

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

MINUTES/PROCEEDINGS

Regular Board Meeting  
Board of Directors  
November 19, 1987  
District Board Room  
425 South Main Street  
Los Angeles

Called to order at 1:04 p.m.

Directors Present:

Jan Hall, President  
Carmen A. Estrada, Vice-President  
John F. Day  
Joseph S. Dunning  
Marvin L. Holen  
Erwin N. Jones

Nick Patsaouras  
Jay B. Price  
Charles H. Storing  
Gordana Swanson  
Kenneth R. Thomas

1. Certificates of Merit were presented to:
  - a. Ambrose Hale, Information Operator-of-the-Month;
  - b. Marvin Hammond, Maintenance Employee-of-the-Month; and
  - c. Patricia Winston, Operator-of-the-Month;and plaques were presented by Director Dunning.
  
2. Recognition of retirees and presentation of certificates by Director Patsaouras.

This item was removed from the agenda.

3. Report of the President

President Hall announced that a special joint meeting of the Board of Directors and the Los Angeles County Transportation Commission (LACTC) will be held on November 23 at 10 a.m. in Room 374 of the Hall of Administration for the purpose of discussing issues common to both agencies.

4. Report of the General Manager

General Manager Dyer advised the Board that District and LACTC staff were working to accomplish a common legislative program with regard to state and federal legislation. Staff meetings will be held within a week. A date of December 2 was suggested for a meeting of the District's Government Relations Committee and LACTC'S Intergovernmental Relations Committee. It was Dr. Dyer's hope that the Board would subsequently adopt this legislative program at its December 17 meeting.

Dr. Dyer discussed proposed dates for District and Commission joint committee meetings regarding legislative affairs and advance planning to scope requirements of the Short Range Transit Plan and program of projects as well as LACTC requirements. Director Swanson, Chair of the Advance Planning Committee will advise Dr. Dyer of the most feasible date for a joint meeting of the LACTC'S Finance and Joint Development Committee and the District Advanced Planning Committee but it was recommended the meeting be held between December 4 and December 12.

The Draft Environmental Impact Statement on the MOS-2 for Metro Rail has been released and a hearing date set for December 18. The hearing will be conducted by the District's Rapid Transit Committee. Copies of the document will be available to the Board and other interested parties.

5. Director Special Items

Director Day requested that the December 10 agenda include an item to allow for discussion of the role of the Inspector General for possible action.

Upon request by Director Estrada, staff updated the Board on parts situation and a "crashing" problem with the District's computer. Although some improvement was noted, a problem still exists in getting all buses out on the street. Two firms are currently analyzing problems with the computer, and a projected completion date of December 11 for modifications to the system. Additional information will be returned to the Board at future meetings.

6. Recess to Closed Session to consider personnel and litigation matters.

As there were no items to consider, no recess was taken.

7. Approved Benefit Assessment appeal as noted below:

Appeals		
Case No.	Parcel No.	Basis of Appeal
A2-39-86	5142-016-003	Residential Hotel

UNANIMOUS

PERSONNEL COMMITTEE

8. Approved Requisition No. 7-2200-42 and authorized amendment of existing contract with Richard D. Hughes and Associates, Glendale, covering provision of legal services, increasing the total cost by an additional \$50,000 to a total cost of \$65,000; form of contract amendment subject to approval of the General Counsel.

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9. Consider General Manager's report containing recommendation and alternatives to approve Requisition No. 7-0990-22 and execute a contract with Standard Insurance Company of Oregon for Long-Term Disability Insurance for Non-Contract, Teamster, and PORAC employees; form of contract subject to approval of the General Counsel.

CARRIED, with Director Swanson casting a dissenting vote.

10. Approved Requisition No. 7-0990-107 to renew the Employees Life Insurance contract with Allstate Life Insurance Company; form of contract subject to approval of the General Counsel.

CARRIED, with Director Swanson casting a dissenting vote.

PERSONNEL COMMITTEE - Cont'd.

11. Considered General Manager's report containing recommendation and alternatives to renew seven medical and dental insurance contracts for Non-Contract, Teamster and PORAC employees; form of contracts subject to approval of the General Counsel.

Committee recommended approval of this item with respect to Non-Contract employees participating in the Allstate Plan, amending Alternative B, which increases the annual deductible in the Allstate Plan to \$200 per year per person and \$600 per family, instead of \$150 per person and \$400 per family. Committee recommendation failed by the roll call vote indicated below:

Ayes:	Estrada, Price, Storing, Thomas
Noes:	Day, Dunning, Jones, Patsaouras, Hall
Abstain:	Holen, Swanson
Absent:	None

On motion of Director Jones and seconded by Director Day, staff recommendation carried by a vote of 8-1, with two abstentions, as noted below:

Ayes:	Day, Dunning, Estrada, Jones, Patsaouras, Price, Thomas, Hall
Noes:	Storing
Abstain:	Holen, Swanson
Absent:	None

12. Approved RFP No. 87-41 and awarded contract to search firm to recruit and assist in the selection of candidates for the position of General Manager; form of contract subject to approval of the General Counsel.

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EQUIPMENT & OPERATIONS COMMITTEE

13. Received and filed Fiscal Year 1988 First Quarter Claims Management Report and Performance Profile.

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14. Approved contract for a five-year period with Associated Risk Services Corporation, Atlanta, Georgia, under RFP No. 87-32 covering workers' compensation claims administration services for an estimated total cost of \$3,583,330 for a one-year period, as amended; form of contract subject to approval of the General Counsel.

CARRIED, with ammendment that Associated Risk Services Corporation agree to a 15% DBE/WBE goal for Legal Services Panel: Directors Storing and Patsaouras casting dissenting votes.

15. Consider General Manager's report containing recommendation and alternatives to execute a contract for a five-year period commencing December 1, 1987, with HCM Claims Management Corporation, Parsippany, New Jersey, under RFP No. 87-22 covering public liability/property damage claims administration services for a total estimated cost of \$9,556,612 for the first two-year period; form of contract subject to approval of the General Counsel.

This item was held over until the end of the agenda.

EQUIPMENT & OPERATIONS COMMITTEE - Cont'd.

15. Cont'd.

On recommendation of General Counsel, the Board adjourned to closed session at 2:25 p.m. to continue discussion pursuant to Section 54956.9(a) with regard to a case under consideration involving an unnamed plaintiffs versus Hertz Rental Car, Inc.

The Board reconvened at 2:42 p.m. with all members responding to roll call.

Staff recommendation failed, by roll call vote noted below:

Ayes:	Holen, Jones, Price, Hall
Noes:	Storing, Swanson, Thomas
Abstain:	None
Absent:	Day, Dunning, Estrada, Patsaouras

16. Approved negotiation of closing adjustments to both the workers' compensation and public liability and property damage claims administration contracts with L. J. Russo Claim Service.

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RAPID TRANSIT COMMITTEE

17. Approved:

- a. contract with California Engineering Contractors, Inc., Mountain View, California, the lowest responsible bidder under Metro Rail Contract A610/A115 covering trackwork installation/yard storage area for a total bid price of \$21,432,855; form of contract subject to approval of the General Counsel; and
- b. all contract amendments, increasing the aggregate contract price by up to five percent; however, no individual amendment may exceed \$99,999.

This project is funded in part under UMTA Grant No. CA-03-0130.

UNANIMOUS

18. Approved Purchase Requisition No. 7-8100-269 and amendment of Contract No. 2997 with Metro Rail Transit Consultants (MRTC) for additional services covering design of Union Station west entrance and baggage handling facilities at an increase in estimated cost and fixed fee of \$1,179,730, raising the total contract amount to \$148,132,890; form of contract amendment subject to approval of the General Counsel.

This project is funded in part under UMTA Grant No. CA-03-0130.

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RAPID TRANSIT COMMITTEE - Cont'd.

19. Consider General Manager's report containing recommendation and alternatives to reject non-responsive bid submitted by Stork/KMS Tunnels, Inc., and authorized execution of a contract with Flakt, Inc., Atlanta, Georgia, the lowest responsive and responsible bidder for Metro Rail Contract A740, Ventilation Equipment, for a total bid price of \$6,716,082; form of contract subject to approval of the General Counsel; subject to concurrence of UMTA.

This project is funded in part under UMTA Grant No. CA-03-0130.

Mr. Jim Gilson of Tuttle & Taylor, representing TLT-Babcock, noted the nonresponsive nature of the first and second low bids before the Board, especially with regard to meeting specifications.

Mr. Babcock of TLT-Babcock, focused on several items that in his opinion rendered the Flakt bid insufficient, such as materials were not those required by the District. Mr. Babcock maintained that his company met this requirement.

Mr. Don Chapman, of TLT-Babcock, spoke in behalf of his company.

Mr. Paul Nelissen of KMS Tunnels, expressed his belief that his company was equally qualified, based on past performance on complex projects, and asked the Board's consideration of his company's bid on its merits.

Mr. Dave Henry of Flakt, Inc., spoke with respect to the issues raised before the Board during this discussion. He addressed specifications, parts and materials; and clarified his company's position on vibration and monitoring instrumentation. Mr. Henry assured the Board that his company would meet District's requirements pertaining to equipment. Lastly, with regard to spare parts, Mr. Henry reiterated Flakt's intention to comply with equipment to satisfy specifications, as well as meet DBE/WBE requirements. Speaking in support of Mr. Henry's position was Mr. Groves, also of Flakt.

On motion of Director Dunning, seconded by Director Jones and carried, this item was held over until the next Board meeting to allow for more extensive staff evaluation and meetings with the bidders on an individual basis.

RAPID TRANSIT COMMITTEE - Cont'd.

20. Approved Requisition No. 7-8100-263 and amendment to the contract with the joint venture of James-Kadowaki-Ortiz-Rideau (doing business as District Insurance Administrators) incorporating the Second Annual Work Program covering the period November 1, 1987-June 30, 1988, at an estimated cost-plus-fixed fee not to exceed \$4,865,028 and the Third Annual Work Program for the period July 1, 1988-June 30, 1989, at an estimated cost-plus-fixed fee of \$16,973,054, increasing the total contract to \$33,701,260, for procurement of insurance coverage and other services in the Owner-Controlled Insurance Program for the Metro Rail Project; form of contract amendment subject to approval of the General Counsel.

This contract amendment is funded in part under UMTA Grant CA-03-0130.

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21. Approved:

- a. Requisition No. 7-8100-557 and Change Order No. 006 to Contract A-121 with Mega Construction Company, Incorporated, to construct the addition to the Maintenance Control Center at a cost not to exceed \$87,200, increasing the contract amount to \$1,752,967; and
- b. all contract amendments increasing the aggregate contract price by up to ten percent, an increase of five percent over previous authorizations; however, no individual amendment may exceed \$99,000;

This amendment is funded in accordance with the UMTA Full Funding Contract.

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FINANCE & JOINT DEVELOPMENT COMMITTEE

22. Approved an increase in the District's mileage reimbursement rate from 21¢ to 22.5¢ per mile for up to 600 miles per month, effective December 1, 1987.

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23. Approved revision of the policy and fee schedule for preparation, retrieval and reproduction of information for public purposes.

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CLOSED SESSION

24. Procedure for implementing joint development of the West Hollywood bus division.

No report was made.

JOINT ADVANCE PLANNING AND FINANCE & JOINT DEVELOPMENT COMMITTEES

25. Consider General Manager's report containing recommendation and alternatives regarding Fiscal Year 1988 budget deficit reduction options.

This item was held over until December 3, at 10 a.m., for consideration at a special Board meeting.

JOINT ADVANCE PLANNING AND FINANCE & JOINT DEVELOPMENT COMMITTEES

- Cont'd.

26. Received and filed report on Marketing Program to build and retain ridership.

CARRIED, with Director Storing casting a dissenting vote.

CONSENT CALENDAR

27. Approved amendment of the Fiscal Year 1987-88 Contractual Agreement with the Orange County Transit District increasing the maximum amount by \$10,000 to provide for interagency transfers; form of amendment subject to approval of the General Counsel.

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28. Received and filed report of District investments - October 1987.

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29. Received and filed Metro Rail Construction Change Order Report for September and October 1987.

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CONSENT CALENDAR - Cont'd.

30. Received and filed Report Calendar - November 5 through 12, 1987.

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31. Received and filed Board Request List - November 1987.

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GENERAL ITEMS

32. Consideration of items arising subsequent to the posting of the agenda.

Following motion duly made, seconded and carried, agenda item 32A was placed on the agenda.

- 32A. Consideration of the General Manager's report containing recommendation and alternatives to again consider issues and range of impacts on District operations and determine a position on the formation of a revised proposed San Gabriel Valley Transit Zone.

A motion by Director Jones to endorse this item failed for lack of a second.

On motion of Director Storing, seconded by Director Swanson, the Board requested this item be added to the agenda of November 23 at the joint meeting between the District and the Los Angeles County Transportation Commission.

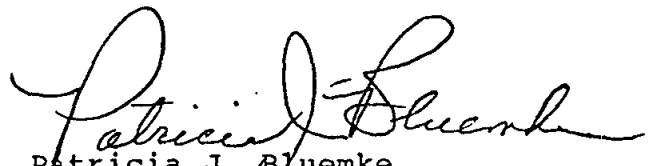
CARRIED, with Directors Estrada, Hall and Jones casting dissenting votes.

33. Public Comment

Speakers under this section included Greg Roberts, who spoke about transit-related matters, and Sheldon Walter, who addressed construction of the Metro Rail in the San Fernando Valley.

A request was made of staff to return to the Board with suggested changes in voting procedures.

Adjourned at 4:55 p.m.



Patricia J. Bluemke  
Assistant District Secretary