



MINUTES/PROCEEDINGS
AS CORRECTED
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
BOARD OF DIRECTORS
MTA Headquarters
3rd Floor - Board Room
One Gateway Plaza
Los Angeles

Thursday, January 25, 2001

Called to order at 9:50 a.m.

Directors present:

Yvonne Brathwaite Burke, Chair
James Cragin, First Vice 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
Robert Sassaman, Ex Officio

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. APPROVED CONSENT CALENDAR Items 2, 10, 11, 12, 22, 30, 33, 39, 40, 42, 43, and 44

Items removed from consent calendar 26, 29, 31 and 32***.

(***Requires 2/3 vote of the Board)

NOTED COMMITTEE AUTHORITY ITEMS : 8, 9, 15, 16, 17, 18, 19, 20 and 21

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held November 30, 2000 and Special Board Meeting held January 17, 2001.

3. RECEIVED Chief Executive Officer's Report:

- On Time Pull-outs
- Customer Complaints
- Power Crisis
- Rapid Bus

4. RECEIVED Chair's Report:

- Recognition of Captain Marc Klugman of the Los Angeles Sheriff's Department.
- Introduced Councilmember Beatrice Proo from the City of Pico Rivera.

8. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY execution of a firm-fixed price contract with Macro Corporation, Horsham, PA, to research system requirements and prepare technical specifications for the **replacement of existing Light Rail SCADA system** for a twenty-six week period for a total price of \$249,558.

9. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of 36-month, fixed price, indefinite quantity contracts to the following, for a total combined contract cost not to exceed \$337,260:
 - A. PAMCO Machine Works Inc., Monrovia, the lowest responsive responsible bidder to provide **Wheel, Gear Box, Brake Disc & Wheel Bearing Pressing Services** in an amount not to exceed \$247,125; and
 - B. Power Brothers Machine, Inc. Montebello, the second lowest, responsive, responsible bidder, to provide Wheel, Gear Box, Brake Disc & Wheel Bearing Pressing Services in an amount not to exceed \$139,560.

10. APPROVED ON CONSENT CALENDAR award of a 27-month contract to Onyx Distribution, Inc., the lowest responsive and responsible bidder under Bid No. 10-0017, for the **procurement of Brake Linings**, for an amount not to exceed \$3,776,975, inclusive of sales tax.

11. APPROVED ON CONSENT CALENDAR:
 - A. negotiation and execution of a cost plus fixed fee contract with Westin Engineering, Inc. for business systems analysis of both the Material Management System (MMS) and the Vehicle Maintenance System (VMS) and **systems manager consulting services** to replace MTA's existing MMS for a period not to exceed 31 months in an amount not to exceed \$1,484,410; and

- B. exercise of contract option for systems manager consulting services to replace MTA's existing VMS in an amount not to exceed \$450,000.

Total contract not-to-exceed amount is \$2,224,572 including a 15% contingency of \$290,162 .

- 12. APPROVED ON CONSENT CALENDAR the submission of a report to the California Air Resources Board (CARB) declaring the agency's intent to follow the **alternative-fuel transit bus path** in accordance with previously adopted Board policy regarding alternative fuels and California Code of Regulations, Title 13, Sections 1956.2 and 1956.4.

13. CLOSED SESSSION:

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

- 1. Turner v. MTA MON 214890

APPROVED structured settlement in the amount of \$250,000.

- 2. Lee v. MTA ANA 235096

APPROVED settlement in the amount of \$250,000.

- 3. Gomez v. MTA LC 051103

APPROVED settlement in the amount of \$450,000.

- 4. Cage v. MTA SC 047680

APPROVED settlement in the amount of \$300,000.

- 5. Flores v. MTA TC 012342

APPROVED settlement in the amount of \$207,500.

- 6. MTA v. Parsons-Dillingham BC 150298

Instructed Counsel and delegated a certain authority; application of which will be determined following settlement negotiations.

- B. Conference with Legal Counsel - Anticipated Litigation - 54956.9(b1): G.C.

LAIDLAW v. MTA

CARRIED OVER.

15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 160 to Contract No. C0311, Tunnel Line Section to Universal City, with Traylor Bros./Frontier-Kemper, Joint Venture, for the **close out of two Contract Line Items**, to reflect the actual quantities utilized for the Hourly Standby and Shift Standby on the Metro Red Line, North Hollywood Extension, in the credit amount of \$1,485,500, decreasing the total contract value from \$159,823,835 to \$158,338,335.
16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
- A. execution of Change Order No. 19 to Contract No. H0631, MASS Electric Construction Co., Inc., to **unload, rig and set owner-furnished Segment 1 Traction Power equipment**, necessary for the operation of the Metro Red Line, Segment 3, North Hollywood Extension, in the amount of \$212,600, increasing the total contract value from \$4,332,255 to \$4,544,845; and
- B. an increase in the Authorization for Expenditure (AFE) to Contract No. H0631, to provide funding to unload, rig, and set Segment 1 Traction Power Equipment, in the amount of \$212,600 increasing the Metro Red Line, Segment 3, North Hollywood AFE amount from \$5,187,784 to \$5,400,384.
17. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure (AFE) to Contract No. E0070 with Engineering Management Consultant (EMC), to provide **funding for**

pending and future changes that are within Board-delegated authority, in the amount of \$500,000 increasing the current AFE amount from \$100,429,769 to \$100,929,769.

