



# Alameda Corridor-East Construction Authority

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4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

## ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD OF DIRECTORS

### REGULAR MEETING AGENDA

Monday, August 24, 2009 – 2:00 P.M.

Irwindale City Hall

5050 Irwindale Avenue

Irwindale, CA 91706

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Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

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- |       |   |             |
|-------|---|-------------|
| I.    | Roll Call and Introductions   |             |
| II.   | Pledge of Allegiance  |             |
| III.  | Approval of Minutes of July 27, 2009 Regular Board Meeting (Pages 1-4)  | Action      |
| IV.   | Public Comment  |             |
| V.    | Chairman's Remarks  |             |
| VI.   | Chief Executive Officer's Report (Pages 5-9)  | Information |
| VII.  | Approval of Selection and Contract Award for Property Acquisition/Relocation Services (Pages 10-11)   | Action      |
| VIII. | Approval of Amendment to Construction Management Services Contract for East End Ave and Reservoir Street Grade Separations with PB Americas (Pages 12-13) | Action      |
| IX.   | Approval of Amendment to Demolition Contract with Miller Environmental (Pages 14-15)  | Action      |
| X.    | Approval of Amendment to FY 2009 Task Order for Relocation Services with Del Richardson & Associates (Page 16)  | Action      |
| XI.   | Approval of Amendment to FY 2009 Task Order for Engineering Survey Services with Wagner Engineering & Survey (Page 17)                                    | Action      |

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The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

- |       |   |                    |
|-------|---|--------------------|
| XII.  | Submission of TIGER Grant Application for Baldwin Avenue Grade Separation Project (Pages 18-20) | Information        |
| XIII. | Compensation of Chief Executive Officer   | Possible<br>Action |
| XIV.  | Adjournment   | Action             |



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### Alameda Corridor-East Construction Authority Board of Directors Meeting July 27, 2009 Minutes

Chairman Spohn called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 2:00PM.

1. In attendance were:  
Tim Spohn, Industry  
Steve Atchley, Pomona  
David Gutierrez, San Gabriel  
Patricia Wallach, El Monte  
Tom King, Walnut, SGVCOG  
Rosemarie Vasquez, Montebello  
Gloria Molina, Los Angeles County

#### Staff

Rick Richmond, Chief Executive Officer  
Joe Silvey, Legal Counsel  
Deanna Stanley  
Charles Tsang  
Victoria Butler  
Regina Talamantez  
Cynthia Ambrose  
Carlos Monroy  
Lou Cluster

#### Guests

Enrique Alonso, Jacobs Engineering  
Jim Overcamp, Epic Land Solutions  
Marisela Cervantez, Assemblyman Charles Calderon  
BJ Swanner, Epic Land Solutions

2. **Pledge of Allegiance** –Vice Chair Rosemarie Vasquez led the pledge of allegiance.
3. **Approval of Minutes of June 22, 2009** – A motion was made to approve the minutes of June 22, 2009. M/S/Wallach/Atchley/King Abstained/Passed
4. **Public Comments** –There were no public comments.
5. **Chairman's Report** – Chairman Spohn welcomed new Board member, COG President, Mayor Pro Tem of the City of Walnut, Tom King. He recognized former member Spence and thanked him for his service on the Board.

Chairman Spohn reported that the MTA Board approved \$42 million for ACE from

Measure R for pre-construction work for the San Gabriel Trench. He thanked Supervisors Molina and Antonovich and Councilmember Fasana for their continued support.

6. **CEO's Report** – Mr. Richmond reported that he participated in a meeting with Transportation Secretary of Transportation Ray LaHood as invited by Congresswoman Grace Napolitano. The meeting highlighted the Metro Gold Line Eastside Extension but also gave Mr. Richmond an opportunity to review the ACE Project. He indicated the Department of Transportation has established \$1.5 billion in grant funding for the Transportation Investment Generating Economic Recovery (TIGER) program and ACE was encouraged to and would be submitting an application.

Member Wallach requested clarification of the new office lease as reported and Mr. Richmond indicated the Authority negotiated three months of free rent and the report would reflect this correction.

Mr. Charles Tsang reviewed construction progress photos of the Temple Avenue project. Ms. Victoria Butler reviewed construction progress photos of the Sunset Avenue grade separation project.

7. **Approval of Acceptance of Final Design Contracts for East End Ave and Reservoir Street Grade Separation Project** – Mr. Richmond indicated the designer has completed all work required to support construction on the now completed East End Ave and Reservoir Street grade separation projects. He reminded the Board that this was an administrative procedure that the Board review and approve project completions. He reviewed the final contract values and DBE subcontracting goals.

A motion was made to accept the design contracts with URS Corporation Americas, Inc. (URS) for the East End Avenue and Reservoir Street grade separation projects as being satisfactorily complete.  
M/S/C/Vasquez/Gutierrez/Unanimous

8. **Approval Amendment to Design Services Contract for Baldwin Avenue Grade Separation with AECOM USA, Inc** – Mr. Richmond reminded the Board that the Baldwin Ave grade separation design began in 2002 and nearly completed by mid 2004. Due to the uncertainties in funding due to State budget issues, the project was placed on hold. In 2007 the project was reactivated and staff has been heavily involved in property relocations and acquisitions. In recent constructability reviews necessary to complete the design, various changes to the design were made which resulted in additional design work. Changes included design of shoofly, redesign of an improved intersection at

Gidley and Baldwin and construction of a pedestrian bridge. Mr. Richmond reminded the Board that the property owner, Mr. Owens previously addressed the Board regarding limited in/out access to businesses. Ms. Vasquez requested clarification of the funding for the project and Mr. Richmond indicated this project was a candidate for economic stimulus funding discussed earlier and the application would request \$31 million.

A motion was made to authorize the Chief Executive officer amend the contract with AECOM USA, Inc for the Baldwin Ave grade separation to add \$735,000 for additional services to update and modify the design of the Baldwin Ave grade separation. M/S/C/Wallach/King/Unanimous

9. **Approval of Modified Construction Detour Plan and Property Acquisitions for the Nogales Street (LA Sub) Grade Separation Project-**

Mr. Richmond reminded the Board that this project was originally to be constructed by the City of Industry. He described the elements of the project and reported this area is very heavily traveled due to its proximity to the 60 freeway and although not required ACE felt an obligation to provide a detour to mitigate the closure of Nogales Street during construction. He reviewed the affected properties. He reviewed the original plan for a detour was to use Otterbein and indicated various businesses including Santana Continuation School were displeased with this option as is the Union Pacific. He reviewed an optional plan which would require an easement across a vacant lot unto Charlie Street to San Jose Street. He indicated the property owner has been open to discussion regarding a purchase but the property is under a long term lease which complicates the transaction. He indicated with the Board's approval, discussions can begin.

A motion was made to approve the substitution of the proposed construction detour route and an inventory of property rights and relocate activities necessary for the construction of the Nogales Street grade separation to commence once the proposed Mitigated Negative Declaration on the project is approved by Caltrans. M/S/C/Vasquez/King/Unanimous

10. **Review of Quarterly Project Progress Report** – Mr. Richmond reviewed the quarterly project costs. He indicated the project cost has been updated to add the costs of completion of design, right of way and construction for the San Gabriel Trench (\$498.5M) and Nogales Street (\$80.9M) projects.

11. **Review of Quarterly Financial Reports** – Carlos Monroy reviewed the quarterly budget to accrual, cash expenditures by project and investments.

12. **Closed Session** – Counsel reported the Board would adjourn to closed session for two matters – as per Government Code Section 54956.9(a) to discuss existing litigation. LA Superior court Case No BC402512 and Government Code Section 54957 for discussion of the performance evaluation of the Chief Executive Officer. Member King requested former member Dave Spence participate in the performance evaluation discussion.

Upon returning from closed session, General Counsel Joe Silvey announced that the Board had taken one action that had to be reported in open session. On a motion by Member Vasquez, seconded by Member Atchley, all members of the Board then present voted to adopt a settlement for Los Angeles Superior Court Case No. BC402512 (Huang v. ACE Construction Authority) under which: (a) the ACE Construction Authority would make an all-inclusive payment of \$40,000; (b) there would be a waiver of all costs, claims and fees by all parties; and (c) all parties would dismiss their respective complaints and cross complaints with prejudice. Voting to adopt the settlement were Members Vasquez, Molina, King, Spohn, Wallach, Atchley and Gutierrez.

13. **Adjournment** - The meeting was adjourned at 3:33PM



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond  
Chief Executive Officer

DATE: August 24, 2009

SUBJECT: CEO Report

The following are items of note since the last meeting:

**Meeting with Assemblyman Mike Eng** – Staff met with Assemblyman Mike Eng and his staff on August 6 for a briefing regarding the Baldwin Avenue and San Gabriel Trench grade separation projects. Assemblyman Eng, who is chairman of the Assembly Transportation Committee, expressed his continuing support for and his willingness to assist with the ACE San Gabriel Valley grade separation projects.

**Contracting** – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. The only changes occurring this month are the changes identified in the monthly construction reports.

**Community Outreach Activities** – Staff has conducted the following project outreach activities:

- Participated in the Environmental Protection Agency public meeting concerning a Superfund ground water treatment and pipeline project in proximity to the Sunset Avenue grade separation project;
- Conducted ongoing business support program, community outreach and construction coordination activities for Sunset Ave. grade separation and Temple Ave. train diversion projects.

