

U.S. DEPARTMENT OF TRANSPORTATION

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2022 RAISE GRANT PROGRAM**

MARAD FY 2022 RAISE Grant No. 693JF72340016

7069MF143O 2024 1MS2340016 0000150000 41010 61006600 — \$20,000,000

This agreement is between the United States Department of Transportation (the “USDOT”) and Los Angeles, City of¹ (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a RAISE Grant for the Maritime Support Facility Access/Terminal Island Rail System Grade Separation.

The parties therefore agree to the following:

**ARTICLE 1
GENERAL TERMS AND CONDITIONS.**

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program: MARAD Projects,” dated October 23, 2023, which is available at <https://www.transportation.gov/policy-initiatives/raise/raise-grant-agreements>. The General Terms and Conditions reference the information contained in the schedules to this agreement. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions.
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, terminating of the RAISE Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the USDOT the RAISE Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

¹ The Recipient is referred to here as “Los Angeles, City of” because that is the name associated with the Recipient’s unique entity identifier, as required by 2 CFR 200.211(b)(1), but the rest of this agreement will refer to the Recipient by its legal name, “City of Los Angeles-Harbor Department (Port of Los Angeles)”

ARTICLE 2
SPECIAL TERMS AND CONDITIONS.

There are no special terms for this award.

**SCHEDULE A
ADMINISTRATIVE INFORMATION**

1. Application.

Application Title: Port of Los Angeles National Multimodal Freight Network Improvement Program - Maritime Support Facility Access/Terminal Island Rail System Grade Separation

Application Date: April 14, 2022

2. Recipient's Unique Entity Identifier.

Recipient's Unique Entity Identifier: TYUJZWJ8N568

3. Recipient Contact(s).

Chris Brown
Chief Harbor Engineer
City of Los Angeles-Harbor Department (Port of Los Angeles)
425 S. Palos Verdes Street
P.O. Box 151
San Pedro, CA 90731-0151
(310) 732-3666
cbrown@portla.org

4. Recipient Key Personnel.

None.

5. USDOT Project Contact(s).

Kelly Mitchell-Carroll
Grants and Cooperative Agreements Officer
DOT Maritime Administration
1200 New Jersey Ave, SE
Washington, DC 20590
MAR-380
W26-422
Mailstop 5
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and

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DOT – Maritime Administration

1200 New Jersey Ave, SE
Washington, DC 20590
MAR-510
W21-226
Mailstop 3
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david.bohnet@dot.gov

6. Payment System.

USDOT Payment System: Delphi eInvoicing System

7. Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: None

8. Federal Award Identification Number.

Federal Award Identification Number: 693JF72340016

**SCHEDULE B
PROJECT ACTIVITIES**

0. General Project Description.

The project will construct a four-lane, rail-roadway grade separation that will eliminate a significant truck access impediment to an important container terminal support facility located on Terminal Island, at the centroid of the Port of Los Angeles-Long Beach (POLA-POLB).

1. Statement of Work.

The project will construct a four-lane, grade-separated roadway over the POLA mainline rail tracks connecting Terminal Way, Ferry Street, and Pier 300 to the Terminal Island Maritime Support Facility without impeded access, and includes the following activities:

1. Construction/Contingency

- a) Site preparation of approximately 7-acres, including clearing, grubbing, and grading
- b) Utility removals/relocations
- c) Site excavation
- d) Construction of retaining walls
- e) Construction of a grade separation roadway structure of approximately 2000 feet
- f) Intersection modifications, including traffic signal and street lighting improvements
- g) Paving and striping
- h) Storm drain improvements
- i) Landscaping

2. Construction Management

3. Architectural & Engineering

2. Documents Describing Mitigation Activities.

None

**SCHEDULE C
AWARD DATES AND PROJECT SCHEDULE**

0. Award Dates.

Budget Period End Date: April 30, 2029

Period of Performance End Date: March 31, 2032

1. Estimated Project Schedule.

Milestone	Schedule Date
Plan, Specification, & Estimate (PS&E) Approval Date	December 31, 2025
Planned Construction Start Date	July 1, 2026
Planned Construction Substantial Completion Date	June 30, 2028

2. Special Milestone Deadlines.

None.

**SCHEDULE D
AWARD AND PROJECT FINANCIAL INFORMATION**

0. Award Amount.

RAISE Grant Amount: \$20,000,000

1. Federal Obligation Information.

Federal Obligation Type: Single

2. Approved Project Budget.

Eligible Project Costs

	Construction / Contingency	Construction Management	Architectural & Engineering	Total
RAISE Funds:	\$16,501,188	\$2,530,000	\$968,812	\$20,000,000
Non-Federal Funds:	\$16,112,812	\$2,196,000	\$968,812	\$19,277,624
Total	\$32,614,000	\$4,726,000	\$1,937,624	\$39,277,624

3. Cost Classification Table.

Cost Classification	Total Costs	Non-RAISE Previously Incurred Costs	Eligible Costs
Land, structures, rights-of-way, appraisals, etc. (Environmental)	\$56,889	\$56,889	\$0
Architectural and engineering fees	\$2,273,111	\$335,487	\$1,937,624
Construction Management	\$4,726,000		\$4,726,000
Construction	31,274,000		\$31,274,000
Contingency	\$1,340,000		\$1,340,000
Project Total	\$39,670,000	\$392,376	\$39,277,624

4. Approved Pre-award Costs

None. The USDOT has not approved under this award any pre-award costs under 2 C.F.R. 200.458. Because unapproved costs incurred before the date of this agreement are not allowable costs under this award, the USDOT will neither reimburse those costs under this award nor consider them as a non-Federal cost sharing contribution to this award. Costs incurred before the date of this agreement are allowable costs under this award only if approved in writing by USDOT before being included in the Project costs and documented in this section 5. See section 13.3(b) of the General Terms and Conditions.

**SCHEDULE E
PROJECT ACTIVITIES**

Scope: None.

Schedule: The original schedule for the start of construction has slipped by 21 months due to delays getting NEPA completed, procurement of a designer, and the grant agreement executed. The construction duration also increased to 24 months to account for procurement of long-lead items. Long-lead items include electrical infrastructure and equipment.

Milestone	Original Schedule	Current Schedule
Plan, Specification, & Estimate (PS&E) Approval Date	March 31, 2024	December 31, 2025
Planned Construction Start Date	October 1, 2024	July 1, 2026
Planned Construction Substantial Completion Date	June 30, 2026	June 30, 2028

Budget: The total project cost increased by \$140,000 due to normal budget changes as costs were more precisely estimated. Previously incurred costs listed below for \$392,376 are the result of required preliminary design and engineering needed for environmental NEPA efforts and procurement of design services. These costs can count as previously incurred costs towards the voluntary cost share because they were incurred after grant selection, were outlined in the grant application, were for preconstruction activities, and comply with all Federal requirements.

The table below provides a summary comparison of the Project budget.

Fund Source	Application		Schedule D	
	\$	%	\$	%
Previously Incurred Costs				
Federal Funds				
Non-Federal Funds			\$392,376	
Total Previously Incurred Costs			\$392,376	1%
Future Eligible Project Costs				
RAISE Funds	\$24,850,000	70%	\$20,000,000	50%
Other Federal Funds				
Non-Federal Funds	\$14,680,000	30%	\$19,277,624	49%
Total Future Eligible Project Costs		100%	\$39,277,624	100%
Total Project Costs	\$39,530,000	100%	\$39,670,000	100%

