



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

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**39**

**CONSTRUCTION COMMITTEE  
SEPTEMBER 19, 2013**

**SUBJECT: RIGHT-OF-WAY ACQUISITION AND RELOCATION SERVICES BENCH**

**ACTION: AUTHORIZE INCREASE TO CONTRACT MODIFICATION AUTHORITY**

**RECOMMENDATION**

Authorize the Chief Executive Officer to increase the Contract Modification Authority (CMA) for Contract No. PS116510023, Right-of-Way Acquisition and Relocation Services Bench (Bench) in the amount of \$3,300,000 from \$100,000 to \$3,400,000 for a total contract value of \$4,400,000, to cover the cost of any unforeseen tasks that may arise during the performance of the Bench.

**ISSUE**

The Bench allows the Los Angeles County Metropolitan Transportation Authority (Metro) to quickly engage the services of qualified Acquisition and Relocation Contractors to assist with the acquisition of property and relocation of displaced persons, including preparation of relocation plans, review of preliminary title reports, appraisals and review of appraisals, and negotiations with property owners, relocation of occupants, and processing documents and claims forms connected with several major transportation projects. Further, the Bench has provided an effective and efficient mechanism to address Metro's acquisition and relocation needs.

**DISCUSSION**

Metro is currently underway on several major transportation "Projects": (1) Regional Connector, (2) Westside Subway, (3) Crenshaw LAX Light Rail, and (4) other miscellaneous bus and rail transportation programs. These Projects will be designed and constructed over the next 10 to 30 years and will require the acquisition of several hundred real estate parcels (including full takes, part-takes, and easements) and the relocation of the occupying businesses and residential occupants. The Projects will be partially funded from Measure R, the half-cent sales tax increase approved by voters in November 2008. Funding for certain projects may be from the Federal Transportation Administration (FTA) "New Starts Program."

On September 22, 2011, the Metro Real Estate Department received approval to establish the Bench to assist with the acquisition of property and relocation of displaced persons, including preparation of relocation plans, review of preliminary title reports, appraisals and review of appraisals, negotiations with property owners, relocation of

occupants, and processing documents and claims forms connected with the Projects. The task orders will continue to be issued in accordance with applicable federal, state and local regulations, and the Metro Real Estate Policies and Procedures.

The acquisition and availability of the real property needed to construct the transit project is a key factor in assuring that the Projects are completed on schedule and within budget. Because of the long lead-time required to complete the real estate acquisitions, it is necessary to have a ready resource of Real Estate staff and contractors available. The level of effort required to accomplish these projects in a timely manner is beyond the current capacity of the Real Estate department. However, two additional positions were authorized in the FY13 budget which will be filled in the first quarter of FY14. Therefore, it is necessary to continue to contract for outside acquisition and relocation services. The Projects are expected to impact approximately 400 properties in the cities of Los Angeles, Culver City, Santa Monica, Inglewood and Redondo Beach. The properties to be acquired over the next 24 months will also require the relocation of approximately 225 residential and commercial occupants.

To date, the cumulative value of contract work orders issued against the Bench has reached the approved contract limit of \$1,000,000. After September 30, 2013, Metro will not be able to continue the services of existing Bench, unless the current cumulative contract limit is increased. In order to continue to provide services and sustain the temporary increase in work demand brought on by the acceleration of much needed projects, Real Estate is seeking approval of the above recommendation.

### **DETERMINATION OF SAFETY IMPACT**

The approval of this procurement will not have any impact on the safety of our customers and employees.

### **FINANCIAL IMPACT**

The requested \$3.3M will be funded by the affected Measure R (Regional Connector, Westside Extension, Crenshaw Light Rail, etc.) and capital projects under cost center 8510. Costs will be allocated based on the respective project needs for real estate services. Since the Bench is a multi-year contract, the project manager, cost center manager and the Deputy Executive Officer – Real Estate will be responsible for budgeting amounts for future fiscal years.

### **Impact on Budget**

This contract will not impact the bus operating budget as it will not draw funds from this source. However, funds for this activity will be included in the various Measure R and rail capital budgets.

## **ALTERNATIVES CONSIDERED**

The Board could choose not to approve staff recommendations. The alternative would be to increase the staffing level of the Real Estate Department to handle the increased workload. This alternative is not recommended since the current project schedules require that the majority of the acquisitions take place over the next 2 to 3 years. The time and cost to hire additional staff to meet a short-term requirement is not warranted.

## **NEXT STEPS**

Execute contract modifications.

