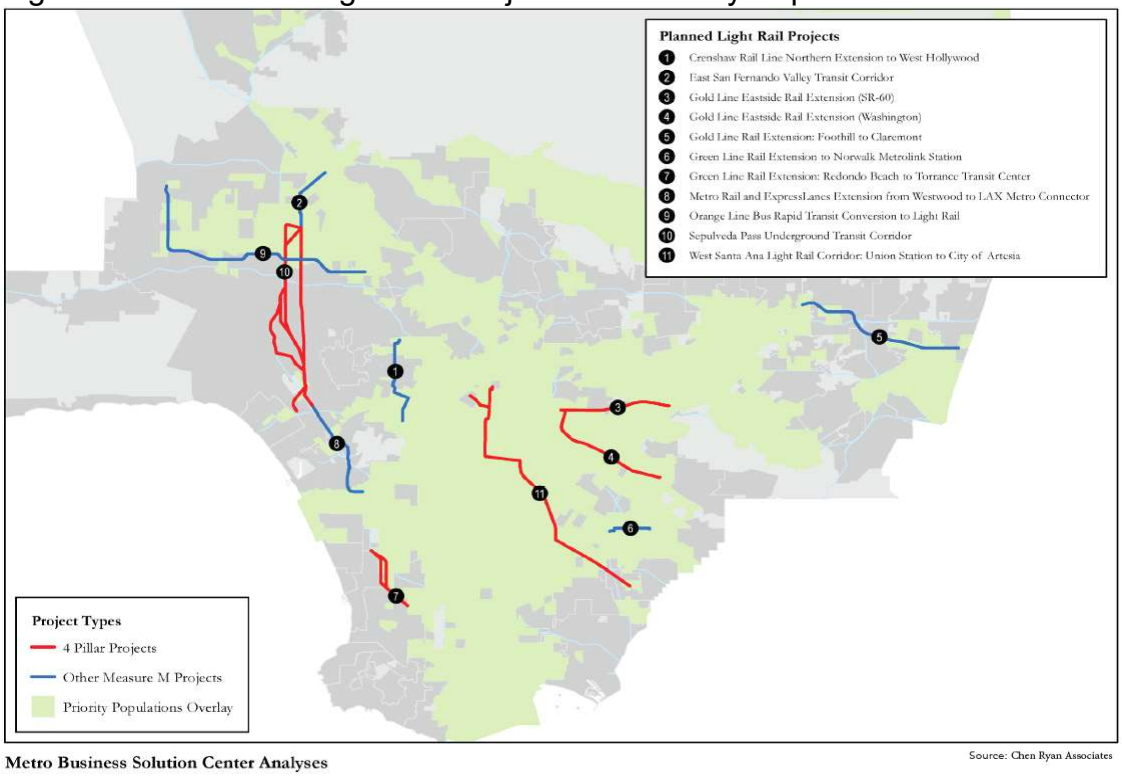
To gain an in-depth understanding of the composition of the business corridors including community characteristics and demographics with consideration to equity focus areas, the analysis examined the number of small businesses residing in Disadvantaged Communities (Priority Population Areas) and Equity Focus Areas. The analysis focused on two demographic factors that have been historical determinants of disinvestment and disenfranchisement and as result equity impact measure. These are household income and race/ethnicity. Also, keeping in alignment with Metro's Equity Platform, households with low vehicle ownership was included as a third measure for examination. As outlined in the Report, the Equity Focus Areas measures were developed using the US Census American Community Survey (ACS) income and demographic indicators for Los Angeles County.

- **Disadvantaged Communities (Priority Population Areas) Indicators**
  - Top 25% most impacted census tracts in CalEnviroScreen 3.0
  - Low-income communities and households that are at or below 80% of the statewide median income, or at or below the threshold designated as low-income by California Department of Housing and Community Development 2016 State Income Limits

- **Equity Focus Areas Indicators**
  - Household income
  - Race/ethnicity
  - Households with low vehicle ownership.

As result of the detailed analysis, between 2,758 and 4,359 potentially impacted small businesses were found to be within disadvantaged community Priority Population Areas, with a subset of between 1,294 and 1,718 of these businesses being within Equity Focus Areas.

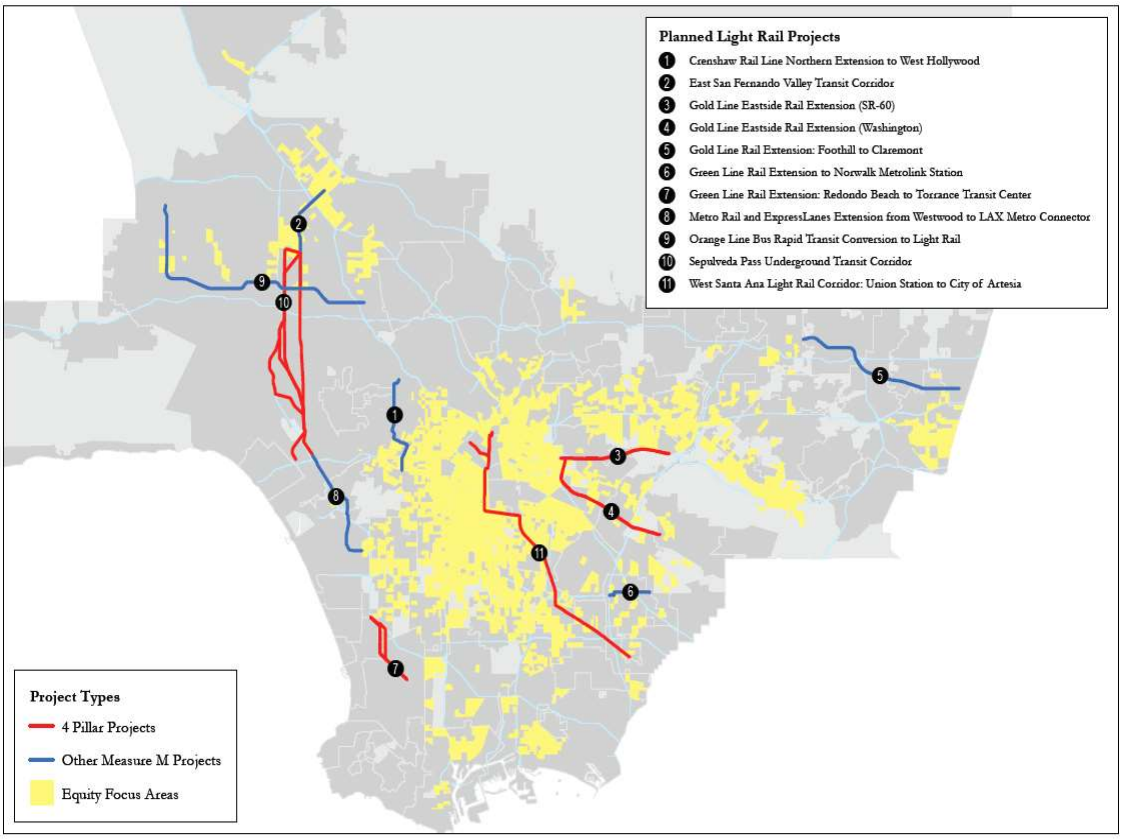
Figure 2. Measure M Light Rail Projects and Priority Population Areas



Metro Business Solution Center Analyses

Source: Chen Ryan Associates

Figure 3. Measure M Light Rail Projects and Equity Focus Areas



Metro Business Solution Center Analysis

Source: Chen Ryan Associates

D. Small Business Revenues

Annual revenues of small businesses were assessed to better understand the business characteristics of the potentially impacted small businesses along each light rail project. The information served to provide insights related to the probable economic impact to the business community and in-turn community at-large. As outlined in the Report, the annual revenue of potentially impacted small business is estimated to range between approximately $5.3B and $8.0B. Annual revenues of impacted small businesses in Priority Population Areas is estimated to range between approximately $4.0B and $6.1B while annual revenue of impacted small businesses in Equity Focus Areas is estimated to range between approximately $2.0B and $2.6B.

E. Projected Operating Costs

To achieve a rough order of magnitude (ROM) for the cumulative cost for the expansion of the BSC along the identified light rail projects, the consultant team performed a thorough examination of the historical costs structure for the Crenshaw/LAX BSC. The current average cost of the BSC is approximately $310,000 per year which has outreached to approximately 450 small businesses. Of the 450 businesses, approximately 18% use the BSC on an annual basis.

i. Estimated Cumulative Operating Costs

The examination included an assessment of the current service levels, business impacts and insights obtained from the BSC program administrator. Based upon the various analyzed elements along with stated assumptions, the cumulative of costs for implementing and expanding the BSC for all Measure M light rail projects is estimated to range between $28,500,978 and $39,632,138 between 2020 and 2058. The analysis netted a projected annual cost between $5,286,530 and $13,871,481 to operate the program across all years of construction for the "Four Pillar Projects."

ii. Estimated 5-Year Operating Costs

To further disaggregate the cumulative cost, the anticipated yearly costs for operating the BSC was examined for the first five-year period between 2020 and 2024 for all applicable Measure M light rail projects based on the construction schedule; hence, the anticipated operating cost for the first year (2020) is $1,185,087. The five-year operating costs are estimated to range between $8,309,821 and $10,303,031. The estimated five-year cost basis for the operations of the BSC for the Four Pillar Projects ranges between $2,041,891 and $4,035,101 between 2020 and 2024.

The following chart summarizes estimated five-year BSC operating costs for the Four Pillar Projects and all other Measure M light rail projects reviewed for the analysis.

Figure 4. Estimated Five-Year BSC Operating Costs (2020-2024) (2019 Dollars)

Cost for All Lines by Year (2020-2024)[1]	2020	2021	2022	2023	2024	Summary (2020-2024)
4 Pillar Projects						
Low	-	$417,567	$408,332	$610,097	$605,594	$2,041,891
High	-	$620,365	$606,210	$1,413,269	$1,395,257	$4,035,101
Other Measure M LRT Projects[2]						
Low	$1,185,087	$1,157,462	$1,157,462	$1,157,462	$1,610,457	$6,267,930
High	$1,185,087	$1,157,462	$1,157,462	$1,157,462	$1,610,457	$6,267,930
Total Measure M LRT Projects						
Low	$1,185,087	$1,575,329	$1,565,795	$1,767,559	$2,216,051	$8,309,821
High	$1,185,087	$1,777,827	$1,763,672	$2,570,731	$3,005,714	$10,303,031

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).
2. 2. During the 5-year period of 2020-2024, only one alternative exists.

iii. Considerations for Expansion

The projected costs for the expansion of the program take into consideration various best practices and lessons learned from the Pilot Crenshaw/LAX BSC such as the co-location of the center within the corridor and the operationalization of the BSC prior to the activation of construction as well as

one-year post construction. In addition, the projected costs for the expansion and operations of the BSC include the analysis of various light rail alternatives which lend to elevated costs projections yet provide a ROM baseline for funding consideration. In consideration of the foreseeable impacts to potentially more than 4,000 small “mom and pop” businesses located within Priority Population Areas and Equity Focus Areas and in consideration of the success of the Crenshaw/LAX BSC’s ongoing support to help businesses sustain during the challenges of transit rail construction, Metro staff recommends to transition the BSC from a pilot to a permanent program through a phased implementation commencing with the “Four Pillar Projects.” The phased implementation approach will support the future ability for refined cost feasibility and incremental funding.

Furthermore, the phased implementation will lend to the opportunity for the internal department to make staffing adjustments in support of the expanded program. The Pilot BSC along with other small business programs is spearheaded by staff within Metro’s DEOD unit with the administration and oversight shared among staff. In effort to support the program expansion inclusive of the implementation, administration and monitoring including management of the contracted program administrator, the authorization for dedicated staffing is recommended for consideration. In keeping to industry best practices for the effective oversight of such small business and economic development programs the formation of a dedicated staff through full-time equivalent (FTE) positions will require consideration and financial authorization.

FINANCIAL IMPACT

This has no financial impact to FY20. The project manager will be responsible for budgeting costs through the annual budget process for the Business Solutions Center.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The implementation of the transition of the pilot Metro Business Solution Center to a permanent program and expand the program to all upcoming light rail transit projects in the Measure M pipeline inclusive of the “Four Pillar Projects” identified as part of the “Twenty-eight by ’28” Initiative aligns to strategic goal 3 - enhance communities and lives through mobility and access to opportunity.

ALTERNATIVES CONSIDERED

The alternative considered is not implementing the expansion of the pilot program through conversion to a permanent program. This alternative would lead to potentially impacted small businesses not receiving technical and business support services during transit light rail construction.

NEXT STEPS

Based upon Board action, staff will advance a formal solicitation in accordance with the final program model, construction schedule and other factors, and develop a staffing plan to support the regional expansion of the program.

ATTACHMENTS

Attachment A - Motion 38.1
Attachment B - Motion 79
Attachment C - BSC Fact Sheet CY2019 Q2
Attachment D - Metro Pilot Business Solutions Center Expansion Analysis

Prepared by: Jessica Spearman, Principal Transportation Planner, Diversity and Economic Opportunity, Vendor/Contract Management, (213) 418-3266
Shalonda Baldwin, Deputy Executive Officer, Diversity and Economic Opportunity, Vendor/Contract Management, (213) 418-3265

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

Phillip A. Washington
Chief Executive Officer

Metro

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

Board Report

File #: 2019-0521, **File Type:** Motion / Motion Response **Agenda Number:** 38.1

REGULAR BOARD MEETING
JUNE 27, 2019

Motion by:

Hahn, Solis, Butts, Garcia and Najarian

Related to Item 38: Metro Pilot Crenshaw/LAX Transit Project
Business Solutions Center

As Metro continues to accelerate the Twenty-eight by ’28 Project List, particularly the “4 Pillar Projects,” there will soon be an extensive amount of construction activity across Los Angeles County.

These rail projects will bring high-quality transit to the neighborhoods with the fewest transportation alternatives. However, during construction, nearby businesses are likely to experience a significant interruption in their everyday operations. Many of those businesses exist in an area with existing barriers to economic development.

Over the last several years, Metro embarked on an unprecedented effort to mitigate the negative impacts of construction on small businesses. The implementation of the Metro Business Interruption Fund provides financial support to impacted businesses from the Regional Connector Project, Purple Line Extension Sections 1 and 2, and the Crenshaw/LAX Project. This program has made great strides in forming robust partnerships between Metro and the local business communities.

In addition, Metro deployed the pilot Metro Business Solutions Center (BSC), which went even further to provide technical, marketing, and financial assistance for the small and micro businesses along the Crenshaw/LAX Project corridor.

Since 2015, these complementary programs have created a template that other transit agencies have worked to replicate. The amount of investment, financial or otherwise, has minimized local small business losses and strengthened the relationships between Metro and the communities it serves. The success of these programs has created goodwill and will directly contribute to the long-term success of the projects themselves.

As Metro moves forward with its ambitious capital project timeline, the agency must take every reasonable step to ensure there is sustainable and equitable assistance for small “mom and pop” businesses affected by all future major capital projects.

SUBJECT: METRO PILOT CRENSHAW/LAX TRANSIT PROJECT BUSINESS SOLUTIONS CENTER

APPROVE Motion by Hahn, Solis, Butts, Garcia and Najarian to direct the CEO to:

1. Transition the Metro Business Solutions Center from a pilot to a permanent program, and expand the program to all upcoming light rail projects in the Measure M pipeline.

2. Evaluate and measure the impact of the current Metro Business Solutions Center and identify areas of improvement.

3. Propose a funding formula for the expanded Business Solutions Center, including the following equity criteria:
    a. The estimated number of small and micro businesses impacted for each respective light rail project.
    b. Percentage of businesses impacted that serve primarily low-income populations.
    c. Number of businesses that operate in Disadvantaged Communities.

4. Coordinate with the Vendor/Contract Management to ensure that the expanded Metro Business Solutions Center complimenting Business Interruption Fund Program is properly timed according to each project's construction schedule working with the community based organization which will tailor the needs of the communities on the project corridors.

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Attachment B

Motion by Supervisor Mark Ridley-Thomas, Mayor Eric Garcetti and Director Jacquelyn Dupont-Walker

Implementation of a Pilot Business Solution Center for the Crenshaw/LAX Line Relates to Item 79

July 24, 2014

Since construction began on the Crenshaw/LAX Line Project (the Project) earlier this year, doing business on the Crenshaw Corridor (the Corridor) has become more challenging for businesses and patrons. Many businesses are already experiencing significant impacts created by construction activities, specifically at the intersections of Crenshaw Boulevard and Martin Luther King Jr. Boulevard and Exposition Boulevard where work is underway to lay the groundwork for future underground stations. Businesses between 48th Street and 60th Street, where the line will run at-grade, are also anticipated to face significant challenges when construction begins on that segment.

Under both Federal and State law, Metro is prevented from providing direct cash subsidies to businesses unless access to the business is denied due to construction impacts. While this has not technically been the case on the Corridor, there is a clear nexus between construction activities and reduced business activity, especially the walk-in traffic that many of the retail businesses rely on.

In April 2014, Metro retained a consultant to assess and provide recommendations on how to address the economic impacts of construction activities on small businesses on the Corridor. The consultant's report encourages the development of a pilot Business Solution Center that would provide direct sector-specific technical assistance to businesses along the Corridor to help them through construction activities. Services that could be provided to businesses include financial planning and advice on small business operations as well as dealing with municipal permits and regulations, legal assistance, marketing and grant/loan application management. The consultant specifically suggests that a pilot effort be established to provide proactive and hands-on business assistance to support the over 100 businesses at the at-grade portion of the

Project between 48th and 60th Streets, as well as a walk-in location along the Corridor for which businesses along the entire rail alignment can receive information, resources and referrals.

The establishment of a Business Solution Center would meaningfully enhance Metro's construction and external relations protocol. While serving as a relatively nominal financial investment for Metro, it would go a long way in helping to build the capacity of small businesses to survive the construction period and ultimately contribute to a vibrant transit corridor upon completion of the Line. If the Metro Board wants to pursue future funding measures to fully build out the system, it will be fundamental that we demonstrate to local small businesses that we are a committed partner during construction periods. This pilot Business Solution Center can serve as a model for such an effort, and to do so, it is essential that Metro partner with a capable and well established service provider to roll-out these services as quickly as possible. Furthermore, it is consistent with Metro's Construction Impact Response Program (CIRP) which was developed in response to construction on the Gold and Red Lines in the 1990s. The CIRP program provided various forms of relief for businesses including economic support and rapid response teams. These resources should also be made available for the Crenshaw Corridor.

The pilot Business Solution Center would also complement Metro's other ongoing efforts to address business' needs during construction. For example, Metro continues to modify construction signage based on the feedback of surrounding business' to highlight the names of businesses, parking locations and to clarify that businesses are open during construction. In addition, Metro is finalizing a communications strategy to promote an "Eat, Shop and Play Local" campaign during construction.

WE THEREFORE MOVE THAT THE BOARD OF DIRECTORS:

1. Receive and file the "Recommendations for a Pilot Metro Business Solution Center";

2. Authorize the CEO to immediately solicit proposals to establish a Pilot Metro Business Services Center along the Crenshaw Corridor that includes a physical presence with consistent staffing hours for the duration of the construction of the Crenshaw/LAX Line, as well as a Business Solutions Outreach Strategy for the at-grade portion of the alignment on Crenshaw between 48th and 60th Streets and other locations that are determined to be significantly impacted by construction activities, and authorize the CEO to execute a contract with the most responsive and qualified bidder, with the objective of beginning operations by October 2014;
3. Direct the CEO to identify up to $250,000 and amend the current budget to fund the initial year activities, with an overall project budget expected to be approximately $1,000,000, to be included in future budgets for fiscal year 2016, 2017 and 2018 at $250,000 per year;
4. Direct the CEO to report back in September on a plan to utilize existing Full-Time Equivalent position(s) to staff the Business Solutions Center.
5. Direct the CEO to incorporate the following elements into the Pilot Business Solution Center Program:
    a. A single point-of-contact or case management approach for each business; and
    b. A 72 hour quick response plan.
6. Direct the CEO to establish an additional mitigation menu and criteria based on MTA's previous Construction Impact Response Program that includes:
    a. Marketing campaigns for impacted businesses;
    b. Rent and mortgage subsidies to businesses;
    c. A low-interest loan fund that is accessible to small and micro-businesses;
    d. Report back to the Board in September with funding recommendations;
7. Direct the CEO to report back on a Post-Construction Façade Improvement Program in conjunction with the approved Design-Build Contract for the Crenshaw/LAX Transit Line;
8. Direct the CEO to report back on the feasibility of establishing Memorandums of Understanding with local business and community stakeholder groups, as has been

done in Denver, Colorado, to ensure that we are maximizing community involvement and engagement as it relates to construction activities;

9. Direct the Diversity and Economic Opportunity Department to manage and oversee the Business Solution Center Project; and
10. Provide quarterly updates to the Executive Management and Construction Committees on the Pilot Business Solution Center and the "Eat, Shop and Play Local" campaign beginning in September 2014.

CRENSHAW/LAX TRANSIT PROJECT

BUSINESS SOLUTION CENTER

Fact Sheet

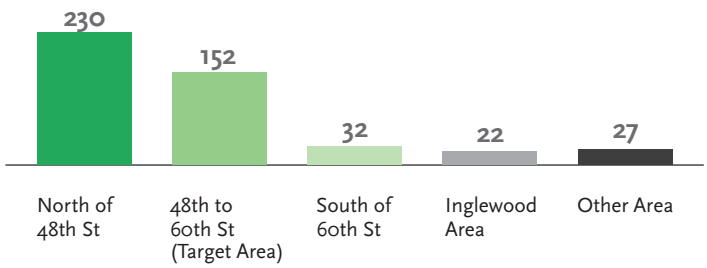
Metro's Pilot Business Solution Center (BSC) provides hands-on business assistance and support services to small businesses along the Crenshaw/LAX corridor during the four-year term of the Crenshaw/LAX Transit Project.

Small businesses along the corridor have access to the BSC for business and technical assistance, including business development services and referrals to partnering business resource providers.

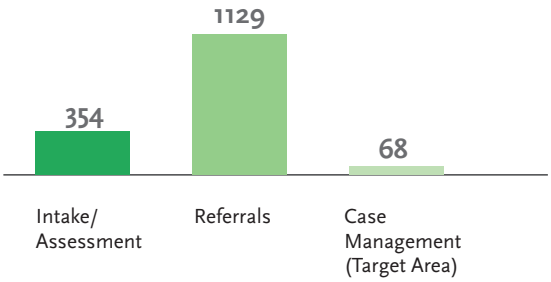
Metro's goal is to help small businesses continue to thrive throughout construction and post construction. The BSC is a demonstration of Metro's commitment to being a trusted community builder, partner and stakeholder.

BSC Facts at a Glance (as of CY19 Q2)

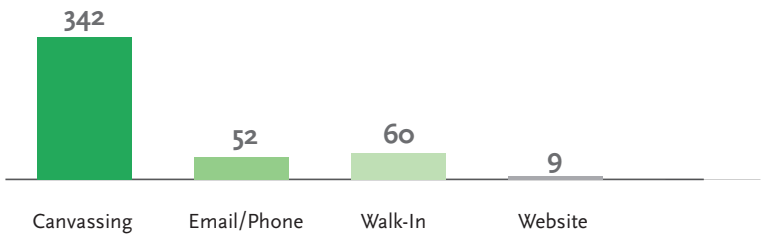
Businesses Contacted by Location – 463



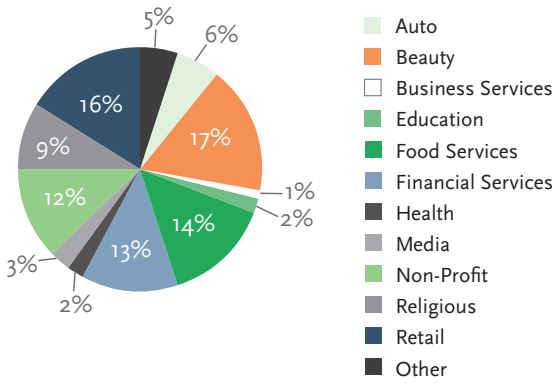
Business Support Status



Method of Contact



Client by Industry Type



BSC Services

The BSC provides an array of support services to small businesses, such as, but not limited to:

> Hands-on business development

> Expert business advice, coaching and technical assistance

> Referrals to expert professionals in the areas of:

- Accounting management (i.e. record keeping and tax preparation)
- Capital access
- Branding and marketing
- Web design and social media
- Commercial real estate counseling
- Industry-specific assistance (i.e. cosmetology and restaurateurs)
- Computer repair and IT assessments

Getting Started with the BSC

Getting support and assistance through the BSC is a simple process:

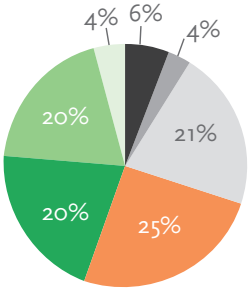
STEP 1 Identify your business need(s)

STEP 2 Contact the BSC

STEP 3 Meet with BSC staff

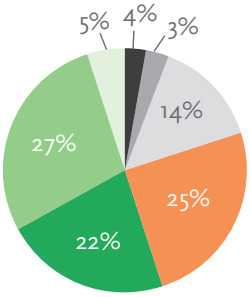
STEP 4 Begin receiving support services

Areas of Service – Alignment



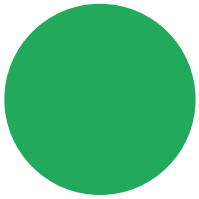
- Accounting Management
- Access to Capital
- Business Development
- Business Interruption Fund
- Marketing
- Social Media & Website
- Zoning & Land Use

Areas of Service – 48th to 60th – At Grade



- Accounting Management
- Access to Capital
- Business Development
- Business Interruption Fund
- Marketing
- Social Media & Website
- Zoning & Land Use

Measures of Effectiveness



100%
Service request responded to within 48 business hours
GOAL: 100%

51%
Businesses that complete service recommendations
GOAL: 100%

88%
BSC clients that engaged in services post intake/ assessment
GOAL: 80%

78%
Businesses sustained in operations six months post BSC intake
GOAL: 100%

75%
Businesses sustained in operations 12 months post BSC intake
GOAL: 100%

94%
Client satisfaction rating (based on 18 businesses)
GOAL: 90%

BSC Location

The BSC can be accessed directly by visiting the main office located inside the Los Angeles Urban League at 4401 Crenshaw Bl, Suite 201, Los Angeles. The BSC main office is accessible Monday through Friday during standard business hours of operation from 9am – 5pm.

Small businesses located further south along the Crenshaw/LAX corridor, such as businesses located in the Inglewood area, may access the BSC by visiting the main office located inside the Los Angeles Urban League and/or by scheduling an appointment at the BSC satellite office located in Inglewood at 510 S La Brea Av, Inglewood, CA.

The BSC team also provides on-site assessments and business site meetings.

BSC Team

Metro's BSC is provided in partnership with Del Richardson & Associates, Inc. (DRA) through an established collaborative with Vermont Slauson Economic Development Corporation (VSEDC) and the Los Angeles Urban League.

