



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY BOARD OF DIRECTORS REGULAR MEETING AGENDA

Monday, November 22, 2010 – 2:00 P.M.

Irwindale City Hall
5050 Irwindale Avenue
Irwindale, CA 91706

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

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| I. | Pledge of Allegiance | |
| II. | Roll Call and Introductions | |
| III. | Approval of Minutes of Regular Meeting of October 25, 2010 (Pages 1-4) | Action |
| IV. | Public Comment | |
| V. | Chairman's Remarks | |
| VI. | Chief Executive Officer's Report (Pages 5-7) | Information |
| VII. | Approval of Contract Amendment to Phase II Study (Page 8) | Action |
| VIII. | FY 2010 Financial Audit Reports (To be distributed separately) | Information |
| IX. | Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 54956.8 to discuss real property negotiations: | Possible
Action |

Property Address: 219 East Main Street San Gabriel, CA 91776

Agency Negotiators: Paragon Partners/ACE Construction Authority

Negotiating Parties: ACE Construction Authority and Jonathan S. Leung

Under Negotiations: Price and Terms

The ACE Construction Authority is constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member. Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes. All disclosable public records related to this meeting are available for viewing at the ACE office above during normal working hours.

And

Property Address: 100-260 Clary Avenue San Gabriel, CA 91776
Agency Negotiators: Paragon Partners/ACE Construction Authority
Negotiating Parties: ACE Construction Authority and San Gabriel Business Center Inc. aka San Gabriel Business Center Owners Corporation Inc.
Under Negotiation: Price and Terms

Possible
Action

And

In accordance with Government Code Section 54956.9(a) to discuss existing litigation (two cases)

- Los Angeles Superior Court Case No. BC429699
Alameda Corridor-East Construction Authority vs MIPCO, L.L.C., et al., and
- Los Angeles Superior Court Case No. BS 125565
MIPCO, L.L.C., et al., vs Alameda Corridor-East Construction Authority

Possible
Action



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ACE Construction Authority Board of Directors October 25, 2010 Meeting Minutes

1. Roll Call – Chairman Spohn called the meeting to order at 2:00 PM at the City of Irwindale Council Chambers. In attendance were:

Tim Spohn, Industry
David Gutierrez, San Gabriel
Michael Antonovich, LA County
Stephen Atchley, Pomona
Frank Gomez, Montebello
Tom King, SGVCOG
Patricia Wallach, El Monte
Paul Eaton, SANBAG, Ex Officio

Staff

Rick Richmond, Chief Executive Officer
Joe Silvey, Counsel
Victoria Butler
Charles Tsang
Paul Hubler
Cecilia Cardenas
Yanin Rivera
Deborah Massey
Genichi Kanow
Carlos Monroy

Guests

Catrina Reynoso, Atkinson Construction
Juan Carlos Velasquez, CH2M Hill
Chris Mornok, Dragados USA
Rob Signorile, Kiewit
Don Sepulveda, HNTB
Bryce Little, PB Americas
Patrick Horton, Temple City
Arygail Sanchez, HDR
Natasha De Ben, Arcadis

2. **Pledge of Allegiance** – Member Gutierrez led the pledge of allegiance.
3. **Approval of September 27, 2010 Meeting Minutes** – A motion was made by member Spohn to approve the September 27, 2010 minutes.
King/Gutierrez/Unanimous

4. **Public Comments** – There were no public comments.
5. **Chair Report** – Chairman Spohn announced that the ACE Finance Committee meeting will be Thursday October 28th, at the ACE offices in the main conference room. He also reminded the Board of the Sunset Avenue grade separation project dedication ceremony on Friday, November 5th at 10:30AM.
6. **Chief Executive Officer's Report** – Mr. Richmond reported that the recipients of TIGER 2 program funding were announced and that the Nogales LA Sub project was not selected to be part of the Tiger 2 Program funding. A letter was sent to thank our supporters of the San Gabriel Valley Congressional delegation.

