



ADMINISTRATION & FINANCE COMMITTEE

Thursday, April 19, 2007

County Government Center
70 West Hedding Street – Room 157
San Jose, California

SUMMARY MINUTES

1. CALLED TO ORDER at 12:00 p.m.

ROLL CALL

Members Present

Don Gage, Vice Chairperson
Breene Kerr, Chairperson
Chuck Reed
Forrest Williams

Members Absent

None

Alternates Present

None

Alternates Absent

Dominic Caserta
Judy Chirco
Pete McHugh

* Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Kerr **removed** the following Agenda Items from the Agenda: **Agenda Item #2.**, Closed Session and **Agenda Item #3.**, Closed Session Report.

2. CLOSED SESSION

Conference with Labor Negotiators
[Government Code Section 54957.6]

VTA Designated Representatives:

Bill Lopez, Chief Administrative Officer
Robert Escobar, Manager, Office of Employee Relations

Employee Organization:

American Federation of State, County, and Municipal Employees (AFSCME)

There was no Closed Session.

3. CLOSED SESSION REPORT

There was no Closed Session Report.

4. PUBLIC PRESENTATIONS

There were no Public Presentations.

5. ORDERS OF THE DAY

Chairperson Kerr **requested** that the following Agenda Item be removed from the Regular Agenda and placed on the Consent Agenda: **Agenda Item # 9.**, Adopt a support position for AB 23 (Ma) and AB 57 (Soto); and further, adopt an oppose position for SB 540 (Harman).

Accepted the Orders of the Day.

Michael T. Burns, General Manager, **introduced** Jerry G. Mikolajczyk, new Chief Financial Officer, to the Committee.

CONSENT AGENDA

6. **Approved** the Regular Meeting Minutes of March 15, 2007.
7. **Reviewed** the Report on Santa Clara Valley Transportation Authority Investments for the Month February 2007.
8. **Reviewed** the Monthly Legislative History Matrix.
9. **Approved** submitting a recommendation to the Board of Directors to adopt a support position for AB 23 (Ma) and AB 57 (Soto); and further, adopt an oppose position for SB 540 (Harman).

REGULAR AGENDA

10. **Approved** submitting a recommendation to the Board of Directors to reaffirm the Investment Policy on Unrestricted and Restricted Funds.
11. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a fixed fee contract with Tristar Risk Management for Workers' Compensation Third Party Administrator (TPA) claims services for a three-year term, from July 1, 2007 through June 30, 2010, with an option for two additional one-year extensions. The total three-year contract cost for claims service is not to exceed \$3,759,866 and the total five-year contract cost is not to exceed \$6,488,741.

12. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract with Monitor Integrated Healthcare for Workers' Compensation Medical Management services for a three-year term, from July 1, 2007 through June 30, 2010, with an option for two additional one-year extensions. The total three-year contract cost for Medical Management services is not to exceed \$1,004,157 and the total five-year contract cost is not to exceed \$1,713,573.
13. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract with GENEX Services, Inc. for Workers' Compensation Medical Bill Repricing services for a three-year term, from July 1, 2007 through June 30, 2010, with an option for two additional one-year extensions. The total three-year contract cost for claims services is not to exceed \$578,668 and the total five-year contract cost is not to exceed \$978,295.
14. **Approved** submitting a recommendation to the Board of Directors to authorize the filing of grant applications and execution of grants agreement with the Federal Transit Administration (FTA) for funding under the FY07 Section 5309 (49 USC Section 5309) Bus and Bus-Related Facilities Discretionary Grant Program for the implementation of an Advanced Zero-Emission Bus Demonstration Program.
15. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manger to: 1) amend the contract with Rajappan & Meyer, Consulting Engineers, Inc. for the preliminary engineering and environmental phase on the US 101 De La Cruz Boulevard/Trimble Road Interchange Reconstruction Project, increasing the approved contract value by \$420,000 for a new total contract value of \$500,000; and 2) extend the term of the contract through March 31, 2009.
16. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manger to negotiate and execute a contract with Parsons Brinkerhoff Quade & Douglas (PBQ&D) for the preliminary engineering and environmental phase on the Charcot Avenue Extension Project, for a total contract value not to exceed of \$600,000.
17. **Approved** submitting a recommendation to the Board of Directors to adopt the revised Joint Development Policy and Request for Proposal (RFP) Developer Selection Criteria.
18. **Approved** submitting a recommendation to the Board of Directors to revise the format of Board Memorandums to clearly indicate those items of a policy nature; Revise the format of Board memos to clearly indicate the parties, including subcontractors, to all contracts other than competitively bid contracts; Add the following to **Sec. 2-70, Incompatible uncompensated activities**, of the VTA Administrative Code: "*(c) Board members or their staff shall not attempt to influence contract awards. (d) During any procurement process, Board Members or their staff shall not communicate with VTA staff regarding the procurement.*"; Revise Chapter 9 of the Administrative Code to reflect current California law concerning the availability of information to the public; and Direct the General Counsel to report public records requests that result in controversy with the requestor to the Administration and Finance Committee or the whole Board via email if there is insufficient time.

19. **Approved** submitting a recommendation to the Board of Directors to authorize the General Manger to execute a contract with CRA International (CRA) in the amount of \$287,484 to conduct a DBE Availability and Utilization Study. The term of the contract will be from May 4, 2007 to August 30, 2007.

OTHER ITEMS

20. **Discussed** the Organizational and Financial Assessment.

Board Member Reed arrived at the meeting at 1:14 p.m.

Chairperson Kerr **requested** that the A&F Committee conduct a second meeting in May 2007 held at San Jose City Hall to focus and discuss the Organizational and Financial Assessment Recommendations. Michael T. Burns, General Manager, **stated** that the Office of the Board Secretary will coordinate the second meeting logistics with the A&F Committee Members.

21. **Items of Concern and Referral to Administration**

Vice Chairperson Gage **stressed the importance** to implement a formal process regarding Board referrals and/or requests where staff could determine whether or not the work could be accomplished within the timeframe requested by the Board.

22. **Reviewed** the Committee Work Plan.

23. **Committee Staff Report: Received** the Committee Staff Report.

Board Member Williams **commented** on a recent incident where a Capitol Corridor Operator was violently attacked in Old Sacramento.

24. **Chairperson's Report:**

There was no Chairperson's Report.

25. **Determine Consent Agenda for the May 3, 2007 Board Meeting**

CONSENT: **Agenda Item #9.**, Adopt a support position for AB 23 (Ma) and AB 57 (Soto); and further, adopt an oppose position for SB 540 (Harman); **Agenda Item #10.**, Reaffirm the Investment Policy on Unrestricted and Restricted Funds; **Agenda Item #11.**, Authorize the General Manager to execute a fixed fee contract with Tristar Risk Management for Workers' Compensation Third Party Administrator (TPA) claims services for a three-year term, from July 1, 2007 through June 30, 2010, with an option for two additional one-year extensions. The total three-year contract cost for claims service is not to exceed \$3,759,866 and the total five-year contract cost is not to exceed \$6,488,741; **Agenda Item #12.**, Authorize the General Manager to execute a contract with Monitor Integrated Healthcare for Workers' Compensation Medical Management services for a three-year term, from July 1, 2007 through June 30, 2010, with an option for two additional one-year extensions. The total

three-year contract cost for Medical Management services is not to exceed \$1,004,157 and the total five-year contract cost is not to exceed \$1,713,573; **Agenda Item #13.**, Authorize the General Manager to execute a contract with GENEX Services, Inc. for Workers' Compensation Medical Bill Repricing services for a three-year term, from July 1, 2007 through June 30, 2010, with an option for two additional one-year extensions. The total three-year contract cost for claims services is not to exceed \$578,668 and the total five-year contract cost is not to exceed \$978,295; **Agenda Item #14.**, Authorize the filing of grant applications and execution of grants agreement with the Federal Transit Administration (FTA) for funding under the FY07 Section 5309 (49 USC Section 5309) Bus and Bus-Related Facilities Discretionary Grant Program for the implementation of an Advanced Zero-Emission Bus Demonstration Program; **Agenda Item #15.**, Authorize the General Manger to: 1) amend the contract with Rajappan & Meyer, Consulting Engineers, Inc. for the preliminary engineering and environmental phase on the US 101 De La Cruz Boulevard/Trimble Road Interchange Reconstruction Project, increasing the approved contract value by \$420,000 for a new total contract value of \$500,000; and 2) extend the term of the contract through March 31, 2009; **Agenda Item #16.**, Authorize the General Manger to negotiate and execute a contract with Parsons Brinkerhoff Quade & Douglas (PBQ&D) for the preliminary engineering and environmental phase on the Charcot Avenue Extension Project, for a total contract value not to exceed of \$600,000; and **Agenda Item #19.**, Authorize the General Manger to execute a contract with CRA International (CRA) in the amount of \$287,484 to conduct a DBE Availability and Utilization Study. The term of the contract will be from May 4, 2007 to August 30, 2007.

REGULAR: Agenda Item #17., Adopt the revised Joint Development Policy and Request for Proposal (RFP) Developer Selection Criteria; and **Agenda Item #18.**, Revise the format of Board Memorandums to clearly indicate those items of a policy nature; Revise the format of Board memos to clearly indicate the parties, including subcontractors, to all contracts other than competitively bid contracts; Add the following to **Sec. 2-70, Incompatible uncompensated activities**, of the VTA Administrative Code: *“(c) Board members or their staff shall not attempt to influence contract awards. (d) During any procurement process, Board Members or their staff shall not communicate with VTA staff regarding the procurement.”*; Revise Chapter 9 of the Administrative Code to reflect current California law concerning the availability of information to the public; and Direct the General Counsel to report public records requests that result in controversy with the requestor to the Administration and Finance Committee or the whole Board via email if there is insufficient time

26. Announcement

There were no Announcements.

27. ADJOURNED at 1:34 p.m.