

# **Metro**

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



## **Agenda - Final Revised**

**Thursday, February 27, 2020**

**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**

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet. Every meeting of the MTA Board of Directors is recorded and is available at [www.metro.net](http://www.metro.net) or on CD's and as MP3's for a nominal charge.

## DISCLOSURE OF CONTRIBUTIONS

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

## ADA REQUIREMENTS

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

## LIMITED ENGLISH PROFICIENCY

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



**323.466.3876 x2**

*Español*

**323.466.3876 x3**

한국어

日本語

中文

русский

ភាសាខ្មែរ

ภาษาไทย

Tiếng Việt

ភាសាជប៉ុន

## HELPFUL PHONE NUMBERS

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

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

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

TDD line (800) 252-9040

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

**CALL TO ORDER**

**ROLL CALL**

1. APPROVE Consent Calendar Items: 2, 8, 9, 13, 16, 18, 20, 23, 28, 29, 30, and 31

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

**CONSENT CALENDAR**

2. **SUBJECT: MINUTES** [2020-0108](#)

**RECOMMENDATION**

APPROVE Minutes of the Regular Board Meeting held January 23, 2020.

**Attachments:** [Regular Board Meeting MINUTES - January 23, 2020](#)

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

8. **SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2** [2020-0027](#)

**RECOMMENDATION**

CONSIDER:

- a. Proceeding with the California Environmental Quality Act (CEQA) only for the project's environmental process;
- b. Withdrawing the SR 60 and Combined Alternatives from further consideration in the environmental study;
- c. Preparing a feasibility study independent from the Eastside Transit Corridor Phase 2 project to evaluate other options that better serve the needs of the San Gabriel Valley; and
- d. Approving the Eastside Transit Corridor Phase 2 Title VI Service Equity Analysis.

**Attachments:** [Attachment A - SR 60 and Combined Alternatives Issues and Constraints Report](#)  
[Attachment B - Eastside Transit Corridor Phase 2 Title IV Service Equity Analysis Presentation](#)



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

9. **SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - LAS VIRGENES/MALIBU SUBREGION** [2020-0064](#)

**RECOMMENDATION**

CONSIDER:

A. APPROVING:

1. Inter-program borrowing and programming of additional \$4,100,000 from the Las Virgenes/Malibu Subregion's Measure M Multi-Year Subregional Program (MSP) Highway Efficiency Program to the Active Transportation/Transit/Tech Program, as shown in Attachment A;
2. Programming of additional \$7,000,000 within the capacity of Measure M MSP Highway Efficiency Program, as shown in Attachment B; and

- B. AUTHORIZING the Chief Executive Officer or his designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

**Attachments:** [Attachment A - Active Transportation Transit Tech Program Project List](#)  
[Attachment B - Highway Efficiency Program Project List](#)

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

13. **SUBJECT: INVESTMENT POLICY** [2019-0681](#)

**RECOMMENDATION**

CONSIDER:

- A. ADOPTING the Investment Policy in Attachment A;
- B. APPROVING the Financial Institutions Resolution authorizing financial institutions to honor signatures of LACMTA Officials, Attachment B; and
- C. DELEGATING to the Treasurer or her designees, the authority to invest funds for a one year period, pursuant to California Government Code ("Code") Section 53607.

**Attachments:** [2020 Attachment A Investment Policy.pdf](#)  
[2020 Attachment B Financial Institutions Resolution.pdf](#)

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

**16. SUBJECT: OVERHEAD CATENARY SYSTEM INSPECTION TOOL**

[2019-0819](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 1 to Contract No. PS53079000, with TransTech of South Carolina, Inc. (TransTech), for a turnkey Overhead Catenary System Inspection Tool for the measurement, recording, and reporting of various parameters associated with the Overhead Catenary System (OCS) contact wire, for an amount of \$275,700 increasing the total contract amount from \$391,974.23 to \$667,674.23 and extend the period of performance from June 30, 2020 to June 30, 2023.

**Attachments:**

[Attachment A - Procurement Summary](#)

[Attachment B - Contract Modification Change Order Log](#)

[Attachment C - Expenditure Plan](#)

[Attachment D - DEOD Summary](#)

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

**18. SUBJECT: CAPITAL IMPROVEMENT PROJECTS FOR METRO RAIL AND FACILITY INFRASTRUCTURE**

[2019-0818](#)

**RECOMMENDATION**

CONSIDER:

A. FINDING that awarding a design-build delivery method, pursuant to Public Utilities Code Section 130242(b), will achieve for Metro certain private sector efficiencies through the integration of design, project work and components at Metro rail facilities and in Metro light rail vehicles in Los Angeles County as defined by the supply and install projects listed in Attachment A.

Approval requires a two-thirds affirmative vote;

B. AUTHORIZING the Chief Executive Officer to award the competitively bid design-build contracts to the lowest responsive, responsible bidder, pursuant to Public Utilities Code Section 130051.9(c)

**Attachments:**

[Attachment A - Candidate Projects for Design-Build Project Delivery](#)

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

20. **SUBJECT: PROFESSIONAL AND TECHNICAL SERVICES FOR OPERATIONS SDSA DEPARTMENT** [2019-0584](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a three-year, indefinite delivery/indefinite quantity (IDIQ), Contract No. PS64781000 to Cambridge Systematics, Inc. for professional and technical services in an amount not-to-exceed \$8,683,324, subject to resolution of protest(s) if any.

**Attachments:**      [Attachment A - Procurement Summary](#)  
                                 [Attachment B - DEOD Summary](#)  
                                 [Attachment C - Motion 22.1 NextGen Bus Speed Engineering Working Group](#)

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

23. **SUBJECT: SECURITY GUARD SERVICES** [2020-0030](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 6 to Contract No. PS560810024798 with RMI International, Inc. to continue providing security guard services, and increasing the not-to-exceed contract value by \$18,400,000 from \$87,053,758 to \$105,453,758.

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

**EXECUTIVE MANAGEMENT COMMITTEE MADE THE FOLLOWING RECOMMENDATION (5-0):**

28. **SUBJECT: STATE LEGISLATION** [2020-0087](#)

**RECOMMENDATION**

ADOPT staff recommended positions:

- A. Assembly Bill 2012 (Chu) - Free senior transit passes: eligibility for state funding. **WORK WITH AUTHOR**
- B. Assembly Bill 2474 ~~2176~~ (Holden) - Free student transit passes: eligibility for state funding. **WORK WITH AUTHOR**



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- FS66316001-71 for \$8,515,325 for Beat 71 for 56 months, subject to resolution of protest(s), if any; and,
- B. AWARD a firm fixed unit rate Contract No. FS66316002-10 to Hovanwil, Inc., dba Jon's Towing, the lowest responsive and responsible bidder, for Metro Freeway Service Patrol (FSP) towing services in the amount of \$4,306,768.50 for Beat 10 for 56 months, subject to resolution of protest(s), if any; and,
- C. AWARD a firm fixed unit rate Contract No. FS66316003-9 to Sonic Towing, Inc., the lowest responsive and responsible bidder, for Metro Freeway Service Patrol (FSP) towing services in the amount of \$3,765,230 for Beat 9 and Contract No. FS66316004-12 for \$3,898,346.88 for Beat 12 for 56 months, subject to resolution of protests(s), if any; and,
- D. AWARD a firm fixed unit rate Contract No. FS66316005-21 to South Coast Towing, Inc., the lowest responsive and responsible bidder, for Metro Freeway Service Patrol (FSP) towing services in the amount of \$3,460,726 for Beat 21 and Contract No. FS66316006-70 for \$6,824,652 for Beat 70 for 56 months, subject to resolution of protests(s), if any; and,
- E. DO NOT AWARD contracts for the following beats as solicited in IFB No. FS66316. Beats 18, 20, 24, 28, 33, 36, 37, 38, 41, & 42; and,
- F. INCREASE Contract Modification Authority (CMA) to 32 existing Freeway Service Patrol contracts as delineated below for an aggregate amount of \$8,200,000 thereby increasing the CMA amount from \$25,317,555 to \$33,517,555 and extend the periods of performance as follows:
- Beat no. 1: All City Tow Contract No. FSP2828200FSP141, for \$190,000 for up to 4 months
  - Beat no. 2: Citywide Towing Contract No. FSP2785600FSP142, for \$340,000 for up to 4 months
  - Beat no. 3: Hollywood Car Carrier Contract No. FSP3469400B3/43, for \$240,000 for up to 6 months
  - Beat no. 5: Sonic Towing, Inc. Contract No. FSP3469500B5/17, for \$490,000 for up to 6 months
  - Beat no. 6: Neighborhood Towing 4 U Contract No. FSP3469600B6, for \$500,000 for up to 6 months
  - Beat no. 7: Girard & Peterson Contract No. FSP3469900B7/11, for up to 8 months
  - Beat no. 8: Citywide Towing Contract No. FSP2825800FSP148, for \$215,000 for up to 4 months
  - Beat no. 10: Neighborhood Towing 4 U Contract No. FSP3848100FSP1410, for \$320,000 for up to 3 months
  - Beat no. 11: Girard & Peterson Contract No. FSP3469900B7/11, for

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up to 8 months

- Beat no. 12: Tip Top Tow Contract No. FSP2826700FSP14, for \$125,000 for up to 3 months
- Beat no. 13: Reliable Delivery Service Contract No. FSP2831500FSP1413, for \$300,000 for up to 4 months
- Beat no. 17: Sonic Towing, Inc. Contract No. FSP3469500B5/17, for \$475,000 for up to 6 months
- Beat no. 18: Bob & Dave's Towing, Inc. Contract No. FSP2690300FSP1418, for \$280,000 for up to 4 months
- Beat no. 20: Bob's Towing Contract No. FSP2836600FSP1420, for \$200,000 for up to 4 months
- Beat no. 21: Bob's Towing Contract No. FSP2839000FSP1421, for \$110,000 for up to 3 months
- Beat no. 24: T.G. Towing, Inc. Contract No. FSP2833200FSP1424, for \$580,000 for up to 4 months
- Beat no. 27: Hovanwil, Inc. dba Jon's Towing Contract No. FSP3470400B27/39, for \$355,000 for up to 8 months
- Beat no. 28: Hadley Tow Contract No. FSP3847300FSP1428, for \$145,000 for up to 4 months
- Beat no. 29: Platinum Tow & Transport, Inc. Contract No. FSP3470600B29, for up to 6.5 months
- Beat no. 31: Navarro's Towing Contract No. FSP3470700B31/50, for \$375,000 for up to 6.5 months
- Beat no. 33: Mid Valley Towing Contract No. FSP2851900FSP1433, for \$180,000 for up to 4 months
- Beat no. 34: South Coast Towing, Inc. Contract No. FSP2839600FSP1434, for \$270,000 for up to 3 months
- Beat no. 36: Hadley Tow Contract No. FSP2841400FSP1436, for \$105,000 for up to 4 months
- Beat no. 37: Reliable Delivery Service Contract No. FSP3696000FSP1437, for \$200,000 for up to 4 months
- Beat no. 38: Steve's Towing Contract No. FSP38468001438, for \$215,000 for up to 4 months
- Beat no. 39: Hovanwil, Inc. dba Jon's Towing Contract No. FSP5966400FSPB39, for \$470,000 for up to 6 months
- Beat no. 42: Platinum Tow & Transport Contract No. FSP2842100FSP1442, for \$100,000 for up to 4 months
- Beat no. 43: Hollywood Car Carrier Contract No. FSP3469400B3/43, for \$300,000 for up to 6 months
- Beat no. 50: Navarro's Towing Contract No. FSP3470700B31/50, for \$220,000 for up to 6.5 months
- Beat no. 70: Tip Top Tow Contract No. FSP3471300B70, for \$260,000 for up to 3 months
- Beat no. 71: Bob & Dave's Towing, Inc. Contract No. FSP3471500B71, for \$250,000 for up to 3 months

- Region 1: Kenny's Auto Service Contract No. FSP13-R1 for \$390,000 for up to 4 months

**Attachments:**      [Attachment A - Procurement Summary](#)  
[Attachment B - Procurement Summary \(Various Beats\)](#)  
[Attachment C - Contract Modification Authority Summary](#)  
[Attachment D - Contract Modification & Change Order Log](#)  
[Attachment E - DEOD Summary](#)  
[Attachment F - FSP Beat Map](#)

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

**31. SUBJECT:      RAIL AND BUS OPERATIONS CENTERS (ROC/BOC)      [2019-0756](#)**

**RECOMMENDATION**

CONSIDER:

- A. ESTABLISHING a preliminary Life of Project (LOP) budget of up to \$24 million for the preliminary engineering design and technical and third-party support services for the Rail Operations Center and Bus Operations Center (ROC/BOC) Project;
- B. AUTHORIZING the Chief Executive Officer to award a Task Order (TO) under Contract No. AE47810E0128, to SECOTrans (Joint Venture of LTK Engineering Services, NBA Engineering Inc., Pacific Railway Enterprises Inc., and Ramos Consulting Services, Inc) for the preliminary engineering design of the Rail and Bus Operations Control Center (ROC\BOC) Project for a not to exceed amount of \$15,000,000 increasing the previous Board approved not to exceed amount from \$28,932,000 to a not exceed amount of \$43,932,000 for Contract No. AE47810E0128; and
- C. AUTHORIZING the Chief Executive Officer (CEO) to execute all agreements necessary to complete the project within the preliminary LOP budget.

**Attachments:**      [Attachment A - Procurement Summary](#)  
[Attachment B - DEOD Summary](#)  
[Attachment C - Proposed Task Order Work List](#)  
[Attachment D: ROC/BOC Operations Project Team Staffing Plan](#)

**NON-CONSENT**

3. **SUBJECT: REMARKS BY THE CHAIR** [2020-0159](#)

**RECOMMENDATION**

RECEIVE remarks by the **Chair**.

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** [2020-0160](#)

**RECOMMENDATION**

- RECEIVE report by the **Chief Executive Officer**.
- Adjourn in memory of Senior Transportation Planner Daniel Chuong.

**PLANNING AND PROGRAMMING COMMITTEE FORWARDED THE FOLLOWING DUE TO ABSENCES AND CONFLICTS:**

7. **SUBJECT: 103RD ST/WATTS TOWERS STATION JOINT DEVELOPMENT** [2019-0828](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (“CEO”) to execute an Exclusive Negotiation Agreement and Planning Document (“ENA”) with Watts Station LP, a California limited partnership, for the development of 3.67 acres of Metro-owned property at the 103rd St/Watts Towers Station (“Site”) for 18 months with the option to extend up to 30 months.

**Attachments:** [Attachment A - Project Location and Ownership](#)  
[Attachment B - Project Rendering](#)  
[Presentation](#)

**CONSTRUCTION COMMITTEE FORWARDED THE FOLLOWING WITHOUT RECOMMENDATION:**

26. **SUBJECT: METRO CENTER STREET PROJECT (FORMERLY ESOC)** [2019-0677](#)

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Street Project (Project), in the amount of \$129,365,128.00;
- B. Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant



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Program funds awarded to the Project by the State;

- C. Execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering Inc. to provide Design Support During Construction in the amount of \$1,976,222 increasing the Total Contract Value from \$6,528,181 to \$8,504,403 and increase the Contract Modification Authority (CMA) for HDR Engineering Inc. in the amount of \$400,000; and,
- D. Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

**Attachments:**      [Attachment A-1 - Procurement Summary, S.J. Amorosa Construction Co., Inc.](#)  
[Attachment A-2 - Procurement Summary, HDR Engineering, Inc.](#)  
[Attachment B - Funding/Expenditure Plan](#)  
[Attachment C - Contract/Modification/Change Order Log, HDR Engineering, Inc](#)  
[Attachment D-1 DEOD Summary, TBA Construction Firm](#)  
[Attachment D-2 DEOD Summary, HDR Engineering, Inc.](#)  
[Presentation](#)

**32. SUBJECT:      REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT**

[2020-0057](#)

**RECOMMENDATION**

CONSIDER:

- A. Holding a hearing on the proposed Resolution of Necessity; and
- B. Adopting a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Parcel RC-SPA-4 (APN Not Applicable), consisting of real property located within the 2nd Street and Hope Street right-of-way (hereinafter the "Property").

REQUIRES 2/3 VOTE

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

**33. SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT**

[2020-0107](#)

**RECOMMENDATION**

CONSIDER:

A. Holding a hearing on the proposed Resolution of Necessity; and

B. Adopting a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a Utility Overhang and a 54-month Temporary Construction Easement from the property identified as Parcel RM-02 (APN: 8059-029-010). The property listed above is herein referred to as the "Property".

REQUIRES 2/3 VOTE

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

**34. SUBJECT: CLOSED SESSION**

[2020-0163](#)

**RECOMMENDATION**

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

1. Emma Gonzalez v. LACMTA, Case No. BC 692194
2. Lucia Jang v. LACMTA, Case No. BC 669658
3. Jonathan Aguilar v. LACMTA, Case No. BC 681858
4. Margaret Strowski v. LACMTA, Case No. BC 695559

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

Significant Exposure to Litigation (One Case)

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

Property Description: 9225 and 9601 Aviation Boulevard  
Los Angeles, CA 90045

Agency Negotiator: Velma Marshall

Negotiating Party: Clean Energy

Under Negotiation: Price and terms

D. Conference with Labor Negotiator - G.C. 54957.6

Agency Designated Representative: Joanne Peterson or designee

Employee Organizations: SMART, ATU, TUC, AFSCME, and Teamsters

**SUBJECT: GENERAL PUBLIC COMMENT**

[2020-0121](#)

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



Metro

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

## Board Report

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**File #:** 2020-0108, **File Type:** Minutes

**Agenda Number:** 2.

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**REGULAR BOARD MEETING  
FEBRUARY 27, 2020**

**SUBJECT: MINUTES**

**RECOMMENDATION**

APPROVE Minutes of the Regular Board Meeting held January 23, 2020.



## **MINUTES**

**Thursday, January 23, 2020**

**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  
Hilda Solis, 2nd Vice Chair  
Kathryn Barger  
Mike Bonin**

**Jacquelyn Dupont-Walker**

**John Fasana**

**Janice Hahn**

**Paul Krekorian**

**Sheila Kuehl**

**Ara Najarian**

**Mark Ridley-Thomas**

**Mark Archuleta, non-voting member**

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

**CALLED TO ORDER AT: 10:01 A.M.**

**ROLL CALL**

1. APPROVED Consent Calendar Items: 2, 7, 9, 10, 11, 13, 14, 15, 17, 20, 22, 25, 26, 27, 32, 33, 34, 35, 36, 38, 41, 42, 43, and 45

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

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

2. **SUBJECT: MINUTES** **2020-0006**

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held December 5, 2019.

3. **SUBJECT: REMARKS BY THE CHAIR** **2020-0071**

RECEIVED remarks by the **Chair**.

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

4. **SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER** **2020-0072**

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

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

**7. SUBJECT: METRO AFFORDABLE HOUSING POLICIES AND TOOLS 2019-0848**

APPROVED ON CONSENT CALENDAR:

- A. RECEIVING AND FILING Metro Affordable Housing Policies and Tools; and
- B. ADOPTING the proposed amendments to the 2020 State Legislative Program Goals.

**8.1. SUBJECT: LOS ANGELES COUNTY GOODS MOVEMENT STRATEGIC 2020-0067  
PLAN DEVELOPMENT STATUS UPDATE**

APPROVED Motion by Directors Hahn, Solis, Butts, Garcia and Najarian that the Board:

1. Direct that the I-710 Clean Truck Program be developed as an Early Action Item under both the Goods Movement Strategic Plan as well as the I-710 South Corridor Project.
2. Request a report back in 60 days that provides a framework for implementation of the 710 Clean Truck Program. This framework should delineate, at a minimum the:
  - a. Assessment of eligible Metro funding sources and recommendations for seed funding.
  - b. Development of implementation details, including eligibility requirements, institutional arrangements, management, staff resources and administration.
  - c. Evaluation of different potential strategies to accelerate progressive transition to Zero Emission Trucks in the I-710 corridor.
  - d. Recommendations on how to encourage the participation of key regulatory agencies and stakeholders in the development of the program, with a specific focus on community-based organizations, non-profits, and community advocacy groups.

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



**9. SUBJECT: FUNDING AWARD RECOMMENDATION FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5310 GRANT PROGRAM FUNDS 2019-0807**

**APPROVED ON CONSENT CALENDAR:**

- A. the federal Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program ("Program") recommended funding awards totaling up to \$9,926,791 for Traditional Capital and Other Capital Projects, as shown in Attachments A and B;
- B. AUTHORIZING the Chief Executive Officer (CEO) or his designee to (1) negotiate and execute pass-through agreements with the agencies approved for funding, and (2) apply \$194,400 of unused funds from past awards to the recommended funding awards;
- C. DELEGATING to the CEO or his designee the authority to administratively approve minor changes to the scope of previously-approved Section 5310 funding awards;
- D. CERTIFYING that the Section 5310 funds are fairly and equitably allocated to eligible sub-recipients and, where feasible, projects are coordinated with transportation services assisted by other federal agencies; and
- E. CERTIFYING that the projects proposed for Section 5310 funding are included in the locally-developed 2016-2019 Coordinated Public Transit-Human Services Transportation Plan for Los Angeles County ("Coordinated Plan") that was developed and approved through a process that included participation by seniors and individuals with disabilities, as well as by representatives of public, private and nonprofit transportation and human service providers and other members of the public.

**10. SUBJECT: METRO ACTIVE TRANSPORT, TRANSIT AND FIRST/LAST MILE (MAT) PROGRAM CYCLE 1 2019-0834**

**APPROVED ON CONSENT CALENDAR:**

- A. the Metro Active Transport, Transit, and First/Last Mile (MAT) Program Cycle 1 Solicitation; and
- B. AUTHORIZING the Chief Executive Officer (CEO) or designee to release the Program Solicitation and initiate a project selection process as described therein.



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

**2019-0838**

**APPROVED ON CONSENT CALENDAR:**

- A. \$109,537,000 of additional programming within the capacity of the Measure R Highway Subregional Programs and funding changes via the updated project list as shown in Attachment A for:
  - Highway Operational Improvements in Arroyo Verdugo
  - Highway Operational Improvement in Las Virgenes Malibu
  - I-405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay)
  - I-605 Corridor "Hot Spots" Interchange Improvements in Gateway Cities
  - I-710 South and/or Early Action Projects in Gateway Cities
  
- B. deobligation of \$1,390,000 dollars of previously approved Measure R Highway Subregional Program funds for re-allocation at the request of project sponsors;
  
- C. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for the approved projects.

**12. SUBJECT: MOBILITY ON DEMAND PILOT PROJECT**

**2019-0833**

AUTHORIZED the Chief Executive Officer to execute a Modification to Contract No. PS121778000 to exercise a six-month extension to the existing contract with NoMad Transit LLC, to continue to operate the Mobility on Demand ("MOD") pilot project with enhanced service design for additional research at an increase in contract value not to exceed ~~\$1,530,332~~ \$2,180,332, increasing the contract value from \$2,506,410 to ~~\$4,036,742~~ \$4,686,742, and, at the discretion of the Chief Executive Officer, add an additional six months of service for a not to exceed amount of ~~\$2,097,293~~ \$2,747,293, increasing the contract from ~~\$4,036,742~~ \$4,686,742 to up to ~~\$6,134,035~~ \$7,434,035, with no further options to extend.

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

**12.1. SUBJECT: MOBILITY ON DEMAND PILOT PROJECT****2020-0043**

APPROVED REVISED Najarian motion that staff conduct an analysis of the mobility on demand pilot program that includes, but is not limited to, the following:

A. Drivers' fully-burdened salaries; MTA staffing and budgetary costs associated with the program; fully burdened cost per trip; compliance with Federal funding requirements; extrapolation of potential future cost increases due to AB5, and any other costs/charges.

B. The completed analysis should return to the Board in May 2020.

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

**13. SUBJECT: GREEN LINE EXTENSION TO TORRANCE****2019-0823**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer (CEO) to award and execute a 42-month, firm fixed price Contract No. AE63445000 With STV Incorporated (STV), in the amount of \$32,555,439 to provide environmental, advanced conceptual engineering (ACE) design, and optional preliminary engineering (PE) services on the Green Line Extension to Torrance Project for work in support of the environmental clearance study and design services, subject to resolution of protest(s), if any.

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

**14. SUBJECT: PURPLE LINE EXTENSION SECTION 1, CRENSHAW/LAX AND REGIONAL CONNECTOR FIRST/LAST MILE PLANNING**

**2019-0806**

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

- A. Prepare First/Last Mile (FLM) plans for Purple Line Extension (PLE) Section 1 stations;
- B. Execute Modification No. 3 to Task Order No. AE115994000 with IBI Group for the Purple Line Sections 2 and 3 First/Last Mile (FLM) Plan and Guidelines to accommodate PLE Section 1 FLM planning work in the amount of \$378,864 increasing the task order value from \$1,171,722 to \$1,550,586; and

(continued on next page)



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C. Subsequently initiate planning for stations on the Crenshaw/LAX line and Regional Connector.

**15. SUBJECT: ALAMEDA CORRIDOR-EAST (ACE) PROGRAM FUNDING 2019-0850  
PLAN UPDATE**

AUTHORIZED ON CONSENT CALENDAR the CEO to amend the ACE funding agreement to increase Metro's contribution by \$15,000,000 (5.5% increase to the 2007 amount of \$274,323,220) for a new total amount of \$289,323,220 and program \$19,453,420, which includes previously committed funding. Metro will not participate in any future project cost increases or overruns.

**17. SUBJECT: RISK MANAGEMENT INSURANCE BROKERAGE 2019-0795  
SERVICES**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a five-year, firm fixed price Contract No. PS63853000 to USI Insurance Services LLC in the amount of \$1,268,600 for a five-year base term, \$530,503 for the first 2-year option, and \$562,811 for the second 2-year option, for a combined total amount of \$2,361,914, effective June 1, 2020 subject to resolution of protest(s), if any.

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

**20. SUBJECT: MEMBERSHIP ON METRO'S REGIONAL SERVICE 2019-0802  
COUNCILS**

APPROVED ON CONSENT CALENDAR nominees for membership on Metro's San Gabriel Valley and Westside Central Service Councils.

**21. SUBJECT: PUBLIC REVIEW OF NEXTGEN TRANSIT FIRST SERVICE 2019-0853  
PLAN**

APPROVED:

1. AUTHORIZING the release of the NextGen Draft Transit First Service Plan for public review; and
2. updates to the Transit Service Policy to reflect the NextGen Regional Service Concept

(continued on next page)

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**BONIN AMENDMENT:** Add a report back from OMB by April 2020 regarding funding options for the capital portion of the NextGen Transit First scenario.

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

**22. SUBJECT: P2000 LIGHT RAIL VEHICLE (LRV) POWERED AXLE ASSEMBLY OVERHAUL 2019-0861**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a 60-month, Indefinite Delivery/Indefinite Quantity (IDIQ) Contract No. MA53169000 to Pamco Machine Works, the lowest responsive and responsible bidder, for the overhaul of P2000 Light Rail Vehicle (LRV) Powered Axle Assembly Overhaul. This award is a not-to-exceed amount of \$3,132,902 subject to resolution of protest(s), if any.

**25. SUBJECT: ENTERPRISE SAFETY MANAGEMENT SYSTEM 2019-0816**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute Modification No. 3 to Contract No. PS43249000 with Cority Software Inc. to add the Environmental and Ergonomics modules to the Enterprise Safety Management System (ESMS) in the amount of \$594,980, increasing the total contract value from \$1,292,926 to \$1,887,906 and extending the contract period of performance through December 31, 2020.

**26. SUBJECT: I-10 EXPRESSLANES BUSWAY HOV5+ PILOT IMPLEMENTATION PLAN 2019-0658**

APPROVED ON CONSENT CALENDAR:

- A. I-10 ExpressLanes Busway HOV5+ Pilot Implementation Plan; and
- B. AUTHORIZING implementation of the I-10 ExpressLanes Busway HOV5+ Pilot.

**27. SUBJECT: REAL ESTATE MANAGEMENT SYSTEM 2019-0870**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a six-year firm-fixed price Contract No. PS62371000 to Flairsoft Ltd. for the purchase of Real Estate Management System and software support services in the amount of \$946,463, plus optional licenses, modules and subscription maintenance and support of \$714,960 for a combined total amount of \$1,661,423, subject to resolution of protest(s), if any.

**32. SUBJECT: I-5 NORTH CAPACITY ENHANCEMENTS FROM SR- 118 2019-0829  
TO SR-134; SEGMENT 3**

AUTHORIZED ON CONSENT CALENDAR Contract Modification No. 235 (CCO 235) by the California Department of Transportation (Caltrans) for the construction contract for Segment 3 (Empire) of I-5 North Capacity Enhancements Project between SR-134 and SR-118 (Project) in the amount not to exceed \$1.5 M under Funding Agreement No. MOU. P0008355/8501A/A9 within the LOP budget.

**33. SUBJECT: CONSTRUCTION ZONE ENHANCED ENFORCEMENT 2019-0844  
PROGRAM (COZEEP) SERVICES**

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

- A. Enter into an Interagency Agreement with California Highway Patrol (CHP) for Construction Zone Enhanced Enforcement Program (COZEEP) task order services for an amount of \$6,000,000; and
- B. Execute all necessary changes and task orders required to administer the agreement.

**34. SUBJECT: ENVIRONMENTAL CONSTRUCTION WASTE HANDLING 2019-0885  
SERVICES**

AUTHORIZED ON CONSENT CALENDAR:

- A. An increase to the total authorized funding for Contract No. PS20655 with TRC Solutions Inc. to increase Environmental Construction and Waste Handling Services contract value in the amount of \$20,600,000, increasing the Total Contract Value from \$46,200,000 to \$66,800,000, an
- B. The Chief Executive Officer (CEO) to execute all individual Task Orders and changes within the new Board approved contract funding amount.



**35. SUBJECT: SUSTAINABILITY PROGRAM ASSISTANCE SERVICES 2019-0887**

AUTHORIZED ON CONSENT CALENDAR:

- A. An increase to the total authorized funding for Contract No. PS325890084203243 with Cumming Construction Management, Inc. to provide Sustainability Program Assistance Services (SPAS) support in the amount of \$1,548,036 increasing the Total Contract Value from \$13,729,353 to \$15,277,389; and
- B. The Chief Executive Officer (CEO) to execute all individual Task Orders and changes within the new Board approved contract funding amount.

**36. SUBJECT: ENVIRONMENTAL ENGINEERING SERVICES 2019-0888**

AUTHORIZED ON CONSENT CALENDAR:

- A. An increase to the total authorized funding for Contract No. PS3274 with Kleinfelder, Inc. to provide Environmental Engineering support services in the amount of \$11,926,155 increasing the Total Contract Value (CMA) from \$13,200,000 to \$25,126,155, and
- B. The Chief Executive Officer (CEO) to execute all individual Task Orders and changes within the Board approved contract funding amount.

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

**38. SUBJECT: STATE LEGISLATION 2020-0021**

ADOPTED ON CONSENT CALENDAR REVISED staff recommended positions:

- A. ~~Senate Bill 732 (Allen) - Transactions and use tax: South Coast Air Quality Management District. **SUPPORT**~~
- B. Assembly Bill 1350 (Gonzalez) - Free youth transit passes: eligibility for state funding. **WORK WITH AUTHOR**

**41. SUBJECT: WEST SANTA ANA BRANCH P3 BUSINESS CASE                      2020-0008**  
**FINANCIAL ADVISORY SERVICES**

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

- A. EXECUTE Modification No. 3 to Task Order No. PS 50315-3049000 with Sperry Capital Inc. in the amount of \$1,258,650 to continue to support P3 Business Case Development for the West Santa Ana Branch LRT, increasing the not-to-exceed Task Order value from \$2,077,010 to \$3,335,660;
- B. INCREASE Contract Modification Authority (CMA) by \$267,605 from \$100,000 to \$367,605 in support of any unforeseen required additional level of effort

**42. SUBJECT: ACQUISITION OF COMPUTER HARDWARE, SOFTWARE                      2019-0873**  
**AND SERVICES**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to utilize the National Association of State Procurement Officials (NASPO) Cooperative purchase program to purchase computer and network equipment, peripherals, and related software and services, for a five-year period for a total expenditure not-to-exceed \$30,000,000, subject to funding availability effective Feb 1, 2020.

**43. SUBJECT: ESTABLISH K-12 U-PASS PRICING AND CONTINUE                      2019-0879**  
**REGIONAL U-PASS PROGRAM**

APPROVED ON CONSENT CALENDAR:

1. The establishment of a K-12 pricing structure for the Universal Student Pass (U-Pass) Program for homeless student services programs at \$0.75 per boarding to match the college program, capped at \$24 per month for Metro boardings to match the existing K-12 Reduced Fare monthly pass.
2. The continuation of the Regional U-Pass Program for College/Vocational schools at the existing rate, which is each agency's college fare rate, up to \$0.75 per Boarding, capped at \$43 per month to match the College/Vocational Reduced Fare monthly pass.

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3. The establishment of a Regional K-12 pricing structure for homeless student services programs, which is each agency's K-12 fare up to \$0.75 per boarding, capped at the highest monthly K-12 fare rate of all agencies used by the institution's students or \$40 per month, which is the highest monthly K-12 fare in the region, if no K-12 monthly fare exists at those agencies.

**45. SUBJECT: BRIDGE HOUSING AT VAN NUYS STATION** **2020-0045**

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

- A. Enter into a no-fee lease agreement with the City of Los Angeles (COLA) with a term ending August 15, 2023 for temporary bridge housing on a portion of the Van Nuys Orange Line Station parking lot;
- B. Re-inventory Metro-owned properties to identify other opportunities for the City of Los Angeles's A Bridge Home Program (ABH) facilities and report back to the March 2020 Executive Management Committee;
- C. Conclude the project is statutorily exempt from CEQA pursuant to Public Resources Code Sections 21080.27 and 21080, Subdivision (b)(4), and CEQA Guidelines Section 15269, Subdivision (c); and
- D. Authorize Metro staff to file a Notice of Exemption with the County Clerk.

**46. SUBJECT: FREE TRANSIT FOR LOS ANGELES COUNTY** **2020-0077**  
**STUDENTS**

APPROVED REVISED Motion by Directors Solis, Garcetti, Bonin, Dupont-Walker, Butts and Hahn that the Board direct the CEO in collaboration with LAUSD and other school districts, local municipalities, the State and other stakeholders, to return to the Board in April 2020 with a report that includes:

1. Review of the performance of existing free transit programs for K-12 students, including the City of Los Angeles' DASH to Class program, Metro's Just Transit pilot with LAUSD and other school districts, and the City of Sacramento's RydeFreeRT program;
2. Cost estimates for the provision of free Metro transit services for LAUSD and other school district students and potential funding mechanisms to offset those costs with considerations for phasing based on Metro's Equity Platform; Cost estimates should include information on fare subsidies and costs to administer the program;

(continued on next page)



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3. Forecasts of impacts to Metro farebox revenues as a result of free Metro transit services based on existing K-12 student pass utilization and other data;
4. A survey of various schools, in collaboration with LAUSD and other school districts, to determine transit dependency and interest of students switching to transit as result of potential free fares;
5. Mapping of various school district boundaries in the County in relation to existing and planned transit services that identifies disadvantaged and transit-dependent communities;
6. Analysis of effects on ridership, inclusive of impacts to operations on transit lines that may experience over-crowding during peak hours and potential impacts to school bus ridership;
7. Outreach to municipal operators that have transit service supported by Metro formula funds connecting to K-12 schools;
8. Recommended actions to minimize or eliminate barriers for Los Angeles County households to take advantage of potential free transit for students including, but not limited to, partnering with LAUSD and other school districts for administrative support; and
9. Return to the Board in June 2020 with a separate report, covering directives 1 through 8 of motion 46, on a partnership with Community College Districts within Metro's service area to provide no-cost transit programs for campuses that have self-imposed supplemental student fees dedicated towards the cost of transportation, including but not limited to the LA Community College District (LACCD) and LACCD's College Promise program.

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

47. SUBJECT: CLOSED SESSION

2020-0074

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

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

NO REPORT.

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

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

NO REPORT.

- 2. LACMTA v. Beverly Hills Unified School District, et al., Case No. 19STCV18197

NO REPORT.

- 3. John Reddick v. LACMTA, Case No. BC 660135

APPROVED settlement in the amount of \$5,000,000.

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

- 4. Kanisha Renee Sanders v. LACMTA, et al., Case No. BC 662414

APPROVED settlement in the amount of \$600,000.

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

- 5. Judy Solis v. LACMTA, Case No. BC 699379

APPROVED settlement in the amount of \$450,000.

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

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6. Margaret Strowski v. LACMTA, Case No. BC 695559

NO REPORT.

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

7. Jonathan Aguilar v. LACMTA, Case No. BC 681858

NO REPORT.

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

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

Significant Exposure to Litigation (One Case)

NO REPORT.

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

1. Property Description: 9601 Aviation Boulevard, Los Angeles, CA  
90045

Agency Negotiator: Craig Justesen  
Negotiating Party: Clean Energy  
Under Negotiation: Price and terms

NO REPORT.

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

ADJOURNED at 2:31 p.m.

Prepared by: Mandy Cheung  
Administrative Analyst, Board Administration

  
Michele Jackson, Board Secretary



## Board Report

File #: 2020-0027, File Type: Informational Report

Agenda Number: 8.

### PLANNING AND PROGRAMMING COMMITTEE FEBRUARY 19, 2020

**SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

CONSIDER:

- a. Proceeding with the California Environmental Quality Act (CEQA) only for the project's environmental process;
- b. Withdrawing the SR 60 and Combined Alternatives from further consideration in the environmental study;
- c. Preparing a feasibility study independent from the Eastside Transit Corridor Phase 2 project to evaluate other options that better serve the needs of the San Gabriel Valley; and
- d. Approving the Eastside Transit Corridor Phase 2 Title VI Service Equity Analysis.

#### **ISSUE**

Measure M allocates \$6 billion to the Eastside Transit Corridor Phase 2 project (Project) to be programmed in two cycles. Cycle 1 identifies \$3 billion for one alignment with a 2029 groundbreaking date and an opening date of 2035. Cycle 2 identifies \$3 billion with a 2053 groundbreaking date and an opening date of 2057. The Project is currently in the environmental review process pursuant to the CEQA and National Environmental Policy Act (NEPA) with three build alternatives under study to support the adoption of a Locally Preferred Alternative. These three alternatives (SR 60, Washington, and Combined Alternatives as described in this report) were approved for study by the Board in May 2017 (Legistar #2017-0154). This Project is one of the four pillar projects identified by the Board for acceleration efforts to be completed in time for the 2028 Olympic and Paralympic Games in Los Angeles (Motion 32.4, #2019-0108).

The recommendations in this Board Report would facilitate efforts for project acceleration. Discontinuing NEPA analysis would streamline the environmental study by not requiring federal reviews. The current environmental schedule includes NEPA and CEQA clearances of the three project alternatives as well as a no-build Alternative. Final environmental clearance is anticipated in 2023 and construction by 2029, placing the Project at risk of not meeting 2028 acceleration goals. Pillar projects must begin construction no later than the calendar year 2023 to be completed and



enter into revenue service by 2028 (Legistar file 2019-0434).

The SR 60 and Combined Alternative face significant environmental and engineering challenges and are less consistent with adopted Metro policies than the Washington Alternative. These issues and constraints are documented in the attached SR 60 and Combined Alternatives Issues and Constraints Report (Attachment A). Narrowing the project alternatives, in this case, selecting the Washington alternative as the proposed project for continuing environmental review would shorten the project schedule by narrowing and focusing environmental and engineering work currently in progress. The selection of an alternative requires a Title VI service equity analysis which has been completed for this project. Results of the analysis are included in the Eastside Transit Corridor Phase 2 Title VI Service Equity Analysis (Attachment B).

## **BACKGROUND**

The Eastside Transit Corridor Phase 2 has been studied extensively and has evolved since its inception. These studies have included:

- In 2007 an Alternatives Analysis (AA) Study for the Project was initiated, wherein 47 alternatives were evaluated.
- In January 2009, the Metro Board approved the AA Study and identified two build alternatives to be carried forward.
- In 2010 the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was initiated. The Draft EIS/EIR analyzed two build alternatives, SR 60 and Washington Boulevard, in addition to the No-Build and Transportation Systems Management (TSM) Alternatives. The Draft EIS/EIR was released for public review in August, 2014.
- In November 2014, the Board directed staff to carry out additional technical work to address concerns raised by Caltrans, United States Environmental Protection Agency (EPA), and United States Army Corps of Engineers (USACE) about the SR 60 Alternative. The technical work also included identifying a new north-south alignment to connect to the Washington Boulevard Alternative.
- At the May 2017 meeting, the Board received the findings of the Post Draft EIS/EIR Technical Study and approved an updated project definition.

Based on these actions the following project alternatives were carried forward and are included in the current study:

### SR 60 Alternative

Generally, follows the southern edge of the SR 60 Freeway primarily in an aerial configuration from Atlantic Station, the current Metro Gold Line terminus at Pomona Boulevard and Atlantic Boulevard, and continues to Peck Road in the city of South El Monte. A 1.5-mile segment shifts to the north side of the freeway, between Greenwood Avenue and Paramount Boulevard to address technical issues regarding the proximity to the Operating Industries, Inc. (OII) Superfund site and avoid disturbance of contaminated materials. Proposed stations along this route that are being considered include: Garfield Avenue station serving Montebello and Monterrey Park, The Shops at Montebello station in Montebello, Santa Anita Avenue station in South El Monte, and Peck Road station in South El Monte.

### Washington Alternative

Travels south along Atlantic Boulevard in an underground segment between the current Metro Gold Line terminus station at Pomona Boulevard/Atlantic Boulevard and the Citadel Outlets in Commerce. The route then proceeds east along Washington Boulevard via aerial and at-grade (street level) configurations ending at Lambert Road in the city of Whittier. Proposed stations along this route that are being considered include: redesigned Atlantic Boulevard station, Atlantic/Whittier Boulevard station in East Los Angeles, Commerce/Citadel station in Commerce Greenwood Avenue station in Montebello, Rosemead Boulevard station in Pico Rivera, Norwalk Boulevard station serving unincorporated Los Nietos, Whittier, and Santa Fe Springs, and Lambert Road station in Whittier.

Combined Alternative Explores the potential build out and operation of both the SR 60 and Washington Alternatives as described above. The Combined Alternative would allow service from South El Monte and Whittier to downtown Los Angeles and the regional transit network. The alternative would require infrastructure and operational elements that would not otherwise be required if only one of the alternatives was operated as a “stand-alone” line. Trains would alternate between continuing west past Atlantic Boulevard Station and providing a one-seat ride between South El Monte and Whittier in a “C” configuration via a wye junction (i.e., three-way junction). Specifically, the Combined Alternative would include a wye junction in the East Los Angeles area near the Via Campo neighborhood that would connect the SR 60 and Washington Alternatives, allowing alternating train movements between both lines.

In October 2018, the Board authorized the award of professional services contracts (Legistar file 2018-0303) to restart the environmental studies and clear the Project under CEQA and NEPA and to complete Advanced Conceptual Engineering design. As part of the reinitiated environmental review planning process, additional focused technical analysis was done to address concerns raised by Cooperating Agencies for the SR 60 and Combined Alternatives. The constraints and challenges within or along the freeway corridor have become more evident with further technical analysis, additional engineering design, and coordination with future improvements for the SR 60 Freeway. The Combined Alternative compounds these technical challenges by requiring the addition of an underground wye junction at Pomona/Atlantic where the existing Gold Line ends.

Recent Metro Board adopted policies to address emerging transportation priorities, including equity, Transit-Oriented Communities (TOC), First/Last Mile (FLM) planning, and parking policies which were not in place when the project was first introduced. An analysis of TOC- and FLM-related factors relevant to assessing the SR 60 and Washington Alternatives was completed as part of the current planning process. The Washington Alternative shows greater potential compared to the SR 60 Alternative as it relates to TOC and FLM.

## **DISCUSSION**

### CEQA Only Environmental Clearance (Discontinuing NEPA)

The Eastside Transit Corridor Phase 2 is one of the four pillar projects which introduces acceleration goals to the Measure M Program. The Project is primarily funded by Measures M and R and other

state and local sources. Federal funding allocation for this Project is not a significant component of the project's funding plan.

Currently, \$40.4 million out of the \$3 billion Cycle 1 project funding plan are federal. The designated federal funds could be reallocated to other projects with commensurate state and local funding reprogrammed for Eastside Transit Corridor Phase 2. In the future, should additional federal funding for the project become available, staff would have the ability to reinitiate NEPA analysis. Pursuing environmental clearance only through CEQA could streamline the environmental analysis and advance acceleration efforts to support the pillar project goals. Federal reviews would no longer be required and FTA could prioritize reviews of other Metro priority projects.

### Summary of Technical Issues and Constraints of the SR 60 Alternative

From the onset, the SR 60 Alternative posed environmental and engineering challenges associated with running parallel to the SR 60 Freeway and adjacent to sensitive land uses and environmental resources. These concerns have been analyzed and reevaluated through several studies beginning with the 2014 Draft EIS/EIR Report, the 2017 Post Draft EIS/EIR Technical Study, and additional focused analyses that were initiated in 2019.

Longstanding environmental and engineering challenges raised by Cooperating Agencies and utility providers are detailed in Attachment A. A summary of critical constraints and challenges that have intensified since the 2014 Draft EIS/EIR and the 2017 Post Draft EIS/EIR Technical Study that impede the Project implementation efforts and inability to meet acceleration schedule are described below.

#### Future Improvements of the SR 60 Freeway

The SR 60 Alternative runs primarily within the existing Caltrans right-of-way (ROW) and must be closely coordinated with major improvements that are planned for the SR 60 Freeway including Caltrans' planned future widening which would bring existing general-purpose lanes up to Caltrans' current standards and add HOV lanes. These planned improvements pose major constraints for the SR 60 Alternative which have become more apparent as engineering and environmental studies have advanced.

Adverse issues associated with the SR 60 Alternative include:

- In meetings in 2019, Caltrans underscored that the SR 60 Alternative would impact Caltrans' ability to widen the freeway in the future. The widening of the SR 60 Freeway would result in shifting the SR 60 Alternative aerial guideway out of the Caltrans ROW in most cases.
- Based on Caltrans' planned criteria for the freeway, an approximate 93-foot buffer was agreed upon as sufficient space to accommodate future improvements. The 93-foot buffer is conceptual and would require Caltrans approval upon submittal of Advanced Conceptual Engineering drawings.
- This alignment shift, if implemented along the full alignment, would further impact adjacent residential and environmentally sensitive areas beyond what was identified in the 2014 Draft EIS/EIR. The impacts would occur particularly to single-family and



multifamily residences, Whittier Narrows Recreation Area and South El Monte High School.

- The SR 60/ I-605 Interchange Improvements project is currently in the environmental clearance phase. This project, managed by Metro's Highways Program in coordination with Caltrans, has led to modifications to the terminus station at Peck Road to accommodate the freeway widening and new ramp configurations. This design places the guideway approximately within 5 feet of the residential condominiums adjacent to the freeway ramp.

Issues related to the required rail transit guideway as it crosses the freeway have raised additional issues:

- The SR 60 Alternative transitions to the north side of the freeway between Greenwood Avenue and Paramount Boulevard to circumvent the OII Superfund site and avoid disturbance of contaminated materials. Caltrans raised concerns about the 2014 design that proposed the placement of bridge column supports in the median of the SR 60 Freeway.
- To address these comments, a focused technical analysis of alternative bridge options and alignments to cross the freeway was undertaken. It was concluded that a clear-span option (i.e., avoiding a column in the median of the freeway) is feasible to address Caltrans' concerns. However, the curve radius for the alignment across these bridge spans would reduce operating speeds from 55 mph to 25 to 30 mph for the Project. The proposed clear-span bridges do not meet the desired operating speeds for light rail. The Metro Rail Design Criteria (MRDC) establishes maximum operating speed of 65 MPH for exclusive and semi-exclusive alignments and states that mainline alignments should be designed for the established maximum operating speed.

Caltrans-Required Lateral Encroachment Permit

Historically, Caltrans has communicated that a Lateral Encroachment Permit would be required for the areas of the guideway that are proposed to be within Caltrans' ROW (partially or fully). This is an added constraint and risk to the Project because of potential delays to obtain such permit. These types of proposed lateral encroachment permits are not conventional within the Caltrans permitting process, which would require extensive reviews to ensure State compliance.

Constrained Maintenance Storage Facility (MSF)

An MSF and potential initial operating segment would need to be identified for each Alternative to serve rail operational functions and demands. Metro Operations' regional needs are being met through this Project based on the Fleet Management Plan. The plan establishes a need for an MSF site, approximately 20 acres in size, that can accommodate storage capacity for 100 to 120 light rail vehicles (LRV) and required operational elements. Issues associated with identifying a Maintenance & Storage Facility have included:

- Identifying an MSF site along the SR 60 Freeway is limited primarily due to the surrounding land uses, including the SR 60 Freeway, the OII Superfund site, the Whittier Narrows Flood Control Basin, and residential and recreational areas.
- The proposed SR 60 MSF is a small site, approximately 15.5 acres in size, with a storage capacity of approximately 70 LRVs. This is less than what would be required for

the SR 60 Alternative, which would require close to 100 to 120 LRVs, and less than required for the Combined Alternative to serve Metro's overall system needs.

- The non-revenue lead tracks would extend beyond the proposed terminus, Peck Road station, in an aerial configuration approximately half-mile. The lead tracks would cross over the San Gabriel River and the San Gabriel River Trail/Bike Path in an aerial configuration.
- The elevated structure would conflict with Southern California Edison (SCE) overhead transmission lines, which would have insufficient vertical clearance. Also, an easement from SCE would be required, including through the middle of the MSF facility.

### Summary of Technical Issues and Constraints of the SR 60 Alternative

The Combined Alternative introduces the inclusion of wye junction. The wye junction's proposed location is in unincorporated East Los Angeles County at the intersection of Atlantic Boulevard/3rd Street/Pomona Boulevard in the Via Campo neighborhood. Additional property acquisitions would be required along Pomona Boulevard from La Verne Avenue to Sadler Avenue.

- The approximately 2/3-mile stretch would require the acquisition of the whole first row of mostly commercial properties along the south side of 3rd Street/Pomona Blvd for the construction of the wye junction as part of the Combined Alternative.
- As a stand-alone element, incorporating the Combined Alternative would add approximately \$1.3-1.7 billion to the project capital cost for the wye junction, which is not commensurate with the forecasted number of riders it would serve.

The Washington Alternative does have its challenges, however not as complex relative to the SR 60 and Combined Alternatives. The focused technical analysis for the Washington Alternative included the evaluation of the underground section, design variations at Rosemead and 605 freeway, and the bridge crossings. These challenges are being resolved within the project's predetermined timeline for environmental clearance.

### Inconsistencies with Metro Adopted Policies

In June 2018, Metro's TOC Policy was adopted to promote places (such as corridors and neighborhoods) that, by design, allow people to drive less and access transit more. TOCs promote more walkable, bikeable, and sustainable neighborhoods adjacent to transit. The TOC Policy sets the direction to guide Metro decision-making for projects and to assist local jurisdictions in maximizing the potential of transit investments in their communities.

A TOC and FLM Assessment Report is being prepared which establishes TOC and FLM criteria. TOC criteria relate to an evaluation of adjacent land uses, population and employment densities. FLM criteria analyzed bicycle facilities, block sizes, and active transportation elements. In addition to TOC and FLM analysis, the Assessment Report reviews Environment and Equity criteria to assess physical barriers in the surrounding station area environment and the extent to which TOCs are served. Initial findings from the TOC and FLM assessment work indicates that the SR 60 Alternative lacks potential as it correlates to all three criteria: TOC, FLM, and Environment and Equity. This is due to the spatial nature of proposed station areas along the alignment.

The SR 60 Alternative is challenged and constrained because the guideway runs parallel to the freeway. Stations are adjacent to the freeway which lacks direct connections to residential communities within the half-mile station area. Some stations along the SR 60 Alternative are situated in large commercial shopping malls, parking lots and recreational zones near freeway on/off-ramps. Connections to existing residential neighborhoods are hindered by the quality of the public realm, a discontinuous and suburban street network, large block sizes, numerous freeway on/off ramps, and freeway underpasses.

Given the lack of proximity to residential communities and the lack of direct connections within the half-mile station area, the SR 60 Alternative is less supportive of the adopted equity goals, serving fewer low-income and transit-dependent populations. Land uses surrounding these stations are also less transit-supportive than those along the Washington Alternative. Preliminary results of the TOC and FLM Assessment Report are summarized in Attachment A.

The Washington Alternative exhibited better compatibility with Metro's adopted policies. Proposed stations along the Washington Alternative demonstrated greater TOC compatibility. The stations are planned in areas with a connected street network making it easier to walk, bike, and ride transit. Station areas either have existing transit-supportive land use patterns or have the potential for future planning efforts. This is mainly because the stations along this alignment are located close to existing residential neighborhoods and commercial corridors. In general, the Washington Alternative stations are situated in areas with a higher presence of residential land uses, serving more economically disadvantaged communities who would benefit from improved transit access consistent with Metro's Equity Platform.

### Public Scoping Meetings

Through the reinitiated environmental review process, a 45-day scoping period was held from May 31 to July 15, 2019. Public scoping meetings were held in June 2019 in the cities of Whittier, South El Monte, Commerce, Montebello, Pico Rivera, and unincorporated Los Angeles County in the East Los Angeles community.

Approximately 300 comments were received during the scoping period. Approximately two-thirds of the comments referenced the build alternatives. Over one-third of the comments referenced the SR 60 Alternative, which received the lowest amount of support from the public. An organized community group-Justice and Equality for the Eastside Coalition-obtained over 400 signatures from residents of the Via Campo neighborhood opposed to the current proposed construction of an at-grade and aerial portion of the SR 60 Alternative. They were concerned with the negative health and quality of life impacts. In general, there was some support for all three project alternatives. The major themes expressed by stakeholders in their comments included:

- Opposition to at-grade alignment on SR 60 Alternative from South Atlantic Boulevard to Findlay Avenue;
- General support for Washington Alternative from communities, business groups and employers along the alignment; and
- Concerns raised over environmental justice and equal consideration for undergrounding in

lower-income areas of the county.

### Alternative Solution with the Withdrawal of the SR 60 and Combined Alternatives

The Eastside Transit Corridor studies to date recognize the mobility challenges that exist along the SR 60 Freeway corridor and within the San Gabriel Valley and the need to connect to Metro's regional transit network. The route has been analyzed and reevaluated through several studies since 2007. Stakeholders and communities along the corridor have shown a vested commitment to the project. If the Board approves the withdrawal of the SR 60 and Combined Alternative from the Project's environmental study, the staff recommendation is that Metro should continue to work with the corridor cities, key stakeholders and the communities to prepare a feasibility study that would identify short and long term solutions to evaluate options to serve the mobility needs in the San Gabriel Valley and along the SR 60 Freeway. The short- and long-term plan will include financial review of the Measure R and M commitments. The anticipated duration of the feasibility study would take approximately 18 months to complete. The development of the scope of work for technical services and outreach would commence immediately upon Board approval. Metro staff will report back in six months on the progress of the feasibility study.

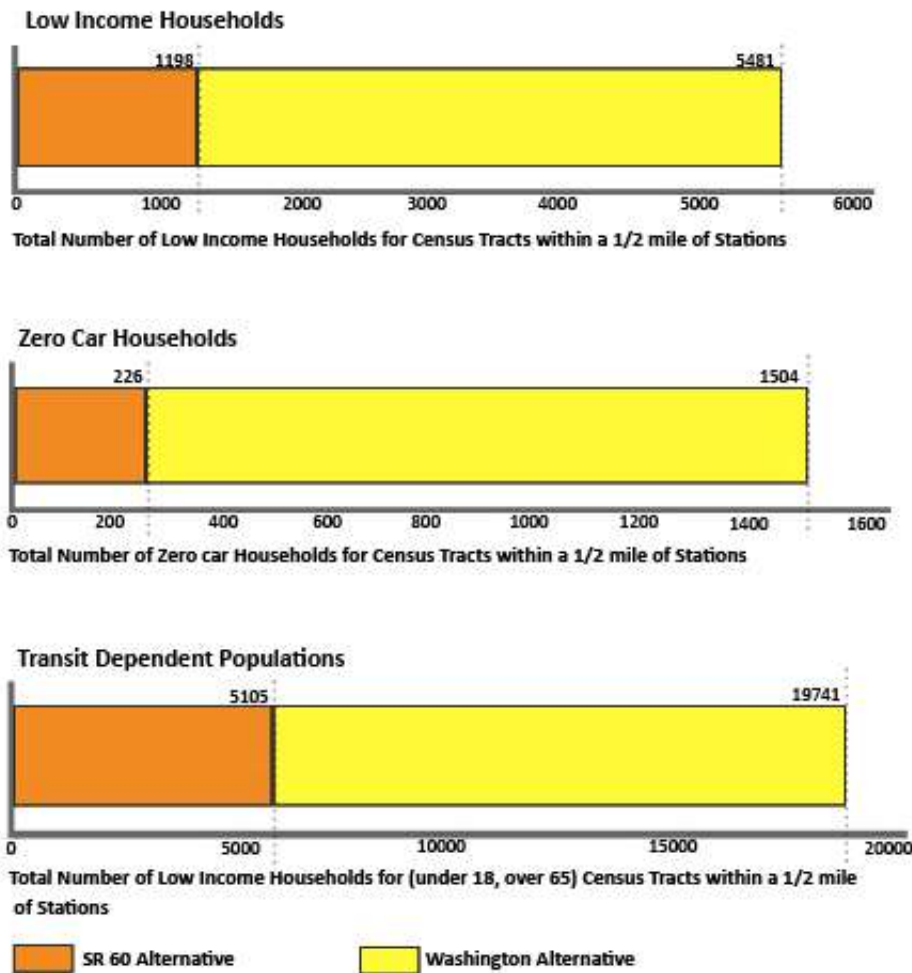
### Equity Platform

The Project is aimed at providing a more reliable and high-quality transit alternative to the communities of the eastern Los Angeles County that will help to solve the mobility challenges in the Project area and meet the mobility needs of the area's residents and businesses. In the further development of the Equity Platform, the Draft 2020 LRTP includes frameworks that help address the first two Equity Platform pillars (Define and Measure and Listen and Learn).

The equity-focused community (EFC) definition identifies two demographic factors that have historically been determinants of disinvestment and disenfranchisement: household income and race/ethnicity. Households with low vehicle ownership also present an opportunity to target new mobility investments in neighborhoods with a higher propensity to take advantage of them. Together these three factors represent the locations where strategic transportation investments can have the greatest impact on reducing disparities in access to opportunity. The 2017 baseline year demographic data was used to understand communities' social, demographic, and geographic information.

The communities along the SR 60 Alternative, when compared to the county average, have lower densities, fewer communities with non-English speaking population, and fewer communities living below the federal poverty level. Full EFC mapping analysis and framework are described in Attachment A.

The TOC and FLM analysis also evaluated low-income households, zero-car households, and transit-dependent population data within a half-mile of the station areas for the SR 60 and Washington Alternatives. The SR 60 Alternative stations serve substantially fewer low-income, transit-dependent, and zero-car households. The chart below compares the low-income and transit-dependent population data for the SR 60 and Washington Alternatives.



Title VI Service Equity Analysis Findings

Title VI Service Equity Analysis is required to support the identification of a Locally Preferred Alternative for a potential new transit service as part of the proposed Eastside Transit Corridor Phase 2 Project. The analysis was conducted pursuant to Metro’s Title VI thresholds and FTA’s Circular 4702.1B, which require that the service change be analyzed to determine whether the proposed service will have a disproportionate burden or disparate impact on minority and low-income populations relative to the non-low-income and minority populations.

The analysis utilized income and ethnicity demographic data to assess the characteristics of each alternative’s service area and evaluate if the low-income and minority populations would be affected by the proposed Project. Based on the percentage analysis conducted, it was found that there was no disproportionate burden as it relates to low-income populations along the alternatives. The percentage of minority populations along the new transit service were higher than Metro’s service area as a whole. Since the new transit service would be considered a benefit to the corridor cities, providing an additional transportation option and increased accessibility, the analysis determined that the minority populations along the corridor cities would benefit from the project. In summary, this Title

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VI Service Equity Analysis concludes that each alternative would prove beneficial and would not impose a disproportionate burden or disparate impact. The analysis and results are detailed in Attachment B.

### **DETERMINATION OF SAFETY IMPACT**

These actions will not have any impact on 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 FY20 budget does not include funding for the proposed feasibility study. Should the Board approve the recommended action, staff would work to identify funding sources from Cost Center 4310 and fund a new project in FY20 in the anticipated amount of \$250,000 for professional services. Since this is a multi-year program, the Cost Center Manager and Chief Planning Officer will be responsible for budgeting in future years.

#### Impact to Budget

Along with discontinuing NEPA, federal funds will be removed from this project. The new funding sources will be local admin funds, which are not eligible for bus and/or rail operating and capital expenses.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports the goals outlined in the Metro Vision 2028 Strategic Plan. More specifically, the Project supports Goal #3 - *Enhance Communities through Mobility and Enhanced Access to Opportunity*, as it will connect communities to the regional Metro rail network, which will expand access to jobs, major activity centers, including educational and medical institutions, and recreational opportunities within the project area and across the Los Angeles region.

### **ALTERNATIVES CONSIDERED**

The Board could decide not to withdraw from the NEPA process. This is not recommended because it extends the Project's environmental schedule with an anticipated final environmental clearance in 2023 placing the Project at risk of not meeting acceleration goals. Allocated federal funds for this Project are marginal and could be reallocated with state and local funding.

The Board could decide not to approve the recommended withdrawal of the SR 60 and Combined Alternatives to be carried forward into the environmental study. These alternatives are not recommended, as this would impact the Project's environmental clearance schedule and would not consider the updated technical findings. The narrowing of the alternatives will ensure the Project remains on schedule and will also support the Project's acceleration goals.

Washington Alternative is a viable option with less constraints in contrast to the SR 60 Alternative. Cooperating Agencies had less concerns regarding the Washington Alternative. More importantly, it avoids conflicts with Caltrans ROW and federally protected resources, and avoids major utility

conflicts that are more prominent along the SR 60 Alternative.

### **NEXT STEPS**

Upon Board approval, staff will notify FTA of the decision to discontinue the NEPA environmental study and will continue to advance the environmental study pursuant to CEQA. The environmental study will evaluate the adopted project alternative, MSF options, and initial operating segments. An update to the Board is anticipated in summer/fall 2020.

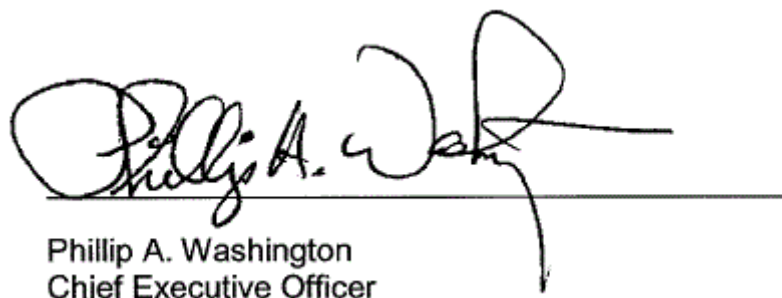
Upon Board approval of the feasibility study, a scope of work will be developed immediately for technical work and community engagement, and Metro staff will report back in six months on the progress of the feasibility study.

### **ATTACHMENTS**

Attachment A - SR 60 and Combined Alternatives Issues and Constraints Report  
Attachment B - Eastside Transit Corridor Phase 2 Title IV Service Equity Analysis

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Phillip A. Washington  
Chief Executive Officer

**SR 60 and Combined Alternatives Issues and Constraints Report**

[http://libraryarchives.metro.net/DB\\_Attachments/200131\\_T4%209%20ESP2%20Final%20SR%2060%20and%20Combined%20Alternatives%20Issues%20and%20Constraints%20Report.pdf](http://libraryarchives.metro.net/DB_Attachments/200131_T4%209%20ESP2%20Final%20SR%2060%20and%20Combined%20Alternatives%20Issues%20and%20Constraints%20Report.pdf)



**Eastside Phase 2 Transit Corridor Title VI Service Equity Analysis**

[http://libraryarchives.metro.net/DB\\_Attachments/200129%20Attachment%20B%20ESP2%20Final%20Title%20VI%20Service%20Equity%20Analysis\\_20200128.pdf](http://libraryarchives.metro.net/DB_Attachments/200129%20Attachment%20B%20ESP2%20Final%20Title%20VI%20Service%20Equity%20Analysis_20200128.pdf)

An illustration of a Metro Rail train at a station platform. The train is yellow and black with 'Metro Rail' and 'Go Metro' written on it. A large tree is on the left, and a modern building is on the right. People are walking on the platform, and a cyclist is riding past. The background is a blue sky with green leaves.

# Next stop: further east.

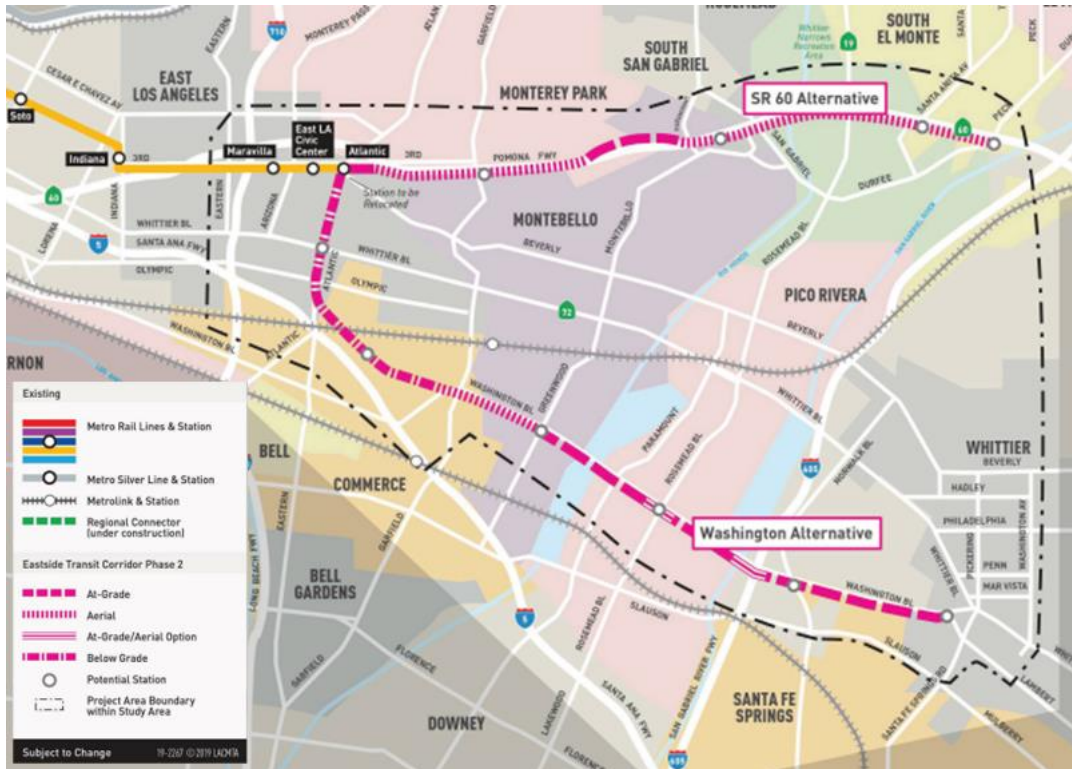
EASTSIDE TRANSIT CORRIDOR PHASE 2

# Recommendations

Consider:

- Proceeding with the California Environmental Quality Act (CEQA) only for the project's environmental process;
- Withdrawing the SR 60 and Combined Alternatives from further consideration in the environmental study;
- Preparing a feasibility study independent from the Eastside Transit Corridor Phase 2 project to evaluate other options that better serve the needs of the San Gabriel Valley; and
- Approving the Eastside Transit Corridor Phase 2 Title VI Service Equity Analysis

# Project Overview



- One of the four pillar projects identified to be in operations by 2028
- Identifying funding strategies for acceleration
- Cycle 1 in Measure M Expenditure Plan identifies funding for one alignment
- CEQA only will streamline the environmental analysis



# SR 60 and Combined Alternatives Issues and Constraints

## Federal Agency Impacts

- Superfund site
- Army Corps of Engineers

## Caltrans Impacts

- Widening outside of ROW required
- Impacts to sensitive land uses
- Southern California Edison transmission lines

## Maintenance Storage Facility Site

- Not an acceptable site

## Adopted Metro Policies

- Less compatible with Metro adopted policies

## Reasons for Making the Decision Now

- Washington Alternative is a viable alternative with fewer environmental and engineering impacts
- Both short and long terms solutions are needed for Cities along SR 60 Alternative, therefore, feasibility Study is recommended to commence

# Title VI Service Equity Analysis

- Title VI Service Equity Analysis is required
- Assessed the demographic characteristics of each alternative's service area
- Washington Alternative would not impose a disparate impact or disproportionate burden

# Next Steps

- Advance the environmental study pursuant California Environmental Quality Act (CEQA)
- Evaluate the adopted project alternative, Maintenance Storage Facility options, and initial operating segments
- Update to the Board in summer/fall 2020
- Develop a scope of work for the feasibility study including technical analysis and community engagement



**Board Report**

**File #:** 2020-0064, **File Type:** Program

**Agenda Number:** 9.

**PLANNING AND PROGRAMMING COMMITTEE  
FEBRUARY 19, 2020**

**SUBJECT: MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM ANNUAL UPDATE - LAS VIRGENES/MALIBU SUBREGION**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

CONSIDER:

**A. APPROVING:**

1. Inter-program borrowing and programming of additional \$4,100,000 from the Las Virgenes/Malibu Subregion’s Measure M Multi-Year Subregional Program (MSP) Highway Efficiency Program to the Active Transportation/Transit/Tech Program, as shown in Attachment A;
2. Programming of additional \$7,000,000 within the capacity of Measure M MSP Highway Efficiency Program, as shown in Attachment B; and

**B. AUTHORIZING** the Chief Executive Officer or his designee to negotiate and execute all necessary agreements and/or amendments for approved projects.

**ISSUE**

Measure M MSPs are included in the Measure M Expenditure Plan. All MSP funds are limited to capital projects. The annual update approves additional eligible projects for funding and allows the Las Virgenes/Malibu Subregion and implementing agencies to revise scope of work, schedule and amend project budgets. This update includes changes to projects which have received prior Board approval and funding allocation for new projects. Funds are programmed through Fiscal Year (FY) 2022-23. The Board’s approval is required to program additional funds and the updated project lists serve as the basis for Metro to enter into agreements and/or amendments with the respective implementing agencies.

**DISCUSSION**

On January 2019, the Metro Board of Directors approved Las Virgenes/Malibu Subregion’s first MSP Five-Year Plan and programmed funds in: 1) Measure M MSP - Active Transportation/Transit/Tech Program (expenditure line 56); and 2) Measure M MSP - Highway Efficiency Program (expenditure



line 57).

Metro staff continued working closely with the Las Virgenes/Malibu Subregion Council of Governments (COG) and the implementing agencies on project eligibility reviews of the proposed projects for this annual update. Metro required, during staff review, a detailed project scope of work to confirm eligibility and establish the program nexus, i.e. project location and limits, length, elements, phase(s), total expenses and funding request, and schedule, etc. This level of detail will ensure timeliness of the execution of the project Funding Agreements once the Metro Board approves the projects. For those proposed projects that will have programming of funds in FY 2021-22 and beyond, Metro accepted high level (but focused and relevant) project scope of work during the review process. Metro staff will work on the details with the COG and the implementing agencies on the details through a future annual update process. Those projects will receive conditional approval as part of this approval process. However, final approval of funds for those projects shall be contingent upon the implementing agency demonstrating the eligibility of each project as required in the Measure M Master Guidelines.

The changes in this annual update include \$11,100,000 in additional programming for two new and three existing projects.

#### Active Transportation/Transit/Tech Program (expenditure line 56)

This update includes funding adjustments to three existing projects as follows:

##### *Calabasas*

- Program an additional \$1,500,000 in FY 22 and FY23 for MM4401.02 - Citywide Green Streets - Malibu Hills Road, Calabasas Road, Old Town Calabasas, Las Virgenes Road and Parkway Calabasas. The funds will be used to complete the Plans Specification and Estimates (PS&E) and construction phases of the project.
- Program an additional \$2,500,000 in FY 23 for MM4401.11 - Mulholland Highway Gap Closure - Old Topanga Canyon Road to City Limits. This project was previously approved as part of MM4401.03. Metro and the City agreed to split MM4401.03 project into two phases, MM4401.11 as the second phase. The funds will be used to complete the PS&E and construction phases of the project.

##### *Westlake Village*

- Program an additional \$100,000 in FY 20 for MM4401.07 - Lindero Linear Park - Lindero Canyon Blvd. from Agoura Rd. to Foxfield Dr. The funds will be used to complete the construction phase of the project.

#### Highway Efficiency Program (expenditure line 57)

This update includes two new projects as follows:

### *Agoura Hills*

- Program \$2,500,000 in FY 21 for MM5503.07 - Kana Road - Thousand Oaks Blvd. to Canwood Street. The funds will be used to complete the PS&E and construction phases of the project.

### *Calabasas*

- Program \$4,500,000 in FYs 21, 22 and 23 for MM5503.08 - Calabasas Road Improvements. The funds will be used to complete PS&E and construction phases of the project.

### Equity Platform

Consistent with Metro's Equity Platform, the MSP outreach effort recognizes and acknowledges the need to establish comprehensive, multiple forums to meaningfully engage the community to comment on the proposed projects under all Programs. The Las Virgenes/Malibu COG along with member agencies and adjacent unincorporated area of Los Angeles County undertook an extensive outreach effort and invited the general public to a series of public workshops and meetings. Metro will continue to work with the Subregion to seek opportunities to reach out to a broader constituency of stakeholders.

### **DETERMINATION OF SAFETY IMPACT**

Programming of Measure M MSP funds to the Las Virgenes/Malibu Subregion projects will not have any adverse safety impacts on Metro's employees or patrons.

### **FINANCIAL IMPACT**

In FY 2019-20, \$7.79 million is budgeted in Cost Center 0441 (Subsidies to Others) for the Active Transportation Program (Project #474401) and \$1.5 million is budgeted in Cost Center 0442 (Highway Subsidies) for the Highway Efficiency Program (Project #475503). Since these are multi-year projects, Cost Centers 0441 and 0442 will be responsible for budgeting the cost in future years.

### Impact to Budget

The source of funds for these projects is Measure M Highway Construction 17% which is not eligible for Metro bus and rail operating and capital expenditures.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Recommendation supports the following goals of the Metro Vision 2028 Strategic Plan:

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

Goal 4: Transform LA County through regional collaboration by partnering with the Council of Governments and the local jurisdictions to identify the needed improvements and take the lead in

development and implementation of their projects.

### **ALTERNATIVES CONSIDERED**

The Board could elect not to approve the additional programming of funds for the Measure M MSP projects for the Las Virgenes/Malibu Subregion. This is not recommended as the proposed projects were developed by the Subregion in accordance with the Measure M Ordinance, Guidelines and the Administrative Procedures.

### **NEXT STEPS**

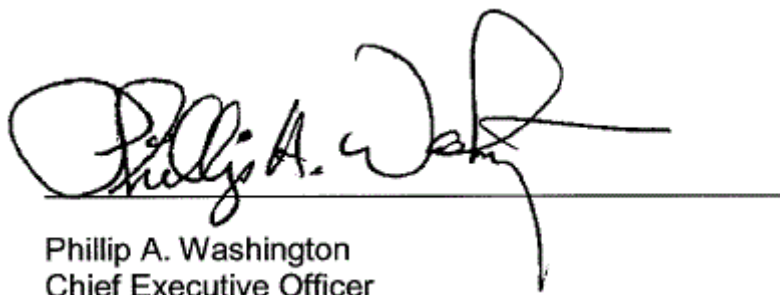
Metro staff will continue to work with the Subregion to identify and deliver projects. Program/Project updates will be provided to the Board on an annual basis.

### **ATTACHMENTS**

Attachment A - Active Transportation/Transit/Tech Program Project List  
Attachment B - Highway Efficiency Program Project List

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Phillip A. Washington  
Chief Executive Officer

Las Virgenes/Malibu Subregion

Measure M Multi-Year Subregional Plan - Active Transportation/Transit/Tech Program (Expenditure Line 56)

	Agency	Project ID No.	Project/Location	Funding Phases	Notes	Pror Alloc	Alloc Change	Current Alloc	Prior Year Prog	FY2019-20	FY2020-21	FY 2021-22	FY2022-23
1	Calabasas	MM4401.02	City-wide Green Streets - Malibu Hills Road, Calabasas Road, Old Town Calabasas, Las Virgenes Road and Parkway Calabasas	PS&E Construction	Chg	\$ 1,656,164	\$ 1,500,000	\$ 3,156,164	\$1,656,164			\$1,030,000	\$ 470,000
2	Calabasas	MM4401.03	Mulholland Highway Gap Closure - Old Topanga Canyon Road (Phase I)	PS&E Construction		2,200,000		2,200,000	450,200	1,750,000			
3	Calabasas	MM4401.04	Old Town Parkway Improvements - Park Granada to City Limits*	PS&E Construction		1,987,335		1,987,335				1,987,335	
4	Calabasas	MM4401.11	Mulholland Highway Gap Closure - Old Topanga Canyon Road to City Limits	PS&E Construction	Chg	4,013,250	2,500,000	6,513,250		1,422,765	2,590,285		2,500,000
5	Malibu	MM4401.05	Pedestrian/Bicyclist Crosswalk Improvements - PCH @ Big Rock Dr. & 20356 PCH	PS&E Construction		683,219		683,219		41,915	118,238	523,066	
6	Malibu	MM4401.06	Westward Beach Parking and Walkway Improvements	PS&E Construction		3,500,000		3,500,000	1,500,000	1,200,000	800,000		
7	Westlake Village	MM4401.07	Lindero Linear Park - Lindero Canyon Blvd from Agoura Rd to Foxfield Dr.	PS&E Construction	Chg	4,352,678	100,000	4,452,678	3,206,314	1,246,364			
8	Westlake Village	MM4401.08	Lindero Sidewalk Extension - Thousand Oaks Blvd to Via Colinas*	PS&E ROW		2,378,247		2,378,247			1,175,023	1,203,224	
9	LA County	MM4401.09	Malibu Canyon Road Bridge Replacement	PS&E Construction		875,000		875,000	100,000	100,000	175,000	500,000	
10	LA County	MM4401.10	Topanga Beach Shuttle Bus Stops Improvements (Metro Orange Line to Metro Expo Line in Downtown Santa Monica)	PS&E Construction		400,000		400,000	50,000	100,000	250,000		
<b>Total Programming Amount</b>						<b>\$ 22,045,893</b>	<b>\$ 4,100,000</b>	<b>\$ 26,145,893</b>	<b>\$6,962,678</b>	<b>\$5,861,044</b>	<b>\$5,108,546</b>	<b>\$5,243,625</b>	<b>\$2,970,000</b>

\* Conditional programming approval as only high level scope of work was developed and reviewed. Future annual update process will reconfirm the programming.

Las Virgenes/Malibu Subregion  
Measure M Multi-Year Subregional Plan - Highway Efficiency Program (Expenditure Line 57)

	Agency	Project ID No.	Project/Location	Funding Phases	Notes	Pror Alloc	Alloc Change	Current Alloc	Prior Year Prog	FY2019-20	FY2020-21	FY 2021-22	FY 2022-23
1	Agoura Hills	MM5503.01	U.S 101/Palo Comado Interchange - Chesebro Rd S to Driver Ave. & Chesebro Rd to N of interchange	PS&E Construction		\$ 8,195,436		\$ 8,195,436	\$5,393,212	\$2,802,224			
2	Agoura Hills	MM5503.02	Kanan Road Corridor from Thousand Oaks Blvd to Cornell Road *	Env PS&E		2,813,493		2,813,493			1,051,879	1,761,614	
3	Agoura Hills	MM5503.07	Kanan Road - Thousand Oaks Blvd to Canwood Street	PS&E Construction	New	-	2,500,000	2,500,000			2,500,000		
4	Hidden Hills	MM5503.03	Long Valley Road/Valley Circle/US-101 On-Ramp Improvements	PS&E, ROW Construction		1,215,652		1,215,652	468,006	243,169	249,247	255,230	
5	Malibu	MM5503.04	Malibu Park and Ride Lots	ROW		3,100,000		3,100,000	3,100,000				
6	Malibu	MM5503.05	Median Improvements PCH	PS&E Construction		2,000,000		2,000,000	150,000	150,000	1,000,000	700,000	
7	LA County	MM5503.06	Malibu Canyon Road Improvements - Malibu Canyon Rd @ Piuma Rd. & Las Virgenes Rd @ Las Virgenes Canyon Rd	PS&E ROW Construction		1,500,000		1,500,000	200,000	125,000	700,000	475,000	
8	Calabasas	MM5503.08	Calabasas Road Improvements	PS&E Construction	New	-	4,500,000	4,500,000			190,000	1,300,000	3,010,000
<b>Total Programming Amount</b>						<b>\$ 18,824,581</b>	<b>\$ 7,000,000</b>	<b>\$ 25,824,581</b>	<b>\$9,311,218</b>	<b>\$3,320,393</b>	<b>\$5,691,126</b>	<b>\$4,491,844</b>	<b>\$3,010,000</b>

\* Conditional programming approval as only high level scope of work was developed and reviewed. Future annual update process will reconfirm the programming.



## Board Report

File #: 2019-0681, File Type: Policy

Agenda Number: 13.

### FINANCE, BUDGET AND AUDIT COMMITTEE FEBRUARY 19, 2020

**SUBJECT: INVESTMENT POLICY**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

CONSIDER:

- A. ADOPTING the Investment Policy in Attachment A;
- B. APPROVING the Financial Institutions Resolution authorizing financial institutions to honor signatures of LACMTA Officials, Attachment B; and
- C. DELEGATING to the Treasurer or her designees, the authority to invest funds for a one year period, pursuant to California Government Code ("Code") Section 53607.

#### **ISSUE**

Section 53646 of the Code, requires that the Board, on an annual basis and at a public meeting, review and approve the Investment Policy. Section 53607 of the Code, requires that the Board delegate investment authority to the Treasurer on an annual basis.

Section 10.8 of the Investment Policy requires that the Treasurer submit the Financial Institutions Resolutions to the Board annually for approval.

#### **BACKGROUND**

Metro's investment policy allows for temporary idle funds to be invested consistent with Board approved investment policy guidelines. The policy is updated on an annual basis and was last updated February 28, 2019.

#### **DISCUSSION**

California Government Code sections relevant to Metro's Investment Policy were not amended during the 2019 California Legislative session. Therefore, the Investment Policy presented in Attachment A for Board approval is unchanged from the prior year. The Board approves the

objectives and guidelines that direct the investment of operating funds.

Financial Institutions require Board authorization to establish custody, trustee and commercial bank accounts. The Financial Institutions resolution is presented as Attachment B.

To streamline this board report, the following reference materials may be found on the Internet:

Current Investment Policy:

[<http://media.metro.net/about\\_us/finance/images/investment\\_policy.pdf>](http://media.metro.net/about_us/finance/images/investment_policy.pdf)

California Government Code: Section 53600 to 53609, Section 53646, Section 53652, Section 16429.1 to 16429.4:

[http://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=4.&article=1.](http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=4.&article=1)

## **FINANCIAL IMPACT**

The funds required to update the Investment Policy are included in the FY20 budget in cost center 5210 and project number 610340.

### **Impact to Budget**

The sources of funds budgeted to manage assets in accordance with the Investment Policy are Proposition A, Proposition C, Measure R, Measure M and TDA administration funds. These funds are not eligible for bus and rail operating and capital expenses.

## **ALTERNATIVES CONSIDERED**

The Investment Policy and California Government Code require an annual review and adoption of the Investment Policy, delegation of investment authority, and approval of Attachment B - Financial Institutions Resolution. Should the Board elect not to delegate the investment authority annually or approve the resolution, the Board would assume daily responsibility for the investment of working capital funds and for the approval of routine administrative actions.

## **NEXT STEPS**

Upon Board approval, distribute the Investment Policy to external investment managers and broker-dealers. Issue copies of the Investment Policy and the Financial Institutions Resolution to our financial institutions.

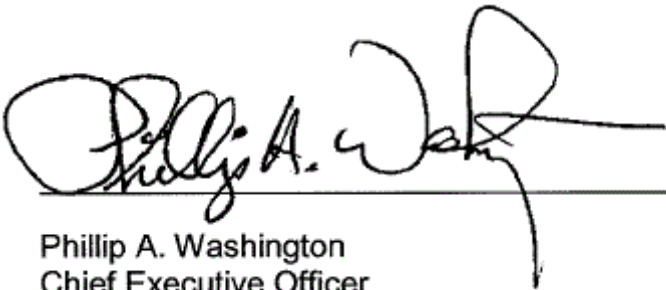
## **ATTACHMENTS**

Attachment A - Investment Policy

Attachment B - Financial Institutions Resolution

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Phillip A. Washington  
Chief Executive Officer



*ATTACHMENT A*

*Los Angeles County Metropolitan Transportation Authority*

# INVESTMENT POLICY

Approved on February 27, 2020

# INVESTMENT POLICY

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## **1.0 Policy**

It is the policy of the Los Angeles County Metropolitan Transportation Authority (LACMTA) to ensure that the temporarily idle funds of the agency are prudently invested to preserve capital and provide necessary liquidity, while maximizing earnings, and conforming to state and local statutes governing the investment of public funds.

This investment policy conforms to the California Government Code ("Code") as well as to customary standards of prudent investment management. Investments may only be made as authorized by the Code, Section 53600 et seq., Sections 16429.1 through 16429.4 and this investment policy. Should the provisions of the Code become more restrictive than those contained herein, such provisions will be considered as immediately incorporated in this investment policy. Changes to the Code that are less restrictive than this investment policy may be adopted by the Board of Directors (Board).

## **2.0 Scope**

- 2.1 This investment policy sets forth the guidelines for the investment of surplus General, Special Revenue, Capital Projects, Enterprise (excluding cash and investments with fiscal agents), Internal Service, and any new fund created by the Board, unless specifically exempted. Excluded from this investment policy are guidelines for the investment of proceeds related to debt financing, defeased lease transactions, Agency (Deferred Compensation, 401K, and Benefit Assessment District), Other Post Employment Benefit (OPEB) Trust funds and Pension Trust Funds.
- 2.2 Internal and external portfolio managers may be governed by Portfolio Guidelines that may on an individual basis differ from the total fund guidelines outlined herein. The Treasurer is responsible for monitoring and ensuring that the total funds subject to this investment policy remain in compliance with this investment policy, and shall report to the Board regularly on compliance.

## **3.0 Investment Objectives**

- 3.1 The primary objectives, in priority order, of investment activities shall be:
  - A. Safety: Safety of principal is the foremost objective of the investment program. The investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The LACMTA shall seek to ensure that capital losses are avoided whether from institutional default, broker-dealer default, or erosion of market value. Diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
  - B. Liquidity: The investment portfolio will remain sufficiently liquid to meet all operating requirements that might be reasonably anticipated.
  - C. Return on Investments: The LACMTA shall manage its funds to maximize the return on investments consistent with the two objectives above, with the goal of exceeding the performance benchmarks (Section 12.0) over a market cycle (typically a three to five year period).
- 3.2 It is policy to hold investments to maturity. However, a security may be sold prior to its maturity and a capital gain or loss recorded if liquidity needs arise, or in order to improve the quality, or rate of return of the portfolio in response to market conditions and/or LACMTA risk preferences.

Internal and external investment managers shall report such losses to the Treasurer and Chief Financial Officer immediately.

3.3

When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing LACMTA funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent investor acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

3.4

The standard of prudence to be used by investment officials shall be the "prudent investor" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with this investment policy, written portfolio guidelines and procedures and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in the quarterly investment report to the Board, and appropriate action is taken to control adverse developments.

#### **4.0 Delegation of Authority**

4.1

The Board shall be the trustee of funds received by the LACMTA. In accordance with Code Section 53607, the Board hereby delegates the authority to invest or reinvest the funds, to sell or exchange securities so purchased and to deposit securities for safekeeping to the Treasurer for a one year period, who thereafter assumes full responsibility for such transactions and shall make a monthly report of those transactions to the Board. Subject to review by the Board, the Board may renew the delegation of authority each year.

4.2

The Treasurer shall establish written procedures for the operation of the investment program consistent with this investment policy, including establishment of appropriate written agreements with financial institutions. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. The Treasurer may engage independent investment managers to assist in the investment of its financial assets.

4.3

No person may engage in an investment transaction except as provided under the terms of this investment policy and the procedures established by the Treasurer.

4.4

Officers and employees involved in the investment process shall be governed by the standards regarding ethical behavior and conflicts of interest established in the Los Angeles County Metropolitan Transportation Authority Ethics Policy and annually shall file a Statement of Economic Disclosure with the Ethics Office.

#### **5.0 Permitted Investments**

5.1

All funds which are not required for immediate cash expenditures shall be invested in income producing investments or accounts, in conformance with the provisions and restrictions of this investment policy as defined in Section 5.1A and as specifically authorized by the Code, (Sections 53600, et seq.). Securities held by the LACMTA's custodial bank must be in compliance with Section 5.0 Permitted Investments at the time of purchase.

- 5.2 In order to reduce overall portfolio risk, investments shall be diversified among security type, maturity, issuer and depository institutions. See Section 5.1A for specific concentration limits by type of investment.
- A. Percentage limitations where listed are only applicable at the date of purchase.
  - B. In calculating per issuer concentration limits commercial paper, bankers' acceptances, medium term notes, asset-backed securities, placement service assisted deposits, and negotiable certificates of deposit shall be included; deposits collateralized per Section 7.3 of this investment policy are excluded from this calculation.
  - C. Credit requirements listed in this investment policy indicate the minimum credit rating (or its equivalent by any nationally recognized statistical rating organization) required at the time of purchase without regard to modifiers (e.g., +/- or 1,2,3), if any.
- 5.3 Maturities of individual investments shall be diversified to meet the following objectives:
- A. Investment maturities will be first and foremost determined by anticipated cash flow requirements.
  - B. Where this investment policy does not state a maximum maturity in Section 5.1A, no investment instrument shall be purchased which has a stated maturity of more than five years from the date of purchase, unless the instrument is specifically approved by the Board or is approved by the Board as part of an investment program and such approval must be granted no less than three months prior to the investment. The Board hereby grants express authority for the purchase of new issue securities with a 5 year stated maturity with extended settlement of up to 30 days from date of purchase.
  - C. The average duration of the externally managed funds subject to this investment policy shall not exceed 150% of the benchmark duration. The weighted average duration of the internal portfolios shall not exceed three (3) years.
- 5.4 State and local government sponsored Investment Pools and money market mutual funds as authorized by this investment policy are subject to due diligence review prior to investing and on a continual basis as established in Section 5.1A, #11 and #12.
- 5.5 This investment policy specifically prohibits the investment of any funds subject to this investment policy in the following securities:
- A. Derivative securities, defined as any security that derives its value from an underlying instrument, index, or formula, are prohibited. The derivative universe includes, but is not limited to, structured and range notes, securities that could result in zero interest accrual if held to maturity, variable rate, floating rate or inverse floating rate investments, financial futures and options, and mortgage derived interest or principal only strips. Callable or putable securities with no other option features, securities with one interest rate step-up feature, and inflation indexed securities meeting all other requirements of this investment policy are excluded from this prohibition, as are fixed rate mortgage-backed securities and asset-backed securities.
  - B. Reverse repurchase agreements and securities lending agreements.

## **6.0 Selection of Depository Institutions, Investment Managers and Broker-Dealers**

- 6.1 To minimize the risk to the overall cash and investment portfolio, prudence and due diligence as outlined below shall be exercised with respect to the selection of Financial Institutions in which funds are deposited or invested. The LACMTA's Financial Advisor (FA) will conduct competitive processes to recommend providers of financial services including commercial banking, investment management, investment measurement and custody services.
- A. In selecting Depositories pursuant to Code Sections 53630 (et seq.), the credit worthiness, financial stability, and financial history of the institution, as well as the cost and scope of services and interest rates offered shall be considered. No funds will be deposited in an institution unless that institution has an overall rating of not less than "satisfactory" in its most recent evaluation by the appropriate federal financial supervisory agency. The main depository institutions will be selected on a periodic and timely basis.
  - B. Deposits which are insured pursuant to federal law by the Federal Deposit Insurance Corporation (FDIC), or the National Credit Union Administration (NCUA) may be excluded from the collateralization requirements of Section 7.3 of this investment policy, at the Treasurer's discretion. A written waiver of securitization shall be executed, provided to the Depository Institution, and kept on file in the Treasury Department.
  - C. The Treasurer shall seek opportunities to deposit funds with disadvantaged business enterprises, provided that those institutions have met the requirements for safety and reliability and provide terms that are competitive with other institutions.
- 6.2 In selecting external investment managers and brokers, past performance, stability, financial strength, reputation, area of expertise, and willingness and ability to provide the highest investment return at the lowest cost within the parameters of this investment policy and the Code shall be considered. External investment managers must be registered with the Securities and Exchange Commission (SEC) under the Investment Advisor Act of 1940.
- 6.3 Pursuant to Code Section 53601.5, the LACMTA and its investment managers shall only purchase statutorily authorized investments either from the issuer, from a broker-dealer licensed by the state, as defined in Section 25004 of the Corporations Code, from a member of a federally regulated securities exchange, a national or state-chartered bank, a federal or state association (as defined by Section 5102 of the Financial Code), or from a brokerage firm designated as a primary government dealer by the Federal Reserve Bank.
- A. Internal investment manager will only purchase or sell securities from broker-dealers that are Primary Dealers in U.S. Government Securities or are a direct affiliate of a Primary Dealer. Internal investment manager will only purchase securities from broker-dealers who have returned a signed Receipt of Investment Policy and completed the Broker-Dealer Questionnaire, and have been approved by the Treasurer (see Appendices B and C). A current copy of the Broker-Dealer's financial statements will be kept on file in the Treasury Department. Should market conditions limit access to inventory, the Treasurer may approve executing transactions through non-Primary Dealers who meet all of the criteria listed below:
    - a. The broker dealer must qualify under Securities Exchange Commission rule 15C3-1 (Uniform Net Capital Rule);

- b. Must be licensed by the state as a broker/dealer as defined in Section 25004 of the Corporations Code or a member of a federally registered securities exchange (i.e. FINRA, SEC, MSRB);
  - c. Have been in operation for more than five years; and
  - d. Have a minimum annual trading volume of \$100 billion in money market instruments or \$500 billion in U.S. Treasuries and Agencies.
- B. In addition to Primary Dealers in U.S. Government Securities and direct affiliates of a Primary Dealer, external investment managers may purchase or sell securities from non-Primary Dealers qualified under U.S. Securities and Exchange Commission Rule 15C3-1, the Uniform Net Capital Rule, and provided that the dealer is a member of the Financial Industry Regulatory Authority. External investment managers shall submit, at least quarterly, a list of the non-Primary Dealers used during the period.
- C. External investment managers must certify in writing that they will purchase securities in compliance with this investment policy, LACMTA Procedures, and applicable State and Federal laws.

6.4 Financial institutions and external investment managers conducting investment transactions with or for LACMTA shall sign a Certification of Understanding. The Certification of Understanding (see Appendix A) states that the entity:

- A. Has read and is familiar with the Investment Policy and Guidelines as well as applicable Federal and State Law;
- B. Meets the requirements as outlined in this investment policy;
- C. Agrees to make every reasonable effort to protect the assets from loss;
- D. Agrees to notify the LACMTA in writing of any potential conflicts of interest.

Completed certifications shall be filed in the Treasurer's Office. Failure to submit a Certification of Understanding shall result in the withdrawal of all funds held by that financial institution, or investment manager and/or the rescission of any and all authority to act as an agent to purchase or invest funds.

6.5 All broker-dealers who do business with the LACMTA's internal investment managers shall sign a Receipt of Investment Policy. The Receipt of Investment Policy (see Appendix B) states that the broker dealer:

- A. Has received, read, and understands this investment policy;
- B. Has communicated the requirements of this investment policy to all personnel who may select investment opportunities for presentation.

Failure to submit a Receipt of Investment Policy shall preclude the LACMTA from purchasing or selling securities from such broker-dealer. Completed receipts shall be filed in the Treasurer's Office.

## **7.0 Custody and Safekeeping of Securities and LACMTA Funds**

- 7.1 A Master Repurchase Agreement must be signed with the bank or dealer before any securities and collateral for repurchase agreements shall be purchased and maintained for the benefit of the LACMTA in the Trust Department or safekeeping department of a bank as established by a written third party safekeeping agreement between the LACMTA and the bank. Specific collateralization levels are defined in Section 5.1A.
- 7.2 All investment transactions shall be settled "delivery vs. payment", with the exception of deposits, money market mutual fund investments, and Local Agency Investment Fund or other Local Government Investment Pools. Delivery may be physical, via a nationally recognized securities depository such as the Depository Trust Company, or through the Federal Reserve Book Entry system.
- 7.3 Funds deposited shall be secured by a Depository in compliance with the requirements of Code Section 53652. Such collateralization shall be designated and agreed to in writing.

## **8.0 Reports and Communications**

- 8.1 The Treasurer is responsible for ensuring compliance with all applicable Local, State, and Federal laws governing the reporting of investments made with public funds. All investment portfolios will be monitored for compliance. Non-compliance issues will be included in the quarterly Board report as stated in Section 8.3 of this investment policy.
- 8.2 The Treasurer shall annually submit a statement of investment policy to the Board for approval. The existing approved investment policy will remain in effect until the Board approves the recommended statement of investment policy.
- 8.3 The Treasurer shall render a quarterly cash, investment, and transaction report to the CEO and Board, and quarterly to the Internal Auditor within 30 days following the end of the quarter covered by the report. The report shall include a description of LACMTA's funds, investments, or programs that are under the management of contracted parties, including lending programs. The report shall include as a minimum:
  - A. Portfolio Holdings by Type of Investment and Issuer
  - B. Maturity Schedule and Weighted Average Maturity (at market)
  - C. Weighted Average Yield to Maturity
  - D. Return on Investments versus Performance Benchmarks on a quarterly basis
  - E. Par, Book and Market Value of Portfolio for current and prior quarter-end
  - F. Percentage of the portfolio represented by each investment category
  - G. Total Interest Earned
  - H. Total Interest Received
  - I. A statement of compliance with this investment policy, or notations of non-compliance.



