

# MINUTES



LOS ANGELES COUNTY TRANSPORTATION COMMISSION 403 West 8th St., Suite 500, Los Angeles, CA 90014 (213) 626-0370

## LOS ANGELES COUNTY TRANSPORTATION COMMISSION

September 23, 1987

The regular Commission meeting was called to order by Chairman Bradley at 1:40 p.m. in the Board Room of the Department of Water and Power.

Mr. Richmond indicated that he is receipt of a letter from Supervisor Schabarum designating Mike Lewis as his alternate at this meeting in Mr. Sanborn's absence.

### Members in attendance were:

Mayor Tom Bradley  
Councilwoman Jacki Bacharach  
Councilman Michael Woo  
Marcia Mednick  
Mike Lewis, Alternate for Supervisor Schabarum  
Walter King, Alternate for Supervisor Hahn  
Robert Geoghegan, Alternate for Supervisor Edelman  
Barna Szabo, Alternate for Supervisor Dana  
John La Follette, Alternate for Supervisor Antonovich  
Councilman Ray Grabinski, Alternate for Councilman Tuttle  
Councilman Robert White, Alternate for Councilwoman Reed

### Staff members present:

Rick Richmond, Executive Director  
David Kelsey, Assistant County Counsel  
Kathy Torigoe, Executive Secretary  
Glenda Hill, Secretary

## APPROVAL OF MINUTES

The minutes of September 9 were moved and seconded for approval. Mrs. Bacharach indicated that on page 2, paragraph 4, correction should state, "...require the MTA members to be covered by the conflict of interest law." And on page 3, first paragraph, the motion died for lack of a majority vote, not for lack of a two-thirds vote. Hearing no further objection, the minutes were approved as amended.

## CHAIRMAN'S REMARKS

Chairman Bradley commented on the reorganization legislation, SB 2 and AB 18. He asked the Transition Planning Committee to move forward with their work in the event that the Governor does sign the bills.

## COMMITTEE REPORTS

## FINANCE REVIEW COMMITTEE

Mrs. Bacharach reported on the FRC meeting of September 21, as follows:

SB 759 Finding - SCRTD FY 1987 Progress to Implement Performance Audit Recommendations

The FRC approved the following recommendations:

1. Find that the SCRTD has made a reasonable effort in FY 1987 to implement Performance Audit Recommendations except in the areas of operator absenteeism.
2. Approve a three-month extension for the SCRTD to meet operator absenteeism reduction targets as described in the staff report.
3. Approve an extension of the Price Waterhouse consultant contract for a total cost not to exceed \$17,300 to validate SCRTD absentee results through September 30, 1987.
4. Approve a FY 1988 LACTC budget increase of \$17,300 to accommodate this unanticipated expense.

In discussing this item, the Committee asked staff to emphasize to RTD that the absentee reduction targets must be met in order for the Committee to make a finding that "reasonable progress" has been made.

In addition, the FRC directed staff to make Price Waterhouse available to make a presentation to the SCRTD Board once absenteeism data has been received and analyzed.

In addition, the Committee recommended that the Commission approve a contract to Price Waterhouse for the amount of \$17,300.

Mrs. Bacharach moved for approval, which was seconded. Hearing no objection, motion was carried.

#### FY 1985-86 Article 4.5 Audits for Rancho Palos Verdes Peninsula Transportation Authority

The FRC approved the following recommendations:

1. Allow the City of Rancho Palos Verdes to use a portion of their FY 1987-88 Subregional Paratransit Grant Incentive funds to replace the disallowed Article 4.5 revenues from FY 1985-86, and reclaim the disallowed funds to offset anticipated FY 1987-88 expenses.
2. Recommend that the Peninsula Transportation Authority reimburse the \$1,909 disallowed Article 4.5 and accrued interest to the LTF.
3. Authorize the Executive Director to incorporate the combined FY 1986-87 - FY 1987-88 Article 4.5 audits for the Peninsula Transportation Authority into the current contract for the Proposition A Local Return Audits if the Authority returns the disallowed funds to the LTF. (No additional expenses would be incurred by the Commission.)

Mrs. Bacharach moved for approval which was seconded by Mr. King. Hearing no objection, motion was carried.

