



Alameda Corridor-East Construction Authority

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, September 26, 2016 – 1:00 P.M.
Montebello City Hall
1600 W. Beverly Blvd.
Montebello, CA 90640**

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.

Montebello City Hall is accessible to persons using wheelchairs and with other disabilities. Informational material will be available in large print. Assistive listening devices, materials in other alternate formats, American Sign Language interpreters and other accommodations will be made available upon request. Requests should be made to Deanna Stanley at 626-962-9292 ext. 142 or dstanley@theaceproject.org. Providing at least 72 hours notice will help ensure availability.

- I. Pledge of Allegiance
- II. Roll Call and Introductions
- III. Public Comment
- IV. Approval of Regular Meeting Minutes of August 22, 2016 (Pages 1 -3) Action
- V. Chairman's Remarks
- VI. Board Member Comments
- VII. Chief Executive Officer's Report (Pages 4 – 5) Information
- VIII. Project Construction Progress Reports Information

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. 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.

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|-------|---|-----------------|--------------------|
| IX. | Approval of an Amendment to the Design Contract with Moffatt & Nichol for Design & Engineering Services for the Montebello Corridor Grade Separation Project | (Pages 6 – 7) | Action |
| X. | Approval of an Amendment to the Design Contract with RailPros, Inc. for Design & Engineering Services and the Addition of the San Antonio Avenue Crossing to ACE’s At-Grade Crossing Safety Improvements | (Pages 8 – 9) | Action |
| XI. | Approval of Contract Amendment with Parsons Brinckerhoff for Construction Management Services for the Construction of Cities of Industry and Diamond Bar Requested Betterments to State Route 60 in Conjunction with Fairway Drive Grade Separation Project | (Pages 10 – 11) | Action |
| XII. | Approval to Receive and File Sale of Excess Property on the Baldwin Avenue Grade Separation Project | (Page 12) | Action |
| XIII. | State Legislative Update Presentation | | Information |
| XIV. | Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 54956.9 to discuss existing litigation:
Los Angeles Superior Court Case No. BC593901
Alameda Corridor-East Construction Authority vs Sasan Shadravan
Property Address: 4759 Durfee Avenue Pico Rivera, CA 90660-2037 | | Possible
Action |
| XV. | Adjournment | | Action |



If you would like to receive the ACE Board agenda electronically, please email Amy Hanson at ahanson@theaceproject.org



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ACE Construction Authority Board of Directors Regular Meeting August 22, 2016 Minutes

Chairman Hadjinian called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 1:06PM at the Montebello Council Chambers.

1. **Pledge of Alliance** – SGVCOG President Gene Murabito led the pledge of allegiance.
2. **Roll Call:** In attendance was:
Jack Hadjinian, Chair
Juli Costanzo, Vice Chair
Mark Radecki
Elliott Rothman
Barbara Messina
Victoria Martinez

Staff:

Mark Christoffels, CEO
Gregory Murphy, Burke, Williams & Sorensen, legal counsel
Deanna Stanley
Genichi Kanow
Phil Balmeo
Paul Hubler
Cecilia Cardenas
Victoria Butler
Rachel Korkos
Yvaine Valenzuela
Amy Hanson

Guests:

Abraham Cruz, City of Industry
Keith Gillfillan, Moffatt & Nichol
Charlie Nakamoto, Jacobs
Clement N. Calvillo, City of Industry
Victoria Shin Park, Citadel CPM
Gene Murabito, SGVCOG
Phil Hawkey, SGVCOG

3. **Public Comments** – There were no public comments.
4. **Approval of July 25, 2016 Special Meeting minutes** – A motion was made to approve the July 25, 2016 Regular meeting minutes.

M/S/C/Messina/Costanzo/Unanimous

5. **Chairman Remarks** – Chairman Hadjinian indicated the San Gabriel Valley Council of Governments has developed an Ad Hoc Committee to discuss ACE and possible capital projects. He indicated the committee included member Martinez and himself. He also thanked staff for their continued efforts to assure media coverage of ACE events.
6. **Board Member Comments** – Member Martinez announced Congress member and avid ACE supporter Grace Napolitano was now unchallenged in her run for re-election since her proposed challenger has decided to drop from the race.

