



**FTA QUARTERLY REVIEW  
BRIEFING BOOK**

**December 8, 1999**

*Submitted By:*

***Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza***

***Los Angeles, California 90012***

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**AGENDA**  
**FTA QUARTERLY REVIEW MEETING**  
Los Angeles County Metropolitan Transportation Authority  
Wednesday, December 8, 1999 - 10:00 a.m.  
Gateway Conference Room - 3<sup>rd</sup> Floor

**PRESENTER**

**I. OVERVIEW**

- |    |  |               |
|----|--|---------------|
| A. | FTA Opening Remarks                            | Leslie Rogers |
| B. | MTA Organizational Issues                      | Julian Burke  |
| C. | Legislative Issues                             |               |
| D. | Legal Issues                                   |               |
| E. | FTA Quarterly Review Briefing Book             |               |
| F. | MTA Restructuring Plan Fourth Quarterly Report |               |

**II. METRO CONSTRUCTION REPORTS** (Presentations should emphasize issues and efforts to resolve them with questions and answers to follow)

- |    |   |               |
|----|---|---------------|
| A. | Recent Events   | Charles Stark |
| B. | Metro Red Line Segment 2                              | Richard Mora  |
| C. | Metro Red Line Segment 3                              |               |
|    | • North Hollywood Extension                           | Dennis Mori   |
| D. | Segment 1 Thin Tunnel Repair Work Completion Schedule | Henry Fuks    |

**III. OPEN ACTION ITEMS**

- |    |  |                   |
|----|--|-------------------|
| A. | FTA (Reference September 1999 PMOC Monthly Report) | Jeff Christiansen |
| B. | Y2K Business Continuity and Contingency Plan       | Don Stiner        |

**IV. RESTRUCTURING PLAN QUARTERLY REPORT**  
(Reference Congressional Requirements for Quarterly Report on Restructuring Plan)

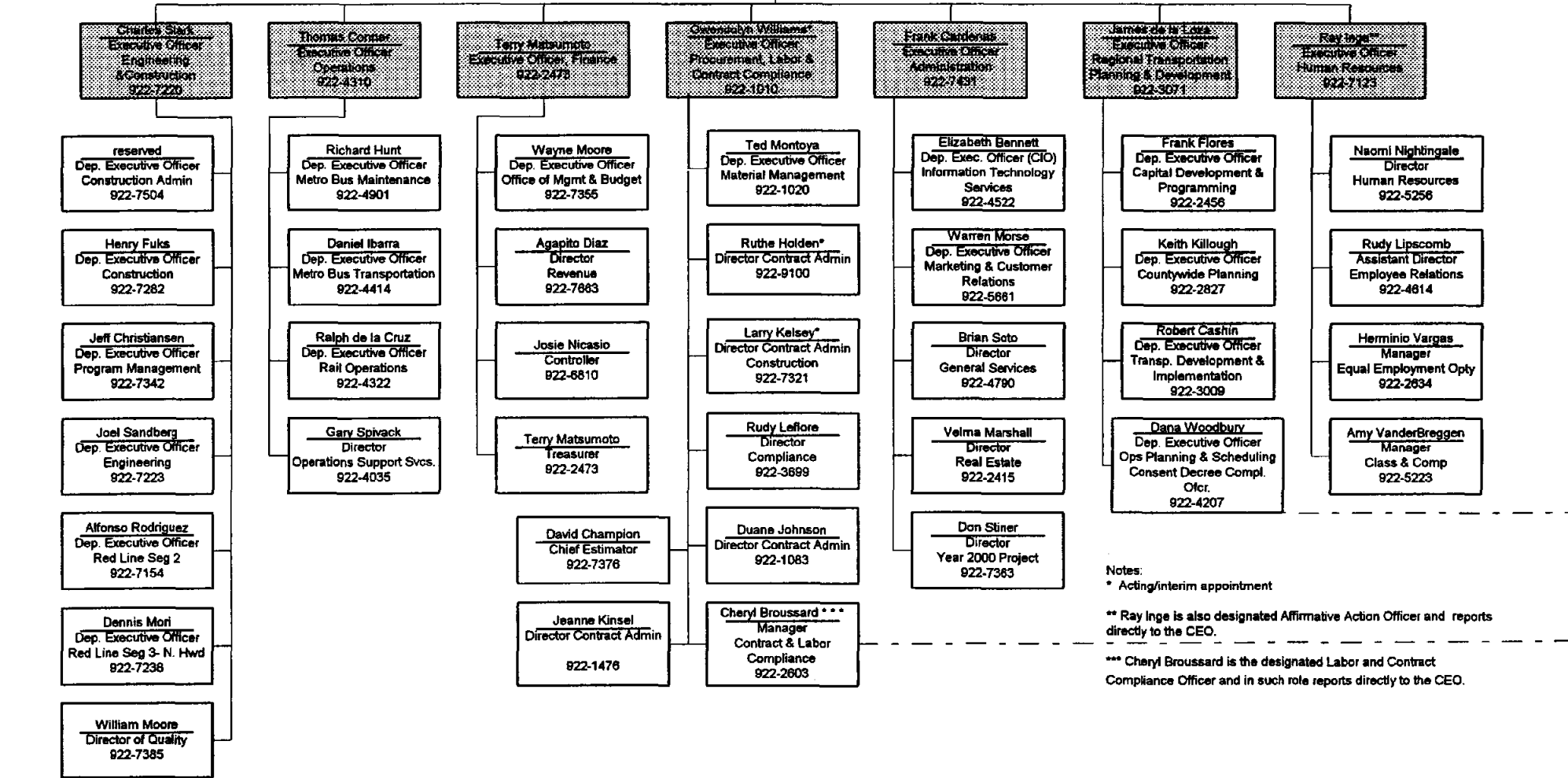
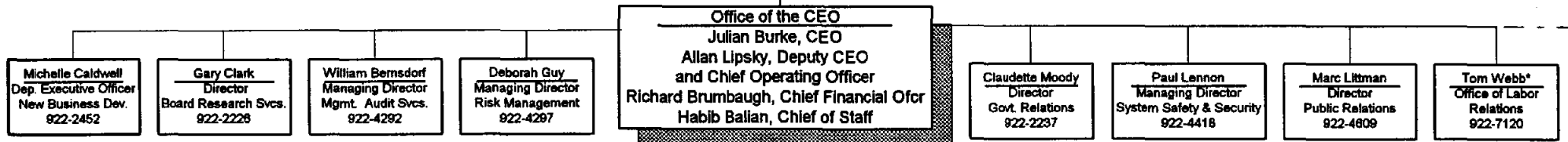
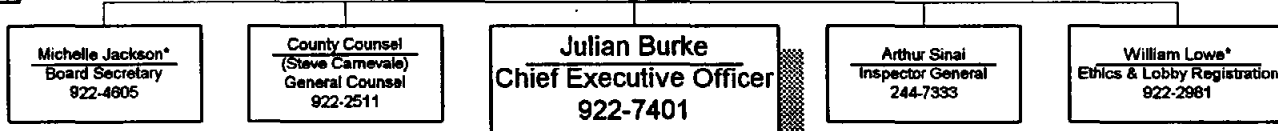
- |    |   |                   |
|----|---|-------------------|
| A. | Rail Projects (Covered above—Item II)   | Allan Lipsky      |
|    | 1. Metro Red Line Segment 2   |                   |
|    | 2. Metro Red Line Segment 3 North Hollywood   |                   |
| B. | Bus Operations  |                   |
|    | 1. Consent Decree Update  |                   |
|    | 2. Accelerated Bus Procurement Plan vs. Actual                                      |                   |
|    | 3. Bus Fleet Management Plan  | Gary Spivack      |
| C. | Reforecasted Plan and MTA Budget  |                   |
|    | 1. Corridor Studies of RTAA & Rapid Bus Status<br>(East Side, Mid-City & SF Valley) | David Mieger      |
|    | 2. Capital and Operating MTA Annual Budget  | Richard Brumbaugh |
|    | 3. Five Year Plan   | Wayne Moore       |
| D. | Planning  |                   |
|    | 1. New Long Range Transportation Plan for 2000                                      | Keith Killough    |
| E. | Special Items   |                   |
|    | Business Action Plans - Workout Team Progress                                       |                   |

**V. PROPOSED SCHEDULE AND LOCATION OF NEXT MEETING:**

Los Angeles Metropolitan Transportation Authority  
Wednesday, March 1, 2000 - 10:00 a.m.  
Gateway Conference Room - 3<sup>rd</sup> Floor

**LACMTA MANAGEMENT  
ORGANIZATION CHART**

**MTA**  
**Board of Directors**



Notes:  
 \* Acting/interim appointment  
 \*\* Ray Inge is also designated Affirmative Action Officer and reports directly to the CEO.  
 \*\*\* Cheryl Broussard is the designated Labor and Contract Compliance Officer and in such role reports directly to the CEO.



METROPOLITAN TRANSPORTATION AUTHORITY

**GOVERNMENT RELATIONS  
1999/00 LOCAL, STATE AND FEDERAL LEGISLATIVE MATRIX  
as of October 13, 1999**

<b>LOCAL</b>		
<b>PROPOSALS/ACTIONS</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<p><b>\$200 million Agreement with the City of Los Angeles</b></p>	<p>The MTA and the Los Angeles City Council signed an agreement July 24, 1997, that committed the City to providing the MTA \$200 million over eight years to assist with the construction of the MTA's rail program.</p> <p>On September 29, the MTA Board of Directors voted to approve a draft amendment to the Agreement. Discussions between the MTA and the City of Los Angeles are continuing.</p>	<p>The MTA and City of Los Angeles Chief Legislative Analyst (CLA) are currently negotiating the balance of the agreement.</p> <p>On May 4, 1999, the Los Angeles City Council unanimously adopted a resolution to formally direct city staff to amend the current agreement with the MTA. <del>Negotiations between the MTA and the City of L.A. are continuing.</del></p>
<p><b>Valley Transportation Zone</b></p>	<p>On August 26, 1998, the Los Angeles City Council approved a motion to explore the feasibility of a transportation zone in the San Fernando Valley.</p>	<p>On February 25, 1999, the MTA Board voted to give the public, municipal transit agencies, transit unions and others an additional month to comment on draft guidelines for proposed new transit zone recommendations. The board will consider this motion at it's April 29, 1999, meeting.</p> <p>On April 29, the MTA Board approved the zone pre-applications but voted to adopt the Local Transit Zone Guidelines. Staff was directed to continue to work with the applicants to revise the guidelines. The board will consider the revised guidelines at it's May 27, 1999, meeting.</p> <p>On May 27, 1999, the MTA Board of Directors approved pre-applications for proposed transit zones filed by Foothill Transit and the Greater San Fernando Valley Transportation Zone. The Board also approved the selection of 36 Metro bus lines as being significant to the region.</p>

**WORKERS COMPENSATION  
QUARTERLY REPORT**





Metropolitan  
Transportation  
Authority

One Gateway Plaza  
Los Angeles, CA  
90012-2952

November 1, 1999

Mr. Leslie Rogers  
Regional Administrator  
Federal Transit Administration  
Region IX  
201 Mission Street, Suite 2210  
San Francisco, CA 94105

RE: WORKERS COMPENSATION QUARTERLY REPORT

Dear Mr. Rogers:

In an effort to manage and control Operations' workers' compensation costs, the following has been accomplished during the first quarter:

#### New Claims

An average of 235 new work comp claims per month were reported during the past three months. This is an increase from the 233 monthly average reported last quarter. We experienced a spike in claim frequency in August to 261, resulting in a higher quarterly average than fourth quarter FY99. September figures were not available as of the writing of this report.

Insurance industry studies confirm that increased claim volume can be anticipated in summer months as well as at holidays. Typically, workers who suffer an injury in summer are more inclined to be absent from work during these months for reasons other than the injury itself. Consistent with most organizations, MTA normally experiences this same spike at this time of year. The fact that frequency has not increased more dramatically since fourth quarter FY99 is positive.

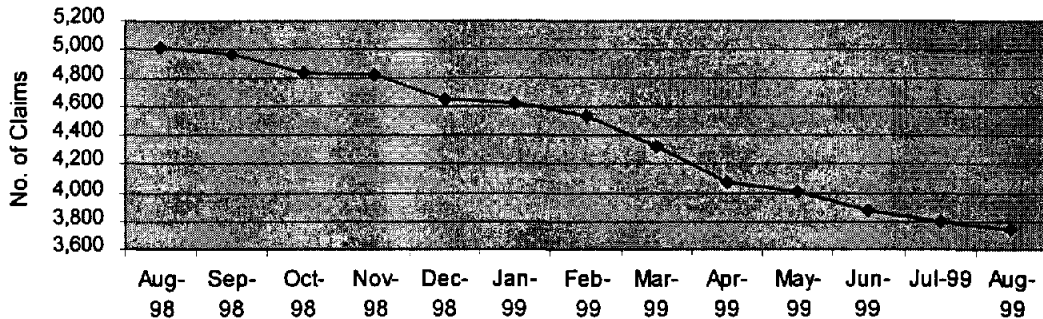
Compared to last year's first quarter, the number of new claims has dropped significantly. Inclusive of recurrences, the first quarter FY99 averaged 313 claims per month. Please note that any claims ultimately deemed recurrences are included in the new claim figures quoted above.

#### Self-Insured Claims

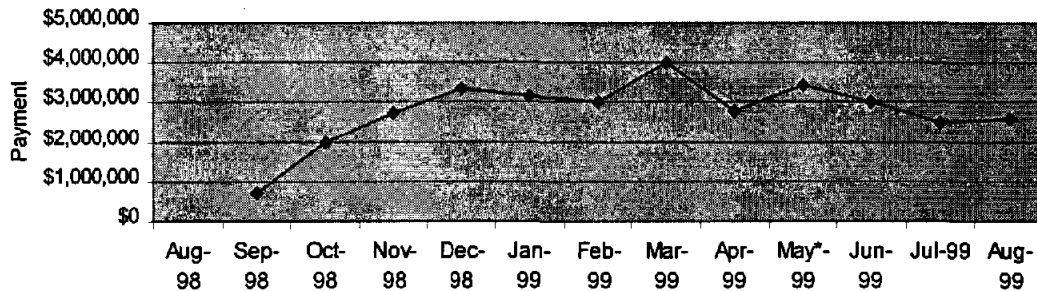
On September 1, 1998, Travelers received 5,013 open self-insured claims for administration. There are currently 3,730 remaining claims in that category. This constitutes a 26% reduction in the number of claims in our open inventory.

The following charts depict the decline in the self-insured claim inventory and payments on those claims since 9/1/98.

