

**Board Report**

File #: 2021-0417, **File Type:** Project

Agenda Number: 6.

**PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 20, 2021**

**SUBJECT: I-105 EXPRESSLANES PLANS, SPECIFICATIONS, AND ESTIMATES (PS&E) AND
RIGHT-OF-WAY (ROW) COOPERATIVE AGREEMENT**

ACTION: EXECUTE COOPERATIVE AGREEMENT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute a Cooperative Agreement with the California Department of Transportation (Caltrans) for the I-105 ExpressLanes project for the Plans, Specifications, and Estimates (PS&E) and Right-of-Way (ROW) phases in an amount not to exceed \$7,260,000.

ISSUE

A cooperative agreement is required that defines Metro and Caltrans' roles and responsibilities, cost for Caltrans QMA (Quality Management Assessment) and reimbursed work, and terms and conditions for this work. Staff is seeking Board approval to enter into a cooperative agreement with Caltrans and for funding of Caltrans work for the PS&E and ROW phases.

BACKGROUND

The Final Environmental Impact Report/Environmental Assessment (EIR/EA) for the I-105 ExpressLanes project was completed in May 2021 and the project is proceeding to the next phases of project development, which are the PS&E and ROW phases. As part of these phases, Metro will be preparing the final design, and acquiring ROW and Temporary Construction Easements (TCEs), as required for the project.

As the owner/operator of the State Highway System (SHS), for the PS&E and ROW phases, Caltrans is responsible for reviewing and approving the design plans and certifying that all ROW needed for the project has been acquired. This review is known as Quality Management Assessment (QMA) for which Caltrans must be reimbursed if the proposed project is anticipated to generate revenue as is the case for the I-105 ExpressLanes. In addition to QMA, Caltrans will be conducting specialized environmental analysis and environmental mitigation monitoring as identified in the EIR/EA. Caltrans is also required to apply the Indirect Cost Recovery Proposal (ICRP) to cover indirect costs attributable to the work being performed which for self-help counties with local transportation sales taxes is ten percent. All cost associated with Caltrans' QMA, ICRP, environmental assessment and

mitigation monitoring is included in the funds being requested.

DISCUSSION

The I-105 ExpressLanes project will convert the existing High Occupancy Vehicle (HOV) lane to ExpressLanes and add a second Express Lane in each direction on the I-105 between I-405 and Studebaker Road in the City of Norwalk. This project is included in the Measure M expenditure plan and has been allocated \$175 million. In addition, the project was awarded a \$150 million State Solutions for Congested Corridors Program (SCCP) grant in December 2020.

The I-105 ExpressLanes is now beginning the PS&E phase. For this phase, Metro's role will be to prepare design plans for all civil elements of the project including structures, soundwalls, retaining walls, and signage, as well as the Roadside Toll Collection System (RTCS).

Metro anticipates acquiring ROW for this project. The EIR/EA identified partial acquisition of four parcels of vacant land located along Imperial Highway in the City of Lynwood and unincorporated Los Angeles County. Between Watts Avenue and Fernwood Avenue, the westbound I-105 will be widened by eleven feet to the north over Imperial Highway. This widening is needed for safety reasons because it will maintain existing ten foot left shoulders and sight distance. As a result, Imperial Highway will need to be realigned and shifted to the north, which in turn will require partial ROW acquisition. Attachment A provides maps of the ROW needed for the project. Parcels 1, 2, and 4 are privately owned, and parcel 3 is owned by the City of Lynwood.

As shown in Attachment A, no homes or commercial properties will be acquired for this project. During the PS&E phase, Metro and Caltrans' goal will be to minimize or eliminate the need to acquire these parcels. However, should acquisitions and TCEs be required for the project, Metro will work with Caltrans to appraise and compensate property owner(s) as specified by Caltrans guidelines.

Caltrans' role for the PS&E and ROW phases will be to perform QMA, which includes review and approval of the facility design plans and certification that all ROW needed for the project is acquired. As the I-105 ExpressLanes is a revenue generating project, Metro is required to reimburse Caltrans for QMA costs. In addition, Caltrans will be performing detailed environmental tasks that are required by the EIR/EA including site investigation for hazardous wastes; Aerially Deposited Lead (ADL) site investigation; asbestos and Lead Based Paint surveys; phased archeological testing and investigation; tracking and monitoring of the environmental commitment record; and other technical review and coordination related to environmental revalidation. In addition, Caltrans will obtain required environmental permits and may prepare an environmental revalidation if changes occur to the project during the PS&E phase. Because Caltrans prepared the EIR/EA and has specialized in-house environmental expertise, Caltrans provides the most efficient, cost-effective, and comprehensive methods for completing these tasks.

