



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

December 2, 1999

Called to order at 10:00 A.M.

Directors Present:

Yvonne Brathwaite Burke, Chair
 James Cragin, First Vice Chair
 Richard Riordan, Second Vice Chair
 Hal Bernson
 Jaime de la Vega
 John Fasana
 Don Knabe
 Jose Legaspi
 Gloria Molina
 Jenny Oropeza
 Frank Roberts
 Zev Yaroslavsky
 Robert Sassaman, Ex Officio

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

NOTE: Members voting are reflected on the attached "RECAP OF PROCEEDINGS" matrix.

1. APPROVED CONSENT CALENDAR Items 2, 9, 10, 17, 18, 26, 29, 30, 34, 35, 40, 48***, 50, 51, 53, 55, 56, and 57

ITEMS 8*** AND 45 WERE PULLED FROM CONSENT

*** 2/3 VOTE REQUIRED BY THE FULL BOARD

NOTED COMMITTEE AUTHORITY ITEMS: 11, 12, 13, 15, 16, 19, 20, 21, 22, 23, 43, 44, 46, and 47

CONSENT CALENDAR

2. APPROVED ON CONSENT CALENDAR Minutes of Special Board Meeting held on

September

29, 1999 and Regular Board Meeting held on October 28, 1999.

9. APPROVED ON CONSENT CALENDAR award of a firm fixed unit price contract to Trans Glass Inc., the only responsive, responsible bidder under Bid #09-9913 to purchase up to 222 TMC, 148 Neoplan and 19 GMC RTS Window Kit Assemblies, for an amount not to exceed \$2,488,355, inclusive of sales taxes.
10. APPROVED ON CONSENT CALENDAR appointment of a Hearing Officer and scheduling of a Public Hearing for Tuesday, January 18, 2000 at 10:00 a.m., to receive public comments regarding the proposal from Montebello Bus Lines to operate Line 104.
17. APPROVED ON CONSENT CALENDAR execution of Change Order No. 138 to Contract C0351, North Hollywood Station with Crossover and Tail Track, with Kajima/Ray Wilson, J. V., to closeout temporary decking for the station box and station side structures for actual quantities installed, on the Metro Red (A) Line, North Hollywood Extension, in the amount of \$522,500 increasing the total contract value from \$67,860,244 to \$68,382,744.
18. APPROVED ON CONSENT CALENDAR execution of Change Order No. 112.00 to Contract No. C0351, North Hollywood Station with Crossover and Tail Track with Kajima/Ray Wilson, J. V., to add concrete sealer in the amount of \$49,019 and to delete acoustical material within the station in the credit amount of (\$284,310) on the Metro Red (A) Line, North Hollywood Extension for a net credit amount of (\$235,291), decreasing the total contract value from \$67,860,244 to \$67,624,953.
26. ADOPTED ON CONSENT CALENDAR two separate resolutions, one for Prop A and one for Prop C, required by the State Board of Equalization (SBOE) AND AUTHORIZED MTA staff and Municipal Resource Consultants to audit SBOE sales and use tax records.
29. APPROVED ON CONSENT CALENDAR adoption of the updated MTA Debt Policy.
30. APPROVED ON CONSENT CALENDAR exercising the second one-year option at the same monthly fee for state advocacy support:
 - A. Capitol Representation Group - \$71,500.
Tim Egan principal lobbyist.
 - B. Nielsen, Merksamer, Parrinello & Naylor - \$57,130.
Bob Naylor principal lobbyist.
34. APPROVED ON CONSENT CALENDAR adoption of the 1999 Congestion Management Program for Los Angeles County.
35. APPROVED ON CONSENT CALENDAR a request from Caltrans for an increase of \$535,000 in the expenditure limit for the construction contract for the I-405 HOV project, awarded by Caltrans to Brutoco Engineering and Construction, Incorporated (Contract #07-120334), needed to settle the contractor's final claims filed for additional cost items. The new expenditure limit will be \$14,203,000 which is less than the \$14,801,000 in federal and state Transportation Systems Management (TSM) Matching funds that were originally programmed by the Board as part of the 1993-94 MTA Call for Projects.

