

Agenda

Regular Board Meeting Board of Directors

One Gateway Plaza
3rd Floor Board Room

Call to Order

Directors

Antonio Villaraigosa, Chair
Don Knabe, 1st Vice Chair
Ara J. Najarian, 2nd Vice Chair
Michael Antonovich
Diane DuBois
John Fasana
David Fleming
Richard Katz
Gloria Molina
Pam O'Connor
Mark Ridley-Thomas
Zev Yaroslavsky
Doug Failing, non-voting member

Officers

Roger Snoble, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
Karen Gorman, Acting Inspector General
County Counsel, General Counsel



Metro

Los Angeles County
Metropolitan Transportation Authority

METROPOLITAN TRANSPORTATION AUTHORITY BOARD RULES (ALSO APPLIES TO BOARD COMMITTEES)

PUBLIC INPUT

The meetings of the Metropolitan Transportation Authority Board are open to the public. A member of the public may address the Board on agenda items, before or during the Board or Committee's consideration of the item for up to 5 minutes per item, or at the discretion of the Chair. A request to address the Board should be submitted in person at the meeting to the Board Secretary prior to the start of the meeting.

The public may also address the MTA on non-agenda items within the subject matter jurisdiction of the MTA during the public comment period, which will be held at the end of each meeting. Each person will be allowed to speak for one minute and may speak no more than once during the Public Comment period. Public Comment will last a maximum of 30 minutes, or as otherwise indicated by the Chair. Speakers will be called according to the order in which the speaker request forms are received until the Public Comment period has expired. Elected officials, not their staff or deputies, may be called out of order and prior to the Board's consideration of the relevant item.

At the discretion of the Chair, the Board may limit public input on any item, based on the number of people requesting to speak and the business of the Board.

In the interest of hearing from as many members of the public as possible, if at the time your name is called, your issue has been addressed or your opinion expressed by a previous speaker, please simply state that fact and your name for the record.

In accordance with State Law (Brown Act), all matters to be acted on by the MTA Board must be posted at least 72 hours prior to the Board meeting. In case of emergency, or when a subject matter arises subsequent to the posting of the agenda, upon making certain findings, the Board may act on an item that is not on the posted agenda.

CONDUCT IN THE BOARD ROOM - The following rules pertain to conduct at Metropolitan Transportation Authority meetings:

REMOVAL FROM THE BOARD ROOM The Chair shall order removed from the Board Room any person who commits the following acts with respect to any meeting of the MTA Board:

Disorderly behavior toward the Board or any member of the staff thereof, tending to interrupt the due and orderly course of said meeting.

A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.

Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Board; and

Any other unlawful interference with the due and orderly course of said meeting.

INFORMATION RELATING TO AGENDAS AND ACTIONS OF THE BOARD

Agendas for the Regular MTA Board meetings are prepared by the Board Secretary and are available prior to the meeting in the MTA Records Management Department and on the Internet.

Every meeting of the MTA Board of Directors is recorded on cassette tapes, and duplicate tapes are available for a nominal charge. A Spanish language translator is available at all Board Meetings. Translators for other languages must be requested 72 hours in advance. After each Board meeting, a record is prepared which indicates the actions taken by the Board. This record is available on the second business day following the meeting.

DISCLOSURE OF CONTRIBUTIONS

The State Political Reform Act (Government Code Section 84308) requires that a party to a proceeding before an agency involving a license, permit, or other entitlement for use, including all contracts (other than competitively bid, labor, or personal employment contracts), shall disclose on the record of the proceeding any contributions in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any officer of the agency, additionally PUC Code Sec. 130051.20 requires that no member accept a contribution of over ten dollars (\$10) in value or amount from a construction company, engineering firm, consultant, legal firm, or any company, vendor, or business entity that has contracted with the authority in the preceding four years. Persons required to make this disclosure shall do so by filling out a "Disclosure of Contribution" form which is available at the LACMTA Board and Committee Meetings. Failure to comply with this requirement may result in the assessment of civil or criminal penalties.

ADA REQUIREMENTS

Upon request, sign language interpretation, materials in alternative formats and other accommodations are available to the public for MTA-sponsored meetings and events. All requests for reasonable accommodations must be made at least three working days (72 hours) in advance of the scheduled meeting date. Please telephone (213) 922-4600 between 8 a.m. and 5 p.m., Monday through Friday. Our TDD line is (800) 252-9040.

