



Board Report

File #: 2019-0556, **File Type:** Agreement

Agenda Number: 31.

**CONSTRUCTION COMMITTEE
SEPTEMBER 19, 2019**

SUBJECT: US ARMY CORPS OF ENGINEERING MEMORANDUM OF AGREEMENT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute the Memorandum of Agreement (MOA) between Metro (Authority) and US Army Corps of Engineering (“Corps”).

ISSUE

As the Metro Projects move forward, the team has identified the need to interact with the Corps to accommodate the project alignments in which coordination efforts would include permits and general coordination. This is the Authority’s first interaction with Corps. Therefore, in order to move forward with the general scope, an MOA must be set in place between the Authority and Corps in order to memorialize roles and responsibilities. This MOA shall also be prepared in a manner that would accommodate any future Metro Project that may require services from Corps in order to support those future projects.

DISCUSSION

No other MOA has been executed by both parties, this would be the first MOA executed that would allow both parties to collectively work together to support general utility relocation and coordination efforts. The general intent of the MOA would be to cover the current ongoing Projects as well as future Metro Projects for many years to come.

This MOA describes the roles, responsibilities, and obligations of both parties and specifies the procedures which the Authority and Corps will follow for elements associated with the supports services associated with all of Metro’s projects. Such elements include general coordination, providing as built, relocating utilities, review of designs, streamline processes, meeting accommodations, permitting, construction support services, reimbursements, invoicing, and other general tasks in support of Metro’s construction of projects. The Authority and Corps agree that each will cooperate with the other in all activities covered by the MOA. Work performed by Corps

under this MOA shall be per the agreed upon terms in this MOA.

FINANCIAL IMPACT

Reimbursements will be issued to Corps on an annual basis per the specified terms in the MOA. Reimbursements for said Authority commitments created within the MOA parameters shall only be issued by funded projects and must be within each of the project's respective Fiscal Year or Life of Project (LOP) budgets. These projects will largely be comprised of the Measure R/M projects but can be utilized across all Metro capital projects.

ALTERNATIVES CONSIDERED

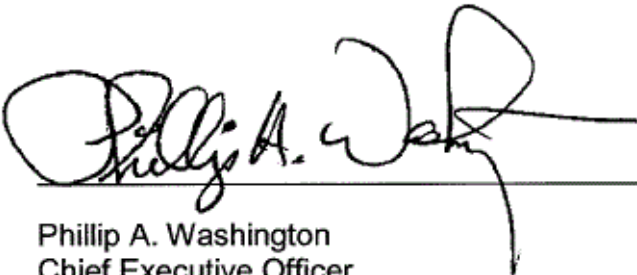
The Board may choose not to execute this MOA, however not executing this MOA would not solidify each of the parties' roles and responsibilities and would require Metro to follow standard over the counter processes and therefore not benefit from streamlined processes, and other administration benefits identified within the MOA. All of which are essential elements from a successful project standpoint.

ATTACHMENTS

Attachment A - MOA; Corps

Prepared by: Eduardo Cervantes, Deputy Executive Officer; 213-922-7255
Androush Danielians, Executive Officer; 213-922-7598

Reviewed by: Richard Clarke, Chief Program Management Officer; 213-922-7557



Phillip A. Washington
Chief Executive Officer