



MINUTES

Los Angeles County
Metropolitan
Transportation
Authority

RAIL CONSTRUCTION CORPORATION (RCC) APRIL 18, 1994 MEETING

818 West Seventh Street
Suite 300
Los Angeles, CA 90017

213.623.1194

MEMBERS PRESENT

ROBERT KRUSE, CHAIRMAN
DAVID ANDERSON
ROBERT ARTHUR
EVAN ANDERSON BRAUDE
JIM BROWDER
ERNEST CAMACHO
RAUL PEREZ
CARL RAGGIO

STAFF PRESENT

EDWARD McSPEDON, EXECUTIVE OFFICER, CONSTRUCTION & PRESIDENT, RCC
CHARLES STARK, PROJECT MANAGER, METRO RED LINE SEGMENTS 1 & 3
DANIEL JACKSON, DIRECTOR, CONSTRUCTION SAFETY, RCC
LARRY KELSEY, CONTRACTS MANAGER, METRO RED LINE SEGMENT 2
BRUCE WARRENSFORD, SENIOR CONTRACT ADMINISTRATOR, SEGMENT 3
GWENDOLYN WILLIAMS, ACTING DIRECTOR, EQUAL OPPORTUNITY
MELISSA SCHIAVO, ACTING RCC BOARD SECRETARY
MERCY MENESES, ASSISTANT RCC BOARD SECRETARY

OTHERS

AUGUSTIN ZUNIGA, COUNTY COUNSEL
DAVID QUAN, MTA CO-COUNSEL

1. CALL TO ORDER

The meeting was called to order at 1:25 P.M.

2. APPROVAL OF MINUTES

The minutes of the April 4, 1994 meeting were approved as submitted.

3. CHAIRMAN'S REMARKS

- Mr. Kruse made the observation that the major focus of staff and the Board is to "professionally shepherd" the rail program and Mr. Kruse expressed his gratitude to Mr. McSpedon for his competence and responsiveness despite the difficult climate of late.

4. PRESIDENT'S REMARKS

Mr. McSpedon reported the following:

- RCC has developed a rewards and recognition element to the safety improvement program. One component of the program has been a competition between contractors who do similar work. The three categories of work are: 1) Systems; 2) Heavy Civil; and 3) Tunnel Construction work. The winning contractors in each of the three categories had the lowest lost-time injury rates in the Metro Rail program. Mr. Jackson presented awards to: 1) Ron Tutor of Tutor-Saliba-Perini for the Tunnel Construction category in recognition of work done on MacArthur Park; 2) Al Landes of Herzog Construction for the Heavy Civil category in recognition of work done on Contract C610, the El Segundo Trackway; and 3) Phil Lentz of Union Switch & Signal for the Systems category in recognition of work done on Contract H1100, the automatic train control system.

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 CONSTRUCTION/PROCUREMENT
CONTRACT CHANGES OVER \$200,000

The RCC Board received this status report.

7. FORECAST OF WORK ORDER AND WORK ORDER REVISIONS
OVER \$200,000 FOR THE PERIOD ENDING 3/31/94

The RCC Board received this status report.

CONSENT CALENDAR

Mr. Camacho moved, and Mr. Raggio seconded, to approve the Consent Calendar items. Motion was approved with Mr. Arthur abstaining on Items 9 & 10.

8. METRO RED LINE, SEGMENT 1 - CONTRACT NO. 3136
BOOZ ALLEN & HAMILTON
SYSTEM ENGINEERING AND ANALYSIS
APPROVAL OF AMENDMENT NO. 15

The RCC Board recommended that the MTA:

- 1) Authorize the Chief Executive Officer to execute Amendment No. 15 in the amount of \$352,720 and an extension in the period of performance through June 30, 1994, to complete acceptance of the Red Line Segment 1 Heavy Rail Vehicles and effect contract close-out, which increases the total contract value to \$21,678,197.
- 2) Approve an increase to the Authorization for Expenditure (AFE) in the amount of \$352,720, which increases the total contract value to \$21,678,197.

9. METRO RED LINE, SEGMENT 2 - CONTRACT NO. B221
WILSHIRE/NORMANDIE STATION AND LINE
CONTRACTOR: TUTOR-SALIBA-PERINI, A JV
APPROVAL OF CHANGE ORDER NO. B221-CO-99.00

The RCC Board recommended that the MTA authorize the Chief Executive Officer to execute Change Order No. B221-CO-99.00 for a value of \$295,555.00.

10. METRO RED LINE, SEGMENT 2 - CONTRACT NO. B231
WILSHIRE/WESTERN STATION, ELECTRO-MECHANICAL/
ARCHITECTURAL, LESSONS LEARNED CHANGES
CONTRACTOR: TUTOR/SALIBA-PERINI
APPROVAL OF CHANGE ORDER NO. B231-CO-63.00

The RCC Board recommended that the MTA Board authorize the Chief Executive Officer to approve Change Order No. B231-CO-63.00 in the amount of \$502,087.

