



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, June 22, 2000

Call to order at 10:00 a.m.

Directors present:

Yvonne Brathwaite Burke, Chair  
Richard Riordan, Second Vice Chair  
Michael Antonovich  
Hal Bernson  
Jaime de la Vega  
John Fasana  
Don Knabe  
Jose Legaspi  
Gloria Molina  
Frank Roberts  
Zev Yaroslavsky

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

**NOTE:** Members voting are reflected on the attached “RECAP OF PROCEEDINGS” matrix

1. **APPROVAL OF CONSENT CALENDAR** Items 2, 11<sup>\*\*\*</sup>, 12, 13<sup>\*\*\*</sup>, 14, 15, 16, 18, 19, 27, 32, 36C, 37, 41, 42, 43, 44, 45, 47

Items 6, 21, 23, 28 and 29 withdrawn by staff. Items 26, 36A and 48 pulled from consent calendar.

**\*\*\* (REQUIRES 2/3 VOTE OF THE BOARD)**

**COMMITTEE AUTHORITY ITEMS:** 20, 22, 24 and 25

2. **APPROVED Minutes** of Regular Board meeting of May 25, 2000 and Special Board meeting of June 7, 2000.
3. **Chief Executive Officer’s Report:**
  - Introduced Brenda L. Diederichs, Chief Labor Relations Officer
  - Introduced Capt. Lonnie Mitchell Jr., Procurement Executive Officer
  - Reported upcoming events for the opening of the Red Line Extension
3. **Chair’s Report - None**
4. **RECEIVED AND FILED** the second quarterly update of the LACMTA **Triennial Performance Audit** implementation plan.

6. WITHDRAWN BY STAFF:

- A. awarding a firm fixed price contract to URS Greiner Woodward Clyde (URS) for **preparation of a Project Study Report for Glendale Boulevard (SR 2) Terminus Improvement Project** in the amount of \$498,703; and
- B. exercising Option I, if warranted, for the development of three dimensional computer simulation models for selected alternative(s) in the amount of \$14,986.

(CARRIED OVER FROM MAY 25, 2000 BOARD MEETING)

11. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE:

- A. adopting the following motion: The Board finds that there is only a single source of procurement for the bill validator components to upgrade the **rail Ticket Vending Machines** and that the purchase is for the sole purpose of replacing these components to accept the new currency. The Board hereby authorizes the purchase of the bill validators pursuant to Public Utilities Code Section 130237; and
- B. awarding a unit rate contract to GenFare Incorporated (GFI), a sole source vendor, **to provide 254 units of bill validator components and upgrade the rail Ticket Vending Machines (TVMs)**, for a firm fixed price of \$255,400.

12. APPROVED ON CONSENT CALENDAR subject to resolution of protest appeal award of a contract to Petro Diamond Inc., Irvine, the lowest responsive, responsible bidder, **to provide diesel fuel** for a twenty-seven month period for an estimated total amount of \$31.3 million inclusive of sales tax.

13. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE:
  - A. adopting the following motion: The Board finds by a 2/3 vote that there is only a sole source for procurement of **Light Rail Vehicle Tire Kits** (steel wheels). The purchase is for the sole purpose of replacing the MTA's existing equipment. The Board hereby authorizes the purchase of LRV Tire Kits pursuant to PUC Section 130237; and
  - B. awarding a sole source contract to Penn Machine Company, Johnstown, PA, to purchase up to 850 tire kits for Blue Line rail cars over a 3-year period for a total cost of \$1,211,805, including sales tax.
  
14. APPROVED ON CONSENT CALENDAR award of a firm fixed price contract to Johnson Lift/Hyster, City of Industry, the lowest responsive, responsible bidder, to purchase thirteen **Gasoline Powered Forklifts**, for a total cost of \$292,849, including tax.
  
15. APPROVED ON CONSENT CALENDAR:
  - A. awarding a two year firm fixed price contract to the lowest responsive, responsible bidder Jayne Products Inc., Carson, **covering the procurement of Power Wash Detergent**, including storage tanks, for an amount not to exceed \$581,952, inclusive of sales tax; and
  - B. authorizing the CEO to exercise three one (1) year options subject to the availability of funding, market survey analysis and allowance for price adjustments based on the Consumer Price Index with a maximum increase of 5% for any single year of the option period, for a total three year option amount not to exceed \$846,400.
  