# ALAMEDA CORRIDOR EAST

## PROJECT STATUS REPORT

**SUNSET AVENUE GRADE SEPARATION PROJECT For the Month: July 2009**

Scope:	Construction of grade separations at the UPRR crossings at Orange Avenue and Sunset Avenue. Orange and Sunset Avenues will be lowered slightly and the tracks raised on embankments and two steel thru-girder bridges. California Street will be raised and reconstructed to meet the new track locations. Valley Boulevard will be reconstructed at all three intersections. Trackwork will consist of a new raised mainline track; at grade drill track and industry track connection to the north; and a temporary shoofly to the south requiring temporary closure of the northerly lane of Valley Blvd.	
Contractor:	Atkinson Contractors, LP	
Construction Manager:	PB	
Contract Award:	August 28, 2006	
Notice to Proceed:	November 14, 2006	
Original Completion:	November 18, 2009	Schedule % Complete
Revised Contract Completion:	January 1, 2011	64.5

<b>Schedule Summary</b>	Estimated Start	Estimated Completion	% Complete
California Ave Shoofly & Street Restoration	January 2007	December 2007	100%
Railroad ROW storm drain system	February 2007	January 2009	93%
Valley Blvd Shoofly	May 2007	August 2008	100%
Drill Track	April 2008	April 2009	95%
Drill Track Revision 12, 16 & 17	June 2008	November 2008	95%
Main Line Retaining Walls & Backfill	May 2009	November 2009	0%
Sunset & Orange Bridge Steel Fabrication	November 2007	September 2008	98%
Sunset & Orange Bridge & Roadway Installation	May 2009	June 2010	5%
Valley @ Sunset & Orange Street Restorations	August 2009	October 2009	25%
Landscaping & Irrigation	December 2009	July 2010	0%

<b>Financial Summary</b>			
Original Contract Value	\$41,938,421.50		
C.O.s Approved This Month	\$179,224.00		
C.O.s Approved to Date	\$8,642,742.66		
Current Contract Value	\$50,581,164.16		
Invoiced to Date (% of revised contract)	\$19,356,970.73		38.3%
Release of Liens are Current	<input checked="" type="checkbox"/>		



# SUNSET AVENUE GRADE SEPARATION PROJECT

Contractor		<b>Atkinson Contractors, LP</b>
Contract Award		<b>August 2006</b>
Limited NTP		<b>November 1, 2006</b>
NTP		<b>November 14, 2006</b>
Contractual Completion		<b>November 18, 2009</b>
Revised Completion	64.5%	<b>January 1, 2011</b>
Original Contract Value		<b>\$41,938,421.50</b>
Change Orders this Month		<b>\$179,224.00</b>
Amended Contract Value		<b>\$50,581,164.16</b>
Earned to date (Amended Value)	38.3%	<b>\$19,356,970.73</b>
Release of Liens are Current	<input checked="" type="checkbox"/>	

- Atkinson to start mainline retaining wall soil stabilization.

## Progress Summary

• California Ave Shoofly & Street Restoration	100%
• Railroad ROW storm drain system	93%
• Valley Blvd Shoofly	100%
• Drill Track	95%
• Drill Track Revision 12 ,16 & 17	95%
• Mainline Retaining Walls & Backfill	0%
• Sunset & Orange Bridge Steel Fabrication	98%
• Sunset & Orange Bridge & Roadway Installation	5%
• Valley at Sunset & Orange Street Restorations	25%
• Landscaping & Irrigation	0%

## Safety and Security Issues:

- |                            |                            |
|----------------------------|----------------------------|
| • LOST TIME INJURY STATUS: | • SITE INCIDENTS: None.    |
| • RR INCIDENTS: None       | • Security incidents: None |
- No injuries reported.

## Issues

- Design Revision 18 issued to address 2' increase in elevation of spur 861 and UP changes to No. 9 switches. Negotiate costs (CN 050).
- City of Industry rejected the specified form liner concrete finish. A potential cost impact of up to \$200,000 is being evaluated.
- Mitigation Schedule (CN 047) not signed by Contractor until resolve Shoofly TIA (CN 14.3) and potential haul damage to Orange Ave.
- Contaminated Material was encountered beneath the Mainline Track. Material to be mitigated (CN 051), testing underway.
- Rubble was encountered beneath the Drill Track during the Stage 3 outage. This material continues beneath the future Main Track retaining wall and will need to be removed (CN 052).
- UPRR unable to obtain ballast. Will not complete surfacing drill track until 8/19/09.

## Utilities

- Verizon completed manhole work and de-mobilized. Verizon has stated that they need to re-mobilize to re-backfill manhole with slurry and install their east-west lateral.
- Level 3 fiber lines conflict with Sunset Abutment No. 3 and costs being negotiated on CN 048.

## Work Accomplished this Month

- Completed Drill Track Stage 3 outage. Drill Track Rail complete & Mainline removed.
- Form / pour Fresh Point retaining wall (CN 039) for UP signals.
- Installed chain link fence at spurs 827 and 828.
- Demo/re-construct spur 858 & 861 (CN 050). All spurs now connected.
- Complete Line 'F' and 'C' during weekend Track and Time.
- Constructed Line 'N' at Sunset Avenue.

## Upcoming Work next Month

- Verizon to complete slurry backfill of manhole and east-west lateral.
- UPRR to complete surfacing of Drill Track.
- Atkinson to complete paving at spurs 853 & 861 (CN 050).
- Atkinson to mitigate contaminated Mainline ballast/soil (CN 051).
- Atkinson to remove debris beneath Main Track (CN 052).
- Atkinson to complete excavation for retaining wall footing.
- Atkinson to install abutment shoring at Sunset and Orange.



Installing Rebar for Fresh Point RW (CN 039)



Spur 858 Construction (CN 050)



Drill Track Stage 3 Over-Excavation

**ALAMEDA CORRIDOR EAST  
PROJECT STATUS REPORT  
TEMPLE AVE 4<sup>TH</sup> TRACK INFRASTRUCTURE PROJECT**

For the Month: July 2009

Scope: The Project involves the construction of a new fourth mainline embankment that runs parallel to the UPRR Los Angeles Subdivision tracks for 2.7 miles. The work also includes, but is not limited to, the construction of retaining walls, roadways, pier protection walls, bridge widening, channel wall improvements, culverts, drainage ditches, utility relocation and protection. Temporary work consists of shoring, excavation support systems, and traffic control features.

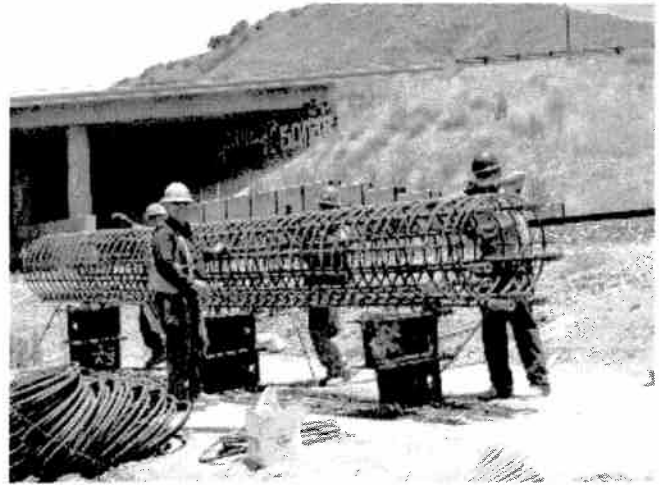
Contractor: Sema Construction  
 Construction Manager: PB Americas  
 Contract Award: August 29, 2008  
 Limited Notice to Proceed: September 18, 2008  
 Notice to Proceed: November 17, 2008  
 Original Completion: October 13, 2009 Time Elapsed 80%  
 Revised Contract Completion: November 3, 2009 Time Elapsed 75%

<b>Schedule Summary</b>	Estimated Start	Estimated Completion	% Complete
UP MP 28.75: Industry Spur Bridge	June 15, 2009	Sept 21, 2009	25%
UP MP 28.76: UPRR Culvert	July 01, 2009	Oct 02, 2009	75%
UP MP 28.90: SR 57 Pier Protection Wall	June 15, 2009	Sept 21, 2009	45%
UP MP 28.90: SR 57 Retaining Wall	April 06, 2009	June 30, 2009	100%
UP MP 28.91: UPRR Culvert	June 07, 2009	July 22, 2009	100%
UP MP 29.59: UPRR Culvert	July 01, 2009	Oct 02, 2009	0%
UP MP 29.60: LACDPW New Channel Wall	July 01, 2009	Oct 02, 2009	0%
UP MP 29.60: LACDPW Channel Wall Retrofit	July 01, 2009	Oct 02, 2009	10%
UP MP 29.61: Humane Way PPW	July 07, 2009	Sep 07, 2009	80%
UP MP 30.02: SR 71 Pier Protection Wall	July 07, 2009	Sep 07, 2009	70%
UP MP 30.02: SR 71 Retaining Wall	March 16, 2009	June 15, 2009	100%
UP MP 30.10: Retaining Wall	February 18, 2009	May 30, 2009	100%
Embankment: Station 1490+00 – 1515+00	June 19, 2009	Sep 30, 2009	0%
Embankment: Station 1515+00 – 1530+00	June 19, 2009	Sep 30, 2009	0%
Embankment: Station 1530+00 – 1564+00	June 19, 2009	Sep 30, 2009	70%
Embankment: Station 1564+00 – 1590+00	June 19, 2009	Sep 30, 2009	0%
Embankment: Station 1590+00 – 1615+00	June 19, 2009	Sep 30, 2009	0%

<b>Financial Summary</b>		
Original Contract Value	\$12,104,916.85	
C.O.s Approved This Month	\$110,045.15	
C.O.s Approved to Date	\$301,572.15	2.5%
Current Contract Value	\$12,406,489.00	
Invoiced to Date (% of revised contract)	\$7,282,822.14	59%
Release of Liens are Current	<input checked="" type="checkbox"/>	

# TEMPLE AVE 4TH TRACK INFRASTRUCTURE PROJECT

Contractor		SEMA Contractors
Contract Award		September 30, 2008
Limited NTP		September 18, 2008
Full NTP		November 17, 2008
Contractual Completion	---	October 13, 2009
Revised Completion	75%	November 3, 2009
Original Contract Value		\$12,104,916.85
Change Orders this Month		\$110,045.15
Amended Contract Value	2.5%	\$12,406,489.00
Earned to Date (Amended Value)	59%	\$7,282,822.14
Release of Liens are Current	<input checked="" type="checkbox"/>	



Rebar Cage SR 57 PPW CIDH Piles

## Progress Summary

• UP MP 28.75: Industry Spur Bridge	25%
• UP MP 28.76: UPRR Culvert	75%
• UP MP 28.90: SR 57 Pier Protection Wall	45%
• UP MP 28.90: SR 57 Retaining Wall	100%
• UP MP 28.91: UPRR Culvert	100%
• UP MP 29.59 & 29.60: UPRR Culvert & LACDPW Channel	0%
• UP MP 29.61: Humane Way PPW	80%
• UP MP 30.02: SR 71 Pier Protection Wall	270%
• UP MP 30.02: SR 71 Retaining Wall	100%
• UP MP 30.10: Retaining Wall	100%
• Embankment: Station 1490+00 – 1515+00	0%
• Embankment: Station 1515+00 – 1530+00	0%
• Embankment: Station 1530+00 – 1564+00	70%
• Embankment: Station 1564+00 – 1590+00	0%
• Embankment: Station 1590+00 – 1615+00	0%

## Safety and Security Issues:

- LOST TIME INJURY STATUS: No injuries reported.
- SITE INCIDENTS: No incident this month.
- RR INCIDENTS: None.
- SECURITY INCIDENTS: None.

## Issues

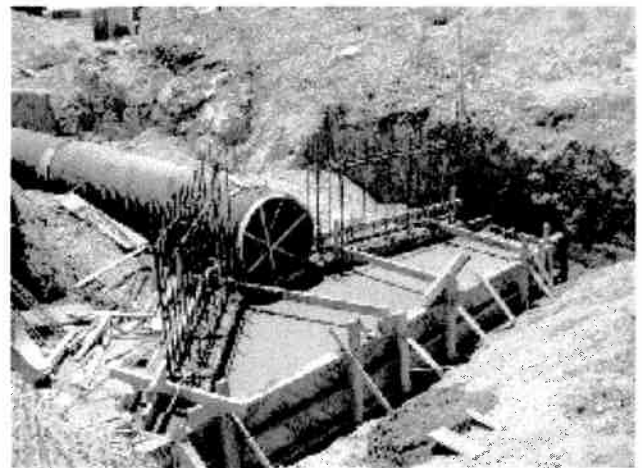
- Kinder Morgan/UPRR Track Shift Impact. As workaround added shoring to allow construction of SJCC Channel and Culvert 29.59 without shifting track. Shoring to be installed next month.
- Relocation of Clear Channel Ad Pole at SR 57 is needed for grading. Contractor is directed to grade around pole.

## Work Accomplished this Month

- Completed SR 57 shotcrete retaining wall
- Completed construction of 3x3 RCB east of SR 71
- Complete slope paving behind SR 57 and SR 71 RW
- Completed pier protection wall (PPW) at Humane Way
- Continued to work on Culvert 28.76
- Complete SR 57 PPW CIDH Piles Installation
- MCI/Verizon relocate fiber line to temporary poles

## Upcoming Work next Month

- Complete SR 57 PPW
- Start construction of Spur Track Bridge
- Install temporary shoring for SJCC Wall Replacement
- Complete SR 71 PPW
- Install shoring for UPRR Signal Structures at Humane Way



Culvert 28.91



Culvert 28.76





## Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond  
Chief Executive Officer

DATE: August 24, 2009

SUBJECT: Approval of Selection and Contract Award for Property  
Acquisition/Relocation Services

**RECOMMENDATION:** Staff recommends that the Board authorize the Chief Executive Officer to negotiate and execute a contract for an amount not-to-exceed \$500,000 with Epic Land Solutions, Inc. for right of way acquisition and relocation assistance services.

In the event negotiations with Epic Land Solutions are not successful, staff recommends that the Board authorize the Chief Executive Officer to negotiate and execute a contract for an amount not-to-exceed \$500,000 with the next highest ranked firm, Overland, Pacific & Cutler, Inc.

**BACKGROUND:** At your June 2009 meeting you authorized staff to solicit proposals for a second firm for property acquisition and relocation assistance services.

Consistent with our procurement process, a Request-for-Proposal (RFP) was issued on June 29, 2009. The availability of the RFP was advertised in various publications (newspapers of local circulation, minority and business publications) and posted on our website. In addition direct mail notification was made to over 580 firms who had previously expressed an interest in our project. A pre-proposal conference was held on July 14, attended by 21 people. The Authority received six proposals on July 28.

