



**Rail
Construction
Corporation**



a Subsidiary of
the Los Angeles County
Transportation Commission

403 West Eighth Street
Suite 500
Los Angeles, California
90014-3096
Tel 213 626-0370
Fax 213 617-1299

**RAIL CONSTRUCTION CORPORATION
MINUTES OF MEETING DECEMBER 4, 1989**

MEMBERS PRESENT

JACKI BACHARACH
CAROLE STEVENS
WALTER KING
RAY GRABINSKI

APPROVED WITH CORRECTIONS
SEE MEETING OF 11/8/90

STAFF PRESENT

NEIL PETERSON, EXECUTIVE DIRECTOR
ED McSPEDON, ACTING PRESIDENT/CEO, R.C.C.
AL SCALA, MANAGER OF CONTRACTS
JERRY GIVENS, ASSISTANT DIRECTOR, DESIGN & CONSTRUCTION
NORM JESTER, MANAGER, RAIL SYSTEMS ENGINEERING
AL PATASHNICK, SENIOR TRANSPORTATION ANALYST
RICHARD STANGER, DIRECTOR OF RAIL DEVELOPMENT
FRANK FLORES, SENIOR RAIL DEVELOPMENT PLANNER
BARBARA NORRIS, SENIOR ADMINISTRATIVE SECRETARY

OTHERS

CHUCK REAM, DKJV
TONY STEVENS, TRANSIT INSURANCE ADMINISTRATORS
ROBERT BALL, DKS
BOB McMILLAN, DELEUW CATHER & COMPANY
JIM CRAWLEY, SCRTO
NADEEM TAHIR, SCRTO
TOM WILSON, DELEUW CATHER
NINA PHILLIPS, DEPUTY COUNTY COUNSEL

CALL TO ORDER

APPROVAL OF MINUTES OF MEETING OF NOVEMBER 20, 1989

The minutes of the meeting of November 20, 1989 were approved with the following correction:

Page 3, 2nd paragraph, 6th line -passengers will disembark for transfer.....

STATUS REPORT ON THE RAIL CONSTRUCTION CORPORATION

Mr. McSpedon stated that there were no events to report at this time.

Jacki Bacharach stated that at the last Commission meeting a 3-member Committee was chosen to meet with a 3-member Committee of SCRTD to discuss this the Rail Construction Corporation. The Committee agreed that the LACTC Executive Director and the SCRTD General Manager will meet on December 5 to go over the contract for engineering and construction of MOS-2. Areas of agreement and disagreement are to be identified at this meeting and reported to the Committee. The Committee will report to the Commission at its December 13 meeting.

**REPORT ON THIRD-PARTY ACTIONS AND CONTRACT CHANGE NOTICES
(CPCN's)**

Ed McSpedon presented staff's report (outline attached).

City of Los Angeles: Letter has been sent to LADOT asking for concurrence in setting up a contra-flow bus lane on Flower Street to accommodate Shuttle service from Pico to 7th & Flower between the time we open service to Pico until the 7th & Flower Street Station is complete.

Staff is working on giving responsibility to the cities for licensing arrangements on software being developed to enhance traffic signal systems to accommodate rail movements through the intersections. Staff is asking the cities to negotiate software maintenance agreements directly with the software developers.

A letter has been drafted on the Washington Blvd. regarding necessary actions in order to ensure successful operation on Washington Blvd. of both rail and automobile traffic. This letter will be sent to LADOT and copied to the Rail Construction Corporation.

Staff will return to the Board in January regarding award or rejection of the contract for the two pedestrian crossings on 105th St. in Watts and on Caldwell St. in the City of Compton.

SCRTD/UMTA: Meeting scheduled for 12/5 on the MOS-2 contract. A meeting is also scheduled for LACTC and SCRTD staff to arrive at a revenue operating date for 7th & Flower.

Staff met with UMTA in Washington, D.C. on November 30 regarding MOS-2. Mr. McSpedon stated that UMTA will be in position to approve funding for MOS-2 as soon as a clarification of the roles of the LACTC and SCRTD in its management is determined. He stated that UMTA understands that there are two possible management relationships between LACTC and SCRTD, an agreed-upon contractual relationship or no relationship, and also are aware of the December 15 deadline date for SCRTD's decision. UMTA stated that this is a local decision and they will respect either decision.

Mr. McSpedon stated that the MOS-2 workshop is scheduled for Friday, December 8 at 10:20 a.m.

