



**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**

September 26, 2001

Called to order at 12:20 p.m.

Directors Present:

John Fasana, Chair
James Hahn, 1st Vice Chair
Zev Yaroslavsky, 2nd Vice Chair
Michael Antonovich
Hal Bernson
Yvonne Brathwaite Burke
Paul Hudson
Don Knabe
Gloria Molina
Pam O'Connor
Beatrice Proo
Frank Roberts
Allison Yoh
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, 8**, 9, 10, 11, 12, 16, 17, 18, 24, 27, 28, 29, 30, 31, 32**, and 33

** - 2/3 vote of the Board

NOTED Committee Authority Items 14 and 15

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board Meeting held August 23, 2001 and Special Board Meeting held September 10, 2001.

3. Chief Executive Officer’s Report

CEO Burke introduced the new CEO, Roger Snoble, who will start on October 1, 2001. He described Mr. Snoble as a very experienced transportation manager who has been very successful over a long period of years and wished him the best of luck in taking this tough job.

CEO Burke also thanked the Board and staff for their support during his four-year tenure.

4. Chair’s Report

Presented resolutions to departing CEO Julian Burke.

8. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:

- A. adoption of the following motion: The Board finds that there is only a single source for procurement of Transynd synthetic transmission fluid. The purchase is for the sole purpose of replenishing the MTA’s existing supply. The Board hereby authorizes the procurement pursuant to Public Utilities Code Section 130237; and

- B. award of a sole source requirement contract to Valley Detroit Diesel Allison Company (VDDA) to purchase up to 75,000 gallons of **Transynd synthetic transmission fluid** to support the bus fleet over a one-year period for a total estimated cost of \$1,294,704, including sales tax.
9. APPROVED ON CONSENT CALENDAR award of a three-year firm fixed-price contract to Southend Janitorial Supply, Los Angeles, the lowest responsive, responsible bidder under Bid 07-0125, for procurement of **toilet paper** for an amount not to exceed \$285,768, inclusive of sales tax and two one-year options.
10. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract to N/S Corporation, Inglewood, the single responsive, responsible bidder to IFB OP-3341-0651 to furnish and install **four Bus Washer Systems** for Divisions 2, 8, 9 and 15 at a cost of \$894,396, inclusive of sales tax.
11. APPROVED ON CONSENT CALENDAR, SUBJECT TO RESOLUTION OF PROTEST:
- A. award of a five-year, unit rate basis contract No. OP-3344-3142, to Scott Elevator Consultants, for **elevator/escalator maintenance monitoring consulting services** in the amount of \$527,790, inclusive of two one-year options; and
 - B. execution of change orders for as needed investigative/litigation support services for an amount not to exceed \$150,000.
12. APPROVED ON CONSENT CALENDAR award of a firm fixed-price contract under Bid No. 08-0016 to Bombardier Transportation, Pittsburgh, PA, for **six traction motors for P865 Metro Blue Line rail cars** for an amount not to exceed \$604,035 inclusive of sales tax.

14. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order No. 5.01 to Contract B644S, Fiber Optic & Cable Transmission, with Williams Communications for **deletion of the Mid-City extension work on the Metro Red Line, Segment 3**, in the credit amount of \$592,171, decreasing the total contract value from \$2,657,177 to \$2,065,006.

15. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of unilateral Change Order No. 34 to Contract B761, Illuminated Signs and Edge Lights, with Steiny and Company, Inc. for **deletion of the Mid-City extension work on the Metro Red Line, Segment 3**, in the credit amount of \$860,832, decreasing the total contract value from \$5,618,822 to \$4,757,990.

16. APPROVED ON CONSENT CALENDAR:
 - A. certification of the **Initial Study/Mitigated Negative Declaration (IS/MND) for the Bus Division 15 Compressed Natural Gas (CNG) project**;
 - B. the Bus Division 15 CNG project;
 - C. adoption of the recommended Mitigation Monitoring and Reporting Program (MMRP) for the IS/MND; and
 - D. filing of a Notice of Determination of the IS/MND with the Los Angeles County Clerk.

17. APPROVED ON CONSENT CALENDAR:
 - A. certification of the **Initial Study/Mitigated Negative Declaration (IS/MND) for the Bus Division 2 Compressed Natural Gas (CNG) project**;
 - B. the Bus Division 2 CNG project;