16. APPROVED ON CONSENT CALENDAR negotiation and execution of three multiple award agreements with LS Gallegos & Associates Inc., Procurement Services Associates and Thompson, Cobb, Bazilio & Associates, PC, **to provide**

**temporary contract administration services for a period of two years**, for a cumulative total amount not to exceed \$750,000.

18. APPROVED ON CONSENT CALENDAR execution of Change Order No. 152 to Contract No. B281, Hollywood/Vine Station, with Kajima-Ray Wilson, Joint Venture, which incorporates the Change Notice No. 136.01 **for continuous construction ventilation** on the Metro Red Line, Hollywood/Vine Station in the amount of \$221,247, increasing the total contract value from \$56,013,997 to \$56,235,244.
  
19. APPROVED ON CONSENT CALENDAR execution of Change Order No. 24.00 to Contract No. B648B, Communications Installation, with Steiny and Company, Incorporated, which incorporates Work Authorization Change Notice (WACN) No. 39.00, in an amount not to exceed \$90,000, **for the procurement and installation of automatic transfer switches (ATS)** on the 80 KVA UPS systems at the eight (8) Segment 2 passenger stations, on the Metro Red Line, Wilshire and Vermont/Hollywood Corridors, in the amount of \$200,000 increasing the total contract value from \$6,599,336 to \$6,799,336.
  
20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0):
  - A. execution of Change Order No. 4 to Contract No. H0648, Communications Installation, with Steiny and Company Inc., which incorporates Work Authorization Change Notice (WACN) No. 4.02, in an amount not to exceed \$75,000 **for fire alarm system field modifications on the Metro Red Line, North Hollywood Extension**, in the amount of \$239,800, increasing the total contract value from \$7,699,250 to \$7,939,050; and
  
  - B. an increase in the Authorization for Expenditure (AFE) to Contract No. H0648 for fire alarm system field modifications, in the amount of \$239,800, increasing the current Metro Red Line, North Hollywood Extension AFE amount from \$8,271,924 to \$8,511,724.

21. WITHDRAWN BY STAFF:

- A. execution of Change Order No. 37 to Contract No. 3369, for Construction Management Services with Parsons-Dillingham (P-D), **to provide funding for the cost of completing the Metro Red Line, North Hollywood Extension, Segment 3**, increasing the MTA Board approved value by \$3,098,309 (which is calculated at the 68% provisional overhead rate), from \$55,978,207 to an amount not to exceed \$59,076,516; and
- B. issuance of Amendment No. 37 to the contract, converting to a Cost-Plus-Fixed-Fee contract form and setting the total maximum fee payable through project completion at \$2,089,077, which amount is included in the total not to exceed amount of \$59,076,516; and
- C. an increase in the Authorization for Expenditure (AFE) to Contract No. 3369 to provide funding for this change in the amount of \$1,298,308 increasing the current contract AFE amount from \$57,978,208 to \$59,276,516.

22. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0):

- A. negotiation and execution of a contract with URS Corporation, (URS), **to provide Resident Engineering Services** on the Metro Green Line for a period of 18 months, in an amount not to exceed \$354,062; and
- B. the Authorization for Expenditure (AFE) for Contract No. MC058 in the amount of \$371,765.

23. WITHDRAWN BY STAFF:

- A. exercising Option No. 2 to Contract No. PM021, Project Management Assistance with Fluor Daniel, Inc. to **provide Project Management Assistance (PMA) for Segment 2, Segment 3, and Systemwide** effective from August 1, 2000 through November 30, 2000, with a

period of one (1) month, through December 31, 2000, for closeout in an amount not to exceed \$850,000 increasing the total contract value from \$16,269,000 to \$ 17,119,000; and

- B. an increase in the Authorization for Expenditure (AFE) to Contract No. PM021 to provide funding for Segment 2, Segment 3 and Systemwide Project Management Assistance services in the amount of \$850,000 increasing the current AFE from \$16,269,000 to \$17,119,000.

24. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0):

- A. execution of Change Order No. 5.00 to Contract No. E0350, **Professional Services Administration/Management in Support of Contract No. P2000 (L. A. Car) with LTK Engineering Services, to extend the contract for an additional sixteen (16) months** commencing September 1, 2000 through December 31, 2001, to provide administration, design review, testing and inspection services for the P2000 vehicles in the amount of \$2,377,594, increasing the total contract value from \$11,431,141 to \$13,808,735; and
- B. an increase in the Authorization for Expenditure (AFE) to Contract No. E0350 to provide funding to **extend the contract for the additional sixteen months** in the amount of \$2,377,594, increasing the current E0350 contract AFE amount from \$11,431,141 to \$13,808,735.

25. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY (4-0) execution of Change Order No. 53 to Contract No. H1100, Automatic Train Control System, with Union Switch & Signal, Inc., **for the loss of productivity due to a reduced duration of daily work hours** on the Metro Green Line, in the amount of \$471,600, increasing the total contract value from \$59,757,635 to \$60,299,235.

26. APPROVED execution of Change Order No. 14 to Contract No. C1610 with Herzog Contracting Corp. **for the replacement of Type 3 rail fasteners with Type 1 rail fasteners**, in the credit amount of \$227,700 and the installation of Type 1 rail fasteners in the amount of \$135,138 on the Metro Red Line North

Hollywood Extension, for a net credit of \$92,561, which decreases the total contract value from \$25,913,171 to \$25,820,610.

27. APPROVED ON CONSENT CALENDAR:

- A. execution of Change Order No. 25 to Contract Work Order (CWO) No. 1 for Contract No. MC047 with Jacobs Engineering Group, Inc., Hatch MacDonald, and ACG Environments, a Joint Venture **to provide continued Construction Management (CM) services for Segment 3**, in the amount of \$4,992,884, increasing the total CWO value from \$59,547,383 to \$64,540,267; and
- B. an increase in the Authorization for Expenditure (AFE) to Contract No. MC047, **to provide funding** for this Change Order in the amount of \$4,992,884, increasing the current contract AFE amount from \$60,017,235 to \$65,010,119.

28. WITHDRAWN BY STAFF:

- A. execution of Change Order No. 3, which incorporates Change Notice (CCN) No. 810.01 to Contract Work Order (CWO) No. 63 to Contract No. E0070, with the Engineering Management Consultant (EMC), **for additional personnel to provide Rail Activation/System Start-up Services** for the Metro Red Line, North Hollywood Extension, in an amount not to exceed \$738,346, increasing the total contract work order value from \$1,827,375 to \$2,565,721; and
- B. an increase in the Authorization for Expenditure (AFE) to Contract E0070 **to provide funding for this change**, in the amount of \$738,346 increasing the current Metro Red Line Segment 3, North Hollywood Extension AFE amount from \$98,912,547 to \$99,650,893.

29. WITHDRAWN BY STAFF:



- A. Authorizing the Chief Executive Officer (CEO) to execute Change Order No. 4.00 implementing Consultant Change Notice (CCN) No. 814 to Contract Work Order (CWO) No. 60 to Contract No. E0070, with the Engineering Management Consultant (EMC), to provide **continued project management and administration for Design Support Services During Construction** for the Metro Red Line, North Hollywood Extension, in an amount not to exceed \$1,227,643, increasing the total contract work order value from \$3,072,244 to \$4,299,887; and
- B. Approving an increase in the Authorization for Expenditure (AFE) to Contract No. E0070 to provide funding for this change, in the amount of \$777,643, increasing the current Metro Red Line Segment 3, North Hollywood Extension AFE amount from \$98,134,904 to \$98,912,547.

30. **CLOSED SESSION**

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

- 1. American Caisson, Inc. v. Tutor-Saliba-Perini; and
- 2. Tutor-Saliba-Perini v. MTA (cross-action) BC215448  
  
APPROVED settlement of \$175,000 to American Caisson, Inc.

- 3. Steiny v. Tutor-Saliba BC145950; and

- 4. Tutor-Saliba v. MTA BC178939

APPROVED waiver of all claims and settlement in the amount of \$500,000.

- 5. Morris v. MTA LC 046486

APPROVED settlement in the amount of \$330,000

B. Conference with Labor Negotiator - G.C. 54957.6

Agency Negotiator: Tom Webb

Employee Organization: UTU, ATU, TCU, AFSCME

Approved by a 2/3 vote delegating to the CEO, contracting authority not to exceed \$500,000 for any one contract, with certain restrictions to continue necessary MTA functions, affected by threat of strike.

