




**Rail  
Construction  
Corporation**

 a Subsidiary of  
the Los Angeles County  
Transportation Commission

**RAIL CONSTRUCTION CORPORATION  
MINUTES OF MEETING JUNE 3, 1991**

**MEMBERS PRESENT**

DAVID E. 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  
LAURENCE WELDON, PROJECT MANAGER, METRO BLUE LINE  
BARBARA NORRIS, EXECUTIVE SECRETARY  
BONNIE VERDIN, SECRETARY II

**OTHER**

DAVID KELSEY, COUNTY COUNSEL

**CALL TO ORDER**

The meeting was called to order at 2:00 p.m.

**APPROVAL OF MINUTES**

The minutes of the May 20, 1991, meeting were approved with a correction on Page 2, President's Report, 6th bullet  
...Groundbreaking ceremony for Segment 2 is tentatively.....

CHAIRMAN'S REMARKS

Mr. Anderson stated that a request has been made to hold an Executive Session at the end of the meeting to discuss a letter the Board received concerning the Century Freeway lawsuit. A two-thirds approval by the Board is needed to hold the Executive Session. Mr. Pott motioned, Mr. Camacho seconded to approve an Executive Session. Motion approved unanimously.

Mr. Anderson reminded the Board of the Groundbreaking on June 13 for the Metro Red Line, Segment 2.

Mr. Anderson informed the Board of a reception being held for Supervisor Pete Schabarum and Mike Lewis.

Mr. Pott asked the status of two items that were scheduled to be put on the June 3 agenda: a written report on when the RFP decisions on the Pasadena Line will be available; a staff report on the link between Union Station and 7th & Flower. Mr. McSpedon stated he should have the Pasadena RFP information by the end of the meeting. Regarding the link report, Mr. McSpedon stated that a full report on this issue has not been done at this time, but he has received some information on this issue and will forward same to the Board.

PRESIDENT'S REPORT

Mr. McSpedon asked that Item #12 be held over to the June 24 meeting. The Board concurred, with Mr. Pott requesting additional information on the original bid opening.

Mr. McSpedon asked that Item #14 be held over to the June 24 meeting.

Mr. McSpedon reported that the Commission at its May 22nd meeting upheld the Board's action to reverse the original recommendation on Contract C100, and awarded the contract to Steve P. Rados, Inc. Also, the Commission by two-thirds vote, approved the award of Contract A-655, Vehicle Performance Test.

Mr. McSpedon reported on the LACTC Bond issue and stated the bonds were sold out last Friday, May 31, with an extremely favorable interest rate.

CONSENT CALENDAR (ITEMS 6 THRU 12)

Mr. Anderson moved Items #10 and 11 to hear public comments. Item #12 was pulled during the Presidents Report. Mr. Pott asked that Item #5 be pulled for clarification.

03(a)

Mr. Carter moved for approval on the remaining Items #6-9, Mr. Camacho seconded. Motion approved.

Metro Blue Line, Contract R01-T06-H812, Overhead Contact System  
Acceptance of Contract Closeout

1. Approve the acceptance of the subject contract which was complete as of May 8, 1991, and authorize the recording of the Notice of Completion.
2. Authorize the immediate release of the contract balance amount of \$625,154.15 and authorize the release of retention in the amount of \$82,902.85 upon expiration of thirty (30) calendar days after the filing of the Notice of Completion.
3. Approve the transfer of funds in the amount of \$1,974,148 to the Project Reserve. This amount represents a surplus over the total obligated funds for Contract R01-T06-H812.

Metro Blue Line, Contract R01-T01-C4710, Miscellaneous Construction Services, Acceptance of Contract Closeout

1. Approve the acceptance of the subject contract complete as of May 8, 1991, and authorize the recording of the Notice of Completion.
2. Authorize the release of the Contract balance \$179,988.23 immediately upon acceptance of closeout including outstanding DBE submittals and release of retention balance in the amount of \$29,094.21 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 \$31,884.00 from the Project Reserve. This amount represents a deficit in the current total obligated Funds for Contract R01-T01-C4710.

Metro Blue Line. Contract R01-T01-C275, Landscaping, Acceptance of Contract Closeout

1. Approve the acceptance of the subject contract complete as of February 15, 1991, and authorize the recording of the Notice of Completion.
2. Authorize the release of retention balance in the amount of \$88,071.25 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 \$87,059 to the Project Reserve. This amount represents a surplus over the total obligated funds for Contract R01-T01-C275.

Metro Blue Line, Contract R01-T01-C117, Flower Street Subway,  
Change Order #034

The Board recommended that the Commission approve Change Order #034  
in the amount of <\$283,400>.

