



CORRECTED

RAIL CONSTRUCTION CORPORATION (RCC)
MINUTES OF APRIL 13, 1992 MEETING

MEMBERS PRESENT

ERNEST CAMACHO, CHAIRMAN
ROBERT KRUSE, VICE CHAIRMAN
JUDITH HOPKINSON
DON MC INTYRE
JOHN W. MURRAY

STAFF PRESENT

EDWARD McSPEDON, PRESIDENT/CEO
DAVE SIEVERS, PROJECT MANAGER, METRO GREEN LINE
JOEL SANDBERG, PROJECT MANAGER, METRO RED LINE, SEGMENT 2
ABDOUL SESAY, MANAGER, RISK MANAGEMENT
LINDA MC CAFFREY, SENIOR CONTRACT ADMINISTRATOR
BONNIE VERDIN, BOARD SECRETARY
MERCY MENESES, SECRETARY

OTHER

AUGUSTIN ZUNIGA, COUNTY COUNSEL
CULLY CARLSON, DELOITTE-KELLOGG JOINT VENTURE
EUGENE SKOROPOWSKI, FLUOR DANIEL

1. CALL TO ORDER

The meeting was called to order at 3:05 PM.

2. APPROVAL OF MINUTES

Mr. Kruse moved, Mr. McIntyre seconded that the minutes of the March 30 meeting be approved. Motion approved.

However, later, during discussion of Item #17, corrections to the March 30 meeting were noted as follows:


- On page seven, last paragraph, last sentence, the word "Boulevard" should be stricken.



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Leading the Way to Greater Mobility

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the Los Angeles County
Transportation Commission

- Mr. McIntyre requested that the minutes reflect the Board's concurrence with the Joint Development Ad Hoc Committee to refer this matter to the Planning and Mobility Improvement Committee (PMIC) for their consideration and recommendation.

3. PUBLIC COMMENT

The Board heard comments from:

- John Walsh
- Dr. Falick

4. CHAIRMAN'S REMARKS

Mr. Camacho stated that the RCC/LACTC was served with a lawsuit after the agenda for this meeting went out. The Board needs to be briefed on the details of the lawsuit in closed session but in order to do this, the Board must cast a 2/3 vote to do so.

Mr. Zuniga provided the Board with a briefing on the procedure for making this motion. Mr. Zuniga also identified the lawsuit case as United Rider's of Los Angeles, et. al., vs. LACTC, et. al., Case No. BS015749.

Mr. McIntyre moved, Ms. Hopkinson seconded to hear this matter in closed session.

Motion approved.

5. PRESIDENT'S REPORT

- Mr. McSpedon stated that last Friday, the first Commuter Rail cars were rolled out in public ceremony. These cars will serve the Metrolink system that will be operational in October, 1992. Managing the procurement of the Commuter Rail cars is one of the many activities the RCC is providing in support of the Southern California Regional Rail Authority (SCRRA).
- Mr. McSpedon requested that Item #17 be heard before Item #14. This will provide the Board with the information needed to be better able to make an informed decision on Item #14.

CONSENT CALENDAR

Ms. Hopkinson requested that Items 8 & 11 be moved to Regular Calendar. Mr. McIntyre requested that Item #12 also be moved to Regular Calendar.

Mr. McIntyre moved, Ms. Hopkinson seconded to approve the remaining items on Consent Calendar. Motion approved.

6. METRO RED LINE, SEGMENT 1 - CONTRACT A640
COMMUNICATIONS, CHANGE ORDER NO. 59

The Board recommended that the Commission approve Change Order No. 59, Economic Price Adjustment, in the amount of \$289,435.65, which increases the total contract value to \$52,882,660. This change order is within the contract forecast. (See Attachment "B")

7. METRO RED LINE, SEGMENT 1 - CONTRACT A167
7TH ST. EMERGENCY SIDEWALK REPAIR, TUTOR SALIBA CORP.
CHANGE ORDER NO. 243

The Board recommended that the Commission approve expenditures in the combined total amount not-to-exceed \$1,005,480, which increases the total contract value to \$30,844,119. This amount represents the total negotiated and projected cost of the 7th Street Emergency Sidewalk repair and associated 97-day extension to the contract to complete this work.

