

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

Minutes of Regular Meeting of the
Board of Directors of the District

June 25, 1981

Upon notice duly given, the Board of Directors of the Southern California Rapid Transit District met at a regular meeting in the District Board Room, 425 South Main Street, Los Angeles, California, at 1:00 p.m. on June 25, 1981, at which time President Thomas G. Neusom called the meeting to order.

Directors Present:

Marvin L. Holen
Mike Lewis (entered 2:40 pm)
Carl Meseck
Thomas G. Neusom
Nick Patsaouras (entered 2:10 pm)

Jay B. Price
Ruth E. Richter
Charles H. Storing
Gordana Swanson
George Takei

Director Absent:

Jan Hall

Staff Present:

Richard T. Powers, Acting General Manager
Samuel M. Black, Manager of Operations
Suzanne B. Gifford, Acting General Counsel
George L. McDonald, Manager of Planning & Marketing
Joe B. Scatchard, Controller-Treasurer-Auditor
Jack T. Stubbs, Assistant General Manager for Administration
Robert G. Williams, Manager of Customer Relations
Donald Cornish, Administrator of Labor Relations
Richard Gallagher, Manager, Chief Engineer, Metro Rail
David D. Dominguez, Manager of Human Relations
Helen M. Bolen, District Secretary

Also present were members of the public and the news media.

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Presentation of Certificates of Merit

Director Richter presented Certificates of Merit to Johnnie Amos, Information Operator-of-the-Month, to Charles S. Ige, Maintenance Employee-of-the-Month, and to Paul D. Schmidt, Operator-of-the-Month.

Status Report on Proposition "A"

Acting General Counsel Gifford reported that she has been conferring with the attorneys for the Los Angeles County Transportation Commission and they have suggested they may ask the District to file an amicus brief. If so, it will be a limited brief relating to how the District is funded, etc. President Neusom inquired if the filing of this document could delay the ultimate decision. Ms. Gifford responded that the purpose of filing the brief would be to hasten the decision.

Director Richter made a motion to authorize staff to file the brief if requested, which motion was seconded and carried as noted below and the following resolution adopted:

Ayes:	Holen, Meseck, Neusom, Price, Richter, Swanson, Takei
Noes:	Storing
Abstain:	None
Absent:	Hall, Lewis, Patsaouras

Resolution
No. Assigned

R-81-354

Status Report on Proposition "A" - Cont'd

RESOLVED, that if requested by the Los Angeles County Transportation Commission or its legal representatives, staff is hereby authorized to prepare an amicus curae brief to be filed with the State Supreme Court requesting an early decision in the matter of the legality of Proposition "A."

Ms. Gifford also commented that the State Chamber of Commerce has filed a brief in opposition to Proposition "A." During discussion, it was also stated that during deliberations on Assembly Bill 2231 (Berman), the only opposition to the bill was voiced by the State Chamber of Commerce. President Neusom reported that he had been in Sacramento speaking in favor of AB 2231 and that the bill had passed out of Committee.

Report of Surface Operations Committee

On motion of Director Price, Chairman of the Surface Operations Committee, seconded and carried as noted below, Agenda Items 6 and 7 were approved and the following resolutions adopted:

Resolution
No. Assigned

Report of Surface Operations Committee - Cont'd.

Ayes: Holen, Meseck, Neusom, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-355

RESOLVED, that bids submitted in response to Bid No. CA-03-0209, covering the procurement of a Microwave System be rejected and the Purchasing Agent is authorized to revise the specifications and to call for bids thereon in accordance with the Rules and Regulations; form of revised bid requirements and specifications subject to approval of the General Counsel.

R-81-356

RESOLVED, that the General Manager is authorized to award contracts to the lowest responsible bidders under Bid No. 6-8013-A covering miscellaneous petroleum products:

- a. Union Oil Co., 3701 Wilshire Blvd., L.A. covering Items 1A, 1B, #5 at an estimated cost of \$255,142;
- b. Texaco, Inc., P. O. Box 3756, L.A., covering Items 2A, 2B, #3 at an estimated cost of \$35,335;
- c. Rosemead Oil Products, 11017 Lockport Pl., Santa Fe Springs, covering Items 6A, 6B-Div. 3, 6B-Div. 9, 6B-Div. 14 at an estimated cost of \$39,043;

form of contracts subject to approval of the General Counsel.

