



**[REVISED] AGENDA AND NOTICE OF THE MEETING OF THE
 SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS
 CAPITAL PROJECTS AND CONSTRUCTION COMMITTEE
 MONDAY, DECEMBER 13, 2021 - 12:00 PM PACIFIC TIME*
 Teleconference Meeting**



Zoom Link: <https://us06web.zoom.us/j/87807336582>

Livestream Available at: <https://youtu.be/NUAcNSy9rcQ>

CHAIR

Nancy Lyons

Mayor, City of Diamond Bar
 Southeast District

VICE CHAIR

Cory Moss

Mayor, City of Industry
 ACE City

MEMBERS

Hon. Kathryn Barger

LA County Supervisor
 District 5

Hon. Hilda Solis (alt.)

LA County Supervisor
 District 1

Becky Shevlin

SGVCOG President
 Councilmember, City of Monrovia

Tim Hepburn

Mayor, City of La Verne
 Northeast District

Maria Morales

Councilmember, City of El Monte
 Central District

Diana Mahmud

Mayor, City of South Pasadena
 Southwest District

Susan Jakubowski

Mayor, City of San Marino
 Northwest District

Scarlet Peralta

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.sgvkog.org/capitalprojects> and viewing at the Rivergrade Road office during normal business hours.

The Capital Projects and Construction Committee agenda packet is available on the website: <https://www.sgvkog.org/capitalprojects>. You may request an electronic copy by contacting the Committee Liaison via email.

Due to the on-going public health concerns, there will be no physical place to attend the meeting to ensure the safety of Committee Members, staff and the public. The Capital Projects and Construction Committee will conduct its meeting through Zoom Video Communications. The public may participate in the meeting via Zoom or watch the livestream on YouTube via the two links on top of the agenda page.

PUBLIC PARTICIPATION: Members of the public may comment on any item on the agenda at the time it is taken up by the Committee. 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 Committee on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion. Persons addressing the Committee are to refrain from making personal, slanderous, profane or disruptive remarks. Your attendance at this public meeting via Zoom may result in the recording of your voice.

TO ADDRESS THE COMMITTEE: The public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. The public may only comment on items that are on the agenda. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. The Committee may not discuss or vote on items not on the agenda.

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.

COMMITTEE LIAISON: Charlotte Stadelmann (cstadelmann@sgvcog.org), (626) 962-9292.



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.



***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 Governing Board meeting scheduled for November 15, 2021, at 12:00 p.m. 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/87103489820>. 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 you may submit comments to the committee liaison via email or by phone.

- **Email:** Please email your public comment at least 1 hour prior to the scheduled meeting time. 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. Public comment may be summarized in the interest of time, however the full text will be provided to all Committee members prior to the meeting.
- **Zoom:** Through Zoom, you may speak 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 a reasonable accommodation to participate in this meeting should contact the committee liaison at least 48 hours prior to the meeting.

PRELIMINARY BUSINESS

1. Pledge of Allegiance
2. Roll Call
3. Public Comment

CONSENT CALENDAR

(It is anticipated that the Capital Projects and Construction Committee may take action on the following matters)

4. Adopt of Resolution 21-03-CPCC Making Specific Findings to Enable the Capital Projects and Construction Committee to Continue to Hold Meetings Via Teleconferencing ([Pages 6-7](#))
Recommended for Action: Adopt Resolution 21-03-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.
5. Meeting Minutes of November 15, 2021 ([Pages 8-9](#))
Recommended Action: Adopt Capital Projects & Construction Committee minutes.
6. Meeting Minutes of November 18, 2021 ([Pages 10-11](#))
Recommended Action: Adopt SGVCOG Capital Projects and Construction Committee, Executive Committee, and Governing Board Special Joint Meeting Minutes.

ACTION ITEMS

7. 2022 Capital Projects, Construction and Transportation Legislative Priorities ([Pages 12-14](#))
Recommend Action: Recommend the Governing Board adopt the 2022 Capital Projects, Construction and Transportation Legislative Priorities intended to inform and guide the legislative, policy, and programmatic actions and positions taken by the SGVCOG over the course of the 2022 calendar year.
8. Agreement 21-30 with National Railroad Safety Services, Inc. for Railroad Flagging Services ([Pages 15-16](#))
Recommend Action: Authorize the Executive Director to execute Agreement 21-30 in an amount not to exceed (“NTE”) \$1,541,000, to National Railroad Safety Services (“NRSS”) to provide railroad flagging services for the Fullerton Road Grade Separation Construction Completion Project (“Fullerton Project”).
9. Task Order 02 No. 02 with WSP USA for Construction Management Services ([Pages 17-19](#))
Recommended Action: Authorize the Executive Director to issue Task Order No. 2, in the not to exceed amount of \$20,351,290 to WSP USA for providing Construction Management Services for the Interchange Improvements Project, the second phase of the State Route 57/60 Confluence Chokepoint Relief Program.
10. Preview of The Hearings to Consider Resolutions of Necessity for Parcels for the State Route 57/60 Confluence Chokepoint Relief Project in The City Of Diamond Bar ([Pages 20-25](#))
Recommended Action: That the following be reviewed by the Capital Projects and Construction Committee and that the Committee recommend that the Resolutions of Necessity (“RONs”) proceed to a hearing before the Governing Board at its January 20, 2022 regularly scheduled Board meeting:
 1. Conduct public hearings to consider condemnation of real property required for the State Route 57/60 Confluence Chokepoint Relief Project (the “Project”) in the City of Diamond Bar; and

2. *Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-04 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Akbar Ali and Nida Ali, husband and wife as joint tenants (Assessor Parcel Number [APN] 8717-008-187) (hereinafter “Ali Property”); and*
3. *Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-05 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: AP-Diamond Bar, LLC (Assessor Parcel Number [APN] 8281-024-053) (hereinafter “AP-Diamond Bar Property”); and*
4. *Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-06 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Ayres-Diamond Bar, L.P. (Assessor Parcel Number [APN] 8717-001-085) (hereinafter “Ayres Property”); and*
5. *Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-07 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: DBJ 2018, LLC. Michael W. Rotondi and April Greiman, Trustees of the Rotondi Greiman Family Trust (Assessor Parcel Number [APN] 8717-008-039) (hereinafter “DBJ/Rotondi Property”); and*
6. *Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-08 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Grand Diamond Bar Properties, LLC (Assessor Parcel Numbers [APNs] 8717-020-001 and 8717-020-008) (hereinafter “Grand Diamond Bar Property”); and*
7. *Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-09 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Tranquil Garden, LLC (Assessor Parcel Number [APN] 8717-008-189) (hereinafter “Tranquil Garden Property”).*
11. Utility Relocation Agreement with Southern California Edison for the State Route 57/60 Chokepoint Relief Program Phase 1 – Diamond Bar Golf Course Project ([Pages 26-27](#))
Recommended Action: Authorize the Executive Director to execute an agreement with Southern California Edison (SCE) for relocation of existing SCE facilities for the Diamond Bar Golf Course Project, the first phase of the State Route 57/60 Confluence Chokepoint Relief Program.
12. Task Order No. 4, Revision 16 for Final Design with Moffat & Nichol for the Montebello Corridor Grade Separation Project ([Pages 28-30](#))
Recommended Action: Authorize the Executive Director to issue Task Order No. 4 Revision 16, not to exceed (“NTE”) \$429,000, to Moffatt & Nichol (“M&N”) for providing additional final design services for the Montebello Boulevard Grade Separation Project (“Montebello Grade Separation Project”).

13. Task Order No. 3 Revision 9 with Moffatt & Nichol for Final Design: At-Grade Crossing Safety Improvements For The Montebello Corridor Grade Separation Project ([Pages 31-33](#))

Recommended Action: Authorize the Executive Director to issue Task Order No. 3 Revision 9, not to exceed (“NTE”) \$88,500, to Moffatt & Nichol (“M&N”) for providing additional final design services for the At-Grade Crossing Safety Improvements for the Montebello Corridor Grade Separation Project (“Montebello Corridor Project”).

14. Approval of Committee Meeting Schedule for Calendar Year (Cy) 2022 and January 24, 2022 Meeting Format ([Pages 34-35](#))

Recommended Action: Consider and approve two actions: (1) Adopt the Capital Projects and Construction Committee regular and special meeting schedule for Calendar Year 2022; and (2) Provide direction on the January 24, 2022 meeting format.

UPDATE ITEMS

15. Director of Capital Projects Monthly Report ([Pages 36-38](#))
16. Active Construction Projects – Verbal Reports

ANNOUNCEMENTS/MEMBER COMMENTS

CHAIR’S REPORT

ADJOURN

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: ADOPT RESOLUTION 21-03-CPCC MAKING SPECIFIC FINDINGS TO ENABLE THE CAPITAL PROJECTS AND CONSTRUCTION COMMITTEE TO CONTINUE TO HOLD MEETINGS VIA TELECONFERENCING

RECOMMENDED ACTION

Adopt Resolution 21-03-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 21-03-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 21-03-CPCC](#)



SGVCOG
Capital Projects & Construction Committee Approved Minutes
November 15, 2021
12:00pm
Teleconference Meeting via Zoom

PRELIMINARY BUSINESS

1. Call to Order
Chair Nancy Lyons called the meeting to order at 12:01PM
2. Pledge of Allegiance
Committee member Tim Hepburn 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
 Maria Morales, El Monte
 Diana Mahmud, South Pasadena
 Tim Hepburn, LaVerne
 Susan Jakubowski, San Marino
 Scarlet Peralta, Montebello

Members Absent:

Kathryn Barger, LA County
 Tim Sandoval, Pomona

Staff/Guests:

Marisa Creter, Executive Director
 Eric Shen, Director of Capital Projects
 Amy Gilbert, Management Analyst
 Andres Ramirez, Senior Project Manager
 Charles Tsang, Senior Project Manager
 Charlotte Stadelmann, Capital Projects Coordinator
 David DeBerry, General Counsel
 Paul Hubler, Director of Government & Community Relations
 Rene Coronel, Project Manager
 Yanin Rivera, Senior Administrative Assistant
 Caitlin Sims, Principal Management Analyst

4. Public Comment
There were no public comments at this meeting.

CONSENT CALENDAR

5. Adopt of Resolution 21-02-CPCC Making Specified Findings to Enable the Capital Projects and Construction Committee to Continue to Hold Meetings Via Teleconferencing
Recommended for Action: Adopt Resolution 21-02-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

SGVCOG Capital Project & Construction Committee

November 15, 2021 Minutes

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safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.

6. Meeting Minutes of October 25, 2021

Recommended Action: Adopt Capital Projects & Construction Committee minutes.

N. Lyons requested to pull Item #4 (Adopt of Resolution 21-01-CPCC Making Specified Findings to Enable the Capital Projects and Construction Committee to Continue to Hold Meetings Via Teleconferencing) off the consent calendar for discussion. The Committee directed staff to review the possibility of a hybrid meeting.

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

[Motion Passed]

AYES:	N. Lyons, C. Moss, B. Shevlin, T. Hepburn, S. Jakubowski, D. Mahmud, M. Morales, S. Peralta
NOES:	
ABSTAIN:	
ABSENT:	K. Barger, T. Sandoval

INFORMATIONAL REPORTS

7. Bike Share Operator Contract

C. Sims provided an update on this item.

8. Chair’s Report

Chair Nancy Lyons announced formatting and sequencing updates to the agenda packet. Chair Lyons also mentioned that staff is preparing for the hybrid (virtual and in-person) meeting in January.

9. Director of Capital Projects Monthly Report

E. Shen provided an update on this item.

10. Construction Project Progress Reports

R. Coronel, A. Ramirez, and E. Shen provided updates on the active construction projects.

ADJOURN

The meeting was adjourned at 12:52 PM in memory of City of Arcadia Council Member Roger Chandler.

SGVCOG Special Joint Meeting of the Capital Projects and Construction Committee, Executive Committee, and Governing Board Meeting

November 18, 2021

4:00 PM



SGVCOG Capital Projects and Construction Committee, Executive Committee, and Governing Board Unapproved **Special Joint Meeting Minutes**

Date: November 18, 2021

Time: 4:00 PM

Location: Zoom Virtual Meeting

PRELIMINARY BUSINESS

1. Call to Order
SGVCOG President, Becky Shevlin, called the Joint Capital Projects and Construction Committee, Executive Committee, and Governing Board Meeting to order at 4:02pm.
2. Pledge of Allegiance
SGVCOG Governing Board Member, Nancy Lyons, led the Pledge of Allegiance.
3. Roll Call
A quorum for the Capital Projects and Construction Committee, Executive Committee, and Governing Board was in attendance.

Committee Members Present

Alhambra	A. Andrade-Stadler
Arcadia	A. Verlato
Azusa	R. Gonzales
Claremont	E. Reece
Covina	P. Cortez
Diamond Bar	N. Lyons
Duarte	S. Kang
El Monte	M. Morales
Glendora	M. Allawos
Industry	C. Moss
Irwindale	A. Ambriz
La Canada Flintridge	K. Eich
La Puente	G. Quinones
La Verne	T. Hepburn
Monrovia	B. Shevlin
Montebello	S. Peralta
Monterey Park	H. Lo
Pasadena	V. Gordo
Pomona	T. Sandoval
San Dimas	D. Bertone
San Gabriel	J. Pu
San Marino	S. Jakubowski
Sierra Madre	R. Arizmendi
South El Monte	G. Olmos
South Pasadena	D. Mahmud

Absent

Baldwin Park
Bradbury
Rosemead

SGVCOG Staff Present

M. Creter, Executive Director
D. DeBerry, General Counsel
E. Shen, Staff
P. Hubler, Staff
R. Alimoren, Staff
C. Sims, Staff
B. Acevedo, Staff
K. Ward, Staff
D. Stanley, Staff
A. Fung, Staff
S. Pedersen, Staff
B. Logasa, Staff
T. Lott, Staff
V. Urenia, Staff
C. Serrato, Staff
S. Sousa, Staff
V. Guerra, Staff
S. Hernandez, Staff
T. Egan, Lobbyist

SGVCOG Special Joint Meeting of the Capital Projects and Construction Committee, Executive Committee, and Governing Board Meeting

November 18, 2021

4:00 PM

Temple City	C. Sternquist
Walnut	N. Tragarz
West Covina	T. Wu
L.A. County District #1	E. Gonzalez
L.A. County District #4	L. Yokomizo
L.A. County District #5	S. Croxton
SGV Water Districts	J. Santana

4. Public Comment
There were no public comments at this meeting.

JOINT MEETING BUSINESS/ACTION ITEM

5. Adopt Resolution 21-48 of the Capital Projects and Construction Committee, Executive Committee, and Governing Board Making Findings to Enable Them to Continue to Hold Meetings Via Teleconferencing
SGVCOG President, Becky Shevlin, provided verbal remarks on this item.