40. APPROVED ON CONSENT CALENDAR:
- A. execution of a contract with TM TechSystems to provide consulting and technical support services related to the Advanced Transportation Management System (ATMS) project for a period not to exceed five years for a firm fixed price amount of \$1,355,000; and
 - B. negotiation and execution of additional Task Orders up to 15% of the original approved contract value, as a not to exceed contingency of \$203,000, for a total contract value of \$1,558,000.
48. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE:
- A. Adoption of the following motion: The Board finds by a two-thirds vote that awarding a design/build contract pursuant to Public Utilities Code 130242(a) will achieve certain private sector efficiencies in the integration of the design and construction of the Metro Green (D) Line (D Line) Noise Barrier; and
 - B. Authorization for the CEO to solicit design/build Contract C0637, Metro Green (D) Line (D Line) Noise Barrier, pursuant to Public Utilities Code 130242(a).
50. APPROVED ON CONSENT CALENDAR declaring real property located at 9920 Flora Vista Street in the City of Bellflower as surplus and authorized the sale of said property to the City of Bellflower for \$1,050,000.
51. APPROVED ON CONSENT CALENDAR negotiation and execution of a sublease agreement with Prism Communication Services, Inc., a wholly owned subsidiary of Comdisco, Inc., for the sublease of approximately 17,978 square feet of office space at 707 Wilshire Boulevard, Los Angeles, for a flat, full-service-gross, monthly rental rate of \$14,982 per month (\$0.83 per square foot) over the sublease term, with four months of free rent and use of existing furniture. The term of the sublease agreement shall commence on approximately December 15, 1999 and run for the then remaining twenty-five-and-one-half month term on the MTA's 707 Building lease.
53. APPROVED ON CONSENT CALENDAR authorization for the Chief Executive Officer to exercise the second one-year renewal option with each Certified Public Accountant (CPA) firm within the CPA Audit Pool for services from December 2, 1999 through December 1, 2000 in an aggregate amount not to exceed \$3,345,000, increasing the total amount authorized from \$3,279,107 to \$6,624,107.
55. APPROVED ON CONSENT CALENDAR Yaroslavsky motion - that staff report back to the Board in 30 days with a financing and operational plan to immediately extend rail hours to serve the Staples Center and Music Center;

That staff should work with Staples Center, Music Center and LADOT staff to ensure that the expanded service is sufficient to meet ridership demands; and

That staff should report back to the Board in 60 days with a cost and operational plan for extending rail hours and service in the spring when Red (A) Line opens to North Hollywood.

Staff should work with all interested parties including Universal Studios, the Universal Amphitheater, Hollywood Bowl, Trizec Hahn and other interested parties.

56. APPROVED ON CONSENT CALENDAR execution of an amendment to Contract No. 07H004 with MK Centennial to provide design services for Route 10 HOV Lanes, Segment 3 project from Route 57 to the San Bernardino County Line in the amount of \$505,436 for a total revised contract amount of \$9,015,436.
57. APPROVED ON CONSENT CALENDAR Riordan motion to:
1. Begin free MTA bus and rail service at 11 a.m. on December 31, 1999;
 2. Monitor actual MTA fare revenue on December 31, 1999 versus the expected revenue;
 3. Transfer sufficient funds up to \$250,000 from the Board Contingency to MTA transit operations if MTA fare revenue is less than projected revenue for December 31, 1999;
 4. Report back to the Board during the January, 2000 committee cycle with the actual cost of extending transit service.

APPROVED UNDER COMMITTEE AUTHORITY Items 11, 12, 13, 15, 16, 19, 20, 21, 22, 23, 43, 44, 46 and 47

11. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY negotiation and execution of a five (5) year firm fixed price contract to The Resource Collection, Inc., for janitorial services for Harbor Transit Way Stations and Customer Service Centers, at a total contract value of \$583,961, inclusive of two (2) one-year options.
12. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY:
- A. award of a firm fixed price contract to N/S Corporation, Inglewood, the lowest responsive, responsible bidder, for two Bus Washing Systems to be located at Divisions 3, and 5, for a firm fixed price of \$344,250; and
 - B. exercise of a contract option for two additional bus washing systems for a price of \$344,250, for a total contract value of \$688,500.
13. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a 36-month unit rate contract to Electric Motors Sales and Service, Alhambra, the lowest responsive, responsible bidder to overhaul Metro Blue (B) Line, Metro Green (D) Line (D Line) and Metro Red (A) Line Traction Motors for an amount not to exceed \$630,963.
15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 6.00 to Contract B612 with L. B. Foster Company for deletion of the Contact Rail System for Metro Red (A) Line Segment 3 Mid-City, Stage 2(b) rail extension and the Eastside Extension option, in the credit amount of (\$1,169,166), decreasing the total contract value from \$9,492,567 to \$8,323,401.
16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change

- Order No. 7 to Contract No. C1610 Trackwork Installation, with Herzog Contracting Corporation to delete the Crossover Trackwork Installation on the Metro Red (A) Line North Hollywood Extension, in the credit amount of (\$289,000), decreasing the total contract value from \$26,448,789 to \$26,159,789.
19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 109 to Contract C0321, Universal City Station, with Tutor-Saliba/Perini, J. V., to close out Exterior Wall Concrete for the actual quantities installed on the Metro Red (A) Line, North Hollywood Extension, in the credit amount of (\$243,380), decreasing the total contract value from \$60,951,947 to \$60,708,567.
20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 196 to Contract No. C0301, Hollywood/Highland Station and Tunnels, with Tutor-Saliba/Perini, J. V., to delete Chiller Room on the Metro Red (A) Line, North Hollywood Extension, in the credit amount of (\$273, 478), decreasing the total contract value from \$75,493,504 to \$75,220,026.
21. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 68.00 to Contract B252, Vermont/Santa Monica Station and Crossover, with Kiewit-Shea, J. V., to close out Concrete Reinforcing Steel for actual quantities installed on the Metro Red (A) Line, Vermont/Hollywood Corridor, in the amount of \$676,337 increasing the total contract value from \$56,000,530 to \$56,676,867.
22. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. award of a Time and Materials Contract Work Order type contract to Harding Lawson Associates to provide the MTA environmental engineering services for two (2) years with three (3) one year options; and
 - B. negotiation and execution of Contract Work Orders for environmental engineering services in an amount not to exceed \$3,037,493.
23. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 16 to Contract No. OP33430312-A with Funds Management, Inc. to provide compensation for additional shoring required due to unforeseen site conditions on the underground storage tank replacement at Division 15 in the amount of \$136,345, increasing the total contract value from \$1,861,682 to \$1,998,027.
43. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 16 to Contract No. C1610 Trackwork Installation, with Herzog Contracting Corporation, to modify the Contractor's Rail Welding Site and Construction Staging Area on the Metro Red (A) Line North Hollywood Extension, in the credit amount of (\$241,000), decreasing the total contract value from \$26,159,789 to \$25,918,789.
44. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. execution of Work Authorization Change Notice (WACN) No. 20.02 to Contract No. H0631, Traction Power Installation, with MASS Electric Construction Co., for the completion of the installation of additional upgrade equipment to Segment 1 Traction Power System on the Metro Red (A) Line, North Hollywood Extension. This WACN

- 20.02 supercedes WACN 20.01 which was issued within staff authority to begin the installation effort and increases WACN 20.01 from \$195,000 to \$608,245, increasing the total contract value from \$3,855,255 to \$4,463,500;
- B. negotiation and execution of Change Order No. 5.00 within the not to exceed amount approved by this WACN;
- C. an increase in the Authorization for Expenditure (AFE) to Contract No. H0631 to provide funding in the amount of \$608,245 increasing the current contract AFE amount from \$4,579,539 to \$5,187,784.
46. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY award of Cost-Plus-Fixed Fee (CPFF) Contract No. PS 8310-0566 with Systra Consulting, Inc. for design and design support during construction services for the train control systems and associated interfaces on the Metro Green (D) Line (D Line) and Metro Blue (B) Line light rail transit systems from July 1, 1999 through September 30, 2001 in an amount not to exceed \$1,454,403.
47. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY authorization for the CEO to execute the following contract work orders (CWO) to contract ENO30 with CH2MHILL (Santa Ana) on the Metro Red (A) Line East Side Extension for asbestos and lead abatement for a total aggregate increase in the current CWO value of \$307,956 from \$35,896 to \$343,852:
- A. Contract Work Order (CWO) No. 24.1 of Parcel ED-147, in the amount of \$197,971;
- B. CWO No. 25.1, Parcel EE-279 in the amount of \$41,843;
- C. CWO No. 28.1, Parcel EE-283, in the amount of \$68,142; and
- D. increase the Authorization for Expenditure (AFE) to provide funding for pending changes that are within the Board delegated authority in the amount of \$75,000 (\$45,00 for asbestos and lead abatement of buildings on Parcels ED-147, EE-279, and EE-283; and \$30,00 for Environmental Emergency Response services) increasing the current AFE amount from \$300,000 to \$375,000.

NON-CONSENT

3. Chief Executive Officer's Report
- CNG Fueling Facility At Division 5
 - Transit Corridor Studies for Alternative Fixed Guideways
 - UFS/ETM Special Board Meeting December 15, 1999 at 1:00 p.m.
 - Compton Metro Blue (B) Line Accident
4. Chair's Report

APPROVED Burke Motion, as **Amended by Bernson:**

THAT the Board direct staff to report back to the Operations Committee in 60 days on the following issues:

1. The status of the MTA's current Metro Blue (B) Line safety programs including publicity and awareness education;
2. A review of other rail properties' experiences & solutions relating to similar at-grade light rail safety issues;
3. Possible additional efforts to effectively boost safety, including but not limited to additional safety education programs, and design improvements, such as median islands, four quadrant gates, separate left-turn phases, and other alternatives, including all possibilities surrounding grade separations;
4. Levels of funding required to implement the above range of improvements;
5. Identify any legislative efforts needed to secure appropriate funding for improvements or other enhancements of MTA's Rail Safety Program; and
6. **look at proposing legislation that would make it a criminal act (misdemeanor) to ignore traffic laws and safety systems.**

5. APPROVED 'A' ONLY

CRAGIN MOTION:

- A. that no change be made to the formula for allocation of Federal Section 5307 or in the way these funds are allocated, and that MTA's FY 2000 and FY 2001 budgets reflect that policy position;
- B. **CARRIED OVER FOR 60 DAYS AND DIRECTED THE CEO TO CONTINUE TO WORK WITH THE MUNICIPAL OPERATORS** regarding creation of a Municipal Operator Bus Service improvement and expansion program designed to improve service to the transit dependent countywide by reducing overcrowding and expanding services; and that the Board authorize the CEO or his designee to execute funding agreements with the Municipal Operators; and that those agreements provide a total for Municipal Operators, for this program, of proposition C 40% funds of \$5 million for FY2000; a minimum of \$10 million for FY 2001; and a minimum of \$15 million each for FY's 2002, 2003 and 2004; Recognizing that these sums are much less than the estimated fair share the municipal operators should receive based on anticipated funding MTA will need.

8. **ADOPTED BY 2/3 VOTE OF THE BOARD THE FOLLOWING MOTION:**

- A. That there is only a single source of procurement for five hundred fifty (550) bicycle racks and assist mirrors and purchase is for the sole purpose of duplicating the bicycle racks and assist mirrors already in use. The Board hereby authorizes the purchase of the bicycle racks and assist mirrors under PUC Section 130237; and

- B. Awarded a firm fixed price contract to Sportworks NW, Inc. Woodinville, Washington, for the procurement of 550 bicycle racks and 550 assist mirrors for the Metro Bus fleet, at a total contract value of \$291,407, including sales tax.

31. APPROVED, AS AMENDED:

Adoption of the proposed 1999-2000 Legislative Program - Second Session AMENDED TO INCLUDE:

SEEKING FUNDING FOR RESEARCH AND DEVELOPMENT OF THE CNG ENGINE.

SEEKING A LETTER OF NO PREJUDICE FROM THE FTA RELATED TO THE THREE CORRIDORS (ALAMEDA CORRIDOR EAST, MID-CITIES AND SAN FERNANDO).

EXPAND THE 1999-2000 STATE PROGRAM - PROPOSED ACTIVITIES TO INCLUDE:

EFFORTS TO SECURE ADDITIONAL FUNDING AND/OR OBTAIN AUTHORITY TO GENERATE ADDITIONAL FUNDING FOR BUS TRANSIT CAPITAL, OPERATIONS, THE POST 1989 SOUNDWALL LIST, AND ANY OTHER PROJECTS, PROGRAMS AND SERVICES BENEFICIAL TO LOS ANGELES COUNTY.

EXPAND THE 1999 REGIONAL AND LOCAL PROGRAM TO INCLUDE:

SUPPORTING THE PROGRESS OF THE ALAMEDA CORRIDOR AND ALAMEDA CORRIDOR EAST.

MITIGATE THE IMPACT OF HOV LANE CHANGES ON MTA BUS SERVICE.

32. APPROVED:

MOLINA/ANTONOVICH MOTION that Section 1.4E of the MTA Rules and Procedures be amended to read as follows:

Committee actions. All actions taken by a committee, other than actions requiring a 4/5 vote, shall require the affirmative vote of a majority of all appointed committee members. All actions taken by a committee which require a 4/5 vote for approval shall require the affirmative vote of 4/5 of all appointed committee members.

Any agenda item which does not receive a sufficient vote for approval as required by this section shall be forwarded to the full board for consideration without recommendation by the committee.

33. CLOSED SESSION

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

1. Birdsong v. MTA Case No. BC205177

APPROVED SETTLEMENT OFFER in the amount of \$225,000

2. Labor/Community Strategy Center v. MTA, Case CV 94-5936TJH

NO ACTION TAKEN

3. Bachman v. MTA BC198819

APPROVED SETTLEMENT in the amount of \$150,000

4. Anguiano v. MTA, Case BC 196000

APPROVED SETTLEMENT in the amount of \$295,000

5. MTA v. Parsons/Dillingham Case BC 150298

NO ACTION TAKEN

B. Closed Session: Conference with Legal Counsel - Anticipated Litigation

1. G.C. 54956.9 (b)

Significant exposure to litigation (One Case)

APPROVED SETTLEMENT of \$195,000 for 6150 Hollywood Blvd. property

2. G.C. 54956.9 (c)

Initiation of litigation (One case)

AUTHORIZED ACCEPTANCE OF \$320,000 OFFER from Southern California Gas Company

42. APPROVED execution of a revision to Work Authorization Change Notice (WACN) No. 469 to Contract No. 3369 with Parsons-Dillingham (P-D) to fund the cost of four months of Construction Management Services on the Metro Red (A) Line, Vermont/Hollywood Corridor (Segment 2B) in an amount not to exceed \$1,500,000, increasing the WACN amount from \$1,500,000 to \$3,000,000, and increasing the total contract value from \$173,781,912 to \$175,281,912.

45. APPROVED RIORDAN/YAROSLAVSKY SUBSTITUTE MOTION TO:

- A. authorize the CEO to negotiate and execute change orders to Contract No. PM021 with Fluor Daniel Inc., for Project Management Assistance (PMA) services for North Hollywood, Segment 3 (\$83,000) and LA Car Activation Support (\$66,000) in the amount of \$149,000 increasing the total contract value from \$16,120,000 to \$16,269,000;
- B. increase the Authorization for Expenditure (AFE) to Contract No. PM021 to provide funding for pending changes increasing the current contract AFE by \$149,000 from \$16,120,000 to \$16,269,000; and
- C. direct the CEO to move forward to pre-qualify and negotiate a sole source contract at a

lower rate with PinnacleOne.

58. WITHDRAWN - ANTONOVICH MOTION that the Board transmit a letter of support to the FHWA for the \$35 million Montebello Blvd., grade separation project.

RECEIVED PUBLIC COMMENT

Chair Burke requested a report back on the LA Car.

PREPARED BY: Rhodona Enright
Recording Secretary

Michele Jackson
Board Secretary

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