



# Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 [www.theaceproject.org](http://www.theaceproject.org)

**PLEASE NOTE  
CHANGE OF  
MEETING TIME**

## ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD OF DIRECTORS REGULAR MEETING AGENDA Monday, June 26, 2017 – 12:00 P.M. San Gabriel City Hall 425 S. Mission Drive San Gabriel, CA 91776

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Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

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

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- I. Pledge of Allegiance
- II. Roll Call and Introductions
- III. Public Comment
- IV. Approval of Special Meeting Minutes of June 5, 2017 (Pages 1 – 4) Action
- V. Chairman’s Remarks
- VI. Board Member Comments
- VII. Chief Executive Officer’s Report (Pages 5 – 6) Information
- VIII. Project Construction Progress Reports Information

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The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

IX. Approval of Annual Support Services Task Orders and Amendments for Support Services (Pages 7 – 10) Action

- Burke, Williams & Sorensen, LLC annual task order for \$512,000;
- Capital Representation Group contract amendment for \$55,000;
- David Lang & Associates annual task order for \$73,978;
- Epic Land Solutions, Inc. annual task order for \$146,424;
- HDR Engineering, Inc. annual task order for \$412,027;
- Ken Spiker & Associates contract amendment for \$50,000;
- LSA Associates, Inc. annual task order for \$983,299;
- Lee Andrews Group, Inc. annual task order for \$1,044,625;
- Lubka & White, LLP annual task order for \$75,000;
- Oliver Sandifer & Murphy annual task order for \$682,400;
- Paragon Partners, Ltd. annual task order for \$1,454,049;
- Prince Global Solutions, LP contract amendment for \$180,000;
- Stantec (formerly MWH Americas, Inc.) annual task order for \$569,463
- Vasquez and Company annual task order for \$41,541; and
- Wagner Engineering & Survey annual task order for \$63,858.

X. Presentation on ACE Small Business Enterprise Program Information

XI. Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 54956.8 for conference with real property negotiators: Possible Action

Property Address: 4754 Durfee Avenue Pico Rivera, CA



If you would like to receive the ACE Board agenda electronically, please email Amy Hanson at [ahanson@theaceproject.org](mailto:ahanson@theaceproject.org)

Agency Negotiators: Mark Mendoza, Paragon Partners, Mark Christoffels, ACE Construction Authority

Negotiating Parties: 4700-4850 Gregg Road LP, a California Limited Partnership, as to an undivided 53.5415% interest; Lola N. Grace, as Nominee for Global Communications, LP, as to an undivided 23.22925% interest and John S. Grace, as Nominee for Sheffield investments LP as to an undivided 23.22925% interest

Under Negotiation: Price and terms

XII. Adjournment

Action



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## ACE Construction Authority Board of Directors Meeting June 5, 2017 Minutes

Chairperson Costanzo called the meeting of the Board of Directors of the Alameda Corridor-East Construction Authority to order at 11:02AM at the San Gabriel City Hall Council Chambers.

1. **Pledge of Allegiance** –Vice Chair Martinez led the pledge of allegiance.

2. **Roll Call:** Chairperson Costanzo asked Mr. Christoffels to call the roll.

In attendance was:

Juli Costanzo, San Gabriel, Chair

Victoria Martinez, El Monte, Vice Chair

Barbara Messina, SGVCOG

Tim Sandoval, Pomona

Hilda Solis, LA County Board of Supervisors

### **Staff:**

Mark Christoffels, CEO

Gregory Murphy, Burke, Williams & Sorensen, legal counsel

Deanna Stanley

Amy Hanson

Charles Tsang

Genichi Kanow

Paul Hubler

Phil Balmeo

Rachel Korkos

Ricky Choi

Victoria Butler

Nathan Bocanegra

### **Guests:**

Bill Swindle, LA County Department of Public Works

David Eames, AECOM

J. Titus, Walsh Construction

John Burton, LA County Department of Public Works

Joshua Nelson, City of Industry

Talin Espinoza, Twinning, Inc.

3. **Public Comments** – There were no public comments.

4. **Approval of April 25, 2017 Board meeting minutes** – A motion was made by Vice Chair Martinez and seconded by member Sandoval to approve the April 25, 2017 regular Board meeting minutes.

M/S/C/Sandoval/Martinez/Unanimous

5. **Approval to receive and file the Finance Committee meeting minutes of April 27, 2017** – A motion was made by member Martinez and seconded by member Messina to receive and file the Finance Committee Meeting Minutes of April 27, 2017.

M/S/C/Martinez/Messina/Unanimous

6. **Chairman Remarks** – Chairman Costanzo thanked Paul Hubler for arranging and participating in Coalition for Gateway Cities in Washington. Member Martinez acknowledged the productive meetings and the importance of consistency of bringing the ACE message to Washington. She indicated the message was bringing funding for infrastructure to California.

Member Hadjinian arrived and reaffirmed that the meetings, particularly that held with the Department of Transportation was extremely productive.

7. **Board Member Comments** – There were no additional board member comments.
8. **Chief Executive Officer's Report** – Mr. Christoffels reported on the recent Safety Project of the Year award ACE received for the Nogales Street grade separation project. He also updated the Board on his meeting with a local union representative regarding project labor agreements. He indicated staff would present an overview of the ACE Small Business Enterprise (SBE) at the next meeting. Member Solis indicated both Metro and LA County are carrying community workforce investment programs. She reminded the Board this is the way to empower communities and provide career ladders with tremendous economic investments.
9. **Construction Progress Reports** – Charles Tsang reviews progress photos of the Fairway Drive grade separation project that included county storm drain line reinforce concrete box construction, retaining wall rebar and foundation wall installation for the Fairway project and foundation pour of the eastbound off ramp at Lemon Avenue. Victoria Butler reviews project progress photos of the Fullerton Road grade separation project that included the pedestrian bridge delivery, pump station construction and work at the underpass of the 60 freeway. Genichi Kanow reviews project progress photos of the Puente Avenue grade separation project that included installation of cast in drill hole piles and installation of pavement on Puente Ave. Phil Balmeo reviewed project progress photos of the San Gabriel Trench project that included pavement rehabilitation work on Del Mar, Agostino, and California Avenues and East Main Street.
10. **Hearing on Resolution of Necessity No. 17-01, 9358 Stephens Street, Pico Rivera.** – Gregory Murphy explained the process for the Resolutions of Necessity. He reminded the Board that the hearing was to determine several factors related to the necessity of the properties for the project. He indicated staff must present

evidence for the Board to find that the property was necessary for the project and was planned in the manner most compatible with the greatest public good.

Mark Mendoza reviewed the design options and evaluation criteria considered. He indicated the preferred option was building an underpass that would permit Durfee Avenue to go under the Union Pacific railroad tracks. He indicated the property at 9358 Stephens Street in Pico Rivera required a 271 square foot permanent roadway easement, a 780 square foot permanent retaining wall easement, a 3,402 square foot permanent ingress/egress easement and a 25,085 130 week temporary construction easement. Mr. Christoffels reminded the board that approval of the Resolution of Necessity would not cease negotiations but would allow staff to pursue legal actions should the parties not be able to reach an agreement.

The public comment period was opened and there were no comments. The public comment period was closed.

A motion was made by member Martinez and seconded by member Hadjinian to adopt the Resolution of Necessity No. 17-01. Mr. Christoffels called the vote:

Ayes: Costanzo, Martinez, Hadjinian, Messina, Sandoval, Solis

Nayes: None

11. **Approval of Fiscal Year 2018 Budget** – Mr. Christoffels reviewed the elements of the overall budget. He reminded the board that the current budget was expected to be \$40 million below what was approved for fiscal year 2017. He indicated the level of construction did not meet expectations with Fairway and Fullerton experiencing weather related delays. He outlined the proposed 2018 budget, which is 12% higher than the prior year's budget. Mr. Christoffels indicated he expected construction to move at a more rapid pace than last year. He reminded the board that the budget is a window of 12 months of anticipated expenditures and that funds for the current projects in construction are secure.

A motion was made to approve the ACE Fiscal Year 2018 annual budget.

M/S/C/Martinez/Solis/Unanimous

12. **Receive and File Re-Procurement of Durfee Avenue Construction Management Services** – Mr. Christoffels reported that the Durfee Avenue construction management contract was awarded to Parsons Brinckerhoff, now WSP, in 2015. He indicated construction has been delayed and the firm cannot commit to the same staffing proposed as awarded. He indicated staff has had discussions with the firm who has agreed the best course of action is to re-procure for these services. He reminded the Board that WSP is working on the Fairway project.

A motion was made to receive and file the report to re-procure construction management services for the Durfee Avenue grade separation project.

M/S/C/Hadjinian/Martinez/Unanimous

13. **Approval of Amendment to Design Services Contract with URS for the Durfee Avenue Grade Separation Project** – Mr. Christoffels reported that the scope of work for this project has changed due to design revisions to minimize the right of way impacts, necessary soil testing, new plats and legals and, additional administrative support. He indicated that the funds for this increase are available through Federal and Metro grants. He requested approval so ACE may move forward with these changes.

A motion was made to authorize Chief Executive Officer to amend the contract with URS Corporation to add \$391,605 for additional services for the Durfee Avenue grade separation, for a new contact value of \$5,992,522.

M/S/C/Solis/Martinez/Unanimous


14. **Approval of Revised Board of Directors Meeting Schedule** – Discussion ensued and after discussion a motion was made to change the regular meeting schedule time to noon.