Mr. Richmond reported ongoing litigation has resulted in schedule changes to both the Baldwin Avenue and Nogales Street projects. He reminded the Board one property on Baldwin has been in litigation longer than expected but he was hopeful settlement will come soon. He also reported adjustment of approximately four months to the Nogales schedule was necessary to allow adequate time to acquire 40 parcels identified. He reported Sunset Ave will be open soon to traffic and the railroad is operating on the flyover. The San Gabriel Trench project is moving along and CEQA and NEPA is in process, with the CPUC application was submitted last month.

7. **Approval of Concept Plans for Phase II Study** – Mr. Richmond indicated the scope of the Phase II study included development of concept plans for previously adopted projects. He indicated the importance examining a project that was for the best interest of the community and that due to various street configurations, and community impacts staff was recommending the study include examination of flyovers for both the projects at Montebello Blvd. and Fairway Dr. He reviewed the proposed projects and reminded the Board that both project locations are part of the original program study.

Member King voiced concerned of not including Lemon Ave within the Fairway project and suggested to extend it all the way to Lemon Ave., because of the possible opening of a new stadium near Lemon Ave. Mr. Richmond responded the study would review lowering both streets.

A motion was made to add two grade separation concept plans, Fairway Drive (Alhambra sub), and Montebello flyover (LA sub) to the scope of the ACE Phase II study now nearing completion. The addition of these concept plans can be accommodated within the Boards prior contract authorization of \$550,000 plus

contingencies.

M/S/C/King/Gomez/Unanimous

8. **Approval of Design and Construction Agreement with Los Angeles County for Nogales St. Grade Separation Project** - Mr. Richmond reminded the Board that a standard design and construction agreement was in place with County of Los Angeles for the program-wide projects. He indicated the County has requested a project-specific agreement to cover specifics of Nogales Street grade separation project. He reviewed the tasks required of the County within the agreement. They included review and approve plans at various stages, enforce rights under franchise agreements with various utilities, acceptance of right of way acquired for storm drains, roadway and sewer purposes and obtain necessary permits. He indicated the estimated cost of the required tasks should not exceed \$375,000.

A motion was made to authorize a design and construction agreement with the County of Los Angeles for the Nogales Street (LA sub) grade separation project for an estimated cost of \$375,000.

M/S/C/Gutierrez/King/Unanimous

9. **Approval of Coordinator Reimbursement Agreement with City of San Gabriel** – Mr. Richmond reminded the Board the San Gabriel Trench project required extensive work to various facilities that either belong to the City or fall under their jurisdictional authority. He reviewed the facilities which included a substantial portion of the trench structure, storm drain lines, and the four bridges at Ramona Ave., Mission Dr., Del Mar Ave., and San Gabriel Blvd. He indicated the required level of City staff involvement would support an agreement with the City of San Gabriel for them to provide a dedicated coordinator to support the City requirements for San Gabriel Trench project over the duration of the project. He reviewed the scope of work, as outlined in the agenda. He indicated ACE would reimburse the City for actual costs as opposed to a fixed price, estimated to be \$255,000 over the proposed three-year project.

Mr. Gutierrez asked the record to reflect there was no conflict of interest for him on this item.

A motion was made to authorize a reimbursement agreement with the City of San Gabriel to support a project coordinator for the San Gabriel Trench project for an estimated cost of \$255,000.

M/S/C/King/Gomez /Unanimous

10. Quarterly Reports – Mr. Richmond reviewed the first quarter financial reports.

Mr. Richmond reviewed the accomplishments, project costs and schedule for the first quarter. He reported accomplishments included the new mainline in service at Sunset Avenue, right of way negotiations continued for the Baldwin Ave and Nogales Street projects, and CEQA approval was in process for the San Gabriel Trench project. Project costs increased over the past quarter which were a result of close out costs for East End/Reservoir and Ramona, increased indirect costs for Nogales, Sunset, Baldwin and Brea Canyon. He reminded the Board that an increased is reflected to the Temple Ave. project due to the outstanding Kinder Morgan pipeline protection issue in that area and Union Pacific. Brea Canyon Road expenses are due to a betterment with the City. Baldwin Ave. costs are up due to property acquisitions. Nogales costs increases also included property acquisition costs and under charged design expenses.