There was a motion to adopt Joint Resolution 21-48 making certain findings that the existence of a local and state of emergency in California exists, that social distancing being mandated or recommended by state or local officials due to the ongoing COVID-19 pandemic and that meeting in person presents an imminent risk to the health and safety of attendees. (M/S: G. Olmos/E. Reece)

[Motion Passed]

AYES:	Alhambra, Azusa, Claremont, Covina, Diamond Bar, Duarte, Glendora, Industry, Irwindale, La Canada Flintridge, La Puente, La Verne, Monrovia, Monterey Park, Pasadena, Pomona, San Dimas, San Gabriel, San Marino, Sierra Madre, South El Monte, South Pasadena, Temple City, Walnut, West Covina, L.A. County District #1, L.A. County District #4, L.A. County District #5, San Gabriel Valley Water Districts
NOES:	
ABSTAIN:	
NO VOTE RECORDED:	Arcadia, El Monte, Montebello
ABSENT:	Baldwin Park, Bradbury, Rosemead

ADJOURN JOINT MEETING

SGVCOG President, Becky Shevlin, adjourned the Joint Capital Projects and Construction Committee, Executive Committee, and Governing Board Meeting at 4:12pm.

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Marisa Creter, Executive Director

RE: **2022 CAPITAL PROJECTS, CONSTRUCTION AND TRANSPORTATION LEGISLATIVE PRIORITIES**

RECOMMENDED ACTION

Recommend the Governing Board adopt the 2022 Capital Projects, Construction and Transportation Legislative Priorities intended to inform and guide the legislative, policy, and programmatic actions and positions taken by the SGVCOG over the course of the 2022 calendar year.

BACKGROUND

Upon recommendation of its policy committees, the SGVCOG Governing Board in January of every year adopts an annual legislative platform consistent with the Strategic Plan. This report reviews the 2021 legislative and funding accomplishments under the purview of the Capital Projects and Construction Committee, and presents new, amended or reaffirmed legislative objectives proposed for 2022. New or revised objectives are indicated in *italic* text. Because of policy area overlaps, a version of this report was presented last month for review and recommendation by the Transportation Committee.

2021 Accomplishments

- Secured the award of \$20 million in state Section 190 grade separation funds for the ACE grade separation projects at Montebello Boulevard and Turnbull Canyon Road, ranked nos. 17 and 18 on the statewide grade separation priority list.
- Submitted Congressional earmark requests on behalf of the ACE Montebello Boulevard and Turnbull Canyon Road grade separation projects, the at-grade pedestrian crossing improvements in Pomona, the Maple Avenue pedestrian bridge in Montebello and the SR 57/60 project and supported a request for the Gold Line pedestrian bridge in La Verne.
- Supported a motion approved by the LA Metro Board of Directors directing Metro staff to assist SGVCOG staff in identifying and securing match funds for the ACE projects with unfunded construction phases.
- Secured letters of support for LA Metro's application for the SR 57/60 project awarded \$30 million in federal INFRA freight highway program funds.
- Supported the Newsom Administration proposal to direct \$500 million in general funds for grade separations and crossing safety improvements through the Transit and Intercity Rail Capital Program with steps taken for a possible joint application with LA Metro. Supported additional general fund requests for the Foothill Gold Line extension and the state Active Transportation Program.

- Supported enactment of the bipartisan federal infrastructure bill which includes significant increases in funding over the next five years for the INFRA grant program (\$8 billion), RAISE/TIGER/BUILD grant program (\$7.5 billion), megaproject grant program (\$5 billion), new highway-rail grade separation program (\$3 billion), CRISI rail infrastructure grant program (\$5 billion) and the National Highway Freight Program (\$7.15 billion/five years).
- Supported the development of the San Gabriel Valley Transit Feasibility Study and the San Gabriel Valley Regional Vehicle-Miles Traveled (VMT) Mitigation Program Study.

PROPOSED 2022 LEGISLATIVE PRIORITIES

State and Regional:

- Submit and/or advocate for funding requests, grant applications, or specific budget earmarks to ensure San Gabriel Valley transportation and capital projects and programs are timely allocated or awarded Metro-administered funds, SB 1 and other state funds, and relevant county-administered funds.
- Support the development of transportation and capital projects best practices and funding programs beneficial to San Gabriel Valley transportation and capital projects and programs¹.
- Support legislative or administrative efforts to expedite environmental and permitting approvals and project delivery of San Gabriel Valley transportation and capital projects and programs.
- *Support increased funding to the State's Active Transportation Program (ATP) to provide resources necessary for active transportation and first/last mile improvements in the San Gabriel Valley.*
- *Support funding dedicated for Transportation Demand Management (TDM) programs and strategies.*
- *Support funding to preserve and maintain transportation infrastructure for key regional goods movement infrastructure enhancements.*
- *Support the implementation of the GoSGV Regional E-Bike Share Program.*
- *Support investments in active transportation infrastructure as a component of other state-funded transportation improvement projects recognizing the critical role of walking, biking, and complete streets in connecting the multi-modal transportation system.*
- *Support efforts that expand public transit projects and services, both bus and rail, in the region to reduce congestion and enhance sustainability.*
- Support the development of the San Gabriel Valley Transit Feasibility Study *and the San Gabriel Valley Regional Vehicle-Miles Traveled (VMT) Mitigation Program Study.*
- Continue to collaborate *with Metro, Foothill Transit, Metrolink, Caltrans, the County of Los Angeles, and state agencies* and participate in the San Gabriel Valley Legislative

¹ These projects and programs include those currently or to be assigned for implementation to the Capital Projects and Construction Committee (ACE Project, SR-57/60 Project, Regional Bike Share, La Verne Pedestrian Bridge, etc.) as well as regional priority projects supported by the SGVCOG Governing Board, including, but not limited to, the Foothill Gold Line Extension Project, the I-10/SR-710 interchange project and the SR-71 Gap Closure Project.

Caucus, the Mobility 21 Coalition, and other stakeholders to benefit *and enhance* San Gabriel Valley transportation and capital projects and programs.

Federal:

- Support transportation and capital projects in the San Gabriel Valley.
- Support legislative or administrative efforts to expedite environmental and permitting approvals and project delivery of San Gabriel Valley transportation and capital projects and programs.
- Continue to work with the San Gabriel Valley’s federal representatives, the Coalition for America’s Gateways and Trade Corridors, the Mobility 21 Coalition, and other stakeholders in support of these legislative priorities and other matters that benefit San Gabriel Valley transportation and capital projects and programs.
- Propose and advocate policies, funding, and programs beneficial to San Gabriel Valley transportation and capital projects and programs, including in the context of the multi-year *bipartisan infrastructure* legislation, possible standalone legislation or other relevant legislation.
- *Support funding for the INFRA Program, including increased transparency measures for competitive grant awards.*
- *Support legislation and efforts to minimize aircraft noise impacts in the San Gabriel Valley.*

The purpose of these legislative priorities is to advocate for the interests of member agencies at the County, State, and Federal levels, as they pertain to the topics of transportation and capital projects. SGVCOG staff recommends the Capital Projects and Construction Committee recommend to the Governing Board the adoption of the 2022 Capital Projects and Construction and Transportation Legislative Priorities to enhance mobility and quality of life and mitigate environmental impacts in the San Gabriel Valley region.

Prepared by: Paul R. Hubler
Paul Hubler
Director of Government and Community Relations

Approved by: Marisa Creter
Marisa Creter
Executive Director

cpc 211213 legislative priorities vf

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects
Marisa Creter, Executive Director

RE: **AGREEMENT 21-30 WITH NATIONAL RAILROAD SAFETY SERVICES, INC. FOR RAILROAD FLAGGING SERVICES**

RECOMMENDED ACTION

Authorize the Executive Director to execute Agreement 21-30 in an amount not to exceed (“NTE”) \$1,541,000, to National Railroad Safety Services (“NRSS”) to provide railroad flagging services for the Fullerton Road Grade Separation Construction Completion Project (“Fullerton 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, in October of 2015, ACE entered into a three party Construction, Operation and Maintenance Agreement (“COM Agreement”) with Union Pacific Railroad Company (“UPRR”) 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 Fullerton Project. Both agreements indicate that UPRR shall provide flagging using UPRR personnel or an approved third party flagging service. The Master Agreement defines that UPRR shall be reimbursed for said services.