#### Upgrade and Reclassification of Transit Development Positions

The FRC approved the recommendation to upgrade the position of Project Director, Rail Development to Director, Program Development; and reclassify the position of Rail Development Engineer to Manager, Rail Planning, Program Development.

Mrs. Bacharach moved for approval which was seconded by Mr. King. Hearing no objection, motion was carried.

Mrs. Bacharach also reported that the FRC heard reports on the following information items:

1. Status of the SCRTD Performance Action Plan.
2. Update on the City of Los Angeles' People in Program Program in the San Fernando Valley.

#### INTERGOVERNMENTAL RELATIONS COMMITTEE

No meeting was held. The next meeting is scheduled for October 14 at the L.A. County Hall of Administration, Room 864-A.

#### RAIL CONSTRUCTION COMMITTEE

Mrs. Bacharach reported on the RCC meeting of September 22, as follows:

##### Award Contract C258 - Trackwork Installation

The RCC recommended that the Commission authorize the Executive Director to award a contract to Herzog Contracting Corporation in a lump sum amount of \$12,971,500 for the Trackwork Installation contract No. R01-T08-C258. A 10% contract reserve fund of \$1,297,150 is also recommended to cover the cost of changes and/or extra work outside the contract scope if required. The award is contingent on resolution of any bid protests timely-filed.

Mrs. Bacharach moved for approval of the recommendation which was seconded.

The following persons appeared before the Commission to object to the award to Herzog and voice their concerns:

Alexander B. Cvitan, attorney representing the Southern California District Council of Laborers, International Union of Operating Engineers, Local 12 and also the attorney for Mike Quevado, Jr. and William C. Wagner, two plaintiffs in a lawsuit filed against the Commission in regard to its award of contracts C215 and C225 to Herzog.

John C. Richardson, Executive Director, Labor Research Group, representing Operating Engineers Local 12.

Ivan Potts, Public Works Projects Coordinator for Laborers Local 507.

Mrs. Bacharach asked that Darold Pieper, Special Counsel to LACTC, address some of the questions raised. Mr. Pieper also responded to questions raised by the Commissioners.

Discussion followed.

Mr. Woo moved that this matter be tabled to the next meeting when the Commission can receive the auditor's report and some other answers to these questions. Motion was seconded.

Further discussion followed.

Mr. O. J. Whisman of I.U.O.E., Local 12, and resident of Lynwood, also appeared before the Commission to protest the award to Herzog Contracting Corporation.

Mr. Woo offered a substitute motion to table this item until the next meeting when Commission staff and auditors/consultants report back to the Commission on the following:

1. Qualifications of proposed Herzog MBE/WBE subcontractors, with specific reference to allegations of subterfuge raised during this meeting.
2. Herzog's record of compliance with or violation of labor law standards on other contracts.
3. Adequacy of LACTC procedures for determining compliance with MBE/WBE goals.

Motion was seconded by Mr. Geoghegan. Without objection, substitute motion was carried.

Award Contract H831 - Supervisory Control and Data Acquisition (SCADA)

The RCC recommended the Commission authorize the Executive Director to award a contract to Harris Corporation in a lump sum amount of \$3,831,000 for the SCADA Contract No. R01-T07-H831. A 10% contract reserve fund of \$383,100 is also recommended to cover the cost of changes and/or extra work outside the contract scope if required. (The Commission had previously authorized this contract to be awarded under the "competitive negotiation" provisions of state law.) The award is contingent on resolution of any bid protest timely-filed.

Mrs. Bacharach moved approval of the recommendation which was seconded by Mr. King. Without any objection, the motion was carried.

#### Award Contract C117 - Flower Street Subway

The RCC recommended that the Commission authorize the Executive Director to award a contract to Homer J. Olsen, Inc. in a lump sum amount of \$19,992,600 for the Flower Street Subway, Contract No. R01-T01-C117. A 10% contract reserve fund of \$1,999,260 is also recommended to cover the cost of changes and/or extra work outside the contract scope if required. The award is contingent on resolution of any bid protest timely-filed.

Mrs. Bacharach moved for approval of the recommendation which was seconded by Mrs. Mednick. Hearing no objection, motion was carried.