C. Conference with Legal Counsel - Anticipated Litigation - G.C. 54956.9 (b)

APPROVED settlement in the amount of \$649,204 to Clever Devices.

32. APPROVED ON CONSENT CALENDAR negotiation and award of an **Excess Liability Insurance Program** for MTA liability exposures, other than at construction sites, at a cost not to exceed \$1.453 million for a 12-month period beginning August 1, 2000 through July 31, 2001.

36A. APPROVED ANTONOVICH/ROBERTS **substitute motion as amended by Riordan to take a position on State Legislation AB2928 of WORK WITH AUTHOR to also include funding for the build out of State Route 14 and Highway 138.**

~~AB1612 (Torlakson) - AB 1612 has been recently amended to place restrictions on transit operations funds that would be allocated to the MTA. **WORK WITH AUTHOR.**~~

36B. APPROVED the following amended position on State Legislation AB 2448 (Torlakson) - would reduce the penalty for trespassing on railroad rights of way from a misdemeanor to an infraction under specified conditions. **NO POSITION.**

36C. APPROVED ON CONSENT CALENDAR AB 2373 (Longville) - AB 2373 has been amended to create a grant program for Call Box funding on a

statewide basis. The amended version would exclude a number of agencies including the MTA from participating in the grant program.  
**OPPOSE UNLESS AMENDED.**

37. **APPROVED ON CONSENT CALENDAR** and adopted 20% as the **DBE Annual Goal for Federal Fiscal Year 2001.**
  
41. **APPROVED ON CONSENT CALENDAR** funding for **US-101 Corridor Major Investment Study** by:
  - A. Deobligating \$500,00 in cost savings from MTA Project Number 355, HOV Lanes on SR-118 from Ventura County Line to Route 5, originally programmed in the 1993-94 Multi-Year Call for Projects; and
  - B. Programming the deobligated \$500,000 as MTA's share of the total cost of about \$4.5 million to conduct the US-101 Corridor Study (MIS) from downtown Los Angeles to Route 23 near Ventura County, conditioned on the other funding partners committing the balance of the funding needed to complete the MIS. At its regular meeting on May 25, 2000, the MTA Board approved a motion that by July 2000, the MTA would transfer \$150,000 of the \$500,000 included in the proposed MTA FY 00/01 budget to Southern California Association of Governments (SCAG) to pay for Phase 1 of the MIS.
  
42. **APPROVED ON CONSENT CALENDAR** revised staff recommendation to adopt:
  - A. The resolution for **FY 2000-01 TDA Article 8 Funds**, making a determination of unmet public transportation needs in the areas of Los Angeles County outside the MTA service area; and
  - B. Findings and recommended actions for the allocation and use of FY 2000-01 TDA Article 8 funds of **\$13,177,640** as follows,

- In the Cities of Avalon and Santa Clarita, there are unmet transit needs that are reasonable to meet; therefore, TDA Article 8 funds shall be used to meet these unmet transit needs.
- In the Antelope Valley, which includes the Cities of Lancaster, Palmdale and the unincorporated area of North County, as well as in the unincorporated areas of Santa Clarita and Catalina Island, transit needs are met using other funding sources. Therefore, the finding is that there are no unmet transit needs that are reasonable to meet, and the TDA Article 8 funds may be used for street and road projects.

43. APPROVED ON CONSENT CALENDAR:

- A. execution of an amendment to the **design contract for Route 10 HOV lanes between Route 57 to the San Bernardino County Line (SBCL)**, (Contract No. 07H004/MTA Project ID No. 350B) with MK Centennial for an amount not to exceed \$749,003, increasing the total design contract value from \$9,015,436 to \$9,764,439; and
- B. reprogramming \$259,568 in Proposition C 25% funds from Call for Projects Grant Number 6142 (Design and Construction - Route 10 HOV Lanes between Route 57 to SBCL Project) to MTA Project Number 350B (Design Only - Route 10 HOV Lanes between Route 57 to SBCL).