Member Antonovich arrives.

7. **Chief Executive Officer's Report** – Mr. Christoffels indicated the betterment agreement for ACE to construct a Lemon Avenue on/off ramp on the 60 freeway was approved by the Cities of Industry and Diamond Bar. He also reminded the Board of the Fullerton Avenue grade separation project groundbreaking ceremony scheduled for September 16th.
8. **Construction Project Progress Reports** – Charles Tsang presented progress on the Fairway Drive grade separation project. He reviewed retaining wall construction and relocation of underground Southern California Edison lines. Victoria Butler presented progress photos on the Fullerton Road grade separation project that including preparation for retaining wall and pump station construction. Genichi Kanow presented progress photos on the Puente Avenue grade separation project that included rebar installation and concrete pour for the pump station. Phil Bameo presented progress photos on the San Gabriel Trench project that highlighted wall finishing.
9. **Approval of Contract Amendment for Design Services During Construction for Moffatt & Nichol for the Puente Avenue Grade Separation Project** – Mr. Christoffels reminded the Board that Moffatt & Nichol were the designers for the Puente Avenue project and that the project is now 40% complete. He indicated it is agency practice to maintain the designer through construction to respond and process all Requests for Information and Requests for Clarification. He indicated the original budget estimated the number of requests at 85 and the number of requests through June is 106. He indicated the estimate was based on past experience and summarized the requests.

A motion was made to authorize the Chief Executive Officer to amend the contract with Moffatt & Nichol to add \$215,000 for additional design support during construction of the Puente Avenue grade separation project, for a new total contract value of \$7,293,547

M/S/C/Costanzo/Messina/Unanimous

10. **Presentation on Procurement Process** – Mr. Christoffels presented information on the process of procurement for professional services. He reviewed the types of services that included engineering and design, public outreach, legal, audit, legislative support and risk management. He reviewed the steps of contract award and how ACE ensures project and contract oversight.
11. **Approval of Salary Adjustment for Chief Executive Officer** – Legal Counsel, Greg Murphy announced the Board discussed the Chief Executive Officer's performance in closed session at the previous Board meeting. He indicated the Chief Executive Officer has requested a salary adjustment of 2%. The Board thanked Mark Christoffels for his work and regular communication with the Board.

A motion was made by Member Messina and seconded by Member Martinez to approve a 2% salary adjustment for the Chief Executive Officer effective September 1, 2016.

M/S/C/Messina/Martinez/Unanimous

11. **Closed Session** – Legal Counsel announced the Board would adjourn to closed session in accordance with Government Code Section 54956.9 to discuss existing litigation. ACE vs Sasan Shadravan. The Board returned to open session and Mr. Murphy indicated that the Board gave direction but there was no reportable action taken by the Board.
12. **Adjournment** – Chairman Hadjinian announced that the next Board meeting would be held on September 26, 2016. The meeting was adjourned at 1:52PM.

X 

Deanna Stanley
Clerk of the Board



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: September 26, 2016

SUBJECT: CEO Report

The following are items of note since the last meeting:

Temple Avenue Project – On June 6, 2016 the ACE Board awarded a contract to GMZ Construction to reconstruct a concrete reinforced box culvert to carry storm flows underneath future tracks. The installation of the tracks by UPRR upon completion of the culvert would complete the intended rail diversion from the at-grade crossing at Temple and Valley adjacent to Cal Poly Pomona. This was the final task of a project that had been delayed for years due to unresolved issues between the Union Pacific and Kinder Morgan which were finally resolved through litigation. The storm culvert had to be completed by October 15th as construction on this culvert could not be done during the County's wet season (Oct 15th through March 15th). To construct the culvert UPRR needed to temporarily relocate some existing tracks. Unfortunately, Union Pacific's work on-site was delayed, which pushed our contractor's project schedule beyond October into the wet season. Based on this, the culvert work will have to wait until next summer. Our contractor has submitted a request to retain the contract to complete the work next summer, and staff is evaluating this option in lieu of rebidding the project next year.

SGVCOG General Assembly – The San Gabriel Valley Council of Governments will hold its first annual General Assembly on Wednesday, October 26th from 9AM-1PM at the Pacific Palms Resort in the City of Industry. Speakers will be Los Angeles Mayor Gil Garcetti and Metro Chief Executive Officer Phil Washington. Board members interested in attending should contact Paul Hubler.

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. Since my last report I have approved the following:

Consultant/Vendor	Reason for Change	Change Amount	Total Contract Value
Walsh Construction Co.	Change Order No. 20 (credit) – VECP – Cap Beam Shoring & Tie-Back Modification; Trench Slab Modifications; Changes to Trench Invert Elevations for San Gabriel Trench project	(\$180,132.59)	\$175,149,904.23
Paragon Partners Ltd.	Additional property acquisition and management services	\$32,500	\$19,620,002.47
Interior Demolition, Inc.	Demolition & Construction Related Services at Durfee Avenue grade separation project	\$90,605.60	\$1,081,959.66
Parsons Brinckerhoff	Pre-Construction Management Services for Construction of On/Off Ramps at Lemon Avenue	\$19,064.00	\$7,825,357.00

Community Outreach Update – Staff conducted the following project outreach activities:

- Distributed construction alert notices regarding lane closures on Fullerton Road for roadway widening work for the Fullerton Road project;
- Provided staff support for the Fullerton Road project groundbreaking ceremony; and,
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Nogales Street, Puente Avenue, Fairway Drive and Fullerton Road grade separation projects.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: September 26, 2016

SUBJECT: Approval of an Amendment to the Design Contract with Moffatt & Nichol for Design & Engineering Services for the Montebello Corridor Grade Separation Project

RECOMMENDATION: Staff recommends that the Board authorize the Chief Executive Officer to execute an amendment to the Design and Engineering Services contract with Moffatt & Nichol (M&N) and issue Task Order No. 2 for a not-to-exceed amount of \$3,264,804 for preliminary engineering (Phase 2) for the Montebello Corridor grade separation project.

BACKGROUND: At the July 2015 Board meeting, the Board approved a contract with M&N for conceptual design services (Phase 1) for the Montebello Corridor grade separation project in the amount of \$1,994,792. The Montebello Corridor included grade separations at Montebello Blvd. and Maple Avenue and four quad gates and safety improvements at Greenwood and Vail Avenues.

At the July 2016 Board meeting, the Board approved modification to the Montebello Corridor project to construct a pedestrian overcrossing at the Maple Avenue crossing in lieu of a roadway undercrossing based on the City's recommendation.

M&N is in the process of completing the conceptual phase based on the project modification described above and staff has initiated negotiations to continue with the design services for Phase 2 (preliminary engineering). The work scope includes the following major tasks:

- Implement a project management, quality control, and quality assurance plan for the design contract.
- Coordinate with ACE, UPRR, City of Montebello, California Public Utilities Commission and other agencies and utilities to resolve design issues and obtain preliminary design approvals.
- Provide geotechnical investigations, surveys, field review of the project site, data collection and review of existing information required to design the project.
- Provide support to ACE for a value analysis study of the preliminary plans.
- Prepare plans, specifications and cost estimates for a 35% submittal package.
- Provide engineering support for right-of-way to minimize limits of acquisition necessary to construct the project.
- Perform hydrology and drainage concept and traffic operation studies.
- Provide documentation in support of environmental clearance.

- Provide project support and special studies as directed by ACE staff.

Proposed costs for the above Phase 2 tasks were compared with the estimates prepared by staff and any discrepancies were resolved. Staff recently concluded design contract negotiations and is recommending approval of a not-to-exceed contract amount of \$3,264,804.

This authorization would also allow a 10% contingency allowance in accordance with normal agency procedures. Any contract amount changes from the above figure due to contract change orders during the conceptual design phase that exceed the CEO's authorization will be brought back to the Board for further consideration and approval.

The preliminary engineering scope is estimated to be completed within 11 months.

It should be noted that the above contract will be subject to future amendment for final design services depending on comments received from the City of Montebello and UPRR. Because the services will not be needed until a final design concept is chosen, and the needed services can best be defined at that time, these services will be requested at a later date as a contract amendment.

BUDGET IMPACT: Funding for this contract is available from Measure R funds.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: September 26, 2016

SUBJECT: Approval of an Amendment to the Design Contract with RailPros, Inc. for Design & Engineering Services and the Addition of the San Antonio Avenue Crossing to ACE's At-Grade Crossing Safety Improvement Project

RECOMMENDATION: Staff recommends that the Board authorize the Chief Executive Officer to:

1. Execute an amendment to the Design and Engineering Services contract with RailPros, Inc. (RailPros) and issue Task Order No. 2 for a not-to-exceed amount of \$997,136 for preliminary engineering (Phase 2) for the At-Grade Crossing Safety Improvements Project in the City of Pomona.
2. Add the San Antonio Avenue railroad crossing to ACE's At-Grade Crossing Safety Improvement Project, thereby, amending ACE's Phase II Program.

BACKGROUND: At the April 2015 Board meeting, the Board approved a contract with RailPros for conceptual design services (Phase 1) for the At-Grade Safety Improvements Project in the City of Pomona in the amount of \$625,554.

The initial work authorization was limited to conceptual engineering. RailPros is in the process of completing the conceptual phase and staff initiated negotiations to continue with the design services for Phase 2 (preliminary engineering). The work scope includes the following major tasks:

- Implement a project management, quality control, and quality assurance plan for the design contract.
- Coordinate with ACE, UPRR, City of Pomona, California Public Utilities Commission and other agencies and utilities to resolve design issues and obtain preliminary design approvals.
- Provide supplemental geotechnical investigations, supplemental surveys, field review of the project site, data collection and review of existing information required to design the project.
- Prepare plans, specifications and cost estimates for a 35% submittal package.
- Provide engineering support for right-of-way to minimize limits of acquisition necessary to construct the project.
- Provide project support and special studies as directed by ACE staff.

Proposed costs for the above Phase 2 tasks were compared with the estimates prepared by staff and any discrepancies were resolved. Staff recently concluded design contract negotiations and is recommending approval of a not-to-exceed contract amount of \$997,136.

At the September 2014 Board meeting, the Board approved an amendment to ACE's Phase II Program by adding the At-Grade Safety Improvements Project in the City of Pomona. During the concept phase, City representatives requested ACE staff to consider adding the San Antonio Avenue railroad crossing to ACE's At-Grade Crossing Safety Improvements Project. Based on field review staff concurs with this request and is requesting the Board approve an additional crossing to the original four at-grade crossings previously approved by the Board. With the Board's approval, RailPros will perform the design and engineering services at the following crossings:

1. Hamilton Avenue
2. Park Avenue
3. Main Street
4. Palomares Street
5. San Antonio Avenue

This authorization would also allow a 10% contingency allowance in accordance with normal agency procedures. Any contract amount changes from the above figure due to contract change orders during the conceptual design phase that exceed the CEO's authorization will be brought back to the Board for further consideration and approval.

The preliminary engineering scope is estimated to be completed within 9 months.

It should be noted that the above contract will be subject to future amendment for final design services depending on comments received from the City of Pomona and UPRR. Because the services will not be needed until a final design concept is chosen, and the needed services can best be defined at that time, these services will be requested at a later date as a contract amendment.

