



Minutes

RAIL CONSTRUCTION CORPORATION (RCC) JANUARY 19, 1993 MEETING

MEMBERS PRESENT

ROBERT KRUSE, CHAIRMAN
 JUDY HOPKINSON, VICE CHAIR
 DAVID ANDERSON
 ERNEST CAMACHO
 DON McINTYRE
 JOHN MURRAY
 MAS NAGAMI

STAFF PRESENT

EDWARD McSPEDON, PRESIDENT/CEO
 DAVE SIEVERS, PROJECT MANAGER, METRO GREEN LINE
 LINDA FORD McCAFFREY, MANAGER, CONTRACTS, METRO GREEN LINE
 BOB CLEGG, CONTRACT ADMINISTRATOR, METRO GREEN LINE
 DAVE HANCOCK, CONTRACT ADMINISTRATOR, METRO BLUE LINE
 JOHN ADAMS, VICE PRESIDENT, CONSTRUCTION
 LINDA MEADOW, SYSTEM SAFETY MANAGER
 LOU HUBAUD, DIRECTOR, SAFETY AND SECURITY
 CHARLES STARK, PROJECT MANAGER, METRO RED LINE, SEGMENTS 1 & 3
 BONNIE VERDIN, BOARD SECRETARY
 MERCY MENESES, ASSISTANT BOARD SECRETARY

OTHER

AL McKITTRICK, COUNTY COUNSEL
 LINDA HASKINS, SCR TD

1. CALL TO ORDER

The meeting was called to order at 1:10 P.M.

2. APPROVAL OF MINUTES


The minutes of the January 4, 1993 meeting were approved.



**Rail
Construction
Corporation**

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Leading the Way to Greater Mobility

 a Subsidiary of
 the Los Angeles County
 Transportation Commission

5. CHAIRMAN'S REMARKS

Mr. Kruse commended the Rail Construction Corporation (RCC) staff on its professionalism and mature handling of the difficult climate surrounding the opening of the Metro Red Line, Segment 1 project.

6. PRESIDENT'S REMARKS

Mr. McSpedon reported the following:

- Proposals were received last week for the Standard L.A. Car. Four proposals were received from four legitimate teams. Each team is comprised of a railcar manufacturer and local aerospace firms. The four teams are:
 1. Morrison Knudson, Hughes Aircraft Co. and Lockheed Corp.
 2. Sumitomo Corp. and Rockwell Corp.
 3. Bombardier Corp. and Northrop Corp.
 4. Siemens Duewag Corp. and TRW Inc.

The evaluation team is in the process of reviewing the technical proposals for the first phase of the qualifications determination. In about two weeks, the bid prices will be reviewed and in-depth negotiations will ensue. A recommendation for award is anticipated May 1993.

Mr. Kruse mentioned that in an effort to make this procurement as unprejudiced as possible, the RCC Board will not be briefed along the evaluation process. This Board is depending upon staff to carry out this responsibility with extreme emphasis on maintaining the process as confidential as possible to ensure a fair and objective process.

- Metro Red Line, Segment 1 was safety-ready on the original targeted opening date of January 10. The work that in progress now is the Southern California Rapid Transit District's (SCRTD) fine-tuning of the system in terms of operations.
- This past Friday, four new Metropolitan Transportation Authority (MTA) Board members and their alternates were given a ride on Segment 1 and taken on a tour of Segment 2 construction activities.
- Subsequent to the mailout of today's agenda, the Planning and Mobility Improvement Committee (PMIC) took some actions on Item 16, Adoption of the Metro Pasadena Project and Certification of the Supplemental Environ-

mental Impact Report (SEIR), which modified staff's recommendation. Staff will present an addendum to this item reflecting the modified recommendation when this item is addressed under regular calendar.

- At Mr. McSpedon's suggestion, the Board agreed to cancel the 2/1 and 2/16 meetings and set a new meeting date on 2/8. A second tentative meeting date was set on 2/22, only if needed, for any emergency items that may arise. The need for cancellation of the 2/1 meeting specifically is because the MTA will meet for the first time on 2/4 and technically the RCC/LACTC (and SCRTD) will cease to exist on 2/1. Therefore, any actions taken by the RCC Board between 2/1 and 2/4 would have no legal basis.

It is hoped and anticipated that the MTA will take action on 2/4 to extend the existence of the RCC/LACTC and the SCRTD for a 60 day period.

Mr. Anderson requested that the RCC Board's Finance and Budget Committee meeting scheduled on 2/1 be rescheduled to 2/8.