HELPFUL PHONE NUMBERS

Copies of Agendas/Record of Board Action/Cassette Tapes of Meetings - (213) 922-4880 (Records Management Department)

General Information/Rules of the Board - (213) 922-4600

Internet Access to Agendas - www.metro.net

TDD line (800) 252-9040

NOTE: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA

1. APPROVE **Consent Calendar** Items: 2, 5, 6, 10, 15, 28, 29, 30, 31, 32**, 33, 34**, 38 and 40.

**REQUIRES 2/3 VOTE OF THE BOARD

CONSENT CALENDAR

2. APPROVE **Minutes** of Special Board Meetings held [February 25, 2009](#), [February 26, 2009](#) and [March 5, 2009](#), and Regular Board Meeting held [February 26, 2009](#).
5. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a multi-year firm fixed price contract under Bid No. PS 4350-2327 to Hannan Specialties, Inc. for the [fabrication, delivery, assembly and installation of 224 bicycle lockers and 150 bicycle racks](#) for a total contract value not to exceed \$420,479, including sales tax.
6. PLANNING AND PROGRAMMING COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to execute:
 - A. a firm fixed price contract to NuStats, Inc. to [conduct a system-wide on-board origin-destination survey](#), consisting of a test of survey research methods to advance the state of the practice, and an on-board survey making use of the test results, for a period of fifteen months for an amount not to exceed \$1,247,709; and
 - B. contract modifications up to \$200,000 to cover the cost of any potentially unforeseen issues that may arise during the term of the project.
10. FINANCE AND BUDGET COMMITTEE RECOMMENDED (4-0) authorizing the Chief Executive Officer to award a five year firm fixed unit rate Contract No. PS09052103 to [Bond Logistix, LLC for Arbitrage Rebate Calculation Services](#) for an amount not to exceed \$300,000, inclusive of two one-year options, effective April 1, 2009.

15. AD-HOC CONGESTION PRICING COMMITTEE RECOMMENDED (4-0):
- A. establishing a life-of-project budget for the **purchase of forty-one Compressed Natural Gas (CNG) composite buses for the FY10 capital program**, including project contingency, in the amount of \$28,400,000; and
 - B. authorizing the Chief Executive Officer to negotiate and execute:
 - 1) Contract Option No. 1 to Contract OP33202082 with North American Bus Industries to purchase up to forty-one CNG high-capacity composite buses for an amount not to exceed \$27,777,500, increasing the total contract value from \$170,915,626 to \$198,693,126, inclusive of sales tax, and subject to completion of a Buy America Pre-Award audit; and
 - 2) modifications for this procurement for an amount not to exceed \$272,392, increasing the total contract value from \$198,693,126 to \$198,965,518.
28. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 36-month, firm fixed price contract under Bid Number 09-0013 to **Laserlink International, Inc., the lowest responsive and responsible bidder for toner cartridges** for an amount not to exceed \$852,508, inclusive of sales tax and two one-year options.
29. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a firm fixed price contract under Bid No. OP34342224 with Modern Track Machinery, Inc., the lowest responsive and responsible bidder for two **Hi Rail 360° Cranes** for an amount not to exceed \$1,230,581, inclusive of sales tax.
30. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a one year, seven month firm fixed price contract under Bid No. OP3960-2303 with Rail Development Group to **refurbish 80 40 switch machines for Metro Blue and Metro Red Lines** for an amount not to exceed \$268,800.

31. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to award a 60-month, firm fixed price contract under Bid Number 08-0022A to Acuity Specialty Products, Inc. dba Zep Sales and Service, the lowest responsive and responsible bidder for **concentrated liquid bus/rail wash detergent and storage tanks** for an amount not to exceed \$3,675,011, inclusive of sales tax and three one-year options.

32. OPERATIONS COMMITTEE RECOMMENDED (3-0):

- A. finding that awarding design/build contracts pursuant to Public Utilities Code Section 130242(b) will achieve certain private sector efficiencies in the integration of the design, project work and components related to the real property renovation, repair and construction work at transit facilities in Los Angeles County; and
- B. authorizing the Chief Executive Officer to **solicit and award design/build contracts for renovation, repair and construction at transit facilities**, pursuant to Public Utilities Code Section 130242(a), (c), (d) and (e).

(REQUIRES 2/3 VOTE OF THE BOARD)

33. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:

- A. negotiate and execute Modification No. 4 to Contract No. OP31501623 with **Southland Transit, Inc. (STI) to provide additional funding for fuel, operations and maintenance for years four and five of the five-year contract** for an amount not to exceed \$4,964,260, increasing the total contract value from \$33,504,614 to \$38,468,874; and
- B. use previously approved Board-approved contingency to modify Contract No. OP31501623 with STI in the amount of \$2,955,241 to provide additional funding for fuel, operations and maintenance costs, increasing the total contract value from \$38,468,874 to \$41,424,115.

