



Board Report

File #: 2024-0813, File Type: Budget

Agenda Number: 8.

**CONSTRUCTION COMMITTEE
NOVEMBER 20, 2024**

SUBJECT: METRO CHATSWORTH STATION ADA IMPROVEMENT PROJECT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

INCREASE the Life-of-Project (LOP) budget by \$3,354,650, from \$4,000,000 to \$7,354,650 for the Chatsworth Station ADA Improvement Project.

ISSUE

The United States Department of Justice requires Metro to complete necessary Americans with Disabilities Act (ADA) improvements to the Metrolink Chatsworth Station by August 2025. The next milestone in meeting the project completion date is awarding the construction contract using a design, bid, and build delivery method. Increasing the LOP budget for the Project is required to execute a construction contract and issue a construction notice to proceed by January 2025.

BACKGROUND

The ADA is a civil rights law, passed in 1990, that prohibits discrimination based on disability. The Metrolink Chatsworth Station opened in 1992 and serves Amtrak trains along the Pacific Surfliner as well as Metrolink trains along the Ventura County Line. A compliance assessment initiated by the federal government found instances of existing conditions within the Metrolink Chatsworth Station that did not meet all requirements as codified in October 1, 2006 edition of the Code of Federal Regulation, which are based on the 1991 ADA Standards. As the majority owner of the Chatsworth Transportation Center (Center), Metro signed a settlement agreement with the federal government in 2021 to make the necessary improvements to benefit individuals with disabilities, including individuals who use wheelchairs.

Remediations within the station building interior fall outside of Metro's responsibilities and are excluded from the ADA improvement scope. All ADA remediations need to be completed by August 19, 2025, per the agreement. However, terms of the agreement required the remediation of accessible parking stalls striping and signage deficiencies that have been completed by August 19, 2022, for Metro to remain compliant.

The Chatsworth Station ADA Improvement Project was proposed through Metro's Annual Capital Call

in the fall of 2018, and its \$4.0 million initial LOP were approved as part of the Fiscal Year 2020 Annual Budget Adoption approved at the May 2019 Board meeting.

Since then, the following additional remedial actions have been completed by Metro:

- An Independent Licensed Architect (“ILA”) was hired by Metro on March 2, 2022, to survey the rail platform, bus terminal, and parking elements of the Chatsworth Transportation Center. Metro sent the United States Department of Justice (DOJ) a list of all violations identified by the ILA.
- Metro remedied all non-slope issues related to accessible parking spaces and reported to the DOJ in August 2022 (including van-accessible parking, proper signage, and marking of accessible spaces and access aisles).
- Annual inspections have been conducted by the ILA at the Center to ensure ongoing compliance with the Agreement.
- Metro has completed the final construction Plans, Specifications, and Estimates (PS&E) documents in July 2024 to address the remaining non-compliant features identified in the ILA survey.
- Metro released an Invitation for Bid (IFB) for the construction contract and held the bid opening meeting on August 30, 2024, and is currently finalizing the construction award documents for the lowest-priced, responsive bidder. The revised LOP budget is based on the lowest responsive bidder received during the bid opening.

DISCUSSION

Metro will remedy the remaining violations identified in the survey completed by the ILA during this last phase of the Project to make the Chatsworth Transportation Center fully accessible to individuals with disabilities, including individuals who use wheelchairs, as well as those with visual and hearing impairments. The Project consists of improvements to the accessible paths, rail and bus platforms, and parking lots within the Center.

After construction is completed, Metro will send copies of each completed ILA report, with supporting documentation, including photographs and certifications of compliance completed per the settlement agreement, to the DOJ.

The initial LOP budget approved in 2019 included \$3.5 million to complete the construction work and \$0.5 million for professional services to obtain any design approvals. The proposed LOP budget for this Project is based on total project costs consisting of Metro labor and third-party, construction costs, construction support and public outreach, and 15% construction contingency as shown in Attachment A - Funding/Expenditure Plan.

The proposed LOP budget has increased since the prior LOP approval for the following reasons:

- Prior LOP did not include Metro labor and third-party costs which are now standard practice for the Program Management Department;
- Expenditures for Professional Services enabled staff to complete design by issuing two task

orders through the On-Call Regional Rail and Design Services contract to RailPros, Inc. These task orders covered the ILA survey and the development of the PS&E documents, including bidding support and Design Support During Construction (DSDC), totaling \$1.57 million. There were design modifications made to obtain design approval from the US Department of Justice, City of Los Angeles, and Metrolink;

- A task order was issued to WSP, USA through the On-Call Regional Rail Project Management Services for the Construction Management Support Services (CMSS), including constructability review and public outreach anticipated during the construction phase of the Project for \$495 K that was not included in the initial LOP; and
- The LOP increase will cover construction costs based on the actual lowest bid received during the bid opening, including soft costs such as flagging and overhead expenses that were not considered in the initial LOP budget.

In addition, a 15% construction contingency has been added to the LOP budget to account for unforeseen conditions in construction while working on the station improvements and reporting to the US Department of Justice on schedule, construction activity, and Project completion in 2025.

This proposed LOP is built from the bottom up, with all Project design complete, construction bids received, and all soft costs included as shown in Attachment A.

DETERMINATION OF SAFETY IMPACT

The Project enhances safety for all passengers by adding accessible features, including ramps and tactile paving. The station becomes safer and easier to navigate, which results in reducing the risk of falls and injuries. Clear signage and accessible emergency exits enable safe evacuation, while upgrades to boarding areas and audible and visual alerts make it easier for everyone, including wheelchair users and those with strollers, to navigate confidently.

Additionally, the Project will be constructed consistent with Metro's construction safety standards. This Board action will not impact established safety standards for Metro's construction projects.

FINANCIAL IMPACT

Board approval will increase the Project number 202337 LOP budget by \$3,354,650 to fund the construction of the Chatsworth Station ADA Improvement Project.

Since this is a multi-year project, the Chief Program Management Officer, Program Management will be accountable for budgeting the costs in future years.

Impact to Budget

The source for funding the additional \$3,354,650 of the LOP increase for the Project is Proposition C 40%, which is eligible for bus and rail operating expenses.

EQUITY PLATFORM

The station is a key transfer point supporting workers and students from nearby Equity Focus Communities (EFC) who use Metro, Metrolink, and/or Amtrak. Along the Metro G Line, just south of the Chatsworth Station, there are EFC communities designated as “very high need” according to the Metro Equity Need Index (MENI). These communities are comprised of 68% low-income households, 20% households with no access to a car, and up to 82% Black, Indigenous, and other People of Color (BIPOC) residents.

The purpose of the Project is to address a settlement between Metro and the federal government to remedy all current non-compliant accessibility features per the ADA Accessibility Standards at Chatsworth Station within Metro’s responsibility. The Project includes improvements such as removing and replacing sidewalks, parking lot and platform surface rehabilitations, and signage to bring the Chatsworth Station into compliance. The Metro Office of Civil Rights, Equity, and Inclusion and Community Relations team will conduct a survey with riders with disabilities to provide their input before the project certifications of compliance are completed.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Project will make the Chatsworth Station readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. As a result, the Project supports the following Strategic Goals from Vision 2028:

- Goal 2: Deliver outstanding trip experiences for all users of the transportation system;
- Goal 3: Enhance communities and lives through mobility and access to opportunity;

The Project is being designed and constructed in close coordination with the community, Metrolink, the City of Los Angeles, and third-party stakeholders, as well as internal stakeholders within Metro, to streamline Metro’s systems and processes for efficient operations.

ALTERNATIVES CONSIDERED

The alternative would be to not approve the staff recommended actions to complete the construction of the Project. This is not recommended as the Department of Justice may institute a civil action in federal district court per the terms of the settlement agreement.

NEXT STEPS

A Notice to Proceed (NTP) will be issued to the Contractor after the execution of the contract and meeting all other contract requirements, anticipated to occur in January 2025.

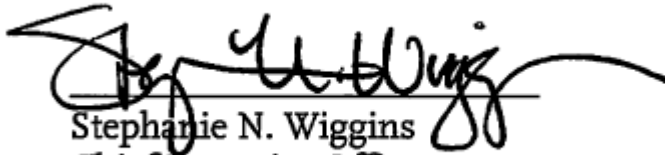
ATTACHMENTS

Attachment A - Funding/ Expenditure Plan

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