M/S/C/Hadjinian/Martinez/Unanimous

15. **Closed Session** – Legal Counsel announced that the Board would adjourn to closed session in accordance with Government Code Section 54956 to discuss pending litigation, ACE vs. Lina Bazzarrini, et. al; LA Superior Court Case No. BC603270.

The Board returned to open session and legal counsel announced that the Board was briefed on the case and no reportable action was taken.

16. **Adjournment** – The meeting adjourned at 12:21PM in memory of former La Canada Flintridge Councilmember and long-time San Gabriel Valley Council of Governments Board member David Spence.

X 

Deanna Stanley  
Clerk of the Board



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Mark Christoffels  
Chief Executive Officer

DATE: June 26, 2017

SUBJECT: CEO Report

The following are items of note since the last meeting:

**California Freight Investment Program** – Staff attended the California Transportation Commission’s kickoff workshop on June 9 to develop guidelines for the new grant programs funded under Senate Bill 1. The new programs include the California Freight Investment Program (CFIP), which will award \$545 million in federal funds and \$300 million in annual state diesel tax revenues to projects nominated by Caltrans and local agencies. CFIP applications are due in spring 2018.

**Contracting** – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. Since my last report, I have approved the following:

Consultant/Vendor	Reason for Change	Change Amount	Total Contract Value
Griffith & Company	Nogales Street Grade Separation project: Change Order No. 12 – Anderson Sewer Connection; Anderson Sewer Connection Underground Collection System	\$246,447	\$51,590,693
Walsh Construction Co.	San Gabriel Trench Project - CCO # 31 - Street Lighting Material Upgrades	\$30,992	\$166,857,102
Walsh Construction Co.	San Gabriel Trench Project - CCO # 32 - Unforeseen Roadway Mitigations	\$500,000	\$167,357,102
Moffatt & Nichol	Amendment No. 21 - No cost, budget reallocation for Design Support Services for the San Gabriel Trench Project	\$0.00	\$29,251,155
Moffatt & Nichol	Task Order No. 3 - No cost, budget reallocation for Design Support Services for the Puente GS project	\$0.00	\$1,201,090



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

- Distributed construction alert notices regarding repaving work on San Gabriel Boulevard for the San Gabriel Trench project;
- Provided presentation at a community group meeting in Rowland Heights for the Fullerton Road project; and
- Conducted ongoing community outreach and support activities for the San Gabriel Trench, Puente Avenue, Fairway Drive and Fullerton Road grade separation projects.



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Mark Christoffels, Chief Executive Officer

DATE: June 26, 2017

SUBJECT: Approval of Annual Task Orders and Amendments for Support Services

**RECOMMENDATION:** It is recommended that the Board authorize the Chief Executive Officer to amend contracts or issue annual task orders for the following contracts for continuing support services from July 1, 2017 through June 30, 2018:

- Burke, Williams & Sorensen, LLC annual task order for \$512,000;
- Capital Representation Group contract amendment for \$55,000;
- David Lang & Associates annual task order for \$73,978;
- Epic Land Solutions, Inc. annual task order for \$146,424;
- HDR Engineering, Inc. annual task order for \$412,027;
- Ken Spiker & Associates contract amendment for \$50,000;
- LSA Associates, Inc. annual task order for \$983,299;
- Lee Andrews Group, Inc. annual task order for \$1,044,625;
- Lubka & White, LLP annual task order for \$75,000;
- Oliver Sandifer & Murphy annual task order for \$682,400;
- Paragon Partners, Ltd. annual task order for \$1,454,049;
- Prince Global Solutions, LP contract amendment for \$180,000;
- Stantec (formerly MWH Americas, Inc.) annual task order for \$569,463;
- Vasquez and Company annual task order for \$41,514; and
- Wagner Engineering & Survey annual task order for \$63,858.

These authorizations would include an overall 10% contingency allowance in accordance with normal agency procedures.

**BACKGROUND:** Continuation of contracted agency support services is necessary for FY 2018. The following is summary of work activities and proposed contract amendments/annual task orders:

- **Burke, Williams & Sorensen** – This firm provides general counsel and property acquisition legal services for the ACE project. BWS provides property acquisition legal services for Montebello, Puente, Fullerton and Durfee projects. BWS continues to assist with property acquisition matters on Fairway and San Gabriel Trench projects.

This amount will include services as ACE's General Counsel, which includes review of all pro-forma contracts and proposals, negotiation of agreements between ACE and third parties, and general Board and staff support. It is anticipated that the level of services required from this firm for these services for FY 2018 will require an annual task order in the amount of \$512,000.

