



CALIFORNIA High-Speed Rail Authority

BUSINESS ADVISORY COUNCIL MEETING MINUTES

DATE: Thursday, August 21, 2014

TIME: 1:14 p.m. – 3:03 p.m.

LOCATION: 707 3rd Street, West Sacramento, CA – Executive Dining Room

CALIFORNIA HIGH-SPEED RAIL AUTHORITY REPRESENTATIVES:

Thomas Fellenz, Council Chair
Terry Marcellus, PMT-CHSRA
Robert Padilla, Small Business Advocate
Jose Camarena, Director of Contract Compliance
Karen Massie Withrow, CHSRA
Jason Kimbrough, CHSRA
Patricia Padilla, PMT-CHSRA
Lauren Padilla, PMT-CHSRA
Emily Ryan, PMT-CHSRA
Austin Kidwell PMT-CHSRA

MEMBERS PRESENT:

AAAE: Eddy Lau
CAACC: Scott Leslie
DVBA: Chris Coles
ESDVOBN: Bill Ulmer
GFACC: Debbie Hunsaker
KMCA: Marvin Dean
LRRT: Paul Guerrero
LBA: Leonard Ortiz
NCA: Diana LaCome
SFAACC: Fred Jordan
WCOE: Lee Cunningham
CHCC: Jesus Vargas
SAME: Vida Wright

MEMBERS ABSENT:

ACEC: Arvin Chaudhary
AICC: Gretchen Cox
AAa/E: Linden Nishinaga
ABA: Jason Kim
AGC: Sam Hassoun
CBCC: Aubry Stone
NAACP: Betty Williams
USPAACC: Clyde Wong

ALTERNATES PRESENT:

AICC: Adam Holt
AAAE: Winifred Au
AAa/E: James Okazaki
NCA: Patricia Preston

GUESTS

Acosta Engineering Solutions: Maritza Acosta
Department of General Services: Michael Aguilio
Rail Surveyors and Engineers, Inc.: Jorge Sanchez

ITEM 1: WELCOME/INTRODUCTIONS (Thomas Fellenz, Council Chair)

- Council Chair Fellenz opened the meeting at 1:14 p.m. by welcoming everyone. Council Chair Fellenz initiated introductions of members and guests present.

ITEM 2: APPROVAL OF JUNE 19, 2014 MINUTES (Thomas Fellenz, Council Chair)

- Council Chair Fellenz presented the draft minutes from the June 19, 2014 meeting.
- Member Guerrero objected that the minutes were incomplete in a number of areas, and especially in regards to Maurice Young of TPZP's presentation at the June BAC meeting.
- By affirmation, the council tabled approval of the June 19, 2014 minutes pending the addition of an addendum detailing Maurice Young's presentation at the June BAC meeting.

ITEM III: ADMINISTRATIVE ITEMS (Thomas Fellenz, Council Chair)

- Member Lau requested clarification of the request process. Members were reminded that official requests must be submitted using the Official Committee Request Form. Authority staff committed to promptly notifying members when new requests have been received and updating members on the status of requests at each meeting.
- San Francisco, Los Angeles and Sacramento were nominated as possible locations for the April 16, 2015 BAC meeting. San Francisco was selected as the location for the April 2015 meeting by majority vote.

ITEM IV: COMMITTEE UPDATES

CONSTRUCTION COMMITTEE (Diana LaCome)

- Item 1: Internal Processes.
- Item 2: Requested clarification on 30/10/3 goals in regards to inter-agency contracts.
- Item 3: Requested TPZP's Small Business Performance Plan, and for Maurice Young to attend next BAC meeting to discuss TPZP's small business services and utilization.
 - Authority staff noted that a TPZP representative was required to attend four BAC meetings per year.
- Item 4: Requested an update on DBE/DVBE participation on the project to date.
- Item 5: Requested that the Authority create a set aside program, similar to BART's, with work dedicated for small businesses.

- This program would have its own, separate certification process.
- The program would be comprised of work directly between the Authority and small businesses.
- Item 6: Discussion of SB 854, which requires firms doing business with the state to pay yearly registration fees.
 - Staff noted that the Authority is partially exempted from this law due to its Project Labor Agreement.

PROFESSIONAL SERVICES COMMITTEE (Bill Ulmer)

- Item 1: The committee is in the process of drafting specific language in regards to their standing request (Official Recommendation 1) that the Authority develop protocols for debriefing non-successful firms.
- Item 2: Recommended that the Annual Work Program Guidelines be amended to include Safe Harbor rates as an additional option for overhead rates. The committee will submit a recommendation on specific language.
- Item 3: The committee is prepared to submit official language in regards to Official Recommendation 4, which requests the separation of the design and build aspects of contracts in regards to the 30/10/3 goal.
- Item 4: Requested that the Authority ask TPZP to send a representative to the next Professional Services Committee meeting.
- Item 5: Requested the A & E Utilization Report.
 - Authority staff noted that the report will be submitted by October.
- Item 6: Affirmed that the new requests from the June BAC meeting will be submitted using the Official Committee Request forms.