34. OPERATIONS COMMITTEE RECOMMENDED (3-0):

- A. finding that there is only a single source of procurement for **General Electric A/C Traction Motors, Gearbox Assemblies and repair parts** and purchase is for the sole purpose of replacing our existing equipment already in use. The Board hereby authorizes the purchase of General Electric traction motors, gearbox assemblies and repair parts pursuant to Public Utilities Code section 130237; and
- B. authorizing the Chief Executive Officer to award a firm fixed price contract to General Electric Transportation Parts, LLC, for the procurement of 10 A/C Traction Motors, 10 Gearbox Assemblies and 320 Ground Ring Assemblies for an amount not to exceed \$885,426.

(REQUIRES 2/3 VOTE OF THE BOARD)

38. AD-HOC CONGESTION PRICING COMMITTEE RECOMMENDED (3-0)
authorizing the Chief Executive Officer to:

- A. negotiate and execute Contract PS0933402345 with RNL Design to provide **advanced conceptual engineering, bid support, and construction support services for the proposed El Monte Transit Center project** for an amount not to exceed \$2,000,000; and
- B. execute additional contract modifications, if required, to Contract No. PS0933402345 for additional design or professional services for the El Monte Transit Center, if required, for an amount not to exceed \$300,000.

40. ANTONOVICH MOTION that the Metro Board of Directors approve the replacement of La Canada Flintridge Councilman David Spence on the **San Gabriel Valley Service Sector Council** with the appointment of Harry Baldwin, former Councilman from San Gabriel.

NON-CONSENT:

- 3. Chair's Report
- 4. Chief Executive Officer's Report

7. PLANNING AND PROGRAMMING COMMITTEE FORWARDED TO THE FULL BOARD WITHOUT RECOMMENDATION:
- A. programming \$200,000 in Proposition C 25% to the California Department of Transportation (Caltrans) for **design support services during construction of Soundwall Package 4**;
 - B. programming an additional \$11.164 million in Proposition C 25% funds for Soundwall Packages 5, 6, 7, 8 and 10 as follows:
 - 1. \$5.923 million to cover cost increases to complete the design of Soundwall Packages 5 (I-405 in the San Fernando Valley), 6 (I-405 in the Gateway Cities), 7 (SR-134 in the City of Burbank), 8 (I-605 in the Cities of Santa Fe Springs and Irwindale) and 10 (I-210 in the Cities of Pasadena and Arcadia); and
 - 2. \$5.241 million for right-of-way capital and utility relocation costs for Soundwall Packages 5, 7, 8 and 10; and
 - C. adopting Caltrans Cost Control procedures for the highway and Soundwall Program and delegating to the Chief Executive Officer future administrative updates.

20. CONSIDER:

- A. exempting the **Research Services Bench Contract PS-7140-2313** from the consulting services freeze because the research performed supports effective planning and implementation of agency projects and programs, and collects the demographic information necessary to meet federal reporting requirements; and
- B. authorizing the Chief Executive Officer to:
 - 1. award a five-year firm fixed price Bench Contract No. PS-7140-2313, comprised of the following eight contractors and contract numbers, for research services, inclusive of two one-year options effective April 1, 2009:

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Action Research, Inc.	PS-7140-2313-1
Applied Management & Planning Group	PS-7140-2313-2
BW Research Partnership	PS-7140-2313-3
EMC Research, Inc.	PS-7140-2313-4
Fairbanks, Maslin, Maullin & Associates	PS-7140-2313-5
Moore & Associates	PS-7140-2313-6
Q&A Research	PS-7140-2313-7
Redhill Group, Inc.	PS-7140-2313-8

2. execute task orders under these contracts for **research services** for a total amount not to exceed \$2,000,000 for a period of performance of five years.

21. AUTHORIZE the Chief Executive Officer to:

A. execute a negotiated ~~two~~ **one**-month extension to Memorandum of Understanding No. TCP2610LASD with the **Los Angeles Sheriff's Department for transit community policing services**; and

B. execute Modification No. 14 MOU TCP2610LASD to provide funding for FY09 transit community policing services for an amount not to exceed ~~\$10,620,324~~ **\$5,310,162** for the period April 1, 2009 through ~~April 30, 2009~~ **May 31, 2009**, revising the total contract value from \$334,208,404 to ~~\$344,828,728~~ **\$339,518,566**.

