



**Rail  
Construction  
Corporation**



a Subsidiary of  
the Los Angeles County  
Transportation Commission

**RAIL CONSTRUCTION CORPORATION  
MINUTES OF MEETING APRIL 8, 1991**

**MEMBERS PRESENT**

DAVID ANDERSON, CHAIRMAN  
ERNEST CAMACHO, VICE CHAIRMAN  
HERBERT L. CARTER  
JUDITH HOPKINSON  
ROBERT E. KRUSE  
DONALD MCINTYRE  
JAMES T. POTT

**STAFF PRESENT**

EDWARD McSPEDON, PRESIDENT/CEO  
TOM TANKE, EXECUTIVE VICE PRESIDENT, TECHNICAL OPERATIONS  
JOHN ADAMS, PROJECT MANAGER, METRO RED LINE, SEGMENT 1  
JEFF CHRISTIANSEN, VICE PRESIDENT, PROGRAM MANAGEMENT  
JOEL SANDBERG, PROJECT MANAGER, SEGMENT 2  
LOU HUBAUD, DIRECTOR, SAFETY & SECURITY  
WAYNE MOORE, COST ENGINEER  
JESSICA CUSICK, MANAGER, PUBLIC ART PROGRAM  
BARBARA NORRIS, EXECUTIVE SECRETARY  
BONNIE VERDIN, SECRETARY II

**OTHER**

DAVID KELSEY, COUNTY COUNSEL

**CALL TO ORDER**

The meeting was called to order at 2:05 p.m.

**MINUTES OF MEETING**

The Minutes of the March 25, 1991, meeting were approved with the following corrections:

Page 2, 4th Paragraph, correct to read: ...Mr. Camacho asked that at the April 22 meeting, staff also report on the status of the RFP for the Insurance Administration and entire Owner Controlled Insurance Program....

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Page 4, 7th Paragraph, 2nd Sentence correct to read: ...Mr. Sievers addressed the Board on the background of the borings stating that no gas testing was included in the original scope of work....

#### CHAIRMAN'S REMARKS

Mr. Anderson stated that the Executive Session would be held in the 11th Floor Long Beach Conference Room.

Mr. Anderson reported on the visit by Secretary of Transportation Samuel K. Skinner on Friday, April 12. An event is scheduled at the intersection of the Harbor Freeway and Glenn Anderson Freeway at 10:30 a.m. He will also speak a Town Hall Luncheon at the Sheraton Hotel at noon.

Mr. Anderson reported on the annual APTA Rapid Transit Conference scheduled for June 9-13, in Philadelphia.

#### PRESIDENT'S REPORT

Mr. McSpedon reported on the following items:

1. No action was taken by the LACTC on the mid-year budget;

Wayne Moore briefed the Board on the FY '92 Fiscal Year Budget process. Mr. Moore stated that the budget will be presented to the RCC Board at its May 6, 1991 meeting.

2. Regarding the Metro Green Line - Brinderson has moved ahead with the new scheme on the borings.
3. RCC/SCRTD Senior Management staffs have been meeting on the startup of Segment 1 as to the roles and responsibilities of the agencies.
4. Also, a "lessons learned" session is being planned with SCRTD's Operations and Maintenance people as to what is working well on the Blue Line, what would be done differently, what changes would they recommend, etc.
5. The LACTC held over the Wilshire/Vermont Station item presented at its March 27 meeting to the LACTC April meeting.

#### CONSENT CALENDAR

Mr. Kruse moved, Mr. Camacho seconded to approve the consent calendar, Items 5-7. Motion approved.

METRO RED LINE:

Award Contract B201 - Wilshire/Alvarado-Wilshire/Vermont Tunnel

The Board recommended that the Commission authorize the Executive Director to award Contract B-201 to Tutor-Saliba-Perini, Joint Venture, the lowest responsive and responsible bidder. The award will be for a total estimated contract amount of \$44,577,273. Also, a 10% contract reserve fund of \$4,457,727 is recommended to cover the cost of changes and extra work, but will not be included in the contract amount.

METRO BLUE LINE:

Contract H836. Safety and Security Communication System - Contract Acceptance

The Board recommended that the Commission:

1. Approve the acceptance of the subject contract one hundred percent complete as of March 13, 1991, and authorize the recording of the Notice of Completion;
2. Authorize the release of the contract balance of zero amount immediately upon acceptance of closeout and release of retention balance in the amount of \$112,490.48 upon completion of thirty (30) calendar days after the filing of the Notice of Completion;
3. Approve the transfer of funds in the amount of \$58,686.00 to the Project Reserve. This amount represents a surplus over the total obligated funds for Contract R01-T07-H0836.

Contract C335 - Long Beach Station Superstructures, Contract Acceptance

The Board recommended that the Commission:

1. Approve the acceptance of the subject contract one hundred percent complete as of March 15, 1991, and authorize the recording of the Notice of Completion;
2. Authorize the release of the contract balance of \$53,950.00 immediately upon acceptance of closeout and release of retention balance in the amount of \$60,000 less \$5,000 for third-party back charges upon completion of thirty (30) calendar days after the filing of the Notice of Completion;
3. Approve the transfer of funds in the amount of \$241,036 to the Project Reserve. This amount represents a surplus over the total obligated funds for Contract R01-T01-C335.