Resolution
No. Assigned

Report of the Rapid Transit Committee

Director Meseck, Chairman of the Rapid Transit Committee, reported that the Committee recommends approval of Agenda Item No. 8 (A) and (B). At the request of Director Richter, individual consideration was given to each of these items. On motions duly made, seconded and carried as noted below, Agenda Items No. 8(A) and (B) were approved and the following resolutions adopted:

Ayes: Hoken, Meseck, Neusom, Price,
Storing, Swanson, Takei
Noes: Richter
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-357

RESOLVED, that the General Manager is authorized to award a preliminary engineering, general engineering design contract covering Ways and Structures to the joint venture of Daniel, Mann, Johnson and Mendenhall; Parsons, Brinckerhoff, Quade and Douglas, Inc., at an estimated cost of \$5,302,264, which contract is funded under UMTA and State Grants and is subject to approval of the Urban Mass Transportation Administration; form of contract subject to approval of the General Counsel.

Ayes: Hoken, Meseck, Neusom, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

Resolution
No. Assigned

Report of Rapid Transit Committee - Cont'd.

R-81-358

RESOLVED, that the General Manager is authorized to award a preliminary engineering, general engineering design contract covering Subsystems to Kaiser Engineers, Inc., at an estimated cost of \$3,340,370, which contract is funded under UMTA and State Grants, and is subject to approval of the Urban Mass Transportation Administration; form of contract subject to approval of the General Counsel.

Director Meseck reported that Agenda Item No. 8 (C) was referred to the full Board without recommendation for discussion and action. Consideration of this item was deferred until later in the meeting.

Upon motion of Director Meseck, seconded by Director Price and carried as noted below, Agenda Items 9 through 15 were approved and the following resolutions adopted:

Ayes: Holen, Meseck, Neusom, Price,
 Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-359

RESOLVED, that the General Manager is authorized to award the consultant contract for preliminary systems engineering and analysis to Booz Allen and Hamilton, Inc., at an estimated cost of \$1,897,467; which project is funded under UMTA and State Grants; form of contract subject to approval of the General Counsel.

Resolution
No. Assigned

Report of Rapid Transit Committee - Cont'd.

R-81-360

RESOLVED, that the report dated June 19, 1981, is approved, and the General Manager is authorized to execute a contract with the City of Los Angeles covering assistance in furnishing data for the Second Tier Environmental Impact Analysis and for furnishing traffic and utility engineering assistance as requested, at a cost not to exceed \$1,448,213, which work is funded under UMTA and State Grants; form of contract subject to approval of the General Counsel.

R-81-361

RESOLVED, that the General Manager is authorized to award a consultant contract to Sedway/Cooke Associates to prepare the UMTA requested Second Tier Environmental Impact Analysis and Report at a cost not to exceed \$900,000; which is funded under UMTA and State Grants; form of contract subject to approval of the General Counsel.

R-81-362

RESOLVED, that Requisition No. 1-8000-226 is approved covering continuation of consulting services in connection with the program control function of the Metro Rail Preliminary Engineering Project, and the General Manager is authorized to amend an existing contract with TAD/LOG-AN covering additional services for a one-year period at an estimated cost of \$174,000; which is funded under UMTA and State Grants; form of contract amendment subject to approval of the General Counsel.

Resolution
No. Assigned

Report of Rapid Transit Committee - Cont'd.

R-81-363

RESOLVED, that the General Manager is authorized to negotiate a contract with Converse, Ward, Davis, Dixon, Inc., 126 West DelMar Blvd., covering a Seismological Investigation and Report, in an amount not to exceed \$115,000; which project is funded under UMTA and State Grants; form of contract subject to approval of the General Counsel.

R-81-364

RESOLVED, that the General Manager is authorized to negotiate a contract with Wilson Ihrig and Associates, Inc., 5605 Ocean View Drive, Oakland, covering Noise and Vibration Investigation and Report, in an amount not to exceed \$125,000; which project is funded under UMTA and State Grants; form of contract subject to approval of the General Counsel.

R-81-365

RESOLVED, that Requisition No. 1-8000-221 is approved covering services of special consultant in the area of transit vehicles for preliminary engineering on the Metro Rail Project and authorization of the Purchasing Agent to issue a Request For Proposal; which project is funded under UMTA and State Grants; form of Request For Proposal subject to approval of the General Counsel.