- J. At each calendar quarter-end a subsidiary ledger of investments will be submitted with the exception listed in 8.3K.
- K. For investments that have been placed in the Local Agency Investment Fund, in Federal Deposit Insurance Corporation-insured accounts in a bank or savings and loan association, in National Credit Union Administration insured accounts in a credit union, in a county investment pool, or in shares of beneficial interest issued by a diversified management company that invest in the securities and obligations as authorized by this investment policy and the Code, the most recent statement received from these institutions may be used in lieu of the information required in 8.3 J.
- L. At each calendar quarter-end the report shall include a statement of the ability to meet expenditure requirements for the next six months.
- M. A quarterly gain or loss report on the sale or disposition of securities in the portfolio.

8.4 Internal and external investment managers shall monitor investments and market conditions and report on a regular and timely basis to the Treasurer.

- A. Internal and external investment managers shall submit monthly reports to the Treasurer, such reports to include all of the information referenced in Section 8.3, items A-J of this investment policy. Portfolios shall be marked-to-market monthly and the comparison between historical cost (or book value) and market value shall be reported as part of this monthly report.
- B. Internal and external investment managers shall monitor the ratings of all investments in their portfolios on a continuous basis and report all credit downgrades of portfolio securities to the Treasurer in writing within 24 hours of the event. If an existing investment's rating drops below the minimum allowed for new investments made pursuant to this investment policy, the investment manager shall also make a written recommendation to the Treasurer as to whether this security should be held or sold.
- C. External and internal investment managers shall immediately inform the Treasurer, or the Chief Financial Officer in writing of any major adverse market condition changes and/or major portfolio changes. The Chief Financial Officer or the Treasurer shall immediately inform the Board in writing of any such changes.
- D. External investment managers shall notify the LACMTA internal managers daily of all trades promptly, via fax or via email.
- E. Internal investment managers will maintain a file of all trades.

## **9.0 Portfolio Guidelines**

Portfolio Guidelines are the operating procedures used to implement this investment policy approved by the Board. The Treasurer may impose additional requirements or constraints within the parameters set by this investment policy.

## **10.0 Internal Control**

10.1 The Treasurer shall establish a system of internal controls designed to prevent losses of public funds arising from fraud, employee or third party error, misrepresentation of third parties, unanticipated

changes in financial markets, or imprudent actions by employees or agents. Such internal controls shall be approved by the Chief Financial Officer and shall include authorizations and procedures for investment transactions, custody/safekeeping transactions, opening and dosing accounts, wire transfers, and clearly delineate reporting responsibilities.

- 10.2 Treasury personnel and LACMTA officials with signature authority shall be bonded to protect against possible embezzlement and malfeasance, or at the option of the governing board self-insured.
- 10.3 Electronic transfer of funds shall be executed upon the authorization of two official signatories.
- 10.4 Transaction authority shall be separated from accounting and record keeping responsibilities.
- 10.5 All investment accounts shall be reconciled monthly with custodian reports and broker confirmations by a party that is independent of the investment management function. Discrepancies shall be brought to the attention of the investment manager, the Treasurer and Deputy Executive Officer, Finance in the Treasury Department, the Controller, and if not resolved promptly, to the Chief Financial Officer.
- 10.6 The Treasurer shall establish an annual process of independent review by an external auditor. This review will provide independent confirmation of compliance with policies and procedures.
- 10.7 The Treasurer is responsible for the preparation of the cash flow model. The cash flow model shall be updated monthly based upon the actual and projected cash flow.

Annually, the Treasurer shall notify the external investment managers of the cash flow requirements for the next twelve months. The Treasurer shall monitor actual to maximum maturities within the parameters of this investment policy.

- 10.8 The Treasurer shall annually submit the Financial Institutions Resolution to the Board for approval. The existing resolution will remain in effect until the Board approves the recommended resolution.

## **11.0 Purchasing Guidelines**

- 11.1 Investment managers shall purchase and sell securities at the price and execution that is most beneficial to the LACMTA. The liquidity requirements shall be analyzed and an interest rate analysis shall be conducted to determine the optimal investment maturities prior to requesting bids or offers. Investments shall be purchased and sold through a competitive bid/offer process. Bids/offers for securities of comparable maturity, credit and liquidity shall be received from at least three financial institutions, if possible.
- 11.2 Such competitive bids/offers shall be documented on the investment managers' trade documentation. Supporting documentation from the Wall Street Journal, Bloomberg or other financial information system shall be filed with the trade documentation as evidence of general market prices when the purchase or sale was effected.

## **12.0 Benchmarks**

Internal and external investment managers' performance shall be evaluated against the following agreed upon benchmarks. If the investment manager does not meet its benchmark over a market cycle (3 to 5 years), the Treasurer shall determine and set forth in writing reasons why it is in the best interests of the LACMTA to replace or retain the investment manager.

Portfolio  
Intermediate Duration Portfolios

Investment Benchmarks  
ICE Bank of America/Merrill Lynch AAA-A  
1-5 year Government & Corporate Index  
(BV10)

Short Duration Portfolios

Three month Treasury

**Los Angeles County Metropolitan Transportation Authority**  
**Section 5.1A**  
**Statement of Investment Policy <sup>a</sup>**

\* The percentage of portfolio authorized is based on market value.

Investment Type	Maximum Maturity	Maximum Allowable Percentage of Portfolio *	Minimum Quality and Other Requirements
Bonds Issued by the LACMTA	5 years <sup>b</sup>	100%	None
U.S. Treasury notes, bonds, bills or certificates of indebtedness or those for which the full faith and credit of the United States are pledged for payment of principal and interest	5 years <sup>b</sup>	100%	None
Registered state warrants or treasury notes or bonds of the other 49 states in addition to California.	5 years <sup>b</sup>	25%	Such obligations must be rated “A1” or better short term; or “AA” or better long term, by a nationally recognized statistical rating organization
Bonds, notes, warrants, or other evidences of indebtedness of any local agency within the State of California	5 years <sup>b</sup>	25%	Such obligations must be rated “A1” or better short term; or “AA” or better long term, by a nationally recognized statistical rating organization
Federal Agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government –sponsored enterprises	5 years <sup>b</sup>	50% <sup>d</sup>	See Footnote d
Bills of exchanges or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers’ acceptances	180 days	40% <sup>c</sup>	The issuer’s short-term debt must have the highest letter and numerical rating as provided for by a nationally recognized statistical rating organization
Commercial paper or “prime” quality of the highest ranking or of the highest letter and numerical rating as provided for by a nationally recognized statistical rating organization	270 days	25% <sup>c</sup>	See Footnote e
Negotiable certificates of deposits issued by a nationally or state-chartered bank or a state or federal savings and loan association, a state or federal credit union, or by a state licensed branch of a foreign bank, or a federally licensed branch of a foreign bank.	5 years <sup>b</sup>	30% <sup>c</sup>	See Footnote f

Placement Service Assisted Deposits	5 years <b>b</b>	30% <b>c</b>	See Footnote g
Investments in repurchase agreements	90 days	20%	Limited to no more than 90 days. See Footnote h
United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation or Inter-American Development Bank.	5 years <b>b</b>	30% <b>c</b>	Maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments shall be rated "AA" or better by a nationally recognized statistical rating organization and shall not exceed 30% of the portfolio.
Medium-term notes issued by corporations organized and operating within the United States, or by depository institutions licensed by the United States or any state and operating within the United States	5 years <b>b</b>	30% <b>c</b>	Must be rated "A" or better by a nationally recognized statistical rating organization. If rated by more than one rating agency, both ratings must meet the minimum credit standards.
Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission, as authorized by Code Section 53601	Not applicable	20% <b>c</b>	See Footnote i
State of California Local Agency Investment fund (LAIF) Code Section 16429.1 through 16429.4 or other Local Government Investment Pool (LGIP) established by public California entities pursuant to Section 53684	Not applicable	Set by LAIF and LGIP	See Footnote j
Asset-backed Securities	5 years <b>b</b>	15% combined with mortgage-backed securities	See Footnote k
Mortgage-backed Securities	5 years <b>b</b>	15% combined with asset-backed securities	See Footnote l

**Los Angeles County Metropolitan Transportation Authority  
Statement of Investment Policy**

<b>Footnotes for Section 5.1A Statement of Investment Policy</b>	
A	Sources: California Government Code Sections 16429.1, 53601, 53601.8, 53635 and 53638
B	Maximum maturity of five (5) years unless a longer maturity is approved by Board of Directors, either specifically or as part of an investment program, at least three (3) months prior to the purchase. New issue securities with a stated 5 year maturity can be purchased in the primary market with extended settlements of up to 30 days from the date of purchase.
C	Limited to no more than 10% of the portfolio in any one issue (i.e. bankers' acceptances, commercial paper, negotiable certificates of deposit, medium-term notes, and money market funds)
D	No more than 15% of portfolio in any one Federal Agency or government-sponsored issue
E	Eligible paper is further limited to 10% of the outstanding paper of an issuing corporation, the issuing corporation must be organized and operating within the United States and having total assets in excess of \$500,000,000 and have an "A" or higher rating for the issuer's debentures, other than commercial paper, if any, as provided for by a nationally recognized statistical rating organization. Issuing corporations that are organized and operating within the United States and have total assets in excess of \$500 million dollars and having an "A" or higher rating for the issuer's debentures, other than commercial paper, if any, as provided by a nationally recognized statistical rating organization
F	The legislative body of the local agency, the treasurer or other official of the local agency having custody of the money are prohibited from investing in negotiable certificates of deposit of a state or federal credit union if a member of the legislative body or any other specified city officer or employee also serves on the board of directors or certain committees of that credit union
G	Investments in placement services assisted deposits is authorized under Sections 53601.8, 53635.8, and 53601 (i) of the California Government Code.
H	Repurchase agreements shall be executed through Primary Broker-Dealers. The repurchase agreement must be covered by a master repurchase agreement. Repurchase agreements shall be collateralized at all times. Collateral shall be limited to obligations of the United States and Federal Agencies with an initial margin of at least 102% of the value of the investment, and shall be in compliance if brought back up to 102% no later than the next business day. Collateral shall be delivered to a third party custodian in all cases. Collateral for term repurchase agreements shall be valued daily by the LACMTA's investment manager (for internal funds) or external investment manager. Investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102% no later than the next business day. The LACMTA shall obtain a first lien and security interest in all collateral
I	Companies must have either 1) the highest ranking or the highest letter and numerical rating provided by not less than two of the nationally recognized statistical rating organizations, or (2) retained an investment advisor registered or exempt with the Securities and-Exchange Commission, with no less than five years experience investing in the securities and obligations authorized by California Government Code 53601 a-k inclusive and m-o inclusive and with assets under management in excess of five hundred million dollars (\$500,000,000). The purchase price may not include any commissions charged by these companies

J	<p>Maximum investment per individual pool limited to the amount for LAIF as set by the State Treasurer’s Office. Limit does not include funds required by law, ordinance, or statute to be invested in pool. Each pool must be evaluated and approved by the Treasurer, as to credit worthiness, security, and conformity to state and local laws. An evaluation should cover, but is not limited to establishing, a description of who may invest in the program, how often, what size deposit and withdrawal; the pool’s eligible investment securities, obtaining a written statement of investment policy and objectives, a description of interest calculations and how it is distributed; how gains and losses are treated; a description of how the securities are safeguarded and how often the securities are priced and the program audited. A schedule for receiving statements and portfolio listings. A fee schedule, when and how fees are assessed</p>
K	<p>Limited to senior class securities with stated maturities of no more than 5 years. Further limited to securities rated in a rating category of "AA" or its equivalent or better as provided for by a nationally recognized statistical rating organization. Further limited to fixed rate, publicly offered, generic credit card, automobile receivables, and equipment receivables only. Deal size must be at least \$250 million, and tranche size must be at least \$25 million</p>
L	<p>Pass-Through securities: Limited to Government Agency or Government Sponsored issuers, fixed rate, stated maturity no more than 5 years. CMOS: Limited to Government Agency or Government Sponsored Issuers and Planned Amortization Classes (PAC) only. Securities eligible for investment under this category shall be rated “AA” or its equivalent or better by a nationally recognized statistical rating organization. The following are prohibited: ARMS, floaters, interest or principal (IOs, POs), Targeted Amortization Classes, companion, subordinated, collateral classes, or zero accrual structures</p>

APPENDIX A

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION  
AUTHORITY

CERTIFICATION OF UNDERSTANDING

The Los Angeles County Metropolitan Transportation Authority (LACMTA) Investment Policy as approved by the Board of Directors requires that all Financial Institutions and Investment Managers' conducting investment transactions with or for LACMTA sign a Certification of Understanding acknowledging that:

1. *You have read and are familiar with the LACMTA's Investment Policy as well as applicable Federal and State laws.*
2. *You meet the requirements as outlined in Investment Policy.*
3. *You agree to make every reasonable effort to protect the assets from loss.*
4. *You agree to notify the LACMTA in writing of any potential conflicts of interest.*
5. *You agree to notify the LACMTA in writing of any changes in personnel with decision-making authority over funds within 24 hours of such event.*

Failure to submit a Certification of Understanding shall result in the withdrawal of all funds held by the financial institution or investment manager and the immediate revocation of any rights to act as an agent of the LACMTA for the purchase of securities or investment of funds on behalf of LACMTA.

The Board of Directors is committed to the goals of the Community Reinvestment Act (CRA). As part of the certification process for depository institutions, it is requested that you remit evidence of your most recent CRA rating.

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_  
Print Name and Title \_\_\_\_\_

After reading and signing this Certification of Understanding please return with *any* supporting documentation to:

LACMTA  
Treasury Department  
Attention: Treasurer  
One Gateway Plaza  
Los Angeles, CA 90012-2932

**LACMTA use only:**

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

LACMTA Treasurer



APPENDIX B

LOS ANGELES COUNTY METROPOLITAN  
TRANSPORTATION AUTHORITY

BROKER-DEALER RECEIPT OF INVESTMENT POLICY

We are in receipt of the Los Angeles County Metropolitan Transportation Authority's (LACMTA) Investment Policy.

We have read the policy and understand the provisions and guidelines of the policy. All salespersons covering LACMTA's account will be made aware of this policy and will be directed to give consideration to its provisions and constraints in selecting investment opportunities to present to LACMTA.

Signed \_\_\_\_\_  
Name Name  
  
\_\_\_\_\_  
Title Title  
  
\_\_\_\_\_  
Firm Name  
  
\_\_\_\_\_  
Date Date

After reading and signing this Receipt of Investment Policy, please return with supporting documentation to:

LACMTA  
Treasury Department  
Attention: Treasurer  
One Gateway Plaza  
Los Angeles, CA 90012-2932

**LACMTA use only:**

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature: \_\_\_\_\_  
LACMTA Treasurer

APPENDIX C

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION  
AUTHORITY

BROKER/DEALER QUESTIONNAIRE

1. Name of Firm\_\_\_\_\_

2. Address\_\_\_\_\_

(Local)

(National Headquarters)

\_\_\_\_\_  
\_\_\_\_\_

3. Telephone No. ( ) \_\_\_\_\_ Telephone No. ( ) \_\_\_\_\_

(Local)

(National Headquarters)

4. Primary Representative	Manager/Partner-in-Charge
Name_____	Name_____
Title_____	Title_____
Telephone No._____	Telephone No._____
No. of Yrs. in Institutional Sales_____	No. of Yrs. in Institutional Sales_____
Number of Years with Firm_____	Number of Years with Firm_____

5. Are you a Primary Dealer in U.S. Government Securities? [ ] YES [ ] NO

If NO, Is the parent company or its subsidiary a Primary Dealer in U.S. Government Securities? Provide proof of certification.

[ ] YES [ ] NO

Please explain your firm's relationship to the Primary Dealer below:

\_\_\_\_\_

Please provide proof certification from the National Association of Securities Dealer.

6. Are you a Broker instead of Dealer, i.e., you DO NOT own positions of Securities?  
[ ] YES [ ] NO

7. What is the net capitalization of your Firm? \_\_\_\_\_

8. What is the date of your Firm's fiscal year-end? \_\_\_\_\_

9. Is your Firm owned by a Holding Company? If so, what is its name and net capitalization?

\_\_\_\_\_

10. Please provide your Wiring and Delivery Instructions.

\_\_\_\_\_

11. Which of the following instruments are offered regularly by your local desk?

- T-Bills     Treasury Notes/Bonds     Discount Notes     NCD's  
 Agencies (specify) \_\_\_\_\_  
 BA's (Domestic)     BA's (Foreign)     Commercial Paper  
 Med-Term Notes     Repurchase Agreements

12. Does your Firm specialize in any of the instruments listed above?

\_\_\_\_\_

13. Please identify your comparable government agency clients in the LACMTA's geographical area.

<u>Entity</u>	<u>Contact Person</u>	<u>Telephone No.</u>	<u>Client Since</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

14. What reports, confirmations, and other documentation would LACMTA receive? Please include samples of research reports or market information that your firm regularly provides to government agency clients.

15. What precautions are taken by your Firm to protect the interests of the public when dealing with government agencies as investors?

\_\_\_\_\_  
\_\_\_\_\_

16. Have you or your Firm been censored, sanctioned or disciplined by a Regulatory State or Federal Agency for improper or fraudulent activities, related to the sale of securities within the past five years?  YES  NO

17. If yes, please explain

\_\_\_\_\_

18. Please provide your most recent audited financial statements within 120 days of your fiscal year-end.

19. Please indicate the current licenses of the LACMTA representatives:

Agent: \_\_\_\_\_ License or registration: \_\_\_\_\_

**APPENDIX D**  
**LOS ANGELES COUNTY METROPOLITAN**  
**TRANSPORTATION AUTHORITY**  
**INVESTMENT POLICY GLOSSARY**

**ASKED:** The price at which securities are offered from a seller.

**BANKERS' ACCEPTANCE (BA):** Time drafts which a bank "accepts" as its financial responsibility as part of a trade finance process. These short-term notes are sold at a discount, and are obligations of the drawer (or issuer - the bank's trade finance client) as well as the bank. Once accepted, the bank is irrevocably obligated to pay the BA upon maturity if the drawer does not.

**BID:** The price offered by a buyer of securities.

**BOOK VALUE:** The original cost of the investment, plus accrued interest and amortization of any premium or discount.

**BROKER:** A broker brings buyers and sellers together for a commission.

**CERTIFICATE OF DEPOSIT (CD):** A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable (marketable or transferable).

**COLLATERAL:** Securities, evidence of deposit, or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public moneys.

**COMMERCIAL PAPER (CP):** Unsecured promissory notes issued by companies and government entities at a discount. Commercial paper is negotiable, although it is typically held to maturity. The maximum maturity is 270 days, with most CP issued for terms of less than 30 days.

**CUSTODY or SAFEKEEPING:** A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

**DEALER:** A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

**DELIVERY VERSUS PAYMENT:** Delivery of securities with a simultaneous exchange of money for the securities.

**FEDERAL AGENCIES AND U.S. GOVERNMENT SPONSORED ENTERPRISES (AGENCIES):** U.S. Government related organizations, the largest of which are government financial intermediaries assisting specific credit markets (housing, agriculture). They include:

- ◆ Federal Home Loan Banks (FHLB)
- ◆ Federal Home Loan Mortgage Corporation (FHLMC or "Freddie Mac")
- ◆ Federal National Mortgage Association (FNMA or "Fannie Mae")
- ◆ Federal Farm Credit Banks (FFCB)
- ◆ Tennessee Valley Authority (TVA)

**MARKET VALUE:** The price at which a security is trading and could presumably be purchased or sold.

**MASTER REPURCHASE AGREEMENT:** A written contract covering all future transactions between the parties to repurchase/reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

**MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.

**MEDIUM TERM NOTES (MTN):** Interest bearing, continuously offered debt, issued in the 9 month to ten year maturity range. Deposit notes, like Certificates of Deposit, actually represent an interest bearing deposit at a bank or other depository institution.

**OFFER:** The price asked by a seller of securities.

**PAR VALUE:** The face value, or principal amount payable at maturity.

**PRIMARY DEALER:** A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York, and are subject to its informal oversight.

**REPURCHASE AGREEMENT (RP OR REPO):** A purchase of securities under a simultaneous agreement to sell these securities back at a fixed price on some future date. This is in essence a collateralized investment, whereby the security "buyer" in effect lends the "seller" money for the period of the agreement, and the difference between the purchase price and sale price determining the earnings. Dealers use RP extensively to finance their positions.

**SECURITIES & EXCHANGE COMMISSION (SEC):** An agency created by Congress to protect investors in securities transactions by administering securities legislation.

**TREASURY BILLS:** A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

**TREASURY NOTES AND BONDS:** Long-term U.S. Treasury securities having initial maturities of 2 to 30 years.

**YIELD:** The rate of annual income return on an investment, expressed as a percentage.

**YIELD TO MATURITY (YTM):** The rate of return earned on an investment considering all cash flows and timing factors: interest earnings, discounts, and premiums above par.

**FINANCIAL INSTITUTIONS RESOLUTION**

RESOLVED, that any financial institutions, including all banks and their correspondent banks doing business with the Los Angeles County Metropolitan Transportation Authority (LACMTA), are hereby authorized, requested and directed to honor all checks, drafts, wires, or other orders for payment of money drawn in the LACMTA’s name on its account(s) (including those drawn on the individual order of any person or persons whose names appear thereon as a signer or signers thereof) when bearing the original and/or facsimile signature of the Chair; Chief Executive Officer; Chief Financial Officer; Treasurer; Deputy Executive Officer, Finance in Treasury Department; or Assistant Treasurer (collectively, LACMTA Officials). LACMTA Officials are the only representatives empowered to open, close or authorize changes to accounts on behalf of LACMTA. LACMTA Officials may designate individuals as Official Signatories for financial accounts. The duties of Official Signatories shall be limited to check signing, wire or fund transfers, balance reporting and/or monitoring of bank processes.

And, those financial institutions, including correspondent banks, currently doing business with LACMTA shall be entitled to honor and charge LACMTA for all such checks, drafts, wires, or other orders for the payment of money, regardless of by whom or by what means when the actual or facsimile signature or signatures resemble the specimens filed with those financial institutions by the Secretary or other officer of LACMTA.

**CERTIFICATION**

The undersigned, duly qualified and acting as Secretary of the Los Angeles County Metropolitan Transportation Authority, certifies that the foregoing is a true Resolution adopted at a legally convened meeting of the Board of Directors of the Los Angeles County Metropolitan Transportation Authority held on \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Michele Jackson  
Board Secretary

(SEAL)



## Board Report

File #: 2019-0819, File Type: Contract

Agenda Number: 16.

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### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE FEBRUARY 20, 2020

**SUBJECT: OVERHEAD CATENARY SYSTEM INSPECTION TOOL**

**ACTION: APPROVE CONTRACT MODIFICATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 1 to Contract No. PS53079000, with TransTech of South Carolina, Inc. (TransTech), for a turnkey Overhead Catenary System Inspection Tool for the measurement, recording, and reporting of various parameters associated with the Overhead Catenary System (OCS) contact wire, for an amount of \$275,700 increasing the total contract amount from \$391,974.23 to \$667,674.23 and extend the period of performance from June 30, 2020 to June 30, 2023.

#### **ISSUE**

The OCS is a main component for providing traction power to light rail vehicles. Several times over the past year, the rail vehicle pantograph(s) have become entangled in the OCS contact wire. Because the interaction between the OCS contact wire and the pantograph is so interrelated, it is very difficult to determine if a damaged pantograph became entangled with a good OCS wire or if a damaged OCS wire caused a good pantograph to become entangled.

TransTech is the proprietary designer and manufacturer of the OCS Inspection Tool that requires an upgrade feature to measure the contact wire wear to help prevent entanglement incidents.

#### **BACKGROUND**

In June 2018, Metro awarded a single-source, firm fixed-price Contract No. PS53079000 to TransTech to provide an OCS Inspection Tool in the amount of \$391,974.23. This contract modification provides for a modular upgrade to the existing OCS Inspection Tool which allows for the measurement the OCS contact wire, ensuring wire thickness is within the operating tolerances and ultimately prevents failures before they occur.

#### **DISCUSSION**

Metro currently operates four light rail systems with over 98 miles of track. Due to the difficulties with inspecting the OCS system using traditional methods, the OCS does not get inspected as frequently.

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Therefore, Metro implemented an automated OCS Inspection Tool as a pilot project in order to study the effectiveness of the tool that could be deployed for OCS preventive maintenance work. A prototype was mounted onboard a revenue P3010 light rail vehicle to provide inspection results at least once per day.

The pantograph, which extends from the top of the rail vehicle, travels along the bottom of the OCS contact wire and transfers electricity from the wayside traction power system to the rail vehicle. The OCS Inspection Tool uses image processing technology to provide real-time information about the voltage and current draw, arc sensing, wire height and stagger. A modular upgrade would be added to the prototype to enable monitoring of the wear condition on the contact wire.

When anomalies are detected, the detailed images and data are transmitted wirelessly to alert Wayside Traction Power Maintenance personnel to review and determine if an on-site response and inspection is needed. The study results of the OCS Inspection Tool have been positive and have exceeded performance expectations. This technology provides a resourceful and proactive use of OCS preventive maintenance work.

### **DETERMINATION OF SAFETY IMPACT**

Approval of the recommendations will have a positive impact on the safety of the light rail system by helping to ensure compliance with the original equipment manufacturers (OEM) recommended replacement cycle. Maintaining the light rail system in a State of Good Repair will reduce the mean time between failures, reduce the mean time to repair after failure, and promote safe and reliable train operations.

### **FINANCIAL IMPACT**

Funding for this contract modification will come from capital project 205119 - OCS Inspection System. The Board approved a Life-of- Project (LOP) budget of \$1,259,000. For FY 20, the contract modification amount of \$275,700 will be funded by the LOP budget of project 205119, cost center 3960, account 53102 - acquisition of equipment. See Attachment C for the project expenditure plan.

#### **Impact to Budget**

The source of funds for this action will come from Proposition A 35% Rail Capital as well as future Federal, State and local funding sources that are eligible for Rail Capital Projects. Using these funding sources maximizes the project funding allocations allowed by approved provisions and guidelines.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

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

1. Provide high-quality mobility options that enable people to spend less time traveling.
2. Deliver outstanding trip experiences for all users of the transportation system.

This contract modification will help maintain safety, service and reliability standards in an effort to



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provide a world-class transportation system that enhances quality of life for all who live, work, and play within Los Angeles County.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to approve Modification No. 1 to Contract No. PS53079000, but this is not recommended by staff because without proceeding with the modular upgrade for the OCS Inspection Tool, any failure(s) may result in light rail service delays as train movements will need to stop until repairs are completed. Not performing or postponing these repairs is not recommended as the light rail system infrastructure components are safety sensitive and if not properly maintained, will impact service reliability, passenger safety and comfort. Additionally, unscheduled maintenance repair costs on a per incident basis will result in higher operating costs and longer repair time versus reduced costs when performing work as scheduled.

### **NEXT STEPS**

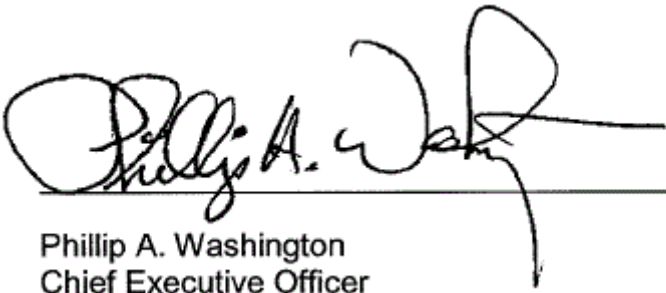
Upon Board approval, staff will execute Modification No. 1 to Contract No. PS53079000 with TransTech to provide the modular upgrade for the OCS Inspection Tool.

### **ATTACHMENTS**

- Attachment A - Procurement Summary
- Attachment B - Contract Modification/Change Order
- Attachment C - Expenditure Plan
- Attachment D - DEOD Summary

Prepared by: Errol Taylor, Senior Executive Officer, Maintenance and Engineering, (213) 922-3227  
Marshall Epler, DEO, Systems Engineering, (213) 617-6232  
Geyner Paz, Senior Administrative Analyst, (213) 617-6251

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



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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## OVERHEAD CATENARY SYSTEM INSPECTION TOOL/PS53079000

1.	<b>Contract Number:</b> PS53079000		
2.	<b>Contractor:</b> TransTech of South Carolina, Inc. (TransTech)		
3.	<b>Mod. Work Description:</b> Additional inspection tool functionality		
4.	<b>Contract Work Description:</b> Purchase and Installation of Overhead Catenary System (OCS) Inspection Tool for the measurement, recording, and reporting of various parameters with the wayside OCS.		
5.	<b>The following data is current as of:</b> January 15, 2020		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	June 25, 2018	<b>Contract Award Amount:</b> \$391,974.23
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> \$0.00
	<b>Original Complete Date:</b>	June 30, 2020	<b>Pending Modifications (including this action):</b> \$275,700
	<b>Current Est. Complete Date:</b>	June 30, 2023	<b>Current Contract Value (with this action):</b> \$667,674.23
7.	<b>Contract Administrator:</b> Victor Zepeda		<b>Telephone Number:</b> (213) 922-1458
8.	<b>Project Manager:</b> Marshall Epler		<b>Telephone Number:</b> (213) 617-6232

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 1 issued in support of purchasing an additional component to the Overhead Catenary System (OCS) Inspection Tool that will be mounted on different models of revenue light rail vehicles for the express purpose of measuring and recording wear of the OCS wire.

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, 2018, Metro awarded a single source Contract No. PS53079000 to TransTech to purchase a highly specialized safety tool technology with unique applications for the monitoring of OCS, in the amount of \$391,974.23, for a period of performance of 24 months.

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 the independent cost estimate (ICE), cost analysis, and technical evaluation.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$275,700	\$325,000	<b>\$275,700</b>

**CONTRACT MODIFICATION/CHANGE ORDER LOG**  
**OVERHEAD CATENARY SYSTEM INSPECTION TOOL/PS53079000**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
<b>1</b>	<b>Additional Module for measuring wire.</b>	<b>Pending</b>	<b>Pending</b>	<b>\$275,700</b>
	<b>Modification Total:</b>			<b>\$275,700</b>
	<b>Original Contract:</b>			<b>\$391,974.23</b>
	<b>Total:</b>			<b>\$667,674.23</b>

Project 205119 Expenditure Plan

Overhead Catenary System Inspection Tool/PS53079000

<b>Non-Labor Item</b>	<b>Current FY 2020</b>	<b>Future FY 2021</b>	<b>Contingency FY 2022</b>	<b>Total</b>
PS53079000 - Overhead Catenary System (OCS) Inspection Tool (TransTech)	\$ 275,000	\$ 575,000		\$ 850,000
Installation Parts and Materials	\$ 12,500	\$ 12,500		\$ 25,000
Engineering Support Services	\$ 50,000	\$ 50,000		\$ 100,000
Project Management Support Services	\$ 25,000	\$ 25,000		\$ 50,000
Project Contingency			\$ 56,740	\$ 56,740
	\$ 362,500	\$ 662,500	\$ 56,740	\$ 1,081,740
<b>Metro Labor</b>	\$ 72,310	\$ 104,950		\$ 177,260
<b>Yearly Cash Flow Forecast:</b>	\$ 434,810	\$ 767,450	\$ 56,740	<b>\$ 1,259,000</b>

## DEOD SUMMARY

## OVERHEAD CATENARY SYSTEM INSPECTION TOOL / PS53079000

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not establish a Small Business Enterprise (SBE) or a Disabled Veteran Business Enterprise (DVBE) goal for this procurement to provide a turnkey system for the Overhead Catenary System (OCS). According to the Project Manager, TransTech of South Carolina, Inc. is the proprietary designer and manufacturer of the OCS Inspection Tool that requires an upgrade. It is expected that TransTech of South Carolina, Inc. will perform the work 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 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.



**Board Report**

**File #:** 2019-0818, **File Type:** Contract

**Agenda Number:** 18.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
FEBRUARY 20, 2020**

**SUBJECT: CAPITAL IMPROVEMENT PROJECTS FOR METRO RAIL AND FACILITY  
INFRASTRUCTURE**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

CONSIDER:

A. FINDING that awarding a design-build delivery method, pursuant to Public Utilities Code Section 130242(b), will achieve for Metro certain private sector efficiencies through the integration of design, project work and components at Metro rail facilities and in Metro light rail vehicles in Los Angeles County as defined by the supply and install projects listed in Attachment A.

Approval requires a two-thirds affirmative vote;

B. AUTHORIZING the Chief Executive Officer to award the competitively bid design-build contracts to the lowest responsive, responsible bidder, pursuant to Public Utilities Code Section 130051.9(c)

**ISSUE**

The Maintenance and Engineering department has a wide range of capital improvement and State of Good Repair (SGR) projects that need to be completed in the coming years. PUC Section 130242 requires a finding by a two-thirds vote of the Board to use the design-build project delivery method.

**BACKGROUND**

Metro is authorized to enter into design-build contracts pursuant to Public Utilities Code Section 130242, however recommendation A requires Board approval. Public Utilities Code Section 130242 et seq. allows for the award of contracts for a design-build delivery to a responsible bidder whose bid is responsive and lowest price.

The projects listed in Attachment A are mostly supply and installation contracts that may have a small percentage of design work to accommodate the installation that may be required due to the variability

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between manufacturers. To minimize the risk to project schedule, staff is seeking Board approval to use the design-build project delivery method for the projects listed in Attachment A, as appropriate. All the projects listed in Attachment A are projects that are part of the Maintenance and Engineering Capital Program.

## **DISCUSSION**

Design-build is a method of project delivery through which Metro contracts directly with a single entity that is responsible for both design and the necessary subsequent services for project delivery. The primary benefit of the design-build process is a shortened project schedule where the design builder is able to begin work, including supply and installation activities, while the design is being completed. This approach delivers the project ahead of a traditional design-bid-build approach and therefore, should result in a lower total project cost. Other benefits include a reduction in the number of changes and claims from multiple prime contractors, additional efficiencies in design innovation, project management, administration and coordination.

Metro has successfully utilized design-build contracts on various projects in its capital program. The design-build approach offers the following benefits:

- A single point of responsibility for design, supply, and installation.
- Functional specifications are provided that may promote more open competition
- Risk for design is shifted to the design/build contractor; therefore, changes related to design may be minimized
- Schedule efficiencies and significant time savings may be achieved because supply and installation services may proceed while design is being finalized
- Administrative costs can be saved due to combining the solicitation process for the design and related work program activities; saving project management and engineering resources while work is performed to complete the project; and minimize contractor-generated changes resulting in a reduced contract closeout time

These contracts will be awarded to the lowest price responsive, responsible bidder meeting the requirements set forth in the invitation for bids.

## **DETERMINATION OF SAFETY IMPACT**

The recommended action of a design-build delivery method will keep the projects on schedule and allow several safety related projects to be completed in a timely manner which will enhance Metro's ability to provide service that is safe and reliable.

## **FINANCIAL IMPACT**

This action is to approve the use of a design-build contract delivery method; therefore, there is no financial impact. Upon contract award, funds for this effort are included in the project scope of work and Life of Project (LOP) budgets reflected in Attachment 1 to this report. Since this effort will be performed in multiple years, the Project Manager and Chief Operations Officer will ensure that the



balance of funds are budgeted in future fiscal years.

### Impact to Budget

No financial impact at this time. Current funding for the projects shown in Attachment 1 include PA35%. This and other eligible funding sources will be allocated to the projects given approved funding guidelines and provisions.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

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

1. Provide high-quality mobility options that enable people to spend less time traveling.
2. Provide responsive, accountable, and trustworthy governance within the Metro organization.

Use of design-build delivery will help will improve safety, service, and reliability to provide a world-class transportation system that enhances quality of life for all who live, work, and play within LA County.

## **ALTERNATIVES CONSIDERED**

Projects could be accomplished utilizing consultants to prepare separate designs or with designs prepared by staff for bid and construction. However, staff does not recommend this approach for the projects listed in Attachment A. There are distinct advantages which yield a cost savings for having a contractor be responsible for design aspects and construction of a project. These include streamlined tasks for construction management, work milestones, mobilization, project schedule, and quality assurance.

The Construction Manager/General Contractor (CM/GC) project delivery method was also considered. However, this approach requires Metro to enter into a separate services contract to hire a Construction Manager to facilitate with the constructability of a project. During the design phase, the Construction Manager works with the project owner with input regarding schedule, pricing, and phasing for the construction execution. At substantial design completion, the owner and the Construction Manager negotiate a price for the construction of the project. If this price is acceptable to both parties, a contract is executed for construction services, and the Construction Manager becomes the General Contractor. According to Federal Highway Administration guidelines, CM/GC project delivery method are best suited for projects that have public involvement, right-of-way and utility issues, or projects with complex components that require innovation or "thinking out of the box." Nonetheless, the projects listed in Attachment A are State of Good Repair (SGR) projects with defined scopes that do not make them good candidates for CM/GC delivery method.

## **NEXT STEPS**

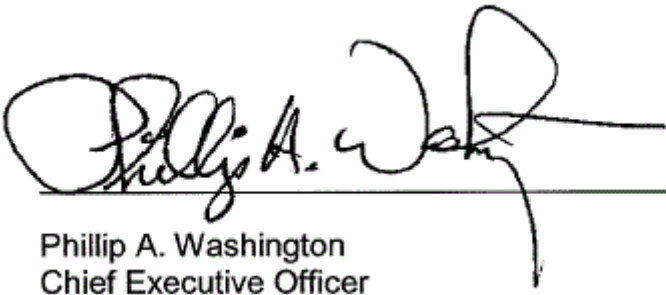
Design-build contract solicitation and award for the projects will be pursued in FY 20 and future fiscal years.

**ATTACHMENTS**

Attachment A - Candidate Projects for Design-Build Project Delivery

Prepared by: Errol Taylor, Senior Executive Officer, Maintenance and Engineering, (213) 922-3227  
Marshall Epler, DEO Systems Engineering, (213) 617-6232  
Geyner Paz, Senior Administrative Analyst, (626) 733-5457

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108



Phillip A. Washington  
Chief Executive Officer

**Projects for Design-Build Delivery**

Supply & Installation Wayside Pantograph Inspection System

Supply & Installation of Vertical Transportation Monitoring – Software

Supply & Installation of Vertical Transportation Monitoring – Infrastructure

Supply & Installation of Blue Light Call Stations

Supply & Installation of Red Line Train to Wayside Communications

Supply & Installation of CCTV System

Supply & Installation of Red Line Tunnel Intrusion Detection

Supply & Installation of Replacement Radio System

Supply & Installation of Blue Line ETS Replacement System



## Board Report

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File #: 2019-0584, File Type: Contract

Agenda Number: 20.

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### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE FEBRUARY 20, 2020

**SUBJECT: PROFESSIONAL AND TECHNICAL SERVICES FOR OPERATIONS SDSA  
DEPARTMENT**

**ACTION: APPROVE CONTRACT AWARD**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a three-year, indefinite delivery/indefinite quantity (IDIQ), Contract No. PS64781000 to Cambridge Systematics, Inc. for professional and technical services in an amount not-to-exceed \$8,683,324, subject to resolution of protest(s) if any.

#### **ISSUE**

The Operations Service Development, Scheduling and Analysis (SDSA) Department of the Los Angeles County Metropolitan Transportation Authority (Metro) requires a diverse service firm to provide a broad range of professional services in various disciplines. Establishment of a support service contract will enable Metro to supplement internal resources on an on-call, as-needed basis in situations where either Metro does not have sufficient capacity or the expertise necessary to perform a task.

#### **BACKGROUND**

SDSA's work program continues to evolve and expand with projects ranging from speed and reliability infrastructure, new rail and BRT operations plans, planning for service disruptions, 2028 Olympics service planning, to big data analysis, and various customer experience initiatives. Many of these efforts require project specific support for staffing and technical capabilities. The IDIQ contract will allow task orders to be awarded quickly to be responsive to project and schedule requirements.

#### **DISCUSSION**

This is an IDIQ task order-based contract which establishes a range of services that include service planning, data reporting and analytics, traffic engineering services, financial analysis and forecasting, statistical analysis for data science, modeling, and forecasting, systems programming, installation of traffic control devices, and operations support. Work assignments will be provided on a task order basis to augment support in various disciplines for Operations SDSA department. Prior to each work task order authorization, SDSA will develop a scope of work, schedule, and independent cost estimate. Metro's Vendor/Contract Management will then request proposal details and pricing information and negotiate a fair and reasonable amount in accordance with

agreed upon Metro terms and conditions. The Diversity and Economic Opportunity Department (DEOD) established a 28% Disadvantaged Business Enterprise (DBE) goal for this Task Order Contract. Cambridge Systematics made a 28% DBE commitment.

In 2018 the Board adopted Metro Vision 2028 as the agency's strategic plan. This plan envisioned building a World Class Transportation System in which a World Class Bus System, inclusive of improved speed and reliability, is a cornerstone to its success. The SDSA department actively supports these initiatives by using the following eight disciplines of this contract, allowing SDSA to nimbly respond to requests as they arise based on identified needs in support of the projects. The following disciplines represent aspects of Service Planning and Analysis and are intended to fulfil the intent of Motion 22.1 NextGen Bus Speed Engineering Working Group (Attachment C):

1. **Service Planning** - Service policy and development support and analysis, bus/rail interface, and service planning/network design
2. **Data Reporting and Analytics** - Technical assistance in the analysis, design, development and implementation of data reporting and analytics projects, such as:
  - Spatial Analysis (GIS)
  - Survey Design and Implementation
  - Data Collection
  - Statistical Analysis
  - Data Validation
3. **Traffic Engineering Services** - Traffic counts, traffic forecasting for specified dates, traffic modeling, traffic studies and analysis, preparation of comprehensive traffic study reports, preparation of traffic congestion mitigation plans, recommendation of mitigation measures to improve traffic operations, advanced public transportation systems (ITS for transit and multiple modes), transit signal priority, dedicated bus lanes, transit queue jumpers, bulb outs, multimodal circulation analysis (transit, pedestrian, bicycle, roadway), operations analysis and simulation, network analysis, multimodal roadway capacity analysis, analysis of various priority treatments (e.g., for bicycles or transit)
4. **Financial Analysis and Forecasting** - Travel demand forecasting, including ridership demand modelling and socio-economic forecasting. Also includes: financial, operational, and service performance benchmarking with peer agencies and comparable industries; financial modelling of service planning/scheduling alternatives, including operating cost forecasting, capital cost estimation, cost/benefit assessment; and fare structure evaluation and development including strategies for coordinated regional fares, equity considerations, ridership and revenue impacts, fare structure simplicity, fare collection technology, and fare compliance strategy
5. **Statistical Analysis: Data Science, Modeling, and Forecasting** - Improved reporting capabilities for bus/rail operator and maintenance staff optimal levels; automatic passenger count data; statistical models based on travel demand, capacity, and other constraints; demand forecasting; and fleet and operator deployment
6. **System Programming Services** - Improved reporting capabilities to provide more information (as opposed to just data) to allow for better decision making and results tracking
7. **Installation of Traffic Control Devices** - General systems services including implementation of approved engineering plans to streets, sidewalks and Metro assets

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**8. Operations Support** - Development of strategies for on street service management to meet key performance objectives

**DETERMINATION OF SAFETY IMPACT**

The services provided through this contract enables Metro Bus and Rail Lines to be planned, implemented, and maintained in a safe and reliable manner.

**FINANCIAL IMPACT**

Funding of \$1,230,764 for this action is included in the FY20 budget in cost center 3151 - Service Planning and Scheduling, project 306004 - Service Planning and Enhancement, account 50316 - Professional Services. Each task order awarded will be funded with the source of funds identified for this project.

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

**Impact to Budget**

The current source of funding for this action is Propositions A and C, Measure R and M, and Transportation Development Act (TDA). Using these funding sources maximizes the project funding allocations allowed by approved provisions and guidelines.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Approving the recommendation for the SDSA IDIQ contract aligns with 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. SDSA IDIQ will provide the staffing and technical capabilities to quickly complete and implement projects in support of these two strategic goals.

**ALTERNATIVES CONSIDERED**

The Board could choose not to approve the recommendation. This is not recommended as the award of these task orders would then be pursued as separate procurements. This would limit our ability to respond quickly to needs and to meet tight project delivery schedule constraints.

**NEXT STEPS**

Upon Board approval, staff will execute Contract No. PS64781000 with Cambridge Systematics, Inc. to provide professional and technical services in support of Operations Service Development, Scheduling and Analysis department on an as-needed, task order basis.

**ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

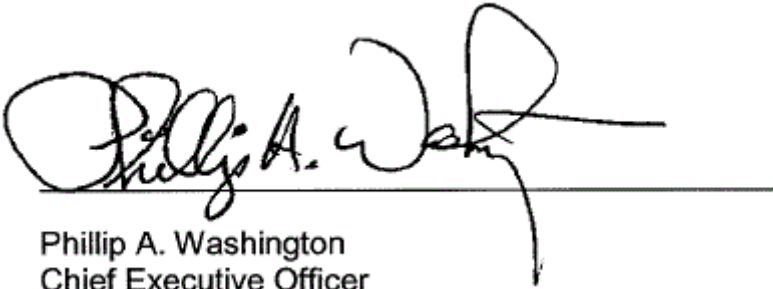
Attachment C - Motion 22.1 NextGen Bus Speed Engineering Working Group

Prepared by: Jeff Neely, Sr. Mgr., Operations Performance Analysis, (213) 922-4032

Conan Cheung, SEO, Service Development, (213) 418-3034

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108

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



Phillip A. Washington  
Chief Executive Officer



## PROCUREMENT SUMMARY

PROFESSIONAL AND TECHNICAL SERVICES FOR OPERATIONS SDSA  
DEPARTMENT / PS64781000

1.	<b>Contract Number: PS64781000</b>	
2.	<b>Recommended Vendor:</b> Cambridge Systematics, Inc.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> 9/3/2019	
	<b>B. Advertised/Publicized:</b> 9/3/2019	
	<b>C. Pre-Proposal Conference:</b> 9/12/2019	
	<b>D. Proposals Due:</b> 10/10/2019	
	<b>E. Pre-Qualification Completed:</b> In process	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> 10/29/2019	
	<b>G. Protest Period End Date:</b> 2/16/2020	
5.	<b>Solicitations Picked up/Downloaded:</b> 59	<b>Bids/Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Annie Duong	<b>Telephone Number:</b> (213) 418-3048
7.	<b>Project Manager:</b> Jeffrey Neely	<b>Telephone Number:</b> (213) 922-4032

**A. Procurement Background**

This Board Action is to approve Contract No. PS64781000 to Cambridge Systematics, Inc. (Cambridge) to provide professional and technical services for the Operations Service Development, Scheduling and Analysis (SDSA) department. Board approval of contract awards are subject to the resolution of any properly submitted protest.

The Request for Proposal (RFP) No.PS64781 was issued in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rate, task order based, Indefinite Delivery, Indefinite Quantity (IDIQ).

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

- Amendment No. 1 was issued on September 6, 2019 to provide proposers an option to participate in the pre-proposal conference via conference call.

A pre-proposal conference was held on September 12, 2019 and was attended by 13 participants representing nine firms.

A total of 59 firms downloaded the RFP and were included on the plan holders' list. There were 24 questions submitted by potential proposers and responses were provided prior to the proposal due date. A total of two proposals were received on October 10, 2019.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from the Operations SDSA, Corporate Safety, and Contract Services departments was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- Project Team's Skill and Experience 40 percent
- Proposer's Ability to Manage Multiple Teams Along Multiple Lines of Business 20 percent
- Project Manager's Skills and Experience 20 percent
- Cost Proposal 20 percent

The evaluation criteria are appropriate and consistent with criteria developed for other similar procurements.

On October 21, 2019, the PET began its independent evaluation of the two proposals received. One firm did not address all of the technical requirements of the RFP and therefore, were no longer considered for further evaluation.

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

<b>1</b>	<b>Firm</b>	<b>Average Score</b>	<b>Factor Weight</b>	<b>Weighted Average Score</b>	<b>Rank</b>
<b>2</b>	<b>Cambridge Systematics, Inc.</b>				
<b>3</b>	Project Team's Skill and Experience	85.83	40%	34.33	
<b>4</b>	Proposer's Ability to Manage Multiple Teams Along Multiple Lines of Business	82.65	20%	16.53	
<b>5</b>	Project Manager's Skills and Experience	81.40	20%	16.28	
<b>6</b>	Cost Proposal	100.00	20%	20.00	
<b>7</b>	<b>Total</b>		<b>100%</b>	<b>87.14</b>	<b>1</b>

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

The recommended hourly rates have been determined to be fair and reasonable based upon an independent cost estimate, technical evaluation, fact finding, and negotiations. All future task orders and modifications will be determined to be fair

and reasonable in accordance with Metro's Acquisition Policy at the time of issuance and award.

