



Los Angeles County  
Metropolitan  
Transportation  
Authority

# MINUTES

## RAIL CONSTRUCTION CORPORATION (RCC) MAY 16, 1994 MEETING

818 West Seventh Street  
Suite 300  
Los Angeles, CA 90017

213.623.1194

### MEMBERS PRESENT

ROBERT KRUSE, CHAIRMAN  
DAVID ANDERSON  
ROBERT ARTHUR  
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  
WAYNE MOORE, DIRECTOR, PROJECT ANALYSIS  
JESSICA CUSICK, DIRECTOR, ART FOR RAIL TRANSIT (A-R-T)  
MICHAEL BACA, ACTING DIRECTOR, CONTRACTS MANAGEMENT  
LARRY KELSEY, CONTRACTS MANAGER, METRO RED LINE SEGMENT 2  
JAMES SOWELL, MANAGER, ENVIRONMENTAL SERVICES  
HARLEY MARTIN, ENVIRONMENTAL SPECIALIST  
MELISSA SCHIAVO, ACTING RCC BOARD SECRETARY  
MERCY MENESES, ASSISTANT RCC BOARD SECRETARY

### OTHERS

AUGUSTIN ZUNIGA, COUNTY COUNSEL

#### 1. CALL TO ORDER

The meeting was called to order at 1:07 P.M.

2. APPROVAL OF MINUTES

The minutes of the April 18, 1994 meeting were approved as submitted.

3. CHAIRMAN'S REMARKS

- The RCC Board meeting previously scheduled for June 13, 1994 will be cancelled due to attendance by several Board members at the APTA Rapid Transit Conference in Sacramento that week.
- Ms. Cusick was presented with a certificate in recognition of her leadership on the internationally recognized, award-winning public arts program.

4. PRESIDENT'S REMARKS

Mr. McSpedon reported the following:

- On May 4th, the tunnel machine completed the excavation of the first of the two Vermont Avenue tunnels, from Hollywood Boulevard to Wilshire Boulevard. The second tunnel machine is 3-4 weeks away from reaching its destination, which will complete the excavation work on Vermont Avenue.
- The superstructure of the L.A. River Bridge is completely removed.
- On May 11th, the first of the rail cars for the Metro Green Line were shipped from Japan. The first cars are due to arrive on May 25th and they will then go to the Hawthorne shop for reassembly and testing.
- Mr. McSpedon will be attending the Federal Transit Administration's national roundtable on construction on Tuesday and Wednesday in Oakland, which is a convening of all transit construction project managers around the country, to discuss common issues and problems. In addition, Mr. McSpedon will be attending the FTA Quarterly Meeting on the federal projects in San Francisco on Thursday.

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. REPORT ON WORK ORDERS AND WORK ORDER REVISIONS  
OVER \$200,000 FOR THE PERIOD ENDING 4/30/94

The RCC Board received this status report.

CONSENT CALENDAR

Mr. Camacho moved, and Mr. Perez seconded, to approve the Consent Calendar items. Motion was approved, with Mr. Arthur abstaining on Item 10.

8. METRO GREEN LINE - CONTRACT NO. C0610  
EL SEGUNDO TRACKWORK INSTALLATION  
REQUEST FOR INCREASE TO AFE

The RCC Board recommended that the MTA approve an increase in the AFE for the subject contract in the amount of \$281,506 for a revised total AFE of \$12,814,103.

9. VEHICLE ACQUISITION PROJECT - CONTRACT NO. P2000  
L.A. STANDARD LIGHT RAIL VEHICLE  
CONTRACTOR: SIEMENS-DUEWAG CORPORATION  
APPROVAL OF CHANGE ORDER NO. 2

The RCC Board recommended that the MTA Board approve Change Order No. P2000-CO-2.00, which documents the change in testing location, \$1,000,000 reduction in price, and addition of three (3) options.