It should be noted that additional cooperative agreements with Caltrans will be needed for the construction phase and for the design, construction, and operation of the RTCS. It is anticipated that civil construction will utilize a Construction Manager/General Contractor (CM/GC) delivery method and the RTCS will utilize a Design/Build/Operate/Maintain (DBOM) delivery method. The Metro Board approved use of the CM/GC and DBOM delivery methods at the June 2021 Board meeting. In

addition, an operations and maintenance agreement will be needed prior to opening of the project to traffic. Staff will be bringing these agreements to the Board for approval at the appropriate time.

DETERMINATION OF SAFETY IMPACT

The proposed actions have no adverse impact on the safety of Metro's patrons, employees, or users of these facilities.

FINANCIAL IMPACT

Funding needed to conduct this work is available in the FY22 budget in cost center 2220, project 475004 task 01.04. Because this is a multi-year program, the cost center manager and Executive Officer, Congestion Reduction, will be responsible for budgeting for future years.

Impact to Budget

The funding for this Project is from Measure M. As these funds are earmarked for the I-105 ExpressLanes project, they are not eligible for Metro bus and rail capital and operating expenditures.

EQUITY PLATFORM

There are no anticipated equity impacts as a result of the recommended action. This project is expected to invest net toll revenue in transit service along the corridor, as is currently done on the 10/110 corridors. On those corridors, about \$8 million annually is granted to the Metro Silver Line and Foothill, Gardena, and Torrance transit providers.

To ensure all groups have opportunity to access and use the ExpressLanes, Metro has a Low-Income Assistance Plan (LIAP). The LIAP provides a \$25 credit and waives the monthly \$1 account maintenance fee, thus relieving financial stress caused by the requirement to have a transponder for discounted travel. In addition, Metro provides the option of opening a cash account for those who do not have a credit card. Furthermore, frequent transit riders can also take advantage of the Transit Rewards Program to earn monetary credits toward ExpressLane tolls and the Carpool Loyalty Program allows carpoolers the opportunity to earn toll credits for future SOV travel on the ExpressLanes.

A mitigation measure identified in the EIR/EA is to ensure communities along the corridor are made aware of these policies. This will occur through a media campaign comprised of various types of advertisements such as digital, radio, and out of home advertisements in both English and Spanish that are geographically targeted to low-income areas. In addition, Metro ExpressLanes intends to increase its targeted digital advertisements to broaden audience reach, advertise in more languages in addition to English and Spanish, and work with Metro Marketing to coordinate agency-wide low-income outreach tactics to supplement the efforts mentioned above.

In addition to these policies and outreach efforts, the EIR/EA also includes mitigation measures that will reduce impacts to Equity Focus Communities (EFCs), which comprise nearly six miles of the

corridor, such as new soundwalls and measures to reduce temporary construction impacts.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This recommendation supports Strategic Goal 1: Provide high quality mobility options that enable people to spend less time traveling. ExpressLanes provides drivers with the option of a more reliable trip while improving the overall operational efficiency of the freeway network.

ALTERNATIVES CONSIDERED

The Board could choose not to authorize the PS&E and ROW cooperative agreement. This is not recommended as it would delay the PS&E and ROW work, which would in turn jeopardize the \$150 million State SCCP funds that were awarded to the project.

NEXT STEPS

Upon Board approval, staff will finalize and execute the PS&E and ROW Cooperative Agreement with Caltrans.

ATTACHMENTS

Attachment A - I-105 ExpressLanes ROW Impacts

Prepared by:

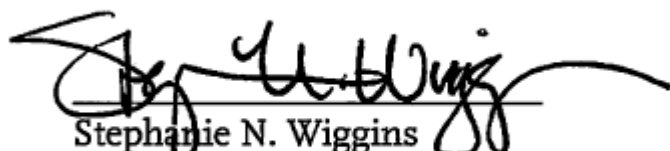
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