

MINUTES OF A SPECIAL MEETING OF THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY GOVERNING BOARD HELD IN THE PORT OF LONG BEACH COMMISSION HEARING ROOM AT 4801 AIRPORT PLAZA DRIVE, LONG BEACH, CALIFORNIA, ON FEBRUARY 9, 2017 AT 9:00 A.M.

Members present:

Suzie Price, City of Long Beach  
Rich Dines, Port of Long Beach  
Tony Gioiello, Port of Los Angeles  
Janice Hahn, Los Angeles County  
Metropolitan Transportation Authority  
Edward Renwick, Port of Los Angeles

Members absent:

Joe Buscaino, City of Los Angeles  
Duane Kenagy, Port of Long Beach

Also present:

John T. Doherty, ACTA, Chief Executive Officer  
James P. Preusch, ACTA, Chief Financial Officer  
Heather McCloskey, ACTA, Co-General Counsel  
Lauren Misajon, ACTA, Co-General Counsel

COUNCILMEMBER PRICE PRESIDED AS CHAIR.

The meeting was called to order at 9:27 a.m. Roll call was taken.

11. DECEMBER PERFORMANCE – INFORMATION ITEM.

Mr. Doherty gave an update on Corridor performance for December 2016.

(Board Member Renwick arrived at 9:50 a.m.)

CONSENT CALENDAR - ITEMS NO. 1-2

1. MINUTES - ACTA GOVERNING BOARD REGULAR MEETING OF NOVEMBER 10, 2016 – RECEIVED & FILED.

Minutes of the regular meeting of November 10, 2016 of the Governing Board of the Alameda Corridor Transportation Authority were presented to the Governing Board.

2. MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDED NOVEMBER 30, 2016– RECEIVED AND FILED.

Communication from James P. Preusch, Chief Financial Officer, dated February 9, 2017, recommending that the monthly financial reports for the period ended November 30, 2016, be received and filed, was presented to the Governing Board.

Board Member Renwick stated that the financial statements are still complex and asked that they be simplified further.

Mr. Preusch stated that a template would be created and made available to Board members.

Board Member Hahn abstained from voting on Items 1 & 2 because she was not in attendance at the November 10, 2016 Board meeting.

Board Member Renwick stated that the budget for the Heim Bridge project has been altered numerous times and asked if this was an indication that something is wrong with the project.

Mr. Doherty stated that the change in budget is due to construction delays of the bridge. The Heim Bridge was originally scheduled to be completed in 2016. Mr. Doherty provided an update on the specific construction delays. He stated that CalTrans administers, manages and is in charge of the construction of the Heim Bridge. CalTrans reimburses all of the design costs to ACTA.

Board Member Dines motioned, seconded by Board Member Renwick that Items 1 and 2 be received and filed. Carried by the following vote:

AYES: Price, Dines, Gioiello, Renwick

NOES: None

ABSENT: Buscaino, Kenagy

3. FISCAL YEAR 2018 PRELIMINARY BUDGET SCHEDULE – RECEIVED & FILED.

Communication from James P. Preusch, Chief Financial Officer, dated February 9, 2017, providing a preliminary schedule of the annual budget including key budget preparation, review, and approval dates, was presented to the Governing Board.

Board Member Hahn abstained from voting on Item 3 because she was not in attendance at the November 10, 2016 Board meeting.

Board Member Dines motioned, seconded by Board Member Renwick that Item 3 be received and filed. Carried by the following vote:

AYES: Price, Dines, Gioiello, Renwick

NOES: None

ABSENT: Buscaino, Kenagy

CONSENT CALENDAR - ITEMS NO. 4-6

4. AECOM TECHNICAL SERVICES - CHANGE ORDER NO. 20 TO AGREEMENT NO. 807 FOR SR-47 SEGMENT – APPROVED.

Communication from James P. Preusch, Chief Financial Officer, dated February 9, 2017, recommending the authorization for the Chief Executive Officer or Chief Financial Officer to issue a Change Order in the amount of \$250,000 to Agreement No. 807 with AECOM Technical Services, Inc. formerly URS Corporation, to pay for additional design support services through June 30, 2017 during construction of the Heim Bridge Replacement portion of the SR-47 Project (known as Segment 1), was presented to the Governing Board.

5. ALAMEDA CORRIDOR ENGINEERING TEAM – FY16 CLOSEOUT CHANGE ORDERS 62 AND 44 TO AGREEMENT NO. 27 – APPROVED.

Communication from James P. Preusch, Chief Financial Officer, dated February 9, 2017, recommending the authorization for the Chief Executive Officer or Chief Financial Officer to issue Change Orders to Contract Work Orders with the Alameda Corridor Engineering Team for FY16 final adjustments in the aggregate decreased amount of \$123,782, was presented to the Governing Board.

6. MOSS ADAMS – AMENDMENT TO AGREEMENT NO. 855 FOR INDEPENDENT AUDIT SERVICES – APPROVED.

Communication from James P. Preusch, Chief Financial Officer, dated February 9, 2017, recommending the authorization for the Chief Executive Officer or Chief Financial Officer to issue an amendment to Agreement No. 855 with Moss Adams, ACTA's Independent Auditor, in the amount of \$10,000 for services necessary to complete the audit of the Union Pacific Railroad and Burlington Northern Santa Fe Railroad electronic systems used to self-assess fees owed to ACTA and daily train movement reporting, was presented to the Governing Board.

