



**RAIL CONSTRUCTION CORPORATION (RCC)
MINUTES OF SEPTEMBER 14, 1992 MEETING**

MEMBERS PRESENT

ROBERT KRUSE, CHAIRMAN
DAVID ANDERSON
ERNEST CAMACHO
JOHN W. MURRAY

STAFF PRESENT

EDWARD McSPEDON, PRESIDENT/CEO
LOU HUBAUD, DIRECTOR, SAFETY AND SECURITY
WILL SANCHEZ, DIRECTOR, CONTRACTS
LINDA FORD McCAFFREY, SENIOR CONTRACT ADMINISTRATOR
SHIELA WALKER, CONTRACT COMPLIANCE ANALYST
JOHN MACK, DIRECTOR, SMALL BUSINESS AND ECONOMIC DEVELOPMENT
BONNIE VERDIN, BOARD SECRETARY
MERCY MENESES, ASSISTANT BOARD SECRETARY

OTHER

AUGUSTIN ZUNIGA, COUNTY COUNSEL

1. CALL TO ORDER

The meeting was called to order at 1:10 p.m.

2. APPROVAL OF MINUTES

The minutes of the August 31, 1992 meeting were approved as submitted.

3. CHAIRMAN'S REMARKS

Mr. Kruse noted the following:

- An article which appears in the Metro section of the Angeles Times today on the Metro Red Line, Segment 2 is positive and quite affirmative about the work this agency is trying to do.
- The Board's Administrative Subcommittee continues to work on RCC's role within the Metropolitan Transit Authority (MTA). Mr. Kruse encouraged his fellow Board

members to contribute any ideas or thoughts to the Subcommittee.

- The Metro Green Line interim Vehicle Subcommittee is continuing its effort towards the procurement of 15 railcars. It is anticipated that a recommendation will be carried forward to the Commission at its 9/23 meeting.

4. PRESIDENT'S REPORT

Mr. McSpedon reported that over the weekend there was a Blue Line Train fatal accident where it appears that, once again, someone went around the grade crossing gate arm.

Mr. McSpedon introduced Mr. Hubaud who provided the Board with a status update on previous actions given to staff by the Board. Mr. Hubaud also briefed the Board on the additional measures being taken by staff to deal with the safety issues at the grade crossings.

Mr. Hubaud described the four main elements of the Grade Crossing Enforcement Program that has been developed and is being implemented by staff:

1. Intensified grade crossing enforcement by the Los Angeles County Sheriff's Department;
2. Implementation of technology such as photo radar is being pursued to identify and prosecute grade crossing violators;
3. Work with law enforcement lobbyists to pursue legislation for enhancements on the penalties for grade crossing violators;
4. Educate the public via media/press to heighten awareness. Mass distribution of flyers to homeowners adjacent to railroad tracks, motorists at grade crossings, etc.

Mr. Hubaud stated that the Los Angeles County Sheriff's Department has issued 7,760 citations during the 90 day stepped-up enforcement period.

Mr. Kruse requested that this item be referred to the Construction Safety Ad Hoc Committee for action at its meeting on 9/17.

EXECUTIVE SESSION

The Board adjourned to an Executive Session to discuss:

Potential Litigation - G.C. #54956.9 (b)
•Contract No. H0832

CONSENT CALENDAR

Mr. Anderson requested that Item #13 be pulled for discussion.

Mr. Camacho moved, Mr. Murray seconded to approve the remaining items on the Consent Calendar.

5. STATUS OF UNEXECUTED CONSTRUCTION/PROCUREMENT
CONTRACT CHANGES OVER \$200,000

The RCC Board recommended that the Commission receive the above captioned status report.

6. METRO RED LINE, SEGMENT 1 - CONTRACT A640
COMMUNICATIONS, CHANGE ORDER NO. 084

The RCC Board recommended that the Commission approve Change Order No. 084 in the amount of \$310,673, which increases the total contract value to \$58,321,003. The cost allocation between Metro Blue Line and Metro Red Line will be consistent with the arrangements between the projects.

7. METRO RED LINE, SEGMENT 1 - COST RECOVERY REPORT
REMEDIAL GROUTING OF STATION AND TUNNEL WALLS

At the June 24, 1992 LACTC Commission meeting, staff was directed to report back to the Commission on the efforts undertaken to recover expenditures from contractors for remedial grouting of station walls.

8. METRO RED LINE, SEGMENT 1 - REPORT ON OUTSTANDING WORK
ON CONTRACT A136, TUTOR SALIBA CORPORATION

The RCC Board recommended that the Commission authorize staff to process change orders incorporating the outstanding items on Contract A136 in accordance with existing lines of authority.

9. METRO RED LINE, SEGMENT 2 - CONTRACT B611
RUNNING RAIL BULK PROCUREMENT, REQUEST TO ADVERTISE

The RCC Board authorized staff to proceed with the advertisement and solicitation of Contract No. B611.

