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NOVEMBER 4, 1996
REVISED: NOVEMBER 15, 1996

TO: BOARD OF DIRECTORS
FROM: JOSEPH E. DREW, CHIEF EXECUTIVE OFFICER
SUBJECT: APPROVE PAYMENT UNDER CONTRACT WORK ORDER NO. 45 (CWO NO. 45) FOR ENVIRONMENTAL MITIGATION TASK AW ON METRO RED LINE SEGMENT 1

Los Angeles County
Metropolitan
Transportation
Authority

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Los Angeles, CA
90012

213.922.6000

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P.O. Box 194
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RECOMMENDATION

Authorize payment to the Engineering Management Consultant (EMC) under Contract Work Order No. 45 (CWO 45) to Contract No. E0070 in the amount of \$189,778 for Metro Red Line Segment 1 Environmental Mitigation Tasks B45 and B69. This amount is within the current Authorization For Expenditure (AFE).

Within Construction Committee Authority: Yes No

ORGANIZATIONAL IMPACT

This action will provide improved storm drain designs which will meet the requirements established by the Regional Water Quality Control Board (RWQCB) for National Pollutant Discharge Elimination System (NPDES) permits. In addition, it will allow the EMC to perform the study for detecting sources of leaks via thermal imaging processes and prepare a "Best Water Quality Control Practices" document.

BUDGET IMPACT

Funds for this action are available within the FY 97 Board approved project 800095 budget of \$6,349,518. An October Board action increased the value of CWO 45 from \$176,190 by \$189,778 to a total value of \$365,968. The total budget for all three (3) tasks was \$365,968: Task AW in the amount of \$122,433, Task B45 in the amount of \$136,857 and Task B69 in the amount of \$106,678. Task AW is the subject of a potential cost recovery action; further detail is provided in the Background section.

Potential Cost Recovery: Yes No

ALTERNATIVES CONSIDERED

The Board has the option to disapprove this request. However, under such circumstances EMC has no obligation to perform the work and we will not be able to comply with the NPDES permit requirements.

Several other alternatives were considered, including construction of a large central Water Treatment Plant; construction of a treatment facility at each individual site; and disposal of sump discharge on site-by-site basis using off-site disposal facilities. All three (3) alternatives were deemed to be cost prohibitive. In addition, the second alternative would require procurement of real estate and the third alternative would create a problem relative to hazardous waste disposal.

BACKGROUND

Task AW involves the design and construction of sanitary sewers and cross connections. Previous to the October Board, MTA met with the RWQCB and agreed to initiate a retrofit of existing facilities to comply with the stringent NPDES requirement for Segment 1 by the end of August, 1997. Task B45 will study water leak sources and will develop means to control water seepage into the tunnel via thermal anomalies processes. Task B69 will study water quality control and develop a "Best Water Quality Control Practices" document.

The Construction Committee approved the breakout of work associated with the three (3) tasks under CWO 45 at the October 1996 meeting but withheld authorization of payment to EMC based on the concern that EMC had performed the original work for the sewers and cross connections and might be responsible for retrofit costs. Staff has determined that the Metro Rail Transit Consultant (MRTC), not EMC, was the original designer of the work described by Task AW. Staff is currently investigating a potential cost recovery associated with Task AW in conjunction with other Errors and Omissions claims being reviewed under the MRTC Contract; cost recovery actions will be coordinated with County Counsel.

Although Tasks B45 and B69 were not specifically part of Task AW, Staff interpreted the Board's October action to mean that funds were not authorized for payment on all three (3). The Board's approval of this action will allow work to proceed and payment made for services rendered on all three (3) tasks.

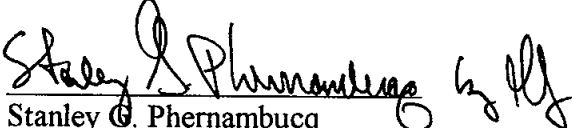
DBE PARTICIPATION

The DBE goal for this EMC contract is 27%. The EMC has committed to meeting the DBE goal.