**SCHEDULE F
RAISE PROGRAM DESIGNATIONS**

0. Urban or Rural Designation.

Urban-Rural Designation: Urban

1. Capital or Planning Designation.

Capital-Planning Designation: Capital

2. Historically Disadvantaged Community or Area of Persistent Poverty Designation.

HDC or APP Designation: No

3. Funding Act.

Funding Act: IJJA

**SCHEDULE G
RAISE PERFORMANCE MEASUREMENT INFORMATION**

Study Area: Terminal Island – Ferry Street & Terminal Way Intersection

Baseline Measurement Date: July 1, 2025 – June 30, 2026

Baseline Report Date: September 30, 2026

Table 1: Performance Measure Table

Measure	Category and Description	Measurement Frequency
Rail Track Grade Separation	<p style="text-align: center;">Economic Competitiveness, Safety</p> <p>The number of automobile crossings that are eliminated at an at-grade crossing as a result of a new grade separation.</p>	Quarterly
Severe Crashes	<p style="text-align: center;">Safety</p> <p style="text-align: center;">Total Severe Crashes per Year</p>	Quarterly

**SCHEDULE H
CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS**

0. Consideration of Climate Change and Environmental Justice Impacts.

The Recipient states that rows marked with “X” in the following table are accurate:

	The Project directly supports a Local/Regional/State Climate Action Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Equitable Development Plan that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Project directly supports a Local/Regional/State Energy Baseline Study that results in lower greenhouse gas emissions. <i>(Identify the plan in the supporting narrative below.)</i>
	The Recipient or a project partner used environmental justice tools, such as the EJSCREEN, to minimize adverse impacts of the Project on environmental justice communities. <i>(Identify the tool(s) in the supporting narrative below.)</i>
	The Project supports a modal shift in freight or passenger movement to reduce emissions or reduce induced travel demand. <i>(Describe that shift in the supporting narrative below.)</i>
	The Project utilizes demand management strategies to reduce congestion, induced travel demand, and greenhouse gas emissions. <i>(Describe those strategies in the supporting narrative below.)</i>
	The Project incorporates electrification infrastructure, zero-emission vehicle infrastructure, or both. <i>(Describe the incorporated infrastructure in the supporting narrative below.)</i>
	The Project supports the installation of electric vehicle charging stations. <i>(Describe that support in the supporting narrative below.)</i>
	The Project promotes energy efficiency. <i>(Describe how in the supporting narrative below.)</i>
	The Project serves the renewable energy supply chain. <i>(Describe how in the supporting narrative below.)</i>
X	The Project improves disaster preparedness and resiliency <i>(Describe how in the supporting narrative below.)</i>

	The Project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, such as through reduction in Clean Air Act criteria pollutants and greenhouse gases, improved stormwater management, or improved habitat connectivity. <i>(Describe how in the supporting narrative below.)</i>
	The Project repairs existing dilapidated or idle infrastructure that is currently causing environmental harm. <i>(Describe that infrastructure in the supporting narrative below.)</i>
	The Project supports or incorporates the construction of energy- and location-efficient buildings. <i>(Describe how in the supporting narrative below.)</i>
	The Project includes recycling of materials, use of materials known to reduce or reverse carbon emissions, or both. <i>(Describe the materials in the supporting narrative below.)</i>
	The Recipient has taken other actions to consider climate change and environmental justice impacts of the Project. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions to consider climate change and environmental justice impacts of the Project but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions to consider climate change and environmental justice impacts of the Project and will not take those actions under this award.

1. Supporting Narrative.

The grade separation project enhances disaster preparedness by facilitating unimpeded access to the site, ensuring seamless deployment of emergency response teams and resources during critical situations, thereby minimizing response time and optimizing overall disaster management capabilities.

**SCHEDULE I
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

0. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

	A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i>
X	The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i>
	The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i>
	The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award.

2. Supporting Narrative.

The City of Los Angeles actively implements an Equity and Inclusion Program for infrastructure projects, promoting racial equity through diverse procurement, material sourcing, and inclusive hiring practices for the grade separation project including adherence to Small Business Enterprise (SBE) and Very Small Business Enterprise (VSBE).