Business Solution Center

323.299.9660, x2289

metrobsc@gmail.com

metrobsc.net/crenshaw

Crenshaw/LAX Transit Project

crenshawcorridor@metro.net

metro.net/crenshaw

@crenshawrail

crenshawrail

Metro

DEL RICHARDSON & ASSOCIATES, INC
LIVING SOLUTIONS

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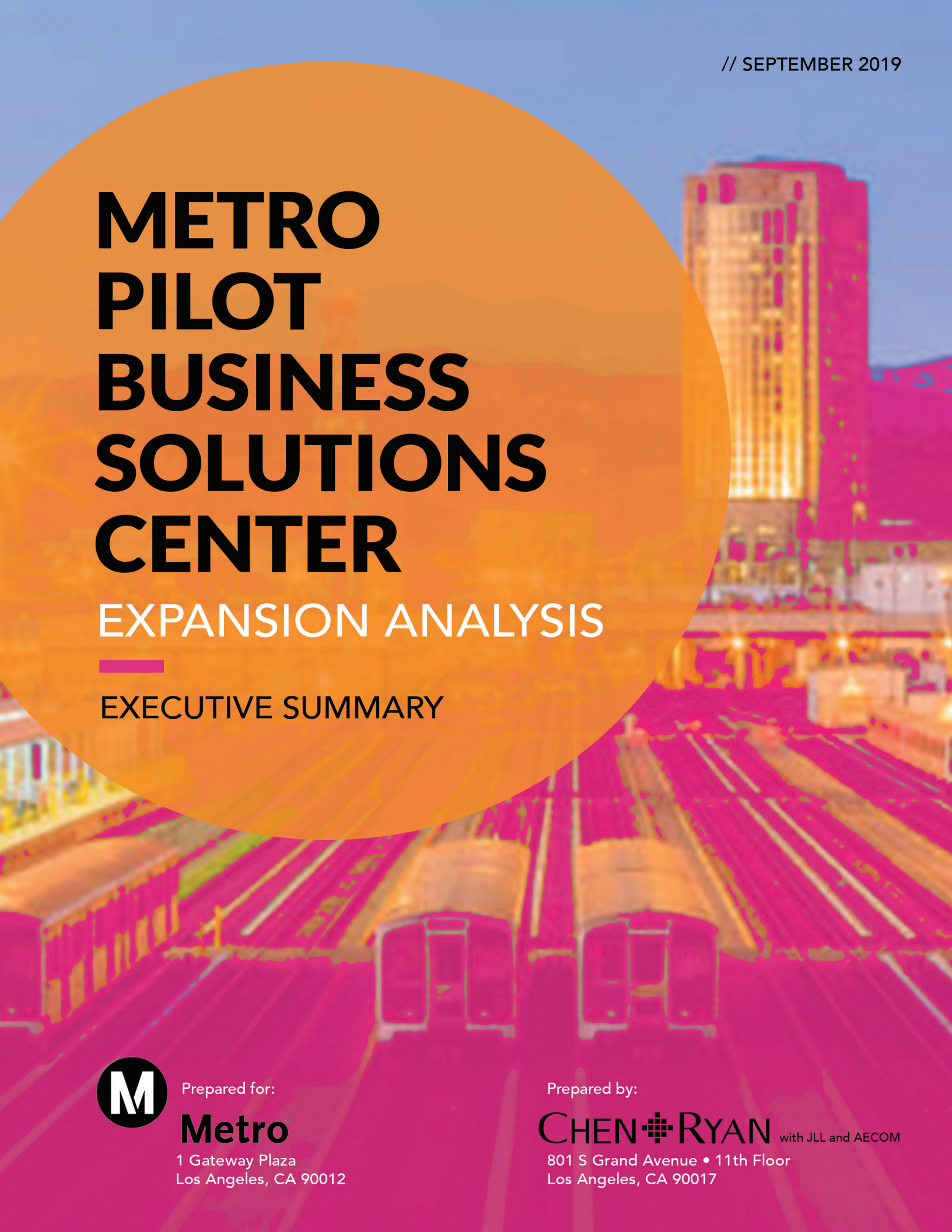
// SEPTEMBER 2019

METRO PILOT BUSINESS SOLUTIONS CENTER

EXPANSION ANALYSIS

EXECUTIVE SUMMARY



Prepared for:

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CHEN RYAN with JLL and AECOM

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Executive Summary

This report establishes a quantification of the cost to expand Metro's Pilot Business Solution Center Program (BSC) based on the number of small businesses in each corridor. As such, this analysis provides an examination of the business mix along Measure M light rail corridors to identify potentially impacted small business (defined as having 25 or fewer employees), estimates the revenue of those businesses, and the number of those businesses in disadvantaged communities (based on Priority Populations as defined by California Environmental Protection Agency) and Equity Focus Areas, as defined by Metro's Equity Platform Framework.

In summary, between 4,015 and 6,025 small businesses were found to exist within a potential impact buffer of all Measure M light rail projects. A range is provided to account for variable alignments that currently exist for Measure M projects. Between 2,758 and 4,359 small businesses were found to be within disadvantaged community Priority Population areas, with a subset of between 1,294 and 1,718 of these businesses being within Equity Focus Areas.

A summary cumulative range of costs for implementing an expanded BSC is estimated to fall between $28,500,978 and $39,632,138 (2019 dollars) between 2020 and 2058. While this high-level estimate provides an order-of-magnitude for expanding the program to all Measure M corridors, a more detailed cost estimate of each corridor could include expanding and or targeting programs and services, and adjusting costs specific to the market conditions of each corridor.

BACKGROUND

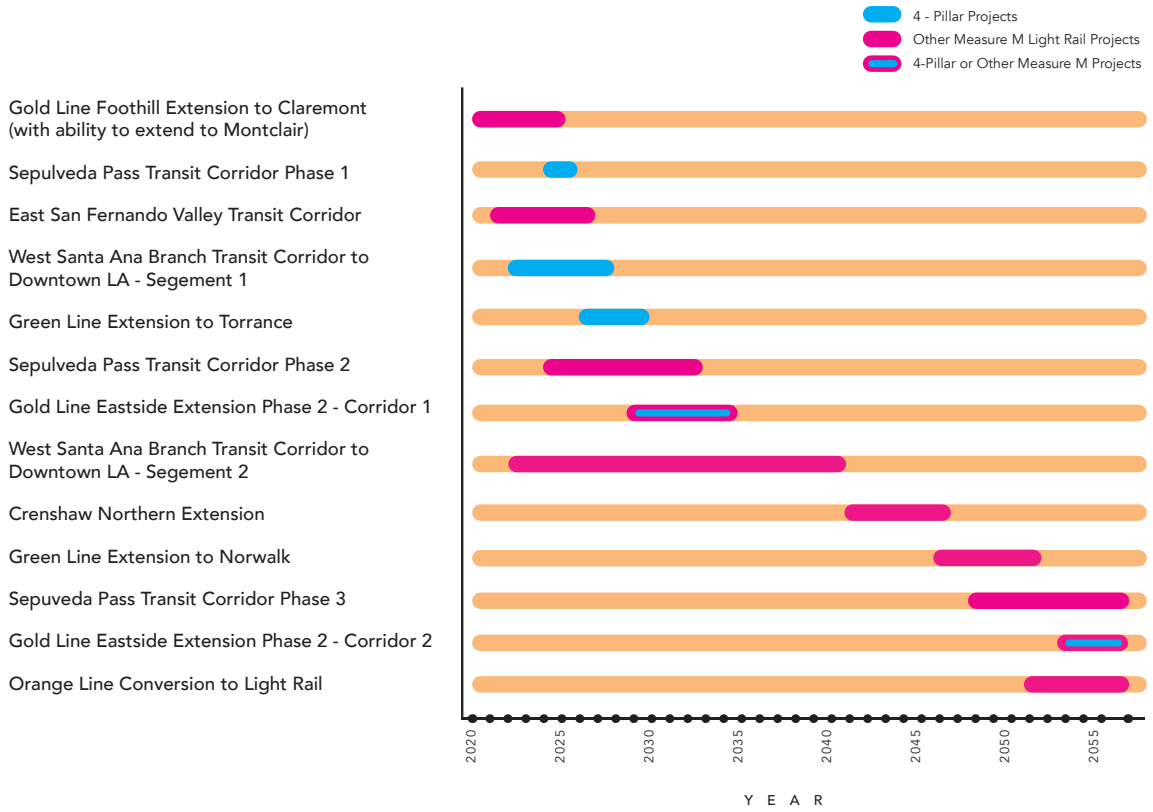
Metro's Pilot Business Solution Center (BSC) was established in 2014 following a motion from Metro's Board of Directors (Motion 79) to provide business assistance and support services to small businesses (defined as having 25 or fewer employees) along the Crenshaw/LAX corridor during the construction of the Crenshaw/LAX Transit Project. Metro's BSC provides an array of support services to businesses, which include, but are not limited to: hands-on business development, expert business advice, coaching and technical assistance including referrals to expert professionals in the areas of accounting management and access to financial capital; branding, marketing, and social media. The current average annual operating cost of the BSC is approximately $310,000 per year, servicing approximately 450 small businesses. Of the 450 businesses, approximately 18% of the small businesses utilize the BSC on an annual basis.

Based upon the success of the current BSC, in June 2019, Metro's Board of Directors issued Motion 38.1, that authorized the CEO to transition the pilot BSC to permanent status, and expand the program along all upcoming Measure M light rail projects. As in the pilot program, the expanded program would assist and support small "mom and pop" businesses during light rail construction.

The analysis documented in this report was conducted to establish an up-front disclosure of the number of businesses that would potentially be included in an expanded BSC Program, as well as the projected costs of the expanded Program.

MEASURE M PROJECT SCHEDULE

Figure ES-1 **Measure M Light Rail Projects Schedule**



Source: LA Metro, Chen Ryan Associates

The construction schedule for the 4-Pillar and other Measure M Projects will span from the year 2020 to 2057, as demonstrated per **Figure ES-1**. The construction timeline of 4-Pillar Projects is expected, based upon Metro projections, to span the years of 2022 and 2035, while other Measure M projects are anticipated to be constructed between the years of 2020 and 2057. For analyses described in later sections, one year of pre-construction and one year of post-construction activities are included for cost estimation.

Note that multiple alignment alternatives currently exist for many Measure M Projects. This analysis considered each alignment alternative where this was the case. Therefore, estimated impacted businesses, projected BSC operating costs, and estimated business revenue profiles are reported as a range of costs (low to high) when it is necessary to encompass a combination of the highest and lowest alternatives along each corridor.

Detailed information pertaining to the alignment alternatives being considered at the time of this analysis is provided in Section 2.0.

POTENTIALLY IMPACTED SMALL BUSINESSES

The number of potentially impacted small businesses along all Measure M project corridors is estimated to range between 4,015 and 6,025 based upon the chosen combination of alignment alternatives, as presented in **Table ES-1**.

PRIORITY POPULATION AND EQUITY FOCUS AREAS

Between 2,758 and 4,359 impacted small businesses were found to exist in disadvantaged community areas (defined as Priority Population areas), and between 1,294 and 1,718 impacted small businesses were found to exist in areas defined as Equity Focus Areas. Detailed methodology pertaining to the identification of businesses in Priority Population and Equity Focus Areas are presented in Section 4.0.

Table ES-1 Impacted Small Businesses along Measure M LRT Corridors

Measure M Projects	Potentially Impacted Small Businesses[2]
4-Pillar Projects	
Low	844
High	2,414
Other Measure M LRT Projects	
Low	3,171
High	3,611
Total Measure M LRT Projects	
Low	4,015
High	6,025

Source: JLL

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).

PROJECTED BSC OPERATING COSTS

Table ES-2 summarizes anticipated yearly costs for operating the BSC for the first five-year period of 2020-2024. As shown, annual operating costs are estimated to be $1,185,087 for the year 2020. Five-year operating costs are estimated to range between $8,309,821 and $10,303,031.

Table ES-2 Estimated 5-Year BSC Operating Costs (2019 Dollars)

Cost for All Lines by Year (2020-2024)[1]	2020	2021	2022	2023	2024	Summary (2020-2024)
4 Pillar Projects						
Low	-	$417,867	$408,332	$610,097	$605,594	$2,041,891
High	-	$620,365	$606,210	$1,413,269	$1,395,257	$4,035,101
Other Measure M LRT Projects[2]						
Low	$1,185,087	$1,157,462	$1,157,462	$1,157,462	$1,610,457	$6,267,930
High	$1,185,087	$1,157,462	$1,157,462	$1,157,462	$1,610,457	$6,267,930
Total Measure M LRT Projects						
Low	$1,185,087	$1,575,329	$1,565,795	$1,767,559	$2,216,051	$8,309,821
High	$1,185,087	$1,777,827	$1,763,672	$2,570,731	$3,005,714	$10,303,031

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).
2. During the 5-year period of 2020-2024, only one alternative exists.

Table ES-3 presents a summary of projected total costs of an expanded BSC along all Measure M light rail corridors between 2020-2058. Note that an additional year, representing pre-construction, was added to the construction schedule presented in Figure ES-1 for the purposes of projecting BSC operating costs. Likewise, one-year of post-construction was appended to each project. One notable exception lies with the Metro Gold Line Foothill Extension, which is scheduled to begin construction in 2020 and has already experienced pre-construction activities without a BSC program in place. This results in a timeline of 2020-2058 for BSC operation, composed of 4-Pillar Projects ranging spanning the years of 2021-2036, and other Measure M projects spanning the time period of 2020-2058.

A range of costs is also provided due to the presence of multiple alignment alternatives for many projects. As shown, costs are anticipated to range between $28,500,978 as a low

estimate, to $39,632,138 as a high estimate along all Measure M light rail corridors. These estimates are comprised of an estimated range of between $5,286,530 and $13,871,481 to operate the BSC for 4-Pillar Projects, in addition to an estimated range of between $23,214,448 and $25,760,657 to operate the BSC for other Measure M light rail Projects. Detailed BSC Operating Cost information is presented in Section 6.0.

Table ES-3 Yearly Summary BSC Operating Costs for All Mesure M Light Rail Corridors (2019 Dollars)

Project[1]	Small Businesses	Total Cost[1]
4-Pillar Projects (2021-2036)		
Low	844	$5,286,530
High	2,414	$13,871,481
Other Measure M LRT Projects (2020-2058)		
Low	3,171	$23,214,448
High	3,611	$25,760,657
Summary of Costs (Low)	**4,015**	**$28,500,978**
Summary of Costs (High)	**6,025**	**$39,632,138**

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).

REVENUE PROFILES

Annual revenue of impacted small businesses is estimated to range between approximately $5.3B and $8.0B. Annual revenue of impacted small businesses in Priority Population Areas is estimated to range between approximately $4.0B and $6.1B, while annual revenue of impacted small businesses in Equity Focus Areas is estimated to range between approximately $2.0B and $2.6B.

Table ES-4 presents a summary of business along Measure M light rail corridors by their position within a Priority Population and/or Equity focus area, as well as their anticipated revenue profiles. Small business revenue profiles are presented in greater detail in Section 5.0.

Table ES-4 Revenue Profile of all Small Businesses along Measure M LRT Corridors (2019 Dollars in Thousands)

Revenue Summary[1]	Small Businesses[2]	Annual Revenue of Small Businesses[2,]	Small Businesses in Priority Population Areas[3]	Annual Revenue of Small Businesses in Priority Population Areas[3]	Small Businesses in Equity Focus Areas[4]	Annual Revenue of Small Businesses in Equity Focus Areas[4]
4-Pillar Projects						
Low	844	$1,505,809	635	$1,286,622	321	$757,043
High	2,414	$3,580,181	1,791	$2,810,368	556	$1,133,134
Other Measure M LRT Projects						
Low	3,171	$3,814,009	2,123	$2,682,404	973	$1,214,560
High	3,611	$4,435,142	2,568	$3,309,965	1,162	$1,463,507
Total Measure M LRT Projects						
Low	4,015	$5,319,818	2,758	$3,969,026	1,294	$1,971,603
High	6,025	$8,010,045	4,359	$6,120,333	1,718	$2,596,641

Source: JLL

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).
2. Small businesses are defined as 25 or fewer employees.
3. Priority Populations include CalEPA defined disadvantaged communities, low-income communities, and low-income households.
4. Equity Focus areas are based on Metro defined race/ethnicity, low-income and low vehicle ownership area. All small businesses in Equity Focus Areas also exist within Priority Populations.

ADDITIONAL BSC SERVICES

Metro's BSC provides an array of support services to small businesses, which often include, but are not limited to: hands-on business development, expert business advice, coaching and technical assistance including referrals to expert professionals in the areas of accounting management and access to financial capital; branding, marketing, and social media. The current annual operating cost of the BSC is approximately $310,000 serving approximately 18% of the 450 small businesses in the corridor. Several additional opportunities for services are discussed below, based upon best-practices research of other construction mitigation or business improvement programs from sister agencies, including:

- Business Shuttles
- Business Operations Support
- Dissemination of Public Information
- Customer Incentives
- Parking Lot Alterations or Sharing
- Forgivable Loans
- Workshops and Social Media

Based upon an interview held with Metro's Business Solution Center staff on August 27, 2019, the following were also identified as considerations held by the BSC as potential future services, based upon observations of business need while executing the Pilot BSC:

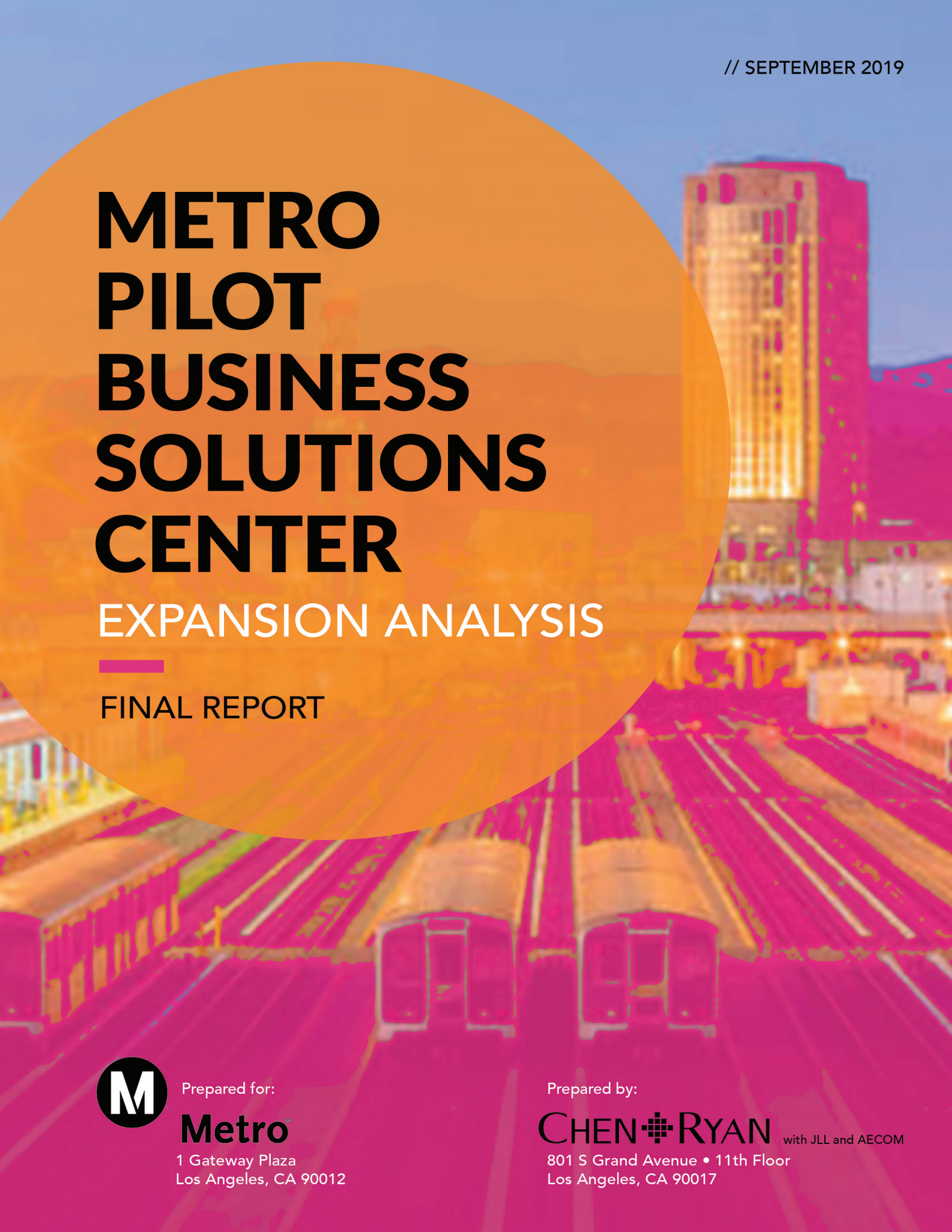
- Providing services, including those services that are currently provided, for a longer timeframe following the end of construction,
- Façade and/or signage improvements, and
- Access to capital

// SEPTEMBER 2019

METRO PILOT BUSINESS SOLUTIONS CENTER

EXPANSION ANALYSIS

FINAL REPORT



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1.0 Introduction

This report establishes a quantification of the cost to expand Metro's Pilot Business Solution Center Program (BSC) based on the number of small businesses in each corridor. As such, this analysis provides an examination of the business mix along Measure M light rail corridors to identify potentially impacted small business (defined as having 25 or fewer employees), estimates the revenue of those businesses, and the number of those businesses in disadvantaged communities (based on Priority Populations as defined by California Environmental Protection Agency) and Equity Focus Areas, as defined by Metro's Equity Platform Framework.

In summary, between 4,015 and 6,025 small businesses were found to exist within a potential impact buffer of all Measure M light rail projects. A range is provided to account for variable alignments that currently exist for Measure M projects. Between 2,758 and 4,359 small businesses were found to be within disadvantaged community Priority Population areas, with a subset of between 1,294 and 1,718 of these businesses being within Equity Focus Areas.

A summary cumulative range of costs for implementing an expanded BSC is estimated to fall between $28,500,978 and $39,632,138 (2019 dollars) between 2020 and 2058. While this high-level estimate provides an order-of-magnitude for expanding the program to all Measure M corridors, a more detailed cost estimate of each corridor could include expanding and or targeting programs and services, and adjusting costs specific to the market conditions of each corridor.

1.1 CURRENT BUSINESS SOLUTION CENTER PROGRAM

Metro's Pilot Business Solution Center (BSC) was established in 2014 following a motion from Metro's Board of Directors (Motion 79) to provide business assistance and support services to small businesses along the Crenshaw/LAX corridor during the four-year construction of the Crenshaw/LAX Transit Project. Small businesses along the corridor have access to the BSC for business and technical assistance, including business development services and referrals to partnering business resource providers. The BSC operates to deliver Metro's goal to help small businesses continue to thrive throughout construction and post construction.

Metro's BSC provides an array of support services to small businesses, which often include, but are not limited to: hands-on business development, expert business advice, coaching and technical assistance including referrals to expert professionals in the areas of accounting management and access to financial capital; branding, marketing, and social media. The current annual operating cost of the BSC is approximately $310,000 serving approximately 18% of the 450 small businesses annually in the corridor.

1.2 BUSINESS SOLUTION CENTER EXPANSION

Based upon the success of the current BSC, in June 2019, Metro's Board of Directors issued Motion 38.1, that authorized the CEO to transition the pilot BSC to permanent status, and expand the program along all upcoming Measure M light rail Projects. As in the pilot program, the expanded program would assist and support small businesses during light rail construction.

The analysis documented in this report was conducted to establish an up-front disclosure of the number and annual revenue of small "mom and pop" businesses that would potentially be included in an expanded BSC Program.as well as the projected costs of the expanded Program. This analysis also includes an assessment of the number of affected small businesses in disadvantaged (Priority Population) areas and also Equity Focus Areas.

1.3 REPORT ORGANIZATION

Following this introduction, the report is organized as follows:

Chapter 2 presents an overview of the study area that is to be analyzed for this analysis.
Chapter 3 details the schedule of Measure M Projects, differentiating between accelerated "4-Pillar" Projects and other Measure M light rail Projects.
Chapter 4 documents the methodology utilized for this analysis.
Chapter 5 presents corridor revenue profiles for all small businesses impacted by Measure M light rail construction, also organized by "4-Pillar" and other Measure M Projects.
Chapter 6 documents the projected costs for operating the expanded BSC.
Chapter 7 discusses potential future services that an expanded BSC could provide to impacted businesses.

2.0 Study Area

The study area is comprised of construction corridors located across Los Angeles County where construction of Measure M-funded light rail Projects is anticipated. These corridors are illustrated in **Figure 1**. As shown, corridors include:

1. Crenshaw Line Northern Extension to West Hollywood
2. East San Fernando Valley Transit Corridor
3. Gold Line Eastside Rail Extension (SR-60 alignment)
4. Gold Line Eastside Rail Extension (Washington Boulevard Alignment)
5. Gold Line Foothill Rail Extension to Claremont
6. Green Line Rail Extension to Norwalk Metrolink Station
7. Green Line Rail Extension from Redondo Beach to Torrance Transit Center
8. Sepulveda Pass Transit Corridor – San Fernando Valley to Westside
9. Sepulveda Pass Transit Corridor – Westside to LAX
10. Orange Line Bus Rapid Transit Conversion to Light Rail
11. West Santa Ana Branch Light Rail Corridor: Union Station to City of Artesia

The eleven total corridors are subdivided into two priority-based classifications: 4-Pillar Projects, which carry the highest priority of implementation due to offering key gap closure at the regional level, and all other Measure M-funded Projects.

Further, certain corridors currently carry multiple potential alignments. For the purposes of this

analysis, 4-Pillar Projects with several alignment alternatives were analyzed for each potential alignment. This includes the following corridors:

- Sepulveda Pass Transit Corridor – San Fernando Valley to Westside (4 potential alignments)
- Green Line Rail Extension from Redondo Beach to Torrance Transit Center (3 potential alignments)
- West Santa Ana Branch Light Rail Corridor: Union Station to City of Artesia (two potential alignments within Downtown Los Angeles)

As previously mentioned, the Gold Line Eastside Rail Extension carries two potential alignments, along SR-60 and Washington Boulevard. It is anticipated that one of these two alignments will be forwarded as a 4-Pillar Project, at which time the second alignment will join the remaining list of Measure M Projects.

Other Measure M Projects were analyzed with a single alignment.

Metro's website carries detailed overviews of each of these Projects, served by the links below. The contents of these links are included as Appendix A to this report.

PROJECT WEBSITES

Crenshaw Line Northern Extension to West Hollywood:
- https://www.metro.net/projects/crenshaw-northern-extension/

East San Fernando Valley Transit Corridor:
- https://www.metro.net/projects/east-sfv/

Gold Line Eastside Rail Extension (both alignments):
- https://www.metro.net/projects/eastside_phase2/

Gold Line Foothill Extension to Claremont:
- https://www.metro.net/projects/foothill-extension/

Green Line Rail Extension to Norwalk Metrolink Station:
- http://www.scag.ca.gov/programs/Pages/NorwalkGreenlineStudy.aspx

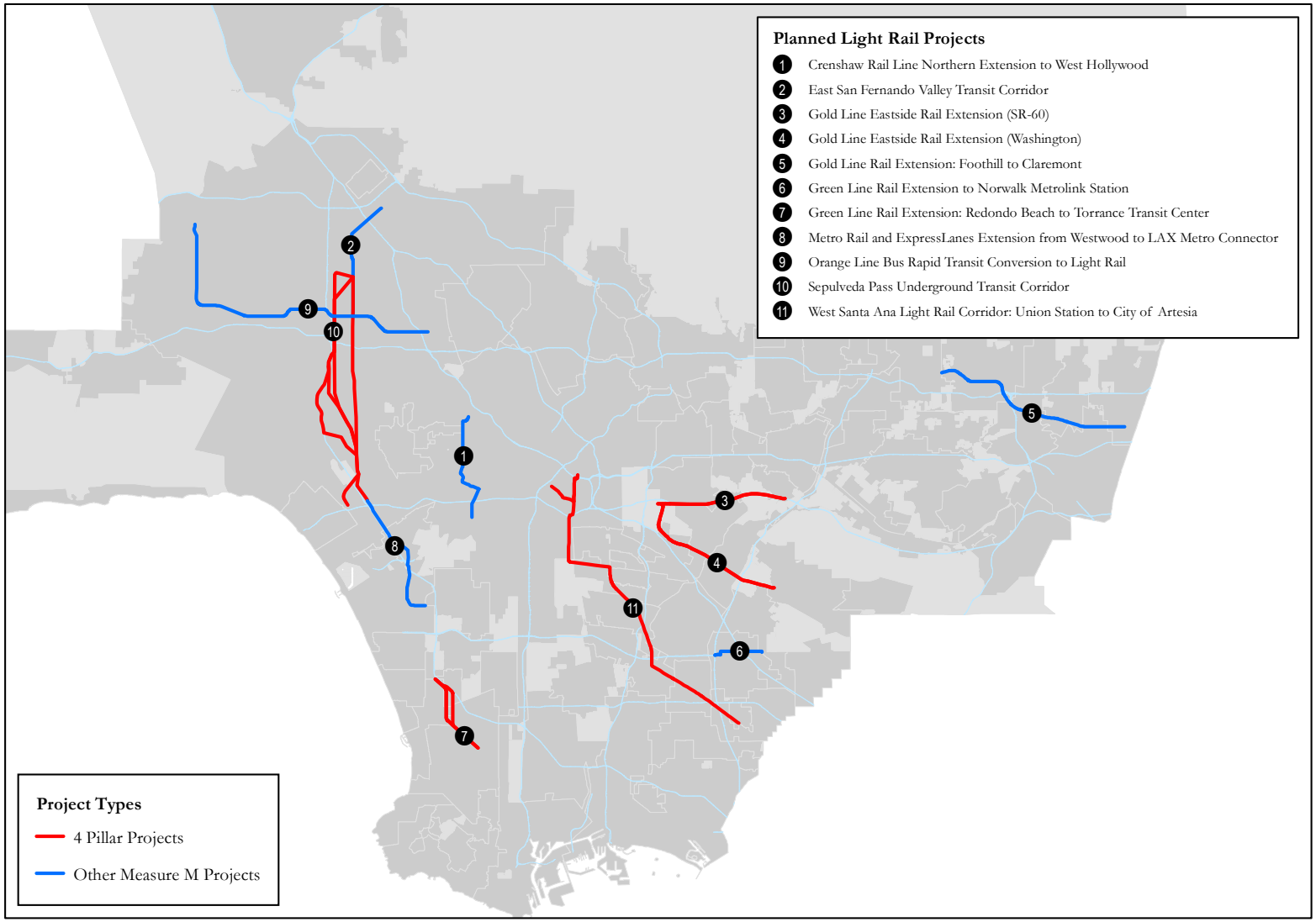
Green Line Rail Extension from Redondo Beach to Torrance Transit Center:
- https://www.metro.net/projects/green-line-extension/

Sepulveda Pass Transit Corridor (San Fernando Valley to Westside, and Westside to LAX):
- https://www.metro.net/projects/sepulvedacorridor/

Orange Line Bus Rapid Transit Conversion to Light Rail:
- (no project webpage)

West Santa Ana Branch Light Rail Corridor: Union Station to City of Artesia:
- https://www.metro.net/projects/west-santa-ana/

Figure 1 Study Area



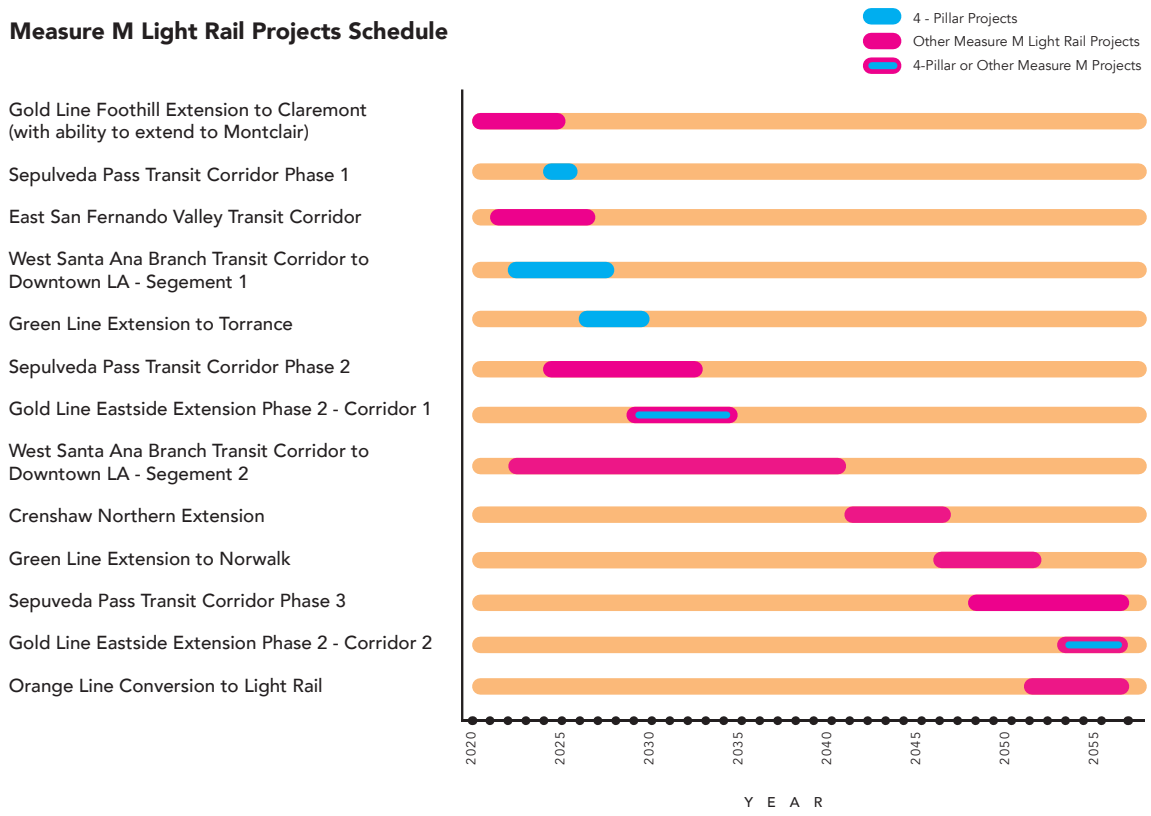
Metro Business Solution Center Analyses

Source: Chen Ryan Associates

3.0 Schedule of 4-Pillar and Measure M Projects

The construction schedule for the 4-Pillar and Measure M Projects presented in Chapter 2 will span from the year 2020 to 2057, as demonstrated on a per-Project timeline in **Figure 2**. This timeline is based upon current (2019) Metro estimates of construction timelines. As shown, 4-Pillar Projects in particular are scheduled to span a timeline from 2022-2035.