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>NTE amount</b>
1.	Cambridge Systematics, Inc.	\$8,740,283	<b>\$9,000,000</b>	<b>\$8,683,324</b>

**D. Background on Recommended Contractor**

The recommended firm, Cambridge Systematics, Inc., (CS) located in Medford, MA, has been in business since 1972 and has an office in the Los Angeles area. CS brings more than 47 years of experience and technology to the transportation industry in planning and policy, movement of people and goods, software design and development, and effective partnerships and strategies analysis.

CS and their proposed team worked on various projects, including various Metro projects. CS has led the recent planning efforts in the county, including Metro's Long-Range Transportation Plan; Systemwide Bus Network Restructuring Plan; Measure M Performance Evaluation; multimodal Mobility Matrix plans for the San Gabriel Valley, North Los Angeles County, and South Bay Cities subregions of Los Angeles County; the Gateway Cities Strategic Transportation Plan; and a myriad of other multimodal planning efforts.

In addition, CS has led Southern California-specific goods movement studies and technology plans, developed new analytical methods for evaluating transportation investments, and offers a team of local modelers with expertise in running and evaluating output from Metro's Travel Demand Model.

**DEOD SUMMARY**

**PROFESSIONAL AND TECHNICAL SERVICES FOR OPERATIONS SDSA  
DEPARTMENT / PS64781000**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 28% Disadvantaged Business Enterprise (DBE) goal for this Task Order Contract. Cambridge Systematics made a 28% DBE commitment.

In response to a specific Task Order request with a defined scope of work, the prime consultant will be required to identify DBE subcontractor activity and actual dollar value commitments for that Task Order. Overall DBE achievement in meeting the commitments will be determined based on cumulative DBE participation of all Task Orders awarded.

<b>Small Business Goal</b>	<b>28% DBE</b>	<b>Small Business Commitment</b>	<b>28% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	FPL Associates, Inc.	Asian Pacific American	TBD
2.	Here Design Studio, LLC	African American	TBD
3.	Intueor Consulting, Inc.	Subcontinent Asian American	TBD
4.	PanGIS, Inc.	Caucasian Female	TBD
5.	Transportation Analytics	Caucasian Female	TBD
<b>Total Commitment</b>			<b>28%</b>

**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 the 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.



## Board Report

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**File #:** 2019-0572, **File Type:** Motion / Motion Response

**Agenda Number:** 22.1

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### REGULAR BOARD MEETING JULY 25, 2019

#### Motion by:

#### **DIRECTORS BONIN, GARCETTI, KREKORIAN, SOLIS AND GARCIA**

Related to Item 22: NextGen Bus Speed Engineering Working Group

In June 2018, the Metro Board endorsed speed, frequency, and reliability as the highest priorities for Metro's bus service in the NextGen Bus Study. In recent years, the primary contributor to slow speeds and poor schedule reliability has been growing traffic congestion on city streets. This congestion directly increases Metro's operating costs and reduces the quality of the service that Metro can afford to provide. Providing high-quality transit options with competitive travel times is the single most important step Metro can take to retain and grow ridership, increase the carrying capacity of local roadways, and shift regional travel patterns toward more efficient modes. These goals are essential components of both Metro's Vision 2028 Strategic Plan and the City of Los Angeles' Mobility Plan 2035 and Sustainable City pLAN.

The phenomenon of traffic congestion impeding mass transit operations is particularly acute in Downtown Los Angeles and nearby neighborhoods -- and the experience of the recent Flower Street pilot bus lane has demonstrated the effectiveness of strategic bus-supportive infrastructure in allowing transit riders to bypass congestion. Other types of bus-supportive infrastructure may include queue jumpers, signal priority, or boarding islands. Combined with operational improvements like All Door Boarding, these types of infrastructure improvements can cut stop times and improve bus speeds by 20% or more.

Metro buses operate on streets controlled by local jurisdictions. Therefore, close coordination between Metro and local agency partners is essential to successfully implement infrastructure changes. A working group is needed to ensure close coordination between Metro's Operations Department and city transportation agencies.

**SUBJECT: NEXTGEN BUS SPEED ENGINEERING WORKING GROUP**

APPROVE Motion by Directors Bonin, Garcetti, Krekorian, Solis and Garcia that the Board direct the CEO to:

- A. Develop a list of priority bus-supportive infrastructure projects needed to support the NextGen bus service plan, with an emphasis on near-term improvements that can be implemented concurrently with each phase of NextGen;
- B. Form a NextGen Bus Speed Engineering Working Group co-chaired by the Metro CEO and the General Manager of the Los Angeles Department of Transportation, or their designees, and establish a regular meeting schedule, at least monthly;
- C. Assess the need for coordination with additional local jurisdictions and municipal operators where bus delay hotspots exist; and
- D. Report back to the Operations, Safety, and Customer Experience Committee on the above in October 2019, and quarterly thereafter.

**Board Report**

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**File #:** 2020-0030, **File Type:** Contract**Agenda Number:**

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**OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE  
FEBRUARY 20, 2020****SUBJECT: SECURITY GUARD SERVICES****ACTION: APPROVE CONTRACT MODIFICATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 6 to Contract No. PS560810024798 with RMI International, Inc. to continue providing security guard services, and increasing the not-to-exceed contract value by \$18,400,000 from \$87,053,758 to \$105,453,758.

**ISSUE**

RMI provides security guard services at selected locations of the regional Metro System to protect Metro assets, staff and prevent unlawful entry into secured areas. In order to continue to provide preventative physical security at Metro stations, parking lots/structures, and critical infrastructures, and increase visible security presence at bus/rail maintenance facilities, Contract Modification No. 6 is required. Staff intends to aggressively manage all areas being patrolled and guarded by RMI International, Inc., in an effort to deter and detect threats, mitigate security risks while minimizing costs wherever possible.

**BACKGROUND**

Since the Metro Board approved the award of a five-year, firm-fixed unit price contract to RMI for security guard services in September 2016, significant costs have been incurred to provide additional coverage for special events and new services and to support the increasing demand for visible security presence, system-wide, to deter crime and address homelessness.

In April 2018, Metro initiated an Ancillary Area Surge and provided a 24-hour system-wide security guard presence in the underground stations on the Red and Purple Rail Lines. Notably, since the surge, there has been a 56% reduction in removals of homeless trespassers from entering Metro's ancillary areas and a 100% reduction in trespasser arrests. Metro staff has also seen a 69% reduction in Facilities Maintenance Division (FMD) cleanups and an 87% reduction in repair requests.

An increase in staffing levels was also required to support the opening of the Southwest Yard facility in February 2019 and Location 64 in May 2019. Metro staff anticipates that an increase in 24-hour security guard presence will be required for the following: Soto, Mariachi Plaza, and North Hollywood

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Stations, the new Rosa Parks Customer Service area, and the opening of the new Crenshaw Line which consists of seven underground stations.

In addition, Contract No. PS560810024798 was impacted by the unforeseen higher living wage increases during the FY17/18 and FY18/19 budget cycles. These rates are subject to an annual increase every July 1. These rate increases have exceeded the originally anticipated annual rate of increase Metro advised proposing firms to use in determining their price proposals for multi-year contracts.

In October 2018, the Board approved the staff's recommendation to cap the annual living increases for both active and future contracts to 3% effective July 1, 2019. However, additional funding is still required to cover the unanticipated living wage rate increases from prior years.

## **DISCUSSION**

Under this contract, RMI provides security guard services at selected locations of the regional Metro System which includes rail and bus lines, stations, transit facilities, parking lots, construction sites, bus and rail operating divisions, and maintenance facilities. It also provides additional security guard services on an as-needed basis for special events and/or emergencies.

## **DETERMINATION OF SAFETY IMPACT**

This Board action will not have any negative impact on establishing safety standards.

## **FINANCIAL IMPACT**

The increase of \$18,400,000 will be added to the contract value in the System Security and Law Enforcement Department budget, in Cost Center 2610. Since this is a multi-year service contract, the Chief System Security and Law Enforcement Officer and the Project Manager will be responsible for budgeting costs for this multi-year service contract.

### **Impact to Budget**

The source of funds for these Projects will be local operating funds including Proposition A, C, TDA, Measure R and Measure M taxes. These funds are eligible for Bus and Rail operations.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendation supports strategic plan goal 2.1 of committing to improving security. To achieve this goal, Metro will rely on a multi-layered, integrated security program that comprises of plans, organizing, equipment, training, exercises, technology, public awareness, and regional partnerships and collaborations.

## **ALTERNATIVES CONSIDERED**

The Board may decline to approve the contract modification. This alternative is not recommended as



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it will invite the following significant risks to our current security profile: 1) discontinuation of current security services covering selected portions of the LA Metro Transit System, including but not limited to underground stations, and 2) loss of necessary staff to address the exigent homeless situations on the LA Metro Transit System. Reduction in security presence will impair Metro's ability to attract and retain ridership and weaken strategies to prepare for system expansion and large scale National Special Security Events.

**NEXT STEPS**

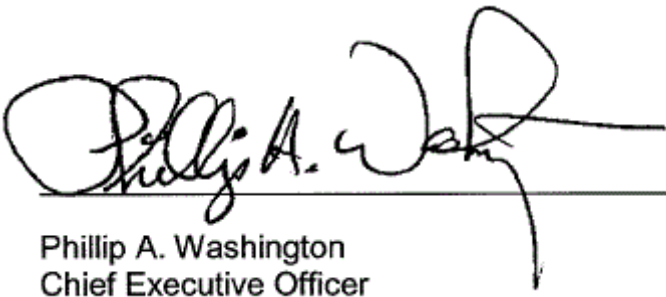
Upon Board approval, staff will execute Modification No. 6 to Contract No. PS560810024798 with RMI International, Inc., to continue to provide security guard services to the end of the contract term.

**ATTACHMENTS**

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

Prepared by: Susan Walker, Director, Physical Security, (213) 922-7464

Reviewed by: Aston Greene, Interim Chief System Security & Law Enforcement Officer (213)  
922-4433  
Debra Avila, Chief Vendor/Contract Management Officer (213) 418-3051



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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## SECURITY GUARD SERVICES/PS560810024798

1.	<b>Contract Number:</b> PS560810024798		
2.	<b>Contractor:</b> RMI International, Inc.		
3.	<b>Mod. Work Description:</b> Increase contract value		
4.	<b>Contract Work Description:</b> Security Guard Services		
5.	<b>The following data is current as of :</b> January 21, 2020		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	9/27/16	<b>Contract Award Amount:</b> \$81,944,840
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> \$5,108,918
	<b>Original Complete Date:</b>	9/30/21	<b>Pending Modifications (including this action):</b> \$18,400,000
	<b>Current Est. Complete Date:</b>	9/30/21	<b>Current Contract Value (with this action):</b> \$105,453,758
7.	<b>Contract Administrator:</b> Aielyn Dumaua		<b>Telephone Number:</b> (213) 922-7320
8.	<b>Project Manager:</b> Aston Greene		<b>Telephone Number:</b> (213) 922-2599

**A. Procurement Background**

This Board Action is to approve Modification No. 6 to Contract No. PS560810024798 to RMI International, Inc. (RMI) for security guard services at selected locations of the regional Metro System which includes rail and bus lines, stations, transit facilities, parking lots, construction sites, bus and rail operating divisions and maintenance facilities. This modification shall also cover increases in security guard personnel covering ancillary areas in the underground stations on the Metro Red and Purple Lines, new and existing facilities (e.g. Soto and Mariachi stations and the new Rosa Parks Customer Service area), and underground stations of the new Crenshaw Line.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate.

In September 2016, the Board approved a five-year contract to RMI International, Inc. to provide security guard services for five years.

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

**B. Price Analysis**

The recommended price has been determined to be fair and reasonable based on price analysis and are subject to Metro's living wage rates.

<b>Modification Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$18,400,000	\$18,400,000	\$18,400,000

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## SECURITY GUARD SERVICES/PS560810024798

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
<b>1</b>	Clarified basis for payment of billable overtime work and holiday work.	Approved	9/27/16	\$ 0
<b>2</b>	Increase contract value due to unanticipated living wage adjustment for FY17/18	Approved	7/1/17	\$ 5,108,918
<b>3</b>	Revised fully burdened hourly labor as a result of unanticipated living wage rate adjustments for FY18/19	Approved	7/1/18	\$ 0
<b>4</b>	Change in deployment	Approved	1/25/19	\$ 0
<b>5</b>	Updated list of subcontractors and issued applicable living wage rates for FY19/20	Approved	7/1/19	\$ 0
<b>6</b>	Increase contract value to cover increased security guard presence and living wage rate adjustments	<b>Pending</b>	<b>Pending</b>	<b>\$ 18,400,000</b>
	<b>Modification Total:</b>			<b>\$ 23,508,918</b>
	<b>Original Contract:</b>			<b>\$ 81,944,840</b>
	<b>Total:</b>			<b>\$105,453,758</b>

## DEOD SUMMARY

## SECURITY GUARD SERVICES/PS560810024798

**A. Small Business Participation**

RMI International, Inc (RMI) made a 33.20% Disadvantaged Business Enterprise (DBE) commitment. The project is 65% complete and the current DBE participation is 31.13%, which represents a 2.07% shortfall. According to RMI, the shortfall is primarily due to the voluntary withdrawal of DBE subcontractor Security America, Inc. in 2018, which required RMI's service coverage when the alternative DBEs were not able to support.

In September of 2019, Metro approved RMI's request substitute Security America, Inc. with DBE firm American Eagle Protective Services. RMI plans to release additional work sites to two DBE subcontractors within the first quarter of 2020 and anticipates compliant DBE participation within the 2020 calendar year.

Notwithstanding, Metro Project Managers and Contract Administrators will work in conjunction with DEOD to ensure that RMI is on schedule to meet or exceed its DBE commitment. Metro staff will request that RMI submit an updated mitigation plan if RMI is not on track to meet its small business commitment. Additionally, key stakeholders associated with the contract have been provided access to Metro's tracking and monitoring system to ensure that all parties are actively tracking Small Business progress.

<b>Small Business Commitment</b>	<b>DBE 33.20%</b>	<b>Small Business Participation</b>	<b>DBE 31.13%</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	Allied Protection Services, Inc.	African American	13.44%	1.66%
2.	North American Security and Investigations, Inc.	Hispanic American	5.96%	15.06%
3.	Security America, Inc. ( <i>substituted due to voluntary withdrawal</i> )	Hispanic American	13.80%	14.30%

4.	American Eagle Protective Services	African American Female	Added	0.11%
<b>Total</b>			<b>33.20%</b>	<b>31.13%</b>

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

**B. Contracting Outreach and Mentoring Plan**

To be responsive, Proposers were required to submit a Contracting Outreach and Mentoring Plan (COMP), which included RMI's plan to mentor one (1) DBE firm for protégé development. RMI International Inc. selected three (3) DBE protégés: Allied Protection Services, North American Security and Investigations, and Security America, Inc. (Security America was substituted with American Eagle Protective Services as RMI's third DBE protégé in September of 2019).

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

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this modification. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$19.56 per hour (\$14.22 base + \$5.34 health benefits), including yearly increases. The increase may be up to 3% of the total wage, annually. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

**D. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.

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

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

**Board Report**

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**File #:** 2020-0030, **File Type:** Contract**Agenda Number:**

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**OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE  
FEBRUARY 20, 2020****SUBJECT: SECURITY GUARD SERVICES****ACTION: APPROVE CONTRACT MODIFICATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 6 to Contract No. PS560810024798 with RMI International, Inc. to continue providing security guard services, and increasing the not-to-exceed contract value by \$18,400,000 from \$87,053,758 to \$105,453,758.

**ISSUE**

RMI provides security guard services at selected locations of the regional Metro System to protect Metro assets, staff and prevent unlawful entry into secured areas. In order to continue to provide preventative physical security at Metro stations, parking lots/structures, and critical infrastructures, and increase visible security presence at bus/rail maintenance facilities, Contract Modification No. 6 is required. Staff intends to aggressively manage all areas being patrolled and guarded by RMI International, Inc., in an effort to deter and detect threats, mitigate security risks while minimizing costs wherever possible.

**BACKGROUND**

Since the Metro Board approved the award of a five-year, firm-fixed unit price contract to RMI for security guard services in September 2016, significant costs have been incurred to provide additional coverage for special events and new services and to support the increasing demand for visible security presence, system-wide, to deter crime and address homelessness.

In April 2018, Metro initiated an Ancillary Area Surge and provided a 24-hour system-wide security guard presence in the underground stations on the Red and Purple Rail Lines. Notably, since the surge, there has been a 56% reduction in removals of homeless trespassers from entering Metro's ancillary areas and a 100% reduction in trespasser arrests. Metro staff has also seen a 69% reduction in Facilities Maintenance Division (FMD) cleanups and an 87% reduction in repair requests.

An increase in staffing levels was also required to support the opening of the Southwest Yard facility in February 2019 and Location 64 in May 2019. Metro staff anticipates that an increase in 24-hour security guard presence will be required for the following: Soto, Mariachi Plaza, and North Hollywood

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Stations, the new Rosa Parks Customer Service area, and the opening of the new Crenshaw Line which consists of seven underground stations.

In addition, Contract No. PS560810024798 was impacted by the unforeseen higher living wage increases during the FY17/18 and FY18/19 budget cycles. These rates are subject to an annual increase every July 1. These rate increases have exceeded the originally anticipated annual rate of increase Metro advised proposing firms to use in determining their price proposals for multi-year contracts.

In October 2018, the Board approved the staff's recommendation to cap the annual living increases for both active and future contracts to 3% effective July 1, 2019. However, additional funding is still required to cover the unanticipated living wage rate increases from prior years.

### **DISCUSSION**

Under this contract, RMI provides security guard services at selected locations of the regional Metro System which includes rail and bus lines, stations, transit facilities, parking lots, construction sites, bus and rail operating divisions, and maintenance facilities. It also provides additional security guard services on an as-needed basis for special events and/or emergencies.

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have any negative impact on establishing safety standards.

### **FINANCIAL IMPACT**

The increase of \$18,400,000 will be added to the contract value in the System Security and Law Enforcement Department budget, in Cost Center 2610. Since this is a multi-year service contract, the Chief System Security and Law Enforcement Officer and the Project Manager will be responsible for budgeting costs for this multi-year service contract.

#### **Impact to Budget**

The source of funds for these Projects will be local operating funds including Proposition A, C, TDA, Measure R and Measure M taxes. These funds are eligible for Bus and Rail operations.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendation supports strategic plan goal 2.1 of committing to improving security. To achieve this goal, Metro will rely on a multi-layered, integrated security program that comprises of plans, organizing, equipment, training, exercises, technology, public awareness, and regional partnerships and collaborations.

### **ALTERNATIVES CONSIDERED**

The Board may decline to approve the contract modification. This alternative is not recommended as



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it will invite the following significant risks to our current security profile: 1) discontinuation of current security services covering selected portions of the LA Metro Transit System, including but not limited to underground stations, and 2) loss of necessary staff to address the exigent homeless situations on the LA Metro Transit System. Reduction in security presence will impair Metro's ability to attract and retain ridership and weaken strategies to prepare for system expansion and large scale National Special Security Events.

**NEXT STEPS**

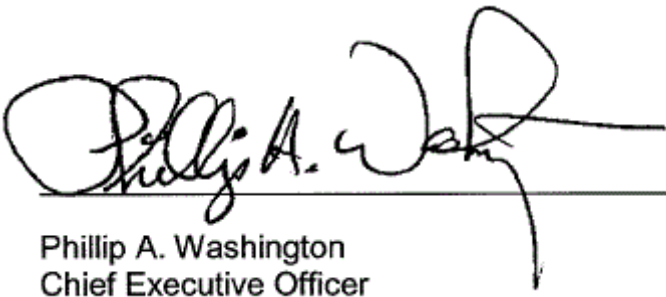
Upon Board approval, staff will execute Modification No. 6 to Contract No. PS560810024798 with RMI International, Inc., to continue to provide security guard services to the end of the contract term.

**ATTACHMENTS**

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

Prepared by: Susan Walker, Director, Physical Security, (213) 922-7464

Reviewed by: Aston Greene, Interim Chief System Security & Law Enforcement Officer (213)  
922-4433  
Debra Avila, Chief Vendor/Contract Management Officer (213) 418-3051



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Phillip A. Washington  
Chief Executive Officer



Board Report

File #: 2020-0087, File Type: Federal Legislation / State Legislation (Position)

Agenda Number: 28.

**REVISED**  
**EXECUTIVE MANAGEMENT COMMITTEE**  
**FEBRUARY 20, 2020**

**SUBJECT: STATE LEGISLATION**

**ACTION: ADOPT STAFF RECOMMENDED POSITIONS**

**RECOMMENDATION**

ADOPT staff recommended positions:

- A. Assembly Bill 2012 (Chu) - Free senior transit passes: eligibility for state funding. **WORK WITH AUTHOR**
- B. Assembly Bill 2474 2176 (Holden) - Free student transit passes: eligibility for state funding. **WORK WITH AUTHOR**

**ATTACHMENT**

Attachment A - AB 2012 (Chu) / AB 2176 (Holden) Legislative Analysis

Prepared by: Michael Turner, DEO, Government Relations, (213) 922-2122

Reviewed by: Yvette Rapose, Chief Communications Officer, (213) 418-3154

A handwritten signature in black ink, appearing to read 'Phillip A. Washington', written over a horizontal line.

Phillip A. Washington  
Chief Executive Officer

**BILL:** ASSEMBLY BILL 2012  
AS INTRODUCED JANUARY 28, 2020

ASSEMBLY BILL 2176  
AS INTRODUCED FEBRUARY 11, 2020

**AUTHOR:** ASSEMBLYMEMBER KANSEN CHU (D-SAN JOSE)  
ASSEMBLYMEMBER CHRIS HOLDEN (D-PASADENA)

**SUBJECT:** FREE SENIOR/STUDENT TRANSIT PASSES: ELIGIBILITY FOR  
STATE FUNDING.

**STATUS:** PENDING COMMITTEE REFERRAL

**ACTION:** WORK WITH AUTHOR

**RECOMMENDATION**

Staff recommends that the Board of Directors adopt a WORK WITH AUTHOR position on Assembly Bill 2012 (Chu) and Assembly Bill 2176 2174 (Holden) as introduced.

**ISSUE**

This bill was introduced on January 28, 2020 to add provisions related to transportation funding to the Public Utilities Code.

Specifically the bills would:

- Require transit agencies to offer free senior transit passes to persons over 65 years of age or to students attending the California Community Colleges, the California State University, or the University of California in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program.
- Require a free senior transit pass or a student transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs.

**DISCUSSION**

AB 2012, as introduced, would require that transit agencies provide free fares to seniors over the age of 65 in order to receive funding from the State Transit Assistance Program Transportation Development Act and the Low Carbon Transit Operations Program to a requirement. AB 2176 2174, as introduced, would similarly require that transit agencies provide free fares to students attending California Community Colleges, the California State University, or the University of California. The Metro Board of Directors also recently adopted a work with author position on a similar measure, AB

1350 (Gonzalez) that would require agencies to provide free fares to individuals 18 years and younger.

The Board has previously supported efforts to assist students and seniors who ride our system through our reduced fare programs and in support of legislation that would provide funding to expand those programs. The Board's support has been directed towards creating incentives or increased funding to support existing programs. Additionally, the agency is working to respond to the Board adopted motion regarding students of the Los Angeles County. AB 2012 takes a different approach by creating a mandate focused on providing free transit fare for senior riders. AB 2176 ~~2174~~ expands the free fare program to include college students.

Staff would suggest that while we would support increasing assistance for those in need who ride our system there may be other ways to achieve this objective. We would like to work with the Assembly Members to explore a more appropriate way to identify additional state funding or other mechanisms that could be provided rather than pursuing this objective through a mandate.

Staff is working internally with relevant Metro departments to evaluate the impacts of the enactment of this legislation to Metro's current funding allocations under the TDA, STA and LCTOP, and the administration of Reduced Fare and System Security programs. Staff will also work through the California Transit Association to address potential concerns with the proposals.

For these reasons, staff recommends that the Board adopt a WORK WITH AUTHOR position on AB 2012 (Chu) and AB 2176 ~~2174~~ (Holden).

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

Allowing free rides on a transit system may have impacts to safety and security on our system. We would like to work with the author to address those concerns should the legislation proceed.

#### **FINANCIAL IMPACT**

The estimated financial impact of this action is still being evaluated.

#### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Staff recommendation supports strategic plan goal # 4.2: Metro will help drive mobility agendas, discussions and policies at the state, regional and national levels.

#### **ALTERNATIVES CONSIDERED**

Staff has considered adopting either a support or oppose position on the bills. A support or oppose position would be inconsistent with Metro's Board approved 2020 State Legislative Program Goal #1: ensure the state continues to secure, protect and fully fund the major transportation programs in the state with existing commitments.

### **NEXT STEPS**

Should the Board decide to adopt a WORK WITH AUTHOR position on the legislation; staff will communicate the Board's position to the authors and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.



Board Report

File #: 2019-0865, File Type: Contract

Agenda Number: 29.

PLANNING & PROGRAMMING COMMITTEE  
FEBRUARY 19, 2020  
OPERATIONS, SAFETY & CUSTOMER EXPERIENCE COMMITTEE  
FEBRUARY 20, 2020

SUBJECT: THE MICROTRANSIT PILOT PROJECT - PART B (IMPLEMENTATION)

ACTION: APPROVE RECOMMENDATIONS

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 5 to firm fixed price Contract No. PS46292001 with RideCo., Inc. as a private partner and technology firm for operations in conjunction with the deployment areas outlined in Attachment F (Regional Readiness Operating Plan) and Attachment G (Map), in the amount of \$28,874,747.50, increasing the total Contract value from \$285,985.13 to \$29,160,732.63.
- B. AMEND the FY20 budget for the MicroTransit pilot project implementation positions and funding listed below:
  - 1. 80 Contract positions to operate the vehicles and 7 Contract positions to supervise the service; and
  - 2. \$7,750,000 for FY20 contractual and operational expenses

**ISSUE**

Metro staff seeks to implement innovation to both increase ridership of Metro’s family of services and provide an improved customer experience for existing riders by expanding the agency’s network through the testing and scaling of MicroTransit within LA County.

This new mode of public transit will offer shared rides which can be ordered through our regional call center, a new mobile application, and/or an internet browser. The suite of MicroTransit software tools for customers will offer real-time trip planning, booking, payment and fare system integration. Customers will also be able to pre-schedule trips or book repeat trips, as well as monitor the real-time status of trips for others under a linked account.

MicroTransit has been developed hand-in-hand to support implementation of the NextGen Bus Plan and the aspirational goal of a 10-minute maximum wait time per our strategic plan, Vision 2028.

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According to our NextGen study findings, short trips (1-5 miles), which are being driven solo or with a private car service, are among the most important opportunities for the public sector to retain current ridership and to grow utilization among non-transit customers. Short trips are often to a local market, to pick up a child from daycare, to shuttle a child to an afterschool activity or for a medical appointment. Many of these trips are taken by students, older adults and parents of youth.

To help capture the more than 50% of short trips taking place in LA County today, MicroTransit will be introduced into our existing fixed-route network and provide continued opportunities for Metro to improve on managing customer demand at times when fewer customers are riding. This mixed fleet of vehicles (Transit 150, Transit 350, Grand Caravan, Metris and Sprinter) includes electric vehicles, which is in-line with operational testing on the Orange Line. For ease of use for the customer and personal space, most vehicles will be configured to carry 7-10 passengers.

MicroTransit will not only improve reliability and allow for guaranteed transfers across our multi-modal system but will also offer riders the opportunity to customize their experience by ordering a trip and linking to the next leg of their Metro journey. Metro staff anticipates up to two-thirds of the new trips generated by this mode will include transfers to other modes within Metro's family of services.

Customer and operator safety are critical to maintaining the highest standards of security and optimal service design for MicroTransit. To offer our customers the safest on-demand environment, the entire fleet of vehicles will be operated by our exclusive operating union, SMART-TD. The recommended software/technology platform, akin to Metro's current fixed-route operations, will achieve full integration with the TAP card and account system, and be connected to our Transit Watch network and operations centers for dispatch in the case of safety incidents.

Metro employee operators will undergo eight weeks of workforce training with a focus on customer service and safety. This new innovative training series developed in partnership with Human Capital and Development, the Office of Civil Rights and Operations will be the first of its kind in the nation and is being implemented in coordination with SMART-TD.

During the pilot phase of this operation, Metro staff recommends deploying MicroTransit into six identified areas where ridership can be retained and boosted. These service zones and their deployment schedule are as follows:

- Summer 2020: Watts/Willowbrook
- Fall 2020: Northwest San Fernando Valley
- Winter 2020: LAWA/Inglewood
- Spring 2021: Highland Park/Eagle Rock/Glendale
- Summer 2021: Altadena/Pasadena/Sierra Madre
- Fall 2021: UCLA/VA Medical Center/Century City

This service is recommended to be available 7 days a week with an initial soft launch (60 days) at a 12-hour service span per day. The background section on the following page, as well as Attachment F, details the factors utilized to identify these areas for operations.

This project is term-limited with up to three years of Revenue Service Operations, up to 120 days of

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pre- launch and 30 days for final pilot evaluation. This operation will be evaluated to determine whether it should be incorporated as a permanent mode of the agency.

## **BACKGROUND**

New and emerging technology has had a profound impact on how services are delivered. Among the most noteworthy trends has been the rise and growth of on-demand and customized services. In specific, the world of public transit has experienced a meaningful jolt resulting from these new on-demand economies. In California, this has amounted to the rise of Transportation Network Companies initially focused on replacing single-occupancy vehicles. However, in more recent months, this emerging sector has showcased a clear and intentional desire to replace trips traditionally served by public transit agencies.

Metro has continually monitored these changes and trends to better understand the strengths of these models, as well as the challenges in delivering equity. Metro's Office of Extraordinary Innovation (OEI) has engaged in this space by receiving and evaluating unsolicited proposals (including a proposal received in 2016 to test trip pooling technology), interviewing project managers and issuing findings. In partnership with the Eno Center for Transportation, Metro staff published the white paper, UpRouted, a compilation of findings on the early challenges to MicroTransit. Best practices as highlighted in the white paper were sourced from peers at Alameda-Contra Costa Transit District, Santa Clara Valley Transportation Authority and Kansas City Area Transportation Authority. More recently, Metro has funded a TNC partnership through OEI and managed directly by the private sector.

In 2017, under the direction of the Chief Executive Officer, Metro staff assembled an agency-wide team which to-date has drawn insights and expertise from more than 450 staff from all departments to design the new transit offering. This service has been built as a hybrid, merging the best of private technology with the experience of public operations to identify and respond to untapped mobility opportunities within LA County.

The concept was to set-up a multi-year pilot, which would test how an on-demand operation run by Metro employees using private sector technology and vehicles could integrate within Metro's family of services. This service would encourage current Metro customers to ride the system more regularly for a safe, comfortable, reliable, single-direction or round-trip ride.

By introducing and testing a new service focused on short trips in smaller vehicles, Metro would be able to flex its' operations to match the mode/vehicle to the customer. This new operation would tap into the growing momentum and expectation around new technology and tools to encourage ridesharing with Metro for short trips. This was the genesis of the agency's first Pre-Development Agreement Public Private Partnerships (PDA-P3s), which supports a two-part contract similar to a design-build contracting model.

In October 2017, the competitive Request for Proposal (RFP) was issued to procure services from qualified firms or Contractor Team(s) to partner with Metro for planning, designing, testing and evaluating a technology-based service for traveling short distances. The PDA-P3 was divided into two parts, Part A ("Planning and Design,) and Part B ("Implementation and Evaluation").



In April 2018, three PDA-P3 contracts were awarded for service feasibility studies to tech teams with transit planning firms (RideCo/Iteris, Via/Nelson/Nygaard and Transdev/AECOM). The Part A findings were set to serve as the foundation for implementation in Part B.

During the service design period, the three competitors worked with all departments at Metro to craft operations and identify service areas to support equity, network connectivity, economic mobility, congestion reduction and environmental goals. Findings were used to inform the Regional Reading Operating Plan (Attachment F). In September 2019, the three companies completed Part A (“Planning and Design”).

To best maximize efficiencies and utilize the vast in-house expertise available, implementation of this new MicroTransit service was shifted to Metro Operations for Part B (“Implementation and Evaluation”). Under the direction of Metro’s Chief Operations Officer, the agency has entered pre-revenue service operations as based upon the service feasibility studies (PDA-P3, Part A), the operational road map of the agency under the build outs identified in Measures R and M and the NextGen Bus Plan.

Metro staff recommends the MicroTransit Regional Readiness Operating Plan (Attachment F), in line with Proposed MicroTransit Service Zones displayed in the corresponding map (Attachment G).

## **DISCUSSION**

Metro staff recommends the workforce outlined below to deliver a functional and successful operation:

### Operators (SMART)

Metro employees will operate the MicroTransit vehicles under the signed side letter with our exclusive operating Union, SMART-TD, representing all new 80 employee operators for FY20.

### Supervisors (AFSCME)

Metro employees will supervise the daily operations of MicroTransit Operators. Seven (7) transit operations supervisors (TOS) will provide on-street operations supervision, coordination, service monitoring and training for MicroTransit operators for FY20.

### MicroTransit Project Team (Non-Contract)

The MicroTransit project oversight team will be responsible for, but not limited to, management of daily operations and contract administration; development of MicroTransit training specific to on-demand technology and operations; establishment of safety protocols and procedures for incident training, reporting and resolution; development and management of partnerships and coordination with local cities, municipal operators, local organizations and businesses; direct customer acquisition strategies (includes financial agreements with public and private funders); and analysis to optimize service delivery in order to compete in the marketplace. The five (5) non-contract project positions necessary for pre-launch, revenue service operations and evaluation of the pilot are listed as follows (see attachment D for details):

- 1 Director, Transportation Operations

- 2 Manager, Transportation Operations
- 1 Principal Transportation Planner
- 1 Sr. Administrative Analyst

These positions will report to the Sr. Director, Special Projects for MicroTransit. If MicroTransit becomes a permanent operation, Metro will retain the above positions (operators and project team) as permanent employees of the agency. The Non-Contract positions required to support this project will be allocated from agency-wide vacancies in FY20. Non-Contract positions required to support the project will be allocated from approved agency FY20 staffing levels. All Contract, Non-Contract positions, and all other resources needed in future fiscal years will be included in fiscal year annual budget requests.

#### Private Partner

Metro will partner with RideCo, Inc. who will be responsible for, but not limited to, the following:

- Create and maintain a software platform (includes multi-modal trip planning, booking, payment tools, etc.)
- Lease, maintain, clean, and fuel/electrify the mixed fleet
- Secure and manage the Reporting Locations (remote vehicle storage and office space for the operations)
- Conduct targeted communications campaigns within deployment areas

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

Customer and operator safety are core to maintaining the highest standards of security and the optimal service design for MicroTransit. Real-time information on vehicles and tools for customers will enhance communications for incident prevention as well as incident reporting. The MicroTransit technology platform will integrate with TransitWatch and related digital tools managed or used by local law enforcement, community health and homelessness advocates, community-based social networking and our transit operations control. The mission is to keep our drivers and customers safe by monitoring emergency, and security incidents, assessing risk, and identifying threats. The project team will work hand-in-hand with System Security and Law Enforcement (SSLE) to address issues such as sexual harassment and homelessness, resulting in enhanced safety on Metro's core transit system and building public trust. Close coordination with SSLE, law enforcement departments, civil rights and other internal Metro departments will ensure the best possible safety and security program for our system.

#### **FINANCIAL IMPACT**

Adoption of this pilot program has a FY20 total budget impact of \$7,750,000 (see MicroTransit Expenditure Plan in Attachment E). Therefore, a FY20 budget amendment in the amount of \$7,750,000 is required for pre-revenue and operational expenses. In addition, a FY20 budget amendment for 87 Contract positions is required. The five (5) Non-Contract project positions required to support the project will be allocated from approved agency FY20 staffing levels. Positions and all other resources required for this project will be reassessed and included in fiscal year annual budget requests.

Since this is a multi-year project, the program manager, cost center manager, and chief operations officer will ensure all project resources are budgeted in future fiscal years.

### Impact to Budget

Funding for current and future years of the operations, will be included within Metro's annual Operations budget. Metro staff will continue to prioritize grant funding at local, state and federal levels as well as private financing opportunities as they become available.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This recommendation supports the following goals of the Metro Strategic Plan:

### *Goal 1: Provide high quality mobility options.*

MicroTransit will provide a robust and high-quality mobility option for customers, particularly in communities where privately-funded technology is lacking and will allow customers to request on-demand service and connect to transit and destinations they would not otherwise be able to easily reach.

### *Goal 2: Deliver outstanding trip experiences for all users of the transportation system.*

MicroTransit will vastly improve the customer experience for existing customers by reimagining the current trip planning tools and integrating with TransitWatch for smoother and safer trips. This service will increase the number of customers to the Metro system by offering more entry points to Metro's family of services.

### *Goal 3: Enhance communities and lives through mobility and access to opportunity.*

In coordination with the NextGen restructure, MicroTransit will supplement the agency's bus service and ensure our customers maintain mobility and access to major trip generators including employment centers, health services, parks and schools across the County. Alignment and interoperability with the NextGen restructure will be critical to pilot success.

### *Goal 4: Transform LA County through collaboration and leadership.*

Metro is a regional leader on New Mobility through MicroTransit. Metro staff is actively engaging and coordinating with stakeholders across the County to explore how technology can be used to harness transit benefits for all community members. Metro chairs the countywide On-Demand technology working group.

### *Equity Platform Framework*

The agency's Equity Platform remains critical to the design and implementation of the MicroTransit operation. MicroTransit is being designed to address equity concerns head-on by accommodating customers that are not yet served well by core transit services or other on-demand transportation services operated by the private sector. Service areas including hours of operation and pick-up and drop-off locations are being designed with geographic and socio-economic equity in mind. Initiatives, policies, practices, and principles are being applied to the service design and implementation and will be iterated upon once the service is live on the street.

MicroTransit operations will also support Metro's commitment to protecting and preserving the natural environment by utilizing clean emissions vehicles (Transit 350s electric) as part of the mixed fleet of vehicles for this service.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to approve the recommended action. This alternative would eliminate programming developed to supplement the Next Gen Bus Plan, void the negotiated side letter for our represented workforce with SMART-TD and purge one of the twenty-eight by 2028 projects as identified and approved by the Board of Directors.

### **NEXT STEPS**

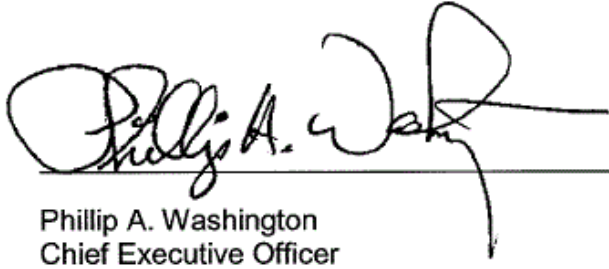
Per Attachment D, the MicroTransit Team Staffing Plan, Metro will launch recruitment of operators, management and support staff and provide training in policies and procedures unique to the MicroTransit operation. Metro staff will secure agreements with local partners/jurisdictions for pre-revenue service operations as per Attachment C, the Regional Readiness Operational Plan. The newly assembled project team will finalize trainings, policies, procedures and protocols including standard operating procedures, security protocols, the MicroTransit Operator Rulebook and Customer Code of Conduct. Outreach, marketing, and customer education on the new mode and connectivity to the Metro network will be critical to service adoption among transit customers new and existing. The private sector partner will support these efforts and finalize arrangements for reporting locations, vehicles and related hardware and software programming and retrofits.

### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - Contract Modification/Change Order Log  
Attachment C - DEOD Summary  
Attachment D - MicroTransit Pilot Project Team Staffing Plan  
Attachment E - MicroTransit Pilot Project Expenditure Plan  
Attachment F - Regional Readiness Operating Plan  
Attachment G - Proposed Service Zones Map

Prepared by: Rani Narula-Woods, Sr. Director of Special Projects, (213) 922-7414

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



Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## MICROTRANSIT PILOT PROJECT / CONTRACT NO. PS46292001

1.	<b>Contract Number:</b> PS46292001		
2.	<b>Contractor:</b> RideCo, Inc.		
3.	<b>Mod. Work Description:</b> MicroTransit Pilot Project – PART B (Implementation)		
4.	<b>Contract Work Description:</b> To assist in the day-to-day performance of a new transit mode in areas of the County of Los Angeles as approved by Metro		
5.	<b>The following data is current as of:</b> January 3, 2020		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	04-26-2018	<b>Contract Award Amount:</b> \$219,650.26
	<b>Notice to Proceed (NTP):</b>	05-22-2018	<b>Total of Modifications Approved:</b> \$ 66,334.87
	<b>Original Complete Date:</b>	09-06-2019 (PART A)	<b>Pending Modifications (including this action):</b> \$ 28,874,747.50
	<b>Current Est. Complete Date:</b>	09-01-2022 (PART B)	<b>Current Contract Value (with this action):</b> \$ 29,160,732.63
7.	<b>Contract Administrator:</b> Roxane Marquez		<b>Telephone Number:</b> 213-922-4147
8.	<b>Project Manager:</b> Rani Narula-Woods		<b>Telephone Number:</b> 213-922-7414

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 5 to implement Part B of MicroTransit Pilot Project (“Project”) issued in support of a new transportation service to extend the reach of Metro’s multi-modal network.

This Contract Modification will be processed in accordance with Metro’s Acquisition Policy and the contract type is a firm fixed price. The period of performance for Part B is for two (2) years of Revenue Service Operations with 120 days of pre-Revenue Service Operations and 30 days for post-Revenue Service Operations for the final evaluation, totaling 29 months. The Contract includes a one-year option (month-to-month service, for up to 12 months) for a third and final Revenue Service Operations year of the Pilot.

The initial Request for Proposals (RFP) for this project was issued on October 25, 2017 and was solicited and awarded to be executed in two parts; Part A, the “Planning and Design” phase and Part B, the “Implementation and Evaluation” phase. This procurement tool served as the agency’s first Pre-Development Agreement Public Private Partnership (PDA-P3) procurement model.

On April 26, 2018, the Board awarded three (3) contracts to firms to perform Part A (Planning and Design) of the MicroTransit Pilot Project. The period of performance for Part A was 6 months. Part B was determined to be a future Board action depending on the feasibility results of Part A. The three firms awarded, and their respective award amounts, are as follows:

- RideCo, Inc., \$219,650.26
- NoMad (Via) LLC, \$348,684.69
- Transdev Services \$316,912.31

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

On April 23, 2019, the RFP for Part B (Implementation and Evaluation) was issued to each of the three Contractors in accordance with Metro's Acquisition Policy and Procedures with a separate SBE/DVBE goal of 13% (SBE 10% and DVBE 3%). The Part B RFP provided all three firms with a Letter of Invitation to compete for Part B with a Statement of Work for Part B, an Evaluation Criteria on how their proposals were to be evaluated, and instructions for required documentation; thereby requesting competitive proposals for Part B based on their specific study and analysis.

Six (6) amendments were issued to the RFP Documents, amending documents as follows:

- Amendment No. 1, issued on June 26, 2019, clarified instructions to Proposers – Submittal Requirements (Part A) and extended the due date for both Part A Final Report and Part B proposal to August 16, 2019.
- Amendment No. 2, issued on July 12, 2019, clarified instructions to Proposers – Submittal Requirements (Part B) and extended the Part B proposal due date to August 23, 2019, provided a revised Exhibit B – Pricing Schedule and removed Exhibit 10 – Certification of Compliance with 59 CFP Part 655, Prevention of Alcohol Misuse and Prohibit Drug Use as this does not apply.
- Amendment No. 3, issued on July 31, 2019 extended the due date for Part A Final Report to August 30, 2019 and Part B proposal to September 6, 2019, provided a Supplemental Contract (Amended and Restated) for Part B; and provided for in-person Interviews and Oral Presentations for Part B of the Technical Proposal.
- Amendment No. 4, issued August 28, 2019, extended Part A Final Report due date to September 6, 2019 and extended Part B proposal due date to September 13, 2019.
- Amendment No. 5, issued December 16, 2019, provided a revised and amended Statement of Work (dated 12/16/19) and requested revised Technical Proposals for Part B to be due on December 30, 2019; provided a revised

Exhibit B – Pricing Schedule; provided a revised Exhibit C – Insurance Requirements, provided a revised Article VIII: Insurance; and revised GC-37 Liability and Indemnification.

- Amendment No. 6, issued December 24, 2019, provided a revised Statement of Work for Part B (dated 12/24/19) and extended the due date for Exhibit B – Pricing Schedule to January 2, 2020.

On September 6, 2019, the contracted firms submitted their Final Reports for Part A for the design, planning and development of this project. Final Reports for Part A were reviewed by the Project Manager to learn of their study and to determine the feasibility of this project. This concluded their performance to Part A of the contract for this two-part procurement.

On September 13, 2019, all three (3) firms submitted their Technical Proposal and Price Proposal for Part B based on their recommended design and development for the operation.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from the Office of Extraordinary Innovation, Operations, Policy, Communications, and Information Technology was convened and conducted a comprehensive technical evaluation of the proposals received for Part B.

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

1. Customer Experience	15 percent
2. Service Feasibility Study	15 percent
3. Communications Plan	12 percent
4. Performance Plan	12 percent
5. Business Plan	16 percent
6. Price Proposal – Part B	30 percent

Several factors were considered when developing these weights, giving the greatest importance to Price Proposal for implementing Part B.

On October 8, 2019, the Proposal Evaluation Team (PET) completed its independent evaluation of proposals. The PET determined that all three (3) teams were invited to an in-person Interview and Oral Presentation to answer questions, clarify Technical Proposals and approaches to service design and to present their Technical Proposal for implementing Part B.

The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation team's specific questions regarding Part B of their Technical Proposal. Each team also had an opportunity to present their findings and proposed plans under the five technical subject areas identified in the evaluation criteria. Each team summarized their unique approach to



launching a successful on-demand, technology-based transit operation. Also highlighted were staffing plans, work plans, key performance metrics including utilization and anticipated pilot project opportunities and constraints.

### **Qualifications Summary of Firms Interviewed:**

#### **RIDECO**

RideCo, Inc. is a full-service, on-demand mobility firm with a breadth of experience developing, maintaining and managing the underlying software technology platforms to conduct MicroTransit operations. RideCo has worked closely with public and private sector partners on the integration of MicroTransit into service offerings in the United States and globally. RideCo is headquartered in Waterloo/Ontario, Canada.

RideCo's Part B Technical Proposal and oral presentation demonstrated thorough expertise in emerging on-demand technologies, strong analysis of zones, and experience with launching on-demand services with partners to support fixed-route network integration. Project personnel demonstrated a deep understanding of Metro's potential for market positioning of MicroTransit in the evolving field of transportation technology. NextGen transit competitiveness research was clearly and explicitly utilized to support the planning work conducted by RideCo.

The Technical Proposal and oral presentation demonstrated RideCo's experience in all required tasks for Part A including pre-launch planning, deployment planning and service design that would most effectively assist the agency in achieving the aspirational goals and performance outcomes reflected in Vision 2028, Metro's Strategic Plan.

RideCo's detailed analysis and modeling supports operational feasibility of this new service offering. Additionally, the showcase of RideCo's technical skill combined with their understanding of the Statement of Work reinforces the team's ability to perform in-line with Metro's performance standards and, at peak performance, to exceed operational and financial targets for this service. The utilization and ridership modeled will allow for the agency to set attainable cost recovery goals and expectations.

RideCo effectively proposed to partner with Metro to build a service which supports the backbone of public transit (the Agency's bus and rail network). The Part B Technical Proposal was comprehensive, thorough in approach, and aligned with Metro's goals and needs of customers both current and future. RideCo illustrated a detailed strategy to achieve the performance standards and utilization required to achieve project success as outlined in the Statement of Work. The maintenance plan offered extensive consideration of safety for both Metro operators and customers. Of equal importance, the Technical Proposal included detailed attention and approach to meet and exceed the unique needs of customers with varying levels of mobility.

Most notably unique to RideCo's expertise as witnessed in their oral presentation is their advanced ability to leverage data and analytics to model and implement operations which can bolster the core product of their respective client.

RideCo's team for Part B consists of the industry's top performers in the field of MicroTransit including specialists in software development, modeling and analytics, vehicle procurement and on-demand marketing and high-touch customer acquisition and outreach techniques.

### **NOMAD TRANSIT LLC (Via)**

NoMad Transit LLC ("Via"), is a wholly-owned subsidiary of Via Transportation, Inc. headquartered in New York City. Via is registered in California as a Transportation Network Company and is focused on providing on-demand technology and subsidized support services to the public sector. The firm directly manages private operations in numerous cities in the United States.