- C. adoption of the recommended Mitigation Monitoring and Reporting Program (MMRP) for the IS/MND; and
 - D. filing of a Notice of Determination of the IS/MND with the Los Angeles County Clerk.
18. APPROVED ON CONSENT CALENDAR:
- A. certification of the **Initial Study/Mitigated Negative Declaration (IS/MND) for the Bus Division 9 Compressed Natural Gas (CNG) project**;
 - B. the Bus Division 9 CNG project;
 - C. adoption of the recommended Mitigation Monitoring and Reporting Program (MMRP) for the IS/MND; and
 - D. filing of a Notice of Determination of the IS/MND with the Los Angeles County Clerk.
19. APPROVED AS AMENDED, **Burke Motion** that promotions for Executive Officer, Administration; Deputy Executive Officer, Office of Management & Budget; and Deputy Executive Officer, Human Resources be “interim” to afford the new CEO the opportunity to review the appointments **and upon confirmation of appointments by the new CEO, compensation will be retroactive to initial date of appointment.**
24. APPROVED ON CONSENT CALENDAR:
- A. revisions to the **MTA Procurement Policies and Procedures Manual** (PPPM); and
 - B. development and issuance of corresponding Desk Instructions to support the revised Procurement Policies and Procedures Manual.
27. APPROVED ON CONSENT CALENDAR execution of Amendment No. 9 to Contract 07H004, Project ID No. 350B with MK Centennial

to expedite additional design work for the **Route 10 HOV lane between Route 57 and the San Bernardino County Line (SBCL)** and cost growth for a period through July 2001 for an amount not to exceed \$159,396, increasing the total contract value from \$9,829,939 to \$9,989,335.

28. APPROVED ON CONSENT CALENDAR:

- A. a change in the beat cap policy to limit the number of **Metro Freeway Service Patrol** contracts that any single contractor can be awarded, reducing the current 3-beat cap to a 2-beat cap limit; and
- B. a policy that will temporarily restrict a new contractor, without previous freeway service patrol experience in Los Angeles County, to one beat award for a period of six months before being able to bid for a second beat.

29. APPROVED ON CONSENT CALENDAR the **revised Proposition A Incentive Program Guidelines** leading to the following specific actions, to be implemented effective FY02:

- A. expansion of the Subregional Paratransit Program; and
- B. funding for National Transit Database reporting from local transit systems.

30. APPROVED ON CONSENT CALENDAR **Roberts Motion** that MTA Planning staff **work with the appropriate agencies to claim all revenue and passenger miles generated by fixed-route and other services**, such as the ferry to and from Catalina Island, that can generate operations revenue; and that MTA Planning staff report back to the Board by January 2002 on the status of this motion.

31. APPROVED ON CONSENT CALENDAR:

- A. the findings of the public hearing conducted on July 14, 2001 and adopted the revised FY 2002 Service Change Program;

- B. scheduling a public hearing for Saturday, November 10, 2001 at 10:00 a.m. to receive public comment on proposed implementation of selected **service changes** for June 2002;
 - C. publishing the Notice of Public Hearing; and
 - D. designating the CEO, or his appointee, as the Public Hearing Officer to receive public testimony.
32. APPROVED ON CONSENT CALENDAR BY A 2/3 VOTE OF THE BOARD:
- A. adoption of the following motion: The Board finds that there is only a single source of procurement for the refurbishment of MTA's Division 11 Simmons Stanray wheel truing machine, and the procurement is for the sole purpose of refurbishing the wheel truing machine required for Pasadena Blue Line Maintenance. The Board hereby authorizes the procurement pursuant to Public Utilities Code Section 130237; and
 - B. award of firm fixed-price contract, No. OP-3341-4004, to Simmons Machine Tool Corporation, Albany, New York, to **refurbish the Simmons Stanray wheel truing machine** for an amount not to exceed \$427,675, with a contingency for change orders up to \$100,000 for a total contract value of \$527,675.
33. APPROVED ON CONSENT CALENDAR award of a five-year incentive fee contract, No. PS-5310-1111, to Dupont Safety Resources Business, for **safety management and loss prevention consulting services** for an amount not to exceed \$13,800,000.
34. RECEIVED AND FILED MTA **Management Audit** – Summary of Findings and Recommendations.

35. WITHDRAWN - **Antonovich Motion** that the Board direct the Chief Executive Officer to formally **rename the Pasadena Blue Line to the Rose Line.**

36. CLOSED SESSION:

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

1. Kopp v. MTA, Case No. BC 0232905

APPROVED settlement in the amount of \$400,000.

2. Zaimah v. MTA, Case No. BC 230662

APPROVED settlement in the amount of \$400,000.

B. Conference with Legal Counsel – Anticipated Litigation – G.C. 54956.9(b):

APPROVED \$1.6 million cash out option to discharge all liability with regard to Operating Industries, Inc. dumpsite.

C. Conference with Legal Counsel – Initiation of Litigation – G.C. 54956.9(c):

NO REPORT

D. Conference with Labor Negotiator – G.C. § 54957.6

Agency Negotiators: Julian Burke and Brenda Diederichs
Employee Organizations: AFSCME and Engineers and Architects Association

NO REPORT

E. Conference with Legal Counsel -- Update on Red Line Segment 2
Litigation -- G.C. 54956.9 (a):

- 1 Tutor-Saliba-Perini v. MTA, Case No. BC 123559
2. Argonaut v. MTA, Case No. BC 171636
3. EMC v. MTA, Case No. BC 207617
4. Gerlinger v. Parsons-Dillingham, Case No. BC 150298

NO REPORT

Received public comment.

The meeting adjourned at 3:08 p.m.

PREPARED BY: Rhodona Enright
Recording Secretary

Michele Jackson
Board Secretary