Figure 2 **Measure M Light Rail Projects Construction Schedule**



Source: Chen Ryan Associates

4.0 Methodology

4.1 TEAM AND EXPERTISE

The analysis was prepared by a team composed of Chen Ryan Associates, Inc., and their subconsultants Jones Lang LaSalle, and AECOM, providing Metro with a set of planning, demography, impact assessment, economic, and real estate experience.

Chen Ryan Associates provided the project management and backbone analyses for this project combining transit, demographic, and spatial analysis in a GIS-based environment.

Jones Lang LaSalle (JLL) JLL provided the real estate data and economic analysis that underlies this report.

AECOM provided an in-depth parcel analysis along each study corridor to determine an optimal buffer for identifying impacted businesses.

4.2 DATA SOURCES

The data utilized in the development of Metro's Business Solution Center prioritization criteria and their sources are described in **Table 4-1**.

Table 4-1 Metro Business Solution Center Datasets

Datasets	Source
Various Metro Rail Alignments (proposed)	Digitized by interpreting information materials from Metro's rail project websites
Various Metro Rail Stations (proposed)	Digitized by interpreting information materials from Metro's rail project websites
Disadvantaged Communities coverage area	Retrieved from California Air Resources Board Priority Population Investments criteria webpage https://ww3.arb.ca.gov/cc/capandtrade/auctionproceeds/communityinvestments.htm
Various American Community Survey 2016 and 2017 datasets at Census Block Group geography, including: • Population • Vehicles Available • Age • Poverty Status • Hispanic or Latino Origin by Race	Retrieved from American Fact Finder Download Center https://factfinder.census.gov/faces/nav/jsf/pages/download_center.xhtml
Business locations and revenue	Provided by JLL research of ESRI's 2018 US Business Locations and Business Summary Database for locations within 200' of Metro Rail Alignments (proposed) at-grade or elevated segments and within 400' of Metro Rail Stations (proposed)

Source: LA Metro, US Census Bureau, JLL, Chen Ryan Associates

4.3 IDENTIFYING EXTENT OF IMPACTS

In order to identify the extent of impacts that a transit Project would have on commercial sites along a corridor, the alternative alignments and their profiles need to be known and reviewed. GIS shapefiles that were provided by Metro for all Measure M Projects that are part of this study were converted to a KMZ format. Using Google Earth, as well as understanding of the Projects as described in the Metro.net website, each alignment for each Project was reviewed, making the following assumptions:

- Where the alignment appeared to be in the center of the street or on the side of it, it was assumed that the alignment was at-grade (worst-case scenario).
- Where the alignment appeared to be within an existing railroad right-of-way, it was assumed that the proposed alignment would fit within the existing railroad right-of-way.
- Where the alignment appeared to go across neighborhoods and large developments outside the public right-of-way, it was assumed that the alignment was underground.

A graphical example of these generated buffer areas is presented on the following page in **Figure 3**.

Figure 3 Example Buffers

Metro Business Solution Center Analysis

Source: Chen Ryan Associates

4.3.1 ASSUMPTIONS FOR AT-GRADE ALIGNMENTS (PUBLIC RIGHT-OF-WAY)

For those Projects that had alignments that were determined to be at-grade and within the public right-of-way, the distance that was determined as the impacted distance for surrounding properties was approximately 200 feet from the centerline. This is the equivalent to approximately one parcel from the centerline. Exceptions were made where the alignment went through primarily residential neighborhoods. For the stations along these alignments, the impacted distance for surrounding properties extended to 400 feet, which is approximately the distance of one block from the intersection.

4.3.2 ASSUMPTIONS FOR AT-GRADE ALIGNMENTS (RAILROAD RIGHT-OF-WAY)

For those Projects that had alignments that were determined to be at-grade and within existing railroad rights-of-way no impacted distance was determined except at stations. This is because it was assumed that the construction of the alignment and its components would fit within the existing right-of-way and not intrude into the adjacent properties. In addition, the entrances or store fronts of commercial properties next to railroad rights-of-way do not typically face the railroad rights-of-way. For the stations along these alignments, the impacted distance for surrounding properties extended to 400 feet, which is approximately the distance of one block from the intersection.

4.3.3 ASSUMPTIONS FOR UNDERGROUND ALIGNMENTS

For those Projects that had alignments that were determined to be underground, no impacted distance was determined except at stations. For the stations along these alignments, the impacted distance for surrounding properties extended to 400 feet, which is approximately the distance of one block from the intersection. These assumptions are detailed in **Table 4-2**.

Table 4-2 Impacted Distance by Alignment Type

Alignment Assumption	Impacted Distance	
	From Alignment	From Intersection (Station)
At-grade, Public ROW	200 feet from centerline	400 feet from intersection
At-grade, Railroad ROW	None	
Underground	None	

Source: AECOM

For information showing how alignments were described and the impacted distances used, refer to the table in **Appendix B**.

4.3.4 ORANGE LINE

The existing Orange Line Busway has been identified through Measure M for upgrade to light rail. It was not anticipated that significant construction-related burdens would be felt by small businesses along the existing, relatively wide right-of-way except at stations. For the stations along the alignment, the impacted distance for surrounding properties extended from 400 feet, which is approximately the distance of one block from the intersection.

4.3.5 4-PILLAR PROJECTS COMPARED TO OTHER MEASURE M PROJECTS

For the 4-Pillar Projects, additional alignments were evaluated using the methodology described above. For the Sepulveda Pass Project, four alignment alternatives were evaluated. For the Eastside Extension Phase 2 Project, two alignment alternatives were evaluated. For the Green Line Extension to Torrance Project, two alignment alternatives were evaluated. Finally, for the West Santa Ana Branch Project, two alignment alternatives were evaluated. For all other Measure M Projects, one alignment alternative, as provided by Metro, was evaluated using the methodology above.

4.4 IDENTIFYING REVENUE OF IMPACTED SMALL BUSINESSES

For the business locations, revenues and employment, JLL relied on ESRI's 2018 US Business Locations and Business Summary Data base. ESRI extracts its business data from a comprehensive list of businesses licensed from Infogroup. This business list contains data on more than 12.5 million US businesses including the business name, location, franchise code, industry classification code, number of employees, and sales volume that is current as of January 2018. Infogroup methodology includes web search, phone surveys, and crowdsourcing. For small businesses, the information is typically much harder to retrieve and verify so the data for revenues may be crowdsourced and estimated.

The range of potential number of small businesses per ESRI range from a low of 844 to a high of 2,414 with a range of potential revenues from $1.5B to $3.6B for the Four Pillar Alternatives. For the other Measure M Projects, the estimated number of small businesses is 3,171 to 3,611 with potential revenue of $3.8B to $4.4B. Detailed small business revenue profiles are presented in Section 5.0.

4.5 DETERMINING COSTS OF CURRENT PROGRAM

A review of the existing operational costs of the BSC for the Crenshaw/LAX Transit project was conducted in order to provide an Order-of-Magnitude estimate for the potential costs of additional BSC's for the 4-Pillars Project line alternatives and the other Measure M project lines. JLL reviewed the operational costs of, and the following data was projected:

- Average operating cost of a BSC per small business served during the initial pre-construction year;
- Average annual operating cost of a BSC per small business served per year during the actual construction period; and
- Average operating cost of a BSC per small business served during the post-construction period (one year following construction).

Currently, the BSC operations are outsourced to the consulting firm Del Richardson & Associates, Inc. (DRA) to provide professional services to support the initialization and ongoing implementation of the Metro Pilot Crenshaw/LAX Transit Project Business Solution Center. The original contract period and extension is from November 2014 to July 2021 with a total budget of $2,177,587. This budget includes the following:

- Direct Labor and Overhead
- Equipment and Materials
- Subcontractors
- General Administrative Costs
- Fees

This total operations budget is estimated to cover all costs through the completion of all construction and one year of post construction services. It was reported that there were an estimated 650 total businesses along the Crenshaw/Lax Transit project area and approximately 450 were small businesses with 25 or fewer employees.

JLL reviewed the BSC's Quarterly Status Report for the period from December 1, 2014 through the latest reported quarter ending on March 31, 2019. Over this 52-month time period, 351 small businesses have completed an intake form for assistance. This equates to approximately 81 small businesses assisted per year or 18% of the total number of small businesses.

Current BSC Program, December 1, 2014 – March 31, 2019 Time Period:

- 52 Months
- 650 Total Businesses
- 450 Small Businesses
- 351 Small Businesses assisted
- 81 of 450 (18%) Estimated Average Number of Small Businesses assisted annually

The following methodology was prepared to estimate average operating costs for each of the 4-Pillar Alternatives and other Measure M Projects. This methodology and process is a high-level, regional analysis. An actual cost estimate and study for each line should be conducted to estimate costs for each corridor to provide a refined estimate of targeted program and adjust for different markets and demographics.

Step 1 – Project potential operating costs per year from the existing BSC budget from November 2014 through end of contract estimated for July 2021. To estimate the operating costs, JLL made the following adjustments to the actual annual operating costs:

- Adjusted the prior year's operating costs for inflation to 2019 costs
- Prorated costs per month to adjust for different reporting years
  Removed actual rent costs of approximately $12,000 per year due to the working relationship with a local non-profit that provided DRA with office space. This business arrangement is not assumed for future BSC costs.

- Estimated potential new office lease costs based on market rents for Class B office space in the market area for the proposed 4-Pillars and other Measure M lines, as shown in Tables 4-3, 4-4 and 4-5. JLL projected FTE's for the 4-Pillars and other Measure M Projects utilizing the current ratio of small businesses per 1 FTE for every 173 small businesses. For office space requirements, JLL assumed 300 square feet of office space per FTE.

Table 4-3 Class B Office Lease Costs by Submarket (2019 Dollars)

Submarket	Corresponding Measure M Line	Class B Rent ($/SF)
Mid-Wilshire	Crenshaw Northern Extension	$3.32
LA North	East San Fernando Valley	$2.41
Western San Gabriel Valley	Gold Line East Side Corridor 1 – SR-60	$2.39
Western San Gabriel Valley	Gold Line East Side Corridor 1 – Washington Blvd	$2.39
Eastern San Gabriel Valley	Gold Line Foothill Extension	$2.33
LA Metro[1]	Green Line Extension to Norwalk	$3.08[2]
South Bay	Green Line Extension to Torrance	$2.57
Westside	Sepulveda Pass Phase 2/3	$4.26
LA North	Orange Line LRT Conversion	$2.41
Westside	Sepulveda Pass Phase 1	$4.26
Central Business District[3]	West Santa Ana Branch Segment 1	$3.23

Source: JLL

Note:

1. Line 6 is not in a known office market, thus the LA Metro average was applied.
2. Average Class B for Los Angeles Metro is $3.08.
3. The area south of the Downtown LA CBD (south of the 10 freeway) is not in a known office market, therefore the Central Business District average was applied.

Table 4-4 Projected Rental Costs – 4-Pillar Projects (2019 Dollars)

4-Pillar Projects	Alternative	FTE's[1]	Lease SF Required[2]	$/SF Rent	Estimated Rent Cost	# of Small Businesses	Avg Annual # of Small Businesses	Cost/Small Business
Sepulveda Pass Phase 1 Alternatives	HRT 1	1.33	399	$51	$20,000	230	41	$483
	HRT 2	2.31	692	$51	$35,000	399	72	$487
	HRT 3	5.32	1.595	$51	$82,000	919	166	$496
	MRT 1	5.32	1,595	$51	$82,000	919	166	$496
West Santa Ana Branch Segment 1 Alternatives	Alt E	2.81	844	$39	$33,000	487	88	$376
	Alt G	4.18	1.253	$39	$49,000	723	130	$377
Gold Line East Side Corridor 1 Alternatives	SR-60	0.54	163	$29	$5,000	94	17	$296
	Washington	3.09	926	$29	$27,000	534	96	$281
Green Line Extension to Torrance Alternatives	ROW Overcrossing	.019	57	$31	$2,000	33	6	$337
	Hawthorne to 190th Street	1.38	413	$31	$13,000	238	43	$303

Source: JLL

Note:
1. Full Time Equivalents
2. Assumes 300 square feet per 1 FTE

Table 4-5 Projected Rental Costs – Other Measure M Projects (2019 Dollars)

Measure M Project	FTE's[1]	Lease SF Required[2]	$/SF Rent	Estimated Rent Cost	# of Small Businesses	Avg Annual # of Small Businesses	Cost/Small Business
Gold Line Foothill Extension	1.34	402	$27.96	$11,000	232	42	$263
East San Fernando Valley	6.81	2,044	$28.92	$59,000	1,179	212	$278
Sepulveda Pass Phase 2/3	2.98	893	$51.12	$46,000	515	93	$496
Crenshaw Northern Extension	3.43	1,028	$39.84	$41,000	593	107	$384
Green Line Extension to Norwalk	1.12	336	$36.96	$12,000	194	35	$344
Gold Line East Side Corridor 2							
SR-60	0.54	163	$28.68	$5,000	94	17	$296
Washington Blvd	3.09	926	$28.68	$27,000	534	96	$281
Orange Line LRT Conversion	2.10	631	$28.92	$18,000	364	66	$275

Source: JLL

Note:
1. Full Time Equivalents
2. Assumes 300 square feet per 1 FTE

Step 2 – Estimate average cost per small business assisted for Pre-Construction year. JLL used the adjusted operations costs from November 2014 to November 2015 as the estimate for pre-construction. Although, construction for the Crenshaw/LAX had already started before the BSC opening, it is reasonable to assume that costs would be similar. This resulted in an average cost of $4,390 per small business assisted for pre-construction. In addition, JLL estimated potential rental costs of new office space based on the location of the future lines. The additional rental costs ranged from $263 to $496 per small business depending on the line's office market area.

Step 3 – Estimate average cost per small business assisted during construction period. JLL reviewed the adjusted budget for years 2015 through 2020 as the construction period. Total adjusted costs during operations totaled $1,734,000 or $346,000 per year. Per small business, this resulted in an average annual cost of $347,000 before additional rent costs. JLL estimated an average annual cost of $4,281 per small business assisted annually during the construction period. The additional office rental costs resulted in additional costs ranging from $263 to $496 annually per small business depending on the line market area.

Step 4 – Estimate average cost per business for a post-construction year. JLL used the adjusted budgeted operations costs of $212,000 for the period July 2020 through July 2021 as the estimate for an annual post-construction budget. This resulted in an annual cost of $2,616 per small business assisted for post-construction. The additional rental costs ranged from $263 to $496 per small business depending on the line's office market area.

These annual costs per small business were applied to our estimated percentage of annual small business clients served at the BSC at 18%. The costs per year was based upon the implementation schedule for the 4-Pillar and Measure M projects. The construction schedule is estimated to span from the year 2020 to 2057. One year of pre-construction costs and one year of post-construction costs was estimated for each line before and after the construction period, respectively. Note that the Gold Line Foothill Extension is one exception, since pre-construction activities have occurred by the time of this analysis. Therefore, the first year of costs modeled for this analysis begin in the year 2020, in order to capture a whole-year period.

Detailed BSC Operating Cost information is presented in Section 6.0.

4.6 IDENTIFYING DISADVANTAGED COMMUNITIES (PRIORITY POPULATIONS)

To identify Disadvantaged Communities, this analysis applied the California Environmental Protection Agency's (CalEPA) criteria for identifying Priority Population investment areas, due to the inclusion of disadvantaged and low-income considerations in its criteria. The Priority Population areas provide a method to identify the region's most vulnerable communities as described below.

The criteria of Priority Populations:

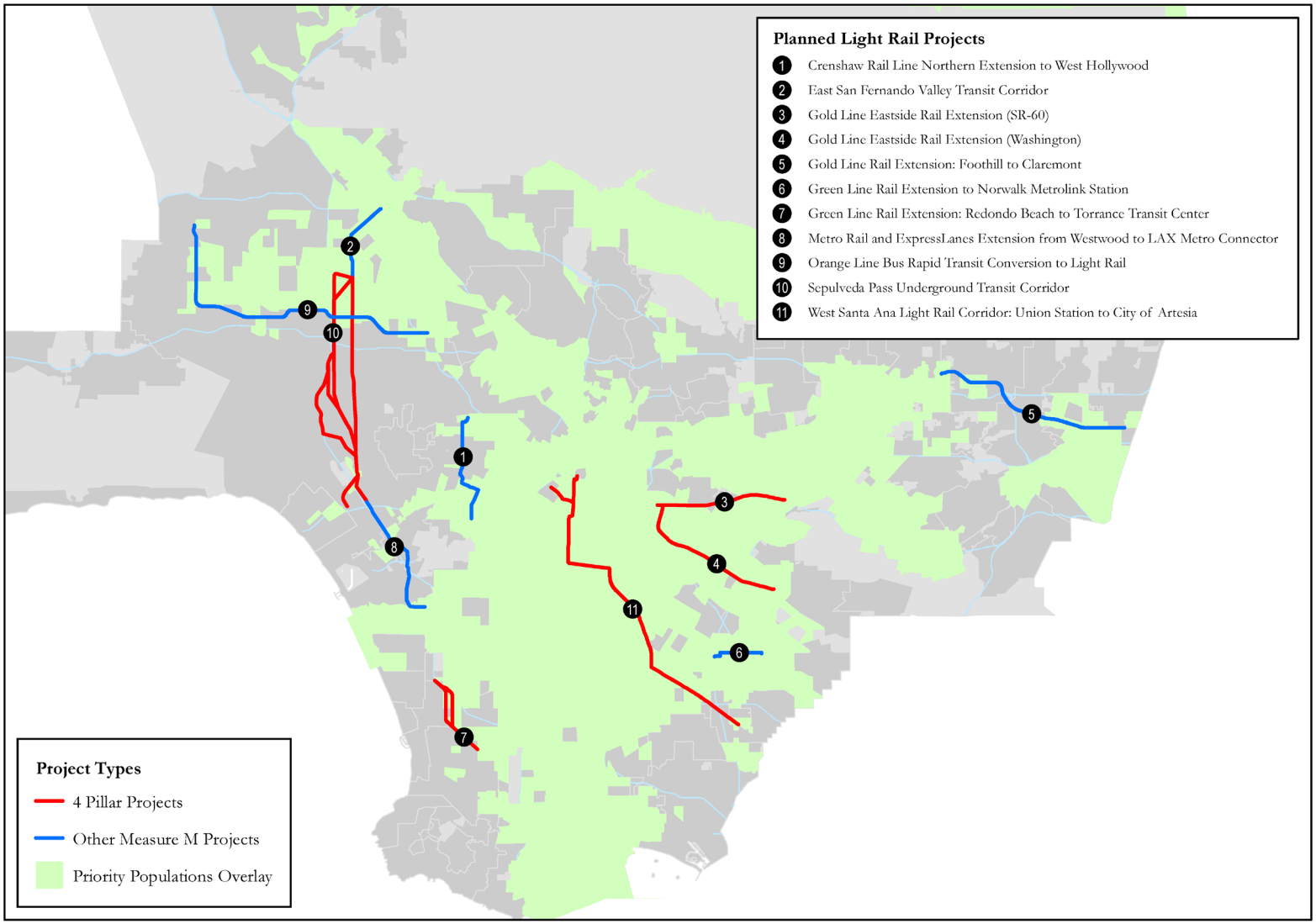
- Disadvantaged communities are identified by the California Environmental Protection Agency (CalEPA) as the top 25% most impacted census tracts in CalEnviroScreen 3.0 - a screening tool used to help identify communities disproportionally burdened by multiple sources of pollution and with population characteristics that make them more sensitive to pollution.

- Low-income communities and households are defined as the census tracts and households, respectively, that are either at or below 80 percent of the statewide median income, or at or below the threshold designated as low-income by the California Department of Housing and Community Development's (HCD) 2016 State Income Limits.

The defined criteria and census tracts are provided on the California Air Resources Board web page https://ww3.arb.ca.gov/cc/capandtrade/auctionproceeds/communityinvestments.htm.

Figure 4 presents a map of the Metro rail projects within the Los Angeles region with the CalEPA-defined Priority Populations. As shown, much of the Los Angeles region, including the central basin, San Fernando Valley and San Gabriel Valley meets the CalEPA definition of Disadvantaged Community.

Figure 4 Metro Measure M Light Rail Projects and Priority Populations



Metro Business Solution Center Analyses

Source: Chen Ryan Associates

4.7 IDENTIFYING EQUITY FOCUS AREAS

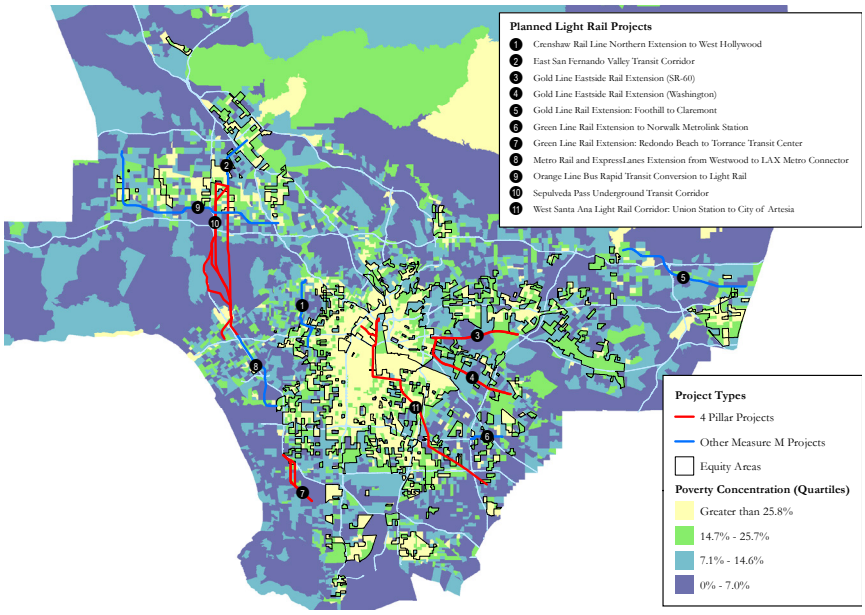
To determine Equity Focus areas, the factors set forth in Metro board Motion 18.1 at the June 27, 2019 meeting were applied. These factors include two demographic factors that have historically been determinants of disinvestment and disenfranchisement: household income and race/ethnicity. A third factor, households with low vehicle ownership was included in the measure.

The Equity Focus Areas measure was developed using US Census American Community Survey (ACS) income and demographic indicators. This measure uses criteria based on ranking indicators within Los Angeles County.

Figure 5 presents a map of the Metro rail projects within the Los Angeles region with the Equity Focus Areas. As shown, the Equity Focus Areas exist within many of the same county sub-regions as the Priority Populations. It was found that all small businesses located in Equity Focus Areas are also located in the Priority Populations coverage area.

The Equity Focus Areas are comprised of three components, all of which utilize recent American Community Survey data at the Census Block Group (CBG) level of geography. They include: Vehicles per Driving-Age (16 years or older) Population, Concentration of Non-White/ Hispanic Population, and Concentration of Poverty. Each of the indicators were divided into quartiles (four categories of equal population) based on their ranking of the indicator. All CBGs which ranked for all three indicators (weighting by population). CBGs in the highest two quartiles (above the median) for all three indicators were assigned to the Equity Focus Area. Criteria Include:

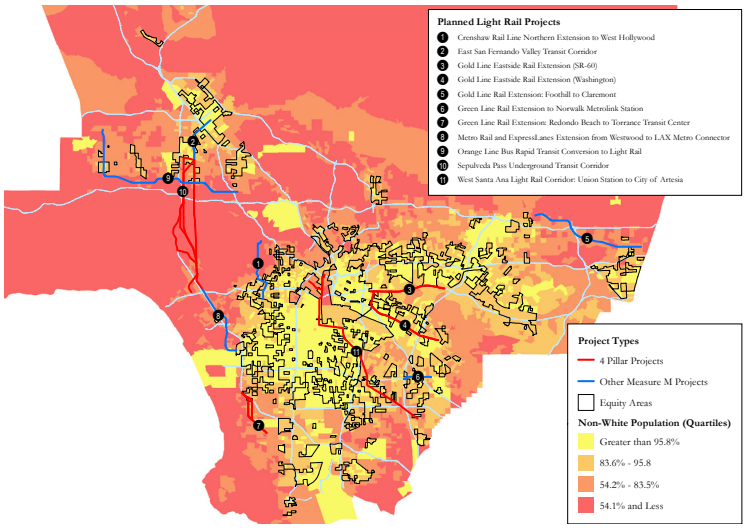
- **HOUSEHOLD INCOME CRITERIA**
  To determine this criterion, a Concentration of Poverty metric was developed by using the ACS's Poverty Status in the Past 12 months data (numerous disseminations of this data type are available) in order to estimate percentage of population in poverty within each CBG. Unlike other indicators of low-income populations such as annual median household income, poverty status controls for size of household. The above median capture for this indicator occurred within CBGs with 14.7% of the population in poverty or greater.



