



**MINUTES/PROCEEDINGS**

**LOS ANGELES COUNTY  
METROPOLITAN TRANSPORTATION AUTHORITY  
REGULAR BOARD MEETING  
BOARD OF DIRECTORS  
MTA Headquarters  
3rd Floor - Board Room  
One Gateway Plaza, Los Angeles**

**July 25, 2002**

Called to order at 9:50 a.m.

**Directors Present:**

Hal Bernson, Chair  
Zev Yaroslavsky, 1st Vice Chair  
Frank Roberts, 2<sup>nd</sup> Vice Chair  
Michael Antonovich  
Yvonne Brathwaite Burke  
John Fasana  
James Hahn  
Paul Hudson  
Don Knabe  
Gloria Molina  
Pam O'Connor  
Beatrice Proo  
Allison Yoh  
Doug Failing, Ex Officio

Chief Executive Officer – Roger Snoble  
Board Secretary - Michele Jackson  
Ethics Officer - Karen Gorman  
Interim Inspector General – William Waters  
General Counsel - County Counsel

**NOTE: Members voting are reflected on the attached "RECAP OF PROCEEDINGS" matrix.**

1. APPROVED Consent Calendar Items: 2, 6, 7, 8, 9\*\*, 10, 11, 22, 24, 26, 31, 32 and 33

\*\*Requires two-thirds vote of the Board.

NOTED COMMITTEE AUTHORITY ITEMS: 13, 14, 16, 17, 18, 19, 20, 29 and 30

2. APPROVED ON CONSENT CALENDAR **Minutes** of Special Board Meeting held June 12, 2002 and Regular Board Meeting held June 27, 2002.

3. Chief Executive Officer's Report

- Presented Resolutions to Operators Garlan Brown and Don Smith.
- Recognition of Operators Myra Jackson, Sarah Onopa-Bernal and Tamara Houston.
- Recognition of Finance employees for excellence in accounting.
- General Managers meeting of major transit properties in California.
- Senate Appropriations Subcommittee.
- Customer Survey.
- Muni Fare Share report postponement until September.

4. Chair's Report

Chair Bernson announced a Special Board Meeting August 15, 2002.

6. APPROVED ON CONSENT CALENDAR award of three-year firm fixed-price requirements contracts under Bid 02-0206 to the lowest responsive, responsible bidders for **paper products** for an amount not to exceed \$2,633,027, inclusive of sales tax and two one-year options:
  - A. Gale Supply Company for line item 1, windshield towel, for a total contract value of \$36,258;
  - B. Kathco Products for line item 2, "C" fold towel, for a total contract value of \$123,317;
  - C. Empire Cleaning Supply for line item 3, single fold towel, and line item 5, roll towel, for a total contract value of \$270,265; and
  - D. Easterday Janitorial Supply Co. for line item 4, pop-up bonded cellulose wipers, for a total contract value of \$2,204,187.
  
7. APPROVED ON CONSENT CALENDAR award of a firm fixed-price Contract OP33451146 to ARINC, the highest ranked proposer, to provide a new **Light Rail Supervisory Control and Data Acquisition (SCADA) System** for a period not to exceed five years in the amount of \$8,718,158, inclusive of exercised contract options.
  
8. APPROVED ON CONSENT CALENDAR:
  - A. a split award on a ten-year Public/Private Partnership, Contract OP33900641A, to Trillium USA, Inc., Salt Lake City, UT, to **design, build, finance and maintain a CNG fueling station** at Division 3, for an amount not to exceed \$12,336,320;
  - B. a split award on a ten-year Public/Private Partnership, Contract OP33900641B, to The Hanover Company, Broken Arrow, OK, to design, build, finance and maintain a CNG fueling station at Division 8, for an amount not to exceed \$14,262,044;
  - C. execution of a supplemental Municipal Lease Agreement with GE Capital Public Finance, Inc., Minneapolis, MN, as the lending source for Hanover, in the amount of \$7,092,271, the cost of which is included in the total contract amount shown above in B; and

- D. negotiation and execution of change orders as required with Trillium and Hanover in an aggregate amount not to exceed \$2,660,000.
9. APPROVED ON CONSENT CALENDAR by a 2/3 vote of the Board:
- A. a finding that the only responsive, responsible bid for **installation of two Robotic Paint Booth Dry Filtration Systems** under Public Utilities Code Section 130233 has been rejected and the equipment installation may be purchased at a lower price on the open market; and
  - B. executing a firm fixed-price contract with Evans and Sons, Inc. for **installation of two Dry Filtration Systems** at the Regional Rebuild Center at a unit price of \$300,000 each with a cumulative total of \$600,000.
10. APPROVED ON CONSENT CALENDAR:
- A. results of the May 18, 2002 Public Hearing; and
  - B. entering into a Service Agreement between the LACMTA and the City of Norwalk-Norwalk Transit System to **transfer operation of a 9.2 mile segment of Line 125** for six years, effective September 1, 2002 through June 30, 2008.
11. APPROVED ON CONSENT CALENDAR award of a five-year unit rate contract with EOS Group to provide **ancillary health care services** for the MTA's self-insured Workers' Compensation Claims Program for an amount not to exceed \$12,273,414, inclusive of two one-year options.
12. APPROVED award, and directed staff to report back in one year with status, of a five-year firm fixed-price revenue contract to Viacom Outdoor Group Inc., effective January 1, 2003, for the right to sell and display:

- A. standard exterior and interior **advertising on the Metro Bus fleet** for a firm fixed revenue price of \$57,900,000, inclusive of three one-year options; and
- B. wrapped advertising on not more than 100 buses in the Metro Bus fleet for a firm fixed revenue price of \$12,100,000, inclusive of three one-year options.

Total revenue contract amount is \$70,000,000.

- 13. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a four-year fixed-price unit rate Contract OP39402524 to Dellner Couplers, Inc., the lowest responsive, responsible bidder for the **overhaul of Metro Red Line Heavy Rail Vehicle couplers** for an amount not to exceed \$609,752.
- 14. APPROVED UNDER OPERATIONS COMMITTEE AUTHORITY award of a five-year, firm fixed-price contract under Bid 04-0225 to Herman Miller Workplace Resource, the lowest responsive, responsible bidder, to provide **Herman Miller and Geiger Office Furniture components** for an amount not to exceed \$625,000, inclusive of sales tax.
- 16. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order 63 to Contract B641, Radio, with Amelco Electric SF, Inc. to settle all **outstanding claims and closeout issues** on Segment 2 Wilshire/Vermont Corridor, Segment 3 North Hollywood and Mid-City Extensions, in the amount of \$775,000, increasing the total contract value from \$18,892,945 to \$19,667,945.
- 17. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY execution of Change Order 34 to Contract P2000, Los Angeles Standard Light Rail Vehicle, with Siemens Transportation Systems, Inc. to modify the **destination sign and message systems for the 52 light rail vehicles** currently on order, in the amount of \$245,000, increasing the total contract value from \$214,559,333 to \$214,804,333.

18. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY negotiation and execution of Change Order 38 to Contract P2000, Los Angeles Standard light Rail Vehicle, with Siemens Transportation Systems, Inc. covering MTA performance of various **rework and maintenance overhaul tasks for the 52 light rail vehicles** currently on order, in the credit amount of not less than \$778,800, reducing the total contract value from \$214,559,333 to \$213,780,533.
  
19. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY authorizing the General Engineering Consultant, Contract E0111, to **perform Segment 3 North Hollywood work** by issuing task orders in an amount not to exceed \$350,000, increasing the current Board . authorized total amount from \$13,200,000 to \$13,550,000.
  
20. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY an increase in the Authorization for Expenditure to Contract MC058, **resident engineering services**, with URS Corporation to provide funding in the amount of \$306,876, increasing the current amount from \$354,062 to \$660,938.
  
22. AUTHORIZED ON CONSENT CALENDAR the CEO to:
  - A. negotiate and execute Change Order 5 to Contract Work Order 1 to Contract PM022, Project Management Assistance, with URS Corporation to provide **support services** for the Eastside Light Rail Transit Project from August 1, 2002 to June 30, 2003, for an amount not to exceed \$2,131,562, increasing the CWO value from \$1,295,956 to \$3,427,518;
  
  - B. negotiate and execute Change Order 2 to Contract Work Order 3 to Contract PM022, Project Management Assistance, with URS Corporation to provide support services for the Mid-City/Wilshire Bus Rapid Transit Project from August 1, 2002 to June 30, 2003, for an amount not to exceed \$109,101, increasing the CWO value from \$123,517 to \$232,618;

26. AUTHORIZED ON CONSENT CALENDAR:

A. selection of the following firms under RFIQ PS-02-5210-13 to participate in the MTA's **Municipal Finance Pool** for a period of five years:

1. Fulbright & Jaworski LLP
2. Hawkins, Delafield and Wood
3. Kutak Rock LLP
4. Law Offices of Samuel Norber
5. Nixon Peabody LLP
6. Nossaman, Guthner, Knox and Elliott LLP
7. O'Melveny and Myers LLP
8. Orrick Herrington and Sutcliffe
9. Pillsbury Winthrop LLP
10. Robinson and Pearman LLP

B. the CEO, working through County Counsel, to establish contractual relationships with these firms on behalf of the MTA.

29. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the monthly status report on the implementation of the August 2001 **Booz-Allen Management Audit recommendations.**

30. RECEIVED AND FILED UNDER COMMITTEE AUTHORITY the monthly report of **Management Audit Services.**

31. APPROVED ON CONSENT CALENDAR adoption of the following positions on **state legislation:**

- A. AB 2048 (Salinas) – Exempt transit agencies from current videotape storage requirements. Clarifies videotapes or recordings that are evidence, pending litigation until the incident is resolved. Defines routine video monitoring. **SUPPORT**
- B. AB 2360 (Dutra) – Would implement a competitive grant program for additional funds from the proposed state budget for the Freeway Service Patrol Program. **SUPPORT**

C. SB 1856 (Costa) – Enact the High Speed Train Bond subject to voter approval which would provide for the issuance of \$9 billion in general obligation funds for planning and construction. Would require the Authority to pursue and obtain other private or public funds to augment the bond proceeds. **WORK WITH AUTHOR**

32. APPROVED ON CONSENT CALENDAR, contingent upon resolution of any protest, award of a five-year firm fixed-price unit rate contract to LabCorp for **drug testing laboratory services** for an amount not to exceed \$566,710, inclusive of two one-year options.

33. APPROVED ON CONSENT CALENDAR the following revisions to the **MTA Procurement Policies and Procedures Manual**:

A. add Appendix D, “Listing of Mandatory FTA Flow Down Requirements”;

B. authorize the CEO to update Appendix D, “Listing of Mandatory FTA Flow Down Requirements”, to keep current with federal law and regulation changes; and

C. incorporate updated policy language providing for clarity in the Check Request processing policy.

34. ADOPTED, AS AMENDED BY FASANA, the **MTA Security Policy** that provides a high level of security to the MTA customers, employees and property.

**FASANA AMENDMENT:** MTA seeks to ensure that bus and rail passengers receive the same security services that pedestrians and drivers of passenger or commercial vehicles receive from local law enforcement agencies.



37. CLOSED SESSION:

A. Conference with Legal Counsel-Existing Litigation-G.C.54956.9(a):

1. Hernandez v. MTA, Case No. BC250135

APPROVED settlement in the amount of \$225,000.

2. Yue v. MTA, Case No. BC256256

APPROVED settlement in the amount of \$1 million.

3. Flores v. MTA, Case No. CV-00-12188 CBM

No Report.

4. EMC v. MTA, Case No. BC207617

APPROVED settlement of litigation for payment by MTA of \$1 million on the condition that EMC joint venture receive no net payment until all sub-contractors are satisfied.

5. MTA v. B&M Enterprises, Case No. BC258743

MTA will dismiss the lawsuit in exchange for payment to the MTA of \$400,000.

B. Conference with Legal Counsel-Anticipated Litigation-GC 54956.9(b):

APPROVED final closeout of eight (8) remaining contracts between the MTA and Tutor-Saliba-Perini, other than the contracts that are subject to litigation, for a total final payment of \$12.5 million.

C. Conference with Legal Counsel-Anticipated Litigation-GC 54956.9(c):

No Report.

D. Public Employee Performance Evaluation - G.C. 54957:

Chief Executive Officer

No Report.

E. Conference with Labor Negotiator – G.C. 54957.6:

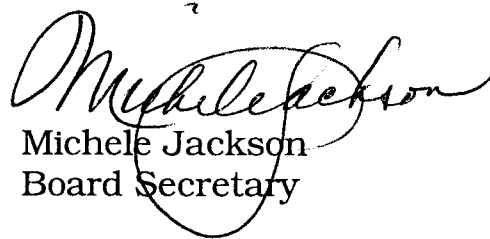
Agency Negotiators: Roger Snoble and Brenda Diederichs  
Employee Organizations: AFSCME, ATU and Engineers and  
Architects Association

No Report.

RECEIVED public comment.

ADJOURNED in memory of Ralph Lauro, DuPont Safety Program  
Consultant.

Prepared by: Rhodona Enright  
Recording Secretary

  
Michele Jackson  
Board Secretary



# RECAP OF PROCEEDINGS

## LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY

### REGULAR BOARD MEETING

Thursday, July 25, 2002

		DIRECTORS VOTING														
		ATTENDANCE														
		P	P	P	P	P	P	P	P	P	P	P	P			
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	YOH	ANTONOVICH	MOLINA	ROBERTS	YAROSLAVSKY	BERNSON	HAHN	BURKE	FASANA	KNABE	PROO	HUDSON	FAILING
	<p>B. AB 2360 (Dutra) - Would implement a competitive grant program for additional funds from the proposed state budget for the Freeway Service Patrol Program. SUPPORT</p> <p>C. SB 1856 (Costa) - Enact the High Speed Train Bond subject to voter approval which would provide for the issuance of \$9 billion in general obligation funds for planning and construction. Would require the Authority to pursue and obtain other private or public funds to augment the bond proceeds. WORK WITH AUTHOR</p>															
32	Award of a five-year firm fixed-price unit rate contract to LabCorp for drug testing laboratory services for an amount not to exceed \$566,710, inclusive of two one-year options.	APPROVED ON CONSENT CALENDAR CONTINGENT UPON RESOLUTION OF PROTESTS														

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