COMMITTEE REPORT

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

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

CONSENT CALENDAR

Items 7 and 9 were pulled for discussion.

Mr. Murray moved, Mr. McIntyre seconded to approve the remaining Consent Calendar. Motion was approved.

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

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

8. METRO RED LINE, SEGMENT 1 - CONTRACT NO. A640
RADIAX INSTALLATION, CHANGE ORDER NO. 92

The RCC Board recommended that the Commission approve Change Order No. 92 which modifies the Radio Subsystem in the amount of \$396,675, which increases the total contract value to \$62,421,981. This change order is within the

contract forecast and funding is available within the \$1,450,000,000 Segment 1 budget.

10. METRO RAIL TRANSIT - CONTRACT FM014
SYSTEMWIDE PROJECT MANAGEMENT OVERSIGHT
AMENDMENT NO. 5

The RCC Board recommended that the Commission authorize the Executive Director to execute Amendment No. 5 with Fluor Daniel, Inc. (FDI) to obligate \$3,650,800 in funds to enable staff to task FDI for continued services during the second Option Year.

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

7. METRO RED LINE, SEGMENT 1 - CONTRACT NO. A135
UNION STATION, STAGE I AND BAGGAGE HANDLING FACILITY
CONTRACT CLOSE-OUT

Mr. Murray noted the retention of \$12,750 for the contractor's failure to meet the DBE goal. Mr. Murray stated that, generally speaking, relative to the size of many of our contracts, the penalty for failure to meet a DBE goal is not sufficiently economically punitive to make a contractor necessarily want or need to meet the DBE goal. Mr. Murray suggested that staff analyze what can be done in the incentive/penalty section of contracts to better entice a contractor to meet the established DBE goals. In addition, stated Mr. Murray, although this organization usually selects a contractor based on "low bid", other factors, such as a contractor's track record for meeting DBE goals, for example, should also be taken into consideration.

Mr. McSpedon stated that he agreed that the RCC needs a more sophisticated way of tracking and managing contractual DBE goals. Mr. McSpedon stated that it may be appropriate for a Board Subcommittee to work with staff to develop a better system of tracking and managing DBE contractual goals.

Mr. Murray concurred with Mr. McSpedon's suggestion and noted that this approach indeed worked very well for resolving the highly sensitive construction safety issues that surfaced last year. However, Mr. Murray suggested waiting until the MTA is fully in place.

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

The RCC Board recommended that the Commission:

- Approve the acceptance of the subject contract completion as of 12/29/92.
- Authorize the filing of the Notice of Completion.

- Retain \$13,417 until pending third-party insurance issues are resolved.
- Retain \$12,750 for DBE deficiency assessment.
- Retain \$41,360 Monthly Employment Utilization Employment Report (MEUR) penalty assessment.
- TOTAL \$67,527 to be retained from the current retention value of \$100,000. The balance will be released after all claims have been satisfied.

9. METRO RED LINE, SEGMENT 3 - CONTRACT NO. C331
LINE SECTION NORTH HOLLYWOOD STATION TO UNIVERSAL
CITY STATION INCLUDING VENT STRUCTURE
REQUEST TO ADVERTISE

Mr. Murray requested that, at a later time, staff provide him a brief summary of what the subcontracting tasks or opportunities are for the 12% DBE goal that staff established for this contract.

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

The RCC Board authorized staff to proceed with the advertisement and solicitation of Contract C331.

REGULAR CALENDAR

12. METRO GREEN LINE - CONTRACT NO. H0889
LIGHT RAIL RADIO SYSTEM, RECOMMENDATION FOR AWARD

Mr. Sievers provided a brief background on this item.

Mr. Murray inquired whether Steiny and Company, Inc. indicated in their bid whether they are a WBE. Ms. McCaffrey stated that Steiny applied for WBE certification at the LACTC. Mr. Clegg added that Steiny's application was denied, however, and they have since filed an appeal. Ms. McCaffrey clarified for Mr. Murray that Steiny met its goals without the WBE certification.

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

The RCC Board recommended that the Commission authorize the Executive Director to award Metro Green Line, Contract No. H0889, Light Rail Radio System to Steiny and Company, Inc., 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 \$3,938,759. The commitment for this contract is as follows:

Total Contract Award Amount:	\$3,938,759
10% Contract Reserve Fund	\$ 393,876
Insurance	\$ 25,000
Disputes Review Board	\$ 20,000
Total Commitment Request	\$4,377,635

13. METRO BLUE LINE - CONTRACT C6680
WATTS URBAN GREENWAY PROJECT

Mr. Hancock provided a brief background on this item. Mr. Hancock noted a correction on the first page of this item. The SBE percentage of 38.25 for Ja-Mar is inaccurate; it is actually 55.56%.

