RECAP of Proceedings

Thursday, October 25, 2018
9:30 AM

One Gateway Plaza, Los Angeles, CA 90012,
3rd Floor, Metro Board Room

Board of Directors - Regular Board Meeting

DIRECTORS PRESENT:
Sheila Kuehl, Chair
James Butts, Vice Chair
Eric Garcetti, 2nd Vice Chair
Kathryn Barger
Mike Bonin
Jacquelyn Dupont-Walker
John Fasana
Robert Garcia
Janice Hahn
Paul Krekorian
Ara Najarian
Mark Ridley-Thomas
Hilda Solis
John Bulinski, non-voting member
Phillip A. Washington, Chief Executive Officer

CALLED TO ORDER: 9:39 A.M.
ROLL CALL

1. APPROVED Consent Calendar Items: 2, 5, 8, *15, 16, 17, 18, 19, 25, *26, 31, 32, 33, 37, 38, 39, 40.

Consent Calendar items were approved by one motion except 5, 38 and 40 which were held by a Director for discussion and/or separate action.

*Item required 2/3 vote

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2. SUBJECT: MINUTES 2018-0673

APPROVED ON CONSENT CALENDAR Minutes of the Regular Board Meeting held September 27, 2018.

3. SUBJECT: REMARKS BY THE CHAIR 2018-0701

RECEIVED remarks by the Chair.

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4. SUBJECT: REPORT BY THE CHIEF EXECUTIVE OFFICER 2018-0700

RECEIVED report by the Chief Executive Officer.

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PK = P. Krekorian  
HS = H. Solis  
KB = K. Barger  
RG = R. Garcia  
JF = J. Fasana  
JB = J. Butts  
JDW = J. Dupont-Walker  
JH = J. Hahn  
EG = E. Garcetti  
MRT = M. Ridley-Thomas  
MB = M. Bonin  
SK = S. Kuehl  
AN = A. Najarian

LEGEND:  Y = YES, N = NO, C = HARD CONFLICT, S = SOFT CONFLICT ABS = ABSTAIN, A = ABSENT, P = PRESENT
5. **SUBJECT:** PROJECT APPROVAL AND ENVIRONMENTAL DOCUMENT (PA&ED) AND PLANS, SPECIFICATIONS AND ESTIMATES (PS&E) FOR I-605/VALLERY BOULEVARD INTERCHANGE IMPROVEMENTS PROJECT

AUTHORIZED UNDER RECONSIDERATION:

The Chief Executive Officer (CEO) to execute a 24-month, firm fixed price Contract No. AE51806000 with NCM Engineering Corporation in the amount of $2,059,860 for Architectural & Engineering (A&E) services for the preparation of Project Approval and Environmental Document (PA&ED) and Plans, Specifications and Estimates (PS&E) for the I-605/Valley Boulevard Interchange Improvements Project, subject to resolution of protest(s), if any.

8. **SUBJECT:** NORTH COUNTY SUBREGIONAL REPROGRAMMING OF SURPLUS FUNDS FROM THE I-5/SR14 HOV DIRECT CONNECTOR PROJECT

APPROVED ON CONSENT CALENDAR:

A. $35.048 million of additional programming within the capacity of the Measure R 20% Highway funds saved at the completion of the I-5/SR-14 HOV direct connector project to be allocated to the following North County highway operational improvement projects (Attachment A):

1. Sierra Highway Traffic Signal Improvement Project in the amount of $565,000;

2. Vista Canyon Road Bridge between Soledad Canyon Road and Lost Canyon Road in the amount of $20,000,000;

3. Vista Canyon Transit Center and Metrolink Station in the amount of $4,000,000;

4. SR-138 (SR-14) Avenue K Interchange in the amount of $9,297,500; and

5. SR-138 Palmdale Blvd South Bound SR-14 Ramps in the amount of $1,186,250;

B. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for the approved projects.
9. SUBJECT: MEASURE R HIGHWAY SUBREGIONAL PROGRAM 2018-0530

SEMI-ANNUAL UPDATE

APPROVED:

A. $41.3 million of additional programming within the capacity of the Measure R Highway Subregional Programs and funding changes via the updated project list, as shown in Attachment A for:

- Highway Operational Improvements in Arroyo Verdugo
- Highway Operational Improvement in Las Virgenes Malibu
- I-405, I-110, I-105 and SR-91 Ramp and Interchange Improvements (South Bay)
- I-605 Corridor “Hot Spots” Interchange Improvements in Gateway Cities
- I-710 South and/or Early Action Projects in Gateway Cities

B. APPROVING time extension for 20 projects as shown in Attachment B;

C. DEOBLIGATING $4.4 million of previously approved measure R Highway Subregional Program funds;

D. DELEGATING to the Chief Executive Officer (CEO) or his designee the authority to deobligate/reprogram funds and administratively extend funding agreement lapse dates for Measure R Highway Subregional project agreements to meet design, right of way and construction time frames; and

E. AUTHORIZING the CEO or his designee to negotiate and execute all necessary agreements for approved projects.

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9.1 SUBJECT: COUNTYWIDE SOUNDWALL PROGRAM 2018-0702

APPROVED Amending Motion by Barger and Najarian as amended by Solis that:

A. $3.288 million be allocated to this project from the Call for Projects Reserve Fund, and;

(continued on next page)
B. The CEO direct staff to analyze the existing Countywide Soundwall Program, phases I & II, in coordination with appropriate local and state agencies, and report back to the board in 120 days on available options to fund and construct the remaining soundwalls, including a short term plan for completion of phase I and a long term plan for implementation of phase II; and

C. Metro will proactively seek and exhaust all resources and explore other funding opportunities, including, but not limited to, any funding that may become available from the sales of Caltrans-owned surplus properties related to the I-710 Corridor as well as Federal, State, and Regional resources to reimburse the Call for Projects Reserve Fund.

12. SUBJECT: EASTSIDE TRANSIT CORRIDOR PHASE 2 2018-0303

AUTHORIZED the Chief Executive Officer to:

A. EXECUTE Modification No. 18 to Contract No. PS4320-2003 with CDM Smith/AECOM Joint Venture (JV) Technical Services, Inc. for the Eastside Transit Corridor Phase 2 Project to complete the reinitiated environmental clearance study, in the amount of $7,847,298, increasing the total current contract value from $19,048,725 to $26,896,023;

B. INCREASE in Contract Modification Authority (CMA) specific to Contract No. PS4320-2003, for the Eastside Transit Corridor Phase 2 Project, in the amount of $784,000, increasing the total CMA amount from $2,532,711 to $3,316,711, due to the complexity of the environmental study effort and authorize the CEO to execute individual contract modifications within the Board-approved CMA;

C. AWARD and execute a 36-month firm fixed price Contract No. AE51242000 with Cordoba HNTB Design Partners, Inc. in an amount not to exceed $16,154,225 to provide the advanced conceptual engineering (ACE) design and urban design services for the Eastside Transit Corridor Phase 2 Project for work in support of the reinitiated environmental clearance study, subject to resolution of protest(s), if any; and

(continued on next page)
D. APPROVE Contract Modification Authority specific to Contract No. AE51242000 in the amount of $3,230,845 due to the complexity of the engineering and urban design effort and authorize the CEO to execute individual contract modifications within the Board-approved CMA.

* voted under Rule of Necessity

13. **SUBJECT:** BUS RAPID TRANSIT VISION AND PRINCIPLES STUDY 2018-0470

AUTHORIZED the Chief Executive Officer (CEO) to:

A. AWARD AND EXECUTE a 28-month firm fixed price Contract No. PS53553000 to Sutra Research and Analytics, in the amount of $1,210,607 to complete the Bus Rapid Transit (BRT) Vision and Principles Study, with an optional task to analyze candidate corridors in the amount of $611,185, for a total contract amount of $1,821,792, subject to resolution of protest(s), if any; and

B. APPROVE Contract Modification Authority (CMA) specific to Contract No. PS53553000 in the amount of $273,269 to account for the complexity of the countywide effort and anticipated level of coordination.