The firm's Technical Proposal offered a software technology platform which distinctly featured improved user experience attributes combined with neatly managed look and user design. The suite of technology tools emphasized ease of use and tied into the proposed market positioning of MicroTransit. Overall, the Technical Proposal offered generally sound analysis with a comprehensive approach to data collection.

The Technical Proposal and oral presentation however, reflected limited understanding of Metro's expectations for a new mode of transportation within Metro's family of services. Metrics for success, including utilization, were not aligned with agency performance goals and yet to be realized improvements per NextGen bus restructure. The firm's Maintenance plan was generally limited in approach and oversight for hybrid P3 operation. Market positioning relied too heavily on positioning transit service as a private ride and leveraging company's brand rather than focusing on the conversion of core transit customers to Metro on-demand riders. The Technical Proposal did not identify and communicate how Metro could best leverage Metro's resources and assets for a Metro operation. The proposed team consisted of a number of specialists including communications experts.

### **TRANSDEV**

Transdev, formerly Veolia Transdev, is a French-based international transport operator, with operations in 19 countries. Transdev also has a Maryland-based corporation.

Transdev's Technical Proposal and oral presentation displayed expertise in a broad range of disciplines, including a strong working knowledge of bus rapid transit, shuttles, fleet maintenance and multimodal services. The firm's Technical Proposal and presentation demonstrated an experienced project team in the fields of transportation technology, operations and service planning.

However, plans and responses to clarifications during oral presentation affirmed a number of critical missing details pertaining to vision and execution of the operation. Transdev did not submit incentives or deductions worksheets and, as such, failed to identify or project Key Performance Metrics that are critical to evaluate pilot project success. Performance measurement was inadequate and, as such, the approach failed to execute on the aspirational goals as identified and reflected in Vision 2028.

On October 4, 2019, the PET completed its evaluation of the above-mentioned proposals after oral interviews and presentations were held. As a result of evaluations, Transdev was determined to be outside the competitive range and was no longer considered for further evaluation.

Upon further development of the NextGen bus restructure and labor rules pertaining to this operation, staff became aware of new requirements for launching and operating MicroTransit. As such, Metro determined that a revised Statement of Work for Part B was required to incorporate clarifications, identify new requirements, and changes to hardware. Most notably, the side letter for the new operators (drivers) and the expectation for Reporting Locations with facilities, office space and parking for Metro employees. Metro also learned that a larger vehicle fleet was required to support integration of MicroTransit within the system-wide build out of the NextGen bus system.

Given these new requirements, Amendment No. 5 was issued on December 16, 2019 with a revised Statement of Work to the two (2) firms deemed within the competitive range after Interviews and Oral Presentations. These firms are listed in alphabetical order:

- NoMad, LLC (Via)
- RideCo, Inc.

Both firms were required to submit a revised Technical Proposal and updated Price Proposal based upon a revised Statement of Work for Part B.

The PET reconvened to evaluate each firms' revised Technical Proposals based upon new requirements presented in the revised Statement of Work. On December 31, 2019, the PET completed its independent evaluation of the technical proposals. As a result, the firms earned the following final scores with RideCo, Inc. ranked as the highest firm to perform Part B, project implementation.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	RideCo				

3	Customer Experience	88.00	15.00%	13.20	1	
4	Service Feasibility Study	94.00	15.00%	14.10		
5	Communications Plan	79.00	12.00%	9.48		
6	Performance Plan	89.60	12.00%	10.75		
7	Business Plan	80.25	16.00%	12.84		
8	Price Proposal	88.15	30.00%	26.45		
9	<b>Total</b>		<b>100.00%</b>	<b>86.82</b>		
10	<b>NoMad Transit LLC</b>					2
11	Customer Experience	69.67	15.00%	10.45		
12	Service Feasibility Study	54.33	15.00%	8.15		
13	Communications Plan	62.50	12.00%	7.50		
14	Performance Plan	56.60	12.00%	6.79		
15	Business Plan	60.50	16.00%	9.68		
16	Price Proposal	100.00	30.00%	30.00		
17	<b>Total</b>		<b>100.00%</b>	<b>72.57</b>		

### C. Price Analysis

The recommended price of \$28,874,748 by RideCo has been determined to be fair and reasonable based upon an independent cost estimate (ICE), competition, price analysis, technical evaluation, clarifications and negotiations.

Proposer	Proposal Amount	Negotiated Amount	Metro ICE
NoMad (Via)	\$25,909,721	N/A	\$28,500,000
RideCo	\$29,391,260	\$28,874,748	

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## MICROTRANSIT PILOT PROJECT

CONTRACT NO. PS46292001

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance Extension	Approved	09-04-2018	\$ 0.00
2	Period of Performance Extension	Approved	12-19-2018	\$ 0.00
3	Revised Statement of Work to increase Work to be Performed	Approved	05-23-2019	\$ 66,334.87
4	Period of Performance Extension	Approved	10-31-2019	\$ 0.00
5	Part B (Implementation) of MicroTransit Pilot Project	Pending	Pending	\$ 28,874,747.50
	<b>Modifications Total:</b>			\$ 28,941,082.37
	<b>Original Contract:</b>		04-26-2018	\$ 219,650.26
	<b>Total:</b>			<b>\$29,160,732.63</b>

## DEOD SUMMARY

## MICROTRANSIT PILOT PROJECT / CONTRACT NO. PS46292001

**A. Small Business Participation – Part A (Planning & Design)**

RideCo, Inc. made a 28.59% Small Business Enterprise (SBE) and 3.64% Disabled Veteran Business Enterprise (DVBE) commitment. Part A of the project is 100% complete and RideCo, Inc. exceeded their SBE commitment with 29.52% SBE participation and met their DVBE commitment with 3.64% participation.

<b>SMALL BUSINESS COMMITMENT</b>	<b>28.59% SBE 3.64% DVBE</b>	<b>SMALL BUSINESS PARTICIPATION</b>	<b>29.52% SBE 3.64% DVBE</b>
----------------------------------	----------------------------------	-------------------------------------	----------------------------------

	<b>SBE Subcontractors</b>	<b>% SBE Commitment</b>	<b>% Current Participation</b>
1.	Civic Projects Incorporated	9.40%	7.97%
2.	Arellano Associates	19.19%	21.55%
	<b>Total Commitment</b>	<b>28.59%</b>	<b>29.52%</b>

	<b>DVBE Subcontractor</b>	<b>% DVBE Commitment</b>	<b>% Current Participation</b>
1.	DVE Global Marketing, Inc.	3.64%	3.64%
	<b>Total Commitment</b>	<b>3.64%</b>	<b>3.64%</b>

**B. Small Business Participation – Part B (Implementation)**

The Diversity and Economic Opportunity Department (DEOD) established a 10% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for Part B of this project. RideCo, Inc. exceeded the goal by making a 10.23% SBE and 3.20% DVBE commitment.

<b>SMALL BUSINESS GOAL</b>	<b>10% SBE 3% DVBE</b>	<b>SMALL BUSINESS COMMITMENT</b>	<b>10.23% SBE 3.20% DVBE</b>
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	<b>Name of Subcontractors</b>	<b>% SBE Commitment</b>	<b>% DVBE Commitment</b>
1.	Design Studios, Inc. (SBE)	8.04%	
2.	Arellano Associates (SBE)	2.19%	
3.	DVE Global Marketing, Inc. (DVBE)		3.20%
	<b>Total Commitment</b>	<b>10.23%</b>	<b>3.20%</b>

**C. 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.

**D. Prevailing Wage Applicability**

Prevailing Wage is not applicable to this modification.

**E. 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.

**MicroTransit Operations Project Team Staffing Plan**

**Fiscal Year Additions**

<b>Union</b>	<b>Position</b>	<b>Total # of FTEs</b>	<b>FY20</b>	<b>FY21</b>
SMART	Operators	180	80	100
AFSCME	Transit Operations Supervisors	7	7	
<b>Represented Employees</b>		<b>187</b>	<b>87</b>	<b>100</b>

<b>ALLOCATION FROM AGENCY BUDGET</b>		<b>Total # of FTEs</b>	<b>FY20</b>	<b>FY21</b>
NC	Director, Transportation Operations	1	1	
NC	Manager, Transportation Operations	2	2	
NC	Principal Transportation Planner	1	1	
NC	Sr. Administrative Analyst	1	1	
<b>Non-Represented Project Employees</b>		<b>5</b>	<b>5</b>	<b>0</b>
<b>Grand Total</b>		<b>192</b>	<b>92</b>	<b>100</b>



**MicroTransit Pilot Project - Expenditure Plan  
(Estimate)**

Rough Order of Magnitude/Uses of Funds	FY20 Budget (Existing)	FY20 Amendment	FY21	FY22	FY23	Total
<b>Contract &amp; Leased Vehicles</b>		\$ 5,100,000	\$ 13,400,000	\$ 8,800,000	\$ 1,574,748	\$ 28,874,748
<b>Temporary Staff Labor (As-Needed &amp; Interns)</b>	\$ 187,500	\$ 82,500	TBD	TBD	TBD	TBD
<b>Operational Expenses, Training, Computer Supplies &amp; Admin</b>	\$ 844,000	\$ 2,567,500	TBD	TBD	TBD	TBD
<b>Estimated Pilot Expenses</b>	<b>\$ 1,031,500</b>	<b>\$ 7,750,000</b>	<b>\$ 13,400,000</b>	<b>\$ 8,800,000</b>	<b>\$ 1,574,748</b>	<b>\$ 28,874,748</b>
<i>Estimated Represented Employee Annual Expense</i>		\$ 3,504,625	\$ 15,728,868	\$ 17,393,976	\$ 8,673,945	\$ 45,301,414
<i>Estimated Non-Represented Employee Annual Expense</i>		\$ 725,320	\$ 1,523,171	\$ 1,576,482	\$ 1,631,659	\$ 5,456,631



The funding sources under this pilot are currently sufficient to award the contract base of this recommendation.

*\*These figures are subject to change at any time based on the pilot needs.*

# MicroTransit Regional Readiness Operating Plan

# What is MicroTransit?

- More than 50% of all trips in Los Angeles County are short (1-5 mile), solo trips using a private car service or driven alone.
- Metro captures few of these trips today.
- To increase ridership, Metro seeks to pair the best of public operations with the best of private technology.
- This new service will maximize new technology to improve the customer experience of Metro's current customers and support the use of Metro's existing suite of services.

	 VIA	 Metro
On-demand Ridesharing	✓	✓
Mobile Application	✓	✓
First/Last Mile	✓	✓
End to End Trips		✓
Metro Call Center		✓
40% Wheelchair Accessible Vehicles		✓
TAP Integration		✓
Transit Watch Integration		✓
Feasibility Studies Completed		✓
SMART Operators with Specialized Training		✓
Staff On-Location		✓

# How does MicroTransit Work?

- Shared rides ordered through a regional call center, booked with a mobile application, and/or arranged using an internet browser.
- All MicroTransit operators are Metro employees.
- Service supplements the NextGen Bus Plan.
- Offers quick boards at priority transit stations and stops.
- Five types of vehicles are featured in mixed fleet: Transit 150, Transit 350 (electric), Grand Caravan, Metris and Sprinter.
- Provides customized features for individuals and families with all levels of mobility.

It's reliable.



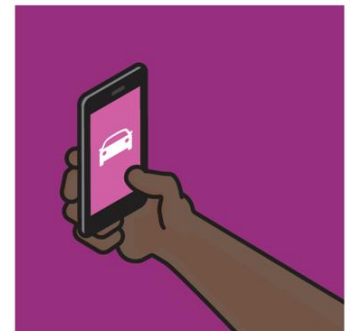
It's affordable.



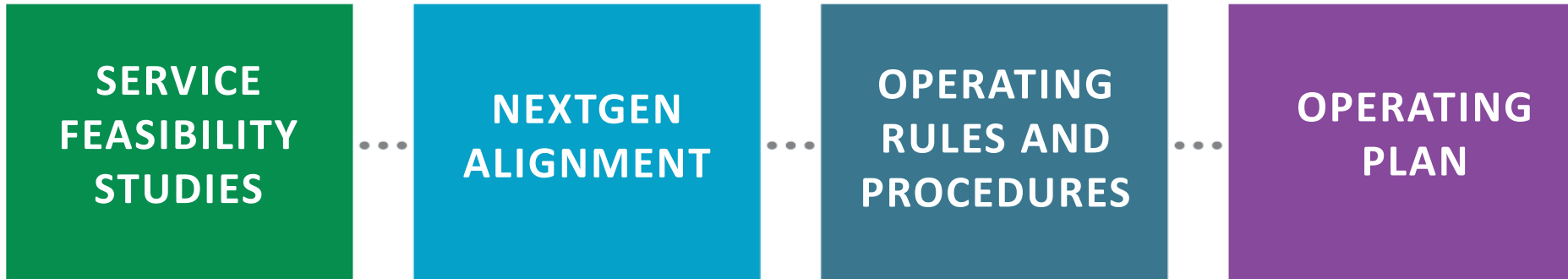
It's safe.



It's customer-driven  
and customer-focused.



# MicroTransit Roadmap



# Prioritizing Safety First



- Metro employee operators will be vetted and trained with an emphasis on customer service and security.
- Up to 10 weeks of in-person operator training created in coordination with:
  - Women & Girls Governing Council
  - Government Alliance on Racial Equity
  - Office of Civil Rights
  - Access Services
  - Understanding How Women Travel Study Team
  - The Equity Platform Project Leads
- Real-time data on vehicle locations, drop offs and pick-up times.
- Security technology with live monitoring of vehicles.

# Factors for Identifying Pilot Locations

**Network Connectivity:**

up to 2/3 of trips will be transfers to other public operations

**Economic Mobility:**

increases access to jobs, educational resources/institutions

**Major Trip Generators:**

supports employment centers, hospitals, universities, schools

**Priority Use Cases:**

medical, students, retail, commuting, child care pick-ups

**Customer Demand:**

can achieve moving 10 people an hour per vehicle

**Shared Usage:**

can achieve 70% shared rides

**Geographic Equity:**

tests variety of unique neighborhoods, communities

**Vehicle Miles Traveled:**

reduces solo occupancy short trips within the County

**Community Partnerships:**

has engaged businesses, cities, community based organizations

# MicroTransit Operated by Metro

Service available 7 days a week  
Initial soft launch (60 days) at 12 hour service span per day

Summer 2020	Watts/Willowbrook
Fall 2020	Northwest San Fernando Valley
Winter 2020	LAWA/Inglewood
Spring 2021	Highland Park/Eagle Rock/Glendale
Summer 2021	Altadena/Pasadena/Sierra Madre
Fall 2021	UCLA/VA Medical Center/Century City

Pilot recommendation allows for three years of Revenue Service Operations. The zones as identified on the map in pink are the anticipated maximum scale of the six service areas.

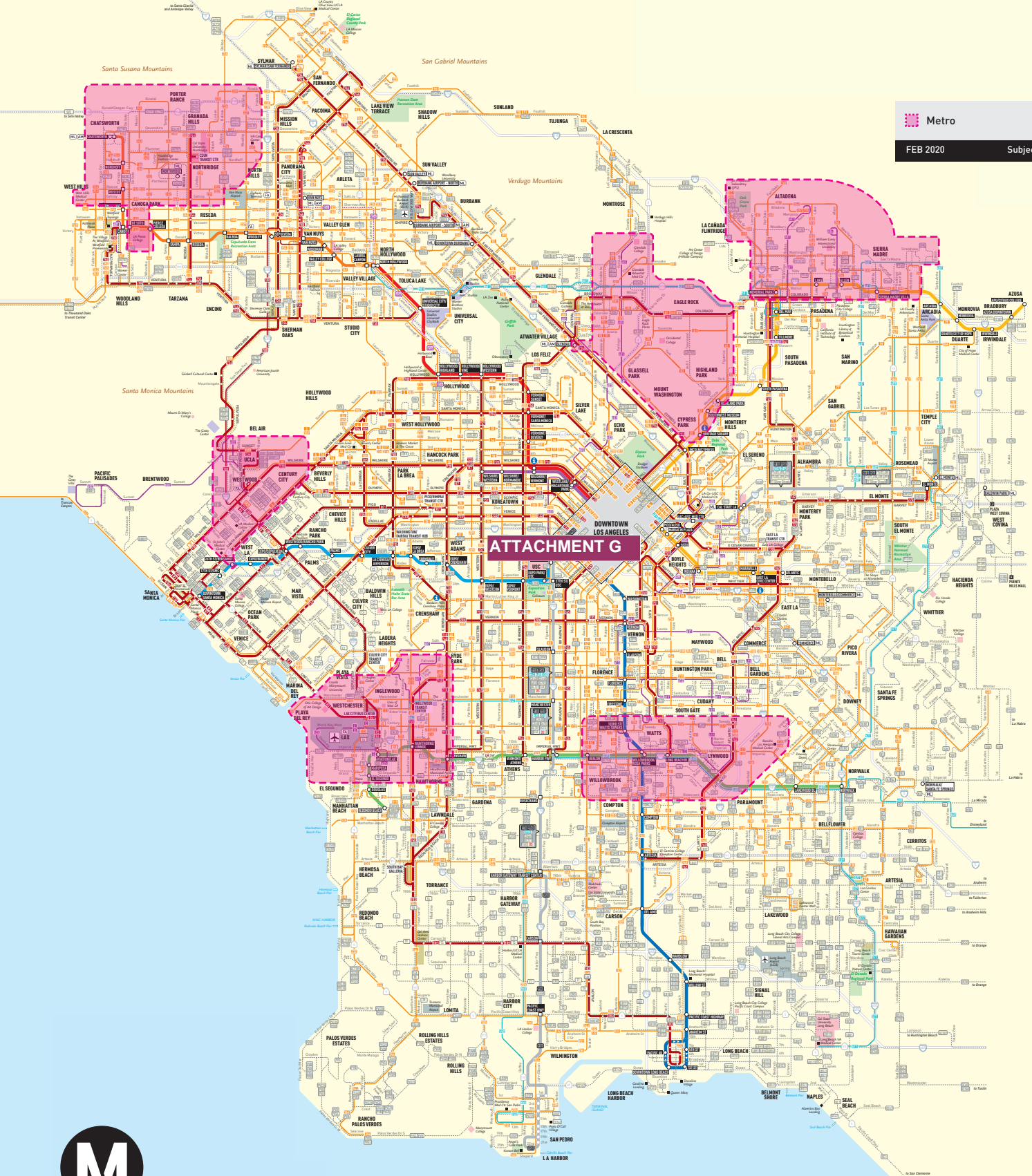


# Proposed Metro MicroTransit Service Zones



Source: ©2020 Metro

# Proposed Metro MicroTransit Service Zones



Metro  
FEB 2020 Subject to Change





Board Report

File #: 2019-0865, File Type: Contract

Agenda Number: 29.

PLANNING & PROGRAMMING COMMITTEE  
FEBRUARY 19, 2020  
OPERATIONS, SAFETY & CUSTOMER EXPERIENCE COMMITTEE  
FEBRUARY 20, 2020

SUBJECT: THE MICROTRANSIT PILOT PROJECT - PART B (IMPLEMENTATION)

ACTION: APPROVE RECOMMENDATIONS

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 5 to firm fixed price Contract No. PS46292001 with RideCo., Inc. as a private partner and technology firm for operations in conjunction with the deployment areas outlined in Attachment F (Regional Readiness Operating Plan) and Attachment G (Map), in the amount of \$28,874,747.50, increasing the total Contract value from \$285,985.13 to \$29,160,732.63.
- B. AMEND the FY20 budget for the MicroTransit pilot project implementation positions and funding listed below:
  - 1. 80 Contract positions to operate the vehicles and 7 Contract positions to supervise the service; and
  - 2. \$7,750,000 for FY20 contractual and operational expenses

**ISSUE**

Metro staff seeks to implement innovation to both increase ridership of Metro’s family of services and provide an improved customer experience for existing riders by expanding the agency’s network through the testing and scaling of MicroTransit within LA County.

This new mode of public transit will offer shared rides which can be ordered through our regional call center, a new mobile application, and/or an internet browser. The suite of MicroTransit software tools for customers will offer real-time trip planning, booking, payment and fare system integration. Customers will also be able to pre-schedule trips or book repeat trips, as well as monitor the real-time status of trips for others under a linked account.

MicroTransit has been developed hand-in-hand to support implementation of the NextGen Bus Plan and the aspirational goal of a 10-minute maximum wait time per our strategic plan, Vision 2028.

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According to our NextGen study findings, short trips (1-5 miles), which are being driven solo or with a private car service, are among the most important opportunities for the public sector to retain current ridership and to grow utilization among non-transit customers. Short trips are often to a local market, to pick up a child from daycare, to shuttle a child to an afterschool activity or for a medical appointment. Many of these trips are taken by students, older adults and parents of youth.

To help capture the more than 50% of short trips taking place in LA County today, MicroTransit will be introduced into our existing fixed-route network and provide continued opportunities for Metro to improve on managing customer demand at times when fewer customers are riding. This mixed fleet of vehicles (Transit 150, Transit 350, Grand Caravan, Metris and Sprinter) includes electric vehicles, which is in-line with operational testing on the Orange Line. For ease of use for the customer and personal space, most vehicles will be configured to carry 7-10 passengers.

MicroTransit will not only improve reliability and allow for guaranteed transfers across our multi-modal system but will also offer riders the opportunity to customize their experience by ordering a trip and linking to the next leg of their Metro journey. Metro staff anticipates up to two-thirds of the new trips generated by this mode will include transfers to other modes within Metro's family of services.

Customer and operator safety are critical to maintaining the highest standards of security and optimal service design for MicroTransit. To offer our customers the safest on-demand environment, the entire fleet of vehicles will be operated by our exclusive operating union, SMART-TD. The recommended software/technology platform, akin to Metro's current fixed-route operations, will achieve full integration with the TAP card and account system, and be connected to our Transit Watch network and operations centers for dispatch in the case of safety incidents.

Metro employee operators will undergo eight weeks of workforce training with a focus on customer service and safety. This new innovative training series developed in partnership with Human Capital and Development, the Office of Civil Rights and Operations will be the first of its kind in the nation and is being implemented in coordination with SMART-TD.

During the pilot phase of this operation, Metro staff recommends deploying MicroTransit into six identified areas where ridership can be retained and boosted. These service zones and their deployment schedule are as follows:

- Summer 2020: Watts/Willowbrook
- Fall 2020: Northwest San Fernando Valley
- Winter 2020: LAWA/Inglewood
- Spring 2021: Highland Park/Eagle Rock/Glendale
- Summer 2021: Altadena/Pasadena/Sierra Madre
- Fall 2021: UCLA/VA Medical Center/Century City

This service is recommended to be available 7 days a week with an initial soft launch (60 days) at a 12-hour service span per day. The background section on the following page, as well as Attachment F, details the factors utilized to identify these areas for operations.

This project is term-limited with up to three years of Revenue Service Operations, up to 120 days of



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pre- launch and 30 days for final pilot evaluation. This operation will be evaluated to determine whether it should be incorporated as a permanent mode of the agency.

## **BACKGROUND**

New and emerging technology has had a profound impact on how services are delivered. Among the most noteworthy trends has been the rise and growth of on-demand and customized services. In specific, the world of public transit has experienced a meaningful jolt resulting from these new on-demand economies. In California, this has amounted to the rise of Transportation Network Companies initially focused on replacing single-occupancy vehicles. However, in more recent months, this emerging sector has showcased a clear and intentional desire to replace trips traditionally served by public transit agencies.

Metro has continually monitored these changes and trends to better understand the strengths of these models, as well as the challenges in delivering equity. Metro's Office of Extraordinary Innovation (OEI) has engaged in this space by receiving and evaluating unsolicited proposals (including a proposal received in 2016 to test trip pooling technology), interviewing project managers and issuing findings. In partnership with the Eno Center for Transportation, Metro staff published the white paper, UpRouted, a compilation of findings on the early challenges to MicroTransit. Best practices as highlighted in the white paper were sourced from peers at Alameda-Contra Costa Transit District, Santa Clara Valley Transportation Authority and Kansas City Area Transportation Authority. More recently, Metro has funded a TNC partnership through OEI and managed directly by the private sector.

In 2017, under the direction of the Chief Executive Officer, Metro staff assembled an agency-wide team which to-date has drawn insights and expertise from more than 450 staff from all departments to design the new transit offering. This service has been built as a hybrid, merging the best of private technology with the experience of public operations to identify and respond to untapped mobility opportunities within LA County.

The concept was to set-up a multi-year pilot, which would test how an on-demand operation run by Metro employees using private sector technology and vehicles could integrate within Metro's family of services. This service would encourage current Metro customers to ride the system more regularly for a safe, comfortable, reliable, single-direction or round-trip ride.

By introducing and testing a new service focused on short trips in smaller vehicles, Metro would be able to flex its' operations to match the mode/vehicle to the customer. This new operation would tap into the growing momentum and expectation around new technology and tools to encourage ridesharing with Metro for short trips. This was the genesis of the agency's first Pre-Development Agreement Public Private Partnerships (PDA-P3s), which supports a two-part contract similar to a design-build contracting model.

In October 2017, the competitive Request for Proposal (RFP) was issued to procure services from qualified firms or Contractor Team(s) to partner with Metro for planning, designing, testing and evaluating a technology-based service for traveling short distances. The PDA-P3 was divided into two parts, Part A ("Planning and Design,) and Part B ("Implementation and Evaluation").

In April 2018, three PDA-P3 contracts were awarded for service feasibility studies to tech teams with transit planning firms (RideCo/Iteris, Via/Nelson/Nygaard and Transdev/AECOM). The Part A findings were set to serve as the foundation for implementation in Part B.

During the service design period, the three competitors worked with all departments at Metro to craft operations and identify service areas to support equity, network connectivity, economic mobility, congestion reduction and environmental goals. Findings were used to inform the Regional Reading Operating Plan (Attachment F). In September 2019, the three companies completed Part A (“Planning and Design”).

To best maximize efficiencies and utilize the vast in-house expertise available, implementation of this new MicroTransit service was shifted to Metro Operations for Part B (“Implementation and Evaluation”). Under the direction of Metro’s Chief Operations Officer, the agency has entered pre-revenue service operations as based upon the service feasibility studies (PDA-P3, Part A), the operational road map of the agency under the build outs identified in Measures R and M and the NextGen Bus Plan.

Metro staff recommends the MicroTransit Regional Readiness Operating Plan (Attachment F), in line with Proposed MicroTransit Service Zones displayed in the corresponding map (Attachment G).

## **DISCUSSION**

Metro staff recommends the workforce outlined below to deliver a functional and successful operation:

### Operators (SMART)

Metro employees will operate the MicroTransit vehicles under the signed side letter with our exclusive operating Union, SMART-TD, representing all new 80 employee operators for FY20.

### Supervisors (AFSCME)

Metro employees will supervise the daily operations of MicroTransit Operators. Seven (7) transit operations supervisors (TOS) will provide on-street operations supervision, coordination, service monitoring and training for MicroTransit operators for FY20.

### MicroTransit Project Team (Non-Contract)

The MicroTransit project oversight team will be responsible for, but not limited to, management of daily operations and contract administration; development of MicroTransit training specific to on-demand technology and operations; establishment of safety protocols and procedures for incident training, reporting and resolution; development and management of partnerships and coordination with local cities, municipal operators, local organizations and businesses; direct customer acquisition strategies (includes financial agreements with public and private funders); and analysis to optimize service delivery in order to compete in the marketplace. The five (5) non-contract project positions necessary for pre-launch, revenue service operations and evaluation of the pilot are listed as follows (see attachment D for details):

- 1 Director, Transportation Operations

- 2 Manager, Transportation Operations
- 1 Principal Transportation Planner
- 1 Sr. Administrative Analyst

These positions will report to the Sr. Director, Special Projects for MicroTransit. If MicroTransit becomes a permanent operation, Metro will retain the above positions (operators and project team) as permanent employees of the agency. The Non-Contract positions required to support this project will be allocated from agency-wide vacancies in FY20. Non-Contract positions required to support the project will be allocated from approved agency FY20 staffing levels. All Contract, Non-Contract positions, and all other resources needed in future fiscal years will be included in fiscal year annual budget requests.

#### Private Partner

Metro will partner with RideCo, Inc. who will be responsible for, but not limited to, the following:

- Create and maintain a software platform (includes multi-modal trip planning, booking, payment tools, etc.)
- Lease, maintain, clean, and fuel/electrify the mixed fleet
- Secure and manage the Reporting Locations (remote vehicle storage and office space for the operations)
- Conduct targeted communications campaigns within deployment areas

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

Customer and operator safety are core to maintaining the highest standards of security and the optimal service design for MicroTransit. Real-time information on vehicles and tools for customers will enhance communications for incident prevention as well as incident reporting. The MicroTransit technology platform will integrate with TransitWatch and related digital tools managed or used by local law enforcement, community health and homelessness advocates, community-based social networking and our transit operations control. The mission is to keep our drivers and customers safe by monitoring emergency, and security incidents, assessing risk, and identifying threats. The project team will work hand-in-hand with System Security and Law Enforcement (SSLE) to address issues such as sexual harassment and homelessness, resulting in enhanced safety on Metro's core transit system and building public trust. Close coordination with SSLE, law enforcement departments, civil rights and other internal Metro departments will ensure the best possible safety and security program for our system.

#### **FINANCIAL IMPACT**

Adoption of this pilot program has a FY20 total budget impact of \$7,750,000 (see MicroTransit Expenditure Plan in Attachment E). Therefore, a FY20 budget amendment in the amount of \$7,750,000 is required for pre-revenue and operational expenses. In addition, a FY20 budget amendment for 87 Contract positions is required. The five (5) Non-Contract project positions required to support the project will be allocated from approved agency FY20 staffing levels. Positions and all other resources required for this project will be reassessed and included in fiscal year annual budget requests.

Since this is a multi-year project, the program manager, cost center manager, and chief operations officer will ensure all project resources are budgeted in future fiscal years.

### Impact to Budget

Funding for current and future years of the operations, will be included within Metro's annual Operations budget. Metro staff will continue to prioritize grant funding at local, state and federal levels as well as private financing opportunities as they become available.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This recommendation supports the following goals of the Metro Strategic Plan:

### *Goal 1: Provide high quality mobility options.*

MicroTransit will provide a robust and high-quality mobility option for customers, particularly in communities where privately-funded technology is lacking and will allow customers to request on-demand service and connect to transit and destinations they would not otherwise be able to easily reach.

### *Goal 2: Deliver outstanding trip experiences for all users of the transportation system.*

MicroTransit will vastly improve the customer experience for existing customers by reimagining the current trip planning tools and integrating with TransitWatch for smoother and safer trips. This service will increase the number of customers to the Metro system by offering more entry points to Metro's family of services.

### *Goal 3: Enhance communities and lives through mobility and access to opportunity.*

In coordination with the NextGen restructure, MicroTransit will supplement the agency's bus service and ensure our customers maintain mobility and access to major trip generators including employment centers, health services, parks and schools across the County. Alignment and interoperability with the NextGen restructure will be critical to pilot success.

### *Goal 4: Transform LA County through collaboration and leadership.*

Metro is a regional leader on New Mobility through MicroTransit. Metro staff is actively engaging and coordinating with stakeholders across the County to explore how technology can be used to harness transit benefits for all community members. Metro chairs the countywide On-Demand technology working group.

### *Equity Platform Framework*

The agency's Equity Platform remains critical to the design and implementation of the MicroTransit operation. MicroTransit is being designed to address equity concerns head-on by accommodating customers that are not yet served well by core transit services or other on-demand transportation services operated by the private sector. Service areas including hours of operation and pick-up and drop-off locations are being designed with geographic and socio-economic equity in mind. Initiatives, policies, practices, and principles are being applied to the service design and implementation and will be iterated upon once the service is live on the street.



MicroTransit operations will also support Metro's commitment to protecting and preserving the natural environment by utilizing clean emissions vehicles (Transit 350s electric) as part of the mixed fleet of vehicles for this service.

### **ALTERNATIVES CONSIDERED**

The Board may choose not to approve the recommended action. This alternative would eliminate programming developed to supplement the Next Gen Bus Plan, void the negotiated side letter for our represented workforce with SMART-TD and purge one of the twenty-eight by 2028 projects as identified and approved by the Board of Directors.

### **NEXT STEPS**

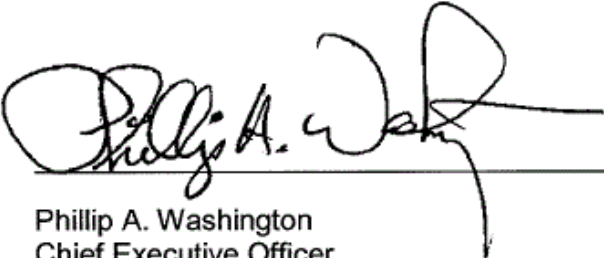
Per Attachment D, the MicroTransit Team Staffing Plan, Metro will launch recruitment of operators, management and support staff and provide training in policies and procedures unique to the MicroTransit operation. Metro staff will secure agreements with local partners/jurisdictions for pre-revenue service operations as per Attachment C, the Regional Readiness Operational Plan. The newly assembled project team will finalize trainings, policies, procedures and protocols including standard operating procedures, security protocols, the MicroTransit Operator Rulebook and Customer Code of Conduct. Outreach, marketing, and customer education on the new mode and connectivity to the Metro network will be critical to service adoption among transit customers new and existing. The private sector partner will support these efforts and finalize arrangements for reporting locations, vehicles and related hardware and software programming and retrofits.

### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - Contract Modification/Change Order Log  
Attachment C - DEOD Summary  
Attachment D - MicroTransit Pilot Project Team Staffing Plan  
Attachment E - MicroTransit Pilot Project Expenditure Plan  
Attachment F - Regional Readiness Operating Plan  
Attachment G - Proposed Service Zones Map

Prepared by: Rani Narula-Woods, Sr. Director of Special Projects, (213) 922-7414

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



Phillip A. Washington  
Chief Executive Officer



**Board Report**

**File #:** 2020-0019, **File Type:** Contract

**Agenda Number:**

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
FEBRUARY 20, 2020**

**SUBJECT: METRO FREEWAY SERVICE PATROL**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

- A. AWARD a firm fixed unit rate Contract No. FS66316000-34 to Disco Auto Sales, Inc., dba Hollywood Car Carrier, the lowest responsive and responsible bidder, for Metro Freeway Service Patrol (FSP) towing services in the amount of \$3,567,060 or Beat 34 and Contract No. FS66316001-71 for \$8,515,325 for Beat 71 for 56 months, subject to resolution of protest(s), if any; and,
- B. AWARD a firm fixed unit rate Contract No. FS66316002-10 to Hovanwil, Inc., dba Jon’s Towing, the lowest responsive and responsible bidder, for Metro Freeway Service Patrol (FSP) towing services in the amount of \$4,306,768.50 for Beat 10 for 56 months, subject to resolution of protest(s), if any; and,
- C. AWARD a firm fixed unit rate Contract No. FS66316003-9 to Sonic Towing, Inc., the lowest responsive and responsible bidder, for Metro Freeway Service Patrol (FSP) towing services in the amount of \$3,765,230 for Beat 9 and Contract No. FS66316004-12 for \$3,898,346.88 for Beat 12 for 56 months, subject to resolution of protests(s), if any; and,
- D. AWARD a firm fixed unit rate Contract No. FS66316005-21 to South Coast Towing, Inc., the lowest responsive and responsible bidder, for Metro Freeway Service Patrol (FSP) towing services in the amount of \$3,460,726 for Beat 21 and Contract No. FS66316006-70 for \$6,824,652 for Beat 70 for 56 months, subject to resolution of protests(s), if any; and,
- E. DO NOT AWARD contracts for the following beats as solicited in IFB No. FS66316. Beats 18, 20, 24, 28, 33, 36, 37, 38, 41, & 42; and,
- F. INCREASE Contract Modification Authority (CMA) to 32 existing Freeway Service Patrol

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contracts as delineated below for an aggregate amount of \$8,200,000 thereby increasing the CMA amount from \$25,317,555 to \$33,517,555 and extend the periods of performance as follows:

- Beat no. 1: All City Tow Contract No. FSP2828200FSP141, for \$190,000 for up to 4 months
- Beat no. 2: Citywide Towing Contract No. FSP2785600FSP142, for \$340,000 for up to 4 months
- Beat no. 3: Hollywood Car Carrier Contract No. FSP3469400B3/43, for \$240,000 for up to 6 months
- Beat no. 5: Sonic Towing, Inc. Contract No. FSP3469500B5/17, for \$490,000 for up to 6 months
- Beat no. 6: Neighborhood Towing 4 U Contract No. FSP3469600B6, for \$500,000 for up to 6 months
- Beat no. 7: Girard & Peterson Contract No. FSP3469900B7/11, for up to 8 months
- Beat no. 8: Citywide Towing Contract No. FSP2825800FSP148, for \$215,000 for up to 4 months
- Beat no. 10: Neighborhood Towing 4 U Contract No. FSP3848100FSP1410, for \$320,000 for up to 3 months
- Beat no. 11: Girard & Peterson Contract No. FSP3469900B7/11, for up to 8 months
- Beat no. 12: Tip Top Tow Contract No. FSP2826700FSP14, for \$125,000 for up to 3 months
- Beat no. 13: Reliable Delivery Service Contract No. FSP2831500FSP1413, for \$300,000 for up to 4 months
- Beat no. 17: Sonic Towing, Inc. Contract No. FSP3469500B5/17, for \$475,000 for up to 6 months
- Beat no. 18: Bob & Dave's Towing, Inc. Contract No. FSP2690300FSP1418, for \$280,000 for up to 4 months
- Beat no. 20: Bob's Towing Contract No. FSP2836600FSP1420, for \$200,000 for up to 4 months
- Beat no. 21: Bob's Towing Contract No. FSP2839000FSP1421, for \$110,000 for up to 3 months
- Beat no. 24: T.G. Towing, Inc. Contract No. FSP2833200FSP1424, for \$580,000 for up to 4 months
- Beat no. 27: Hovanwil, Inc. dba Jon's Towing Contract No. FSP3470400B27/39, for \$355,000 for up to 8 months
- Beat no. 28: Hadley Tow Contract No. FSP3847300FSP1428, for \$145,000 for up to 4 months
- Beat no. 29: Platinum Tow & Transport, Inc. Contract No. FSP3470600B29, for up to 6.5 months
- Beat no. 31: Navarro's Towing Contract No. FSP3470700B31/50, for \$375,000 for up to 6.5 months
- Beat no. 33: Mid Valley Towing Contract No. FSP2851900FSP1433, for \$180,000 for up to 4 months
- Beat no. 34: South Coast Towing, Inc. Contract No. FSP2839600FSP1434, for \$270,000 for up to 3 months
- Beat no. 36: Hadley Tow Contract No. FSP2841400FSP1436, for \$105,000 for up to 4 months
- Beat no. 37: Reliable Delivery Service Contract No. FSP3696000FSP1437, for \$200,000 for

up to 4 months

- Beat no. 38: Steve's Towing Contract No. FSP38468001438, for \$215,000 for up to 4 months
- Beat no. 39: Hovanwil, Inc. dba Jon's Towing Contract No. FSP5966400FSPB39, for \$470,000 for up to 6 months
- Beat no. 42: Platinum Tow & Transport Contract No. FSP2842100FSP1442, for \$100,000 for up to 4 months
- Beat no. 43: Hollywood Car Carrier Contract No. FSP3469400B3/43, for \$300,000 for up to 6 months
- Beat no. 50: Navarro's Towing Contract No. FSP3470700B31/50, for \$220,000 for up to 6.5 months
- Beat no. 70: Tip Top Tow Contract No. FSP3471300B70, for \$260,000 for up to 3 months
- Beat no. 71: Bob & Dave's Towing, Inc. Contract No. FSP3471500B71, for \$250,000 for up to 3 months
- Region 1: Kenny's Auto Service Contract No. FSP13-R1 for \$390,000 for up to 4 months

## **ISSUE**

The award of 7 FSP light duty tow service contracts in Recommendations A, B, C, and D is intended to replace expired or expiring contracts.

Due to an insufficient number of eligible bidders and very high hourly rates that were bid, Recommendation E withdraws the following beats from IFB FS66316 - Beats 18, 20, 24, 28, 33, 36, 37, 38, 41, 42. These beats will be included in the next solicitation for FSP light duty tow services.

Recommendation F authorizes contract modification authority (CMA) in the aggregate amount of \$8,200,000 to execute contract modifications to existing FSP light duty tow service contracts and extend periods of performance.

## **BACKGROUND**

FSP is a congestion mitigation program managed in partnership with Metro, CHP and Caltrans serving motorists on all major freeways in Los Angeles County. The Los Angeles County FSP program has the highest benefit to cost ratio of all the statewide FSP programs.

The program utilizes a fleet of roving tow and service trucks designed to reduce traffic congestion by efficiently rendering disabled vehicles operational or by quickly towing those vehicles from the freeway to a designated safe location. Quick removal of motorists and their disabled vehicles from the freeway reduces the chances of further incidents caused by onlookers and impatient drivers. FSP helps save fuel and reduce air polluting emissions by reducing stop-and-go traffic. The service is free to motorists and operates seven days a week during peak commuting hours.

Metro contracts with independent tow service providers for light duty tow service on general purpose lanes on all major freeways in Los Angeles County, 2 light duty contracts on the ExpressLanes (I-110 and I-10), and 2 heavy duty (Big Rig) contracts (I-710 and SR-91). Each weekday, 170 tow and

service trucks are deployed during peak commuting hours.

The annual benefit of the program is as follows:

- For individual beats, an annual Benefit to Cost Ratio of 12:1 - For every \$1 spent there is a \$12 benefit to motorists.
- 325,000 motorist assists
- 9,727,671 hours motorists saved from sitting in traffic
- 16,721,867 gallons of fuel savings
- Approximately 147,000,000 kg of CO2 reductions
- The average motorist wait time for FSP service is 7 minutes (the average wait time for other roadside service is over 30 minutes)
- The Los Angeles County FSP program generates one-half of the cumulative benefits of the 14 FSP programs in the state.

## **DISCUSSION**

Award of contracts for beats 9, 10, 12, 21, 34, 70, and 71 will replace expired or expiring contracts. The beats are comprised of a total of 76.9 centerline miles of freeway using a combination of 33 tow, flatbed, and service trucks. There were 4 responsive and responsible bidders that were eligible for two beats each, for a total of 8 beats; however, only 7 beats are recommended for award due to the higher prices bid. Staff did not recommend the award of the 8<sup>th</sup> beat given the hourly cost associated with the beat as it was not in the best interest of the Agency or the best use of public funds. Beats not awarded in IFB FS66316 will be included in the next solicitation for FSP light duty tow service.

Within the past 4 years, the towing industry has been greatly impacted by rising liability and workers compensation insurance premiums as well as a steady increase in the price of fuel, tow trucks, maintenance and repairs due to changing emissions standards. This coupled with Metro's living wage and minimum insurance limits with minimum insurer ratings requirements has increased the cost of service and appears to have reduced the number of tow service providers bidding on FSP contracts. Without sufficient bidders, costs could continue to escalate.

Once contracts are awarded, Contractors will have a 12 to 16-week mobilization period to complete the required startup activities to begin service. The following list comprises the majority of the activities that must be completed in order to provide FSP service:

- Purchase vehicle chassis and beds
- Build vehicles to FSP specifications (6-8 weeks)
- Metro Radio Shop installation of communications equipment (2-3 weeks)
- Hire and train prospective FSP drivers
- CHP testing and certification of FSP drivers
- Obtain program supplies
- CHP inspection and certification of contract vehicles

Additional funds are needed to extend and replenish existing FSP contracts, in anticipation of the phased startup of the seven contracts (Recommendations A, B, C, and D) and the award and startup of additional individual beat contracts in FY2021.

Authorizing contract modification authority and extending the period of performance will ensure seamless and efficient operation of the FSP program. Increased CMA will also provide funds to address increased operating costs such as insurance and fuel and will also replenish funding to contracts that provide support to Caltrans construction projects through a Cooperative Agreement which reimburses Metro for FSP support. The FSP program currently expends up to \$75,000 each month to support Caltrans construction projects.

### **DETERMINATION OF SAFETY IMPACT**

The FSP Program enhances safety on Los Angeles County freeways by assisting motorists with disabled vehicles, towing vehicles from freeway lanes to prevent secondary accidents, and removing debris/obstacles from lanes that can be a hazard to motorists.

### **FINANCIAL IMPACT**

The amount of \$1,765,000 for CMA, and first year startup and operational costs of \$715,377 for beats 9, 10, 12, 21, 34, 71, & 71 is included in the FY20 budget in cost center 3352, Metro Freeway Service Patrol, under project number 300070. Since this action includes multi-year contracts, the cost center manager and Executive Officer, Congestion Reduction will be responsible for budgeting funds in future years.

#### **Impact to Budget**

The FSP program is funded through a combination of dedicated state funds, SB1 funding and Proposition C 25% sales tax. These funds are not eligible for Metro Bus and Rail Operating and Capital expenses. Metro is also reimbursed for the services provided to support Caltrans construction projects.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The FSP Program aligns with Strategic **Goal 1: Provide high quality mobility options that enable people to spend less time traveling.** The program mitigates congestion on all major freeways in Los Angeles County.

### **ALTERNATIVES CONSIDERED**

The Board may decide not to award the contracts or authorize the increase in contract modification

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authority. This alternative is not recommended as it will adversely impact the existing contracts and the level and quality of FSP service provided in Los Angeles County.

**NEXT STEPS**

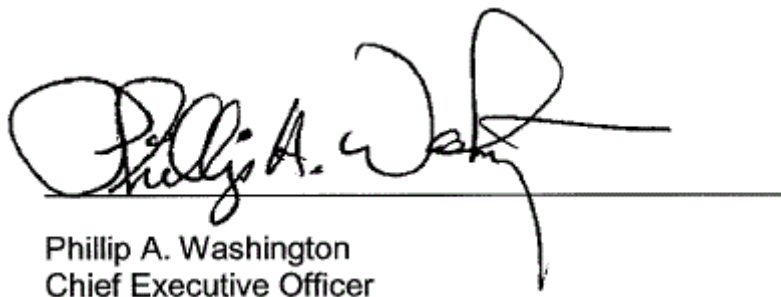
Upon Board approval, staff will execute the necessary contracts to assure efficient and seamless delivery of the FSP program.

**ATTACHMENTS**

- Attachment A - Procurement Summary
- Attachment B - Procurement Summary (Various Beats)
- Attachment C - Contract Modification Authority Summary
- Attachment D - Contract Modification/Change Order Log
- Attachment E - DEOD Summary
- Attachment F - FSP Beat Map

Prepared by: John Takahashi, Senior Highway Operations Manager, (213) 418-3271

Reviewed by: Shahrzad Amiri, Executive Officer, Congestion Reduction, (213) 922-3061  
Debra Avila, Chief Vendor/Contract Management, (213) 418-3051



Phillip A. Washington  
Chief Executive Officer



## PROCUREMENT SUMMARY

## Freeway Service Patrol Light Duty Towing Individual Beats

1.	<b>Contract Numbers:</b> FS66316000-34, FS66316001-71, FS66316002-10, FS66316003-9, FS66316004-12, FS66316005-21, FS66316006-70	
2.	<b>Recommended Vendors:</b> Disco Auto Sales, Inc. dba Hollywood Car Carrier Hovanwil, Inc. dba Jon's Towing Sonic Towing, Inc. South Coast Towing, Inc.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> RFP <input checked="" type="checkbox"/> IFB <input type="checkbox"/> IFB-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> October 4, 2019	
	<b>B. Advertised/Publicized:</b> October 7, 2019	
	<b>C. Pre-bid Conference:</b> October 16, 2019	
	<b>D. Bids Due:</b> November 21, 2019	
	<b>E. Pre-Qualification Completed:</b> January 23, 2020	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> December 18, 2019	
	<b>G. Protest Period End Date:</b> February 26, 2020	
5.	<b>Solicitations Picked up/Downloaded:</b> 51	<b>Bids Received:</b> 18
6.	<b>Contract Administrator:</b> DeValory Donahue	<b>Telephone Number:</b> (213) 922-4726
7.	<b>Project Manager:</b> John Takahashi	<b>Telephone Number:</b> (213) 418- 3271

**A. Procurement Background**

This Board Action is to approve the Freeway Services Patrol (FSP) Light Duty Towing Contract Nos. FS66316000-34, FS66316001-71, FS66316002-10, FS66316003-9, FS66316004-12, FS66316005-21, FS66316006-70 in support of the FSP program for a four-year contract term. These services will be performed on beats covering designated areas within Los Angeles County. Board approval of contract awards are subject to the resolution on any properly submitted protest.

The Freeway Service Patrol Invitation for Bid (IFB) was issued as a competitive procurement in accordance with Metro's Acquisition Policy for sealed bids.

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

- Amendment No. 1, issued on October 30, 2019 extended the Bid Due date
- Amendment No. 2, issued on November 5, 2019 extended the Bid Due date
- Amendment No. 3, issued on November 7, 2019 extended the Bid due date

A pre-bid conference was held on October 16, 2019 and was attended by 31 participants representing 26 firms. A total of 24 questions were received, and Metro provided responses prior to the bid due date.