Open Self-Insured Claims Inventory by Month



Self-Insured Claims Payments by Month



Monthly reimbursements to Travelers for self-insured claim payments are closely managed and monitored by Risk Management. Travelers must receive authorization from Risk Management to settle claims valued in excess of \$10,000.

As indicated above, claim payments have stabilized during the past quarter. Risk Management is pushing claims to economical conclusion, which may result in future increases in these numbers. Our goal is to equitably close as many claims as possible while retaining this downward trend in payment totals.

Self-Insured Reserves

Pursuant to board approval in August, booked reserves for self-insured claims were increased by \$53 million, making MTA's total booked liability equal to the total expected pay-out, consistent with independent actuarial study recommendations. A partial funding plan for the discounted value of these inventory claims was authorized by the board.

## Recurrence Claims

In FY98, the MTA received an average of 145 recurrence claims (claims that have been deemed an exacerbation of an existing claim) every month. Since September of 1998, there have been a total of 206 claims deemed recurrences, an average of 17 recurrences per month. This number, and numbers reported in prior reports, includes insured as well as self-insured "re-occs". The problem of recurrences has been controlled in both insured and self-insured claims. Recurrences of self-insured claims are down to an average of 14 per month.

These claims are closely monitored by the Risk Management Department to ensure that no claims that belong in the fully insured program are charged as self-insured to the MTA. Travelers provides weekly updates on claims that impact the self-insured program. Risk Management continues its rigorous audit schedule of Travelers' claims to protect the MTA from adverse effects of recurrence claims.

## Transitional Duty Program

An analysis of the components of MTA's historic workers' compensation claims reflects that our claim frequency has remained relatively static, as have payments for medical bills and legal fees. The portion of our claims that has escalated over the past several years is the indemnity paid to employees. Employees are staying away from work longer for injuries than in the past. This is a phenomenon experienced by employers throughout California.

To address a part of these rising indemnity costs, we created a mechanism whereby an employee can return after a work-related injury. The MTA now brings employees back to work, accommodating the individual's temporary medical restrictions for a period of 60 days until the employee can return to normal duties.

The Transitional Duty Program (TDP), which is designed to reduce claim severity, began operation on January 18, 1999. As of August 31, 1999, 161 employees had participated in the TDP. 70 of those employees have returned to their normal duties. TDP participants are returning to normal duties 41% faster than anticipated by treating physicians. The Transitional Duty Program has saved the MTA \$492,000 (net of salaries paid to employees enrolled in the program) since its inception.

In July of 1998, 444 MTA employees were out on temporary disability. Through diligent use of the Transitional Duty Program, we have reduced that number to 335. (Please note that this is an increase of 10 employees since our last report. This, in all probability, has resulted from the same spike in claim frequency reported above under "New Claims".) We expect that the program will expand to accommodate the majority of our injured workers, decreasing indemnity payments associated with

workers' compensation claims. As of August 31, 1999, temporary disability payments not made as a result of this program totaled \$395,000.

The Transitional Duty Program is expected to pay for itself in reduction of future claims. Indemnity payments were fully insured through Travelers from September 1, 1998 through September 1, 1999. Since that date, a cost sharing arrangement has been in place between the MTA and Travelers. Reducing temporary disability and increasing productivity by returning employees to work sooner is now even more important to the MTA. The Transitional Duty Program is one of the most significant measures that the MTA can implement to drive workers' compensation costs down.

Other cost saving measures are also being investigated.

### Ergonomics

Ergonomic and repetitive type injuries account for 11.9% of our workers' compensation claims valued over \$5,000. The Safety Department, in conjunction with Travelers and Risk Management, has held supervisory training in the Gateway Building on proper work-station adjustments to avoid repetitive motion injuries.

An ergonomics program has been drafted by MTA's Safety Department, in compliance with Cal/OSHA Title 8 General Industry Safety Orders, Section 5110. This is designed to fulfill several objectives. Those are to identify, correct and control repetitive motion type injuries through training and heightened awareness of ways in which to mitigate exposure to injury. The draft program is scheduled for implementation in the second quarter of FY00.

Injuries due to operator seat movement account for 9.7% of MTA's claims. In order to reduce operator injuries from bus seats, Safety, Procurement, Maintenance, Operations and Risk Management have revised specifications for the new Bostrom "Wide Ride" operator seats. The new seat will have a wider back and seat bottom and dual shock suspension. The effected changes are designed to improve operator comfort and reduce back and shoulder strain injuries.

### Cooperation with the OIG—Fraud Control

The OIG, Travelers and Risk Management have formed an alliance to address the issue of fraudulent workers' compensation claims. We worked together to identify "repeaters", individuals who have filed multiple workers' compensation claims. Approximately 700 claims were reviewed by a team of Special Investigation Unit specialists for flags indicating fraud. 267 leads were developed from that effort. Activity checks and surveillance have been instituted on those leads to identify and pursue activities inconsistent with claimed injuries. It is expected that these efforts will result positively on our fraud control efforts.

Travelers recently introduced and presented to the above-mentioned team the ALTA Analytics Program, designed to electronically analyze and integrate claim data to identify warning signs for claims personnel that indicate the possibility of fraud. This innovative system can do in six hours what multiple investigators would take several months to develop. MTA claim data has recently been input into the system. We will monitor the success of this tool in identifying fraudulent activities.

Travelers has dedicated six individuals to pursuit of fraudulent MTA workers' compensation claims. That group has submitted 4 cases to the District Attorney for criminal prosecution. 6 additional cases are being prepared for referral to the District Attorney's office. 29 cases have been referred to the California Department of Insurance's Fraud Bureau. All of the District Attorney referrals involve MTA's self-insured claims.

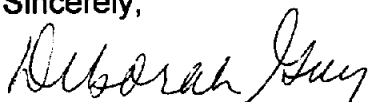
In addition to the fraud prevention activities previously mentioned, Travelers is moving a member of the Special Investigation Unit on site at the MTA to afford greater accessibility to internal personnel. This will assist in timely investigation of potential workers' compensation fraud.

A fraud hotline (800-297-4690) has been created to report workers' compensation fraud. Posters have been hung at each Division, heightening visibility to the fact that workers' compensation fraud is a crime and will be prosecuted.

### Agency-wide Focus

Inherent in reducing the cost of workers' compensation is keeping the agency focused on the problem and recognizing work comp as an agency-wide issue, not just one department's problem. Progress is being made toward that end. A partnership has been developed between Operations, Safety, Risk Management and our insurer to address the workers' compensation problems that have plagued the agency. MTA's Claims Manager meets with Division Managers regularly to discuss their claims and strategize as to how to reduce them. The Professional Pride Program, a joint effort between Safety, Operations and Risk Management, will reward top performers in loss prevention in an effort to reduce claims and ensure that all employees take ownership to the problem. The interdisciplinary steering committee continues to meet to address aspects of workers' compensation and share experiences that assist in loss reduction.

Sincerely,



Deborah Guy, ARM, CPCU

Managing Director, Risk Management



**ADVANCED LAND ACQUISITION PROGRAM (ALAP) PARCELS  
METRO RAIL PROJECT - MOS-2  
CA-90-0022**

**STATUS REPORT AS OF 9/30/99**

**1. Parcel A1-250/Wilshire Vermont Station  
Wilshire/Western Station**

The MTA has contracted with Keyser Marsten, who are to provide the following analyses regarding the Wilshire Vermont Station and the Wilshire Western Station:

- Prepare a technical memorandum outlining the Highest and Best Use/Market Analysis and a recommendation as to the most appropriate use for the site under current market conditions.
- Develop a conceptual pro-forma based on the market analysis, with an estimate of potential annual revenue to the MTA.
- Recommend the most appropriate joint development strategy for the site.

Keyser Marston began work in late October 1999. Once their reports are submitted, staff will evaluate and determine the next course of action to pursue toward development of the station areas. No specific joint development project is being considered for the Wilshire/Western or Wilshire/Vermont Stations at this time.

**2. B-102 and B-103 - Temple Beaudry**

Staff is continuing to perform due diligence to determine the environmental and geotechnical condition of the parcels for construction of a new Cash Counting Facility. The Phase I report indicated no significant environmental issues; however, since the site is located across the street from the Belmont High School site, a Phase 2 Study is being obtained. The final results of the Phase 2 Study has not been completed. Significant environmental conditions were discovered on the Belmont Site by the Los Angeles Unified School District after construction commenced.

**3. A1-300 and A2-301 - Wilshire/Crenshaw**

Since the last report, Real Estate has been requested to hold off on the sale of these two parcels. The MTA has retained a consultant team to conduct a Westside/Mid-City Corridor Study. The study started July 1, 1999 and Phase 1 of the study is expected to be completed by January 2000. The study will evaluate the alternatives recommended in the Regional Transit Alternatives Analysis (RTAA Study), as well as others that may be identified by the

Consultant team or in community scoping meetings. The alternatives to be considered will, at a minimum, include heavy rail extension, exclusive lane busways, aerial guideways and potentially other transit projects along Wilshire Boulevard between the Wilshire/Western Metro Red Line Station and Wilshire/Fairfax. A number of these alternatives could propose transit stations at Wilshire/Crenshaw. In the interim, discussions are underway with the Los Angeles Unified School District to lease the site on a month to month interim basis.

**4. A2-362 - Wilshire/La Brea**

Since the last report, Real Estate has been requested to hold off on the joint development of this parcel. The corridor study discussed above will also include the Wilshire/Labrea site as a potential station for many of the transit alternatives. FTA previously concurred with MTA's decision to issue a Request for Proposal (RFP) for joint development of this parcel. An appraisal of the site has been obtained; however we will not proceed to assign a consultant to study this site until the Study discussed above has been completed.

**5. Parcels A4-755, A4-765, A4-767, A4-772, A4-774, A4-761 - Universal City Station  
C4-815 - North Hollywood Station**

A contract has been issued to Kosmont and Associates, who are to provide the following analyses regarding the Universal City Station and North Hollywood Station.

- Prepare a technical memorandum outlining the Highest and Best Use/Market Analysis and a recommendation as to the most appropriate use for the site under current market conditions.
- Develop a conceptual pro-forma based on the market analysis, with an estimate of potential annual revenue to the MTA.
- Recommend the most appropriate joint development strategy for the site.

Kosmont and Associates have begun work and once their reports are submitted, staff will evaluate and determine the next course of action to pursue toward development of the station areas. No specific joint development project is being considered for the Universal City Station and North Hollywood Station at this time.



**LACMTA EXCESS REAL PROPERTY  
METRO RAIL PROJECT - MOS-1  
CA-03-0130**

**1. Parcels A1-015, A1-016, and A1-021**

Parcels A1-015 and A1-016 are still being used in support of Segment 2 and Segment 3 construction and are expected to continue to be used in support of MTA operations. Parcel A1-021 was leased to an adjacent property owner for a one year term ending March 31, 2000. It is anticipated that the lease will not be renewed and the property will be returned to use by MTA for support of transit operations.

**2. Parcel A1-209, A1-211, A1-220, A1-221/225, A1-222 and A1-224 - Alvarado Station**

The MTA had been working with the non-profit corporation, Transit Community Development Corporation, TCDC, on the development of the properties located at the Wilshire/Alvarado site. The non-profit corporation, Transit Community Development Corporation (TCDC) took the lead on attempting to purchase adjacent properties utilizing the EDA grant of 3.4 million awarded to the City of Los Angeles. The TCDC was not successful in their purchase as property owners wanted almost double the appraised values.

Without these properties, the MTA project site becomes very limited. The MTA had planned to construct the intermodal intercept facility with 600 spaces on its existing property in conjunction with a grocery store, which would have been built partially on the adjacent private parcels. Due to the already limited space on the MTA owned property, this development may not be possible. MTA has decided to evaluate an alternative development strategy that would allow the private development sector to help determine the most appropriate use for the site including how much parking might be needed and in what configuration.

The MTA has recently obtained a consultant to provide a market analysis of the area and to develop a Request for Proposals(RFP) for a developer. The consultant's work is underway. The MTA feels confident that the market will provide a better overall development of the site sensitive to the community and possibly generate a revenue stream. The market analysis and RFP should be completed in the near future.





Metropolitan  
Transportation  
Authority

One Gateway Plaza  
Los Angeles, CA  
90012-2932

Phone: 213.922.6000

November 8, 1999

Mr. Leslie T. Rogers  
Regional Administrator  
Federal Transit Administration  
Region IX  
201 Mission Street, Suite 2210  
San Francisco, CA 94105

Dear Mr. Rogers:

MTA's Rail Operations staff continues to work closely with its colleagues in the Construction/Engineering, Office of Safety and other departments, to complete the closeout of Metro Red Line Segment 2B punch list items and to assure a successful ROD of the Segment 3 North Hollywood extension.

Beyond general support of the various tests leading up to the Segment 3 ROD, Rail Operations, along with its Construction/Engineering colleagues, continues to focus efforts on rolling stock, other equipment and systems issues common to both the previous and upcoming extension for which punch list items have been opened. Of these items, those touching on the safety and reliability of the heavy rail operation are being given the highest priority.

Given the significance of this particular heavy rail extension, we look forward to its successful opening and operation.

Sincerely,

Thomas K. Conner  
Executive Officer Transit Operations





Metropolitan  
Transportation  
Authority

One Gateway Plaza  
Los Angeles, CA  
90012-2952

November 11, 1999

TO: BOARD OF DIRECTORS

FROM: *TKC* THOMAS K. CONNER, EXECUTIVE OFFICER - TRANSIT  
OPERATIONS

SUBJECT: TRANSIT OPERATIONS PERFORMANCE REPORT FOR  
SEPTEMBER 1999

Bus On-Time Pullout performance has remained steady, reporting at or near 99.0% since November 1998. In-Service On-Time Performance dropped sharply in September, as School re-openings and the end of vacation season combined to congest traffic and force a strong increase in late running buses. On a positive note, buses "running hot," i.e. departing the stop early, declined by more than one percent in September.

Maintenance performance indicators showed some improvement in September. Past Due PMP's declined following six consecutive months of increase and Miles Between Chargeable Mechanical Failures increased, following three straight months of decline. This maintenance indicator continues to be impacted by two factors: the higher standard we have adopted for wheelchair lifts, tiedowns, doors and radios, and the range problem we are experiencing with CNG buses. Both of these issues are being addressed and improvement is being achieved, as evidenced by the September performance.

The decrease in Past Due PMP's may be due, at least in part, to revisions in the reporting system software to accommodate new periodicities in use at the divisions.

With regard to Mean Miles Between Chargeable Mechanical Failures, I reported previously that we are reviewing the way we track and report miles between road calls. Our goal is to be more accurate, consistent and in line with new reporting requirements adopted by the Federal Transit Administration. We expected to implement new tracking and reporting standards by this report; however, with computer system efforts focused on Y2K, the performance reporting changes will not take effect until January 2000.

