



THE PORT
OF LOS ANGELES
Executive Director's
Report to the

Board of Harbor Commissioners

DATE: JULY 25, 2023

FROM: CONSTRUCTION

SUBJECT: RESOLUTION NO. _____ - APPROVAL OF FIRST AMENDMENT TO COOPERATIVE AGREEMENT NO. 07-5257 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION TO MANAGE THE CONSTRUCTION OF THE STATE ROUTE 47(SR-47)/VINCENT THOMAS BRIDGE AND FRONT STREET/HARBOR BOULEVARD INTERCHANGE RECONFIGURATION PROJECT

SUMMARY:

Staff requests approval of First Amendment to Cooperative Agreement No. 07-5257 (Harbor Agreement No. 22-9872) (First Amendment) between the City of Los Angeles Harbor Department (Harbor Department) and the State of California Department of Transportation (Caltrans) during construction of the SR-47/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project (Project).

Cooperative Agreement No. 07-5257 defines the respective roles and responsibilities of each agency during the construction phase of the Project. This First Amendment will replace Funding Summary No. 1 with Funding Summary No. 2 to reflect latest grant amounts and overall project construction cost total. The Agreement will terminate after construction is completed and a Closure Statement is signed by all parties. The estimated cost for the construction phase of the Project is \$92,975,000.

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 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 the First Amendment to Caltrans Cooperative Agreement No. 07-5257 between the City of Los Angeles Harbor Department and the State of California Department of Transportation;

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3. Authorize the Executive Director to execute and the Board Secretary to attest to said Amendment for and on behalf of the Board;
4. Authorize the Executive Director to execute any future Amendments to account for revised project schedules, and/or increase project costs, for and on behalf of the Board, subject to the approval of the City Attorney as to form and legality; and
5. Adopt Resolution No. _____.

DISCUSSION:

Background and Context – The Project is located within the boundaries of Knoll Drive to the north, Swinford Street to the south, Front Street to the east and the I-110/SR-47 Freeway interchange to the west as shown in the site map (Transmittal 1). The Project will modify the existing on and off ramps of the SR-47/Vincent Thomas Bridge and Front Street/Harbor Boulevard interchange to improve safety, access, and efficient operation in and around the Port of Los Angeles complex.

The Project has an estimated construction phase cost of \$92,975,000. The Project was advertised on July 13, 2023, and construction is anticipated to start in February 2024. The Project has received the following grant funding: \$13,383,000 from the California Senate Bill 1 Trade Corridor Enhancement Program; \$9,880,000 from the United States Department of Transportation Maritime Administration; and \$42,520,000 from the Los Angeles County Metropolitan Transit Authority.

On November 17, 2015, the Board approved Cooperative Agreement 07-5049 between the Harbor Department and Caltrans in the amount of \$150,000, to develop the Project Study Report for the Project.

On June 15, 2017, the Board approved Cooperative Agreement No. 07-5120 between the Harbor Department and Caltrans to develop the Project Approval and Environmental Document (PA&ED) for the Project.

On November 1, 2018, the Board approved Cooperative Agreement No. 07-5164 between the Harbor Department and Caltrans to develop Plans, Specifications, and Estimates (PS&E) for the Project.

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On May 16, 2019, the Board approved Amendment No.1 to Cooperative Agreement No. 07-5164 between the Harbor Department and Caltrans to correct the name of the Environmental Document from a Categorical Exemption to a Negative Declaration/Finding of No Significant Impact.

On April 15, 2021, the Board approved the Trade Corridor Enhancement Program (TCEP) Baseline Agreement between the Harbor Department and the California Transportation Commission to receive \$13,383,000 in Senate Bill 1 TCEP funds and authorized the Environmental Management Division to file the Notice of Determination for the Project.

On July 14, 2022, the Board approved Cooperative Agreement No. 07-5257 (Harbor Agreement No. 22-9872, Transmittal 2) between the Harbor Department and Caltrans which defines the roles and responsibilities of each agency during construction of the Project.

On March 30, 2023, the Board approved the Port Infrastructure Development Program (PIDP) Grant Funding Agreement between the Harbor Department and the United States Department of Transportation Maritime Administration to receive \$9,880,000 in PIDP funds for construction of the Project.

Cooperative Agreement for Construction – Pursuant to the State of California Street and Highways Code, Sections 114 and 130, Caltrans and the Harbor Department may enter into an agreement for improvements to the state highway system within the City of Los Angeles.

Through Cooperative Agreement No. 07-5257 (Harbor Agreement No. 22-9872), Caltrans and the Harbor Department agreed to the terms and conditions under which the Project is to be constructed and financed. The Harbor Department is the sponsor of the Project and implementing agency that would construct the Project to Caltrans standards. Caltrans would provide necessary permits, clearances, and construction oversight for the Project.

First Amendment (attached in substantial form as Transmittal 3) replaces Funding Summary No. 1 in its entirety with Funding Summary No. 2 (as shown below) to reflect the latest grant amounts and overall project construction cost total. The Agreement was approved in July 2022, prior to final design of the Project and award of additional Metro grant funds. These changes are reflected in the updated tables.

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Funding Summary No. 2

<u>FUNDING TABLE</u>					
<u>IMPLEMENTING AGENCY</u> →			<u>CITY</u>		Totals
Source	Party	Fund Type	CONST. SUPPORT	CONST. CAPITAL	
STATE	CITY	Senate Bill 1 – Trade Corridor Enhancement Program (SB1-TCEP)	0	\$13,383,000	\$13,383,000
LOCAL-FEDERAL	CITY	Maritime Administration (MARAD)	0	\$9,880,000	\$ 9,880,000
LOCAL	CITY	Local/Port	\$12,189,334	\$15,002,666	\$27,192,000
LOCAL	CITY	Local (Metro)	\$ 6,459,000	\$36,061,000	\$42,520,000
Totals			\$18,648,334	\$74,326,666	\$92,975,000
<u>SPENDING SUMMARY</u>					
Fund Type	CONST. SUPPORT		CONST. CAPITAL		Totals
	CALTRANS	<u>CITY</u>	<u>CITY</u>	DFM CALTRANS	
Senate Bill 1 – Trade Corridor Enhancement Program (SB1-TCEP)	0	0	\$13,383,000	0	\$13,383,000
Maritime Administration (MARAD)	0	0	\$9,880,000	0	\$ 9,880,000
Local/Port	0	\$12,189,334	\$14,752,666	\$250,000	\$27,192,000
Local (Metro)	0	\$ 6,459,000	\$36,061,000	0	\$42,520,000
Totals	0	\$18,648,334	\$74,076,666	\$250,000	\$92,975,000

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Additionally, administrative updates to match the current Caltrans standard language have been updated in the following sections:

- ICRP Rate Section:
 - Removed language related to California Senate Bill 848 as it is no longer applicable.
 - Removed language related to STIP funding as it is not applicable to the Project. Included language related to federal funding guidelines as the Project is now federally funded.
- Signature Page:
 - Updated to include current City Attorney signature block.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of First Amendment to Cooperative Agreement No. 07-5257 with Caltrans for the Project, which is an administrative activity. The proposed action is limited to approval of the First Amendment to the Cooperative Agreement. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirement of CEQA in accordance with Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Approval of First Amendment updates the funding information under Funding Summary No. 2 of Cooperative Agreement No. 07-5257 which establishes the framework governing cooperation between the Harbor Department and Caltrans as to the construction of the Project. Funding Summary No. 2 includes aggregate grants totaling \$65,783,000; whereas, Funding Summary No. 1 had listed \$60,658,000 in aggregate grant funding for the Project.

Approval of the First Amendment does not obligate the Harbor Department to construct the Project. The total cost for the construction phase of the Project is currently estimated at \$92,975,000. Any commitment of Harbor Department funds to construct the Project will be requested in a separate and future Board action.

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CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the proposed First Amendment in substantial format as to form and legality.

TRANSMITTALS:

1. Project Vicinity Map
2. Harbor Agreement No. 22-9872
3. First Amendment to Caltrans Cooperative Agreement No. 07-5257 between the City of Los Angeles Harbor Department and California Department of Transportation

FIS Approval: JS
CA Approval: kfm

Mark Rose
for SHAUN SHAHRESTANI
Chief Harbor Engineer

Michael DiBernardo
MICHAEL DIBERNARDO
Deputy Executive Director
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APPROVED:

Marla Bleavins For
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