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August 31, 1995
RECEIVED
AUG 31 1995
BOARD BOX ITEM

TO: MTA BOARD OF DIRECTORS
FROM: HERMINIO VARGAS, JR.
THRU: FRANKLIN E. WHITE
SUBJECT: METRO RED LINE CONTRACT NO. B641, RADIO
SUBCONTRACTOR SUBSTITUTION
PRIME CONTRACTOR: AMELCO ELECTRIC
SUBCONTRACTOR: AUTOMATED SWITCHING AND
CONTROLS, INC. (ASCI)

ISSUE Contract Compliance Determination
RE: B641 Radio Contract/DBE, ASCI Substitution

BACKGROUND

Contract Compliance prepared its determination report dated July 19, 1995 in response to the 6 claims made in prime contractor Amelco Electric's request to substitute DBE subcontractor, ASCI. As reported, staff's review and analysis of the documentation submitted by Amelco, ASCI, EMC and the Construction Manager revealed that much of the ensuing conflict between Amelco and ASCI resulted from the following:

- Miscommunication regarding scheduling and negotiation for time extensions
- Lack of clarity on procurement assignment responsibilities in the subcontract.
- Failure to reach agreement on the sharing of budget cost savings on the schedule of values.

It should be noted that Amelco claims that ASCI failed in its responsibilities to design, procure, and test. As to this issue, Contract Compliance Office, per its policy, deferred to the technical expertise of the Contract Administrator, EMC and the Construction Manager.

The Engineering Management Consultant Review Comments Reference No. 4 (Attachment 1) states that the contractor's "design is not workable." Per our reading of the Subletting and Subcontracting Fair Practices Act 4107 (7), if it is determined that a subcontractor's work is "substantially unsatisfactory," such a determination shall be grounds for substitution.

Therefore in recognition of EMC's determination, the Contract Compliance Office concurs with the recommended substitution.



ENGINEERING MANAGEMENT CONSULTANT

an association of:

Parsons Brinckerhoff Quade & Douglas, Inc.
 Daniel, Mann, Johnson & Mendenhall
 ICF-Kaiser Engineers (Calif.) Corp.
 Escudero-Fribourg Architects
 Jenkins Gales Martinez, Inc.
 The Nettleship Group, Inc.

REVIEW COMMENTS

REF NO	PAGE NO	DRAWING NO/ SPEC SECTION	COMMENTS	RESPONSE	ACTION
4*	30, 31, 32, 33		The Contractor stated reasons for selecting Tait base stations instead of the OFRs requested in the Technical Specifications. We do accept the Contractor's design rationale, and are convinced this design is not workable. It is EMC's opinion the use of base stations in lieu of On-Frequency Repeaters is a waste of time and money. We wish to point out the following issues:		
			* Base station repeaters will cause interfering "beat" tones which will be heard in overlap areas - both at station enterances and in tunnels near the antenna system gaps. This can occur regardless of the stability of the base stations local oscillators. This is unacceptable.		
			* Base station repeaters are set to strip PL tones off the received signals, and reinsert PL tones upon retransmission. The group delay, and frequency offsets caused by this arrangement are unacceptable.		
			* Base station repeaters are not designed to receive and retransmit on the same frequency. 1) Self oscillation problems are likely to occur. 2) The base station FCC Type Acceptance for this equipment has been granted only for cross-frequency operation, not same frequency operation. The equipment offered does not have FCC Type Acceptance in the proposed configuration, as required by the technical specifications.		