

ATTACHMENT B (January 2020)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
Jan 2020 / #1 C0988-MOD-00437 Crenshaw/LAX UG1 (H2S) Ventilation Fans - Construction	none		
January 2020 #2 C0980 MOD-00154 Regional Connector - Acoustical Treatments for Areas Not on Finish Schedule	none		
January 2020 #3 C1045 MOD-00089 Purple Line Sect. 1 Development and On Site Validation of the Selected Gas Mitigation Option for M13	<p>While the soil at every site is unique, it is possible to create a standard for testing soils for gasses. There is no current rule or technical specification within Metro criteria for extraction of CH₄ or H₂S from the soil.</p> <p>The OIG recommends after the final report is submitted by the contractor, that a technical specification for testing be developed and written into the MDRC to use in the future.</p>		
January 2020 #4 C1045 MOD-00090 Purple Line Sect. 1 Oil Well Investigation In Lieu of TBM Probe Ahead	<p>The implementation of the drilling and magnetometer survey from Section 1 has been incorporated into Purple Line Extension Section 2 and 3 contracts.</p> <p>The OIG recommends that the procedures implemented for locating tanks, pipes and other abandoned waste be added to the Lessons Learned database.</p> <p>The OIG further recommends that Metro evaluates whether to pursue recovery for waste removal costs under CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act, also known as Superfund. Passed in 1980). The OIG recommends that Metro's Engineering Program Management provide information on this matter to Metro's Legal department to assist in making this determination and potentially pursuing this recovery.</p>		

ATTACHMENT B (Oct 2019)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>Jan 2020 / #1 C0988-MOD-00437 Crenshaw/LAX - UG1 (H2S) Ventilation Fans - Construction</p>	<p>The Metro RDC was updated with 2010 ADA Standards for Accessible Design later, and after the release and execution of the Crenshaw contract. When new standards are issued all request for proposal specifications pending after that date should be reviewed for correction before release when possible.</p> <p>For request for proposals released between 2010 and 2014,(when we changed the specification and Metro RDC) the OIG recommends immediate evaluation to determine if they were also awarded based on the old pre 2010 standards to determine whether their projects might be similarly impacted.</p>	<p>Agreed</p>	
<p>Oct. 2019 / #3 C1078 MOD-00083 Purple Line Sect. 1 - La Cienega Dewatering DSC</p>	<p>The Geotechnical Baseline Report stated that the ground conditions would permit drainage of water. The OIG questions if the consultant who developed the Geotechnical Baseline Report properly interpreted the boring data. Investigation is warranted to determine if the report accurately reflects the data.</p> <p>The OIG recommends recovering part of the cost, if the investigation demonstrates that the report was erroneous. The OIG further recommends future Geotechnical Baseline Reports should include interpretation of the borings to determine within a 95% confidence level the nature of the underlying soil and the location of the water table.</p>	<p>Project reviewed the GBR and actual field data and concludes this is a DSC. There is no error and omission on the part of the consultant.</p>	
<p>Oct. 2019 / #4 C1078 MOD-00085 Purple Line Sect. 1 - Geotechnical Instrumentation: Revise Geotechnical Contingency Plan and Reporting</p>	<p>The OIG recommends if Metro believes this change order is a betterment, then Metro should complete the new "Potential Notice of Betterment" form, submit a copy to LABOE and retain a copy for negotiations at the end of the contract if not sooner. This means Metro would move forward at LABOE expense. Going forward, this "Potential Notice of Betterment" form should be completed when applicable and submitted to the LABOE prior to agreeing to move forward, thus allowing the LABOE to make the decision if the betterment is truly necessary.</p>	<p>Project concurs and will develop a Potential Notice of Betterment for LABOE.</p>	

