



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: DECEMBER 8, 2022**

**FROM: ENGINEERING**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - APPROVAL OF UTILITY AGREEMENTS WITH 1) AT&T AND 2) LOS ANGELES DEPARTMENT OF WATER AND POWER - WATER FOR THE STATE ROUTE 47/VINCENT THOMAS BRIDGE AND FRONT STREET/HARBOR BOULEVARD INTERCHANGE RECONFIGURATION PROJECT**

**SUMMARY:**

Staff requests approval of two Utility Agreements (Agreements), Agreement 1 between the City of Los Angeles Harbor Department (Harbor Department) and AT&T, Agreement 2 between the Harbor Department and LADWP-Water as part of the State Route 47/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project (Project). If approved, these Agreements will go into effect at the start of Project construction and will document operational and financial responsibilities related to the relocation of utilities within the Project development area.

Approval of the proposed Agreements would authorize the Harbor Department to make total payments of \$1,606,993 broken out as follows: \$1,031,993 to AT&T under Agreement 1, and \$575,000 to LADWP-Water under Agreement 2.

This Project has received the following grant funding: \$13,383,000 from the California Senate Bill 1 and National Highway Freight Program via the Trade Corridor Enhancement Program; \$9,880,000 from the United States Department of Transportation Maritime Administration; and \$46,440,000 from the Los Angeles County Metropolitan Transit Authority. The cost for work performed under these utility agreements are reimbursable by grant funding.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f), of the Los Angeles City CEQA Guidelines;
2. Approve Utility Agreement 1 (in substantial form as Transmittal 1) between the City of Los Angeles Harbor Department and AT&T;

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3. Approve Utility Agreement 2 (in substantial form as Transmittal 2) between the City of Los Angeles Harbor Department and LADWP-Water;
4. Authorize the Executive Director to execute and Board Secretary to attest to said Agreements for and on behalf of the Board; and
5. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background and Context: The Harbor Department is implementing the State Route 47/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project, a public project designed to, among other things, improve traffic operations and reduce vehicle delay and travel time. Under this Project, the Harbor Department proposes to relocate the existing westbound SR-47 off-ramp to land north of the Vincent Thomas Bridge at Front Street and Knoll Drive, which will allow for safer and more efficient movement of traffic through the interchange that is destined to the cruise terminal, San Pedro Waterfront development and other recreational facilities.

Presently, several communication and water lines lie within the Project development area and need to be relocated to construct a new roadway, sidewalks, streetlights, and off-ramps. To relocate these utility lines, the Harbor Department must enter into agreements with respective utility operators to document construction and cost-share responsibilities. The proposed Agreements will document these responsibilities, summarized as follows:

Agreement 1 (AT&T): Under this Agreement, the Harbor Department agrees to share in the cost of the proposed utility relocation. In exchange, AT&T will design and construct relocated facilities within the City of Los Angeles Right-of-Way.

Agreement 2 (LADWP-Water): Under this Agreement, the Harbor Department agrees to transfer funds for the relocation of LADWP-Water facilities for the subject Project. The Harbor Department also agrees to construct the proposed facility relocations on behalf of LADWP-Water. In exchange, LADWP-Water will design, permit, and inspect the utility relocations constructed by a Harbor Department contractor.

The Utility Agreements (Agreements) document the understanding between the Harbor Department and AT&T, and between the Harbor Department and LADWP-Water regarding construction and cost-share responsibilities for the relocation of utilities as part of the Project. The bases of these responsibilities are drawn from existing Freeway Master Agreement (Transmittal 3) and existing Memorandum of Understanding with the Los Angeles Department of Water and Power (Transmittal 4).

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Additionally, the Agreements cover costs up to 125% of the estimates provided. In the event the final bill exceeds 125%, Harbor Department staff will seek an amendment to said Agreements.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of Utility Agreements between the Harbor Department and AT&T, and the Harbor Department and LADWP-Water as part of the SR 47/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines. Additionally, the document assessing this project has been finalized by Caltrans as the Lead Agency.

**FINANCIAL IMPACT:**

Approval of the proposed Agreements would authorize the Harbor Department to pay AT&T, and LADWP-Water an aggregate amount of \$1,606,993 to relocate utility lines residing within the Project development area. Spending under the proposed Agreements is expected to occur as follows:

<b>Operator</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Total</b>
AT&T	\$0	\$1,031,993	\$0	<b>\$1,031,993</b>
LADWP-Water	\$150,000	\$30,000	\$395,000	<b>\$575,000</b>
<b>Total</b>	<b>\$150,000</b>	<b>\$1,061,993</b>	<b>\$395,000</b>	<b>\$1,606,993</b>

Fiscal Year (FY) 2023 funding in the amount of \$148,098.96 is available within Work Order 25334 (Architectural/Engineering Design), Center 1172, Program 000. Future fiscal year funding will be requested as part of the budget adoption process, subject to Board approval. If in any subsequent fiscal year funds are not appropriated for work required under the Agreements, the Agreement shall be terminated. However, such termination shall not relieve the parties of liability for any obligations previously incurred.

**CITY ATTORNEY:**

The Office of the City Attorney has approved the proposed Agreements in substantial form.

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**TRANSMITTALS:**

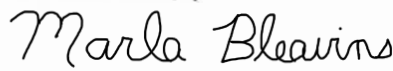
1. Utility Agreement 1 – AT&T
2. Utility Agreement 2 – LADWP Water
3. Freeway Master Contract – AT&T
4. MOU Agreement No. 1362 – LADWP Water

FIS Approval: MB  
CA Approval: SO

*For*   
DINA ARYAN-ZAHLAN, P.E.  
Chief Harbor Engineer

  
ANTONIO V. GIOIELLO, P.E.  
Deputy Executive Director

APPROVED:

 For  
EUGENE D. SEROKA  
Executive Director

Author: S. Aziz  
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