Household Income Criteria

- **RACE/ETHNICITY CRITERIA**

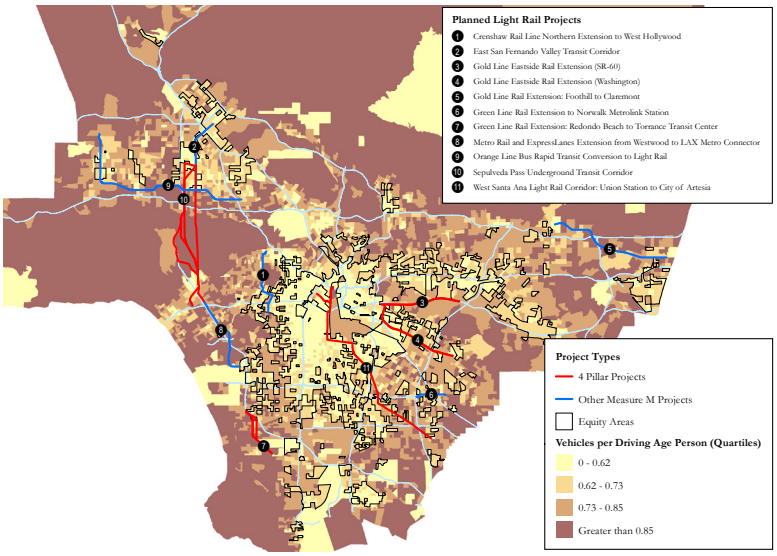
To determine this criterion, a concentration of Non-White/Non-Hispanic Population metric was developed by using the ACS's Hispanic or Latino Origin by Race dataset. White alone/not Hispanic was subtracted from the total population and the remainder was divided into the total population to determine the concentration percentage. The above median capture at the CBG level for this indicator was found to be 83.6% or greater Non-White/Hispanic.



Race/Ethnicity Criteria

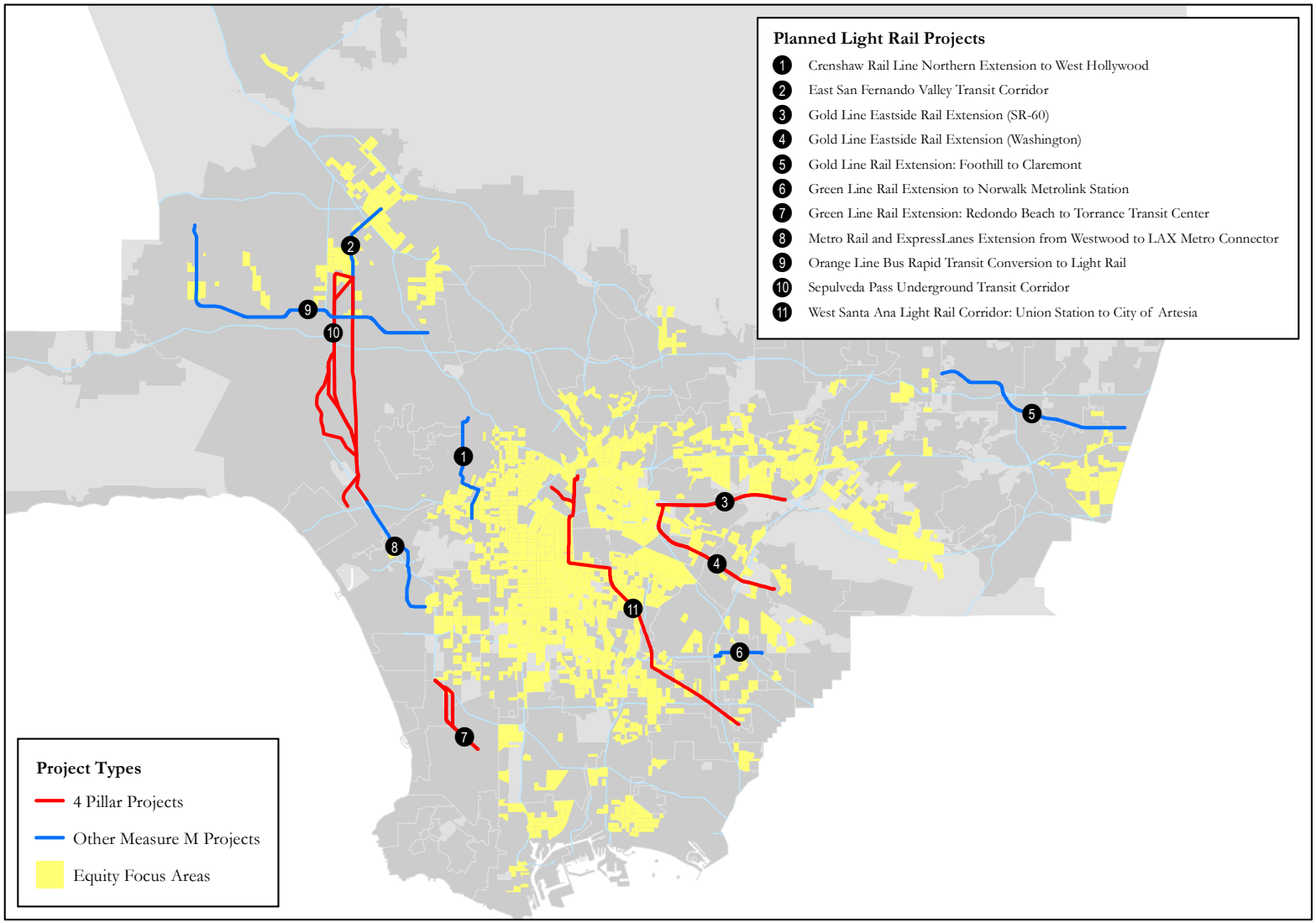
- **LOW-VEHICLE CRITERIA**

To determine this criterion, a Vehicles per Driving-Age (16 years or older) Population metric was developed by using the ACS's Vehicles Available data (multiple disseminations of this data type are available) to estimate total vehicles within each CBG. Age data from the ACS was used to estimate the driving age population of each CBG. The total vehicles were divided into driving age population to come up with the indicator. The above median capture by CBG for this indicator was found to be 0.62 or fewer vehicles per adult population.



Low-Vehicle Criteria

Figure 5 Metro Measure M Light Rail Projects and Equity Focus Areas



Metro Business Solution Center Analysis

Source: Chen Ryan Associates

5.0 Small Business Revenue Profiles

This section presents revenue profiles of small businesses that are expected to be impacted by Measure M light rail construction, which include small businesses along Measure M light rail construction corridors, those located along 4-Pillar Project corridors, and those along other Measure M Project corridors.

5.1 ALL SMALL BUSINESSES

Table 5-1 presents revenue profiles of all small business located along Measure M light rail construction corridors. Note that since several alignment alternatives exist for some Projects, a range of costs is provided. As shown, across all corridors, total annual revenue of small businesses ranges between approximately $5.3B and $8.0B. Revenue of businesses in Priority Populations ranged between approximately $3.9B and $6.1B. Revenue of businesses in Equity Focus Areas ranged between approximately $2B and $2.6B.

Note: This analysis found all affected small businesses in Equity Focus Areas exist within defined Priority Population areas.

Table 5-1 Revenue Profile of all Small Businesses along Measure M LRT Corridors (2019 Dollars in Thousands)

Revenue Summary[1]	Total Impacted Small Businesses[2]	Annual Revenue of Small Businesses	Small Businesses in Priority Populations[3]	Annual Revenue of Small Businesses Priority Populations[3]	Small Businesses in Equity Focus Areas[4]	Annual Revenue of Small Businesses in Equity Focus Areas[4]
4-Pillar Projects						
Low	844	$1,505,809	635	$1,286,622	321	$757,043
High	2,415	$3,580,181	1,791	$2,810,368	556	$1,113,134
Other Measure M LRT Projects						
Low	3,171	$3,814,009	2,123	$2,682,404	973	$1,214,560
High	3,611	$4,435,142	2,568	$3,309,965	1,162	$1,463,507
Total Measure M LRT Projects						
Low	**4,015**	**$5,319,818**	**2,758**	**$3,969,026**	**1,294**	**$1,971,603**
High	**6,025**	**$8,010,045**	**4,359**	**$6,120,333**	**1,718**	**$2,596,641**

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).
2. Small businesses are defined as 25 or fewer employees.
3. Priority Populations include CalEPA defined disadvantaged communities, low-income communities, and low-income households.
4. 4. Equity Focus areas are based on Metro defined race/ethnicity, low-income and low vehicle ownership. All small businesses in Equity Focus Areas also exist within Priority Populations.

5.2 4-PILLAR PROJECTS

Table 5-2 presents revenue profiles of all small business located along 4-Pillar Measure M light rail construction corridors. A more detailed presentation of the number of impacted small businesses, annual revenue, and number and revenue of small businesses in Priority Population and Equity Focus Areas, is provided for each alignment alternative of each 4-Pillar Project.

Table 5-2 Revenue Profile of 4-Pillar Projects (2019 Dollars in Thousands)

4-Pillar Projects	Total Impacted Small Businesses[1]	Annual Revenue of Small Businesses[1]	Small Businesses in Priority Populations[2]	Annual Revenue of Small Businesses in Priority Populations[2]	Small Businesses in Equity Focus Areas[3]	Annual Revenue of Small Businesses in Equity Focus Areas[3]
Sepulveda Pass Phase 1 Alternatives						
HRT 1	230	$219,942	73	$58,269	12	$21,326
HRT 2	399	$427,658	78	$61,346	6	$11,861
HRT 3	919	$1,147,963	494	$634,611	48	$120,811
MRT 1	919	$1,147,963	494	$634,611	48	$120,811
West Santa Ana Branch Segment 1 Alternatives						
Alternative E – Union Station Underground	487	$1,118,845	459	$1,094,084	280	$720,368
Alternative G – Down-town Core Underground	723	$1,366,304	547	$1,158,951	278	$718,997
Gold Line East Side Corridor 1 Alternatives						
SR-60	94	$106,870	88	$99,314	28	$14,630
Washington Blvd	534	$728,003	533	$726,875	217	$263,577
Green Line Extension to Torrance Alternatives						
ROW Overcrossing	33	$60,152	15	$34,955	11	$28,378
Hawthorne to 190th Street	238	$332,633	217	$289,931	9	$11,555

Source: Chen Ryan Associates

Note:

1. Small businesses are defined as 25 or fewer employees.
2. Priority Populations include CalEPA defined disadvantaged communities, low-income communities, and low-income households.
3. Equity Focus areas are based on Metro defined race/ethnicity, low-income and low vehicle ownership. All small businesses in Equity Focus Areas also exist within Priority Populations.

5.3 OTHER MEASURE M LIGHT RAIL PROJECTS

Table 5-3 presents revenue profiles of all small business located along other Measure M light rail construction corridors. A more detailed presentation of the number of impacted small businesses, annual revenue, and number and revenue of small businesses in Priority Population and Equity Focus Areas, is provided for each other Measure M Project.

As in previous sections of this report, note that since it is unknown at this time which Gold Line East Side Extension Phase 2 alignment will represent a 4-Pillar Project, both alignments have been presented in this table, in addition to **Table 5-2**.

Table 5-3 Revenue Profile of Other Measure M LRT Projects (2019 Dollars in Thousands)

Other Measure M LRT Projects	Total Impacted Small Businesses[1]	Annual Revenue of Small Businesses[1]	Small Businesses in Priority Populations[2]	Annual Revenue of Small Businesses in Priority Populations[2]	Small Businesses in Equity Focus Areas[3]	Annual Revenue of Small Businesses in Equity Focus Areas[3]
Gold Line Foothill Extension	232	$221,263	111	$124,910	17	$18,775
East San Fernando Valley	1,179	$1,439,975	1,179	$1,439,975	728	$953,261
Sepulveda Pass Phase 2/3	515	$611,731	39	$47,956	1	$237
Crenshaw Northern Extension	593	$728,084	236	$347,745	78	$98,779
Green Line Extension to Norwalk	194	$230,365	194	$230,365	47	$35,622
Gold Line East Side Corridor 2						
SR-60	94	$106,870	88	$99,314	28	$14,630
Washington Blvd	534	$728,003	533	$726,875	217	$263,577
Orange Line LRT Conversion	364	$475,721	276	$392,139	74	$93,256

Source: Chen Ryan Associates

Note:

1. Small businesses are defined as 25 or fewer employees.
2. Priority Populations include CalEPA defined disadvantaged communities, low-income communities, and low-income households.
3. Equity Focus areas are based on Metro defined race/ethnicity, low-income and low vehicle ownership. All small businesses in Equity Focus Areas also exist within Priority Populations.

6.0 Projected Costs of Business Solution Center Program

This chapter presents a summary of the projected annual costs to expand Metro's BSC program. Costs are provided for all corridors in Chapter 6.1, followed by a more detailed breakdown of BSC operating costs pertaining to 4-Pillar Projects in Chapter 6.2, and BSC operating costs pertaining to other Measure M light rail Projects in Chapter 6.3.

6.1 ESTIMATED FIVE-YEAR OPERATING COSTS

Table 6-1 summarizes anticipated yearly costs for operating the BSC for the first five-year period of 2020-2024. As shown, annual operating costs are estimated to be $1,185,087 for the year 2020. Five-year operating costs are estimated to range between $8,309,821 and $10,303,031.

Table 6-1 Estimated 5-Year BSC Operating Costs (2020-2024) (2019 Dollars)

Cost for All Lines by Year (2020-2024)[1]	2020	2021	2022	2023	2024	Summary (2020-2024)
4 Pillar Projects						
Low	-	$417,567	$408,332	$610,097	$605,594	$2,041,891
High	-	$620,365	$606,210	$1,413,269	$1,395,257	$4,035,101
Other Measure M LRT Projects[2]						
Low	$1,185,087	$1,157,462	$1,157,462	$1,157,462	$1,610,457	$6,267,930
High	$1,185,087	$1,157,462	$1,157,462	$1,157,462	$1,610,457	$6,267,930
Total Measure M LRT Projects						
Low	$1,185,087	$1,575,329	$1,565,795	$1,767,559	$2,216,051	$8,309,821
High	$1,185,087	$1,777,827	$1,763,672	$2,570,731	$3,005,714	$10,303,031

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).
2. 2. During the 5-year period of 2020-2024, only one alternative exists.

6.2 BSC OPERATING COSTS FOR ALL MEASURE M LIGHT RAIL CORRIDORS

Table 6-2 presents an overview of the projected costs for operating the BSC for all Measure M light rail Projects, grouped by 5-year construction periods. These periods begin in in 2020, when the earliest Measure M light rail Project is anticipated to begin construction, and ends in 2059, one year after the final Measure M light rail Project is anticipated to be built. The additional year was given to capture post-construction costs for Projects that extend through 2058, while residual pre-construction costs for Projects beginning construction in the year 2020 are included in the 2020-2024 cost summary due to the timing of this analysis.

Note that many projects currently carry multiple alternative alignments, as presented in greater detail in in Chapter 2.0. This yields a high and low range in terms of BSC operating costs due to differences in small businesses potentially impacted. As shown, projected BSC cumulative operating costs range between $28,500,978 and $39,621,138 (in 2019 dollars) for all Measure M Projects between 2020 and 2058.

Table 6-2 Summary BSC Operating Costs for All Measure M Projects (2019 Dollars)

Cost for All Lines by Year[1]	2020-2024	2025-2029	2030-2034	2035-2039	2040-2044	2045-2049	2050-2054	2055-2058	Summary Costs – All Years
4-Pillar Projects (2021-2036)									
Low	$2,041,891	$2,685,707	$421,208	$126,724	-	-	-	-	$5,286,530
High	$4,035,101	$6,592,297	$2,524,182	$719,901	-	-	-	-	$13,871,481
Other Measure M LRT Projects (2020-2058)									
Low	$6,267,930	$6,041,981	$2,060,235	-	$2,501,745	$2,625,789	$2,321,916	$1,394,852	$23,214,448
High	$6,267,930	$6,041,981	$2,060,235	-	$2,501,745	$2,625,789	$3,418,071	$2,844,906	$25,760,657
Total Measure M LRT Projects (2020-2058)									
Low	**$8,309,821**	**$8,727,688**	**$2,492,443**	**$126,724**	**$2,501,745**	**$2,625,789**	**$2,321,916**	**$1,394,852**	**$28,500,978**
High	**$10,303,031**	**$12,634,278**	**$4,584,418**	**$719,901**	**$2,501,745**	**$2,625,789**	**$3,418,071**	**$2,844,906**	**$39,621,138**
Average Cost Per Year									
Low	**$1,661,964**	**$1,745,537**	**$498,488**	**$25,344**	**$500,349**	**$525,157**	**$464,383**	**$278,970**	
High	**$2,060,606**	**$2,526,855**	**$916,883**	**$143,980**	**$500,349**	**$525,157**	**$683,614**	**$568,981**	

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).

6.3 BSC OPERATING COSTS FOR 4-PILLAR PROJECTS

Projected annual costs for running the BSC for 4-Pillar Measure M Projects are presented in **Table 6-3**, grouped by 5-year construction periods from 2021 and 2036, at which time each Project is scheduled to have completed its post-construction phase. Note that each of the 4-Pillar Projects carry multiple alignment alternatives at this time. Therefore, each was analyzed providing a high and low estimate for operating the BSC among 4-Pillar Projects.

As shown, projected BSC operating costs are between $5,286,530 and $13,871,481 to operate across all years of construction for 4-Pillar Projects.

Table 6-4 presents the per-line costs of operating the BSC among 4-Pillar projects for the years spanning 2020-2024.

Table 6-3 Summary of BSC Operating Costs for 4-Pillar Projects (2019 Dollars)

Cost for Each Line[1]	2020-2024	2025-2029	2030-2034	2035-2039	Summary Costs – All Years
Sepulveda Pass Phase 1					
HRT 1	$399,026	$522,863	-	-	$921,890
HRT 2	$692,224	$907,054	-	-	$1,599,278
HRT 3	$1,596,106	$2,091,453	-	-	$3,687,558
MRT 1	$1,596,106	$2,091,453	-	-	$3,687,558
West Santa Ana Branch Segment 1 Alternatives					
Alternative E – Union Station Underground	$1,642,864	$1,895,733	-	-	$3,538,597
Alternative G – Downtown Core Underground	$2,438,996	$2,814,404	-	-	$5,253,400
Gold Line East Side Corridor 1 Alternatives					
SR-60	-	$156,733	$387,230	$126,724	$678,687
Washington Blvd	-	$890,374	$2,199,799	$719,901	$3,810,073
Green Line Extension to Torrance Alternatives					
ROW Overcrossing	-	$110,379	$44,978	-	$155,356
Hawthorne to 190th Street	-	$796,066	$324,384	-	$1,120,450
Summary of Costs					
Low	**$2,041,891**	**$2,685,707**	**$432,208**	**$126,724**	**$5,286,530**
High	**$4,035,101**	**$6,592,297**	**$2,524,182**	**$719,901**	**$13,871,481**
Average Cost Per Year					
Low	**$408,378**	**$537,141**	**$86,441**	**$25,344**	
High	**$807,020**	**$1,318,459**	**$504,836**	**$143,980**	

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).

Table 6-4 Estimated 5- Year BSC Operating Costs for 4-Pillar Projects (2020-2024) (2019 Dollars)

Cost for Each Line[1]	Construction Start (FY)	Completion/ Opening (FY)	2020	2021	2022	2023	2024	Summary Costs
Sepulveda Pass Phase 1								
HRT 1	2024	2026	-	-	-	$201,765	$197,262	$399,026
HRT 2	2024	2026	-	-	-	$350,018	$342,206	$692,224
HRT 3	2024	2026	-	-	-	$807,059	$789,047	$1,596,106
MRT 1	2024	2026	-	-	-	$807,059	$789,047	$1,596,106
West Santa Ana Branch Segment 1 Alternatives								
Alternative E – Union Station Underground	2022	2028	-	$417,867	$408,332	$408,332	$408,332	$1,642,864
Alternative G – Downtown Core Underground	2022	2028	-	$620,365	$606,210	$606,210	$606,210	$2,438,996
Gold Line East Side Corridor 1 Alternatives								
SR-60	2029	2035	-	-	-	-	-	-
Washington Blvd	2029	2035	-	-	-	-	-	-
Green Line Extension to Torrance Alternatives								
ROW Overcrossing	2026	2030	-	-	-	-	-	-
Hawthorne to 190th Street	2026	2030	-	-	-	-	-	-
Summary of Costs								
Low			**-**	**$417,867**	**$408,332**	**$610,097**	**$605,549**	**$2,041,891**
High			**-**	**$620,365**	**$606,210**	**$1,413,269**	**$1,395,269**	**$4,035,101**

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).

6.4 BSC OPERATING COSTS FOR OTHER MEASURE M LIGHT RAIL PROJECTS

Projected annual costs for running the BSC in other Measure M Projects are presented in Table 6-5, grouped by 5-year construction periods from 2020-2059, at which point all other Measure M light rail Projects are scheduled to have cleared their post-construction phase. Note that the Gold Line East Side Corridor may include either the SR-60 or Washington Boulevard alignment as a 4-Pillar Project. Thus, the unchosen corridor, when the selection occurs, will be counted among other Measure M light rail Projects. In anticipation of this, both alignments were included, resulting in a high and low estimate for other Measure M Project BSC operating costs.

As shown, projected BSC operating costs are between $23,214,448 and $25,760,657 to operate across all years of construction for other Measure M Projects.

Table 6-6 presents the per-line costs of operating the BSC among other Measure M projects for the years spanning 2020-2024.

Table 6-5 Summary BSC Operating Costs for Other Measure M Projects (2019 Dollars)

Cost for Each Line[1]	2020-2024	2025-2029	2030-2034	2035-2039	2040-2044	2045-2049	2050-2054	2055-2058	Summary Costs – All Years
Gold Line Foothill Extension	$953,558	$310,085	-	-	-	-	-	-	$1,263,643
East San Fernando Valley	$4,861,377	$3,517,336	-	-	-	-	-	-	$8,378,713
Sepulveda Pass Phase 2/3	$452,995	$2,214,561	$2,060,235	-	-	-	-	-	$4,727,791
Crenshaw Northern Extension	-	-	-	-	$2,501,745	$1,814,409	-	-	$4,316,153
Green Line Extension to Norwalk	-	-	-	-	-	$811,380	$587,931	-	$1,399,312
Gold Line East Side Corridor 2									
SR-60	-	-	-	-	-	-	$234,179	$309,784	$543,963
Washington Blvd	-	-	-	-	-	-	$1,330,334	$1,759,838	$3,090,173
Orange Line LRT Conversion	-	-	-	-	-	-	$1,499,806	$1,085,067	$2,584,873
Summary of Costs									
Low	**$6,267,930**	**$6,041,981**	**$2,060,235**	**-**	**$2,501,745**	**$2,625,789**	**$2,321,916**	**$1,394,852**	**$23,214,448**
High	**$6,267,930**	**$6,041,981**	**$2,060,235**	**-**	**$2,501,745**	**$2,625,789**	**$3,418,071**	**$2,844,906**	**$25,760,657**
Average Cost Per Year									
Low	**$1,253,586.00**	**$1,208,396.20**	**$412,047.00**	**-**	**$500,349.00**	**$525,157.80**	**$464,383.20**	**$278,970.40**	
High	**$1,253,586.00**	**$1,208,396.20**	**$412,047.00**	**-**	**$500,349.00**	**$525,157.80**	**$683,614.20**	**$568,981.20**	

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).

Table 6-6 Estimated 5- Year BSC Operating Costs for Other Measure M Projects (2020-2024) (2019 Dollars)

Cost for Each Line[1]	Construction Start (FY)	Completion/ Opening (FY)	2020	2021	2022	2023	2024	Summary Costs
Gold Line Foothill Extension	2020	2025	$194,345	$189,803	$189,803	$189,803	$189,803	$953,558
East San Fernando Valley	2021	2027	$990,742	$967,659	$967,659	$967,659	$967,659	$4,861,377
Sepulveda Pass Phase 2/3	2024	2057	-	-	-	-	$452,995	$452,995
Crenshaw Northern Extension	2041	2047	-	-	-	-	-	-
Green Line Extension to Norwalk	2046	2052	-	-	-	-	-	-
Gold Line East Side Corridor 2								
SR-60	2053	2057	-	-	-	-	-	-
Washington Blvd	2053	2057	-	-	-	-	-	-
Orange Line LRT Conversion	2051	2057	-	-	-	-	-	-
Summary of Costs								
Low			**$1,185,087**	**$1,157,462**	**$1,157,462**	**$1,157,462**	**$1,610,457**	**$6,267,930**
High			**$1,185,087**	**$1,157,462**	**$1,157,462**	**$1,157,462**	**$1,610,457**	**$6,267,930**

Source: Chen Ryan Associates

Note:

1. Low or high figures based on combination of lowest or highest Alternatives within each corridor (based on number of small businesses).

7.0 Potential Business Solution Center Services

The BSC was established in accordance with a thorough review of the potential services that would be best utilized for addressing potential impacts of construction of the Crenshaw/LAX light rail Project, with a particular focus paid to small businesses located between 48th and 60th Streets along Crenshaw Boulevard. While the chosen services reflect a well-researched implementation based upon the best ability to benefit along the corridor, an expansion of the BSC to all Measure M light rail corridors may also carry an expansion of services in which it may offer impacted businesses.

A particular consideration for transit builders is a project's tendency to displace local businesses. A 2017 study published in the Journal of Transportation and Land Use (Open for Business? Effects of Los Angeles Metro Rail Construction on Adjacent Businesses), "…station construction appears to increase the risk of business failure by 46% for businesses within 400 meters of a station, though station location always appears to be somewhat riskier than loca¬tion away from a station."

Several additional opportunities for services are discussed below, based upon best-practices research of other construction mitigation or business improvement programs from sister agencies.

7.1 BUSINESS SHUTTLES

The Hillcrest Lunch Loop in San Diego, CA is operated as a free community service, fully financed by the Uptown Community Parking District, in order to encourage patronization of local businesses that some may find otherwise difficult to access due to limited parking opportunities. In Portland, Oregon, TriMet sponsored special media and social events along light rail construction corridors to encourage people to visit the local businesses. TriMet also sponsored a "lunch bus" program to ferry city officials and transportation workers to Interstate Avenue restaurants that were affected by the construction.

7.2 BUSINESS OPERATIONS SUPPORT

Particularly within the pre-construction phase of a light rail line, helping businesses improve their day-to-day efficiency better positions them to weather an anticipated slowdown in customer traffic. Helping businesses identify ways to strengthen their operations by cutting unnecessary inventory, expanding sales channels, developing customer-oriented communications strategies, sharing costs, or maintaining more accurate books, proved to be a key success during construction of the Minneapolis Green Line.

7.3 DISSEMINATION OF PUBLIC INFORMATION

A future BSC may be able to extend the communications services of such as through the regular dissemination of information regarding the status of construction and access along affected areas. Such considerations may include notification of the local community through media and signage as to which sidewalks may be closed, which driveways may be obstructed, parking impacts, or temporary transit stop relocations.

7.4 CUSTOMER INCENTIVES

During construction of Minneapolis' Green Line, the Midway Area Chamber of Commerce, an organization representing commercial districts, issued a coupon booklet that offered discounts to many of its member businesses. It also organized a monthly Lunch on the Avenue event held at restaurants that had active construction in front of them. These events brought dozens of new customers to businesses that were susceptible to revenue loss.

In Salt Lake City, Utah, Trax light rail construction coincided with the allocation of $300,000 to implement business impact mitigation programs, using the funds in four ways:

1. 4th South Bucks. The 4th South Bucks Program, named after the alignment along 400 South, distributed over $75,000 in coupons (each worth $1) that could be redeemed at businesses along 400 South. The program was believed to be an acceptable way to randomly disseminate the coupons through a radio station campaign. It was anticipated that business patrons would spend additional money beyond the 4th South Bucks.

2. "Go Fourth" Radio Advertisement Campaign. The "Go Fourth" radio advertising campaign was chosen because it was determined to be an effective means of reaching the intended customer demographics of the businesses along the project alignment. The contractor's public information specialist assisted a subcommittee in developing a radio campaign. A set of criteria was used to evaluate all of the businesses along the corridor (preference was given to independent businesses) to create a priority list for radio spots. Each month, six businesses were featured on the radio. In addition, a remote broadcast featured the six chosen businesses on the 4th of each month. The radio remote broadcasts would feature prizes including 4th South Bucks.

3. Catalyst Advertisements. Sixteen businesses were given advertisement space on the back cover of Catalyst Magazine each month. Catalyst Magazine, a local publication, was chosen because its reader demographic closely matched the radio station's demographics.

4. It was recognized that media coverage is often perceived as more credible than advertisements. In coordination with the contractor's public information staff, media events distributed the message that businesses were accessible during construction. Accessibility was emphasized in several media campaigns, including the "First Rail Weld" and the "Half-time Celebration."

7.5 PARKING LOT ALTERATIONS OR SHARING

While encouraging mode shift to transit remains Metro's goal, vehicular access impacts business patronage, particularly during construction when transit may be unavailable or temporarily relocated. It may be desirable to explore working with businesses with large private parking lots to temporarily allow shared use for patrons of neighboring businesses, or allow, where able, accommodation of parking on unused or vacant parcels, to partially mitigate

for parking loss during construction, or in the immediate aftermath as new travel patterns are solidified.

