



Los Angeles County  
Metropolitan  
Transportation  
Authority

## MINUTES

818 West Seventh Street  
Suite 300  
Los Angeles, CA 90017

**RAIL CONSTRUCTION CORPORATION (RCC)  
MAY 10, 1993 MEETING**

213.623.1194

### MEMBERS PRESENT

ROBERT KRUSE, CHAIRMAN  
DAVID ANDERSON  
ROBERT ARTHUR, ALTERNATE TO DEANE DANA  
ERNEST CAMACHO  
JOHN MURRAY  
RAUL PEREZ, ALTERNATE TO EVAN ANDERSON BRAUDE  
CARL RAGGIO

### STAFF PRESENT

EDWARD McSPEDON, EXECUTIVE OFFICER, CONSTRUCTION & PRESIDENT, RCC  
LARRY KELSEY, CONTRACT MANAGER, METRO RED LINE, SEGMENT 2  
JOEL SANDBERG, PROJECT MANAGER, METRO RED LINE, SEGMENT 2  
MIKE BACA, MANAGER, PROFESSIONAL SERVICES CONTRACTS  
BONNIE VERDIN, BOARD SECRETARY  
MERCY MENESES, ASSISTANT BOARD SECRETARY

### OTHERS

AUGUSTIN ZUNIGA, COUNTY COUNSEL  
CHARLES SAFER, MTA CO-COUNSEL  
BARRY SIMON, DEPT. OF PARKS AND RECREATION

#### 1. CALL TO ORDER

The meeting was called to order at 1:06 P.M.

2. APPROVAL OF MINUTES

The minutes of the April 19, 1993 meeting were approved as submitted.

3. CHAIRMAN'S REMARKS

- Last week, Mr. Kruse hosted a Metro projects tour for former presidents of the Association of General Contractors. Mr. Kruse thanked and commended senior staff for their responsiveness and ability to provide a high level of technical expertise to this technically knowledgeable group.
- Mr. Kruse stated the RCC Board and staff are currently operating in an environment of change and uncertainty and many challenges lay ahead. Mr. Kruse stated that the RCC Board's primary concern is to maintain a consistent project schedule.

4. PRESIDENT'S REMARKS

Mr. McSpedon reported the following:

- Mr. McSpedon stated that the RCC Board meeting schedule is in flux as we try to adjust to the MTA's Board meeting schedule which has not yet been firmly established; Mr. McSpedon thanked the Board for its tolerance. Mr. McSpedon suggested adherence to the current RCC Board schedule until a final MTA calendar is confirmed.

Staff had planned to request the Board's authorization to advertise for the station construction at Vermont/Beverly, Metro Red Line, Segment 2 at the subsequently canceled May 3 meeting. Staff determined that this time-critical, high dollar value item could not wait for today's meeting, therefore, on 4/30/93, staff sought and obtained the Board Chairman's approval to advertise this job. The item nonetheless appears as Item 7 on today's agenda should any discussion or redirection be necessary.

- With the Board's guidance, staff has been working to develop smaller construction contract packages to increase small, women-owned and minority construction participation opportunities. Many of these jobs have been for demolition work. Two weeks ago, bids were opened for two of these demolition contracts one of which included the demolition of building structures at Hollywood and Vine. The normal schedule would have

been to bring this item before the Board at its 5/24 meeting. However, last week a fire occurred at the location resulting in heavy structural damage that posed serious public safety hazards. As an immediate remedy to this situation, staff barricaded the site and assigned security guard service to the location. Staff determined that to ensure the continued safety of the public, demolition of the buildings had to be accelerated. An emergency letter of Award and Notice to Proceed was therefore prepared and approved by Mr. Franklin White on Friday, May 7, 1993. Fortunately, competitive bids had already been received for this work and the low bid came in under \$100,000 which fell within Mr. White's contract approval authority as recently granted to him by the MTA. The low bid team which was awarded the contract is 100% DBE. Demolition work commenced on the site this morning.