ATTACHMENT B (July 2019)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>July 2019 / #1 C0988-MOD-00426 Crenshaw/LAX - Irrigation Water Meters, Park Mesa Medians</p>	<p>The OIG recommends this disagreement between the City of Los Angeles Public Works and LA Metro about the responsibility for the changes should be discussed and resolved.</p>	<p>This item is tied to the tree permit that included adding pavement in areas beyond the project limits, increasing the number of replacement of trees for those cut down, adding landscaped medians (which require the subject irrigation). All of the items above were discussed with City and the two parties agreed to an MOU for which the City would be paid 3.5 million to pave the street (work valued at 7.0 million plus) and that this agreement resolved the other issues mentioned above with Metro installing at its cost (medians, trees...etc)</p>	
<p>July 2019 / #2 C0980 MOD-00141.2 Regional Connector - Impacts to Support of Excavation: Decking, Utilities and Temporary Drainage</p>	<p>The OIG recognizes the age of the buildings at the site and errors of definitive drawings. The OIG recommends to research on the front end, even drawings to confirm accuracy, to preclude issuing an expensive change order after construction has commenced.</p>	<p>There are definitely some lessons to be applied to future projects based on Regional Connector's experience with utilities. The most significant finding is the need to conduct utility condition assessments in areas where cut-and-cover construction is planned. This could be accomplished by a combination of potholing, inspection of maintenance holes/vaults and research with the utility owner. The documented age of the utility and the presence of large masonry vaults/maintenance holes, should serve as guides in the determination of whether facilities should be replaced.</p>	<p>No further action by Regional Connector</p>
<p>July 2019 / #3 C1078 MOD-00025 Purple Line Sect. 1 - Revised Low Impact Development (LID)</p>	<p>The OIG recommends that all upcoming sites where known industrial and railway activity occurred, that a full investigation of soils occurs and is stated in the Environmental Impact Statement. Performing such investigation early may result in additional early costs, but these circumstances will then become known costs of the project and may be prepared with less delay and less costs than waiting.</p>	<p>Site investigation and soil remediation was completed prior to the construction of the site. However, the original plan for the DTSC directed site cleanup was the previous owners responsibility. Due to the nature in how this property was eventually acquired in order to meet the construction schedule (imminent domain) there was no time to cleanup the groundwater issues prior to LID designs. and assess any data gaps that may have existed. Orders from the DTSC to continue remediation efforts of the groundwater, beyond Metro's planned clean up phase, pushed the environmental effort beyond a clear end date which in effect conflicted with the LID design since it would be predicted to pushing an identified contaminated groundwater plume during rain events once completed. In the future, if Metro can anticipate action to be required from outside entities (that can take significant time to develop and execute) beyond the initial environmental phase, it will request contractor to change the design prior to 60% completion to avoid major changes</p>	
<p>July 2019 / #4 MC1120 MOD-00037 Purple Line Sect. 2 - Revision to Avg Depth of Seismic Borings along Wilshire Blvd. on Tunnel Reach 5</p>	<p>The OIG commends the Engineering department for taking supplementary steps to determine additional the location of seismic fault line in relation to the track alignment for improved safety and long term structural integrity.</p>	<p>Noted</p>	<p>N/A</p>

ATTACHMENT B (April 2019)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>April 2019 / #1 C0988 MOD-00402 Crenshaw/LAX - Provisional Payments - Pending Dispute Resolution Fire Rated Cable (multiple) Change Orders</p>	<p>1. The OIG recommends that Metro expeditiously and fairly resolve the litigation with the Contractor. 2. The OIG further recommends that a review team monitor the billings of the Contractor to validate the efficacy of the incentive program as this may become a tool for improving future performance on other projects.</p>	<p>1. Agree, different mechanisms to achieve this being considered. 2. Agree, already being implemented.</p>	<p>1. December 2019 2. Closed</p>
<p>April 2019 / #3 C1045 MOD-00071 Purple Line Sect. 1 - Golder Gas Investigation and Report</p>	<p>The Independent Cost Estimate was not an accurate representation of work stated in the agreed upon scope of work. The OIG recommends that Metro continue to follow through on the plan for mitigation of gas migration utilizing the Contractor's new report of procedures where known high concentrations of hydrogen sulfide and methane gases exist.</p>	<p>Metro is following thru on the plan. Installation of wells for field testing began in 3/19. The mitigation options draft memo, based on the field testing observations, was received 6/25. Design of a selected gas migration mitigation option, i.e. increasing the number of soil vapor extraction wells, is ongoing.</p>	<p>Completion of mitigation recommendation and implementation, is tentatively scheduled for December 31, 2019.</p>
<p>April 2019 / #4 C1045 MOD-00072 Purple Line Sect. 1 - Reach 3 Additional Gas Testing and Assessment</p>	<p>The OIG recommends: 1. In following the new Contractor's report, Work Plan for Exploratory Program to Assess Mitigations for Potential Gas Migration, a. Record all steps that were successful and those that need modification. b. Have information formatted and add to Technical Specifications. c. Have steps and procedures added into Lessons Learned d. Incorporate these finding and procedures into any future bid process where potential gas migration and tunnel boring may occur. 2. Note under Lessons Learned where known high concentrations of hydrogen sulfide and methane gases exist, prior study and geotechnical investigation be completed and included in the bid documents.</p>	<p>1. Metro has the following comments: a. Plan to record this. Modifications to the testing program in field to be made as appropriate b. This is likely a unique area. A Full report on the program and recommendations is included in the work. Pending the outcome, Technical Specifications would be developed for the Project c. Agree, also see b above d. We note that investigation is in progress now to study gas migrations. Pending outcome, future bid process would include results, including incorporation in Geotechnical Investigation and Technical Requirements 2. Agree. In this instance the area was studied and fully identified/described in the bid documents. Also see 'b' above.</p>	<p>12/31/2019</p>