**B. Evaluation of Bids**

A total of 18 bids were received on November 21, 2019 for 17 towing beats from the firms listed below in alphabetical order:

1. All-American Towing
2. All City Tow Service, Inc.
3. Bob & Dave's Towing, Inc.
4. Citywide Towing, Inc.
5. Classic Club Service, Inc.
6. Classic Tow, Inc. dba Tip-Top Tow Service
7. Disco Auto Sales, Inc. dba Hollywood Car Carrier
8. E & S Towing Enterprises dba Steve's Towing
9. Freeway Towing, Inc.
10. Hadley Tow, Inc.
11. Hovanwil, Inc. dba Jon's Towing
12. Mid Valley Towing, Inc.
13. Neighborhood Towing 4 U, Inc.
14. Reliable Delivery Service, Inc.
15. Safeway Towing, Inc. dba Bob's Towing
16. Seventh Street Garage, Inc.
17. Sonic Towing, Inc.
18. South Coast Towing, Inc.

The 18 bids received from the firms above were evaluated by staff from the Congestion Reduction Department. Each firm was required to meet mandatory minimum eligibility criteria, as specified in the IFB, in order to be qualified as technically acceptable and responsive. Of the 18 bids received, 14 firms were deemed non-responsive because they did not meet mandatory minimum eligibility criteria and/or DEOD requirements, as specified in the IFB. Staff conducted on-site visits and inspections at the recommended firms' locations.

Four of the 18 firms are being recommended for contract award as follows: Disco Auto Sales, Inc. dba Hollywood Car Carrier, Hovanwil, Inc. dba Jon's Towing, Sonic Towing, Inc. and South Coast Towing, Inc.

### C. Price Analysis

Four firms were determined to have submitted the lowest, responsive, responsible bids and are recommended for award of 7 beats as listed below in alphabetical order:

Bidder	Beat	Bid Amount	ICE	Award Amount
<b>Disco Auto Sales, Inc. dba Hollywood Car Carrier</b>	<b>Beat 34</b>	\$3,567,060.00	\$3,219,667.99	\$3,567,060.00
	<b>Beat 71 (ExpressLanes)</b>	\$8,515,325.00	\$7,905,627.73	\$8,515,325.00
<b>Hovanwil, Inc. dba Jon's Towing</b>	<b>Beat 10</b>	\$4,306,768.50	\$3,578,401.75	\$4,306,768.50

<b>Sonic Towing, Inc.</b>	<b>Beat 9</b>	\$3,765,230.00	\$3,219,667.99	\$3,765,230.00
	<b>Beat 12</b>	\$3,898,346.88	\$3,268,977.64	\$3,898,346.88
<b>South Coast Towing</b>	<b>Beat 21</b>	\$3,460,726.00	\$3,268,977.64	\$3,460,726.00
	<b>Beat 70 (ExpressLanes)</b>	\$6,824,652.00	\$7,017,729.18	\$6,824,652.00

**D. Background on Recommended Contractors**

**Disco Auto Sales dba Hollywood Car Carrier**

The recommended firm, Hollywood Car Carrier located in Los Angeles, has been in business for 35 years and is a leader in the towing industry. Hollywood Car Carrier has been a Metro contractor since 2004 and is a certified Freeway Service Patrol operator.

**Hovanwil, Inc. dba Jon's Towing**

The recommended firm, Jon's Towing located in Sun Valley, California, has been in business for 17 years, and is a leader in the towing industry. Jon's Towing has been a Metro contractor since 2004 and is a certified Freeway Service Patrol operator.

**Sonic Towing, Inc.**

The recommended firm, Sonic Towing located in Los Angeles, has been in business for 16 years, and is a leader in the towing industry. Sonic Towing has been a Metro contractor since 2004 and is a certified Freeway Service Patrol operator.

**South Coast Towing, Inc.**

The recommended firm, South Coast Towing located in Los Angeles, has been in business for 26 years and is a leader in the towing industry. South Coast Towing has been a Metro contractor since 2001 and is a certified Freeway Service Patrol operator.

## PROCUREMENT SUMMARY

## METRO FREEWAY SERVICE PATROL/VARIOUS BEATS

1.	<b>Contract Number:</b> Various, See Attachment C		
2.	<b>Contractor:</b> Various, See Attachment C		
3.	<b>Mod. Work Description:</b> General Redeployment Support, Caltrans Construction, Special Event Support, Service Coverage		
4.	<b>Contract Work Description:</b> Freeway Service Patrol		
5.	<b>The following data is current as of:</b> February 6, 2020		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	Various	<b>Contract Award Amount:</b> Various, See Attachment C
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> Various, See Attachment C
	<b>Original Complete Date:</b>	N/A	<b>Pending Modifications (including this action):</b> Various, See Attachment D
	<b>Current Est. Complete Date:</b>	Various	<b>Current Contract Value (with this action):</b> Various, See Attachment D
7.	<b>Contract Administrator:</b> DeValory Donahue		<b>Telephone Number:</b> (213)-922-4726
8.	<b>Project Manager:</b> John Takahashi		<b>Telephone Number:</b> (213) 418-3271

**A. Procurement Background**

This Board Action is to approve Contract Modification Authority (CMA) for multiple firm fixed unit rate contracts (see Attachment C-Contract Modification Authority Summary) for towing services in support of the Metro Freeway Service Patrol (FSP) program.

The proposed CMA increase for 29 FSP general purpose lane contracts in the amount of \$8,200,000 will continue required towing services for the FSP program and extend the period of performance to support unanticipated events, redeployment, and support during freeway construction work, and service delivery until new contracts are established.

Attachment C - Contract Modification Authority Summary shows the list of contracts that require an increase in CMA.

Attachment D - Contract Modification/Change Order Log shows that modifications have been issued to date and no contract modifications are currently in negotiations or pending.

**B. Cost**

Contract modifications that are required in the future will be deemed fair and reasonable prior to execution.

# ATTACHMENT C

ATTACHMENT C							
CONTRACT MODIFICATION AUTHORITY (CMA) SUMMARY							
METRO FREEWAY SERVICE PATROL							
TOWING SERVICES FOR GENERAL PURPOSE LANES							
Beat	Contractor	Contract No.	Original Contract Value	Original CMA	Additional Approved CMA	Requested CMA Increase	Revised Total CMA
1	All City Tow	FSP2828200FSP141	\$1,651,224.00	\$165,122.00	\$484,000.00	\$190,000.00	\$839,122.00
2	Citywide Towing	FSP2785600FSP142	\$1,562,049.00	\$156,204.00	\$448,000.00	\$340,000.00	\$944,204.00
3	Hollywood Car Carrier	FSP3469400B3/43	\$1,915,326.00	\$191,532.00	\$849,000.00	\$240,000.00	\$1,280,532.00
5	Sonic Towing, Inc.	FSP3469500B5/17	\$1,808,057.00	\$180,805.00	\$320,000.00	\$490,000.00	\$990,805.00
6	Neighborhood Towing 4 U	FSP3469600B6	\$1,760,238.00	\$176,023.00	\$338,000.00	\$500,000.00	\$1,014,023.00
7	Girard & Peterson	FSP3469900B7/11	\$2,891,301.00	\$289,130.00	\$0.00	\$0.00	\$289,130.00
8	Citywide Towing	FSP2825800FSP148	\$1,562,049.00	\$156,204.00	\$488,000.00	\$215,000.00	\$859,204.00
10	Neighborhood Towing 4 U	FSP3848100FSP1410	\$1,717,924.00	\$171,792.00	\$610,000.00	\$320,000.00	\$1,101,792.00
11	Girard & Peterson	FSP3469900B7/11	\$2,891,301.00	\$289,130.00	\$0.00	\$0.00	\$289,130.00
12	Tip Top Tow	FSP2826700FSP14	\$2,312,650.00	\$231,265.00	\$796,000.00	\$125,000.00	\$1,152,265.00
13	Reliable Delivery Service	FSP2831500FSP1413	\$2,230,847.00	\$223,084.00	\$915,000.00	\$300,000.00	\$1,438,084.00
17	Sonic Towing, Inc.	FSP3469500B5/17	\$1,782,209.00	\$178,220.00	\$241,000.00	\$475,000.00	\$894,220.00
18	Bob & Dave's Towing, Inc.	FSP2690300FSP1418	\$2,486,760.00	\$248,676.00	\$695,000.00	\$280,000.00	\$1,223,676.00
20	Bob's Towing	FSP2836600FSP1420	\$2,292,530.00	\$229,253.00	\$211,000.00	\$200,000.00	\$640,253.00
21	Bob's Towing	FSP2839000FSP1421	\$2,292,530.00	\$229,253.00	\$153,000.00	\$110,000.00	\$492,253.00
24	T.G. Towing, Inc.	FSP2833200FSP1424	\$1,753,911.00	\$175,391.00	\$605,000.00	\$580,000.00	\$1,360,391.00
27	Hovanwil, Inc. dba Jon's Towing	FSP3470400B27/39	\$2,594,126.00	\$259,412.00	\$0.00	\$355,000.00	\$614,412.00
28	Hadley Tow	FSP3847300FSP1428	\$2,293,737.00	\$229,373.00	\$99,000.00	\$145,000.00	\$473,373.00
29	Platinum Tow & Transport, Inc.	FSP3470600B29	\$3,012,024.00	\$301,202.00	\$0.00	\$0.00	\$301,202.00
31	Navarro's Towing	FSP3470700B31/50	\$2,909,952.00	\$290,995.00	\$0.00	\$375,000.00	\$665,995.00
33	Mid Valley Towing	FSP2851900FSP1433	\$1,671,437.00	\$167,143.00	\$646,000.00	\$180,000.00	\$993,143.00
34	South Coast Towing, Inc.	FSP2839600FSP1434	\$1,724,050.00	\$172,405.00	\$607,000.00	\$270,000.00	\$1,049,405.00
36	Hadley Tow	FSP2841400FSP1436	\$1,932,125.00	\$193,212.00	\$638,000.00	\$105,000.00	\$936,212.00
37	Reliable Delivery Service	FSP3696000FSP1437	\$1,898,072.00	\$189,807.00	\$690,000.00	\$200,000.00	\$1,079,807.00
38	Steve's Towing	FSP38468001438	\$2,263,556.00	\$226,355.00	\$106,000.00	\$215,000.00	\$547,355.00
39	Hovanwil, Inc. dba Jon's Towing	FSP5966400FSPB39	\$2,152,353.00	\$215,235.00	\$253,000.00	\$470,000.00	\$938,235.00
42	Platinum Tow & Transport, Inc.	FSP2842100FSP1442	\$1,765,665.00	\$176,566.00	\$585,000.00	\$100,000.00	\$861,566.00
43	Hollywood Car Carrier	FSP3469400B3/43	\$1,915,326.00	\$191,532.00	\$828,000.00	\$300,000.00	\$1,319,532.00
50	Navarro's Towing	FSP3470700B31/50	\$3,283,230.00	\$328,323.00	\$0.00	\$220,000.00	\$548,323.00
70	Tip Top Tow	FSP3471300B70	\$3,885,770.00	\$388,577.00	\$920,000.00	\$260,000.00	\$1,568,577.00
71	Bob & Dave's Towing, Inc.	FSP3471500B71	\$5,455,123.12	\$545,512.00	\$932,000.00	\$250,000.00	\$1,727,512.00
R1	Kenny's Auto Service	FSP13-R1	\$15,428,224.00	\$1,542,822.00	\$3,151,000.00	\$390,000.00	\$5,083,822.00
<b>Totals</b>					<b>\$16,608,000.00</b>	<b>\$8,200,000.00</b>	<b>\$33,517,555.00</b>

**ATTACHMENT D**

**CONTRACT MODIFICATION/CHANGE ORDER LOG**

**METRO FREEWAY SERVICE PATROL  
TOWING SERVICES FOR GENERAL PURPOSE LANES**

**CONTRACT No. FSP2828200FSP14-1**

**BEAT No. 1**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	5/7/2018	\$0.00
2	Period of Performance	Approved	7/27/2018	\$0.00
3	Period of Performance	Approved	12/19/2018	\$165,122.00
4	Add Funding	Approved	4/16/2019	\$265,000.00
5	Add Funding	Approved	7/25/2019	\$219,000.00
	<b>Modification Total:</b>			<b>\$649,122.00</b>
	<b>Original Contract:</b>			<b>\$1,651,224.00</b>
	<b>Total:</b>			<b>\$2,300,346.00</b>

**CONTRACT No. FPS278650014-2**

**BEAT No. 2**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	5/10/2018	\$0.00
2	Period of Performance	Approved	7/27/2018	\$0.00
3	Add Funding	Approved	10/23/2014	\$156,204.00
4	Add Funding	Approved	12/13/2018	\$190,000.00
5	Add Funding	Approved	7/25/2019	\$258,000.00
	<b>Modification Total:</b>			<b>\$604,204.00</b>
	<b>Original Contract:</b>			<b>\$1,562,049.00</b>
	<b>Total:</b>			<b>\$2,166,253.00</b>

**CONTRACT No. FSP3469400B3/43**

**BEAT No. 3**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$849,000.00
	<b>Modification Total:</b>			<b>\$849,000.00</b>
	<b>Original Contract:</b>			<b>\$1,915,326.00</b>
	<b>Total:</b>			<b>\$2,764,326.00</b>

**CONTRACT No. FSP3469500B5/17**

**BEAT No. 5**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	6/27/2019	\$0.00
2	Add Funding and Period of Performance	Approved	7/25/2019	\$320,000.00
	<b>Modification Total:</b>			<b>\$320,000.00</b>
	<b>Original Contract:</b>			<b>\$1,808,057.00</b>
	<b>Total:</b>			<b>\$2,128,057.00</b>

**CONTRACT No. FSP346960B6**

**BEAT No. 6**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	6/27/2019	\$0.00
2	Add Funding and Extend Period of Performance	Approved	7/25/2019	\$338,000.00
	<b>Modification Total:</b>			<b>\$338,000.00</b>



	<b>Original Contract:</b>			<b>\$1,760,238.00</b>
	<b>Total:</b>			<b>\$2,098,238.00</b>

**CONTRACT No. FSP2825800FSP14-8**

**BEAT No. 8**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	5/30/2018	\$0.00
2	Period of Performance	Approved	8/29/2018	\$0.00
3	Add Funding	Approved	10/23/2014	\$156,204.00
4	Period of Performance	Approved	6/6/2019	\$195,000.00
5	Add Funding and Period of Performance	Approved	7/25/2019	\$293,000.00
	<b>Modification Total:</b>			<b>\$644,204.00</b>
	<b>Original Contract:</b>			<b>\$1,562,049.00</b>
	<b>Total:</b>			<b>\$2,206,253.00</b>

**CONTRACT No. FSP3848100FSP1410**

**BEAT No. 10**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	8/20/2018	\$0.00
2	Add Funding and Period of Performance	Approved	10/23/2014	\$171,792.00
3	Add Funding and Period of Performance	Approved	7/25/2019	\$610,000.00
	<b>Modification Total:</b>			<b>\$781,792.00</b>
	<b>Original Contract:</b>			<b>\$1,717,924.00</b>
	<b>Total:</b>			<b>\$2,499,716.00</b>

**CONTRACT No. FSP2826700FSP14**

**BEAT No. 12**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$796,000.00
	<b>Modification Total:</b>			<b>\$796,000.00</b>
	<b>Original Contract:</b>			<b>\$2,312,650.00</b>
	<b>Total:</b>			<b>\$3,108,650.00</b>

**CONTRACT No. FSP2831500FSP1413**

**BEAT No. 13**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	4/30/2018	\$0.00
2	Period of Performance	Approved	8/31/2018	\$0.00
3	Add Funding	Approved	10/23/2014	\$223,084.00
4	Period of Performance	Approved	12/21/2018	\$0.00
5	Add Funding and Period of Performance	Approved	7/27/2018	\$475,000.00
6	Add Funding and Period of Performance	Approved	7/25/2019	\$440,000.00
	<b>Modification Total:</b>			<b>\$1,138,084.00</b>
	<b>Original Contract:</b>			<b>\$2,230,847.00</b>
	<b>Total:</b>			<b>\$3,368,931.00</b>

**CONTRACT No. FSP3470200B17**

**BEAT No. 17**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/27/2018	\$241,000.00
	<b>Modification Total:</b>			<b>\$241,000.00</b>

		<b>Original Contract:</b>		<b>\$1,782,209.00</b>
		<b>Total:</b>		<b>\$2,023,209.00</b>

**CONTRACT No. FSP2690300FSP14-18**

**BEAT No. 18**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	4/28/2015	\$0.00
2	Period of Performance	Approved	5/16/2019	\$0.00
3	Period of Performance	Approved	6/14/2019	\$0.00
4	Add Funding and Period of Performance	Approved	7/25/2019	\$695,000.00
	<b>Modification Total:</b>			<b>\$695,000.00</b>
	<b>Original Contract:</b>			<b>\$ 2,486,760.00</b>
	<b>Total:</b>			<b>\$3,181,760 .00</b>

**CONTRACT No. FSP2836600FSP14-20**

**BEAT No. 20**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$211,000.00
	<b>Modification Total:</b>			<b>\$211,000.00</b>
	<b>Original Contract:</b>			<b>\$2,292,530.00</b>
	<b>Total:</b>			<b>\$2,503,530.00</b>

**CONTRACT No. FSP2839000FSP14-21**

**BEAT No. 21**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
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1	Add Funding and Period of Performance	Approved	7/25/2019	\$153,000.00
	<b>Modification Total:</b>			<b>\$153,000.00</b>
	<b>Original Contract:</b>			<b>\$2,292,530.00</b>
	<b>Total:</b>			<b>\$ 2,445,530.00</b>

**CONTRACT No. FSP2833200FSP14-24**

**BEAT No. 24**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	5/26/2018	\$0.00
2	Period of Performance	Approved	8/28/2018	\$0.00
3	Period of Performance	Approved	10/23/2014	\$175,391.00
4	Add Funding and Period of Performance	Approved	12/13/2018	\$330,000.00
5	Period of Performance	Approved	8/30/2019	\$0.00
6	Period of Performance	Approved	9/27/2019	\$0.00
7	Period of Performance	Approved	10/31/2019	\$0.00
8	Period of Performance	Approved	11/27/2019	\$0.00
9	Add Funding and Period of Performance	Approved	12/6/2019	\$275,000.00
	<b>Modification Total:</b>			<b>\$780,391.00</b>
	<b>Original Contract:</b>			<b>\$1,753,911 .00</b>
	<b>Total:</b>			<b>\$2,534,302 .00</b>

**CONTRACT No. FSP3847300FSP1428-28**

**BEAT No. 28**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$99,000.00
	<b>Modification Total:</b>			<b>\$99,000.00</b>

	<b>Original Contract:</b>			<b>\$2,293,737.00</b>
	<b>Total:</b>			<b>\$2,392,737.00</b>

**CONTRACT No. FSP2851900FSP14-33**

**BEAT No. 33**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	6/22/2018	\$0.00
2	Add Funding and Period of Performance	Approved	10/23/2014	\$167,143.00
3	Add Funding and Period of Performance	Approved	12/13/2018	\$380,000.00
	<b>Modification Total:</b>			<b>\$547,143.00</b>
	<b>Original Contract:</b>			<b>\$1,671,437.00</b>
	<b>Total:</b>			<b>\$2,218,580.00</b>

**CONTRACT No. FSP2839600FSP1434**

**BEAT No. 34**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	6/22/2018	\$0.00
2	Add Funding and Period of Performance	Approved	10/23/2014	\$172,405.00
3	Add Funding and Period of Performance	Approved	7/25/2019	\$607,000.00
	<b>Modification Total:</b>			<b>\$779,405.00</b>
	<b>Original Contract:</b>			<b>\$1,724,050.00</b>
	<b>Total:</b>			<b>\$2,503,455.00</b>

**CONTRACT No. FSP2841400FSP14-36****BEAT No. 36**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	6/19/2018	\$0.00
2	Add Funding	Approved	10/23/2014	\$193,212.00
3	Add Funding and Period of Performance	Approved	7/25/2019	\$638,000.00
	<b>Modification Total:</b>			<b>\$831,212.00</b>
	<b>Original Contract:</b>			<b>\$1,932,125.00</b>
	<b>Total:</b>			<b>\$2,763,337 .00</b>

**CONTRACT No. FSP363600FSP1437****BEAT No. 37**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$690,000.00
	<b>Modification Total:</b>			<b>\$690,000.00</b>
	<b>Original Contract:</b>			<b>\$1,671,437.00</b>
	<b>Total:</b>			<b>\$2,361,437.00</b>

**CONTRACT No. FSP38468001438****BEAT No. 38**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$106,000.00
	<b>Modification Total:</b>			<b>\$106.000.00</b>
	<b>Original Contract:</b>			<b>\$2,263,556.00</b>
	<b>Total:</b>			<b>\$2,369,556.00</b>

**CONTRACT No. FSP5966400FSP39****BEAT No. 39**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$253,000.00
	<b>Modification Total:</b>			<b>\$253,000.00</b>
	<b>Original Contract:</b>			<b>\$2,152,353.00</b>
	<b>Total:</b>			<b>\$2,405,353.00</b>

**CONTRACT No. FSP2842100FSP14-42****BEAT No. 42**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	7/10/2018	\$0.00
2	Add Funding and Period of Performance	Approved	10/23/2014	\$175,566.00
3	Add Funding and Period of Performance	Approved	7/25/2019	\$585,000.00
	<b>Modification Total:</b>			<b>\$760,566.00</b>
	<b>Original Contract:</b>			<b>\$1,765,665.00</b>
	<b>Total:</b>			<b>\$2,526,231.00</b>

**CONTRACT No. FSP3469400B3/43****BEAT No. 43**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	7/25/2019	\$828,000.00
	<b>Modification Total:</b>			<b>\$828,000.00</b>
	<b>Original Contract:</b>			<b>\$1,915,326.00</b>
	<b>Total:</b>			<b>\$2,743,326.00</b>

**CONTRACT No. FSP3471300B70****BEAT No. 70**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	10/22/2015	\$388,577.00
2	Add Funding and Period of Performance	Approved	7/25/2019	\$920,000.00
	<b>Modification Total:</b>			<b>\$1,308,577.00</b>
	<b>Original Contract:</b>			<b>\$3,885,770.00</b>
	<b>Total:</b>			<b>\$5,194,347.00</b>

**CONTRACT No. FSP3471500B71****BEAT No. 71**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Add Funding and Period of Performance	Approved	12/13/2018	\$480,512.00
2	Add Funding and Period of Performance	Approved	7/25/2019	\$932,000.00
	<b>Modification Total:</b>			<b>\$1,412,512.00</b>
	<b>Original Contract:</b>			<b>\$5,455,124.00</b>
	<b>Total:</b>			<b>\$6,867,636.00</b>

**CONTRACT No. FSP13-R1****BEAT No. R1**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance	Approved	10/26/2018	\$0.00
2	Period of Performance	Approved	5/31/2019	\$0.00
3	Period of Performance	Approved	6/24/2019	\$0.00
4	Add Funding and Period of Performance	Approved	7/25/2019	\$3,151,000.00
	<b>Modification Total:</b>			<b>\$3,151,000.00</b>



		<b>Original Contract:</b>		<b>\$15,428,224.00</b>
		<b>Total:</b>		<b>\$18,579,224.00</b>

## DEOD SUMMARY

## METRO FREEWAY SERVICE PATROL/FS66316

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 7% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this procurement. For Beat 34 and 71, Disco Auto Sales, Inc., dba Hollywood Car Carrier made a 7% SBE and 3.81% DVBE commitment. For Beat 10, Hovanwil, Inc., dba Jon's Towing made a 95% SBE and 3% DVBE commitment. For Beat 9 and 12, Sonic Towing, Inc. made a 95% SBE and 3% DVBE commitment. For Beat 21 and 70, South Coast Towing made a 7% SBE and 3% DVBE commitment.

**Beat 9 - Sonic Towing, Inc.**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>95% SBE 3% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Sonic Towing, Inc. (SBE Prime)	95%
	<b>Total SBE Commitment</b>	<b>95%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels, Inc.	3%
	<b>Total DVBE Commitment</b>	<b>3%</b>

**Beat 10 - Hovanwil, Inc., dba Jon's Towing**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>95% SBE 3% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Hovanwil, Inc., dba Jon's Towing (SBE Prime)	95%
	<b>Total SBE Commitment</b>	<b>95%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels, Inc.	3%
	<b>Total DVBE Commitment</b>	<b>3%</b>

**Beat 12 - Sonic Towing, Inc.**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>95% SBE 3% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Sonic Towing, Inc. (SBE Prime)	95%
	<b>Total SBE Commitment</b>	<b>95%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels, Inc.	3%
	<b>Total DVBE Commitment</b>	<b>3%</b>

**Beat 21 - South Coast Towing, Inc.**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>7% SBE 3% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Hunter Tires, Inc.	7%
	<b>Total SBE Commitment</b>	<b>7%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels	3%
	<b>Total DVBE Commitment</b>	<b>3%</b>

**Beat 34 - Disco Auto Sales, Inc., dba Hollywood Car Carrier**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>7% SBE 3.81% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Hunter Tires, Inc.	7%
	<b>Total SBE Commitment</b>	<b>7%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels	3.81%
	<b>Total DVBE Commitment</b>	<b>3.81%</b>

**Beat 70 - South Coast Towing, Inc.**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>7% SBE 3% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Hunter Tires, Inc.	7%
	<b>Total SBE Commitment</b>	<b>7%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels	3%
	<b>Total DVBE Commitment</b>	<b>3%</b>

**Beat 71 - Disco Auto Sales, Inc., dba Hollywood Car Carrier**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>7% SBE 3.81% DVBE</b>
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	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Hunter Tires, Inc.	7%
	<b>Total SBE Commitment</b>	<b>7%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Oasis Fuels	3.81%
	<b>Total DVBE Commitment</b>	<b>3.81%</b>

**Small Business Participation – Various Beats (Modification)**

The Diversity and Economic Opportunity Department (DEOD) established a 10% Small Business Enterprise (SBE) goal for this procurement. Of the 32 FSP contracts included in this modification, Contractors made SBE commitments for 24 Beats. The FSP Contractors for Beats 5, 6, 10, 17, and 18 are exceeding their SBE commitment(s). 8 of the 32 FSP Contractors are SBE Primes.

The FSP Contractors for Beats 1, 2, 8, 27, 33, 38, 39 and 71 did not make SBE commitments and have no SBE participation. These contracts were procured prior to the 2016 legislative change to the Public Utilities Code that authorized meeting the SBE goal as a condition of award for non-federal IFB procurements.

The FSP Contractors for Beats 3, 7, 11, 12, 28, 31, 34, 36, 43, 50, and 70 have participation levels below their respective commitment levels and are in shortfall. FSP Contractors for all the Beats in shortfall were notified of their responsibility to meet their SBE commitments by making up the lost participation with other eligible SBE firm(s) or demonstrating a good faith effort to do so.

Notwithstanding, Metro Project Managers and Contract Administrators will work in conjunction with DEOD to ensure that the FSP Contractors are on schedule to meet or exceed their SBE commitments. Additionally, key stakeholders associated with

the contract have been provided access to Metro’s tracking and monitoring system to ensure that all parties are actively tracking Small Business progress.

**Beat 1 – All City Tow – no commitment**

**Beat 2 – Citywide Towing – no commitment**

**Beat 3 – Disco Auto Sales dba Hollywood Car Carrier**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuels	10.20%	N/A*
	<b>Total</b>	<b>10.20%</b>	<b>0.00%</b>

**Beat 5 – Sonic Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Sonic Towing, Inc. (SBE Prime)	Added	63.64%
2.	Casanova Towing Equipment	16.70%	0.00%
	<b>Total</b>	<b>16.70%</b>	<b>63.64%</b>

**Beat 6 – Neighborhood Towing 4U**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Neighborhood Towing 4U, Inc. (SBE Prime)	Added	32.38%
2.	Casanova Towing Equipment	16.70%	0.00%
	<b>Total</b>	<b>16.70%</b>	<b>32.38%</b>

**Beat 7 – Girard & Peterson**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuels	1.45%	N/A*
2.	Buchanan & Associates	1.20%	1.32%
3.	Casanova Towing Equipment	1.38%	0.59%
	<b>Total</b>	<b>4.03%</b>	<b>1.91%</b>

**Beat 8 – Citywide Towing – no commitment**

**Beat 10 – Neighborhood Towing 4 U**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Neighborhood Towing 4 U (SBE Prime)	10.02%	23.01%
2.	AAA Oils, Inc.	Added	6.80%
	<b>Total</b>	<b>10.02%</b>	<b>29.10%</b>

**Beat 11 – Girard & Peterson**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuels	1.45%	N/A*
2.	Buchanan & Associates	1.20%	1.34%
3.	Casanova Towing Equipment	1.38%	0.71%
	<b>Total</b>	<b>4.03%</b>	<b>2.05%</b>

**Beat 12 –Tip Top Tow**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	10.20%	2.17%
	<b>Total</b>	<b>10.20%</b>	<b>2.17%</b>

**Beat 13 – Reliable Delivery Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Reliable Delivery Service (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 17 – Sonic Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Sonic Towing, Inc. (SBE Prime)	Added	61.44%
2.	Casanova Towing Equipment	16.70%	0.00%
	<b>Total</b>	<b>16.70%</b>	<b>61.44%</b>

**Beat 18 – Bob & Dave’s Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Deborah Dyson Electrical	4.95%	10.19%
2.	JCM & Associates	0.12%	0.90%
	<b>Total</b>	<b>5.07%</b>	<b>11.09%</b>

**Beats 20 and 21 – Safeway Towing Services, Inc. dba Bob’s Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Bob’s Towing (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 24 – T.G. Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	T. G. Towing, Inc. (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 27 – Hovanwil, Inc. dba Jon’s Towing – no commitment****Beat 28 – FMG, Inc. dba Hadley Tow**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	18.83%	7.51%
2.	Manatek Insurance	2.62%	4.83%
	<b>Total</b>	<b>21.45%</b>	<b>12.34%</b>

**Beat 29 – Platinum Tow & Transport**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Platinum Tow Transport (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 31 – Navarro’s Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuel	6.00%	N/A*
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 33 – Mid Valley Towing – no commitment****Beat 34 – South Coast Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuel	11.31%	8.57%
	<b>Total</b>	<b>11.31%</b>	<b>8.57%</b>

**Beat 36 – Hadley Tow**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuel	16.77%	7.13%
2.	Manatek Insurance	2.33%	4.53%
	<b>Total</b>	<b>19.10%</b>	<b>11.66%</b>

**Beat 37 – Reliable Delivery Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Reliable Delivery Service (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 38 – Steve’s Towing – no commitment****Beat 39 – Hovanwil, Inc. dba Jon’s Towing – no commitment****Beat 42 – Platinum Tow & Transport**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Platinum Tow & Transport (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 43 – Disco Auto Sales dba Hollywood Car Carrier**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuels	10.20%	N/A*
	<b>Total</b>	<b>10.20%</b>	<b>0.00%</b>

**Beat 50 – Navarro’s Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	6.00%	N/A*
	<b>Total</b>	<b>6.00%</b>	<b>0.00%</b>

**Beat 70 – Tip Top Tow Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	10.20%	N/A*
	<b>Total</b>	<b>10.20%</b>	<b>0.00%</b>

**Beat 71 – Bob & Dave’s Towing, Inc – no commitment**

**R1 – Kenny’s Auto Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Kenny’s Auto Service	100%	
	<b>Total</b>	<b>100%</b>	

\*Firm ineligible to receive participation credit

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

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of **\$20.59 per hour (\$15.25 base + \$5.34 health benefits)**, including yearly increases. The increase may be up to 3% of the total wage, annually. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

**C. Prevailing Wage Applicability**

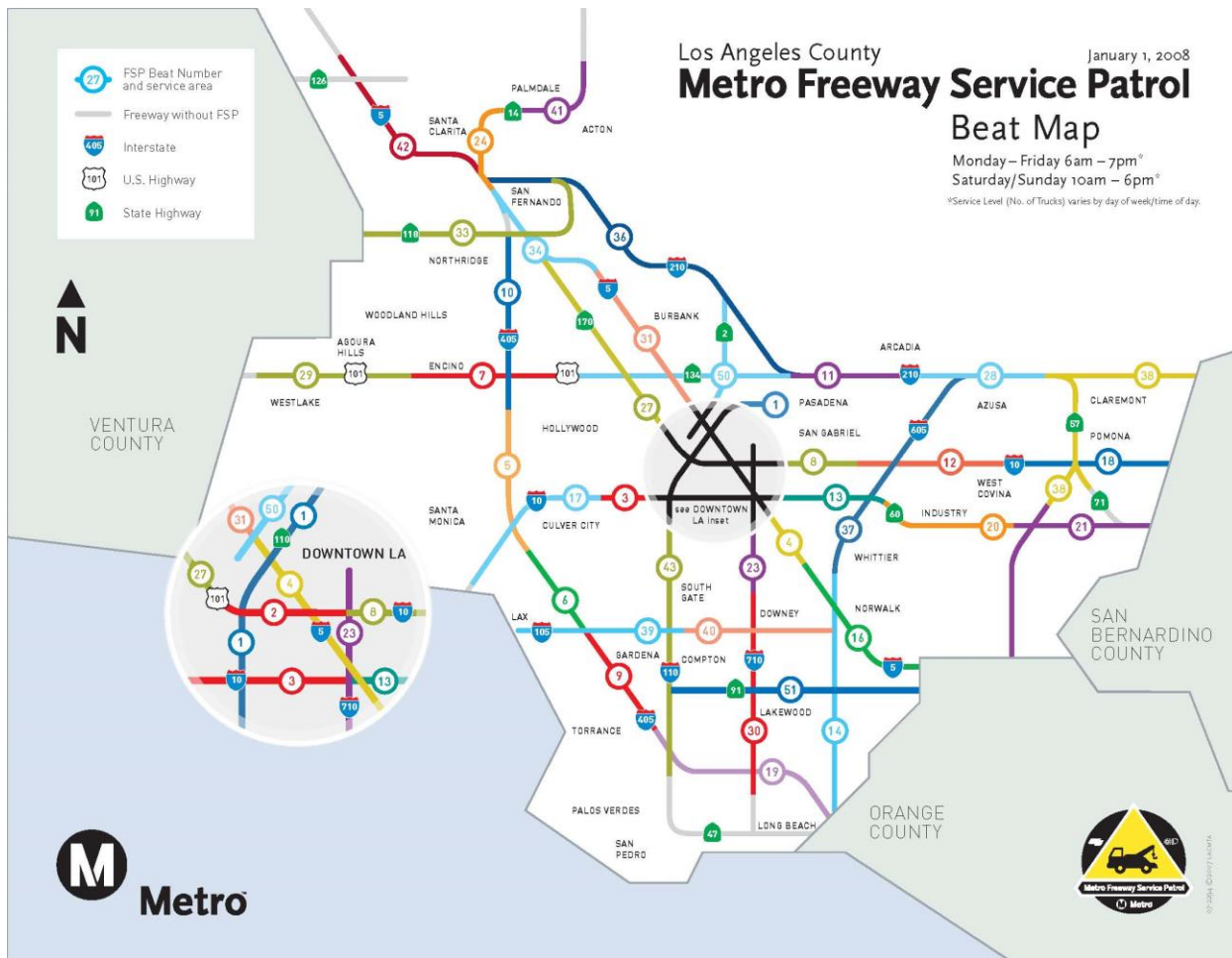
Prevailing wage is not applicable to this contract.

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

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





Metro

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

## Board Report

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**File #:** 2019-0756, **File Type:** Project

**Agenda Number:** 31.

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## PROCUREMENT SUMMARY

## SYSTEMS ENGINEERING SUPPORT SERVICES / CONTRACT NO. AE47810E0128

1.	<b>Contract Number:</b> AE47810E0128			
2.	<b>Contractor:</b> SECOTrans (Joint Venture of LTK Engineering Services, NBA Engineering Inc., Pacific Railway Enterprises Inc., and Ramos Consulting Services, Inc.).			
3.	<b>Mod. Work Description:</b> Increase not-to-exceed amount in the amount of \$15,000,000, from \$28,932,000 to \$43,932,000 and issue Task Order No. E0128-016 Rail Operations Center (ROC) / Bus Operations Center (BOC) Architectural and Engineering Systems Design Services.			
4.	<b>Work Description:</b> Systems Engineering Support Services			
5.	<b>The following data is current as of:</b> December 17, 2019			
6.	<b>Contract Completion Status:</b>		<b>Financial Status:</b>	
	<b>Award Date:</b>	<b>April 26 2018</b>	<b>Board Approved NTE Amount:</b>	<b>\$28,932,000</b>
	<b>Notice to Proceed (NTP):</b>	<b>June 14, 2018</b>	<b>Total Contract Modification Authority (CMA):</b>	<b>N/A</b>
	<b>Original Completion Date:</b>	<b>June 14, 2025</b>	<b>Value of Task Orders and Mods. Issued to Date (including this action):</b>	<b>\$24,762,374</b>
	<b>Current Est. Complete Date:</b>	<b>June 14, 2025</b>	<b>Remaining Board Approved Amount:</b>	<b>\$4,169,626</b>
7.	<b>Contract Administrator:</b> <b>Diana Sogomonyan</b>		<b>Telephone Number:</b> <b>(213) 922-7243</b>	
8.	<b>Project Manager:</b> <b>Ron Tien</b>		<b>Telephone Number:</b> <b>((213) 418-3445</b>	

**A. Contract Action Summary**

On April 26, 2018, the Board of Directors approved award of Contract No. AE47810E0128 Systems Engineering and Support Services, in the amount not-to-exceed \$28,932,000, to supplement Metro's Engineering Department resources in providing engineering services for projects in varying stages of conceptual design, preliminary engineering, final design, bidding for construction, and design support during construction (DSDC), including the following: program management, quality, and computer aided design and drafting (CADD); design services concerning train control, communications systems, traction power, and overhead catenary systems (OCS); operational runtime simulation and modeling, corrosion control, system integration, facilities and system-wide electrical, facilities mechanical, facilities plumbing, and facilities fire protection. The Period of Performance for the Contract is seven (7) years from NTP and includes three (3) one-year options to be exercised at Metro's sole discretion.

Forty-nine (49) Task Orders have been issued to SECOTrans to date. Four (4) Contract Modifications have been issued for zero dollars.

This Board action is to approve an increase to the total authorized funding for Contract No. AE47810E0128, to negotiate and execute Task Order No. E0128-TO-016 Rail Operations Center (ROC) / Bus Operations Center (BOC) Architectural and Engineering Systems Design Services in an amount not-to-exceed \$15,000,000.

Task Order No. E0128-TO-016 Scope of Work consists of developing the space and systems design for the ROC and BOC into the Emergency Security Operations Center (ESOC). The Consultant will provide state-of-the-art design, allowing for the continued application and utilization of technological advances to streamline operations while supplying a safe, effective, efficient, and scalable work environment for Metro personnel. The Consultant will provide space and systems schematic design recommendations on the best ways that the ROC and BOC can be integrated within The Center Street Project. Furthermore, the Consultant will design conversion of the existing ROC to a redundant secondary backup ROC and BOC, to ensure the seamless transition of communication, command and control.

The Task Order to the Contract will be processed in accordance with Metro’s Acquisition Policy. Contract No. AE47810E0128 is a cost plus fixed fee (CPFF) Contract.

**B. Cost/Price Analysis**

The final negotiated amount will comply with all requirements of Metro’s Acquisition Policy and Procedures. A cost analysis will be performed, taking into consideration the completed Independent Cost Estimate and technical audit, utilizing labor and indirect cost rates already establish in the contract.

COST SCHEDULE PROPOSAL	INDEPENDENT COST ESTIMATE	NEGOTIATED AMOUNT
To be submitted	\$15,779,279	TBD

## DEOD SUMMARY

## SYSTEMS ENGINEERING SUPPORT SERVICES / CONTRACT NO. AE47810E0128

**A. Small Business Participation**

SECOTrans, a Joint Venture of LTK Engineering Services and three (3) DBE Joint Venture (JV) partners, NBA Engineering, Inc., Pacific Railway Enterprises, Inc., and Ramos Consulting Services, Inc. made a 15% Disadvantaged Business Enterprise (DBE) commitment for this on-call Contract. The project is 34% complete and SECOTrans is exceeding their DBE commitment with 26.76% participation, based on the aggregate of all Task Orders awarded to date.

The DBE commitment for the proposed Task Order No. E0128-TO-016 - Rail Operations Center (ROC) / Bus Operations Center (BOC) Architectural and Engineering Systems Design Services will be determined upon completion of negotiations.

SMALL BUSINESS COMMITMENT		15% DBE	SMALL BUSINESS PARTICIPATION		26.76% DBE
	DBE Contractors	Scope of Work	NAICS Codes	Ethnicity	Current Participation
1.	NBA Engineering, Inc. (JV Partner / DBE Prime)	MEP Engineering	541330 - Engineering Services	Caucasian Female	4.92%
2.	Pacific Consulting Service, Inc. (JV Partner / DBE Prime)	Railroad Signal and Communications System Design and Engineering	541330 - Engineering Services 541340 - Drafting Service 541512 - Computer System Design Services	Caucasian Female	.05%
3.	Ramos Consulting Services (JV Partner / DBE Prime)	Systems Engineering and Support Services	541330 - Engineering Services 541611 - Administrative Management and General Management Consulting Services	Hispanic American	8.38%
4.	Arakelyan Drafting Services, Inc.	Computer Aided Drafting and Design	541340 - Drafting Services	Other Female	TBD
5.	Destination Enterprises, Inc.	Systems Construction Management, Project	236220 - Commercial and Institutional Building Construction	Caucasian Female	8.14%

		Management, Inspection Estimating and Scheduling	237990 - Other Heavy and Civil Engineering Construction 541990 - All Other Professional, Scientific, and Technical Services 541611 - Administrative Management and General Management Consulting Services		
6.	Enabled Enterprises LLC	IT Infrastructure Systems and Network Architecture, Design, Engineering, and Project Management, Application Development	541511 - Custom Computer Programming Services 541512 - Computer Systems Design Services 541519 - Other Computer Related Services	Asian Pacific American	TBD
7.	Fariba Nation Consulting	Systems Engineering Design	541614 - Process, Physical Distribution, and Logistics Consulting Services 541611 - Administrative Management and General Management Consulting Services	Other Female	1.69%
8.	Intueor Consulting, Inc.	Systems Engineering CM/DSDC	541614 - Process, Physical Distribution, and Logistics Consulting Services 541611 - Administrative Management and General Management Consulting Services	Asian Sub-continent American	0.84%
9.	PK Electrical Inc.	Electrical Engineering	541330 - Engineering Services	Caucasian Female	TBD
10.	ROMAR7 LLC	Computer Aided Drafting and Design	541340 - Drafting Services 541512 - Computer System Design Services 561110 - Office Admin Services	Asian Pacific Female	TBD

11.	Triunity Engineering and Management, Inc.	Communications Design, System Integration and Analysis	541330 - Engineering Services	African American	2.74%
	<b>Total Participation</b>				<b>26.76%</b>

<sup>1</sup>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**

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

**C. Prevailing Wage Applicability**

Prevailing wage is not applicable to this Contract.

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

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

**ATTACHMENT C**

**PROPOSED TASK ORDER WORK**

**SYSTEMS ENGINEERING SUPPORT SERVICES / CONTRACT NO. AE47810E0128**

<b>Mod./Task Order (TO) No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>Task Order Issued including Mods</b>	<b>Pending TO Mods</b>	<b>Pending TO</b>
N/A	Initial Authorized Funding	Approved	4/26/18	\$28,932,000	---	---
E0128-TO-01	Systems Engineering Support for Crenshaw Project	Approved	7/9/18	\$4,963,761	(\$31,227)	
E0128-TO-02	Program-wide System Engineering Support Services for Systems Engineering Group	Approved	7/27/18	\$3,089,670	(\$391,096)	---
E0128-TO-03	Overhead Contact Systems (OCS) Support for Maintenance of Wayside Engineering	Approved	9/11/18	\$309,751	(\$69,847)	
E0128-TO-04	System-wide Electrical Support for Rail and Bus Projects	Approved	9/11/18	\$145,244	(\$11,261)	
E0128-TO-05	Crenshaw Project Design Services During Construction	Approved	9/12/18	\$161,992	(\$95,532)	
E0128-TO-06	Rail Systems Engineering Support for New Blue	Approved	10/3/18	\$3,817,827	(\$368,522)	
E0128-TO-07	West Santa Ana Branch Systems Support	Approved	10/1/18	\$120,667	(\$41,121)	
E0128-TO-08	System-wide Operations and Maintenance Plan	Approved	10/10/18	\$798,543	(\$77,672)	



E0128-TO-09	Division 20 Portal Widening Turnback Project Systems Engineering Support	Approved	10/30/18	\$882,609	(\$40,017)	
E0128-TO-10	West Santa Ana Branch (WSAB) Project Conceptual Engineering	Approved	11/16/18	\$5,100,555	(\$227,492)	
E0128-TO-11	East San Fernando Valley (ESFV) Conceptual Engineering	Approved	12/3/18	\$3,862,840	(\$58,686)	
E0128-TO-12	Metro Blue Line Track and OCS Refurbishment	Approved	3/21/19	\$1,545,042	---	---
E0128-TO-13	Metro Systems Support for Green Line/Crenshaw Operations	Approved	4/10/19	\$262,675	---	---
E0128-TO-14	Metro Red/Purple Line and Regional Connector Operational Simulation Support	Approved	4/25/19	\$677,959	---	---
E0128-TO-15	Airport Metro Connector Engineering Support	Approved	9/12/19	\$360,138	---	---
E0128-TO-17	Centinela Grade Separation Conceptual Engineering	Approved	11/4/19	\$75,574	---	---
EO128-00-MOD-00001	Update to Advanced Cost Agreement (LTK, DE, GF and IC)	Approved	9/6/18	\$0.00	---	---
EO128-00-MOD-00002	Updates to Advanced Cost Agreement (Home Office Rates 2019: Atkins, FN, GF, IEI, ICI, RCS)	Approved	12/14/18	\$0.00	---	---

EO128-00-MOD-00003	Revise Spec. Section CP-04 Payment & Invoicing Part C.1 - Invoicing	Approved	1/11/19	\$0.00	---	---
EO128-00-MOD-00004	Direct Hourly Labor Rates Adjusted for 2019	Approved	2/6/19	\$0.00	---	---
	<b>Subtotal Approved TOs</b>			<b>\$26,174,847</b>		
E0128-TO-18	Metro Gold Line Foothills 2B Extension Systems Engineering Support	Pending	TBD		---	\$145,500
E0128-TO-19	Metro Gold Line Eastside Phase 2 Conceptual Engineering	Pending	TBD		---	\$700,000
TBD	Future Anticipated Task Orders	Pending	TBD			\$3,324,126
	<b>Subtotal Pending TOs</b>					<b>\$4,169,626</b>
E0128-TO-16	Rail Operations Center (ROC) / Bus Operations Center (BOC) Architectural and Engineering Systems Design Services	Pending	TBD		---	\$15,000,000
	<b>Subtotal This Board Action</b>					<b>\$19,169,626</b>
	<b>Task Orders Approved</b>			<b>\$26,174,847</b>		
	<b>Task Order Pending Mods</b>				<b>(\$1,412,473)</b>	
	<b>Pending TO</b>					<b>\$19,169,626</b>
	<b>Adjusted Contract Value Including TO Mods and Pending TO</b>			<b>\$24,762,374</b>		
	<b>Total Pending TOs Plus This Board Action</b>			<b>\$19,169,626</b>		

	<b>Total TO Amount</b>			<b>\$43,932,000</b>		
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<b>SUMMARY</b>						
	<b>Adjusted Contract Value</b>			<b>\$24,762,374</b>		
	<b>Pending TOs</b>			<b>\$4,169,626</b>		
	<b>Board Approved Funding</b>			<b>\$28,932,000</b>		
	<b>This Board Action</b>			<b>\$15,000,000</b>		
	<b>New Contract Value</b>			<b>\$43,932,000</b>		

Attachment D

ALLOCATION FROM FY20 BUDGET

Union	Position	# of FTEs	Start (MMM-YY)	End (MMM-YY)*
NC	Manager, Rail Transportation	1	Feb-20	Feb-25
NC	Manager, Bus Transportation	1	Feb-20	Feb-25
NC	Supervising Engineer (SCADA)	1	Feb-20	Feb-25
NC	Senior Manager, Systems Projects	1	Feb-20	Feb-25

\*or to Project Completion

4



## Board Report

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File #: 2019-0828, File Type: Agreement

Agenda Number: 7.

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### PLANNING AND PROGRAMMING COMMITTEE FEBRUARY 19, 2020

**SUBJECT: 103<sup>RD</sup> ST/WATTS TOWERS STATION JOINT DEVELOPMENT**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (“CEO”) to execute an Exclusive Negotiation Agreement and Planning Document (“ENA”) with Watts Station LP, a California limited partnership, for the development of 3.67 acres of Metro-owned property at the 103<sup>rd</sup> St/Watts Towers Station (“Site”) for 18 months with the option to extend up to 30 months.