11. Fiscal Year 2010 Audited Financial Statement – Mr. Richmond reported this item will not be under discussion as it needed prior approval from the San Gabriel Valley Council of Governments. After approval it will be release to the public and Board members.

12. Adjournment –The meeting was adjourned at 3:10PM.



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: November 22, 2010

SUBJECT: CEO Report

The following are items of note since the last meeting:

San Gabriel Trench Project – ACE has secured final federal environmental clearance of the San Gabriel Trench project, which will permit the beginning of the property acquisition needed for the project. Preconstruction activities should start this Winter. Bidding of the main contract should take place in Spring 2011, assuming State bond funds are available. Construction of the project is anticipated to take three to four years.

Community Outreach Update – Staff has conducted the following project outreach activities:

- Distributed construction alert notices in English, Spanish and Chinese regarding the relocation of underground utilities in preparation for the San Gabriel Trench grade separation project;
- Staffed an ACE exhibit table at the Mobility 21 conference in Anaheim, and;
- Conducted ongoing business support program, community outreach and construction coordination activities for the Sunset Ave. grade separation project.

Attached is the project status report for the Sunset Avenue grade separation project.

Attachment

ALAMEDA CORRIDOR EAST**PROJECT STATUS REPORT****SUNSET AVENUE GRADE SEPARATION PROJECT for the Month: October 2010**

Scope:	Construction of grade separations at the UPRR crossings at Orange Avenue and Sunset Avenue. Orange and Sunset Avenues will be lowered slightly and the tracks raised on embankments and two steel thru-girder bridges. California Street will be raised and reconstructed to meet the new track locations. Valley Boulevard will be reconstructed at all three intersections. Trackwork will consist of a new raised mainline track; at grade drill track and industry track connection to the north; and a temporary shoofly to the south requiring temporary closure of the northerly lane of Valley Blvd.	
Contractor:	Atkinson Contractors, LP	
Construction Manager:	PB	
Contract Award:	August 28, 2006	
Notice to Proceed:	November 14, 2006	
Original Completion:	November 18, 2009	Schedule % Complete
Revised Contract Completion:	January 9, 2011	94.1%

Schedule Summary	Estimated Start	Estimated Completion	% Complete
California Ave Shoofly & Street Restoration	January 2007	December 2007	100%
Railroad ROW storm drain system	February 2007	June 2010	100%
Valley Blvd Shoofly	May 2007	August 2008	100%
Drill Track	April 2008	August 2009	100%
Drill Track Revision 12, 16 & 17	April 2009	September 2009	100%
Main Line Retaining Walls & Backfill	August 2009	March 2010	100%
Sunset & Orange Bridge Steel Fabrication	November 2007	September 2009	100%
Sunset & Orange Bridge Installation	December 2009	May 2010	100%
Sunset & Orange Roadway Installation	July 2010	November 2010	95%
Valley @ Sunset & Orange Street Restorations	August 2009	November 2010	60%
Valley Street Restoration (CN 032.5)	August 2010	November 2010	90%
South Mainline RW's at Shoofly	April 2010	October 2010	95%
Landscaping & Irrigation	October 2010	December 2010	0%

Financial Summary			
Original Contract Value	\$41,938,421.50		
C.O.s Approved This Month	\$0.00		
C.O.s Approved to Date	\$13,020,444.09		
Current Contract Value	\$54,958,865.60		
Invoiced to Date (% of revised contract)	\$50,534,264.10		91.9%
Release of Liens are Current	<input checked="" type="checkbox"/>		

SUNSET AVENUE GRADE SEPARATION PROJECT

Contractor		Atkinson Contractors, LP
Contract Award		August 2006
Limited NTP		November 1, 2006
NTP		November 14, 2006
Original Contractual Completion		November 18, 2009
Revised Completion by Executed Change Order		January 9, 2011
Estimated Date of Completion	94.1%	January 1, 2011
Original Contract Value		\$54,958,865.60
Change Orders this Month		\$0
Amended Contract Value		\$54,958,865.60
Earned to date (Amended Value)	91.9%	\$50,534,264.10
Release of Liens are Current	<input checked="" type="checkbox"/>	

