



**Rail
Construction
Corporation**



a Subsidiary of
the Los Angeles County
Transportation Commission

**RAIL CONSTRUCTION CORPORATION
MINUTES OF MEETING JANUARY 14, 1991**

MEMBERS PRESENT

DAVID ANDERSON, CHAIRMAN
ERNEST CAMACHO, VICE CHAIRMAN
JUDITH HOPKINSON
ROBERT E. KRUSE
DONALD McINTYRE
JAMES T. POTT

STAFF PRESENT

EDWARD McSPEDON, PRESIDENT/CEO
AL SCALA, MANAGER OF CONTRACTS
JOEL SANDBERG, VICE PRESIDENT/PROJECT MANAGER MOS-2
LAURENCE WELDON, PROJECT MANAGER FOR METRO BLUE LINE
LOU HUBAUD, SYSTEM SAFETY & SECURITY DIRECTOR
GENETHA EDDINS, PUBLIC AFFAIRS OFFICER II
BARBARA NORRIS, EXECUTIVE SECRETARY

OTHER

AUGUSTIN ZUNIGA, COUNTY COUNSEL
RICHARD CHASTANG, COUNTY COUNSEL

CALL TO ORDER

The meeting was called to order at 12:30 p.m.

EXECUTIVE SESSION

The Board adjourned to an Executive Session to discuss Real Estate matters: B2-100 McArthur Park; Pending Litigation Government Code Section 54956.(b)1; Actual Litigation Government Code Section 54956.9(a): A145, Atkinson and A165, Los Angeles Superior Court Case #C746367.

RETURN TO OPEN SESSION

The Board returned to open session.

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**HEARING: CONTRACT A147/157 R.J. LAND AND ASSOCIATES VS. MORRISON
KNUDSEN CORPORATION**

Mr. Anderson stated that this hearing was requested by R. J. Land and Associates in regards to a substitution under contract A147/A157 with Morrison Knudsen Corporation (M/K) as the Prime Contractor and R.J. Land and Associates as the subcontractor.

Mr. Richard Chastang, County Counsel, briefly reviewed the statutory procedure and legal basis for the Hearing.

Al Scala, Manager of Contracts, reviewed the chronology of events on the contractual issues of this contract summarized in staff's report.

Mr. Richard Linford, Operations Manager representing the Prime (Morrison Knudsen Corporation) and Mr. R.J. Land, representing the Subcontractor (R.J. Land Associates) addressed the Board and elaborated on their position regarding the substitution.

After considerable discussion the Board determined to approved staff's recommendation that the Board consent to the Prime Contractor's substitution in accordance with Section 4107(a) (4) and Section 4108 of the Public Contract Code. Ms. Hopkinson moved, Mr. Pott seconded staff's recommendation. Motion was approved 5-1 with Ernest Camacho voting no.

APPROVAL OF MINUTES OF THE DECEMBER 10, 1990 MEETING

The Board approved the minutes of the December 10, 1990 meeting as submitted.

CHAIRMAN'S REMARKS

Mr. Anderson commented on the events of 1990, i.e., the opening of the Blue Line, the addition of the Metro Red Line project, etc. and thanked staff and the Board for their efforts. Mr. Anderson stated that 1991 looks extremely busy and should prove to be very productive. The Board looks forward to the challenges the new year has to offer, especially with the passage of Proposition C.

PRESIDENT'S REPORT

Mr. McSpedon stated that the Los Angeles Fire Department issued their final report on the tunnel fire, which brings to a close the last remaining piece of this effort. The RCC's efforts continue in terms of implementing the recommendations from the investigation and the changes in procedures and requirements for the rest of the tunnel work ahead.

Mr. McSpedon stated staff will be reporting to the Board at its next meeting on the Metro Green Line project scope and budget. Also, staff will be reporting on an analysis of where cost of increases on our previous projects by category would help on budgeting and managing future projects.

CONSENT CALENDAR

The consent items were approved as submitted with the exception of Item 7A, Metro Green Line - Contract E2301, Amendment #3 pulled off the consent calendar by Mr. Pott.

Metro Red Line: Contract No. 4344, Amendment #4 - Project Archaeologist Services

The Board recommended that the Commission authorize the Executive Director to execute Amendment #4 to the subject contract in the amount of \$98,874.

Metro Blue Line: Contract H812, Overhead Contact System - Increase in AFE

The Board recommended that the Commission approve an increase to the current AFE amount by \$1,353,263 to a revised AFE of \$15,703,263. This increase in AFE will enable staff to process pending and anticipated changes. The current forecast has enough funds available to bridge the AFE shortfall.

