



MINUTES/PROCEEDINGS

**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

REGULAR BOARD MEETING

BOARD OF DIRECTORS

**MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza
Los Angeles**

Thursday, May 27, 1999

Called to order at 10:25 A.M.

Directors Present:

Richard Riordan, Chair
James Cragin, Second Vice Chair
Michael Antonovich
John Fasana
Gloria Molina
Frank Roberts
Zev Yaroslavsky
Tony V. Harris, Ex Officio

Chief Executive Officer - Julian Burke
Interim Board Secretary - Michele Jackson
Inspector General - Arthur Sinai
General Counsel - County Counsel

NOTE: Members voting are reflected on the attached "**RECAP OF PROCEEDINGS**" matrix
CONSENT CALENDAR Items 2, 9, 17, 21, 24, 27, 30, 31, 33 B & C, 34, 38, 40, 43, 44, 46C,
& D, and 49

2. APPROVED **Minutes** of Regular Board Meeting held on April, 29, 1999 and May 10, 1999.
9. APPROVED additional funding for the remaining two years of a five year contract with Goodyear Tire and Rubber Company, on an incremental basis as needed, by an amount not to exceed \$7,700,000 for the **lease of tires and service for the MTA bus fleet** and provide a 10% contingency in the amount of \$770,000 to cover the cost of possible service level increase because of the Consent Decree, for a total increase in contract value of \$8,470,000 bringing the

total contract amount to \$19,870,000 inclusive of contingency.

15. CARRIED OVER:

- A. negotiation and execution of Change Order No. B261-CO-7.00 (CN48.01) to Contract No. B261, with Tutor Saliba-Perini, JV., on the Metro Red (A) Line/Hollywood Corridor (Segment 2) Vermont/Sunset Station Contract, **to provide for a variance in the contract quantities for temporary decking for the station box and station side structures** in the amount of \$391,698, increasing the total contract value from \$49,992,294 to \$50,383,992. The Board previously approved CN 48.01 for an amount not to exceed \$625,000 at the September 1995 Board meeting; and
 - B. negotiation and execution of Change Order No. B261-CO-33.00 (CN110.00) to Contract No. B261, with Tutor Saliba-Perini, JV., on the Vermont/Sunset Station Contract to **provide for a variance in the contract quantities of temporary decking over the station entrance areas** in the amount of \$690,333, increasing the total contract value to \$51,074,325. The Board previously approved CN 110.00 for an amount not to exceed \$601,900 at the May 1996 Board Meeting; and
 - C. an increase in the Authorization for Expenditure (AFE) to Contract No. B261 to provide **funding for Change Order Nos. B261-CO-7.00 and B261-CO33.00** in the amount of \$1,082,031, increasing the current Segment 2 B261 Contract AFE from \$52,609,201 to \$53,691,232
17. APPROVED an increase in the Authorization for Expenditure (AFE) to Contract No. B740, with New Philadelphia Fan Company, Inc, **Ventilation Equipment** on the Metro Red (A) Line, Vermont/Hollywood Corridor (Segment 2), to provide funding for pending changes to be negotiated and executed, under Board-delegated staff authority in the amount of \$162,036, increasing the current Segment 2 AFE value to \$12,378,356.
18. FAILED - execution of Change Order No. 141 to Contract C0311 with Traylor Bros./Frontier-Kemper, JV on the Metro Red (A) Line, North Hollywood Corridor (Segment 3), **to provide compensation for the settlement of Claim No. 5, due to Differing Site Conditions (DSC) for remedial work to fill voids and for the additional support measures to control the shear zone in the AR tunnel from Sta. 754+00 to Sta. 753+32**, in the amount of \$222,822, increasing the total contract value to \$162,392,205.
19. FAILED - negotiation and execution of Change Order No. 111 to Contract C0311 with Traylor Bros./Frontier-Kemper, JV, on the Metro Red (A) Line, North Hollywood Corridor (Segment 3), **to provide compensation due to Differing Site Conditions (DSC) for the additional support measures to control the shear zone in the AR tunnel between Sta. 727+00 and Sta. 726+12**, in the amount of \$650,199, increasing the total contract value to \$162,119,582.
21. APPROVED negotiation and execution of Change Order No. 49.00 to Contract No. C6435 with Adams & Smith/Macias, J. V. on the reconstruction and retrofit of steel and concrete bridges for **final installed quantity adjustments on the Allen Avenue Underpass and Undercrossing** on the Pasadena Blue (B) Line. These quantity adjustments, including increases and decreases, represent an absolute value of \$310,528. The net adjustment to the total contract value is an increase of \$36,754. This change will increase the total contract value to \$12,702,729.