Average Load Factor compliance for the 1<sup>st</sup> Quarter of FY00 indicated a continued steady trend upwards, although September data showed a slight downturn in compliance. The increased school boardings and traffic congestion associated with the month have impacted both load factor compliance and complaints. Schedule- and operator-related customer complaints per 100,000 boardings increased in September. Complaints regarding contractor operated service improved in September, but continue to be significantly higher than for MTA operated service.

Both On Time Pullouts and In-Service On-Time Performance improved for Heavy Rail in September. Light Rail On-Time Pullouts and In Service On-Time Performance declined. However, these performance indicators continue to meet or exceed their goals.

In August, I reported that the Bus Accident Rate had declined for the second straight month. However, as a result of a large number of late filings, the data now indicate otherwise. The accident data currently available indicate an overall increase in the accident rate for the First Quarter of FY00, as compared with the Fourth Quarter of FY99. Safety remains a focus of our training, mentoring and monitoring efforts in both the Bus and Rail divisions.

The format and content of this report continue to evolve. Your feedback on the content and format of this report is appreciated. Please contact Josee Larochelle at (213) 922-2231, if you have any questions regarding the information in this report.

#### September 1999 Highlights:

##### Bus Service Performance

- September Bus On-time Pullout Performance remained steady at 99.1%. Eight of the eleven bus divisions posted OTP at or above 99.0% and six of those divisions equaled or exceeded 99.2% OTP during September.
- In-Service On-Time Performance dropped in September. On-Time Performance, measured with a 15-second tolerance, decreased from 59.0% in August to 54.6% in September.
- Scheduled Revenue Service Hours Lost remained at 1.4% in September.

##### Rail Service Performance

- Heavy Rail On-Time Pullouts increased from 99.34% in August to 100.00% in September. Light Rail On-Time Pullouts decreased from 99.38% in August to 99.00% in September.
- Heavy Rail In-Service On-Time Performance improved from 99.25% in August to 99.32% in September. Light Rail In-Service On-Time Performance decreased from 98.52% in August to 98.00% in September

Transit Operations Performance Report – September 1999  
Page Three

Maintenance Performance

- Mean Miles Between Mechanical Failures resulting in service disruptions of more than ten minutes rose from 5,130 in August to 5,608 in September.
- Past Due Critical PMP jobs decreased from 1.00 per assigned vehicle in August to 0.80 in September. A portion of the improvement may be the result of adjusting reporting systems to match adopted periodicities. Major efforts remain underway to keep this indicator at the lowest possible level.

Financial Performance

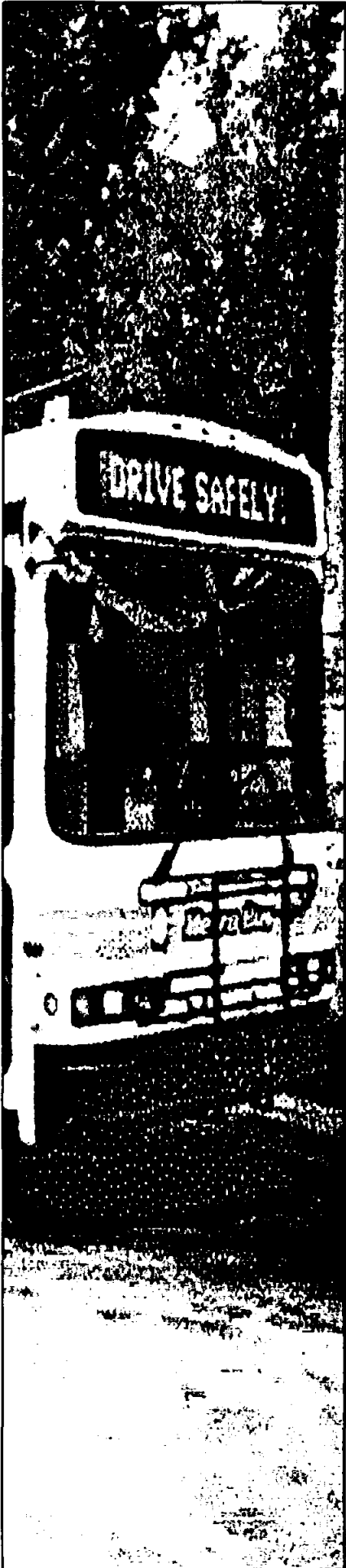
- Year-to-date expenditures in the Enterprise fund (both Bus and Rail) are 2.1% or \$4 million under budget. Additionally, permanent favorable variances of \$4.8 have been identified.

Safety

- Traffic Accidents Per 100,000 Hub Miles decreased from 3.8 in August to 3.6 in September. As a result of late filings and the use of a new reporting methodology, the accident rate previously reported for August was adjusted upwards in September.
- Year-to-Date Reported Crimes per 100,000 Green Line Boardings decreased from 3.23 in August to 2.65 in September. Red Line reported crimes per 100,000 boardings rose from 2.69 in August to 3.16 in September, with the largest increases occurring in vandalism and other property crimes. Reported Crimes per 100,000 Boardings for the Blue Line decreased from 2.33 in August to 2.04 in September, while Reported Crimes per 100,000 Boardings for the Bus mode rose from 0.65 in August to 0.66 in September.

Customer Satisfaction

- Customer Complaints increased from 4.5 Complaints per 100,000 Boardings in August to 4.7 in September. The Contract Service customer complaint rate improved in September, but remains significantly above that of MTA-operated service.



**Transit Operations Performance Report  
for  
September 1999**

*Prepared by:*

Los Angeles County  
Metropolitan Transportation Authority  
Transit Operations Division





## Table of Contents

	<b>Page</b>
<b>Bus Service Performance</b>	<b>3</b>
On-Time Pullout Percentage	
Outlates and Cancellations by Division	
In-Service On-Time Performance	
Scheduled Revenue Service Hours Lost	
Average Weekday Boardings	
Load Factor Compliance	
<b>Rail Service Performance</b>	<b>11</b>
On-time Service	
Boarding Data	
<b>Maintenance Performance</b>	<b>15</b>
Mean Miles Between Mechanical Failures	
Past Due Critical Preventive Maintenance Program	
<b>Bus Cleanliness</b>	<b>19</b>
<b>Financial Performance</b>	<b>20</b>
Year-to-date Bus and Rail Operating Expenses	
Fare Revenues	
<b>Safety Performance</b>	<b>21</b>
Traffic Accidents per 100,000 Hub Miles	
Reported Crime	
<b>Customer Satisfaction</b>	<b>24</b>
Complaints per 100,000 Boardings	

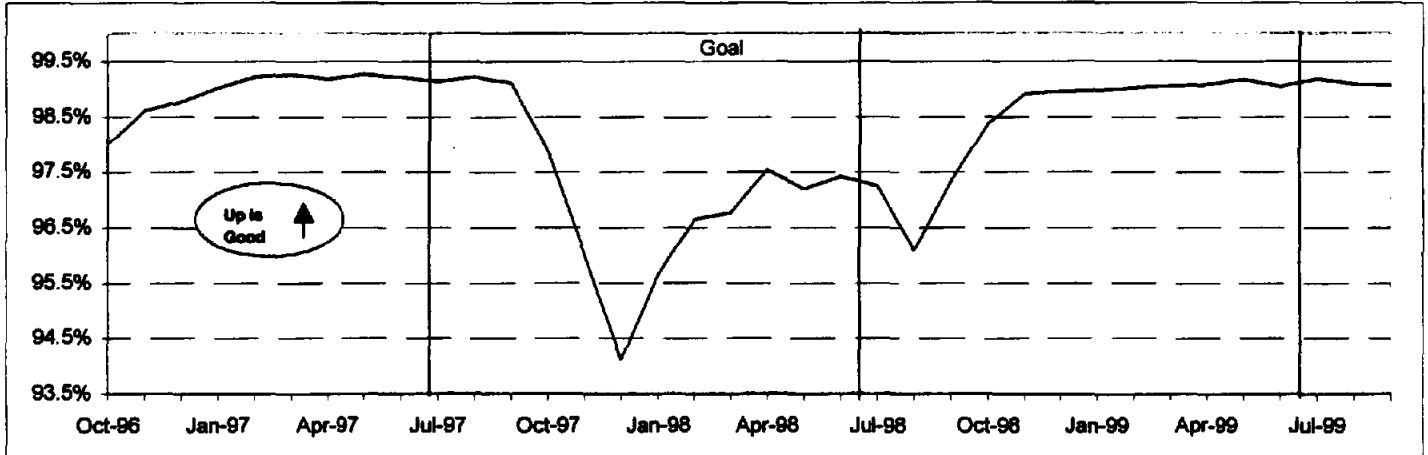
# BUS SERVICE PERFORMANCE

## ON-TIME PULLOUT PERCENTAGE

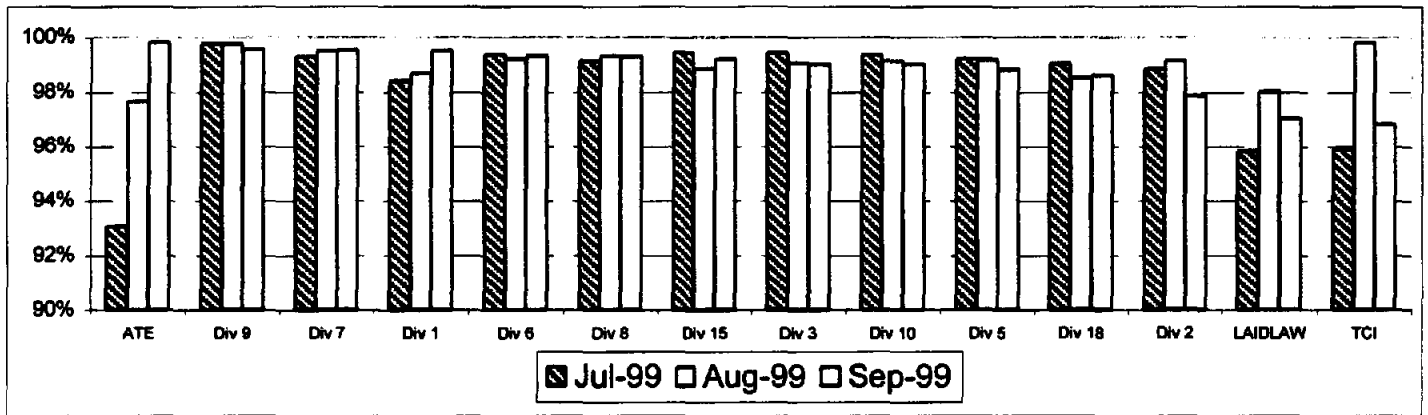
**Definition:** On-time Pullout Performance measures the percentage of buses leaving the operating division within one minute of the scheduled pullout time. The higher the number, the more reliable the service.

**Calculation:**  $OTP\% = [(100\% \text{ minus } ((\text{Total late and cancelled runs divided by Total scheduled pullouts}) \text{ multiplied by } 100))]$

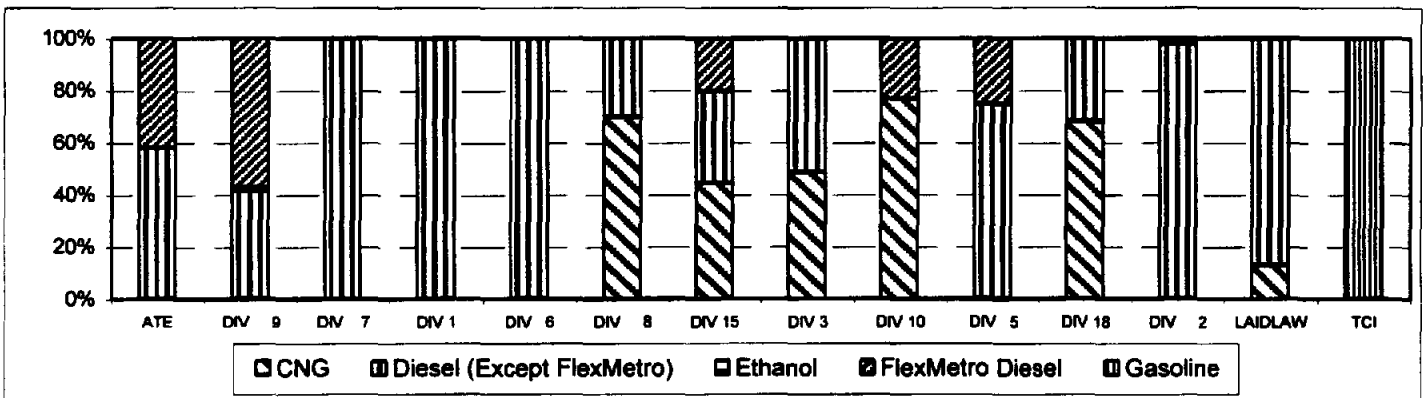
### Systemwide Trend



### Bus Operating Divisions July 1999 - September 1999



### Fleet Mix by Division - September 1999



**BUS SERVICE PERFORMANCE - Continued**

**Outlates & Cancellations by Division - September 1999**

Division	OUTLATES		CANCELLATIONS		ON-TIME PULL-OUT RATE	REASONS FOR OUTLATES and CANCELLATIONS		
	Number	% of Pull-outs	Number	% of Pull-outs		No Operator Available	Mechanical Failure	Other
1	23	0.4%	6	0.1%	99.5%	7	16	6
2	84	2.0%	3	0.1%	97.9%	1	79	7
3	57	1.0%	0	0.0%	99.0%	1	48	8
5	76	1.2%	0	0.0%	98.8%	5	66	5
6	10	0.5%	3	0.2%	99.3%	4	7	2
7	32	0.5%	0	0.0%	99.5%	1	29	2
8	28	0.7%	0	0.0%	99.3%	4	21	3
9	23	0.4%	5	0.1%	99.6%	12	13	3
10	78	0.9%	4	0.0%	99.0%	9	58	15
15	48	0.8%	0	0.0%	99.2%	5	38	6
18	110	1.4%	1	0.0%	98.6%	13	64	33
<b>TOTAL</b>	<b>569</b>	<b>0.9%</b>	<b>22</b>	<b>0.0%</b>	<b>99.1%</b>	<b>62</b>	<b>439</b>	<b>90</b>

**Analysis:** OnTime Pullout performance has remained steady, hovering around the 99.0%, since November 1998. Individual Division or Contractor's performance primarily remains in the same rank position. For example, Divisions 7 & 9 remain in the top three positions consistently. However, a few changes have been made during the past quarter: ATE's performance for September was 99.8%, the highest performance for all Divisions, and Division 1 has improved its performance significantly from June's 98.5% to September's OTP of 99.5%.

