



Board Report

File #: 2018-0115, File Type: Contract

Agenda Number: 6.

REVISED
AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE
MAY 16, 2018

**SUBJECT: I-5 NORTH CAPACITY ENHANCEMENTS FROM
SR-134 TO SR-118 (FUNDING AGREEMENT NO.
MOU. P0008355/8501A/A6)**

ACTION: AUTHORIZE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE Contract Modification No. 198 by the California Department of Transportation (Caltrans) for construction contract of the Segment 4 of the I-5 North Capacity Enhancements Project between SR-134 and SR-118 (Project) under the Funding Agreement No. MOU. P0008355/8501A/A6, in the amount of \$1,242,619.51 within the project Life of Project budget.

DUPONT-WALKER MOTION: report back to the Board in September in enhancing Metro and Caltrans coordination in delivering Highway Projects.

ISSUE

As part of the I-5 North Segment 4 construction, temporary protective concrete barriers (K-Rail) have been placed as per contract plan for Stage 1 and Stage 2 construction locations since the beginning of construction in March 2011.

Construction Change Order 198 authorizes compensation to the contractor in the amount of \$1,242,619.51 for additional costs of keeping the K-rails in place at various locations from April 2014 through June 2018 due to an extension of the project schedule.

Contract modifications exceeding \$500,000 require Board authorization per the Staff Delegations.

DISCUSSION

The I-5 North Capacity Enhancement project includes freeway widening and construction of High-Occupancy Vehicle (HOV) lanes and other improvement between SR-118 and SR-134. Caltrans designed and is managing construction of the Project. Segment 4 of the I-5 North Capacity Enhancement Project is between Magnolia Boulevard and SR-134.

The K-rails were set in place at various locations along the freeway to protect the work areas during construction activities. The project was delayed due to various utility conflicts, necessary design corrections and remedies for which time extension was granted through Change Orders 145, 182, 188 and 183 approved by Metro. As a result of the delays, the K-rails had to remain in place longer than planned. In July 2017 the Contractor provided a proposed resolution to delays and disruptions submittal package for the project including additional costs for K-rail, which was reviewed and approved by Caltrans. Caltrans has submitted the invoices to Metro for approval/payment.

DETERMINATION OF SAFETY IMPACT

There is no impact to public safety by approving this action.

FINANCIAL IMPACT

The project budget for Segment 4 is \$137,366,000 of which \$64,767,000 is Federal funds (Congestion Mitigation and Air Quality (CMAQ)), \$22,707,000 is State funds (RIP, IIP and RSTP) and \$49,892,000 is Local funds (Prop C and Measure R).

The total cost of \$1,242,619.51 for this Contract Modification No. 198 does not require an increase in the overall project budget. ~~as it will be funded from Federal (CMAQ) funds or other non-local funds. Current Metro FY18 budget of \$800,000 in Cost Center 0442 (Highway Subsidies), Project 460332, Tasks 5.4.100 and 5.5.100, Account 54001 (Subsidies to Others) will not be impacted.~~

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

Impact to Budget

~~The source of funds for this recommendation is Federal (CMAQ) funds or other non-local funds, administered by Caltrans. Metro's FY18 budget will not be impacted.~~

ALTERNATIVES CONSIDERED

The Board may choose not to approve the staff's recommendation. However, this disapproval would result in a likely dispute by the Contractor and potential cost overruns due to interest payments that would accrue during the dispute.

Authorization of Contract Modification No. 198 in the amount of \$1,242,619.51 will allow Caltrans to compensate the Contractor for the additional costs of keeping the K-rails in place on the project from March 2014 through December 2016 due to project delays.

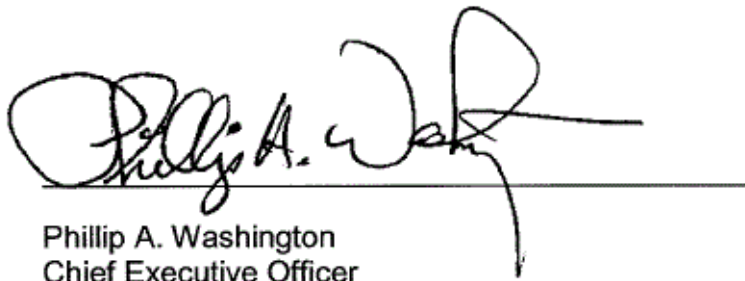
NEXT STEPS

Upon Board's approval of the recommended action, Metro staff will coordinate with Caltrans to pay

Contractor's invoices upon receipt.

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