11. METRO RED LINE, SEGMENT 3 - CONTRACT NO. E0070
EAST SIDE EXTENSION, PARSONS BRINCKERHOFF/DMJM
ENGINEERING MANAGEMENT CONSULTANT (EMC)
ENGINEERING/DESIGN FOR STATIONS
NOTICE OF ADVERTISEMENT

The RCC Board authorized the EMC to proceed with the advertisement and solicitation for engineering/design of the stations identified below:

- Little Tokyo
- First and Boyle
- Cesar Chavez and Soto
- First and Lorena

12. METRO RED LINE, SEGMENT 3 - HOLLYWOOD/HIGHLAND STATION
CHANGED CONSTRUCTION METHOD, REQUEST TO APPROVE CEQA
ADDENDUM TO SUPPLEMENTAL EIS/SUBSEQUENT EIR

The RCC Board recommended that the MTA Board approve the attached Addendum and adopt the changes to the Metro Red Line, Segment 3 described therein.

13. METRO GREEN LINE - CONTRACT NO. C0400
HAWTHORNE YARD AND SHOP
CONTRACTOR: ROBERT McKEE, INC.
APPROVAL OF CHANGE ORDER NO. 69

The RCC Board recommended that the MTA Board authorize the Chief Executive Officer to approve Change Order No. 69 for:

A credit of <2,313,704.64> to the current contract value of \$21,850,019.00 which decreases the total contract value to \$19,536,314.36.
(See Attachment A.)

14. METRO GREEN LINE - CONTRACT NO. C0400
HAWTHORNE YARD AND SHOP
CONTRACTOR: ROBERT McKEE, INC.
APPROVAL OF CHANGE ORDER NO. 66

The RCC Board recommended that the MTA Board authorize the Chief Executive Officer to approve Change Order No. 66 for:

- a) An additional \$345,300 to the current contract value of \$19,536,314 which increases the total contract value to \$19,881,614. (Calculations based on approval of C.O. No. 69.)
- b) A time extension of 96 days, which extends interim contract milestone dates, but will not impact the approved ROD.

REGULAR CALENDAR

16. METRO RED LINE, SEGMENTS 2 AND 3 - CONTRACT NO. B760
 (RE-BID) SIGNS AND GRAPHICS
 RECOMMENDATION FOR AWARD

Mr. Kelsey gave a presentation on this item.

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

The RCC Board recommended that the MTA award Contract No. B760 to California Neon Products, the lowest-priced responsive and responsible bidder. Award is contingent upon receipt of bonds, insurance, and resolution of any protest filed in a timely manner.

Total Contract Award, Metro Red Line, Segments 2 & 3	\$720,141
10% Contract Reserve Fund (Excluded from Award Amt.)	\$ 72,014
Total Commitment Request (AFE)	\$792,155
Schedule E, F, & G Options (Excluded from Awd. and Comm. Amts.)	\$258,859

17. METRO RED LINE, SEGMENTS 2 & 3
 CONTRACT NO. A650, PASSENGER VEHICLE
 BRED A COSTRUZIONI FERROVIARIE S.p.A.
 AUTHORIZE EXERCISE OF OPTION TO PROCURE
 ADDITIONAL PASSENGER VEHICLES

Mr. Stark explained that additional Metro Red Line cars are needed by September, 1998 for the Segment 2 Hollywood opening. There are two methods currently available: 1) to exercise the A650 option; or 2) go out for bid.

If the decision is made to go out for a new car bid, engineering would need to begin immediately following the April 27th MTA Board meeting to ensure that we would have 30 cars through the testing protocol and to give the Operations Division sufficient time to institute pre-revenue service for the Hollywood ROD of Segment 2.

Mr. Stark further stated that the original propulsion system that is on the Metro Red Line cars is no longer available, and a new A.C. drive system is proposed to be supplied by General Electric Company. Mr. Stark introduced Lucia DiMeglio, Manager of Product Development for Breda's U.S. subsidiary, who explained how General Electric was chosen as the propulsion supplier. Ms. DiMeglio stated that Breda asked for proposals from the three major propulsion system suppliers for heavy rail applications: ABB, AEG and GE. AEG and GE submitted proposals and it was determined that GE provided the best proposal, both from the technical side and the commercial side.

Mr. Arthur expressed concern about the existence of three different vehicles in the system now with four different propulsion systems, which would affect the interchangeability of parts. Mr. Stark responded by saying that staff's main concern was to procure a car that is as close to the base order as possible to decrease the amount of spare parts that have to be stocked at the Red Line shop. Mr. Arthur asked what kind of window would be required to rebid the propulsion system only. Mr. Stark responded that if we supply the propulsion system to Breda, we would be accepting the responsibility for the performance of the car and the system integration.

Ms. Patricia Bouknight, Lead Project Engineer for G.E. Transportation Systems, gave an overview of G.E.'s experience in supplying propulsion systems for major cities, including: New York City, Boston, San Francisco and Chicago. Mr. Arthur asked about problems that were experienced by both Boston and San Francisco with the G.E. propulsion system. Ms. Bouknight replied that Boston had a problem with electromagnetic emissions and that San Francisco's problem was concerning noise, but that both problems have since been resolved.