10. METRO RED LINE, SEGMENT 2 - CONTRACT NO. B231  
WILSHIRE/WESTERN STATION AND CROSSOVER  
DESIGN MODIFICATION OF BUS LAYOVER/LOADING AREA DUE  
TO NEW MTA-APPROVED REAL ESTATE ACQUISITION  
APPROVAL OF CHANGE ORDER NO. 70

The RCC Board recommended that the MTA Board authorize the Chief Executive Officer to execute Change Order No. B231-CO-70.00 in the amount of \$214,234.

11. METRO RED LINE, SEGMENT 3 - CONTRACT NO. C0311  
TUNNEL, LINE SECTION TO UNIVERSAL CITY  
NOTICE OF ADVERTISEMENT

The RCC Board authorized staff to proceed with the advertisement and solicitation for Invitation for Bid No. C0311, Tunnel, Line Section to Universal City.

12. PASADENA BLUE LINE - AMENDMENT TO UTILITY COOPERATIVE  
AGREEMENT WITH SOUTHERN CALIFORNIA GAS COMPANY

The RCC Board recommended that the MTA Board authorize the chief Executive Officer to execute the Amendment to Utility Cooperative Agreement in an amount not to exceed \$750,000.00. Additional future expenditures shall be as determined at a later date and processed to the respective Boards for approval.

REGULAR CALENDAR

14. FISCAL YEAR 1995 ANNUAL BUDGET

Mr. Moore gave a presentation on this item. Mr. Moore explained that the report summarizes the FY '95 budget requests for the expenditure plan to continue work on all Metro Rail projects currently underway, including: Metro Red Line Segments 2 & 3, the Metro Green Line, the Vehicle Acquisition Project, and funding requests for smaller projects that are rail maintenance programs and betterments of the existing Metro Red Line and Metro Blue Line. The budget request is for a total of \$772 million, which also includes funding for 165 RCC staff, which is an increase of 12 over the currently authorized staffing.

Mr. Kruse asked how many positions the number 165 is over actual numbers of employees. Mr. Moore responded that we actually have a total staff number of 147 and that our authorized number is 153, which is a difference of 18. Mr. Kruse asked Mr. McSpedon if there is any area of real urgency regarding staff positions he has had difficulty filling. Mr. McSpedon responded that, of the six vacancies, which include the Board Secretary position, the number one priority is the Deputy Construction Manager for Metro Red Line, Segment 2. Next year, the focus will be on construction instead of design and engineering, so recruitment for these positions will be a priority. Mr. Kruse commented that the RCC is a very small part of the staffing situation, and that if a percentile reduction is applied, we will continue to run short. Mr. McSpedon explained that the MTA has two rounds of layoffs over the past year, and we are being reduced by 8 positions. The positions identified for the year ahead are absolutely necessary to manage the growing workload during the highest growth year.

Mr. Moore also noted that, due to constraints in the availability of funding, the Pasadena Blue Line and the Systemwide and Special Projects budget, which totals about \$50 million of this fiscal year budget, is subject to not being funded or being reduced in funding. Meetings are currently underway to determine how much capital funding will be available for these projects. Mr. Anderson commented that the RCC Finance & Budget Committee reviewed the FY '95 budget and that the current trial budget at the MTA level is still not in balance. Mr. Anderson added that further adjustment on the two projects mentioned by Mr. Moore is necessary to bring the budget into balance.

Mr. Anderson moved approval with the caveat that there is a probability of further adjustment in the Pasadena Blue Line project and the Systemwide project.

Mr. Kruse asked if that adjustment will come in the meetings currently taking place or at the MTA Board level. Mr. Moore responded that the process is to look at the priority of projects in each area and look at the funding availability for those priority projects and continue down the list until the available funds are expended on the priority projects submitted by the three divisions.

Mr. Raggio seconded Mr. Anderson's motion. The motion was approved.

The RCC Board recommended that the Rail Construction Corporation's Fiscal Year 1995 budget be approved for submittal to the MTA Finance, Budget, and Efficiency Committee, and the Capital Planning and Programming Committee, subject to any final revisions by the MTA Chief Executive Officer.