**SCHEDULE J
LABOR AND WORK**

0. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

X	The Recipient or a project partner has adopted the use of project labor agreements in the overall delivery and implementation of the Project. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of local and economic hiring preferences in the overall delivery and implementation of the Project, subject to all applicable State and local laws, policies, and procedures. <i>(Describe the relevant provisions in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted the use of registered apprenticeships in the overall delivery and implementation of the Project. <i>(Describe the use of registered apprenticeship in the supporting narrative below.)</i>
	The Recipient or a project partner will provide training and placement programs for underrepresented workers in the overall delivery and implementation of the Project. <i>(Describe the training programs in the supporting narrative below.)</i>
	The Recipient or a project partner will support free and fair choice to join a union in the overall delivery and implementation of the Project by investing in workforce development services offered by labor-management training partnerships or setting expectations for contractors to develop labor-management training programs. <i>(Describe the workforce development services offered by labor-management training partnerships in the supporting narrative below.)</i>
	The Recipient or a project partner will provide supportive services and cash assistance to address systemic barriers to employment to be able to participate and thrive in training and employment, including childcare, emergency cash assistance for items such as tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking. <i>(Describe the supportive services and/or cash assistance provided to trainees and employees in the supporting narrative below.)</i>

	<p>The Recipient or a project partner has documented agreements or ordinances in place to hire from certain workforce programs that serve underrepresented groups. <i>(Identify the relevant agreements and describe the scope of activities they cover in the supporting narrative below.)</i></p>
	<p>The Recipient or a project partner participates in a State/Regional/Local comprehensive plan to promote equal opportunity, including removing barriers to hire and preventing harassment on work sites, and that plan demonstrates action to create an inclusive environment with a commitment to equal opportunity, including:</p> <ul style="list-style-type: none"> a. affirmative efforts to remove barriers to equal employment opportunity above and beyond complying with Federal law; b. proactive partnerships with the U.S. Department of Labor’s Office of Federal Contract Compliance Programs to promote compliance with EO 11246 Equal Employment Opportunity requirements; c. no discriminatory use of criminal background screens and affirmative steps to recruit and include those with former justice involvement, in accordance with the Fair Chance Act and equal opportunity requirements; d. efforts to prevent harassment based on race, color, religion, sex, sexual orientation, gender identity, and national origin; e. training on anti-harassment and third-party reporting procedures covering employees and contractors; and f. maintaining robust anti-retaliation measures covering employees and contractors. <p><i>(Describe the equal opportunity plan in the supporting narrative below.)</i></p>
	<p>The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i></p>
	<p>The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i></p>
	<p>The Recipient has not taken actions related to the Project to improving good-paying jobs and strong labor standards and will not take those actions under this award.</p>

1. Supporting Narrative.

The City of Los Angeles, Harbor Department is party to a Project Labor Agreement (PLA) with Los Angeles/Orange Counties Building and Construction Trades Council Affiliated with the Building & Construction Trades Department (AFL-CIO) Craft International Unions and any other craft labor Unions signatory to the PLA.

The PLA applies to all contractors/subcontractors/employers performing construction work on CIP construction contracts awarded by the Board of Harbor Commissioners.

RECIPIENT SIGNATURE PAGE

The Recipient, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

LOS ANGELES, CITY OF (ALSO KNOWN AS CITY OF
LOS ANGELES) BY ITS BOARD OF HARBOR
COMMISSIONERS

_____ By: _____
Date

EUGENE D. SEROKA, Executive Director

_____ Attest: _____
Date

AMBER M. KLESGES, Board Secretary

APPROVED AS TO FORM AND
LEGALITY:

HYDEE FELDSTEIN SOTO, City Attorney
STEVE OTERA, General Counsel

8-7-24 _____ By: _____
Date

Minah Park,, Deputy City Attorney

USDOT SIGNATURE PAGE

The USDOT, intending to be legally bound, is signing this agreement on the date stated opposite that party's signature.

UNITED STATES DEPARTMENT OF
TRANSPORTATION

_____	By: _____
Date	Signature of USDOT's Authorized Representative

	Name

	Title