Proposals were received from the following firms:

- Cal Pacific Land Services, Inc.
- Epic Land Solutions, Inc.
- MGM Investments & Real Estate Services
- Overland, Pacific & Cutler, Inc.
- Tierra West Advisors, Inc.
- Spectrum Land Services, Inc.

A Technical Evaluation Committee (TEC) consisting of two ACE staff and two outside agency staff with property acquisition experience was formed. The TEC reviewed the written proposals and decided to interview three firms. Following the interviews held on August 17, the TEC members had the opportunity to adjust their rankings and

determine a final ranking. Their highest ranked firm based on composite ranking of the four TEC members is Epic Land Solutions.

Notices of staff's recommendation was sent to the three finalist firms on August 17. The protest period will have concluded by the close of business today, August 24. As of the mailing date of this agenda item, no protests have been received.

This RFP was issued under the race conscious Disadvantaged Business Enterprise (DBE) Program currently in place. Based on our DBE consultant's analysis of available UDBE firms performing these services in the regional market and consistent with our DBE procedures, no UDBE goal was established for this contract. The successful consultant will be required to report any DBE or UDBE participation achieved through the life of the contract.

Upon approval by the Board of the recommended firm for award and authorization to negotiate a contract, staff will initiate negotiations with the highest ranked proposer, Epic Land Solutions. In addition, in-house staff will be requested to perform all required post-award audits.

Staff anticipates that this contract, which was advertised to potentially remain active through the completion of the ACE Project, will be converted in an annual task order format starting next fiscal year. In the event negotiations with Epic Land Solutions are not successful, staff will attempt to negotiate a contract for an amount not to exceed \$500,000 with the second highest ranked firm, Overland, Pacific & Cutler.

**BUDGET IMPACT:** Funds for this contract are available from Federal and MTA grants.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond  
Chief Executive Officer

DATE: August 24, 2009

SUBJECT: Approval of Amendment to Construction Management Services Contract for East End Avenue and Reservoir Street Grade Separations with PB Americas, Inc.

**RECOMMENDATION:** Staff recommends that the Board authorize the Chief Executive Officer to amend the contract with PB Americas, Inc. (PB) to add an amount not to exceed \$219,755 to Task Order # 1 of the contract for construction management services associated with the East End Avenue and Reservoir Street grade separations. The new task order value will be the not-to-exceed amount of \$4,796,919.

**BACKGROUND:** At your May 2001 meeting, you authorized the Chief Executive Officer to negotiate a construction management (CM) services contract with PB Americas, Inc. (PB) for Phase I grade separation projects. In February 2002, you approved the execution of the contract and issuance of Task Order #1 in an amount not-to-exceed \$3,061,994 for CM services for the East End Avenue and Reservoir Street grade separations project. Board authorized changes through May 2008 on Task Order #1 total \$1,515,170, primarily due to the extended duration of the construction schedule related to contract award litigation, utility relocation, UPRR construction delays, and delays in completion and activation of an SCE underground line.

PB's CM services were required throughout the duration of the construction contract, as well as through the contract closeout process. The closeout process proved to be far more time consuming than anticipated since there were numerous change-related matters. The change-related matters included a high number of force account change notices, and resolution of escalation claims from the prime and many subcontractors. PB's services on contract closeout extended well beyond December 2008. The cost for the extension of PB services through December 2008 is \$193,755.

The contractor has made two claims that have not been resolved through the change process. One claim is related to interest on payments and the other is related to the calculation of extended overhead. ACE and the contractor have agreed to try to resolve the claims through the alternative dispute resolution (ADR) process. PB's efforts will be needed to support ACE in preparing for the Dispute Review Board (DRB). PB's activities will involve data retrieval and analysis. This additional scope for PB as original Task Order #1 did not contemplate claims services at this level. The cost of this extra

work is difficult to estimate since the scope of the DRB process hasn't been finalized. We are including an allowance of \$26,000 for PB's involvement in this amendment.

The history of this task order is as follows:

<b>Board Action</b>	<b>Authorization</b>	<b>Executed Amount</b>
Task Order #1	\$3,062,062	\$3,061,994
Amendment 1	\$1,267,170	\$1,267,170
Amendment 2	\$248,000	\$248,000
This Request	\$219,755	\$219,755
<b>Total</b>	<b>\$4,796,987</b>	<b>\$4,796,919</b>

**BUDGET IMPACT:** Funds for this contract are available from State (TCRP) and MTA Proposition C 25% grants.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond  
Chief Executive Officer

DATE: August 24, 2009

SUBJECT: Approval of Amendment to Demolition Contract with Miller Environmental

**RECOMMENDATION:** Staff recommends that the Board authorize the Chief Executive Officer to amend the contract with Miller Environmental, Inc. for demolition services to add \$134,749 for a new contract value of \$240,206.

**BACKGROUND:** At your January 2009 meeting, I reported in the Chief Executive Officer's report that staff had conducted a procurement to select several contractors to perform on-call demolition and construction related services. Demolition work is needed for the Baldwin Avenue grade separation project. We have attempted to demolish structures soon after properties are acquired and vacated so they do not become public nuisances. Therefore we have packaged the demolitions into a series of contract task orders.

As was reported in the June and July 2009 Chief Executive Officer's report, task orders were issued to the following firms:

Interior Demolition, Inc.	Baldwin Ave. Group 2 Demolition [3 duplexes; 4 single family residences]	\$ 116,324
Miller Environmental, Inc.	Baldwin Ave. Group 3 Demolition [1 single family residence; 1 duplex; 1 triplex]	\$ 105,457

On August 10, 2009, staff conducted a site walk with and issued bid documents to the four pre-qualified on-call contractors for demolition of the fourth group of properties we've acquired. The group consists of 3 duplexes, 1 fourplex, and 1 two story commercial building – all on Baldwin Avenue. Bids were received from all four on-call contractors on August 14. The bids were as follows:

- Clauss Construction \$198,576
- CST Environmental, Inc. \$211,419
- Miller Environmental, Inc. \$134,749
- Interior Demolition, Inc. \$136,450



Bids were reviewed and were determined to be responsive. Miller Environmental is the low bidder. Miller's bid, when added to the prior task order issued under their contract, is slightly under the CEO authorization of \$250,000. However, the other demolitions have encountered unexpected extras, primarily septic tank removals, and therefore we are asking for a 10% contingency allowance which would increase the value beyond my authorization level.

**BUDGET IMPACT:** Funds for this amended contract are available from Federal and MTA grants.



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond  
Chief Executive Officer

DATE: August 24, 2009

SUBJECT: Approval of Amendment to FY 2009 Task Order for Relocation Services with Del Richardson & Associates

**RECOMMENDATION:** Staff requests Board authorization to amend the Fiscal Year 2009 task order with Del Richardson & Associates, Inc. (DRA) to provide for an additional level of effort necessary for the Baldwin Avenue grade separation project. The additional costs will not exceed \$6,500, resulting in a new FY 2009 task order total of \$225,500.

**BACKGROUND:** Del Richardson & Associates, Inc. (DRA) is currently under contract with ACE to provide relocation assistance services for our real estate acquisition program. DRA is one of our ongoing support contractors who operate under annual task orders. Included in the FY '09 authorization, as previously amended in April 2009, was funding for both the Baldwin Avenue project and the Nogales Street project.

The level of effort on the Baldwin Avenue project was slightly higher than anticipated in April 2009. DRA had an increased workload in towards the end of FY 2009 in assisting residents to vacate their properties on an expedited basis. DRA staffed an on-site relocation assistance field office on Baldwin Avenue. In the last several months of FY 2009, occupants of 5 single family residences, 4 duplexes, and 1 triplex were relocated. It was advisable to expedite these relocations as a matter of public health and safety.

Staff is requesting that an amount of \$6,500 be added to the FY 2009 task order for the added level of effort described above.

Relocation activities on the Baldwin project are continuing as a part of DRA's 2010 task order.

**BUDGET IMPACT:** Funds for this amended contract are available from Federal and MTA grants.



## Alameda Corridor-East Construction Authority

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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond  
Chief Executive Officer

DATE: August 24, 2009

SUBJECT: Approval of Amendment to FY 2009 Task Order for Engineering Survey Services with Wagner Engineering & Survey

**RECOMMENDATION:** Staff requests Board authorization to amend the Fiscal Year 2009 task order with Wagner Engineering & Survey, Inc. (WES) to provide additional services necessary for the Nogales Street grade separation project. The additional cost will not exceed \$5,150, resulting in a new FY 2009 task order of \$332,850.

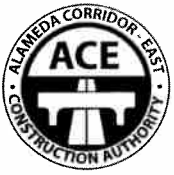
**BACKGROUND:** WES is currently under contract with ACE to provide survey and mapping services for the ACE Project. WES is one of our ongoing support contractors who operate under annual task orders. Included in the FY '09 authorization, as previously amended in April 2009, was the preparation of legal descriptions and plat maps for property takings, preparation of preliminary and final right of way maps for one grade separation project, updating of three right-of-way certification maps and the related legal descriptions and plat maps. WES's services were used on the following projects:

- East End & Reservoir Street
- Temple Avenue Train Diversion
- Brea Canyon Road
- Ramona Boulevard
- Sunset Avenue
- Baldwin Avenue
- Nogales Street
- General Support.

The scope of survey work on the Nogales Street grade separation project expanded towards the end of the fiscal year as details of the design were being finalized. This resulted in a slightly higher level of effort than was anticipated in FY 2009. Work is ongoing in FY 2010.

Staff is requesting that an amount of \$5,150 be added to the FY 2009 task order for the additional efforts described above. This will result in a total task order value of \$332,850.

**BUDGET IMPACT:** Funds for this amended contract are available from Federal and MTA grants.



## Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond  
Chief Executive Officer

DATE: August 24, 2009

SUBJECT: Baldwin Avenue Grade Separation Project Application for Federal TIGER Grant Program Funds

Staff is submitting to the U.S. Department of Transportation an application seeking \$33.652 million for construction of the Baldwin Avenue Grade Separation Project in the City of El Monte from the Transportation Investment Generating Economic Recovery, or "TIGER," discretionary grant program authorized under the American Recovery and Reinvestment Act of 2009. The application will be submitted to DOT prior to the September 15, 2009 deadline.

The Baldwin project application will be submitted to DOT as part of a regional consensus package of projects proposed by nine Southern California agencies (see list below). In addition, the application has been submitted for consideration to Caltrans which has undertaken an effort to develop a state-endorsed list of projects to identify to the DOT.

The American Recovery and Reinvestment Act appropriated \$1.5 billion of grant funds to be awarded to eligible applicants on a competitive basis for capital investments in surface transportation infrastructure. No more than 20 percent (or \$300 million) of the funds made available under the TIGER program may be awarded to projects in any one state. Eligible projects include, but are not limited to (1) highway or bridge projects; (2) public transportation projects; (3) passenger and freight rail transportation projects; and (4) port infrastructure investments that include projects that connect ports to other modes of transportation and improve efficiency of freight movement.

DOT has announced that applications will be evaluated as soon as possible and funding decisions made no later than February 17, 2010. If awarded funds are not expended and/or construction does not begin in accordance with the project schedule, DOT has reserved the right to revoke any award of TIGER funds and to award such funds to another project. DOT's ability to obligate funds for TIGER grants expire on September 30, 2011.

Staff believes the Baldwin Avenue project application should compete well among projects submitted for the following reasons:

1. The Project will generate 1,370 annual full-time equivalent jobs with construction taking place in El Monte, one of only 27 Disadvantaged Communities (median

income falls below 80% of statewide household income) in Los Angeles County, which in turn meets the criteria for an Economically Distressed Area.

2. Transportation Secretary Ray LaHood has frequently encouraged intermodal projects for this program, with particular attention paid to those projects which were excluded from the first round of stimulus funding distributed by formula for highway and transit projects. ACE Construction Authority did not receive first round stimulus funding due to distribution by formula that was limited to the MTA, cities and transit operators. In addition, the Baldwin Avenue project is included as a priority in longstanding state and regional goods movement infrastructure action plans and the ACE Trade Corridor has been designated in the last two Federal surface transportation authorization bills as a National High Priority Corridor and a Project of National and Regional Significance.
3. A construction contract for this "shovel-ready" Project can be awarded as early as November 2009 and completed by November 2011, prior to the TIGER program priority deadline of construction completion by February 2012. (Project design was completed in December 2004, and environmental approvals under NEPA and CEQA were received in July 2003 and re-validated in February 2008. Right-of-way acquisition is 90% complete.)

**SOUTHERN CALIFORNIA CONSENSUS WORKING GROUP  
 Candidate Project List for TIGER Funds**

<b>REGIONAL SPONSOR</b>	<b>PROJECT NAME</b>
<b>LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY</b>	<ul style="list-style-type: none"> <li>• Alameda Corridor East - Baldwin Avenue Grade Separation Project</li> <li>• Alameda Corridor Transportation Authority - SR-47 Expressway Project</li> <li>• Port of Los Angeles - San Pedro Bay Ports Rail System: West Basin Rail Access Improvements</li> <li>• Port of Los Angeles - South Wilmington Grade Separation</li> <li>• Port of Long Beach - Gerald Desmond Bridge Construction</li> <li>• I-5 Truck Lanes</li> </ul>
<b>METROLINK</b>	<ul style="list-style-type: none"> <li>• Positive Train Control</li> </ul>
<b>ORANGE COUNTY TRANSPORTATION AUTHORITY</b>	<ul style="list-style-type: none"> <li>• Gene Autry Way and Interstate 5</li> </ul>

ACE Construction Authority Board Members & Alternates  
August 24, 2009 Board Meeting  
Grant Application For the Baldwin Avenue Grade Separation Project

	Interchange
<b>RIVERSIDE COUNTY TRANSPORTATION COMMISSION</b>	<ul style="list-style-type: none"><li>• Auto Center Drive/BNSF</li><li>• Iowa Avenue/BNSF</li></ul>
<b>SAN BERNARDINO ASSOCIATED GOVERNMENTS</b>	<ul style="list-style-type: none"><li>• I-10 Mixed Flow lane westbound from Ford St to West of Live Oak Canyon Rd</li><li>• I-15 La Mesa/Nisqualli interchange</li></ul>