

A G E N D A

Governing Board of the Alameda Corridor Transportation Authority

Meeting Date: May 14, 2009
Time: 9:00 A.M.
Location: Port of Long Beach
925 Harbor Plaza
6th Floor Board Room
Long Beach, California

- A. Roll Call
- B. Approval of the Minutes of the January 8, 2009 regular meeting of the Governing Board of the Alameda Corridor Transportation Authority.
- C. 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.

- D. Agenda Items (*Consent Calendar: Items 3 through 18*)
 - 1. Closed Session:
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
(Three potential cases)
 - 2. FY2010 Budget (APPROVAL)
 - 3. Financial Statements (RECEIVE AND FILE)
 - 4. Quarterly Investment Report 4th Quarter 2008 (RECEIVE & FILE)
 - 5. Quarterly Investment Report 1st Quarter 2009 (RECEIVE & FILE)
 - 6. 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 an additional year through FY10 for the total not-to-exceed amount of \$102,000. (APPROVAL)



7. **Authorize the Chief Executive Officer or Chief Financial Officer to execute Amendment No. 2 to ACTA Agreement No. 725 with Chandler Asset Management increasing the compensation by an amount not to exceed \$90,000 and extending the term of the Agreement to June 30, 2010. (APPROVAL)**
8. **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 for FY10 provided by the Alameda Corridor Engineering Team (ACET) in the aggregate amount of \$5,678,138. (APPROVAL)**
9. **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 for various ACTA projects and extending the term through FY10. (APPROVAL)**
10. **Authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Agreement No. 729 with Butterfield Communications in the fixed annual amount of \$250,000 plus \$12,000 in expenses for the one-year extension through June 30, 2010; and authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Agreement No. 730 with Cerrell Associates, Inc. in the fixed annual amount of \$211,000 plus \$12,000 in expenses for the one-year extension through June 30, 2010. (APPROVAL)**
11. **Authorize the Chief Executive Officer or Chief Financial Officer to execute an amendment to Contract CO754 with Vasquez & Company, LLP for a one-year extension for audit support services through FY10 in the not-to-exceed contract amount of \$75,000. (APPROVAL)**
12. **Authorize the Chief Executive Officer or Chief Financial Officer to execute a new agreement to replace Purchase Order No. 075 with Safer Systems, Inc. for an amount not to exceed \$100,000 through June 30, 2015 to maintain, upgrade, audit and support ACTA's hazardous material monitoring system; and ratify all previous amendments to Purchase Order No. 075 for the design, installation and support of the hazmat monitoring system. (APPROVAL)**
13. **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, 2010 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, 2010 at an increased contract value not to exceed \$44,000 for support and maintenance of the PierPass Validation System. (APPROVAL)**
14. **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, 2010 in an amount not to exceed \$50,000. (APPROVAL)**
15. **Authorize the Chief Executive Officer or Chief Financial Officer to accept on behalf of ACTA the transfer of certain easements related to PCH Project utility relocations from the Ports for the purpose of ACTA then transferring those easements to LADWP per terms of an existing MOU between ACTA and LADWP. (APPROVAL)**

- 16. Authorize the Chief Executive Officer or Chief Financial Officer to execute an agreement among ACTA, POLA, and POLB for the transfer of certain Ports joint-owned property near 25th Street and Alameda Street for disposition. (APPROVAL)**
- 17. Authorize the Chief Executive Officer or Chief Financial Officer to issue amendments to legal services agreements with eight (8) law firms (Gibbs, Giden; Jones Day; Keesal Young; Allen Matkins; Nossaman; O'Melveny; Quateman; and Alston & Byrd) in the aggregate amount of \$1,350,000 through FY10. (APPROVAL)**
- 18. Authorize the Chief Executive Officer or Chief Financial Officer to execute a Cooperative Agreement with Caltrans for Final Design of the SR-47 Port Access Expressway/Heim Bridge Replacement Project incorporating certain changes to the Agreement as previously approved by the Governing Board on April 14, 2008, including right-of-way acquisition responsibility. (APPROVAL)**
- 19. Approve the selection of KPMG as ACTA's Independent Auditor and authorize the Chief Executive Officer or Chief Financial Officer to execute an agreement for a five-year term through June 30, 2014. (APPROVAL)**
- 20. Authorize the Chief Executive Officer or Chief Financial Officer to execute a revised DBE Implementation Agreement with Caltrans for contracts receiving federal aid and to determine and submit the Annual Anticipated DBE Participation Level Form to Caltrans. (APPROVAL)**
- 21. PROJECT UPDATES: (INFORMATION)**
 - Zero Emissions Electric Container Mover System (ZECMS)**
 - SR-47**
 - Cerritos Channel Rail Bridge**
- 22. March Performance Update (INFORMATION)**
- 23. Legislative Update (INFORMATION)**
- 24. Public Comment**
- 25. Adjournment**