CURRENT ISSUES

For the Fullerton Project, UPRR has elected to have an approved third party provide the flagging services. In doing so, UPRR is requiring that the third party service be contracted directly with SGVCOG.

Because there are only two third party flagging service vendors (Railpros, Inc. and NRSS) approved by UPRR, a formal procurement was not conducted. Both vendors were contacted by phone to request quotes. While NRSS returned the call, Railpros did not. SGVCOG proceeded with obtaining an hourly rate proposal from NRSS. Once received, it was compared to the rate that was paid to Railpros under a separate agreement. NRSS’s rate was less, so it was determined to be acceptable. These services are to be provided on an as needed hourly basis. In order to determine the NTE amount, the rate was multiplied by the projected number of flagging hours that will be required on the Fullerton Project.

SGVCOG Capital Projects and Construction Committee
Railroad Flagging Services to NRSS
December 13, 2021
Page 2 of 2

Staff is recommending approval and execution of Agreement 21-30 with NRSS to provide the flagging services for the Fullerton Project in an NTE amount of \$1,541,000.

In addition to the authorization of the NTE amount of \$1,541,000, an additional 10% contingency allowance, or \$154,100 will be budgeted for the Executive Director, to address unforeseen work or owner-initiated changes, in accordance with normal agency procedures. Any contract amount changes due to contract changes that exceed the Executive Director's authority will be brought back to the Committee for further consideration and approval.

FISCAL IMPACT

This agreement will have an impact to the overall project budget. The majority of these costs were already budgeted for as UPRR was projected to provide these services with UPRR personnel. However, the hourly rate for NRSS is higher than UPRR's rate. The projected budget increase is approximately \$150,000.

Prepared by: 
Andres Ramirez, PMP
Senior Project Manager

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

Approved by: 
Marisa Creter
Executive Director

ATTACHMENT

[CONTRACT 21-30](#)

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects
Marisa Creter, Executive Director

RE: TASK ORDER 02 NO. 02 WITH WSP USA FOR CONSTRUCTION MANAGEMENT SERVICES

RECOMMENDED ACTION

Authorize the Executive Director to issue Task Order No. 2, in the not to exceed amount of \$20,351,290 to WSP USA for providing Construction Management Services for the Interchange Improvements Project, the second phase of the State Route 57/60 Confluence Chokepoint Relief Program.

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 (Diamond Bar Golf Course Project) and Phase 2 (Interchange Improvements Project).

LACMTA entered into an agreement with the SGVCOG on July 30, 2019 for coordination of utility relocations, acquisition of rights of way, and oversee the bid, award and construction of the State Route 57/60 Confluence Chokepoint Relief Phase 1 (Diamond Bar Golf Course Project) and Phase 2 (Interchange Improvements Project). Design plans and construction documents for the Interchange Improvements Project are being finalized under a separate contract and managed by Metro. In advance of procuring a construction contractor, SGVCOG proceeded with the selection of a construction management team to provide pre-construction support, including the constructability review and cost estimates with the design team. At the June 28, 2021 Capital Projects and Construction Committee, the Executive Director was authorized to award a contract for Construction Management Services (CM) and issue Task Order No. 1 for Pre-construction services in the not to exceed amount of \$520,000. The Committee was also informed that staff would be returning at the end of 2021 to issue Task Order No. 2 – Construction Services, which will cover the 52-month construction period from July 2022 to November 2026. Currently, WSP is assisting SGVCOG with constructability review and preparing the Invitations to Bid Package.

CURRENT ISSUES

Based on the final design plans, coordination with Caltrans, and close examination of the anticipated issues throughout the construction, WSP USA submitted a cost proposal for the construction management services to SGVCOG for performing a series of tasks throughout the Project. A construction contract is anticipated to be awarded by June of next year and staff will need the services of WSP USA for construction management. Due to current funding agreements with Metro, staff can only issue Task Order 02 in the negotiated amount of \$20,351,290, which covers 52 months of construction (July 2022 – November 2026). Once bids are opened next year, a separate funding agreement with Metro will be issued to cover the remaining CM costs and construction contract. The negotiated amount for the entire 62-month duration of the project is \$24,265,000 for managing the approximate \$270 construction is fair and acceptable. Additionally, WSP USA is committed to exceeding the required 13% Small Business Enterprise (SBE) goal set forth in the contract.

Role and Responsibilities of CM: Key functions of the selected CM will include, but are not limited to, being responsible for ensuring the general contractor and subcontractors construct the project as designed, submitting complete and accurate schedules for approval by SGVCOG, and adhering to these schedules during the life of the project. The CM is also responsible for the control of change work through identification and quantification of work necessary for the project that is not included in the contract documents. The CM will represent SGVCOG when negotiating change orders with the general contractor, oversee quality assurance and material quantity inspections, manage submittal reviews, and monitor contractors' compliance with regulations/local ordinance and permitting requirements.

Task Order 2 – Construction Services: Construction CM services will include the following tasks:

- Progress Management Services
- Progress Schedule
- Changes/Claims Administration
- Construction Safety
- Cost Engineering / Estimating
- Utility coordination
- Environmental Services
- Progress Payments
- Quality Assurance
- Special Work Assignments
- Submittals, Requests for Information & Nonconformance Report
- Conferences / Meetings
- Contractor Insurance
- Reports & Records
- Document control
- Survey Support (QC and QA)
- Material testing & support services
- Labor compliance & SBE monitoring (support)
- As-Built Drawings
- Traffic Control and Traffic Handling Plans
- Public Affairs (support)
- Contract Closeout

In addition to the authorization of NTE amount of \$20,351,290, an additional 10% contingency allowance, or \$2,035,129 will be budgeted for the Executive Director, or designee to address unforeseen work or owner-initiated changes, in accordance with normal agency procedures. Any

contract amount changes due to contract changes that exceed the Executive Director’s authority will be brought back to the Committee for further consideration and approval.

FISCAL IMPACT

All project costs for the proposed Interchange Improvements Project, including the costs associated with both Task Orders, are fully reimbursable by Metro.

Task Orders	Amount
Task Order No. 1: Pre-Construction Construction Management (CM) services	\$520,000
Task Order No. 2: Construction Management services (NTE)	\$20,351,290
Contract Value To-date NTE Value	\$20,871,290

Prepared by: 

Rene Coronel
Project Manager

Reviewed by: 

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

Approved by: 

Marisa Creter
Executive Director

ATTACHMENT

[Attachment: Agreement No. 21-02 Task Order No. 2](#)

cpcc 2021213 sr57-60 interchange cm services task 02 vf

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects
Marisa Creter, Executive Director

RE: PREVIEW OF THE HEARINGS TO CONSIDER RESOLUTIONS OF NECESSITY FOR PARCELS FOR THE STATE ROUTE 57/60 CONFLUENCE CHOKEPOINT RELIEF PROJECT IN THE CITY OF DIAMOND BAR

RECOMMENDED ACTION

That the following be reviewed by the Capital Projects and Construction Committee and that the Committee recommend that the Resolutions of Necessity (“RONs”) proceed to a hearing before the Governing Board at its January 20, 2022 regularly scheduled Board meeting:

1. Conduct public hearings to consider condemnation of real property required for the State Route 57/60 Confluence Chokepoint Relief Project (the “Project”) in the City of Diamond Bar; and
2. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-04 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Akbar Ali and Nida Ali, husband and wife as joint tenants (Assessor Parcel Number [APN] 8717-008-187) (hereinafter “Ali Property”); and
3. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-05 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: AP-Diamond Bar, LLC (Assessor Parcel Number [APN] 8281-024-053) (hereinafter “AP-Diamond Bar Property”); and
4. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-06 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Ayres-Diamond Bar, L.P. (Assessor Parcel Number [APN] 8717-001-085) (hereinafter “Ayres Property”); and
5. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-07 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: DBJ 2018, LLC. Michael W.