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

The RCC Board recommended that the Commission authorize the Executive Director to award Contract No. C6680, the Watts Urban Greenway Project, which encompasses installation of bikeways, pedestrian paths, landscaping, and irrigation within portions of LACTC owned easements and approve the following actions:

- 1) That the Watts Urban Greenway Project Budget be increased from an amount of \$90,000 to \$165,000 (to be allocated from Proposition A Rail Program Development funds) and;
- 2) That the Commission authorize the award of Metro Blue Line Contract C6680, to Ja-Mar Engineering, Inc.

This award is contingent upon receipt of Contractor supplied bond and insurance certificates, and resolution of protests, if any, filed in a timely manner. The contract award amount will be a total amount of \$139,500. The commitment request for this contract is as follows:

Total Contract Award Amount:	\$139,500
11% Contract Reserve Fund (excluded from award amount):	\$ 15,500
TOTAL CONTRACT COMMITMENT REQUEST:	\$155,000
Prior Commitment - Design Costs:	\$ 10,000
TOTAL COMMITMENT (Construction & Design)	\$165,000

14. METRO BLUE LINE - CONTRACT NO. C6360
ADA KEY STATIONS, PLATFORM EDGE WARNING STRIP REPLACEMENT
RECOMMENDATION FOR AWARD

Mr. McSpedon stated that this item is being done to bring this project into compliance with the American's with

Disabilities Act requirements which are due by July 26, 1993. The RCC has joined, in support of, other larger transportation agencies to ask for an extension of the ADA requirements due date, although, the RCC is fairly confident it will be in full compliance by July 26, 1993.

Mr. Kruse questioned how this contract is being managed in terms of dealing with the ridership. Mr. Adams stated that staff, in coordination with SCRTD, has set up a single track set-up in the non-peak hours so that trains can remain operational on one side while ADA work is done on the other side. Mr. Adams clarified for Mr. Kruse that a similar arrangement will occur for the ADA work that needs to be done on the Metro Red Line. Mr. Kruse stated the public will likely perceive this remedial work very negatively on such a newly constructed project.

Mr. McSpedon stated that staff will provide Mr. Kruse with an economic analysis of what it would cost to do this work at night to minimize any inconvenience to the public. Mr. McSpedon reminded the Board that this particular item is for work on the Metro Blue Line.

Mr. McSpedon suggested that for the ADA work on the Metro Red Line, staff seek bids for this work done at night vs. non-peak hours.

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

The RCC Board recommended that the Commission authorize the Executive Director to award Contract No. C6360, Platform Edge Warning Strip Replacement.

The commitment for this contract is as follows:

Total Contract Award Amount:	\$1,192,082
10% Contract Reserve Fund (excluded from award amount):	\$ 119,208
TOTAL CONTRACT COMMITMENT REQUEST:	\$1,311,290

16. METRO PASADENA PROJECT - ADOPTION AND CERTIFICATION OF SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR)

Mr. Weldon distributed a supplement to Item 16 and briefed the Board on the changes made by the Planning and Mobility Improvement Committee (PMIC) to staff's original recommendation.

Ms. Hopkinson expressed dissatisfaction that this item went to PMIC before going through the Board. Mr. Weldon that this item did go through the RCC Board's Finance and Budget Committee although staff's recommendation was subsequently significantly modified by the PMIC. Mr. Weldon stated that

at LACTC, procedurally, PMIC is actually the body that approves a project in terms of the fiscal funding. Mr. Weldon stated that at this point in the process, the Board is being advised of PMIC's adoption of the Metro Pasadena Project (MPP) and the Board's acceptance of the transfer of the MPP from the LACTC to the RCC is sought. Ms. Hopkinson stated this Board should have been given the opportunity to consider and approve the changes made by PMIC, or to convey any concerns, prior to the item being forwarded to the Commission.

Mr. McSpedon acknowledged that one of this organization's biggest weaknesses is that currently we are compelled to establish a project's budget estimate for the federal government even though a project hasn't been fully defined.

Mr. Weldon agreed and added that the RCC needs to force our interjection into the Environmental Impact Report process which establishes a budget figure based on a conceptual project.

At Ms. Hopkinson's suggestion, the Board declined to take any action on this item and requested that at the next Board meeting, staff return with an in-depth briefing on the new cost estimates of the MPP as well as the costs for each option.

