



BOARD OF DIRECTORS

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REVISED

AGENDA

MONITORING COMMITTEE

Chairman Dave Druker, Bob Campbell, Chris Orlando, Jim Wood
Staff Committee Liaison: Brian Graham

Thursday, May 3, 2007- 8:30 AM
311 South Tremont Street, Oceanside, California

1. Open Meeting
2. Changes to the Agenda
3. Heritage Security Services for Supplemental Security at SPRINTER Construction Sites
4. Rail 2 Rail Program
5. Insurance Brokerage and Risk Management Consulting Contract
6. HDR Engineering for Design of Bridge 207.6
7. Retainage from SPRINTER Vehicle Maintenance Facility Construction Contract
8. Customer Information Systems/511
9. Other Matters
10. Public Comment
11. Next Meeting: Thursday, **June 7, 2007**, 8:30 a.m., 311 South Tremont, Oceanside, CA
12. Adjournment

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STAFF REPORT
TO THE
MONITORING COMMITTEE

COMMITTEE MEETING DATE: May 3, 2007

TITLE: Rail 2 Rail Program

STAFF CONTACT: Tom Lichterman
Director of Rail Services
E-mail: tlichterman@nctd.org

TIME SENSITIVE: YES NO
Phone: 760/967-2855

Consent Action Information

COMMITTEE RECOMMENDATION:

DESCRIPTION:

Discussion and direction regarding the extension of the Rail 2 Rail Program with Amtrak for FY 08.

BACKGROUND:

For the past three years, NCTD has participated with Amtrak and the Caltrans Division of Rail in the Rail 2 Rail Program. Under this program, COASTER monthly pass holders can ride Amtrak Pacific Surfliners within the geographic limits of their passes. The passenger pays nothing for this flexibility, but NCTD pays Amtrak \$1.50 per COASTER monthly pass holder carried on Amtrak. The program has been capped at \$100,000 maximum reimbursement to Amtrak for FY 07.

The objectives of the program are to increase COASTER monthly pass sales, increase travel options for passengers in the corridor, and increase overall ridership. Usage of Rail 2 Rail by COASTER pass holders has increased 15.8 % during FY 07 (July – March) over FY 06. However, data for the first six months of FY 07 indicates NCTD COASTER pass sales have been essentially flat.

Due to the increased ridership, Amtrak proposes one of the following options:

- Increase the maximum annual reimbursement cap to \$125,000, a 25% increase, or;
- Increase the maximum annual reimbursement cap to \$102,000, with the program no longer eligible for use on Sundays when COASTERS do not run. Data for six recent months indicates that about 8.4%, or 7,000 riders, out of the total Rail 2 Rail projected annual ridership of 80,000, is occurring on Sundays.

This issue was previously discussed by the Planning Committee during budget development, but a decision was deferred until the budget outlook was better known. Staff seeks a recommendation to the Board on one of the options.

FISCAL IMPACT:

The fiscal impact of this item will be either \$125,000 in FY 08, or \$102,000, depending on the option selected. The proposed FY 08 Operating Budget has been tentatively established at \$125,000 pending Board direction for the Rail 2 Rail Program.

OBJECTIVE:

Committee recommendation to the Board regarding continuation of the Rail 2 Rail Program.

COMMITTEE DISCUSSION

5/3/07



STAFF REPORT
TO THE
MONITORING COMMITTEE

COMMITTEE MEETING DATE: May 3, 2007

TITLE: Insurance Brokerage and Risk Management Consulting Contract

STAFF CONTACT: Susan Lockwood
 Manager of Risk and Safety
 Email: slockwood@nctd.org

TIME SENSITIVE: YES NO

Phone: 760/967-2847

Consent Action Information

COMMITTEE RECOMMENDATION:

DESCRIPTION:

Consider the award of a five-year contract to Alliant Insurance Services for insurance brokerage and risk management consulting services and authorize the Executive Director to execute said contract effective June 1, 2007.

BACKGROUND:

The District's current contract with Willis Risk and Insurance Services will expire on May 31, 2007. The insurance broker performs a variety of risk and insurance consulting services for the District. The primary function of this contractor is to market and place the District's insurance coverage. Said coverage includes liability, excess liability, property, excess property, excess workers' compensation, crime and supplemental flood at specific locations.

Staff recently initiated a Request for Proposals (RFP 07032) to establish a new five-year, flat fee contract with an insurance broker in accordance with procurement policy and procedures for negotiated procurements. An evaluation committee comprised of two NCTD employees and one San Diego Metropolitan Transit System (MTS) employee reviewed the proposals and ranked them according to the following criteria:

- Background and experience of the firm (25%)
- Proposed methodology and approach to work (25%)
- Service team qualifications (25%)
- Cost (25%)

Oral interviews were held with each of the firms in early April 2007. Final scoring ranked the firms as follows:

1. Alliant Insurance Services, Inc.
2. Marsh Risk & Insurance Services, Inc.
3. Lockton Insurance Brokers, LLC
4. AON Risk Services, Inc. of Southern California
5. G.S. Levine Insurance Services, Inc.

Alliant Insurance Services was found to be the highest scoring responsive offer from a responsible firm. Staff, therefore, recommends that the Board consider the award of a five-year contract to Alliant, at a cost not to exceed \$70,000 for the first year of service. Subsequent years are increased per San Diego Consumer Price Index, not to exceed 4%.

Year 2:	\$72,800
Year 3:	\$75,712
Year 4:	\$78,740
Year 5:	\$81,890

FISCAL IMPACT:

The proposed FY 08 Operating Budget includes funding for these services. Subsequent years will be adjusted accordingly based upon the proposed contract fees and the San Diego Consumer Price Index. Each year, the cost of insurance policies purchased through the brokerage contract is also budgeted. The total projected insurance premiums in FY 08 are approximately \$3.7 million.

OBJECTIVE:

To obtain the Committee's recommendation to the Board for approval to establish a five-year contract with Alliant Insurance Services for insurance brokerage and risk management consulting services, and by approving the contract award, to authorize payments to Alliant for purchased insurance policies.

COMMITTEE DISCUSSION

5/3/07



STAFF REPORT
TO THE
MONITORING COMMITTEE

COMMITTEE MEETING DATE: May 3, 2007

TITLE: HDR Engineering for Design of Bridge 207.6

STAFF CONTACT: Tom Lichterman
Director of Rail Services
E-mail: tlichterman@nctd.org

TIME SENSITIVE: YES NO

Phone: 760/967-2855

Consent Action Information

COMMITTEE RECOMMENDATION:

DESCRIPTION:

Award of a Purchase Order to HDR Engineering for geotechnical investigation and preliminary environmental analysis for repair or replacement of Bridge 207.6's north approach.

BACKGROUND:

Bridge 207.6, near the Orange County Line at "Trestles Beach", is one of the District's aging timber pile trestles on the Coastal rail line. At the April 19, 2007 Board meeting, the Board approved a purchase order for urgently needed repairs to a number of the piles in the 558' northern approach, following findings of rapidly advancing decay in our recent bridge inspection. At that meeting, staff also indicated that NCTD would solicit a design proposal from HDR, our on-call bridge design consultant, for repair or replacement of this portion of the bridge, and would return to the Board with this proposal at the next meeting.

HDR has recommended that a geotechnical investigation and preliminary environmental analysis be conducted first, in order to develop the base data needed for identification and evaluation of repair or replacement alternatives. The cost proposed for this work, \$49,953, falls within the Executive Director's change order authority, so this report is being provided as information and follow-up. The District plans to award this purchase order to begin this work as soon as possible. This work would be followed by subsequent work phases, which will be brought back for Board approval.

FISCAL IMPACT:

The fiscal impact of this item is \$49,953. A total of \$1,913,144 has been budgeted in various capital projects (JB #'s 504033, 506027, 506401, and 507016) previously approved by the Board, of which \$862,780 has been expended and \$959,536 has been encumbered, leaving an available balance of \$90,828.

OBJECTIVE:

That the Committee receive this as an information item as follow-up to last month's action on repairs to Bridge 207.6

COMMITTEE DISCUSSION

5/3/07



STAFF REPORT
TO THE
MONITORING COMMITTEE

COMMITTEE MEETING DATE: May 3, 2007

TITLE: Retainage from SPRINTER Vehicle Maintenance Facility Construction Contract

STAFF CONTACT: Don Bullock
Manager of Capital Construction
E-mail: DBullock@nctd.org Phone: 760/737-8625 x257

TIME SENSITIVE: YES NO

Consent Action Information

COMMITTEE RECOMMENDATION:

DESCRIPTION:

Authorization for the Executive Director to enter into an amendment to the SPRINTER Maintenance Facility Contract ("Contract") to reduce current retention withheld from 5% to 3 %.

BACKGROUND:

IFB 5002 Section 6.16 c.1 of the SPRINTER Maintenance Facility Contract currently reads as follows; Release of Retainage. NCTD will release and pay to Contractor half of the ten percent (10%), or five percent (5%), retainage withheld during the first fifty percent (50%) of the Project. NCTD will withhold five percent (5%) of the remaining payments for actual work completed during the last fifty percent (50%) of the Project.