7.6 FORGIVABLE LOANS

In the twin cities of Minneapolis and St. Paul, Minnesota, the central corridor is home to a diverse number of businesses and local residents. The Green Line, also called the Central Corridor, is 11 miles long and opened in 2014. One of the largest programs created to support businesses was the $4 million Ready for Rail Business Support Fund. It was established in January 2011 through a Joint Powers Agreement between the Met Council and the Housing and Redevelopment Authority of the City of St. Paul (HRA).

The $4 million fund was originally envisioned as a low-interest loan program, but quickly became a forgivable loan once it became clear that a repayable loan would not meet the needs of businesses that were facing significant revenue losses. Up to $20,000 was available for businesses along the corridor that had gross sales of no more than $2 million and could show a loss in sales due to the light rail construction. The loan was forgiven at a rate of 20 percent each year over a five-year period.

7.7 WORKSHOPS AND SOCIAL MEDIA

In Portland, Oregon, TriMet staff used a wide range of strategies to distribute construction information to stakeholders along light rail construction corridors. Business owners were invited to attend workshops teaching business management skills and were paired with personal mentors who were skilled in giving business strategy advice to help businesses throughout the construction process. Staff attended meetings and gave presentations at a wide range of meetings including the Interstate MAX Advisory Committee, Interstate Corridor Urban Renewal Area Committee, various business associations, N/NE Portland Coalition meetings, and local neighborhood association meetings. TriMet's Community Affairs department also distributed 12 seasonal newsletters to a mailing list of 7,500 residents throughout North Portland. TriMet's web site included an extensive section pertaining to Interstate MAX construction and community outreach, including an information section in Spanish.

TriMet sponsored special media and social events along the corridor to encourage people to visit the local businesses. Additionally, there was a 24-hour construction hotline with a live operator at all times. The operator had the ability to page community relations staff for after-hours issues, and over two dozen construction staff were available on a 24-hour basis.

7.8 FAÇADE OR SIGNAGE IMPROVEMENTS

Based upon an interview held with Metro's Business Solution Center staff on August 27, 2019, the BSC stated a desire to offer potential façade or business signage-related improvements. Prior precedent was found to exist during construction of the Central Corridor in the Minneapolis area, whereby $150,000 was spent contributing to façade upgrades of local businesses along the right-of-way. Funding was contributed to the program through the University Avenue Business Preparation Collaborative (U7).

7.9 ADDITIONAL SERVICES

Based upon an interview held with Metro's Business Solution Center staff on August 27, 2019, the following were also identified as considerations held by the BSC as potential future services, based upon observations of business need while executing the Pilot BSC:

- Providing services, including those services that are currently provided, for a longer timeframe following the end of construction and introduction of revenue service to ensure lingering impacts to businesses are also addressed,
- Grant funding allowing businesses to acquire software and/or hardware that complements existing training services provided by the BSC, such as business management, bookkeeping, or budgeting software.

Access to capital, which would provide businesses assistance to purchase their property in advance of the opening of the transit in order to prevent being priced out with an increase in rent. The BSC currently helps with grant applications, but it was expressed that access to capital could provide greater help. Metro's own research into impacts along the Metro Red Line identified a desire to track rent vs. own ratios, indicating "…the first step for community advocates and transit agencies concerned with business displacement would be to begin tracking not only revenue loss, as the Metropolitan Council did in Minneapolis-St. Paul, but also whether the businesses rent and own. Much like with residential gentrification, benefits may accrue to those who own, while those who rent are displaced."

The full documents referenced in this chapter are provided as **Appendix C**.

8.0 Conclusions & Next Steps

This high-level analysis provides an overall cost to expand the Pilot BSC program to Measure M light rail corridors. Cost estimates, and thus service assumptions were based upon the current program. Thus, a more detailed cost estimate for each corridor, that includes potentially expanded services targeted to each corridor, would be a worthwhile analysis to undertake prior to project procurement and implementation.

CRENSHAW/LAX
TRANSIT PROJECT
BUSINESS SOLUTION CENTER

Metro

Supporting local business as we build.

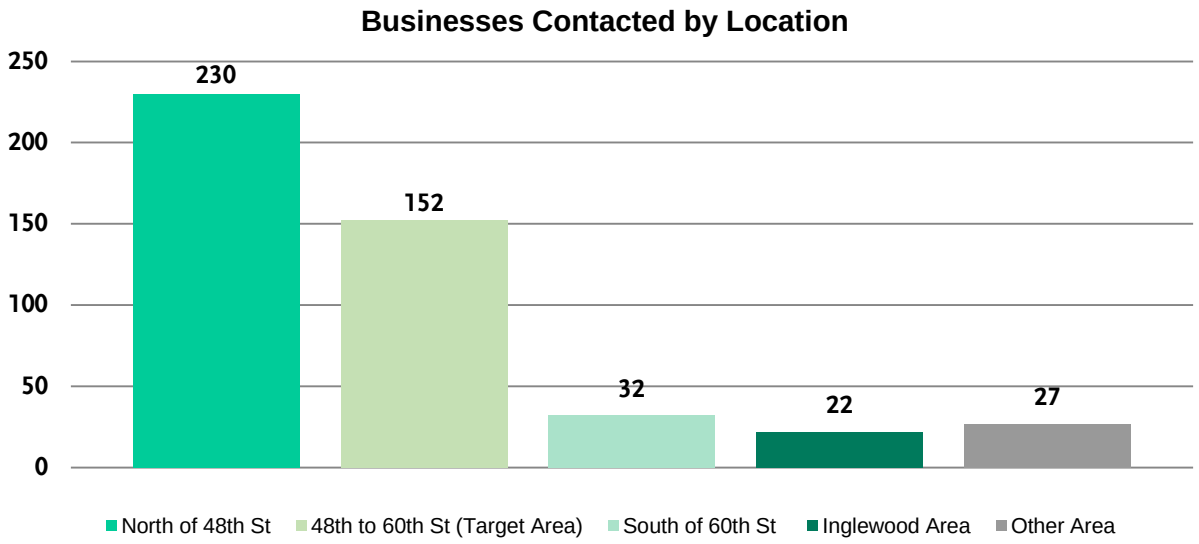
Metro Pilot Business Solution Center Expansion Analysis

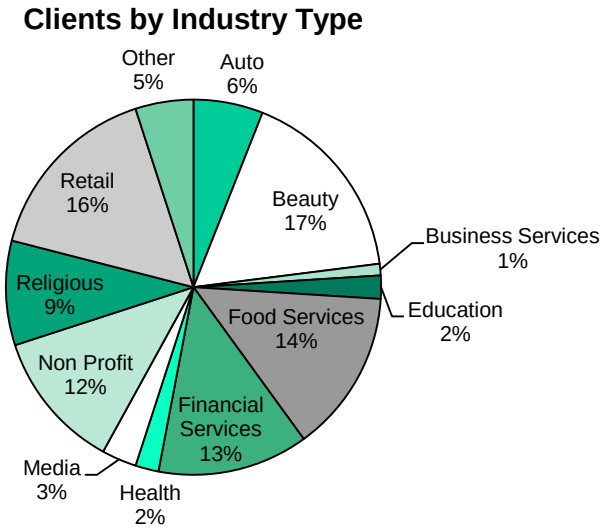
Metro

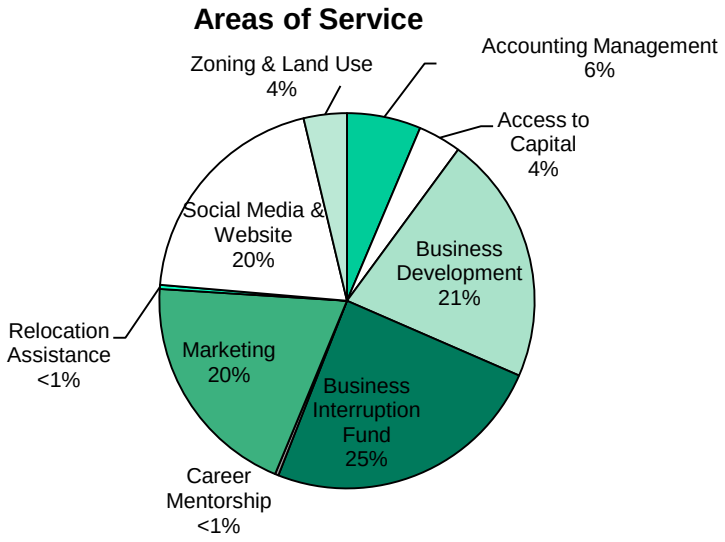
Item #39
Construction Committee
October 17, 2019

Measurable Outcomes

Since the launch of the Pilot Crenshaw/LAX BSC in late 2014, small business clients have represented a diverse group of small “mom and pop” businesses.







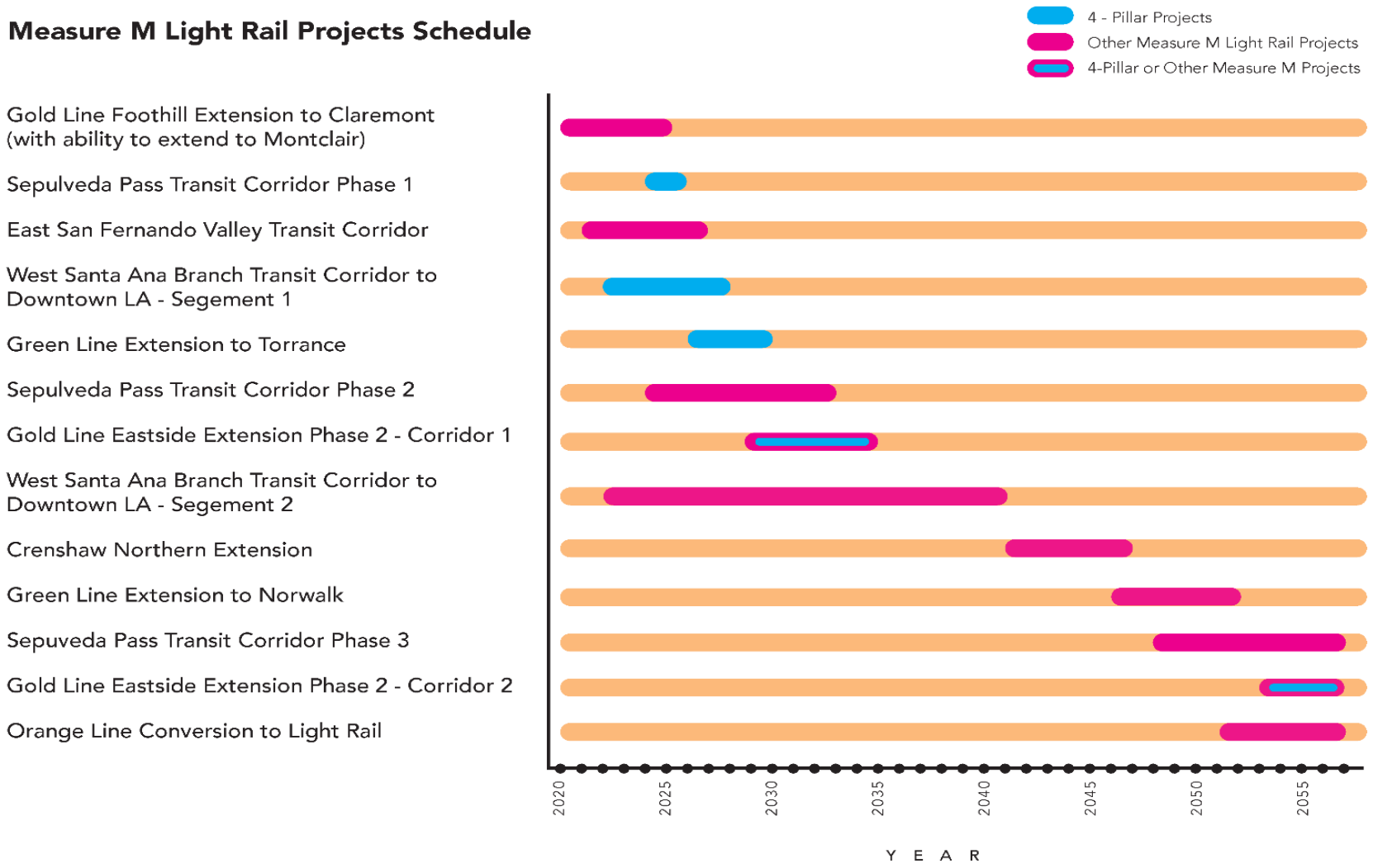
Metro

"Through the Metro BSC, I was able to attend informative workshops and received direct assistance in website development, mobile and search engine optimization, accounting and QuickBooks. The BSC staff has made a great difference toward helping me sustain and grow Ride On! Bike Shop/Co-op."

Ade E. Neff, Owner
Ride On! Bike Shop/Co-op

Metro

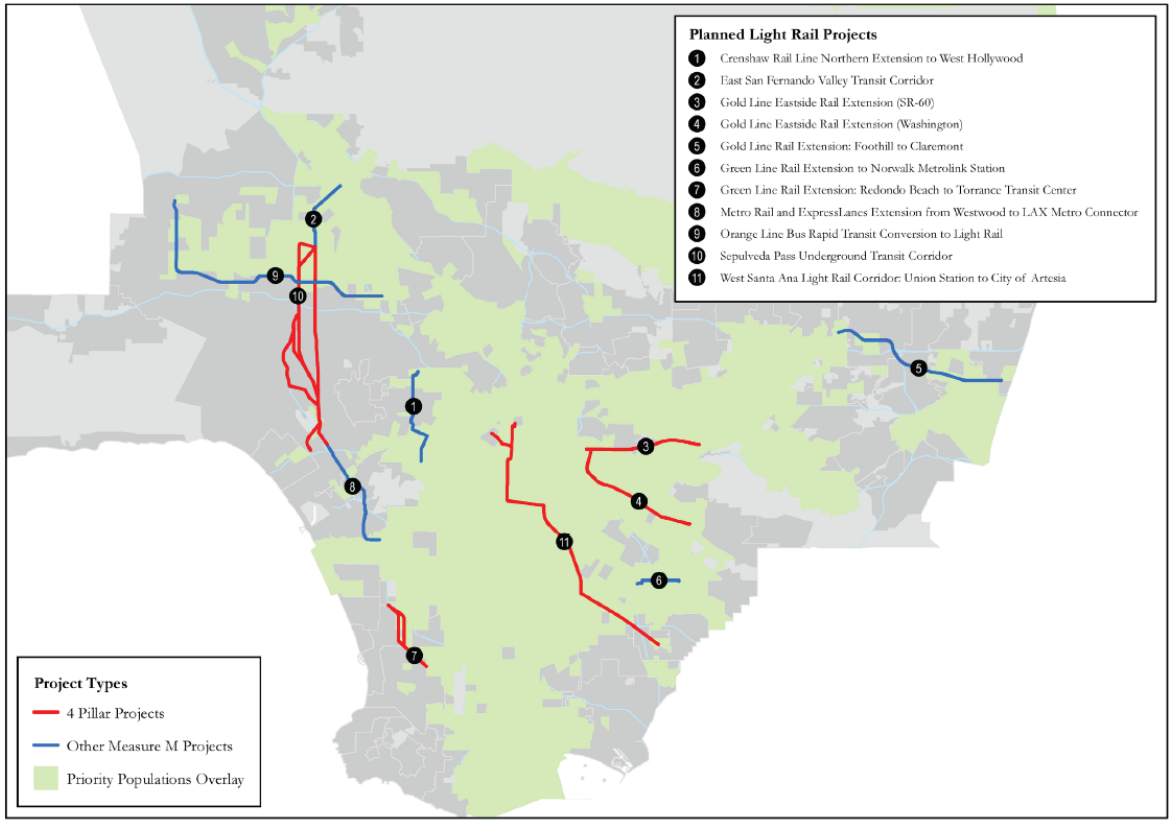
Schedule of Measure M Construction



Metro

Analysis Method – Disadvantaged Communities (Priority Population Areas)

- Use of the California Environmental Protection Agency's (CalEPA) criteria for identifying Priority Population investment areas.
- Criteria includes disadvantaged and low-income considerations in its criteria.
- Population areas provide a method to identify the region's most vulnerable communities.



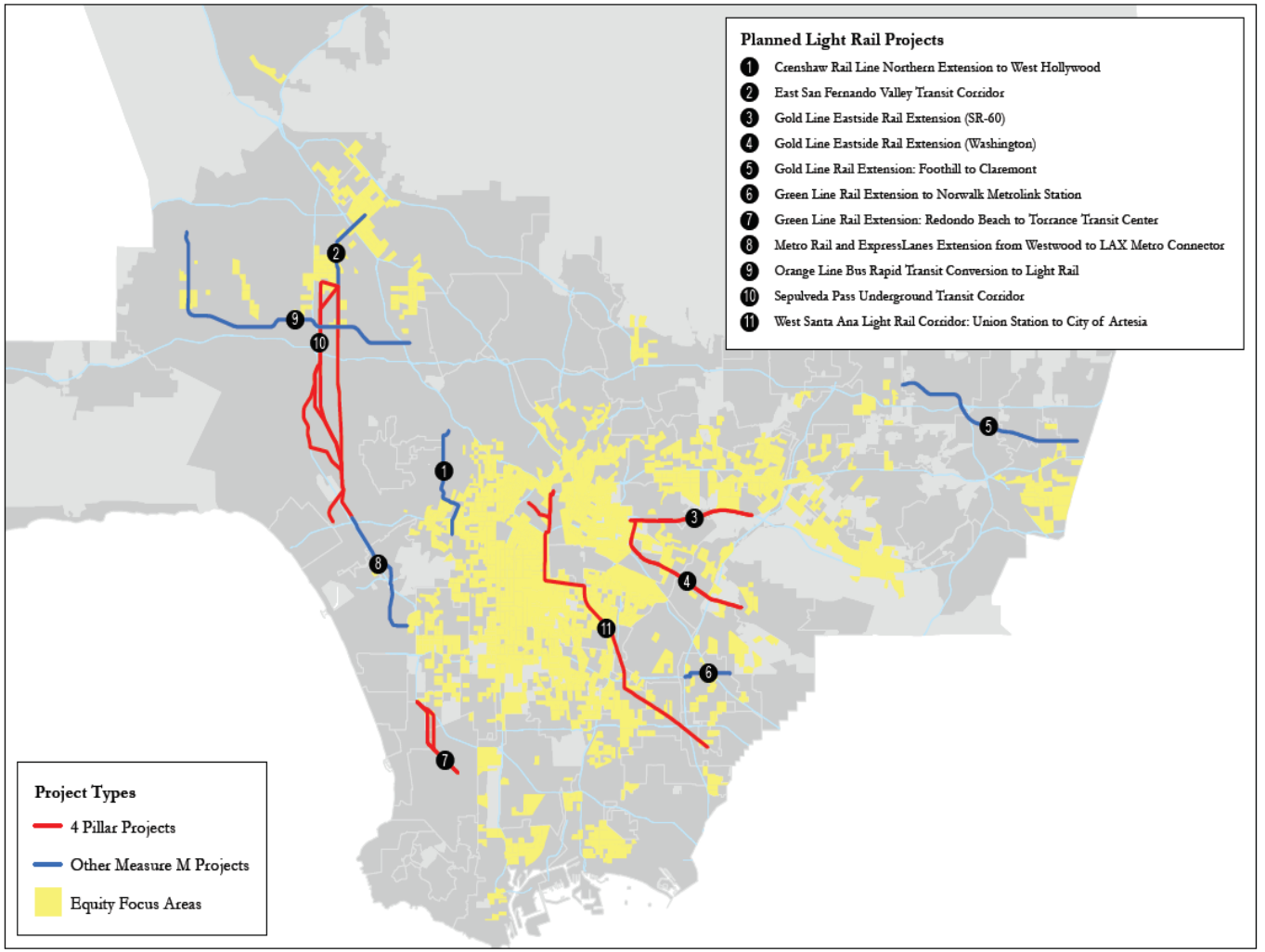
Metro Business Solution Center Analyses

Source: Chen Ryan Associates

Metro

Analysis Method – Equity Focus Areas

- Household income
- Race/ethnicity
- Household with low vehicle ownership



Metro Business Solution Center Analysis

Source: Chen Ryan Associates

Metro

Expansion Approach

- Phased implementation
- "Four Pillar Projects”
- Incremental funding
- Resource scaling
- Focus on pre and post construction operations

Metro

Thank You

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

File #: 2019-0776, **File Type:** Project **Agenda Number:** 50.

EXECUTIVE MANAGEMENT COMMITTEE
OCTOBER 17, 2019

SUBJECT: ROSA PARKS CUSTOMER CENTER DEDICATION

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

DEDICATE the new Metro Customer Center at the Willowbrook/Rosa Parks Station in honor of Rosa Louise Parks, a civil rights activist.

ISSUE

In late 2019, Metro will open a new Metro Customer Center at the Willowbrook/Rosa Parks Station on the Metro Blue and Green Lines.

Consistent with the Metro Property Naming Policy, the Metro Board of Directors should consider dedicating the new Metro Customer Center at the Willowbrook/Rosa Parks Station to Rosa Louise Parks and honor her significant contributions to the American civil rights movement and social justice.

BACKGROUND

Since the completion of the Metro Blue Line in 1990 and the Metro Green Line in 1995, the Willowbrook/Rosa Parks Station has evolved from a neighborhood station into the fourth most heavily used station in the Metro system. As part of the Willowbrook/Rosa Parks Improvement Project, Metro is completing significant upgrades to the station, expanding its capacity, adding new amenities, and strengthening its roles as a mobility hub and community resource.

This revitalized regional facility will provide thousands of Metro patrons with superior access to local treasures and amenities, including the County's most advanced health care services provider, the rebuilt Martin Luther King Jr. Medical Campus, and the Charles Drew University of Science and Medicine.

The improvements will transform the Willowbrook/Rosa Parks Station into a first-class transit facility through a number of improvements including:

- Upgrades to the elevators, escalators, stairs and mezzanine between the Blue and Green Line platforms
- Improvements to and consolidation of the bus bays to provide a safer and more comfortable area for patrons

- Reconfiguring of the Park & Ride lots for optimal circulation and pedestrian safety
- Improvements to pedestrian circulation, signage and wayfinding through the station
- New interactive digital displays with transit information and advertising
- Integration of new site-specific artwork
- Addition of a civic plaza with a Metro Customer Center, Transit Security Center, and Metro Bike Hub

As part of these improvements, Staff proposes to dedicate the new Metro Customer Center in honor of Rosa Parks. Rosa Louise Parks was nationally recognized as the "mother of the modern-day civil rights movement" in America. Her refusal to surrender her seat to a white male passenger on a Montgomery, Alabama bus on December 1, 1955 triggered a wave of protest on December 5, 1955 that reverberated throughout the United States. Her quiet courageous act changed America, its view of black people and redirected the course of history.

The new Metro Customer Center will be the first and only fully custom-built customer center in the County and will feature contemporary architecture, integrated site-specific interior artwork and other customer amenities. The center will bring a range of valuable services and products to the community including the ability to purchase TAP cards and submit applications for reduced fare program (e.g. Senior or Student cards), timetables and trip planning assistance.

FINANCIAL IMPACT

Adoption of Recommendation would have no financial impact to the agency.

Impact to Budget

There is no budget impact. Funds necessary for signage and other materials have been previously allocated as part of the capital budget for the new Metro Customer Center.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended action supports the following goals:

Goal 2: Deliver outstanding trip experiences for all users of the transportation system;
Goal 3: Enhance communities and lives through mobility and access to opportunity;

ALTERNATIVES CONSIDERED

- Do not dedicate the new Metro Customer Center.

NEXT STEPS

Should the Board approve the recommendation, signage will be fabricated and installed at the new Metro Customer Center at the Willowbrook/Rosa Parks Station dedicating it in honor of Rosa Parks.

A dedication event will take place at the center as part of a grand opening celebration in late 2019. Metro's website, customer guides, and related materials will be updated to reflect the new name of the customer center.

ATTACHMENTS

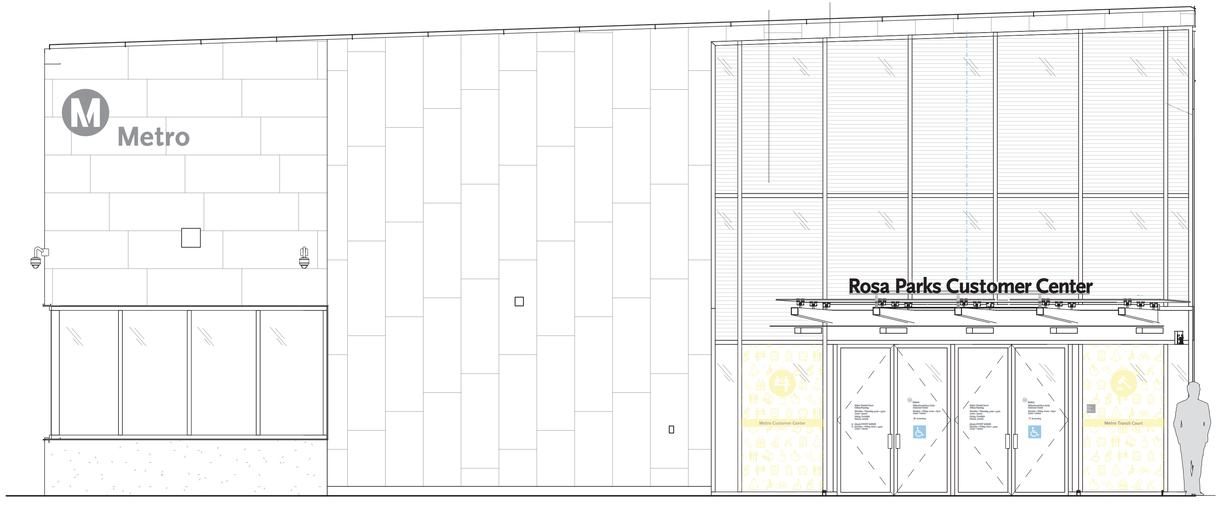
Attachment A - Draft Signage
Attachment B - Draft Plaque

Prepared by: Tim Lindholm, Sr. Executive Officer, Project Management, (213) 922-7136
Anthony Crump, Deputy Executive Officer, (213) 418-3292

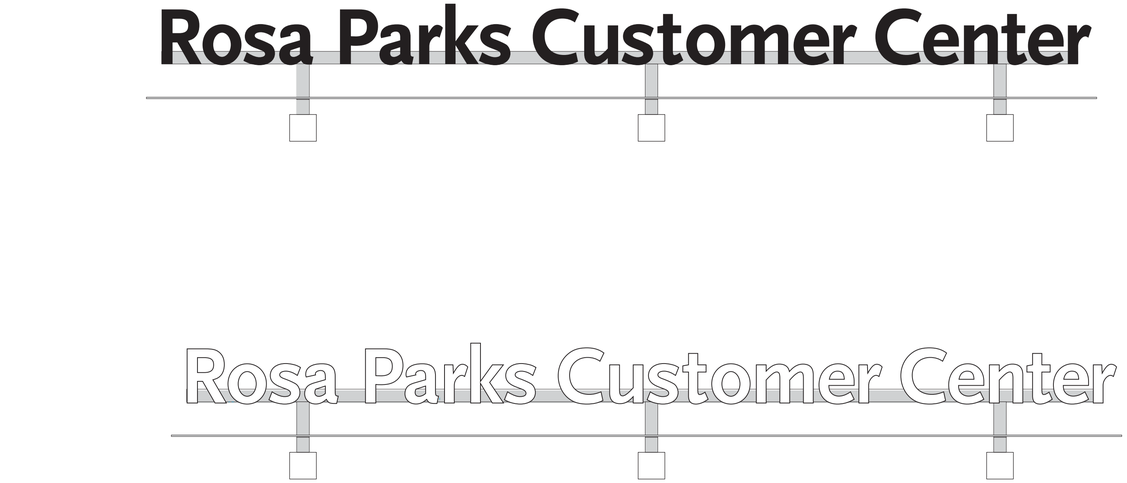
Reviewed by: Richard Clarke, Chief Program Management Officer, (213) 922-7557
Yvette Rapose, Chief Communications Officer, (213) 418-3154
Phillip A. Washington, Chief Executive Officer, (213) 922-7555

Phillip A. Washington
Chief Executive Officer

ATTACHMENT A - DRAFT SIGNAGE



B **CONTEXT ELEVATION**
SCALE: 1/4" = 1'-0"



A **EXTERIOR DIMENSIONAL LETTERS ST A15**
SCALE: 1" = 1'-0"

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

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Project Title & Description
15-7049-047 Rosa Parks Customer Center
Canopy

Issue Date
08/13/19

Designer(s)
M Lee

Lead Designer
S McLaughlin
Initials

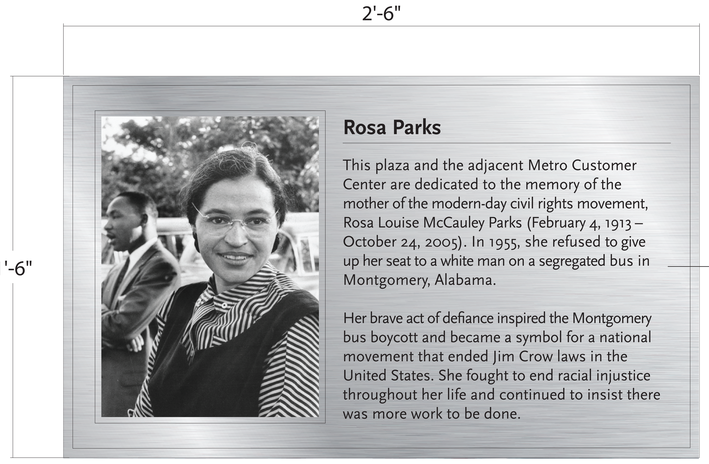
Project Manager
L Glover
Initials

APPROVED BY
Director, Arts & Design
Susan Gray
Initials

DRAWING NO.
GS-001

SCALE
AS NOTED

SHEET NO.
1 OF 1



A Design
SCALE: 1:1

C Location Plan

B Elevation
SCALE: 1:3

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

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Project Title & Description
15-7049-046 Rosa Parks Commemorative Plaque

Issue Date
08/13/19

Designer(s)
M Lee

Lead Designer
S McLaughlin
Initials

Project Manager
L Glover
Initials

APPROVED BY
Director, Arts & Design
Susan Gray
Initials

DRAWING NO.
GS-001
SCALE
AS NOTED
SHEET NO.
1 OF 1

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

Metro

Board Report

File #: 2019-0734, **File Type:** Policy **Agenda Number:**

REGULAR BOARD MEETING
OCTOBER 24, 2019

SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

A. HOLDING a public hearing on the proposed Resolutions of Necessities; and

B. ADOPTING the Resolutions of Necessities authorizing the commencement of an eminent domain action to acquire a Roadway Easement, Overhang Easement and Temporary Construction Easements from the properties identified as Parcels RM-04 (APN: 8059-029-030) and RM-05 (APN: 8059-029-031) and to acquire Permanent Footing, Roadway and Temporary Construction Easements and Improvements Pertaining to Realty from the properties identified as Parcels RM-31 (APN: 8069-005-010) and RM-32 (APN: 8069-005-011). The properties listed above are herein referred to as “Properties”.

