

**SACRAMENTO REGIONAL TRANSIT DISTRICT  
BOARD OF DIRECTORS  
BOARD MEETING  
July 27, 2009**

**ROLL CALL:** Roll Call was taken at 6:05 p.m. **PRESENT:** Directors Hammond, MacGlashan, Miller, Nottoli, Pannell, Sander, Tretheway and Chair Cohn. **ABSENT:** Directors Dickinson, Hume and Morin.

**CONSENT CALENDAR**

1. Motion: Action Summary - Board Meeting of June 22, 2009
2. Motion: Rejection of Claim: *Neely, J.*
3. Motion: Rejection of Amended Claim: *Mickow, D.*
4. Resolution: Approving the First Amendment to the Agreement for Operation of McClellan Shuttle Service with the McClellan Park TMA (Lonergan)
5. Resolution: Approving the First Amendment to the Agreement Regarding Plan Reciprocity (Fong)
6. Resolution: Approving Second Amendment to the Contract with Wells Fargo Bank for Banking Services (Bernegger)
7. Resolution: Approving Fifth Amendment to Contract with Psomas for General Engineering Support Services (Abansado)
8. Resolution: Approving a Subrecipient Agreement with the Sacramento Area Council of Governments for Congestion Mitigation Air Quality Funds and Amending RT's FY 2010 Capital Budget (Thorn)
9. Resolution: Approving an Easement Agreement for a Sewer Line within the Sacramento-Placerville Transportation Corridor Joint Powers Authority, Sacramento Regional Transit District and Sacramento Area Sewer District at Alabama Avenue between Folsom Boulevard and Atlanta Avenue (Arnold)
10. Resolution: Declaring American Federation of State, County and Municipal Employees Wages and Benefits Neither Fixed Nor Definite (Fong)
11. Resolution: Approving Revisions to the Bylaws of the Mobility Advisory Council (Ham)

12. Resolution: Approving License Agreement for Fiber Optic Cable within the Sacramento-Placerville Transportation Corridor Joint Powers Authority, Sacramento Regional Transit District and Surewest Broadband at Folsom Boulevard between Watt Avenue and Wissemann Drive (Arnold)
13. Approving Amendments to Irrevocable Offers to Dedicate Real Property for Transportation Purposes (Arnold)
  - A. Resolution: Approving the First Amendment to Demonsthenes J. Kaufman and Maria T. Kaufman and Jack Sioukas and Lillian Sioukas Irrevocable Offer to Dedicate Real Property for Transportation Purposes; and
  - B. Resolution: Approving the First Amendment to Marlin W. Gauthier, Trustee to the William L. Linn Trust, and June C. Linn Irrevocable Offer to Dedicate Real Property for Transportation Purposes; and
  - C. Resolution: Approving the First Amendment to Natomas Investment Associates Irrevocable Offer to Dedicate Real Property for Transportation Purposes; and
  - D. Resolution: Approving the First Amendment to Metro-Airport Joint Venture Irrevocable Offer to Dedicate Real Property for Transportation Purposes; and
  - E. Resolution: Approving the Third Amendment to Metro Gateway Center, LLC's Irrevocable Offer to Dedicate Real Property for Transportation Purposes

***ACTION: APPROVED - Director Pannell moved; Director Tretheway seconded approval of the consent calendar as written. Motion was carried by voice vote. ABSENT: Directors Dickinson, Hume and Morin.***

#### **GENERAL MANAGER'S REPORT**

14. General Manager's Report
  - a. Federal Updates
  - b. State Updates
  - c. Monthly Performance Report (June 2009)
  - d. Fiscal Year Performance Report
  - e. RT Meeting Calendar

Mike Wiley verbalized his written report. Mr. Wiley noted that since the publication of this document, RT has executed grant agreements for all of its stimulus funding. The House of Representatives has adopted their FY 2010 appropriations bill which includes



\$40 Million for South Line Phase 2. The bill will now move to the Senate for approval. The lawsuit filed by the California Transit Association was successfully appealed from the Third District Court of Appeals. However, staff believes the State will appeal to the California Supreme Court.

Speaker: Jeffrey Tardaguila

## INTRODUCTION OF SPECIAL GUESTS

### UNFINISHED BUSINESS

15. There is no item for this number.
16. Resolution: Amending Resolution No. 09-06-0104 Setting Forth the Fare Structure for Fixed Route Service to Establish a "Super Senior" Monthly Pass Discount (Brookshire)

Director Sander requested a report back after January 2010 on the usage of the "Super Senior" Pass.

