

Thursday, April 16, 2009 1:00 P.M.

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# REVISED Agenda

## Operations Committee Meeting

One Gateway Plaza  
3rd Floor Boardroom

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### Call to Order

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### Directors

John Fasana, Chair  
José Huizar, Vice Chair  
Michael Antonovich  
Diane DuBois  
Mark Ridley-Thomas  
Doug Failing, non-voting member

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### Officers

Arthur T. Leahy, Chief Executive Officer  
Michele Jackson, Board Secretary  
Karen Gorman, Ethics Officer  
Karen Gorman, Acting Inspector  
General  
County Counsel, General Counsel



Los Angeles County  
Metropolitan Transportation Authority

**Metro**<sup>™</sup>

## METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

### PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

**At the discretion of the Chair**, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

**In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.**

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

**CONDUCT IN THE BOARD ROOM** - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

**REMOVAL FROM THE BOARD ROOM** The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

- a. Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.
- b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and
- d. Any other unlawful interference with the due and orderly course of said meeting.

### INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

### DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

### ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

### HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)  
General Information/Rules of the Board - (213) 922-4600  
Internet Access to Agendas - [www.metro.net](http://www.metro.net)  
TDD line (800) 252-9040

**NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA**

29. RECEIVE the **Transit Operations report.** **HANDOUT A HANDOUT B**

APPROVE Consent Calendar Items (30-33)

30. AUTHORIZE the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 09-0018 to Penn Machine Company, the lowest responsive and responsible bidder for **180 Red Line Wheel Sets** for an amount not to exceed \$501,600, inclusive of a one-year option.
31. CONSIDER:
- A. finding that there is only a single source of procurement for this type of platform-based Between Car Barriers (BCB) system and purchase is necessary in order to ensure the facilities of Metro are available to serve the transportation needs of the general public. The Board hereby authorizes purchase of Impact Recovery Systems' platform based BCB system pursuant to Public Utilities Code section 130235.
- B. ratifying the award of a firm-fixed price Contract. No. DR05289 to Impact Recovery Systems, Inc., to furnish **platform-based Between Car Barriers for all Metro light rail stations** for a total amount of \$302,893, inclusive of sales tax;

(REQUIRES A 2/3 VOTE OF THE BOARD)

32. AUTHORIZE the Chief Executive Officer to award a firm fixed price contract under Bid No. 09-0025 with R.T. Welding and Fabrication, the lowest responsive and responsible bidder for **223 tubing kits** for a firm fixed price of \$248,905, inclusive of sales tax.
33. AUTHORIZE the Chief Executive Officer to award a firm fixed price contract under Bid No. 09-0026 with California Industrial Rubber Co. Inc, the lowest responsive and responsible bidder of **223 hydraulic hose assembly kits** for a firm fixed price of \$527,128, inclusive of sales tax.

END CONSENT CALENDAR ITEMS

34. AUTHORIZE the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 09-0009 to Interstate Battery Systems, the lowest responsive and responsible bidder for **bus batteries** for an amount not to exceed \$3,398,685, inclusive of sales tax and two one-year options.

35. CONSIDER:

- A. finding that awarding Design-Build contracts pursuant to California Public Utilities Code Section 130242(b) will achieve for us certain private sector efficiencies in the integration of the design, project work and components related to the real property, renovation, repair and construction of the **Automated Transportation Management System (ATMS) Data Center Improvements**; and
- B. authorizing the Chief Executive Officer to solicit and award a Design-Build contract for renovation, repair and construction of our facilities, pursuant to Public Utilities Code Section 130242 (a), (c), (d) and (e).

(REQUIRES 2/3 VOTE OF THE BOARD)

36. CONSIDER:

- A. finding that awarding Design-Build contracts pursuant to California Public Utilities Code Section 130242(b) will achieve for us certain private sector efficiencies in the integration of the design, project work and components related to the **replacement of 20 existing traction power substations** with new and more energy-efficient units; and
- B. authorizing the Chief Executive Officer to solicit and award a Design-Build contract for renovation, repair and construction of our facilities, pursuant to Public Utilities Code Section 130242 (a), (c), (d) and (e);

(REQUIRES 2/3 VOTE OF THE BOARD)

37. CONSIDER:

- A. finding that there is only a **single source of procurement for Cummins 8.9 ISLG natural gas engines** and purchase is for the sole purpose of duplicating our existing equipment already in use. The Board hereby authorizes the purchase of Cummins 8.9 ISLG natural gas engines pursuant to California Public Utilities Code Section 130237;
- B. authorizing the Chief Executive Officer to award a firm fixed price contract to Cummins Cal Pacific, LLC, for the procurement of 188 Cummins 8.9 ISLG natural gas engines for an amount not to exceed \$7,495,708, inclusive of sales tax.

(REQUIRES A 2/3 VOTE OF THE BOARD)

38. CONSIDER:

- A. increasing the life-of-project budget for the **purchase of Compressed Natural Gas (CNG) composite buses for the Contracted Bus Services program** including project contingency from \$18.6 million to \$24 million; and
- B. authorizing the Chief Executive Officer to:
  - 1. execute Contract OP31502257 with North American Bus Industries (NABI) to purchase up to 45 32-foot CNG buses in an amount not to exceed \$20,809,651 inclusive of delivery and sales tax, subject to completion of the required Buy America Pre-Award audit and contingent upon funding becoming available, as approved in February 2009 by Board action Item 44, American Recovery and Reinvestment Act (ARRA) programming action; and
  - 2. exercise Option No. 1 to Contract OP31502257 with NABI to purchase up to five additional 32-foot CNG buses in an amount not to exceed \$2,308,527 inclusive of delivery and sales tax, bringing the Total Contract Value from \$20,809,651 to \$23,118,178, subject to completion of the required Buy America Pre-Award audit and contingent upon funding becoming available, as approved in February 2009 by Board action of Item 44, ARRA programming action; and

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3. exercise Option No. 2 to Contract OP31502257 with NABI to purchase an interior video security system for up to 50 buses in an amount not to exceed \$312,790 bringing the Total Contract Value from \$23,118,178 to \$23,430,968; and
4. negotiate and execute modifications for this procurement in an amount not to exceed \$174,032, increasing the Total Contract Value from \$23,430,967 to \$23,605,000.

39. CONSIDER:

A. establishing a life of project budget for the **purchase of up to 100 Compressed Natural Gas composite buses** for the FY2010 capital program, including project contingency in the amount of \$60 million;

B. authorizing the Chief Executive Officer to:

1. negotiate and execute contract option no. 2 to contract OP33202082 with North American Bus Industries, (NABI) to purchase up to 100 CNG high capacity composite buses for the price not to exceed \$58,684,659, increasing the total contract value from \$198,693,126 to \$257,377,985 inclusive of sales tax and subject to both stimulus funding availability and completion of a Buy America Pre-Award audit; and
2. authorize staff to negotiate and execute modifications for this procurement in an amount not to exceed \$581,814, increasing the total contract value from \$257,377,985 to \$257,959,799.

40. APPROVE **service changes to Tier 1 bus lines** to be implemented in June 2009. **HANDOUT**

41. RECEIVE AND FILE report on the **Transit Access Pass (TAP) and the Metro Rail Fare Gate Status**.

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN  
COMMITTEE'S SUBJECT MATTER JURISDICTION

ADJOURNMENT