Mr. McSpedon presented a CPCN on Contract C140 involving at-grade construction of dual-track line and station superstructures along Washington Blvd., for the Metro Blue Line. This CPCN will provide funds to the Contractor to commence encasement work on an existing 100-year old brick manhole structure in reinforced concrete and fully lined with PVC liner. The Board approved CPCN No. 373A in the amount of \$375,000.

RISK MANAGEMENT CONTRACT AMENDMENT - TRANSIT INSURANCE ADMINISTRATORS

Al Scala presented staff's report on the Risk Management budget amendment. The Board asked for clarification on the titles of the TIA staff and the hours worked. Mr. Stevens explained the roles of the 5 permanent staff members and stated that the figure used for hours worked is an estimated figure. Mr. McSpedon explained the delay in this amendment citing that TIA's proposal was not received until late September. The Board recommended the Commission approve Contract Amendment #5 in the amount of \$749,267.00.

This amount provides for the cost of risk management services furnished by TIA for the July 1, 1989 to June 30, 1990 budget period.

METRO BLUE LINE - CHANGE ORDERS

Contract H840. #20 & 21 - General Farebox

Change Order #20 exercises contract Option 2, for the purchase of 43 ticket vending machines and support equipment such as money carts, cashboxes, and change storage units.

The Board recommends that the Commission approve Change Order #20 in the total amount of \$2,055,280 plus a contingency of \$349,398 to cover the anticipated cost of economic price adjustment as required by the Contract.

Change Order #21 is for 37 additional ticket vending machine and support equipment needed for the El Segundo extension which was added to the Green Line after the contract was awarded.

The Board recommends that the Commission approve Change Order #21 in the total amount of \$1,718,810 plus a contingency of \$292,198 to cover the anticipated cost of economic price adjustment as required by the Contract.

Contract H812. #21 - Overhead Contact System

Change Order #21 provides compensation to the Contractor for increased labor, material equipment and supervision costs incurred to maintain the Overhead Contact System and Traction Power supply System until maintenance tasks can be assumed by the operating agency (SCRTD). All work will be authorized on a cost-plus, as-needed basis. It is expressly agreed by all parties that this Change Order increase of \$250,000 is a maximum provision.

The Board recommends that the Commission approve Change Order #21 in the amount of \$250,000. Sufficient contingency remains within the current AFE amount to cover the cost of this Change Order.

Contract C495. #03 - Fencing

This Change Order provides fencing under aerial structures in order to add security to these areas and to deter vandalism.

The Board recommends that the Commission approve Change Order #003 in the amount of \$327,151, and approve an increase to the current AFE amount by \$165,415 to a revised total AFE of \$5,007,915. This increase in AFE will enable staff to process pending and anticipated changes. The \$165,415 required as additional funding will be transferred from the Project Reserve.

Contract P0851 - Hi-Rail Trucks

Mr. Scala asked that this item be pulled from the Agenda as it doesn't require Commission approval. The Board concurred.

**METRO BLUE LINE - CONTRACT C335 - CONTINENTAL HELLER -
DISCIPLINARY ACTION**

Al Scala addressed the Board on contract C335.

Mr. Jack Elliott, lawyer representing Continental Heller, addressed the Board on the circumstances and events leading up to the disciplinary action. He stated that Continental Heller requested a substitute subcontractor in April, but LACTC staff made a recommendation in November for an answer on this request. Mr. Scala stated that this request for sent to TransCal and never copied to the Commission, Not until the suit was filed with Franklin did the Commission know of this request.

Mr. Bill Williams, project executive for Continental Heller stated that they were directed to route all documentation to TransCal at that time. He stated Franklin was the only bidder to bid on reinforcing iron and that's the reason they were originally on the bid.

Mr. Elliott stated that the recommendation suspending Continental Heller from bidding for one year does not fall under the Subletting and Subcontracting Fair Practices Act. He also stated that the 10% is the maximum the LACTC may assess, but the LACTC may assess a lesser amount if it chooses.

Nina Phillips stated that this is correct, but the Act does not preclude the Commission from taking other remedies that it has, and this recommendation is another remedy.

Mr. Scala stated that suspending bidding is referenced in our Policies and Procedures Manual and is also referenced in the Affirmative Action/Labor Compliance Manual.

