



Los Angeles County
Metropolitan Transportation Authority

Metro

RECAP OF PROCEEDINGS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING THURSDAY, JULY 25, 2002

DIRECTORS VOTING

ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
1	APPROVE Consent Calendar Items: 2, 6, 7, 8, 9**, 10, 11, 22, 24, 26, 31, 32 and 33 **Requires two-thirds vote of the Board. NOTED COMMITTEE AUTHORITY ITEMS: 13, 14, 16, 17, 18, 19, 20, 29 and 30	APPROVED	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	
2	APPROVE Minutes of Special Board Meeting held June 12, 2002 and Regular Board Meeting held June 27, 2002.	APPROVED ON CONSENT CALENDAR														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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3	<ul style="list-style-type: none"> · Chief Executive Officer's Report · Presented Resolutions to: Operators Garlan Brown, Don Smith, Myra Jackson, Sarah Onopa-Bernal and Tamara Houston for acts of heroism. · Recognition of Finance employees for excellence in accounting. · General Managers meeting of major transit properties in California · Senate Appropriations Subcommittee · Customer Survey · Muni Fare Share report postponement until September. 	RECEIVED REPORT AND PRESENTED RESOLUTIONS	P	P	P	P	P	P	P	P	P	P	P	P	P	
4	Chair's Report - Announced a Special Board Meeting August 15, 2002.	RECEIVED	P	P	P	P	P	P	P	P	P	P	P	P	P	

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6	Award of three-year firm fixed-price requirements contracts under Bid 02-0206 to the lowest responsive, responsible bidders for paper products for an amount not to exceed \$2,633,027, inclusive of sales tax and two one-year options: A. Gale Supply Company for line item 1, windshield towel, for a total contract value of \$36,258; B. Kathco Products for line item 2, "C" fold towel, for a total contract value of \$123,317;	APPROVED ON CONSENT CALENDAR														
	C. Empire Cleaning Supply for line item 3, single fold towel, and line item 5, roll towel, for a total contract value of \$270,265; and D. Easterday Janitorial Supply Co. for line item 4, pop-up bonded cellulose wipers, for a total contract value of \$2,204,187.															

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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7	Award of a firm fixed-price Contract OP33451146 to ARINC, the highest ranked proposer, to provide a new Light Rail Supervisory Control and Data Acquisition (SCADA) System for a period not to exceed five years in the amount of \$8,718,158, inclusive of exercised contract options.	APPROVED ON CONSENT CALENDAR	Y	Y	Y	Y	Y	Y	C	C	Y	Y	Y	C	Y	N

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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8	<p>A. a split award on a ten-year Public/Private Partnership, Contract OP33900641A, to Trillium USA, Inc., Salt Lake City, UT, to design, build, finance and maintain a CNG fueling station at Division 3, for an amount not to exceed \$12,336,320;</p> <p>B.a split award on a ten-year Public/Private Partnership, Contract OP33900641B, to The Hanover Company, Broken Arrow, OK, to design, build, finance and maintain a CNG fueling station at Division 8, for an amount not to exceed \$14,262,044;</p>	<p>APPROVED ON CONSENT CALENDAR</p>			C			C	C							

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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	C.execution of a supplemental Municipal Lease Agreement with GE Capital Public Finance, Inc., Minneapolis, MN, as the lending source for Hanover, in the amount of \$7,092,271, the cost of which is included in the total contract amount shown above in B; and D.negotiation and execution of change orders as required with Trillium and Hanover in an aggregate amount not to exceed \$2,660,000.																

