



**Metro**

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Metropolitan Transportation Authority

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July 27, 2022

Erick Lee  
Public Works Director  
City of Manhattan Beach  
Engineering Division – Public Works  
3621 Bell Avenue,  
Manhattan Beach, CA 90266

RE: MR312.87 – Manhattan Beach at Peck Ave Signal Improvements – Letter of No Prejudice for Expenditure of Local Funds

Dear Mr.Lee :

This is in response to the City of Manhattan Beach's (the "City") request for a Letter of No Prejudice for Measure R and additional Measure M Multi-Year Subregional Program (MSP) funds.

This Letter of No Prejudice will allow the City of Manhattan Beach (the "Grantee") to spend its local funds for the Manhattan Beach Boulevard at Peck Ave Signal Improvements (the "Project") prior to execution of a Measure R Funding Agreement (FA) with the understanding of an agreement to the following:

- Uncertainty in transportation revenues and costs prevents LACMTA from guaranteeing that the Measure R funds planned for the Project will be available to the Grantee at a specific time. Accordingly, any work and related local expenditures that the Grantee makes under this Letter of No Prejudice, is undertaken solely at the risk of the Grantee, as LACMTA cannot guarantee the availability of funds as programmed. LACMTA shall have no responsibility or obligation to fund the Project based on anything contained in this letter.
- The Grantee understands and agrees that should the Grantee choose to initiate any work under this Letter of No Prejudice, it in no way implies or assures that the Project will be given a higher priority by LACMTA in the assignment of available funds over other projects within the Measure R program.

With this understanding, if the Grantee still desires to go forward with the Project at this time, LACMTA agrees that if the Grantee chooses to spend local funds in an amount up to \$100,000 for the scope of work contained in Attachment A, which is the construction phase of the Project, then such funds shall be considered eligible local expenditures contingent upon meeting the following conditions:

- LACMTA shall consider expenditures in an amount up to \$100,000 as local expenditures for the Project effective as of the date of this letter.
- All expenses made prior to the execution of the FA and as of the date of this letter must be fully documented, in compliance with the scope of the Project approved by the LACMTA Board, and directly attributable to the Project tasks described in the scope and schedule submitted and attached to this letter as Attachment A.
- The Grantee understands that funds are subject to programming by the LACMTA Board, and no guarantee is made as to when such funds will be available for the Grantee's use;

- Upon commencement of local expenditures, the Grantee shall submit Quarterly Progress/Expense Reports consistent with the Measure R Highway Subregional Funding Agreement;
- Any local expenditures incurred under this Letter of No Prejudice will be audited and any expenses found not to be in compliance with the terms and conditions of the FA will be disallowed;
- The Grantee will comply with LACMTA's Funding Agreement - Funding Recipient Communications Guidelines including installing signage and media notification, etc.; and
- The indemnity requirements as provided in the FA shall apply to any local match funds expended as described in this letter.

If the Grantee fails to meet the above conditions, this letter shall be void and not binding upon LACMTA. Nothing in the letter is intended to or shall be construed to allow the Grantee to spend Measure R funds.

Additionally, Metro is committed to seek approval to program the additional construction funds for the project as part of the next South Bay Measure M MSP annual update. Upon the Metro Board's approval, we will execute amendments to allocate the additional funds. If necessary, we can also evaluate the need to execute a Letter of No Prejudice at a future date.

If you should have any questions regarding the terms and conditions of this Letter of No Prejudice, please contact Isidro Panuco, LACMTA's Project Manager, at (213) 547-4372 or email at [PanucoI@metro.net](mailto:PanucoI@metro.net).

Sincerely,



James de la Loza  
Chief Planning Officer

Attachment A – Project Scope of Work, Schedule, and Funding Plan

cc: Ernesto Chaves  
Fanny Pan  
Isidro Panuco



## ATTACHMENT A - SCOPE OF WORK

### PROJECT NAME:

Manhattan Beach Boulevard and Peck Avenue Traffic Signal Improvement Project

### PROJECT LOCATION/LIMITS/AREA:

The project is located at the intersection of Manhattan Beach Boulevard (MBB) and Peck Avenue in the City of Manhattan Beach, within half mile of the State Highway in the main traffic corridor area. This project is located at the intersection of MBB and Peck Avenue, within half mile of the State Highway Route 1, in the main traffic corridor areas. The project is also within two miles of the San Diego Freeway (I-405).

