



Agenda Report

TO: City Council

DATE: August 6, 2001

FROM: City Manager

SUBJECT: Approval of Master Cooperative Agreement with the Los Angeles to Pasadena Metro Blue Line Construction Authority

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached Resolution to approve the Master Cooperative Agreement with the Los Angeles to Pasadena Metro Blue Line Construction Authority;
2. Authorize the City Manager to execute said agreement; and
3. Authorize the City Clerk to attest and place the City seal on said agreement.

BACKGROUND:

The construction of the Light Rail Transit Project in the City requires that the City enter into a Master Cooperative Agreement between the City of Pasadena and the Los Angeles to Pasadena Metro Blue Line Construction Authority. This agreement formally establishes the terms of Light Rail construction in the City. The agreement will establish various terms of inspection, reimbursements and credits, procedures for work orders and reimbursement billings by the City, and various other miscellaneous provisions associated with an agreement of this type. The City of Pasadena previously had an executed Master Cooperative Agreement with the Metropolitan Transportation Authority which was essentially the same.

The Agreement specifies the procedures that the Authority and the City will follow in implementing their respective roles and specifies the manner in which the City will be reimbursed for its costs related to the activities and work it will perform as part of this Agreement. Both the Authority and the City agree that each will cooperate and coordinate with the other in all activities covered by this Agreement and any other supplemental agreement.

The Agreement details:

- How the scope and definitions are used in the Agreement;
- How the design review and construction of the project will be handled
- How needed authorizations and property rights will proceed
- How reimbursement to the City for work performed for the Authority through work authorizations and billings will proceed

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- How disputes will be resolved
- How City requested betterments will be handled
- How indemnifications and warranties will be done and includes normal agreement miscellaneous provisions required and legal language

Some points or items of particular interest are:

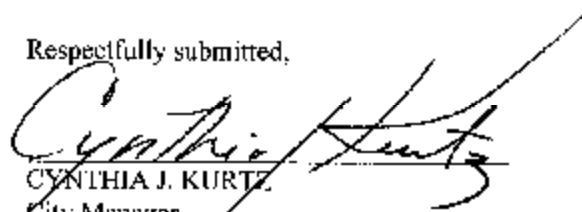
- The City will be fully reimbursed for work performed for the Authority
- The Authority, through its contractors, must obtain permits from the City for all work on City right of way and for work affecting adjoining private property
- Defines the City's role in Community Outreach
- Any necessary street closures must be approved by the City
- The City will receive equal treatment in upgrades provided by the Authority
- The City may inspect and observe work done by the Authority.
- Special events are to be recognized by the Authority.
- Work between December 15 to January 5 will not be allowed without approval of the City.
- Any night or weekend work must be approved by the City.
- The business impacts will be mitigated to the extent possible.

There have been a number of meetings between the staffs of both the City and the Los Angeles to Pasadena Metro Blue Line Construction Authority in order to arrive at terms of an agreement that would be acceptable to both. An agreement has been reached and is now ready for Council approval.

FISCAL IMPACT:

The approval of this agreement will not result in a fiscal impact on the City. City expenses for work requested by the Los Angeles to Pasadena Metro Blue Line Construction Authority on this project will be reimbursed by the Los Angeles to Pasadena Metro Blue Line Construction Authority. Improvements beyond the scope of this project requested by the City will be paid from the Prop A/C Reserved for Future Projects account. There is currently an unappropriated balance of \$8,309,259 in this account. Appropriations for funds to carry out such additional work will be presented separately to the Council for approval.

Respectfully submitted,



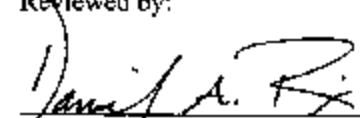
CYNTHIA J. KURTZ
City Manager

Prepared by:



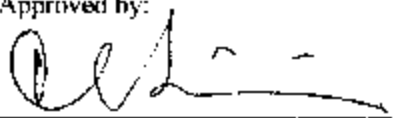
JOHN JONTIG, Manager
Light Rail Project

Reviewed by:



DANIEL A. RIX
City Engineer

Approved by:



C. BERNARD GILPIN, Director
Public Works and Transportation Dept.