Retainage, or retention, is typically withheld from each construction progress payment for use in disputed or incomplete work which the contractor fails to perform. It also provides an incentive to complete punch list work at the completion of the project in a timely manner. Release of final retention typically can not be made until a certificate of completion is filed after the work has been accepted. Retention must be released, however, within 60 days of occupation, beneficial use, and enjoyment of the Project.

From the initiation of the Contract, NCTD withheld 10% retention from each invoice, until July 2006 when the NCTD Board authorized it be reduced to 5% and placed these funds in an escrow account in accordance with applicable law. The Whiting Turner Contracting Company (WTCC) has now requested a reduction of this retention from 5% (as is currently allowed for in the Contract) to 3%. They have further requested a modification of Section 6.16 c.1 in the Contracts to allow for release of all retention over 3% now held by NCTD (a reduction of currently held retention from 5% to 3%), and to reduce all future retention to 3%. The release of retention will provide additional operating capital to WTCC and foster continued cooperation with our team during the close out process.

This requested modification is permitted, has been reviewed by legal counsel, and is consistent with Public Contract Code 9203 (under which these Contracts are administered). It should be noted that Section 9203 allows retention to be as low as 5% throughout the duration of a project, and also permits a public agency to withhold no retention after 50% of the work is complete if the governing body of the public agency finds that satisfactory progress is being made.

NCTD staff recommends that this change be made as an incentive to the contractor to continue in the manner in which they have been working thus far. WTCC has been performing well and maintaining schedule despite numerous changes in the design and field conditions. We have received occupancy of the Maintenance Facility as of April 16th 2007. There are currently no significant issues in dispute and contract change orders are well within industry averages. The major factors typically evaluated in the reduction of retention are: (1) work progress and schedule, (2) potential disputes, and (3) quality of work. WTCC has been performing well on all three of these criteria, and met their goal of finishing on schedule with no claims. Public Contract Code section 9203 requires that the Board make a finding that "satisfactory progress is being made." It is staff's opinion that WTCC is making satisfactory progress.

Further, it should be noted that if at any time during the project there is an issue of disputed work, NCTD has legal authority, pursuant to Public Contract Code section 7107 and the Contract, to withhold 150% of any disputed work from retention payments for the disputed work while the issue is being resolved.

FISCAL IMPACT:

There will be no fiscal impact associated with this activity. The funds in retention are held in an escrow account for the benefit of the Contractor and are ultimately released to the Contractor at the end of the project after acceptance of the work.

OBJECTIVE:

Recommendation from the Committee that the Board, find that satisfactory progress is being made on the SPRINTER Maintenance Facility Project, and authorize the Executive Director to amend the Contracts to reduce current retention withheld from 5% to 3% and set retention at 3% for future work.

COMMITTEE DISCUSSION

5/03/07



STAFF REPORT
TO THE
MONITORING COMMITTEE

COMMITTEE MEETING DATE: May 3, 2007

TITLE: Customer Information Systems/511

STAFF CONTACT: Tom Kelleher
Manager of Marketing and Communications
E-mail: tekelleher@nctd.org Phone: 760/967-2862

TIME SENSITIVE: YES NO

Consent Action Information

COMMITTEE RECOMMENDATION:

DESCRIPTION:

Staff will update the Committee on ways customer information is shared with NCTD passengers throughout the region. From printed materials on buses to website information for trip planning, NCTD has established lines of communications available to passengers. NCTD also receives information from passengers in the form of Rider Reports via phone and email. Staff will discuss the methods set up to respond to various passenger inquiries and comments.

BACKGROUND:

With the recent introduction of SANDAG's 511 automated telephone information system, which allows people in San Diego County to get the latest transit and highway information by phone or computer, staff felt an update on NCTD's Customer Service information system would be beneficial. Staff will provide a history of the customer service function at NCTD; the role of regional telephone information for transit purposes; the world wide web and customer service; trip planning via phone; and on-line materials produced to give passenger's route information needed for the various modes of transit; two way communications available to passengers and the feedback mechanism; a look at the numbers for calls, hits, visits, Rider Reports and more.

FISCAL IMPACT:

None

OBJECTIVE:

Inform the Committee about NCTD's Customer Service information function.

COMMITTEE DISCUSSION

5/03/07

May 3, 2007

TO: North County Transit District Board Members
FROM: Clerk of the Board
SUBJECT: POSTING OF BOARD AGENDA

In Compliance with the Ralph M. Brown Act, As Amended, the following information is provided.

The Agenda for this meeting of the Monitoring Committee was posted as follows:

Meeting Date and Time:	May 3, 2007; 8:30 a.m.
Posted At:	810 Mission Avenue, Oceanside, CA and 311 So. Tremont, Oceanside, CA
Date & Time of Posting:	April 27, 2007; 5:00 p.m.
Posted By:	Clerk of the Board