REGULAR CALENDAR - ITEMS PULLED FROM CONSENT CALENDAR

Metro Green Line: Contract E2301, Amendment #3 - TransCal

Mr. Pott moved, Mr. McIntyre seconded, approval of this item with the understanding that the Board would receive a full definition of the Metro Green Line project scope and budget at the next RCC meeting.

The Board approved Mr. Pott's motion to recommend that the Commission authorize the Executive Director to negotiate and execute Amendment #3 to the subject contract within an amount not to exceed \$9,638,762.

METRO RED LINE - MOS-2:

Award Contract B201, Line Segment

Joel Sandberg presented staff's report stating that this item was tabled at the RCC December meeting pending conclusion of our negotiations with the L.A. Department of Parks and Recreation for an agreement with access to the Park and both the temporary and permanent easements. The negotiations are complete and the agreement is scheduled to go the Parks Commission at their meeting of January 28, 1991.

Mr. Pott asked for information on Shank-Ohbayashi as a responsible contractor. Mr. McSpedon stated that information that staff has received indicates that there was a request by SCRTD staff of UMTA to consider a debarment of Shank Ohbayashi from future work as a result of related work of DBE subcontractors on MOS-1. A conversation with R. Marler, UMTA (San Francisco) Council ascertained that she (UMTA) is unaware of any request from SCRTD for debarment of Shank-Ohbayashi and Doubleday. Absent criminal investigation and conviction, Shank-Ohbayashi would not be debarred from participating on UMTA/DOT contracts. Ms. Marler did indicate that the Inspector General Office for DOT conducted an investigation of Doubleday and ascertained that they were a "front." Mr. Sandberg stated that Doubleday is not a subcontractor on this contract.

Mr. Pott moved, Judith Hopkinson seconded to recommend that contingent upon the approval by the City of Los Angeles to permit RCC access onto the park property as the schedule requires, that the Commission authorize the Executive Director to award Contract No. B-201 to Shank-Healy/Joint Venture, the lowest responsive and responsible bidder. The Contract award will be for a total estimated contract price of \$46,377,589. A 10% contract reserve fund of \$4,637,759 is also recommended to cover the cost of changes and extra work, but will not be included in the award amount.

Award Contract B231 - Wilshire/Western Station

Joel Sandberg presented staff's report on Contract B231 which involves construction of the Metro Red Line Wilshire/Western Station and Crossover.

Mr. Camacho moved, Mr. McIntyre seconded to recommend that the Commission authorize the Executive Director to award Contract No. B231 to Tutor-Saliba-Perini/Joint Venture, the lowest responsive and responsible bidder.

The contract award will be for a total estimated contract price of \$53,645,201. A 10% contract reserve fund of \$5,364,520 is also recommended to cover the cost of changes and extra work, but will not be included in the contract award amount. Motion approved.

METRO BLUE LINE:

Contract C245, Central Control Facility - Recommendation for Contract Acceptance

Laurence Weldon presented staff's report on Contract C245 which involves construction of the Central Control Facility building. Mr. McIntyre moved, Mr. Pott seconded to recommend that the Commission:

1. Approve the acceptance of the subject contract complete as of June 6, 1989, and authorize the recording of the Notice of Completion.

2. Authorize the release of contract balance of \$4,402 upon final acceptance and release balance of escrow in the amount of \$100,000 thirty (30) calendar days after the filing of the Notice of Completion.
3. Approve the transfer of funds in the amount of \$53,417 to the Project Reserve. This amount represents a surplus over the current forecast for Contract R01-T01-C245.

Crossing Safety Enhancements, Schedule for Phase Two Study

Lou Hubaud reported to the Board on the eleven (11) Immediate Action Tasks approved by the Board and Commission and staff's efforts on continuing these actions: 1) tapering of fencing at intersections; 2) international signage; 3) analyzing car limit lines as they relate to left turn incidents/accidents; 4) community education programs; 5) increased local law enforcement; 6) installation of gate down indicators; 7) investigating oscillating light feasibility; 8) installation of cyclops lights; 9) quad gates feasibility; 10) pedestrian gates feasibility and 11) audible alarms feasibility.

In addition to staff moving ahead with implementing and investigating these actions Mr. Hubaud noted that SCRTD has also taken action, i.e., moving the horn signs to allow for a full 10-second blowing of the horn prior to entering any intersection and have replaced the standard headlights with Halogen headlights, which are a brighter headlight.

Staff will follow-up with the Board on the status of these action items at the Board's February 25 meeting.

PUBLIC COMMENTS

John Walsh addressed the Board on the tunnel fire report.

BOARD MEMBERS REQUEST FOR FUTURE ITEMS

The Board had no items.

ADJOURNMENT

Meeting adjourned at 3:15 p.m.

BARBARA NORRIS
Executive Secretary

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