### PROJECT DESCRIPTION INCLUDING MULTI-YEAR SUBREGIONAL PROGRAM AND PROJECT NEXUS:

The proposed improvement includes addition of the westbound and eastbound left-turn signal phase, which will reduce the conflicts between the through traffic and the left turn movements, therefore reduce the potential vehicular accidents and improve the traffic progression along MBB, a major thoroughfare of the City. Also, the proposed improvement will prohibit the large sized vehicles to travel along Peck Avenue due to a slope up to 20% south of MBB, and provide a smooth intersection interface, therefore reduce the interruption to the regular traffic flow.

Meadows Elementary School, Manhattan Beach Preschool, Middle School, Botanical Garden, Community Center, and Polliwog Park are within walking distance from the intersection of MBB/Peck, which involves major school activity related trips, and attracts local and regional visitors for their recreational facilities, including swimming pool, amphitheater, lake, playground, disc golf and pond, etc. The added safety feature by the proposed project will encourage more pedestrian/bicycle usage crossing this intersection, which in turn will improve the air quality and reduce the greenhouse gas emissions.

### PROJECT FUNDING:

COMPONENT	AMOUNT
PA/ED	\$ 000,000
PS&E	\$ 000,000
R/W	\$ 000,000
Construction Support	\$ 100,000
Construction Capital	\$ 000,000
Total Budget	\$100,000

### SCOPE:

The purpose of this project is to completely upgrade the existing 25-year old traffic signal system to add protected westbound and eastbound left-turn signal phases and re-profile the intersection pavement to minimize adverse grade situation. The scope of the project includes replacement of all 5 existing traffic signal poles and installation of 8 new poles, two with mast arms for left turn arrows, which would require new traffic signal electrical wiring/conduit and replacement of the existing traffic signal cabinet with Advanced Transportation Controllers (ATC) and Video (Detection)

Management Systems (VMS) capable of communicating via advanced fiber network along with Battery Backup Systems (BBS).

Any related miscellaneous curb & gutter, curb ramp ADA features, driveway approach, restriping, markings, signage including large vehicle restriction signage, landscape/irrigation restoration will also be a part of the scope of work of this project. The boundary area affected by removal of old striping will require a Type II Slurry Seal and new striping, signage and markings where applicable. The project will also address and mitigate the occurrences of large vehicles stuck at the south leg of the intersection due to the adverse grades.

The City Council awarded a design engineering service agreement on November 17, 2020, to a consultant to assist the City with the intersection improvement design. In October 2021, the design plans were finished, and the project is ready for bid for the construction phase.

### CONSTRUCTION:

Grantee expects to provide construction oversight, procure a consultant for construction management, award a contract for construction and to perform the following tasks:

- A. Contract with a separate engineering firm to provide Construction Management for the Project. This will be accomplished through an RFP.
- B. Contract with a Contractor for construction.

The Design Consultant shall meet as needed with the Grantee to accomplish Project tasks as outlined. Meetings expected between the Consultant and Grantee shall include, but not be limited to, Pre-Construction Meeting, progress meetings and preparation of responses to RFIs.

### MILESTONES:

	START DATE	COMPLETION DATE
<b>Solicitation (Bid/Proposal)</b>	October 2021	September 2022
Develop Solicitation Package		
Solicitation Response		
Evaluations		
Selection		
Board Approval Process		
Contract Award		
Fully Executed Contract		
<b>Excavation</b>	January 2023	December 2023
Clear/Grub		
Survey		
Sample Borings		
Grading		
Compaction		
Drainage		
<b>Environmental</b>	January 2023	December 2023
Hazardous Materials Handling		
Archaeological		
Air Quality Monitoring		
<b>Concrete</b>	January 2023	December 2023

Form Work		
Rebar Placement		
Pole Placement		
<b>Traffic Control</b>	January 2023	December 2023
TMP		
<b>Structural</b>	January 2023	December 2023
False Work		
Iron Placement		
Pole Placement		
<b>Utilities</b>	January 2023	December 2023
DWP		
SCE		
LADOT		
<b>Materials</b>	January 2023	December 2023
Long-Lead Equipment		
Staging		
Material Lay Down Area		
Signage		
<b>Electrical</b>	January 2023	December 2023
Power U/G Communication		
A/G Testing/Acceptance		

	START DATE	COMPLETION DATE
<b>Landscape</b>	October 2023	December 2023
Clearing		
Planting		
Plant Establishment		
Irrigation		
Testing		
General Construction/close out project		December 2023
<b>Change Orders</b>	January 2023	December 2023
P.O. Processing Time		
Weather		
Third Party Issues		
Strike Labor Walk Outs		
Force Majeure		
Claims		

PROJECT MAP:

