



Board Report

File #: 2016-0221, File Type: Agreement

Agenda Number: 18.

**CONSTRUCTION COMMITTEE
NOVEMBER 17, 2016**

SUBJECT: WESTSIDE PURPLE LINE EXTENSION PROJECT - SECTION 1

ACTION: AUTHORIZE THE CHIEF EXECUTIVE OFFICER (CEO) TO REIMBURSE THE CITY OF BEVERLY HILLS AND TO EXECUTE AN ANNUAL WORK PLAN

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. REIMBURSE the City of Beverly Hills for valid costs incurred to review the design and construction of the Design-Build elements of the Project within the City as provided in the attached excerpt from the draft Memorandum of Agreement (MOA) for design/build construction between Metro and the City; and
- B. EXECUTE the Annual Work Plan for Fiscal Year 2017 with the City of Beverly Hills, in an amount not-to-exceed \$4,859,611, for the **Westside Purple Line Extension - Section 1 C1045 Contract**.

ISSUE

The Metro Board approved an MOA for the Westside Purple Line Extension Project - Section 1 for the Advanced Utility Relocation work in the City of Beverly Hills in October 2014. As stated in that Board Report, Metro staff was to begin to draft and negotiate an agreement with the City of Beverly Hills for the Design-Build elements of the Project that are located within the City of Beverly Hills. As the MOA negotiations have not yet concluded and construction of the Design-Build elements of the Project have begun within the City of Beverly Hills, the attached Reimbursement provisions sets forth the manner in which the City of Beverly Hills will be reimbursed for costs.

The Annual Work Plan process is per the terms of the MOA, which serves as a commitment from Metro for the reimbursement of services to be provided by the City of Beverly Hills.

DISCUSSION

Support of the design and construction of the Wilshire/La Cienega Station by various departments

within the City of Beverly Hills is extremely critical to the success of the Project.

The Reimbursement provisions in the draft MOA describes the cost reimbursement process with the City of Beverly Hills for its permitting process, design reviews, coordination efforts, meeting attendance, inspections, reviewing traffic control and staging requirements, establishing allowable work hours, environmental mitigations and other essential elements

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards for Metro's construction projects.

FINANCIAL IMPACT

Funds are included in the FY17 budget under Project 865518 Westside Purple Line Extension Project - Section 1, in Cost Center 8510 (Construction Project Management), and Account No. 50316 (Professional and Technical Services). The approval of the Reimbursement provisions in the draft MOA does not negatively impact the life-of-project budget. Since this is a multi-year project, the Chief Program Management Officer and the Project Manager will be responsible for budgeting costs in future years.

Impact to Budget

The sources of funds for the recommended action are Federal 5309 New Starts, Measure R 35% and TIFIA Loan Proceeds. The approved FY17 budget is designated for the Westside Purple Line Extension Project - Section 1 and does not have an impact to operations funding sources. These funds were assumed in the Long Range Transportation Plan for the Westside Purple Line Extension Project. This Project is not eligible for Propositions A and C funding due to the proposed tunneling element of the Project. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may choose not to authorize the attached Reimbursement provisions, however if reimbursement is not authorized, the City of Beverly Hills may not issue permits to the C1045 Design-Build Contractor to begin construction of the Wilshire/La Cienega Station. This would potentially delay the Project.

NEXT STEPS

Metro and the City of Beverly Hills staff will continue to work diligently to conclude the negotiations on the MOA and bring the MOA forward for Board approval. After Board approval of the MOA, staff will

begin negotiations with the C1045 Design-Build Contractor and return to the Board requesting execution of a Contract Modification that will reflect the incorporation of the terms of the MOA into the C1045 Contract.

Upon approval and execution of the Annual Work Plan, Metro staff will issue the applicable work orders to the City of Beverly Hills.

ATTACHMENTS

Attachment A - Manner In Which The City Will Be Reimbursed For Costs

Attachment B - FY17 Annual Work Plan for the City of Beverly Hills

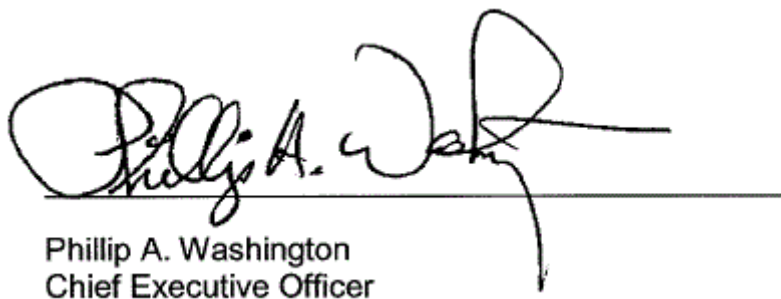
Prepared by:

James Cohen, Deputy Executive Officer, Program Management (323) 900-2114

Rick Wilson, Deputy Executive Officer, Program Control (213) 312-3108

Reviewed by:

Richard Clarke, Chief Program Management Officer (213) 922-7557



Phillip A. Washington
Chief Executive Officer