



**AGENDA AND NOTICE OF THE MEETING OF THE
SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
CAPITAL PROJECTS AND CONSTRUCTION COMMITTEE
MONDAY, AUGUST 22, 2022 - 12:00 PM PACIFIC TIME*
Teleconference Meeting**



Zoom Link:

<https://us06web.zoom.us/j/83565606330?pwd=ejAxLzhGRFFkRGovTUZqSDFhMlIWZz09>

Youtube Link: <https://youtu.be/F5Kz-gR82P0>

CHAIR

Cory Moss
Mayor, City of Industry
ACE City

VICE CHAIR

Tim Hepburn
Mayor, City of La Verne
Northeast District

MEMBERS

Becky Shevlin
SGVCOG President
Councilmember, City of
Monrovia

Hon. Hilda Solis
LA County Supervisor
District 1

Susan Jakubowski
Mayor, City of San
Marino
Northwest District

Nancy Lyons
Councilmember, City of
Diamond Bar
Southeast District

Diana Mahmud
Councilmember, City of
South Pasadena
Southwest District

Dr. Maria Morales
Councilmember, City of
El Monte
Central District

Angie Jimenez
Councilmember, City of
Montebello
ACE City

Tim Sandoval
Mayor, City of Pomona
ACE City

The San Gabriel Valley Council of Governments (SGVCOG)'s Capital Project and Construction Committee consists of five (5) regional districts; Northeast, Southeast, Central, Southwest, Northwest, the County of Los Angeles and the San Gabriel Valley Council of Governments. Members of the former Alameda Corridor-East Construction Authority (ACE) Board shall maintain a seat on the Committee unless or until completion of all ACE Project(s) in their respective cities. Each member or alternate shall have one vote. A quorum is 50% of its membership. Action taken by the Committee shall be by simple majority of the members present. All disclosable public records related to this meeting are available at <https://www.sgvco.org/capitalprojects> and viewing at the Rivergrade Road office during normal business hours.

MEETINGS: Regular meetings of the Capital Projects and Construction Committee are held on the fourth Monday of each month at 12:00 PM at the West Covina City Hall MRC Room, 3rd Floor (1444 West Garvey Avenue South, West Covina, CA 91791). The agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 4900 Rivergrade Road, Suite A120, Irwindale, CA, and on the website, www.sgvco.org. A copy of the agenda is also viewable at Alhambra City Hall, 111 S 1st St, Alhambra, CA. Copies are available via email upon request (sgv@sgvco.org). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

PUBLIC PARTICIPATION: Your participation is welcomed and invited at all Capital Projects and Construction Committee meetings. Time is reserved at each regular meeting for those who wish to address the Board. SGVCOG requests that persons addressing the meeting refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE COMMITTEE: At a regular meeting, the public may comment on any matter within the jurisdiction of the SGVCOG during the public comment period at the beginning of the agenda, on any item(s) that is on the Consent Calendar prior to action taken on the Consent Calendar, and on any other agenda item prior to the time it is considered by the Committee. At a special meeting, the public may only comment on items that are on the agenda. Members of the public are requested to state their name prior to speaking, and comments are limited to a maximum of three minutes per person. The Committee Chair may impose additional time limits if comments become repetitious, an individual member of the public seeks to speak on numerous items, or a large number of members of the public seek to speak on an item. The Committee may not take action on items not on the agenda and is restricted in discussing items on the agenda.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 962-9292. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



AGENDA ITEMS: The Agenda contains the regular order of business of the Committee. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Committee can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar.

***MEETING MODIFICATIONS DUE TO THE STATE AND LOCAL EMERGENCY RESULTING FROM THE THREAT OF COVID-19:** AB 361 (Rivas), signed by California Governor Gavin Newsom on September 16, 2021, authorizes local agencies to hold public meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically to promote social distancing due to the state and local emergency resulting from the threat of the Novel Coronavirus (COVID-19).

To follow the new provisions in AB 361 and ensure the safety of Committee Members and staff for the purpose of limiting the risk of COVID-19, in-person public participation at the Capital Projects and Construction Committee meeting will not be allowed. To allow for public participation, the Capital Projects and Construction Committee will conduct its meeting through Zoom Video Communications. To participate in the meeting, download Zoom on any phone or computer device and copy and paste the following link into your browser to access the live meeting: <https://us06web.zoom.us/j/84628935094?pwd=NlExYlNPMm9lblVXZU9KVndDRDBCdz09>. You may also access the meeting via the livestream link on the front of the agenda page.

Instructions for Public Comments: For those wishing to make public comments on agenda and non-agenda items, but within the SGVCOG's subject matter jurisdiction, you may submit written comments via email or provide a verbal comment by participating through Zoom.

Written Comments (Email): If you wish to submit written public comments to be distributed to the committee members prior to or during the meeting, please submit these materials via email to CapitalProjects@sgvcog.org at least 1 hour prior to the scheduled meeting time. Please indicate in the Subject Line of the email "FOR PUBLIC COMMENT." Emailed public comments will be read into the record and will be part of the recorded meeting minutes. Written public comments may include, but are not limited to letters, reports, and presentations. While there is no page or word count limit for written comments, the time for reading written public comments into the record will be limited to three minutes, which is the same time allotted for verbal comments.

Verbal Comments (Zoom): Through Zoom, you may provide a verbal comment by using the web interface "Raise Hand" feature. Wait to be called upon by staff, and then you may provide verbal comments for up to 3 minutes. Public comment is taken at the beginning of the meeting for items not on the agenda. Public comment is also accepted at the beginning of each agenda item.

Any member of the public requiring reasonable accommodation to participate in this meeting should contact SGVCOG Management Analyst/Capital Projects and Construction Committee liaison, Charlotte Stadelmann, at least 48 hours prior to the meeting at (626) 962-9292 or at CapitalProjects@sgvcog.org.