Board Member Dines motioned, seconded by Board Member Renwick that Items 4-6 be approved. Carried by the following vote:

AYES: Price, Dines, Gioiello, Hahn, Renwick

NOES: None

ABSENT: Buscaino, Kenagy

7. SMALL BUSINESS ENTERPRISE PROGRAM – APPROVED AS AMENDED.

Communication from John T. Doherty, Chief Executive Officer, dated February 9, 2017, recommending the approval and adoption of an ACTA Small Business Enterprise Program, was presented to the Governing Board.

The Board discussion included content for both Items 7 and 8. Mr. Doherty presented the timeline from April 2016 to date regarding development of the ACTA SBE Program,

including research into the potential additions for disabled veterans (DVBE), SBE set-aside procurement, and preference evaluation programs as requested by the Board in October 2016. Considerable discussion took place combining Items 7 (approval of the Program) and 8 (approval of contract-specific goals for certain contracts), which led to the following determinations. ACTA's SBE participation goal will be 25% of the total aggregate value of all ACTA contracts and/or 25% of ACTA's contracts awarded to SBE firms. This will apply to contracts awarded after January 1, 2017. It is recognized that the first of the two goals may be difficult to achieve until such time as construction contracts are added to ACTA's capital program. But nevertheless the goal is established at this time. In addition, rather than the Board approving a separate goal for each contract, staff is charged with making such determinations in an effort to meet the overall aforementioned ACTA goals. Staff will further explore adding additional programs to its contract participation such as DVBE and local participation programs. It was also requested that, within the SBE program, staff monitor the additional certification credentials of its SBE participating firms such as MBE, WBE, VSBE, DVBE, and LSBE certifications.

An alternate motion involving the SBE goals and corresponding modification to the program was made by Board Member Dines, seconded by Board Member Renwick. Carried by the following vote:

AYES: Price, Dines, Gioiello, Hahn, Renwick  
NOES: None  
ABSENT: Buscaino, Kenagy

8. SMALL BUSINESS ENTERPRISE PROGRAM – CONTRACT-SPECIFIC GOALS-APPROVED AS AMENDED.

Communication from John T. Doherty, Chief Executive Officer, dated February 9, 2017, recommending: 1) the establishment of an SBE participation goal of 10% for the On-call Environmental Services contract; and 2) the establishment of no SBE participation goal for four low dollar value contracts, including auditing services, media relations consulting, federal advocacy advisor, and on-call environmental lab services, was presented to the Governing Board.

See discussion under Item 7.

Board Member Dines motioned, seconded by Board Member Renwick that Item 8 be approved as amended to establish an overall goal of 25% participation goal. Carried by the following vote:

AYES: Price, Dines, Gioiello, Hahn, Renwick  
NOES: None  
ABSENT: Buscaino, Kenagy

9. ALAMEDA CORRIDOR ENGINEERING TEAM – FY18 SUPPORT SERVICES – APPROVED.

Communication from James P. Preusch, Chief Financial Officer, dated February 9,

2017, recommending as per the Board's prior direction for current FY17, the authorization of staff to include in the FY18 budget preparation process the continued engagement of the Alameda Corridor Engineering Team for the engineering and specialized services now provided, was presented to the Governing Board.

Chair Price motioned, seconded by Board Member Renwick that Item 9 be approved as recommended. Carried by the following vote:

AYES: Price, Dines, Gioiello, Hahn, Renwick

NOES: None

ABSENT: Buscaino, Kenagy

10. LEGAL SERVICES CONTINGENCY BUDGET AMOUNT FOR FY17 – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated February 9, 2017, recommending: 1) the authorization for the addition of a \$200,000 contingency for FY17 legal services, increasing the previously approved FY17 Budget amount from \$740,000 to \$940,000 and increasing the current total contract value for the 12 firms from \$2,530,000 to \$2,730,000; and 2) the authorization for the Chief Executive Officer or Chief Financial Officer to issue amendments to agreements as necessary using the contingency amount, was presented to the Governing Board.

Board Member Dines motioned, seconded by Board Member Renwick that Item 10 be approved as recommended. Carried by the following vote:

AYES: Price, Dines, Gioiello, Hahn, Renwick

NOES: None

ABSENT: Buscaino, Kenagy

12. PUBLIC COMMENT

Mr. Ralph Berg, Area Manager for Rail Works Track Services addressed the Governing Board. Mr. Berg stated that he is one of the four contractors mentioned that could bid on the maintenance services contract for the Alameda Corridor. He asked for information on the timeline of the RFP. Mr. Doherty stated that it would be issued in mid-March 2017. Mr. Berg suggested that preference scoring be considered with the evaluation of the proposals for the maintenance services contract providing bonus points for higher SBE participation.

13. ADJOURNMENT

At 11:09 a.m., the meeting was adjourned sine die.