BUDGET IMPACT: Funding for this contract is available from Measure R funds.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: September 26, 2016

SUBJECT: Approval of Contract Amendment with Parsons Brinckerhoff for Construction Management Services for the Construction of Cities of Industry and Diamond Bar Requested Betterments to State Route 60 in Conjunction with Fairway Drive Grade Separation Project

RECOMMENDATION: Staff recommends that the Board authorize the Chief Executive Officer to execute a contract amendment under the construction management (CM) services contract with Parsons Brinckerhoff (PB) for a not-to-exceed amount of \$840,406 for a total contract value of \$7,831,535 for the Fairway Drive grade separation project.

BACKGROUND: At the February 25, 2013 meeting, the Board approved the selection of PB for CM services on Fairway Drive Grade Separation Project.

At the July 2016 Board meeting, the Board approved a construction contract amendment with OHL, USA for the construction of City of Diamond Bar and City of Industry requested Betterments, specifically, construction of On/Off ramps to connect Lemon Avenue to the 60 Freeway to be done in conjunction with the Fairway Drive grade separation project. With the anticipated start of construction, PB will be required to perform the following CM services:

- Progress management services
- Progress schedule review
- Changes/claims administration
- Construction safety
- Utility coordination
- Caltrans Encroachment Permit
- Environmental compliance oversight
- Processing & tracking of submittals and RFIs
- Quality control & inspection services
- Special Work Assignments
- Monitor railroad force account
- Document control
- Contract close-out
- Material testing & support services (QA/QC)
- Labor compliance & SBE monitoring (support)
- Review & approval of progress payments
- Traffic Control
- Project support

Proposed costs for the above CM services were compared with estimates independently prepared by staff and any discrepancies were resolved. Staff recently concluded contract negotiations and is recommending approval of a not-to-exceed amount of \$840,406 with payments to be made on actual incurred costs subject to final audits by ACE staff.

This authorization will also allow a 10% contingency allowance in accordance with normal agency procedures. Any contract amount changes from the above figure due to contract change orders during CM services for this task that exceed the CEO's authorization will be brought back to the Board for further consideration and approval.

BUDGET IMPACT: There will be no budget impact to ACE, as all expenses related to this contract amendment with PB for construction management services for the construction of the cities' requested improvements will be paid by the City of Industry and City of Diamond Bar through grants allocated to them for this work in accordance with the Betterment Agreement.



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels
Chief Executive Officer

DATE: September 26, 2016

SUBJECT: Receive and File Sale of Excess Property on the Baldwin Avenue Grade Separation Project

RECOMMENDATION: Receive and file an update on the sale of excess property on the Baldwin Avenue Grade Separation Project.

BACKGROUND: At the March 16, 2015 meeting, based upon the completion of the Baldwin Avenue Grade Separation Project, the ACE Board declared as surplus property twenty-eight parcels totaling approximately 205,142 gross square feet (4.7 acres) of vacant parcels zoned for either General Commercial use or General Manufacturing. The surplus property was divided into 3 areas for purposes of sale: Surplus West, Surplus East and Surplus Northeast.

At the September 28, 2015 meeting, the ACE Board concurred with the "priority" sale of the Surplus East and Surplus West parcels to the City of El Monte in partnership with Mercy Housing in the amount of \$2,660,000 to allow for the construction of a Veterans Housing facility.

At the February 22, 2016 meeting, the ACE Board was advised that based on bids received for the remaining surplus property consisting of one parcel totaling approximately 43,680 gross square feet (1.00 acres) zoned for either general commercial or general manufacturing use (Surplus Northeast), the property was to be sold to Nelson Yip in the amount of \$1,280,000. Unfortunately, the buyer was not able to conclude the transaction and the sale fell out of escrow. Staff recently re-advertised the property and received two bids. The highest bid was provided by Tak Ye in the amount of \$1,200,000. This amount is higher than the current appraised value which takes into consideration an easement that was recently dedicated to Los Angeles County for drainage purposes, and the offer has been accepted. This will be an all cash sale with a 60 day escrow which includes a 45 day due diligence/contingency period and a 15 day period to close escrow following expiration of the due diligence/contingency period.

BUDGET IMPACT: Proceeds from the sale of surplus properties will be used to fund other ACE Projects or obligations.