44. APPROVED ON CONSENT CALENDAR revised recommendation to:

- A. re-adopt the previously approved interim **MTA Policy for Programming Cost Changes for STIP Highway Projects** by adopting the MTA Policy for Programming Cost Changes for STIP Highway Projects;
- B. authorize the CEO to administratively approve **cost changes including** cost neutral transfers between individual projects **funded with federal and/or local funds** in the HOV Lane Program up to

maximum of \$5,000,000 in aggregate for each project using the STIP Cost Change procedures; and

- C. receive and file the Annual Report on the MTA Policy for Programming Cost Changes for STIP Highway Projects.
45. APPROVED ON CONSENT CALENDAR a **two-year free fare demonstration project on all MTA operated bus and rail lines for persons eligible to ride Access Services, Inc. (ASI) and for their Personal Care Attendants (PCAs) beginning September 1, 2000.**
46. APPROVED a six-month **extension of existing agreements for four MTA shuttles** that are included in the FY 2001 budget for an amount not to exceed \$750,000 over the six-month contract extension period:
- A. Line 625 (Westchester Green Line Shuttle) operated by First Transit for an amount not to exceed \$290,000;
  - B. Line 631 (Lakewood Green Line Shuttle) operated by Transportation Concepts for an amount not to exceed \$175,000;
  - C. Line 646 (Carson Nightline Shuttle) operated by Operation Shuttle for an amount not to exceed \$185,000; and
  - D. Line 626/627 (El Segundo Green Line Shuttle) operated by Laidlaw Transit Services, Inc. for an amount not to exceed \$100,000.
47. APPROVED ON CONSENT CALENDAR subject to resolution of protest appeal execution of 13 three-year contracts to the following contractors to **provide Metro Freeway Service Patrol (FSP) service** for a total amount not to exceed \$13,259,439:

Beat	Contractor	Contract	Contract Amount
3	Al's Towing, Alhambra	FSP00A-3	\$989,055
4	Al's Towing, Alhambra	FSP00A-4	\$1,235,306
8	Al's Towing, Alhambra	FSP00A-8	\$973,369
12	Bob & Dave's, Whittier	FSP00A-12	\$962,630
14	Kenny's Auto, Bellflower	FSP00A-14	\$1,011,850
15	Kenny's Auto, Bellflower	FSP00A-15	\$870,053
16	Bob & Dave's, Whittier	FSP00A-16	\$1,100,985
18	J & M Towing, Alhambra	FSP00A-18	\$1,430,910
19	Dale's Toe, Whittier	FSP00A-19	\$1,360,388

20	Dale's Toe, Whittier	FSP00A-20	\$878,839
23	Navarro's Towing, Los Angeles	FSP00A-23	\$922,757
26	Kenny's Auto, Bellflower	FSP00A-26	\$728,257
38	Bob & Dave's, Whittier	FSP00A-38	\$795,040
<b>Total</b>			<b>\$13,259,439</b>

48. AUTHORIZED the Chief Executive Officer to submit a Federal Transit Administration (FTA) mid-year Section 5309 Rating Report and approve entering into **Preliminary Engineering on the Eastside, Mid-City/Westside and San Fernando Valley Corridor Study Projects**. The following action is recommended for each project or project segment:
- A. Select the Board preferred mode of transportation of light rail for the Eastside Corridor and discontinue the busway alternative from any further consideration, since the Governor's Transportation Initiative has committed funding the light rail alternative;
  - B. Utilize the Bus Rapid Transit (BRT) alternative already selected by the Board for the San Fernando Valley Transit Corridor; and
  - C. Utilize BRT on Wilshire Boulevard starting at Wilshire/Western for near term federal rating for the Mid-City/Westside Corridor. Defer requesting a rating for preliminary engineering for the Exposition right-of-way until after the draft environmental impact statement is completed and the Board determines how to proceed.
50. AUTHORIZED the CEO to issue an amendment to the Memorandum of Understanding (MOU) with Laidlaw Transit Services, Inc., **for an equitable adjustment to the contract bus service fees as a result of service changes** in the amount of \$219,810 and in the further amount of \$100,000 in partial settlement of the contractor's pending claims for additional equitable adjustments, for a total revised MOU amount of \$26,672,117.
51. FAILED: BERNSON MOTION - **Calderon Bill (AB2643)**, as recently amended on June 12, 2000 - take a position of OPPOSE UNLESS AMENDED to only add a formula allocation of Proposition C 40% to the Municipal Operators to the extent that such Proposition C 40% funds are used in the operation of MTA Metro Bus system.

FAILED **Knabe substitute motion**: SUPPORT AS AMENDED.

Received Public Comment.

Prepared by: Christina Lumba-Gamboa  
Recording Secretary

Michele Jackson  
Board Secretary