#### **ISSUE**

Staff have completed evaluation of an Unsolicited Joint Development Proposal (“Conceptual Proposal”) for the Site and, having determined that it would advance Joint Development policy goals, are recommending pursuing the proposal under an ENA. The proposal offers construction of a 100% affordable housing development on Metro-owned land, including 83 units at or below 60% Area Median Income (“AMI”) for seniors, families and artists. The Site is part of a larger proposed development that will offer an additional 130 affordable housing units on adjacent property, renovation of the historic Watts Train Station, neighborhood-serving retail and pedestrian-friendly design that will activate the station area and support transit ridership.

#### **BACKGROUND**

On June 28, 2018, Metro received a Conceptual Proposal from Watts Station LP, a partnership formed by Thomas Saffron & Associates Development Inc. and Housing Corporation of America, a 501(c)3 non-profit (“Proposer”). An evaluation committee made up of Metro staff from Joint Development, Operations, and Rail Engineering reviewed the Conceptual Proposal and, after receiving CEO approval in February 2019 to proceed, invited the Proposer to submit a Phase 2 proposal (“Detailed Proposal”). In September 2019, after several phases of detailed evaluation, the evaluation committee recommended advancement of the proposal. On November 12, 2019, as per Federal Transit Administration requirements, Metro published its interest in the joint development of the Site for a 30-day period, however, no other proposals were received.

## **DISCUSSION**

The proposed project includes the redevelopment of 3.67 acres of Metro-owned property at the 103<sup>rd</sup> St/Watts Towers Station (“Station”) along the A Line (see Attachment A). The Proposer has acquired the surrounding parcels formerly owned by the Community Redevelopment Agency of Los Angeles for the development of affordable housing and other community-serving uses. As the Proposer has acquired the surrounding parcels, the Metro-owned property would accommodate additional affordable housing and open space for a total project site of eight acres. The total project would include 213 affordable units, a multi-purpose community center, and renovation of the historic Watts Train Station to include retail with seating for customers and Metro patrons (see Attachment B - Project Rendering).

The proposal for the Metro portion of the site includes:

- 83 units of affordable housing
- Design that seeks to maintain and accentuate visibility of the Watts Towers
- “Watts Art Walk”: a series of art-focused open space, landscape and streetscapes linking the Station to the Watts Towers
- “Watts Gateway”: improvement of open space and added streetscape around the existing pedestrian bridge
- Integration into larger project with a mix of affordable housing for seniors, families and formerly homeless as well as open space and community space

## **Findings**

In accordance with the Joint Development Unsolicited Proposal Policy, the evaluation committee conducted a comprehensive evaluation of the Phase 2 Proposal. The committee made the following conclusions:

- The proposed project prioritizes development of transit-adjacent affordable housing to assist in meeting the Joint Development portfolio-wide goal of 35% affordable housing; and
- The developer has extensive experience in affordable housing development and controls adjacent property which makes possible the development of this otherwise challenging site.

The proposal offers several potential benefits to Metro including: additional affordable housing adjacent to transit, increased transit ridership, reduced congestion through transit-oriented development, and residential and community spaces integrated into the project that would allow for activation of the Station area. The proposal also presents an opportunity to improve a Metro-owned parcel that would be difficult to develop without the inclusion of adjacent property controlled by the Proposer. Additionally, the redevelopment of the station area, including the adjacent property formerly owned by the Community Redevelopment Agency of Los Angeles, has been long anticipated. Metro’s participation would support broader community development goals along the A Line where Metro does not generally own many properties.

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Equity Platform

Partnering to build a transit-oriented development with affordable housing falls into Pillar III-Focus and Deliver, of the Equity Platform by supporting affordable housing in an Equity Focused Community (as defined and approved by the Board in the Long-Range Transportation Plan update).

**DETERMINATION OF SAFETY IMPACT**

Approval of this item will have no impact on safety. Metro's operations staff will review and comment on the proposed development to ensure that the proposal will have no adverse impact on the Station and Metro operations. In addition, the eventual implementation of this Joint Development project will offer opportunities to improve safety for transit riders through better pedestrian, bicycle and mobility connections.

**FINANCIAL IMPACT**

Adoption of the ENA would have no significant financial impact to the agency.

Impact to Budget

Funding for the Joint Development activities related to the ENA and the proposed project is included in the FY20 budget in Cost Center 2210, Project 401053. The ENA will require the developer to pay a non-refundable fee of \$50,000, due upon execution of the ENA, as well as a \$50,000 deposit to cover certain Metro staff costs and third-party expenses during the negotiation period.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The proposed project allows for a development that is in line with Goal 3 of the Strategic Plan, enhancing communities and lives through mobility and access to opportunity. The addition of affordable housing and community spaces adjacent to transit will increase ridership and activate the station area enhancing the community and the lives of community members through mobility and access to opportunity.

**ALTERNATIVES CONSIDERED**

The Board could choose not to proceed with the recommended action and could direct staff to seek new development options via a competitive process. Staff does not recommend proceeding with this alternative as the selected Proposer is an experienced affordable housing developer committed to ongoing stakeholder engagement and controls adjacent property which will make the development of this otherwise challenging site possible. A new competitive process would delay the development of the Site. Further, any proposals received would not include the adjacent land required for feasible mixed-use development of this scale and the Site would be difficult to develop on its own due to its irregular shape. Finally, the proposed project offers 213 units of affordable housing, of which 83 are proposed on Metro's property supporting Metro's affordable housing goals.

**NEXT STEPS**

Upon Board approval of the recommended action, staff will execute the 18-month ENA, and Metro staff and Proposer will commence preliminary negotiations in parallel with community outreach to engage stakeholders in a dialog about the development proposal. Metro staff, with support from a financial consultant and County Counsel, will negotiate a term sheet for a Joint Development Agreement and Ground Lease to be presented to the Board for consideration prior to the conclusion of the ENA negotiation period.

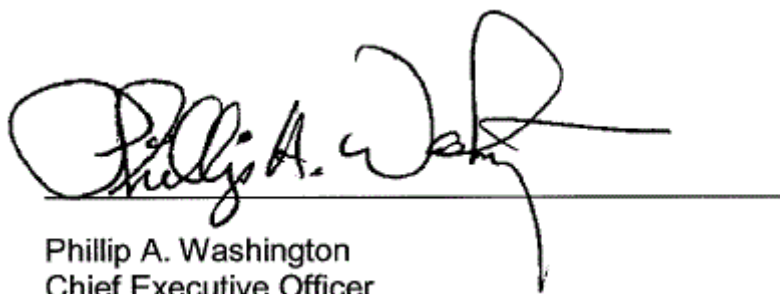
**ATTACHMENTS**

Attachment A - Project Location and Ownership

Attachment B - Project Rendering

Prepared by: Olivia Segura, Senior Manager, Countywide Planning & Development, (213) 922-7156  
Wells Lawson, Senior Director, Countywide Planning & Development, (213) 922-7217  
Nick Saponara, DEO, Countywide Planning & Development, (213) 922-4313  
Holly Rockwell, SEO - Real Estate, Transit Oriented Communities and Transportation Demand

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



Phillip A. Washington  
Chief Executive Officer



# ATTACHMENT A – PROJECT LOCATION AND OWNERSHIP



- 1** Metro
- 2** Proposer (formerly CRA/LA)
- 3** Proposer (formerly City of LA)
- 4** Proposer (formerly CRA/LA)

## ATTACHMENT B – PROJECT RENDERING







# Next stop: building communities.

103<sup>rd</sup> St/Watts Towers Joint Development

Planning and Programming Committee

February 19, 2020

Legistar File 2019-0828

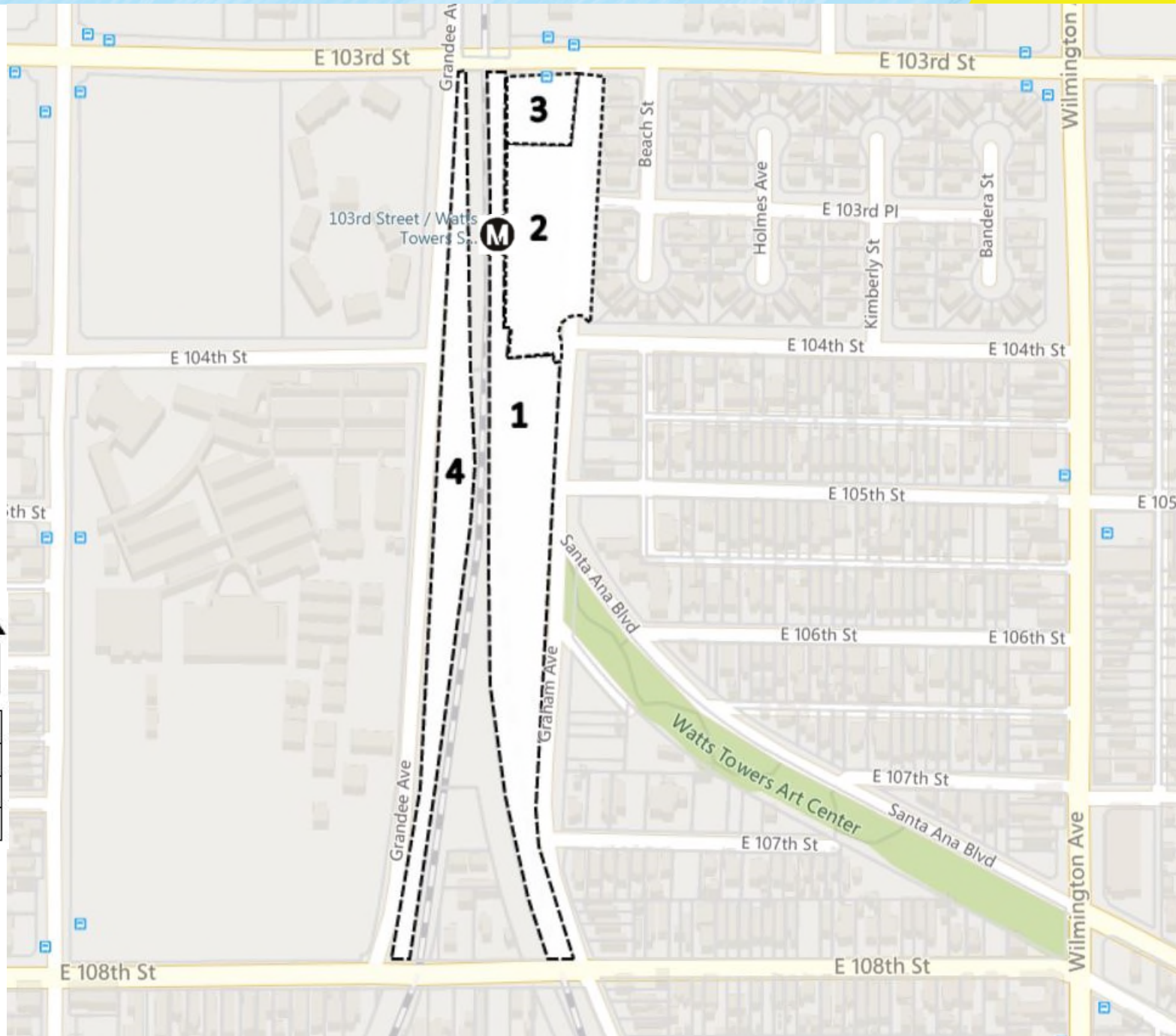


# Recommendation

- > Authorize the Chief Executive Officer to execute an Exclusive Negotiation Agreement and Planning Document (“ENA”) with Watts Station LP, a California limited partnership, for the development of 3.67 acres of Metro-owned property at the 103<sup>rd</sup> St/Watts Towers Station (“Site”) for 18 months with the option to extend up to 30 months



# 103<sup>rd</sup> St/Watts Towers Site Overview



1	Metro Property
2	Proposer Property
3	Proposer Property
4	Proposer Property



# Proposal Scope

- > 100% affordable housing project including 83 units on Metro property and integration into larger affordable housing development yielding a total of 213 units for seniors, families and formerly homeless
- > Art-focused community and open space, landscape, street scape linking development to Station and Watts Towers
- > Improvement of area surrounding existing pedestrian bridge
- > Experienced development team with over 4,000 units of affordable housing units built throughout Greater Los Angeles

# Next Steps

## Upon Board approval:

- > Execute an 18-month ENA
- > Coordinate outreach plan with Proposer
- > Refine project design
- > Negotiate a term sheet for a Joint Development Agreement and Ground Lease to be presented to the Board



## Board Report

File #: 2019-0677, File Type: Contract

Agenda Number:

### REGULAR BOARD MEETING FEBRUARY 27, 2020

**SUBJECT: METRO CENTER STREET PROJECT (FORMERLY ESOC)**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Street Project (Project), in the amount of \$129,365,128.00;
- B. Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant Program funds awarded to the Project by the State;
- C. Execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering Inc. to provide Design Support During Construction in the amount of \$1,976,222 increasing the Total Contract Value from \$6,528,181 to \$8,504,403 and increase the Contract Modification Authority (CMA) for HDR Engineering Inc. in the amount of \$400,000; and,
- D. Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

#### **ISSUE**

In March 2016, the Metro Board established the Life of Project budget (LOP) in the amount of \$112.7 million based on the grant funds awarded to the Project. Since then - four years later, the preliminary engineering design, environmental work and selection of the design/build contractor have been completed. This Board action will award the design/build contract to S.J. Amoroso Construction Co., Inc. deemed to provide the best value for the design and construction of the Project (See Attachment A -1, Procurement Summary) and align the LOP budget to \$206 million to the current market conditions and fund the design and construction of the Metro Center Street Project.

#### **DISCUSSION**



The Metro Center Street project comprises of the co-location of four operations centers: Emergency Operations Center (EOC), Security Operations Center (SOC), Rail Operations Center (ROC), and Bus Operations Center (BOC) to centralize communications and coordination, improve day-to-day operations, and enhance Metro's security, disaster and terrorism response capability. Metro's current Emergency Operations Center is operating at capacity, and needs to be expanded to accommodate Metro's new rail lines and upcoming special events including the World Cup, National Championships, and Olympics.

In addition, Metro does not have a Security Operations Center. The new SOC is needed to provide 24/7 security surveillance of Metro's transit system by security professionals with specialized training to improve overall rider safety on Metro's rail and bus lines. The Project will be constructed in two phases with the first phase consisting of the full build out of the EOC, SOC, at-grade parking, and infrastructure to accommodate the future ROC and BOC. The second phase will consist of the construction of the tenant improvements for the ROC and BOC on one entire floor of the Metro Center Street project building. The Project will achieve a LEED Gold certification with the capability to be in operations continuously for 72 hours in case of loss of water, power, and gas due to a natural disaster.

#### Life of Project Budget

With the base contract and provisional sum award to S.J. Amoroso in the amount of \$129,365,128.00, staff is requesting approval of the LOP in the amount of \$206 million to accurately realign and reflect the design and construction costs, infrastructure provisions to accommodate the ROC/BOC, third party costs, design support during construction, construction support services, and other agency support costs including a 20% construction contingency as shown in Attachment B - Funding/Expenditure Plan.

In March 2016, the Board established the LOP budget for the Project in the amount of \$112.7 million and awarded HDR Engineering Inc. a contract for preliminary engineering design. At the time, the \$112.7 million LOP included \$57.67 million for design and construction of the Project based conceptual planning phase. Since then, the preliminary engineering work and the evaluation of the design builders' proposals based on current market conditions have been completed.

The current market conditions in Southern California are very challenging. California markets are inundated with work especially with the passage of Senate Bill 1 which provides approximately \$5 billion in infrastructure improvements each year, combined with Measure R and Measure M programs and other private, state and local programs including LAX airport, which have flooded the construction market with several public works projects ongoing around the same time period. Therefore, fewer contractors are available to bid on jobs and bids have been trending higher. Additionally, a number of factors have driven up the prices of construction materials, beyond the average inflation rates in the four year period since 2016.

#### HDR Engineering Contract Modification

In March 2016, the Board awarded HDR Engineering, Inc. \$5,936,638 to prepare preliminary engineering design for the Metro Center Street Project. Due to the changes to the project Staff

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recommended action also include \$1,976,222 million to HDR Engineering Inc. to provide design support during construction for the emergency and security operations centers.

Project Status

Metro has received California State Prop 1B grant in the amount of \$109.5 million since 2011 and the State has requested that Prop 1B grant funds be expended by 2022. Therefore, early environmental and demolition work began in August 2019 and will be completed in April 2020 in preparation for the design builder's work. The approval of the staff recommended actions will enable to Project to expend the Prop 1B funds by 2022.

**DETERMINATION OF SAFETY IMPACT**

The Project will be designed and constructed consistent with Metro's design and construction safety standards. This Board action will not impact established safety standards for Metro's design and construction projects.

**FINANCIAL IMPACT**

In FY 11, Metro received a Proposition 1B California Transit Security Grant Program (CTSGP) California Transit Assistance Fund (CTAF) grant to fund the design and construction of an Emergency Operations Center (EOC). The CTAF grant was subsequently reduced to \$109.5 million due to less available funds from bond sales. Funding Sources are shown on Table 2 below.

<b>Funding Source</b>	<b>Amount (\$ millions)</b>
Prop 1B California Transit Security Grant Program	\$109.5
Eligible State or/and Local Funds based on availability at time of expenditure	\$96.5
<b>TOTAL</b>	<b>\$206.0</b>

Staff is requesting to establish the new LOP budget of \$206 million for the Project, in cost center 2610 System Security and Law Enforcement, project number 212121 to accommodate the costs. Since this is a multi-year project, the Chief System Security and Law Enforcement Officer and Chief Program Management Officer, Program Management will be accountable for budgeting the costs in future years.

Impact to Budget

The Prop 1B California Transit Security Grant Program funds are specific for this project as designated in the Grant award to this project. Additional funding for this project may have to come from other federal, state or local eligible Bus and Rail Operating funds and SGR funds.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system. The Project will be designed and constructed to support future ROC and BOC operations within the building. The Project will enhance Metro's ability to plan and respond to special events. The Project supports Strategic Goal 4: Transform LA County through regional collaboration and national leadership. The Project is one of the few consolidated transit operation centers in the nation that will house emergency, security, rail, and bus operations within the same facility for efficiency of operations. Lastly, the Project supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the LA Metro organization. The Project is being designed and constructed in close coordination with the community and third party stakeholders as well as internal stakeholders within Metro to streamline Metro's systems and processes for efficient operations.

### **ALTERNATIVES CONSIDERED**

The alternative would be to not approve the recommended actions to advance the design and construction of the Project. This is not recommended as Metro will need to return \$109.5 million to the State including over \$18 million that has already been expended if the Project does not move forward.

### **NEXT STEPS**

Execution of the design-build contract is subject to the resolution of any timely and properly submitted protest. A Notice to Proceed (NTP) to the Design/Build Contractor after execution of the contract and meeting all other contract requirements for an NTP. The Project is estimated to be complete by December 2023. Upon Board approval, staff will also execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering, Inc.

### **ATTACHMENTS**

Attachment A-1 - Procurement Summary, S.J. Amorosa Construction Co., Inc.

Attachment A-2 - Procurement Summary, HDR Engineering, Inc.

Attachment B - Funding/Expenditure Plan

Attachment C - Contract Modification/Change Order Log, HDR Engineering, Inc.

Attachment D-1 - DEOD Summary, TBA Construction Firm


Attachment D-2 - DEOD Summary, HDR Engineering, Inc.

Prepared by: Jeanet Owens, Senior Executive Officer, Regional Rail, (213) 418-3189  
Carolina Coppolo, Executive Officer, Vendor/Contract Mgmt (213) 922-4471  
Ivan Page, Executive Officer, Vendor/Contract Mgmt (213) 922-6383

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

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Aston Greene, Chief Sys Sec & Law Enforcement Officer (Interim), (213) 922-3604



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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

**METRO CENTER STREET PROJECT- DESIGN/BUILD  
CONTRACT NUMBER C52151C1169-2**

1.	<b>Contract Number:</b> C52151C1169-2	
2.	<b>Recommended Vendor:</b> S. J. AMOROSO CONSTRUCTION CO., INC.	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	A. <b>Issued:</b> 10/19/18	
	B. <b>Advertised/Publicized:</b> 10/19/18	
	C. <b>Pre-Proposal Conference:</b> 10/30/18	
	D. <b>Proposals Due:</b> 9/5/19	
	E. <b>Pre-Qualification Completed:</b> 11/15/19	
	F. <b>Conflict of Interest Form Submitted to Ethics:</b> 04/20/19	
	G. <b>Protest Period End Date:</b> 1/20/20	
5.	<b>Solicitations Picked up:</b> 45	<b>Bids/Proposals Received:</b> 2
6.	<b>Contract Administrator:</b> Rafael Vasquez	<b>Telephone Number:</b> (213) 418-3036
7.	<b>Project Manager:</b> Jeanet Owens	<b>Telephone Number:</b> (213) 418-3189

**A. Procurement Background**

This Board Action is to approve the award of a contract for a design/build delivery, based on a best value solicitation issued in support of the Metro Center Street Project (formerly known as the Emergency Security Operations Center). The Contractor for Contract No. C52151C1169-2 will provide management, coordination, design, professional services, labor, equipment, materials and all other services necessary to perform the final design and construction of the Metro Center Street Project. Board approval of the contract award is subject to resolution of any properly submitted protest(s). The contract type is a firm fixed price.

A Request For Qualifications (RFQ)/Request For Proposals (RFP) was issued on October 19, 2018. A pre-proposal conference was held on October 30, 2018, in the Union Station Conference Room with representatives from approximately 49 firms in attendance.

The RFQ/RFP implemented a two-step negotiated best value procurement process in accordance with California Public Contract Code §22160-22169 and in accordance with Metro's Acquisition Policy. The first phase of the procurement was an RFQ asking for Statement of Qualifications (SOQ) to be submitted. Three responsive SOQs were received on November 19, 2018. A prequalification evaluation team evaluated the SOQs. All three firms met the RFQ requirements, were designated as qualified parties, and were invited to submit proposals in response to the second phase of the solicitation, the RFP. The three firms, in alphabetical order, were:

- Clark Construction Group-California, LP (Clark).
- S.J. Amoroso Construction Co., Inc (Amoroso).
- Webcor Builders (Webcor)

The prequalified firms submitted technical and commercial questions which were recorded and reviewed by Metro staff. Formal written answers to 65 questions were provided to the prequalified firms and other planholders.

Ten (10) amendments were issued during the solicitation and evaluation process:

- Amendment No. 1, issued on October 9, 2018, extended the SOQs due date to November 27, 2018; revised the Formal Proposals due date to March 28, 2019; and revised Section 2 Request for Qualifications and percentage of work performed by the Contractor;
- Amendment No. 2, issued on January 18, 2019, revised Formal Proposals due date to April 12, 2019 and revised the Performance Requirements;
- Amendment No. 3, issued on February 6, 2019, extended the Alternative Technical Concepts (ATCs) due date from 30 days to 40 days and revised the Design Requirements and Performance Requirements;
- Amendment No. 4, issued on March 4, 2019, revised Formal Proposals due date to April 26, 2019 and revised Performance Requirements and Schedule of Quantities (SOQs);
- Amendment No. 5, issued April 11, 2019, revised the SOQs and Performance Specifications;
- Amendment No. 6, issued on April 19, 2019, revised Submittal Requirements, SOQs, and Design Requirements;
- Amendment No. 7, issued on May 9, 2019, updated Bidder's Industrial Safety Record Pro-Form 063;
- Amendment No. 8, issued on July 15, 2019, revised Design Requirements Documents and added Early Demolition Work by another Contract;
- Amendment No. 9, issued on August 16, 2019, requested Best and Final Offers (BAFO) and established due date of September 3, 2019 (due date was extended to September 5, 2019), revised SBV/DVBE Forms, SOQS Forms and revised General Requirements, and Performance Specifications;
- Amendment No. 10, issued October 24, 2019, requested Final Revised Proposal and established due date of October 29, 2019.

Proposals were received on April 26, 2019 from the following firms:

1. Clark Construction Group-California LP (Clark).
2. S.J. Amoroso Construction Co., Inc. (Amoroso)

Only two of the three pre-qualified firms submitted proposals. Webcor Builders did not submit a proposal. Among the reasons cited were complexity and time consuming in

filling Metro forms, expensive insurance coverage requirements for subcontractors, and many unknown risks associated with construction.

Final Revised Proposals were received on October 29, 2019, from both Proposers:

1. Amoroso
2. Clark

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro Project Management/Regional Rail, Project Management/Construction Management and Operations Liaison and Planning department conducted a comprehensive and robust evaluation of the proposals received, in accordance with the factors and sub-factors set forth in the RFP to assign a score and ranking.

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

- |  |            |
|--|------------|
| • Experience and Qualifications of Firms on the Team     | 5 percent  |
| • Skills and Experience of Project Personnel             | 10 percent |
| • Project Management Approach                            | 25 percent |
| • Project Understanding and Technical Approach           | 40 percent |
| • Price  | 20 percent |
| • A Prompt Payment to Subcontractors Initiative (Bonus)* | 5 points   |

\*The Proposers could opt for prompt payment initiative and earn bonus points for the prime Contractor to pay its first-tier subcontractors for work completed prior to submitting its monthly billing to Metro.

Each proposing team was invited to make an oral presentation to the PET for the purpose of clarifying their proposal and demonstrating their understanding of Metro's requirements. The presentation meeting format, the amount of time allowed, and general questions asked were standardized. Oral presentations were scheduled on June 12, 2019 and July 12, 2019.

Following a review of the initial proposals and oral presentations both proposals were determined to be within the competitive range. The PET held discussions with each Proposer between June 21, 2019, and July 16, 2019, to address potential deficiencies, understand concerns about risk, and review assumptions taken in relation to their price proposal. The discussions confirmed Proposers' understanding of the scope and appropriate approaches and plans to complete the scope of work. Based on discussions, Proposers were requested to submit Final Revised Proposals.

After receipt of the Final Revised Proposals, and multiple clarifications during the process, it was determined that the SBE/DVBE Forms submitted by Clark were non-responsive to the RFP requirements. Staff was unable to determine the level of Clark's Design and Construction commitments. A Proposer must meet or exceed the goal at

time of the proposal due date and a Proposer that does not meet the goal will be determined non-responsive and not be eligible for award.

**Qualifications Summary**

Proposers were qualified and technically capable of performing the design and construction of the Project. Amoroso’s Proposal was rated higher for Skills and Experience of Project Personnel. Amoroso explained in detail, their intent and approach to the Project and the various elements of risk in their Proposal. Amoroso’s Proposal demonstrated strengths in factors and sub-factors under Project Management and Technical Approach of Proposer’s capabilities, skill and experience, management approach, risk management, staffing plan, safety and quality management and quality control.

Notwithstanding, the scoring of both proposals, Clark’s final proposal was determined non-responsive. In accordance with the specified evaluation factors and sub-factors and the SBE/DVBE goal requirements of the RFP Amoroso offers the Best Value, and is advantageous to Metro.

**EVALUATION CRITERIA WEIGHTING AND SCORING SUMMARY**

Table 1- Score Summary by Evaluation Criteria

	<b>Points Possible</b>	<b>Amoroso</b>	<b>Clark</b>
<b>Experience and Qualifications of Firms on the Team (5%)</b>			
Proposer’s Skill and Experience	5	4.17	4.40
<b>SUBTOTAL</b>	<b>5</b>	<b>4.17</b>	<b>4.40</b>
<b>Skills and Experience of Project Personnel (10%)</b>			
Project Manager	2	1.97	1.30
Deputy Project Manager	1	0.97	0.68
Quality Assurance and Control Manager	1	0.98	0.68
Principal Engineer	2	1.87	0.57
Lead Architect	1	0.93	0.97
Safety Manager	1	0.97	0.99
MEP Engineer(s)	1	0.97	0.98
Systems Engineer	1	0.97	0.98
<b>SUBTOTAL</b>	<b>10</b>	<b>9.63</b>	<b>7.15</b>
<b>Project Management Approach (25%)</b>			
Design Management Approach	5	4.17	4.80
Construction Management	10	8.23	9.60
Project Controls and Schedule	2.5	2.08	2.08
Risk Management Approach	2.5	2.33	2.50
Safety Record	2.5	2.29	2.50
Quality Assurance/Quality Control	2.5	2.33	1.75



<b>SUBTOTAL</b>	<b>25</b>	<b>21.43</b>	<b>23.23</b>
<b>Project Understanding and Technical Approach (40%)</b>			
General (Understanding of technical issues, ATCs, Design Approach, 30% Design Development)	15	13.40	14.30
Fixed Facilities (Architectural, Civil, Utilities, etc.,)	15	12.95	13.65
Systems (Communication, Systems Integration Testing, and Startup, System Safety, Security, and Assurance)	10	9.17	9.50
<b>SUBTOTAL</b>	<b>40</b>	<b>35.52</b>	<b>37.45</b>
<b>TECHNICAL TOTAL</b>	<b>75.00</b>	<b>70.75</b>	<b>72.23</b>
<b>Price Proposal (20%)</b>			
Price	17	15.04	17.00
Delay Compensation Rates	1	0.93	1.00
Life Cycle Costs	1	0.97	1.00
Exceeds SBE/DBE Goal	1	1.00	0.0
<b>PRICE TOTAL</b>	<b>20</b>	<b>17.94</b>	<b>19.00</b>
<b>TECHNICAL &amp; PRICE TOTAL</b>	<b>100</b>	<b>88.69</b>	<b>91.23</b>
CP-5A Voluntary Subcontractor Payment Initiative (5 Point Bonus)	5	5	5
<b>EVALUATION TOTAL</b>	<b>105</b>	<b>93.69</b>	<b>96.23</b>

### C. Cost/Price Analysis

The recommend award price is determined to be fair and reasonable based on adequate price competition and comparison to the independent cost estimate which was submitted concurrently with the proposals. The recommended award price to Amoroso, the only responsive proposer, is 8.7% higher than the ICE and only 6.7% higher than Clark's price.

<b>PRICE SUMMARY</b>	<b>Amoroso Construction Base</b>	<b>Clark Construction Base</b>	<b>Independent<sup>2</sup> Cost Estimate</b>
<b>Total Evaluated Price <sup>(1)</sup></b>	<b>\$175,026,485</b>	<b>\$157,733,995</b>	<b>\$144,143,417</b>
<b>Negotiated Price</b>			
<b>Award Price<sup>3</sup></b>	<b>\$129,365,128</b>	<b>\$121,272,213</b>	<b>118,906,063</b>

Note<sup>1</sup>: The Total Price Proposal includes the Base Work, Provisional Sums, Delay Compensation, Life Cycle Costs and Options.

Note<sup>2</sup>: The Independent Cost Estimate (ICE) amounts are submitted before the due date and opened concurrently with the other Proposals.

Note<sup>3</sup>: The Award Price only includes Base Work and Provisional Sums.

### D. Background on Recommended Contractor

Amoroso is the Design-Builder and General Contractor, and Owen Group is the Principal Engineer and Architect of Record. Amoroso was founded in 1939 in San Francisco, CA and was incorporated in 1959 as S.J. Amoroso Construction Co., Inc. In June of 2008,

Amoroso completed a 221,000 sq. ft. Emergency Operations Center that included a Medical Services Division, a Central Fire Station and parking structure for the City of Los Angeles in June of 2008.

In addition, Amoroso has completed two design build projects for Metro. The first was the Blue Line Station Refurbishments and Improvements project that involved the renovation of 21 stations along the Metro Blue Line corridor. The second project was the Bauchet Street Storage and Facilities Maintenance project that included a design-build of a two-story 62,398 sq. ft. pre-engineered metal building. Other design build projects that Amoroso has completed include LA City College Student Union, a multi-story 60,000 sq. ft. building, a LEED Silver certified building.

Amoroso has partnered with the Owen Group to provide architectural and engineering services. The Owen Group, Inc. is a multidisciplinary design and construction services firm. Founded in 1981 and has been ranked by ENR as a Top 500 Engineering firm and as a Top 100 Construction Management for Fee firm. Owen Group provided design/build services for Metro Division 3 Parking Structure Expansion project. Owen Group is providing full-service architecture and engineering energy efficient and sustainable designs, energy audits, Facility Condition Assessments (FCA), ADA accessibility compliance evaluations and design upgrades at the Union Station Gateway Building Engineering Management Services.

## PROCUREMENT SUMMARY

## METRO CENTER STREET PROJECT/AE451150019779

1.	<b>Contract Number:</b> AE451150019779		
2.	<b>Contractor:</b> HDR Engineering, Inc.		
3.	<b>Mod. Work Description:</b> Construction Support Services of the Metro Center Street Project (formerly Emergency Security Operations Center (ESOC))		
4.	<b>Contract Work Description:</b> Architectural and engineering (A&E) design services for the Center Street Project.		
5.	<b>The following data is current as of:</b> 12/18/19		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	3/24/16	<b>Contract Award Amount:</b> \$5,936,638
	<b>Notice to Proceed (NTP):</b>	4/06/16	<b>Total of Modifications Approved:</b> \$591,543
	<b>Original Complete Date:</b>	4/05/17	<b>Pending Modifications (including this action):</b> \$1,976,222
	<b>Current Est. Complete Date:</b>	12/30/22	<b>Current Contract Value (with this action):</b> \$8,504,403
7.	<b>Contract Administrator:</b> Erica Rodriguez		<b>Telephone Number:</b> (213) 922-1064
8.	<b>Project Manager:</b> Kate Amissah		<b>Telephone Number:</b> (213) 418-3224

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 9 issued for construction support services of the Metro Center Street Project (formerly ESOC). This Contract Modification also extends the period of performance through December 30, 2022.

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

On March 24, 2016, the Board awarded a 36-month firm fixed price Contract No. AE451150019779 to HDR Engineering, Inc. in the amount of \$5,936,638 for architectural and engineering design services for the Center Street Project, formerly known as Emergency Security Operations Center (ESOC).

A total of eight modifications have been issued to date.

Refer to Attachment C – Contract Modification/Change Order Log.

**B. Cost Analysis**

The recommended price has been determined to be fair and reasonable based upon an independent cost estimate (ICE), technical analysis, cost analysis, fact finding, and negotiations. Some direct labor rates were re-negotiated to current market rates and fee remained unchanged.

Metro staff successfully negotiated a cost savings of \$9,778.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$1,986,000	\$2,059,560	<b>\$1,976,222</b>

METRO CENTER STREET PROJECT  
ATTACHMENT B-1: FUNDING/EXPENDITURE PLAN

CATEGORY: SMALL/LARGE CAPITAL  
TYPE: LIFE OF PROJECT BUDGET (LOP)  
VERSION: AMENDMENT 1  
TOTAL LOP BUDGET \$ 206.00 Million

(Dollars in Millions)

PROJECT#	212121	Prior (Up to FY 19)	Fiscal Year				Total	% of Total
			20	21	22	23		
Uses of Funds:								
<b>FINAL DESIGN AND CONSTRUCTION</b>								
Summary of Design/Build Cost Proposal								
	General Requirements	\$ -	\$ 3.00	\$ 17.80	\$ 2.00	\$ -	\$ 22.80	11%
	Mobilization/Demobilization	\$ -	\$ 2.20	\$ 3.00	\$ -	\$ 0.10	\$ 5.30	3%
	Final Design Services	\$ -	\$ 1.64	\$ 9.00	\$ -	\$ -	\$ 10.64	5%
	Other General Items (Training, QA/QC, Safety, Warranty, LEED Gold, etc)	\$ -	\$ -	\$ -	\$ 2.02	\$ 0.50	\$ 2.52	1%
	Site Conditions/Earthwork	\$ -	\$ 0.40	\$ 1.00	\$ -	\$ -	\$ 1.40	1%
	Building Structure including Finishes	\$ -	\$ -	\$ 15.67	\$ 15.50	\$ 4.50	\$ 35.67	17%
	Systems (HVAC, Electrical, Communication, Safety&Security)	\$ -	\$ -	\$ 10.00	\$ 34.00	\$ 0.24	\$ 44.24	21%
	Exterior Improvements	\$ -	\$ -	\$ -	\$ 0.70	\$ 0.63	\$ 1.33	1%
	Utilities	\$ -	\$ -	\$ 2.93	\$ 0.50	\$ -	\$ 3.43	2%
	Provisional Sums	\$ -	\$ -	\$ 1.30	\$ 0.80	\$ 0.33	\$ 2.43	1%
	<b>Design/Build Contractor Subtotal</b>	\$ -	\$ 7.24	\$ 60.70	\$ 55.52	\$ 6.30	\$ 129.76	63%
	Stipend for Unsuccessful Responsive Proposer	\$ -	\$ 0.20	\$ -	\$ -	\$ -	\$ 0.20	0.10%
	Early Demolition	\$ -	\$ 9.00	\$ -	\$ -	\$ -	\$ 9.00	4%
	Street Vacation	\$ -	\$ -	\$ 0.75	\$ 0.75	\$ -	\$ 1.50	1%
	Public Art	\$ -	\$ 0.01	\$ 0.20	\$ 0.13	\$ 0.07	\$ 0.41	0.20%
	Design Support During Construction	\$ -	\$ 0.30	\$ 1.78	\$ 0.67	\$ 0.25	\$ 3.00	1%
	Construction Support Services	\$ -	\$ 0.25	\$ 3.50	\$ 1.75	\$ 0.50	\$ 6.00	3%
	Agency Costs (Metro/City of Los Angeles, other agencies)	\$ -	\$ 0.30	\$ 3.30	\$ 2.50	\$ 0.70	\$ 6.80	3%
	<b>Subtotal (Other Construction Costs)</b>	\$ -	\$ 10.06	\$ 9.53	\$ 5.80	\$ 1.52	\$ 26.91	13%
	Contingency (20%)	\$ -	\$ 3.46	\$ 14.05	\$ 12.26	\$ 1.56	\$ 31.33	15%
<b>SUBTOTAL PROJECT CONSTRUCTION COST</b>			\$ 20.76	\$ 84.28	\$ 73.58	\$ 9.38	\$ 188.00	91%
<b>PRELIMINARY ENGINEERING DESIGN/PROPERTY ACQUISITION</b>								
	Environmental/Preliminary Engineering Design	\$ 7.10	\$ -	\$ -	\$ -	\$ -	\$ 7.10	3%
	ROW/Land Existing Improvements	\$ 7.40	\$ -	\$ -	\$ -	\$ -	\$ 7.40	4%
	Agency Costs (PE Design)	\$ 3.50	\$ -	\$ -	\$ -	\$ -	\$ 3.50	2%
	<b>SUBTOTAL ENV./PE.ROW.OTHER COSTS</b>	\$ 18.00	\$ -	\$ -	\$ -	\$ -	\$ 18.00	9%
<b>TOTAL PROJECT COST</b>		\$ 18.00	\$ 20.76	\$ 84.28	\$ 73.58	\$ 9.38	\$ 206.00	100%
<b>Sources of Funds:<sup>1</sup></b>								
	State	P1B: California Transit Security Grant Program Funds <sup>2</sup>	\$ 18.00	\$ 20.76	\$ 70.74	\$ -	\$ 109.50	53.2%
	Local	Additional Metro Funding Needed	\$ -	\$ -	\$ 13.54	\$ 73.58	\$ 96.50	46.8%
<b>Total Life of Project Budget Funding:</b>		\$ 18.00	\$ 20.76	\$ 84.28	\$ 73.58	\$ 9.38	\$ 206.00	100.0%

1) Timing of funding sources is subject to change based on eligibility/availability at time of expenditure.

2) Metro would have to reimburse the State funds of \$ 109.5 million including \$18 million already expended if the funding is not approved, and if the Project does not move forward.

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## METRO CENTER STREET PROJECT/AE451150019779

<b>Mod. No.</b>	<b>Description</b>	<b>Status</b>	<b>Date</b>	<b>\$ Amount</b>
1	BOC/ROC Risk Assessment & Future Implementation	Approved	01/26/17	\$370,558
2	Extension of Period of Performance (POP) through 10/31/17	Approved	07/31/17	\$0
3	Supplemental Scope of Work (SOW) and extension of POP through 2/24/21	Approved	10/12/17	\$220,985
4	Adding subcontractor DBH Consulting	Approved	11/21/17	\$0
5	Supplemental SOW for Div. 20 Portal Widening Project Coordination - No Cost	Approved	03/01/18	\$0
6	Adding subcontractors Amheart and Kimley-Horn	Approved	02/27/19	\$0
7	Funding reallocated from Task 6 to Task 5	Approved	05/23/19	\$0
8	Adding subcontractor Birdi & Associates	Approved	09/09/19	\$0
9	<b>Construction Support Services and extension of POP through 12/30/22</b>	<b>Pending</b>	<b>Pending</b>	<b>\$1,976,222</b>
	<b>Modification Total:</b>			<b>\$2,567,765</b>
	<b>Original Contract:</b>		3/24/16	<b>\$5,936,638</b>
	<b>Total:</b>			<b>\$8,504,403</b>

## DEOD SUMMARY

**METRO CENTER STREET PROJECT DESIGN & BUILD  
C52151C1169-2**

**A. Small Business Participation - Design**

The Diversity and Economic Opportunity Department (DEOD) established a 13% Small Business Enterprise (SBE) goal and a 3% Disabled Veteran Business Enterprise (DVBE) goal for Design. S.J. Amoroso Construction Co., Inc. (SJA) exceeded both goals by making a 13.70% SBE commitment and a 3.02% DVBE commitment for Design.

<b>Small Business Goal</b>	<b>13% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>13.70% SBE 3.02% DVBE</b>
----------------------------	----------------------------	----------------------------------	----------------------------------

	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Verdical Group	1.29%
2.	A/E Tech	0.78%
3.	Safe Utility Exposure, Inc. (SUE Corp)	0.36%
4.	Faith Group, LLC	11.27%
	<b>Total SBE Commitment</b>	<b>13.70%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	Pierce/Cooley	3.02%
	<b>Total DVBE Commitment</b>	<b>3.02%</b>

**B. Small Business Participation - Construction**

The Diversity and Economic Opportunity Department (DEOD) established a 16% SBE goal and a 3% DVBE goal for Construction. SJA exceeded both goals by making a 16.19% commitment and a 3.17% DVBE.

<b>Small Business Goal</b>	<b>16% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>16.19% SBE 3.17% DVBE</b>
----------------------------	----------------------------	----------------------------------	----------------------------------

	<b>SBE Subcontractors</b>	<b>% Committed</b>
1.	Global Installation & Maintenance, Inc. DBA Global Electric	3.44%
2.	TBD – SBE Subcontractors	12.75%
	<b>Total SBE Commitment</b>	<b>16.19%</b>

	<b>DVBE Subcontractors</b>	<b>% Committed</b>
1.	CB Procurement	2.58%
2.	TBD – DVBE Subcontractors	0.59%
	<b>Total Commitment</b>	<b>3.17%</b>

**C. Contracting Outreach and Mentoring Plan (COMP)**

To be responsive, Proposers were required to submit a Contracting Outreach and Mentoring Plan (COMP) to mentor three (3) SBEs and one (1) DVBE firm for protégé development. SJA submitted a COMP and has committed to identify the required protégés after award.

**D. Project Labor Agreement/Construction Careers Policy (PLA/CCP)**

The PLA/CCP requires that contractors commit to meet the following targeted hiring goals for select construction contracts over 2.5 million dollars:

Federally Funded Projects		
Extremely / Economically Disadvantaged Worker Goal	Apprentice Worker Goal	Disadvantaged Worker Goal
40%	20%	10%

Non-Federally Funded Projects		
Community / Local Area Worker Goal	Apprentice Worker Goal	Disadvantaged Worker Goal
40%	20%	10%

**E. 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 US Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

**F. Living Wage Service Contract Worker Retention Policy Applicability**

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



## DEOD SUMMARY

**METRO CENTER STREET PROJECT - A&E DESIGN SUPPORT  
AE451150019779**

**A. Small Business Participation**

HDR Engineering, Inc., (HDR) made a 30.25% SBE commitment and a 3.04% DVBE commitment. The project is 80% complete. HDR is exceeding its SBE commitment with an SBE participation of 38.01%. HDR's current DVBE participation is 2.97% representing a shortfall of .07%. HDR explained that one of its added DVBE subconsultants, Amheart Solutions, is scoped to provide extensive support during Task 6, which is projected to eliminate the DVBE shortfall. HDR anticipates meeting or exceeding its SBE and DVBE commitments by the completion of contract.

<b>Small Business Commitment</b>	<b>30.25% SBE</b>	<b>Small Business Participation</b>	<b>38.01% SBE</b>
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	<b>SBE Subcontractors</b>	<b>% Commitment</b>	<b>Current Participation<sup>1</sup></b>
1.	Intueor Consulting	1.78%	0.78%
2.	Jacobus & Yuang	2.69%	4.15%
3.	MBI Media	1.94%	2.30%
4.	Pacific Coast Locaters	0.20%	0.13%
5.	Premier Management Corporation	1.29%	0.11%
6.	Quinn Williams	1.01%	3.57%
7.	SAA Associates	0.34%	0.39%
8.	S&K Engineers	10.10%	9.62%
9.	Spectrum Video	7.33%	7.04%
10.	W2 Design	3.57%	4.38%
11.	Birdi, Inc.	Added	0.00%
12.	Claris Strategy	Added	4.62%
13.	DBH Consulting Group	Added	0.92%
	<b>Total SBE Commitment</b>	<b>30.25%</b>	<b>38.01%</b>

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

<b>Small Business Commitment</b>	<b>3.04% DVBE</b>	<b>Small Business Participation</b>	<b>2.97% DVBE</b>
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	<b>DVBE Subcontractors</b>	<b>% Commitment</b>	<b>Current Participation<sup>1</sup></b>
1.	Calvada Surveying	0.42%	0.36%
2.	Schwab Engineering	2.62%	2.49%
3.	Amheart Solutions	Added	0.12%
	<b>Total DVBE Commitment</b>	<b>3.04%</b>	<b>2.97%</b>

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

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

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

**C. Prevailing Wage Applicability**

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

**D. Living Wage**

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

# METRO CENTER STREET PROJECT



Concept Rendering – subject to change



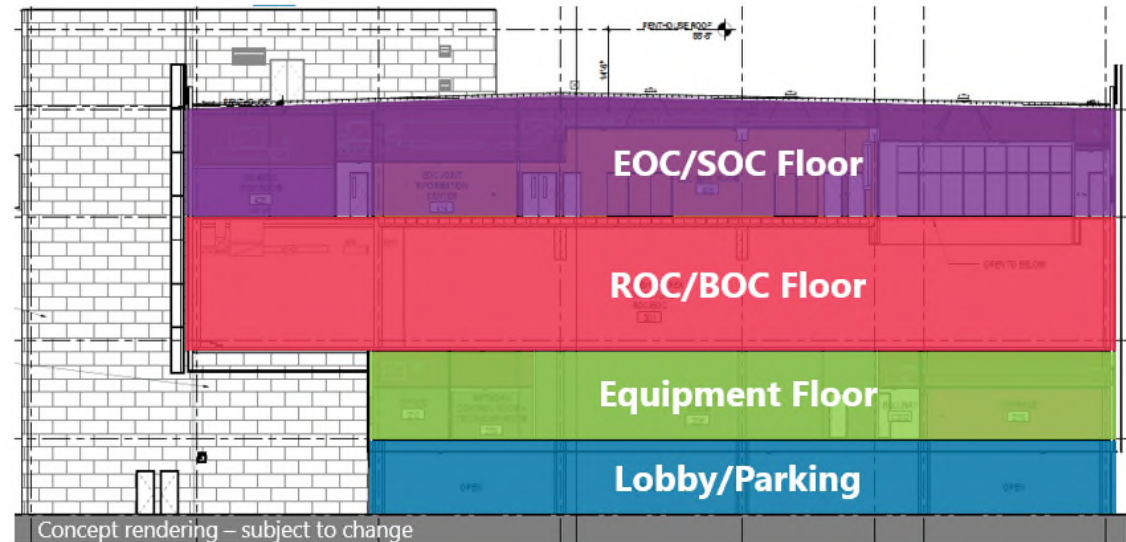
**Metro Board Meeting**  
**February 27, 2020**

# Metro Center Street Project Overview

**1** In FY 11, Metro received a \$112.7 million Proposition 1B California Transit Security Grant Program (CTSGP) California Transit Assistance Fund (CTAF) grant to fund the design and construction of an Emergency Operations Center (EOC) and a Security Operations Center (SOC).

**2** The Metro Center Street Project will consolidate and co-locate four primary functions:

- Phase 1 {
  - a. Emergency Operations Center (EOC)
  - b. Security Operations Center (SOC)
- Phase 2 {
  - c. Rail Operations Center (ROC)
  - d. Bus Operations Center (BOC)



**3** The existing EOC/ROC are at capacity. New operation theaters are needed to support current operations, and to accommodate Metro's planned and future transit system up to 2070.

**4** The facility will have the ability to operate for 72 hours of continuous operations during a catastrophe event with the loss of water, power, gas, and sewer.



