



**RAIL CONSTRUCTION CORPORATION
MINUTES OF NOVEMBER 25, 1991 MEETING**

MEMBERS PRESENT

**ERNEST CAMACHO, CHAIRMAN
ROBERT KRUSE, VICE CHAIRMAN
JUDITH HOPKINSON
JAMES POTT
DAVE ANDERSON
DON MC INTYRE**

STAFF PRESENT

**EDWARD MC SPEDON, PRESIDENT/CEO
DAVE SIEVERS, PROJECT MANAGER, METRO GREEN LINE
LAURENCE WELDON, PROJECT MANAGER, METRO BLUE LINE
RON DRAKE, DIRECTOR OF CONSTRUCTION
LES DURRANT, SYSTEMS ENGINEERING MANAGER
JOEL SANDBERG, PROJECT MANAGER, METRO RED LINE, SEGMENT 2
BARBARA NORRIS, EXECUTIVE SECRETARY
BONNIE VERDIN, SECRETARY**

OTHER

AGUSTIN ZUNIGA, COUNTY COUNSEL

1. CALL TO ORDER

The meeting was called to order at 2:10 p.m.

2. APPROVAL OF MINUTES

The minutes of the November 11 meeting were approved as submitted.

3. PUBLIC COMMENTS

The Board heard comments from Mr. John Walsh.

4. CHAIRMAN'S REMARKS

Mr. Camacho reported on the Board's November 23 Metro Red Line, Segment 1 tour.

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5. PRESIDENT'S REPORT

Mr. McSpedon reported on the following:

- A tentative meeting of the RCC Board has been scheduled for December 16 at 3:30. The Finance and Budget Subcommittee will meet at 2:00 that same day.
- A National Contractors conference is scheduled for Tuesday, November 26 to provide contractors interested in bidding the combined tunneling project with information, assistance in teaming, bid formulation, etc.
- The first married pair of Miami Railcars have arrived at the Maintenance Yard and are ready for testing.
- Contract P1900, Metro Green Line Vehicles - re BAFO is due today (11/25). The Technical Evaluation Team finished their work last week. Two people are reviewing the manufacturing facilities.
- UMTA Administrator, Brian Clymer, will be in L.A. on December 4 and will meet with staff.
- Two court appeals on Green Line contracts, H1200 and H1400 have been decided in the Commission's favor. A protest on Contract H1200 by one of the bidders has been denied by the Executive Director, the protesting firm has the opportunity to be heard before the awarding body (LACTC). Contract H1400 protest has also been denied.

Joel Sandberg presented a video on the progress of MOS-2 construction.

CONSENT CALENDAR

Ms. Hopkinson moved, Mr. Kruse seconded to approve the consent calendar with the exception of Items 6, 7, 10, 13, 14 & 18 pulled for discussion. Motion approved.

8. METRO BLUE LINE, CONTRACT H840, FARE COLLECTION EQUIPMENT
CONTRACT ACCEPTANCE

The Board recommends that the Commission:

1). Approve the acceptance of the Metro Blue Line portion of the subject contract which was substantially complete as of May 11, 1990.

2). Authorize the recording of the Notice of Completion.

3). Authorize the release of retention monies in the amount of \$291,682.40, subject to the successful completion of outstanding punch list items.

9. METRO RED LINE, SEGMENT 2, CONTRACT B211, WILSHIRE/VERMONT
STATION - COST PLUS CHANGE NOTICE (CPCN)

The Board recommended that the Commission approve Cost-Plus Change Notice No. B211-CN-016 in the not-to-exceed amount of \$300,000, and that the Commission approve an increase to the AFE amount by \$500,000.00.

11. METRO RED LINE, SEGMENT 1, CONTRACT A167
CHANGE ORDER 108 AND INCREASE IN AFE

The Board recommended that the Commission approve Change Order A167-CO-108 in the amount of \$1,669,595.00. This amount represents the sum of the audited and agreed to Force Account costs of \$1,444,764.00 and the approved lump sum costs of \$208,086.00 as stated on the Change Order. Previously, Change Notice A167-CN-266, 266 Rev. 1 and Rev. 2 have been approved for \$1,500,000.00. an increase to the current Authorization for Expenditure (AFE) for the amount of \$1,669,595.00 is required to fund this Change Order.

12. METRO RED LINE, SEGMENT 1, CONTRACT A167
CHANGE ORDER 219 AND INCREASE IN AFE

Board recommended that the Commission approve the extension of the contract completion date by 206 calendar days from July 3, 1991, to January 24, 1992, and authorize payment for costs incurred as a result of the 206 day extension in the amount of \$1,169,838.00 for overhead, profit and all other costs incurred. The Board also recommended that the Commission approve an increase to the current Authorization for Expenditure (AFE) for the amount of \$1,169,838.00. This will increase the current contract amount to \$28,961,665.00.

15. METRO RED LINE, SEGMENT 1, CONTRACT A147, CIVIC CENTER
CHANGE ORDER 45

The Board recommended that the Commission approve Change Order No. A147-CO-045 in the amount of \$290,353.00. This amount represents the costs associated with the Northeast entrance plaza design revisions, detail to resolve conflict with existing stairs, grades and other existing structures. Cost Plus Change Notice No. (CPCN) A147-CN-304.1 was originally issued for \$200,000.00 by staff for the procurement of long lead materials and to mitigate any schedule impact. Change Order No 045 incorporates this CPCN.

16. METRO RED LINE, SEGMENT 1, CONTRACT A640, COMMUNICATIONS
CHANGE ORDER 16.2

The Board recommended that the Commission approve Change Order A640-CO-016.2 in the amount of \$664,115.00 increasing the total contract value to \$47,483,508.00. Approval will enable staff to process this change to the contract. This change order is within the contract forecast.

17. METRO RED LINE, SEGMENT 1, CONTRACT A640, COMMUNICATIONS
CHANGE ORDER 26.2

The Board recommended that the Commission approve Change Order No. A640-CO-026.2 in the amount of \$325,762.00 increasing the total contract value to \$46,819,393.00. This change order is within the contract forecast.

19. METRO RED LINE, SEGMENT 1, CONTRACT A616 - RAIL FASTENERS
CHANGE ORDER

The Board recommended that the Commission authorize negotiations and approve a change order to procure 24,500 additional rail fasteners and 11,400 additional epoxy coated inserts. The total contract value will increase to approximately \$12,632,124. This increase will allow staff to process a change order to this contract.

Funding for this change is within the Green Line budget and will involve a transfer of funds to this Red Line contract.

20. METRO GREEN LINE, CONTRACT E002 - TETRA TECH CONTRACT AMENDMENT

The Board recommended that the Commission authorize the Executive Director to execute Amendment No. 3 with Tetra Tech, Inc. in the amount of \$525,925.00.

CONSENT CALENDAR ITEMS OF DISCUSSION

6. DELOITTE/KELLOGG JOINT VENTURE (DKJV) - CONTRACT R-01-S12-MQ01, AMENDMENTS 12 & 13

Mr. Anderson inquired as to the signoff for cost recovery. Mr. Weldon stated that the E&O issues will be completed by the end of the month, although some betterment work will still remain. All new assignments will go to the new PMO.

Mr. Anderson moved, Mr. McIntyre seconded to recommend that the Commission authorize the Executive Director execute Amendment numbers 12 and 13 with DKJV in the amount of \$570,800. Motion approved.

7. METRO BLUE LINE, CONTRACT H832, CABLE TRANSMISSION SYSTEM CONTRACT ACCEPTANCE

Mr. McIntyre asked for clarification of staff's report. Mr. McIntyre moved, Mr. Anderson seconded the recommendation that the Commission:

1). Approve the acceptance of the Metro Blue Line portion of the subject contract as complete as of June 6, 1991, and authorize the recording of the Notice of Completion.

2). Authorize the release of the retainage presently held in the amount of \$567,107.08, adjusted for any insurance backcharges, thirty (30) days after the filing of the Notice of Completion. Motion approved.