**CONSENT CALENDAR - DISCUSSION ITEMS**

Metro Blue Line, Contract R01-T08-P822, Concrete Ties, Acceptance  
of Contract Closeout

Mr. Pott asked that the recommendation be clarified regarding the  
retention balance. Mr. Weldon clarified the recommendation as  
follows:

1. Approve contract acceptance with Conditional Final Release  
from Case Pomeroy, who is contesting the credit of \$22,740 for  
Change Order 10 which will be processed separately.
2. Approve acceptance of the subject contract one hundred percent  
complete as of November 30, 1989, and authorize the recording  
of the Notice of Completion.
3. Authorize the release of the retention balance in the amount  
of \$2,260 thirty (30) calendar days after the filing of the  
Notice of Completion.

Remaining retention balance in the amount of \$22,740.00 to be  
withheld pending resolution of dispute between prime  
contractor and subcontractor.

4. Approve the transfer of funds in the amount of \$2,398,438 to  
the Project Reserve. This amount represents a surplus over  
the current budget provision.

Ms. Hopkinson moved, Mr. Camacho seconded to accept staff's  
recommendation. Motion approved.

Metro Blue Line, Contract R01-T01-C117, Flower Street Subway,  
Change Order No. 035

and

Metro Blue Line, Contract R01-T01-C117, Flower Street Subway,  
Acceptance of Contract Closeout

Mr. David J. Nosenzo, representing Homer J. Olsen (HJO), addressed  
the Board stating that HJO has withdrawn their approval of Change  
Order No. 35. Mr. Nosenzo stated that HJO is concerned that if  
Change Order No. 35 is approved, HJO may lose its legal right to  
pursue the claim on Contract C140. Mr. Nosenzo asked that Change  
Order #35 and the Contract Closeout be held over.

Mr. Weldon stated that the terms of the change order and closeout process on Contract C117 does not preclude them from continuing with their claim on Contract C140, and confirmed that the RCC does not accept the terms of the proposed settlement on Contract C140 that was negotiated some time ago. The Change and Closeout of Contract C117 are not affected by the negotiations on Contract C140.

Mr. Weldon recommended that the Board approve the change order and closeout with the above understanding.

Mr. Pott stated that he will not proceed to recommend approval of either item if the contractor wants this item to be held over. Mr. Carter agreed. Mr. Pott moved that the Contractor's request be honored to hold Change Order #35 and Closeout of Contract C117 over to the June 24 RCC meeting; and the Board review the material from HJO. Judith Hopkinson seconded. Motion approved.

Metro Red Line, Segment 1 - Contract A144, Removal of Groundwater Treatment Facility

This item was held over to the June 24 RCC meeting.

**METRO RED LINE, STATION DESIGN POLICIES**

This item was held over to the June 24 RCC meeting.

**BOARD MEMBER REQUEST FOR "RCC PRINCIPLES"**

This agenda item was held over from the May 20 RCC meeting. Mr. Pott stated that after reviewing Mr. McSpedon's suggested principles for the engagement and utilization of professional service firms, he requested that the Board Secretary forward his edited version to the Board members.

The Board reviewed Mr. McSpedon's report and Mr. Pott's revision.

Judith Hopkinson stated that the issue of the EMC and CM being separate and combined needs further discussion.

Mr. Carter moved, Mr. Pott seconded that the Board adopt the principles as revised (see attachment) and that staff return to the June 24 meeting with a report on the roles of the EMC and CM. Motion approved.

ENGINEERING MANAGEMENT CONSULTANT - REQUEST FOR QUALIFICATIONS REVIEW

Tom Tanke addressed the Board on the RFQ for the Engineering Management Consultant. Mr. Pott suggested that the Board approve the staff report and authorize the issuance of the RFQ whenever the subcommittee has been satisfied with the remaining details. Mr. McIntyre moved, Mr. Camacho seconded to permit staff to proceed with the RFP following the final work of the subcommittee and staff. Ms. Hopkinson asked that the Board receive a summary on the findings of the subcommittee, especially the essential public policy features.

METRO GREEN LINE, AWARD CONTRACT P1800

Mr. Carter moved that the decision on this item be deferred and that staff have an opportunity to discuss with the appropriate parties concerns that have been raised. Mr. Camacho moved, Mr. Pott seconded to hold this item over to the June 24 meeting. Mr. Anderson asked for any comments from the interested parties. With no other comments, motion approved.

PUBLIC COMMENTS

The Board heard comments from John Walsh.

BOARD MEMBERS REQUEST FOR FUTURE ITEMS

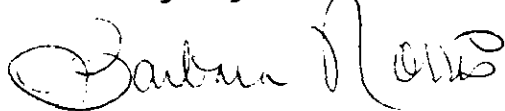
Mr. Anderson asked that Mr. McIntyre and Ms. Hopkinson to serve on a budget and finance group. The third appointment will be made at a later date.

EXECUTIVE SESSION

The Board adjourned to an Executive Session to discuss a legal action on the Century Freeway.

ADJOURNMENT

The Meeting adjourned at 4:15 p.m.



BARBARA NORRIS  
Executive Secretary