Maintenance-related outlates during the period were primarily driven by three factors: implementation of higher wheelchair lift maintenance standards, staff shortages, and the increase in heat-related defects during the summer months.

When considerate separately, Transportation achieved a 99.84% pullout rate, which is remarkable in light of operating at a less than budgeted Operator Assignment Ratio during the first quarter. Factors contributing to the low OAR, which in turn can affect on time pullouts, include Operator attrition running twice what was anticipated due to economic factors, as well as additional assignments due to Consent Decree requirements.

**Corrective Action:** A high attrition rate for mechanics and service attendants resulted in a shortage of an average of 59 ATU positions during the first quarter of FY00. The Maintenance Department has been aggressively hiring and training new maintenance staff to fill the vacancies. The department is also ramping up staffing for the increased service in December and additional service required by the Consent Decree. The wheelchair lift performance during pullouts will improve as maintenance staff adjust to the new standard.

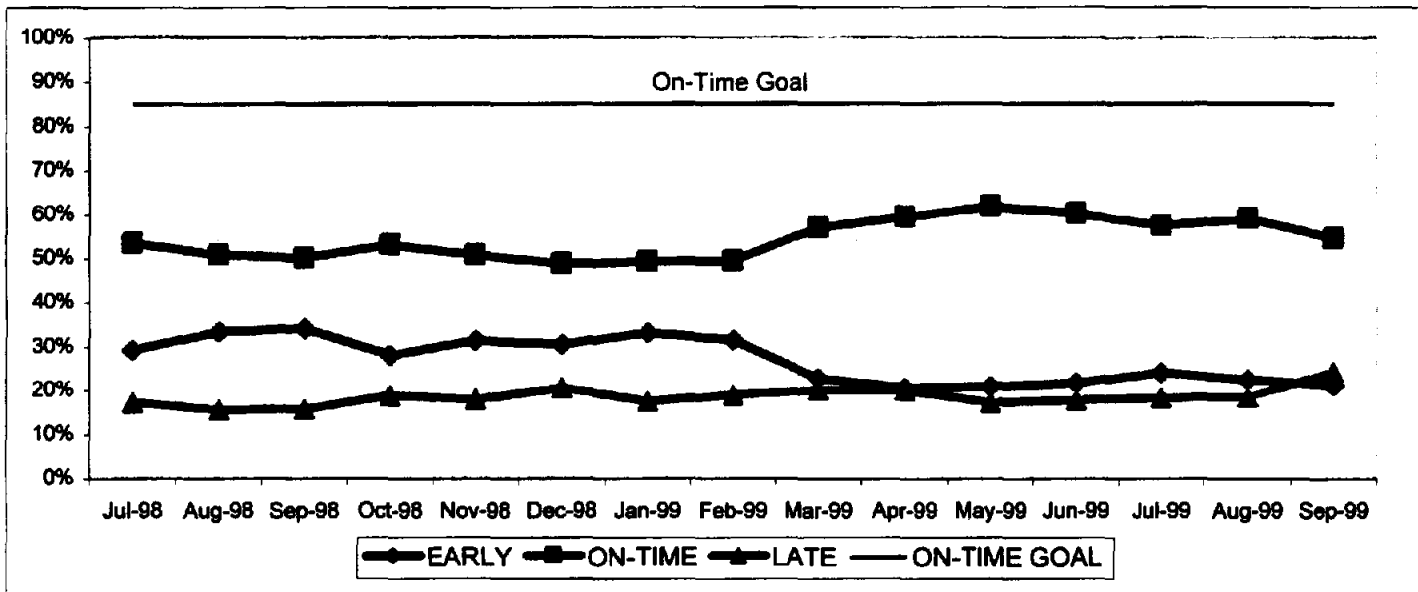
In an effort to attain a 1.16 Operator Assignment Ratio, the weekly hiring goal for operators has been raised by 25%, training classes have been increased to 25 students and training time compressed to 5 weeks. There is continued emphasis by Division management and TOS's on the supervision of Pull-Outs in the yard.

**IN-SERVICE ON-TIME PERFORMANCE**

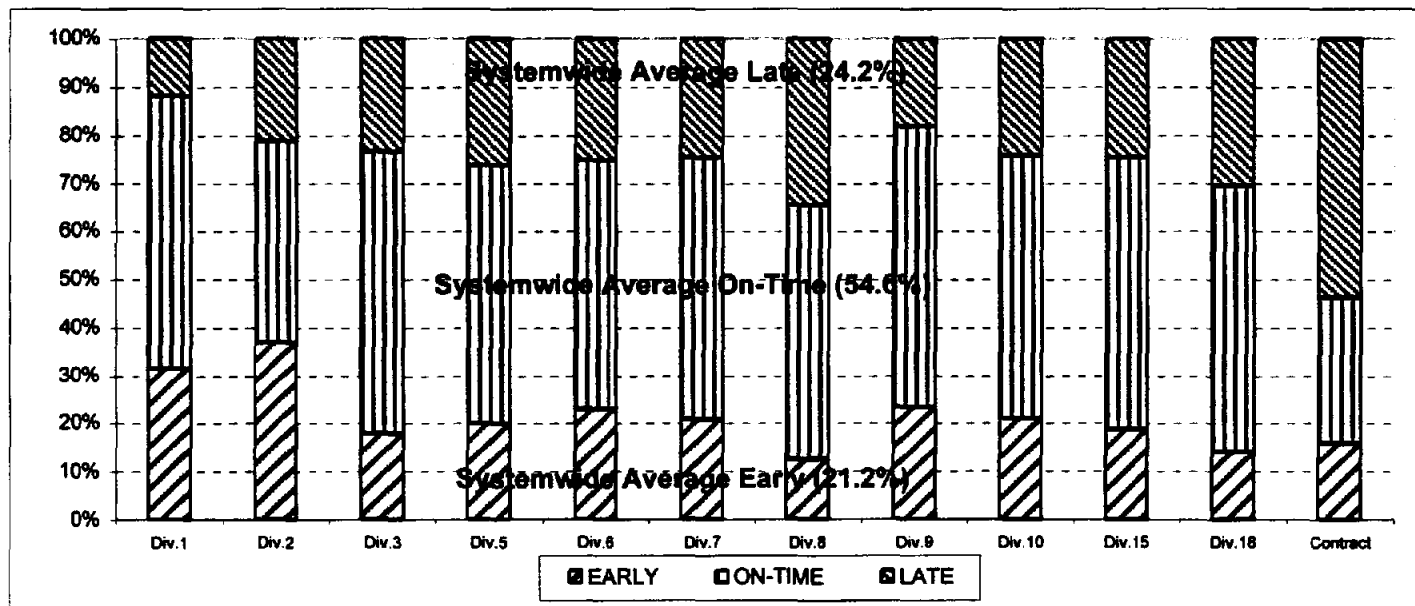
**Definition:** This performance indicator measures the percentage of scheduled buses that depart selected time points no more than 15 seconds early and no more than five minutes later than scheduled.

**Calculation:**  $ISOTP\% = 1 - ((\text{Number of buses departing early} + \text{Number of buses departing more than five minutes late}) / (\text{Total buses sampled}))$

**Systemwide Trend  
August 1999**



**Bus Operating Divisions  
August (15 Second Tolerance)**



## BUS SERVICE PERFORMANCE - Continued

**Analysis:** The increase in late service can be partially attributed to heat-related vehicle defects. Road Call reports show a significant increase in engine, cooling system and air conditioning calls. Systemwide late departures increased from 17.9% in June to 24.2% in September, an increase of 35.2%. On-time performance dipped to 54.6% from 60.3% in June. Early departures improved marginally to 21.2% from 21.8% during the same period.

The sharp rise in late departures in September can be attributed, at least in part, to increased congestion and boardings. Traffic is heavier and delays more common in September as school, college and university fall schedules commence. Scheduling does not currently adjust schedules on a monthly basis to account for this change.

Since a relatively small number of lines are included in the Contract Service point check data used to compute ISOTP each month, this indicator is sensitive to small changes.

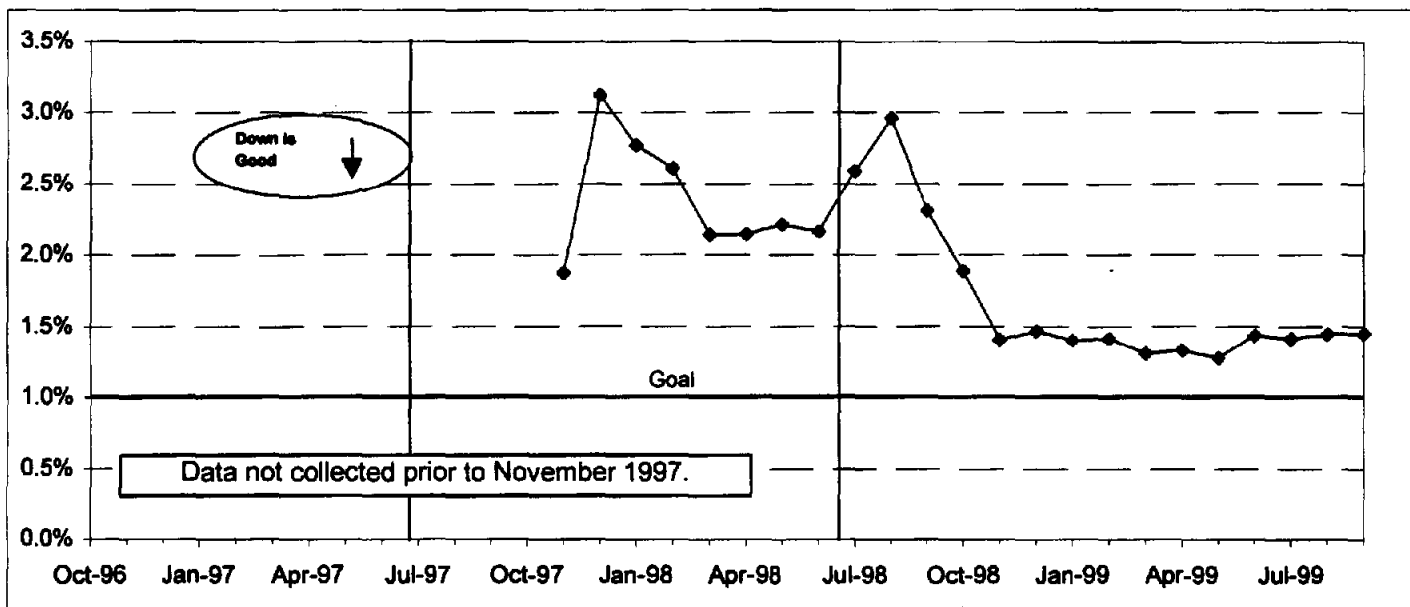
**Corrective Action:** The Maintenance Department will continue to focus on repair of heat-related defects during the remaining hot months of the fiscal year. Transit Operations has implemented a number of programs designed to improve In-Service On-Time Performance and, in particular, reduce the early departures. The Tiger Teams continue to target problems with on-street service by placing a number of Transit Operations Supervisors (TOS) on specific lines and at terminals.

RTP&D will continue to review the need to add buses. It is anticipated that the 64 peak buses will be added in December to reduce overcrowding on 40 lines.

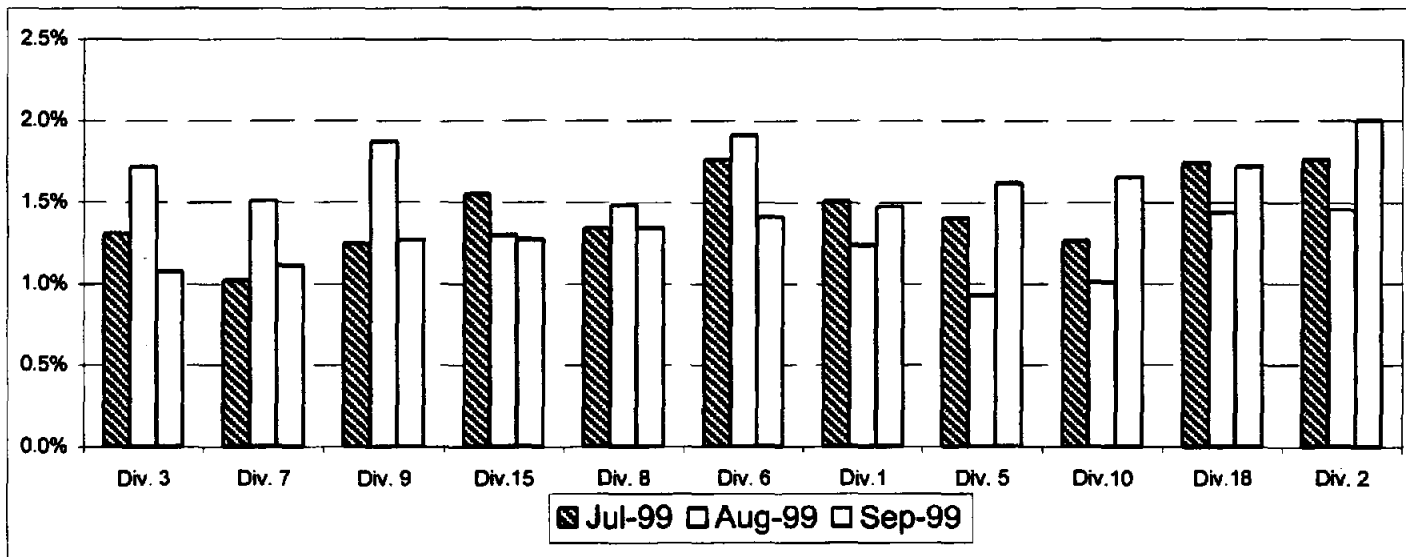
SCHEDULED REVENUE SERVICE HOURS LOST

**Definition:** This performance indicator measures the percentage of scheduled service hours not delivered as a result of cancellations, outlates and in-service equipment failures.  
**Calculation:** SHL% = (Total Service Hours Lost divided by Total Scheduled Service Hours)

Systemwide Trend



Bus Operating Divisions  
July 1999 - September 1999



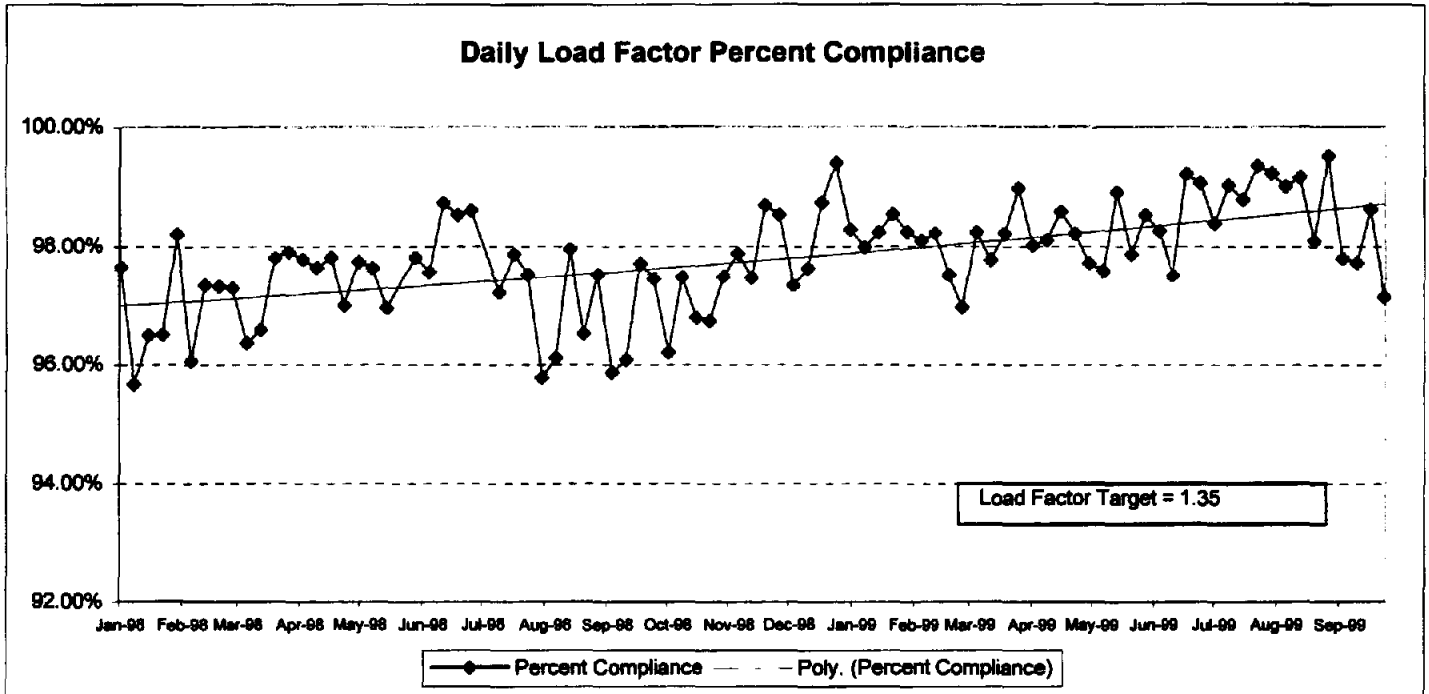
**Analysis:** Lost Revenue Service Hours indicates MTA's operating divisions' ability to provide service to our customers as scheduled. Service is lost if a run is cancelled or a breakdown in service occurs. Lost Revenue Service has remained around 1.4% since June 1999. It has, in fact, remained at that level since December 1998, except for the period March to May 1999. This occurs as On-Time Pullout Performance and Miles Between Total Road Calls have remained relatively steady, despite large fluctuations in Mean Miles Between Chargeable Mechanical Failures. This continues to reinforce the position that administrative inconsistencies exist in determining chargeability at the division level and calls into question the reliability of the Mean Miles Between Chargeable Mechanical Failures performance indicator. Transit Operations recognizes this deficiency and, as stated earlier, is working towards reporting data consistent with the National Transit Database definitions.

**Corrective Action:** Lost Service is a function of cancellations, outlates and road calls. Transit Operations has identified programs for addressing those indicators as described on pages 4 and 16.

**LOAD FACTOR COMPLIANCE**

**Definition:** As part of the Consent Decree, the MTA set a Load Factor target of 1.35. A 1.35 Load Factor means that the passenger load over any given twenty-minute period, does not exceed more than 135% of the available seats. Daily Load Factor Compliance is the percentage of twenty-minute observations made during Daily operation (excludes Saturdays, Sundays and Holidays) in which the Load Factor does not exceed 1.35.

**Calculation:** Daily Load Factor Percent Compliance = Daily twenty-minute observations in compliance divided by the total number of Daily twenty-minute observations.



**Analysis:** While the overall trend in Consent Decree compliance continues to be upward, September data showed a slight downturn in our ability to meet the load standard. The trend mirrors that of the previous year. School re-openings and the end of the traditional vacation period increase traffic congestion and impede schedule adherence. Schedules are not adjusted monthly to accommodate fluctuations in traffic and boardings. As a result, there is a consequent increase in bus crowding.

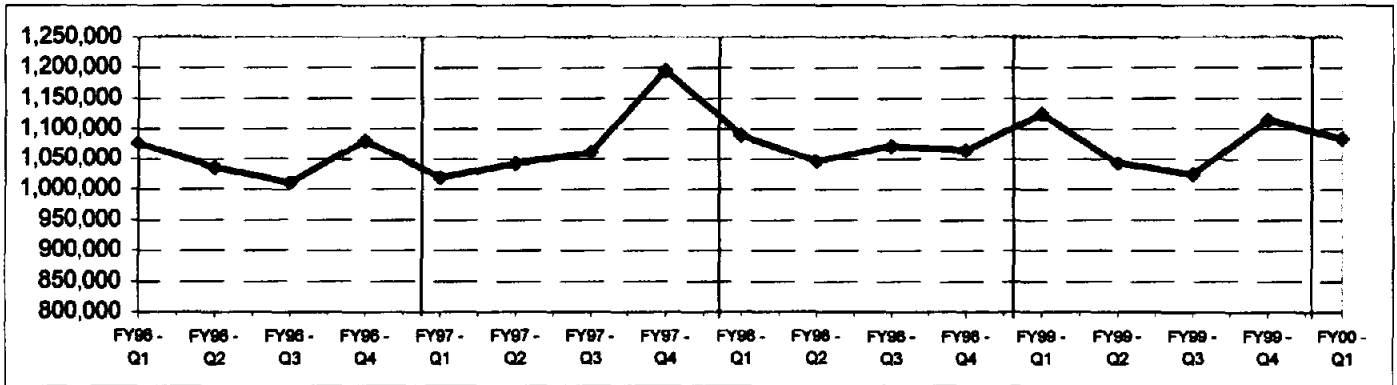
**Corrective Action:** Transit Operations will continue to make every effort to guarantee schedule adherence, regardless of changes in traffic and boardings. In addition, Transit Operations will continue to focus on reducing service cancellations resulting from mechanical problems and operator unavailability.

RTP&D will continue to review the need to add buses. It is anticipated that 64 peak buses will be added in December to reduce overcrowding on 40 lines.



BOARDINGS

AVERAGE WEEKDAY BOARDINGS - MTA ONLY

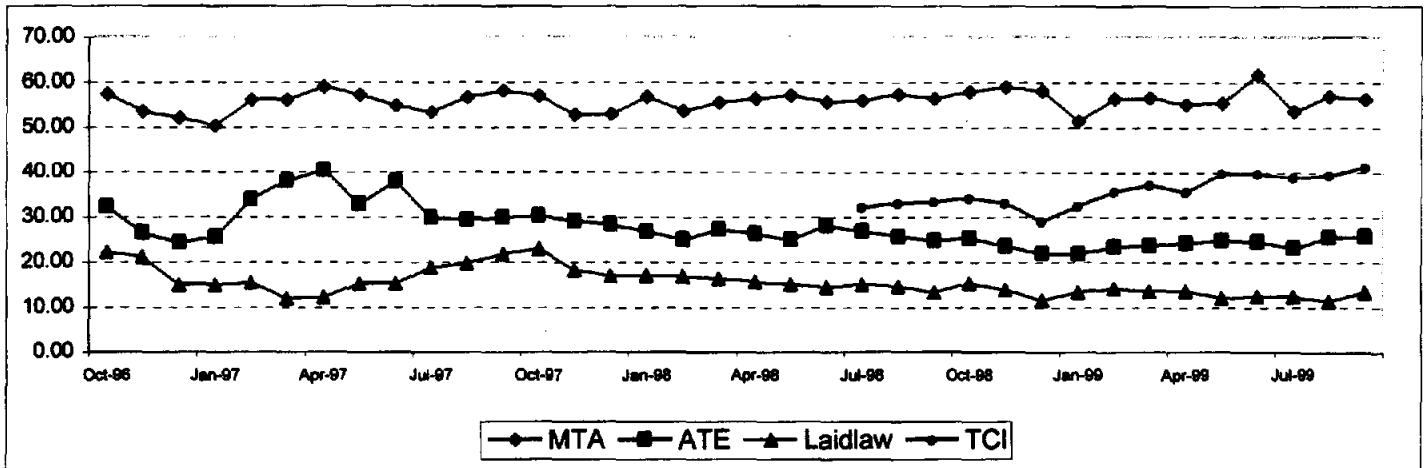


BOARDINGS PER REVENUE SERVICE HOUR

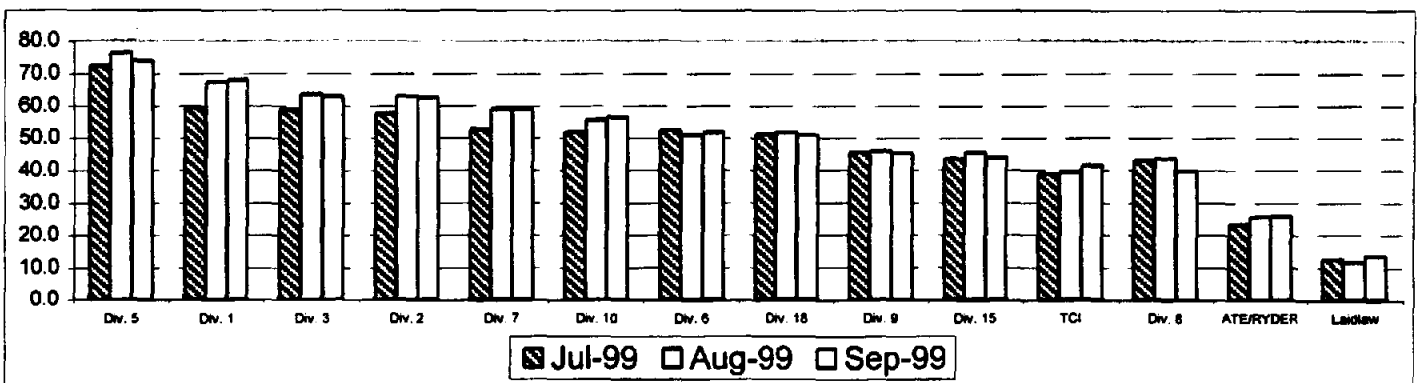
**Definition:** Boardings per hour is the number of passengers estimated to board during one hour of revenue service.

**Calculation:** Boardings/Hour = (Total Passenger Boardings divided by Total Revenue Service Hours)

Systemwide Trend



Bus Operating Divisions  
July 1999 - September 1999



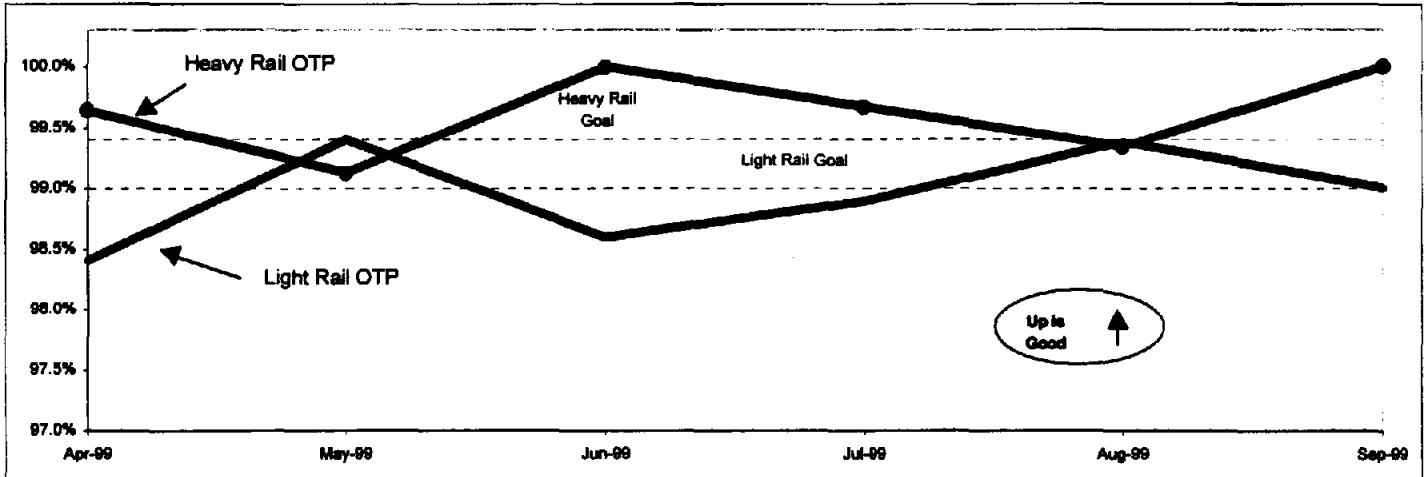
## RAIL SERVICE PERFORMANCE

### ON-TIME PULLOUTS

**Definition:** On-time Pullouts measures the percentage of trains leaving the yard within ninety seconds of the scheduled pullout time. The higher the number, the more reliable the service.

**Calculation:**  $OTP\% = [(100\% \text{ minus } [(Total \text{ cancelled pullouts plus late pullouts}) \text{ divided by Total scheduled pullouts}) \text{ multiplied by } 100]$

### On-Time Pullouts



**Analysis:** During July, Heavy Rail exceeded the 99.4% goal. There were three late pull-outs, of which one was manpower related and two were related to vehicular problems in the yard. During August, Heavy Rail OTP dropped slightly below the 99.4% goal, and then improved in September. During August there were two late pullouts that were vehicular related.

Light Rail began the quarter below the 99% goal. Rail Operations statistics show two late and one cancelled pull-outs. The late pullouts were vehicular and manpower related. The cancelled pull-out was also manpower related. In August, Light Rail OTP rose to 99.4%. From August to September, OTP moved down to 99%. During August there were seven cancelled or late pullouts, all of which related to incidents on the Blue Line. These incidents were maintenance (vehicle) and maintenance of way (power loss) related.

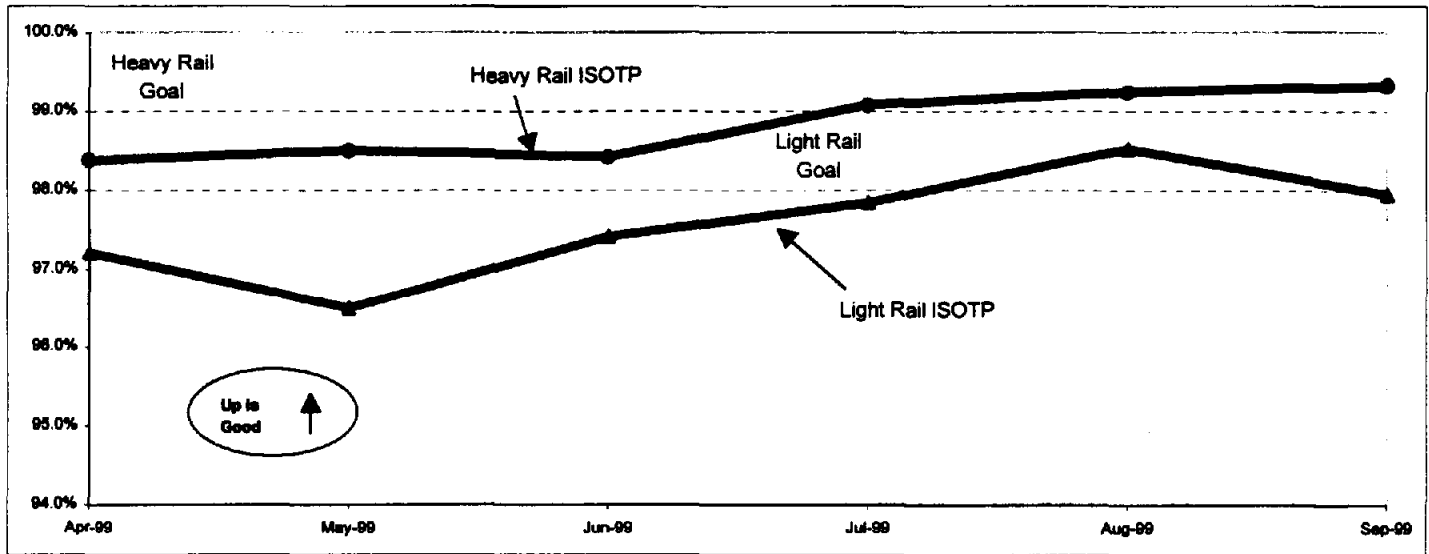
**Improvement Action:** Heavy Rail met its goal during this quarter. Light Rail operated, on average, at the goal. Rail Operations is focusing on the current vehicle and component overhaul schedule as a performance measure of the Management Action Plan. The schedule is reviewed and maintenance issues are identified so that maintenance schedule adherence is achieved and recurrent problems in this area are minimized. Due to the urgency of the situation, Maintenance of Way has already addressed and corrected the matter related to the power outages.

**IN-SERVICE ON-TIME PERFORMANCE**

**Definition:** In-Service On-Time Performance measures the percentage of trains leaving all timecheck points on any run no earlier than thirty seconds, nor later than 5 minutes of the scheduled time. The higher the number, the more reliable the service.

**Calculation:** ISOTP% = [(100% minus [(Total runs in which a train left any timecheck point either late or early) divided by Total scheduled runs) multiplied by 100]]

**In-Service On-Time Performance**

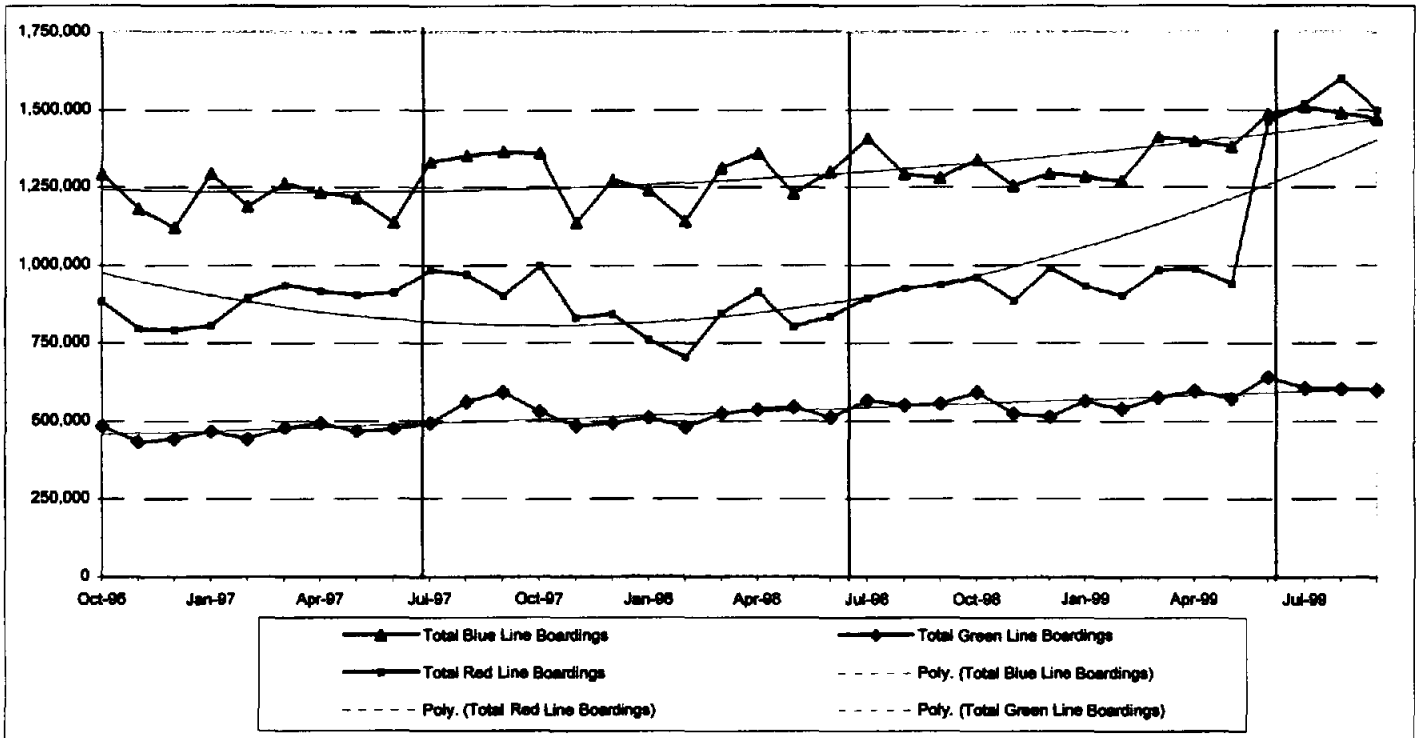


**Analysis:** Heavy Rail exceeded the 99% for ISOTP throughout the quarter.

Light Rail began the quarter at 97.8% ISOTP, below the 98% goal. In July, ISOTP was heavily impacted by late Blue Line trips. The major causes for delays included: a bomb threat; accidents, both train vs. pedestrian and train vs. vehicle; a downed OCS; a power loss; single tracking for track maintenance; and vehicular problems. Light Rail met or exceeded its ISOTP goal for the balance of the quarter, though September's service was impacted by Blue Line problems associated with running at grade.

**Corrective Action:** Generally, both Light and Heavy Rail met or exceeded their goals in this quarter. Rail Operations will continue to monitor and work with LAPD and Sheriff's Department on the Blue Line to investigate and implement methods to reduce accident occurrences. Rail Operations will continue to focus on maintenance schedule adherence. This schedule is reviewed as a part of Rail Operations' Management Action Plan. During these reviews issues are identified so that recurrent problems in this area are minimized.

Total Rail Boardings by Rail Line



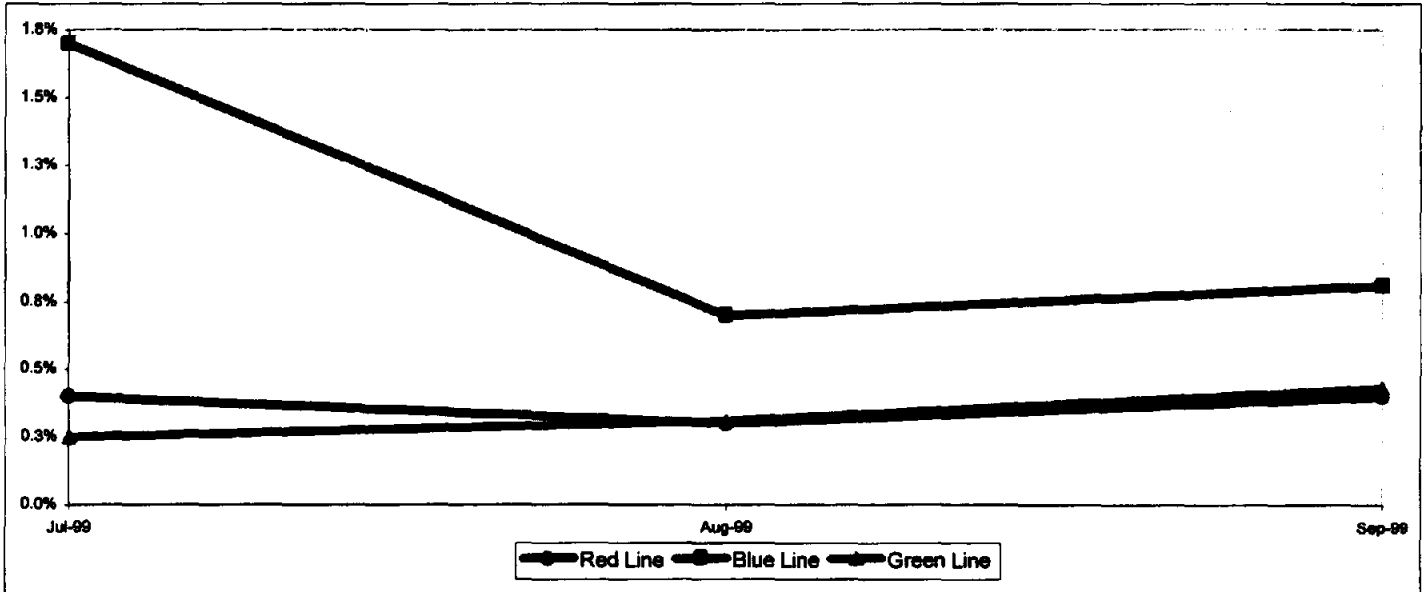
**Analysis:** Following the June 1999 report, boardings on all three lines were expected to increase as the Red Line became more popular and patrons took advantage of the increased interconnectivity opportunities. However, while Red Line Boardings increased for the first two months of the period, they declined sharply in September. Both Blue and Green Line boardings remained relatively steady throughout the period. Boardings may have been impacted by seasonal trends. Ridership patterns change with school re-openings and reduced tourist activity with the close of summer months.

**Corrective Action:** Rail Operations will monitor the apparent decline for both the Blue and Red lines to determine whether issues other than the seasonal changes are impacting ridership.

Lost Revenue Service Hours by Rail Line

**Definition:** This performance indicator measures the percentage of scheduled Revenue Service Hours not delivered as a result of cancellations, outlates and in-service delays.

**Calculation:** SHL% = (Total Service Hours Lost divided by Total Scheduled Service Hours)



**Analysis:** In July, the Blue Line lost 1.7% of Revenue Service as a result of vehicle/train as well as pedestrian/train accidents, a bomb threat, and a sick passenger. In August, Blue Line service improved, but was still impacted by vehicular problems (doors/brakes), as well as scheduled rehabilitation work requiring single track operation to be completed by Wayside Systems and Facilities Maintenance.

Similarly, during July and August, Red Line service was impacted by vehicular problems and power losses at Hollywood/Vine and Civic Center. Single tracking was required around the problem train. There was also scheduled infrastructure rehabilitation work completed by Wayside Systems and Facilities Maintenance requiring single track operation.

**Corrective Action:** Rail Operations will continue to monitor and work with LAPD and Sheriff's Department on the Blue Line to investigate and implement methods to reduce accident occurrences. Rail Operations will also continue to coordinate with the Rail Operations Control Center regarding the work that must be done during revenue service hours so that when single track operation is required special schedules are developed and implemented so that the impacts are minimized.

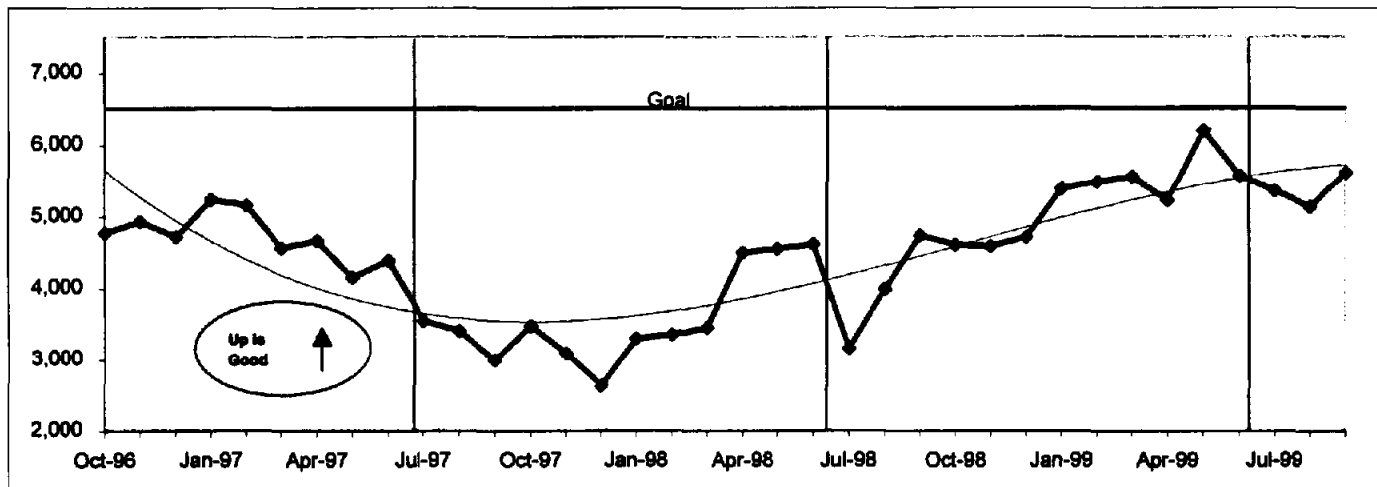
# MAINTENANCE PERFORMANCE

## MEAN MILES BETWEEN MECHANICAL FAILURES

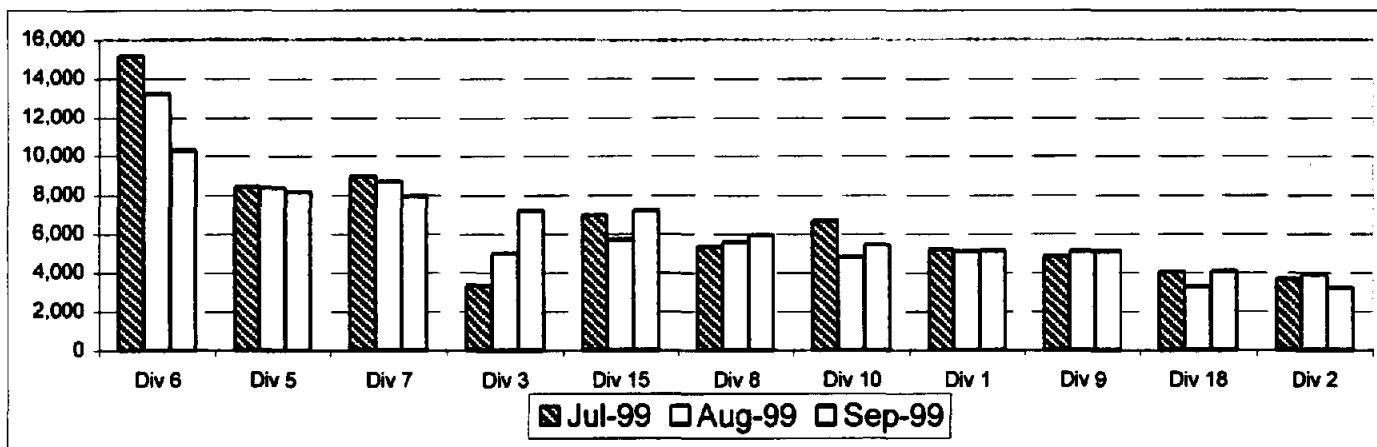
**Definition:** Average Hub Miles traveled between mechanical problems that result in a service disruption of greater than ten minutes.

**Calculation:** MMBRC = (Total Hub Miles divided by Chargeable Mechanical Related Roadcalls)

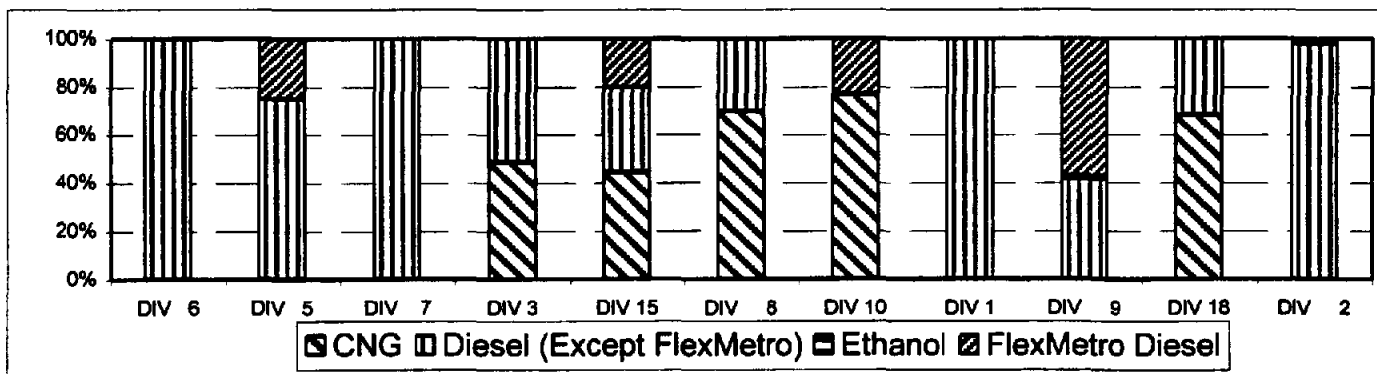
**Systemwide Trend**



**Bus Operating Divisions  
July 1999 - September 1999**



**Fleet Mix by Fuel Type - September 1999**



## MAINTENANCE PERFORMANCE - Continued

**Analysis:** Mean Miles Between Mechanical Failures (MMBMF) decreased during the early summer months. The trend reversed itself in September as more moderate temperatures had less of an impact on engines, cooling systems and air conditioning systems. However, this indicator has improved significantly compared to the previous summer. For example, Air conditioner-related complaints were down 62% and A/C malfunctions were down 40% during the summer of 1999, as compared to the summer of 1998.

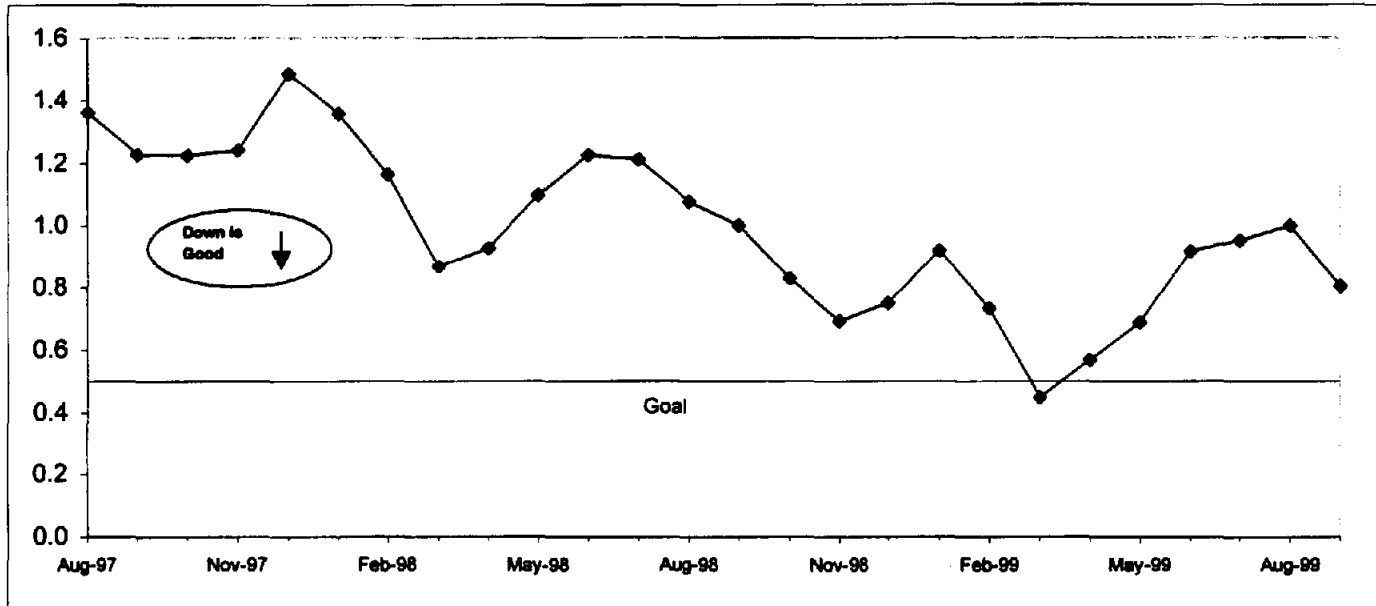
**Corrective Action:** The Maintenance Department will continue to focus on heat-related defects during the remainder of the summer months. As the weather continues to cool, additional resources will be diverted to preventive maintenance, which will improve the reliability of the fleet and increase the Mean Miles Between Mechanical Failures. This indicator is being reviewed and will be revised to improve the accuracy of the data, uniformity among the divisions and contractors, and consistency with National Transit Database reporting requirements.

PAST DUE CRITICAL PREVENTIVE MAINTENANCE PROGRAM JOBS (PMP's)

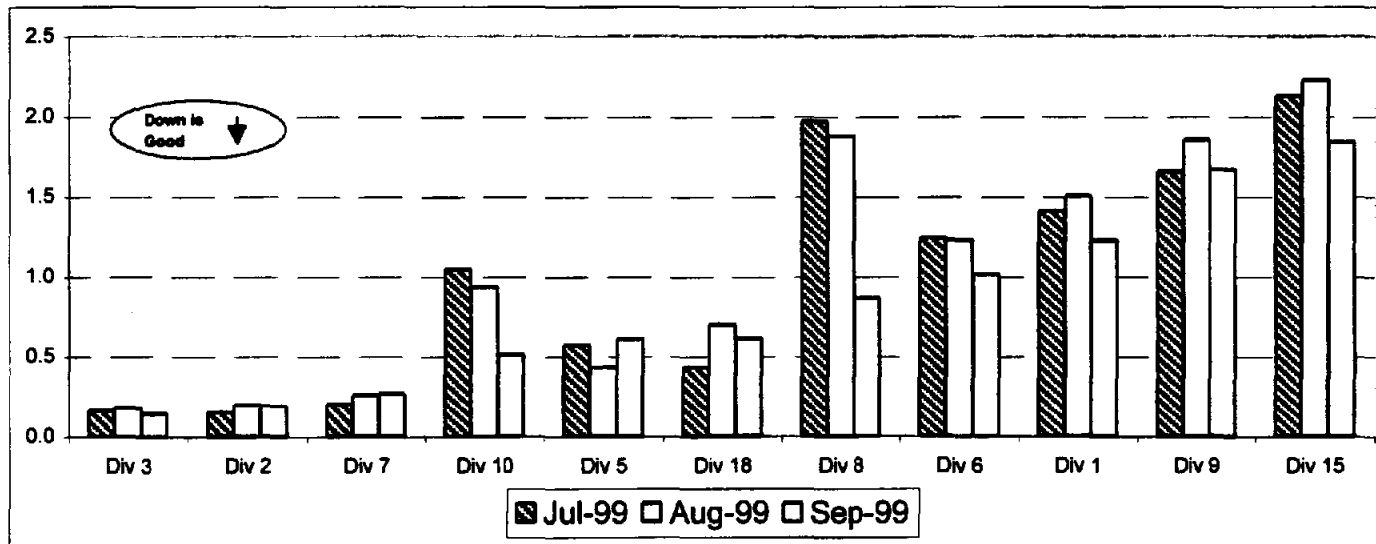
**Definition:** Average past due critical scheduled preventive maintenance jobs per bus. This indicator measures maintenance management's ability to prioritize and perform critical repairs and indicates the general maintenance condition of the fleet.

**Calculation:** Past Due Critical PMP's = (Total Past Due Critical PMP's divided by Buses)

Systemwide Trend



Bus Operating Divisions  
July 1999 - September 1999





**Analysis:** The Past Due Critical PMP's increased, beginning in April. The trend continued throughout the summer months, as staff shortages and hot weather resulted in the inability to keep pace with preventive maintenance tasks. The trend reversed itself in September as fewer vacancies and cooler temperatures resulted in an increased focus on preventive maintenance.

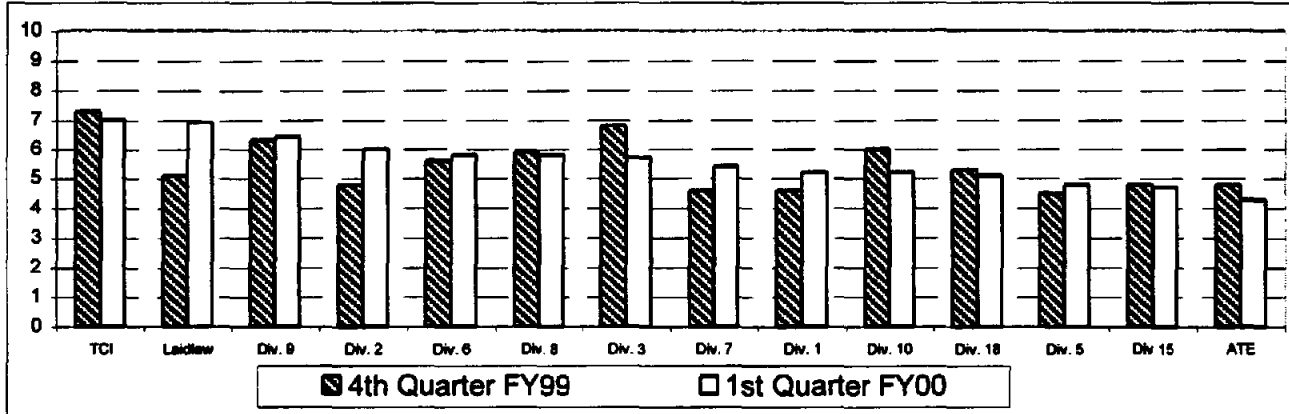
**Corrective Action:** The Maintenance Department will continue to focus on fine-tuning periodicities for PMP's and reducing Past Due Critical PMP's as the service demands from heat-related defects decrease and additional vacancies are filled. Data reporting anomalies will be corrected as computer software is adjusted to account for changes in maintenance periodicities.

## BUS CLEANLINESS

**Definition:** A team of three Quality Assurance Supervisors rates twenty percent of the fleet at each division and contractor per Quarter. Each of sixteen categories is examined and assigned a point value as follows: 1-3=Unsatisfactory; 4-7=Conditional; 8-10=Satisfactory. The individual item scores are averaged, unweighted, to produce an overall cleanliness rating.

**Calculation:** Overall Cleanliness Rating = (Total Point Accumulated divided by 16)

### Bus Operating Divisions Fourth Quarter FY99 - First Quarter FY00



**Analysis:** Based on the bus cleanliness inspections performed during the month of July, the division category scores have remained relatively consistently in the "conditional" range. However, some improvement has been observed in the categories of seats, window etching, interior graffiti, exterior graffiti, exterior bus cleanliness and bumpers. Divisional cleanliness campaigns have been initiated to improve cleanliness.

Contract Service providers are assessed penalties for individual bus ratings below 6 and are provided incentives for ratings over 8. The improvements reported for the first quarter of FY00 for Laidlaw are the result of both MTA staff and Laidlaw staff working together to improve overall cleanliness, in particular addressing daily cleaning and exterior bus cleaning.

**Improvement Needed:** The bus cleanliness inspection reflects that improvements are necessary in the categories of dashboards, drivers area, transom/ledges, ceilings/vents, windows, sacrificial windows, doors, floors and stepwells. Continued persistence and the proper use of available service attendant resources will show steady progress towards the rating goal of "satisfactory." Improvement in the cleanliness of ATE-operated buses is a focus of both Contract Services and ATE. ATE had problems with sub-contractors providing the bus cleaning service, but has since brought this function in-house and improvements are anticipated.

**FINANCIAL PERFORMANCE**

**YEAR-TO-DATE BUS AND RAIL OPERATING EXPENSES**

**Definition:** Year-to-date Bus and Rail operating expenses include all costs attributed to providing bus and rail service. A variance in Expenditures is defined as positive if actual expenditures are more than the projected expenditures.