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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9	<p>A. finding that the only responsive, responsible bid for installation of two Robotic Paint Booth Dry Filtration Systems under Public Utilities Code Section 130233 has been rejected and the equipment installation may be purchased at a lower price on the open market; and</p> <p>B. executing a firm fixed-price contract with Evans and Sons, Inc. for installation of two Dry Filtration Systems at the Regional Rebuild Center at a unit price of \$300,000 each with a cumulative total of \$600,000.</p>	<p>APPROVED ON CONSENT CALENDAR BY 2/3 VOTE OF THE BOARD</p>															

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10	Approving: A. results of the May 18, 2002 Public Hearing; and B. entering into a Service Agreement between the LACMTA and the City of Norwalk-Norwalk Transit System to transfer operation of a 9.2 mile segment of Line 125 for six years, effective September 1, 2002 through June 30, 2008.	APPROVED ON CONSENT CALENDAR														
11	Award of a five-year unit rate contract with EOS Group to provide ancillary health care services for the MTA's self-insured Workers' Compensation Claims Program for an amount not to exceed \$12,273,414, inclusive of two one-year options.	APPROVED ON CONSENT CALENDAR						C		C						

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12	Award of a five-year firm fixed-price revenue contract to Viacom Outdoor Group Inc., effective January 1, 2003, for the right to sell and display: A. standard exterior and interior advertising on the Metro Bus fleet for a firm fixed revenue price of \$57,900,000, inclusive of three one-year options; and B. wrapped advertising on not more than 100 buses in the Metro Bus fleet for a firm fixed revenue price of \$12,100,000, inclusive of three one-year options. Total revenue contract amount is \$70,000,000.	APPROVED & DIRECTED STAFF TO REPORT BACK IN ONE YEAR.	Y	Y	A	C	Y	C	Y	C	C	Y	Y	Y	Y	

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13	APPROVED UNDER COMMITTEE AUTHORITY award of a four-year fixed-price unit rate Contract OP39402524 to Dellner Couplers, Inc., the lowest responsive, responsible bidder for the overhaul of Metro Red Line Heavy Rail Vehicle couplers for an amount not to exceed \$609,752.	NOTED ON CONSENT CALENDAR			Y			A	Y			Y		Y		
14	APPROVED UNDER COMMITTEE AUTHORITY award of a five-year, firm fixed-price contract under Bid 04-0225 to Herman Miller Workplace Resource, the lowest responsive, responsible bidder, to provide Herman Miller and Geiger Office Furniture components for an amount not to exceed \$625,000, inclusive of sales tax.	NOTED ON CONSENT CALENDAR			Y			A	Y			Y		Y		

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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16	APPROVED UNDER COMMITTEE AUTHORITY execution of Change Order 63 to Contract B641, Radio, with Amelco Electric SF, Inc. to settle all outstanding claims and closeout issues on Segment 2 Wilshire/Vermont Corridor, Segment 3 North Hollywood and Mid-City Extensions, in the amount of \$775,000, increasing the total contract value from \$18,892,945 to \$19,667,945.	NOTED ON CONSENT CALENDAR		Y		Y	Y						Y		Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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17	APPROVED UNDER COMMITTEE AUTHORITY execution of Change Order 34 to Contract P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. to modify the destination sign and message systems for the 52 light rail vehicles currently on order, in the amount of \$245,000, increasing the total contract value from \$214,559,333 to \$214,804,333.	NOTED ON CONSENT CALENDAR		Y		Y	Y						A		Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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18	APPROVED UNDER COMMITTEE AUTHORITY negotiation and execution of Change Order 38 to Contract P2000, Los Angeles Standard light Rail Vehicle, with Siemens Transportation Systems, Inc. covering MTA performance of various rework and maintenance overhaul tasks for the 52 light rail vehicles currently on order, in the credit amount of not less than \$778,800, reducing the total contract value from \$214,559,333 to \$213,780,533.	NOTED ON CONSENT CALENDAR		Y		Y	Y						Y		Y	
19	APPROVED UNDER COMMITTEE AUTHORITY authorizing the General Engineering Consultant, Contract E0111, to perform Segment 3 North Hollywood work by issuing task orders in an amount not to exceed \$350,000, increasing the current Board authorized total amount from \$13,200,000 to \$13,550,000.	NOTED ON CONSENT CALENDAR		Y		C	Y						Y		Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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20	APPROVED UNDER COMMITTEE AUTHORITY an increase in the Authorization for Expenditure to Contract MC058, resident engineering services, with URS Corporation to provide funding in the amount of \$306,876, increasing the current amount from \$354,062 to \$660,938.	NOTED ON CONSENT CALENDAR		Y		C	Y						Y		Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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22	Authorizing the CEO to: A. negotiate and execute Change Order 5 to Contract Work Order 1 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for the Eastside Light Rail Transit Project from August 1, 2002 to June 30, 2003, for an amount not to exceed \$2,131,562, increasing the CWO value from \$1,295,956 to \$3,427,518; B. negotiate and execute Change Order 2 to Contract Work Order 3 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for the Mid-City/Wilshire Bus Rapid Transit Project from August 1, 2002 to June 30, 2003, for an amount not to exceed \$109,101, increasing the CWO value from \$123,517 to \$232,618;	APPROVED ON CONSENT CALENDAR				C				C						