(REQUIRES 2/3 VOTE OF THE BOARD)

BACKGROUND

The acquisition of the Properties are required for the construction and operation of the Rosecrans/Marquardt Grade Separation Project (“Project”). The Project will improve the safety and traffic flow of the Rosecrans Avenue and Marquardt Avenue intersection.

Written offers to purchase the Properties were delivered to the Owners of Record (“Owners”) of the Property, as required by California Government Code Section 7267.2. The Owners have not accepted the offer of Just Compensation made by the Los Angeles County Metropolitan Transportation Authority (“LACMTA”), and the parties have not reached negotiated settlement as of this date. Since the Properties are necessary for construction of the Project, staff recommends the acquisition of the Properties through eminent domain to maintain the Project schedule.

In accordance with the provisions of the California Eminent Domain Law and Sections 30503, 30600, 130051.13, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), LACMTA has timely prepared and mailed notice of this hearing to the Owners informing them of their right to appear at this hearing and be heard on

the following issues: (1) whether the public interest and necessity require the Project; (2) whether the Project is planned or located in the manner that will be most compatible with the greatest good and the least private injury; (3) whether their respective Properties are necessary for the Project; (4) whether either the offers required by Section 7267.2 of the Government Code have been made to the Owners, or the offers have not been made because the Owners cannot be located with reasonable diligence; (5) whether environmental review of the Project has complied with the California Environmental Quality Act (CEQA) and (6) whether LACMTA has given the notice(s) and followed the procedures that are a prerequisite to the exercise of the power of eminent domain.

After all of the testimony and evidence has been received by LACMTA's Board from all interested parties at the hearing, LACMTA's Board must make a determination as to whether to adopt the proposed Resolutions of Necessity to acquire the Properties by eminent domain. In order to adopt the resolutions, LACMTA's Board must, based on the evidence before it, and by a vote of two-thirds of all of its members, find and determine that the conditions stated in the items 1 - 6, above, exist. Attached is evidence submitted by staff that supports adoption of the Resolutions that have been approved by counsel, which is set forth the required findings (Attachment A).

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on LACMTA's safety standards.

FINANCIAL IMPACT

The funding for the temporary construction easement is included in the Fiscal Year 2020. Budget for the Rosecrans Marquardt Grade Separation Project in Cost Center 2415 under Project Number 460066. Since this is a multi-year project, the Cost Center Manager, Project Manager and Chief of Program Management will be responsible for future fiscal year budgeting.

Impact to Budget

The FY20 budget is designated for the Rosecrans/Marquardt Grade Separation Project and is funded with Measure R 20% Highway Capital Funds. The FY20 funds were planned and designated for this project. Design and construction of this project does not have an impact to operations funding sources.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Equity Platform Framework Consistency

Equity is afforded to property owners to engage and have a voice in the decision-making process with regards to the acquisition of their property.

Strategic Plan Consistency

The recommended Board action is consistent with Metro Vision 2028 Goal #1: Provide high quality

mobility options that enable people to spend less time traveling. Acquisition of property is a required step for the ultimate construction and operation of the Rosecrans Marquardt Grade Separation Project which will provide an additional mobility option.

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 properties interests 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 - Staff Report
Attachment B - Resolutions of Necessities ("B-1" and "B-2")

Prepared by: Craig Justesen, Director of Real Property Management & Development, (213) 922-7051
Velma C. Marshall, Deputy Executive Officer, Real Estate, (213) 922-2415
Holly Rockwell, Senior Executive Officer, Real Property Management & Development, (213) 922-5585

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

Phillip A. Washington
Chief Executive Officer

ATTACHMENT A

STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PROPERTY FOR THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT – RM-04, RM-05, RM-31 AND RM-32

BACKGROUND

The Properties are required by the Los Angeles County Transportation Authority for the construction and operation of the Rosecrans/Marquart Grade Separation ("Project"). The address, record owners (as indicated by a title report) ("Owners"), physical description, and nature of the property interests sought to be acquired for the Project are summarized on the table below.

Assessor's Parcel Number	Parcel Address	Property Owner	Purpose of Acquisition	Property Interest Sought	Metro Parcel Number
8059-029-030, 031	13729 Rosecrans Avenue, Santa Fe Springs, CA 90670	13729 Rosecrans, LLC	Rosecrans/ Marquardt Grade Separation Project	Roadway Easement, Overhang Easement and Temporary Construction Easements	RM-04 RM-05
8069-005-010, 011	16934 Rosecrans Avenue and 13949 Stage Road, Santa Fe Springs, CA 90670	RRM Properties, LTD	Rosecrans/ Marquardt Grade Separation Project	Permanent Footing, Roadway and Temporary Construction Easements and Improvements Pertaining to Realty (IPR's)	RM-31 RM-32

A written offer to acquire the property rights were presented to the representative of 13729 Rosecrans, LLC by letter dated March 25, 2019 for parcels RM-04 & RM-05 and by letter to RRM Properties, LTD dated April 3, 2019 (Easements) and April 19, 2019 (IPR's) for parcels RM-31 & RM-32. LACMTA has attempted to negotiate with the Owners and/or their attorneys but to date; the Owners have not accepted the offers to purchase.

A. The public interest and necessity require the Project.

The purpose of the Project is to:

1) Improve safety;
2) Maintain access to the railroad for emergency responders;
3) Maintain existing railroad facilities and operations; and
4) Accommodate future High-Speed Rail in the corridor.

The Rosecrans/Marquardt Avenue and BNSF railroad tracks intersection experiences an average of 45,000 vehicles and 112 trains traveling through the intersection within each 24-hour period, as estimated using Los Angeles County Department of Public Works traffic data from 2011 (Los Angeles County Department of Public Works, 2015). The BNSF line serves approximately 55 long distance and local freight trains, as well as up to 57 passenger trains for both Metrolink commuter and Amtrak within a 24-hour time period (Los Angeles County Metropolitan Transportation Authority, 2016). The existing BNSF railroad tracks and roadway are at the same grade. This causes a high volume of vehicle conflicts at the intersection. In addition, the railroad crossing traverses the intersection diagonally, which results in poor sight distance between roadway and railroad vehicles.

The combination of these factors has caused the intersection to experience a higher proportion of traffic incidents than average, including fatalities. The ongoing danger has prompted the CPUC under Section 190 to rate this intersection as the most hazardous at-grade railroad crossing in the state. The completion of this Project would alleviate the existing vehicle conflicts and safety hazards at the intersection.

Motorist, cyclist, bus, and emergency vehicle access will need to be maintained at all times during construction of the Project. In addition, train volume in the BNSF corridor is anticipated to increase in the future. Additionally, a third BNSF track is planned for this corridor. The Project would facilitate continued access to and around the Project area, including access to the railroad.

The intersection of railroad and roadway infrastructure poses competing interests, which lead to collisions and accidents in the project area. To accommodate existing and planned railroad facilities and operations, the Project would elevate Rosecrans Avenue to an overpass, which would allow critical improvements along the roadway and BNSF right of way to occur.

The Project area does not currently accommodate for future HSR planned in the BNSF railroad corridor. At the conclusion of the California High-Speed Train System Tier 1 EIR/EIS, FRA and CHSRA identified the BNSF corridor as the proposed corridor for the HSR Los Angeles to Anaheim project section. FRA and CHSRA are currently conducting further Tier 2 environmental analysis and this Project would be designed to accommodate and not preclude future HSR infrastructure, minimizing time and costs between both projects.

B. The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.

The Environmental Assessment evaluates the proposed action and the Project alternatives that were developed to meet the identified purpose and need of the Project. When developing alternatives, the following criteria were considered:

- Traffic impacts during construction;
- Required utility relocations;
- Access to businesses during construction;
- ROW impacts;
- Impacts to railroad operations; and
- Project costs.

Several build alternatives were considered, but only one build alternative was recognized as feasible, Alternative 2: Offset Overpass with Connector Road. The Build Alternative was identified as a suitable alternative using the criteria above. Therefore, the alternatives considered for the Project are the Alternative 1 (No Build Alternative) and one Build Alternative (Alternative 2). Resource areas evaluated for each alternative include land use, community impacts, utilities/emergency services, traffic and transportation/pedestrian and bicycle facilities, visual/aesthetics, cultural resources, water quality and storm water runoff, hazardous waste/materials, air quality, and noise. In addition, the potential cumulative impact of past, present, and reasonably foreseeable future projects in the project region are evaluated with respect to these resources.

Under Alternative 1 (No Build Alternative), the current configuration of the Rosecrans/Marquardt Avenue and BNSF railroad tracks intersection would be maintained, and the at-grade railroad crossing would remain. This alternative would not improve safety because each user (trains, vehicles, and pedestrians) would continue sharing the Rosecrans/Marquardt intersection crossing, which would not address the risk of collision. Additionally, the segment of BNSF corridor in the project area has been planned for a third set of BNSF tracks, which would require changes in roadway geometry in the project area. Existing conditions are not conducive to accommodate future HSR infrastructure. Under the No Build Alternative, construction activities would not be completed. However, this alternative would not help to achieve the desired safety or circulation improvements, and would therefore not meet the Project purpose and need.

Under Alternative 2 (Build Alternative), Rosecrans Avenue would be realigned to the south, and an overpass would be constructed to raise Rosecrans Avenue over Marquardt Avenue, the BNSF ROW, and Stage Road. The southern leg of Marquardt Avenue would be extended under the overpass and connected to Rosecrans Avenue. The northern leg of Marquardt Avenue would be connected to Stage Road. A frontage road would also be constructed to connect Anson Avenue to the northern leg of Marquardt Avenue and Stage Road.

Traffic signals would be installed along Rosecrans Avenue: one at the intersection with Marquardt Avenue to the west, and one to the east of the overpass at the intersection with Iseli Road. Other improvements include sidewalk construction, street lighting installation, landscape installation/replacement, parking lot reconfiguration, and utility relocations. Alternative 2 would require full acquisition of eight properties, including six

industrial properties and two commercial properties (Sierra Plaza and VCA Animal Hospital), and various partial and temporary easements, including seven roadway easements, one footing easement, one utility easement, and 15 temporary construction easements (TCEs). Construction would be completed over an approximately 24-month period.

Improvements considered under Alternative 2 would meet the purpose and need of the Project. Connectivity between Rosecrans Avenue, Marquardt Avenue, Stage Road, and Anson Avenue would be maintained through the use of signalized intersections. Utilities in the existing roadway would remain in their existing alignment, minimizing the duration of construction. Proposed transportation structures would be located outside of the BNSF ROW, so that a third set of BNSF tracks and future HSR tracks would be accommodated. The majority of construction activities under this alternative would be completed outside of the existing Rosecrans Avenue footprint in order to meet the purpose and need element, “maintain access to the railroad for emergency responders”, which includes access during Project construction. Access disruptions to residents, businesses, and the community during construction would be minimized to the maximum extent feasible. Operation of Alternative 2 would enhance mobility and quality of life for the community. Therefore, the Project would help achieve the desired safety and circulation improvements, and would meet the Project purpose and need.

C. The Properties are Necessary for the Project.

The Properties are required for the construction of the overhead pass over Marquardt Avenue and realigning Rosecrans Avenue to the south. The selected alignment is critical in connecting Rosecrans Avenue, Marquardt Avenue, Stage Road, and Anson Avenue.

Staff recommends that the Board find that the acquisition of the Properties 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 Properties:

1. Obtained appraisals to determine the fair market value of the Properties, which included consideration of any immovable fixtures and equipment as appropriate;
2. Reviewed and approved the appraisals, and established the amount it believes to be just compensation for the Properties;
3. Determined the owners of the Properties by examining the county assessor's record and the title report;
4. Made written offers to the Owners for the full amount of just compensation - which was not less than the approved appraised values; and
5. Provided the Owners with a written a statements of and summaries of the basis for, the amounts established as just compensation with respect to the foregoing offers.

It is recommended that based on the above evidence, the Board find and determine that the offers required by Section 7267.2 of the California Government Code have been made to the owner(s) of record.

E. Metro has fulfilled the necessary statutory prerequisites.

Metro is authorized to acquire property by eminent domain for the purposes contemplated by the Project under Public Utilities Code §§ 30503, 30600, 130051.13, and 130220.5; Code of Civil Procedure §§ 1230.010-1273.050; and Article I, § 19 of the California Constitution.

F. CEQA/NEPA Compliance

As per Section 21080.13 of CEQA, all railroad grade separation projects are exempt under CEQA; as such this project has been statutory exempted from CEQA. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.

Accordingly, Metro has fulfilled the necessary statutory prerequisites to acquire the Property by eminent domain.

CONCLUSION

Staff recommends that the Board adopt the Resolutions of Necessities.

ATTACHMENT B-1

RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT PARCELS
RM-04 AND RM-05

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 the Rosecrans/Marquardt Project ("Project") and 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 interests consist of the acquisition of Permanent Roadway, Utility Overhang and Temporary Construction Easements as described more specifically in the Legal Descriptions (Exhibit A, A-1, A-2, A-3, A-4 and A-5) and depicted on the Plat Maps (Exhibit B, B-1, B-2, B-3, B-4 and B-5), attached hereto (hereinafter the "Property"), incorporated herein by this reference.

Section 4.

(a) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Project;

(b) As per Section 21080.13 of CQA, all railroad grade separation projects are exempt under CEQA. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.

Accordingly, Metro has fulfilled the necessary prerequisites to acquire the Property by eminent domain.

Section 5.

The Board hereby declares that it has found and determined each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;

(d) The offer required by Section 7267.2 of the Government Code has been made to the Owner; and

(e) The California Environmental Quality does not apply to railroad grade separation projects which eliminate an existing grade crossing, and therefore no environmental document is required for this Project.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The 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 the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, 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, MICHELE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Metropolitan Transportation Authority at a meeting held on the 24th day of October, 2019.

_____ Date: _____

MICHELE JACKSON
METRO Secretary

ATTACHMENTS

1 – Legal Descriptions (Exhibit “A”,“A-1”,“A-2”,“A-3”, “A-4” and “A-5”)
2 – Plat Maps (Exhibit “B”,“B-1”,“B-2”, “B-3”,“B-4” and “B-5”)

EXHIBIT "A"
LEGAL DESCRIPTION
A.P.N. 8059-029-030

PARCEL A (ROAD EASEMENT) RM-04

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 238, PAGES 61 AND 62 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 2 NORTH 00°22'54" WEST 22.15 FEET;

THENCE LEAVING SAID WESTERLY LINE SOUTH 69°10'59" EAST 1.51 FEET;

THENCE SOUTH 20°49'01" WEST 1.17 FEET;

THENCE SOUTH 69°10'59" EAST 45.33 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 208.00 FEET;

THENCE SOUTHEASTERLY 12.36 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°24'14" TO THE SOUTHERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°37'06' WEST 54.89 FEET TO THE POINT OF BEGINNING;

THE ABOVE DESCRIBED PARCEL CONTAINS 566 SQUARE FEET OR 0.013 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076 — 1/4/17 DATE

PROFESSIONAL LAND SURVEYOR ★ Ralph W. Guida, IV No. 7076 ★ STATE OF CALIFORNIA

PLAT TO ACCOMPANY
LEGAL DESCRIPTION

RM-04

LINE TABLE		
NO.	BEARING	LENGTH
L1	N 00°22'54" W	22.15'
L2	S 69°10'59" E	1.51'
L3	S 20°49'01" W	1.17'
L4	S 69°10'59" E	45.33'
L5	S 89°37'06" W	54.89'

C1: Δ=3°24'14"
R=208.00'
L=12.36'
T=6.18'

BURLINGTON NORTHERN SANTA FE RAILWAY

50' 100' 50' ℄

PARCEL A
566 SQ.FT.

N 20°49'01" E (RAD)

PT. OF BEGINNING

N 17°24'47" E (RAD.)

50'

℄ ROSECRANS AVENUE

50'

PARCEL 2
P.M. 21514, P.M.B. 238/61-62
APN: 8059-029-030
ADDRESS: 13729 ROSECRANS AVE.
AREA: 27,627 S.F. GROSS (0.63 AC.)

DETAIL
N.T.S.

INDICATES ROADWAY EASEMENT

PREPARED BY ME OR UNDER MY DIRECTION:

01/04/17

RALPH W. GUIDA, IV
P.L.S. 7076

DATE

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

0 30 60 90 120
1" = 60'

SHEET 2 OF 2

EXHIBIT "B"
ROADWAY EASEMENT

APN: 8059-029-030

EXHIBIT "A-1"

SOUTHERN CALIFORNIA EDISON COMPANY
OVERHANG EASEMENT
LEGAL DESCRIPTION

PARCEL A (A.P.N. 8059-029-030) RM-04

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 238, PAGES 61 AND 62, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A 5.00 FOOT WIDE STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE GENERALLY WESTERLY LINE OF SAID PARCEL 2 NORTH 00°22'54" WEST, 5.00 FEET TO A LINE THAT IS PARALLEL WITH AND 5.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, OF THE SOUTHERLY LINE OF SAID PARCEL 2;

THENCE LEAVING SAID GENERALLY WESTERLY LINE AND ALONG SAID PARALLEL LINE NORTH 89°37'06" EAST, 181.48 FEET TO THE GENERALLY EASTERLY LINE OF SAID PARCEL 2;

THENCE LEAVING SAID PARALLEL LINE AND ALONG SAID GENERALLY EASTERLY LINE SOUTH 00°22'54" EAST, 5.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL 2;

THENCE LEAVING SAID GENERALLY EASTERLY LINE AND ALONG SAID SOUTHERLY LINE SOUTH 89°37'06" WEST, 181.48 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 907 SQUARE FEET OR 0.021 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

7/16/18
DATE

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

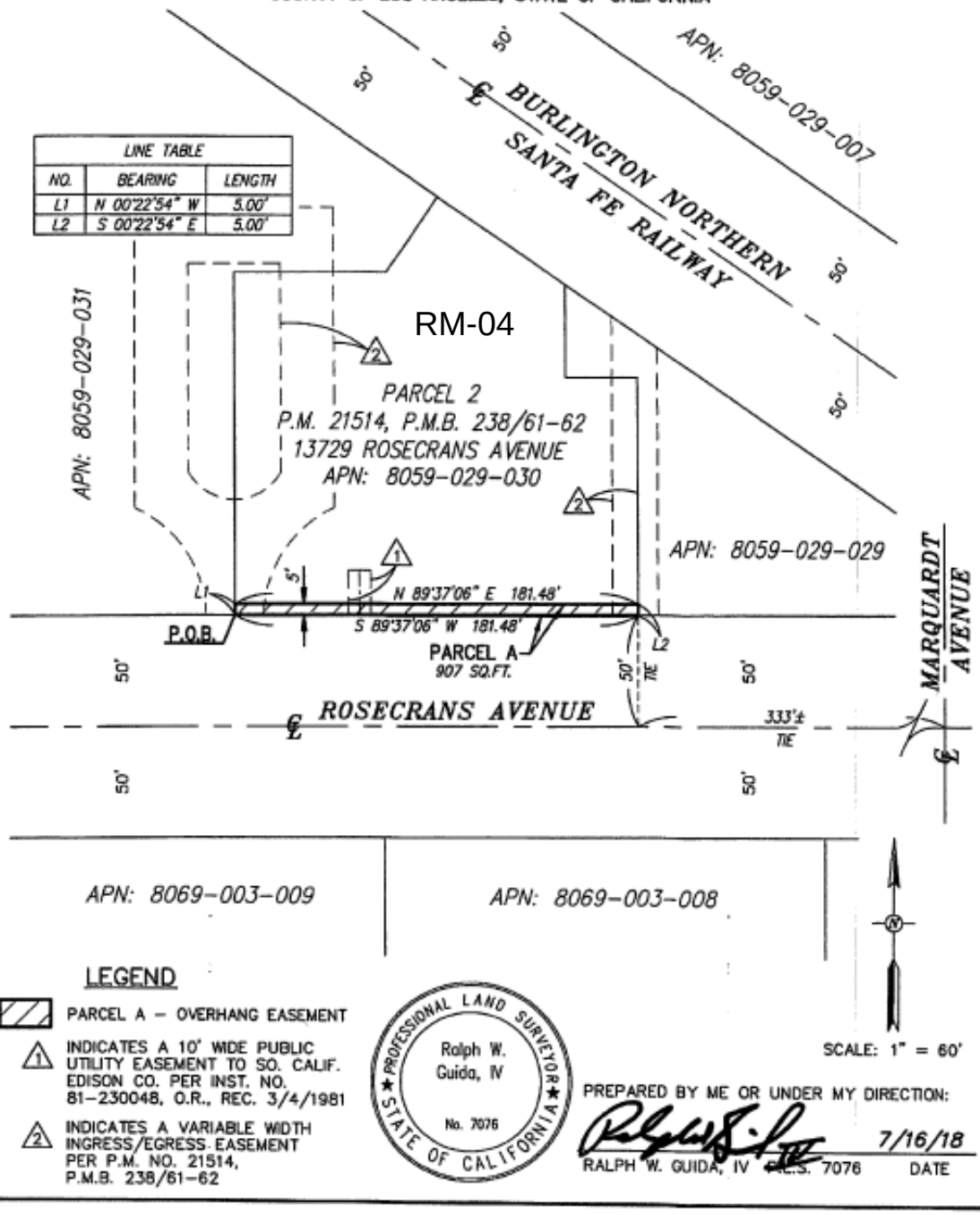
PLAT TO ACCOMPANY
LEGAL DESCRIPTION

EXHIBIT "B-1"

SHEET 1 OF 1 SHEET

SOUTHERN CALIFORNIA EDISON COMPANY
OVERHANG EASEMENT

IN THE CITY OF SANTA FE SPRINGS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



LINE TABLE		
NO.	BEARING	LENGTH
L1	N 00°22'54" W	5.00'
L2	S 00°22'54" E	5.00'

LEGEND

PARCEL A – OVERHANG EASEMENT

1 INDICATES A 10' WIDE PUBLIC UTILITY EASEMENT TO SO. CALIF. EDISON CO. PER INST. NO. 81-230048, O.R., REC. 3/4/1981

2 INDICATES A VARIABLE WIDTH INGRESS/EGRESS EASEMENT PER P.M. NO. 21514, P.M.B. 238/61-62

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

SCALE: 1" = 60'

PREPARED BY ME OR UNDER MY DIRECTION:

RALPH W. GUIDA, IV P.L.S. 7076 — DATE 7/16/18

EXHIBIT "A-2"
LEGAL DESCRIPTION
A.P.N. 8059-029-030

PARCEL A-1 (TEMPORARY CONSTRUCTION EASEMENT) RM-04

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 238, PAGES 61 AND 62 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 2 NORTH 00°22'54" WEST 22.15 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID WESTERLY LINE SOUTH 69°10'59" EAST 1.51 FEET;

THENCE SOUTH 20°49'01" WEST 1.17 FEET;

THENCE SOUTH 69°10'59" EAST 45.33 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 208.00 FEET;

THENCE SOUTHEASTERLY 12.36' FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°24'14" TO THE SOUTHERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID SOUTHERLY LINE NORTH 89°37'06" EAST 12.93 FEET;

THENCE LEAVING SAID SOUTHERLY LINE NORTH 00°22'54" WEST 76.13 FEET;

THENCE SOUTH 90°00'00" WEST 67.82 FEET TO SAID WESTERLY LINE OF PARCEL 2;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°22'54" EAST 54.44 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL A-1 CONTAINS 4,613 SQUARE FEET OR 0.106 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

PARCEL A-2 (TEMPORARY CONSTRUCTION EASEMENT)

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 238, PAGES 61 AND 62 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 2 NORTH 00°22'54" WEST 10.00 FEET;

THENCE LEAVING SAID EASTERLY LINE SOUTH 89°37'06" WEST 31.73 FEET;

THENCE SOUTH 00°37'30" EAST 10.00 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID SOUTHERLY LINE NORTH 89°37'06' EAST 31.68 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL A-2 CONTAINS 317 SQUARE FEET OR 0.007 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE

PLAT TO ACCOMPANY
LEGAL DESCRIPTION

LINE TABLE		
NO.	BEARING	LENGTH
L1	N 00°22'54" W	22.15'
L2	S 69°10'59" E	1.51'
L3	S 20°49'01" W	1.17'
L4	S 69°10'59" E	45.33'
L5	N 89°37'06" E	12.93'
L6	N 00°22'54" W	76.13'
L7	S 90°00'00" W	67.82'
L8	S 00°22'54" E	54.44'
L9	N 89°37'06" E	54.89'
L10	N 00°22'54" W	10.00'
L11	S 89°37'06" W	31.73'
L12	S 00°37'30" E	10.00'
L13	N 89°37'06" E	31.68'

RM-04

BURLINGTON NORTHERN SANTA FE RAILWAY

50'

PARCEL A-1
4,613 SQ.FT.

PARCEL A-2
317 SQ.FT.

C1: Δ=3°24'14"
R=208.00'
L=12.36'
T=6.18'

TRUE PT. OF BEGINNING
(PCL. A-1)

SEE DETAIL

N 20°49'01" E
(RAD)

PT. OF BEGINNING
(PCL. A-2)

PT. OF COMMENCEMENT
(PCL. A-1)

N 17°24'47" E
(RAD.)

50'

℄ ROSECRANS AVENUE

50'

PARCEL 2
P.M. 21514, P.M.B. 238/61-62
APN: 8059-029-030
ADDRESS: 13729 ROSECRANS AVE.
AREA: 27,627 S.F. GROSS(0.63 AC.)

DETAIL
N.T.S.