## **ATTACHMENTS**

- A. Procurement Summary
- B. Task Order Summary Log

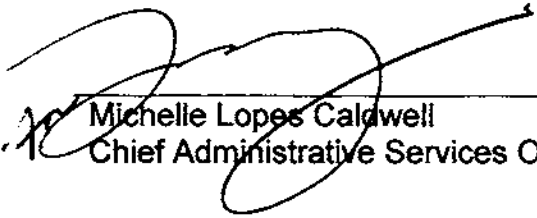
Prepared by: Velma C. Marshall, Deputy Executive Officer, Real Estate  
(213) 922-2415

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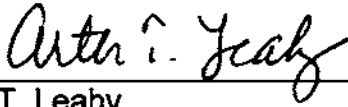
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Roger S. Mollere  
Chief, Real Property Management and Development



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Michelle Lopes Caldwell  
Chief Administrative Services Officer



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Arthur T. Leahy  
Chief Executive Officer

**PROCUREMENT SUMMARY  
RIGHT-OF-WAY ACQUISITION AND RELOCATION SERVICES BENCH**

1.	<b>Contract No:</b> PS116510023		
2.	<b>Contractors:</b> California Property Specialist, Inc., Del Richardson & Associates, Inc., Epic Land Solutions, Inc., Overland Pacific & Cutler, Inc., and Paragon Partners, Ltd.		
3.	<b>Mod. Work Description:</b> Continuation of Right-of-Way Acquisition and Relocation Services		
4.	<b>Work Description:</b> Right-of-Way Acquisition and Relocation Services		
5.	<b>The following data is current as of :</b>	August 14, 2013	
6.	<b>Contract Completion Status:</b>		
	Bids Opened	N/A	% Complete N/A
	Contract Awarded	09/22/11	% Complete Time N/A
	NTP	N/A	Orig. Contract Days N/A
	Orig. Complete Date	09/21/16	Change Order Days N/A
	Current Est. Complete Date	09/21/16	Suspended Days N/A
			Total Revised Days N/A
7.	<b>Financial Status:</b>		
	Contract Award Amount	\$1,000,000	
	Total Contract Modification Authority (CMA)	\$100,000	
	Total of Mods/Changes Approved to Date	\$100,000	
	Total of Mods/Changes Pending to Date (including this action)	\$3,300,000	
	Current Contract Value (with this action)	\$4,400,000	
8.	<b>Contract Administrator:</b> Victor Zepeda	<b>Telephone Number:</b> (213) 922-1458	
9.	<b>Project Manager:</b> Carol Chiodo	<b>Telephone Number:</b> (213) 922-2404	

**A. Procurement Background**

This proposed modification is to increase CMA in the amount of \$3,300,000.

This contract change will be handled in accordance with the Metro approved Acquisition Policy and Procedures for contract modifications.

On September 22, 2011, the Board approved the Right-of-Way Acquisition and Relocation Services Bench. Metro awarded bench contracts to the following five firms:

Contract No.	Contractor
PS116510023-A	Overland Pacific & Cutler, Inc.
PS116510023-B	California Property Specialist, Inc.
PS116510023-C	Del Richardson & Associates, Inc.
PS116510023-D	Epic Land Solutions, Inc.
PS116510023-E	Paragon Partners, Ltd.

The Bench was originally approved for a cumulative contract value of \$1,000,000 for a base period of performance of five (5) years with five (5), one-year options. Modification No. 1 increased the cumulative contract value from \$1,000,000 by \$100,000 to \$1,100,000. Attachment B shows the task orders issued to date.

**B. Cost/Price Analysis**

Each future task order will contain a specific Statement of Work which will be competed with the qualified contractors within the discipline. The Bench Contractors will propose according to the requirements in the task order and a Cost/Price analysis will be performed, as appropriate, on task orders issued.

The fully burdened hourly billing rates for the five-year term of the bench contracts were previously negotiated. The rates established will continue to be utilized. Rates were determined to be fair and reasonable based on adequate competition and a comparison of negotiated rates for similar labor categories.

**C. Small Business Participation**

A 30% Disadvantaged Enterprise Anticipated Level of Participation (DALP) commitment was made on the Right of Way Acquisition and Relocation Services Bench. Twenty Task Orders have been awarded to date to the Primes on the bench. Total overall DALP participation for the bench is 36.4%.

1. Del Richardson & Associates (DBE Prime) has been awarded three (3) Task Orders to date.

<b>DBE Subcontractors</b>		<b>Current Participation</b>
1	Del Richardson & Associates (DBE Prime)	0.61%
2	Cal Pacific Land Services	0.0%
3	Fiona Diaz Consultant, Inc.	0.0%
4	Keith Settle & Company.	0.0%
<b>Total Participation</b>		<b>0.61%</b>

2. Epic Land Solutions, Inc. (DBE Prime) has been awarded four (4) Task Orders to date.

<b>DBE Subcontractors</b>		<b>Current Participation</b>
1	Epic Land Solutions, Inc. (DBE Prime)	33.1%
2	ECO & Associates	0.0%
3	Donna Desmond Associates	1.9%
4	Coast Surveying, Inc.	0.0%
<b>Total Participation</b>		<b>35.00%</b>

3. Overland Pacific & Cutler, Inc. has been awarded five (5) Task Orders to date.

<b>DBE Subcontractors</b>		<b>Current Participation</b>
1	Del Richardson & Associates	0.79%
2	Kiley Company	0.0%
3	Donna Desmond Associates.	0.0%
4	Hennessey & Hennessey	0.0%
5	Mearns Consulting Corporation	0.0%
6	Coast Surveying, Inc.	0.0%
<b>Total Participation</b>		<b>0.79%</b>

4. Paragon Partners, LTD has been awarded five (5) Task Orders to date. Their DALP participation is 0%.

<b>DBE Subcontractors</b>		<b>Current Participation</b>
1	Keith Settle & Company	0.0%
2	Kiley Company	0.0%
3	Donna Desmond Assoc..	0.0%
4	Linda Norwood	0.0%
5	ECO & Assoc.	0.0%
6	Surveying, Inc.	0.0%
<b>Total Participation</b>		<b>0.00%</b>

5. **California Property Specialist** has been awarded three (3) Task Orders to date.

<b>DBE SubContractors</b>		<b>Current Participation</b>
1	Kiley Company	0.0%
2	Hennessey & Hennessey.	0.0%
3	Donna Desmond Associates	0.0%
4	Civil Source	0.0%
5	Wiggans Group, Inc.	0.0%
<b>Total Participation</b>		<b>0.00%</b>

**Total Overall DALP Participation: 36.4%**

*<sup>1</sup>Current Participation = Total Actual amount Paid-to-Date to DBE firms + Total Actual Amount Paid-to-date to Prime*



**ATTACHMENT B**

**TASK ORDER SUMMARY LOG**

<b>Firm</b>	<b>Task Order No.</b>	<b>Description</b>	<b>Amount</b>
Overland Pacific & Cutler	PS116510023A-001	Crenshaw/LAX Parcel SW-002	\$9,635
	PS116510023A-002	Crenshaw/LAX Parcel SW-002	\$33,380
	PS116510023A-003	Crenshaw/LAX Parcels SW-0101 and SW-0102	\$37,030
	PS116510023A-004	Crenshaw/LAX Parcel SW-001	\$10,000
	PS116510023A-005	Parcel W-001 - Parcels W-0401, W-0103, W-1201, W-1202 (All tenants except wedding chapel), W-1701, W-1702	\$161,140
	PS116510023A-004-1	Crenshaw/LAX Parcel SW-001 -OHL (additional activities)	\$4030
California Property Specialists	PS116510023B-001	Crenshaw/LAX Parcel CR-2802	\$16,500
	PS116510023B-002	EXPO 2: Property 430 Colorado	\$27,000
	PS116510023B-001A	Crenshaw/LAX Parcel CR-2802	\$45,500
Del Richardson & Associates, Inc	PS116510023C-001	EXPO 2:10100 National Blvd	\$6,010
	PS116510023C-003	Parcels W1202, W1703 & 4, W1801 & 2, W2302, 2307, 2309, W6103	\$229,300
	PS116510023C-002	Crenshaw/LAX Parcel CR-4504	\$11,500
Epic Land Solutions, Inc.	PS116510023D-001	Crenshaw/LAX Crescent Properties - Parcels HS-2101 thru HS-2104 & HS-2201 thru HS-2206	\$156,825
	PS116510023D-001-1	Crenshaw/LAX Crescent Properties – Parcels HS-2101 thru HS-2104 & HS-2201 thru HS-2206	\$1,000
	PS116510023D-003	Parcels W-1203, W-2301, W-2308	\$81,470

Firm	Task Order No.	Description	Amount
	PS116510023D-004	Crenshaw/LAX Parcels HS2702,CR3101,CR3302, CR3303	\$63,628
Paragon Partners, Ltd.	PS116510023E-001	Crenshaw/LAX Crenshaw/Rodeo – Parcel CR-4503 thru CR-4506	\$51,745
	PS116510023E-001-1	Crenshaw/LAX Crenshaw/Rodeo - Parcel CR-4503 thru CR-4506	\$16,700
	PS116510023E-002	RC-001-VOLK	\$21,815
	PS116510023E-003	Crenshaw/LAX Gourmet Logistics – Parcel SW-004	\$26,460
	PS116510023E-003-1	Crenshaw/LAX Gourmet Logistics – Parcel SW-004	\$10,460
		Total Task Order Amount	\$1,021,128