15. METRO RED LINE, SEGMENTS 2 & 3 - CONTRACT NO. B648A  
COMMUNICATION INSTALLATION AND GAS MONITORING/  
SEISMIC DETECTION PROCUREMENT  
RECOMMENDATION FOR AWARD

Mr. Kelsey provided background on this item.

Mr. Kruse asked if there is a difference in the type of equipment being used for gas detection on Metro Red Line, Segments 2 & 3 versus what was used on Metro Red Line, Segment 1. Mr. Sandberg responded that there was and that the detectors are located at the point of detection. Mr. Kruse also asked if there is a differential in the methods of testing for hydrogen sulfide gas versus what was used on Segment 1. Mr. Sandberg replied that the equipment is different, so the methods are different for each of the gases being detected and tested on Segments 2 & 3. It will have automatic alarm levels and an automatic shutdown at a higher level. The main difference is the improved technology on the point sensors since the design and bid of Segment 1.

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

The RCC Board recommended that the MTA Board authorize the Chief Executive Officer to execute Contract No. B648A with L.K. Comstock & Company, Inc., the lowest-priced responsive and responsible bidder for the Total Contract Amount below:

Total Contract Award, Metro Red Line, Segment 2	\$2,206,354.00
10% Contract Reserve Fund (Excluded from Award Amount)	\$ 220,636.00
Total Commitment Request	\$2,426,990.00
Option for Segment 3 Mid-City, North Hollywood, and East Extension (Excluded from Award and Commitment )	\$ 568,139.00

16. METRO RED LINE, SEGMENT 3 - CONTRACT NO. MC017  
 MID-CITY/EASTERN EXTENSIONS  
 CONSTRUCTION MANAGEMENT SERVICES  
 AUTHORIZATION TO CANCEL CONTRACT NO. MC017

Mr. Baca gave a presentation on this item.

Mr. Camacho asked Mr. Baca for the preliminary results of the first evaluation. Mr. Baca reported that the highest ranked firm in the original solicitation was Metro Underground Associates and that there was a tie for second place, which was between BBSK Construction Managers and JWSD, a Joint Venture.

Mr. Camacho asked what the point spread was between numbers 1 and 2. Mr. Baca stated that he did not have the actual point spread information with him but that it was substantial. Mr. Camacho asked if cost was a factor in the evaluation, and Mr. Baca responded that it was not a factor.

Mr. Perez asked what the difference is between the project that is being delayed due to the hydrogen sulfide issue and the Eastern portion of the contract. Mr. Baca stated that the original procurement was for both the Eastern and Mid-City sections and that at this point it would be difficult to break the two out since we are going out for one procurement. Mr. Camacho asked if it means that they cannot be broken up. Mr. Arthur further asked if that was not the preference of the Board that we begin to spread some of the monies around to some of the other construction firms. Mr. Baca stated that we did not want three construction firms on the project, which is what would happen if staff breaks up the work.

Mr. Kruse explained that staff has a reporting function that flows onto the federal government, and that if there were multiple managers on Metro Red Line, Segment 3, staff would have to compile the composites of the two reports and the different procedures in house, rather than outside as it is now being handled. Mr. McSpedon replied that there would be different consultants all reporting to us which would have to be compiled as a single document as the federal government views this as a single project. Mr. Anderson stated that what we are discussing is the difference between having two or three construction managers.

Mr. Camacho asked what the timeframe would be for a new procurement. Mr. Baca replied that the request to re-advertise would go to the Board at the next meeting, and the award would be on August 24th. Mr. Camacho asked how this would affect the evaluation criteria. Mr. Baca responded that staff would review the evaluation criteria and bring that forward to the Board for approval before the notice to advertise. Mr. Camacho asked if the evaluation criteria would be brought back to the Minority Participation & Contracts Committee. Mr. Baca said that staff would prefer to do that. Mr. McSpedon stated that staff would put together a new evaluation team to ensure that there is no bias or undue advantage to an incumbent firm other than their experience gained from a first-hand knowledge of the project.