#### Alameda Corridor Projects Financing

The RCC recommended that the Commission participate in the Alameda Corridor projects as follows:

- a. LACTC will agree to contribute a 6.45 percent share, or \$14.2 million of the current estimated cost of the Alameda Corridor projects, subject to the conditions stated below.
- b. If LACTC implements the Mealy Street freight railroad diversion (MC-5) within the City of Compton, funds spent by LACTC on MC-5 for track and signal improvements in the Alameda Corridor and for grade separation at Rosecrans Avenue and Alameda Street will be counted toward LACTC's 6.45 percent share. If LACTC does not implement MC-5, the 6.45 percent share will be provided in 30 annual payments of \$473,000 each, if the other parties in the financing plan commit their shares. .

Mrs. Bacharach moved approval of the recommendation which was seconded by Mr. King. Hearing no objection, motion was carried.

#### Utility Easement, A000051 - City of Los Angeles, Department of Water and Power

The RCC recommended the Commission authorize the Executive Director to execute and grant a new utility easement for Parcel No. A000051 - City of Los Angeles, Department of Water and Power.

Mrs. Bacharach moved for approval which was seconded by Mrs. Mednick. All present voted in favor on the recommendation except for a "no" vote by Mr. Lewis.

#### Award Contract for Century-El Segundo Design Services

Mrs. Bacharach indicated that the RCC had received a staff recommendation for award to Bechtel Civil, Inc. This was the first time that no Committee members were able to attend the interviews of proposers. Looking at the staff report, the Committee was faced with four firms who had submitted very good proposals. There were two firms who tied for top ranking in the staff's technical evaluation. The RCC decided to return to the Commission at its next meeting with a recommendation.

At this point in the meeting, Chairman Bradley relinquished the chair to Councilman Woo on the advise of legal counsel because he had received campaign contributions from some of the proposers' sub-contractors during the past year.

Mr. Lewis had questions about the evaluation scoring process for the proposals. He suggested that a discussion be held at the Commission level before the Committee evaluates the proposals.

Mrs. Bacharach indicated that RCC members will meet with the staff evaluation team and will be making a recommendation to have a full discussion at the next Committee meeting.

Mr. Szabo asked for the reason for the delay.

Mrs. Bacharach summarized the reasons why the Committee is requesting the delay.

Further discussion followed.

Hearing no further comment from Commissioners, Mr. Woo indicated that it was the consensus of the Commission to refer this item back to the Rail Construction Committee for a report and recommendation to the Commission at its next meeting.

Mr. Richmond asked for a clarification along the lines of questions asked by Mr. Lewis; specifically, anything in particular that the Commission would like staff to do in this period of time for non-Committee members to be apprised of the evaluation process. He indicated that staff will advise all members of the Commission whenever a session is scheduled with the evaluation team so that everyone will have an opportunity to participate.

Mrs. Bacharach indicated that it would be helpful if any non-Committee member had questions, to refer them to a staff member so that the questions can be considered at the RCC meeting.

At 3:00 p.m., the meeting was turned over to Chairman Bradley.

#### RAPID TRANSIT COMMITTEE

The next meeting is scheduled for October 9.

#### STREETS AND HIGHWAYS COMMITTEE

The next meeting is scheduled for October 7.

#### EXECUTIVE DIRECTOR'S REPORT

None

#### PUBLIC COMMENT

Pat Moser commented that if the Governor signs SB 2 and AB 18 into law, the new MTA agency should keep the current RTD logo and should look into the duplication of services. He also commented: 1) there should be no cross-over on the Long Beach loop; 2) there should be a start on the North Hollywood station of the Metro Rail; and 3) at the Pasadena rail line community meeting in Highland Park, there was favorable support for the Marmion Way right-of-way.

Greg Roberts commented on the letters that he had sent to Chairman Bradley concerning his support for Mr. Dyer of RTD, and bus service information coordination by Cities of Culver City and Santa Monica and RTD.


Sheldon Walter commented on Metro Rail in San Fernando Valley and light rail in Los Angeles County.

#### NOTICE OF MEETINGS

Notice was received and filed.

#### ADJOURNMENT

Meeting was adjourned at 3:15 p.m.

  
RICK RICHMOND  
Executive Director