At this time, Director Holen inquired of the General Counsel if the Board could meet in Closed Session to discuss the protest filed under Agenda Item No. 8(C). Ms. Gifford replied that if the Board desired to confer with Counsel with regard to receiving legal advice on how to proceed in

Resolution
No. Assigned

Report of Rapid Transit Committee - Cont'd.

this instance, she would be pleased to give that legal advice in Closed Session.

Director Price made a motion to adjourn to Closed Session, which motion was seconded. Director Takei requested that this Closed Session be delayed until the absent members can be available later in the meeting. The Board concurred in this request.

Report of the Advance Planning Committee

Director Swanson, Chairman of the Advance Planning Committee, moved approval of Agenda Item No. 16, which motion was seconded and carried as noted below and the following resolution adopted:

Ayes: Holen, Meseck, Neusom, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-366

RESOLVED, that the report dated June 22, 1981, relative to renewal of contracts covering shuttle bus service in Downtown Los Angeles and Westwood during Fiscal Year 1982 is approved, and the General Manager is authorized to enter into contracts with the City of Los Angeles and the Community Redevelopment Agency for the operation of the Downtown Shuttle Bus Service and with the City of Los Angeles for the operation of the Westwood Shuttle Bus Service, with the fare level to remain at 25¢; form of agreements subject to approval of the General Counsel.

Resolution
No. Assigned

Report of Advance Planning Committee - Cont'd.

There was discussion concerning the funding of the District's costs of approximately \$6200, which is the amount of deficit differential between the 25¢ fare and the 30¢ fare proposed by the District for the Downtown Shuttle Bus Service. After discussion, staff was directed to contact the Central City Association regarding the possibility of funding this portion of the deficit.

Report of the Personnel Committee

Director Takei, Chairman of the Personnel Committee, reported that the Committee had considered Agenda Items No. 17 through 19. Under Agenda Item No. 17, the Committee recommends an effective date of July 5, 1981 for non-contract salary changes, and that the effective date for non-contract salary classifications be the date those classifications are approved by the Board.

Under Agenda Item No. 18, the Committee recommends approval of the non-contract overtime policy with an amendment allowing the General Manager the discretion of allowing time off in the event of extraordinary services resulting in

Resolution
No. Assigned

Report of Personnel Committee - Cont'd.

the disruption of personal time of employees at range 60 and above, with a report to be brought back to the Committee in approximately six months.

Agenda Item No. 19 is recommended for approval by the Committee. On motion duly made, seconded and carried as noted below, Agenda Items No. 17 through 19 were approved and the following resolutions adopted:

Ayes: Holen, Meseck, Neusom, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-367

RESOLVED, that Non-Contract salary adjustments, which are scheduled to be considered by the Board of Directors at the July 23, 1981 Meeting, shall be effective as of July 5, 1981;

RESOLVED FURTHER, that the effective date for Non-Contract salary classifications shall be the date of the beginning of the pay period immediately following the date of Board approval.

R-81-368

RESOLVED, that the Non-Contract Overtime Policy, attached to these Minutes as Exhibit I is hereby adopted and supercedes all previous Non-Contract Overtime Policies.

Resolution
No. Assigned

Report of Personnel Committee - Cont'd.

R-81-369

RESOLVED, that Requisition No. 1-9500-103 is approved, and the District's insurance Broker, Dennis B. Parrott of Frank B. Hall Company, is authorized to secure bids covering Long Term Disability Insurance equivalent to the present plan; form of documents subject to approval of the General Counsel.

Report of the Finance Committee

On motions of Director Meseck, Vice-Chairman of the Finance Committee, seconded and carried as noted below, the Board waived the reading of an Ordinance limiting the expenditure of certain reserve funds to meeting operating expenses, and also approved the introduction of this Ordinance under Agenda Item No. 20:

Ayes: Holen, Meseck, Neuson, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

O-81-001

Introduction of an Ordinance of the Southern California Rapid Transit District Regarding the Creation of Asset Accounts for Public Liability and Property Damage, Workers' Compensation.

(Text of complete ordinance filed with the Secretary).

Under Agenda Item No. 21, the Operating Report for the month of May, 1981 was "Received and Filed."