24. APPROVED execution of a non-competitive contract with Giro Enterprises to provide the MTA with an **operator schedule optimization software upgrade** for both bus and rail operations, at a total contract value of \$272,000.
25. CARRIED OVER - **conveyance of a non-exclusive permanent subsurface easement for a 30" natural gas pipeline** to Southern California Gas Company (SCG) containing approximately 4,495 lineal feet extending from 495 feet South of Imperial Highway to El Segundo Boulevard in the City of El Segundo for a total compensation of \$206,736.
26. FAILED - negotiation and execution of contracts with CompuCom, Inc., Sacramento, and GE Capital Information Technology Solutions, Irvine, and their successors, **to acquire computer hardware, software and services** as provided for in part by competitive contracts awarded by the State of California under Public Contract Code Section 10324 for a five year period with a total expenditure not to exceed \$12,000,000, subject to availability of funding.
27. APPROVED :
 - A. **Scheduling a public hearing** on Saturday, July 10, 1999, to receive public comment on possible limited adjustments in **bus and rail fares**; and
 - B. Authorizing publication of legal notice.
30. ADOPTED the revised **Alcohol and Drug-Free Work Environment Policy** (formerly known as the Alcohol and Drug Abuse Policy) effective July 1, 1999.
31. ADOPTED the **MTA/PTSC Equal Employment Opportunity/Affirmative Action Program 1998 Update**.
33. APPROVED the following actions on **State Legislation**:
 - B. **SB 681 (SPEIER)** - Relates to responsibilities of individuals in minor car accidents and liability issues for freeway service patrols throughout the state. **SUPPORT**
 - C. **AB 872 (ALQUIST)** - Clarifies the procedures and uses of funding reimbursement to local agencies from the State. **SUPPORT**
34. APPROVED that the MTA hereby **dedicate a site within the MTA building** where we can acknowledge the leadership and dedication of all Chairpersons who served on the MTA Board of Directors. The site shall be located near the Board room, in full display and visible to the public for their viewing, acknowledging each Chairperson, past and present.
37. CARRIED OVER - award of contracts to the following selected firms to serve on a **Joint Development Advisor Bench that will be established for MTA owned properties** for a period of five years beginning in May 1999 through April 2004: Keyser & Marston Associates, Inc.; Sedway Group; Maxima Group/Price Waterhouse Coopers; PCR Kotin; and Kosmont & Associates in an amount not to exceed \$500,000 per individual contract; Subject to an aggregate limit of \$500,000 for all services performed under this authority.

38. APPROVED the **SCRRA'S FY1999-2000 Preliminary Budget** and MTA's financial commitment of \$22,987,700 for operating and \$7,800,000 for capital maintenance.
39. CARRIED OVER - negotiation and execution of a Change Order to Contract No. PS-4310-0412 with Myra L. Frank & Associates on the **I-5 Freeway Interim HOV Lane Improvements** initial study/environmental assessment consulting services in the amount of \$68,377 for a total revised contract amount of \$1,222,713, and extend the period of performance from June 30, 1999 through July 31, 1999.
40. ADOPTED the new MTA **restroom policy**, including modifications to the Metro Red (A) Line restroom policy.
41. CARRIED OVER - authorizing the Chief Executive Officer to execute a License Agreement ("Agreement") with Omni Outdoor/STI ("OMNI/STI") for the installation, operation and maintenance of up to ten (10) **Automated Public Toilets (APTs)** at specific MTA locations, and the installation, operation and maintenance of up to 54 outdoor advertising structures at other MTA owned properties subject to FTA concurrence for a ten year term.
42. CARRIED OVER - execution of a Change Order with Perdomo & Sons to **provide the MTA with additional recycling/trash services** in an amount not to exceed \$220,000 and extend the period of performance from August 28, 1999 through September 30, 2000 for a total revised contract amount of \$415,046.
43. APPROVED :
 - A. execution of a Change Order with Ryder/ATE, Inc. **for local transit services** in an amount not-to-exceed \$8,073,161, for a total revised contract amount of \$45,850,000, and extending the period of performance from June 8, 1999 through January 8, 2000; and
 - B. submission of Ryder/ATE's claimed costs for additional maintenance for the base period of the contract, from December 8, 1995 through December 8, 1998, to binding arbitration.
44. APPROVED the revision of the **Alternative Dispute Resolution (ADR) Policy** which:
 - A. increases the dollar limit on the claims which qualify for resolution through the ADR process from \$250,000 to \$500,000;
 - B. increases the CEO's authority to execute change orders that implement settlement of those disputes or liquidate arbitrator decisions from the present limit of \$250,000 per change to \$500,000 per general contractor or subcontractor per dispute, inclusive of any required Authorization for Expenditure (AFE) adjustment; and
 - C. for those change orders to be executed over \$250,000 that implement settlement agreements and are not liquidated arbitration judgements, the CEO's recommendations will be communicated to Board members, in writing. Board members are requested to respond with any objections within seven calendar days of receipt. Any objection by a Board member to the CEO's recommendation, the matter will be brought before the next Construction Committee and full Board for consideration.
45. FAILED the execution of Change Order No. 125 to Contract C0311 with Traylor Bros./Frontier-Kemper, JV, to provide compensation for the **settlement of Claim No. 14**, due to Differing Site

