

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

MINUTES

Thursday, October 8, 2009
1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, CA

REGULAR MEETING
9:30 a.m.

BOARD OF DIRECTORS

Nathaniel Ford, Chair
Elsa Ortiz, Vice Chair
Mark Church
Michael Cohen
Chris Daly
Bijan Sartipi

Executive Director
Maria Ayerdi-Kaplan

Secretary
Nila Gonzales

201 Mission St. #2100
San Francisco, California 94105
415-597-4620
415-597-4615 fax

9:30 – REGULAR MEETING

ORDER OF BUSINESS

1. Call to Order

Vice Chair Ortiz called the meeting to order at 9:30 am

2. Roll Call

Secretary Gonzales noted that Chairman Ford and Directors Sartipi and Church would not be in attendance due to conflicts; and therefore, Director Lloyd would sit in for Director Church and Vice Chair Ortiz would preside over the meeting.

Present: Michael Cohen
Chris Daly
Art Lloyd
Elsa Ortiz

Absent: Mark Church
Nathaniel Ford
Bijan Sartipi

3. Communications

None.

4. Board of Director's New and Old Business

None.

5. Executive Director's Report

- Funding Update
- Construction Manager/General Contractor (CM/GC) SBE Update

Executive Director (ED) Ayerdi-Kaplan reported that the US Department of Transportation's credit council unanimously approved the TJPA's TIFIA loan in the amount of \$171 million dollars. She also reported on letters of support from Governor Schwarzenegger and Speaker Pelosi for the TJPA's ARRA application and she expressed gratitude for their support as well as the continued support of Senators Boxer and Feinstein. She further reported that the Federal Railroad Administration (FRA) announced earlier in the week that they will announce decisions on applications sometime in the Winter. She then reported on progress to date and current activities including the work of Pelli Clarke Pelli Architects, Arup and Webcor/Obayashi.

Nancy Whelan, TJPA Financial Consultant, presented the Funding Update.

Jes Pedersen, Webcor/Obayashi, presented the CM/GC SBE Update.

6. Public Comment

None.

THE FOLLOWING MATTERS BEFORE THE TRANSBAY JOINT POWERS AUTHORITY ARE RECOMMENDED FOR ACTION AS STATED BY THE EXECUTIVE DIRECTOR OR THE CHAIR.

CONSENT CALENDAR

7. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Transbay Joint Powers Authority, and will be acted upon by a single vote. There will be no separate discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(7.1) Approving the Minutes of the September 10, 2009 meeting.

(7.2) Approving an amendment to the Small Business Enterprise (SBE) Program, allowing for the use of small business set-asides as appropriate in the implementation of the SBE Program.

RESOLUTION 09-045

No public comment.

On motion to approve the Consent Calendar:

ADOPTED: AYES – Cohen, Daly, Lloyd and Ortiz

REGULAR CALENDAR

8. Authorizing the award of Contract No. 08-08-DM-000, Existing Terminal and Ramps Demolition, to Evans Brothers, Inc. as the responsible bidder submitting the lowest responsive bid in the amount of \$10,502,400 with authorization to proceed with demolition contingent on satisfaction of certain conditions, including completion of the Temporary Terminal, funding to construct the new Terminal, possession of the affected State parcels from Caltrans by the TJPA, provision of notice and relocation assistance to tenants, and final authorization by the TJPA Board.

ED Ayerdi-Kaplan presented the item.

No public comment.

RESOLUTION 09-046

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Lloyd and Ortiz

9. Authorizing Amendment No. 4 to the Agreement with Webcor/Obayashi for Construction Manager/General Contractor (CM/GC) Services for the Construction of the Transbay Transit Center Building and Related Structures, to convert the CM/GC Markup on subcontractor services to a Fixed Fee of \$39,050,000 to be in conformance with the Federal Transit Authority's (FTA) requirement as a condition of approval of the TJPA's Transit Infrastructure Finance and Innovation Act (TIFIA) loan application.

Robert Beck, TJPA Senior Program Manager, presented the item.

No public comment.

RESOLUTION 09-047

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Lloyd and Ortiz

10. Approving the updated Initial Project Report dated October 8, 2009, and a Resolution of Project Compliance for the allocation of Regional Measure 2 Funds in the Amount of \$2,072,000 for the Transbay Transit Center/Caltrain Downtown Extension Project.

Nancy Whelan, TJPA Financial Consultant, presented the item.

No public comment.

RESOLUTION 09-048

On motion to approve:

ADOPTED: AYES – Cohen, Daly, Lloyd and Ortiz

11. Authorizing the Executive Director to execute an Intergovernmental Agreement with the Alameda-Contra Costa Transit District (AC Transit) to procure and deliver the Bay Bridge Corridor Study Contra-Flow Lane Analysis with funding provided by AC Transit from its FTA Urban Partnership Agreement in the amount of \$350,000.

Robert Beck, TJPA Senior Program Manager, presented the item.

No public comment.

RESOLUTION 09-049

On motion to approve:

ADOPTED: AYES – Cohen, Daly and Lloyd

ABSTAIN – Ortiz

ADJOURN – Vice Chair Ortiz adjourned the meeting at 10:00 am

A tape of the meeting is on file in the office of the Secretary to the Transbay Joint Powers Authority Board of Directors.

Nila Gonzales
Board Secretary

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code Sections 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 801, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 554-8757 and web site: sfgov.org/ethics.