Resolution
No. Assigned

Approval of Consent Calendar

On motion of Director Richter, seconded and carried as noted below, Agenda Items No. 22 through 41 were approved, with the exception of Agenda Items No. 23, 25 and 37, and the following resolutions adopted and/or actions taken:

Ayes: Holen, Meseck, Neusom, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsouras

R-81-370

RESOLVED, that the General Manager is authorized to award a contract to ATE Management and Service Company, 13744 Fiji Way, Marina Del Rey, the only responsible bidder under Bid No. 6-8105 covering development of an Operator Cost Impact Model at a cost of \$67,200, which project is funded under UMTA Grant No. CA-09-0109; form of contract subject to approval of the General Counsel.

R-81-371

RESOLVED, that the General Manager is authorized to award a contract to Hausman Bus Parts, 9846 Atlantic Avenue, So. Gate, the lowest responsible bidder under Bid No. 6-8102-A covering oil and grease seals at an estimated cost of \$150,476; form of contract subject to approval of the General Counsel.

Resolution
No. Assigned

Approval of Consent Calendar - Cont'd.

R-81-372

RESOLVED, that the General Manager is authorized to award a contract to Machinists Tool & Supply, 2827 Supply Ave., L.A., the lowest responsible bidder under Bid No. 6-8103-B covering taps and drills at an estimated cost of \$17,219; form of contract subject to approval of the General Counsel.

R-81-373

RESOLVED, that the General Manager is authorized to award a contract to Trans-West Ford Truck Sales, 10150 Cherry Ave., Fontana, the lowest responsible bidder under Bid No. 6-8014-A covering cylinder liners at an estimated cost of \$15,128; form of contract subject to approval of the General Counsel.

R-81-374

RESOLVED, that the General Manager is authorized to award a contract to Muncie Reclamation, 1208 E. Centennial, Muncie, Ind., the lowest responsible bidder under Bid No. 6-8101-A covering bronze bushings for a one-year period at an estimated cost of \$12,974; form of contract subject to approval of the General Counsel.

R-81-375

RESOLVED, that the General Manager is authorized to award a contract to Victor-California, 3821 So. Santa Fe Ave., Los Angeles, the lowest responsible bidder under Bid No. 6-8101-B covering acid core wire at an estimated cost of \$10,752; form of contract subject to approval of the General Counsel.

Resolution
No. Assigned

Approval of Consent Calendar - Cont'd.

R-81-376

RESOLVED, that Requisition No. 1-7200-80 is approved, and the General Manager is authorized to award a contract to Sperry Univac, 3250 Wilshire, Los Angeles, for the purchase of a UTS 400 Series controller and related modems including one-year maintenance at a cost of \$42,282, which project is funded under UMTA Grant No. CA-05-0052; form of contract subject to approval of the General Counsel.

R-81-377

RESOLVED, that Requisition No. 1-7099-44 is approved, and the General Manager is authorized to amend a contract with Coopers, Lybrand/Wilfong & Co., covering audit task required by the Department of Transportation at an additional cost of \$1,416, bringing the contract total to \$67,492; form of contract amendment subject to approval of the General Counsel.

R-81-378

RESOLVED, that Requisition No. 1-7400-47 is approved, and the Purchasing Agent is authorized to authorize District's broker, Alexander & Alexander, Inc., to obtain premium quotations for the renewal of the District's Comprehensive Crime Insurance Policy for a three (3) year term commencing September 14, 1981; form of documents subject to approval of the General Counsel.

R-81-379

RESOLVED, that Requisition No. 1-3399-1155 is approved, and the Purchasing Agent is authorized to call for bids covering liquid steam cleaner for a one-year period; form of bid requirements and specifications subject to approval of the General Counsel.

Resolution
No. Assigned

Approval of Consent Calendar - Cont'd.

R-81-380

RESOLVED, that Requisition No. 1-9400-116 is approved, and the Purchasing Agent is authorized to call for bids covering extension of Store #2 mezzanine; form of bid requirements and specifications subject to approval of the General Counsel.

R-81-381

RESOLVED, that Requisition No. 1-3399-195 is approved, and the Purchasing Agent is authorized to call for bids covering heavy duty radius turning plates with ramps; form of bid requirements and specifications subject to approval of the General Counsel.