10. METRO RED LINE, SEGMENT 1, CONTRACT A165
CHANGE ORDER 130.1 AND INCREASE IN AFE

Mr. Pott questioned the acceleration of work and again raised his concerns on the continued problem of the final price being way above the original bid price.

Mr. Pott moved, Mr. Anderson seconded the recommendation that the Commission approve Change Order No. A165-CO-130.1 in the amount of \$519,405.59. This Change Order represents the close-out Force Account costs associated with acceleration of work to complete street and sidewalk restorations prior to Thanksgiving 1990 and increases the costs from \$24,999.00 by \$519,405.59 for a total contract increase of \$544,404.59. Staff also recommends that the Commission approve an increase to the Authorization for Expenditure (AFE) by \$519,406.00. Motion approved.

13. METRO RED LINE, SEGMENT 1, CONTRACT A136, CHANGE ORDER 31

The Board recommended that the Commission authorize the Executive Director to:

- 1). Approve Change Order No. A136-CO-31 in the amount of 1,619 million for electrical relocation work which is necessary as part of the initial construction sequencing to allow the construction of the new handicapped accessibility additions to the A136 Contract, Tutor-Saliba, Inc., and
- 2). Increase the Authorization for Expenditure (AFE) level for Contract A136 by 1,169 million.

Motion approved.

14. METRO RED LINE, SEGMENT 1, CONTRACT A136, CHANGE ORDER 39

Mr. Pott asked if this is an E&O issue. Mr. McSpedon stated yes. Mr. Pott moved, Mr. Anderson seconded the recommendation that the Commission approve Change Order No. A136-CO-39 in the amount of \$380,837.00. This represents the increased installation cost of providing a unique structural steel Duct Support System for 425 LF of fresh air ventilation ducts at four separate locations in the trainway beneath the mezzanine. Motion approved.

18. METRO RED LINE, SEGMENT 1, CONTRACT A650, PASSENGER VEHICLE FUNDING - CHANGE ORDER 39.01

Mr. Pott moved, Mr. Kruse seconded the recommendation that the Commission approve Change Order A650-CO-039.01, Berthing Verification Redesign, in the amount of \$581,000 increasing the total contract value to \$54,032,770.89. This change order is within the contract forecast. Motion approved.

REGULAR CALENDAR

22. METRO GREEN LINE - AWARD CONTRACT C600, TRACKWORK

Dave Sievers presented staff's report. Mr. Pott inquired as to the proposed change to the DBE policy of proposed vs. actual certification by the time of the bid. The Board asked that staff report later in the meeting as to the status of the policy.

Ms. Hopkinson moved, Mr. Pott seconded to recommend that the Commission award this contract to the lowest priced responsive and responsible bidder, Morrison-Knudsen Corporation, for Contract No. C0600, Century Trackwork Installation in the amount of \$19,419,000.00, plus a 10% reserve fund in the amount of \$1,551,400. Award is contingent on receipt of required bonds, insurance certificates and resolution of any protest which is filed in a timely manner. Motion approved.

23. METRO RED LINE. SEGMENT 2, MINED STATION ALTERNATIVES

Mr. Walsh addressed the Board on this issue.

Mr. Pott asked that the November 25, 1991, letter to the Board from the Hollywood Community Advisory Council regarding Metro Rail in the Hollywood Community be part of the record.

Ron Drake asked that staff's report be corrected to reflect the Vermont/Hollywood ROD date to be September, 1998, and not July, 1988. Mr. Drake reviewed staff's report and the concept of mined station construction and the benefits of using this concept. Mr. Drake also spoke on where we would have to use a cut-and-cover method. Mr. Drake stated that staff will return to the Board by April, 1992, on preliminary engineering of Vermont/Sunset, Hollywood/Western, Hollywood/Vine and Hollywood/Highland with a definitive recommendation on whether to go with the mined station alternative or the cut-and-cover.

Mr. Kruse commented on the statutory requirements on this concept, especially in Los Angeles County, and commended staff for being able to return to the Board with the concepts so quickly.

Mr. Pott asked why the Vermont/Beverly or Vermont/Santa Monica stations are not being considered as mined stations. Mr. Drake stated that due to the scheduling, initiating the system work that needs to be started for the entire segment and meeting the current ROD, this is not feasible.

After further discussion, Ms. Hopkinson moved, Mr. Kruse seconded to recommend that the Commission authorize continuation of design development work on mined station configurations for those stations from Vermont/Sunset to Hollywood/Highland to develop the required information to permit an informed decision on station construction alternatives. Staff further recommends continuation of the current schedule for design of cut and cover stations along Vermont and Hollywood. Motion approved with Mr. Pott voting no.

24. METRO RED LINE, SEGMENT 2, CONTRACT H840, FARE COLLECTION EQUIPMENT, CHANGE ORDER 25 AND INCREASE IN AFE

Les Durrant presented staff's report. Mr. Pott raised concerns on implementing Option 3A of staff's report. Mr. McSpedon stated that currently there is an option that includes enough machines for Segments 2 and 3 of the Metro Red Line. It was decided to split the option and only buy the Segment 2 now and defer action on Segment 3. The question is whether we are paying a premium for splitting the option. Mr. Durrant stated we will pay a one-time 3% premium because we are committing to a smaller quantity of machines. Also a 5% increase per year tied to the delivery date will be paid. Ms. Hopkinson stated that this does not include any income spread received on the monies not used at this time. Mr. McSpedon stated that whether we exercise the option now or later, the machines will not be paid for until they are delivered, Wilshire segment at the end of 1995 and Vermont/Hollywood segment early 1998. Mr. McSpedon stated that the Commuter Rail Authority also has an option in their procurement for additional machines for RCC which gives us another alternative on Segment 3. This will enable the RCC to utilize whatever option is in our best interest at the time.

Mr. Pott raised concerns on how the LACTC is moving on an accelerated basis with a countywide debit card program which proposes to use a third type software. Mr. Durrant stated that this is a trial program that is progressing at this

time which will take place over the next year. The equipment will be compatible with the GFI equipment. This is a requirement in the initial proposal and also part of the negotiations at this stage.

After further discussion, Mr. Kruse moved, Ms. Hopkinson seconded to recommend that the Commission authorize the Executive Director to approve Change Order No. 025 in the amount of \$4,321,580.00. The new AFE amount will be \$4,753,650.00, which includes a 10% contingency of \$432,070.00 for unanticipated changes. Motion approved with Mr. Pott voting no.

Ms. Hopkinson asked that staff return to the Board with a status report on the signage for the fare collection machines.

25. BOARD MEMBERS REQUEST FOR FUTURE ITEMS

Mr. Pott asked that a graphics consultant be retained to address the signage issue and that staff report back to the Board.

Ms. Hopkinson asked for the status of the EMC contract signing and for the name of the joint venture. Staff will return to the Board in December on this issue.

Mr. Camacho asked for an update on the RFP for OCIP.

Mr. Kirk Rascoe addressed the Board on the DBE policy as requested early in this meeting. The question being why the proposed DBE is higher than the actual in every bid on the C0600 contract. The Board requested that staff return to the December 9 meeting with an update on the pending modification to the DBE policy on the issue of notification and certification by bid time. Also why the proposed/actual amounts differ.

Mr. Anderson also asked if the use of the Caltrans certification list has been investigated.

Mr. Anderson has asked that staff give the Board feedback on the status of communication in response to the letter from HCSC mentioned in Item 23.

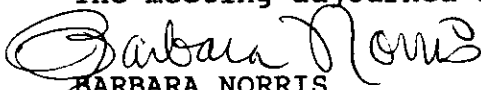
EXECUTIVE SESSION

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

- Real Estate Matters - G.C. #54956.8
 - B2-113, Wan Jae Wang
 - B2-189, Phillip and Samson Lor
 - B2-190, Esther Dana
 - B2-171 & B2-173, Franchise Realty Interstate Corp.
 - B2-121, Sixth & Vermont Corp.
 - LAUPT
- Professional Liability Claims - G.C. #54956.9(b)

ADJOURNMENT

The meeting adjourned at 5:30 p.m.


BARBARA NORRIS
Board Secretary

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