Conditions of adverse ground behavior at Sta. 656+57 to Sta. 656+49 in the AR tunnel and at Sta. 665+83 to Sta. 665+71 in the AL tunnel in Reach 1, on the Metro Red (A) Line, North Hollywood Corridor (Segment 3), in the amount of \$990,885, increasing the total contract value to \$163,142,060.

46. **ADOPTED** the following positions on **State Legislation**:
- A. **FAILED** - SB 1276 (Hayden) - Mandates certain requirements on the Authority pertaining to the Consent Decree. **OPPOSE**
 - C. **APPROVED** - AB 581 (Firebaugh) - Directs a study be conducted to assess traffic congestion on Route 710, the Long Beach Corridor. **SUPPORT WITH AMENDMENTS.**
 - D. **APPROVED** - AB 71 (Cunneen) - Would allow low-emission vehicles (ILEV) to use HOV lanes and require DMV to design and make available special license plates for ILEV's. **OPPOSE**
49. **APPROVED** the following actions regarding the **Local Transportation Zone Guidelines**:
- A. Approve the designation of Lines of Regional Significance Report;
 - B. Approve the Pre-Applications from both Foothill Transit and the Greater San Fernando Valley Transportation Zone authorizing pre-applicants to develop zone applications for the transfer of specific lines and service areas, subject to additional input to be provided based on the stakeholder briefing of May 17; and
 - C. Direct staff to proceed with the transportation zone application process noted in the Milestone Schedule.

NOTED COMMITTEE AUTHORITY APPROVALS Items 10, and 12

- 10. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY** (4-0) a one year option with Gale Supply, Los Angeles, to provide **disposable hand towels**, for an amount not to exceed \$400,975, and subject to availability of funding, exercise the second one year option for an amount not to exceed \$471,303 for a total revised contract amount of \$1,222,080.
- 12. **APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY** (4-0) ratification of expenditures to Vanpool Services, Inc. (VPSI), for **employee vanpool services** rendered during fiscal years 1992 through 1999, in the amount of \$188,509 which increases the previous authorized amount from \$750,000 to \$938,509.

END OF CONSENT CALENDAR

CLOSED SESSION

Conference with Legal Counsel - Existing Litigation - G.C. 54956.9 (a):

- A. Fonseca v. MTA,
Case No. BC 195151

NO ACTION TAKEN.
- B. Graw V. MTA

Case No. CV 97-8641

NO ACTION TAKEN.

C. Labor Community Strategy Center, et al v. MTA, Case No. CV 94-5936 TJH(MCx)

WITHDRAWN.

D. Beauchamp v. MTA
Case No. CV 98-0402

NO ACTION TAKEN.

E. Lezama v. MTA
Case No. EC 022220

NO ACTION TAKEN.

NON-CONSENT Items 3, 4, 11, 13, 16, 20, 33A, 33D, 46B, 48, and 51

3. RECEIVED Chief Executive Officer's Report

4. Chair's Report - NO REPORT.

11. APPROVED REVISED RECOMMENDATION ON A ROLL CALL VOTE the awarding of a firm, fixed price contract to ~~Primary Services Systems, Inc., Henderson, NV~~, Global Power Systems, Los Angeles, the lowest responsive, responsible bidder for the disposal and procurement of **fifteen eight Battery Banks for the Blue (B) Line Battery Replacement Project** for a cost of ~~\$219,694~~ \$116,801 ~~and subject to availability of funding, exercise the option for an additional five Battery Banks for a cost of \$73,231, for a total cost including tax of \$292,925.~~

ROLL CALL VOTE:

Ayes: Antonovich, Cragin, Fasana, Molina, Yaroslavsky, Roberts and Riordan.

Noes: None

Absent: Alatorre, Bernson, Burke, Knabe, Legaspi and Oropeza

Abstain: None

13. CARRIED OVER - a contract to Booz-Allen & Hamilton, Inc., to prepare specifications for **Universal Fare System (UFS)-compatible cash and electronic fare collection systems for the bus, rail and shuttle systems** and for modification of the SCRRA Ticket Vending Machines (TVMs) to accommodate UFS transactions in the amount of \$273,694. This authorization is inclusive of an initial award for Phase I, Farebox specifications, and Phase II, MTA and SCRRA TVM specifications.