- **Capital Representation Group** – This firm provides state legislative supportive services for the ACE Project. The firm provides assistance in responding to questions/information from legislators and state officials concerning the ACE Project. The firm assists in monitoring transportation related bills/legislations and regulations impacting the ACE Project and attending CTC meetings on behalf of ACE. It is anticipated that the level of services required from this firm for all of ACE's active projects will require a contract amendment in the amount of \$55,000.
- **David Lang & Associates** – David Lang & Associates is part of ACE's community outreach team, specializing in providing assistance with the Asian community outreach across all ACE's projects. It is anticipated that the level of services required from this firm for all of ACE's active projects will require an annual task order in the amount of \$73,978.
- **Epic Land Solutions, Inc.** - This firm provides property acquisition and relocation assistance services. Epic's current task order is for the Nogales (LA Sub) project. The firm's services include property acquisition, preparation of appraisals and project management. It is anticipated that the level of services required from this firm for project outgrants for the utility companies and remaining property negotiation settlements on the Nogales project will require an annual task order in the amount of \$146,424.
- **HDR Engineering** – This firm provides right of way acquisition (ROW) services for the ACE Program. HDR's project assignments will include Pomona's At Grade Crossing Safety Improvements, Montebello and Turnbull Canyon projects. HDR's scope of work includes ROW impact evaluation, third party services for appraisals and environmental investigation. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$412,027.
- **Ken Spiker & Associates, Inc.** – This firm's role includes coordination of ACE's insurance program, review of evidence of insurance provided by ACE's contractors and consultants, as well as periodic risk assessment and review of ACE's contracts relative to insurance and bond requirements. Their role also includes involvement in coordinating third party claims between ACE and its contractors. The firm will be assisting staff in responding to inquiries from proposers and bidders relevant to



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insurance requirements on future ACE procurements. It is anticipated that the level of services required from this firm for all of ACE's active projects will require a contract amendment in the amount of \$50,000. The \$50,000 budget does not include any premiums for policies.

- **LSA Associates, Inc.** – This firm provides environmental services for the ACE Project including general program management, conducting required environmental mitigation monitoring program for San Gabriel Trench, Puente, Fairway, Fullerton and Durfee projects and environmental permitting for Montebello, Turnbull and Pomona's At Grade Crossing Improvements in accordance with Federal and State regulations. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$983,299.
- **Lee Andrews Group, Inc.** – This firm provides public outreach services on a program-wide basis. Their scope consists of four full time equivalent positions to support our public information and field community outreach and the production of all public information material (project video, brochures, handouts, community events, advertising, etc.) on all active ACE projects. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$1,044,625.
- **Lubka & White, LLP** – This firm provides construction legal services including legal assistance in bid preparation, bid protests and challenges, review of agreement and bonds for construction projects anticipated to be awarded in FY 2018, as well assistance on on-call construction-related contracts and contractor claims. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$75,000.
- **Oliver Sandifer & Murphy** – This firm provides property acquisition legal services for the ACE project. OSM has been assigned with property acquisition legal services for the Nogales, Fairway and Turnbull Canyon projects. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$682,400.
- **Paragon Partners, Ltd.** – This firm provides right of way acquisition services for the ACE Program. Paragon's project assignments include the Puente, Fairway, Durfee and Fullerton projects. In addition, Paragon continues to assist with property matters on the San Gabriel Trench, Baldwin and East End/Reservoir projects. Paragon's scope of work includes third party services for appraisals, environmental investigation, closing costs for property acquisitions, relocation assistance and property management. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$1,454,049.

- **Prince Global Solutions, LP** – This firm provides assistance to the Authority for federal legislative support in Washington DC. Prince Global Solutions’ services include assisting staff in responding to questions/information from congressional members and federal officials regarding pending federal funding requests for the ACE Project. It is anticipated that the level of services required from this firm for these services will require an amendment in the amount of \$180,000.
- **Stantec (formerly MWH Americas, Inc.)** – This firm provides environmental management services during construction for ACE. These services consist of testing hazardous materials that may be encountered on the ACE project sites and other environmental assessments. MWH scope for FY 2018 includes work on Durfee, Fairway, Fullerton, Puente, San Gabriel Trench, Montebello, At-Grade Crossing Safety Improvements, Temple and Turnbull projects. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$569,463.
- **Vasquez and Company** – Vasquez and Company is our certified public accounting firm hired to conduct financial and compliance audits in preparation of all requirement management and financial reports, including the Single Audit Report on federal grant activities. It is anticipated that the level of services required from this firm will require an annual task order in the amount of \$41,514.
- **Wagner Engineering & Survey** – Wagner Engineering & Survey provides property surveys for the ACE project. Their FY 2018 scope of services includes finalize outgrants, preparation of plat maps and legal descriptions for the Nogales project and prepare land title survey for the Temple 4<sup>th</sup> Track project. It is anticipated that the level of services required from this firm for these services will require an annual task order in the amount of \$63,858.

**BUDGET IMPACT:** Funds for these contracts were included in the recently Board adopted FY 2018 budget and are being funded with various Federal, State, and local grant funds.