10. METRO RED LINE, SEGMENT 2 - CONTRACT B201
LINE SECTION, WILSHIRE/ALVARADO STATION TO WILSHIRE/VERMONT
STATION WITH POCKET TRACK CONTAMINATED MATERIAL ENCOUNTERED
IN THE AL TUNNEL, COST-PLUS-CHANGE-NOTICE B201-CN-40.01

The RCC Board recommended that the Commission authorize the Executive Director to execute the subject Cost-Plus-Change-Notice for an estimated Not-To-Exceed amount of \$950,000.

11. METRO RED LINE, SEGMENT 2 - CONTRACT B231
REVISE HDPE INSTALLATION REQUIREMENTS/ADD WATERSTOPS (DESIGN
CHANGE R81-91-020), CHANGE ORDER NO. 24.00

The RCC Board recommended that the Commission authorize the Executive Director to execute Change Order No. 24.00 in the amount of \$702,094.

12. METRO GREEN LINE - CONTRACT E002
HAZARDOUS WASTE STUDY AND DISPOSAL OF HAZARDOUS MATERIALS
TETRA TECH, AMENDMENT NO. 4

The RCC Board recommended that the Commission authorize the Executive Director to execute Amendment No. 4 with Tetra Tech, Inc. in the amount of \$150,000.

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

13. METRO GREEN LINE - CONTRACT H0832
CABLE TRANSMISSION, CHANGE ORDER NO. 39

Mr. Anderson moved to defer Item #13 to the 10/5 meeting and that, in the interim, staff provide support for the cost escalation and report back to the Board the possibility of separating the installation portion of this work from the remainder of the contract and re-bidding it. Mr. Camacho seconded the motion. Motion approved.

REGULAR CALENDAR

15. SHORT FORM CONSTRUCTION CONTRACTS - INTERIM STATUS BRIEFING

Mr. McSpedon stated that at the Board's request, staff has been working with the Board's Contract Subcommittee to establish a path forward for packaging contracts more suitable to smaller contractors. Mr. McSpedon deferred to Mr. Sanchez who provided a status update on the progress made to date.

Mr. Sanchez clarified for Mr. Kruse that staff has indeed looked at what other agencies are doing with regard to how small contracts are handled. It appears, however, that RCC

is in the forefront and, in fact, many of these agencies are coming to this staff for direction.

Mr. Sanchez stated that there remain some issues which it is hoped will be resolved at the upcoming Board workshop, scheduled for 9/22. Staff will return before the Board with a recommendation, possibly at the 10/5 meeting.

Mr. Sanchez stated that he also recommends a workshop in the not-too-distant future to study the contracting processes in some areas that are policy in nature and have been around for some time and which don't necessarily consider new and/or driving issues. Mr. Kruse agreed, but stated that the timing of such a workshop is critical as more of our policies should be oriented towards the MTA as any work done now must transplant right into the new organization.

16. MBE/WBE PROGRAM STATUS UPDATE

Mr. Mack provided a status update of the program.

Mr. Murray stated that while the proposed program, as outlined in this report, is not perfect, it is better than no program at all. The other Board members agreed with Mr. Murray in that some semblance of an MBE/WBE program must be implemented as quickly possible so as not to preclude the community of small and minority businesses from participating in several of the major, upcoming contracts soon to be let.

Mr. Murray stated that the incomplete number of certified firms in LACTC's data bank is a non-issue and further stated that he knows of nothing which prevents this agency from using Caltrans/City of Los Angeles lists of certified WBE/MBE firms.

Staff provided what the Board considered to be an inadequate explanation as to why this program could not be implemented right away instead of waiting for the predicate study to be completed which will take several more months.

Following much further discussion, Mr. Camacho moved, Mr. Murray seconded to:

1. Recommend that the Commission adopt this as an interim MBE/WBE Program until the predicate study is completed;
2. Recommend that the Commission accept the Caltrans/City of Los Angeles lists of MBE/WBE certified firms for interim use until LACTC develops a list of its own.

Mr. Anderson requested amendment of Mr. Camacho's motion to include:

3. Recommend that staff present this item to the Commission for their consideration in October, for implementation of the interim MBE/WBE program as early as 11/1/92.

Motion approved.

The Board heard comments from Mr. Andrew Delgado.

17. PUBLIC COMMENT

The Board heard comments from:

- Mr. John Walsh
- Mr. Andrew Delgado

18. BOARD MEMBER REQUEST FOR FUTURE ITEMS

There were no Board member request for future items.

EXECUTIVE SESSION

The Board adjourned to an Executive Session to discuss:

Potential Litigation - G.C. #54956.9 (b)

- Contract A141
- Contract A165
- Contract MC005

Real Estate - G.C. #54956.8

- B2-113
- B2-120
- B2-124
- B2-155
- B2-204
- B2-213

Personnel Matters - G.C. #54957

ADJOURNMENT

The meeting adjourned at 3:06 p.m.

Bonnie Verdin

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Board Secretary
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