R-81-382

RESOLVED, that Requisition No. 1-3314A-2099 is approved, and the Purchasing Agent is authorized to call for bids covering fluid fan assembly; form of bid requirements and specifications subject to approval of the General Counsel.

R-81-383

RESOLVED by the Board of Directors of the Southern California Rapid Transit District, and hereby ordered that the Purchasing Agent shall be and is hereby authorized as the District's representative to acquire federal surplus property from the California Agency for Surplus Property under the terms and conditions of the Agency for said acquisition and use.

Resolution
No. Assigned

Approval of Consent Calendar - Cont'd.

R-81-384

RESOLVED, that the General Manager is authorized to execute an Easement Deed in favor of the City of Long Beach for storm drain purposes across the District's Division 12 property; form of documents subject to approval of the General Counsel.

R-81-385

RESOLVED, that the schedule of rates and conditions for leased buses for Fiscal Year 1981-82 is approved, and the General Manager is authorized to enter into leased bus agreements in accordance with said rates and conditions; form of agreements subject to approval of the General Counsel.

Approved Minutes of Special Meeting of May 21 and Regular Meeting of June 11, 1981.

Ratified bus stop zone changes as described in report dated June 19, 1981, as filed with the Secretary.

Ratified temporary route diversions as described in report dated June 19, 1981, as filed with the Secretary.

Under Agenda Item No. 23, several Directors questioned the procurement of furniture and asked if staff had investigated the acquisition of furniture from sources other than direct procurement. Staff responded that Agenda Item No. 38 was just passed, which would allow the Purchasing

Resolution
No. Assigned

Approval of Consent Calendar - Cont'd.

Agent to have access to the State's surplus property.

On motion duly made, seconded and carried as noted below, Agenda Item No. 23 was approved and the following resolution adopted:

Ayes: Holen, Meseck, Neusom, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-386

RESOLVED, that the non-responsive low bids submitted by Western Office Furniture and G. F. Business Equipment are hereby rejected, and the General Manager is authorized to award contracts to the following lowest responsible bidders under Bid No. CA-03-0130-E, covering furniture for use by consultant personnel working on the Metro Rail Project, which project is funded under UMTA Grant No. CA-03-0130-1:

- a. Basset Office Furniture, 12906 E. Philadelphia, Whittier, covering Groups A, B, C, D & E in the amount of \$132,009;
- b. Dietrich-Post Co., 616 Monterey Pass Road, Monterey Park, covering Group F in the amount of \$27,727;

form of contracts subject to approval of the General Counsel.

Under Agenda Item No. 25, Director Takei questioned the large difference in the estimated cost and the actual bid price. Staff responded

Resolution
No. Assigned

Approval of Consent Calendar - Cont'd.

that the estimate was based on the previous year's use of this item, when in fact this year we are using fewer of the buses that require this item. Director Swanson questioned the award to this firm based upon our problems with the Grumman Flexible buses. She was informed that this is a distributorship firm and is not directly affiliated with the bus manufacturing firm.

On motion of Director Takei, seconded and carried as noted below, Agenda Item No. 25 was approved and the following resolution adopted:

Ayes: Holen, Meseck, Neusom, Price,
Richter, Storing, Takei
Noes: Swanson
Abstain: None
Absent: Hall, Lewis, Patsouras

R-81-387

RESOLVED, that the General Manager is authorized to award a contract to Grumman Flexible, 3215 No. Alameda, Compton, the lowest responsible bidder under Bid No. 6-8102-B covering Bendix Westinghouse Slack Adjusters for a one-year period at an estimated cost of \$18,452; form of contract subject to approval of the General Counsel.

Under Agenda Item No. 37, Director Richter questioned the increase in cost and time on this contract. Staff replied that this contract amendment will more than double the work time and will

Resolution
No. Assigned

Approval of Consent Calendar - Cont'd.

increase the cost by \$20,000.

After further discussion, on motion of Director Price, seconded and carried as noted below, Agenda Item No. 37 was approved and the following resolution adopted:

Ayes: Holen, Meseck, Neusom, Price,
Storing, Swanson, Takei
Noes: Richter
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-388

RESOLVED, that Requisition No. 1-8000-227 is approved, and the General Manager is authorized to amend an existing contract with Log-An Inc., L.A., for an additional 90 days, covering personal services in connection with program control aspects of Metro Rail preliminary engineering project, which project is funded under UMTA Grant No. CA-03-0130-1, increasing the amount by \$20,000 to a total of \$29,000; form of contract amendment subject to approval of the General Counsel.

Report of Facilities & Construction Committee

On motion of Director Price, Vice-Chairman of the Facilities & Construction Committee, seconded and carried as noted below, Agenda Items 3 through 5 were approved and the following resolutions adopted:

Resolution
No. Assigned

Report of Facilities & Construction Committee-Cont'd.

Ayes: Holen, Meseck, Neusom, Price,
Richter, Storing, Swanson, Takei
Noes: None
Abstain: None
Absent: Hall, Lewis, Patsaouras

R-81-389

RESOLVED, that the General Manager is authorized to amend a grant application with the Urban Mass Transportation Administration and to execute purchase agreement and record deeds for the purchase of real property for the relocation of Division 18 - South-Southwest Maintenance and Operating Division; as outlined in the General Manager's report dated June 19, 1981; form of all documents subject to approval of the General Counsel.

R-81-390

RESOLVED, that all bids submitted in response to Bid No. CA-03-0154-B covering the procurement of bus washer and bus interior cleaning system at the new San Fernando Valley Maintenance Operating Facility are rejected, and the Purchasing Agent is authorized to revise the specifications and call for bids thereon in accordance with the Rules and Regulations; form of bid requirements and specifications subject to approval of the General Counsel.

Resolution
No. Assigned

Report of Facilities & Construction Committee-Cont'd.

R-81-391

RESOLVED, that the General Manager is authorized to execute a contract with the firm of Ziegler Kirven Parrish Architects, covering architectural engineering consulting services for the design of the new operating facility to be located at the Macy Yards site based upon the original consulting group proposed by the firm at a fee of \$563,560 for basic services, plus \$10,500 for soils investigation studies and \$25,000 for unanticipated extra work, with the contract to require the submission at the schematic phase of an energy conservation report prepared under architectural, mechanical and electrical disciplines; form of contract subject to approval of the General Counsel;

RESOLVED FURTHER, that the General Manager is authorized to investigate the possibility of UMTA funding prior to the execution of this contract.

Agenda Item No. 8(c)

On motion duly made, seconded and carried, the Board retired to Closed Session at 1:45 p.m. to receive advice from Legal Counsel concerning the protest filed under Agenda Item No. 8(c).

The Board returned from Closed Session at 3:14 p.m. with all Directors except Director Hall responding to Roll Call. No report was made of matters discussed in Closed Session.

Agenda Item No. 8(c) - Cont'd.

Attorney Jack Fleming of the firm of Pettit & Martin, representing Madison, McAfee & Stull Transit Group appeared before the Board speaking to the protest filed against the proposed execution of a contract with Harry Weese and Associates covering preliminary engineering, general engineering design for Stations on the Metro Rail Project.

(Director Price left the meeting.)

Mr. Fleming stated that UMTA has indicated that the District cannot award the contract until the protest is resolved. He suggested that the District obtain the approval of UMTA prior to authorizing the execution of the contract. He also stated that the Board has a duty to review the merits of the protest before authorizing the contract. He suggested that the Board authorize the contract, but not execute the contract pending approval by UMTA.

Ms. Gifford stated that the District has just received a letter from UMTA requesting that action today be subject to resolution of the current protest and concurrence of UMTA's Office of Third Party Contract Review.

Agenda Item No. 8(c) - Cont'd.

Director Meseck moved approval of execution of the contract with Harry Weese & Associates covering the preliminary engineering design for Stations on the Metro Rail Project at an estimated cost of \$5,033,483, and that this action be subject to resolution of the protest as requested by UMTA, which motion was seconded by Director Takei and was ultimately withdrawn.

Mr. Fleming presented his statement setting forth the reasons why the protest was filed on this matter.

Mr. Earle Gayles appeared before the Board, indicating his firm was one of the sub-contracting firms to be used by Harry Weese & Associates. He urged Board approval of the contract to Harry Weese & Associates at this time.

Director Holen summarized the discussion of this matter, indicating that Mr. Fleming's request seems to be that the approval of the contract with Harry Weese & Associates should be subject to resolution of the current protest and the concurrence of UMTA's Office of Third Party Contract Review and that the contract should not be executed until the Board has acted on the merits of the bid

Agenda Item No. 8(c) - Cont'd.

protest and has received a decision from the General Accounting Office and from UMTA on the bid protest. Director Holen then inquired of Mr. Fleming if the setting of a date of July 9, 1981 to hear the protest would allow sufficient time to present the details of the protest. Mr. Fleming replied that this date would be satisfactory, if all requested documents were made available to him within the next 2 to 3 days. Staff indicated that the documents would be within that time frame. Director Swanson commented that the target date is July 9th, but perhaps it would be appropriate to consider a fall-back date of July 16th in the event the protest was not ready. Mr. Fleming felt July 9th was an appropriate date. Director Swanson stated that she wanted to make sure that the cost for these records was charged to the applicant.

Director Meseck made a motion approving the contract with Harry Weese & Associates subject to resolution of the current protest and the concurrence of UMTA's Office of Third Party Contract Review, with the execution of the contract to be

Resolution
No. Assigned

Agenda Item No. 8(c) - Cont'd.

delayed until the protest is heard by UMTA and the General Accounting Office, which motion was seconded by Director Takei.

On a call for the question, the following resolution was adopted on a Roll Call vote as noted below:

Ayes: Holen, Lewis, Meseck, Patsaouras,
Richter, Storing, Swanson, Takei
Noes: Neusom
Abstain: None
Absent: Hall, Price

R-81-392

RESOLVED, that the General Manager is authorized to execute a preliminary engineering, general engineering design contract for Stations on the Metro Rail Project to Harry Weese & Associates, at an estimated cost of \$5,033,483, which contract is funded under UMTA and State Grants and is subject to approval of the Urban Mass Transportation Administration; form of contract subject to approval of the General Counsel;

RESOLVED FURTHER, that the execution of this contract with Harry Weese & Associates is to be delayed pending resolution of the protest filed by Madison, McAfee & Stull Transit Group, including the receipt of a decision from UMTA's Office of Third Party Contract Review and from the General Accounting Office.

On motion of Director Meseck, seconded and carried as noted below, the following resolution setting the date to hear the protest by Madison, McAfee & Stull Transit Group was approved and the following resolution adopted:

Resolution
No. Assigned

Agenda Item No. 8(c) - Cont'd.

Ayes: Holen, Lewis, Meseck, Patsaouras,
Richter, Storing, Swanson, Takei
Noes: Neusom
Abstain: None
Absent: Hall, Price

R-81-393

RESOLVED, that at the Regular Meeting to be held July 9, 1981, the Board of Directors will consider the matter of the bid protest filed by Madison, McAfee & Stull Transit Group after all necessary documentation has been supplied; and

RESOLVED FURTHER, that if at that time it is determined that sufficient time has not been allowed to prepare the protest or review the records of the District, an extension will be granted.

New Business

Operator Clayton Pinn appeared before the Board with suggestions. Director Swanson suggested that he be encouraged to submit his comments to Mr. Black. Mr. McDonald commented that the Planning Department has reviewed Mr. Pinn's previous written suggestions and is about ready to respond.

There being no further business, the meeting adjourned at 4:05 p.m.


District Secretary

NON-CONTRACT OVERTIME POLICY

Non-Contract employees may be required to work over 40 hours in a week to ensure completion of their duties.

Non-Contract employees are separated into three categories under the District's Overtime Policy: 1) those not eligible for overtime (at Salary Grade 60 or higher): 2) those eligible for overtime wage payments on a straight time basis (Salary Grades 29 through 59): and 3) those eligible for overtime wage payments at one and one-half times their normal pay rates (below Salary Grade 29).

All Non-Contract employees in classifications at Salary Grades 29 through 59 are eligible for overtime wage payments on a straight time basis for work performed in excess of 40 hours in a work week. All Non-Contract employees in classifications at Salary Grades 28 and below are eligible for overtime wage payments at one and one-half times their regular hourly pay rates for work performed beyond 40 hours in a work week. Accumulation is made on the basis of 30-minute increments. Advance written approval by the employee's immediate supervisor is required prior to working overtime, except in emergency situations.

In the event of extraordinary service resulting in disruption of the personal time of an employee in Salary Grades 60 or above, the General Manager, at his discretion, is

authorized to grant paid time off to such an employee. Such authorization must be in writing and the time off must be properly recorded on the employee's timesheet.

Non-Contract employees do not accrue compensatory time.