9. METRO RED LINE, SEGMENTS 1 & 2
CONTRACT NO. 4985 - METCALF & EDDY
CONTRACT NO. 4987 - DAMES & MOORE
CONTRACT NO. A756 - BARSOTTI'S, INC.
HANDLING, TREATMENT & DISPOSAL OF HAZARDOUS MATERIALS
AND ASBESTOS ABATEMENT

The Board recommended that the Commission authorize the Executive Director to execute funding of \$3,100,000 to cover removal of contaminated soil encountered during tunnel excavation on the Metro Red Lines until an environmental consultant can be put in place (see Attachment B). The funding will be awarded on a task order basis to the subject firms. The estimated breakdown of the \$3,100,00 for Metro Red Line, Segment 2 is:

Metcalfe & Eddy -	\$1,300,000
Dames & Moore -	\$1,300,000
Barsotti, Inc. -	\$ 500,000

10. METRO RED LINE, SEGMENT 2 - CONTRACT B218
DEMOLITION - 600 & 606 S. VERMONT AVENUE
ACCEPTANCE OF CONTRACT CLOSEOUT

The Board recommended that the Commission approve:

- Approve the acceptance of the subject contract complete as of April 3, 1991.
- Approve the transfer of funds in the amount of \$6,406 to the project reserve.
- Authorize the filing of the Notice of Completion.

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

8. METRO RED LINE, SEGMENT 1 - CONTRACT A167
OFF-SITE CORRECTIVE WORK - L.A. CITY PUNCHLIST
CHANGE ORDER NO. 244

Ms. Hopkinson stated that she thought change order thresholds for Board Approval were not to exceed \$250,000, yet this one is for \$321,000. Mr. McSpedon clarified that the threshold is \$200,000. Ms. Hopkinson also asked if the significant increase of \$124,000 from the original amount was due to delays.

Mr. Stark stated that the \$197,000 was an estimate. The amount that is in the change order at the current time is the expected amount necessary to complete the work. Mr. Stark further clarified for Ms. Hopkinson that pre-approval of this work is on-going and has not exceeded staff authority. Mr. Stark further stated that RCC has not spent more money that has been pre-approved by the Board. Ms. Hopkinson stated that when a contract is approved, an additional amount that can be used for change orders is also approved but it was not her understanding that this pre-approved amount granted authorization to spend the amount in lumps larger than the change order threshold. Mr. Stark stated that the Board has not pre-approved these monies yet and staff is, at this time, asking for the Board's authority to spend this money. Mr. Stark further clarified for Ms. Hopkinson that work is 50% complete but it is not over the threshold amount. Mr. Stark added that this change order has been brought to the Board in the absolute minimum time that it could be negotiated.

Ms. Hopkinson stated that she would like for all aggregate change orders over the \$200,000 threshold come before the Board for approval and requests that a workshop be put on for the Board to better understand staff's change order work process.

Ms. Hopkinson moved, Mr. McIntyre seconded to approve this item. Motion approved.

The Board recommended that the Commission approve Change Order No. 244 in the amount of \$321,091, which increases the total contract value to \$30,159,730. This amount represents the final cost of performing the City punchlist items of work.

11. METRO RAIL LINES - CONTRACT MS007, BOYLE ENGINEERING UTILITY AND ENVIRONMENTAL THIRD PARTY SUPPORT

Mr. McSpedon clarified for Ms. Hopkinson that this commitment was made some time ago and this amendment is for the total amount to complete the services being provided. This work was initiated at the time that RCC was in the process of staffing up and there was a need for utility coordinator functions. Mr. McSpedon stated that this was a quick way to get the job done on a temporary basis until the position could be filled permanently. The permanent position is now about to be filled so there will no longer be a need for these services.

Ms. Hopkinson moved, Mr. Murray seconded to approve this item. Motion approved.

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

1. Base contract with Boyle Engineering, Inc. in the amount of \$100,000
2. Approve the necessary AFE amounts as follows:

R01 - Blue Line	\$ 2,000
R05 - Pasadena Line	\$40,000
R23 - Green Line	\$15,000
R81 - Red Line, Segment 2	\$43,000

12. METRO GREEN LINE - CONTRACT NO. R23-S11-E2301 NORTH COAST EXTENSION TRANSCAL II, APPROVAL OF AMENDMENT NO. 5

Mr. McIntyre asked for clarification of the "suspension" and "termination" discussion relative to Amendment No. 5. of this item. Mr. Sievers stated that the initial suspension was because of the concerns raised by the Department of Airports and the Federal Aviation Administration. A study was then undertaken to determine which alignment would be best. Currently, the South Bay Area Team is looking at putting out a proposal for engineering services to do a re-alignment and amendment to the environmental impact report for the Green Line extension to the Airport area. At the same time, the Department of Airports is putting out a similar type of proposal for a people mover study. Then two will then be combined to determine which route or method of service in the airport area would be the most practical.

Mr. McIntyre moved, Ms. Hopkinson seconded to approve this item. Motion approved.

The RCC Board recommended that the Commission authorize the Executive Director to execute Amendment No. 5 with Transcal II in the amount of \$6,768,523 for the Design Services of the North Coast Extension.

REGULAR CALENDAR

17. JOINT DEVELOPMENT AD HOC COMMITTEE/PMIC RECOMMENDATIONS
ON VERMONT AVENUE & HOLLYWD. BLVD. STATION MODIFICATIONS

Mr. Sandberg presented a briefing on this item.

Ms. Hopkinson moved, Mr. Mc Intyre seconded to approve the following motion.

The RCC Board agrees with PMIC's assessment that Option 1 provides enhancements to the Hollywood stations that are desirable from a "station-use" standpoint and forwards information detailing the cost and schedule impacts, to the extent as can be determined at this time, although the impact on the cost due to the delay itself has not yet been, and cannot yet be, fully quantified.

Motion approved.

14. METRO RED LINE, SEGMENT 2 - MINED STATION ALTERNATIVES
TECHNICAL AND ECONOMIC FEASIBILITY

Mr. Carlson provided a presentation on this item.

Mr. Murray inquired how soft cost dollars, such as infringement on businesses, utility relocations, traffic volume, etc., have been estimated. Mr. Carlson stated that the cost estimates presented here today do not include any socio-economic soft cost comparisons. Mr. Carlson stated that calculation of soft cost estimates is very subjective and his team was unable to quantify these costs with any great confidence in the numbers and it was a judgement this evaluation team did not feel they could make although this is a very important issue for the community. Mr. Murray stated that it is an extremely important issue and this information should logically now flow, rather quickly, to give the Board a complete picture. Mr. Murray stated that the Board must know what the soft cost dollar implications are to get a clearer picture as to whether or not it is cost effective to mine the other stations and not just the Hollywood/Highland. Mr. McSpedon stated that for a thorough job, alternatives other than mined stations that would also address mitigation should also be done. In addition, Mr. Murray stated that the City of Los Angeles needs to participate in this process because there are very direct impacts to the City.

Mr. Kruse moved to approve the Modified Mined Configuration for the Hollywood/Highland station.

Mr. Murray stated that to act too quickly on this item is not advisable. Mr. Murray stated that the soft cost analyses should be done and that measures to involve the City of Los Angeles should be done before action is taken on this item. Mr. Kruse stated that his motion does not preclude this.

Ms. Hopkinson stated that she is prepared to say yes to the Hollywood\Highland station but is not prepared to say no to the other stations until the impacts of the re-design of the stations and the impact to Revenue Operation Date (ROD) are clarified for the Board. Ms. Hopkinson also asked for clarification from a traffic, and other environmental standpoints, what the priority would be on stations including if the numbers start to look different because of the action taken on Item #17. Ms. Hopkinson expressed concern that there may be something other than dollars that impacts this area significantly.

Mr. Kruse stated that he would like to shield RCC staff from having to justify the estimates and would prefer that an outside party perform the analyses.

Mr. McIntyre questioned who, then, would do the various analyses. Mr. Murray stated that the assessment can be made fairly quickly as to who will assume the responsibility.

Mr. Sandberg stated that perhaps the Area Teams may be best suited to coordinate with the various L.A. City agencies. Mr. Sandberg stated that staff can probably come back with the analyses in one month, or at the 5/18/92 meeting.

Mr. Kruse moved, Ms. Hopkinson seconded to approve staff's recommendation to proceed with construction of a modified mined station configuration at the Hollywood/Highland station site at an estimated additional cost of \$23 million. The Board made the following amendments with regard to the Hollywood/Vine, Hollywood/Western and Vermont/Sunset station sites:

1. That a technical evaluation be done to consider the impacts of the station enhancement re-designs recommended by the Planning and Mobility Improvement Committee at their 4/8/92 meeting.
2. That a technical evaluation be done to quantify the environmental benefits of mining stations.
3. That staff obtain input, in a relatively short time-frame, from appropriate L.A. City planning departments.