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 64 to Contract No. B740, New Philadelphia Fan Company, Inc., to **delete ventilation equipment and installation work**, for the Metro Red Line, Segment 3, North Hollywood Extension, in the credit amount of \$604,155, decreasing the total contract value from \$21,550,687 to \$20,946,532.

19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
 - A. execution of Change Order No. 003 to Contract No. MC056, Claims Support, with PinnacleOne, to provide **continued claims support for Segment 2 and Segment 3**, in the amount of \$1,134,573, increasing the Total Contract Value from \$3,695,000 to \$4,829,573; and
 - B. an increase in the AFE to Contract No. MC056 to provide funding for Segment 2 and Segment 3 Claims Support in the amount of \$1,134,573 increasing the current AFE from \$3,900,000 to \$5,034,573.

20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY:
 - A. execution of Change Order No. 23.00 to Contract No. B648B, Communications Installation, with Steiny and Company, Inc. for a **contract time extension of 504 calendar days** as a result of delayed access and late delivery of MTA equipment, on the Metro Red Line, Vermont/Hollywood Corridor, in the amount of \$2,112,622, increasing the total contract value from \$5,104,285 to \$7,216,907; and
 - B. an increase in the Authorization for Expenditure (AFE) to Contract No. B648B, to provide funding for Change Order No. 23.00 and other negotiated but unexecuted changes in the amount of \$49,363, increasing the current contract AFE from \$7,167,544 to \$7,216,907.

21. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure (AFE) to Contract No. MS201, Hollywood Boulevard Restoration, with Ryco Construction, Inc., to provide **funding for pending changes** within Board-delegated authority, in the amount of \$229,300, increasing the current contract AFE amount from \$2,885,211 to \$3,114,511.

22. APPROVED ON CONSENT CALENDAR:
 - A. execution of Change Order No. 7.00 to Contract No. B611, Running Rail, with Bethlehem Steel Corporation, to **delete running rail** on the Mid-City Corridor in the credit amount of \$549,536, on the Eastside Extension, in the credit amount of \$2,819,714, and on the Pasadena Blue Line in the credit amount of \$4,095,657 for the total credit amount of \$7,464,907, decreasing the total contract value from \$11,485,448 to \$4,020,541; and
 - B. an administrative cost reallocation in the Authorization for Expenditure (AFE) from Segment 3, Eastside Extension to Segment 3, North Hollywood Extension, in the amount of \$462,613 increasing the Segment 3, North Hollywood Extension AFE allocation from \$998,946 to \$1,461,559.

26. APPROVED the following positions on **State Legislation**:
 - A. SB18 (Alarcon) would change the composition of the MTA Board of Directors - **OPPOSE**.
 - B. AB 33 (Romero) creates the Los Angeles County Metropolitan Transportation Authority Labor Relations trust fund in the State Treasury upon receiving notice of a strike or lockout - **OPPOSE**.

27. APPROVED:

- A. execution of contract amendments to the following firms for **federal advocacy** for an eleven-month period from February 1, 2001 through December 31, 2001, for a total amount not to exceed \$400,992:

	<u>INCREASE</u>	<u>TOTAL CONTRACT</u>
1. American Continental Group	\$110,250	\$480,950
2. MARC Associates	\$137,750	\$560,900
3. Palumbo & Cerrel, Inc.	\$ 64,292	\$268,762
4. Van Scoyoc & Associates	<u>\$ 88,700</u>	<u>\$225,900</u>
	\$400,992	\$1,536,512

- B. further amending said federal advocacy contracts to include in each case, an optional additional one-year period of services at the same monthly rate, for a total amount not to exceed \$437,314:

	<u>INCREASE</u>	<u>TOTAL CONTRACT</u>
5. American Continental Group	\$120,250	\$601,200
6. MARC Associates	\$150,250	\$711,150
7. Palumbo & Cerrel, Inc.	\$ 70,114	\$338,876
8. Van Scoyoc & Associates	<u>\$ 96,700</u>	<u>\$322,600</u>
	\$437,314	\$1,973,826

28. APPROVED, AS AMENDED BY BURKE, the proposed process to **procure high-capacity buses** for deployment on selected MTA Tier 1 services TO INCLUDE INSTRUCTING THE CEO AND STAFF TO:

1. Prepare and release within 90 days an RFP with **performance-based specifications** for up to 30 high capacity (more than 40 seats), "lightweight," alternative fuel, advanced transit vehicles to be delivered on or before June 30, 2002;
2. Report the status of these actions to the Board as they are completed.

29. APPROVED negotiation and execution of Amendment No. 1 to the Booz-Allen Hamilton Contract No. PS43100669, to **conduct a management audit** of the MTA in conjunction with the Triennial Performance Audit of regional operators in an amount not to exceed \$354,832 increasing the total contract value from \$428,911 to \$783,743.