ATTACHMENT B (April 2019)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>April 2019 / #5 C1045 MOD-00074 Purple Line Sect. 1 - Additional Instrumentation (Project Wide) as requested by LABOE and STS EOR</p>	<p>The OIG recommends that instrumentation bought for this project become property of LA Metro, so that future projects (remainder of the Purple Line Extension 2 and 3) will have instrumentation on hand to immediately install when Support of Excavation for those projects begin.</p>	<p>Metro has made several attempts in the past for Purple Line and Regional to salvage and reuse geotechnical instrumentation. However, passing the instruments between projects offer a number of challenges. These include the following:</p> <ul style="list-style-type: none"> • The Design life of instrumentation equipment is limited given the temporary nature of the work. • Given the diminished value of the used instrumentation equipment it is often abandoned in place. An effort to salvage the equipment may result in increased costs. • The means, methods and performance of shoring, instrumentation and monitoring are left with the Design-builder. Dictating the used instruments would interfere with the selection of means and methods and make Metro responsible for warranting the equipment for the life of the project. • The technology associated with the equipment continues to evolve. Metro may then be obligating the contractor to use obsolete equipment. • Timing and turnover of instrumentation. The contract schedules for Regional, Crenshaw and Purple Line Sections 1, 2 and 3 all overlap. As such, the instrumentation for each project is needed at the same time. • Metro would need to inventory and temporary store the instrumentation equipment. There is a risk that Metro may be storing the equipment permanently or Metro may need to make efforts for their disposal. 	<p>Closed</p>

ATTACHMENT B (Jan. 2019)

OIG REPORT/ SPOT CHECK # MOD #	RECOMMENDATIONS	MANAGEMENT'S RESPONSES	COMPLETION DATE
<p>Jan 2019 / #1 C0988 MOD 00335.1 Crenshaw - Cable Transmission System Update - Construction</p>	<p>"The OIG recommends: The schedule negotiations with the contractor be expeditiously concluded so the schedule impacts are minimized."</p>	<p>Not sure what this means. CO's were issued prior to MOD that obligated the contract to commence work - this mitigated schedule impacts. Response could stay as-is I suppose (with edits) as it is relatively benign in nature</p>	<p>Closed</p>
<p>Jan 2019 / #3 C1120 MOD-00026 Purple Line Sect. 2 - Santa Monica Blvd. Bus Layover Design and Construction Changes</p>	<p>The OIG recommends: That Operations and LADOT be provided the scope of work after requests are submitted or "no comments" are received to confirm their requests have been added into the scope prior to the release of the RFP.</p>	<p>Because the OIG's recommendation is for actions to be taken prior to the release of RFPs, it has been passed on to Metro Engineering for consideration in revising Policy DSGN01 DB for future projects.</p>	<p>Metro Engineering (Androush Danielians/ Eduardo Cervantes) have been notified. They provided the below comment: A process will be set in place that will be included in future Specs and contract language for the PE Consultant. The process will require the consultant to submit plans to all applicable agencies (including Metro). Upon receiving comments, the Consultant shall address each comment as to the disposition in a matrix/spreadsheet. The spreadsheet / matrix will then be submitted to each of the commenting agencies. That agency will then be requested to accept the project disposition (via an initial). If the agency is not in acceptance of the disposition, the Consultant via the Project shall work with each agency until that comment disposition is accepted. The final signed off matrix shall then be included in the RFP for the DB (contractor) to complete the path forward based on the agreed upon disposition.</p>