

JAN - 9 2017

  
Executive Officer  
Board of Public Works

**REQUEST FOR AUTHORITY TO ISSUE THE TASK FOR SOLICITATION NO. 27F TO TETRA TECH, INC. (TETRA TECH), CONTRACT NO. C-124887, FROM THE PRE-QUALIFIED ON-CALL (PQOC) CONSULTANTS LIST TO PROVIDE DESIGN AND SUPPORT SERVICES FOR THE SIXTH STREET VIADUCT REPLACEMENT PROJECT (PROJECT) - LANDSCAPING PACKAGE - WORK ORDER NO. E700235D**

**RECOMMENDATIONS**

1. Authorize the City Engineer to issue the Task to Tetra Tech, Contract No. 124887, from the PQOC Consultants List for Federally Funded Bridge and Street Projects, to provide design and support services for the landscaping package, as stated in Task Order Solicitation (TOS) No. 27F (Transmittal No. 1), with a budget authority of \$4,000,000, which includes contingency.
2. Authorize a loan in the amount of \$1,900,000, subject to a grant award letter from the Mayor's Fund for Los Angeles, Inc., from the Public Works Trust Fund (PWTF) No. 834 to front fund the design, construction, and programming of the future Leonard Hill Arts Plaza, and to repay said loan of \$1,900,000 from the grant proceeds when received in the Mayor's Fund for Los Angeles, on a cost reimbursement basis.
3. Instruct the Board of Public Works (Board), Director of Accounting, or designee, to (a) establish an appropriation account entitled "Leonard Hill Arts Plaza" within the Engineering Special Services Fund No. 682, Department No. 50, and transfer \$1,900,000 from the PWTF into the established account, and (b) transfer payment from the established account to the PWTF No. 834, once reimbursements are received from the Mayor's Fund for Los Angeles, Inc., to repay the loan.

**TRANSMITTALS**

1. Copy of TOS No. 27F entitled "Sixth Street Viaduct Replacement Project Design and Support Services Landscape Design for West Park, Arts Plaza, Tunnel Rehabilitation, River Terracing & Bicycle Connection, and East Park", dated, July 1, 2016, and the Landscape Master Plan Budget, version 21, dated, July 1, 2016.
2. Copy of Council Motion (Council File No. 16-1349).

**DISCUSSION**

***Background***

On October 31, 2014, the Board approved the PQOC list of consultants to provide design and construction support services for the Bridge Improvement Program. The contract with Tetra Tech was executed on November 18, 2014, and will expire on November 17, 2019.

Transmittal No. 1

The City has completed the design to replace the existing Sixth Street Viaduct (Viaduct) over the Los Angeles River (River) and U.S. 101 highway, primarily funded through the Federal Highway Bridge Program (HBP), with additional funding from the City and the State's Proposition 1B Seismic Safety Retrofit (Prop 1B) program as matching funds. Due to alkali-silica reaction effects, the Viaduct's concrete was degrading throughout the main structural elements, which significantly reduced the bridge's capacity to resist earthquake loads. The Project includes multiple construction packages that include building demolition, utility relocation, intersection improvements, demolition of the existing viaduct, foundation construction, viaduct construction, and landscaping. To date, seven construction packages have been awarded, and two additional packages are expected to be awarded and begin construction in the next year. The Viaduct is currently being demolished and the foundations for the replacement structure are being installed.

The landscape component of the project has an anticipated total budget of \$23,282,758, which includes funding sources from the City's Municipal Improvements Corporation of Los Angeles (MICLA), Proposition K (Prop K), private sources, and the Federal HBP.

### ***TOS Description***

The scope of the TOS consists of design and support services for the Landscaping Package of the Project (Transmittal No. 1). The Landscaping Package will encompass the design of approximately 13 acres of public space, adjacent to and under the Viaduct, comprised of the West Park in the Arts District, Leonard Hill Arts Plaza, tunnel rehabilitation, river bank terracing, bicycle path connections, and the East Park in Boyle Heights.

The scope of design and support services of the selected firm will include project management, general landscape and open space design, geotechnical and soil contamination investigation and remediation design, hydraulic analysis in the River, preparation of necessary environmental documentation and permitting, and public outreach support. Additionally, some support services will extend through bid and award, construction, project closeout, and post-construction. It is intended that these services will be required for approximately the next four years and three months.

### ***Summary of Selection and Negotiations***

The City solicited cost proposals from all 10 PQOC consulting firms. Two firms responded to the TOS. Both firms were interviewed by staff from the Bureau of Engineering (BOE) and the Department of Recreation and Parks (RAP). The panel reviewed the proposals, qualifications, and experience of the consulting firms and selected Tetra Tech.

Tetra Tech's original proposal was for a base task amount of \$3,588,094. Negotiations with Tetra Tech occurred after selection, which resulted in a requested base task amount of \$3,315,553, with a contingency amount of \$684,447, for a total budget of \$4,000,000. Documentation supporting the selection of the consultant, as well as a record of the negotiations, has been included in the project file.

On November 16, 2016, the BOE staff issued the limited Notice-to-Proceed (NTP), for a not-to-exceed amount of \$95,000, to Tetra Tech. This limited NTP will be funded by MICLA as part of the overall design fee identified in this report.

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**Disadvantaged Business Enterprise (DBE) Program**

This Task will be federally funded. The City will follow the U.S. Department of Transportation's requirements for DBE participation. The City has set an anticipated participation level of 6.01 percent. For this Task, the consultant is pledging a DBE participation level of 23.98 percent.

On this particular Task, the following firms are proposed to be utilized by the Consultant:

Gender/Ethnicity Codes:

- |                              |                                   |
|------------------------------|-----------------------------------|
| AA = African American        | HA = Hispanic American            |
| APA = Asian Pacific American | SAA = Subcontinent Asian American |
| NA = Native American         | C = Caucasian                     |
| M = Male                     | F = Female                        |

Prime or Subconsultants	Gender/ Ethnicity	DBE/OBE*	(%) of Base Task	Task Amount
Tetra Tech	N/A	OBE	28.83%	\$ 955,956
Michael Maltzan Architecture	N/A	OBE	11.47%	\$ 380,415
Hargreaves Associates	N/A	OBE	17.40%	\$ 577,000
GPA Consulting	F/HA	DBE	17.47%	\$ 579,165
Cumming	N/A	OBE	1.75%	\$ 58,055
Horton Lees Brogden	F/C	DBE	2.43%	\$ 80,500
The Alliance Group Consulting	M/APA	DBE	4.08%	\$ 135,435
FAST	N/A	OBE	5.98%	\$ 198,174
Hushmand Associates, Inc.	N/A	OBE	10.58%	\$ 350,853
Total DBE Participation			23.98%	\$ 795,100
Total OBE Participation			76.02%	\$ 2,520,453
<b>Initial Base Task</b>			<b>100.00%</b>	<b>\$ 3,315,553</b>
Contingency				\$ 684,447
<b>Total Task Budget Authority</b>				<b>\$ 4,000,000</b>

\*OBE = Other Business Enterprise

**Contractor Performance Evaluation**

In accordance with Division 10, Chapter 1, Article 13 of the Los Angeles Administrative Code, the appropriate City personnel responsible for the quality control of this personal services contract shall submit Contractor Performance Evaluation Reports to the Bureau of Contract Administration, Special Research & Investigation Section, upon termination of the contract.

**STATUS OF FUNDING**

For the portion of funding provided by the Federal HBP and State Prop 1B, as authorized by Council File No. 10-1409, up to \$98.5 million in MICLA financing will be issued to cash flow the Project, on an as-needed basis, as determined by the cash flow

demand deliverables, with the understanding that all of the City's costs related to this financing will be fully reimbursable from Federal and State grants.

Currently, \$2.25 million in MICLA funding has been authorized by the City Council for the design phase of the Project for Fiscal Year 2016-2017; authorization to proceed with design services during construction (DSDC) will not be given until additional funding has been secured.

Prop K funding is currently spread over the next two Fiscal Years (2017-2018, 2018-2019), and is not programmed for the Project in the current Fiscal Year 2016-2017. Accounting information for the Prop K Fund will be available after July 1, 2017. Authorization to commence the scope of work funded by Prop K (lighting for up to six soccer fields in the east park) will not be given until such time that the funds are authorized to be expended.

As authorized by Council File No. 16-1349 (Transmittal No. 2), the BOE is in the process of negotiating and executing an agreement between the City and the Mayor's Fund for Los Angeles, Inc. for a grant award in the amount of \$1.9 million for the future Leonard Hill Arts Plaza under the new Viaduct. Due to the incremental nature of the payments from the Mayor's Fund, a loan from the PWTF No. 834 for \$1.9 million is requested to front fund the design, construction and programming of the Leonard Hill Arts Plaza. Of the \$1.9 million, \$300,000 shall be used for design and support services under this TOS, \$475,000 shall be used for programming development and implementation and the remaining funds shall be used for the construction of the Leonard Hill Arts Plaza. The loan amount will be transferred from the PWTF No. 834, to a new appropriation account that will be created in the Engineering Special Services Fund No. 682, Department No. 50, entitled "Leonard Hill Arts Plaza". The grant funds will be paid to the Mayor's Fund over a period of three years, who shall then disburse the funds to the City, as set forth in the executed Grant Agreement signed and effective January 26, 2016. The loan will be repaid on a cost reimbursement basis in grant proceeds when received from the Mayor's Fund. It is anticipated that up to \$300,000 will be repaid through this TOS within one year. The remaining loan balance of \$1.6 million will be paid during or by the end of construction, which is expected by the end of 2020.

Due to complexities of Federal/State grant funding, as well as the availability of City funds as a match source, or for other scope, exact allocation and appropriation may be substituted by other sources for the purpose of maximizing participating grant reimbursements and minimizing impact to the City's MICLA and Prop K financial management. A Board motion will be presented for approval with a revised funding matrix if the line item components of funding sources are different from this report, provided that the total authorization amounts remain unchanged. However, Board approval would not be sought for the shifting of funds between Design Phase and DSDC phase, nor for the creation of new Work Orders deemed appropriate by the BOE to segregate and better track costs not known at this time. This will provide efficiency and effectiveness in the procurement process of Federal/State grant funds and provide flexibility and sufficiency in City match funds, due to the complexity of Federal/State funding requirements.

The Office of Accounting (OOA) of the Board will take the lead role in processing all payments. The BOE's Grant Administration will seek and coordinate grant reimbursements for the overall Viaduct Project including the landscape component of this report. RAP,

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Prop K, and the BOE staff will provide assistance with regards to the Prop K and Metropolis/Leonard Hill funding, respectively. The OOA, has identified and verified the funding currently available for Task Order No. 27F shown in the Funding Summary Table below:

<b>Task Order No. 27F - Funding Summary Table</b>			
<b>Fund/Account</b>	<b>Task Amount</b>	<b>Contingency</b>	<b>Total Amount</b>
MICLA 2016-B - Viaduct Project Elements Fund No. 26X, Department No. 50, Appropriation Unit No. 50MCSS	\$2,108,371	\$141,629	\$2,250,000
Prop K - To Be Determined	\$ 160,000	\$ 40,000	\$ 200,000
Metropolis Fund No. 682, Department No. 50, Appropriation Unit No. 50LVBC	\$ 90,000	\$ 10,000	\$ 100,000
*Engineering Special Services Fund No. 682, "Leonard Hill Arts Plaza", Department No. 50, Appropriation Unit No. TBD	\$ 200,000	\$ 20,000	\$ 220,000
<b>Design - Subtotal Amounts</b>	<b>\$2,558,371</b>	<b>\$211,629</b>	<b>\$2,770,000</b>
<b>Design - Total Funding</b>	<b>\$2,770,000</b>		
MICLA 2016-B - Viaduct Project Elements Fund No. 26X, Department No. 50, Appropriation Unit No. 50MCSS	\$414,303	\$406,818	\$821,121
Prop K - To Be Determined (TBD)	\$ 80,000	\$ 20,000	\$100,000
Metropolis Fund No. 682, Department No. 50, Appropriation Unit No. 50LVBC	\$ 40,000	\$ 10,000	\$ 50,000
*Engineering Special Services Fund No. 682 "Leonard Hill Arts Plaza", Department No. 50, Appropriation Unit No. TBD	\$64,000	\$16,000	\$80,000
Sixth Street Viaduct Improvement Fund No. 54W, Department No. 50, Appropriation Unit No. TBD (MICLA cash flow for 88.53 percent HBP grant reimbursement)	\$140,656	\$17,706	\$158,362
Sixth Street Viaduct Improvement Fund No. 54W, Department No. 50, Appropriation Unit No. TBD (MICLA cash flow for 11.47 percent Proposition 1B grant reimbursement)	\$18,223	\$2,294	\$20,517
<b>DSDC - Subtotal Amounts</b>	<b>\$757,182</b>	<b>\$472,818</b>	<b>\$1,230,000</b>
<b>DSDC - Total Funding</b>	<b>\$1,230,000</b>		
<b>Design and DSDC - Subtotal Amounts</b>	<b>\$3,315,553</b>	<b>\$684,447</b>	<b>\$4,000,000</b>
<b>Design and DSDC - Total Funding</b>	<b>\$4,000,000</b>		

\*To be repaid by the Mayor's Fund of Los Angeles, Inc.

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The City's liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City's liability shall be to the extent of such appropriation, subject to the terms and conditions of the contract

( JAA MK RMK ALM )

Report reviewed by:

BOE (ADM and ARC)

Report prepared by:

Sixth Street Viaduct Division

Julie A. Allen, PE  
Principal Civil Engineer  
Phone No. (213) 694-4270

Respectfully submitted,



For Gary Lee Moore, PE, ENV SP  
City Engineer

Statement as to Funds approved by:



Victoria A. Santiago,  
Director Office of Accounting  
Fund Ref. 54W will be cash flowed from F4W//50JRAO  
Date: \_\_\_\_\_

JAA/JK/NM/11-2016-0254.SIX.klc

Questions regarding this  
report may be referred to:  
John Koo, PE, SE, Sr. Structural Engineer/PM II  
Phone No. (213) 694-4271  
E-mail: John.Koo@lacity.org

or  
Natalie Moore, Civil Engineering Associate II  
Phone No. (213) 694-4277  
E-mail: Natalie.Moore@lacity.org