



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, December 20, 2010 – 2:00 P.M.

Irwindale City Hall

5050 Irwindale Avenue

Irwindale, CA 91706

REVISED

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.

- | | | |
|-------|--|-------------|
| I. | Pledge of Allegiance | |
| II. | Roll Call and Introductions | |
| III. | Approval of Minutes of Regular Meeting of November 22, 2010 | Action |
| IV. | Public Comment | |
| V. | Chairman's Remarks | |
| VI. | Chief Executive Officer's Report | Information |
| VII. | Approval to Amend the ACE Procurement Manual to Permit Use of A Construction Contractor Pre-Qualification Process | Action |
| VIII. | Approval of 2010 Regular Board Meeting Schedule | Approval |
| IX. | County Review of ACE FY 2010 Financial Audit Reports | Information |
| X. | Closed Session: The Board will adjourn to closed session in accordance with Government Code Section 54956.8 to discuss real property negotiations: | |
| | Property Address: 438 S. California Street San Gabriel, CA 91776 | Possible |
| | Agency Negotiators: Paragon Partners/ACE Construction Authority | Action |

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.

Negotiating Parties: ACE Construction Authority and Frankie H. Tang
Under Negotiations: Price and Terms

And in accordance with Government Code Section 54957 to discuss the
Performance Evaluation of the Chief Executive Officer

XI. Adjournment

Action



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ACE Construction Authority Board of Directors November 22, 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
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
Deanna Stanley
Victoria Butler
Charles Tsang
Paul Hubler
Cecilia Cardenas
Genichi Kanow
Carlos Monroy

Guests

Chris Morlok, Dragados USA
Mark Padien, Atkinson Construction
Natasha DeBenon, Arcadis
Arygail Sanchez, HDR

2. **Pledge of Allegiance** – Member Gutierrez led the pledge of allegiance.
3. **Approval of October 25, 2010 Meeting Minutes** – A motion was made by member King to approve the minutes of the regular meeting of October 25, 2010. King/Gutierrez/Unanimous
4. **Public Comments** – There were no public comments.
5. **Chair Report** – Chairman Spohn thanked staff for their work on a very successful dedication ceremony for the Sunset Avenue grade separation project. Chairman Spohn indicated the turn out for the dedication was a testament of the support for the ACE Project. He referenced the news clips which were distributed to the board that included an editorial from the Tribune supporting

federal funding for the ACE program. He reminded the Board that the current economic conditions have reduced past allocations but reminded the Board that the ACE project is the sole Congressionally-designated Projects of National and Regional Significance in the San Gabriel Valley.

6. **Chief Executive Officer's Report** – Mr. Richmond indicated staff received the Federal environment approval for the San Gabriel trench project. He indicated this allows staff to move forward with property acquisition. He indicated there remained major milestones ahead which included a signed railroad agreement and procurement for preconstruction activities fiber optic relocation and archeological services which were necessary because of the proximity of the project to the San Gabriel Mission. Mr. Richmond indicated an agreement was in place with several entities regarding artifacts likely to be discovered during excavation. Mr. Richmond reviewed photos of the Sunset Avenue dedication ceremony and indicated staff was extremely pleased with the participation of legislative delegation as well as from the media. Ms. Victoria Butler reviewed project progress photos of the Sunset Avenue grade separation project.
7. **Approval of Contract Amendment to Phase II Study** – Mr. Richmond indicated the scope of the Phase II study included development of concept plans for previously adopted projects. He reminded the Board of staff's concerns to examine every option possible for the residents of Montebello. He reviewed a Greenwood Avenue alternative which would reroute traffic to a grade separation parallel to Montebello with train activated variable message signs and preferential signal treatment. He indicated this alternative was less evasive to the businesses and residents along Montebello Blvd. Member Gomez reported there were very strong concerns from his constituents for a viable project in Montebello but he also understood the Authority's financial constraints. He expressed his appreciation of staff's good faith efforts and repeated attempts to address fellow Councilmember concerns and stated his support of a more comprehensive study of this alternative.

A motion was made to authorize a contract amendment with KOA Corporation to add an additional Montebello grade separation alternative concept study to the scope of the Phase II study for an estimated \$20,000.

M/S/C/King/Gomez/Unanimous

8. **FY 2010 Financial Audit Reports** – Carlos Monroy reviewed the details of 2010 Financial Audit reports which were prepared by Vasquez & Associates for fiscal year ending June 30, 2010. Mr. Monroy indicated the financial statements found

no internal control deficiencies. Member Antonovich requested this item be discussed at the December meeting after County review.

9. **Closed Session** – Joe Silvey announced the Board would adjourn to close session in accordance with Government Code Section

The Board returned and Mr. Silvey announced that the following actions were taken:

A motion was made by member King and seconded by member Gomez to approve property purchase at 219 East Main Street, San Gabriel in the amount of \$16,500.

A motion was made by member Gutierrez and seconded by member Atchley to approve property purchase at 100-26 Cleary Street, San Gabriel in the amount of \$117,500.

He indicated there were no other actions which needed to be reported.

10. **Adjournment** –The meeting was adjourned at 3:10PM in memory of Raymond Gutierrez, father of Board member David Gutierrez.



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MEMO TO: ACE Construction Authority Board Members & Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: December 20, 2010

SUBJECT: CEO Report

The following are items of note since the last meeting:

Procurement Update – You should be aware of two procurements which have been or will be released shortly.

A Request for Qualifications released last month seeks engineering firms to provide preliminary engineering and final design services for grade separation projects at Puente Avenue and Fairway Drive. A pre-submittal meeting and networking session for disadvantaged and minority-owned firms was held on December 14. Puente Avenue, adjacent to Valley Boulevard, will be grade separated with a new connector road to Valley Boulevard. Fairway Drive, just north of the 60 Freeway is expected to become an underpass with East Walnut Drive and Business Parkway ramped down to intersect the lowered street.

A Request for Proposals for construction management services for the San Gabriel Trench Project is scheduled to be released on or after December 16. A pre-proposal conference and networking session for disadvantaged and minority-owned firms has been scheduled for January 12, 2011 in San Gabriel.

Board members are advised to refer any inquiries from prospective proposers to the ACE Contracts Manager.

Property Acquisition Update – Staff is making good progress on property acquisition necessary for three grade separations expected to go into construction in 2011. At Baldwin Avenue, staff is working on securing a right of entry for the last remaining parcel to be acquired, which will permit Caltrans to authorize construction bidding, hopefully in the first quarter of 2011. For the San Gabriel Trench we have agreements with property owners on 38 of 62 acquisitions needed for the project, primarily easements for subsurface tiebacks rods required to structurally support the trench retaining walls. Of the remaining 24 acquisitions we are confident that a large majority of them can be negotiated within the next month or two. Property acquisition is also proceeding on the Nogales Street project which we hope to bid in the later part of 2011.

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

- Distributed the Fall 2010 edition of The ACE Report e-newsletter, and;
- Conducted ongoing business support program, community outreach and construction coordination activities for the Sunset Ave. grade separation project.

Contracting – Our Administrative Code delegates to the CEO the authority to approve new contracts or change orders for Board-approved contracts within certain limits, with a requirement that I report to the Board any such contract action. In addition to the changes identified in the monthly construction reports, the following changes have occurred:

<u>Consultant/Vendor</u>	<u>Reason for Change</u>	<u>Change Amount</u>	<u>Total Contract Value</u>
Moffatt & Nichol	Additional design services required on San Gabriel Trench project.	\$216,795	\$25,835,263
Moffatt & Nichol	Amend contract to decrease contract value based on audit report findings on San Gabriel Trench design & engineering services.	(\$213,596)	\$25,621,667
Lim & Nascimento Engineering Corporation	Assignment Agreement from Lim & Nascimento Engineering Corporation to AECOM Technical Services, Inc. for pre-construction management services for Baldwin Avenue grade separation project. Amend contract to extend contract term through April 30, 2011.	\$0.00	\$204,645

ALAMEDA CORRIDOR EAST**PROJECT STATUS REPORT****SUNSET AVENUE GRADE SEPARATION PROJECT for the Month: November 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	94.0%

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	90%
Valley Street Restoration (CN 032.5)	August 2010	November 2010	95%
South Mainline RW's at Shoofly	April 2010	October 2010	100%
Landscaping & Irrigation	October 2010	December 2010	30%

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)	\$51,646,979.59		91.2%
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	91.2%	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)	94.0%	\$ 51,646,979.59
Release of Liens are Current	<input checked="" type="checkbox"/>	

Progress Summary

• California Ave Shoofly & Street Restoration	100%
• Railroad ROW storm drain system	100%
• 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	90%
• Valley Street Restoration (CN 32.5)	95%
• South Mainline RW's at Shoofly	100%
• Landscaping & Irrigation	30%

Safety and Security Issues:

- LOST TIME INJURY STATUS: No lost time/injuries reported.
- RR INCIDENTS: None
- SITE INCIDENTS: Vehicle collision between sub-contractor and Arnel worker.
- Security incidents: None

Issues

- Postponed the scheduled opening of Orange Ave due to City of Industry concerns that truck drivers may damage the railroad crossing gate located by UPRR in the southerly median. Currently being re-designed. Will require subsequent approval from PUC and UPRR. Potential delay project completion date projected to February 2011 (CN 058).
- 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 revised the scope of landscaping drawings. Currently negotiating changes (CN 57.1).
- L.A. County has indicated at driveways will need to be adjusted to meet current standards.

Utilities

- SCE energized the last 2 of the 30 Valley street light poles.
- San Gabriel Valley Water Company installed the City supplied irrigation water service east of Sunset.

Work Accomplished this Month

- Poured remaining roadway, medians and sidewalk along 7th / Sunset.
- UPRR installed Drill Track crossing protection and tested signal system.
- Excavated planting holes east of Sunset.
- Opened Sunset Ave intersection at Valley Boulevard.
- Completed installation and pressure test of irrigation main (CN 57.1).
- Placed 95% of AC in slot along Valley Blvd (CN 32.5).
- Completed drainage Line 'N' and Line 'K' and Valley Blvd catch basins (CN 14.2).

Upcoming Work next Month

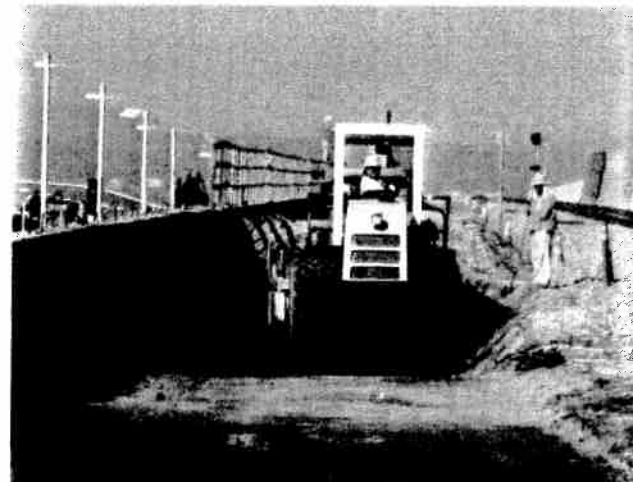
- Complete subballast installation on east and west ends of retaining walls.
- Complete Drainage Lines "2E" & "2C" and retention basins.
- Install and pressure test irrigation laterals.
- Begin planting trees.
- Excavate and install detention storm drain system east of Orange Ave.
- Relocate Athen's Traffic Signals.
- Complete AC paving of slot on Valley Blvd (CN 32.5).
- Install bridge soffit lighting.
- Restore shipper's fencing along Drill Track.
- Install handrail and fence along mainline.
- Lower mainline drainage basins.



Finished PCC Roadway, Stamped Concrete Median & Striping



Opened Sunset Ave Intersection at Valley Blvd.



Backfill of Main Track Retaining Walls at East End



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MEMO TO: ACE Construction Authority Board Members and Alternates

FROM: Rick Richmond
Chief Executive Officer

DATE: December 20, 2010

SUBJECT: Approval to Amend the ACE Procurement Manual to Permit Use of a Contractor Pre-Qualification Process

RECOMMENDATION: Staff requests approval to amend the ACE Procurement Manual to permit the use of a contractor pre-qualified process which staff recommends using for the San Gabriel Trench construction contract.

BACKGROUND: The scope of the San Gabriel Trench involves grade separations at Ramona Street, Mission Road, Del Mar Avenue and San Gabriel Boulevard, which will be accomplished by lowering the railroad track at these street crossings for 1.4 miles and constructing bridges over the trench at each location. Due to the complexity and scale of this project, it is recommended that a contractor pre-qualification process be utilized pre-qualified bidders who have the financial capacity, resources and experience to undertake a project similar to the San Gabriel Trench project.

Board approval of this recommendation would amend Chapter 3 (E) (1) of the ACE Procurement Manual which currently does not allow use of contractor pre-qualification process.

BUDGET IMPACT: None.



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Memo to: ACE Construction Authority Board Members & Alternates

From: Rick Richmond
Chief Executive Officer

Date: December 20, 2010

Subject: Approval of 2011 Board Meeting

The ACE Construction Authority Board has met the fourth Monday of each month with exceptions for holidays. Meetings are held at 2PM at the Irwindale City Hall Council Chambers, 5050 Irwindale Avenue, Irwindale. Agendas are available the Monday prior to the meeting after noon.

Staff recommends continuing to meet at Irwindale City Hall with the following schedule for 2011:

January 24
February 28
March 28
April 25
May 23
June 27
July 25
August 22
September 26
October 24
November 28
December 19



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MEMO TO: ACE Construction Authority Board of Directors

FROM: Rick Richmond
Chief Executive Officer

DATE: December 20, 2010

SUBJECT: ACE Fiscal Year 2010 Financial Statements

At last month's Board meeting Supervisor Antonovich requested that our audited FY 2010 Financial Statements, which were distributed at the November meeting, be on the December agenda for discussion. At the request of the Supervisor's staff, the Audited Statement was forwarded to staff at the L.A. County Public Works Department shortly after the November meeting.

As of December 13, we have not received any comments, questions or requests for further information concerning our audited statements. Staff will have our auditors at your December 20 meeting, should they need to address any questions or comments. We will also have copies of the audited statements available at the meeting.