Progress Summary

• California Ave Shoofly & Street Restoration	100%
• Railroad ROW storm drain system	99%
• Valley Blvd Shoofly	100%
• Drill Track	100%
• Drill Track Revision 12 .16 & 17	100%
• Mainline Retaining Walls & Backfill	100%
• Sunset & Orange Bridge Steel Fabrication	100%
• Sunset & Orange Bridge Installation	100%
• Sunset & Orange Roadway Installation	95%
• Valley at Sunset & Orange Street Restorations	60%
• Valley Street Restoration (CN 32.5)	90%
• South Mainline RW's at Shoofly	95%
• Landscaping & Irrigation	0%

Safety and Security Issues:

- LOST TIME INJURY STATUS: No lost time/injuries reported.
- RR INCIDENTS: None
- SITE INCIDENTS: None
- Security incidents: None

Issues

- Installed County Sanitation Districts' pipe protection at UPRR signal structure footing during coordinated Drill Track outage, issue closed.
- Contractor claims native material shortage of 15,000 CY and has proposed a settlement. CM reviewed and sees no reason to pay. (No extra to contract).
- City of Industry delayed scheduled opening of Orange Ave due to concerns that truck drivers may damage the railroad crossing gate southerly median. Meetings are scheduled with the UPRR, in the City of Industry and PUC to address this issue.

Utilities

- SCE installed and energized 28 of the 30 Valley street light poles.
- City of Industry has informed ACE that San Gabriel Valley Water Company will install City supplied irrigation water service the 1st week in November.

Work Accomplished this Month

- Completed accelerated roadway re-construction of Valley Boulevard at 7th Avenue (CN 16.1).
- Ballast and subballast removal along Valley Blvd complete and all installed for landscape (CN 032.5).
- Valley Blvd curb & gutter complete.
- Formed and poured remaining retaining walls for mainline track.
- Completed drainage Line 'N' and Line 'K' and Valley Blvd catch basins (CN 14.2).

Upcoming Work next Month

- Complete re-construction of Valley Boulevard median.
- Valley Blvd street lights completed by SCE.
- UPRR to install Drill Track crossing protection and test signal system.
- Open Sunset Avenue to traffic on 11/10/10.
- Install backfill and complete embankment for 2nd mainline track.
- Install handrail and fence along mainline.
- Lower mainline drainage basins.



Formed & Poured Remaining Retaining Walls for ML Track



Valley Blvd Curb & Gutter



PCC Paving on Eastbound Valley Blvd.





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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: November 22, 2010

SUBJECT: Approval of Contract Amendment for Phase II Study

RECOMMENDATION: Staff requests authorization to amend our contract with KOA Corporation to add an additional Montebello grade separation alternative concept study to the scope of the Phase II study. Staff estimates that the additional concept study will require an additional authorization of \$20,000 for a total contract authorization of \$625,000.

BACKGROUND: Montebello was one of six grade separation sites included in the Phase II study. At the outset, three alternatives were part of the alternative project concept study – the Montebello Boulevard underpass and two railroad lowering options. Last month you approved staff's request to add a railroad flyover option.

Reaching consensus on a locally acceptable, feasible project alternative remains a challenge. There was an additional alternative suggested with the project was first reviewed in 2000 and again in 2007. It was a rerouting of through traffic from Montebello Blvd. to an underpass at Greenwood Avenue about ¼ mile west of Montebello Blvd. it would be accomplished through enhanced traffic signalization, variable message sign(s) and may require widening of Olympic Blvd. between Montebello Blvd. and Greenwood Ave. The immediate area impacts of a Greenwood Ave. underpass appear to be less significant than those at Montebello Blvd.

This alternative generated little interest at the time it was suggested but staff believes it is important to address every potentially viable alternative in trying to reach consensus with the City of Montebello.

BUDGET IMPACT: The Phase II study is being paid for through our indirect costs which are funded by all of our Federal, State and MTA sources.