14. **SUBJECT:** ARTICULATED ZERO EMISSION TRANSIT BUSES 2018-0488

AUTHORIZED the Chief Executive Officer to:

A. EXECUTE Modification No. 3 to Contract No. OP28367-001, Part D, awarded to New Flyer of America, for the acquisition of sixty foot Zero Emission Buses (ZEB), to upgrade and increase the onboard bus battery capacity in the firm fixed price amount of $2,792,074, for a total contract amount of $70,970,417; and

B. NEGOTIATE AND EXECUTE with New Flyer of America future contract modifications to Contract No. OP28367-001, Part D, for a not to exceed amount of $1,000,000 for each contract modification.
15. SUBJECT: BUS C-FRAMES 2018-0491

APPROVED ON CONSENT CALENDAR BY 2/3 VOTE OF THE BOARD:

A. FINDING that the procurement of Bus C-Frames under Public Utilities Code (PUC) Section 130237, as an Original Equipment Manufacturer (OEM) item, constitutes a single source procurement method for the purpose of duplicating equipment already in use; and

B. AUTHORIZING the Chief Executive Officer to award a single source two-year, Indefinite Delivery, Indefinite Quantity Contract No. MA53981000 to The Aftermarket Parts Company, LLC (New Flyer Parts) for C-Frames Left Hand (LH) and Right Hand (RH). The Contract first year base amount is $653,889, inclusive of sales tax, and the second year Contract amount is $653,889, inclusive of sales tax for a total Contract Not-to-Exceed value of $1,307,778.

16. SUBJECT: BUS OPERATOR SEAT ASSEMBLIES 2018-0570

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA54977000 to The Aftermarket Parts Company, LLC (New Flyer Parts), the lowest responsive and responsible bidder for bus operator seat assemblies. The award is for a base year not-to-exceed amount of $692,806, inclusive of sales tax, and a one year option for a not-to-exceed amount of $713,590, inclusive of sales tax, for a total not-to-exceed contract value of $1,406,397, subject to resolution of protest(s), if any.

17. SUBJECT: BUS ENGINE IGNITION CONTROL MODULES 2018-0572

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a two year, Indefinite Delivery, Indefinite Quantity Contract No. MA44849-2000 to Cummins Incorporated the lowest responsive and responsible bidder for bus engine ignition control modules. The award is for a Base year not-to-exceed $678,866, inclusive of sales taxes, and a one year Option for a not-to-exceed amount of $694,369, inclusive of sales tax, for a total not-to-exceed contract value of $1,373,235, subject to resolution of protest(s), if any.
18. **SUBJECT:** TRANSIT OPERATIONS SUPERVISORS UNIFORM - 2018-0578

**BUS/RAIL**

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to:

A. AWARD a five-year, firm fixed unit rate Contract No. PS113404000 to Becnel Uniforms, Inc. to provide uniforms for Bus and Rail Transit Operations Supervisors (TOS), in an amount not-to-exceed $819,773 for the three-year base term and $400,000 for one, two year option, for a combined total not-to-exceed amount of $1,219,773 effective January 1, 2019, subject to resolution of protest(s), if any; and

B. AWARD a five-year, firm fixed unit rate Contract No. PS113405000 to LA Uniforms and Tailoring to provide uniforms for Bus and Rail Transit Operations Supervisors (TOS), in an amount not-to-exceed $221,602 for the three-year base period and $100,000 for one, two year option, for a combined total not-to-exceed amount of $321,602 effective January 1, 2019, subject to resolution of protest(s), if any.

19. **SUBJECT:** METRO RED LINE (MRL) UNINTERRUPTIBLE POWER SUPPLY (UPS) BATTERIES 2018-0579

APPROVED ON CONSENT CALENDAR:

A. ESTABLISHING two contract agreements solicited as Request for Information and Qualification (RFIQ) No. OP44570-2 with M.C. Dean, Incorporated and Skyler Electric Company, Incorporated for goods and services for amount of $2,244,000 for a two year base period and $1,000,000 for three one year options for a total not-to-exceed cumulative value of $3,244,000, subject to resolution of protest(s), if any;

B. AUTHORIZING the CEO to award Task Orders to qualified UPS Battery suppliers under the approved not-to-exceed cumulative total value of $3,244,000; and

C. AUTHORIZING the CEO to add additional qualified Uninterruptible Power Supply (UPS) Battery suppliers to the Bench subject to each potential supplier meeting the same RFIQ evaluation criteria qualifications; and award Task Orders to these qualified suppliers within the approved not-to-exceed cumulative total value of $3,244,000.
21. **SUBJECT:** ORAL REPORT ON OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE  2018-0509

RECEIVED oral report on System Safety, Security and Operations.