PRELIMINARY BUSINESS

1. Pledge of Allegiance
2. Roll Call
3. Public Comment
4. Changes to Agenda Order: Identify any items to be added which are emergencies or which require immediate action

CONSENT CALENDAR

5. Resolution 22-08-CPCC Making Specific Findings to Enable the Capital Projects and Construction Committee to Continue to Hold Meetings Via Teleconferencing ([Pages 5-6](#))
Recommended for Action: Adopt Resolution 22-08-CPCC making certain findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.
6. Meeting Minutes of June 27, 2022 ([Pages 7-9](#))
Recommended Action: Adopt Capital Projects and Construction Committee meeting minutes.

ACTION ITEMS

7. Annual Task Order 13 Revision 7 with LSA Associates, Inc. for The Montebello Blvd Grade Separation Projects ([Pages 10-11](#))
Recommended Action: Authorize the Executive Director to issue Task Order No. 13 Revision 7, not to exceed (“NTE”) \$95,671, to LSA Associates, Inc. (LSA) for performing bio nesting bird surveys, archaeology/ Paleontological monitoring and program management for the Montebello Boulevard Grade Separation Projects.
8. Annual Task Order 25 Revision 1 with Stantec for the Montebello Blvd and Turnbull Canyon Grade Separation Projects ([Pages 12-13](#))
Recommended Action: Authorize the Executive Director to issue Task Order No. 25 Revision 1, not to exceed (“NTE”) \$312,436, to Stantec for performing additional Waste Disposal, Soil collection services, and soil/ water sample analysis for the Montebello Boulevard and Turnbull Canyon Grade Separation Projects.
9. Task Order 2 Revision 10 with HNTB for The Turnbull Canyon Grade Separation Project ([Pages 14-15](#))
Recommended Action: Authorize the Executive Director to issue Task Order No. 2 Revision 10, not to exceed (“NTE”) \$394,080, to HNTB for performing additional design work and program management, and augmenting in-house staffing for the Turnbull Canyon Grade Separation Project (“Turnbull Cyn Project”) between June 30, 2022 and June 30, 2023.
10. Amendment No. 1 to Agreement 22-10 with National Railroad Safety Services, Inc. for Railroad Flagging Services for Fairway Drive Grade Separation Project ([Pages 16-17](#))
Recommended Action: Authorize the Executive Director to execute Amendment No. 1 to Agreement 22-10 in an amount of \$91,665 to National Railroad Safety Services (“NRSS”) to continue to provide railroad flagging services for the Fairway Drive Grade Separation Construction Project (“Fairway Project”).
11. Agreement with the Los Angeles County Parks and Recreation for the Planned Improvements to the Diamond Bar Golf Course as Part of the State Route 57/60 Chokepoint Relief Program ([Pages 18-19](#))
Recommended Action: Authorize the Executive Director to agreement with the County of Los Angeles Parks and Recreation (PARKS), namely a second Betterment Agreement (Betterment Agreement # 2), for improvements to be done on the County-owned Diamond Bar Golf Course as part of State Route 57/60 Confluence Chokepoint Relief Program Phase 1.

UPDATE ITEMS

12. Major Capital Projects Progress Reports – FY21/22 Fourth Quarter ([Page 20](#))
13. On-going ACE Construction Projects Mitigation Monitoring Reports – FY21/22 Fourth Quarter ([Page 21](#))
14. Director of Capital Projects Monthly Report ([Pages 22-28](#))
15. Active Construction Projects – Verbal Report
16. Chair's Report

ANNOUNCEMENTS/MEMBER COMMENTS

CLOSED SESSION

Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9.
Elias v. SGVCOG, Los Angeles Superior Court Case No.: 19STCV42524

ADJOURNMENT

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **ADOPT RESOLUTION 22-08-CPCC MAKING SPECIFIC FINDINGS TO ENABLE THE CAPITAL PROJECTS AND CONSTRUCTION COMMITTEE TO CONTINUE TO HOLD MEETINGS VIA TELECONFERENCING**

RECOMMENDED ACTION

Adopt Resolution 22-08-CPCC making certain findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.

BACKGROUND

Introduced by Assembly member Robert Rivas (D-Hollister) on February 1, 2021, AB 361 codifies portions of Governor Gavin Newsom's existing Ralph M. Brown Act exemptions pertaining to teleconferencing if a local agency issues an emergency finding, and reissues it every 30 days, that it is unsafe to meet in person. Specifically, the Brown Act exemptions include requirements to provide a public teleconference location, to maintain a member quorum within the agency's jurisdiction and to provide for public comment at each teleconference location, such as a private residence. The legislation expires in December 2024. On September 16, 2021, California Governor Gavin Newsom signed AB 361 into law, effective immediately.

A local agency wishing to rely on the provisions of AB 361 must meet one of the following criteria:

1. The local agency holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
2. The local holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. The local agency holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California due to the threat of COVID-19 and shortly thereafter issued Executive Order N-29-20 suspending certain Brown Act provisions relating to teleconferencing as public meetings began to be held online.¹ However, this Executive Order expired on September 30, 2021, despite the State of Emergency remaining in place.

¹ Similarly, on March 4, 2020, the Los Angeles County Board of Supervisors and Los Angeles County Health Officer declared a local and health emergency due to the threat of COVID-19.

The threat that COVID-19 has presented continues to directly impact the ability of the SGVCOG to conduct Governing Board/committee meetings safely in person. Updated guidelines issued by the Centers for Disease Control and Los Angeles Department of Public Health in July and August 2021 advise governmental entities to refrain from conducting indoor meetings and consider moving operations outdoors, where feasible, to prevent transmission. SGVCOG staff has been unable to find a suitable outdoor space with the requisite audio/visual capabilities at which the monthly Capital Projects and Construction Committee meetings can be held safely. Similarly, an indoor space with sufficient capacity to accommodate safe social distance practices among members, staff, and the public could not be identified.

In order to continue to conduct meetings in a safe manner and to prevent unnecessary COVID-19 exposure to members, staff and the public, staff is recommending that the Capital Projects and Construction Committee adopt Resolution 22-08-CPCC making certain findings in order to be able to continue teleconferencing for its meetings.

