



Minutes

RAIL CONSTRUCTION CORPORATION (RCC) DECEMBER 7, 1992 MEETING

MEMBERS PRESENT

ROBERT KRUSE, CHAIRMAN
DAVID ANDERSON
ERNEST CAMACHO
JOHN MURRAY
MAS NAGAMI

STAFF PRESENT

EDWARD McSPEDON, PRESIDENT/CEO
JOEL SANDBERG, PROJECT MANAGER, METRO RED LINE, SEGMENTS 2
MAUREEN TAMURI, MANAGER, FACILITIES ENGINEERING
LES DURRANT, MANAGER, SYSTEMS ENGINEERING
LARRY KELSEY, MANAGER, CONTRACTS
DAVE SIEVERS, PROJECT MANAGER, METRO GREEN LINE
LINDA FORD McCAFFREY, MANAGER, CONTRACTS
ROBERT CLEGG, CONTRACT ADMINISTRATOR, CONTRACTS
CHARLES STARK, PROJECT MANAGER, METRO RED LINE, SEGMENTS 2 & 3
JESSICA CUSICK, DIRECTOR, ART FOR RAIL
STEVE LANTZ, DIRECTOR, WESTSIDE AREA TEAM
GIL SALDANA, PUBLIC AFFAIRS OFFICER
LES PORTER, DEPUTY EXECUTIVE DIRECTOR, FINANCE & INVESTMENTS
SHEILA WALKER, CONTRACT COMPLIANCE ANALYST
LINDA MEADOW, MANAGER, SYSTEM SAFETY
AL FRISCH, PLANNING COORDINATOR, SAFETY & SECURITY
BONNIE VERDIN, BOARD SECRETARY
MERCY MENESES, ASSISTANT BOARD SECRETARY

OTHER


AUGUSTIN ZUNIGA, COUNTY COUNSEL
MARTY RUBIN, EMC
DON MINER, PARSONS DILLINGHAM
JAMES OKAZAKI, LOS ANGELES DEPT. OF TRANSPORTATION
JESS DIAZ, SCRTD



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Transportation Commission

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

The minutes of the November 8, 1992 meeting were approved as submitted.

5. CHAIRMAN'S REMARKS

Mr. Kruse reported the following:

- Several Board members recently toured Metro Red Line, Segments 2 & 3 and were excited by the impressiveness of these public works projects. Some very, very difficult mitigation measures were required at the portal of this very large tunneling job.
- The RCC Board has been, and remains, actively involved in the MTA merger process.

6. PRESIDENT'S REMARKS

Mr. McSpedon reported the following:

- The Board's High Technology Procurement Subcommittee met for the first time last week. The Subcommittee will meet again in January, 1993.
- The Administrative Subcommittee also recently convened to work on improving the format of Board agenda items.
- On Friday, the RCC met with SCRTD staff to review the Metro Red Line, Segment 1 start-up readiness. There will be another meeting this Friday at which time an assessment will be made to determine if an adjustment to the January 10 opening date will be necessary.
- December 15 is the projected date for the hole-through of the tunneling on Wilshire Boulevard into the Wilshire/Western Station. This is a milestone event representing the completion of all the tunneling excavation for Metro Red Line, Segment 2.
- Next Sunday, December 13, subway rides will be given to all employees (and their families) who worked on Metro Red Line, Segment 1.

- The Joint Development Committee did not meet earlier today as had been planned. The committee had been expected to act on Item 19 of today's agenda. It is recommended that any action the Board takes today on this item be contingent upon the Joint Development Committee's confirmation that they wish to proceed with the specifics of the item. The Committee intends to meet prior to the 12/16 Commission meeting.
- There was an incident last week where Caltrans had a falsework failure on the freeway during the removal operation. RCC has cast in place concrete guideway work on the Metro Green Line that is of a similar nature to that which Caltrans had in place. RCC has taken a look at what happened to determine if there was applicability to our work and two items are of note. One, the contractor on the Metro Green Line has submitted a falsework removal plan which we have reviewed and approved and the contractor is required to follow the plan during that operation. Two, the safety department has required our contractor to submit a safety hazard analysis for that operation which provides specific direction as to how the falsework will be removed in a safe and satisfactory manner. RCC Management believes that these additional measures it has implemented plus the lesson learned from the Caltrans incident will minimize the possibility of a similar accident occurring on our project.
- It was suggested that Item 17 be moved to Regular Calendar. Mr. Kruse added that Item 6 on the Consent Calendar is informational only and requires no Board action.
- There has been some recent press discussion about newly identified earthquake faults that traverse some of our projects. RCC is studying whether these faults have any impact on the design or construction of our facilities. All Metro Rail tunnels are designed in compliance with the current seismic standards which includes the ability to withstand the maximum credible earthquake on the San Andreas faultline. Any significance results will be reported back.

CONSENT CALENDAR

Mr. Camacho moved, Mr. Anderson seconded to approve Consent Calendar items. Motion was approved.

However, the motion was later amended to defer Items 9, 15 & 16 until the 1/4/93 meeting or until such time as the MBE/WBE goals have been established. Mr. Murray requested that, as a matter of procedure, staff not bring forward any report that does not have established MBE/WBE goals.

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

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

6. FORECAST OF UNEXECUTED PROFESSIONAL SERVICES
CONTRACT CHANGES OVER \$200,000

This item was for informational purposes only. No RCC Board action was necessary.

7. METRO RED LINE, SEGMENT 1 - CONSTRUCTION/PROCUREMENT
CONTRACT AUTHORIZATION FOR EXPENDITURES (AFE)

The RCC Board recommended that the Commission authorize new expenditure levels for active construction/procurement contracts.

8. METRO RED LINE, SEGMENT 1 - CONTRACT A710
ELEVATORS AND ESCALATORS, WAREHOUSING COSTS
CHANGE ORDER NO. 014

The RCC Board recommended that the Commission approve Change Order No. 014 for warehouse storage costs consisting of: moving expenses, warehouse rent, utilities and office space from October 1, 1990 to April 30, 1992 in the amount of \$394,904.23, which increases the total contract value to \$15,287,719. The cost of this change order is within the project budget of \$1.45 billion.

9. METRO RED LINE - SEGMENT 1, - CONTRACT NO. C6690
PLATFORM EDGE WARNING STRIP REPLACEMENT, KEY STATIONS

This item was deferred to the 1/4/93 meeting or until such time that the MBE/WBE goals are established.

10. METRO RED LINE, SEGMENTS 1 AND 2
CONTRACT NO. 4756, BARSOTTI'S INC.
CONTRACT NO. 4987, DAMES & MOORE
REQUEST FOR AFE ADJUSTMENT

The RCC Board recommended that the Commission approve an increase to the Dames & Moore Contract No. 4987 by \$600,000, whereby reducing Barsotti's Contract No. A756, in the amount of \$600,000. The net effect will be no increase to the project budget.

11. METRO RED LINE, SEGMENT 1 - CONTRACT NO. 3136
SYSTEM ENGINEERING AND ANALYSIS, AMENDMENT NO. 14

The RCC Board recommended that the Commission authorize the Executive Director to execute Amendment No. 14 in the amount of \$563,629.

12. METRO RAIL LINES - CONTRACT NO. EN025
ENVIRONMENTAL ENGINEERING SERVICES

The RCC Board recommended that the Commission approve selection of Engineering Sciences, Inc., EnviroRail Joint Venture, Tetra Tech, Inc., and Law/Crandall and their respective subcontractors, and authorize RCC staff to negotiate pricing, terms and conditions with each firm for a five year contract. Project services will be ordered by staff's issuance of Contract Work Orders (CWO) under each contract.

13. METRO RAIL PROJECTS - CONTRACT CM001
SYSTEMWIDE CONFIGURATION MANAGEMENT

The RCC Board recommended that the Commission approve the selection of LKG-CMC Inc. a WBE prime, and authorize staff to negotiate the terms and conditions for the Systemwide Configuration Management Services contract. The services will be performed on an as required contract work order basis.

14. METRO RAIL PROJECTS - LANDFILL FACILITIES
REQUEST TO NEGOTIATE

The RCC Board recommended that the Commission authorize staff to commence negotiations with nine landfill firms, shown on Attachment A. Negotiations shall be subject to approval by County Counsel. Staff will return to the Board with recommendations for approval of the formal contracts with these landfill firms.

15. METRO BLUE LINE - CONTRACT C6370
STATION PARKING LOT IMPROVEMENTS
PRELIMINARY ENGINEERING DESIGN SUBMITTAL
REQUEST TO ADVERTISE

This item was deferred to the 1/4/93 meeting or until such time that the MBE/WBE goals are established.

16. METRO RAIL PROJECTS - CONTRACT NO. MC020
CONSTRUCTION MANAGEMENT SERVICES FOR SYSTEMWIDE
CAPITAL PROJECTS, REQUEST TO ADVERTISE

This item was deferred to the 1/4/93 meeting or until such time that the MBE/WBE goals are established.

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

Items 9, 15 & 16 were deferred until 1/4/93 or until such time that MBE/WBE goals are established.

REGULAR CALENDAR

17. METRO RAIL PROJECTS - SHORT FORM CONTRACT POLICIES
REQUEST FOR APPROVAL

Mr. McSpedon stated that staff worked on the development of these policies with the Board's Contract Subcommittee with input from some of our smaller contractors.

Mr. Kruse stated that the short form is generally intended for use on contracts under \$5 million yet this is not stated in the policy and should be. Mr. McSpedon noted that there may be instances where the long form may be appropriate for contracts under \$5 million, and vice versa, and suggested including in the policy the directive for staff to stipulate which version will be used at the time that approval to advertise is sought.

Following further discussion Mr. Anderson moved, Mr. Camacho seconded to recommend that the Commission approve the recommended policy changes set forth in Attachment A for implementation of the short form contract for contracts under \$5 million with an amendment to allow discretionary use, where appropriate, of the short form for contracts above \$5 million and, likewise, discretionary use, where appropriate, of the long form for contracts below \$5 million. These variations are to be approved by the RCC Board on a case-by-case basis.

19. METRO RED LINE, SEGMENT 2 - PHASE II
STATION DESIGN ENHANCEMENTS

Mr. Sandberg, assisted by Ms. Tamuri, provided a briefing on this item.

Mr. Anderson moved, Mr. Camacho seconded to approve this item contingent upon the Joint Development Committee's approval of this item. Motion was approved.

The RCC Board recommended that the Commission authorize funding in an amount of \$36,922,000 for the RCC to design, construct and secure real estate for the Phase II Design Enhancements described herein. Funding will be provided from LACTC'S 30 Year Transit Enhancement Budget.

20. METRO RED LINE, SEGMENTS 2 AND 3 - CONTRACT NO. B645
TRANSIT AUTOMATIC CONTROLS AND SCADA (TRACS) SYSTEM
REQUEST TO ADVERTISE AND PROCURE BY COMPETITIVE NEGOTIATION

Mr. Durrant provided a briefing on this item.

Mr. Anderson clarified for Mr. Kruse that this issue has not been addressed by the High Technology Procurement Ad Hoc Subcommittee; the Committee is not ready to begin reviewing actual high technology procurement cases yet.

Mr. Kelsey provided a briefing on the evaluation criteria that is proposed. Mr. Kelsey clarified for Mr. Camacho that the DBE bonus for exceeding the goal is one point for each percent by which the goal is exceeded, up to a maximum of 5%.

Mr. Kruse stated that it would be beneficial to have the High Technology Procurement Ad Hoc Subcommittee study and input into this procurement. Mr. Anderson stated that the Subcommittee has not yet formulated a strategy or plan yet and therefore isn't ready to accept this task.

Mr. Kelsey proposed to keep the Subcommittee apprised of the status of the activities of this procurement.

Mr. Anderson moved, Mr. Murray seconded to approve this item. Motion was approved.

The RCC Board recommended that the Commission approve procurement of Transit Automatic Controls and SCADA (TRACS) System by competitive negotiation. As specified in the California PUC 130238, a two-thirds Commission vote is required to conduct a competitive negotiation.

The RCC Board also recommended that the Commission approve the proposed evaluation criteria.

21. METRO GREEN LINE, CONTRACT NO. H0901
PLATFORM INTRUSION DETECTION SYSTEM

Mr. Sievers briefed the Board on this item.

Mr. Camacho asked what the DBE goal is for the total bid price. Mr. Clegg stated that the contract documents provide for the calculation of a DBE goal on the base price only so he does not have this information readily available. Mr. Camacho stated that the way it is presented is misleading.

Mr. McSpedon stated that the important issue is the basis for award. Mr. McSpedon added that the basis for determining low bidder was the base price plus options A, B & C. The DBE was calculated on the base price only so that in the event the options were not exercised the DBE goal would remain unaffected.

Ms. McCaffrey clarified for Mr. Camacho that should the options be exercised, the base goal is increased by the goals for each option unless a specific exemption is made. Mr. McSpedon added that the options will be treated just like we do with any add-on to a base contract in that they must comply with the contract goal of 30% or better.

After much further discussion, staff was instructed to rework this report for submission to the Commission with a clearer analysis of how the DBE goal was calculated. In addition, Mr. Nagami requested that a footnote under Table 1 provide the DBE goal.

Mr. Murray moved, Mr. Anderson seconded to approve this item. Motion was approved.

The RCC Board recommended that the Commission authorize the Executive Director to authorize the award of Metro Green Line, Contract No. H0901, Platform Intrusion Detection System to Mass. Electric Construction Co., the low bidder, who is a responsible, responsive bidder. This award is contingent upon receipt of contractor supplied bonds and insurance certificates, and resolution of protests, if any, filed in a timely manner. The contract award will be for a total amount of \$3,298,329. The commitment for this contract is as follows:

| | |
|---|-------------|
| Total Contract Award | \$3,298,329 |
| 10% Contract Reserve Fund (Excluded from Award): | \$ 329,833 |
| | \$3,628,162 |

22. METRO GREEN LINE - CONTRACT H0888, LIGHT RAIL RADIO SYSTEM

Mr. Sievers briefed the Board on this item.

Mr. Zuniga provided the following reasoning for rejection of bids for Contract H0888 at Mr. Kruse's request.

Mr. Zuniga stated that there was a modification to the contract language that was done incorrectly.

Mr. Zuniga explained that the RCC had established a specific level of participation by the prime contractor and there was an intent by staff to achieve a qualified prime contractor to oversee this work. It was determined that the contractor would be required to complete 40% of the total labor of the contract. This required modification of the contract language. The bid forms were not correctly modified resulting in staff's inability to calculate whether the 40% participation by the prime contractor had been met.

Mr. Zuniga clarified for Mr. Murray that this was the first time RCC went out for bids on this item, under this iteration, that is. A prior contract had been issued for bids, but with a different set of specifications. Mr. McSpedon added that the prior contract resulted in receipt of a single bid for twice the engineer's estimate and was nonresponsive and subsequently rejected. Mr. McSpedon stated that this time several bids were obtained but, as explained by Mr. Zuniga, there was a defect in the technical provisions of the bid documents.

Mr. Camacho stated that the statement on Page 3 under Financial Impact "...increased MBE/WBE participation and contract work acceleration may result in slightly higher bid prices..." insinuates that doing business with MBE's is a costlier way of doing business and is simply inaccurate. Mr. Murray concurred with Mr. Camacho and discouraged staff from this type of editorializing.

The Board heard public comments heard from:

- Richard Corona, Attorney representing Steiny & Co.
- Dan Thomas, Amelco Electric
- Dr. Johnetta MacCalla, Amelco Electric Subcontractor
- Dr. Eric MacCalla, Amelco Electric Subcontractor
- Markell Frisco, Digital Corporation

Mr. Murray stated that in view of staff's report today, it is apparent that there is no choice but to go out to bid this item again. Mr. Murray stated that this item should be added to RCC's "Lessons Learned" file and offered an apology on behalf of staff to all proposer firms involved. Mr. Murray then moved and Mr. Camacho seconded to approve staff's recommendation. Motion was approved.

The RCC Board recommended the Commission authorize the:

- 1) Rejection of all bids for the Metro Green Line (MGL), Contract No. H0888, Light Rail Radio System,
- 2) Advertisement of MGL, Contract No. H0889, Light Rail Radio System with an accelerated bid and award schedule.

23. METRO GREEN LINE - CONTRACT NO. C0095, WAYSIDE INTRUSION DETECTION SYSTEM

Mr. Sievers provided a briefing on this item.

Mr. Camacho moved, Mr. Murray moved approval of this item. Motion approved.

The RCC Board recommended that the Commission authorize the award of Contract No. C0095 to the lowest priced responsive and responsible bidder, Moran Construction Company, for \$9,269,512. This amount included the estimated base contract, allowance for Disputed Review Board and allowance for damage repair work. Award is contingent on receipt of bonds and resolution of any protest that is filed in a timely manner.

| | |
|-------------------------------------|--------------|
| Total Contract Award | \$9,269,512 |
| 10% (of Base) Contract Reserve Fund | \$ 913,451 |
| Total Commitment Request (AFE) | \$10,182,963 |

24. METRO RAIL PROJECTS - ENGINEERING MANAGEMENT CONSULTANT (EMC), SELECTION TO AWARD SIGNAGE AND GRAPHIC CONTRACT

Mr. Rubin briefed the Board on this item.

Mr. Murray stated that the RCC Board previously adopted an EMC Subcontracting Policy and there have been one or two amendments to the policy since then. The proposed awarding of this contract, while it may have been consistent with the provisions first adopted, does not address the subsequent amendments approved by the Board. More importantly than that, stated Mr. Murray, there is still an LACTC action pending with regard to the amendments.

Mr. McSpedon clarified for Mr. Murray that the original policy was approved by the LACTC. The Commission directed that the amendments to the policy go through the Planning and Mobility Improvement Committee and then to the Commission for consideration. PMIC will look at the amendments on 12/9 and, if approved, the amendments will go before the Commission on 12/16.

Mr. Murray pointed out that to approve this item would be getting out in advance of the Commission since the amendments to the policy haven't yet been approved.

Mr. McSpedon suggested that the Board take action on this item contingent upon the PMIC action on 12/9, and the Commission's approval of the amendments to the policy on 12/16.

Mr. Rubin clarified that this selection does, in fact, follow the new criteria because during the process, the team was modified to reflect the modified criteria which recognizes local employment, local economy and technology transfer aspects. On a further positive note, Mr. Rubin added that although the DBE goal was established at 25%, the goal was negotiated at 40% participation.

Mr. Murray moved, Mr. Camacho seconded to approve this item contingent upon PMIC/Commission approval of the EMC's Contracting Plan/List of Subconsultants, Contract E0070 for Metro Rail Projects. Motion was approved.

The RCC Board recommended that the Commission accept the EMC's selection of Cambridge Seven Associates and its subcontractors.

Mr. Nagami pointed out that the DBE goal was not included in the report. Staff was directed to amend the report to include this data for submission to the PMIC and Commission meetings on 12/9 and 12/16, respectively.

25. METRO RED LINE, SEGMENT 1, START-UP READINESS

Mr. Stark provided an update on this item.

Mr. Stark stated that the schedule looks achievable at the present moment. Of course, the SCADA System problems must still be resolved and two more railcar pairs must be accepted by the SCRTD before we have 16 cars for service but the schedule appears to provide sufficient time to work through these issues provided no major problems of an unforeseen nature arise between now and the opening date.

26. METRO BLUE AND RED LINES: ART PROJECTS FOR GRAND AND WILSHIRE/NORMANDIE STATIONS

Ms. Cusick provided a presentation on this item.

27. METRO RED LINE, SEGMENT 3
TUNNEL ENGINEERING PREVIEW FOR HOLLYWOOD SEGMENT

Mr. Stark provided a presentation on this item.

Mr. McSpedon mentioned that on 12/9 PMIC is scheduled to choose from an aerial line on the Ventura Freeway or a Burbank/Chandler subway San Fernando alignment. Either choice will impact our project.

28. METRO RED LINE, HOLLYWOOD SEGMENT
ENHANCED CONSTRUCTION PROGRAM

Mr. McSpedon opened up the discussion by providing background on this project.

Mr. Miner provided a slide show presentation depicting the differences between cut-and-cover vs. mined tunneling of this project.

Mr. Lantz and Mr. Saldana briefed the Board on the details of the enhanced construction program.

Mr. McSpedon clarified for Mr. Murray, that to opt for the cut-and-cover method tunneling of this project does not preclude us from using the mined tunneling method in another area of this project or future projects. Mr. McSpedon further elaborated that there still may be an opportunity where mining would be a viable approach under the right set of circumstances.

Mr. Lantz stated that the estimated savings of \$20 million in opting for the cut-and-cover alternative will not necessarily be used entirely for construction mitigation purposes although the LACTC is entirely prepared to spend what is necessary to see the community through the impacts of construction.

Mr. Nagami noted a problem in the format of this report in that information contained in the attachment documents should have been brought forward in the report.

Mr. Anderson moved, Mr. Murray seconded the approval of this item contingent upon the PMIC's approval of this item at its meeting on 12/9. Motion was approved.

The RCC Board recommended that the Commission:

- Adopt an enhanced construction mitigation program for Hollywood Boulevard including those measures that address the community and business concerns expressed by elected the officials, residents, business people

and community leaders and as a result of comments at public meetings and hearings.

- Construct the Hollywood/Highland station with enhanced cut-and-cover methods rather than with the mined station method.

29. CONSTRUCTION LOAN PROGRAM

Mr. McSpedon prefaced Mr. Porter's briefing by saying that this is an item of major interest to the business community impacted by our construction projects.

Mr. Kruse stated that the potential for this program sounds great, however, the banking climate at the present time will not give commercial loans. Mr. Kruse added that to offer the program simply to have banks reject loans can only make for disgruntled business people. Mr. Kruse stated that the Commission must back these loans if the program is going to work.

Mr. Porter stated that this program is not contingent upon Proposition A & C funds. In addition, Mr. Porter clarified for Mr. Murray that the loan program will be available not only to Hollywood and Wilshire Boulevard merchants but impacted merchants anywhere along our construction projects.

Mr. Anderson inquired whether the Commission has any intention of asking the banks to defer payment of interest during the period of construction, which conceivably will span several years. Mr. Porter stated that the Commission will fund the interest payments until construction is completed. Mr. Porter affirmed Mr. Anderson's understanding that the Commission will, then, be at risk for the interest paid and therefore shares the risk with the bank.

30. MBE/WBE PROGRAM STATUS UPDATE

Ms. Walker provided a briefing on this item.

Ms. Walker stated that effective 11/1/92, the MBE/WBE Program was put in place for all RCC procurements. In addition, stated Ms. Walker, there now exists an interagency list of approximately 10,000 certified MBE/WBE firms.

Mr. Kruse stated that it appears a Board subcommittee must convene to work through how staff will manage the certification program. Ms. Walker stated that there is a plan; however, the plan will require additional staffing.

31. OPERATION SAFETY UPDATE

Ms. Meadows provided a presentation on this item.

Ms. Meadows stated that she anticipates requesting Board approval for increased funding in January, 1993.

28. PUBLIC COMMENT

The Board heard comments from Mr. Walsh.

29. BOARD MEMBER REQUEST FOR FUTURE ITEMS

There were no requests for future items.

EXECUTIVE SESSION

The Board adjourned to Executive Session to discuss:

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

•Contract No. MC001

Actual Litigation - G. C. #54956.9 (a)

•Parcel No. B2-217

ADJOURNMENT

The meeting adjourned at 4:47 p.m.



BONNIE VERDIN
Board Secretary
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