ATTACHMENT

Attachment 1 - Professional Services Contract Value Status

Prepared by: John Adams
Deputy Executive Officer
Engineering and Construction


Stanley G. Phernambucq
Executive Officer, Construction

ATTACHMENT 1
PROFESSIONAL SERVICES CONTRACT VALUE STATUS
R95 - MRL Environmental Mitigation

E0070 - PARSONS-BRINKERHOFF/DMJM
CONTRACT WORK ORDER NO. #45

PROJECT CUMULATIVE CWO VALUE FOR CONTRACT E0070

1. TOTAL INITIAL CWO VALUE:	\$276,190	
2. TOTAL PREVIOUS AMENDMENTS:	\$189,778	
3. TOTAL CURRENT CONTRACT VALUE (1 + 2)	\$465,968	
4. VALUE OF THIS AMENDMENT	\$0	
5. PROPOSED BOARD APPROVED CONTRACT VALUE (3 + 4)	\$465,968	
6. STAFF APPROVED CCN NTE VALUE	\$235,536	
7. CCN NTE'S INCLUDED IN AMENDMENT	\$0	
8. CCN NTE'S IN OUTSTANDING CCN'S (6-7)	\$235,536	
9. NEW CONTRACT EXPENDITURE CEILING (5 + 8)	\$701,504	

AUTHORIZATION FOR EXPENDITURE STATUS : TOTAL PROJECT R95 E0070

10. EXPENDED TO DATE	\$232,960	
11. UNEXPENDED CWO VALUE (9-10)	\$468,544	
12. NTE ALLOWANCE (From Table)	\$20,000	
13. PROPOSED AFE (5 + 12)	\$701,504	*
14. CURRENT AFE	\$728,699	
15. AFE ADJUSTMENT REQUIRED (13-14)	\$0	Not Required

BUDGET STATUS : TOTAL PROJECT R95 E0070

16. CURRENT CONTRACT BUDGET	\$100,000	
17. PROPOSED BOARD APPROVED CONTRACT VALUE	\$465,968	
18. OUTSTANDING CCN'S	\$237,759	as of 11/07/96
19. TRENDS AND CONTINGENCIES	(\$603,727)	
20. FORECAST FINAL COST (17 + 18 + 19)	\$100,000	as of [1]

REVIEWED BY: *msh*

* AFE required to cover this amendment plus NTE commitments. Does not allow any additional NTE allowance.
[1] Forecast will be revised end of December

ATTACHMENT 1
PROFESSIONAL SERVICES CONTRACT VALUE STATUS
R95 - MRL Environmental Mitigation

E0070 - PARSONS-BRINKERHOFF/DMJM
CONTRACT WORK ORDER NO. #45

CWO STATUS: CONTRACT WORK ORDER 5.00

1. INITIAL CWO VALUE:	\$100,000
2. PREVIOUS AMENDMENTS	\$0
3. CURRENT CWO VALUE (1 + 2)	\$100,000
4. VALUE OF THIS AMENDMENT	\$0
5. PROPOSED BOARD APPROVED CWO VALUE (3 + 4)	\$100,000
6. STAFF APPROVED CCN NTE VALUE	\$235,536
7. CCN NTE'S INCLUDED IN AMENDMENT	\$0
8. CCN NTE'S IN OUTSTANDING CCN'S (6-7)	\$235,536
9. NEW CWO EXPENDITURE CEILING (5 + 8)	\$335,536

CWO STATUS: CONTRACT WORK ORDER 45.00

1. INITIAL CWO VALUE:	\$176,190
2. PREVIOUS AMENDMENTS	\$189,778
3. CURRENT CWO VALUE (1 + 2)	\$365,968
4. VALUE OF THIS AMENDMENT	\$0
5. PROPOSED BOARD APPROVED CWO VALUE (3 + 4)	\$365,968
6. STAFF APPROVED CCN NTE VALUE	\$0
7. CCN NTE'S INCLUDED IN AMENDMENT	\$0
8. CCN NTE'S IN OUTSTANDING CCN'S (6-7)	\$0
9. NEW CWO EXPENDITURE CEILING (5 + 8)	\$365,968

REVIEWED BY: *McKenzie*
