

Thursday, July 15, 2010 1:00 P.M.

CORRECTED Agenda

Operations Committee Meeting

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

John Fasana, Chair
Michael Antonovich, Vice Chair
Pam O'Connor
Mark Ridley-Thomas
Rita Robinson

Officers

Arthur T. Leahy, Chief Executive
Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
Karen Gorman, Acting Inspector
General
County Counsel, General Counsel



Los Angeles County
Metropolitan Transportation Authority

Metro[™]

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.metro.net

TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

1. RECEIVE the **Transit Operations report**.

* **APPROVE CONSENT CALENDAR ITEMS 2 AND 3**

2. CONSIDER:

- A. finding that there is only a single source of procurement to **upgrade the existing Supervisory Control and Data Acquisition (SCADA) System to include the Metro Exposition Light Rail Transit Project (Expo)-Phase 1**. The Board hereby authorizes purchase of the software for the sole purpose of upgrading the system already in use;
- B. authorizing the Chief Executive Officer to negotiate and award a firm, fixed price Contract, No. OP39622521 to ARINC Inc. in an amount not to exceed \$1.7 million, effective August 1, 2010; and
- C. amending the Fiscal Year 2011 budget to add \$300,000 to Project 800113, Expo Phase 1, using approved Exposition Metro Line Construction Authority funding.

(REQUIRES A 2/3 VOTE OF THE BOARD)

3. AUTHORIZE the Chief Executive Officer to execute Modification No. 5 to Contract No. PS8310-1267 with **LTK Engineering Services to provide rail consulting services** for a period of six months in the amount of \$1,129,796 increasing the Total Not-To-Exceed Contract Amount from \$12,456,153 to \$13,585,949.

* END CONSENT CALENDAR

4. ADOPT the **Blue Ribbon Committee's proposed policy guidance** for service development in the region.

5. RECEIVE AND FILE report on the evaluation of **poor performing bus lines**.

(CARRIED OVER FROM JUNE 24 REGULAR BOARD)

6. CONSIDER:

- A. finding that there is only a single source of procurement for **Cummins 8.9 ISLG natural gas engines** and purchase is for the sole purpose of duplicating our existing equipment already in use. The Board hereby authorizes the purchase of Cummins 8.9 ISLG natural gas engines pursuant to Public Utilities Commission Code section 130237.
- B. authorizing the Chief Executive Officer to:
 - 1. award a firm fixed price contract to Cummins Cal Pacific, LLC, for the procurement of 100 Cummins 8.9 ISLG natural gas engines for an amount not to exceed \$4,168,952 inclusive of sales tax;
 - 2. exercise an option with Cummins Cal Pacific, LLC to purchase up to 131 additional 8.9 ISLG natural gas engines subject to availability of funding for an amount not to exceed \$5,679,014 inclusive of sales tax.

(REQUIRES A 2/3 VOTE OF THE BOARD)

- 7. AUTHORIZE the Chief Executive Officer to award a 36-month, indefinite delivery/indefinite quantity, firm fixed price contract under Bid Number 10-0034 to the following lowest responsive and responsible bidders for **spark plugs and wires** for an amount not to exceed \$4,810,349 inclusive of sales tax and two one-year options as follows:
 - A. Muncie Reclamation and Supply for line item #1 (Item 137224 – Plug - Spark CNG Detroit Series 50 engine) and line item #2 (Item 143080 – Plug - Spark CNG S50G) for a total contract value of \$1,219,993 inclusive of sales tax; and

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- B. Cummins Cal Pacific for line item #3 (Item 180199 – Plug – Spark Kit Cummins ISL), line item #4 (Item 118187 – Wire – Spark Plug LG - 280G Cyl. 1 & 6) and line item #5 (Item 118185 – Wire – Spark Plug LG-280G Cyl. 2, 3, 4, & 5) for a total contract value of \$3,590,356 inclusive of sales tax.
8. AUTHORIZE the Chief Executive Officer to award a five-year firm fixed unit rate contract, Contract No. OP31202523, to The Goodyear Tire and Rubber Company of Akron Ohio, for **bus tire leasing and maintenance services** in an amount not to exceed \$41,138,648, inclusive of \$985,000 in estimated sales/use taxes and two, one-year options, effective September 1, 2010.
9. AUTHORIZE the Chief Executive Officer to award a five-year firm fixed price contract, Contract No. OP35902469, to Southland Transit for contract bus services in an amount not to exceed \$53,302,841 and provide for **reimbursement of fuel costs** in an amount not-to-exceed \$592,984 for a total contract not-to-exceed amount of \$53,895,825 effective December 5, 2010.
10. AUTHORIZE:
- A. the reprogramming of \$7.9 million in federal Congestion Mitigation and Air Quality (CMAQ) funds from the Metro Rapid Five-Year Plan for the purchase of eight buses and to provide operating funds for two years to **implement the Torrance-Long Beach Rapid Corridor** in accordance with Torrance Transit’s funding plan, contingent upon federal approval; and
 - B. the reprogramming of \$23.3 million in federal CMAQ funds from the Metro Rapid Five-Year Implementation Plan to Metro’s bus acquisition capital project; and
 - C. the Chief Executive Officer or his designee to negotiate and execute a funding agreement with Torrance Transit for the operations of the Torrance-Long Beach Rapid Corridor.

11. RECEIVE AND FILE status report on the **Metro Transit Access Pass (TAP) program and fare gate installation** at Metro Rail stations.

- *12.** AUTHORIZE the Chief Executive Officer to award a 36-month, indefinite delivery/indefinite quantity, firm fixed price contract under Bid Number 10-0009 to the following lowest responsive and responsible bidders to supply **regional Transit Access Pass (TAP) cards for LACMTA and Municipal Operators** for an amount not to exceed \$19,009,954 inclusive of sales tax and two one-year options to Gemalto for total contract value of \$1,535,959; to eAccess, LLC for a total contract value of \$10,584,301; to Electronic Data Magnetics, Inc. for a total contract value of \$6,282,090; and to Paragon Identification for a total contract value of \$468,974.

13. AUTHORIZE the Chief Executive Officer to:
 - D. **establish and implement a transit court** consistent with the provisions of Section 640 (c) of the California Penal Code and Chapter 8, Sections 99580 through 99582, Part 11, of Division 10 of the California Public Utilities Code;

 - E. amend FY 2011 budget in the amount of \$664,518 for mobilization and hiring of additional staff; and

 - F. adopt new LACMTA Customer Code of Conduct as an amendment to the Administrative Code.

14. RECEIVE AND FILE a report discussing **load factor standards**.

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST
WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

ADJOURNMENT