15. METRO RAIL CONSTRUCTION SAFETY PROGRAM

The Board heard comments from:

- John Walsh
- Mike Quint
- Byron M. Ishkanian

Mr. McSpedon provided a briefing on the status of Metro Rail's Construction Safety Program.

Mr. Skoropowski presented a briefing on the findings of the latest construction safety audit.

Mr. McSpedon stated that staff will come before the Board in approximately six months to report on the progress of RCC's Construction Safety Program.

Mr. Kruse stated that RCC's Construction Safety Program is probably one of the most comprehensive and all-encompassing structures that he's ever seen. He further stated that this Board wants a top safety program for its rail projects and endorses RCC's safety program.

Mr. Kruse moved, Ms. Hopkinson seconded to commend RCC's safety record to date and to endorse the Construction Safety Program outlined by staff. Motion approved.

16. INTERNAL AUDIT AND CONTRACT AUDIT POLICIES

Mr. Choi presented a briefing on this item.

Ms. Hopkinson stated that she would like to see the policy re-written to include random internal and contract audits. Ms. Hopkinson further stated that random internal audits for those below the specified dollar amount considered mandatory and random audits of contracts below \$200,000 should be done. Ms. Hopkinson also requested that a yearly goal for the number of random audits be established, and that the Board be provided with annual reports.

Ms. Hopkinson moved, Mr. McIntyre seconded to approve staff's recommendation with the following amendments to the policy:

1. That staff prepare an annual contract audit plan.
2. That the annual contract audit plan provide for random audits including contracts below \$200,000.
3. That staff provide the Board with annual audit reports.

The RCC Board recommended that the Commission authorize the Executive Director to adopt the proposed Internal Audit and Contract Audit Policies (with amendments as noted above). The detailed policies of the Internal Audit Section and the Contract Audit Section are covered under Auditing Policy No.'s AUD-1 and AUD-2, respectively, which are attached to this board report.

Motion approved.

18. METRO RAIL PROJECTS - CONTRACT MR025
MASTER PROJECT ERRORS & OMISSIONS INSURANCE SERVICES

Mr. Murray requested that this item be held over to the May 4 meeting to allow him to obtain further background information on this item.

Mr. Camacho inquired what the impact of doing this is. Mr. Sesay stated that a commitment has been made to the EMC to have this program in place by 7/1, so it is critical to move ahead with this as soon as possible. Mr. Rubin stated that he would be willing to extend this deadline to accommodate Mr. Murray's request.

The Board consented to Mr. Murray's request.

19. METRO RAIL SYSTEMS - CONTRACT E0070
ENGINEERING MANAGEMENT CONSULTANT (EMC)

The Board heard Public Comments from:

-Dr. Eric MacCalla
-Dr. Johnetta MacCalla
-Lynne Joy Rogers

Ms. Hopkinson moved, Mr. Murray seconded to approve staff's recommendation. Motion was approved.

The RCC Board recommended that the Commission authorize the Executive Director to execute a contract with PBQD/DMJM, and obligate the funds set out in Attachment A for completion of Metro Red Line and Metro Green Line project work.

Mr. Murray stated for those concerned by the fact that the EMC contract contains a DBE program but no MBE/WBE program, he has been assured by staff that under the "Changes" provision of the EMC contract, that when the LACTC adopts a Commissionwide MBE/WBE program this will become a condition that the EMC will have to abide by.

20. POLICY MODIFICATION FOR LOS ANGELES COUNTY TRANSPORTATION
COMMISSION'S DISADVANTAGED BUSINESS PROGRAM

Mr. Camacho requested that this item be deferred to the May 18, 1992 meeting.

21. BOARD REQUEST FOR FUTURE ITEMS

Ms. Hopkinson requested that staff return to the Board with a change order policy in one month. Mr. McSpedon suggested a Board workshop prior to the actual agenda item.

Ms. Hopkinson announced her resignation from the Finance and Budget Subcommittee.

EXECUTIVE SESSION

The Board adjourned to an Executive Session to discuss:

Actual Litigation - G.C. 54956.9

- Hamilton Lawsuit
- United Riders, et. al., vs. LACTC, et. al.,

Real Estate - G.C. 54956.8

- Parcel No. B2-201
- Parcel No. B2-202
- Parcel No. B2-203
- Parcel No. B2-119

ADJOURNMENT

The meeting adjourned at 6:15 PM.



Bonnie Verdin
Board Secretary