The Board further directed staff to find a way to involve the Board earlier on in the project adoption process.

15. METRO BLUE LINE - GRADE CROSSING SAFETY IMPROVEMENT PROGRAM

Ms. Meadow and Mr. Hubaud provided a briefing on this item.

Mr. Murray inquired whether any progress has been made toward using a portion of the fines towards the construction of a more extensive safety system. Ms. Meadow stated that the RCC has drafted a legislative initiative in coordination with LACTC legal counsel that addresses this issue. The LACTC's Legislative Committee approved the initiative last week and now there will be an effort to have it introduced.

Mr. Murray also questioned the enforceability of the remote camera surveillance system and questioned whether there has been a successful challenge of this method of traffic law enforcement. Ms. Meadow stated that the courts have approved this form of citation, and the whole process as RCC designed it, provided that the driver and front license plate appear clear in the photo. Mr. Murray further questioned whether this is a local jurisdictional issue or if it is a state level matter with applicability of the state's traffic code. Mr. Hubaud stated that the state traffic code does apply because this agency is not considered a local municipality. Mr. Murray inquired whether the

appropriate language is included in the traffic code to provide for the remote surveillance and citation procedures or if legislation needs to be introduced here as well. Mr. Hubaud stated that the legislation work is in place, however, presiding judges retain jurisdiction. South Pasadena, for instance, demands that for a citation to be issued, an officer must be present when the violation occurs. Mr. Hubaud also stated that in South Pasadena, if such a citation is contested, the matter is immediately dismissed.

Mr. Hubaud stated that staff is currently working with the courts to obtain a common ground so that this issue can be dealt with uniformly because the rules should be effective systemwide. Mr. Murray inquired whether it is possible, that the legislation that we have drafted include a provision mandating that all jurisdictions apply the statewide interpretation rather than allowing a presiding judge to interpret the law. Mr. Hubaud stated that he will investigate the possibility of including this in the legislation. Mr. Murray asked that he be kept abreast of the results of this effort. Mr. McIntyre requested that staff seek an opinion from the State Attorney General on this issue as well.

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

The RCC Board recommended that the Commission approve staff's workplan consisting of 17 projects, development in conjunction with the CPUC, SCRTD, and local government representatives, to improve public safety at grade crossing on the Metro Blue Line, Funding for these projects is \$1,541,000 in FY1993 and \$6,615,000 in FY1994. The majority of these projects also apply to future light rail lines, such as Pasadena, and to commuter rail lines.

17. METRO RAIL PROJECTS - CONTRACT EN030
WASTE HANDLING SERVICES, RECOMMENDATION FOR AWARD

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

The RCC Board recommended that the Commission authorize the Executive Director to execute a contract with CH2M Hill, and obligate funds in the amount of \$9,342,000 as presented below for completion of Metro Red Line Waste Handling Services:

PROJECT	<u>BUDGET</u>
Metro Red Line, Segment 1	-0-
Metro Red Line, Segment 2	\$6,742,000
Metro Red Line, Segment 3 (North Hollywood)	\$2,600,000
TOTAL	<u>\$9,342,000</u>

18. METRO RED LINE, SEGMENT 1 - START-UP READINESS
(ORAL BRIEFING BY STAFF)

Mr. Stark provided a briefing on this item and basically elaborated on Mr. McSpedon's earlier note that the system was certified as being safety ready on the original targeted opening date of January 10.

Ms. Haskins reported on behalf of Mr. Leahy, General Manager, SCRTD, that no major show-stoppers are foreseen. Currently the Emergency Response Team is being assembled and will soon be ready for the commencement of operations.

19. PUBLIC COMMENT

The Board heard comments from Mr. D'Amato.

20. BOARD MEMBER REQUEST FOR FUTURE ITEMS

Mr. McIntyre requested that it be made clear what the changes are on amendments to the agenda packet.

EXECUTIVE SESSION

The Board adjourned to Executive Session to discuss:

Real Estate - G. C. #54956.8

- Parcel No. B2-116 - (American Civil Liberties Union)
- Parcel No. B2-117 - (Franklin & Rex Optometric Corp)
- Parcel No. B2-213 - (Santa Monica - Vermont Company)
- Parcel No. B2-213 - (Laundryland)
- Parcel No. C3-821 (Philip A. Young, Jr., Scott C. Young and Young Properties)

ADJOURNMENT

The meeting adjourned at 3:05 p.m.



BONNIE VERDIN
Board Secretary
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