**METRO BLUE LINE - SAFETY EVALUATION OF GRADE CROSSINGS; IMMEDIATE ACTION TASKS**

Lou Hubaud updated the Board on the implementation of the short-term and long-term recommendations for the Metro Blue Line safety enhancements covering the following issues:

**Tasks to be implemented**

- Community Education
- Increased Law Enforcement - including legislation for mandatory classes for people committing violations anywhere in California on rail lines.
- Tapering of fencing to 4 feet
- New Cyclops Light
- International Signage - results of study

Mr. Pott stated that the request originally made by the Board requested that staff explore the use of an international sign that could be recognized by multi-lingual people--not just an acceptable Manual Uniform Traffic Control Device acceptable to the CPUC, Department of Transportation, etc. Mr. Carter stated that although the Study concluded that there is not justification to develop a new signage program, any one accident on the rail project would justify an effort to pursue this issue further. With the changing society, the RCC and LACTC should do everything to ensure that people are safe in terms of the public service the LACTC/RCC provides with respect to transportation.

Mr. Pott further stated that staff begin the process through the regulatory agencies requesting a multi-lingual sign, even if the sign is localized and not made a Standard.

After further discussion the Board directed staff to return with a recommendation as to what ought to be put at the intersections to solve the multi-lingual problem; also, if staff finds a desirable sign that addresses the multiple languages, then the process to move forward should be determined.

**Task that need further investigation**

- Feasibility of pedestrian gates--have not been able to determine whether a positive or negative impact. Staff is recommending that SCRTD look at testing at two locations in Long Beach, Spring and Wardlow.

Mr. Kruse asked that staff look into a "Z" crossing.

Task considered infeasible

- Changing car limit lines
- Use of audible alarms
- Use of quad gates
- Gate down indicators
- Use of oscillating headlights

Regarding the quad gates, Mr. Pott asked that staff continue to pursue other methods for discouraging people turning through the left hand side of an intersection passing gate.

#### **ART PROGRAM**

Mr. McSpedon briefed the Board on concerns raised by the Board at its February 25, 1991, meeting concerning how do we control the cost of the art program; how do we ensure that we're getting fair value per dollar; how do we give contractors a level of comfort that they can construct the art elements and that the bid prices are not extorted because of art.

Mr. McSpedon reported on staff's meeting regarding these issues. He stated that the art elements need to be developed as part of the design of the overall station. The Commission's allocated dollars for art cover the administration, engineering, construction management, follow-on maintenance, etc. It is designed to be self-standing. Once a budget is established, the management of the dollars is handled the same way as construction, i.e., design reviews, etc.

The station is subject to constructibility reviews through the design development by the Construction Manager, the art would also be subject to these reviews. Any artwork that is non-constructible would be discussed in the design stage. If the artwork is unique, it may be decided to package it as a separate item.

The Art Rapid Transit Team will identify the source of the funds, manage the staff cost, determine the dollar split for projects and solicit private donations. RCC allocates the budget, negotiates the final design cost for each station, manages the design work and budget, manages construction and administers the contracts.

#### **METRO RED LINE - SEGMENT 1 ACTION PLAN**

Mr. McSpedon stated that there are still issues to be resolved on the roles of the RCC and SCRTD on the Segment 1. Staff has sought clarification from UMTA on the role that SCRTD is required to play in terms of oversight and financial fiduciary responsibilities since they remain the grantee. Staff is asking UMTA to authorize SCRTD to delegate the responsibility to the RCC and fill their

federal obligation through the RCC, rather than add another layer of oversight to the project. Staff is awaiting an opinion from UMTA at this time.

RCC is also requesting a written agreement with SCRTD to allow RCC to have access to facilities that have been previously completed. The agreement would allow RCC full control of all facilities until the project is formally turned over to SCRTD for operations.

John Adams reviewed with the Board the initiatives taken on Segment 1 thus far responding to the findings and recommendations of the DKJV report: Project Management; Schedule (incl. delivery of vehicle); Changes & Claims; Right-of-Way; Agency (RCC/SCRTD/Third-Party); Professional Services Contracts; and Start Up.

#### PROPOSED RCC POLICIES

##### Joint Development

Mr. Carter asked that this item be deferred until after the Executive Session discussion. The Board concurred.

##### Engineering Management Consultants

Mr. Pott proposed the following motions:

1. Current efforts to consolidate rail design contracts under one umbrella and to expand the scope of the consolidated designers to include all future rail system designs without competitive selection processes shall be discontinued forthwith.

RCC staff should prepare, as promptly as possible, a Request for Qualifications, leading to a subsequent Request for Proposals from "short-listed" respondents, and present such RFQ together with a report summarizing important features of the RFQ to the RCC Board of Directors for approval.