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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	C. negotiate and execute Change Order 2 to Contract Work Order 6 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for Capital Program Projects from August 1, 2002 to June 30, 2003, for an amount not to exceed \$1,833,107, increasing the CWO value from \$1,183,016 to \$3,016,123;																
	D. negotiate and award Contract Work Order 7 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for the Exposition Light Rail Transit Project, from August 1, 2002 to June 30, 2003, for an amount not to exceed \$436,476;																

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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	<p>E.negotiate and execute Change Order 3 to Contract Work Order 2 to Contract PM023, Project Management Assistance, with Carter Burgess, Inc. to provide support services for the San Fernando Valley Bus Rapid Transit Project, from August 1, 2002 to June 30, 2003, for an amount not to exceed \$1,729,152, increasing the CWO value from \$625,544 to \$2,354,696; and F.increase the Authorization for Expenditure to Contract Nos. PM022 and PM023, to provide funding for the identified change orders, by an amount not to exceed \$6,239,398, increasing the total AFE amount from \$3,304,151 to \$9,543,549.</p>																

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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24	Authorizing the CEO and/or his designee to negotiate and execute a 70-year ground lease between MTA and MJW Investments to lease MTA-owned property at 636 Maple Street for the development and operation of a commercial parking structure.	APPROVED ON CONSENT CALENDAR								C						
25	Execution of an option to extend the term of the existing lease with Downtown Properties, LLC, for a two-year term, effective March 1, 2003, for the lease of 24,074 square feet of rental space in the 818 West 7th Street Building for a total base rental payment of \$751,109; all other terms of the existing lease agreement will remain the same.	APPROVED	Y	Y	A	Y	Y	ABS	Y	C	A	A	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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26	<p>A. selection of the following firms under RFIQ PS-02-5210-13 to participate in the MTA's Municipal Finance Pool for a period of five years:</p> <ol style="list-style-type: none"> 1. Fulbright & Jaworski LLP 2. Hawkins, Delafield and Wood 3. Kutak Rock LLP 4. Law Offices of Samuel Norber 5. Nixon Peabody LLP 6. Nossaman, Guthner, Knox and Elliott LLP 7. O'Melveny and Myers LLP 8. Orrick Herrington and Sutcliffe 9. Pillsbury Winthrop LLP 10. Robinson and Pearman LLP <p>B. the CEO, working through County Counsel, to establish contractual relationships with these firms on behalf of the MTA.</p>	APPROVED ON CONSENT CALENDAR			C				C	C	C						

