

# A G E N D A

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

---

**Meeting Date:** March 14, 2013  
**Time:** 9:00 A.M.  
**Location:** Port of Long Beach  
925 Harbor Plaza  
6<sup>th</sup> Floor Board Room  
Long Beach, California

---

- 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

- 1. Closed Session:

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Closed Session pursuant to Section 54956.9(d)(1) of the Governing Code.  
(Two cases)

- (a) *NRDC et al vs. USDOT; Ray Lahood, Secretary, USDOT; FHA; J. Paniati, 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
    - (b) *Crimson Pipeline Management, Inc. et al. v. Herzog Contracting Corporation, et al., United States District Court, Central District of California.* Case No. CV12- 03653-RSWL (RZx)

**CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION** - Closed Session pursuant to Section 54956.9(d)(2) of the Governing Code. (Two cases)



**Open Session:**

**CONSENT: (Items 2-9)**

2. **Approval of the minutes of the January 10, 2013 regular meeting of the Alameda Corridor Transportation Authority. (APPROVAL)**
3. **Monthly Financial Statements (R/F)**
4. **Fourth Quarter Investment Report (R/F)**
5. **Authorize the Chief Executive Officer or Chief Financial Officer to execute a work order in the amount of \$72,000 plus a 15% contingency for the BNSF to upgrade communications between the Corridor and San Bernardino Dispatch Center via connections to the ACTA fiber optic system in order to improve the reliability. (APPROVAL)**
6. **Rescind approval of the contractual recommendations presented to the Board on this subject at the January 10, 2013 meeting that involved a \$183,800 increase in contract value and re-establishment of a \$100,000 contingency amount, and instead: 1) authorize the Chief Executive Officer or Chief Financial Officer to issue a Change Order in the amount of \$50,000 to Agreement No. 807 with URS Corp. for additional design-related services for the Heim Bridge Replacement portion of the SR-47 Project (known as Segment 1); and 2) approve a contingency amount of \$100,000 to be used, if necessary, to complete the final design of Segment 1, including the separate pump station contract. (APPROVAL)**
7. **Authorize the Chief Executive Officer or Chief Financial Officer to issue an amendment to the contract task order for miscellaneous additional maintenance services with Balfour Beatty Rail Inc. (Agreement No. 782) increasing the value by \$50,000 from \$150,000 to \$200,000. (APPROVAL)**
8. **Authorize the Chief Financial Officer to 1) accept the recommendations of Willis, ACTA's Broker of Record, for placement of required insurance for the period April 15, 2013 through April 14, 2014; and 2) bind insurance, on behalf of ACTA, in accordance with recommendations of Willis. (APPROVAL)**
9. **Authorize the Chief Executive Officer or Chief Financial Officer to issue a Change Order to the FY13 Contract Work Order under Agreement No. 27 with the Alameda Corridor Engineering Team (ACET) in the amount of \$90,000, including 20% contingency, to produce an EIR/EIS-required documentary of the history of the Heim Bridge before its removal as part of the SR-47 Project. (APPROVAL)**

**REGULAR:**

10. **Appoint Maria Melendres to the part-time post of ACTA Board Secretary. (APPROVAL)**
11. **Authorize the Chief Executive Officer or Chief Financial Officer to: 1) offer the ACTA/Ports property at 25<sup>th</sup> Street and Alameda Street in the City of Vernon for sale using a traditional broker/commission arrangement; and 2) authorize the selection of a broker through a competitive request-for-qualifications process. (APPROVAL)**

- 12. Bond Sale Update (INFORMATION)**
- 13. Project Update (INFORMATION)**
- 14. Performance Update (INFORMATION)**
- 15. Public Comment**
- 16. Adjournment**