Prepared by: Charlotte R. Stadelmann
Charlotte Stadelmann
Capital Projects Coordinator

Reviewed by: Eric C. Shen
Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by: Marisa Creter
Marisa Creter
Executive Director

ATTACHMENT

[Attachment A – Resolution 22-08-CPCC](#)

**SGVCOG****Capital Projects & Construction Committee Unapproved Minutes****June 27, 2022****12:00pm****Hybrid In-Person/Teleconference Meeting****Diamond Bar City Hall, Windmill Room, 21810 Copley Dr, Diamond Bar, CA****91765 and Zoom Teleconference****PRELIMINARY BUSINESS**

1. Call to Order

Chair Nancy Lyons called the meeting to order at 12:00PM

2. Pledge of Allegiance

Vice Chair Cory Moss led the pledge of allegiance.

3. Roll Call

Members Present:

Nancy Lyons, Chair, Diamond Bar

Cory Moss, Vice Chair, City of Industry

Becky Shevlin, Monrovia

Tim Sandoval, Pomona

Hilda Solis, LA County

Tim Hepburn, La Verne

Diana Mahmud, South Pasadena

Maria Morales, El Monte

Members Absent:

Susan Jakubowski, San Marino

Angie Jimenez, Montebello

Staff/Guests:

Marisa Creter, Executive Director

Eric Shen, Director of Capital Projects

Charlotte Stadelmann, Capital Projects Coordinator

David DeBerry, General Counsel

Rene Coronel, Senior Project Manager

John Beshay, Senior Project Manager

Gary Cardamone, Senior Project Manager

Yanin Rivera, Senior Administrative Assistant

4. Public Comment

There were no public comments at this meeting.

CONSENT CALENDAR

5. Adoption of Resolution 22-06-CPCC Making Specified Findings to Enable the Capital Projects and Construction Committee to Continue to Hold Meetings Via Teleconferencing
Recommended for Action: Adopt Resolution 22-06-CPCC making certain findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.

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6. Meeting Minutes of May 23, 2022
Recommended Action: Adopt Capital Projects & Construction Committee minutes.
7. Election of Committee Chair and Vice Chair
Recommended Action: Elect the following CPCC Chair and Vice-Chair for FY 2022-2023 (effective July 1, 2022):
- *Chair: Cory Moss, City of Industry*
 - *Vice-Chair: Tim Hepburn, City of La Verne*

There was a motion to approve the consent calendar. (M/S B. Shevlin/T. Hepburn)

[Motion Passed]

AYES:	N. Lyons, C. Moss, T. Hepburn, D. Mahmud, M. Morales, B. Shevlin, T. Sandoval
NOES:	
ABSTAIN:	
ABSENT:	A. Jimenez, S. Jakubowski, H. Solis

ACTION ITEMS

8. Approval of Task Order 4 Revision 21 with Moffatt & Nichol for the Montebello Blvd Grade Separation Project
Recommended Action: Authorize the Executive Director to issue Task Order No. 4 Revision 21, not to exceed (“NTE”) \$425,000, to Moffatt & Nichol (“M&N”) for performing additional design work and program management, and augmenting in-house staffing for the Montebello Boulevard Grade Separation Project (“Montebello Project”) between June 13 and December 31, 2022.

There was a motion to authorize the Executive Director to issue Task Order No. 4 Revision 21, not to exceed (“NTE”) \$425,000, to Moffatt & Nichol (“M&N”) for performing additional design work and program management, and augmenting in-house staffing for the Montebello Boulevard Grade Separation Project (“Montebello Project”) between June 13 and December 31, 2022. (M/S C.Moss/T.Hepburn)

[Motion Passed]

AYES:	N. Lyons, C. Moss, T. Hepburn, D. Mahmud, M. Morales, T. Sandoval, B. Shevlin
NOES:	
ABSTAIN:	
ABSENT:	S. Jakubowski, A. Jimenez, H. Solis

[Motion Passed]

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UPDATE ITEMS

10. Director of Capital Projects Monthly Report
E. Shen provided an update on this item.
11. Active Construction Projects – Presentation of Progress Photos
Project Managers provided a verbal update presentation with construction progress photos.

ANNOUNCEMENTS/MEMBER COMMENTS

Member Moss, President Shevlin, Supervisor Solis, Member Hepburn, and Member Mahmud thanked Chair Lyons for her leadership over the Committee through the past year.

CHAIR'S REPORT

Chair Lyons congratulated and welcomed the newly elected Chair and Vice Chair and expressed her thanks for allowing her to be the Committee Chair for the past year.

ADJOURN

The meeting was adjourned at 12:57pm.

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **ANNUAL TASK ORDER 13 REVISION 7 WITH LSA ASSOCIATES, INC. FOR THE MONTEBELLO BOULEVARD GRADE SEPARATION PROJECT**

RECOMMENDED ACTION

Authorize the Executive Director to issue Task Order No. 13 Revision 7, not to exceed (“NTE”) \$95,671, to LSA Associates, Inc. (LSA) for performing bio nesting bird surveys, archaeology, paleontological monitoring and program management for the Montebello Boulevard Grade Separation project.

BACKGROUND

At the May 23, 2022 Committee meeting, the Committee approved an annual Task Order to the contract with LSA in the amount of \$83,644 for environmental services for the SGVCOG/ACE Project including general program management, conducting required environmental mitigation monitoring program for the Fairway Drive Grade Separation and Fullerton Road Grade Separation projects and environmental permitting for the Turnbull Canyon Road Grade Separation project in accordance with Federal and State regulations. LSA was not aware of the status of the Montebello Blvd Grade Separation project in FY22/23, thus it submitted a separate scope and cost after the annual Task Order was approved.


CURRENT ISSUES

The recommended amendment encompasses four specific tasks (see detail explanations and assumptions in Attachment 2: Scope of Work):

- Archaeology/ Paleontological Monitoring for Montebello Boulevard Grade Separation project: **\$33,975**
- Bio Nesting Bird Surveys for Montebello Boulevard Grade Separation project: **\$10,577**
- Additional budget for Program Management, Staff coordination, technical Services and other related work for Montebello Boulevard Grade Separation project: **\$51,119**

FISCAL IMPACT

The recommended Annual Task Order revision for the Montebello Boulevard Grade Separation project is a necessary and prudent allocation of resources. Funds for the annual Task Order contract is being funded with various State grants, local funds and UPRR contribution.

Prepared by: 
Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

[Attachment A: Task Order 13, Revision 7](#)

[Attachment B: Detail Scope of Work and Cost Estimate by Tasks](#)

cpcc 20220822 item 06 mgs lsa to13r7 vf

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **ANNUAL TASK ORDER 25 REVISION 1 WITH STANTEC FOR THE MONTEBELLO BLVD AND TURNBULL CANYON ROAD GRADE SEPARATION PROJECTS**

RECOMMENDED ACTION

Authorize the Executive Director to issue Task Order No. 25 Revision 1, not to exceed (“NTE”) \$312,436, to Stantec for performing additional Waste Disposal, Soil collection services, and soil/ water sample analysis for the Montebello Boulevard and Turnbull Canyon Grade Separation Projects.

BACKGROUND

At the May 23, 2022 Committee meeting, the Committee approved an annual Task Order No. 25 to the contract with Stantec in the amount of \$418,546 for environmental management services during construction for SGVCOG/ACE Project. These services consist of testing hazardous materials that may be encountered on the project sites and other environmental assessments at the Fairway Drive, Fullerton Road, Montebello Boulevard and Turnbull Canyon Road Grade Separation projects, and the Pomona (San Antonio) At-Grade Improvement projects. Stantec was not aware of the additional work needed by the Montebello Boulevard and Turnbull Canyon Grade Separation project in FY22/23, thus it submitted a separate scope and cost after the annual Task Order was approved.

CURRENT ISSUES

The recommended amendment encompasses four specific tasks (see detail explanations and assumptions in Attachment 2: Scope of Work):

- Additional Waste Disposal for the removal of the existing underground storage tank in response to a red tag from Los Angeles County for Montebello Boulevard Grade Separation Project: **\$166,800**
- Additional Soil/ Water Sample Analysis for Montebello Boulevard and Turnbull Canyon projects: **\$22,300**
- Additional Drilling and Soil Collection Services for Turnbull Canyon project: **\$32,400**
- Additional budget for Program Management, Staff coordination, and other related work: **\$79,788**
- Billing rate adjustments based on approved rate increase: **\$11,148**

FISCAL IMPACT

The recommended Annual Task Order revision is a necessary and prudent allocation of resources. Funds for the annual Task Order contract is being funded with various state grants, local funds and UPRR contribution.

Prepared by:



Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by:



Marisa Creter
Executive Director

ATTACHMENTS

Attachment A: Task Order 25, Revision 1

Attachment B: Detail Scope of Work and Cost Estimate by
Tasks

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **TASK ORDER 2 REVISION 10 WITH HNTB FOR THE TURNBULL CANYON ROAD GRADE SEPARATION PROJECT**

RECOMMENDED ACTION

Authorize the Executive Director to issue Task Order No. 2 Revision 10, not to exceed (“NTE”) \$394,080, to HNTB for performing additional design work and program management, and augmenting in-house staffing for the Turnbull Canyon Grade Separation Project between June 30, 2022 and June 30, 2023.

BACKGROUND

The Turnbull Canyon Road Grade Separation Project (“Turnbull Canyon Project”) is located within the jurisdictions of the City of Industry and Los Angeles County. Ranked 18th on the California Grade Separation Fund Priority List for FY 2020-2021, Turnbull Canyon Project was awarded \$5 million of Section 190 funding by the California Public Utilities Commission (CPUC) and is programmed to receive \$29 million in State SB1 Trade Corridor Enhancement Program (TCEP) funds. The California Transportation Commission will consider allocating the TCEP funding for the Project by May 2023. HNTB has been under contract to provide design services. Additional budget is being recommended for HNTB to complete design plans for construction.

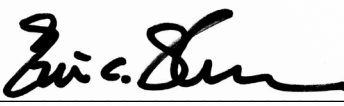
CURRENT ISSUES

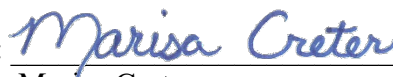
The recommended amendment encompasses five specific tasks (see detail explanations and assumptions in Attachment 2: Scope of Work):

- Additional electrical engineering design in response to Los Angeles County’s review comments: **\$114,513**
- Additional design services for the redesign of the San Jose Creek for a two-stage construction to avoid the lengthy design process of SCE’s temporary power lines during construction: **\$191,776**
- Additional Utility coordination and Right-of-Way Plats and Legal Plans Updates: **\$33,146**
- Additional budget for Program Management, including the progress reports (Invitation for Bids): **\$41,331**
- Revise Plans and Specification to include Federal requirements if the project is awarded the INFRA grant (Optional Task): **\$13,314**

FISCAL IMPACT

The project is programmed to receive \$5 million in Section 190 funds from the CPUC and \$29 million of SB1 funds from the CTC. The recommended Task Order revision will be necessary to finalize the design and obtain the construction agreement with UPRR. This revision will help meeting the CTC funding allocation May 2023 deadline, executing funding Section 190 agreement with the CPUC and completing necessary property acquisitions for the project. This Task Order revision will result in increased costs of \$394,080 to the Turnbull Canyon Project. Staff is actively pursuing additional grant opportunities to fully fund the project to completion.

Prepared by: 
Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

[Attachment A: Task Order 2, Revision 10](#)

[Attachment B: Detail Scope of Work and Cost Estimate by Tasks](#)

cpcc 20220822 item 08 hntb to2 r10 vf

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **AGREEMENT 22-10 AMENDMENT NO. 1 WITH NATIONAL RAILROAD SAFETY SERVICES, INC. FOR RAILROAD FLAGGING SERVICES FOR FAIRWAY DRIVE GRADE SEPARATION PROJECT**

RECOMMENDED ACTION

Authorize the Executive Director to execute Agreement 22-10 Amendment No. 1, not-to-exceed (NTE) \$91,665 to National Railroad Safety Services to continue providing railroad flagging services for the Fairway Drive Grade Separation Construction Project.

BACKGROUND

In December of 2001, the Alameda Corridor – East Construction Authority (“ACE”), now the San Gabriel Valley Council of Government (“SGVCOG”) entered into a Master Agreement for Construction, Operation and Maintenance of Highway – Railroad Underpasses (“Master Agreement”) with Union Pacific Railroad Company (“UPRR”). The Master Agreement created the framework for which UPRR and ACE would cooperate in support of the various grade separation projects. In addition to the Master Agreement, on April 25, 2014, ACE entered into a four party Construction, Operation and Maintenance Agreement (“COM Agreement”) with UPRR, the County of Los Angeles and the City of Industry. The COM Agreement defined the responsibilities of each of the parties during construction and after the project is complete specifically for the Fairway Project. Both agreements indicate that UPRR shall provide flagging using UPRR personnel or an approved third party flagging service. The Master Agreement and COM stipulates that UPRR to be reimbursed for said services.

In accordance with the COM Agreement, UPRR had contracted flagging service and invoiced SGVCOG for reimbursement. However, in late 2011, UPRR notified the SGVCOG that it would no longer provide flagging services after February 11, 2022 and would require the SGVCOG to contract directly with an UPRR approved 3rd-party flagging service.

Because there are only two UPRR approved 3rd-party flagging service contractors (i.e., Railpros, Inc. and NRSS), SGVCOG did not initiate a formal procurement. Instead, SGVCOG contacted both vendors by phone and email for quotes. Both contractors responded and NRSS’ proposed rates were the lower of the two quotes. SGVCOG issued a NTE \$243,200 to NRSS under the Executive Director’s authority effective February 9, 2022.

CURRENT ISSUES

While the construction of Fairway Project is progressing, a number of factors have resulted in additional delays to the expected completion date. Flagging service must be accompanied with active construction activities, thus, staff is recommending the amendment with an additional \$91,665. If approved, the total contract amount for NRSS will be NTE \$334,865.

FISCAL IMPACT

The additional cost for flagging services to be provided NRSS is within the original project budget that would have been paid to UPRR's flagging services. therefor no additional fiscal impact to the overall project budget. The Fairway Drive Project is funded with state grants, local funds, and railroad contribution.

Prepared by:



Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by:



Marisa Creter
Executive Director

ATTACHMENT:

[Agreement 22-10 Amendment No. 1](#)

cpcc 20220822 item 09 nrss amendment vf

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **AGREEMENT WITH THE LOS ANGELES COUNTY PARKS AND RECREATIONS FOR THE PLANNED IMPROVEMENTS TO THE DIAMOND BAR GOLF COURSE AS PART OF THE STATE ROUTE 57/60 CHOKEPOINT RELIEF PROGRAM**

RECOMMENDED ACTION

Authorize the Executive Director to agreement with the County of Los Angeles Parks and Recreation (PARKS), namely a second Betterment Agreement (Betterment Agreement #2), for improvements to be done on the County-owned Diamond Bar Golf Course as part of State Route 57/60 Confluence Chokepoint Relief Program Phase 1.

BACKGROUND

The Los Angeles County Metropolitan Transportation Authority (Metro) serves as the implementing agency for the design phase of the State Route 57/60 Confluence Chokepoint Relief Program. Through an agreement dated July 30, 2019, Metro delegated SGVCOG the overall responsibility to coordinate utility relocations, acquire rights of way, and oversee the bid, award and construction of the State Route 57/60 Confluence Chokepoint Relief, Phase 1 (Golf Course Project) and Phase 2 (Interchange Improvements Project).

Current construction at to the Diamond Bar Golf Course is necessary to mitigate and minimize impacts, specifically the widening of the freeway into the current golf course. The Golf Course Project contractor is realigning the golf course in order to free up approximately 10 acres of frontage for the Interchange Improvements Project. Also included in the construction scope are a new fully-equipped maintenance facility, new irrigation system, relocation of a storm drain, and the relocation of Southern California Edison (SCE) electrical transmission facilities. Construction began in September 2021 and is scheduled to be completed at the end of March 2022. Since the golf course is closed during construction, a separate Loss of Revenue Agreement and monetary compensation to the Los Angeles County Parks and Recreations Department agreement has been executed.

CURRENT ISSUE

On June 28, 2021, the Capital Projects and Construction Committee authorized the Executive Director to execute a betterment agreement (Betterment Agreement #1) with PARKS for the Golf Course Project. Betterment Agreement #1 has the Diamond Bar Golf Course Project contractor replace additional irrigation systems with the PARKS agreeing to pay for the costs.


During construction of the Diamond Bar Golf Course project, discussions were held between the SGVCOG, Contractor and PARKS for Turf Reduction and the replacement of two existing golf cart bridges that needed to be replaced. Due to upcoming regulations related to lawn watering, Turf reduction was brought up in order to construct a more environmentally friendly golf course. Turf reduction also required lesser use of water to maintain a golf course. Grass seeding has not begun, so the timing to implement Turf Reduction is ideal. After several workshops and renderings, PARKS agreed to move forward with implementing Turf Reduction as part of construction. Additionally, two existing golf cart bridges were determined to be in poor condition and are not in the Golf Course Project Contractor's scope of work. PARKS requested a quote from the Golf Course Project Contractor to replace one entirely, and remove and regrade the surrounding areas to provide a crossing for the other bridge. PARKS agreed to the scope of work and quote from the Golf Course Project Contractor. As part of Betterment Agreement #2, SGVCOG will pay the Golf Course Contractor for the work described in Betterment Agreement #2, and will be reimbursed by PARKS.

FISCAL IMPACT


The program budget for mitigation measures is \$91 million, which include the costs of the Right-of-Way acquisitions, construction, improvements and replacement land cost. The General Agreement contains approximately \$700,000 worth of improvements to be furnished by SGVCOG and its contractors. The Betterment Agreement contains approximately \$700,000 of turf reduction and golf cart bridge replacements to be reimbursed by PARKS. The costs for SGVCOG to oversee the Diamond Bar Golf Course Project construction activities, right-of-way acquisitions, the construction related expenses are fully reimbursable by Metro.

Prepared by: 

Rene Coronel
Project Manager

Reviewed by: 

Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by: 

Marisa Creter
Executive Director

ATTACHMENT

[Betterment Agreement #2](#)

cpcc 20220822 item 10 dbgc ba2 vf

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **MAJOR CAPITAL PROJECTS PROGRESS REPORTS – FY21/22 Q4**


RECOMMENDED ACTION


Receive and file.

BACKGROUND

In the last few months, staff closely examined past quarterly reports and brainstormed a more user-friendly format for a broader audience. The FY21/22 4th Quarterly Reports (April 1-June 30, 2022) are prepared in both the legacy format and the new dashboard-style for side-by-side comparison.

The proposed dashboard format simplifies key performance indicators for each project with charts and graphs. Similar to the past quarterly reports, the proposed dashboard uses one-page summary of expenditures, schedules, work completed and highlights areas of concerns. In addition, **the new format provides the funding source budget and quarter-over-quarter expenditures of each funding source.** Staff will incorporate additional feedback from the Committee and fully migrate to the new format starting in FY22/23 1st Quarter.

Prepared by: 
Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by: 
Marisa Creter
Executive Director

ATTACHMENT

**Capital Projects Quarterly Progress Reports
FY21/22 Q4**

cpcc 20220822 item 11 fy22q4 project progress reports vf

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director


RE: **QUARTERLY ENVIRONMENTAL MITIGATION MONITORING REPORTS
– FY22Q4**


RECOMMENDED ACTION

Receive and file.

BACKGROUND

The attached environmental mitigation monitoring and public contact reports are prepared for each ACE project currently in construction. The monitoring reports track compliance during construction with environmental mitigations and best management practices, as well as a summary of third part complaints and our response between April 1 and June 30, 2022:

Prepared by: 
Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

[Attachment Durfee Avenue, Fairway Drive, and Fullerton Road
Environmental Mitigation Monitoring Reports](#)

cpcc 20220822 item 12 fy22q4 env mitigation reports vf

REPORT

DATE: August 22, 2022

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects

RE: **DIRECTOR OF CAPITAL PROJECTS' MONTHLY REPORT**

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Each month the Director of Capital Project provides an update on key programs. Committee members may contact staff for clarifications on any of the reported items prior to the scheduled meeting. The following are items of note since the last meeting:

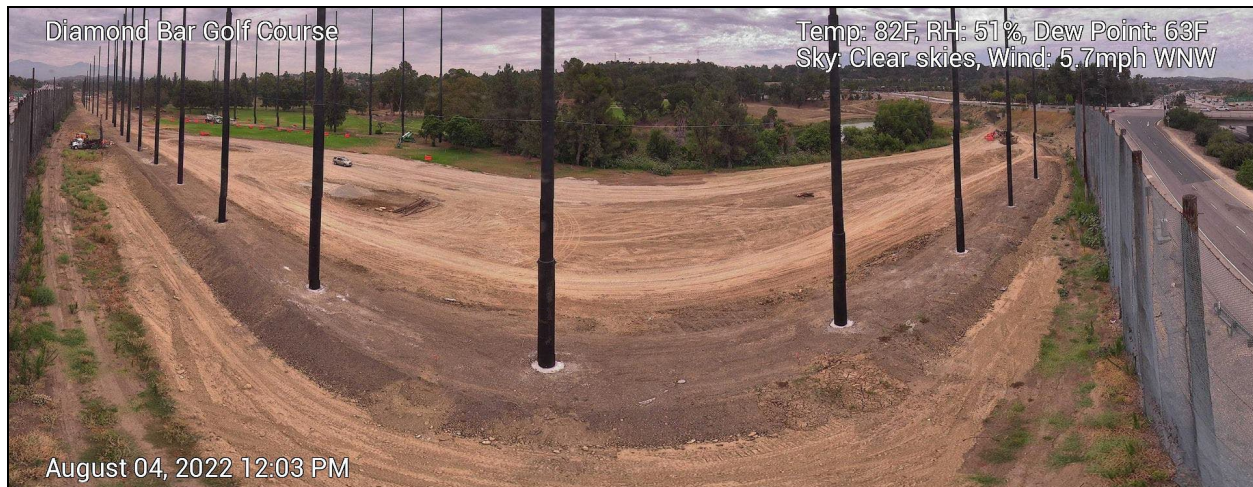
I. PROJECTS

Diamond Bar Golf Course Project – Explanation on the First Change Order

Under the Executive Director's authority, the first Change Order in the amount of \$907,429 to Contract Number 21-03 was executed to compensate Griffith Company for performing additional work. In recent months, the project team was confronted with additional permit conditions by the California Department of Fish and Wildlife (CDFW) after the Construction Contract was awarded. These conditions include additional level of effort during clearing and grubbing, such as the two step process when removing large trees which includes first trimming the branches and then removing the trees the following day. Normally, a tree would have been removed in just one step. Other requirements include removals in jurisdictional waters without the use of machines. Additionally, the bid schedule called for the removal of 496 trees but the actual amount of trees in the removal areas was 893, requiring the removal of an additional 397 trees subjected to CDFW final permit conditions. Recognizing the additional permit conditions must be fulfilled, the project team negotiated with Griffith Company on the costs in order to keep the project on-schedule. The original approved contract with Griffith Company by the Capital Projects and Construction Committee is \$43,870,44 plus 10% contingency of \$4,387,044. The first Change Order is within the currently available contingency.