***ACTION: APPROVED - Director Tretheway moved; Director Nottoli seconded approval of the item as written. Motion was carried by voice vote. ABSENT: Directors Dickinson, Hume and Morin.***

17. Resolution: Approving the Implementation of a Pilot Program to Charge \$1.00 Per Day Parking Fee at Watt/I-80, Watt West and Roseville Road Light Rail Stations (Mattos)

Speaker: John Hughes

Director Nottoli requested a report back on usage, after six months of data has been collected, from the pilot program. It is anticipated that the report will come back in July or August 2010.

***ACTION: APPROVED - Director Pannell moved; Director Tretheway seconded approval of the item as written. Motion was carried by voice vote. ABSENT: Directors Dickinson, Hume and Morin.***

### PUBLIC HEARING

18. Proposed Service Changes for January 2010 (Wiley)

Speakers:	Shayana Mendes	Jeffrey Tardaguila	Lisa Gorden
	Sheila Gunn-Cushman	Cynthia Stevenson	Dale Miles
	Crystal Vance	Mike Barnbaum*	Shiela Powell

William Lowell\*  
Theresa Jones  
Chris Daniels  
Alan Miller  
Russell Rawlings

Barbara Stanton  
Howard Jones  
Etta Larrabee  
Jeffrey Stephens  
Kevin Hoops

Vic Wursten  
Evelyn Parker  
Dennis Russak  
Joanne Cox

## **NEW BUSINESS**

Vice Chair, Steve Miller, took over the gavel for this item.

19. Resolution: Approving an Easement Agreement with Sacramento Municipal Utility District to Install Electrical Conduit with Sacramento Regional Transit District's Right of Way at Freeport Boulevard Between Fruitridge Road and Florin Road (Arnold)

***ACTION: APPROVED - Director Nottoli moved; Director Pannell seconded approval of the item as written. Motion was carried by voice vote. ABSENT: Directors Dickinson, Hume and Morin. RECUSED: Director Cohn.***

## **REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS**

20. Chair's Report

None at this time.

## **PUBLIC ADDRESSES THE BOARD ON MATTERS NOT ON THE AGENDA**

Kathleen Mello - Ms. Mello indicated her unhappiness with the increase in price of the Paratransit Monthly Pass and the fact that she now has to pay to transfer to fixed route service.

Howard Jones - Mr. Jones is concerned that the City of Sacramento needs to bring more money in the Sacramento area.

Bill Smith - Mr. Smith talked about solar energy.

## **ANNOUNCEMENT OF CLOSED SESSION ITEMS**

### **RECESS TO CLOSED SESSION**

### **CLOSED SESSION**

### **RECONVENE IN OPEN SESSION**

### **CLOSED SESSION REPORT**

## **ADJOURN**

\*Handout

As there was no further business to be conducted, the meeting was adjourned at 8:45 p.m.

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STEVE COHN, Chair

ATTEST:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary



# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	08/10/09	Open	Action	07/09/09

Subject: Awarding a Contract to Quality Sprayers, Inc. for Weed Abatement Services

## ISSUE

Whether or not to award a Contract to Quality Sprayers, Inc. for Weed Abatement Services.

## RECOMMENDED ACTION

Adopt Resolution No. 09-08- \_\_\_\_\_, Awarding a Contract to Quality Sprayers, Inc. for Weed Abatement Services.

## FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	61,540
Budget Source:	Operating	Next FY:	\$	61,540
Funding Source:	Federal/Local	Annualized:	\$	
Cost Cntr/GL Acct(s) or Capital Project #:	GL: #630050 CC: 37	Total Amount:	\$	184,620
Total Budget:	\$ 184,620			

## DISCUSSION

On May 11, 2009, the Board authorized the release of bids for Weed Abatement Services. This procurement is for a three-year chemical weed abatement and removal services Contract. The three major areas to be abated are RT's current operating light rail system right-of-way along the I-80 corridor from Watt/I-10 to Alkali Flat Station, the Highway 50 corridor from approximately 13<sup>th</sup> and R Streets to Historic Folsom Station, and the South Line corridor, south of 16<sup>th</sup> Street Station to Meadowview Station. The bids were publicly advertised and mailed to 14 qualified sources.

On June 8, 2009, Staff received 2 bids as follows:

	<u>3-Year Total</u>
1. DeAngelo Brothers	\$182,700
2. Quality Sprayers	\$184,620

During the review of bids, staff discovered that the bid from DeAngelo Brothers, the apparent low bidder, contained an irregularity – the Bid Pricing Forms for Years 1-3 for Bid Form 6.2, Bid Pricing Summary Form, were not included with the bid. RT's Chief Legal Counsel determined that DeAngelo did provide RT with their final bid price. Even though RT does not know the detail behind DeAngelo's bid, RT does know DeAngelo's final bid price, which can be compared to their competitor to determine award. Therefore, the omission of the Bid Pricing Forms is deemed a

Approved:

  
General Manager/CEO

Presented:

  
Director, Facilities

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	08/10/09	Open	Action	07/09/09

Subject: Awarding a Contract to Quality Sprayers, Inc. for Weed Abatement Services

waivable irregularity because it does not give the bidder an unfair advantage. Therefore, staff recommends that the Board waive the irregularity as minor.

The Invitation to Bid provided certified Small Business Enterprises (SBEs) the maximum opportunity to participate in the performance of this Contract by providing a 5% price preference in the evaluation of bids to Bidders meeting the SBE participation goal of 25% set for this Contract. DeAngelo Brothers identified their SBE status as: Not SBE. Quality Sprayers identified their SBE status as: SBE. Staff verified Quality's SBE status with the California Department of General Services as SBE certified. Therefore, staff determined that Quality Sprayers has met the 25% SBE participation goal set for this Contract and is entitled to a 5% price preference in the evaluation of bids for award. The price preference will be computed and applied as follows:

1. The lowest, responsive and responsible Bid will be multiplied by 5%. The result of this calculation is the preference amount (Lowest Bid x .05 = Preference Amount).
2. The preference amount is subtracted from the Bid amount of any Small Business and any Non-Small Business that has committed to meet the 25% Small Business subcontracting requirement.
3. The price preference amount on any single bid will not be greater than \$250,000.
4. The Bids are re-ranked after applying the preference and the new lowest responsive and responsible bidder is determined.

<u>Bidder</u>	<u>Total Bid Price</u>	<u>Preference Amount</u>	<u>Preference Amount Subtracted</u>	<u>SBE Price Preference Amount</u>
1) DeAngelo	\$182,700	X .05 = \$9,135		
2) Quality	\$184,620		-\$9,135	= \$175,485

Re-rank of bids after applying the 5% SBE Preference Amount for award determination:

<u>Bidder</u>	<u>SBE Preference Bid Price</u>
1) Quality Sprayers	\$175,485
2) DeAngelo Brothers	\$182,700

Staff, using the price-based SBE Preference Amount for award, recommends award of a Contract to Quality Sprayers, Inc. in the amount of \$184,620.



RESOLUTION NO. 09-08-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

August 10, 2009

**AWARDING A CONTRACT TO QUALITY SPRAYERS, INC. FOR WEED  
ABATEMENT SERVICES**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE  
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "RT," and Quality Sprayers, Inc., therein referred to as "Contractor," whereby Contractor agrees to provide weed abatement services for three years for an amount not to exceed \$184,620, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said Contract.

\_\_\_\_\_  
STEVE COHN, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary



# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
3	08/10/09	Open	Action	08/03/09

Subject: Approving Third Amendment to Work Order 12 to the Contract for General Engineering Support Services

## ISSUE

Whether or not to approve the Third Amendment to Work Order No. 12 to Contract for General Engineering Support Services.

## RECOMMENDED ACTION

Adopt Resolution No. 09-08-\_\_\_\_\_, Approving Third Amendment to Work Order No. 12 to the Contract with Psomas for General Engineering Support Services.

## FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	17,380
Budget Source:	Capital	Next FY:	\$	N/A
Funding Source:	Federal/State/Local	Annualized:	\$	N/A
<b>Cost Cntr/GL</b>	910800	<b>Total Amount:</b>	\$	
<b>Acct(s) or</b>	410.05.02.03.12			
<b>Capital Project #:</b>				
<b>Total Budget:</b>	\$ 116,930			

## DISCUSSION

On November 13, 2006, the Board awarded a contract to Psomas in the amount of \$1,500,000 for General Engineering Support Services (GESS). The contract provides for on-call support for various capital construction projects on portions of the light rail system and bus facilities. The scope of work includes various disciplines of engineering, traffic engineering, architectural and landscape design, surveying and right of way, right of way engineering, real estate services and estimating. The support services are performed on a Work Order basis.

On August 21, 2007, Work Order No. 12 was issued for Preliminary Right of Way Acquisition Support Services for the South Sacramento Corridor Phase 2 rail project (SSCP2) for an amount not to exceed \$24,750. On March 12, 2008, Work Order 12.1 amended Work Order No. 12 to increase the budget by \$26,840, for a total amount of \$51,590. On October 8, 2008, Work Order No. 12.2 increased the budget by an additional \$47,960, to \$99,550. This aided in right of way acquisition and support activities during preliminary design of the proposed light rail alignment.

After the total consideration under Work Order 12, as amended by Work Order 12.1 and 12.2, was exhausted, Staff continued to authorize additional right of way acquisition support services to finish all preliminary right of way acquisition work and to progress the work to completion without

Approved:

  
General Manager/CEO

Presented:

  
Fred Arnold - Director, Real Estate

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
3	08/10/09	Open	Action	08/03/09

Subject: Approving Third Amendment to Work Order 12 to the Contract for General Engineering Support Services

delay, notwithstanding the absence of a written Contract amendment for such work. Staff is requesting that the Board ratify the actions of Staff in authorizing the previously-performed work and approve Work Order 12.3 to increase the total consideration under Work Order 12 by \$17,380, from \$99,550 to \$116,930.

Staff recommends Board approval of the Third Amendment to Work Order No. 12 to the Contract with Psomas for General Engineering Support Services.

RESOLUTION NO. 09-08-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

August 10, 2009

**APPROVING THIRD AMENDMENT TO WORK ORDER 12 TO THE CONTRACT  
WITH PSOMAS FOR GENERAL ENGINEERING SUPPORT SERVICES**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE  
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Third Amendment to Work Order 12 to the Contract for General Engineering Support Services between Sacramento Regional Transit District, therein referred to as "RT," and Psomas, therein referred to as "Consultant," wherein the total consideration is increased by \$17,380, from \$99,550 to \$116,930 to compensate Consultant for services already performed for preliminary right of way acquisition services for South Sacramento Corridor Project Phase 2, is hereby approved.

THAT, the Board hereby ratifies the actions of Staff in directing Consultant to perform work in the absence of a written Contract amendment.

THAT, the General Manager/CEO is hereby authorized and directed to execute said Third Amendment.

\_\_\_\_\_  
STEVE COHN, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary



# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
4	08/10/09	Open	Action	07/15/09

Subject: Authorizing Solicitation of Proposals for General Engineering Support Services

## ISSUE

Whether or not to authorize solicitation of proposals for General Engineering Support Services.

## RECOMMENDED ACTION

Adopt Resolution No. 09-08-\_\_\_\_\_, Authorizing Solicitation of Proposals for General Engineering Support Services.

## FISCAL IMPACT

Budgeted:	This FY:	\$
Budget Source:	Next FY:	\$
Funding Source:	Annualized:	\$

This action does not involve the expenditure of funds. The contract award, which will involve the expenditure of funds, will be presented to the Board as a future action.

## DISCUSSION

The current General Engineering Support Services (GESS) contract with Psomas expires December 31, 2009. The GESS contract will provide on-call support for various capital construction projects on portions of the light rail system and bus facilities. The scope of work includes various disciplines of engineering, traffic engineering, architectural and landscape design, surveying and right-of-way, and estimating. The support services will be contracted over a three-year period for a variety of work tasks done on a Work Order basis.

There is no predetermined scope or dollar amount limit for an individual task. After negotiating the price for a work order, the General Manager/CEO or his designee approves work orders with a price of \$100,000 or less and work orders exceeding \$100,000 require Board approval. As work orders are assigned to the consultant, they are charged against the respective project's budget line item for the task being performed, or the GESS budget as funds permit.

Staff recommends authorization to solicit proposals for General Engineering Support Services.

Approved:

  
General Manager/CEO

Presented:

  
Darryl Abansado, Director, Civil and Track Design

RESOLUTION NO. 09-08-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

August 10, 2009

**AUTHORIZING SOLICITATION OF PROPOSALS FOR GENERAL ENGINEERING  
SUPPORT SERVICES**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE  
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Request for Proposals for General Engineering Support Services is  
hereby approved and authorized for release.

THAT, the Request for Proposals be advertised pursuant to the provisions of the RT  
Procurement Ordinance.

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STEVE COHN, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
5	08/10/09	Open	Action	06/11/09

Subject: Declaring ATU Wages and Benefits Neither Fixed Nor Definite

## ISSUE

To provide the Board of Directors with the option of granting retroactive adjustments, should a labor contract settlement be negotiated subsequent to the termination of the District's existing contract with the Amalgamated Transit Union, Local 256 (ATU).

## RECOMMENDED ACTION

Adopt Resolution No. 09-08-\_\_\_\_\_, Declaring ATU Wages and Benefits Neither Fixed Nor Definite.

## FISCAL IMPACT

None.

## DISCUSSION

RT's current agreement with the ATU expires on August 31, 2009. This resolution gives the Board the option of considering wage and/or benefit adjustments retroactively to the expiration date, if it is deemed desirable to do so. It does not commit RT to such retroactive wage and/or benefit adjustments.

Approved:

  
General Manager/CEO

Presented:

  
Director, Labor Relations



RESOLUTION NO. 09-08-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

August 10, 2009

**DECLARING ATU WAGES AND BENEFITS  
NEITHER FIXED NOR DEFINITE**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE  
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, from September 1, 2009, compensation for services performed by  
employees covered by the Collective Bargaining Agreement between ATU Local 256 and  
the Sacramento Regional Transit District, is deemed neither fixed nor definite.

\_\_\_\_\_  
STEVE COHN, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary