



**BUSINESS ADVISORY COUNCIL
MEETING MINUTES**

Thursday, September 12, 2013
1:00 p.m. - 3:00 p.m.
Sacramento, California

**CALIFORNIA HIGH-SPEED RAIL
Representatives:**

Thomas Fellenz, Council Chair
Robert Padilla, Small Business Advocate
Patricia Padilla, Small Business Team
Olivia Fonseca, Small Business Team
Lauren Padilla, Small Business Team
Ashley Marzano, Small Business Team
Emily Ryan, Small Business Team

**PRIMARY MEMBERS
Present :**

ACEC: Arvin Chaudhary
AICCC: Gretchen Cox
AAAE: Eddy Lau
AAA/E: Linden Nishinaga
AGC: Sam Hassoun
CBCC: Aubry Stone CHCC:
Carlos Alarcon CHCC:
DVBA: Chris Coles
ESDVOBN: Bill Ulmer
GFACC: Debbie Hunsaker
KMCA: Marvin Dean
LBA: Leonard Ortiz
NAACP: Betty Williams
LRRT: Paul Guerrero
NCA: Diana LaCome
SFAACC: Frederick Jordan
USPAACC: Clyde Wong
WCOE: Lee Cunningham

**PRIMARY MEMBERS
Absent:**

CSBA: Betty Jo Toccoli
NAMC: Ingrid Merriwether
WTS: Stacey Alliguie
ABA: Johnathon Hou
CAACC: Scott Leslie

**ALTERNATE MEMBERS
Present:**

AAAE: Winifred Au
SFAACC: Caesar Churchwell
DVBA: Jim Robinson
KMCA Dominique Curl
NCA: Patricia Preston
ABA: Ester Shaw

GUESTS:

Angel Carrera, DGS
Michael Aguilio, DGS
Garth Fernandez, Caltrans District 6
Chris Gardner, Caltrans District 6
Ellen Lee
Seng Kwok
Charles Frarier

I. WELCOME AND INTRODUCTIONS

Mr. Fellenz, Council Chair, welcomed the BAC members and commenced the BAC meeting by asking Council members and guests to introduce themselves. The BAC meeting commenced at 1:07 p.m.

II. APPROVAL OF JUNE 20, 2013 MEETING MINUTES

Mr. Fellenz solicited input from the Council to approve the meeting minutes from June 20, 2013. Motion to approve minutes requested.

Motion I

Motion to approve June 20, 2013 meeting minutes.

Raised by: Debbie Hunsaker

Seconded by: Leonard Ortiz

Status: Passed

III. ADMINISTRATIVE ITEMS

- a. Mr. Fellenz encouraged Members who have not submitted their Reaffirmation Letter to get them in, to not jeopardize their applicable Associations membership on the BAC.
- b. Mr. Fellenz reminded Council that the next scheduled Board meeting is October 17, 2013
- c. Mr. Fellenz requested the Council input about the last scheduled meeting of the year proposed for December 19, 2013. After some discussion a motion was made.

Motion

Motion to cancel the December 19, 2013 BAC meeting.

Raised by: Leonard Ortiz

Seconded by: Debbie Hunsaker

Status: Passed

- d. Mr. Fellenz reviewed the proposed 2014 calendar for the BAC meeting schedule, proposed meeting locations and mentioned the March and May proposed meeting locations have not been secured.

Motion

The March 2014 BAC meeting to be conducted in Southern California near a metropolitan airport (LAX or Burbank). Meeting location to be determined prior to the March 2014 meeting.

Raised by: Linden Nishinaga

Seconded by: Leonard Ortiz

Status: Passed

Motion

The May 2014 BAC meeting to be held in Fresno. Meeting location to be determined prior to the May 2014 meeting.

Raised by: Diana LaCome

Seconded by: Debbie Hunsaker

Status: Passed

e. Action Items to be addressed on October 17, 2013 Agenda

- Bill Ulmer: Request that the January 2014 Committee meetings begin earlier to allow for at least a four (4) hour Committee meeting and recommends that the Council meeting starts at 1:00 pm.
- Paul Guerrero: Request for the Council Members to be issued CHSRA State Identification badges.
- Diana LaCome: Request the structure of the January 2014 Committee meetings be changed to host both Committees meeting in one session with a Facilitator. Facilitation similar to the January 2013 Construction Committee meeting structure.

IV. CALTRANS 99 MOVE OVER PROJECT PRESENTATION-

Mr. Fellenz introduced Garth Fernandez from Caltrans to conduct a presentation on the Caltrans 99 Move Over Project. Mr. Fernandez provided a power point and as a handout the map of the 99 Move Over project.

- The 99 Move Over Project will have a 30% SB goal in conformance with the Authority's SB Policy.
- Refer to the attached powerpoint presentation for the essence of the project discussion.