TRUE PT. OF BEGINNING (PCL. A-1)

INDICATES TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)

PREPARED BY ME OR UNDER MY DIRECTION:

RALPH W. GUIDA, IV
P.L.S. 7076

01/04/17
DATE

SHEET 2 OF 2

0 30 60 90 120
1" = 60'

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

EXHIBIT "B-2"

TEMPORARY CONSTRUCTION EASEMENT

APN: 8059-029-030

EXHIBIT "A-3"
LEGAL DESCRIPTION
A.P.N. 8059-029-031

PARCEL A (ROAD EASEMENT) RM-05

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 238, PAGES 61 AND 62 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 3;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 3 NORTH 00°24'45" WEST 50.00 FEET;

THENCE LEAVING SAID WESTERLY LINE NORTH 89°37'06" EAST 87.25 FEET;

THENCE NORTH 00°22'54" WEST 27.05 FEET;

THENCE NORTH 90°00'00" EAST, 71.11 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL 3, SAID POINT BEING NORTH 00°22'54" WEST 76.59 FEET, AS MEASURED ALONG SAID EASTERLY LINE OF SAID PARCEL 3, FROM THE SOUTHEASTERLY CORNER OF SAID PARCEL 3;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°22'54" EAST, 54.44 FEET TO A POINT BEING NORTH 00°22'54" WEST 22.15 FEET, AS MEASURED ALONG SAID EASTERLY LINE OF SAID PARCEL 3, FROM THE SOUTHEASTERLY CORNER OF SAID PARCEL 3, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID EASTERLY LINE NORTH 69°10'59" WEST, 41.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 84.17 FEET;

THENCE NORTHWESTERLY AND SOUTHWESTERLY 120.29 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 81°52'54" TO THE SOUTHERLY LINE OF SAID PARCEL 3;

THENCE ALONG SAID SOUTHERLY LINE NORTH 89°37'06" EAST, 142.79 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL 3;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 3 NORTH 00°22'54" WEST 22.15 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 4,647 SQUARE FEET OR 0.107 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

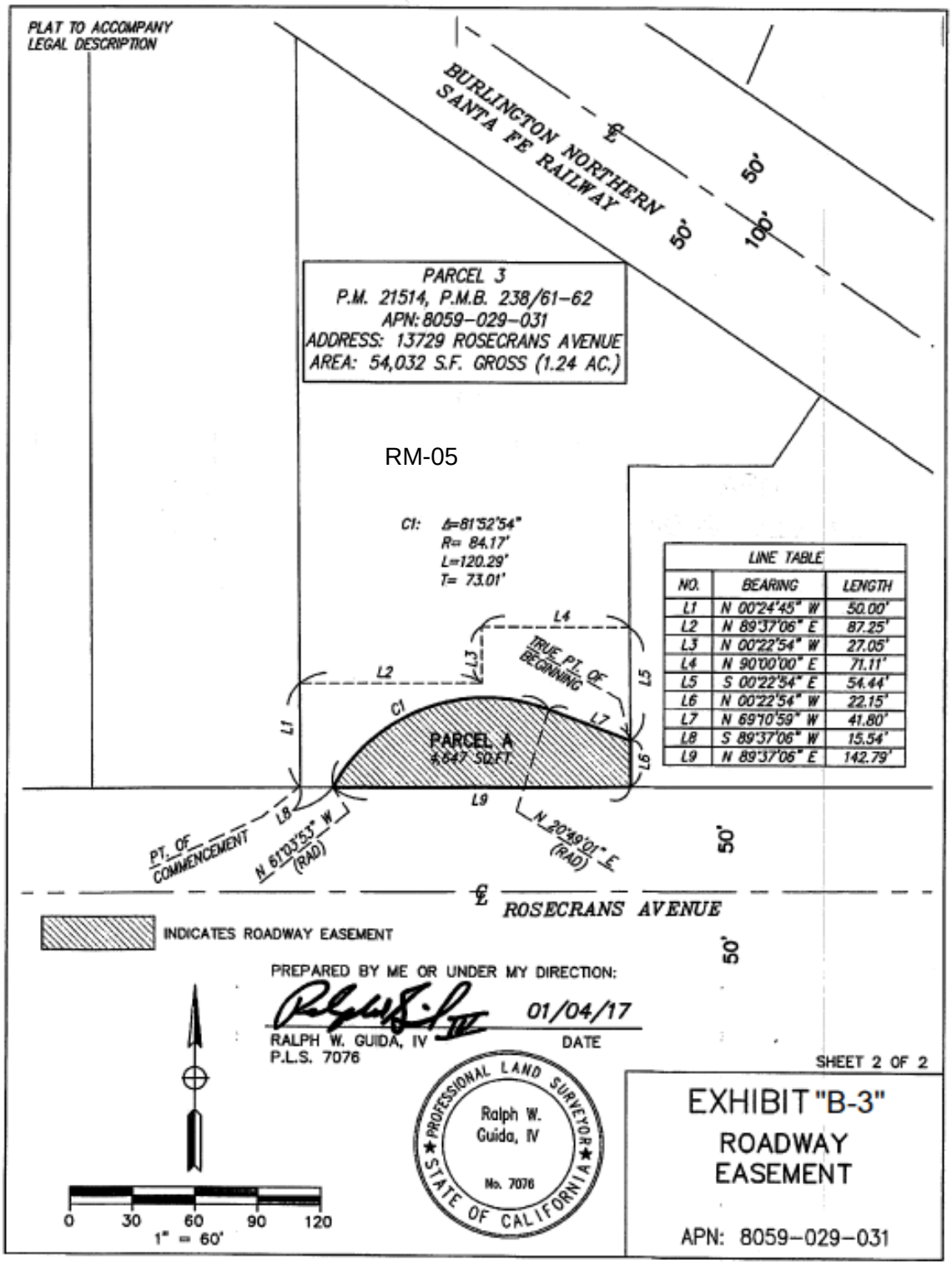

PLAT TO ACCOMPANY
LEGAL DESCRIPTION
BURLINGTON NORTHERN
SANTA FE RAILWAY
℄
50'
50'
100'
PARCEL 3
P.M. 21514, P.M.B. 238/61-62
APN: 8059-029-031
ADDRESS: 13729 ROSECRANS AVENUE
AREA: 54,032 S.F. GROSS (1.24 AC.)
RM-05
C1: Δ=81°52'54"
R= 84.17'
L=120.29'
T= 73.01'
LINE TABLE
NO. | BEARING | LENGTH
L1 | N 00°24'45" W | 50.00'
L2 | N 89°37'06" E | 87.25'
L3 | N 00°22'54" W | 27.05'
L4 | N 90°00'00" E | 71.11'
L5 | S 00°22'54" E | 54.44'
L6 | N 00°22'54" W | 22.15'
L7 | N 69°10'59" W | 41.80'
L8 | S 89°37'06" W | 15.54'
L9 | N 89°37'06" E | 142.79'
L4
L3
L2
L1
L5
L6
L7
L8
L9
C1
TRUE PT. OF BEGINNING
PARCEL A
4,647 SQ.FT.
PT. OF COMMENCEMENT
N 61°03'53" W (RAD)
N 20°49'01" E (RAD)
50'
℄
ROSECRANS AVENUE
50'
INDICATES ROADWAY EASEMENT
PREPARED BY ME OR UNDER MY DIRECTION:
01/04/17
RALPH W. GUIDA, IV
P.L.S. 7076
DATE
PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA
0 30 60 90 120
1" = 60'
SHEET 2 OF 2
EXHIBIT "B-3"
ROADWAY EASEMENT
APN: 8059-029-031

EXHIBIT "A-4"

SOUTHERN CALIFORNIA EDISON COMPANY
OVERHANG EASEMENT
LEGAL DESCRIPTION

PARCEL A (A.P.N. 8059-029-031) RM-05

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 238, PAGES 61 AND 62, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A 5.00 FOOT WIDE STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 3;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 3 NORTH 00°24'45" WEST, 5.00 FEET TO A LINE THAT IS PARALLEL WITH AND 5.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, OF THE SOUTHERLY LINE OF SAID PARCEL 3;

THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID PARALLEL LINE NORTH 89°37'06" EAST, 158.34 FEET TO THE GENERALLY EASTERLY LINE OF SAID PARCEL 3;

THENCE LEAVING SAID PARALLEL LINE AND ALONG SAID GENERALLY EASTERLY LINE SOUTH 00°22'54" EAST, 5.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL 3;

THENCE LEAVING SAID GENERALLY EASTERLY LINE AND ALONG SAID SOUTHERLY LINE SOUTH 89°37'06" WEST, 158.33 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 792 SQUARE FEET OR 0.018 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076 — 7/16/18 DATE

PROFESSIONAL LAND SURVEYOR ★ Ralph W. Guida, IV ★ No. 7076 ★ STATE OF CALIFORNIA

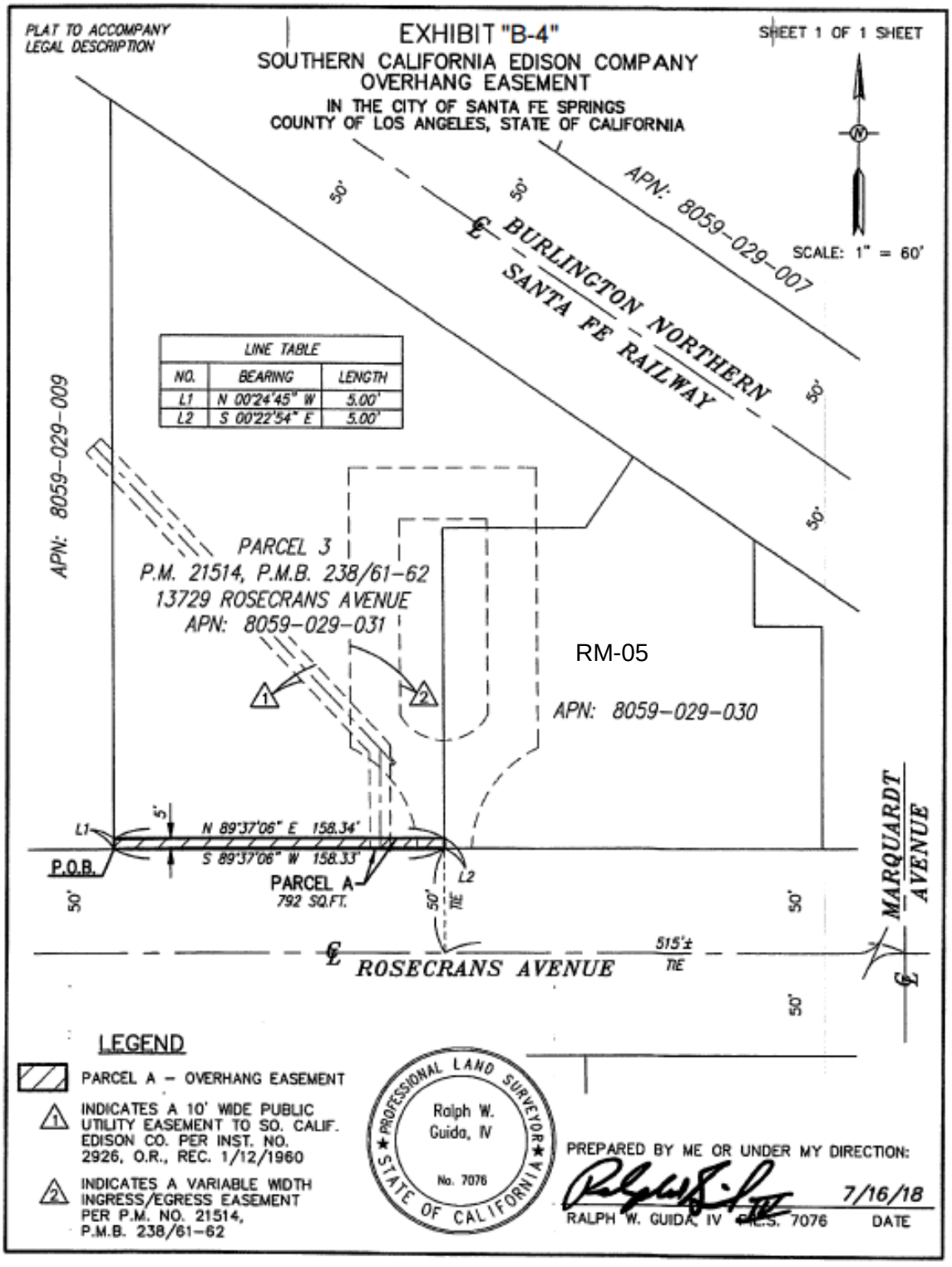

PLAT TO ACCOMPANY LEGAL DESCRIPTION
EXHIBIT "B-4"
SOUTHERN CALIFORNIA EDISON COMPANY
OVERHANG EASEMENT
IN THE CITY OF SANTA FE SPRINGS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
SHEET 1 OF 1 SHEET
SCALE: 1" = 60'
APN: 8059-029-007
℄ BURLINGTON NORTHERN SANTA FE RAILWAY
50'
50'
50'
50'
LINE TABLE
NO. | BEARING | LENGTH
L1 | N 00°24'45" W | 5.00'
L2 | S 00°22'54" E | 5.00'
APN: 8059-029-009
PARCEL 3
P.M. 21514, P.M.B. 238/61-62
13729 ROSECRANS AVENUE
APN: 8059-029-031
RM-05
APN: 8059-029-030
1
2
L1
5'
N 89°37'06" E 158.34'
S 89°37'06" W 158.33'
P.O.B.
PARCEL A
792 SQ.FT.
L2
50'
TIE
515'±
TIE
℄ ROSECRANS AVENUE
℄ MARQUARDT AVENUE
LEGEND
PARCEL A – OVERHANG EASEMENT
1 INDICATES A 10' WIDE PUBLIC UTILITY EASEMENT TO SO. CALIF. EDISON CO. PER INST. NO. 2926, O.R., REC. 1/12/1960
2 INDICATES A VARIABLE WIDTH INGRESS/EGRESS EASEMENT PER P.M. NO. 21514, P.M.B. 238/61-62
PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA
PREPARED BY ME OR UNDER MY DIRECTION:
RALPH W. GUIDA, IV P.L.S. 7076
7/16/18
DATE

EXHIBIT "A-5"
LEGAL DESCRIPTION
A.P.N. 8059-029-031

PARCEL A (TEMPORARY CONSTRUCTION EASEMENT) RM-05

THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 21514, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 238, PAGES 61 AND 62 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 3;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 3 NORTH 00°24'45" WEST 50.00 FEET;

THENCE LEAVING SAID WESTERLY LINE NORTH 89°37'06" EAST 87.25 FEET;

THENCE NORTH 00°22'54" WEST 27.05 FEET;

THENCE NORTH 90°00'00" EAST, 71.11 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL 3, SAID POINT BEING NORTH 00°22'54" WEST 76.59 FEET, AS MEASURED ALONG SAID EASTERLY LINE OF SAID PARCEL 3, FROM THE SOUTHEASTERLY CORNER OF SAID PARCEL 3;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°22'54" EAST, 54.44 FEET TO A POINT BEING NORTH 00°22'54" WEST 22.15 FEET, AS MEASURED ALONG SAID EASTERLY LINE OF SAID PARCEL 3, FROM THE SOUTHEASTERLY CORNER OF SAID PARCEL 3;

THENCE LEAVING SAID EASTERLY LINE NORTH 69°10'59" WEST, 41.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 84.17 FEET;

THENCE NORTHWESTERLY AND SOUTHWESTERLY 120.29 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 81°52'54" TO THE SOUTHERLY LINE OF SAID PARCEL 3;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°37'06" WEST, 15.54 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 5,177 SQUARE FEET OR 0.119 ACRES, MORE OR LESS.

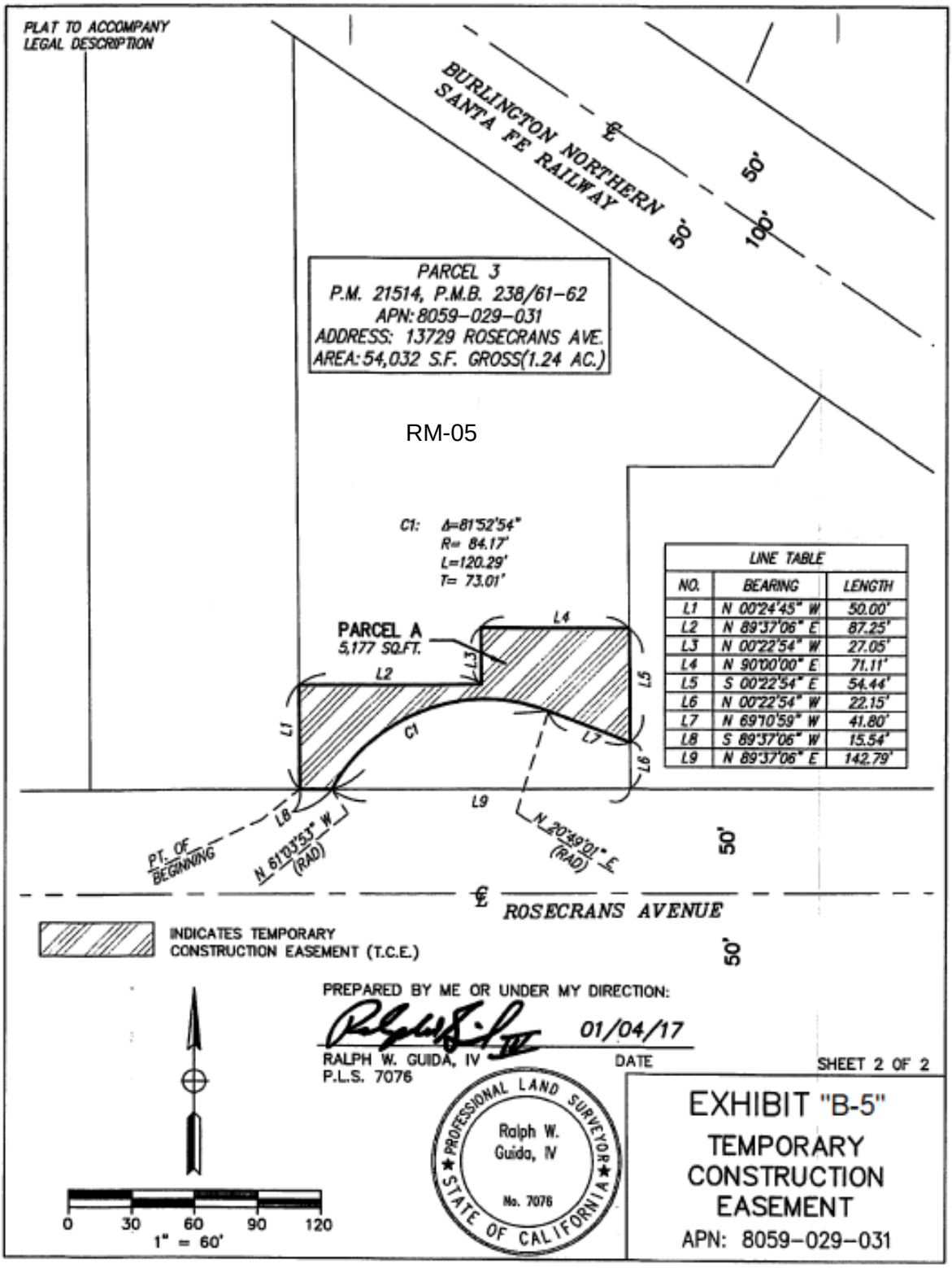
SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE



LINE TABLE		
NO.	BEARING	LENGTH
L1	N 00°24'45" W	50.00'
L2	N 89°37'06" E	87.25'
L3	N 00°22'54" W	27.05'
L4	N 90°00'00" E	71.11'
L5	S 00°22'54" E	54.44'
L6	N 00°22'54" W	22.15'
L7	N 69°10'59" W	41.80'
L8	S 89°37'06" W	15.54'
L9	N 89°37'06" E	142.79'

PREPARED BY ME OR UNDER MY DIRECTION:

01/04/17

RALPH W. GUIDA, IV
P.L.S. 7076

DATE

SHEET 2 OF 2

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

EXHIBIT "B-5"

TEMPORARY CONSTRUCTION EASEMENT

APN: 8059-029-031

ATTACHMENT B-2

RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES
AND AUTHORIZING THE ACQUISITION THEREOF FOR
THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT PARCELS
RM-31 AND RM-32

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 the Rosecrans/Marquardt Project ("Project") and 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 interests consist of the acquisition of Permanent Roadway, Permanent Footing and Temporary Construction Easements as described more specifically in the Legal Descriptions (Exhibit A, A-1, A-2, A-3 and A-4) and depicted on the Plat Maps (Exhibit B, B-1, B-2, B-3 and B-4) and Improvements Pertaining to Realty (described in Exhibit C), attached hereto (hereinafter the "Property"), incorporated herein by this reference.

Section 4.

(c) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Project;

(d) As per Section 21080.13 of CQA, all railroad grade separation projects are exempt under CEQA. The Notice of Exemption was given February 29, 2016 from the Governor's Office of Planning & Research. The Draft Environmental Assessment report was issued by the Federal Railroad Administration (FRA) in April 2018, pursuant to 42 USC § 4332, 49 USC § 303 and 64 FR 28545.

Accordingly, Metro has fulfilled the necessary prerequisites to acquire the Property by eminent domain.

Section 5.

The Board hereby declares that it has found and determined each of the following:

(f) The public interest and necessity require the proposed Project;

(g) 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;

(h) The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;

(i) The offer required by Section 7267.2 of the Government Code has been made to the Owner; and

(j) The California Environmental Quality does not apply to railroad grade separation projects which eliminate an existing grade crossing, and therefore no environmental document is required for this Project.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

Section 7.

The 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 the Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession

and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle, subject to approval by the Board when required, 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, MICHELE JACKSON, Secretary of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Metropolitan Transportation Authority at a meeting held on the 24th day of October, 2019.

_____ Date: _____

MICHELE JACKSON
METRO Secretary

ATTACHMENTS

1 - Legal Descriptions (Exhibit "A", “A-1”, “A-2”, “A-3”, and “A-4”)

2 - Plat Maps (Exhibit “B”, “B-1”, “B-2”, “B-3”, and “B-4”)

3 – Improvements Pertaining to Realty (Exhibit “C”)

EXHIBIT "A"
LEGAL DESCRIPTION
A.P.N. 8069-005-010

PARCEL A (ROADWAY EASEMENT) RM-31

THAT PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN A GRANT DEED, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 04, 2011, AS INSTRUMENT NO. 20110011871, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF SAID LAND AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°23'44" EAST, 66.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 802.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 22°52'44" EAST;

THENCE LEAVING SAID EASTERLY LINE AND SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°32'00" AN ARC LENGTH OF 91.45 FEET TO THE WESTERLY LINE OF SAID LAND;

THENCE NON-TANGENT TO SAID CURVE AND ALONG SAID WESTERLY LINE NORTH 00°23'44" WEST, 96.12 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE;

THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 89°37'32" EAST, 86.31 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 7,076 SQUARE FEET OR 0.162 ACRES, MORE OR LESS.

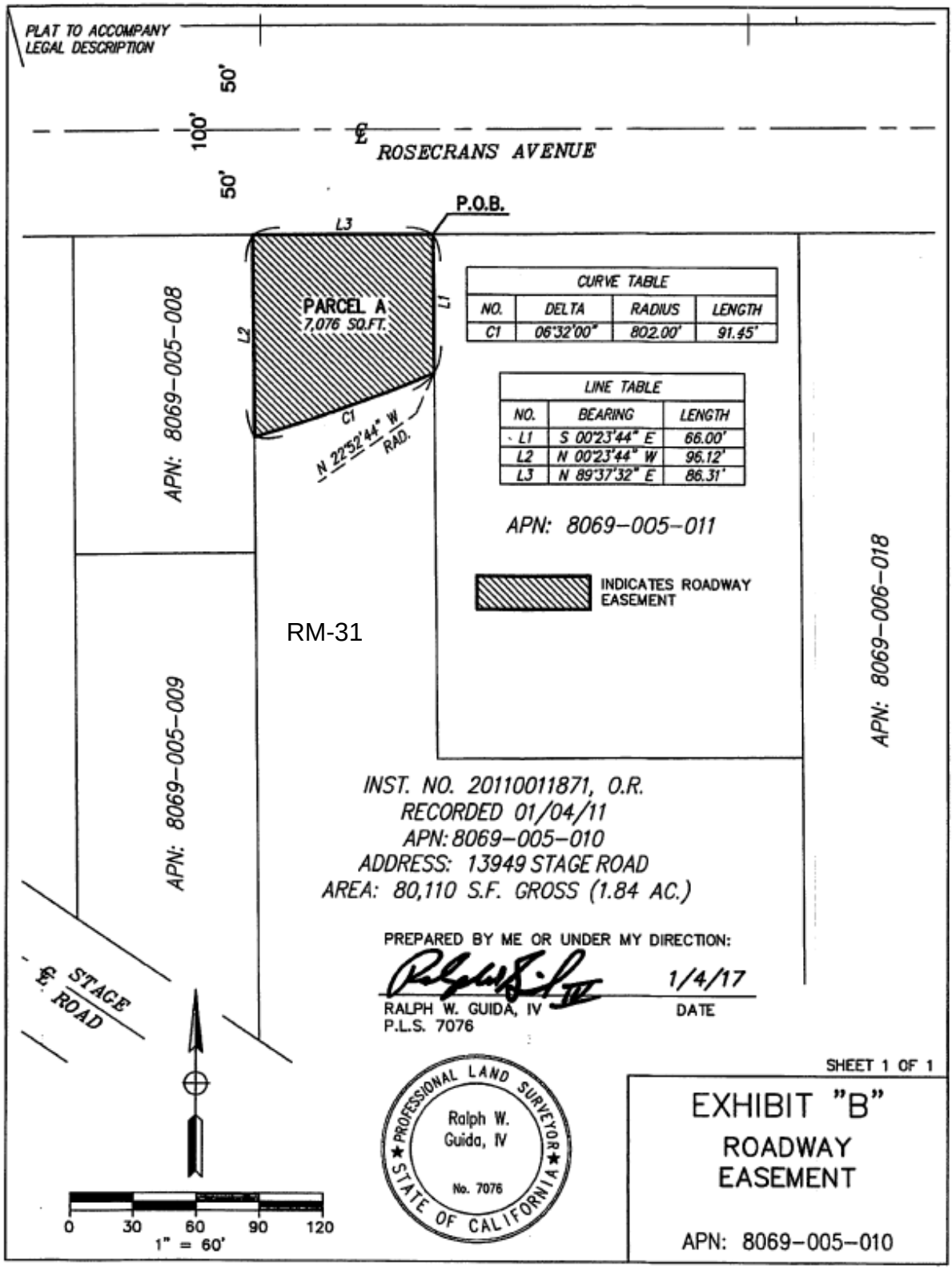
SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076 — 1/4/17 DATE

PROFESSIONAL LAND SURVEYOR ★ Ralph W. Guida, IV No. 7076 ★ STATE OF CALIFORNIA



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	06°32'00"	802.00'	91.45'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S 00°23'44" E	66.00'
L2	N 00°23'44" W	96.12'
L3	N 89°37'32" E	86.31'

EXHIBIT "A-1"
LEGAL DESCRIPTION
A.P.N. 8069-005-010

PARCEL A (TEMPORARY CONSTRUCTION EASEMENT) RM-31

THAT PORTION OF THE LAND DESCRIBED AS PARCEL 2 IN A GRANT DEED, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 04, 2011, AS INSTRUMENT NO. 20110011871, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY LINE OF SAID LAND AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°23'44" EAST, 66.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 802.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 22°52'44" EAST, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID EASTERLY LINE AND SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°32'00" AN ARC LENGTH OF 91.45 FEET TO THE WESTERLY LINE OF SAID LAND;

THENCE NON-TANGENT TO SAID CURVE AND ALONG SAID WESTERLY LINE SOUTH 00°23'44" EAST, 10.40 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 812.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 16°08'38" EAST;

THENCE LEAVING SAID WESTERLY LINE AND EASTERLY AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°26'36" AN ARC LENGTH OF 91.32 FEET TO SAID EASTERLY LINE;

THENCE NON-TANGENT TO SAID CURVE AND ALONG SAID EASTERLY LINE NORTH 00°23'44" WEST, 10.81 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 914 SQUARE FEET OR 0.021 ACRES, MORE OR LESS.

