


Department of Public Works

Bureau of Engineering
Report No. 1

February 23, 2018
CD No. 14

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

FEB 23 2018


Executive Officer
Board of Public Works

REQUEST FOR AUTHORITY TO REVISE THE TASK FOR SOLICITATION NO. 27F TO TETRA TECH, INC. (TETRA TECH), CONTRACT NO. C-124887, FOR ADDITIONAL SUPPORT SERVICES FOR THE SIXTH STREET VIADUCT REPLACEMENT PROJECT - LANDSCAPING PACKAGE - WORK ORDER No. E700235D

RECOMMENDATIONS

1. Authorize the reallocation of \$396,818 from the design support during construction (DSDC), contingency funding to the design phase.
2. Authorize the City Engineer to issue a revision of the Task for Solicitation No. 27F to Tetra Tech, increasing the budget authority from \$4,000,000 to \$4,480,000 for support services.

TRANSMITTALS

1. Copy of Bureau of Engineering (BOE) Report No. 1, adopted on January 9, 2017, authorizing the award of the Task for Solicitation No. 27F to Tetra Tech.
2. Copy of Seismic Governance Committee report, dated November 9, 2017.
3. Copy of Requested Scope of Services Solicitation for claims mitigation services, dated November 13, 2017.

DISCUSSION

Background

On October 31, 2014, the Board of Public Works (Board) approved the Pre-Qualified On-Call (PQOC) Consultant List 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.

On January 9, 2017, the Board authorized the City Engineer to issue Task Order Solicitation (TOS) No. 27F to Tetra Tech, with a budgetary authority of \$4,000,000, which includes an initial base task of \$3,315,553, with a total contingency of \$684,447 (Transmittal No. 1). The total contingency amount is further divided into a design contingency amount of \$211,629 and a contingency for DSDC of \$472,818.

The scope of services is for the design and support services for the landscape component of the Sixth Street Viaduct Replacement Project. The proposed 12-acre park, more commonly known as the Park, Arts, and River Connectivity (PARC) Improvements project

Transmittal No. 2

will develop the area underneath and immediately adjacent to the new viaduct to provide much needed park space for the City of Los Angeles (City).

The following table lists the initial base task for TOS No. 27F and the additional scope that the BOE has authorized to date as part of the approved Task Order:

Initial Base Task	\$3,315,553
Bridge/PARC Model	\$ 21,545
Protected Bike Lane Meeting/Workshop	\$ 5,500
Additional Design Scope	\$ 161,882
Total Authorized Additional Services	\$ 188,927
Total Authorized Task Order to Date	\$3,504,480

As shown in the above table, a total of \$188,927 from the \$211,629 design contingency has been issued to date for additional services, leaving a design contingency balance of \$22,702.

To date, the landscaping component is approximately 35 percent complete with the design phase. Several proposed changes and additions that were not envisioned in the initial scope of work are being added to the project, which will require transfer of some of the DSDC contingency to the design contingency and also an increase to the authorized total contingency budget.

The initial environmental document for the landscaping project included a Supplemental Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and supplemental technical studies to support the conclusions of the environmental document. It was later determined that the appropriate level of documentation for environmental compliance will include a new EIR, a new Environmental Assessment, Environmental Revalidations, and full technical studies. The estimated cost for the additional service is \$205,391.

Approximately 6.5 acres of the project site requires some level of soil remediation to bring the soil conditions to residential standards. The conditions found in the soils are typical of what is expected for properties that have previously been used for industrial and manufacturing purposes. A full investigation of the soils to quantify concentrations and assess risk is required to ensure that the City is in full compliance with regulations governing the remediation of soils to levels safe for park spaces. As a result, additional soil borings have been requested, a Human Health Risk Assessment will be performed, and coordination with the Remediation Oversight Authority are needed, which were not included in the initial task order to the consultant. The estimated cost for this additional service is \$116,847.

The total amount for the two additional design service requests is \$322,238. The total contingency budget of \$684,447 awarded as part of the TOS is sufficient to authorize the additional services requested above, but it will require the transfer of some of the DSDC contingency to the design contingency. The amount being requested is \$396,818, which will allow the requested extra services to be executed, and include

February 23, 2018

Page 3

additional contingency to address any future unanticipated service requests during the design phase. It is therefore, recommended that the Board authorize the transfer of \$396,818 in contingency from DSDC to the design phase.

After the reallocation of contingency, the DSDC amount will be \$76,000 which represents 10 percent of the authorized DSDC budget of \$757,182. It is expected that the \$76,000 amount will be sufficient to cover any unanticipated costs during construction support for the project. Additionally, the BOE will request the transfer of any unused design contingency to the DSDC contingency through a subsequent board report, if necessary.

The landscaping component represents a portion of the much larger \$482 million Sixth Street Viaduct Replacement Project, which is presently in construction and is being delivered through the Construction Manager General Contractor (CMGC) project delivery method.

The CMGC method is designed to reduce risk, improve constructability, and reduce construction change orders resulting in the mutual benefit for both contractor and owner. However, the contractor has submitted some significant change order requests, totaling over \$16 million, which were denied on merit. In consultation with the City Attorney's Office, it is recommended to include claims support services to help the City prepare for anticipated claims and potential litigation. Funding for this scope of work has been authorized by the Seismic Governance Committee (Transmittal No. 2) for a budgetary amount of \$480,000. A solicitation for a proposal for claims services was issued to Tetra Tech on November 13, 2017 (Transmittal No. 3). Tetra Tech submitted an initial fee proposal for construction claims mitigation services in the amount of \$507,701 on December 5, 2017. A final fee of \$418,338 was negotiated on December 6, 2017.

Since additional funding has been identified for the claims support services, the BOE recommends that the Board approve the authority to increase the TOS ceiling amount from \$4,000,000 to \$4,480,000.

In summary, with the recommended reallocation of \$396,818 from DSDC contingency to design contingency and the recommended increase to the TOS ceiling, the proposed funding allocation shall be in accordance with the revised Funding Summary Table as follows:

Task Order No. 27F - Revised Funding Summary Table			
Fund No./Appropriation No.	Task Amount	Contingency	Total Amount
MICLA* 2016-B - Viaduct Project Elements Fund No. 26X, Department No. 50, Appropriation Unit No. 50MCSS	\$2,108,371	\$538,447	\$2,646,818
*Proposition K - Fund No. 43K, Department No. 10, Appropriation Unit No. 10PPAL	\$ 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. 50NVCC	\$ 200,000	\$ 20,000	\$ 220,000
MICLA Holding Account, Fund No. 54W for Sixth Street Viaduct Improvement Landscaping Support Fund No. 54W, Department No. 50, Appropriation Unit No. 50PRLS	\$ 418,338	\$ 61,662	\$ 480,000
Design - Subtotal	\$2,976,709	\$670,109	\$3,646,818
MICLA 2016-B - Viaduct Project Elements Fund No. 26X, Department No. 50, Appropriation Unit No. 50MCSS	\$ 414,303	\$ 10,000	\$ 424,303
**Proposition K - Fund No. 43K, Department 10, Appropriation Unit No. 10PPAL	\$ 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. 50NVCC	\$ 64,000	\$ 16,000	\$ 80,000
Sixth Street Viaduct Improvement Fund No. 54W, Department No. 50, Appropriation Unit No. 50PRLC (MICLA cash flow for 88.53 percent Highway Bridge Program grant reimbursement)	\$ 140,656	\$ 17,706	\$ 158,362
Sixth Street Viaduct Improvement Fund No. 54W, Department No. 50, Appropriation Unit No. 50PRLC (MICLA cash flow for 11.47 percent Proposition 1B grant reimbursement)	\$ 18,223	\$ 2,294	\$ 20,517
DSDC - Subtotal	\$ 757,182	\$ 76,000	\$ 833,182
Design and DSDC - Total	\$3,733,891	\$746,109	\$4,480,000

*Municipal Improvement Corporation of Los Angeles.

**Previously shown as To-Be-Determined. Funding account number has been provided.

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

Disadvantaged Business Enterprise (DBE) Program

This project is 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 the revised Task, the consultant is pledging DBE participation of 23.16 percent.

For the revised 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 Revised Task	Revised Task Amount
Tetra Tech	N/A	OBE	25.10%	\$1,065,519
Michael Maltzan Architecture	N/A	OBE	10.11%	\$ 429,381
Hargreaves Associates	N/A	OBE	15.48%	\$ 657,000
GPA Consulting	F/HA	DBE	18.01%	\$ 764,518
Cumming	N/A	OBE	1.37%	\$ 58,055
Horton Lees Brogden	F/C	DBE	1.90%	\$ 80,500
The Alliance Group Consulting	M/APA	DBE	3.19%	\$ 135,435
FAST	N/A	OBE	4.67%	\$ 198,174
Hushman Associates, Inc.	N/A	OBE	10.77%	\$ 457,188
MGE Engineering, Inc.	N/A	DBE	0.06%	\$ 2,501
Alta Planning & Design, Inc.	N/A	OBE	0.04%	\$ 1,545
CL Consulting & Analysis, Inc.	N/A	OBE	9.31%	\$ 395,240
Total DBE Participation			23.16%	\$ 982,954
Total OBE Participation			76.84%	\$3,262,102
Revised Base Task				\$4,245,056
Contingency				\$ 234,944
Total Revised Task Budget Authority				\$4,480,000

MGE Engineering, Inc. and Alta Planning & Design, Inc. have been added to the subconsultant list for Tetra Tech to provide structural engineering services and bike lane consultation, respectively, for the Sixth Street Viaduct's protected bike lane study.

CL Consulting & Analysis, Inc. is being added to the subconsultant list to provide claims mitigation services to support the Sixth Street Viaduct Replacement Project.

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

Report No. 1

Page 6

Bureau of Contract Administration, Special Research & Investigation Section, upon termination of the contract.

STATUS OF FUNDING

Funding of \$4,000,000 is available for this project per BOE Report No. 1, dated January 9, 2017. Additional funding in the amount of \$480,000 for the increase in budget authority is available for this project from interest earnings accrued in Fund No. 54W, which is a holding account for the MICLA funds that are utilized to provide front funding for the Sixth Street Viaduct Replacement Project. Further funding may be requested in future budget cycles, if required.

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 extended to the extent of such appropriation, subject to the terms and conditions of the contract.

(JAA MK RMK ALM)

Report reviewed by:

Respectfully submitted,

BOE (ADM and ARC)


Report prepared by:

Gary Lee Moore, PE, ENV SP
City Engineer

Sixth Street Viaduct Division

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

Statement as to Funds approved by:


Victoria A. Santiago, Director
Office of Accounting
Fund Ref: 54W/50PRLS/\$480,000
To be Cash Flowed from 54W/50JRA0
Date: _____

JAA/GL/12-2017-0289.SIX.gva

Questions regarding this report may be referred to:
Gary Lam, PE, Senior Civil Engineer
Phone No. (213) 694-4329
E-mail: Gary.Lam@lacity.org