The Board heard comment from Hal Nash of AEG Transportation Systems, Inc.

Mr. Kruse asked why other agencies of like kind are exempt from sales tax yet MTA is not. Mr. Braude added that if there is some mechanism to not have to pay sales tax, we should take advantage of it. Mr. Zuniga responded that it

was investigated the last two years from a legislative side to see if we could obtain any exemption and we were told that, due to State budgetary considerations, no bills would be accepted regarding this issue. Mr. McSpedon stated that staff is following up on this issue and will report any findings to the Board.

Following further discussion, Mr. Raggio moved, and Mr. Anderson seconded, to approve this item. Mr. Kruse called for a vote. Messrs. Anderson, Browder, Camacho, Raggio and Kruse voted for the motion. Messrs. Arthur and Braude voted against the motion. Motion was approved.

The RCC Board recommended that the MTA Board authorize the exercise of the Option to procure forty-two (42) additional Passenger Vehicles from Breda at approximately \$1.635 million per vehicle plus spares and other non-recurring costs for a total cost of \$80,623,294.00, increasing the total contract value to \$135,274,843.00. Also, to increase the Authorization for Expenditure (AFE) to the level of \$84,654,459.00 for Segment 2 and Segment 3, inclusive.

Exercise of Option	\$77,280,534.00
MTA Additions (ADA, Spares)	\$ 3,342,760.00
SUBTOTAL	\$80,623,294.00
5% Reserve Fund	\$ 4,031,165.00
Total Commitment Request (Authorization for Expenditure)	\$84,654,459.00

18. REVIEW OF MTA POLICY - GOOD FAITH EFFORTS REQUIREMENTS

Ms. Williams presented the recommendations of the Good Faith Efforts Ad Hoc Committee, which was formed to address the good faith efforts requirements in MTA contracts. The representatives of the Committee included: Jim Browder; Gary Butler of AGC; two outside attorneys who deal with DBE issues; County Counsel and MTA Counsel; and a member from TBAC (Transportation Business Advisory Counsel).

Following a brief discussion, Mr. Braude moved, and Mr. Arthur seconded, to approve this item. Motion was approved.

The RCC Board recommended that the MTA adopt revisions to the MTA's Disadvantaged Business Enterprise (DBE) Program and the Minority/Women's Business Enterprise (M/WBE) Program relating to the GFE as set out in Attachment A. These recommendations do not alter the MTA's overall DBE and M/WBE programs; rather, they modify and provide for more effective implementation. The revised Good Faith Efforts Requirements will become effective upon MTA's approval.

19. PUBLIC COMMENT

There were no requests for public comment.

20. BOARD MEMBER REQUEST FOR FUTURE ITEMS

Mr. Kruse requested that the RCC Board meeting on June 13th be rescheduled to avoid a conflict with the APTA Rapid Transit Conference.

CLOSED SESSION

Real Estate - G.C. #54956.8:

- Parcel No. C3-764 - (Hannah R. Gordon Living Trust)
3906-3916 Willow Crest, Los Angeles
- Parcel No. C3-804 - (Sidney and Miriam Jacobson)
11223 Chandler Boulevard, Los Angeles
- Parcel No. C3-806 - (Tarzana Lumber Company)
11211 Chandler Boulevard, Los Angeles
- Parcel No. C3-809 - (The Pep Boys)
5356 Lankershim Boulevard, Los Angeles
- Parcel No. C3-812 - (Buena Casa Builders Supply)
5418 Fair Avenue, Los Angeles
- Parcel No. PA-081 - (Jose Luz and Maria D. Arredondo)
133 S. Avenue 61, Los Angeles
- Parcel No. C3-812 - (Amadee and Clara Richards)
1111 Magnolia Street, Los Angeles

Actual Litigation - Government Code No. 54956.9 (a):

- (1) Consider recommendation to MTA Board to settle Inverse Condemnation Case No. 020-853, BARTMAN BROTHERS, a Partnership, JOSEPH D. SHANE, as Trustor of THE JOAN SHANE MALTZMAN GRANTOR and as Trustor of THE JOHN SHANE GRANTOR TRUST vs. SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT (500 S. Hill, Los Angeles)
- (2) Consider recommendation to MTA Board for partial settlement of Condemnation Case No. BC072-658, LOS ANGELES COUNTY TRANSPORTATION COMMISSION vs. THEODORE K. NG, et al (CHRIS SUH, OXFORD CAFE, 611 S. Oxford Avenue, Los Angeles).

Potential Litigation - Government Code No. 54956.9 (b):

Conference with Legal Counsel regarding significant exposure to litigation regarding Contract No. B251.

ADJOURNMENT

The meeting adjourned at 2:42 P.M.

Submitted by:



MELISSA SCHIAVO
Acting RCC Board Secretary

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