- Every three years, the State of California administers a Triennial audit which has previously primarily focused on the financial management and programming activities of the LACTC. However, prompted by media attention, added to the scope of the '90-'92 Triennial audit (conducted by Ernest & Young) were four areas of special focus on activities within RCC. The results of the RCC's portion of the audit are summarized as follows:

1) Rail Safety Program

Audit Conclusion: The LACTC heightened its awareness and promotion of safety and made significant improvements over the past 12 months.

Audit Recommendation: That the RCC continue to focus on promoting safety for all projects.

2) Communication Process - North Coast Green Line

Audit Conclusion: All agencies and elected officials had an opportunity to provide input and to promptly receive data.

Audit Recommendation: None.

3) Review of Coordination with Federal and Local Oversight Consultants

Audit Conclusion: The RCC is working effectively with the Federal Transportation Administration to ensure that appropriate project management over-

sight activities are being conducted without duplication.

Audit Recommendation: None.

4) Metro Green Line - Sumitomo Rail Car Award

Audit Conclusion: The work completed by the RCC staff in presenting Metro Green Line information to the Commissioners was adequate and appropriate.

Audit Recommendation: None.

- Last week, the American Consulting Engineers Council (ACEC) selected the Metro Green Line, Segmental Bridges as a national project award finalist.

In addition, this coming Thursday the RCC will receive an award from the California Department of Transportation. The award is for "Excellence in Transportation Facilities" for the Metro Red Line.

Mr. Kruse stated that because so many awards have now been accumulated, there should be a provisional plan for the display of these awards.

- The MTA has scheduled a special meeting on Friday, May 14. The topic is the 30-year plan update.

STANDING INFORMATION REPORTS

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

The RCC Board received this status report.

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

The RCC Board received this status report.

CONSENT CALENDAR

Item 9 was pulled for discussion. Item 10 was pulled to allow a public request to speak.

Mr. Camacho moved, Mr. Anderson seconded, to approve the remaining consent calendar items. Motion was approved.

7. METRO RED LINE, SEGMENT 1 - BID NO. B241  
VERMONT/BEVERLY STATION  
NOTICE OF ADVERTISEMENT

The RCC Board authorized staff to proceed with the advertisement and solicitation of Invitation for Bid No. B241 retroactive to the Board Chairman's verbal authorization given on 4/30/93.

8. METRO RED LINE, SEGMENT 2 - BID NO. B631  
TRACTION POWER INSTALLATION  
NOTICE OF ADVERTISEMENT

The RCC Board authorized staff to proceed with the advertisement and solicitation of Invitation for Bid No. B631.

11. METRO RED LINE, SEGMENT 2 - BID NO. B646  
FIRE & EMERGENCY MANAGEMENT EQUIPMENT, SEGMENTS 2 & 3  
(PROCUREMENT), NOTICE OF ADVERTISEMENT

The RCC Board authorized staff to proceed with the advertisement and solicitation of Invitation For Bid No. B646.

12. METRO RED LINE, SEGMENT 2 - BID NO. B612  
CONTACT RAIL AND PROTECTIVE COVERBOARD, SEGMENTS 2 & 3  
(PROCUREMENT), NOTICE OF ADVERTISEMENT

The RCC Board authorized staff to proceed with the advertisement and solicitation of Invitation For Bid No. B612.

13. METRO RAIL PROJECTS - CONTRACT NO. MC022  
CONSTRUCTION MANAGEMENT  
RECOMMENDATION FOR AWARD OF CWO NO. 1

The RCC Board recommended that the MTA approve funding per Attachment "A", for Contract Work Order (CWO) No. 1, to Kabler Construction Services in an amount Not-To-Exceed \$203,510 which includes the negotiated amount of \$185,009 plus a 10% contingency and is the total Authorized Expenditure. Staff is requesting RCC Board and MTA approval to fund the contract and issue CWO No. 1, in order to expedite meeting the July 26, 1993 deadline for completion of the ADA Signage Modifications.

14. METRO GREEN LINE - CONTRACT NO. P1800  
SPECIAL TRACKWORK, CHANGE ORDER NO. 12

The RCC Board recommended that the MTA authorize the Chief Executive Officer to approve Change Order No. 12:

- a) A time extension of 105 days which extends the final contract milestone and contract completion date, but will not impact the approved ROD and;

- b) An additional \$321,388.73 to the current contract value of \$4,523,489.38 which increases the total contract value to \$4,844,878 but is within the original authorized AFE amount of \$5,857,118 (see Attachment A).

CONSENT CALENDAR - ITEMS OF DISCUSSION

- 9. METRO RED LINE, SEGMENT 2 - CONTRACT NO. B201  
LINE SECTION, WILSHIRE/ALVARADO TO WILSHIRE/VERMONT AND  
POCKET TRACK, - MacARTHUR LAKE IMPROVEMENTS  
CHANGE NOTICE NO. 55

At Mr. Murray's request for background information, Mr. Kelsey introduced Mr. Simon of the Department of Parks and Recreation who provided a brief background on this item.

Mr. Sandberg stated that some of the work for improvements has exceeded the original \$6 million appropriated for this purpose and remains a subject of negotiation between the RCC and the Department of Parks and Recreation. Mr. Sandberg stated that the \$7.5 million overall commitment, however, remains unchanged.

Mr. Anderson inquired why the AFE needs to be changed if still within the originally estimated amount. Mr. Sandberg stated the 10% AFE contingency fund had already been used for the unanticipated construction work, such as handling of the hazardous waste materials. The increased AFE is needed to complete the remaining construction work.

Mr. Sandberg clarified that AFE is an internal process by which staff maintains its books and controls contract costs. The \$7.5 million is a written agreement or contract with the Department of Parks and Recreation for the right to have temporary and permanent access to the MacArthur Park site. Mr. Sandberg added that if additional monies are used out of the \$7.5 million contract, then the Dept. of Parks and Recreation will ultimately receive less "rental" money back.

Mr. Kruse stated that to commingle the discussion of the need to increase the AFE and the \$7.5 million overall commitment may be practical from staff's perspective but is confusing to the Board and the audience. Mr. McSpedon concurred and stated that staff will keep these issues separate at the upcoming MTA meeting.

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

The RCC Board recommended that the MTA authorize Work Authorization Change Notice B201-CN-55 to the Contractor for an amount Not-To-Exceed the Rough Order of Magnitude (ROM) cost estimate of \$1,200,000.

10. METRO RED LINE, SEGMENT 3 - CONTRACT NO. E0070  
EMC, AUTHORIZATION TO NEGOTIATE WITH FIRMS FOR  
STATION DESIGN SERVICES

Mr. Baca provided a brief background on this item.

The Board heard public comments from Ki Suh Park with Gruen Associates.

There was considerable discussion as to staff's rationale for initiating a second selection process. Mr. Murray moved to recommend the selection of the first three firms and to withhold the recommendation of the fourth firm to allow further review and discussion. Mr. Arthur seconded the motion.

Mr. Camacho inquired what the impact would be by approving Mr. Murray's motion. Mr. Baca stated that he foresaw no significant impacts by withholding the selection of the fourth firm to the next meeting and that during this time Gruen Associates could be given a debriefing.

Mr. Raggio stated that a debriefing would mainly consist of a review of the contractor's strong/weak points rather than an re-evaluation allowing the contractor a second opportunity to re-qualify.

Mr. Murray clarified that the intent of his prior motion was to not take any action today relative to the recommendation of award for the Crenshaw/Olympic station and that Gruen Associates not be given a debriefing until the Board has had an opportunity to review the selection process that was done.

Mr. Camacho inquired whether the awards to the first three firms would be jeopardized should a flaw in the selection process be discovered. Mr. Murray readily agreed that this could very well occur.

Mr. Kruse suggested that the Board reconvene sometime later this week to receive a full review of the selection process before taking any action on this item.

Mr. Murray withdrew his prior motion and made a new motion to withhold this item pending a review of the entire process. Mr. Camacho seconded Mr. Murray's new motion. Motion was approved.

A Special Meeting to review the selection process was scheduled for May 14, 1993 at 9 a.m.