30. APPROVED ON CONSENT CALENDAR:
 - A. adopting the updated **MTA Investment Policy**; and
 - B. delegating to the MTA Treasurer or his/her designees the authority to invest MTA funds for a one-year period pursuant to California Government Code Section 53607.

31. AUTHORIZED implementation of a **Performance-Based Compensation (PBC) Program** for Non-Represented employees.

32. APPROVED BY A 2/3 VOTE:
 - A. finding that because the elements and scope of the **light rail vehicles** are of a highly specialized and unique nature, the procurement of the vehicles qualifies under Public Utilities Code (PUC) § 130238 for procurement by competitive negotiation; and
 - B. solicitation of rail vehicles as a competitive negotiation pursuant to PUC § 130238 and MTA's Procurement Policies and Procedures.

33. APPROVED ON CONSENT CALENDAR BURKE MOTION - that the Board instruct the CEO and the Executive Director of Procurement to direct their staff to prepare a competitive bid process **to solicit proposals for installation and licensing of cellular services** in the subway tunnels

and to return to the Board in March, 2001 with a report on the progress of their efforts.

37. RECEIVED AND FILED report on **MTA's Bike Locker and Rack Program**.
39. APPROVED ON CONSENT CALENDAR finding 89 jurisdictions in conformance with **the Congestion Management Program (CMP)**.
40. APPROVED ON CONSENT CALENDAR execution of a firm-fixed price contract with Rea & Parker Research, San Diego, to conduct **On-Board Bus Passenger Surveys** of MTA patrons, in the amount of \$783,683 for a 10-month period.
41. CARRIED OVER, AS AMENDED BY MOLINA, a request by the Los Angeles Unified School District to negotiate with the MTA exclusively for 90 days (**WITHOUT EXTENSION**) regarding the **joint development of the MTA's Wilshire/Vermont and North Hollywood station sites** as possible locations for public high schools integrated with existing transit use.
42. APPROVED ON CONSENT CALENDAR extending the MTA's **ground lease agreement** with McCormack Baron (the Developer) for Phase II joint development of the Metro Red Line Hollywood/Western Station through June, 2001, to allow the Developer sufficient time to reapply for Federal Low Income Housing Tax Credits (LIHTCs).
43. APPROVED ON CONSENT CALENDAR adoption of a resolution requiring MTA review of and concurrence with allocation requests from local agencies and the California Department of Transportation (Caltrans) for **Regional Improvement Program (RIP)** funds for Los Angeles County projects prior to submittal to Caltrans and the California Transportation Commission (CTC) for consideration.

44. APPROVED ON CONSENT CALENDAR:

A. six contracts to provide **Metro Freeway Service Patrol (FSP)** service for a total amount not to exceed \$6,402,566:

Beat	Contractor	Contract	Existing Contract Amount	New Contract Amount	Contract Change
7	AFT Services, Inc.	FSP01-7	*	\$1,211,058	*
17	US Tow, Inc.	FSP01-17	*	\$1,243,878	*
24	US Tow, Inc.	FSP01-24	*	\$ 874,544	*
25	City Terrace	FSP01-25	*	\$ 859,724	*
31	AFT Services, Inc.	FSP01-31	*	\$1,338,818	*
41	US Tow, Inc.	FSP01-41	*	\$ 874,544	*
Total				\$6,402,566	

B. contract amendments to four FSP tow service contracts for a total amount not to exceed \$335,000:

Beat	Contractor	Contract	Existing Contract Amount	New Contract Amount	Contract Change
7	Alfa Fox Towing	FSP98-7	\$1,137,382	\$1,237,382	\$100,000
17	Alfa Fox Towing	FSP98-17	\$1,137,382	\$1,237,382	\$100,000
22	Girard & Peterson	FSP00-22	\$ 763,937	\$ 898,936	\$135,000
25	City Terrace**	FSP96B-25	\$1,117,500	\$1,117,500	\$---0---
Total					\$335,000

* Not Applicable for New Contract

** Time Extension Only

45. APPROVED the **2001 Call for Projects** transportation modal category funding marks and the preliminary fund estimate of \$850 million.
46. RECEIVED AND FILED:
- A. report on the 25 Year Long Range Transportation Plan (LRTP) for Los Angeles County;
 - B. ~~authorizing the release of the LRTP for a 45-day public comment period.~~
47. APPROVED DE LA VEGA MOTION to consider City of Los Angeles Community Development Department's request to partner with MTA on **advertising campaign for Earned Income Tax Credit Program** for low income workers.
48. Closed Session: Conference with Labor Negotiator – G.C. 54957.6
- Agency Negotiator: J. Burke and B. Diederichs
Employee Organization: AFSCME, Teamsters
- NO REPORT.

Received public comment on agenda items.

Correction: J. Lissner, who had requested an opportunity to speak under general public comment, was unable to do so as the Board did not reconvene following closed session.

Prepared by: Christina Lumba-Gamboa
Recording Secretary

Michele Jackson
Board Secretary