Mr. Kruse asked how staff deals with the "spread the work" concept as it is complex and political. Mr. McSpedon stated that he is unaware of any MTA policy that is biased against incumbent firms. Mr. Baca also stated that staff has placed an emphasis on personnel experience versus company experience.

Mr. Perez asked if there is any estimate as to when more will be known about the hydrogen sulfide gas problem. Mr. Stark replied that the study is ongoing and that staff plans to have a 90-day report to be presented in June at a joint meeting of the RCC Board and the MTA Planning & Programming Committee.

Mr. Camacho made a motion to continue this item and asked staff to return to the Board at the June 1st meeting with a more detailed report as to our options concerning breaking up the Eastern and Mid-Cities procurement, and the ramifications of that, and a better timeframe as to the RFP process, including more information on the hydrogen sulfide issue in that report. Mr. Perez seconded the motion.

Mr. Kruse asked when constructability reviews kick in for East Los Angeles. Mr. Stark stated that we are on schedule for a record of decision by the federal government of June 30th, and we are equipped to begin final design after that point. Mr. Perez stated that a new procurement would put us in August. Mr. Stark stated that it would put us 30-45 days behind. Mr. Kruse asked that information concerning handling of constructability reviews also be included in the next staff report.

Mr. Camacho's motion was approved, with Mr. Browder abstaining.

17. PASADENA BLUE LINE - CERTIFICATION OF FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND PROJECT APPROVAL

Mr. Martin gave a briefing on this item.

Mr. Kruse observed that, of all of our projects, this is the most environmentally sensitive as it is in areas that are incompatible with a rail line coming through. Mr. Kruse asked if we have to go through another Supplemental Environmental Impact Report if we come up with a better method of alleviating some problems. Mr. Weldon said that it depends on the gravity of the changes that we identify and recommend. Mr. Kruse asked how much latitude we have to improve the situation. Mr. Martin responded that, in terms of CEQA, there are thresholds and it boils down to the proposed change and whatever level of environmental impact that change may have. CEQA addendums are prepared for minor changes where there is no significant impact. The supplemental EIR is for where a significant impact has been identified and we need to propose a mitigation measure for that. The purpose of the SEIR, in this case, is for some impacts that we feel we cannot mitigate.

Mr. Anderson stated that his interpretation is that we have improved the mitigation along the Marmion Way area and asked whether it is a minor or significant improvement in the mitigation measures we are taking. Mr. Weldon stated that he felt that it was a significant recognition of the final configuration of the rail line's impact on that community.

Mr. Browder expressed concern about the socio-economic impacts and asked whether there is an agency policy in place that would require the kind of analysis to determine the concrete impact on a community. Mr. Weldon stated that things such as joint development, land use policies and so on are not normally addressed in an EIR document but the MTA promotes that at station locations and it is underway on the Pasadena project.

Mr. Browder asked about the coordination with the community in identifying and removing hazardous materials. Mr. Martin stated that there are Proposition 65 notifications for certain chemical constituents which require public notice and these rules are incorporated into the construction bid documents and our mitigation monitoring program.

Mr. Anderson moved, and Mr. Perez seconded, to approve this item. The motion was approved.

The RCC Board recommended that the MTA Board:

- 1) Certify that; a) the Final SEIR has been completed in compliance with CEQA (California Public Resource Code 21082.1(c); b) the Final SEIR was presented to the MTA Board; and c) prior to approving the Project, the decision-making body reviewed and considered the information contained in the Final SEIR, the original EIR completed in 1990, and the previous SEIR completed in 1992 (Draft and Final SEIR attached).
- 2) Approve the Mitigation Monitoring Program (attached).
- 3) Adopt the Statement of Findings and Overriding Considerations (attached).
- 4) Approve the following modifications to the project approved in 1990 and amended in 1992;
  - a. The acquisition of six additional properties and up to 50 minor "curb cuts" along Marmion Way between Avenues 50 to 60.
  - b. Change operational modes from street running to semi-exclusive right-of-way, with resulting changes to gate crossings, warning signals, street closures (Avenue 53, 55, and 61), and modification of the existing noise mitigation measure to replace soundwalls with off-site mitigations. Avenues 51 and 58 will be closed due to respective station siting impacts.
  - c. Below grade separation at the intersection of Marmion Way and Figueroa Street. French Avenue will be closed crossing the alignment.
  - d. The acquisition of additional properties in Elysian Park to construct an emergency access roadway, and temporary acquisition in Arroyo Seco Park for a construction staging.

e. Defer selection of an alternative for the Sierra Madre Villa Park-and-ride Facility. Approval of the alternative site would occur at a future MTA Board action.

