

CITY OF LOS ANGELES MASTER COOPERATIVE AGREEMENT



Board Item 2023-0560

AGENDA

1. History/Context
2. Process / Timeline
3. Key Terms of the MCA
4. Next Steps

MCA BACKGROUND

September 26, 1991

City and LACMTA executed an MCA focused on projects delivered under the Design/Bid/Build delivery method (Blue Line).

January 21, 2003

City and LACMTA executed a revised MCA that focused on projects delivered under the Design/Build delivery method (Eastside LRT).

September 30, 2020

Metro sent correspondence to former Mayor Garcetti terminating the 2003 MCA because LACMTA projects are not limited to rail and busway transit under traditional delivery methods and Measure R/M provides for a variety of multi-modal Transportation Projects with Metro contemplating alternative delivery methods.

October 16, 2020

Mayor Garcetti sent correspondence to Metro (1) acknowledging the termination of the MCA Documents and that the MCA Documents did not cover the breadth of LACMTA projects and (2) committing the City to negotiating a new MCA that strengthens the collaboration between the Parties.

MCA NEGOTIATION TIMELINE



KEY TERMS OF THE 2023 MCA

Scope of Agreement applies to light rail, heavy rail (including subway), busway, tram, highway, high occupancy toll lanes, bike path, active transportation or other forms of transportation or mobility systems delivered under any project delivery method.

Duration of Agreement Ten-year term.

Governance Establishes an MCA Executive Task Force.

Project Governance Designates a Project Liaison responsible for facilitating coordination between the Parties.

Issue Resolution If not resolved at the working-level, issues will be escalated in a matter of days to executive level decision makers for expedited resolution.

Early Involvement Cooperation and coordination during the Planning & Advanced Conceptual Engineering Phase to bilaterally agree on 'Project Definition' documents.

Utility Adjustments Cooperation and coordination to identify utility conflicts and ensure utility owners implement the utility adjustments required to address utility conflicts.

Design Improved procedures for submittal of the Designs of Rearrangements to the City and the City's review.

KEY TERMS OF THE 2023 MCA

City Standards Subject to exclusions set out in the definition of "Betterment", changes to the City Standards after the establishment of the Project Definition of a Transportation Project, will be considered a Betterment.

Construction Defined Construction requirements for rearrangements or any other Construction work performed in the public right-of-way and procedures for the inspection and acceptance.

Betterments In accordance with FTA requirements, all Betterments will be at the cost of the City. The new MCA sets out the procedure for identification, review, and approval of potential Betterments. LACMTA may refuse Betterments that are incompatible with the Transportation Project, do not comply with Applicable Law, or that are requested after establishing the Project Definition.

Special Permitting Process LACMTA and the City agree on the design and Construction requirements for Rearrangements of City facilities, agree on the permits that will be waived by the City and any required City fees applicable to Transportation Projects.

Support of Excavation Administrative approval process for City to accept LACMTA's review of its Contractor's shoring designs.

Inspection and Acceptance Rearrangements performed by LACMTA will be inspected to ensure the work was performed in accordance with the approved Designs and terms of the of the MCA.

NEXT STEPS

- After Board Approval, the new MCA will be considered for approval by the City of Los Angeles Board of Public Works and the City Council
- Comprehensive training program on new terms and conditions of the MCA will be initiated for both LACMTA and City Staff
- Staff will continue negotiations on the O&M Agreement which will be brought to the board by the end of 2024
- Continue discussions with LADWP on a Master Utility Cooperative Agreement