Rotondi and April Greiman, Trustees of the Rotondi Greiman Family Trust (Assessor Parcel Number [APN] 8717-008-039) (hereinafter “DBJ/Rotondi Property”); and

6. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-08 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Grand Diamond Bar Properties, LLC (Assessor Parcel Numbers [APNs] 8717-020-001 and 8717-020-008) (hereinafter “Grand Diamond Bar Property”); and
7. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-09 CPCC authorizing and directing General Counsel, or its designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring an interest in real property from: Tranquil Garden, LLC (Assessor Parcel Number [APN] 8717-008-189) (hereinafter “Tranquil Garden Property”).

BACKGROUND

Pursuant to the Bylaws of SGVCOG’s Governing Board, the Committee is to initially consider all resolutions of necessity (“RONs”) and determine whether to recommend that they be considered by the Governing Board. If such a recommendation is made, the RONs are then heard by the Governing Board, in this case, at its January 20, 2022 meeting. This is the first time that SGVCOG has implemented this two-step process.

By way of a cooperative agreement between Caltrans and The Los Angeles County Metropolitan Transportation Authority (“Metro”), Metro was assigned as the implementing agency for the State Route 57/60 Confluence Chokepoint Relief, Phase 1 (“Diamond Bar Golf Course Project”) and Phase 2 (“Project Interchange Improvements Project”), collectively, the “Project”. Pursuant to 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 Project. Metro serves as the implementing agency for the design phase of the State Route 57/60 Confluence Chokepoint Relief Program, while Caltrans is the lead agency under the California Environmental Quality Act (“CEQA”) and the National Environmental Policy Act (“NEPA”). A Final Environmental Impact Report under CEQA was adopted by Caltrans and a Finding of No Significant Impact under NEPA was executed by Caltrans in December of 2013.

Complex physical modifications and reconstruction to the eastbound SR-60 are the core of the State Route 57/60 interchange improvements. As shown below, the general project limits stretch from just south of the northbound State Route 57/60 merge, to eastbound SR-60 and south of the Golden Springs Drive overpass and along a portion of Grand Avenue from the City of Industry to the City of Diamond Bar. Project scope also includes constructing an eastbound on-ramp bypass lane from SR-60, constructing a new eastbound general purpose-lane on the mainline, reconfiguring Grand Avenue westbound on-ramp and eastbound on- and off-ramps, replacing the existing Grand Avenue overcrossing, constructing an eastbound SR-60 off-ramp bypass from the northbound split, and reconstructing the eastbound SR-60 Diamond Bar Blvd on-ramp.



Picture 1: Project Vicinity Map, Courtesy of Metro

Design plans and construction documents for the Interchange Improvements Project are being finalized under a separate contract and managed by Metro. In advance of procuring a construction contractor, SGVCOG is proceeding with the selection of a construction management team to provide pre-construction support, including the constructability review and cost estimates with the design team. The Invitation for Bids for construction is scheduled for release in spring 2022 with construction to begin in July 2022. The estimated time to complete the entire project is 62 months, or September 2027.

The purpose of this agenda item is to present information regarding the upcoming Hearings for Resolutions of Necessity for six (6) properties in which interests are needed for construction of the Project. SGVCOG has presented offers to each of the following property owners:

- Akbar Ali and Nida Ali, husband and wife as joint tenants
- AP-Diamond Bar, LLC
- Ayres-Diamond Bar, L.P.
- DBJ 2018, LLC, Michael Rotondi and April Greiman, Trustees of the Rotondi Greiman Family Trust
- Grand Diamond Bar Properties, LLC
- Tranquil Garden, LLC

Although negotiations are ongoing, dialogue with the property owners listed above have not yet resulted in settlements. Interests in these properties need to be acquired through eminent domain which requires compliance with a statutorily prescribed process. During the eminent domain process, SGVCOG's ROW agent will continue to negotiate with the property owners and attempt to achieve negotiated sales for the necessary property interests.

SGVCOG was formed to address projects and issues of regional significance within the San Gabriel Valley. It is authorized to acquire property by eminent domain pursuant to the Joint Powers

Exercise Act, Government Code section 6500 et seq. Pursuant to the Joint Powers Act, SGVCOG is authorized to exercise those powers which its members can exercise, including the power to acquire property by way of eminent domain to further the purposes for which SGVCOG was formed. Its members are authorized to acquire property by eminent domain pursuant to, among others, Government Code sections 6500 et seq., 7267.2, 37350.5, and 40401 et seq. and 40404, and California Code of Civil Procedure Section 1230.010 et seq., 1240.410 and 1240.020, and Section 19, Article I of the California Constitution. Eminent domain will allow SGVCOG to obtain legal rights to the property interests needed for the Project if a negotiated sale cannot be reached. A Resolution of Necessity is the first step in the eminent domain process. Since the process takes several months, it is necessary to start this process now to ensure that the property interests are obtained to meet the scheduled start of construction in July of 2022.

SUPPORT FOR RESOLUTIONS OF NECESSITY

In order to adopt the Resolutions of Necessity, SGVCOG must make four findings for each of the property interests. The issue of just compensation for these property interests is not addressed by these Resolutions of Necessity and is not to be considered at the hearings. The four necessary findings are as described below.

1. The public interest and necessity require the Project.

SGVCOG is undertaking State Route 57/60 Confluence Chokepoint Relief Project (“Project”), which is a three-phase project that will add an eastbound on-ramp bypass lane, construct a new eastbound general purpose lane, and reconfigure the Grand Avenue westbound on-ramp and eastbound on-and off-ramps, widening of Grand Avenue and reconstruction of bridge overcrossing, construction of an eastbound SR-60 off-ramp bypass, and Diamond Bar Boulevard interchange configurations to improve mobility, operation, and safety of highways users at this location. The Project boundaries are from just south of the northbound SR-57/SR-60 merge to eastbound SR-60 and south of the Golden Springs Drive overpass and along a portion of Grand Avenue from the City of Industry to the City of Diamond Bar, in the County of Los Angeles, in the State of California.

2. The Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury.

During the initial phase of the design, other options were examined. Widening the freeway on the other end was explored, but was not feasible due to the shoulder width. During the approval phase, the other options were eliminated taking into consideration the cost, physical geometric constraints, traffic disruption, construction staging issues, and environmental impacts of these alternatives. Through the use of retaining walls, the right of way impacts was minimized. The current design minimizes the property required for the Project, but still requires partial acquisitions and temporary construction easements in some areas.

3. The property interests sought to be acquired are necessary for the Project.

While some of the Project is being constructed within existing ROW, some acquisitions from the subject properties are needed to allow for existing roadway widening, bridge replacement, retaining walls, drainage systems, and required utility relocations. For the subject properties, the following ROW interests are required:

- Ali Property: An aerial easement, a permanent utility easement and a temporary construction easement are needed for construction of the proposed bridge and utility relocations
- AP-Diamond Bar Property: A partial fee interest, two permanent maintenance easements and a temporary construction easement are needed for construction of the proposed retaining wall and future maintenance.
- Ayres Property: A partial fee interest, a permanent retaining wall easement, a permanent sewer easement and three temporary construction and grading easements are needed for construction of the proposed retaining wall, sewer relocations, and grading work.
- DBJ/Rotondi Property: An aerial easement, a permanent utility easement and a temporary construction easement are needed for construction of the proposed bridge, and proposed retaining wall.
- Grand Diamond Bar Property: A permanent maintenance easement and access rights and a temporary construction easement are needed for construction of the proposed retaining wall.
- Tranquil Garden Property: A permanent utility easement is needed for construction of the proposed utility relocations.

4. Offers required by Section 7267.2 of the Government Code have been made to the owner or owners of record.

The rights needed from the properties listed below were appraised and offers for the full amount of the appraisals were made to the owner or owners of record in accordance with Section 7267.2 of the Government Code.

- The offer for the Ali Property was made on October 13, 2021
- The offer for the AP-Diamond Bar Property was made on October 13, 2021
- The offer for the Ayres Property was made on October 1, 2021
- The offer for the DBJ/Rotondi Property was made on October 1, 2021
- The offer for the Grand Diamond Bar Property was made on October 6, 2021
- The offer for the Tranquil Garden Property was made on October 1, 2021

Upon completion of the Project, SGVCOG will transfer property interests acquired for this Project to Caltrans for those real property interests that will be incorporated into the State Route 57/60 Freeway Interchange.

Questions relating to value are not relevant to this proceeding. However, that does not mean that negotiations for the acquisition of the property interests are at an end. If the Committee

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Recommendation of Resolutions of Necessity for Parcels for the SR57/60 Project (Phase II)
December 13, 2021
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recommends the RONs to move forward and the SGVCOG Governing Board adopts the RONs, after the hearing, negotiations for the acquisition of the property interests may continue.

Prepared by: 
Rene Coronel
Project Manager

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

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

[NOI – AKBAR ALI and NIDI ALI \(APN 8717-008-187\)](#)

[NOI – AP-DIAMOND BAR, LLC \(APN 8281-024-053\)](#)

[NOI – AYRES – DIAMOND BAR, L.P. \(APN 8717-001-085\)](#)

[NOI – MICHAEL W. ROTONDI/APRIL GREIMAN CO-TRUSTEES OF TH ROTONDI AND GREIMAN FAMILY TRUST \(APN 8717-008-039\)](#)

[NOI – GRAND DIAMOND BAR PROPERTIES, LLC \(APNs 8719-020-001, 8719-020-008, 8719-020-009\)](#)

[NOI – TRANQUIL GARDEN, LLC \(APN 8717-008-189\)](#)

cpcc 20211213 sr5760 ron vf

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects
Marisa Creter, Executive Director

RE: **UTILITY RELOCATION AGREEMENT WITH SOUTHERN CALIFORNIA EDISON FOR THE STATE ROUTE 57/60 CHOKEPOINT RELIEF PROGRAM PHASE 1 – DIAMOND BAR GOLF COURSE PROJECT**

RECOMMENDED ACTION

Authorize the Executive Director to execute an agreement with Southern California Edison (SCE) for relocation of existing SCE facilities for the Diamond Bar Golf Course Project, the first phase of the State Route 57/60 Confluence Chokepoint Relief Program.

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 (Diamond Bar Golf Course Project) and Phase 2 (Interchange Improvements Project).

Metro entered into an agreement with the SGVCOG on July 30, 2019 for coordination of utility relocations, acquisition of rights of way, and oversee the bid, award and construction of the State Route 57/60 Confluence Chokepoint Relief Program Phase 1 (Diamond Bar Golf Course Project) and Phase 2 (Interchange Improvements Project).

The planned modifications to the Diamond Bar Golf Course are necessary to mitigate and minimize impacts, specifically the widening of the freeway into the current golf course. The contractor will realign the golf course in order to free up approximately 10 acres of frontage for the Interchange Improvements Project. At the June 28, 2021 Capital Projects and Construction Committee, the Executive Director was authorized to award a contract for construction to Griffith Company in the bid amount of \$43,870,442 for construction of the Diamond Bar Golf Course Project. At the September 16, 2021 Governing Board meeting, the Executive Director was authorized to execute a Funding Agreement with Metro for \$91M to cover the costs of construction of the Diamond Bar Golf Course, right of way acquisitions, and utility relocations. The work to be performed by SCE will be covered by the September 16, 2021 Funding Agreement.

CURRENT ISSUES

Based on the final design plans, SCE will relocate their existing utilities onto the new alignment to make room for the Interchange Improvements Project Grand Avenue On- and Off-ramps. SCE will relocate tubular steel poles, perform undergrounding conversion, and install vaults and poles. The relocation plans have been finalized, reviewed and approved by the Designer of Record. SCE relocation work is scheduled to begin in late December 2021.

FISCAL IMPACT

All project costs for the proposed Diamond Bar Golf Course Project, including the costs for utility relocations, 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

[Attachment: Agreement DBGC SCE Agreement](#)

cpcc 2021213 dbgc sce agreement vf

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects
Marisa Creter, Executive Director

RE: **APPROVAL OF TASK ORDER NO. 4 REVISION 16 WITH MOFFATT & NICHOL FOR FINAL DESIGN: MONTEBELLO GRADE SEPARATION PROJECT**

RECOMMENDED ACTION

Authorize the Executive Director to issue Task Order No. 4 Revision 16, not to exceed (“NTE”) \$429,000, to Moffatt & Nichol (“M&N”) for providing additional final design services for the Montebello Boulevard Grade Separation Project (“Montebello Grade Separation Project”).

BACKGROUND

The Montebello Corridor Project is a project within the Alameda Corridor-East (“ACE”) program of projects. The Montebello Corridor Project will impact four of the five current at-grade rail crossings within the city of Montebello. Those are Vail Avenue, Maple Avenue, Greenwood Avenue, and Montebello Boulevard.

In June 2015, the ACE Board of Directors authorized the Chief Executive Officer to negotiate a design and engineering services contract with M&N for the Montebello Corridor Project. The Agreement and the issuance of Task Order No.1 was authorized and issued in July 2015. Task Order No. 1 was issued for conceptual design services for the corridor. At this stage, the Montebello Corridor Project concept included two (2) grade separations (at Montebello Boulevard and at Maple Avenue) and two (2) quad-safety gate improvements (at Vail Avenue and at Greenwood Avenue) to address safety concerns and traffic circulation.

Design progressed for the Montebello Corridor Project until conceptual and preliminary engineering was achieved. At this point, the Montebello Corridor Project was separated into three separate projects or sub-projects. The three projects were the Montebello Boulevard Grade Separation Project, the Maple Avenue Pedestrian Over-cross Project, and the At-Grade Crossing Safety Improvements in the City of Montebello (“At-Grade Project”). In June 2018, Task Order No. 4 was issued to M&N for the final design of the Montebello Grade Separation Project.

Design effort continued to achieve the following levels:

- Civil and Road Design: 100%
- Rail Track Design: 30% submitted and returned by Union Pacific Railroad (“UPRR”) with authorization to proceed to 90% design.
- Rail Structures Design: 60% submitted and returned by UPRR requesting that the 60% design be revised and resubmitted.

- Rail Fiber Optic Design: 100% design prepared for submittal to UPRR.

CURRENT ISSUES

UPRR's reviews of the latest submitted design produced several comments for adjustment. The majority of the comments can be addressed in the subsequent submittals. However, there were comments in two areas that were significant enough to require a substantial redesign. The first is in the track design. UPRR's comments will require that the project track limits be extended by approximately 1,300 track feet to the east and that the drainage limits be extended 500 feet to the west. The second is in the structures design. The comments received will require a redesign of the superstructure, substructure, and foundations for the rail bridge.

M&N and SGVCOG questioned the validity of these comments and requested that UPRR reconsider. However, the request was denied.