ITEM V: PROJECT UPDATE (TERRY MARCELLUS CHSRA PROGRAM MANAGEMENT TEAM and CHSRA COUNCIL CHAIR)

- Right of Way services contract is in procurement.
- ARCADIS has been selected as the Project Construction Manager for CP 2-3.
- CP 2-3 Design-Build RFP due on October 21, 2014.
- The Authority is making progress on negotiations with Caltrain, BART and Metro on bookends.
- RFQ for CP 4 will be released shortly after the due CP 2-3 RFP due date in October.

- An RFP for a subsidence study and an RFP for tree planting and maintenance in Fresno are pending
- Member Leslie asked if the control system would be for the IOS or the system as a whole
 - Mr. Marcellus answered that it would be for the system as a whole, with the exceptions of some power components.
- Member Coles asked if the control and communications systems were included in CP 5
 - Mr. Marcellus answered that they are not; CP 1-5 includes only the track.
- Member Preston asked if Mr. Marcellus had a look ahead report
 - Mr. Marcellus answered that he did not but that one would be prepared soon.
- Member Preston requested information on the development of stations and platforms
 - Mr. Marcellus answered that station grants would be given to communities, noting that Gilroy and Fresno had already been granted them. It was also noted that, in future, these grants will carry the 30/10/3 goal. Staff was not certain whether the Gilroy grant included the 30/10/3 goal.
- Member LaCome requested information on the trains and train cars, and specifically if they will be built in the United States.
 - Mr. Marcellus answered that there are two train engine manufacturers in the United States, and that they are the focus of discussion at this time.
 - Mr. Marcellus further noted that there are no manufacturers of high-speed rail cars in the United States and that the current thinking was that the car components would be purchased abroad, imported and then assembled in the United States.
 - Mr. Marcellus stated that the process on the train and train car contracts will begin within six months and that the current goal is to have initial trains and train cars completed by 2022.
- Member Jordan requested that the Authority consider the construction of a station in Allensworth due its historical significance and the potential to draw attention and visitors to a location of historic importance to the African-American community.
 - Mr. Marcellus answered that this would be taken into consideration

ITEM VI: SMALL AND DISADVANTAGED BUSINESS ENTERPRISE PROGRAM UPDATE (ROBERT PADILLA, SMALL BUSINESS ADVOCATE AND JOSE CAMARENA, DIRECTOR OF CONTRACT COMPLIANCE)

ROBERT PADILLA

- Introduced Karen Massie Withrow and praised her role in assisting with small business events and outreach.
- Discussed the Small Business Newsletter and requested that members share the newsletter with their constituents.
- Introduced Michael Aguilio of the Department of General Services and noted that the Authority has a Memorandum of Understanding with DGS to conduct small business workshops.
- Discussed the Authority's participation at recent events with members Vargas and Wright.
- Asked that members invite Authority representatives to events that they hold in order to facilitate the Authority's outreach to SBEs, DBEs and DVBEs.
- Member Dean requested that the BAC be featured in the small business newsletter in order to advertise the council to the public.
 - Mr. Padilla answered that this would be taken into consideration.

JOSE CAMARENA

- Disclosed TPZP's self-reported SBE/DBE/DVBE utilization from most recent weekly meeting.
 - 5.9 percent of CP 1 is completed.
 - 29 percent is committed to SBEs.
 - 19 percent is committed to DBEs.
 - 1.4 percent is committed to DVBEs.
- Member Coles noted that the DVBE goal is not being met, requested a plan of action on increasing DVBE utilization.
 - Lauren Padilla noted that TPZP expects DVBE utilization to ultimately exceed the 3 percent goal.
 - Ms. Padilla further noted that specifics on future DVBE utilization have been requested from TPZP.

ITEM VII: BUSINESS ADVISORY COUNCIL REQUESTS/ACTION ITEMS

There are two recommendations pending from the Professional Services Committee, both awaiting updated language from the committee:

- Official Recommendation 1: Request the Authority perform debriefing for non-successful firms and develop guidelines for debriefing A & E contracts.

- Official Recommendation 4: Request the Authority to amend the SB Program Plan to separate the PS (design) and construction (build) SB Goal (30/10/3) for each scope including language for identification and tracking or separate participation.

ITEM VIII: ADJOURNMENT

- Council Chair Fellenz adjourned the meeting at 3:03 p.m.