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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29	RECEIVED AND FILED UNDER COMMITTEE AUTHORITY monthly status report on the implementation of the August 2001 Booz-Allen Management Audit recommendations.	NOTED ON CONSENT CALENDAR														
30	RECEIVED AND FILED UNDER COMMITTEE AUTHORITY monthly report of Management Audit Services.	NOTED ON CONSENT CALENDAR														
31	Adoption of the following positions on state legislation: A. AB 2048 (Salinas) - Exempt transit agencies from current videotape storage requirements. Clarifies videotapes or recordings that are evidence, pending litigation until the incident is resolved. Defines routine video monitoring. SUPPORT	APPROVED ON CONSENT CALENDAR														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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	<p>B. AB 2360 (Dutra) - Would implement a competitive grant program for additional funds from the proposed state budget for the Freeway Service Patrol Program. SUPPORT</p> <p>C. SB 1856 (Costa) - Enact the High Speed Train Bond subject to voter approval which would provide for the issuance of \$9 billion in general obligation funds for planning and construction. Would require the Authority to pursue and obtain other private or public funds to augment the bond proceeds. WORK WITH AUTHOR</p>															
32	Award of a five-year firm fixed-price unit rate contract to LabCorp for drug testing laboratory services for an amount not to exceed \$566,710, inclusive of two one-year options.	APPROVED ON CONSENT CALENDAR CONTINGENT UPON RESOLUTION OF PROTESTS														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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33	Approving the following revisions to the MTA Procurement Policies and Procedures Manual: A. add Appendix D, "Listing of Mandatory FTA Flow Down Requirements"; B. authorize the CEO to update Appendix D, "Listing of Mandatory FTA Flow Down Requirements", to keep current with federal law and regulation changes; and C. incorporate updated policy language providing for clarity in the Check Request processing policy.	APPROVED ON CONSENT CALENDAR														
34	Adoption of the MTA Security Policy that provides a high level of security to the MTA customers, employees and property.	APPROVED AS AMENDED BY FASANA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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	FASANA AMENDMENT: MTA seeks to ensure that bus and rail passengers receive the same security services that pedestrians and drivers of passenger or commercial vehicles receive from local law enforcement agencies.	APPROVED	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
37-A	CLOSED SESSION: A. Conference with Legal Counsel-Existing Litigation-G.C.54956.9(a): 1. Hernandez v. MTA, Case No. BC250135	APPROVED SETTLEMENT IN THE AMOUNT OF \$225,000	Y	Y	A	A	Y	Y	Y	A	Y	Y	Y	A	Y	
	2. Yue v. MTA, Case No. BC256256	APPROVED SETTLEMENT IN THE AMOUNT OF \$1 MILLION	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



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	3. Flores v. MTA, Case No. CV-00-12188 CBM	NO REPORT														
	4. EMC v. MTA, Case No. BC207617	APPROVED settlement of litigation for payment by MTA of \$1 million on the condition that EMC joint venture receive no net payment until all sub-contractors are satisfied.	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	
	5. MTA v. B&M Enterprises, Case No. BC258743	MTA will dismiss the lawsuit in exchange for payment to the MTA of \$400,000.	Y	Y	Y	Y	Y	Y	Y	A	Y	A	Y	Y	Y	

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LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING THURSDAY, JULY 25, 2002

DIRECTORS VOTING

ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
37-B	Conference with Legal Counsel- Anticipated Litigation- GC 54956.9(b): (One Case)	APPROVED final closeout of eight (8) remaining contracts between the MTA and Tutor-Saliba-Perini, other than the contracts that are subject to litigation, for a total final payment of \$12.5 million.	Y	Y	Y	Y	Y	Y	A	A	Y	Y	Y	Y	Y	
37-C	Conference with Legal Counsel- Anticipated Litigation- (One Case)	NO REPORT														
37-D	Public Employee Performance Evaluation - G.C. 54957: Chief Executive Officer	NO REPORT														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT



RECAP OF PROCEEDINGS

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY REGULAR BOARD MEETING THURSDAY, JULY 25, 2002

DIRECTORS VOTING

ITEM NO.	<u>SUBJECT ITEM</u>	<u>ACTION TAKEN</u>	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
37-E	E. Conference with Labor Negotiator – G.C. 54957.6: Agency Negotiators: Roger Snoble and Brenda Diederichs Employee Organizations: AFSCME, ATU and Engineers and Architects Association	NO REPORT	█	█	█	█	█	█	█	█	█	█	█	█	█	█

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT