



## Board Report

File #: 2020-0723, File Type: Contract

Agenda Number: 28.

**REVISED**  
**CONSTRUCTION COMMITTEE**  
**NOVEMBER 19, 2020**

**SUBJECT: I-5 SOUTH CAPACITY ENHANCEMENTS FROM ORANGE COUNTY LINE TO I-605;  
SEGMENT 4 (Imperial)**

**ACTION: APPROVE RECOMMENDATION**

### **RECOMMENDATION**

AUTHORIZE Contract Modification No. 141 (CCO 141) by the California Department of Transportation (Caltrans) for the construction contract of Segment 4 (Imperial Highway) of the I-5 South Capacity Enhancements Project from Orange County Line to I-605 (Project) under Funding Agreement No. MOU.P0004292, Amendment No. 4, in the amount of up to **\$1,230,002.97** ~~1,230,003.23~~ within the overall corridor Life of Project (LOP) budget.

### **ISSUE**

The construction contract for Segment 4 improvements between Silverbow Pedestrian Overcrossing and Orr & Day Bridge on the I-5 freeway was awarded on August 23, 2012. The project is scheduled to be completed in April 2021. The project encountered a number of problems including relocation of conflicting unidentified utilities, additional right of way acquisitions, differing site conditions, third party delays, changes in response to the community concerns, delays by the adjacent construction project (Segment 5, Florence), and other issues. 5 Notices of Potential Claims (NOPC) have been submitted by the contractor to date with a total amount of \$1.36 million for the cost escalations in labor and material, the increased costs of temporary railing (Type K), storm water pollution prevention program (SWPPP) implementation, construction site management, construction area signs, and traffic control system.

Caltrans and the contractor have agreed to a \$1.23 million settlement as full payment of all claims to date except any potential cost escalation in the on-going landscape work in the plant establishment phase started on January 31, 2020 and ending on February 19, 2021. Cost escalations exceeding \$500,000 require Board authorization.

### **BACKGROUND**

The Project includes widening/upgrading of I-5 and inclusion of High Occupancy Vehicle (HOV) lanes between the Orange County Line and the I-5/I-605 Interchange. Caltrans designed and is managing

construction of the Project. The Project was comprised of five segments two of which are completed. Segments 2 and 5 are currently in construction. Segment 4, the subject of this report, was substantially completed and started the plant establishment period in March 2020. Total life of project budget for combined five segments is \$1,468,368,000 that includes \$324,137,000 for Segment 4.

**DISCUSSION**

291 working day delays in Segment 4 were approved by Caltrans through six time impact analyses (TIAs) submitted by the contractor during construction. In addition to the compensation for the time-related-overhead cost associated with these delays, the contractor claimed there were additional time-related direct cost of \$1.36 million in escalation of labor and material, temporary railing (Type K), construction site management, construction area signs, traffic control system and additional SWPPP work that was not accounted for in the original contract.

Caltrans reviewed these claims and agreed to \$1.23 million settlement. The breakdown of the settlement is listed as follows:

Claim #1	Labor escalation	\$	<u>240,311.00</u>	<del>224,945.85</del>
Claim #2	Material escalation	\$	203,658.25	
Claim #3	Temporary railing (Type K)	\$	<u>283,377.38</u>	<del>298,742.97</del>
Claim #4	Site & Traffic Management	\$	156,132.69	
Claim #5	<u>Additional SWPPP work</u>	\$	<u>346,523.65</u>	
	Total Entitlement	\$	<u>1,230,002.97</u>	<del>1,230,003.23</del>

Staff requests Board’s approval to pay the settlement amount.

**DETERMINATION OF SAFETY IMPACT**

There is no impact to public safety by approving this action

**FINANCIAL IMPACT**

The overall corridor LOP budget of all segments of the I-5 South Capacity Enhancements per Funding Agreement No. MOU.P0004292, Amendment No. 4 is \$1,468,368,000, including \$215,530,000 in Federal Funds (SAFETEA-LU, RSTP, and CMAQ), \$948,294,000 in State Funds (TCRP, RIP, GF-STIP, CMIA, ITIP and SHOPP), and \$304,544,000 in local Measure R 20% Highway and Prop C 25% Streets and Highway Funds.

Of the total LOP budget, \$1,328,536,594 is spent to date. Of this amount \$204,051,350.51 has been funded with Measure R 20% Highway and Prop C 25% Streets and Highway funds.

The amount asked for CCO 141 in this report is within the remaining overall corridor LOP budget. For FY21, \$15.0 million has been budgeted for the entire corridor within the Highway Subsidies, Cost Center 0442, I-5 South Capacity Enhancements, Projects 460340, 460339, and 460337, Account 54001 (Subsidies to Others). No increase to the FY 21 budget is required at this time.

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

Impact to Budget

The sources of funds for CCO 141 are Measure R (20%) Highway and Prop C (25%) Streets and Highway Funds, which are not eligible for bus or rail operations. No other funds were considered.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Recommendation supports strategic plan:

Goal 1: Providing high-quality mobility options that enable people to spend less time traveling by widening the freeway; providing additional capacity and including HOV lanes to encourage carpooling and improve transit efficiency.

Goals 4 and 5: Transforming LA County through regional collaboration with Caltrans and the Corridor Cities by contributing funds and providing resources to assist Caltrans in management and delivery of these projects.

**ALTERNATIVES CONSIDERED**

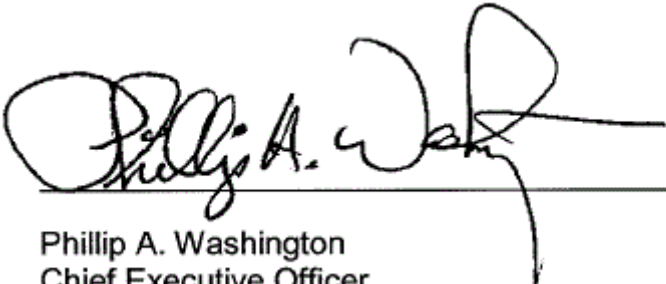
The Board may choose not to approve the staff's recommendation. However, this disapproval would result in further schedule delay and potential cost increase.

**NEXT STEPS**

Upon Board's approval of the recommended action, Metro staff will authorize payment to the Contractor for the services rendered.

Prepared by: Victor Gau, Director of Engineering, Highway Program (213) 922-3031  
Abdollah Ansari, Senior Executive Officer, Highway Program (213) 922-4781  
Bryan Pennington, Deputy Chief Program Management Officer (213) 922-7449

Reviewed by: Richard F. Clarke, Chief Program Management Officer (213) 922-7557



Phillip A. Washington  
Chief Executive Officer