IV. COMMITTEE UPDATES

Mr. Lau, Professional Services Committee Chair summarized the Professional Services Committee Meeting, as follows:

1. Mr. Lau stated that 9 members participated and 8 guests were in attendance.
2. Committee discussed FHWA Safe Harbor Rate concept
 - Request the Authority investigate the feasibility of a Safe Harbor Rate concept and present to FRA for potential implementation by the Authority.
3. Disparity Study contract
 - The selected Disparity Study consultant is Mason Tillman and Associates and is currently awaiting DGS for contract approval. The Committee acknowledges the Authority for the selection of a California based firm.
4. Design-Build contract (CP 1)
 - Request the Design Build awardee for CP1 to attend a Committee meeting to bring a copy of the Performance Plan and anticipated construction schedule. Discussion to include the potential of separating the professional services (design) and construction (build) small business goals (30/10/3) including tracking the separate participation levels. In addition, will discuss the potential of setting aside the utility relocation design and construction to small business. Motion passed unanimously.
5. Design-Build contract (CP 2-3)
 - Request the Authority consider revising the evaluation criteria to a 50% technical and 50% pricing. In addition, the committee desires that the Small Business Performance Plan be a graded component of the technical evaluation versus Pass/Fail.
 - Request the Authority hold at least one Small Business Outreach meeting supported and held by the Authority for CP 2-3 prior to advertisement date of the RFQ.
6. Supportive Services contract
 - RFP continues to be in draft and awaiting Authority release as solicitation. Consultant is to

provide advance business development (construction technical assistance and training) for small business for design build.

7. Mr. Bill UMBER presented the Authority and Robert Padilla, SB Advocate with a Recognition Award issued by the National Service Disabled Veteran Owned Small Businesses organization.

Mr. Hassoun, Construction Committee Chair presented goals, objectives, and requests of the Committee as follows: The Construction Committee's discussed five (7) of their prioritized goals.

1. Request presentation from Risk Manager on Bonding and Insurance requirements
2. Outreach Activities
 - Keep Council and Committee informed
 - Would like to have powerpoint slides include a line mentioning the existence of the Business Advisory Council – can be placed following the Small Business Advocate information.
3. Authority emails that address an Outreach event should have subject line: "HSR- OUTREACH" in caps
4. Ensure prime contractors identify themselves at Pre-Bid conferences and to network with subcontractors at events
5. Place Contractor Planholders list on website
6. Does the 99 Move Over (Caltrans) comply with the 30% SB goal into contract
7. Committee expressed concern regarding PG&E Utility relocation work. The relocation work could be done by SBs.

Please note: Any requests for action require the completion and submittal of the Official Committee Request Form to the Committee Liaison for review and processing.

V. PROJECT UPDATE

Mr. Marcellus was unable to attend the meeting however the following items were provided by Mr. Fellenz as the project update:

1. The Authority is in the procurement process for three (3) Regional Consultant contracts
 - Sac-Merced: \$1 million
 - LA-San Diego: \$2 million
 - Bakersfield to Palmdale: \$43 million
2. The CP 2-3 RFQ was the subject of a Board item on September 11, 2013
 - The Board provided approval to release CP 2-3 RFQ for the end of September 2013

VI. SMALL AND DISADVANTAGED BUSINESS ENTERPRISE PROGRAM UPDATE

1. Ms. Fonseca introduced Ashley Marzano and she presented on the Small Business Certification Workshops that have been conducted and will be conducted through November 2013
 - On October 25, 2013 in Lancaster, CA (refer to event flyer)
 - On November 8, 2013 in Los Angeles, CA (refer to event flyer)
 - Action item: Lee Cunningham requested a workshop to be conducted in Eureka
2. Patricia Padilla: The Limited Notice to Proceed was issued for CP 1. The Tutor Perini Zachry Parsons (TPZP) team has 60 days to submit the formal revised SB Performance Plan. At issuance of NTP, HSR has opportunity to make suggestions to the SB Performance Plan. 14 days after NTP, TPZP will need to submit subcontractor contract agreements.
 - SB Team met with TPZP last week
 - Provided an overview of the SB and Community Benefits Agreement (CBA) requirements

- Reminded TPZP to submit the SB Performance Plan and to identify its SB Liaison Officer
- The SB firms listed on the Performance Plan must include their scopes of work and proposed subcontract values.
- Requested the name of the Jobs Coordinator to comply with the CBA.
- These are critical components to address and SB team working closely with TPZP.
- The Authority has submitted a request for Ron Tutor, Managing Partner to attend and present at the October BAC meeting.

VII. BUSINESS ADVISORY COUNCIL REQUESTS/ACTION ITEMS

- Bill Ulmer: Item 12 on PS Committee Requests is “pending” not “closed.”
- Lee Cunningham: Requested a SB Certification Workshop to be conducted in Eureka.
- Marvin Dean: Suggested that each Council member commit to help the Authority conduct outreach to fill opening at the SB Certification Workshops. He suggested that the Authority call each Council member to advise them that a SB Certification Workshop will occur in their respective area.
- Marvin Dean handed a letter dated September 14, 2013 to Chair Fellenz with recommendations to market the BAC mission.
- Bill Ulmer: Requested that the BAC Committee meetings begin earlier for the January 2014 BAC Planning session and that the full Council meeting begin at 1p.m.
- Paul Guerrero: Request for the Council Members to be issued CHSRA State Identification badge
- Diana LaCome: Request the structure of the January 2014 Committee meetings be changed to having one meeting with a Facilitator, similar to last January 2013 Construction Committee meeting structure.

Please note: Any requests for action require the completion and submittal of the Official Request Form to the BAC Liaison for review and processing.

X. PUBLIC COMMENT

Mr. Fellenz opened the floor for adhoc discussion and public comment.

Marvin Dean announced the 7th Annual San Joaquin Valley Region Contracting Conference is scheduled for January 10, 2014 in Bakersfield California.

Meeting adjourned at 3:15p.m.