Staff is recommending approval of Task Order No. 4 Revision 16 to Moffat & Nichol in the NTE amount of \$429,000 for a revised Task Order No. 4 NTE amount of \$8,892,200.00. Approval of this Task Order Revision is time sensitive as the redesign is required in order to secure UPRR approval of the rail design as part of the railroad agreement which must be submitted by no later than June 2022 for fund allocation approval by the California Transportation Commission. State funds totaling \$83,851,000 are programmed for the Montebello project and are at risk of reverting, including \$49,000,000 from the state SB 1 trade corridor program, \$15,000,000 from the Section 190 grade separation program and \$18,851,000 from the Proposition 1B trade corridor program.

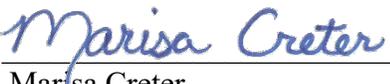
In addition to the authorization of the NTE amount of \$429,000, an additional 10% contingency allowance of \$42,900 will be budgeted for Executive Director approval to address unforeseen work or owner-initiated changes, in accordance with agency procedures. Any contract amount changes due to contract changes that exceed the Executive Director's authority will be brought back to the Committee for further consideration and approval.

FISCAL IMPACT

This task order revision will increase the estimated budget for design of the Montebello Boulevard Grade Separation Project by \$471,900, of which \$407,625 is available from the existing design engineering contingency budget to offset this increase. Staff proposes to fund the remaining balance of \$64,275 from the pending sale of surplus ACE property. Looking forward to the construction phase, staff will work with Metro staff to identify and secure funds for the ACE projects shortfall, with a priority on closing the construction phase funding gap on the Montebello and Turnbull Canyon grade separations, consistent with the Metro Board motion at the December 2, 2021 meeting. Staff notes that design engineering is a reimbursable expense under the Section 190 program and that the agreement providing \$20 million from that program for the Montebello project will be executed early next year.

Prepared by: 
Andres Ramirez, PMP
Senior Project Manager

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

Approved by: 
Marisa Creter
Executive Director
Executive Director

ATTACHMENT

[Attachment 11a: Task Order No. 4 Revision 16 With Moffatt & Nichol for Final Design: Montebello Grade Separation Project Moffat & Nichol Scope of Services](#)

[Attachment 11b: Task Order No. 4 Revision 16 With Moffatt & Nichol for Final Design: Montebello Grade Separation Project Moffat & Nichol Cost Estimate](#)

[Attachment 11c: Task Order No. 4 Revision 16 With Moffatt & Nichol for Final Design Montebello Grade Separation Task Order](#)

cpcc 20211213 mgs bridge re-design_m&n vf

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects
Marisa Creter, Executive Director

RE: TASK ORDER NO. 3 REVISION 9 WITH MOFFATT & NICHOL FOR FINAL DESIGN: AT-GRADE CROSSING SAFETY IMPROVEMENTS FOR THE MONTEBELLO CORRIDOR GRADE SEPARATION PROJECT

RECOMMENDED ACTION

Authorize the Executive Director to issue Task Order No. 3 Revision 9, not to exceed (“NTE”) \$88,500, to Moffatt & Nichol (“M&N”) for providing additional final design services for the At-Grade Crossing Safety Improvements for the Montebello Corridor Grade Separation Project (“Montebello Corridor Project”).

BACKGROUND

The Montebello Corridor Project is a project within the Alameda Corridor East (“ACE”) program of projects. The Montebello Corridor Project will impact four of the five current at-grade rail crossings within the city of Montebello. Those are Vail Avenue, Maple Avenue, Greenwood Avenue, and Montebello Boulevard.

In June 2015, the ACE Board of Directors authorized the Chief Executive Officer to negotiate a design and engineering services contract with Moffatt & Nichol for the Montebello corridor Project. The Agreement and the issuance of Task Order No.1 was authorized and issued in July 2015. Task Order No. 1 was issued for conceptual design services for the corridor. At this stage, the Montebello Corridor Project concept included two (2) grade separations (at Montebello Boulevard and at Maple Avenue) and two (2) quad-safety gate improvements (at Vail Avenue and at Greenwood Avenue) to address safety concerns and traffic circulation.

On May 17, 2016, ACE held a Community Open House Meeting at the Quiet Cannon in Montebello to provide updated progress information and solicit comments about the proposed Montebello Corridor Project. The results of this meeting and the current development of the design proposed by the City was brought back to the Montebello City Council at their meeting of July 13, 2016 for final consideration. Community feedback indicated a strong opposition to the proposed Maple Avenue grade separation based on the significant property impacts as well as the marginal benefit due to low vehicle volume at this crossing. Since the heavy pedestrian activity, particularly students, was of concern at this crossing, the Montebello City Council considered an alternate plan of building an elevated pedestrian crossing on Maple Avenue in lieu of the original proposed undercrossing. This alternative approach was approved by the Montebello City Council. It was subsequently approved by the ACE Board of Directors in July 2016.

Design progressed for the Montebello Corridor Project until conceptual and preliminary engineering was achieved. At this point, the Montebello Corridor Project was separated into three separate projects or sub-projects. The three projects were the Montebello Boulevard Grade Separation Project, the Maple Avenue Pedestrian Over-cross Project, and the At-Grade Crossing Safety Improvements in the City of Montebello (“At-Grade Project”). In May 2018, the Capital Projects and Construction Committee (“CPCC”) authorized the issuance of Task Order No. 3 to M&N for the final design of the At-Grade Project to include Vail Avenue, Maple Avenue, and Greenwood Avenue.

Under Task Order No. 3, design continued on the Vail Avenue and Greenwood Avenue crossings. Maple Avenue was not advanced and removed from the Task Order because use of the pedestrian bridge would likely be minimal unless the crossing was closed, and a cul-de-sac would require City approval. Design of the closure improvements was added to the scope of the final design of the pedestrian bridge but a Task Order was not yet issued.

CURRENT ISSUES

The City of Montebello has expressed concern that the pedestrian bridge would be underutilized and expressed disfavor with a closure of Maple Avenue. Thus, consideration is now being given to eliminating the pedestrian bridge. However, the City still wants to achieve a quiet zone within the limits of the four crossings (Vail Avenue, Maple Avenue, Greenwood Avenue, and Montebello Boulevard). Before the pedestrian bridge can be eliminated, an evaluation will need to be conducted to determine if making at-grade safety improvements to Maple Avenue in lieu of the pedestrian bridge will still achieve a quiet zone for the City.

As a first step in making this evaluation, a secondary concept design for the at-grade safety improvements at Maple Avenue will have to be prepared and a diagnostic meeting will have to be convened along the entire corridor. This Task Order revision will allow Moffat & Nichol to perform both of those tasks.

Staff is recommending approval of Task Order No. 3 Revision 9 to Moffat & Nichol in the NTE amount of \$88,500 for a revised Task Order No. 3 NTE amount of \$716,418.

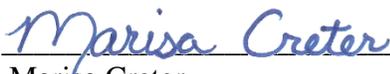
In addition to the authorization of the NTE amount of \$88,500, an additional 10% contingency allowance, or \$8,850 will be budgeted for Executive Director approval to address unforeseen work or owner-initiated changes, in accordance with agency procedures. Any contract amount changes due to contract changes that exceed the Executive Director’s authority will be brought back to the Committee for further consideration and approval.

FISCAL IMPACT

This task order revision will increase the estimated budget for design of the Montebello Boulevard Grade Separation Project by \$97,350, of which \$33,777 is available from the existing design engineering contingency budget to offset this increase. Staff proposes to fund the remaining balance of \$63,573 from the pending sale of surplus ACE property. Looking forward to the construction phase, staff will work with Metro staff to identify and secure funds for the ACE projects shortfall, with a priority on closing the construction phase funding gap on the Montebello and Turnbull Canyon grade separations, consistent with the Metro Board motion at the December 2, 2021 meeting. Staff notes that design engineering is a reimbursable expense under the Section 190 program and that the agreement providing \$20 million from that program for the Montebello project will be executed early next year.