35. OPERATIONS COMMITTEE RECOMMENDED (3-0) authorizing the Chief Executive Officer to:

A. execute a contract modification to **Contract OP02461010 with Cubic Transportation Services, Inc. for on-going systems support services**, adding Metro Gold Line Eastside Extension and Expo Line; and the TAP Regional Central Computer, for a three year contract for an amount not to exceed \$23 million, increasing the total System Support Services contract value from \$24,599,257 to \$47,599,257; and

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- B. execute Contract Modification No.12 to Contract PS-4210-1026 with Booz Allen Hamilton to support regional integration of ~~Congestion Pricing/Tolling and El Monte/Artesia Transit Center Dual Hub BRT~~; Local Transit Service Systems TAP systems design and Municipal Operator TAP implementation oversight; Metrolink - TAP integration; and Expo Fare Equipment & Systemwide Gating installation oversight for an amount not to exceed ~~\$2.1 \$2.95~~ million, increasing the total contract value from \$10,424,309 to \$12,524,309 ~~\$13,024,309~~.

39. FASANA MOTION:

On July 24, 2008, Metro adopted the "Traffic Relief and Rail Expansion Ordinance" (Ordinance # 08-01) imposing a Transactions and Use Tax subject to voter approval. Section 7(i.) states, "Metro shall propose the projects and programs in Attachment A for inclusion in the Long Range Transportation Plan."

In 2008, enactment of Assembly Bill 2321 made changes to the California Public Utilities Code by adding Section 130350.4, and amending Section 130350.5.

- Section 130350.4(b) states, "For purposes of proposing to the voters of the County of Los Angeles the imposition of a 0.5 percent transaction and use tax at the election held on November 4, 2008, pursuant to subdivision (b) of Section 130350.5, the MTA adopted, on July 24, 2008, a local ordinance that includes as "Attachment A" a plan for the expenditure of the net revenues derived from the imposition of the tax. The adoption of Attachment A constitutes the adoption of an expenditure plan pursuant to subdivision (f) of Section 130350.5."
- Section 130350.5 (b) (3) states, in part, "The MTA shall include all projects and programs described in the expenditure plan required under subdivision (f) in its Long Range Transportation Plan (LRTP)."

AB 2321 was approved by the Governor and Chaptered by the Secretary of the State on September 23, 2008. The Transactions and Use Tax authorized by Ordinance #08-01 was approved by voters (Measure R) on November 4, 2008.

I move to comply with California law and Measure R by **amending Attachment A, as referenced in AB2321 and Ordinance #08-01, into Metro's existing Long Range Transportation Plan.**

41. RIDLEY-THOMAS MOTION:

As a result of the passage of President Obama's economic stimulus recovery package, Metro will receive funding to execute a number of "shovel ready" projects throughout its service area. The intent of the funding is to promote economic development in Los Angeles County and to provide employment opportunities for local residents.

To ensure that these objectives are met, Metro seeks to establish a policy of local hiring on large construction projects that are executed with federal economic stimulus. One of Metro's major program objectives must be to promote employment of individuals who reside in or near project areas and within the County of Los Angeles, and to provide employment and job training opportunities among populations affected by high unemployment.

I therefore move that the Board of Directors direct the Chief Executive Officer to **establish a local hiring program to meet the objectives described herein**, to ensure that the local community benefits through funds received by Metro.

42. CONSIDER extending the expiration of the option or exercising the option on Contract No. P2550 with AnsaldoBreda S.p.A. for **100 additional light rail vehicles**.

43. APPROVE the Technical Advisory Committee process to implement the 75 day Los Angeles County deadline for up to \$215 million (or up to \$315 million with proposed state legislation) of flexible federal Regional Surface Transportation Program funds to cities and the County of Los Angeles for **eligible transportation capital projects**. This process establishes an interim deadline of April 17, 2009 for the cities and the County of Los Angeles to submit required grant paperwork to Caltrans District 7, after which any un-requested funding would be reallocated to those cities or the County of Los Angeles who have submitted grant requests.

44. CLOSED SESSION:

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

1. Monica Trujillo v. LACMTA, Case No. BC 388998
2. Michael Weilert v. LACMTA, Case No. EC 047413

B. Conference with Legal Counsel - Potential Litigation - G.C. 54956.9(c)

1. Initiation of Litigation (One case)

Consideration of items not on the posted agenda, including: items to be presented and (if requested) referred to staff; items to be placed on the agenda for action at a future meeting of the Committee or Board; and/or items requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Committee subsequent to the posting of the agenda.

COMMENTS FROM THE PUBLIC ON ITEMS OF PUBLIC INTEREST WITHIN COMMITTEE'S SUBJECT MATTER JURISDICTION

ADJOURNMENT