AMENDED TO INCLUDE THAT STAFF :

1. ensure that the exploration of a "cash-less" bus is evaluated in the consultants and/or staffs development of the UFS general specifications, and
2. return in no later than 60 days with a schedule and scope for an MTA comprehensive fare structure, fare policy and fare administration study consistent with the schedule for the

implementation of the UFS as well as the previously Board-adopted Director Antonovich motion.

16. WITHDRAWN BY STAFF:

- A. execution of Caltrans Cooperative Agreement for the **construction of the new 101 Freeway Over Crossing and improvements, access roadway at the Universal City Station site**, and provide funding to Caltrans in a one-time payment not to exceed \$2,537,000 for future maintenance costs of the proposed structure; and
- B. execution of work orders and payments within the terms of the Cooperative Agreement.

20. CARRIED OVER:

- A. negotiation and execution of Change Order No. B281T-CO-90.00 to Contract No. B281T, Hollywood Tunnel Completion with Kajima/Ray Wilson, JV, to provide for an increase in the **excavation and removal of sinkhole debris** on the Metro Red (A) Line, Vermont/Hollywood Corridor, in the amount of \$378,271 (inclusive of Change Order No. 16.00 amount of \$350,000 previously approved by the Board), increasing the total contract value to \$50,389,416; and
- B. an increase in the Authorization for Expenditure (AFE) to Contract No. B281T to provide funding for Change Order No. B281T-CO-90.00, in the amount of \$28,271, increasing the current Segment 2 B281T Contract AFE to \$51,564,350.

33. NO ACTION TAKEN on the following **State Legislation**:

- A. **SB 1243 (MURRAY)** - Mandates the creation of Exposition Boulevard Fixed Guideway Construction Authority. ~~OPPOSE~~ **NO POSITION**
- D. **AB357 (CALDERON)** - Provides additional funding for grade separation projects. ~~SUPPORT~~ **OPPOSE**

46. NO ACTION TAKEN on the following position on **State Legislation**:

- B. SB 928 (Burton) - Authorizes the State Treasurer, in cooperation with the CTC and regional transportation planning agencies, to issue federal highway grant anticipation notes (GARVEE bonds) to accelerate funding for eligible transportation projects. ~~SUPPORT~~ **SUPPORT WITH AMENDMENTS.**

48. APPROVED ON A ROLL CALL VOTE:

- A. Adoption of **Soundwall Implementation Policy**, in concept;
- B. Authorizing staff to program \$34.8 million (available through RTAA) to the 1989 Soundwall Retrofit List; and instructing staff to return to the Board with a funding and construction plan pending the outcome of State soundwall legislation (AB 102); and

STAFF TO RETURN TO THE BOARD WITH CRITERIA TO BE MET IN ORDER TO DEVIATE FROM SOUNDWALL IMPLEMENTATION POLICY AND A REPORT ON BONDING RELATIVE TO ADOPTED DEBT POLICY

ROLL CALL VOTE:

Ayes: Antonovich, Cragin, Fasana, Molina, Yaroslavsky, Roberts and Riordan.

Noes: None

Absent: Alatorre, Bernson, Burke, Knabe, Legaspi and Oropeza

Abstain: None

51. **CARRIED OVER:**

- A. Authorizing the CEO to finalize, execute and deliver a three-party Memorandum of Understanding (MOU) between the MTA, the California Transportation Commission (CTC) and the **Pasadena Metro Blue (B) Line Construction Authority (PMBLCA)**;
- B. Authorizing the CEO to finalize, execute and deliver a Master Cooperative Agreement and a Funding Agreement between the MTA and the Pasadena Metro Blue (B) Line Construction Authority;
- C. Authorizing the CEO to finalize, execute and deliver the Full Funding Operational Plan for the operation and rolling stock needs of the Pasadena Metro Blue Light Rail Line subject to PMBLCA's successful completion of the line; and
- D. Authorizing the CEO to finalize, execute and deliver a Property Trust Agreement pursuant to which the MTA is the Settlor and Beneficiary, and PMBLCA is the Trustee.

52. **CARRIED OVER - ALATORRE MOTION** that the MTA provide **Chief Sharon Papa with an additional severance benefit** by crediting her with 3 years and 4 months service in the MTA's Non-Contract Employees' Pension Plan thereby bringing her total credited service to 20 years.

RECEIVED PUBLIC COMMENT.

Adjourned at 10:45 A.M.

PREPARED BY: Christina Lumba-Gamboa
Recording Secretary

Michele Jackson
Interim Board Secretary

[\[Recap Matrix\]](#)

[\[Return to Recap of Actions\]](#)