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21.1 **SUBJECT:** CLEANLINESS MOTION  2018-0704

APPROVED Motion by Garcia, Hahn, Ridley-Thomas and Bonin to direct the CEO to report back to the Board in January 2019 on the following:

A. A review of current cleanliness measures and recommendations for possible improvements, with any associated costs if applicable, with full consideration of customer expectations;

B. Proposed coordinative efforts to help address cleanliness on non-Metro property, along Metro-owned rights-of-way and adjacent to Metro bus rapid transit and rail stations, including graffiti abatement and trash pick-up;

C. Recommendations for improved coordination among Metro departments that are responsible for components of the customer experience at Metro bus rapid transit and rail stations, including cleanliness; and

D. Recommendations for improved coordination with other public agencies with oversight over non-Metro property along Metro-owned rights-of-way and adjacent to Metro bus rapid transit and rail stations.

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25. **SUBJECT:** TELEPHONE SYSTEM MAINTENANCE  2018-0609

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to award a firm fixed price Contract No. PS51796000 for telephone system maintenance, service, and repair to Scottel Voice & Data, Inc., dba Black Box Network Services, for a not-to-exceed amount of $1,521,764 for the three-year base period effective November 1, 2018, plus $1,037,075 for the first two-year option, and $1,058,899 for the second two-year option, inclusive of sales tax, for a combined total not-to-exceed amount of $3,617,738, subject to resolution of protest(s), if any.
26. SUBJECT: DIVISION 21 MIDWAY YARD, MAIN SHOP, BLOWDOWN MODIFICATION

APPROVED BY 2/3 VOTE OF THE BOARD ON CONSENT CALENDAR:

A. FINDING that awarding a design-build contract pursuant to Public Utilities Code Section 130242(a) will achieve certain private sector efficiencies in the integration of design, project work, and components related to real property renovation, improvements, and construction work for Project 204094, Division 21 Midway Yard, Main Shop, Blowdown Modification; and

B. AUTHORIZING the Chief Executive Officer to solicit and award low bid design-build contracts for renovations, improvements, and construction for Division 21 Midway Yard, Main Shop, Blowdown Modification, pursuant to Public Utilities Code Section 130242.

31. SUBJECT: RAIL OPERATIONS CENTER TRANSIT PASSENGER INFORMATION SYSTEM

AUTHORIZED ON CONSENT CALENDAR:

A. the Chief Executive Officer to award Contract No. OP111922000 for the Crenshaw/LAX Rail Operations Center (ROC) Transit Passenger Information System (TPIS) to B&C Transit, Inc. for an amount of $719,950 for the Base Work; an amount of $378,774 for the Regional Connector Option 1; an amount of $378,774 for the Westside Purple Line Extension (WPLE) Segment-1 Option 2; an amount of $100,274 for the WPLE Segment-2 Option-3; and an amount of $100,274 for the WPLE Segment-3 Option-4, for a total firm fixed price contract amount of $1,678,046, subject to resolution of any properly submitted protest, if any; and

B. APPROVING Contract Modification Authority in the amount of $500,000 and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority for potential change orders and cost increase associated with the contract extended period.

32. SUBJECT: DIVISION 20 PORTAL WIDENING AND TURNBACK FACILITY

APPROVED ON CONSENT CALENDAR:

A. CERTIFYING the Final Environmental Impact Report (FEIR);

B. AUTHORIZING the Chief Executive Officer (CEO) to file a Notice of Determination with the Los Angeles County Clerk and State of California Clearinghouse;

(continued on next page)
C. ADOPTING the:

1. Findings of Fact and Statement of Overriding Considerations (FF/SOC) in accordance with the California Environmental Quality Act (CEQA); and

2. Mitigation Monitoring and Reporting Plan (MMRP).

33. SUBJECT: WESTSIDE PURPLE LINE EXTENSION SECTION 2 2018-0364 PROJECT

AUTHORIZED ON CONSENT CALENDAR the Chief Executive Officer to execute a Memorandum of Agreement (MOA) with the City of Beverly Hills (City) to accommodate construction of the Wilshire/Rodeo Station, contingent upon execution of a settlement agreement.