# Emergency and Security Operations Overview



- 1** There is no Security Operations Center (SOC) today to support the agency's current and disparate security systems and functions.
  - a. Limited Interoperable communications for Security to respond to various incidents in a coordinated fashion consistent with the National Incident Management System (NIMS)
  - b. Emergency calls such as 911 on the bus and rail lines at local Law Enforcement Agencies. Metro Security only finds out if local law enforcement informs them or when notified by ROC & BOC
- 2** To meet current conditions facing Metro's expansion, an EOC/SOC will provide total enterprise system security and situational awareness to be proactive in enhancing the customer experience for all Metro's patrons.
  - a. Enhanced Prevention, Protection, Mitigation Response & Recovery
  - b. Improved Surveillance from a common operating picture
  - c. Ability to Detect, Deter, Delay & Deny significant security threats
  - d. Provide for increase agency-wide resiliency with professional response & recovery systems
  - e. Support Security Business Intelligence Cycle & functions to optimize the customer experience daily

# Metro Center Street Project Recommendations (Item No. 2019-0677)

- A** Award a firm fixed price contract, Contract No. C52151C1169-2 to S.J. Amoroso Construction Co., Inc., the responsive and responsible Proposer determined to provide Metro with the best value for the design and construction of the Metro Center Street Project (Project), in the amount of \$129,365,128.00;
- B** Align the Life-of-Project Budget (LOP) of \$112.7 million to \$206 million including \$109.5 million of Prop 1B California Transit Security Grant Program funds awarded to the Project by the State;
- C** Execute Modification No. 9 to Contract No. AE451150019779 with HDR Engineering Inc. to provide Design Support During Construction in the amount of \$1,976,222 increasing the Total Contract Value from \$6,528,181 to \$8,504,403 and increase the Contract Modification Authority (CMA) for HDR Engineering Inc. in the amount of \$400,000; and,
- D** Execute all agreements, task orders and contract modifications necessary up to the LOP budget to complete the above actions.

# Metro Center Street Project Funding

<b>Funding Source</b>	<b>Amount</b>
Prop 1B California Transit Security Grant Program	\$ 109.50 M
Eligible State or/and Local Funds based on availability at time of expenditure	\$ 96.50 M
<b>TOTAL</b>	<b>\$ 206.0 M</b>

1. The \$112.7 million CTAF grant awarded by the State in FY 11 was subsequently reduced to \$109.5 million due to less available funds from bond sales.
2. LOP budget increase is due to:
  - a. High design and construction bids due to current competitive market conditions with several ongoing public works projects ongoing around the same period.
  - b. Previous LOP established in 2016 based on conceptual design with limited information.
  - c. Provisions to accommodate the future ROC/BOC.
  - d. Designed for redundancy to support Metro operations for up to 72 hours during a catastrophe event with the loss of water, power, gas, and sewer.
  - e. Updates to third party and support services costs.

# Next Steps

## METRO CENTER STREET PROJECT

No.	Description	Date
1	Early Demolition and Environmental Abatement	August 2019 – April 2020
2	Board Approval of LOP budget, Award of Design/Build Contract, and HDR Contract Modification	February 2020
3	Board Approval of Award of Construction Support Services (CSS cost is included in LOP budget)	April 2020
4	Design/Build Contractor Initiates Design	Spring 2020
5	Construction Begins	Summer 2020
6	Anticipated Construction Complete	2023





## Board Report

File #: 2020-0057, File Type: Policy

Agenda Number:

### REGULAR BOARD MEETING FEBRUARY 27, 2020

**SUBJECT: REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT**

**ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE  
PARCEL RC-SPA-04**

#### **RECOMMENDATION**

CONSIDER:

A. Holding a hearing on the proposed Resolution of Necessity; and

B. Adopting a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire Parcel RC-SPA-4 (APN Not Applicable), consisting of real property located within the 2nd Street and Hope Street right-of-way (hereinafter the "Property").

REQUIRES 2/3 VOTE

#### **BACKGROUND**

Acquisition of the Property (See Attachment A) is required for construction and operation of the Regional Connector Transit Corridor Project ("Project"). As required by California Government Code Section 7267.2, a written offer must be presented to the Owner or Owners of Record (hereinafter "Owner"). Los Angeles County Metropolitan Transportation Authority ("LACMTA") contracted with Chicago Title Company and Wagner Engineering to determine ownership of the property. However, due to a convoluted ownership history, several street realignments, and revised parcel mapping, neither subcontractor could identify the Owner. In order to comply with California Government Code Section 7267.2, LACMTA contracted with eminent domain counsel Burke, William & Sorensen, LLP, to serve the written offer through publication. The offer was published in the Los Angeles Daily Journal newspaper for the weeks of January 10, January 17 and January 24, 2020, and was also posted on-site. To date, there has not been a response to the written offer publication or posting. Because the Property is necessary for construction of the Project, staff recommends the acquisition of the Property through eminent domain.

In accordance with the provisions of the California Eminent Domain law and Sections 30503, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), LACMTA has prepared and published the notice of this hearing

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informing the Owner of their right to appear at this hearing and be heard on the following issues: (1) whether the public interest and necessity require the Project; (2) whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) whether the Property is necessary for the Project; and (4) whether either the offer required by Section 7267.2 of the Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence; (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 other evidence has been received by LACMTA from all interested parties, LACMTA must make a determination as to whether to adopt the proposed Resolution of Necessity (Attachment C) to acquire the Property by eminent domain. In order to adopt the resolution, LACMTA must, based upon all the evidence before it, and by a vote of two-thirds of all the members of its governing body, find and determine that the conditions stated in the items 1 - 6 above exist. Attached is evidence submitted by staff that supports adoption of the Resolution that has been approved by counsel, and which sets forth the required findings (Attachment A).

### **DETERMINATION OF SAFETY IMPACT**

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

### **FINANCIAL IMPACT**

Funding for the acquisition of the Property is included in the approved Fiscal Year 2020 project budget, under Measure R Project 860228 (Regional Connector Transit Corridor Project), in Cost Center 8510, and Account Number 53103 (Acquisition of Land).

#### Impact to Budget

The FY2020 budget is designated for the Regional Connector Transit Corridor Project and is funded with Measure R 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 LACMTA Vision 2028 Goal #1: Provide high quality mobility options that enable people to spend less time traveling. Acquisition of property is a

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required step for the ultimate construction and operation of the Regional Connector Transit Corridor Project which will provide an additional mobility option.

**NEXT STEPS**

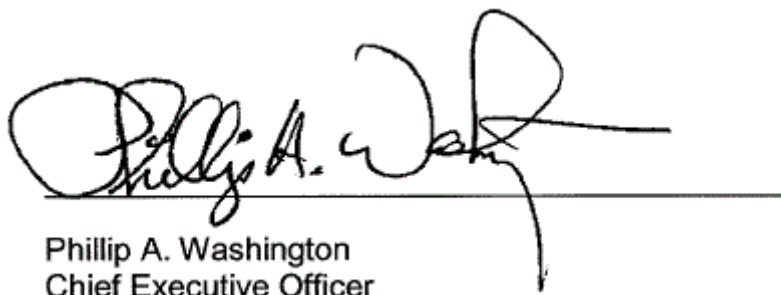
If this action is approved by the Board, LACMTA's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment Possession in accordance with the provisions of the eminent domain law.

**ATTACHMENTS**

Attachment A - Staff Report  
Attachment B - Resolution of Necessity

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 REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT – RC-SPA-4

#### **BACKGROUND**

The Property is required by the Los Angeles County Transportation Authority for the construction and operation of the Regional Connector Transit Corridor Project ("Project"). The address, record Owner (as indicated by a title report prepared by Chicago Title Company), physical description, and nature of the property interest sought to be acquired for the Project are summarized as follows:

<b>Assessor's Parcel Number</b>	<b>Parcel Address</b>	<b>Owner</b>	<b>Purpose of Acquisition</b>	<b>Property Interest(s) Sought</b>	<b>LACMTA Parcel Number</b>
Not Applicable Street Right-of-Way	Not Applicable Street Right-of-Way	Unknown	Station Site and Related Purposes	Fee simple interest	RC-SPA-4

LACMTA was unable to determine ownership of the Property. To comply with California Government Code Section 7267.2, a written offer for the real property (RC-SPA-4) was presented through publication via the Los Angeles Daily Journal for the weeks of January 10, January 17 and January 24, 2020, and was also posted on site. Staff has not received a response from the publication and no progress has been made in identifying the owner.

#### **A. The public interest and necessity require the Project.**

The public interest and necessity require the Project for the following reasons:

1. The existing population and employment density in the Regional Connector Transit Corridor ("Corridor") is higher than the surrounding County demographics, and is highly transit dependent. The Corridor population density is approximately two-and-a-half times higher than Los Angeles County as a whole. The Corridor has a very high concentration of low-income, minority, transit-dependent residents. More than 39 percent of all Corridor households are below the poverty threshold. 83 percent of Corridor residents are considered minorities, and 60 percent of all households in the Corridor do not have access to an automobile. The Project will provide significant improvements in transportation and attendant access to economic (employment) opportunities for low-income, elderly, transit-dependent persons living in the Corridor area.

2. The Project connects the Metro Gold, Blue, and Expo Lines through downtown Los Angeles, enabling passengers to travel the region's largest employment center on Metro's light rail transit (LRT) system without the need to transfer. By providing continuous through service between these lines, the Project will improve access to both local and regional destinations – greatly improving the connectivity of the transportation network for the region.
3. The Project will offer an alternative transportation option to congested roadways and provide significant environmental benefits, economic development, and employment opportunities throughout the Corridor and Los Angeles County as a whole.
4. The Project will enable Los Angeles County rail to operate more efficiently and attract higher ridership, thereby reducing congestion, improving air quality and lessening the regional carbon footprint. By linking several LRT systems through Downtown Los Angeles, the Project will significantly increase regional mobility.

It is recommended that based on the above evidence, the Board find and determine that the public interest and necessity require the Project.

**B The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.**

On September 3, 2010, a Draft Environmental Impact Statement/ Draft Environmental Impact Report (DEIS/DEIR) was circulated and reviewed by interested and concerned parties, including private citizens, community groups, the business community, elected officials and public agencies. Public hearings were held to solicit citizen and agency comments. A total of five alternatives were presented in the DEIR/DEIS: No Build, Transportation Systems Management (TSM), and three build alternatives utilizing Light Rail Transit (LRT) technology - Fully Underground, Underground Emphasis, and At-Grade Emphasis. On October 28, 2010 the Board adopted the Fully Underground LRT Alternative as the Locally Preferred Alternative (LPA), after review and consideration of the comments received from circulation of the 2010 DEIS/DEIR. The Board certified the Final Environmental Impact Statement/ Final Environmental Impact Report (FEIS/FEIR) on April 26, 2012. A Record of Decision was received from the Federal Transit Administration on June 29, 2012.

The Project is a Fully Underground LRT dual-track alignment, which will extend from the Metro Gold Line Little Tokyo/Arts District Station to the 7th Street/Metro Center Station in downtown Los Angeles, allowing passengers to transfer to the Blue, Expo, Red, and Purple Lines, bypassing Union Station. The 1.9-mile alignment will serve Little Tokyo, the Arts District, Civic Center, The Historic Core, Broadway, Grand Ave, Bunker Hill, Flower St., and the Financial District, and will benefit the City of Los Angeles and portions of unincorporated Los Angeles County. The Project includes three stations:

- 1st Street/Central Avenue
- 2nd Street/Broadway
- 2nd Street/Hope Street

The Corridor has some of the highest population and employment density in the Southern California region, as well as the highest proportion of transit ridership. No significant expansion of existing freeway and street networks is planned to accommodate this density and future expected growth. During various community meetings, the residents of the Corridor area expressed their need for improved transit service because many are transit-dependent and need better access to the region's educational, employment, and cultural opportunities. The Locally Preferred Alternative (LPA) addresses those needs and moves more people in a way that is energy efficient and with the least environmental impact.

The Project will cause private injury, including the displacement or relocation of certain owners and users of private property. However, no other alternative locations for the Project provide greater public good with less private injury. Therefore, the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Due to its bulk, the FEIS/FEIR is not physically included in the Board's agenda packet for this public hearing. However, the FEIS/FEIR documents should be considered in connection with this matter. It is recommended that, based upon the foregoing, the Board find and determine that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

**C. The Property is necessary for the Project.**

The Property, RC-SPA-4, is a partial fee acquisition of real property located within the 2<sup>nd</sup> Street and Hope Street right-of-way. The Property is approximately 18 square feet.

The Property is needed for the construction and operation of a Station Site and Related Facilities associated with the Project.

Staff recommends that the Board find that the acquisition of the Property is necessary for the Project.

**D. Offers were made in compliance with Government Code Section 7267.2.**

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer be made to the

Owner and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the Property. In addition, the agency is required to provide the Owner with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

1. Obtained an appraisal to determine the fair market value of the Property;
2. Reviewed and approved the appraisal, and established the amount it believes to be just compensation;
3. Attempted to determine the Owner of the Property with reasonable diligence by examining the county assessor's record and the title report;
4. Made available through publication and posting an offer for the full amount of just compensation - which was not less than the approved appraised value;
5. Made available through publication and posting the written statements of, and summaries of the basis for, the amounts established as just compensation with respect to the foregoing offer.

It is recommended that based on the above evidence, the Board find and determine that LACMTA has complied with the requirements of Section 7267.2 of the California Government Code.

**E. LACMTA has fulfilled the necessary statutory prerequisites.**

LACMTA 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**

On October 28, 2010 the Board adopted the Fully Underground LRT Alternative as the Locally Preferred Alternative (LPA), after review and consideration of the comments received from circulation of the 2010 DEIS/DEIR. The Board certified the Final Environmental Impact Statement/ Final Environmental Impact Report (FEIS/FEIR) on April 26, 2012. A Record of Decision was received from the Federal Transit Administration on June 29, 2012.

Accordingly, LACMTA has fulfilled the necessary statutory prerequisites to acquire the Property by eminent domain.

**CONCLUSION**

Staff recommends that the Board approve the Resolution of Necessity.



**RESOLUTION OF THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR  
PUBLIC  
PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF REGIONAL  
CONNECTOR TRANSIT CORRIDOR PROJECT PARCEL RC-SPA-4**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

The LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("LACMTA") is a public entity organized and existing pursuant to Chapter 2 of Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interest described hereinafter is to be taken for public use, namely, for public transportation purposes and all uses necessary, incidental or convenient thereto, and for all public purposes pursuant to the authority conferred upon the Board to acquire property by eminent domain by California Public Utilities Code Sections 30000-33027, inclusive, and particularly Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections 130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive, and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The property interest consists of the acquisition of a partial fee interest as described more specifically in the Legal Descriptions (Exhibit A) and depicted on the Plat Maps (Exhibit B), attached hereto (hereinafter, the "Property"), all of which are incorporated herein by this reference.

Section 4

(a) The acquisition of the above-described Property is necessary for the development, construction, operation, and maintenance of the Regional Connector Transit Corridor Project ("Project");

(b) The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR) for this Project which was certified by the Board on April 26, 2012. The Board found that in accordance with the California Environmental Quality Act Guidelines, Section 15162, no subsequent or supplemental Environmental Impact Report is required for the Project; and

(c) The Board has reviewed and considered the FEIS/FEIR, before and as part of the process of determining whether to acquire the above-referenced Property.

#### Section 5.

The Board hereby declares that it has found and determined each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The Property sought to be acquired, which has been described herein, is necessary for the proposed Project; and

(d) LACMTA has complied with the requirements of Section 7267.2 of the California Government Code because no owner could be located with reasonable diligence in order to make an offer.

#### Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property is already devoted to a public use, the use to which the Property is to be put is a more necessary public use than the use to which the Property is already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property is already devoted.

#### Section 7.

That notice of intention to adopt this resolution was published in the Los Angeles Daily Journal for the weeks of January 10, January 17 and January 24, 2020, and was also posted on site and posted on site notifying that the Property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of said Property in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property.

Counsel is further authorized to compromise and settle such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

I, 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 27<sup>th</sup> day of February 2020.

Date: \_\_\_\_\_

\_\_\_\_\_  
MICHELE JACKSON  
LACMTA Secretary

**ATTACHMENTS**

- 1 - Legal Descriptions (Exhibit "A")
- 2 - Plat Maps (Exhibit "B")

**LEGAL DESCRIPTION FOR STATION PLAZA AREA PURPOSES  
RC-SPA-4**

THAT PORTION OF THAT PLAT OF THE CITY LANDS OF CITY OF LOS ANGELES, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 2, PAGE 38 OF PATENTS, LYING WITHIN 2<sup>ND</sup> STREET, 60 FEET WIDE, AS SHOWN ON MOTT TRACT, RECORDED IN BOOK 14, PAGE 7, IN THE OFFICE OF THE COUNTY RECORDER; TOGETHER WITH THAT PORTION OF LOT 10, IN BLOCK R, AS SHOWN ON SAID MOTT TRACT DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE POINT OF INTERSECTION OF THE CENTERLINES OF SECOND STREET, 60 FEET WIDE, AND HOPE STREET, 50 FEET WIDE, AS SHOWN ON TRACT NO. 27864, FILED IN BOOK 768, PAGES 70 THROUGH 77 INCLUSIVE OF MAPS, THENCE ALONG THE NORTHWESTERLY PROLONGATION OF SAID CENTERLINE OF SECOND STREET, N52°15'58"W 40.00 FEET TO THE NORTHWESTERLY LINE OF HOPE STREET, 80 FEET WIDE AS SHOWN ON TRACT NO. 21313, FILED IN BOOK 825, PAGES 41 AND 42 OF MAPS; THENCE ALONG SAID NORTHWESTERLY LINE, S37°49'36"W 21.39 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE, S37°49'36"W 7.68 FEET; TO A LINE THAT IS PARALLEL WITH AND DISTANT 33.00 FEET SOUTHWESTERLY FROM SAID NORTHWESTERLY PROLONGATION OF 2<sup>ND</sup> STREET; THENCE LEAVING SAID NORTHWESTERLY LINE OF HOPE STREET AND ALONG SAID PARALLEL LINE, N52°15'58"W 4.76 FEET TO A POINT OF BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 424.00 FEET, A RADIAL LINE TO SAID POINT BEARS S19°47'32"E; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°13'17" AN ARC LENGTH OF 9.04 FEET TO SAID NORTHWESTERLY LINE OF HOPE STREET AND TO THE **TRUE POINT OF BEGINNING**.

CONTAINS: 18 SQUARE FEET, MORE OR LESS.

NOTE:

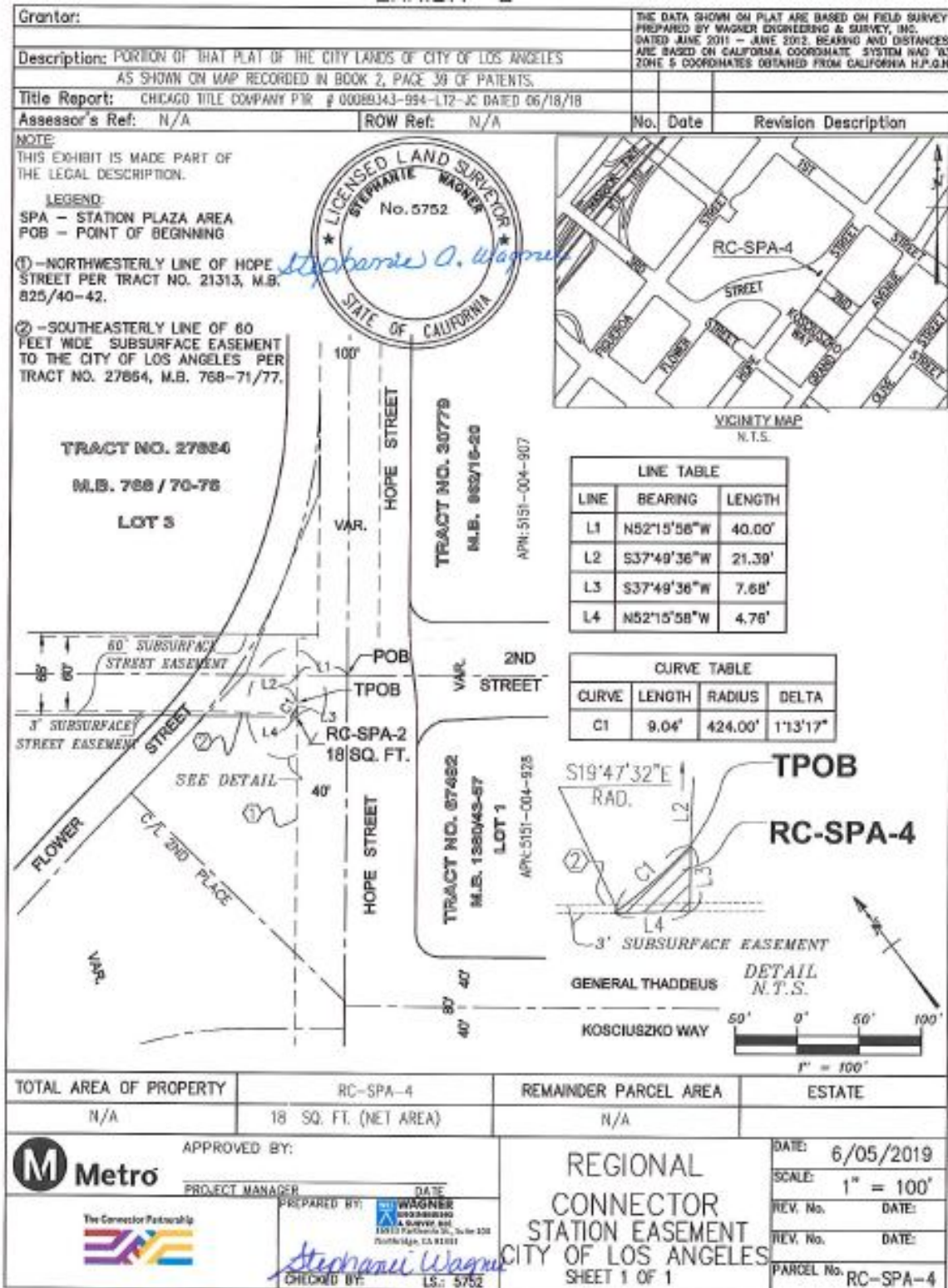
THIS LEGAL DESCRIPTION WAS NOT PREPARED FOR ANY PURPOSE THAT WOULD BE IN VIOLATION OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT OR LOCAL ORDINANCES OF THE GOVERNING BODY HAVING JURISDICTION.

PREPARED BY:

*Stephanie A. Wagner*  
STEPHANIE A. WAGNER, P.L.S. 5752

*June 5, 2019*  
DATE





HEARING TO ADOPT RESOLUTION OF NECESSITY

REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT  
BOARD MEETING, FEBRUARY 27, 2020

ITEM #32

# HEARING TO ADOPT RESOLUTION OF NECESSITY REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT

## Location:

- 2<sup>nd</sup> Street and Hope Street right-of-way, County of Los Angeles

## Purpose:

- Provide significant improvements in transportation and access to economic opportunities
- Connect Metro L, A, and E Lines to improve connectivity and reduce system transfers
- Operate more efficiently and attract higher ridership

## Property Impacts:

- Partial Fee Acquisition located within 2<sup>nd</sup> Street and Hope Street right-of-way
- Approximately 18 square feet
- Needed for the construction and operation of 2<sup>nd</sup> and Hope Station Plaza

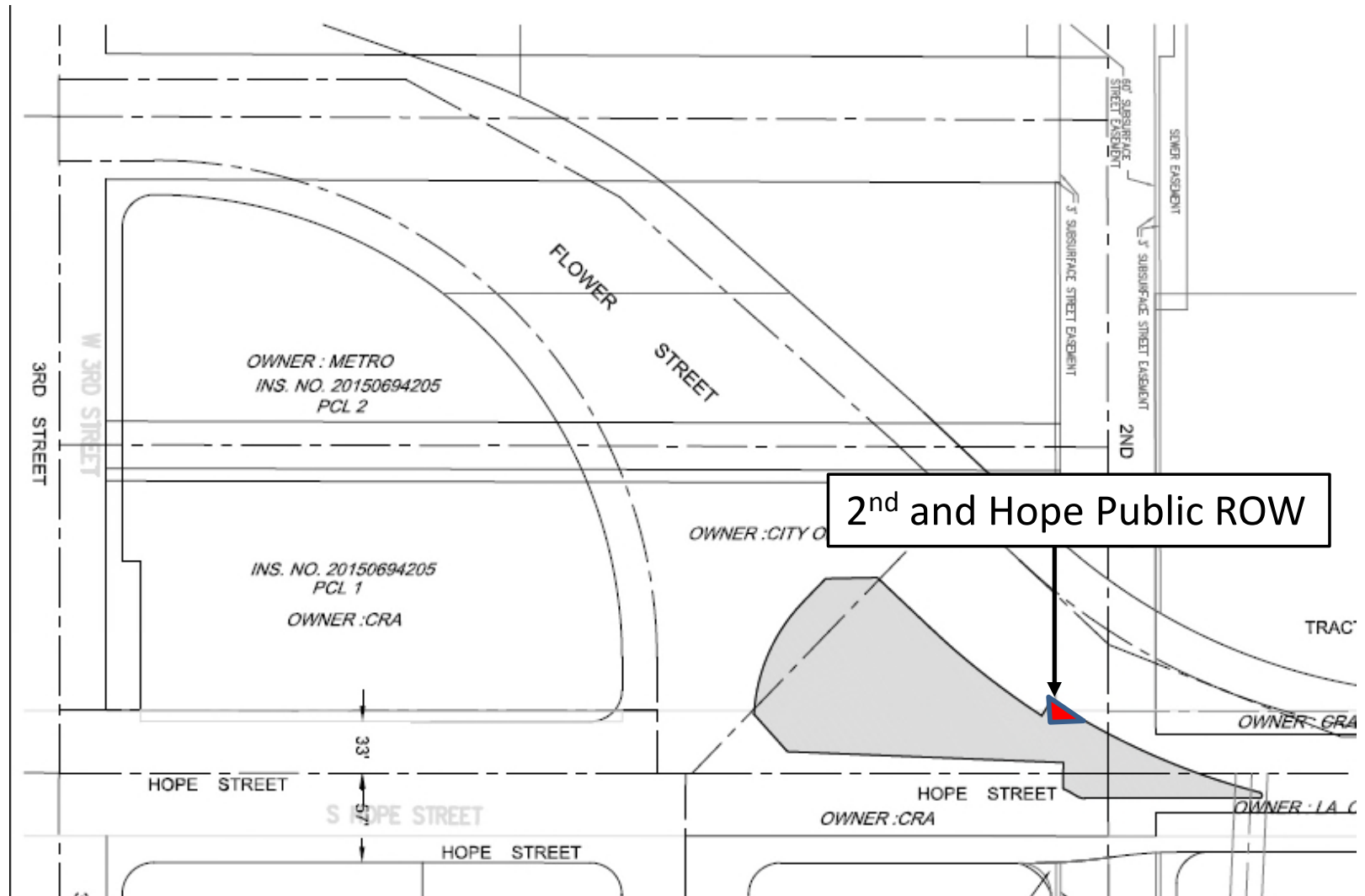


# HEARING TO ADOPT RESOLUTION OF NECESSITY REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT





# HEARING TO ADOPT RESOLUTION OF NECESSITY REGIONAL CONNECTOR TRANSIT CORRIDOR PROJECT



# HEARING TO ADOPT RESOLUTION OF NECESSITY REGIONAL CONNECTOR TRANSIT CORRIDOR 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.



Board Report

File #: 2020-0107, File Type: Policy

Agenda Number: 33.

**REGULAR BOARD MEETING  
FEBRUARY 27, 2020**

**SUBJECT: ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT**

**ACTION: ADOPT RESOLUTION OF NECESSITY TO ACQUIRE  
PROPERTY RM-02**

**RECOMMENDATION**

CONSIDER:

- A. Holding a hearing on the proposed Resolution of Necessity; and
- B. Adopting a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire a Utility Overhang and a 54-month Temporary Construction Easement from the property identified as Parcel RM-02 (APN: 8059-029-010). The property listed above is herein referred to as the "Property".

REQUIRES 2/3 VOTE

**BACKGROUND**

The acquisition of the Property is 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.

A written offer to purchase the Property was delivered to the Owners of Record ("Owner") of the Property, as required by California Government Code Section 7267.2. The Owner has not accepted the offer of Just Compensation made by the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), and the parties have not reached negotiated settlement as of this date. Since the Property is necessary for construction of the Project, staff recommends the acquisition of the Property through eminent domain to maintain the Project schedule.

In accordance with the provisions of the California Eminent Domain law and Sections 30503, 30600, 130051.13, 130220.5 and 132610 of the California Public Utilities Code (which authorize the public acquisition of private property by eminent domain), LACMTA has timely prepared and mailed notice of this hearing to the Owner informing them of their right to appear at this hearing and be heard on the following issues: (1) whether the public interest and necessity require the Project; (2) whether the

Project is planned or located in the manner that will be most compatible with the greatest good and the least private injury; (3) whether their respective Property is necessary for the Project; (4) whether either the offer required by Section 7267.2 of the Government Code has been made to the Owner, or the offer has not been made because the Owner cannot be located with reasonable diligence; (5) whether environmental review of the Project has complied with the California Environmental Quality Act (CEQA) and (6) whether LACMTA has given the notice(s) and followed the procedures that are a prerequisite to the exercise of the power of eminent domain.

After all of the testimony and evidence has been received by LACMTA's Board from all interested parties at the hearing, LACMTA's Board must make a determination as to whether to adopt the proposed Resolution of Necessity to acquire the Property by eminent domain. In order to adopt the Resolution, 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 Resolution that has been approved by counsel, which sets forth the required findings (Attachment A).

### **DETERMINATION OF SAFETY IMPACT**

This Board action will not have an impact on LACMTA's safety standards.

### **FINANCIAL IMPACT**

The funding for the temporary construction easements, overhead easements, and the roadway easement are 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 FY2020 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 LACMTA Vision 2028, Goal #1: Provide high quality mobility options that enable people to spend less time traveling. Acquisition of property is a

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required step for the ultimate construction and operation of the Rosecrans Marquardt Grade Separation Project which will provide additional mobility.

**NEXT STEPS**

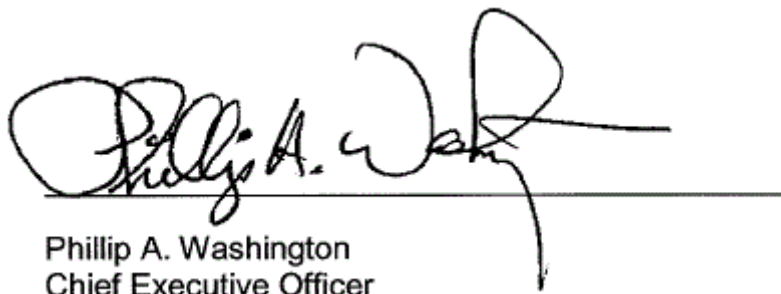
If this action is approved by the Board, LACMTA's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the property interest by eminent domain. Counsel will also be directed to seek and obtain an Order of Prejudgment Possession in accordance with the provisions of the eminent domain law, as necessary.

**ATTACHMENTS**

Attachment A - Staff Report  
Attachment B - Resolution of Necessity

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

**STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF PROPERTY FOR THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT – RM-02**

**BACKGROUND**

The Property is required by the Los Angeles County Transportation Authority for the construction and operation of the Rosecrans/Marquardt Grade Separation ("Project"). The address, record owners (as indicated by a title report) ("Owner"), physical description, and nature of the property interests sought to be acquired for the Project are summarized in the table below.

<b>Assessor's Parcel Number</b>	<b>Parcel Address</b>	<b>Property Owner</b>	<b>Purpose of Acquisition</b>	<b>Property Interest Sought</b>	<b>LACMTA Parcel Number</b>
8059-029-010	13649 Rosecrans Avenue, Santa Fe Springs, CA 90670	Sang Whan Bang and Youn Hoi Bang, Co-Trustees of the Bang Family Trust	Rosecrans/Marquardt Grade Separation Project	Utility Overhang Easement and a 54 month Temporary Construction Easement	RM-02

A written offer to acquire the Property was presented to the Owner or Owner's Representative by a letter dated May 15, 2019. LACMTA has attempted to negotiate with the Owner and/or their attorneys, and to date, the Owner has 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 Property is Necessary for the Project.**

The Property is required for the construction of the overhead pass over Marquardt Avenue, realigning Rosecrans Avenue to the south, and providing the adjacent property located at 13659 Rosecrans Avenue, Santa Fe Springs, temporary access to a public road. 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 Property is necessary for the Project.

**D. Offer was made in compliance with Government Code Section 7267.2.**

California Code of Civil Procedure section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by section 7267.2 of the California Government Code has been made to the owner(s) of record, or the offer has not been made because the owner(s) cannot be located with reasonable diligence.

California Government Code section 7267.2 requires that an offer be made to the owner or to the owner(s) of record and in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the property. In addition, the agency is required to provide the owner(s) with a written statement of, and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property:

1. Obtained appraisals to determine the fair market value of the Property, which included consideration of any immovable fixtures and equipment as appropriate;
2. Reviewed and approved the appraisal, and established the amount it believes to be just compensation for the Property;

3. Determined the owner(s) of the Property by examining the county assessor's record and the title report;
4. Made a written offer to the owner(s) for the full amount of just compensation - which was not less than the approved appraised values; and
5. Provided the owner(s) with a written statement of, and summary of the basis for, the amounts established as just compensation with respect to the foregoing offer.

It is recommended that based on the above evidence, the Board find and determine that the offer required by Section 7267.2 of the California Government Code have been made to the owner(s) of record.

**E. LACMTA has fulfilled the necessary statutory prerequisites.**

LACMTA 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, LACMTA has fulfilled the necessary statutory prerequisites to acquire the Property by eminent domain.

**CONCLUSION**

Staff recommends that the Board adopt the Resolution of Necessity.

**RESOLUTION OF THE  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
DECLARING CERTAIN REAL PROPERTY NECESSARY FOR PUBLIC PURPOSES  
AND AUTHORIZING THE ACQUISITION THEREOF FOR  
THE ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT PARCEL  
RM-02 (APN: 8059-029-010)**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("LACMTA") is a public entity organized and existing pursuant to Chapter 2 of Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interests described hereinafter is to be taken for public use, namely, for 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 a Utility Overhang Easement and a 54-month Temporary Construction Easement as described more specifically in the Legal Descriptions (Exhibit A and Exhibit A-1) and depicted on the Plat Maps (Exhibit B and Exhibit B-1), 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, LACMTA 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 Property sought to be acquired is also necessary for the purpose specified in Section 1240.350 of the Code of Civil Procedure, to provide temporary access to a public road, and as such the taking of the Property is authorized by Section 1240.350 of the Code of Civil Procedure.

Section 8.

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 9.

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 27th day of February, 2020.

\_\_\_\_\_  
MICHELE JACKSON  
LACMTA Secretary

Date: \_\_\_\_\_

**ATTACHMENTS**

- 1 - Legal Descriptions (Exhibit "A" and Exhibit "A-1")
- 2 - Plat Maps (Exhibit "B" and Exhibit "B-1")

**EXHIBIT A  
UTILITY OVERHANG EASEMENT  
LEGAL DESCRIPTION**

**PARCEL A** (A.P.N. 8059-029-010)

THAT PORTION OF THE LAND, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED IN THE QUITCLAIM DEED RECORDED JULY 01, 2011 AS INSTRUMENT NO. 20110897047, OF OFFICIAL RECORDS, 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 SOUTHEASTERLY CORNER OF SAID LAND;

THENCE ALONG THE EASTERLY LINE OF SAID LAND 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 LAND;

THENCE LEAVING SAID EASTERLY LINE AND ALONG SAID PARALLEL LINE SOUTH 89°37'06" WEST, 38.42 FEET;

THENCE LEAVING SAID PARALLEL LINE SOUTH 00°22'54" EAST, 5.00 FEET TO SAID SOUTHERLY LINE;

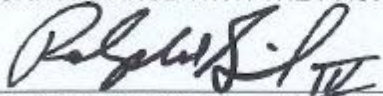
THENCE ALONG SAID SOUTHERLY LINE NORTH 89°37'06" EAST, 38.42 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 192 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.



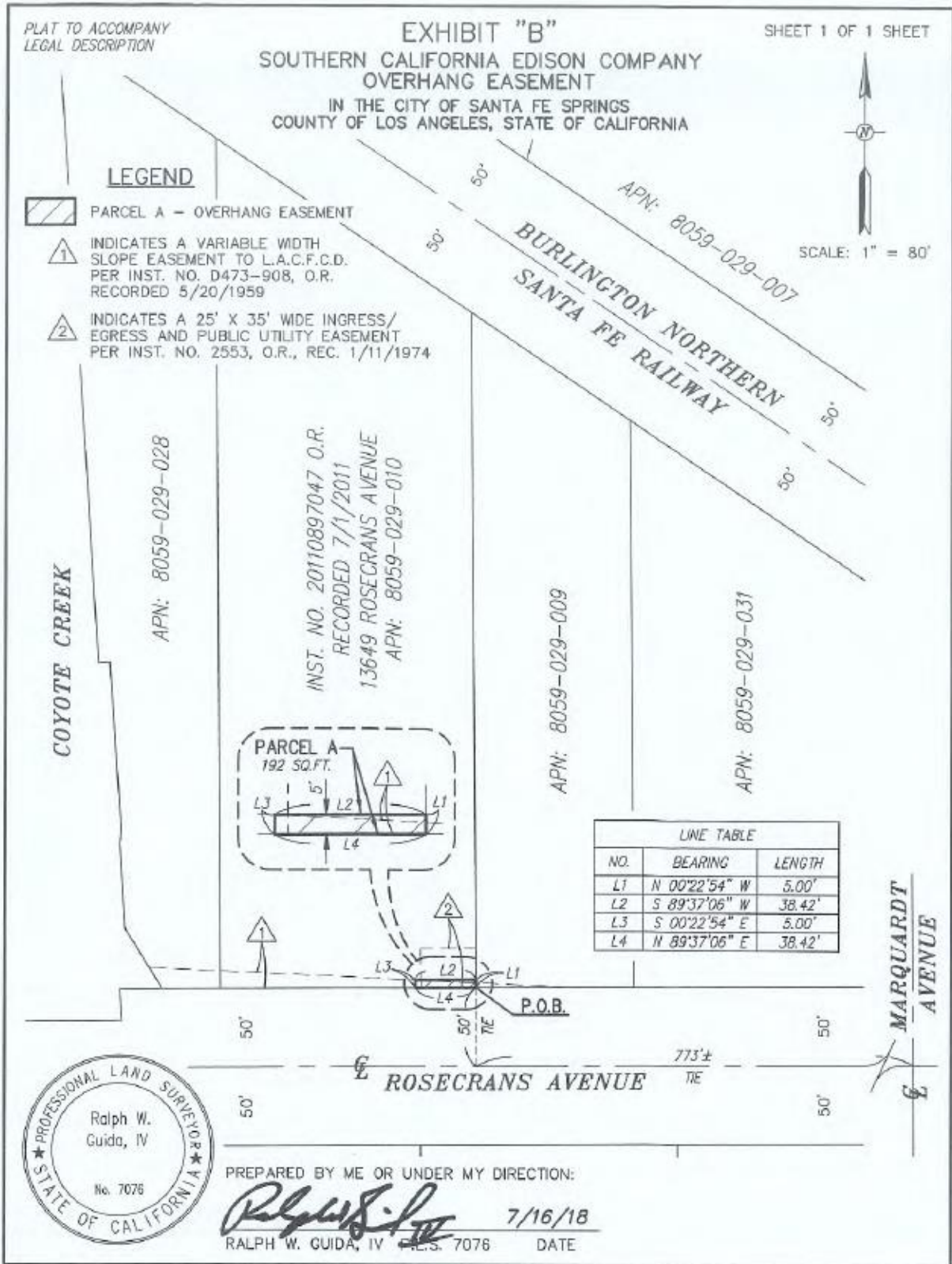
RALPH W. GUIDA, IV, P.L.S. 7076

7/16/18

DATE



**EXHIBIT B**  
 Plat Map of the Required Parcel – Utility Overhang Easement





**EXHIBIT A-1  
TEMPORARY CONSTRUCTION EASEMENT  
LEGAL DESCRIPTION**

**PARCEL A (TEMPORARY CONSTRUCTION EASEMENT)**

THAT PORTION OF THE LAND DESCRIBED IN A GRANT DEED, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JULY 1, 2011, AS INSTRUMENT NO. 20110897047, 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 AS SHOWN ON THE MAP FILED IN BOOK 108, PAGES 12 AND 13 OF RECORD OF SURVEYS IN THE OFFICE OF SAID COUNTY RECORDER AND THE NORTHERLY RIGHT-OF-WAY LINE OF ROSECRANS AVENUE, 100 FEET WIDE;

THENCE ALONG SAID WESTERLY LINE NORTH 00°24'45" WEST, 56.00 FEET;

THENCE LEAVING SAID WESTERLY LINE NORTH 90°00'00" EAST 153.72 FEET;

THENCE NORTH 00°24'45" WEST 25.27 FEET;

THENCE NORTH 90°00'00" EAST, 8.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LAND AS DESCRIBED IN SAID INSTRUMENT NO. 20110897047, SAID POINT BEING NORTH 00°24'45" WEST 80.20 FEET, AS MEASURED ALONG SAID EASTERLY LINE OF SAID LAND, FROM THE SOUTHEASTERLY CORNER OF SAID LAND;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°24'45" EAST 80.20 FEET TO THE SOUTHEASTERLY CORNER OF THE LAND AS DESCRIBED IN SAID INSTRUMENT, SAID CORNER ALSO BEING ON THE NORTHERLY LINE OF SAID ROSECRANS AVENUE, 100.00 FEET WIDE;

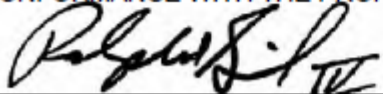
THENCE ALONG SAID NORTHERLY LINE OF SAID ROSECRANS AVENUE SOUTH 89°37'06" WEST 161.71 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 9,172 SQUARE FEET OR 0.211 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.

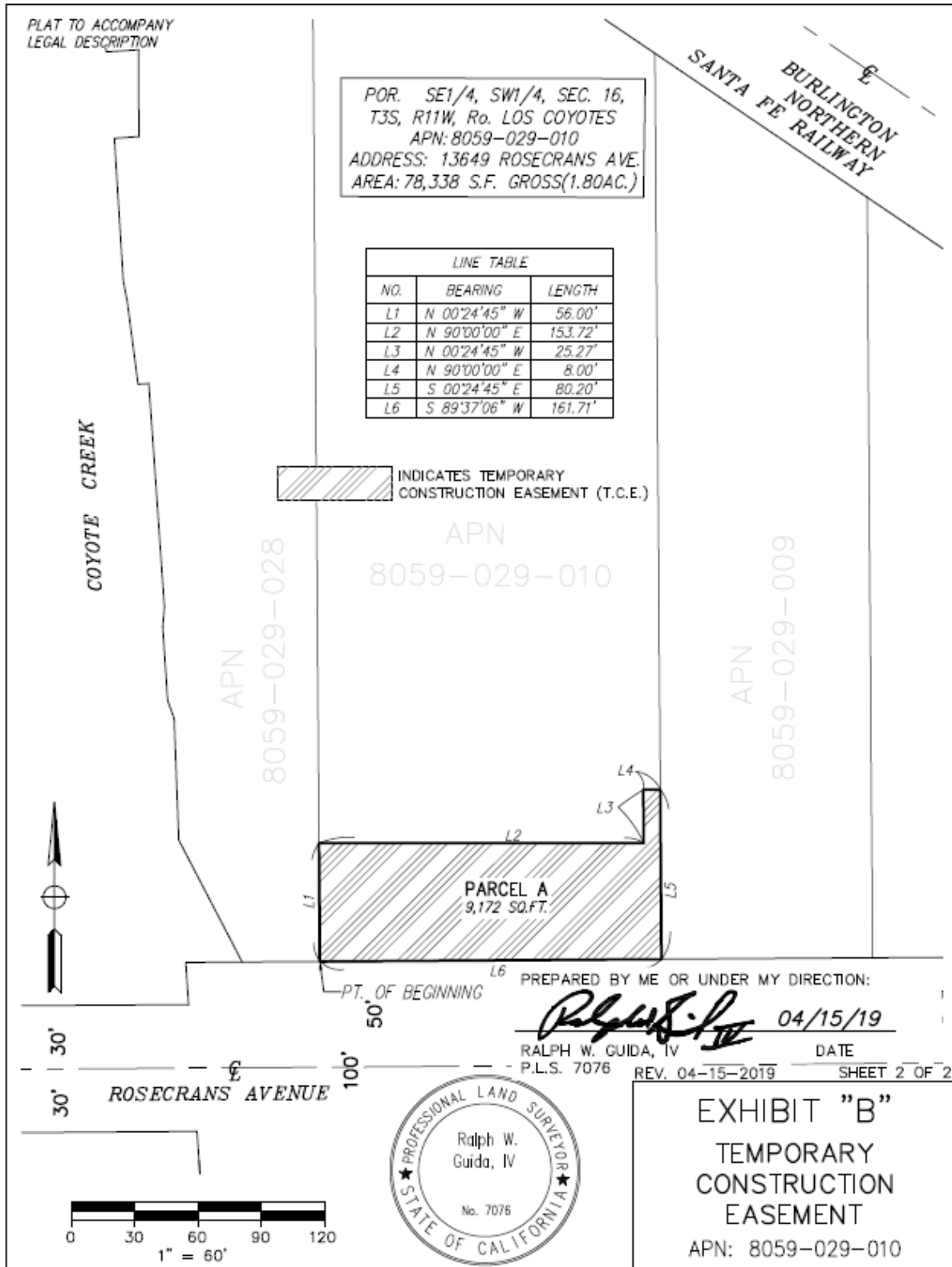
  
\_\_\_\_\_  
RALPH W. GUIDA, IV, P.L.S. 7076

4/15/2019  
DATE



**EXHIBIT B-1**

**Plat Map of the Required Parcel – Temporary Construction Easement**



HEARING TO ADOPT RESOLUTION OF NECESSITY  
ROSECRANS/MARQUARDT GRADE SEPERATION PROJECT  
BOARD MEETING FEBRUARY 27, 2020  
ITEM # 33

# 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 Utility Overhang Easement and Temporary Construction Easement (TCE) and site improvements
- Duration of TCE is 54 months
- Purpose of the TCE is allow contractor access to grade driveways/parking lot

# HEARING TO ADOPT RESOLUTION OF NECESSITY ROSECRANS/MARQUARDT GRADE SEPARATION PROJECT

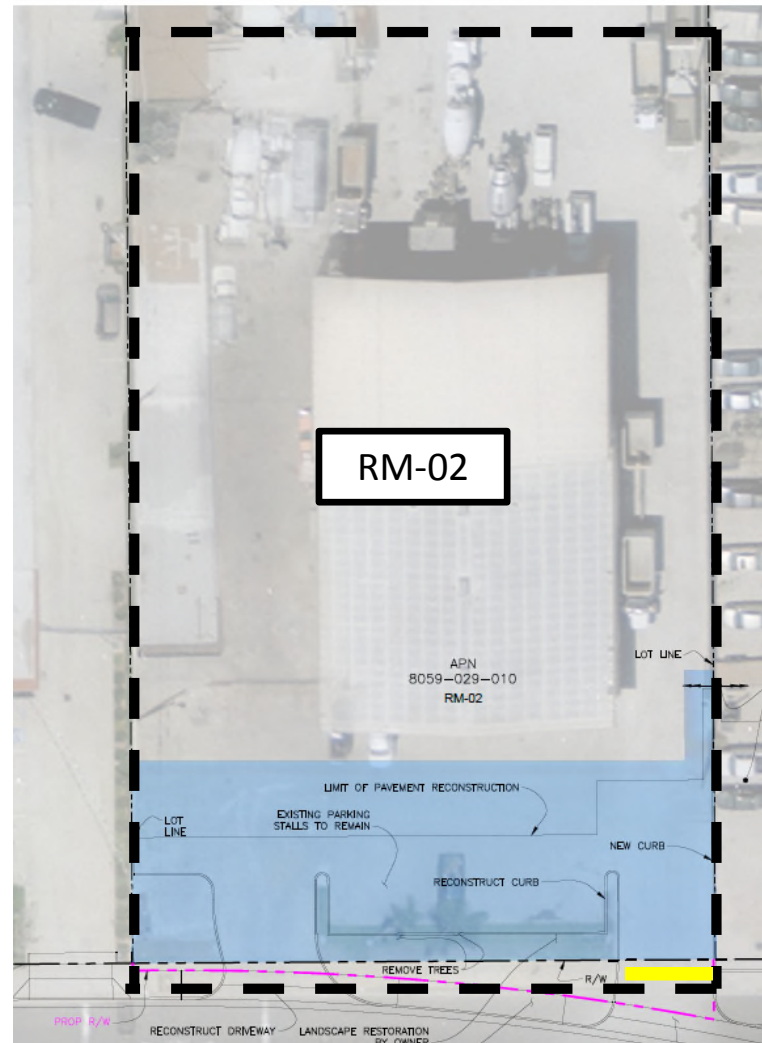
13649 Rosecrans Avenue, Santa Fe Springs, CA 90670

RM-02– Bang Family Trust

Utility Overhang Easement and Temporary Construction Easement (TCE)

Temporary  
Construction  
Easement

Overhang  
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
- Whether the statutory requirements necessary to acquire the property or property interest by eminent domain have been complied with by LACMTA.