Prepared by: 
Andres Ramirez, PMP
Senior Project Manager

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

Approved by: 
Mariša Creter
Executive Director

ATTACHMENT

[ATTACHMENT CPCC 21-12 ITEM 12 15-02 - Task Order No. 03 Rev. 9 - Final Design-At Grade-Attachment](#)

cpcc 20211213 final design at-grade_m&n vf

REPORT

DATE: December 13, 2021

TO: Capital Projects and Construction Committee Members & Alternates

FROM: Eric C. Shen, Director of Capital Projects
Marisa Creter, Executive Director

RE: APPROVAL OF COMMITTEE MEETING SCHEDULE FOR CALENDAR YEAR (CY) 2022 AND JANUARY 24, 2022 MEETING FORMAT

RECOMMENDED ACTION

Consider and approve two actions: (1) Adopt the Capital Projects and Construction Committee regular and special meeting schedule for Calendar Year 2022; and (2) Provide direction on the January 24, 2022 meeting format.

BACKGROUND

The Capital Projects and Construction Committee (CPCC) meetings are held on the fourth Monday of each month at 12:00pm-1:30pm Pacific Time with the exceptions of holidays or member scheduling conflicts. Due to the on-going threat of COVID-19, SGVCOG will continue conducting all public meetings, including the CPCC meetings via teleconferencing until the current public health advisory is lifted. In addition to the regular monthly meeting, a number of special CPCC meetings are necessary to adopt resolution for conducting remote teleconference meetings without compliance with specified Brown Act teleconference requirements. Staff is recommending the following regular and special meeting schedule for CY-2022.

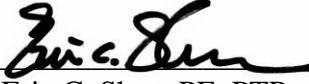
Date	Meeting Purpose	Meeting Format
January 12, 2022*	Special Meeting	Remote teleconference only
January 24, 2022**	Regular Meeting	Remote teleconference
February 11, 2022*	Special Meeting	Remote teleconference only
February 28, 2022	Regular Meeting	Remote teleconference
March 10, 2022*	Special Meeting	Remote teleconference only
March 28, 2022	Regular Meeting	Remote teleconference
April 25, 2022	Regular Meeting	Remote teleconference
May 23, 2022	Regular Meeting	Remote teleconference
June 22, 2022*	Special Meeting	Remote teleconference only
June 27, 2022	Regular Meeting	Remote teleconference
July 25, 2022	Dark for regular meeting	
August 22, 2022	Regular Meeting	To be determined
September 26, 2022	Regular Meeting	To be determined
October 24, 2022	Regular Meeting	To be determined
November 21, 2022	Regular Meeting	To be determined
December 12, 2022	Regular Meeting	To be determined

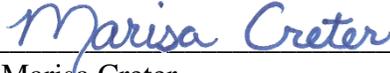
** The last day to conduct a special meeting before the previously adopted 30-day extension expires. Expected duration for the special meeting is 5-10 minutes once quorum is achieved. The exact day of the special meeting will be determined based on members' availability.*

*** If directed by CPCC, staff will set up the meeting in hybrid mode*

As requested by the Committee Chair, SGVCOG staff recently identified the Windmill Room at Diamond Bar City Hall as a suitable venue for in-person meetings, while supporting remote participation by Committee members and the public who wish to attend virtually (hybrid mode). The January 24, 2022 meeting could be conducted with the hybrid mode as a pilot exercise. Staff is seeking the Committee's direction on proceeding with the pilot hybrid mode or teleconferencing-only.

After the pilot exercise, the Committee may decide to host future regular meetings in hybrid mode at a location other than the regular in-person location at the West Covina City Hall MRC Room, 3rd Floor (1444 West Garvey Avenue South, West Covina, CA 91791). Such action would need to be formalized with a resolution.

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

Approved by: 
Marisa Creter
Executive Director

cpcc 20211213 meeting schedule 2022 vf

REPORT

DATE: December 13, 2021

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

No significant new updates to report since the last Committee meeting.

II. FUNDING

Staff will provide a brief oral report on a motion considered at the Los Angeles County Metro Board of Directors meeting on December 2 directing Metro staff to work with SGVCOG staff to explore funding opportunities and value engineering as needed to close the funding gaps on the grade separation projects at Montebello Boulevard and Turnbull Canyon Road and the at-grade crossing improvements in Pomona. The total shortfall for the three projects is estimated at \$136,000,000. Failure to move the projects into construction will jeopardize a total of \$116,851,000 in state funds for the grade separation projects.

The grade separation projects must return for funding allocation approval by the California Transportation Commission no later than June 2022 with railroad agreements, right-of-way and funding matches secured. The motion calls on the Metro CEO to report back to the Metro Board on all directives in March 2022.

Introduced by Metro Directors Solis, Hahn, Barger, Sandoval and Butts, the motion also calls on Metro staff to collaborate with SGVCOG in developing Project Labor Agreements for the two grade separation projects to prioritize construction partnerships with labor and the employment of Los Angeles County workers.

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: Kimley-Horn
Contract Category: Transit Study
Contract Number: 20-13

- Total Board approved amount to-date: \$998,990
- Maximum contingency based on Board-approved budget (10%): \$99,899
- Justifications: Change in compensation terms (T&M to Fixed Fee)
- Fiscal impact: \$0
- Total Staff-authorized amount to-date: \$0
- Total Board approved plus Staff-authorized amount: \$998,990
- Cumulative use of available contingency fund (%) = 0%

Consultant/Vendor: Riverside Construction
Contract Category: Contractor for the Durfee Ave. Grade Separation Project
Contract Number: 18-02

- Total Board approved amount to-date: \$43,957,683
- Maximum contingency based on Board-approved budget (10%): \$4,395,768
- Justifications: Contract Change Order #008
- Fiscal impact: \$447,798
- Total Staff-authorized amount to-date: \$1,058,913
- Total Board approved plus Staff-authorized amount: \$43,957,683
- Cumulative use of available contingency fund (%) = 24%

Consultant/Vendor: OHL

Contract Category: Contractor for Fairway Grade Separation Project

Contract Number: 14-01

- Total Board approved amount to-date: \$124,718,538
- Maximum contingency based on Board-approved budget (25%): \$30,762,046
- Justifications: Contract Change Order #030
- Fiscal impact: \$447,261 (CCO 030 paid with balance of restricted grant for Lemon)
- Total Staff-authorized amount to-date: \$25,169,073
- Total Board approved plus Staff-authorized amount: \$124,718,538
- Cumulative use of available contingency fund (%) = 82.8%

Consultant/Vendor: National Railroad Safety Services, Inc.

Contract Category: Contractor for the Fullerton Road Grade Separation Project

Contract Number: 21-27

- Total Executive Director approved amount to-date: \$60,000
- Maximum contingency based on Executive Director approved budget (10%): \$6,000
- Justifications: Flagging Services
- Fiscal impact: \$60,000
- Total Executive Director approved amount: \$60,000
- Cumulative use of available contingency fund (%) = 0%

V. COMMUNITY OUTREACH UPDATE

- Distributed construction alert notices regarding nighttime street restriping and electric utility work for the Fullerton Road grade separation project
- Provided a presentation to the Rowland Heights Community Coordinating Council for the Fullerton Road grade separation project
- Conducted ongoing community outreach and support activities for the Fairway Drive, Fullerton Road, Durfee Avenue, Turnbull Canyon Road and Montebello Corridor grade separation projects and the SR 57/60 Confluence Chokepoint Relief Project

Prepared by: _____


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

Approved by: _____


Marisa Creter
Executive Director