

**Metro**Los Angeles County
Metropolitan Transportation AuthorityOne Gateway Plaza
Los Angeles, CA 90012-2952213.922.2000 Tel
metro.net**PLANNING AND PROGRAMMING COMMITTEE
FEBRUARY 20, 2013****SUBJECT: SEPULVEDA PASS CORRIDOR AND ACCELERATED REGIONAL
TRANSPORTATION IMPROVEMENTS (ARTI)****ACTION: APPROVE RECOMMENDATIONS****RECOMMENDATION**

Authorize the Chief Executive Officer to increase the cumulative Contract Modification Authority (CMA) from \$680,067 to \$2,680,067 to execute additional contract modifications, if required, to Contract No. PS4370-2316, Public-Private Partnership Consulting Services, with InfraConsult LLC, (Consultant) to:

- A. Evaluate the feasibility of a transit and/or highway facility through the Sepulveda Pass as a Public-Private Partnership (P3) project; and
- B. Continue P3 work on development of the ARTI project.

ISSUE**Sepulveda Pass Corridor**

A motion made by Directors Richard Katz and Mel Wilson at the December 13, 2012 Board meeting, and approved, authorized the Chief Executive Officer to:

1. Evaluate the suitability of a transit and/or highway facility through the Sepulveda Pass as a P3 project (Sepulveda Project);
2. Convene an industry outreach program for the Project; and
3. Proceed with all actions necessary to assist in the preparation of a Pre-Development Agreement (PDA) to develop the Project.

In order to allow Consultant to begin preparation of scopes of work for the technical tasks required of the Countywide Planning Bench consultants and future P3 Bench consultants and to initiate outreach with the industry, additional CMA for the contract is required.

ARTI

Consultant has expended 75% of the budget for current Task 5A-1- Procurement for ARTI, which has entailed project development, coordination with Caltrans, assistance with the procurement process and preparation of information for the California Transportation Commission (CTC). Additional required activities are to finalize procurement activities, assist MTA with negotiations and CTC presentations, and to assist in negotiations of the P3 concession agreement.

DISCUSSION

To accelerate the delivery of needed improvements, and to enable consideration of improvements that would exceed reserved funding, the Board has authorized consideration of a P3 delivery model for the Sepulveda Pass Corridor. We will engage the services of the Consultant to commence this process and utilize the Countywide Planning Bench consultants and future P3 Bench consultants to assist with the tasks required to evaluate the Sepulveda Project. The Board has expressed the desire to have this activity commence quickly, however it will take some time to determine the full scope required to reach the stage of a PDA agreement and to negotiate the task order(s) with Consultant. To expedite this work, we need Consultant assistance to prepare technical scopes for the tasks required of the Bench consultants and to initiate outreach with the industry. Staff requires additional CMA for the contract with Consultant. The Contract Modification Authority Summary is included as Attachment A.

The ARTI project is proceeding smoothly, and Consultant continues to be heavily involved in coordination and development of the project scope, cost and financial plan. It will be necessary to negotiate a task order revision to fully fund the activities required under Task 5 – Procurement, as the preliminary activities authorized under Task Order 5A-1 are nearly complete. Utilizing additional CMA will allow the Consultant to continue ARTI activities pending completion of the task order negotiations.

Upon approval of this action, the Consultant will commence with Sepulveda Project work, and will continue the ARTI work uninterrupted. We will return to the Board within the next few months with a request for authorization to execute additional contract modifications for the Sepulveda Project and ARTI.

DETERMINATION OF SAFETY IMPACT

The action requested will have no impact on the safety of our employees or patrons.

FINANCIAL IMPACT

Funding for this action is included in the FY13 budget in cost center 2210, New Business Development, under project number 460305, Sepulveda Pass Transit Corridor and project number 405603, Highway Goods Movement Package. The funding is a part of the total cost estimate for these projects, and therefore will not increase the amount of funds forecasted to be available for other projects in the Long Range Transportation

Plan and the Measure R program. As these are multi-year projects, it will be the responsibility of the cost center manager and Chief, Real Property Management and Development to budget expenditures in future years.

Impact to Budget

The source of funds for ARTI is Proposition C 25% (48%) and Measure R 20% Highway Capital (52%) in cost center 2210. The Proposition C fund sources will be reimbursed according to the Board adopted policy on reimbursement of Measure R for projects that start before they are eligible for Measure R funds. The source of funds for the Sepulveda Project is 100% Administration in cost center 2210. These funds are not eligible for bus/rail operating or capital expenses. No other budget sources are impacted by this action.

ALTERNATIVES CONSIDERED

Alternatives considered included undertaking a procurement to engage another PPP consultant team to work on these projects or using existing in-house resources to conduct an industry outreach and undertake all the required technical work. These alternatives are not recommended, as (1) we anticipate it will take at least six months to solicit, select, negotiate and execute a contract with the most qualified, experienced consultant team that is responsive to our solicitation; and (2) we do not have the in-house resources to coordinate the complex work required to deliver ARTI and the Sepulveda Project.

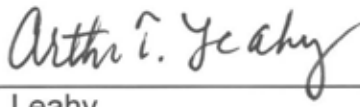
ATTACHMENTS

- A. Contract Modification Authority (CMA) Summary

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Roger S. Moliere
Chief, Real Property Management and Development



Arthur T. Leahy
Chief Executive Officer

CONTRACT MODIFICATION AUTHORITY (CMA) SUMMARY
PUBLIC-PRIVATE PARTNERSHIP CONSULTING SERVICES
CONTRACT PS4370-2316
INFRACONSULT, LLC.

MOD #	DESCRIPTION	VALUE
1	Provide Transitional Services, Database Development and Life Cycle Cost Model Development	\$70,000
2	Provide Scope and Schedule for Tasks 3A and 4A, Life Cycle Cost Model Development, and PPP Education and Outreach	\$90,000
3	Add Six Measure R/LRTP Projects to Task 3A and 4A Tasks	\$11,500,000
4	Add Highway Goods Movement Package	\$300,000
5	Task 5 for PPP Consultation Services	\$4,500,000
TOTAL VALUE OF MODIFICATIONS		\$16,460,000
TOTAL CMA		\$1,701,549
TOTAL CMA EXPENDED OR COMMITTED		\$1,021,482
CURRENT REMAINING CMA		\$680,067
CMA REQUESTED BY THIS BOARD ACTION		\$2,000,000
CMA REMAINING AFTER THIS BOARD ACTION		\$2,680,067