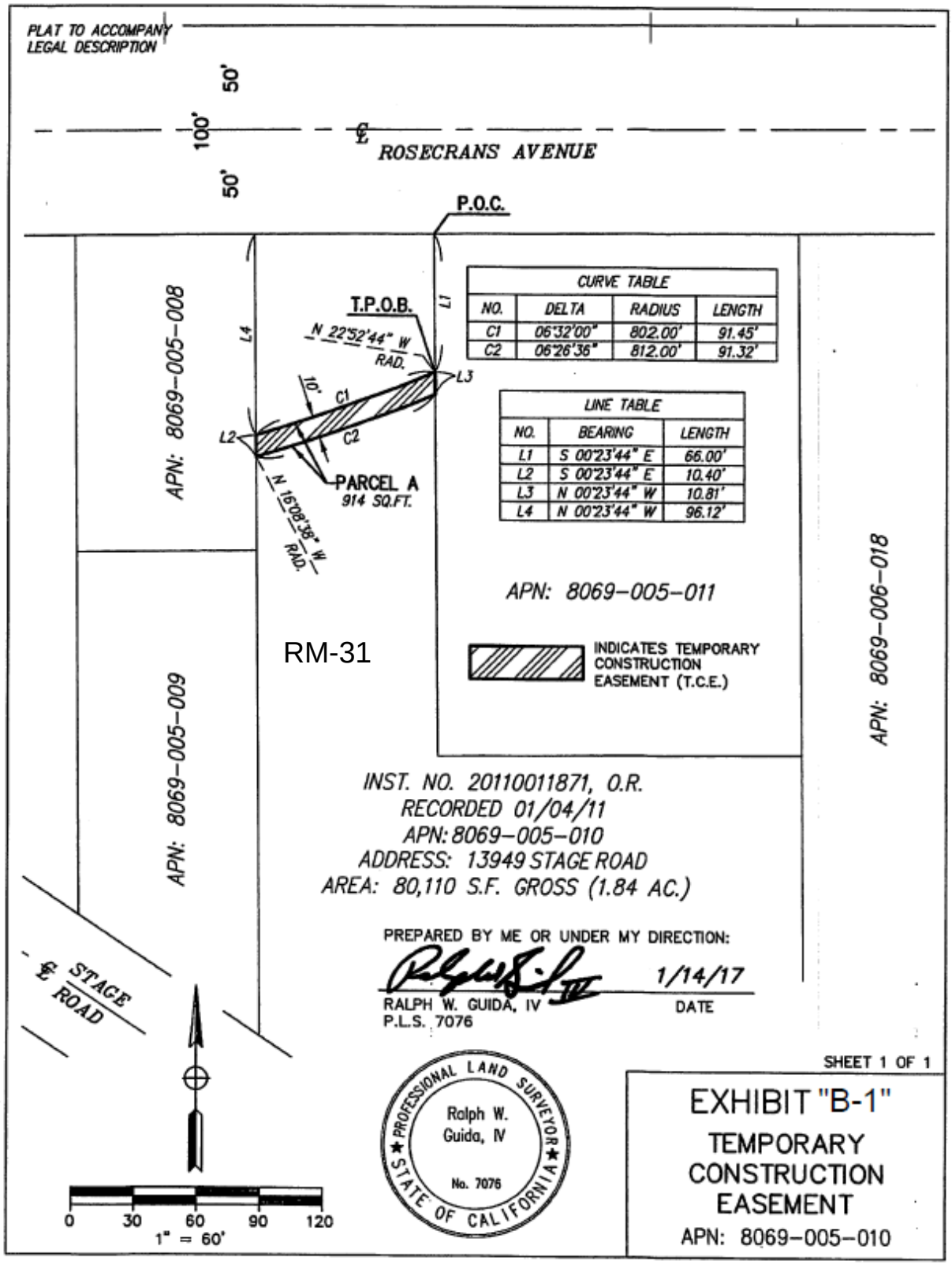
SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	06°32'00"	802.00'	91.45'
C2	06°26'36"	812.00'	91.32'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S 00°23'44" E	66.00'
L2	S 00°23'44" E	10.40'
L3	N 00°23'44" W	10.81'
L4	N 00°23'44" W	96.12'

EXHIBIT "A-2"
LEGAL DESCRIPTION
A.P.N. 8069-005-011

PARCEL A (ROADWAY EASEMENT) RM-32

THAT PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN A GRANT DEED, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 04, 2011, AS INSTRUMENT NO. 20110011871, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LAND AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°23'44" EAST, 66.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 802.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 22°52'44" EAST;

THENCE LEAVING SAID WESTERLY LINE AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°03'40" AN ARC LENGTH OF 14.85 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 698.00 FEET;

THENCE NORTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°46'19" AN ARC LENGTH OF 167.78 FEET TO THE EASTERLY LINE OF SAID LAND;

THENCE NON-TANGENT TO SAID CURVE AND ALONG SAID EASTERLY LINE NORTH 00°29'13" WEST, 12.15 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE;

THENCE LEAVING SAID EASTERLY LINE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 89°37'32" WEST, 174.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 6,100 SQUARE FEET OR 0.140 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

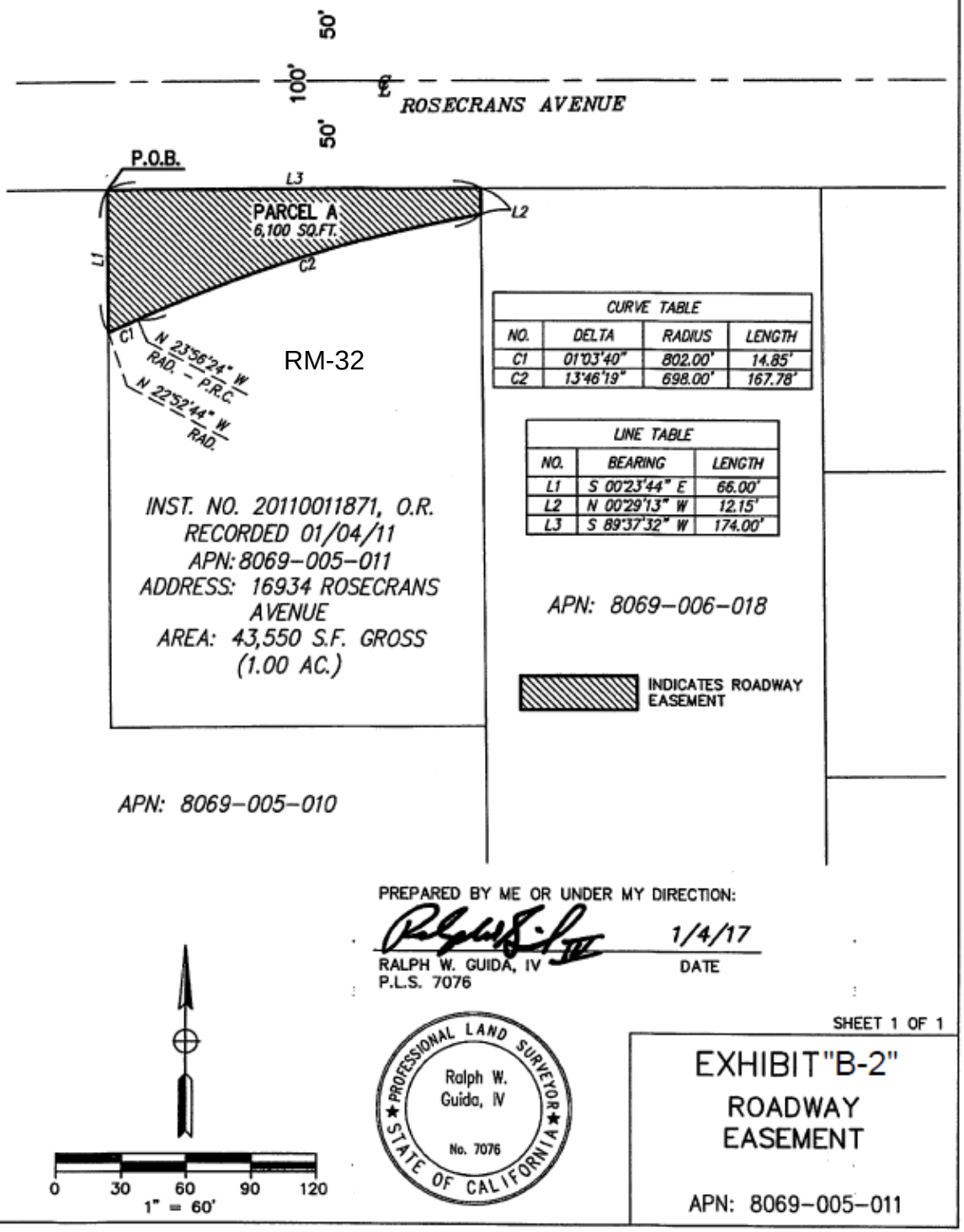
THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

PLAT TO ACCOMPANY
LEGAL DESCRIPTION



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	01°03'40"	802.00'	14.85'
C2	13°46'19"	698.00'	167.78'

LINE TABLE		
NO.	BEARING	LENGTH
L1	S 00°23'44" E	66.00'
L2	N 00°29'13" W	12.15'
L3	S 89°37'32" W	174.00'

PREPARED BY ME OR UNDER MY DIRECTION:

1/4/17

RALPH W. GUIDA, IV
P.L.S. 7076

DATE

0 30 60 90 120
1" = 60'

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

SHEET 1 OF 1

EXHIBIT "B-2"

ROADWAY EASEMENT

APN: 8069-005-011

EXHIBIT "A-3"
LEGAL DESCRIPTION
A.P.N. 8069-005-011

PARCEL A (FOOTING EASEMENT) RM-32

THAT PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN A GRANT DEED, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 04, 2011, AS INSTRUMENT NO. 20110011871, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LAND AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°23'44" EAST, 66.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 802.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 22°52'44" EAST;

THENCE LEAVING SAID WESTERLY LINE AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°03'40" AN ARC LENGTH OF 14.85 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 698.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°09'15" AN ARC LENGTH OF 50.61 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING NORTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°14'47" AN ARC LENGTH OF 63.91 FEET;

THENCE ON A RADIAL LINE TO SAID CURVE SOUTH 14°32'22" EAST, 2.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 695.50 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 14°32'22" WEST;

THENCE WESTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°14'47" AN ARC LENGTH OF 63.68 FEET TO A RADIAL LINE TO SAID CURVE THAT BEARS SOUTH 19°47'09" EAST FROM THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID LINE NORTH 19°47'09" WEST, 2.50 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 160 SQUARE FEET OR 0.004 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

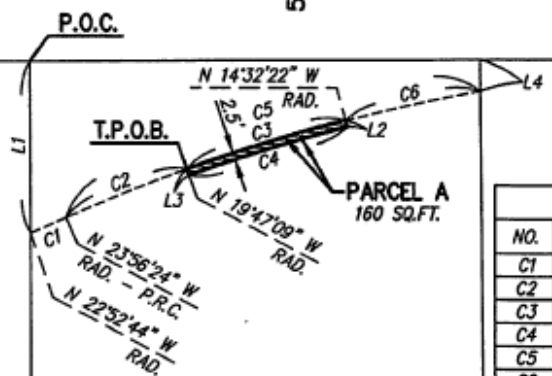
THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE

PLAT TO ACCOMPANY
LEGAL DESCRIPTION

50'
100'
℄
50'
ROSECRANS AVENUE



CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	01°03'40"	802.00'	14.85'
C2	04°09'15"	698.00'	50.61'
C3	05°14'47"	698.00'	63.91'
C4	05°14'47"	695.50'	63.68'
C5	13°46'19"	698.00'	167.78'
C6	04°22'17"	698.00'	53.26'

LINE TABLE			
NO.	BEARING	LENGTH	
L1	S 00°23'44" E	66.00'	
L2	S 14°32'22" E	2.50'	RAD.
L3	N 19°47'09" W	2.50'	RAD.
L4	N 00°29'13" W	12.15'	

INST. NO. 20110011871, O.R.
RECORDED 01/04/11
APN: 8069-005-011
ADDRESS: 16934 ROSECRANS AVENUE
AREA: 43,550 S.F. GROSS
(1.00 AC.)

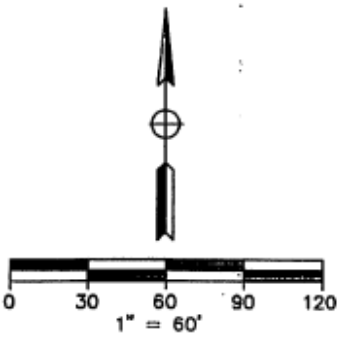
APN: 8069-006-018

INDICATES FOOTING EASEMENT

RM-32

PREPARED BY ME OR UNDER MY DIRECTION:

1/4/17.
RALPH W. GUIDA, IV
P.L.S. 7076
DATE



SHEET 1 OF 1

EXHIBIT "B-3"

FOOTING EASEMENT

APN: 8069-005-011

EXHIBIT "A-4"
LEGAL DESCRIPTION
A.P.N. 8069-005-011

PARCEL A (TEMPORARY CONSTRUCTION EASEMENT) RM-32

THAT PORTION OF THE LAND DESCRIBED AS PARCEL 1 IN A GRANT DEED, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 04, 2011, AS INSTRUMENT NO. 20110011871, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LAND AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°23'44" EAST, 66.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 802.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 22°52'44" EAST, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID WESTERLY LINE AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°03'40" AN ARC LENGTH OF 14.85 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 698.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°46'19" AN ARC LENGTH OF 167.78 FEET TO THE EASTERLY LINE OF SAID LAND;

THENCE NON-TANGENT TO SAID CURVE AND ALONG SAID EASTERLY LINE SOUTH 00°29'13" EAST, 67.31 FEET;

THENCE LEAVING SAID EASTERLY LINE NORTH 89°59'46" WEST, 35.16 FEET;

THENCE NORTH 24°27'20" WEST, 49.21 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 688.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 15°00'37" WEST;

THENCE WESTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°55'47" AN ARC LENGTH OF 107.23 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 812.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°21'10" AN ARC LENGTH OF 19.17 FEET TO SAID WESTERLY LINE;

THENCE NON-TANGENT TO SAID CURVE AND ALONG SAID WESTERLY LINE NORTH 00°23'44" WEST, 10.81 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION OF SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LAND AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°23'44" EAST, 66.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 802.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 22°52'44" EAST;

THENCE LEAVING SAID WESTERLY LINE AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°03'40" AN ARC LENGTH OF 14.85 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 698.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°09'15" AN ARC LENGTH OF 50.61 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE CONTINUING NORTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°14'47" AN ARC LENGTH OF 63.91 FEET;

THENCE ON A RADIAL LINE TO SAID CURVE SOUTH 14°32'22" EAST, 2.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 695.50 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 14°32'22" WEST;

THENCE WESTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°14'47" AN ARC LENGTH OF 63.68 FEET TO A RADIAL LINE TO SAID CURVE THAT BEARS SOUTH 19°47'09" EAST FROM THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE ALONG SAID LINE NORTH 19°47'09" WEST, 2.50 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE DESCRIBED PARCEL CONTAINS 4,054 SQUARE FEET OR 0.093 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD, IF ANY.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

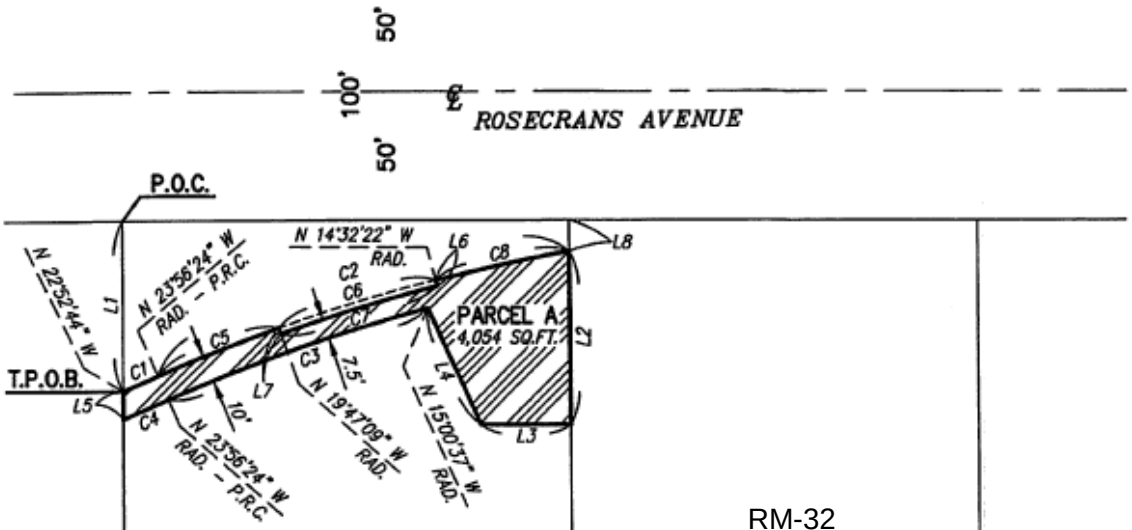
THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

RALPH W. GUIDA, IV, P.L.S. 7076

1/4/17
DATE

PROFESSIONAL LAND SURVEYOR
Ralph W. Guida, IV
No. 7076
STATE OF CALIFORNIA

PLAT TO ACCOMPANY
LEGAL DESCRIPTION



RM-32

INST. NO. 20110011871, O.R.
RECORDED 01/04/11
APN: 8069-005-011
ADDRESS: 16934 ROSECRANS AVENUE
AREA: 43,550 S.F. GROSS
(1.00 AC.)

APN: 8069-005-010

APN: 8069-006-018

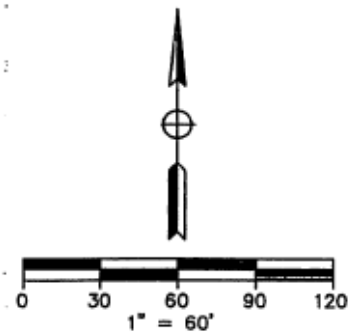
INDICATES TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)

NOTE:
SEE SHEET 2 FOR LINE AND CURVE TABLES

PREPARED BY ME OR UNDER MY DIRECTION:

RALPH W. GUIDA, IV
P.L.S. 7076

1/4/17
DATE



SHEET 1 OF 2

EXHIBIT "B-4"

TEMPORARY CONSTRUCTION EASEMENT

APN: 8069-005-011

RM-32

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	01°03'40"	802.00'	14.85'
C2	13°46'19"	698.00'	167.78'
C3	08°55'47"	688.00'	107.23'
C4	01°21'10"	812.00'	19.17'
C5	04°09'15"	698.00'	50.61'
C6	05°14'47"	698.00'	63.91'
C7	05°14'47"	695.50'	63.68'
C8	04°22'17"	698.00'	53.26'

LINE TABLE			
NO.	BEARING	LENGTH	
L1	S 00°23'44" E	66.00'	
L2	S 00°29'13" E	67.31'	
L3	N 89°59'46" W	35.16'	
L4	N 24°27'20" W	49.21'	
L5	N 00°23'44" W	10.81'	
L6	S 14°32'22" E	2.50'	RAD.
L7	N 19°47'09" W	2.50'	RAD.
L8	N 00°29'13" W	12.15'	

SHEET 2 OF 2

EXHIBIT "B-4"

TEMPORARY CONSTRUCTION EASEMENT

APN: 8069-005-011

EXHIBIT C
NON-MOVEABLE IMPROVEMENT PERTAINING TO REALTY
(FIXTURES & EQUIPMENT)

QTY	DESCRIPTION: IMPROVEMENTS PERTAINING TO THE REALTY
1	(7990)SF CONCRETE SURFACE, 10" SECTION
360	LF PERIMETER FENCING, 6'H, PRIVACY SLATS, 3 STRAND BARBED WIRE 2-GATES, SLIDING, MANUAL, 25FT
1	OFFICE BUILDING WOOD FRAME, STUCCO, GABLE ROOF, COMP SHINGLE ROOF COVER, CONCRETE FOUNDATION CLASS D AVERAGE QUALITY CONSTRUCTION AVERAGE CONDITION 24'X24'X8FT CEILING FINISH DRYWALL INTERIOR 17LF LAMINATE COUNTER TOP 17LF OAK BASE CABINETS, NATURAL FINISH 21LF OAK WALL UPBOARDS, NATURAL FINISH 130SF WINDOW BLINDS, 1' MTL LEVOLOR ADEQUATE LIGHTS ADEQUATE ELECTRICAL RAIN GUTTER ON BOTH SIDES, 44LF TOTAL EVAPORATIVE COOLER
1	IMPROVEMENTS ASSOCIATED WITH OFFICE BUILDING 1-ALARM SYSTEM, VIVINT CONTROL PAD, 3-MOTION SENSORS, 1-MOTION SOUND ALARM 4-SECURITY LIGHT FIXTURES, HIGH INTENSITY, WALL MOUNT 1-SURVEILLANCE SYSTEM, 4-HI DEF COLOR CAMERA, ASSUMED RECORDER OR MAY BE PART OF LAPTOP COMPUTER. VALUED AS IF COMPLETE SYSTEM 1-BUILT IN FIRE EXTINGUISHER CABINET, WOOD/STUCCO, 4'X6' 1-ADA RAMP, CONCRETE, 9 X 5FT, FOOT DBL SIDE, 5FT LANDING, 2' WELDED STL 24LF 2 RAIL (540)SF STAMPED/COLORED CONCRETE PAD

QTY	DESCRIPTION: IMPROVEMENTS PERTAINING TO THE REALTY
	(70)SF SHED ROOF ENTRANCE CANOPY, WOOD FRAME, SHINGLE ROOF COVER
	STORAGE BUILDING CONCRETE BLOCK, WOOD BEAMS, PLYWOOD ROOF DECKING, COMPOSITE ROLL SHEET ROOF COVER CLASS C LOW COST QUALITY CONSTRUCTION AVERAGE TO GOOD CONDITION 30'X50'X20'H UNFINISHED INTERIOR 2-ROLLUP DOORS, 12'X15', MANUAL 3-MANDOORS, STL PANEL 4-HIGHBAY LIGHT FIXTURES, MERCURY VAPOR LIGHTS ELECTRICAL, SINGLE, AND 3 PHASE (4) 3 PHASE OUTLETS (5) 110 OUTLETS (1) PANEL, 2-50A, 10-20A, 2-80A, 4-40A, 6-15A, 6-30A, 3-100A BREAKERS, EST 200LF 3/4" RIGID CONDUIT, EST 200LF 1/2" RIGID CONDUIT 1-OFFICE BUILDOUT, PLYWOOD CONSTRUCTION, UNFINISHED, 1 MANDOOR, 1-WINDOW, 3 WALL, 10'X12'X8'H
1	LAND SCAPING, (4000)SF LAWN TURF, W/(7) MATURE TREES, IRRIGATED
	TOTAL IMPROVEMENTS LOCATED WITHIN TAKE/TCE AREA

HEARING TO ADOPT RESOLUTION OF NECESSITY

ROSECRANS/MARQUARDT GRADE SEPERATION PROJECT

BOARD MEETING, OCTOBER 24, 2019

ITEM # 52

HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

- Location:
  - Rosecrans/Marquardt Avenue Intersection in the City of Santa Fe Springs
- Purpose:
  - Improve safety, eliminate delays and enhance the environment
  - Maintain access to the railroad for emergency responders
  - Accommodate future High-Speed Rail in the corridor

  Property Impacts:

  - Acquisition of Permanent Roadway Easements, Temporary Construction Easements (TCE) and site improvements, Overhang Easements, and a Permanent Footing Easement
  - Duration of TCE is 54 months
  - Purpose of the TCE is allow contractor access to grade driveways/parking lots and construct retaining walls

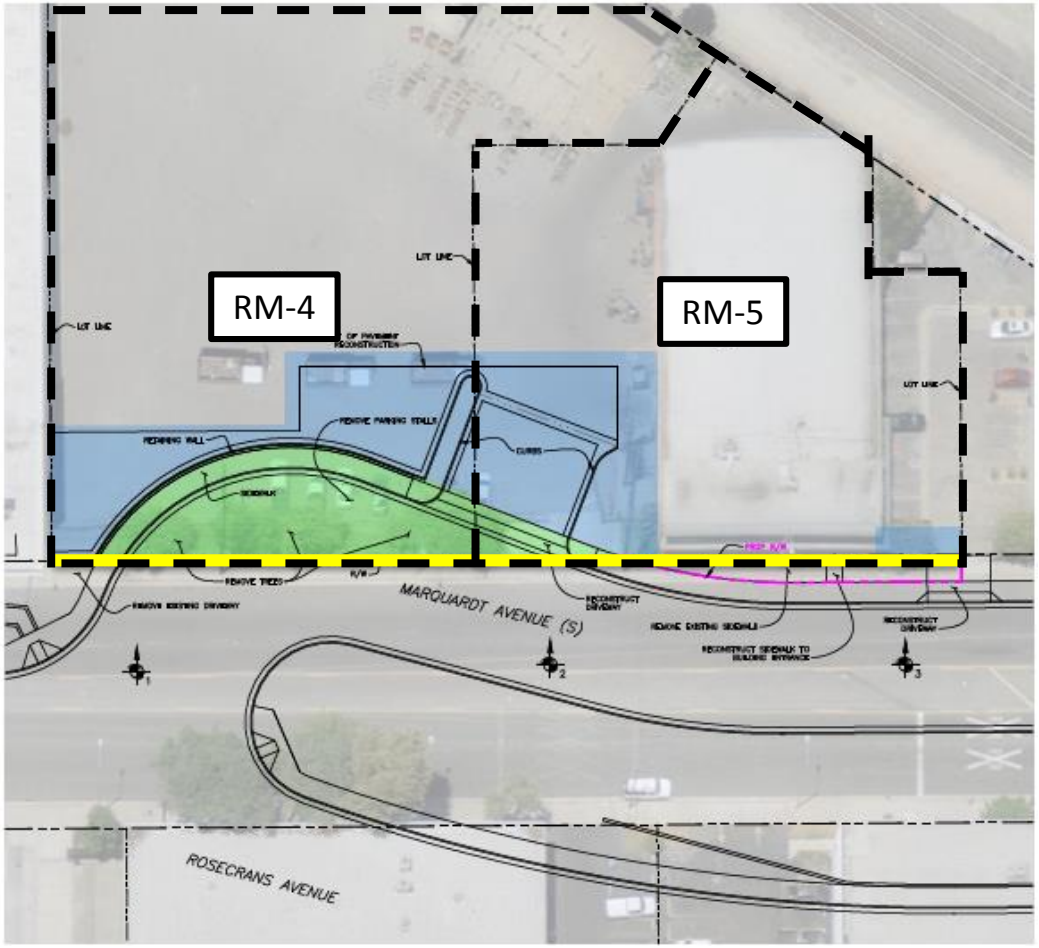
HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

13729 Rosecrans Avenue, Santa Fe Springs, CA 90670
RM-04 and RM-05– 13729 Rosecrans, LLC
Temporary Construction Easement , Roadway Easement and Overhang Easement

Roadway Easement

Temporary Construction Easement

Overhead Easement



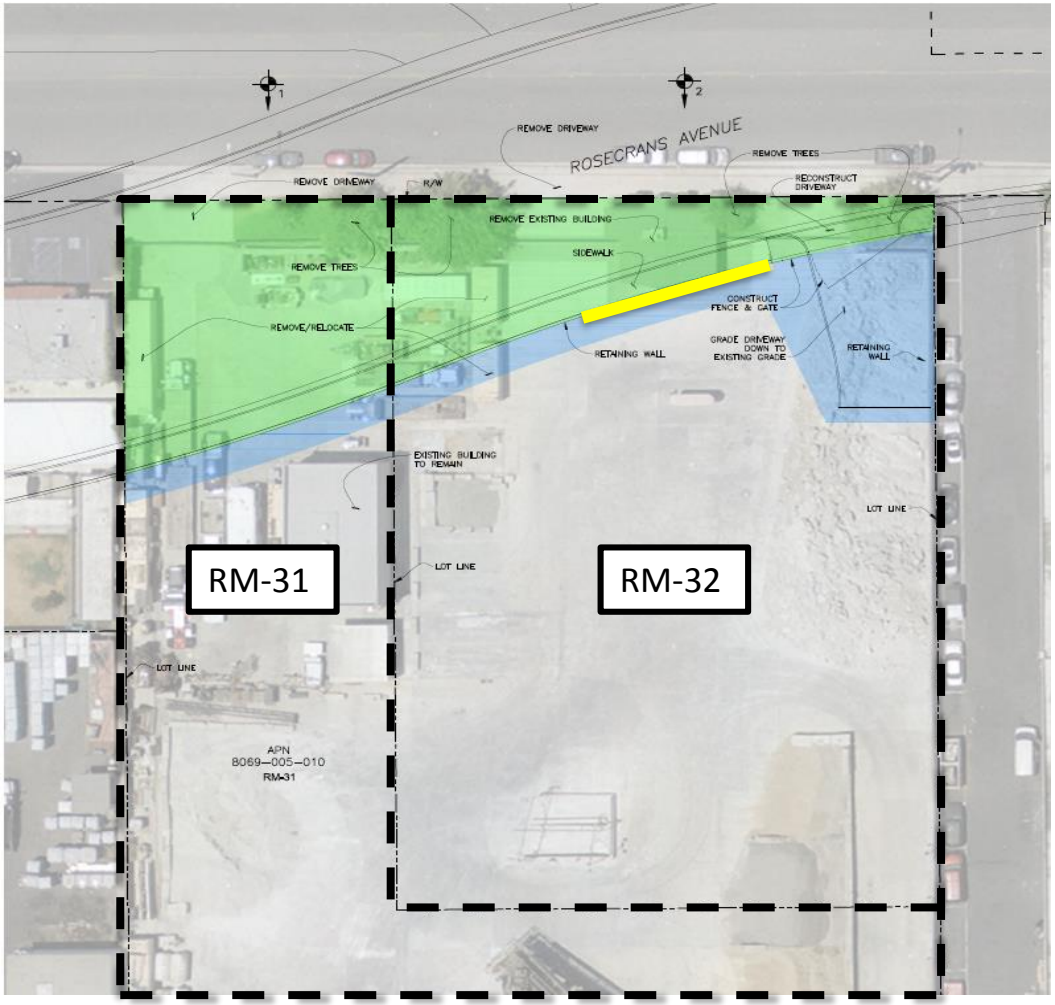
HEARING TO ADOPT RESOLUTION OF NECESSITY
ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

13949 Stage Road, Santa Fe Springs, CA 90670
RM-31 and RM-32 – RRM Properties Ltd.
Temporary Construction Easement (TCE), Roadway Easement, Footing Easement

Roadway Easement

Temporary Construction Easement

Footing Easement



HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

Staff recommends the Board make the below findings and adopt the Resolution of Necessity:

- The public interest and necessity require the proposed Project;
- 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;
- The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;
- The offer required by Section 7267.2 of the Government Code has been made to the Owner; and
- The statutory requirements necessary to acquire the property or property interest by eminent domain have been complied with by LACMTA.