Ray Grabinski stated that the LACTC previously implemented a policy that as an agency, LACTC would notify other agencies when a violation by a contractor was apparent. The Board felt that it was important that the procedures in place be followed.

The Board asked that County Counsel do more research as to whether this remedy is legal or not.

Board recommended the Commission authorize the Executive Director to:

- o Assess a penalty against CHC in the amount of \$20,000 (10% of the subcontract amount)
- o Suspend CHC from bidding on any of the Commission's 100% locally-funded projects for one (1) calendar year commencing January 1, 1990.
- o Report these actions to the Contractors State License Board and to other agencies, in particular, the County of Los Angeles, the City of Los Angeles, the City of Long Beach, Southern California Rapid Transit District and the California Department of Transportation.

METRO BLUE LINE - CONTRACT C2125 RECOMMENDATION FOR CONTRACT ACCEPTANCE - HERZOG CONSTRUCTION CORPORATION

Ed McSpedon presented staff's report. This contract involved furnishing all labor, materials, tools, equipment, services, etc. necessary for construction of the northern and southern portions of mid-corridor sitework and SPTC railroad relocations for the Metro Blue Line.

The Board recommended that the Commission:

1. Approve the acceptance of the subject contract complete as of September 13, 1989, and authorize the recording of the Notice of completion;
2. Authorize the release of retention in the amount of \$387,459.15 thirty (30) calendar days after the filing of the Notice of Completion;
3. Approve the transfer of funds in the amount of \$535,717 to the Project Reserve. This amount represents a surplus over the total obligated funds for Contract No. R01-T01-C2125.

METRO BLUE LINE - MC-5 UPDATE

Ed McSpedon reviewed the MC-5 project and explained that this is actually a freight railroad relocation effort which originated because of concerns raised by the City of Compton which has two freight lines going through the center of the City. Compton is concerned that adding a light rail line will create east-west traffic jams that will be unmanageable. In November 1987, the LACTC approved an agreement with the City of Compton involving the relocating the Southern Pacific tracks running through the City on the Wilmington branch and diverting them to the San Pedro Branch.

Jerry Givens reviewed staff's report and the budget for the project with the Board. He stated that those MC-5 elements related to the LRT alignment are substantially complete. The two major elements still outstanding do not impact LRT.

Robert Ball reviewed the major action items pending to reach agreement between the City, the Southern Pacific and the LACTC on the funding shares for the MC-5 project. Mr. Givens stated that one concern in the delay of reaching an agreement between the City and SPTC is the escalation of costs, the LACTC is asking the City to amend the existing agreement between the City and LACTC in order to hold the City responsible for any escalating costs.

Mr. McSpedon explained that the first priority for the LACTC is the Blue Line and projects such as the Rosecrans Aerial Structure are relevant to the Blue Line whether or not MC-5 is complete. As far as projects that are not feasible because the City and Southern Pacific fail to come to an agreement the Commission will not commit any funds prior to such agreement.

METRO BLUE LINE - RAIL ACTIVATION STATUS REPORT

Mr. Jester reviewed the monthly progress report on rail activation i.e., construction; operations & maintenance; and policy and administration (outline attached).

Mr. Grabinski asked if the cities of L.A., Compton, Long Beach Community Redevelopment Agencies have worked with staff on anti-graffiti, beautification, etc. The Board asked that a right-of-way enhancement report be presented at the next R.C.C. meeting.

METRO BLUE LINE - SHUTTLE SERVICE

Al Patashnick updated the Board on the steps being taken in order to develop an RFP for a linkage from the rail service to bus service at the northern and southern terminus. The Board asked that staff return to its January meeting with more information on the shuttle service.

COUNTYWIDE ASSESSMENT OF LOS ANGELES TRANSPORTATION FACILITIES FOR EARTHQUAKE SAFETY

Mr. Bob McMillan reported on a assessment of transportation facilities being done by DeLeuw Cather & Company which looks at the programs in place with all agencies in the County regarding preparedness for a major earthquake. This report will survey all agencies in L.A. County as to any structures that they have identified as critical. Program recommendations will be prepared on mitigation steps to be taken on these critical locations.

OTHER

The Board set the next R.C.C. meeting for January 8.

CLOSED SESSION - REAL ESTATE MATTERS. PARCEL AS352 LACTC VS. GABRIEL, ET AL

The Board adjourned to a closed session to discuss real estate matters.

ADJOURNMENT

bn-c
(rcc/min-12.4)