

**A G E N D A**

***Governing Board of the  
Alameda Corridor Transportation Authority***

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**Meeting Date: June 10, 2010**  
**Time: 9:00 A.M.**  
**Location: Port of Long Beach  
925 Harbor Plaza  
6<sup>th</sup> Floor Board Room  
Long Beach, California**

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- A. Roll Call**
- B. Opening Statement**

**Persons in the audience who wish to address the Governing Board on any agenda item are invited to identify themselves when that agenda item is called. Persons wishing to address the Governing Board on an item not on the agenda but within the subject matter jurisdiction of the Board should ask to be recognized after the last agenda item before any closed session item. Ordinarily, the Governing Board will not act on any matter which does not appear on the published agenda. The Governing Board may consider and act upon any of the items listed on the agenda.**

- C. Agenda Items (*Consent: Items 4-19*)**

- 1. Closed Session:**

**CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
(Subdivision [a] of Section 54956.9) (Two cases)**

- (a) NRDC et al vs. California Department of Transportation District 7  
with ACTA as Real Party in Interest  
Los Angeles Superior Court Case BS 122539**
- (b) NRDC et al vs. USDOT; Ray Lahood, Secretary, USDOT; FHA;  
J. Paviati, Deputy Director, FHA; California Department of  
Transportation with ACTA as Real Party in Interest  
U.S. District Court for California Central District  
Case No. 2:09-cv-8055-CAS-MAN**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Section 54956.8)**

**Parcel SE-802 – Agency Negotiators: James Wiley and Howard Coleman  
Negotiating Parties: ACTA – Union Pacific Railroad  
Regarding Price and Terms**



2. **Election of Chair and Vice Chair for FY11.**
3. **FY11 Budget (APPROVAL)**
4. **Minutes of the March 11, 2010 regular meeting of the Governing Board of the Alameda Corridor Transportation Authority. (APPROVAL)**
5. **Minutes of the April 22, 2010 special meeting of the Governing Board of the Alameda Corridor Transportation Authority. (APPROVAL)**
6. **Monthly financial statements (RECEIVE & FILE)**
7. **Quarterly Investment Report (3/31/10) (RECEIVE & FILE)**
8. **Authorize the Chief Executive Officer or Chief Financial Officer to execute documents necessary for the relinquishment of ACTA Easement NE-135. (APPROVAL)**
9. **Authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Agreement No. 712 with Ron Rakich and Associates, Inc. for risk management services, extending the term through June 30, 2011, and increasing the contract amount by \$6,000. (APPROVAL)**
10. **Authorize the Chief Executive Officer or Chief Financial Officer to execute a change order to ACTA Contract No. CO607 with Berg Associates, Inc. increasing the not-to-exceed amount by \$125,000 for Construction Management Services and document control support and extending the term through FY11. (APPROVAL)**
11. **Authorize the Chief Executive Officer or Chief Financial Officer to execute the following amendments to government/public affairs consultant contracts: 1) Agreement No. 729 with Butterfield Communications in the fixed annual amount of \$235,800 for the period from July 1, 2010 to June 30, 2011. Agreement No. 730 with Cerrell Associates, Inc. in the fixed annual amount of \$167,250 for the period from July 1, 2010 to June 30, 2011. (APPROVAL)**
12. **Authorize the Chief Executive Officer or Chief Financial Officer to execute amendments to: 1) Agreement CO719 with IBI for a one-year term extension through June 30, 2011 at an increased contract value not-to-exceed \$66,000 for support and maintenance of ACTA's Revenue Assessment and Verification System; 2) Agreement No. CO749 with IBI for a one-year term extension through June 30, 2011 at an increased contract value not-to-exceed \$44,000 for support and maintenance of the PierPass Validation System. (APPROVAL)**
13. **Authorize the Chief Executive Officer or Chief Financial Officer to issue an amendment to Agreement No. 798 with Nossaman in the amount of \$175,000 for additional services through June 30, 2010. (APPROVAL)**
14. **Authorize the Chief Executive Officer or Chief Financial Officer to: 1) issue amendments to legal services agreements with ten (10) law firms (Bergman & Dacey; Gibbs, Giden; Jones Day; Keesal Young; Allen Matkins; Nossaman; O'Melveny; Quateman; Squires Sanders; and Alston & Byrd) in the aggregate amount of \$455,000 through FY11 to fund, in conjunction with previous surplus authorized amounts, \$1,350,000 of estimated FY11 legal expenses; issue additional amendments, as they may be required throughout the fiscal year, through one or both of the following means: a) use of a 10% contingency amount of \$135,000, and/or b) shifting unused amounts from one agreement to another. (APPROVAL)**

15. **Authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Agreement No. 693 with Manatt, Phelps & Phillips (MPP) for federal legislative advocacy services that extends the term one year through June 30, 2011 for the total not-to-exceed amount of \$102,000. (APPROVAL)**
16. **Authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Contract No. CO737 for On-Call Services with Ace Engineering, Inc. extending the contract term through June 30, 2011 and increasing the contract value by \$1,031,660. (APPROVAL)**
17. **Authorize the Chief Executive Officer or Chief Financial Officer to issue change orders with no net increase in aggregate value to FY10 annual Contract Work Orders (CWOs) with the Alameda Corridor Engineering Team (ACET) through Amended Agreement No. CO027 as follows: 1) Increase ACTA Support CWO by \$60,000; 2) Increase Pacific Coast Highway CWO by \$120,000; 3) Decrease SR-47 CWO by \$180,000. As a result of 1-3, the total FY10 not-to-exceed amount will remain \$6,326,693. (APPROVAL)**
18. **Authorize the Chief Executive Officer or Chief Financial Officer to issue annual Contract Work Orders (CWOs) and corresponding Change Orders (COs) to Amended Agreement No. CO027 for services provided by the Alameda Corridor Engineering Team (ACET) in the aggregate amount of \$3,412,832. (APPROVAL)**
19. **Authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Contract CO761 with Hilb, Rogal & Hobbs Insurance Services of California Inc. (now Willis) for insurance brokerage services, extending the contract term through June 30, 2011 and increasing the contract amount by \$100,000. (APPROVAL)**
20. **Authorize the Chief Executive Officer or Chief Financial Officer to execute an agreement in an amount not-to-exceed \$100,000 with a railroad communications specialty consultant to evaluate ACTA's emergency communications systems and develop and oversee upgrades as necessary. (APPROVAL)**
21. **Approve the selection of Chandler Asset Management to serve as ACTA's Investment Manager and authorize the Chief Executive Officer or Chief Financial Officer to execute a contract with Chandler Asset Management for a five year period, cancelable on any anniversary at ACTA's discretion with 60 days notice, in the not-to-exceed amount of \$540,000. (APPROVAL)**
22. **RRIF Loan Application Update (INFORMATION)**
23. **SR-47 Update (INFORMATION)**
24. **Legislative Update (INFORMATION)**
25. **ACTA April Performance Update (INFORMATION)**
26. **Public Comment**
27. **Adjournment**