37. SUBJECT: FEDERAL LEGISLATION 2018-0653

ADOPTED ON CONSENT CALENDAR the staff recommended position:

A. House Resolution 5857 (DeFazio) - Stop Sexual Assault And Harassment In Transportation Act SUPPORT

38. SUBJECT: MOBILITY ON DEMAND PILOT PROJECT 2018-0355

AUTHORIZED the Chief Executive Officer to execute a twelve-month sole source contract to NoMad Transit LLC in an amount not-to-exceed $2,506,410, inclusive of sales tax, to operate a first and last mile(s) transportation network company pilot service to/from the North Hollywood, Artesia, and El Monte stations, with the option to renew for an additional one year at a baseline amount of $2,506,410, to be negotiated based on the information and data analysis collected during the initial twelve-month pilot period for a total amount of $5,012,820.
39. **SUBJECT: METRO TRANSPORTATION SCHOOL** 2018-0606

APPROVED ON CONSENT CALENDAR:

A. the programming of up to $2.875 Million in FY21, $3.631 Million in FY22, $4.494 Million in FY23, and $5 Million annually from FY 24 through FY35 (cumulatively, up to $71 Million over 15 Fiscal Years), to support the operations of Los Angeles County’s first transportation infrastructure school; and

B. AUTHORIZING the Chief Executive Officer or his designee to negotiate and execute a Funding Agreement for the transportation infrastructure school with the County of Los Angeles.

40. **SUBJECT: FREE TRANSIT SERVICE ON ELECTION DAY** 2018-0687

APPROVED MOTION by Garcetti, Kuehl, Ridley-Thomas and Garcia that the Board direct the CEO to:

A. provide transit services free of fare on the November 6, 2018 election day;

B. partner with Access Services to examine providing enhanced and/or reduced-fare services on the November 6, 2018 election day; and

C. in consultation with the Los Angeles County Registrar-Recorder/County Clerk, report back to the Board by the February 2019 cycle on whether or not to make free transit permanent on federal and statewide election days.

42. **SUBJECT: GROUP INSURANCE PLANS** 2018-0525

AUTHORIZED the Chief Executive Officer to renew existing group insurance policies covering Non-Contract and AFSCME employees for the one-year period beginning January 1, 2019 as outlined in Attachment A.
43. **SUBJECT:** PURPLE LINE WESTSIDE SUBWAY EXTENSION TRANSIT 2018-0689
PROJECT SECTION 2

ADOPTED AS CORRECTED BY 2/3 VOTE OF THE BOARD:

A. HOLDING a public hearing on the proposed Resolutions of Necessity; and

B. the Resolutions of Necessity (Attachment B) authorizing the commencement of an eminent domain action to acquire a subsurface easement in the properties identified as Parcels: W-3301 (APN: 4328-014-005); W-3302 (APN: 4328-009-003); W-3303 (APN: 4328-009-023); W-3304 (APN: 4328-009-043); W-3402 (APN: 4328-008-002); W-3405 (APN: 4328-008-029 through 4328-008-048); W-3408 (APN: 4328-08-014); W-3503* (APN: 4328-007-107 through 4328-007-110); W-3504* (APN 4328-007-017); W-3505* (APN 4328-005-001).

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44. **SUBJECT:** ROSECRANS/MARQUARDT GRADE SEPARATION 2018-0677
PROJECT

APPROVED BY A 2/3 VOTE OF THE BOARD:

A. HOLDING a public hearing on the proposed Resolution of Necessity; and

B. ADOPTING a Resolution of Necessity authorizing the commencement of an eminent domain action to acquire fee simple interest in the property identified as Parcel RM-10 (APN 8069-003-008).

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A. Conference with Legal Counsel - Existing Litigation - G.C. 54956.9(d)(1)
   City of Beverly Hills v. LACMTA, USDC Case No. CV-18-3891-GW(SSx)
   NO REPORT.

B. Public Employee Performance Evaluation - G.C. 54957(b)(1)
   Titles: CEO, General Counsel, Board Secretary, Inspector General and Chief Ethics Officer
   NO REPORT.

C. Conference with Real Property Negotiator - G.C. 54956.8
   1. Property Description: 2029-2049 Century Park East, Los Angeles, CA
      Agency Negotiator: Velma C. Marshall
      Negotiating Party: One Hundred Towers, LLC
      Under Negotiation: Terms and Price
      APPROVED settlement in the amount of $3,735,323.

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   2. Property Description: 1950 Century Park East, Los Angeles, CA
      Agency Negotiator: Velma C. Marshall
      Negotiating Party: Automobile Club of Southern California
      Under Negotiation: Terms and Price
      NO REPORT.

      ###