Camera 1. DBGC Project Site as of August 4, 2022.



Camera 2. DBGC Project Site as of August 4, 2022.

Turnbull Canyon Grade Separation Project

A new Notice of Funding Opportunity (NOFO) for the USDOT's Railroad Crossing Elimination (RCE) Grant Program was published in the Federal Register on Wednesday, July 6, 2022 with a deadline on Tuesday, October 4, 2022. The total funding available for awards under this NOFO is \$573,264,000. SGVCOG is seeking \$30 million in RCE Program grant funding which will fund the construction phase. SGVCOG staff will take the lead to submit the RCE Grant application. SGVCOG will collaborate with the City of Industry and Los Angeles County Public Works for support to secure the funds for this grant.

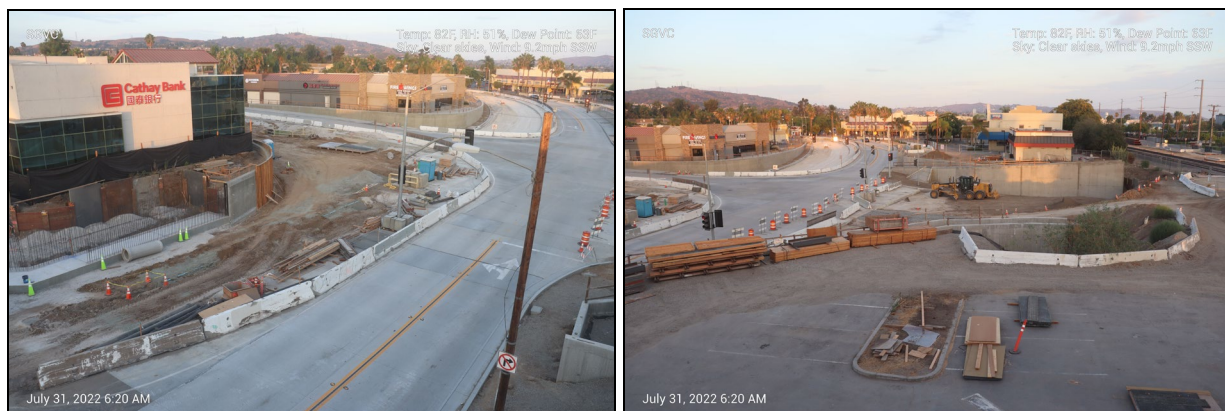
Montebello Corridor Project

On August 17, the California Transportation Commission (CTC) will consider an amendment to the previously approved funding allocation extension for the Montebello Boulevard Grade Separation Project ("Underpass") from 20 months to 24 months. With the approval of the amendment, SGVCOG will submit all required documentations including the fully executed Construction, Operations, and Maintenance (COM) Agreement, for the CTC's approval of funding

on December 7, 2022. The project team is working closely with Union Pacific Railroad (UPRR) on the final acceptance of the design plans and the COM Agreement for a timely submission.

Fullerton Road Grade Separation Project

The on-going Fullerton Road Grade Separation Project successfully completed a scheduled 25-day closure of the intersection of Gale Avenue and Fullerton Road on May 18, 2022, at which time the intersection was reopened to traffic (other than through movement over the tracks). The intersection of Gale Avenue and Fullerton Road will continue operating with reduced capacity for another three months. By Thanksgiving 2022, the intersection improvements, such as a new traffic signal system, sidewalks, driveways, and pavement will be mostly completed and open to motorists and pedestrians. The critical work of driving piles for the temporary retaining wall north of the tracks within the UPRR ROW began during the week of July 18, 2022. The project team continues to work with the UPRR to mitigate delays to the project's critical path.



Fullerton Road Project Site as of July 31, 2022.

La Verne Gold Line Pedestrian Bridge

The design consultant, KPFF completed the first draft of the 65% design plans last month. The project team held a field diagnostic meeting with CPUC and project stakeholders as part of the CPUC application process. Work is underway to prepare the CPUC application with an initial draft to be complete by mid-August. The CPUC application is anticipated to be submitted by the end of August 2022. NEPA documentation in support of the recently granted federal earmark is underway and expected to be complete by the end of August 2022.

Fairway Drive Grade Separation Project

Installation of Phase 3 bridge piles began the week of June 20, 2022 and was completed the week of July 5th. Construction of Phase 3 abutment footings and walls continued through July. Work on retaining walls and the pump station also continued through July. The project completion is scheduled for March of 2023.

Update on the Agency-Owned Surplus Land Parcels

Currently four agency-owned surplus land parcels are being processed in accordance with the California Surplus Land Act. The following summarizes the status of each parcel:

1. 131-217 Puente Avenue, City of Industry, CA

The 5.05-acre property is zoned as (I) Industrial and has five building multi-tenant buildings. The State of California Housing and Community Development (HCD) granted approval for sale to general public. It is currently in escrow and environmental due diligence process. (ACE Parcel 202A (APN 8562-015-906))

2. 405 S. Del Mar Avenue, San Gabriel, CA

The property is a vacant land, 1.36 net acres/1.98 gross acres, is zoned (M1) industrial. The property was noticed for sale under the Surplus Land Act and received three (3) letters of interest from Priority Purchasers. SGVCOG is currently negotiating a Purchase and Sale Agreement (PSA) with City of San Gabriel. The City is planning to work with developer and build affordable housing units on the parcel. (ACE Parcel 4m(s) (APNs 5362-017-901,902,903))

3. 231-233 Reservoir Street, Pomona, CA

The 1.1-acre vacant land is zoned multi-family residential (R-2). The Property was noticed for sale under the Surplus Land Act and received three (3) letters of interest from Priority Purchasers. SGVCOG is currently evaluating the letters of interest from two Priority Purchasers. (ACE Parcel 17Sur(1) (APNs 8326-004-901,902,903,904,905))

4. 904 Nogales St./19022 San Jose Ave., City of Industry, CA

The 1.82-acre vacant land is zoned (I) Industrial. The property was noticed for sale under the Surplus Land Act and received no letters of interest from Priority Purchasers. The compliance package is in the process of being presented to HCD for approval to offer the property for sale to the general public. (ACE Parcel 20JLM (APNs 8760-904,905,906))

II. FUNDING

SGVCOG staff has been working closely with LA Metro staff on a funding plan to advance local sales tax measure funds sufficient to cover the funding gap for the Montebello Boulevard Grade Separation Project (Montebello Project) in order to ensure the timely allocation of the \$49 million Trade Corridor Enhancement Program funds previously programmed by the California Transportation Commission (CTC). The loan agreement currently being developed uses Measure M Multi-Year Subregional Program (MSP) funds that are programmed and made available to the SGVCOG annually and a loan to be repaid through future MSP funds within the programming control of the SGVCOG Governing Board.

