



METROPOLITAN  
TRANSPORTATION  
COMMISSION

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**DRAFT**

**ADMINISTRATION COMMITTEE**

October 3, 2007  
MINUTES

*Bill Dodd, Chair*  
Napa County and Cities

*Scott Haggerty, Vice Chair*  
Alameda County

*Tom Ammiano*  
City and County of San Francisco

*Tom Azumbrado*  
U.S. Department of Housing  
and Urban Development

*Tom Bates*  
Cities of Alameda County

*Bob Blanchard*  
Sonoma County and Cities

*Dean Chu*  
Cities of Santa Clara County

*Dave Cortese*  
Association of Bay Area Governments

*Dorene M. Giacomini*  
U.S. Department of Transportation

*Federal D. Glover*  
Contra Costa County

*Anne W. Halsted*  
San Francisco Bay Conservation  
and Development Commission

*Steve Kinsey*  
Marin County and Cities

*Sue Lempert*  
Cities of San Mateo County

*Jon Rubin*  
San Francisco Mayor's Appointee

*Bijan Sartipi*  
State Business, Transportation  
and Housing Agency

*James P. Spering*  
Solano County and Cities

*Adrienne J. Tissier*  
San Mateo County

*Amy Worth*  
Cities of Contra Costa County

*Ken Yeager*  
Santa Clara County

*Steve Heminger*  
Executive Director

*Ann Flemer*  
Deputy Executive Director, Operations

*Andrew Fremier*  
Deputy Executive Director,  
Bay Area Toll Authority

*Therese W. McMillan*  
Deputy Executive Director, Policy

**Attendance**

Chair Blanchard called the meeting to order at 9:52 a.m. Committee members present were: Commissioners Ammiano, Chu, Cortese, Giacomini, Kinsey, Lempert, Rubin, Sartipi, Tissier, and Worth.

**CONSENT**

**Minutes**

The Committee received and approved as written the meeting minutes of September 12, 2007.

**FY 2007-08 Caltrans Planning Grants: (1) Resolution No. 3808, Revised – FY 2007-08 Overall Work Program (OWP) (2) Funding Agreements**

The Committee authorized the referral of MTC Resolution No. 3808, Revised, to the Commission to authorize the Executive Director or his designee to add grants approved by Caltrans to MTC's OWP and to authorize the Executive Director or his designee to enter into pass-through funding agreements with Solano Transportation Authority (STA), Alameda County Congestion Management Agency (ACCMA), San Francisco County Transportation Authority (SFCTA), Bay Area Rapid Transit (BART), San Mateo County Transit District (SamTrans), Marin Transit District, and Marin County Transit District.

**Purchase Order – Provision of Mailing Services: Mailstream**

The Committee authorized the Executive Director or his designee to issue a purchase order to Mailstream, Inc. to provide mail house and printing services for a four-year period through FY 2010-11 at a cost of up to \$30,000 per fiscal year, with funding for FYs 2008-2011 subject to inclusion in an approved agency budget.

**FY 2007-08 Annual Anticipated Disadvantaged Business Enterprise (DBE) Participation Level Report (AADPL)**

The Committee received staff reports summarizing the Disadvantaged Business Enterprise Participation Level in the AADPL Report for FY 2007-08. The AADPL Report is a federal Department of Transportation requirement, which has been approved by Caltrans.

**Funding Agreement Amendment – City CarShare in San Francisco: (i) Expansion (ii) Pricing Innovations**

The Committee authorized the Executive Director or his designee to negotiate and enter into a two-part funding agreement amendment with City CarShare: (i) to expand car-sharing services in San Francisco, adding \$294,792 in federal High Priority Projects funds; and (ii) subject to approval of MTC Resolution 3818, Revised, amending MTC's FY 2007-08 agency budget, to examine value pricing innovations in San Francisco, using \$436,000 in federal Value Pricing Pilot Program funds.

**Funding Agreement Amendment – Station Area Planning and Waterfront Planning Support: Bay Conservation and Development Commission (BCDC)**

The Committee authorized the Executive Director or his designee to negotiate and enter into a one-year funding agreement amendment with BCDC in an amount not to exceed \$170,000 for technical assistance in developing water-oriented transit development and shoreline development strategies and supporting regional committees.

**MONTHLY FINANCIAL STATEMENTS**

The Committee accepted in writing the following monthly financial reports for the month of August: Operating Income for August 2007; Report of Operating Expenditures for FY 2006-07 through August 2007; Report of Capital Projects for FY 2006-07 through August 2007; FY 2006-07 Contract Services Disbursement Report for August 2007. For the month of August 2007, the monthly financial report listed three (3) contracts executed by the Executive Director in the amount of \$100,000 and under, and sixty-six (66) purchase orders executed by the Executive Director between \$2,500 and \$55,000.

The Committee received a comparison between budget and actual revenue and expenditures through August 2007.

**INVESTMENT REPORT**

The Committee accepted for information the Investment Reports for the months of August 2007.

**Resolution No. 3818, Revised – MTC Agency Budget Revision to FY 2008**

The Committee authorized the referral of MTC Resolution No. 3818, Revised, to the Commission to authorize the Executive Director or his designee to amend the FY 2007-08 MTC operating budget by \$6,598,323 and the capital budget by \$10,750,000, reflective of the state and federal grants that have been approved since the FY 2007-08 budget was approved in June.

**Contract: Construction Services for Joseph P. Bort MetroCenter Seismic Retrofit Project**

Stephen Wolf, MTC staff, advised the Committee that the low bidder on the MetroCenter Seismic Retrofit Project (Rubecon General Contracting) has not yet been able to secure the performance and payment bonds required by the Invitation for Bid (IFB), within the seven days given to them, but is making final efforts to do so. Because the next lowest bid is considerably more (\$1.2 million), staff agreed to give Rubecon additional time to secure bonds. Should Rubecon not secure bonds by October 12, staff recommended that the authority reject Rubecon's bid and authorize award to the second low bidder, William P. Young (at \$3, 086,433) or, if the second low bidder fails to meet all IFB requirements, to the third-low bidder, Cal Pacific (at \$3,087,000). If Cal Pacific fails to meet IFB requirements, staff recommended rejecting all bids and re-advertising.

Commissioner Cortese asked staff why they were not recommending that MTC re-advertise. Stephen Wolf stated that the three lowest bidders were within MTC's engineering estimate and budget. If MTC re-bids, the cost to MTC may go up.

The Committee authorized the Executive Director or his designee to award a contract for the Joseph P. Bort MetroCenter seismic retrofit to William P. Young Construction, Inc., with a not-to-exceed (NTE) amount of \$3,086,433, or to Cal Pacific Construction, Inc., NTE \$3,087,000, should Rubecon not secure bonds by October 12, as recommended by staff. The Committee also authorized an 18% contingency equal to \$550,000, to be used at MTC's discretion for changes in work. This would bring the total not to exceed amounts authorized by the Committee to \$3,466,433 and \$3,467,000, for William P. Young Construction and Cal Pacific respectively.

**Results of the Transportation Development Act (TDA) Performance Audit of MTC**

The Committee received a report from Mr. Subhash Mundle, of Mundle & Associates, Inc., on the results of the 2007 Transportation Development Act Performance Audit of MTC. The audit included three recommendations: 1) Develop agency-wide goals and objectives that encompass all functions within the MTC organization; 2) Examine internal and external communication protocols to enhance information flow between MTC and the operators, particularly when circumstances result in a delay or reduction in the operators' funding expectations; 3) Ensure that an appropriate public participation process is conducted annually in the northern counties.

Several Commissioners offered comments on this item. Commissioner Tissier commented that the survey suggests that many respondents felt the allocation process is too time consuming; however, in the recommendations there was nothing suggested to fix or streamline the process. Mr. Mundle responded by stating this was due to the small sample size and taking into account possible staffing changes, which would have created a learning curve for the allocation process.

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Deputy Executive Director, Policy, Therese McMillan commented that considering the tens of millions of dollars that MTC allocates every year, the fact that two-thirds are allocated with less than two weeks effort per year by the operators reflects the fact that MTC has streamlined the process. She offered to look into this issue more specifically going forward.

Commissioner Tissier asked that if there are agencies not asking for allocations because it is too time-consuming, shouldn't we know which agencies they are? Mr. Mundle responded by stating there was not an agency that said it did not apply for allocations because it was too time consuming.

#### **BUSINESS MEETING EXPENSES**

Ann Flemer, Deputy Executive Director, Operations, reported there are no anticipated expenses to report for the month of September.

#### **OTHER BUSINESS/PUBLIC COMMENT/ADJOURNMENT/NEXT MEETING**

There being no further business or public comment, the meeting was adjourned at approximately 10:27 a.m. The next Committee meeting date will be on November 14, 2007 in the Lawrence D. Dahms Auditorium, 101 Eighth Street, Oakland, CA.