



Board Report

File #: 2018-0108, File Type: Contract

Agenda Number: 32.4

**REVISED
PLANNING AND PROGRAMMING COMMITTEE
MAY 16, 2018**

**SUBJECT: LA RIVER BIKE PATH GAP CLOSURE PROJECT
TECHNICAL SERVICES**

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD AND EXECUTE an 88-month, firm fixed price Contract No. AE47795000 with CH2M Hill, Inc. for \$45,891,279 for Los Angeles River Bike Path Gap Closure Project Technical Services (Project), subject to resolution of protest(s), if any;
- B. APPROVE Contract Modification Authority (CMA) specific to and execute modifications for Contract No. AE47795000 in the amount of \$6,883,692 (15%) to support the cost of unforeseen issues that may arise during the course of the Contract; and
- C. NEGOTIATE and enter into a Memorandum of Understanding (MOU) with Los Angeles County Department of Public Works (LACDPW) for construction management and delivery of the Project with an option for final design; and
- D. NEGOTIATE and enter into a Cooperative Agreement with the City of Los Angeles, the City of Vernon, and LACDPW.

ISSUE

In response to the June 2014 Board motion (Attachment C), the Los Angeles River Bike Path Gap Closure Feasibility Study was completed and presented to the Metro Board in 2016. The Study found that the Project is feasible and would help serve the transportation needs of communities neighboring the Project Area (Attachment D) as well as provide a regionally significant active transportation corridor.

To deliver the Project and create a continuous 32-mile grade-separated Class I bikeway, staff recommends awarding Contract No. AE47795000 with CH2M Hill, Inc. for \$45,891,279. Because unforeseen circumstances may arise as the project develops, but are not known at this conceptual

stage, staff recommends 15% CMA. Executing an MOU with LACDPW will allow Metro to define final project delivery responsibilities as Metro advances the project through environmental clearance and design.

DISCUSSION

Background

The Project will create a bicycle and pedestrian path along an eight (8)-mile stretch of the Los Angeles River from Elysian Valley through downtown Los Angeles to the City of Vernon, closing the largest remaining continuous gap of the LA River Bike Path. By connecting two existing segments of the path, the Project will provide a seamless 32-mile grade-separated regional corridor for walking and bicycling from Long Beach to the San Fernando Valley along the LA River.

The Project area has a population of over 200,000 people within 3 miles of the Project corridor and this area qualifies as a disadvantaged community based on the median household income. Community members within the project area routinely walk or bike as their primary means of transportation at rates much higher than the rest of the county. The Project would offer a backbone for a more complete active transportation network of separated and protected infrastructure.

The Project has been identified as a regionally-significant walking and bicycling infrastructure project by Metro and other jurisdictions and was listed in the Measure M expenditure plan with a FY 2023 groundbreaking date. The Project has also been identified in the “Twenty-Eight by ’28 Initiative”. The Project, also known as “LA River Waterway & System Bike Path” is funded by \$365M in the Measure M Ordinance and Expenditure Plan.

Contract Work and Structure

The contract work includes environmental review and clearance under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The work facilitates coordination with and approval from the US Army Corps of Engineers (USACE) and other appropriate agencies, as well as obtaining any and all permits needed to construct the Project. Engineering design and specifications shall be developed in concert with the environmental review process to a level sufficient to secure environmental clearance and develop a project definition. The work also includes technical support to the Outreach Contractor (procured through separate Metro contract).

The contract is divided into four (4) phases with separate notices to proceed (NTP) for each phase to be executed at Metro’s discretion.

- Phase 1 - Metro led - Technical Studies and Conceptual Design
 - A) Technical studies to identify design challenges to the alignment
 - B) Completion of Conceptual Design (15% Design Drawings)

- Phase 2 - Metro led - Environmental Documentation/ Clearance and Design Development
 - A) Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) and 30% Design

B) Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR) and 60% Design

- Phase 3 - Metro or LACDPW led - Final Design and Permits
 - A) Construction Documents and associated specifications and details
 - B) Secure all necessary permits
 - C) Finalize all right-of-way acquisition/easements

- Phase 4 - LACDPW led - Construction Support
 - A) Construction contract procurement (under a separate procurement)
 - B) Design support during construction
 - C) As-built drawings

This contract adopts a phased approach as work done in each previous phase would inform the level of effort and resources needed to complete the next phase. The phased approach allows Metro the flexibility to adjust management strategies and resources allocated to the Project based on information learned during project development. This was crafted to meet the permit requirements of the USACE which includes at least 60% design development and complete environmental clearance before permits may be issued. The Contract will be managed by Metro Countywide Planning and Development Department leading Phases 1-2. Prior to entering into Phase 3, a decision will be made as to whether Metro or LACDPW will perform final design. Phase 4 contemplates LACDPW as the lead agency. When the Project is transitioned to LACDPW as the lead, Metro would retain review and approval rights as the sponsoring agency for the Project including but not limited to disbursement of Project funding, review and approval of design work(if LACDPW performs final design) to ensure that environmental and design commitments are maintained, review and approval for construction change orders, and resolution of potential multi-jurisdictional or third party disputes.

A Project Steering Committee comprised of a representative from each of the four public agencies will participate in reviewing key deliverables and the community engagement process. This body will meet at least monthly to guide design intent and integrity through all phases of project development and delivery. In addition an Advisory Group of stakeholder organizations and area elected representatives will provide input to the Steering Committee.

A Cooperative Agreement between Metro, the Cities of Los Angeles and Vernon, and LACDPW will be established to facilitate collaboration and supportive roles through all phases.

A separate, concurrent contract will be executed through the Communications Bench in June 2018 for Outreach services. The Outreach Contractor will be responsible for interfacing with the residents, employees, students, and businesses in and around the Project Area to ensure that stakeholder communities have the opportunity to participate in an inclusive design process. In addition to facilitating communication with the Technical design team, the Outreach Contractor will facilitate Advisory Committees to inform the work of the Steering Committee. Following the Metro Equity Platform Framework, the Outreach Contractor will work with Metro and partner agencies to engage with Community Based Organizations. The goal of the Outreach effort is to allow the Project to meet

the transportation needs of the indigenous Project Area communities for access to opportunity.

Project Delivery

The MOU between Metro and LACDPW will define roles and responsibilities for the delivery of the Project but would not supersede any design directive by the Metro Board. By executing an MOU with LACDPW, Metro would allow for the transfer to LACDPW the management of project delivery as well as the responsibility for procuring and managing a contractor to build the Project. A Project delivery method has not yet been selected and will be determined during Phase 2 once sufficient Project information is known and risks are better defined. Lead management of the Technical Contract may be transferred during or after Phase 3, should LACDPW-led delivery of the Project be determined as an appropriate means to reduce risk as information becomes available during project development.

LACDPW has constructed sections of Class I bikeway along the river outside of the Project Area, giving LACDPW several decades of experience in providing infrastructure for walking and bicycling in Los Angeles County. LACDPW administers the Los Angeles County Flood Control District which holds the easements through which much of the Los Angeles River flows and as such, has extensive experience coordinating with USACE.

The City of Los Angeles has expressed interest in delivering an approximately 1000-foot segment of the Project in coordination with the Sixth St PARC Project. Staff is engaged in MOU negotiations with the City of Los Angeles and will return to the Board at a later date once the terms of the agreement are finalized.

The ownership, operation, and maintenance of the Project would be determined during Phase 2 in collaboration with LACDPW, the cities of Los Angeles and Vernon, and the USACE.

DETERMINATION OF SAFETY IMPACT

These actions will not have any impact on the safety of our customers and/or employees because this project is at the study phase.

FINANCIAL IMPACT

The FY 2019 proposed budget includes \$2.5 million in Cost Center 4310 (Systemwide Team 1), Project 405303 (LA River Bike Path). Since this is a multi-year contract, the cost center manager and Chief Planning Officer will be responsible for budgeting funds in future years.

Impact to Budget

The funding source for this project is Measure M Active Transportation 2%, which is not eligible for bus and rail operating and capital expenditures.

ALTERNATIVES CONSIDERED

The Board could choose not to award the contract. This is not recommended as it may delay the Measure M groundbreaking year of FY2023.

NEXT STEPS

Upon Board approval, staff will execute Contract No. AE47795000 with CH2M Hill, Inc. to initiate environmental clearance and design work.

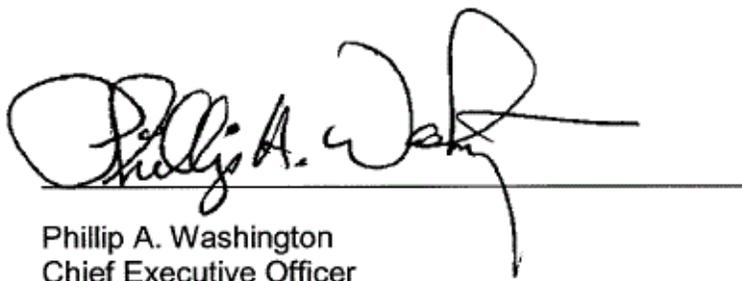
Staff will report back to the Board at significant Project development milestones, including at 15%, 30%, and 60% complete design levels.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - DEOD Summary
- Attachment C - Metro Board Motion 67 (June 2014)
- Attachment D - Project Map

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