REGULAR CALENDAR

16. METRO RED LINE, SEGMENT 2 - CONTRACT NO. B213  
DEMOLITION, 3183-3191 WILSHIRE BOULEVARD  
RECOMMENDATION FOR AWARD

Mr. Kelsey provided a brief background on this item.

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

The RCC Board recommended that the MTA authorize the Chief Executive Officer to execute Contract No. B213 with William L. Olson, Inc., the lowest-priced, responsive and responsible bidder, for the Contract Award amount of \$102,600.

Total Contract Award	\$102,600
5% Contract Reserve Fund (Excluded from award amount)	5,130
Total Commitment Request	\$107,730

17. METRO RED LINE, SEGMENT 2 - CONTRACT NO. B614  
SPECIAL TRACKWORK (PROCUREMENT)  
RECOMMENDATION FOR AWARD

Mr. Kelsey provided a briefing on this item.

Mr. Arthur asked Mr. Zuniga whether RCC Board alternates, such as Mr. Perez and himself, are allowed to vote on recommendations of awards in excess of \$5 million dollars.

Mr. Zuniga affirmed that RCC Board alternates may vote on these items since this Board makes recommendations to the MTA which makes the final awards.

Approval of this item was moved and seconded. Motion was approved.

The RCC Board recommended that the MTA authorize the Chief Executive Officer to execute Contract No. B614 with L.B. Foster Company, the lowest-priced, responsive and responsible bidder, for the contract award amount of \$5,455,543.

Total Contract Award	\$5,455,543
(MRL, Segments 2 & 3, North and West)	
10% Contract Reserve Fund (Excluded from award amount)	545,555
Total Commitment Request	\$6,001,098



18. METRO RED LINE, SEGMENT 2 - CONTRACT NO. B710  
ESCALATORS AND ELEVATORS FOR SEGMENTS 2 & 3  
RECOMMENDATION FOR AWARD

Mr. Kelsey provided a brief background on this item.

The Board heard comments from Ms. Linda Maramba of the Law Offices of Petit and Martin.

Mr. Kruse asked Mr. Zuniga if the Board is obligated to consider issues raised in public comments. Mr. Zuniga stated that once the Board makes a recommendation, a second bidder has a right to appeal.

The Board heard comments from:

- Mr. Wayne Elias, Montgomery Elevators Company
- Mr. Bruce Ishimatsu, Fujitec America, Inc.

Mr. Kelsey stated for Mr. Camacho that this item is on a critical time path. Mr. Kelsey further stated that staff deems the allegations raised by Ms. Maramba to be unfounded and untrue. Staff stands by its recommendation to the Board.

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

The RCC Board recommended that the MTA authorize the Chief Executive Officer to execute Contract No. B710 in the amount below, with FUJITEC AMERICA, INC., the lowest priced, responsive and responsible bidder.

Total Contract Award	\$22,253,493
(Metro Red Line, Segments 2 & 3)	
10% Contract Reserve Fund	2,225,349
(Excluded from award amount)	
 Total Commitment Request	 \$24,478,842
=====	=====
Options for add'l possible equipment	\$9,368,542
(Excluded from award and commitment amts.)	
Option for extended warranty	\$2,342,400
(Excluded from award amount & to be exercised by MTA Operations)	

19. PUBLIC COMMENT

There were no requests to speak at this time.

20. BOARD MEMBER REQUEST FOR FUTURE ITEMS

There were no requests for future items.

EXECUTIVE SESSION

The Board adjourned to Executive Session to discuss:

Real Estate - G.C.#54956.8

- Parcel No. C3-760  
(Arthur J. Peever & Barbara Peever)
- Parcel No. C3-771  
(C.J. Vosburg, Jr.)
- Parcel No. B2-185/187  
(Los Angeles Community College District)

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

- Case No. C726504 (Illinois Walsh Const. Co. vs. SCRTD)

ADJOURNMENT

The meeting adjourned at 2:40 P.M.

Submitted by:



BONNIE VERDIN  
RCC Board Secretary  
(a:\wp51\brdmtgs\051093.min)