**Calculation:** Est. YTD Expenditure Variance = (YTD Actual minus Estimated YTD Budget)

<b>September</b>	<b>Estimated Year-to-Date</b>			
	<b>Estimated Year-to-Date Budget</b>	<b>Year-to-Date Actuals</b>	<b>Variance</b>	<b>% Variance</b>
	<i>\$Millions</i>			
<b>Expenditures:</b>				
Salaries & Wages	73.8	74.6	-0.8	-1.1%
Fringe	46.2	43.2	3.0	6.5%
Services	18.8	16.5	2.3	12.2%
Fuels & Utilities	7.7	8.6	-0.9	-11.7%
Supplies	11.6	14.0	-2.4	-20.7%
Purchased Transportation	9.1	5.0	4.1	45.1%
Non-Operating Expenses	8.9	10.5	-1.6	-18.0%
General Overhead	18.3	18.0	0.3	1.6%
<b>Total</b>	<b>194.4</b>	<b>190.4</b>	<b>4.0</b>	<b>2.1%</b>

**Analysis:** Year-to-date expenditures in the Enterprise fund (both Bus and Rail) is 2.1% or \$4 million under budget. The under run is primary the result of reductions in anticipated expenditures for heavy maintenance, as well as some delays in procuring bus & rail parts such as windows and rail door overhauls. Additionally, there was a slight overrun in salaries and wages caused by higher than anticipated Bus Operator overtime caused by shortages in staff.

**Corrective Action:** As a result of 1st quarter financial reviews, Transit Operations has reduced both bus and rail anticipated expenditures by \$4.8 million due to reduce requirements for heavy bus maintenance purchases and rail materials & supplies. Additionally, the cost of worker's compensation has been reduced by over \$6 million, and due to shortages of staff Transit Security costs have reduced by over \$1 million, resulting in a total reduction of anticipated expenditures of \$12.8 million.

Also, the MTA Finance Department has developed a new method of reporting Bus Operating cost per hour which provides financial information by activity. This information will be presented to the Board as a part of the Bus Operating Cost Reduction Program.





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October 25, 1999

Renee Marler, Esq.  
Regional Counsel, Region IX  
FEDERAL TRANSIT ADMINISTRATION  
201 Mission Street  
Suite 2210  
San Francisco, California 94105

Re: **Quarterly Update on Status of Key Legal Actions**

Dear Renee:

Attached please find the Los Angeles County Metropolitan Transportation Authority quarterly update as of September 30, 1999, on the Status of Key Legal Actions Related to Federally Funded Projects.

Please call if you have any questions (213) 922-2528.

Sincerely,

LLOYD W. PELLMAN  
County Counsel

By

  
NINA J. WEBSTER  
Principal Deputy County Counsel

NJW:ibm

Attachment

c: Leslie Rogers  
Steven Carnevale  
Jeff Christiansen  
Brian Boudreau  
Frank Flores

Los Angeles County Metropolitan Transportation Authority  
 Status of Key Legal Actions Related to Federally Funded MTA Projects  
 Date as of September 30, 1999

CASE NAME	CASE NUMBER	GRANT NUMBER	NARRATIVE	CASE STATUS
Beauchamp, Larry, et al. v. LACMTA, et al.	CV 8 0402 CNB (BQRx)	ALL	Plaintiffs, disabled bus patrons, allege MTA and its contractor, Ryder/ATE, violated the ADA and section 504 of the Rehabilitation Act by failing to maintain bus wheelchair lifts and related equipment. Plaintiffs seek damages and an injunction requiring full and equal access.	Preliminary injunction appealed and appellate court limited scope of injunction to what is required by ADA; discovery continuing.
Engineering Management Consultant ("EMC") v. MTA	BC207617	CA-03-0341, CA-90-X642 and CA-90-X575, CA-03-0392	Breach of contract case. EMC, the designer for the subway system, is suing MTA alleging breach of contract, breach of implied covenant of good faith and fair dealing and requesting declaratory relief on certain contract issues. MTA cross-complained for, among other things, breach of contract by EMC.	Complaint served 03/25/99. Currently in Discovery. Cross-complaint filed 5/99.
Fonseca, Jose, et al. v. MTA	BC195151	MRL- CA-90-X575, CA- 03-0392 Eastside Extension	Petition for Writ of Mandate by East L.A. residents and community groups to halt further demolition of structures acquired for subway construction and to compel implementation of mitigation measures. Case settled by MTA agreeing to implement mitigation measures outlined in the EIR/EIS.	CASE SETTLED
Gerlinger (MTA) v. Parsons Dillingham	BC150298, etc.	MOS-1 and CA-03-0341, CA-90-X642	Qui Tam action. Concerns allegations of overbilling by MTA's construction Manager, Parsons-Dillingham ("PD"). County Counsel joined as prosecuting Authority for MTA. MTA has also filed its own lawsuit (BC 179027) against PD for breach of contract, fraud and accounting. October 1999 Trial date.	Discovery Stage.

Gonzalez, et al. v. MTA, et al.	CV96-2785JMI	ALL	<p>Plaintiffs, MTA employees, allege that the MTA Drug Policy's inclusion of their positions, (transportation operations supervisor-instructor and bus dispatcher respectively, as safety sensitive, and, thus subject to random testing), violates the US and CA Constitutions. MTA filed a motion to dismiss, asserting that Pltfs' positions were properly classified pursuant to the FTA regulations. In Pltfs' opposition, Plaintiffs then attacked the FTA regulations as unconstitutional and the District Court ruled on this issue. The Court concluded that the regulations were constitutional and dismissed the case. Plaintiffs appealed.</p>	<p>Ninth Circuit Court of Appeals reversed and remanded on 4/14/99. (8/11/99 MTA filed motion to compel. Plaintiffs to join DOT &amp; FTA)</p>
Gonzalez, et al. v. MTA, et al.	CV97-5833JMI	ALL	<p>In a second action, Plaintiff alleges she was discriminated and retaliated against and constructively discharged in violation of Title VII and the ADA because the MTA did not accommodate her religious beliefs and her disability, that she not be subjected to random drug testing. The MTA filed a motion to dismiss asserting, among other defenses, that the doctrine of res judicata barred the action. The District Court agreed and dismissed the action. Pltf appealed.</p>	<p>Written briefing was concluded on 7/22/98 (motion to remand filed 7/16/99)</p>
<p>Hanneken v. MTA;</p> <p>Universal Hyundai v. MTA;</p> <p>Nhut Dang v. MTA;</p> <p>Hollywood Edgemont v. MTA;</p> <p>Weber v. MTA</p>	<p>BC116625</p> <p>BC142385</p> <p>BC153683</p> <p>BC148113</p> <p>BC163711</p>	<p>CA-03-0341, CA-90-X642;</p> <p>CA-90-X575, CA-03-0392;</p> <p>CA-03-0341, CA-90-X642;</p> <p>CA-03-0341, CA-90-X642;</p> <p>CA-90-X575, CA-03-0392</p>	<p>These cases involve owners, merchants and tenants who claimed damages caused by MTA construction. All of the property owner cases in the Hollywood area where the most significant subsidence occurred (6500 Block) have been settled by the MTA's insurance carrier. The remaining cases are being negotiated by the MTA's insurance carrier. Runyon Canyon property owners (<u>Weber</u>) claim a diminution in property values because of the presence of the Red Line Tunnels beneath their properties. The Hollywood Edgemont cases are awaiting trial and should be resolved in 1999.</p>	<p>Partially Settled.</p>

Labor/Community Strategy Center v. MTA	CV94-5936TJH	ALL	On October 28, 1996, Federal Judge Terry Hatter approved a Consent Decree reached between the Authority and the class action plaintiffs. The Consent Decree provides for the Authority to: (i) reduce its load factor targets (i.e. the number of people who stand on the bus), (ii) expand bus service improvements by making available a net of 102 additional buses, (iii) implement a pilot project, followed by a Five Year Plan, to facilitate access to County-wide jobs, education and health centers, (iv) not increase cash fares for two years and pass fares for three years beginning December 1, 1996, after which the Authority may raise fares subject to certain conditions of the Consent Decree and (v) introduce a weekly pass and an off-peak discount fare on selected lines.	SETTLED. MTA is seeking stay and appeal of district court order re load factor compliance to immediately obtain 248 buses on temporary basis.
Metro East Consultants v. MTA	BC158879	CA-90-X575, CA-03-0392	MTA appealed Order granting petition for writ of mandate to invalidate award of Eastside Construction Management contract.	CA Court of Appeal reversed and remanded case to trial court to dismiss for mootness.
Mid-Wilshire Associates v. MTA; Wiltern Associates v. MTA; Total Properties v., MTA	BC106135 BC113523	CA-03-0341 CA-90X642	All of these cases claim construction impacts on businesses and properties along Wilshire Blvd. These cases have been settled by the MTA insurance carrier or tried to judgment and the judgment paid by the MTA insurance carrier. Three cases are on appeal.	Settled/Tried/Apppealed
MTA v. Argonaut; Argonaut v. MTA	BC171636 BC156601	MOS-1, CA-03-0341, CA-90-X642, CA-90-X575, CA-03-0392	MTA is in litigation with its carrier to determine the number of deductibles owed for Argonaut's insurance coverage on the Red Line Project. MTA alleges bad faith by Argonaut in administering MTA's insurance coverage on the Red Line.	Discovery Stage.
MTA v. Parson Dillingham	BC179027	MOS-1 and CA-03-0341, CA-90-X642	MTA filed suit against Parsons Dillingham for fraud and Breach of Contract in the performance of construction management services. October 1999 Trial date.	Discovery Stage.



MTA v. SKK; SKK v. MTA	BC136559, etc.	CA-03-0341, CA-90-X642 and CA-90-X575, CA-03-0392	These cases revolve around MTA's default of Shea-Kiewit-Kenny ("SKK") on contract B251. Claims include breach of contract, extra work claims, conversion of contractor equipment and MTA's removal of biased disputes review board member. MTA cross-complained for breach of contract and fraud. This case has been settled.	SETTLED.
Obayashi v. MTA	EC024692	CA-90-X575, CA-03-0392	Obayashi, tunnel contractor for the tunnel beneath Lankershim Blvd., claims breach of contract for work performed on contract C331. MTA cross complained for damages.	Discovery Stage.
Rescue Our Canyons, et al. v. MTA, et al.	CV962078J GD (RMCx)	CA-90-X575, CA-03-0392	On June 26, 1996, the parties entered into a Consent Decree to protect Runyon Canyon Park and private property during the Hollywood Hills subway tunneling. The Consent Decree makes a finding that compliance with the Decree along with the prior MTA environmental documentation constitutes sufficient info. to satisfy state and federal environmental requirements. The MTA is in compliance with the Consent Decree.	SETTLED.
Steiny v. MTA	BC145950 BC178939	CA-03-0341, CA-90-X642	These case have been brought by Steiny, an electrical subcontractor, for breach of contract arising out of the installation of the electrical work on the Vermont Red Line Station. MTA has cross-complained against Steiny as well as the prime contractor Tutor-Saliba alleging <u>inter alia</u> violations of the false claims statutes.	Discovery Stage.
Tutor-Saliba-Perini v. MTA	BC123559 BC132998	CA-03-0341, CA-90-X642	These cases have been brought by Tutor-Saliba-Perini, the prime contractor for construction of the Normandie and Western stations, against the MTA for breach of contract. MTA has cross-complained against Tutor-Saliba for several causes of action including false claims. Trial set for January 3, 2000.	Trial pending.
Tutor-Saliba-Perini v. MTA	BC193559	CA-03-0341, CA-90-X642	Tutor-Saliba-Perini claims breach of contract relating to the disposal of contaminated soils under to contracts B241 and B261.	Discovery Stage.





October 28, 1999

Metropolitan  
Transportation  
Authority

One Gateway Plaza  
Los Angeles, CA  
90012-2952

TO: André Boursse  
Federal Transit Administration (FTA)

FROM: Marilyn M. Morton *MM*  
ADA Compliance Officer

SUBJECT: Metro Blue Line Compton Station ADA Improvements

In August 1998, a citizen lodged a complaint with Los Angeles County citing issues of ADA non-compliance and unsafe pedestrian access at the Compton/Willowbrook intersection for the Metro Blue Line. The complaint was sent to the U.S. Department of Justice and then forwarded to the U.S. Department of Transportation Office of Civil Rights. Through Hill International, the Los Angeles County Metropolitan Transportation Authority (MTA) and the City of Compton were notified in April 1999.

Coordination between Compton and MTA resulted in the determination that the work would involve removing a pedestrian crosswalk directional sign, relocating a traffic signal and extending a steel fence to close the gap at the crossing gate. This work was completed by August 1999. However, it was subsequently determined that there was still a tight space when moving around the radius of the curb and ramp. A letter has been forwarded to the City of Compton by the MTA on October 28, 1999, indicating that modifications to the curb and the sidewalk at the corner are needed to improve maneuverability. The MTA will extend the fence.

The MTA will monitor the work and inform the FTA of the work schedule.

cc: Terry Esteb, Hill International  
Gerald Anderson, Hill International  
Charles W. Stark, MTA

Attachment



October 28, 1999

REF: R201-EX200-COMPTON A.D.A.

Mr. Dante S. Segundo  
Deputy Director, P.W.  
City of Compton, Department of Public Works  
205 South Willowbrook Avenue  
Compton, CA 90220

Metropolitan  
Transportation  
Authority

One Gateway Plaza  
Los Angeles, CA  
90012-2952

Dear Mr. Segundo:

This letter is in response to your letter of September 19, 1999, in which you commented on the design proposed by MTA for improving the handicap accessibility at Compton Boulevard and Willowbrook Avenue East.

Our design used a slight reduction in the curb corner radius in order to provide an increase in clearance around the cantilever, maintaining approximately the same minimum width of level unprotected curb as in the existing condition. City can choose to proceed with its own design, which retains the same curb radius while increasing the effective "zero-curb" area by extending that area 4 feet to the north, thereby providing an enlarged area for wheelchairs to clear the cantilever and gate at the corner.

The clearance around the cantilever will then remain at 40 inches, which satisfies the A.D.A. Manual ( Federal Register/Vol.56, No.173 ) minimum of 32 inches at a point and 36 inches continuously (Sections 4.2.1 and 4.3.3).

City also recommended the ramp be reconstructed to conform to City's Urban design requirements, which covers the need to construct the ramp with colored concrete.

I have verified that City can draw on its Proposition A or C Funds for the project. Ms. Susan Richan of MTA recommends you contact Mr. Augustus Ajuwara of City for assistance in facilitating this part of the work. MTA believes the sidewalk and curb part of the work can be effectively administered by City or its approved contractor. MTA shall install a 3'6" section of Safety Fence to prevent persons from passing through the space between the cantilever and the warning gate.

Sincerely,

  
Edmund A. Richardson, P.E.  
Senior Civil Engineer



**Year 2000 Project  
Monthly Progress Report**

**Status Date: September 30, 1999**

**(Report issued under separate cover)**