The LA Metro Board will consider the item to authorize the execution of an agreement with the SGVCOG at its next meeting on August 25, 2022. Staff has submitted a request seeking CTC authorization for a four-month delay in the funding allocation for the Montebello Project from August 2022 to December 2022 at their August 17-18, 2022 meeting to ask for additional time to obtain Caltrans funding certification approval pending execution of a Construction, Operations and Maintenance (COM) Agreement with Union Pacific Railroad.

III. CONTRACTING

The SGVCOG has delegated to the Executive Director or the designee the authority to approve new contracts or change orders for previously approved contracts within certain limits, with a requirement that staff formally report such contract action.

In accordance with the Agency's Purchasing and Procurement Policies and Procedures (PROCEDURES), the Executive Director is authorized to issue contracts with a contract price that does not exceed \$250,000; or modify contracts approved by the Executive Director cumulatively with the initial contract price and prior modifications not in excess of \$250,000; or modify the Board's approved contracts price cumulatively by no more than 10%, or a lesser amount established by the Board. The Executive Director, or designee, is requested to report to the Board at its next regularly scheduled meeting each new contract awarded on an emergency basis and report monthly to the Board all other new contracts and contract modifications entered into by the Executive Director without express Board approval.

For construction, design, and construction management contracts, the total Board-approved plus staff-authorized amount reflects the contract awards authorized by the CPCC along with any approved amendments. The following has been recommended by the Director of Capital Projects and approved by the Executive Director since the last Committee meeting:

Consultant/Vendor: **Biggs Cardosa Associates**
Contract Category: **Phase 3 – Bid and Design Support During Construction for the Fullerton Road Grade Separation Project**
Contract Number: **12-03B- Task Order, 5 Revision 12**

- Total Committee approved amount to-date: **\$4,577,959**
- Maximum contingency based on Committee-approved budget (10%): **\$457,796**
- Justifications: **Changed subconsultant for designing the pump station**
- Fiscal impact: TO Revision Amount: **\$49,588.00**
- Total Staff-authorized amount to-date: **\$383,799**
- Total Committee approved plus Executive Director-authorized amount: **\$4,961,758**
- Cumulative use of available contingency fund (%) = **83.84%**

Consultant/Vendor: **AECOM**
Contract Category: **Construction Management Services for the Fullerton Road Grade Separation Construction Project**
Contract Number: **21-12- Task Order 1, Revision 2**

- Total Committee approved amount to-date: **\$8,876,351** (Net of Audit Adj-\$28,702)
- Maximum contingency based on Committee-approved budget (10%): **\$887,635**
- Justifications: **Post Award Audit Adjustment**
- Fiscal impact: TO Revision Amount: **-\$28,702 (reduction)**
- Total Staff-authorized amount to-date: **\$83,461**
- Total Committee approved plus Executive Director-authorized amount: **\$8,959,812**
- Cumulative use of available contingency fund (%) = **9.4%**

Consultant/Vendor: Anser Advisory
Contract Category: Pre-Construction Services for Turnbull Canyon Road Grade Separation Project

Contract Number: 19-06- Task Order 1, Revision 3

- Total Committee approved amount to-date: \$140,000
- Maximum contingency based on Committee-approved budget (10%): \$14,000
- Justifications: Time Extension
- Fiscal impact: TO Revision Amount: \$0.00
- Total Staff-authorized amount to-date: \$0.00
- Total Committee approved plus Executive Director-authorized amount: \$140,000
- Cumulative use of available contingency fund (%) = 0%

Consultant/Vendor: RailPros, Inc.
Contract Category: Phase 3: Final Design Services for At-Grade Crossing Safety Improvements

Contract Number: 14-07- Task Order 3, Revision 6

- Total Committee approved amount to-date: \$1,325,977 (Net of Audit Adj-\$173,660)
- Maximum contingency based on Committee-approved budget (10%): \$132,598
- Justifications: Additional project administration
- Fiscal impact: TO Revision Amount: \$145,901
- Total Staff-authorized amount to-date: \$313,339
- Total Committee approved plus Executive Director-authorized amount: \$1,639,316
- Cumulative use of available contingency fund (%) = 236.3%*

**RailPros was instructed by SGVCOG to perform additional work (segmenting the design package) after it had nearly exhausted the previously authorized budget. Additional budget allocation was authorized by staff to RailPros to complete the San Antonio Crossing design package for construction-ready. The added cost is fully reimbursable by Section 130 funds.*

IV. COMMUNITY OUTREACH UPDATE

- Attended and provided updates on the Fullerton Road and Fairway Drive projects at the Rowland Heights Community Coordinating Council Meeting
- Provided staff support for the annual Legislative Networking Reception co-hosted with the San Gabriel Valley Economic Partnership
- Coordinated a tour of the Fullerton Road project for Los Angeles County Supervisor Hilda Solis
- Conducted ongoing community outreach and support activities for the Fairway Drive, Fullerton Road and Montebello Corridor grade separation projects

Prepared by:



Eric C. Shen, PE, PTP
Director of Capital Projects

Approved by:



Marisa Creter
Executive Director

cpcc 20220822 dcp monthly report v1