The scope of work for the potential engineering management consultant should include systemwide engineering planning, scheduling, and budgeting; preparation of systemwide design criteria both for fixed facilities and for rolling stock; and engineering management of separately selected line segment designers who are charged with preparation of contract documents.

The RFQ report should include a suggested list of firms to whom the RFP is recommended for issuance (nationally) and who are regarded as well-qualified to provide the scope of services identified in the RFQ.

The RFQ report should further include a description of the method of screening, selecting, and negotiating with successful candidates at various stages of the selection process and the factors which will influence the screening, selecting, and negotiating process.

2. RCC staff should present to the Board of Directors for approval its proposed staffing plan to assure adequate and prudent internal management of the resulting consultant-driven design process. The staffing plan should pay particular attention to designated responsibilities and accountabilities assigned to consultants and to internal staff.
3. Following selection of the systemwide engineering management consultant, RCC staff is instructed to commence the process of amending and consolidating existing design contracts, as needed to simplify administration of existing design contracts.

Ms. Hopkinson asked if this concept includes in an RFP work already in progress. Mr. Pott stated no. Ms. Hopkinson asked that the first paragraph in Motion #1 be deleted. Also, the second paragraph of Motion #1 be amended to read ..... RCC staff should prepare, as promptly as possible, for engineering management consultant services on all future RCC rail projects, a Request for Qualifications.....

Mr. Pott moved, Mr. Kruse seconded, to approve the motion. Mr. Carter asked for staff's observations on this issue. Mr. McSpedon stated that it is an opportunity to get the management organization in better shape for the long haul. The LACTC has the power on a 2/3 vote to institutionalized this issue without a competitive process. Board Members have expressed concerns in meeting with staff, that everything possible should be done to maximize the perception and reality of being open and competitive as long as it can be done without disruption to the project.

The Board asked how this affects UMTA funding. Mr. Kelsey stated that on existing contracts federally funded, there is no problem. With future projects, RCC will have to show UMTA that they are locally funding and that we are acting prudently to justify sole source. Aside from the UMTA procurement regulations, the LACTC procurement constraints for service contracts are self imposed.

Ms. Hopkinson asked if a collapsing of the existing group of EMCs would occur if a consolidated EMC is selected for future work. Staff responded that this would not be the case--it would have to stay in the two groups, existing work and future work.

Mr. Anderson summarized the motion to read: A statement under Motion #1 that reads ....RCC staff should prepare and issue, as promptly as possible, a Request for Qualifications, for Engineering Management Consultant services on all future RCC rail projects.

Motion #2 is the two sentences listed at the bottom of the page in the report and Motion #3 is one sentence on the top of Page 2 of the report.

Mr. Anderson asked if there is any more language in those four sentences identified which are the motions on the table. With no other changes stated, Mr. Anderson asked for a vote on the motion as stated. Motion approved unanimously.

Mr. Anderson directed staff to discuss with Mr. Pott any concerns on the other principles mentioned. Mr. Pott asked that staff return to the next meeting with guideline principles that the Board can consider.

#### PUBLIC COMMENTS

The Board heard comments from the following:

- Mr. Andrew Delgado, Executive Director, CFAAC, requested that the Board make an effort to expedite the Outreach Activities proposed by CFAAC and to resolve the Memorandum of Understanding.

- Mr. John Walsh, Hollywood Project Area Committee

#### BOARD MEMBERS REQUEST FOR FUTURE ITEMS

Mr. Pott requested that a workshop be scheduled for no later than May on the Blue Lines (Pasadena, Glendale, 7th & Flower) to that the budget for FY 91-92 may be formulated. Mr. Anderson asked that the railcar maintenance yard is also included.

#### EXECUTIVE SESSION:

The Board adjourned to an Executive Session to discuss the following matters:

- o Exposure to Litigation - Govnmt. Code 54956.9(b) - Contract A175
- o Personnel - Govnm't Code 54957 County Counsel
- o CFAAC



**RETURN TO OPEN SESSION**

Mr. Anderson reported to the Board on the following issues discussed at a meeting held with Mr. Anderson, Mr. Camacho, Mr. Carter, LACTC Chairman Grabinski and Commissioner Jacki Bacharach:

- Contract Compliance - Contract Compliance Manager be accountable to RCC Senior Staff for all contract compliance issues related to RCC.
- Human Resource issues
- Joint Development - Formation of a Joint Committee of LACTC Commissioners and RCC Board.
- Contracting authority - Delegation of authority of up to \$150,000 from the LACTC to RCC
- Change giving RCC ability to move ahead on change orders

The Board discussed options on communication between the Board Chair and the Commission Chair on the Board's position on sensitive outstanding issues.

Further discussion ensued on accuracy of Mr. Pott's motion on Item 12b regarding Engineering Management Consultant. No resolution was reached.

**ADJOURNMENT**

The meeting adjourned at 7:30 p.m.



BARBARA NORRIS  
Executive Secretary