5. Authorize staff to issue the Notice of Determination for the actions approved at their meeting of May 25, 1994.

18. METRO RED LINE, SEGMENT 2 - REPORT ON RECOVERY OF LAND MAMMAL FOSSILS FROM VERMONT/HOLLYWOOD TUNNEL

Mr. Sowell gave a brief presentation on this item. Mr. McSpedon introduced Mr. Michael Guinther, the tunnel machine operator on Vermont/Hollywood, who is responsible for the fossil finds.

The RCC Board recommended that the MTA Board receive and file this information.

19. METRO RED LINE, SEGMENT 2 - REVISION TO CITIZEN'S COMMITTEE ON METRO CONSTRUCTION

Mr. McSpedon gave the Board an update on this item and stated that a formal recommendation will be brought forward at the next meeting. Mr. McSpedon stated that last week we received a request from Councilwoman Goldberg, who represents the Hollywood area, that we support a reorganization of the public advisory function for the construction mitigation. This organization was established under the auspices of Councilman Woo, her predecessor, and Councilwoman Goldberg would like to restructure the function to make it less formal and more effective. The current structure is unduly bureaucratic and labor-intensive to manage. Councilwoman Goldberg has requested that the current members, whose appointments were approved by the RCC Board, submit their resignations to the RCC Board and that the Board support a different and improved approach toward managing the construction mitigation.

Mr. Kruse requested that Mr. Zuniga prepare a compilation of the Committee's accomplishments so that the Board may recognize their achievements at the appropriate time.

20. PUBLIC COMMENT

There were no requests for public comment.

21. BOARD MEMBER REQUEST FOR FUTURE ITEMS

There were no Board requests for future items at this meeting.

CLOSED SESSION

Real Estate - G.C. #54956.8:

Conference with Real Property Negotiators concerning Price and/or Terms of Payment:

● Parcel No. PA-064 - (Carmen Sonia Monroy, 5118 Marmion Way,  
Los Angeles, CA)  
(Price Discussion)

● Parcel No. R05-PA-020 (Southern Pacific Transportation Company,  
Assessor's Reference 5414-016-801)  
(Price and Terms of Payment Discussion)

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

- (1) Consider recommendation to settle the real property portion of Condemnation Case No. BC066781, LACTC vs. KIM, PETER AND FERMINA KIM (1021-25 North Vermont Avenue, Los Angeles, CA), Parcel No. B2-202
- (2) Consider recommendation for partial settlement of Condemnation Case No. BC019898, LACTC vs. KAPLIN, DAVID MATLOOB, COMPASS GRAPHICS, INC., dba MARTIN OFFICE SUPPLY (3161 Wilshire Blvd., Los Angeles, CA), Parcel No. B2-115
- (3) Consider recommendation for partial settlement of Condemnation Case No. BC019898, LACTC vs. KAPLAN, LAURENCE B. KAPLAN et al, and WILSHIRE CENTER DENTAL GROUP (3101 Wilshire Blvd., Los Angeles, CA), Parcel No. R81-B2-113
- (4) Consider recommendation for partial settlement of Condemnation Case No. BC019459, LACTC vs. LIM, AT&T (3101 Wilshire Blvd., Los Angeles, CA), Parcel No. R81-B2-113

ADJOURNMENT

The meeting adjourned at 2:23 P.M.

Submitted by:

A handwritten signature in cursive script, appearing to read "Melissa A. Schiavo".

MELISSA SCHIAVO  
Acting RCC Board Secretary

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